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Congressional Record

PROCEEDINGS AND DEBATES OF THE 98th CONGRESS, FIRST SESSION

HOUSE OF REPRESENTATIVES—*Thursday, May 5, 1983*

The House met at 11 a.m.

The SPEAKER. Today we have the pleasure of having as a guest chaplain, Dr. Edward G. Latch, the former Chaplain of this House, who was with us for many years and whom we all admire and respect.

Rev. Edward G. Latch, D.D., former Chaplain of the U.S. House of Representatives, offered the following prayer:

If my people who are called by my name shall humble themselves, and pray, and seek my face, and turn from their wicked ways; then will I hear from heaven and will forgive their sins and heal their land.—II Chronicles 7: 14.

Eternal God, our Father, on this day of prayer, we pause in Thy presence to listen to Thy voice and to receive the ministry of Thy grace. Thou art ever calling us to work with Thee to keep justice, freedom, and good will alive in our world. Prosper us in our planning, encourage us in our endeavors, strengthen us as we step forward for the good of our country and the benefit of the world in which we live.

We pray for our President, for our Speaker, for the Members of this body, and for all who work on Capitol Hill. Together may we go forward leading our people in right paths, toward great goals, by noble means, and doing it all with clean minds and pure hearts. To this end we commit ourselves to the guidance of Thy spirit for the greater good of our Nation and the higher interests of all mankind. Amen and amen.

THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Sparrow, one of its clerks, announced that the Senate had passed bills, joint resolutions and a concurrent resolution of the following titles, in which the concurrence of the House is requested:

S. 46. An act to revise, consolidate, and enact certain laws related to vessels and seamen as subtitle II of title 46, United States Code, "Shipping";

S. 445. An act to amend title 11, United States Code, and for other purposes;

S.J. Res. 66. Joint resolution to authorize and request the President to designate May 6, 1983, as "National Nurse Recognition Day";

S.J. Res. 68. Joint resolution to authorize and request the President to designate July 16, 1983, as "National Atomic Veterans' Day";

S.J. Res. 83. Joint resolution to recognize Senior Center Week during Senior Citizen Month as proclaimed by the President; and

S. Con. Res. 14. Concurrent resolution in commemoration of the bicentennial of the birth of Simon Bolivar, hero of the independence of the Americas.

PERMISSION FOR PERMANENT SELECT COMMITTEE ON INTELLIGENCE TO FILE REPORT ON HOUSE RESOLUTION 159, DIRECTING THE PRESIDENT TO FURNISH CERTAIN INFORMATION RELATIVE TO HONDURAS AND NICARAGUA

Mr. BOLAND. Mr. Speaker, I ask unanimous consent that the Permanent Select Committee on Intelligence, have until midnight tonight, May 5, 1983, to file a report to accompany House Resolution 159, a resolution of inquiry directing the President to furnish certain information to the House of Representatives with respect to U.S. activities in Honduras and Nicaragua.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

U.N. DELEGATE ATTACKS CONGRESSMEN ON EL SALVADOR STAND

(Mr. KOSTMAYER asked and was given permission to address the House for 1 minute, and to revise and extend his remarks, and include extraneous matter.)

Mr. KOSTMAYER. Mr. Speaker, this morning the New York Times carries a report that U.N. Ambassador Jeane J. Kirkpatrick has said that "some Members of Congress would like to see a Marxist administration in El Salvador." She does not name them, of course. People who make such accusations never do.

For the record, Mr. Speaker, I know of no such Members. All of us on the Committee on Foreign Affairs and the Subcommittee on the Western Hemisphere deplore such a possibility. Mrs. Kirkpatrick's suggestion that some of us do not is scurrilous.

Her remarks are reminiscent of the tactics once used by the late Senator Joseph McCarthy. Her broad brush approach and her reckless rhetoric only worsens an already bad situation.

Mr. Speaker, Mrs. Kirkpatrick owes Members of both parties in Congress an apology unless she can come up with some names. She should put up or shut up, and since she is unable to do the former, I urge her to do the latter.

Mr. Speaker, the article from the New York Times is included, as follows:

CONGRESSMEN ATTACKED OVER EL SALVADOR STAND

BUENOS AIRES, May 4—Jeane J. Kirkpatrick, chief United States delegate to the United Nations, was quoted today as saying that some members of Congress would like to see a Marxist administration in El Salvador. She did not name them.

In an interview with the Buenos Aires daily Clarin published today, Mrs. Kirkpatrick said Argentina should have a legitimate government "like that of El Salvador."

Mrs. Kirkpatrick, interviewed recently by the newspaper on a flight from Washington to New York, said, "What happens is that there are people in the U.S. Congress who do not approve of our efforts to consolidate the constitutional government of El Salvador and who would actually like to see the Marxist forces take power in that country."

The reporter asked: "Let me make this last bit clear. Do you really believe there are

U.S. lawmakers who would like to see a Marxist government in El Salvador?"

"Yes of course," Mrs. Kirkpatrick said. "I don't think, I must say, that there are many, but there are some. This is, of course, in general terms."

Joan Dickie, a press officer at the United States Mission to the United Nations, said she did not know about the interview.

EL CINCO DE MAYO—AN IMPORTANT DATE IN MEXICO'S HISTORY

(Mr. COLEMAN of Texas asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. COLEMAN of Texas. Mr. Speaker, today I would like to convey to our neighbors in Mexico the best wishes of this body as they commemorate an important date in their history—el Cinco de Mayo.

On the 5th of May 1862, Mexican troops held off an invading French army in the city of Puebla, Mexico. The Mexicans' courage and determination during the battle was reflected by that great leader, Benito Juarez, who maintained an independent government in northern Mexico and refused to recognize the occupational French Government until its expulsion in 1867.

The victory at Puebla underscores Mexico's strong commitment toward maintaining its national sovereignty and dignity. This pride transcends the border for Mexican Americans throughout the United States and all who hold dear the principles of democracy.

El Cinco de Mayo is thus a great symbol of the spirit of freedom for the Americas.

A THIRD ALTERNATIVE TO DEAL WITH INTERNATIONAL MONETARY FUND CRISIS

(Mr. SCHUMER asked and was given permission to address the House for 1 minute, and to revise and extend his remarks, and include extraneous matter.)

Mr. SCHUMER. Mr. Speaker, today I am introducing a bill to deal with the International Monetary Fund crisis that plagues all of us. It is a remodeled version of H.R. 2378, which I had introduced before, and I think it provides for us as Members of the House a third alternative.

One alternative is to vote against the $8.4 billion, and that could wreak havoc not only in the international world but in our own country. The second alternative is to simply approve, as the administration and the IMF would have us do, the naked $8.4 billion, which would insure that the mistakes of the past are repeated. It would allow profligate lending policies both on the part of banks and Third World countries to continue.

Mr. Speaker, the third alternative, I believe, is embodied in this bill, which allows the international debt restructuring to occur but on new terms so it will not occur again. I urge Members to look at the bill in the hope that we can garner support for it in the committee and on the floor of the House.

The bill follows:

H.R. 2931

A bill to require the rescheduling of short-term debt incurred by certain countries and to impose restrictions on financial institutions with respect to their lending to foreign countries

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SHORT TITLE

SECTION 1. This Act may be cited as the "International Financial Stability Act.".

SUSTAINING ECONOMIC GROWTH

SEC. 2. The Bretton Woods Agreements Act (22 U.S.C. 286 et seq.) is amended by adding at the end thereof the following:

"SUSTAINING ECONOMIC GROWTH

"SEC. 40. (a)(1) The President shall instruct the Secretary of the Treasury, the Secretary of State, and other appropriate Federal officials, including the Chairman of the Board of Governors of the Federal Reserve System, to use all appropriate means to encourage countries to formulate economic adjustment programs to deal with their balance of payments difficulties and external debt owed to private banks.

"(2) Such economic adjustment programs should be designed to safeguard, to the maximum extent feasible, international economic growth, world trade, employment and the long-term solvency of banks and to minimize the prospects of civil disturbances in countries needing economic adjustment programs.

"(b) To ensure the effectiveness of economic adjustment programs supported by Fund resources—

"(1) the United States representatives to the Fund shall recommend and shall work for changes in Fund guidelines, policies, and decisions which would—

"(A) convert short-term bank debt which was made at high interest rates into long-term debt at a lower rate of interest;

"(B) assure that the total amount of principal and interest payments required of the country involved are both a manageable and prudent percentage of the projected export earnings of such country; and

"(C) provide that in approving any economic adjustment program the Fund shall take into account the number of countries applying to the Fund for economic adjustment programs and the aggregate effects that such programs will have on international economic growth, world trade, exports and employment of other member countries, and long-term solvency of banks.

"(2)(A) Except as provided in subparagraph (B), the United States Executive Director of the Fund shall vote against providing assistance from the Fund for any economic adjustment program unless the United States Executive Director determines and provides written documentation that—

"(i) the economic adjustment program provides for converting short-term bank debt which was made at high interest rates into long-term debt at a lower rate of interest;

"(ii) the total amount of principal and interest payments required of the country involved are both a manageable and prudent percentage of the projected export earnings of such country; and

"(iii) the economic adjustment program will not have an adverse impact on international economic growth, world trade, exports and employment of other member countries, and the long term solvency of banks.

"(B) The provisions of subparagraph (A) shall not apply in any case in which the United States Executive Director of the Fund determines and provides written documentation that there are unusual and exigent circumstances which warrant waiving the provisions of such subparagraph.

"(c) The National Advisory Council on International Monetary and Financial Policies shall include in each of its financial reports to Congress copies of the analyses and any written documentation prepared by the United States Executive Director pursuant to paragraphs (2)(A) or (2)(B) of subsection (b) and a statement detailing the actions and progress made in carrying out the requirements of subsections (a) and (b) of this section.".

LOAN LOSS RESERVES

SEC. 3. (a) In any case in which a bank has made any loan to a public or private borrower in a foreign country and such loan cannot be repaid according to the original terms and conditions on which such loan was made, the Financial Institutions Examination Council shall require such bank to increase its loan loss reserves.

(b) The Financial Institutions Examination Council shall waive the requirements of subsection (a) with respect to any loan which is restructured under section 40 of the Bretton Woods Agreements Act.

PERMISSION FOR COMMITTEE ON RULES TO FILE CERTAIN PRIVILEGED REPORTS

Mr. LONG of Louisiana. Mr. Speaker, I ask unanimous consent that the Committee on Rules have until midnight tonight, May 5, 1983, to file certain privileged reports.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

HOMEOWNERSHIP INCENTIVE ACT OF 1983

(Mr. ANTHONY asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. ANTHONY. Mr. Speaker, my colleague BILL FRENZEL and I are today introducing legislation which is designed to assist first-time home buyers accumulate a downpayment for a purchase of a home.

Our legislation, the Homeownership Assistance Act of 1983, would assist first time home buyers in accumulating a downpayment for the purchase of a home by permitting them to establish an individual housing account (IHA). Contributions to the IHA

would be deductible up to a limit of $1,000, $2,000 on a joint return, per year. The maximum amount of contributions to the IHA could not exceed $10,000, and all interest would be tax free.

In order to reduce the revenue loss associated with the proposal, all withdrawals from the account would be recaptured as ordinary income at a rate of 10 percent per year for 10 years. It is anticipated that this will help to keep the revenue loss well below $1 billion once the bill is fully effective.

Over the past few months, we have been working with the sponsors of several of the other proposals that have been introduced in the Congress dealing with housing accounts in an effort to develop a bill that would provide the maximum amount of assistance to first-time home buyers at a reasonable expense to the Treasury. We believe that the Homeownership Assistance Act of 1983 fully meets these objectives. The National Association of Homebuilders and the National Association of Realtors, both of whom have endorsed and are strongly supporting this bill, have estimated that the enactment of the Homeownership Incentive Act of 1983 will reduce from 6 to 3 years the average time required for a young family to save for a downpayment on a home, at a cost to the Treasury of less than $600 million in fiscal year 1984.

Mr. Speaker, the opportunity for homeownership has been, and should continue to be, a top national priority. The benefits of homeownership can never be over emphasized. It is our responsibility to take action now to provide a meaningful means of assistance for the millions of Americans who want, but cannot now afford, to purchase a home.

I urge all of my colleagues to support this important proposal. A detailed summary of the bill follows:

HOMEOWNERSHIP INCENTIVE ACT OF 1983

(1) Tax deductible contributions up to $1,000 ($2,000 on a joint return) annually could be made to an IHA. This would be available only to first-time homebuyers.

(2) The maximum total home purchase contribution cannot exceed $10,000.

(3) Contributions to an IHA can either be in the form of cash, or in the form of stock, bonds and securities.

(4) Withdrawals from the account for home purchases would be recaptured as ordinary income over a period of ten years.

(5) A penalty is provided if the funds are not used for home ownership.

(6) Basis in a home purchased with an IHA would be adjusted downward for unrecaptured funds from an IHA.

(7) Except for extraordinary circumstances (divorce, death, etc.), contributions must be used for a home purchase by the end of the 10th year.

(8) IHA's would be separate from existing IRA's. First-time homebuyers would not be permitted to withdraw funds from an IRA to purchase a home.

□ 1110

THE RACIST HOMELAND POLICY OF THE SOUTH AFRICAN GOVERNMENT

(Mr. MRAZEK asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MRAZEK. Mr. Speaker, 1 minute is precious little time to condemn a policy in South Africa which has been in practice for decades, and which reverses the evolution of human progress.

The injustice of which I speak is the so-called homeland policy, a misnomer if ever one existed. This racist strategy of the South African Government has uprooted literally millions of the Nation's black citizens from their ancestral land and resettled them in isolated pockets of poverty, disease, starvation, and repression.

These desolate homelands are monuments to the bankruptcy of apartheid. A recent report characterized one such homeland as having the greatest population density of any place on Earth—more than 1,100 people per square mile, struggling for life without electricity, transportation, economic self-sufficiency or basic medical treatment. The Government of South Africa has acknowledged the abject failure of its homeland policy, yet continues on its course in the name of ethnic and racial purity.

The existence of this policy is no secret to our Government, and indeed we have filed the obligatory protests through the traditional channels. Mr. Speaker, it is time we did more. Today, I am introducing a resolution which expresses the opposition of this body and this Government to the policy being practiced in South Africa that contravenes the U.N. Charter and its covenant on Human Rights.

The spirit behind this legislation is embodied in the words of Steve Biko, who has said:

The basic tenet of (South African) black consciousness is that the black man must reject all value systems that seek to make him a foreigner in the country of his birth and reduce his basic human dignity.

Mr. Speaker, I urge the support of my colleagues in condemning the homeland policy in South Africa.

ORDER OF BUSINESS

Mr. BETHUNE. Mr. Speaker, I ask unanimous consent that I may precede the gentleman from New Mexico (Mr. RICHARDSON) on special orders today.

I have such an agreement with the gentleman from New Mexico (Mr. RICHARDSON), and so that he may be protected, I am requesting that he follow me on special orders today.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

A SALUTE TO MEXICO AND BENITO JUAREZ

(Mr. McNULTY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. McNULTY. Mr. Speaker, it is easy for us, the rich, the educated, and the influential to fall into the trap of believing that those who seem to be so unlike us can function and rule as efficiently as we can. That is an ancient trap.

On this day, more than 100 years ago, a full-blooded Zapotec Indian, named Benito Juarez, conquered the Hapsburg Empire at the battle of Pueblo, Mexico. That was the conclusion of the second of the three revolutions that brought the modern State of Mexico into being.

Juarez had little education and obviously no ties to the aristocracy of Mexico, but he knew how to fight a battle, how to inspire his fighters, and even more importantly, how to rule the nation that his victory created.

I salute Mexico on this, the 5th of May, and I thank Benito Juarez for the lasting lesson of his life. ¡Viva la Republica de Mexico, viva Los Estados Unidos.!

SUPPORT H.R. 2299, THE FAIR TRADE IN STEEL PIPE AND TUBE PRODUCTION ACT

(Mr. MOLLOHAN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MOLLOHAN. Mr. Speaker, I rise today to voice my strong support for H.R. 2299, the Fair Trade in Steel Pipe and Tube Production Act. This measure would enforce an agreement already in effect between American producers and those of the European community.

Foreign governments have been tilting their scales by limiting entry to their markets, while targeting ours, with devastating success. The import penetration figure for 1982 was 53 percent, a remarkable increase from only 28 percent 3 years earlier. In recognition of this imbalance, representatives of the European Community signed an agreement with Secretary of Commerce Baldrige last October. However, there are already clear indications that both the quantitative and value clauses of this accord have not been met. Without a serious enforcement clause, this agreement is meaningless.

The need for this initiative is clear. Wheeling-Pittsburgh's Benwood plant, a West Virginia institution since the 1920's, located in my district, has been adversely affected by subsidized for-

eign trade, resulting in layoffs of 450 of the 500 workers in January. Yet, Wheeling-Pittsburgh is valiantly trying to modernize, investing $400 million in plant and equipment over the past 3 years, companywide. The Federal Government should reward this commitment by steel producers by enforcing the existing trade laws consistently.

This legislation, H.R. 2299, would not be necessary if the European Community abided by its commitments. However, apparently they are using trade negotiations as a delaying tactic, while they continue to target our domestic industries. With the enforcement provisions offered in this legislation, our injured steel pipe and tube producers would finally have the law on their side.

VICTORY FOR THE GRASSROOTS OF AMERICA

(Mr. MARKEY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MARKEY. Mr. Speaker, I would like to present an academy award to those who so vigorously opposed the freeze resolution last night. They lost the vote by an almost 2-to-1 margin and yet in a performance which must have received a standing ovation from the Reagan White House, they then declared a victory. They declared victory after the minority leader voted against the bill, after the minority whip voted against the bill, after all the minority leadership voted against the bill; they then declared it a victory.

What I want to know is this. How after the Catholic bishops in an overwhelming vote have called for a halt to the arms race on Tuesday, how after the U.S. Congress on Wednesday voted by a 2-to-1 margin to call for an immediate, mutual, verifiable nuclear freeze, how can the administration call this a victory?

The only victory this was, was one for the people of the grassroots of this country, because finally their voices have been heard in the U.S. Congress. Nothing that has occurred on this floor this week in any way tampers with the essential nature of the nuclear freeze, that it be immediate, it be mutual, it be verifiable, and that no new construction of nuclear weapons go on after the freeze is consummated on both sides.

That is a victory for the people of the grassroots of this country and a complete and total repudiation of President Reagan's nuclear arms policy.

COMMUNICATION FROM CHAIRMAN OF COMMITTEE ON AGRICULTURE

The SPEAKER laid before the House the following communication from the chairman of the Committee on Agriculture, which was read and referred to the Committee on Appropriations:

COMMITTEE ON AGRICULTURE,
Washington, D.C., May 3, 1983.

Hon. THOMAS P. O'NEILL, Jr.,
The Speaker, House of Representatives, Washington, D.C.

DEAR MR. SPEAKER: Pursuant to the provisions of section 2 of the Watershed Protection and Flood Prevention Act, as amended, the Committee on Agriculture today considered and approved the work plans transmitted to you by Executive Communication and referred to this Committee. The work plans approved are:

Watershed, State, and Executive Communication: Elm Creek, Texas, 196, 98th Congress; East Carroll, Louisiana, 506, 98th Congress.

Enclosed are Committee Resolutions with respect thereto.

With best regards,

Sincerely,

E (KIKA) DE LA GARZA,
Chairman.

RESIGNATION AS VICE-CHAIRMAN OF NORTH ATLANTIC ASSEMBLY

The SPEAKER laid before the House the following resignation as Vice-Chairman of the North Atlantic Assembly:

HOUSE OF REPRESENTATIVES,
Washington, D.C., May 5, 1983.

Hon. THOMAS P. O'NEILL, JR.,
Speaker of the House, Washington, D.C.

DEAR MR. SPEAKER: I wish to inform you that I am resigning my position as vice-chairman of the North Atlantic Assembly. It has been a privilege to serve the North Atlantic Assembly in this capacity, and I look forward to continued active participation in the group's activities as a member.

Thank you for your consideration. With warm regards, I am

Sincerely yours,

LEE H. HAMILTON,
Member of Congress.

The SPEAKER. Without objection, the resignation is accepted.

There was no objection.

RESIGNATION AS MEMBER OF U.S. DELEGATION TO NORTH ATLANTIC ASSEMBLY

The SPEAKER laid before the House the following resignation as a Member of the U.S. Delegation to the North Atlantic Assembly:

HOUSE OF REPRESENTATIVES,
Washington, D.C., May 5, 1983.

Hon. THOMAS P. O'NEILL, Jr.,
Speaker of the House, The Capitol, Washington, D.C.

DEAR MR. SPEAKER: Although it was an honor for me to be appointed to be a Member of the U.S. Delegation to the North Atlantic Assembly, I find that I must resign. Because of commitments that I have made, I feel that I would not be able to devote the amount of time that should be given this important and critical task.

With best wishes,

Sincerely,

JOEL PRITCHARD,
Member of Congress.

The SPEAKER. Without objection, the resignation is accepted.

There was no objection.

□ 1120

APPOINTMENT AS ADDITIONAL MEMBERS OF U.S. GROUP OF NORTH ATLANTIC ASSEMBLY

The SPEAKER. Pursuant to the provisions of section 1, Public Law 689, 84th Congress, as amended, the Chair appoints as additional members of the U.S. Group of the North Atlantic Assembly the following Members on the part of the House:

Mr. ZABLOCKI of Wisconsin, chairman;

Mr. ROSE of North Carolina, vice chairman; and

Mr. WHITEHURST of Virginia.

GENERAL LEAVE

Mr. MOAKLEY. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and to include therein extraneous material on the subject of the special order today by the gentleman from Ohio (Mr. HALL).

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

CAPITAL PUNISHMENT

(Mr. LIVINGSTON asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. LIVINGSTON. Mr. Speaker, it is quite clear that the American people believe that particularly brutal killers often deserve to be punished by death. Since the Supreme Court first found capital punishment statutes procedurally deficient, dozens of States have reconsidered and revised their laws to restore the death penalty to their arsenal of weapons for the protection of the public. The Supreme Court has made it plain that capital punishment does not violate the Constitution when there are sufficient procedural protections to guarantee a fair trial. The Court has told us what those procedures are, and they have been enacted into law in State after State.

The American people deserve the same protection from Federal criminals which they have insisted upon in their own States. President Reagan, in his comprehensive crime control proposal, has urged Congress to enact these procedural reforms so that the

death penalty provisions already existing in Federal law may constitutionally be enforced.

This is a fairly simple proposition, Mr. Speaker. We know what the American people want. We know what the Constitution requires. All we have to do is to decide whether we have the will to protect the American people with capital punishment procedures consistent with the Constitution. In the past, the leadership of this House has never trusted the membership to make that decision. This year, Mr. Speaker, let the people's voice be heard. Let us vote.

A FREEZE ON CHEMICAL AND BIOLOGICAL WEAPONS

The SPEAKER pro tempore (Mr. MOAKLEY). Under a previous order of the House, the gentleman from Arkansas (Mr. BETHUNE) is recognized for 60 minutes.

Mr. BETHUNE. Mr. Speaker, last evening we concluded a lengthy debate on the nuclear freeze resolution. I do not regard the outcome as a victory or loss. I voted against the freeze resolution.

I found myself in agreement with many of the liberal journalists of this country who concluded that the nuclear freeze debate and the resolution was good politics but it was not good policy.

The New York Times on March 11 said, "Thus, the freeze idea, once a useful prod to an administration lukewarm toward arms control, has become a catch-all to exploit fear and discontent."

The New Republic on March 7, 1983, made similar comments about the nuclear freeze resolution. Time magazine likewise editorialized against the nuclear freeze movement.

Then the Washington Post, of course well recognized as one of the liberal journals of the world, said that arms controllers can do better.

I found it ironic during the course of debate, in fact on the sixth day of the debate, that the majority leader of this House of Representatives came to the floor and indicated that the MX proposal, which is now under consideration, may very well carry in this House of Representatives and in the Congress.

I also found it interesting during the course of this long debate that many Members were sponsoring both the freeze resolution as well as the opposing resolution in the other body, the Warner-Jackson resolution, which was contrary to the freeze resolution.

Some Members were cosponsoring the freeze resolution and, at the same time, were cosponsors of the peace through strength resolution which is going around the Hill, each of these contradictory positions.

Then in this morning's Washington Post the story about the great debate that had taken place found that the opponents and the supporters claimed some form of victory. It denominated the debate as one of the great debates in history but then noticed that one of the Members who was a proponent of the freeze concluded right after the opponents had passed a particular amendment that that had gutted the resolution.

Another Member who was a proponent said that the freeze and the opposition to the freeze boiled down to this: "The opposition kept pushing for a freeze and reductions or a freeze or reductions. We got a freeze, then reductions."

The Post very correctly noted, "Such were the semantic points on which this great debate was based and finally resolved."

The gentleman from Illinois (Mr. HYDE), who was one of the leaders of the opposition, said, "The prolonged debate helped clarify how incoherent the resolution really was."

When the resolution came to this floor it was 750 words long. When it left last night it was over 1,500 words long, and much confusion attends the resolution as we are all trying to figure out now what it means, and I do not think that we ever will.

What it boils down to is this: It might have been good politics, but it was bad policy. Now it is over and done with, and the Washington Post this morning correctly notes that the President, if the resolution ever reaches his desk, will veto it anyway.

Our arms controllers are busy in Geneva.

But today I want to talk extensively about a freeze that is good politics and a freeze that is also good policy. In fact, it is such good policy that people on both sides of the aisle are in support of the idea, and it turns out to be the position of this Congress. I am speaking of the issue of chemical weapons.

During the entire course of the nuclear freeze debate no one ever stopped to realize that we have had a freeze on chemical weapons in this country since 1969 when President Nixon established the policy that we would neither produce nor use chemical weapons.

This is a contrast to the policy and practice of the Soviet Union. Certainly people have read the news accounts of the incident in Sverdlovsk which leads to the inescapable conclusion that the Soviets indeed must be involved in the production and the development of chemical and biological weapons.

Certainly people have read of the incidents in Afghanistan and the possible use there of yellow rain by the Soviet Union.

I think it is plain that when you contrast the American policy with that of the Soviet Union on this issue, we have the moral high ground.

□ 1130

I regret, however, that our position is not very clear to people here in this country and to people around the world. And I think the reason that the people of this country do not remember that we have had this freeze in place for 14 years can be laid at the doorstep of this administration and the previous administration, both of which have asked for the production or commencement of activities which would lead to the production of the binary nerve gas weapon, much of which would be produced at the arsenal in Pine Bluff, Ark.

It is very hard for people to appreciate the fact that we have a policy which is a freeze policy on chemical weapons in this country, when the administration and many Members of Congress are saying that we should begin producing because there is rhetoric to indicate that Members want to produce and that we should produce. In fact, we are not producing and have not since 1969.

The point of the chemical weapons issue is whether or not we should commence a new age of chemical weapons which are known as the binary nerve gas weapons: 155-mm artillery shells or the Bigeye bomb. The Army Chemical Corps is pushing very hard to start production of those weapons.

The Department of Defense has pushed very hard to begin production of those weapons. This administration and the previous administration have moved in that direction.

And that is the activity that has confounded the world not to measure our policy and practice in this country against the policy and practice of the Soviet Union.

In the case of nuclear weapons the people in this country and the people around the world rightfully conclude that the Soviet Union and the United States are partners in crime when it comes to the production, manufacture, and deployment of nuclear weapons.

Our military budget calls for increases in conventional and nuclear weapons. The Soviet budget calls for increases in the production of nuclear and conventional weapons. So, therefore, people can rightfully conclude that both sides are building more and more and deploying more and more. So, understandably, it is a question there of who do you trust? But you cannot make a case that one can be trusted over the other based on the record.

That is not so in the case of chemical weapons. We have neither produced nor used chemical weapons since President Nixon established the policy in 1969.

But the fact that many are asking that we commence production again has cluttered the issue, and people around the world are not seeing us in the way they should on the chemical weapons issue.

That is why last year I introduced an amendment here, along with the distinguished chairman of the Committee on Foreign Affairs, Mr. ZABLOCKI, on the Democratic side to block the production of the new binary nerve gas weapons. And we succeeded.

Now, that means that we are against the administration and the DOD and others who advocate production on this issue. But it also means that the American policy is we are not producing because this House has spoken and has rejected the idea that we should produce chemical weapons. And so, for that reason, when you let all of the dust settle and look at the bottom line of what has taken place, we have in this country right now, and we have had since 1969, a freeze on chemical weapons.

Now, early in this year I had occasion to go to the Committee on Disarmament in Geneva, and I visited with more than half of the delegates to that committee.

This is the forum which will ultimately produce a chemical weapons treaty banning the production and use of chemical weapons by all countries large and small.

There is a great deal of optimism there at the Committee on Disarmament that we can get an international treaty banning the use of chemical weapons. But it is going to take a lot of work.

Recently, a General Ezz, an Egyptian, headed a team to try to investigate the production and use of chemical weapons by the Soviet Union and did a lot of good work. But the world has not focused much on the fact that the Soviets are producing and using chemical weapons, and I think the reason that they have not is that they have not really noticed yet the stark contrast between our policy and practice and that of the Soviet Union. When they do, and I think they will in the next few weeks, they will begin once again to call the Soviet Union to task.

I believe that the Soviet Union, and I think I am joined in this by the members of the Committee on Disarmament who are working for a treaty, is sensitive to the pressure that builds in the world. They must be sensitive somewhat to public opinion because they spend so much time trying to shape it, so they must understand that it has some value in the course of negotiations.

And I believe that if this Congress will reaffirm expressly, not just by its act in blocking chemical weapons production, but if this Congress will expressly ratify the 1969 policy of no production and no use, that people of the world, and particularly the journalists who are so important to carry the message out to the people of the world, will notice that we have and that we have had a freeze on chemical weapons for lo, these many years. And then the comparison can be made. It would not be necessary to engage in bellicosity, it will not be necessary to use a great number of adjectives to try to get people to understand that we have the right of this and that the Soviets have the wrong of it. All we need to do is lay out the facts. We are not producing and using, and they are.

And I think that will give a measure of trust to this country that will resonate throughout the world, and I think that that will give trust to the President of the United States if he were to adopt that policy. I think that trust would work in our favor at the Committee on Disarmament and that the optimism that is present there today might very well lead to a treaty banning the production and use of these weapons all around the world. And should that occur, then would that not help us as we try to work our way through the very arduous negotiations that are taking place in Geneva at the same time to try to find the solution to the nuclear arms race?

It seems to me that is what we lack most today: Trust. People need to trust our negotiators and need to trust this administration. And I think the approach that I have suggested would do just that.

Now, I would like to use some of my time today to focus on a General Accounting Office report which has just been issued on the subject of chemical weapons.

It is very important that we look at the materials and the questions that have been raised by the General Accounting Office in this report because the people who are advancing the idea that we need to produce a new age of chemical weapons have not thought through that issue very well. In the debates that took place here last year, and we spent a good time of the day here discussing this in this Chamber last year, we made several points about the so-called safety of the new binary weapon, its effectiveness, and how it might affect the ongoing discussions that are taking place in Geneva, and whether or not the Army Chemical Corps had done a good job of fashioning a modernization program for this country. The House concluded by an overwhelming margin when it voted for my amendment and struck down the request for production, that they had not done a good job and that the facts were on our side in this case.

I am puzzled by those who continue to advocate this new binary chemical weapon.

□ 1140

They have taken hook, line, and sinker the arguments of the moribund Army Chemical Corps; they have swallowed it whole and then come here and go elsewhere and regurgitate those arguments as if they were gospel. But I suggest to you that this report really lets the air out of the Chemical Corps proposal. Not only does it raise questions about the safety of the weapon, it raises questions about the effectiveness of the new weapon, and it raises questions about what it would do to our ongoing effort to negotiate a treaty in Geneva.

What it boils down to is this, and I will get into the specifics of the report momentarily, is that there are many questions about the so-called modernization program which have not been answered. They are not ready to produce the new age of binary chemical weapons and perhaps we should never produce them because they are not technically safe, they are not technically suited to our needs at this time. But lay that aside for a moment. Even if it were a perfect weapon and there were perfect arguments supporting those weapons, I say that this is not the time for the reasons I have mentioned heretofore, for this country to break the 1969 policy and confuse the world where we stand vis-a-vis the Soviet Union. I think that would take something away from our negotiators in Geneva, who are now able to hold their head high and claim the moral high ground for this country.

So I prove my case in two ways: One, the weapons are not ready and even if they were ready, this is not the time to break the existing freeze. Let us see how those negotiations go. We will have a session of the Committee on Disarmament this summer in June, and we can tell whether the Soviets are serious or not.

Vice President BUSH made a good proposal there in February of this year. It was well received. Ted Gold, the Director of the DOD's Chemical Division, was over there shortly after that and made the rounds. I was over there right after Dr. Gold and made the rounds. There is hope for a treaty there. The Soviets have indicated that they want a treaty. Let us hold them to their word, but let us stay on the high ground as we do it.

Now with respect to the GAO report. I think it clearly undercuts the argument of the people who have been saying that we need to produce the new binary weapon. The GAO report is well organized and, to begin with, it makes the point that we made here on the floor last year about the size and extent of the existing U.S. stockpiles. The GAO said that—

Disparities in the size of the reported U.S. stockpile seem to reflect differences in de-

fining what is usable and what is not usable but repairable.

Our findings in the 1977 GAO report on the stockpile indicated that its serviceability may have been greatly understated. We reported that many of the unserviceable classifications were a result of minor nonfunctional defects such as container rust, which do not affect usability. We also found that inspection samples were neither random nor representative. We found entire production lots classified as nonserviceable for only a few defects. We also found that little had been done to maintain the stockpile as serviceable or to restore its unserviceable portions. We have found no new evidence for the present review that suggests that the situation has changed.

Now the significance of this is that one of the arguments made by the opponents of my position and the proponents of the idea that we should start this new age of chemical weapons is that what we have is leaking and not usable and in a state of disrepair and, therefore, we must have new chemical weapons.

The facts do not bear that out. In fact, the number of 155-millimeter artillery shells that we have, which is the critical weapon, the number has increased, not deceased, in the last few years, because they have started taking care of it and maintaining it and making some of the little corrections that needed to be made.

The bulk of our stockpile of chemical weapons right now, much of which is at Pine Bluff Arsenal in Arkansas, is not usable, but then that is not so remarkable, it is simply out of date. And a lot of it is BZ munition, which is an hallucinogen, which was thought to be an effective chemical weapon some years ago when it was invented, but which now is argued to have no use and I suspect that is the truth.

So those sorts of things need to be destroyed and gotten out of the way. But it is not an argument for the proposition that we do not have a serviceable, usable stockpile of chemical weapons right now. And we do not need to build any more.

The GAO also questions the reliability and safety advantages of the binaries. This is a very important issue because the proponents of the binary weapon are always telling us that it is safer than the existing unitary weapon that we have.

Maybe I ought to take a moment to explain this. The binary weapon that they want to produce, the new age of chemical weapons, is simply a nerve gas which comes in two parts, sort of like an epoxy. You mix them together to get nerve gas. And by being separate parts they are argued to be safer.

The chemical weapons that we have in our stockpile now are unitary weapons, a ready mix, if you will. No mixing required, it is already there. The safety record with the existing stockpile is very good. We have had no major incidents with the existing unitary weapon.

The binary idea of keeping them separate is a good engineering argument, I suppose, and I guess I might have fallen for it right at the start, except that I happen to represent the district in this country where we had an explosion of a Titan missile in September 1980. Perhaps my colleagues remember that incident at Damascus, Ark. We blew a giant hole in the ground because a Titan missile exploded.

The Titan missile was a binary system. We kept the oxidizer in one part and the fuel in the other. And we heard the soothing assurances of the engineers and the Air Force experts tell us over time that we did not have to worry because unless those got mixed somehow you could not have the hyperbolic effect which would set the weapon off.

I heard all of those arguments and so I have some experience with binary systems which have led me to ask a number of questions that perhaps others do not ask. And I am really pleased to see that the GAO deals with this very point about the binary weapon system. And it is important that we deal with this issue in some detail because it has been the centerpiece of the argument for the production of the binary weapons.

In the review of the technical and operational characteristics of the binary, the GAO said, "Some argue however that the safety aspects have been overstated." And we found references to relative dangers. Ember, in 1980, indicates that the unitary weapons have an excellent safety record of several decades. Robinson, that i Dr. Julian Perry Robinson, claims that the chemical agents that are used to produce binary weapons are less deadly than nerve agents, but dangerous substances nonetheless. He indicates that DF, one of the chemical agents used in the binaries, is by itself chemically classifiable as "extremely toxic as an oral poison."

Now here is an important point made in the GAO study which pertains to the Pine Bluff Arsenal in the State of Arkansas: "A 1981 study by the Department of the Army entitled, 'Programmatic Environmental Impact Statement—Binary Chemical Munition Program' suggests that there are potential safety problems in the production of the binary chemicals. Binary VX-2, used for the Bigeye bomb, is formed from the reaction of substance QL, and elemental sulfur.

□ 1150

"The study notes that changes in air quality caused by coal-fired boiler plants at the Pine Bluff Arsenal are associated with the interaction of airborne QL and sulfur dioxide emitted in coal combustion.

"A waiver is being sought that would permit the use of natural gas in fuel oil in the boliers. It is not clear whether other coal-fired boiler plants are in the region and whether they would affect the binary munition plant.

"The study points out that it is highly unlikely that QL can be procured from commercial sources because of specific corporate concerns with the problems in adapting existing facilities, in disposing of waste, and in QL reacting with sulfur.

"Despite this information, the Department of Army concludes in its assessment of the 155-millimeter M687 GB-2 binary production facility at Pine Bluff Arsenal that 'the potential environmental impacts of the proposed Pine Bluff facility are judged to be insignificant.'"

Now, these questions raised here need to be checked out, and certainly I am in the process of checking out these statements relative to the Pine Bluff Arsenal to determine whether there is anything to the question that the GAO raises. It said that it is not clear whether other coal-fired boiler plants are in the region or whether they would affect the binary munitions plant. We must take a look at that. Safety of the people in and around the facilities where these weapons are stored or produced or experimented with must be of paramount concern to all of us, and we must leave no stone unturned. This is another lesson that I learned in the course of the Titan missile problem out in Arkansas.

Other sources, say the GAO, point out that the safety of binaries in handling, storing, and transporting them changes when it becomes necessary to prepare for using them. This is an important point that has not been developed in the past.

For instance, with respect to the Bigeye bomb, which was discussed rather extensively here on the floor last year when I offered my amendment, the Bigeye bomb is unlike the artillery round because the bomb is dropped rather than fired, and the mixing of the two component parts is different.

The GAO reports that—

Before a strike mission, the two chemical components are assembled in the weapon but separated by an 0.2-inch diaphragm, and then at a selected point in the target area the pilot activates the weapon and it proceeds through an automatic mixing sequence in which a cartridge within the ballonet fires, expanding the ballonet into a cylindrical form and violently propelling solid chemical agent into the liquid chemical agent, after which a gas-driven motor rotates the central tube, which is attached to the perforated mixer blades, to start the mixing that then completes the process.

Now, that's complicated.

After the release of the armed weapon, the fuse causes the shaped charge to cut through the preformed points in the weapon skin, which allows the liquid to stream out of the Bigeye bomb. The liquid

is broken up by the airstream as the bomb descends, creating droplets that fall into the target area.

This rather complex technical procedure in the binary Bigeye bomb compared with a much simpler unitary bomb, such as the Weteye, suggests that the safety advantages of the binaries introduce technical and operational uncertainties that, in turn, may have safety implications.

For example, the Navy's development specifications indicate that, once mixed, the Bigeye must be safe to carry for 1 hour. "The question, then, is," according to GAO, "if for any reason the bombing mission had to be aborted, as in the case of an enemy air defense, what would happen? If the bombs are not released over enemy ground, the pilot may be faced with flying over or landing on friendly soil with live chemical weapons, some of which may be leaking. That this may be a problem with the binary does not appear in the literature that we have reviewed," says the GAO.

So they say, "In summary, we find the consensus that binary chemical weapons have substantial peacetime advantages over unitaries in terms of safety, especially with regard to ease in handling and transporting them and reducing the risk of accident. The unitary weapons, however "—that is what we have now—"have enjoyed a long history of few incidents causing alarm about their safety. When the binary weapons are armed, they closely resemble unitary weapons in being live chemical weapons, and their safety diminishes thereafter.

"Furthermore, some of the peacetime safety advantages can become hindrances in wartime. These disadvantages, however, are still conjectural, and investigation seems warranted."

Hard questions are being raised about the Bigeye bomb, hard questions are being raised in this report about whether or not we should go forward with a new age of chemical weapons in artillery shells when those that we have are serviceable, that the serviceable stockpile is increasing in number, not decreasing in number, and when, of course, as I indicated earlier, such production would be an abandonment of our existing 1969 policy against production and use, thus giving away the high ground that we have held for 14 years against the Soviet Union on the question of chemical weapons.

The Bigeye bomb was debated, as I said, here on the floor. Ironically, a year ago—and I recall it well because I argued these very points—those who were opposing the amendment to stop the production of the Bigeye once again gave the soothing assurances that all of these mixing requirements and the time spans required for the Bigeye bomb to be an effective weapon were being overcome and that we need not be concerned, all we need do is listen to the advice of the Army and the Navy and the others who were developing the weapon.

But I think that is plain now that there are legitimate concerns, there are questions that are not being answered and, in fact, the Bigeye bomb is not being requested at this moment for those very reasons—or at least it is not being pushed for those very reasons. This was all brought out in the debate a year ago, and now we find more and more supporting evidence by objective agencies which do not have that thick, tough, leathery mind-set that the Department of Defense has when it embraces a particular weapons system. Sometimes I am led to the suspicion that someone over there might have gotten a whiff of this binary stuff because it has clouded the ability to see clearly the options and the arguments that are being made by those of us who oppose the production.

The report goes on, after discussing the issue of safety, to deal at some length with the fact that no U.S. policy has been developed on the use of chemical weapons or its effect.

There are some other arguments that are made that I could go into at great length, but it is easy to summarize those by just saying that they say that nearly four times the space is required to transport and store binary munitions and that two binary cannisters might be transported by different vehicles and stored in separate locations; and, of course, if you cannot bring them back together so that they get to the proper place in the field, if one shipment gets misdirected and you only have one part and not both, then you might not even have an effective weapon on hand.

They also point out, as we did here on the floor last year, that the sound and the odor from the binary weapon might alert enemy troops, giving them time to take protective measures. You see, the binary weapon has sulfur in it, and the Bigeye bomb makes a noise as it comes down. So you have noise and an odor which might be detected. We made these points here last year. They are corroborated in the findings here. The unitary, of course, is odorless and does not make the noise.

So I believe that there are some good points there, even though those are relatively minor.

□ 1200

I have not mentioned so far in this discourse that the two elements that go into these particular weapons are a little different. In the case of the Bigeye, you have a substance known as QL as one part, and then you have elemental sulfur, which is the other part, and those two, when mixed, make nerve gas. That is the Bigeye bomb.

The other weapon, which is the artillery shell, has a substance known as difluoro, which is one part, and then just plain old alcohol is the other part. I always like to point out that you never know what can happen. We learned that in the Titan missile incident where an airman dropped a wrench which fell down into the silo and then penetrated the side of the missile and caused a leak which led to the explosion because the two parts got together. I always like to point out that you could take one part of difluoro of this binary chemical weapon and dump a couple cups of Old Grandad or some other kind of alcohol in there and you would have yourself a mess of nerve gas, because just alcohol is the other part.

So I have great doubt about the so-called safety of the binary weapon and have been raising these points for some time.

There is no U.S. policy on the development or use of chemical weapons or its effect. In fact, GAO says:

It seems that little progress has been made since our 1977 report. This may be because developing chemical warfare doctrine is very difficult. But given that the United States has had chemical weapons for decades, doctrinal deficiency is clearly a cause for concern.

I would say that is a fairly honest criticism. We have had chemical weapons for years. In fact, we have had a policy not to produce or use them, as I have said, since 1969, but we still do not have a developed chemical weapon doctrine. "We continue to be concerned that important questions we raised 6 years ago have still not been answered," the GAO said. "When does DOD plan to resolve the deployment issue, in consultation with our NATO allies?" A very sensitive issue in the Western European countries.

I have talked with the ambassadors there and the people in those countries, and they remember. They have had some experience in their recent history with chemical warfare and they remember that well. The likelihood that we could deploy into those areas is very speculative.

"What steps," GAO asked, "are being taken to decrease the cost in time and resources required to move chemical weapons from the United States to a NATO battlefield?" These questions have not been answered, even though they have been propounded by the GAO since 1977.

Also, they point out that, "We found no mention of plans for protecting the civilian population." Good, hard questions, just like the rest.

The system being advocated is not ready and it has many technical imperfections. "DOD has not studied in depth or developed alternatives to binaries." This is an important point that GAO makes. "We have found that DOD has posed only one of a number of alternatives and that few analyses have attempted to determine

what the results might be of adopting other alternatives or even what their relative merits are." In other words, they are stuck on one track, and that is, they want to produce the new binary weapon which they have convinced themselves has no problems to it in spite of all these questions that have been raised. That is the mind-set working there, the one-track mind-set.

The GAO wonders about that. They say, "We found that very few sources discussed the alternative of producing new unitary weapons." In other words, either producing the same kind we have now if one has fallen into disrepair, or simply making those that we have now serviceable. That, in fact, is what we are doing, is increase the serviceable stock of the 155 shells.

The 1981 Defense Science Board report GAO quotes, for example, mentions this alternative only to reject it on the grounds of it being politically unacceptable. And then they go on to indicate that "The production facilities for this alternative no longer exist," making some reference to the cost of reestablishing them in time and money. The cost? Someone over at the DOD is worried about cost of establishing or refurbishing the existing stockpile, or going back and building unitary weapons? I wish they would take a look at the cost associated with the new age of chemical weapons, the binary weapon, the nerve gas weapon which they are advocating.

The minimum calculation in the GAO report is $6 billion to $7 billion. Some have calculated up to $15 billion as the cost of producing this weapon. And all of those costs, of course, are dollar-and-cents costs and we do not even calculate the cost to us in giving away our 1969 policy, which I think is the basis upon which, and the only basis upon which, we can convince other countries of the world to help us get the treaty that we need in Geneva.

The report goes on to raise questions about how the modernization would affect disarmament and current negotiations. Of course, I have mentioned this, particularly at the outset of my statement.

Dr. Julian Perry Robinson of Sussex University stated," Any notion that the binary program ought to be supported as a bargaining chip should be seen for what it would be—a deliberate attempt to obstruct the chemical negotiations." Here, I think, is advice that rings true to every person of commonsense, and it comes from former Ambassador James Leonard. He said that the United States has gotten much credit from refraining from producing and building binaries and that the Soviets are sure to respond with stepped-up activities if the United States proceeds with binary production.

Ambassador Leonard put his hand on the point that has provoked me to fight against the production of the new binary system for some 3 years now. He has, I think, identified the fact that we do have, because of our 1969 policy against production and use, the high ground in the eyes of the people of the world. We have not exploited that. We have not talked a lot about the fact that we do not produce and use. There has been some discussion that the Soviets produce and use, but we have not really been able to exploit that because people, I think, around the world believe that we are producing chemical weapons when we are not. They get that impression, as I said earlier, because the administration and DOD and others are asking for new production and it gets cluttered up. "Well, if they are not producing it, they are about to produce it, so what is the difference. It is just like nuclear."

It is not like the nuclear situations. We may be "particeps crimini" with the Soviet Union when it comes to producing and deploying nuclear weapons, and there may not be much we can do about that right now except try as hard as we can to work out an agreement, but we are not like the Soviet Union in the area of chemical weapons. We are not producing and we are not using, and they are. And we do, as Ambassador Leonard says, get much credit for the fact that we have stuck to that 1969 policy.

What I think this House needs to do, since I have been unable to convince my own administration to adopt the argument that I am advancing and to adopt the policy that is the policy in this country of no production and no use, it seems to me then the only choice that those of us who are arguing for a more sensible approach have is to try to convince this House and the American people to restate and reaffirm the 1969 policy that we have held, that we will not produce, and we will not use. Let us make it clear to the world by an express statement here in this House that we have the high ground on this issue and that we are willing to hold that high ground even though it involves some risks; we are willing to hold that ground to see if the Soviets will give us a treaty and we can measure whether or not we are getting any progress when we go to the summer CD, the Committee on Disarmament in Geneva this July.

□ 1210

That seems to me to be a logical approach. If the Soviets do not move toward a treaty in July, we will get evidence of their intentions out of that meeting, and the world will see evidence that the Soviets are up to no good.

So I think the right course for us to follow is to adhere to that 14-year policy and stick to it, and we should go to the CD this summer and try to negotiate a treaty. If the Soviets will make some movement, we can tell that. There are benchmarks of progress we can look for in the summer CD.

For instance, if the Soviet Union will move toward us on the important issue of verification of destruction of existing stockpiles, we can tell whether or not they are serious. If they will begin moving toward us on the declaration of production facilities, we can tell whether they are serious or not. If they are not serious, then that will tell us here in the Congress that while we are sticking to a unilateral freeze on chemical weapons, the Soviets are busy building, using, and deploying, and we would know then that we would have to take steps, especially to do more research and development, and try to get the bugs out of some of these ideas. We are not ready with these ideas in any case, it seems to me, based on the information that we have.

But we need to explore every possibility to get a treaty there in the CD this summer. More than ever, we need a unified policy and a unified approach in this country on this question of chemical weapons. It does not do us any good over in the Committee on Disarmament for the President and for the Department of Defense to be asking for the production of the new weapon, the new binary nerve gas, while we here in the House are saying no. That is confusing. We could easily have a unified approach on this issue if the administration would pull its request for the production of the binary nerve gas weapon and go along with this Congress, which has said that we do not want to produce these weapons. We want to explore every opportunity for negotiation, and we know that we have a stockpile now that would permit us to fight a 30-day war in Europe.

So let us not get into building any more right now. Let us see what happens at the summer CD. We could have a unified policy in this country if the President would join us in that approach. That is the approach this House wants, and the reason this House wants it is that we are close to the people. We stand for election every 2 years and we get a large dose of commonsense when we go out there week after week and listen to our constituents at the grassroots. When they talk plain sense to us, then we begin to learn.

So I think this House is reflecting the will of the people, and that our approach would make an abundance of good sense. There would be some side benefits, by the way, if we would take this unified approach on chemical weapons. The juxtaposition of the American position vis-a-vis the Soviet position on chemical weapons and the

juxtaposition of the chemical weapons freeze vis-a-vis the nuclear weapons freeze would trigger all sorts of new analytical comment from the soothsayers and oracles who write their comments for the newspapers and who treat us to the 30-second summations on the evening news.

We can have a good, intelligent debate, not just in this country, but all around the world, on this issue if we would handle it in this way. But so long as we persist and intractably stick to the build, build approach in chemical weapons that we have held up to this point, we are not going to be able to hold the high ground and develop the world opinion that we need on our side on this issue.

So, Mr. Speaker, I would conclude my remarks as I began. The nuclear freeze debate which was just played out here at some length, according to all the liberal commentators that I quoted earlier in my remarks, turned out to be good politics but bad policy. What I am suggesting here on the issue of the binary nerve gas program is that we can do something that will be good policy for this country, and if it turns out to be good policy, then it will be good politics, too.

NUCLEAR FREEZE RESOLUTION FOLLOWS PUBLIC CONSENSUS

(Mr. MOODY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MOODY. Mr. Speaker, in one of the greatest debates in the history of this Chamber, the House voted last evening for a resolution calling for a freeze and then reduction in nuclear arms. The House action was fueled by intense public interest and numerous public referenda nationwide last year. In my State of Wisconsin, the level of support was 78 percent. Recent public opinion polls show that over 80 percent of the American public support a nuclear freeze.

Thus, the House fulfilled its historic role of expressing and acting on the urgent interests of the American people.

House Joint Resolution 13 has been called not binding. Of course it must be passed by the Senate and signed by the President before it can become law. But as a measure of public sentiment, yesterday's historic vote is a powerful statement. In a democracy, outcomes are ultimately determined by ideas and by public consensus, not by legislative instructions, be they binding or nonbinding.

Whether or not this measure actually becomes law, or whether it is written in binding or nonbinding form, the administration clearly recognizes the significance of the House action as evidenced by the administration's intense lobbying against the freeze.

Some claim that the Levitas amendment added just prior to the final vote substantially weakens the resolution. Not true. Indeed, requiring that nuclear reductions take place in a reasonable amount of time after the freeze begins adds a sense of realism and urgency to the freeze negotiating process.

In its final form, the resolution maintains the crucial freeze first and then reduce approach.

No task is more important for the survival of our planet and our humanity.

NUCLEAR FREEZE RESOLUTION DEBATE MAKES HISTORY

(Mr. HARRISON asked and was given permission to address the House for 1 minute, and to revise and extend his remarks.)

Mr. HARRISON. Mr. Speaker, it is not too much to say that history was made in this room yesterday. For the first time one of the two Houses of Congress said in a loud and clear voice: "We want the nuclear arms race to stop."

The 45 days it took to achieve this pales into insignificance beside the consequence. One House in this Congress, in this year, in this world, said in a voice that will be heard around the globe: "We want the nuclear arms race to stop. If the Soviet Union will stop, so will we. If we can verify and they can verify, then let us have an end to it."

That, I think, Mr. Speaker, truly made history. And if I could add but a footnote to that debate and that moment of history, it would be in these words with which the distinguished economist, John Kenneth Galbraith, has closed the memoirs of his life:

> If we fail in the control of the nuclear arms race, all of the other matters we debate in these days will be without meaning. There will be no question of civil rights, for there will be no one to enjoy them. There will be no problem of urban decay, for our cities will be gone. . . . Let us agree that we tell all of our countrymen, all of our allies, all human beings that we will work to have an end to this nuclear horror that now hovers as a cloud over all mankind.

□ 1220

CINCO DE MAYO

The SPEAKER pro tempore (Mr. MOODY). Under a previous order of the House, the gentleman from New Mexico (Mr. RICHARDSON) is recognized for 60 minutes.

Mr. RICHARDSON. Mr. Speaker, Cinco de Mayo, or the 5th of May, is an important day for those of Hispanic origin all across the country. One hundred and twenty-one years ago today, Mr. Speaker, Mexican Gen. Ignacio Zaragosa gathered up the Mexican forces and against great odds led his troops to victory against French invaders.

The 1862 battle of Puebla is not of great military significance, but it appealed to the imagination of the Mexican people and gave them the moral encouragement they needed to win in the long run.

The Battle of Cinco de Mayo remains for the Mexican people and for Hispanics in this country a symbol of valor in the face of superior odds, of profound love for their homeland and culture and of the Mexican spirit of freedom.

Today in my district, the Third Congressional District of New Mexico, there will be celebrations signifying the love and pride of the Mexican culture and heritage which has become so much a part of New Mexico's tradition.

Mr. Speaker, Mexican immigrants began settling this country long before the Pilgrims landed at Plymouth Rock. Many areas in the Southwestern United States can point to the over 300 years of Hispanic culture and history and can be proud as Hispanic Americans of the many contributions they have made to this country.

Cinco de Mayo celebrations are also a time for Hispanics in this country to reflect on the neglect they face here at home and the need for Hispanics to unite as a people to put an end to the hard times they have been facing.

Mr. Speaker, the Hispanic community in this country is the fastest growing minority in the Nation. Pretty soon we will have tremendous political power. Today in the House of Representatives sit 11 Members of Congress of Hispanic origin. Four more were added in the last election.

Mr. Speaker, these Hispanics in the U.S. Congress represent Mexican Americans in Texas. They represent Spanish Americans in New Mexico. They represent Cuban Americans in Maimi. They represent Puerto Rican Americans in New York. The entire spectrum of the Hispanic community is represented in the U.S. Congress today.

We are very proud, Mr. Speaker, to have for the first time in the Hispanic Caucus, in the Hispanic Members of Congress, a growing amount of political power achieved after years of hard work, toil, seniority, and commitment.

We have Chairman EDWARD ROYBAL of California, the new chairman of the Select Committee on Aging, dealing with issues that affect the elderly, whether it is jobs, whether it is social security, whether it is health care, roaming across the country to carry on the mandate of that committee to provide for our senior citizens.

We have Chairman KIKA DE LA GARZA from Texas, chairing the Committee on Agriculture, finding out the needs of our country in the areas of

rural development, of food assistance, of agricultural appropriations, of the number of issues that face our farmers in this country.

The Hispanic community in the United States is not just in cities, but in rural areas stretched across the Southwest and the Midwest, in rural areas all over New Mexico, Texas, and California.

We are also proud, Mr. Speaker, to have among us a man who has been a leader in the fight for Hispanics in the U.S. Congress, the Honorable HENRY GONZALEZ of San Antonio, who has become an institution in the State of Texas, who has become the leader in Congress in the issue of banking and currency; this issue today facing the Congress, of emergency housing legislation, a much needed piece of legislation for those that have been left behind, is being put through by the distinguished Member of the State of Texas, HENRY GONZALEZ.

Mr. Speaker, we also have the chairman of the Hispanic Caucus, Representative ROBERT GARCIA, a man who has been in Congress now only a short time, but has achieved levels of leadership in his Committee on the Post Office and the Committee on Foreign Affairs, on the issues of immigration, on the issues of education, of voting rights, a man who has made the Hispanic Caucus a political force and who will be leading the Hispanic Caucus in the days ahead in this next year to make sure that Hispanics are represented in not only the U.S. Congress on legislation that affects us today, but in the halls of Presidential politics, in areas where we need to be counted, in delegate selection, in determining who the next President of the United States is going to be.

The Hispanic Caucus for the first year, Mr. Speaker, has an agenda, an agenda of legislation that not only will deal with those issues that are considered to be traditionally Hispanic issues, the issues of jobs and immigration and training, but also we will deal with an agenda that is comprehensive, that will deal with the problems of energy and foreign policy, relations with Central America and Asia, areas that the Hispanic community has not been dealing in, areas of communication and radio, all kinds of medical areas that previously the Hispanic community had held back.

Mr. Speaker, we have many other leaders in the U.S. Congress of Hispanic origin.

Another important dimension of the commitment of the gentleman from New York (Mr. GARCIA) to the Hispanic issue in this House is the fact that he has achieved the position of membership on the Steering and Policy Committee, perhaps the most important committee in the Democratic Caucus, for it is the committee that determines membership in the various committees of the House. Through his help, Mr. Speaker, I have been put on the Committee on Energy and Commerce.

And we have Representative SOLOMON ORTIZ, of Texas, who has achieved the position in the Armed Services Committee for the first time, a Hispanic on such a committee.

Mr. Speaker, we have ESTEBAN TORRES, a new Member from California, a place on the prestigious Banking and Currency Committee.

We have MARTY MARTINEZ, a freshman from California, on the Committee on Education and Labor and the Committee on Veterans' Affairs.

Mr. Speaker, we have a growing political clout in this country and we are proud to exercise it. For the first time this Hispanic Caucus is going to have a detailed legislative agenda that is going to address the major problems of our people.

Mr. Speaker, I am honored to yield to the distinguished chairman of the Banking and Currency Committee, one of the leaders of the Hispanic community in our country, the Honorable HENRY GONZALEZ.

Mr. GONZALEZ. Mr. Speaker, I thank the very distinguished gentleman from New Mexico.

I offer just a little minor correction here. I am actually chairman of the Subcommittee on Housing and Urban Affairs of the Committee on Banking; but let me point out that it is the largest subcommittee on the whole Congress. There are only about 10 Members of the full committee that do not belong to the Subcommittee on Housing and Urban Affairs; so the importance of it we cannot minimize.

I do think, though, that it should be stated that I am chairman of the subcommittee.

I want to thank the gentleman for evoking on this very historic occasion the Cinco de Mayo, or 5th of May, which, as the gentleman very properly has said, looms very large in Mexican history and the southwest United States.

We must never forget that for many, many years, this was one integral whole territory that consisted of what is now the Republic of Mexico, plus a big section of North America, from the Texas area up the middle and clear over to California, a historical perspective that unfortunately has not been present in the national conscience and evolvement in historical learning in our country, this together with a general omission of the history in that whole portion of the world we call the Caribbean Central American-South American section.

I particularly am grateful to the gentleman for evoking May 5, because in my individual case, and I personalize only to illustrate the relationship between this history and the need for us to grasp a more realistic perspective of the current problems that emanate through this churning historical process, through the centuries, in fact, and really that we should be aware of in our deliberations in not only our foreign international policy, but our own domestic policy with respect to immigration and naturalization reform law.

In my case, I am particularly identified, because my ancestors on my father's side came to that portion that was established as the Province of Nohova de Skia in 1561 and settled there in what turned out to be a first find of silver, gold, and other products. On my father's side is the family house, which is still standing. It is over 400 years old. It is a national historical landmark in Mexico, because the Mexican Government in 1902 thus commemorated it, because it was there that President Benito Juarez and his cabinet, fleeing from the French, heading northward, the French in hot pursuit, stayed there in the family house and the first act was to pass a resolution thanking Don Joichim Gonzalez, my grandfather, for the hospitality given the Mexican President and the cabinet.

□ 1230

The French were in hot pursuit, so Gen. Benito Juarez kept on going until he finally reached a border point that is now known as Ciudad Juarez.

In fact, that is why it was founded. At the time I think none such existed across from El Paso.

But in the interim, as soon as he had left, the French forces came in and pillaged and sacked the town, compelling my grandfather, as my father told me, to flee to the desert of Durango with his family. He also stated that that was the fourth time in the history of the family that the family had been compelled to do so.

It seems that my great-grandfather, my father's grandfather, had also been the north Mexico leader of the forces fighting then Gen. Santa Ana when he had suspended the constitution of 1824 which was what was known as the Battle of the Alamo, as we all know about. But few people realize that the Battle of the Alamo which led to the independence of Texas was fought really in behalf of the restoration of the constitution of 1824. Apparently my family was involved in that.

But my grandfather not only was forced to flee, and in his support and strong alliance with then President Benito Juarez, but he was one of the leaders in the decisive battle against the French without which the Battle of Pueblo might not have been as conclusive as history shows it was in the Battle of El Sombrerete in the border areas between the states of Zacatecas, Durango, and Coahuila. It was there that the forces defeated a contingent

of Napoleon's Third Prime French Imperial Troops, just like General Zaragoza did in Pueblo in the south with a motley crew of raw recruits, reminiscent of those that fought at Concord against the British in the beginning of the American fight for independence.

The 5th of May, therefore, has a tremendous significance to us and our family and to me personally but also historically, and also the opportunity to show that it was more than one decisive battle, incidentally fought and led by General Zaragoza who was a Texan. He was a native and was reared in what was known as Bahia de Goliad, what is now known as Goliad, Tex. When the United States, after the war with Mexico, acquired all of the territory, he went on back to Mexico as well, one of the great leaders in the battle for Texas independence.

So much history has been distorted that it is today represented as being stalwarts from the United States, to wit: non-Mexicans or Anglos fighting against Mexican tyranny. Actually in the Alamo you had men with names like Garza and Seguin and others, and one of the great leaders of that battle was Juan Nepumoceno Seguin, and he went back to Mexico when the United States acquired this territory in protest against slavery.

So these are issues that are so intertwined with the developmental history of that area that today it is difficult for me to explain what my father's concept was when he was forced to flee for his life in 1911 to the United States, and he who knew the history of the Province of Nueva Vizcaya, which later became a part of the present State of Durango, which Texas was a part. The definition surrounding that boundary of Nuevo Viscaya is, because what you see there in the Spanish when you see the old documents done in Mexico, you see that it was designed as the Province of Nuevo Vizcaya which would be a territory which would be the southern limits of Durango, and the boundaries on the southern adjacent parts of the Zacatecas and then extending as far north as a man could walk. That was the definition.

So when the Immigration Act of 1924 was passed, our first one was passed, actually as far as our border with Mexico was concerned it was for the first time a novelty, because the crossing back and forth was so free that it was at will.

The only thing a person had to pay was 5 cents which was a toll at the bridge which was privately owned.

So with the advent of the Immigration Act and the tremendous influx during the Mexican revolutionary period we had a new phase in the development of southwest American history, today evoking the 5th of May which at that time the United States was torn in civil strife and the French invaded en masse under Maximilian and who was resisted by the indigenous uprising of the Mexican people under the leadership of men like Benito Juarez who himself was one of the true, authentic Mexicans to rise to the leadership of that great nation.

So I want to end up as I started, by thanking the gentleman from New Mexico for taking this special order to evoke this very historical, significant historical date of note, and to say to men like my father, for instance, it was strange to say they were going into a strange, foreign land when, as a matter of fact, for many years, more years than not, that is 300 years, it was considered an integral part of the territory.

Again I thank the gentleman.

Mr. RICHARDSON. I thank the gentleman from San Antonio for his outstanding remarks and his talk on history of great importance to Hispanic people in this country.

Mr. Speaker, today the President of the United States is making an address in San Antonio, Tex. When Ronald Reagan became President in 1980 his main goals were to reduce inflation and increase national growth and employment. Many of those goals have not been met and in the eyes of the members of the Hispanic community opportunities are shrinking and not growing.

Hispanic unemployment now stands at a staggering 16 percent. Since President Reagan took office Hispanic unemployment has increased 5.5 percent.

It is especially disturbing for me to learn that in the past 6 months Hispanic unemployment has accelerated by nearly 1 full percentage point, from 15.3 percent to 16.2 percent. An additional 120,000 Hispanic people have joined the ranks of the unemployed along with the 1 million other Hispanics already actively looking for work.

Many Hispanics are so discouraged they have simply stopped looking for work and have dropped out of the labor force altogether. These are people who want to work, but the jobs just are not there. Not only that, Hispanics face the stigma of being the last hired and the first fired.

The unemployment gap between Hispanic and non-Hispanic unemployed workers continues to widen. While overall unemployment figures are decreasing in general Hispanics are among the only workers whose unemployment rates are still on the rise.

The people who live in Espanola, Rio Arriba, and Springer, N. Mex., are still waiting for opportunity to knock and for the jobs to come. In the heavily Hispanic community of Mora County in my district, unemployment has skyrocketed to 34 percent. The people of my district cannot tolerate the current unemployment situation.

The Bureau of Labor Statistics does not even keep periodic statistics on unemployment rates for Hispanic teenagers. Yet it is common knowledge that in cities such as Los Angeles, New York, and Houston, Hispanic youth unemployment rates are as high as those for black teenagers.

Despite these bleak statistics the President continues to cut back vital social assistance programs on job training, on educational opportunities, on health care, on student loans, on research, on retraining, all of which hit particularly hard at Hispanics, at Americans of Hispanic heritage.

It is no secret that this administration has shown a serious lack of enforcement of affirmative action and civil rights laws. It is going to be tough for Hispanic Americans to get the full benefit of the Job Training Partnership Act without tough enforcement of civil rights and affirmative action laws.

Hispanics may lose even more if the Reagan administration continues to emphasize finding jobs for dislocated workers instead of finding jobs for the hard-core unemployed as the Job Training Act mandates.

The majority of unemployed Hispanics are not dislocated workers, they are in the ranks of the hard-core unemployed. The average Hispanic businessman is not having an easy time of it either. Almost 26,000 small businesses closed in 1982. This is tragic in view of the fact that over 90 percent of Hispanic businesses are classified as individual proprietorships. Most entry level jobs for Hispanics are found in small minority businesses. Not only that, this administration has shown its callousness by decreasing funding for technical assistance to minority businesses.

That technical assistance helped the small business people learn how to stay in business during these hard economic times. It is even hard for me to believe that the President is concerned and even that he cares about the problems Hispanics face when there is not even a pipeline in the White House for Hispanic people. In the past month the President fired Henry Zuniga, Special Assistant for Hispanic Affairs and adding insult to injury I understand that just this week the President appointed a woman from Mississippi to be his special assistant. One of her many job responsibilities will be to handle the concerns of minorities and women. And if the President hopes to gain the support and the confidence of the Hispanic people in this country he is going to have to do more than serve tacos and enchiladas to Queen Elizabeth, or to do more than dance the Mexican hat dance to mariachi music celebrations today in San Antonio. The President is going to have to replace his rhetoric with reality and

make major shifts in budget priorities and other programs affecting Hispanics.

Mr. Speaker, another leader of the Hispanic community in the U.S. Congress whom I mentioned previously and who heads the Committee on Agriculture is here and I would like to yield to him for several minutes regarding Hispanic issues and Cinco de Mayo.

Mr. DE LA GARZA. I thank the gentleman for yielding.

First, let me say that we combine our effort here today and I think that it is well that it be combined with the celebration, with Mexico's celebration of Cinco de Mayo, or the 5th of May.

To preface that, let me say that even today, as we have problems in our hemisphere where there is adventurism by foreign powers, how odd that we would be concerned today with something that now we remember that happened in 1862.

But the premise for that battle was that adventurism, if we can call it that, by the French had established an emperor in what was then the Republic of Mexico, Emperor Maximillian.

And the country was divided between loyalists to the emperor and the liberal people of that country who wanted to reinstate the legitimate President, Benito Juarez.

It is very important that we look to that because our ancestors before then, who had come from Spain, had brought to the New World, and especially of concern to my being involved in agriculture, they brought the staples that we now utilize for our food and fiber. They had brought wheat, they had brought the fruits and vegetables, they brought the horse, cattle, sheep, goat.

So the basis of our now agricultural sector and business was really a foundation laid by the first Spaniards who came. And then there is what is now the United States of America, they also separated themselves from Spain and became an independent nation, with the same traditions, same concepts, some aspirations as the Founding Fathers here in the United States.

So the battle of Cinco de Mayo and I am proud to say with the permission of the gentleman from New Mexico, was led by a Texan, Gen. Ignacio Zaragoza, who had been born in Texas to a military family and at the time Texas may well have been New Mexico, Arizona, and California, had history at that time taken a turn one way as contrasted to the turn that was taken to make Texas a republic.

So, our contribution from those of us who come from people of that time, to Spain, to the New World, to Mexico, to Texas, to the United States of America, has been fundamental and perhaps it has not been advertised to the extent that is should.

Perhaps the history of how Texas became a republic, of our contribution as related to the Union forces and Confederate forces in the Battle Between the States, all of that has been not publicly acclaimed, that those of our ancestors of Spanish descendancy or surname participate in all of those endeavors. Then in all of the wars as at Cinco de Mayo, all of the wars of this country, also.

So, the premise is laid then, as I go to the other area that I would like to discuss, that no one should question our inalienable rights as our Constitution and Declaration of Independence declare; no one should question our loyalties and our service. So, then why are we not meritorious of all of the benefits that accrue to the general populace? Why must we always have to point out that we are lacking in this, we are lacking in that, we are lacking in another; but we are never lacking in those who serve in time of war? Certainly we are never lacking on those who die in time of war and certainly we are never lacking of those who receive the medals for valor and courage in action, some posthumously. If you would forgive a personal mention, I live in Mission, Tex., and I grew up in a neighborhood called El Barrio de la Escuela Catolica, or the Neighborhood of the Catholic School, because one square block encompasses the parochial or catholic school and the nun's convent.

Around that square block from World War II to Vietman, we have six who died in action in the service of this country: Castro, Gonzales, Alaniz, Garcia, Villarreal, and Salinas, six who died. Everyone in that neighborhood served, including myself, but those did not come from those battles.

And it is so sad that, and I am not going to point the finger at this administration because it can well be pointed to others, but I think that now under this administration we have a worse problem because the Office of Management and Budget deals with numbers on the ledger and not attaching faces or places.

□ 1250

And numbers on the ledger dealing in a vacuum can cause tremendous suffering and tremendous deprivement of areas of possible assistance to people such as ours who are in need and I think that it is well that we combine now our congratulations and best wishes to Mexico, its Government and its people for what they did there at Cinco de Mayo and the city of Pueblo, because it may well have impacted on the future of the United States of America. And it may well have impacted on the eventual result of whether we remain there a unit under the Union or separated between two countries because of the underlying philosophy, because of the foreign forces that were involved and because of the people for whom it was done that now some of us who are proud to be Americans, to be citizens of this great country of ours and more proud to be members of this legislative body, the greatest body in the world wherein the people manage their own destiny.

And I again extend the congratulations to Mexico, its Government and its people and express my concern here that what was done there should entitle us for that contribution to bringing us to now to more than a mention of what is going to be done for Hispanics, a mention of what is going to be done for the poor, but rather that we be assisted to become a part of the mainstream of this great country of ours, assisted now beyond what any other one is, but assisted in what was lacking in the past to allow us to join the mainstream now. And from then on to each his own as we have the tools to fight for this great country of ours that each one in his own way as God gave him the ability should reach whatever pinnacle he can, but that there be no restriction to reaching that pinnacle, some of which is a legitimate function of Government.

I thank the gentleman for yielding to me.

Mr. RICHARDSON. I thank the gentleman from Texas for his outstanding remarks.

(At this point, Mr. RICHARDSON addressed the House in Spanish).

Mr. Speaker, I wish to conclude my remarks by thanking the House for listening to these remarks through the remote control of media and to the hopefully thousands of Hispanics in this country who are going to have some representation from leaders in the Congressional Hispanic Caucus as you have heard today, from Mr. GONZALEZ and Mr. DE LA GARZA, who have done so for many years, and hopefully, those of us who just came in, Mr. TORRES, Mr. MARTINEZ, myself, Mr. ORTIZ, will help in this effort of our senior leaders that we need this kind of representation that means something in the Congress of the United States.

● Mr. ANDERSON. Mr. Speaker, Cinco de Mayo marks a major crossroad in Mexican history. Through their courage and bravery on this fateful day in 1862, the people of Mexico set a standard of self-determination which continues to inspire people across the world in their struggles for liberation. Outnumbered 3 to 1 by French invaders, the people of Mexico repulsed the French Army with a zest for freedom that will memorialize the battle for all time.

In my own State of California, schools, cities, and organizations throughout the State will be observing this great event as a gesture of solidar-

ity with and affection for the people whose heritage is so much a part of our own. As America's second largest minority, the Hispanic people have made an enormous contribution to the cultural diversity and vitality of our country, permeating our entire society.

Today, in the United States, we stand at a spiritual crossroad that is not unlike that faced by our Mexican brothers in 1862. They were confronted with the tyranny of French rule, whereas we are confronted with the tyranny of unemployment and recession from which the Hispanic people suffer so disproportionately. Now, as then, the odds against success seem overwhelming. Now, as then, the heart must be stirred before the battle can be won. Now, as then, a superhuman effort of self-sacrifice for the common goal is needed if we are to see victory. We must rise to the challenge with the bravery and tenacity our Mexican neighbors brought forth to preserve their nation.

Mr. Speaker, the spirit of Cinco de Mayo is as relevant to our survival as a nation as it was over a century ago in the Battle of Puebla, a spirit which calls on us to reflect upon the heroics of the Mexican Nation, and to look into our own hearts to ask whether we can confront our challenges as heroically. It calls on us to roll up our sleeves and dig in, to tap the energy source that binds a people together in the face of adversity.

I thank God that we have days throughout the year like Cinco de Mayo to remind each of us of our limitless possibilities as a people. We must remember the message of Cinco de Mayo: No matter how great the challenge, even one victory can change the course of history.●

● Mr. ROYBAL. Mr. Speaker, today is Cinco de Mayo, a holiday, which although celebrated in Mexico, has special meaning for the United States and other Western Hemisphere countries. This date marks the military victory at Puebal by a small but patriotic Mexican Army against the French invasion forces of Napoleon III. It marked the end of the last foreign invasion into the Western Hemisphere and the beginning of its social and economic development.

That tenacity and indestructible spirit that drove the Mexican Army to victory has prevailed throughout the proud history of our own country. Our history is filled with example after example of Hispanic Americans who have fought bravely in defense of the United States of America, going back to the American Revolution and continuing through the World Wars and the Korean and Vietnam wars. Hispanic Americans can point with pride to the fact that 35 Hispanics hold the Congressional Medal of Honor, more than any single ethnic group in the United States. The vigor and traditions of the United States are founded on over 200 years of Hispanic culture and history, not only in the Southwest, but in every region of our country.

As the descendants of Puebla, we invite our colleagues to join us in honoring the sacrifice and contributions of Hispanic Americans in the struggle for independence and we invite all Americans to join with us as equal partners in providing jobs for all Americans and in promoting the economic development of the Western Hemisphere.●

GENERAL LEAVE

Mr. RICHARDSON. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the subject of my special order today.

The SPEAKER pro tempore (Mr. HARRISON). Is there objection to the request of the gentleman from New Mexico?

There was no objection.

MISSISSIPPI LEGISLATURE SUPPORTS SELECTIVE SERVICE REGISTRATION

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Mississippi (Mr. MONTGOMERY) is recognized for 5 minutes.

● Mr. MONTGOMERY. Mr. Speaker, I want to share with my colleagues a copy of Senate Concurrent Resolution 591 which was passed in the 1983 Mississippi legislative session. This resolution expresses the support of the Mississippi Legislature and their constituents concerning the Selective Service System and the continued peacetime registration process. The resolution also reflects the strong feelings I have on this subject and I want to commend the members of that distinguished lawmaking body for passing this resolution.

Mr. Speaker, I believe the people of my State are supportive of the continued registration, just as I am, as a way to help maintain our strong defense posture. It has been pointed out that this peacetime signup will save time in the event of a national emergency. This added time could be the difference in success and failure and I urge my colleagues to join me in continued support for the Selective Service System.

The resolution follows:

STATE OF MISSISSIPPI—SENATE CONCURRENT RESOLUTION NO. 591

Whereas, the President and Congress support the continuation of the program for peacetime registration for the Selective Service System; and

Whereas, in approving funds for such registration, Congress has recognized that peacetime registration contributes to national readiness by reducing by up to two months the time required for a full defense mobilization; and

Whereas, the registration program is an important signal to our North Atlantic Treaty Organization allies and ot our potential adversaries of the seriousness of the United States defense commitments at home and abroad; and

Whereas, over one million United States citizens have sacrificed their lives in military service to protect the rights and freedoms of all Americans; and

Whereas, registration for Selective Service is an integral part of current preparedness to preserve the rights and freedoms of all Americans; and

Whereas, the Legislature of Mississippi notes with pride that nearly 111,000 Mississippians, representing 96% of the state's potential registrants, have registered with the Selective Service System since resumption of registration and by so registering are contributing to the national defense preparedness of the United States: Now, therefore,

Be it resolved by the Senate of the State of Mississippi, the House of Representatives concurring therein, That we do hereby express our support to the President and Congress for the provision of peacetime registration which has strengthened our national defense preparedness signaling to our allies as well as our adversaries the seriousness of the United States defense commitments here and abroad, and we commend the young men of this state and nation who have recognized their obligation to serve their country in time of need.●

OUTRAGE EXPRESSED OVER COMMENTS OF JEANE KIRKPATRICK

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York (Mr. ACKERMAN) is recognized for 5 minutes.

Mr. ACKERMAN. Mr. Speaker, I would like to express my shock and my outrage at the comments of this Nation's chief delegate to the United Nations, Jeane Kirkpatrick, as printed in today's edition of the New York Times.

The newspaper reported this exhange between Ms. Kirkpatrick and a Buenos Aires reporter:

[Mrs. Kirkpatrick:] "What happens is that there are people in the U.S. Congress who do not approve of our efforts to consolidate the constitutional government of El Salvador and who would actually like to see the Marxist forces take power in that country."

The reporter asked: "Let me make this last bit clear. Do you really believe there are U.S. lawmakers who would like to see a Marxist government in El Salvador?"

"Yes, of course," Mrs. Kirkpatrick said. "I don't think, I must say, that there are many, but there are some. This is, or course, in general terms."

Mr. Speaker, if Ms. Kirkpatrick has a list of commie sympathizers, let her reveal it. Otherwise, she impugns the integrity and the patriotism of every Member of this Congress who might have honest disagreement with the administration's policy. I do not believe that there is anyone in this body or in

the Senate who wants to see the spread of Marxism, or who wants to abet forces that wish to establish Marxist or Communist regimes.

As those of use who oppose the administration's policy in Central America have clearly explained, in this Chamber and elsewhere, we believe that increasing military assistance to a repressive government that has murdered more than 30,000 of its citizens, and continues to slaughter them at the rate of 100 a week, is not the way to stop the spread of Marxism. In fact, such foolish actions serve only to place doubts in the minds of the Salvadoran people about the depth of U.S. concern for their plight. Indeed, it is the administration's policy, and not the suggestions of Members of Congress who eye it skeptically, that could very well lead to a Marxist government in El Salvador.

But, Mr. Speaker, those in Congress, on both sides of the aisle, who raise arguments against President Reagan's actions in Central America should be free to pursue those disagreements without having our motives besmirched by the administration's henchperson. Ms. Kirkpatrick may believe that an alternative course of action would lead to a Marxist government in El Salvador. It is her right, and duty, to critique such proposals. But it is slander and McCarthyite nonsense to say that Members of this body want to see Marxism triumph, in El Salvador or anywhere else.

Mr. Speaker, such intemperate remarks hardly befit a person who holds Ms. Kirkpatrick's important position. We should insist that she retract her odious comments, and apologize to this Congress.

□ 1300

NATIONAL BRICK WEEK

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Tennessee (Mr. GORE) is recognized for 15 minutes.

● Mr. GORE. Mr. Speaker, I have introduced today into the House of Representatives a resolution to declare the week of June 12, 1983, as National Brick Week. Although it has become commonplace for the Members of this Chamber to offer such resolutions, we should not lose sight of the importance of honoring the marvelously diverse commodities which have proven the source of the Nation's economic strength.

As representatives to the National Legislature, it must be considered part of our service to those who have elected us to bring to national attention the contributions made to the country by the citizens and businesses of our home districts.

Brick is among the oldest of building materials. Its presence throughout ancient and modern cultural history has made possible the construction of such imposing and varied structures as: Independence Hall and Carperter's Hall in Philadelphia, Pa.; the New State House in Boston and the Old North Church in Concord, Mass.; and Monticello in Charlottesville and Governor's Palace in Williamsburg, Va.

Brickmaking and bricklaying are among the oldest professions. Even before the time of Moses, history is replete with references to the production of brick and its use by skilled craftsmen and artisans. As may be seen from any tour of the cradle of the American Republic, our 18th and 19th century forefathers heavily relied upon brick as the foundation material for the construction of both the industrial North and the agrarian South. Into the 20th century, brick remains an important source of economic opportunity and a superior building product. Annually there are 10 billion brick manufactured in the United States. In my own State of Tennessee, there are four plants which account for nearly 5 percent of national production. Throughout the country nearly 500,000 people derive their livelihoods from the production and use of brick. The American brick industry is a uniquely domestic one which employs local resources and talents and which should be recognized for its importance to the Nation.

Although it is to be Brick Week, it is less the inanimate product and more the people of the industry to whom we wish to pay honor with this resolution.

The brick industry has been a leader in the search for increased building energy efficiencies. Working with officials of the Departments of Energy, Defense, and Housing and Urban Development, the industry has sought to improve the durability, efficiency, and inhabitability of residential and commercial buildings while seeking ways to reduce construction costs. Representatives of the Brick Institute of America and the International Union of Bricklayers & Allied Craftsmen have consistently cooperated with 'he Congress and their consturction industry colleagues in the design of building research and regulatory programs that have resulted in substantial savings in building energy requirements throughout the Nation.

Within recent years, recession has cut deeply into the commercial and residental construction markets. The dream of every American citizen to own their own home has been severely tested throughout these past years. In response, the brick industry has sought new ways to reduce the cost and maintenance of structures, while increasing building durability. Whether in the construction of new towns in the South or the rehabilitation of the older industrial cities of the Northeast and Midwest, the brick industry has sought ways to improve the built environment. Through union training programs or manufacture and design innovations, the industry has sought to improve the quality of its product and the skill of its application while increasing the Nation's inventory of affordable and durable structures.

The people of the brick industry are known to all of us in whose district brick is manufactured, distributed, or applied. Its members are local and national business, labor, civic, and religious leaders; their personal and economic contributions are important to their communities. Although lower interest rates are important for continued recovery, they are no more important than high spirits and the continued dedication of this important segment of the construction industry to improving America's built environment.

Mr. Speaker, it is important and just for the Congress to recognize the achievements of the brick industry and its people. I believe that my resolution will provide such recognition and serve to tell the Nation of a job well-done. I ask for the support of my House colleagues in the dedication of the period of June 12 to 18, 1983, as National Brick Week.

H.J. RES. 261

A bill designating the week beginning June 12, 1983, as "National Brick Week"

Whereas our country and its people have always found brick to be a useful material of strength and value in the construction of buildings for shelter and other purposes;

Whereas when the first settlers gained a foothold in the new world and established for themselves and their descendants a free nation and built homes, schools, and churches, they used brick as a basic construction material and many of these structures stand today;

Whereas this early building method is now multiplied a thousandfold in the United States and the importance of brick has increased so that today it is useful in many forms of construction that provide shelter and otherwise improve the lives of our people;

Whereas the production of brick provides jobs to American workers, and bricklaying is a craft that also provides employment for Americans who take pride in the application of their skills to the construction process; and

Whereas in order to reemphasize to each individual in the United States the importance of brick and the industry that produces it: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the week beginning June 12, 1983, is designated "National Brick Week". The President is requested to issue a proclamation calling upon the people of the United States to observe that 1 week with appropriate ceremonies and activities.●

EMERGENCY HOUSING LEGISLATION

The SPEAKER pro tempore. Under a previous order of the House, the gen-

tleman from Texas (Mr. GONZALEZ) is recognized for 30 minutes.

(By unanimous consent, Mr. GONZALEZ was allowed to proceed for 30 additional minutes).

Mr. GONZALEZ. Mr. Speaker, I think that when the subsequent history is written of these current debates and considerations of legislation, it will sound ironic to those studying the matter to see the environment of thinking with respect to such things as our emergency housing legislation being considered in what I would consider to be a late point or juncture, and other matters given priority, with the impression that there are no crying needs out there in the country. And the reason, principally, for my rising this noon is to point out that the Emergency Housing Assistance Act, known as H.R. 1983, which was scheduled to come up today on regular business, was passed over, and the decision was made yesterday, at a time when it looked as inevitable that the long debate on the nuclear freeze resolution would carry over at least for 5 hours today, so that a decision was made consciously that it would be improper to bring up legislative business such as the emergency housing legislation under those conditions, at a late hour, in the waning period of a week, and so, therefore, I would like to point out to my colleagues that this legislation is now scheduled for next Tuesday.

Now, there are some who are prone to be against that at this point, or so report. On general ideological basis, so far as I know, they have offered no specific objections to the contents of the legislation but merely on the idea that this is no time to have a program of assistance. This is a feeling communicated by the strong, inflexible position taken by the administration, the Office of Management and Budget, Mr. Stockman, and the President and the Secretary of HUD, who are vehemently opposed not on the basis of the merit or demerit or the scope or reach or the intent and purpose of the legislation or the denial of the existence of a crisis situation throughout the country, where thousands of Americans, plain, ordinary, good Americans, are faced with the loss of their homes because of foreclosure, because of distress sales that are currently confronting them in every geographical point in our country, in urban as well as rural, but particularly, at this point, an acute emergency situation in these endemic high unemployment areas such as Lorain, Ohio, Beaver County, Pa., and now, as of last week, with the receipt of this petition signed by 3,000, obviously the 3,000 unemployed millworkers in Pueblo, Colo., where 3,000 of the 5,000 employees are out and have been out and who are worried that the other 2,000 may be out completely because the mill is still under the shadow of completely shutting down, and where it was reported last week in a petition, a pathetic petition in this day and time for America, to me addressed, pointing out that the foreclosure rate at this point is averaging more than 100 a month.

And here we are, talking about an emergency bill, on May 5.

Now, I will have this much to say: the leadership of this House has recognized the need. We recognize it not because we thought so or because we thought it would be a good partisan issue, but because we had comprehensive hearings. The subcommittee I have the honor of chairing on housing, for the first time in history, went into every single geographical sector of the Nation, both urban as well as rural, for the first time rural, into migrant housing, and the like, for the past 2 years, but particularly during the last 9 months. And then we had even emergency hearings here in Washington. And it is just sorry, very distressful, to me particularly very personally hurtful, to see this, because I do not think it is necessary in America. I do not think this was an act of God. This was induced. This was through specific manmade decisions and, therefore, the basic issue is whether we in the Congress here and now and at this time will respond to this need or whether we will turn our backs on those Americans while at the same time the same folks that, because of budgetary reasons the administration first interposed, the fact that in our bill we are authorizing $760 million for this purpose. But we would not have even begun to think of an authorization if we had not first gone to the Budget Committee, the same Budget Committee that has obliged the administration and has been faithful to the restrictive nature of legislation, in my opinion, unwisely approved 2 years ago, and got and obtained a clearance from them. So we have a statement from the Budget Committee in which this is fully within the budget limitations. This is not even remotely a budget buster. It is well within. So than the administration and the opponents could not seize on that, so they have not raised this as an issue.

Let me assure you that if it were, this would have been the biggest, massive reason for the assault on the legislation.

So then the question occurred on the fact that it would be an administrative nightmare.

Well, now, that is like us sitting here and quaking in fear because we are told that the Senate will not do anything and, if we do, the Senate will change it, or that the President will veto.

□ 1310

I have never felt that it was proper for us to let that induce our actions as legislators and the formulators of policy ostensibly reflecting the needs of our constituents that we are charged with attempting to represent. I always thought that, well, the Senate is its own body; we cannot control them nor should we even try. But we can do what we must do and then let them do what they must do.

The President has the constitutional veto power, and if he is going to try to use that as a bludgeon of threat, then I think he is going to find out, as his predecessors have, that it may not work as a threat, as an instrument to bludgeon a Congress into submission. It has not up to now in our history, so why let us then draw back from discharging our responsibility of that nebulous threat.

Then the thing broke down during consideration by the committee and subcommittee, unfortunately because of the pressure from the administration on the basis of party line votes. But even those on the majority side of the party who have joined the administration in past budgetary battles did not vote against this measure. So it then remained as a purely party line-defined vote.

I regretted it. I did everything I knew how, and I will say this in all fairness: that the ranking leaders of the minority on the other side of the subcommittee and full committee, in good faith did not obstruct, but neither did they participate in the full amendatory process because they said, "We know how to count and it will not do any good for us to interpose those amendments that would be in obedience to the administration's wishes," because it is like last year. Last year the President, the administration, would not even discuss an authorization bill on housing, so that for the first time in 40 years the Congress did not have an authorization housing bill. They would not consider any kind of authorization, not some modified or some skeletal extension of some act that was about to expire if it was called authorization, but just none whatsoever.

So this year that carried over. However, there are, I feel, a good segment of Members on both sides that share the some ideological or philosophical outlook on things that do not feel that way about this bill, and given the opportunity, and fully cognizant now of its contents, will support. But it seems to me that at this point, and because of the fact unwittingly that we have delayed the ability to debate this and bring it up for a straight vote in the House up to now, if it had been up to me, this bill would have come up before we went off to the Easter break, because the subcommittee and

the full committee and the Rules Committee all acted in the name that we have given it, an emergency housing bill, housing assistance, mortgage assistance, foreclosure prevention aid, and also a program for the first time for sheltering the homeless, which as our hearing showed last December is now an acute and distressful issue in our country. The homeless now are not the hoboes that we traditionally associate or the never do wells or the alcoholics. Today, and we heard them, we saw them, I have visited with them, we have plain, wonderful American families, having lost their home within the last year, year and a half, wandering about, sleeping in public places and automobiles, finding some refuge temporarily here and there, some actually dying this last winter right on the streets of our cities. We do not have to go, as I have said before, to Calcutta any more to see that.

I do not think that is right. I do not think that we in the Congress can ignore, even if it is one American. This is where the basic difference is, because then the next argument against the bill is, here are the people who are arguing against any program because it calls for an authorization, all they want is an expression of ours to the lenders, the lending institutions, saying, "Fellows, you have been pretty nice up to now. Keep on being nice. Try to forbear as long as you can before you foreclose on that mortgage."

That is all they want from us at this time. That, I think, is washing our hands of what I consider to be a basic responsibility here. Charity begins at home. Those same individuals are trying to lobby me into voting next Monday in the committee on a near $9 billion taxpayers' money, through the International Monetary Fund, to bail out the banks who are opposing this bill. The American Bankers Association is the biggest lobbyist against this, plus the realtors, plus the Savings League, of all people.

Of course, those of us who know what we are confronted with today know why. It is logical. There are no such things as savings and loans any more, as they were intended to be by the Congress back in the depression period; they are all banks now, all because of the actions taken by this Congress. And incidentally, I am on record as being against that. All in the name of saving the savings and loans, but in effect actually homogenizing all of our banking or credit institutions, so that the real basic, underlying issue has yet to be confronted by this Congress.

But while we have such a horrible time just trying to meet a current crisis, after all, I cannot think of anything more important to the welfare and well-being of this country than the preservation of the family and its unity, and that is best expressed through the identification of an American and his family with his soil, the fact that he owns a little bit, and that he owns his house. That is the greatest thing that we ought to see.

All I am saying is that this legislation just merely addresses itself in the beginning, and if the predictions are true on the part of this administration and those against us, there will not be any need to call it, because this is triggered off only when certain conditions are first absolutely, statistically declared. This is the difference between our legislation and the prior legislation during the depression of the Home Owners Loan Corporation, where you had direct Government intervention. This is not an entitlement program we have. It is a loan program.

But we have faith in these Americans. We have greater faith, I think, than what these opponents and proponents of bailing out our big banks through the IMF have, because while they say, and this is another one of the big criticisms of our bill, "You cannot trust this because it is going to be abused by Americans." Yet they are willing to ask us to vote $9½ billion because they trust foreign countries that have not been able to even pay interest on their loans because our big banks are out on a limb on those loans, the big banks that, through greed, speculative orgy, have led us to this miserable situation.

□ 1320

Now, I say that that is a perverted sense of priorities. I defy any fellow American to tell me that it is not. Since when does charity not begin at home? And this is not even charity; this is just a helping hand to an American family that through no fault of its own, is about to lose its home. That is all it is.

Of course, there is an emergency. Vast numbers of people in this country are facing the loss of their homes. There are at least statistically, 1.5 million Americans out of work, and the average length of their unemployment is better than 19 weeks. There are 6.5 million more people who are forced to work part time because of economic reasons. There are unknown, yet-to-be determined numbers more who are too discouraged to even register for work, and so they do not show up on these dismal statistics.

The conclusion is inescapable. There are between 15 and 20 million Americans who are out work, who are working less than a full workweek, or who have given up hope entirely. For every one of these people, keeping a roof over their heads is a great and all too often impossible burden.

Nobody, not even the most optimistic, offers the forecast that we are going to enjoy "full employment" in the foreseeable future. As a matter of fact, the President and this administration now say that if the unemployment rate drops to 7 percent, they will consider that recovery.

Why, just 3 years ago we considered that an emergency. Now, if that is going to be the acceptance of recovery, let me say that that means we will deliberately be turning our backs on those helpless, hapless Americans who, through no fault of their own, will lose identification with their very own soil.

What economic recovery there is has not put any meaningful dent in the unemployment figures. There are just as many out of work today as there were 6 months ago. There has not been any noticeable change this year in the number of workers who have been out of work for 15 weeks or longer. There has not been any change in the number of workers who are on part-time jobs because of economic reasons. There are today fewer actual jobs in this country than there were in 1979, and there are twice as many out of work today as there were that year. That is recovery?

The number of business bankruptcies is still on the rise, and last year at one point they reached a higher level than the highest during the Depression. They are still going out. How else would it be, as I have said ad nauseam on this floor, with extortionate interest rates even now? Because just like this administration would have us believe that 7 percent or over 7 million Americans unemployed is OK or is normal, they would have us believe that anything over 10 percent and under 15 percent is a normal interest charge. That is still usurious; that is still extortionate. No country's economy, no business life, such as we have known in America is going to be possible under those conditions.

It has been the most demoralizing experience for the past 15 years to be inveighing against this and have little or no concentrated effort to confront that menace. And this is worse. High interest rates are worse than if we had a standing, invading enemy force on our soil.

The number of business bankruptcies, I repeat, is still rising. Interest rates in real terms remain at these incredible and unacceptably high levels.

There are a few feeble and tentative signs of life in the economy, and this has inspired really unwarranted euphoria. Let us take housing starts as an example. Housing starts are increasing, but whether this will translate into a sales surge is anybody's guess. And why? Because there is not one house, whether it is in my State of Texas where it is booming or in California or Florida, there is not one of those homes that is being constructed for less than $80,000 and at 12½ and 13 percent interest and with no such

thing as a fixed 30-year mortgage any longer.

Oh, they will tell you, "sure, we have 30-year mortgages." What they do not tell you is that they have 3-year bullets. This is what the people in that business call it. They have 3-year bulleted so-called 30 years, but not 30-year fixed mortgages. That means that in that 3-year period they could charge that poor mortgagor as much as 21 percent, as it was recently.

Hardly anyone notices that almost half of those housing starts in the whole Nation are concentrated in just three States, Texas, California, and Florida. One housing start in eight takes place today in just two places—Houston and the Dallas-Fort Worth area. That is hardly evidence of a nationwide housing boom. At best, we are seeing the weakest economic recovery in memory.

Beyond the euphoria, there is a vast amount of human pain and suffering. Hundreds and thousands of people are trying to stave off home foreclosure, hoping against hope, wondering if help can arrive in time.

In Pennsylvania there are localities where one worker out of every four is laid off. It is the same way in Texas border towns. Three thousand steelworkers in Pueblo, Colo., are looking for help. They are still out and reporting in the pathetic terms of this petition from Colorado: "Every morning when we get up, we have a knot in our stomachs." And they are confronting now better than a hundred home foreclosures a month.

In the Northwest there is vast hardship. In the industrial heartland of the Midwest, conditions yet remain desperate.

Economic recovery, if it comes, cannot come soon enough to prevent tens and hundreds of thousands of home foreclosures, because the nature of this is that even if we have recovery, they peak on these foreclosures just about the time the rise begins to be felt, and maybe, just maybe, in some cases it is in time. But in most cases, no.

This we were clearly shown in the testimony that we had last December and November. A sheriff from Lorain, Ohio, said, "Right now we have been able to handle it this way, but come April I will be faced with 1,200 distressed sales, and they will accumulate."

There is no way that a projected economic recovery is going to pay any mortgage that is due this month, the month after that, or the month after that. There is no way that exhortations to lenders will ease the pressure to foreclose on delinquent mortgages. And, in fact, if mortgage interest rates decline—and when I say, "decline" I mean below 10 percent or below 9 percent—and it becomes easier to sell real estate, lenders will be more likely to foreclose on delinquent loans. There is a terrible irony in this: Improving conditions and probably will mean greater hardship for those who are already at the last inch of their financial tether.

We need to enact an emergency housing assistance act because economic recovery is already too late for vast numbers of desperate homeowners, and because it cannot come soon enough for an equally vast number of others who are reaching the end of their savings, the end of their unemployment benefits, and the end of their hopes.

We need to enact emergency housing assistance because there are already vast numbers of homeless people, and especially women and families, that have no place to go.

We need to enact emergency housing assistance because there is no sign that the rate of foreclosures is decreasing. In fact, the number of foreclosures is likely to increase as time goes on.

We need to enact an emergency housing assistance act because there is no other way to prevent tens and hundreds of thousands of human tragedies—tragedies not brought about by illness or accident or by personal misconduct but tragedies caused by unavoidable long-term unemployment, tragedies brought about by bankruptcy and financial ruin, tragedies brought about by the collapse and disappearance of whole companies, whole industries, and whole regions of the country.

□ 1330

There is a real emergency in housing and it will not go away with the soft days of spring and it will not be blown down by the euphoric dreams of the stock market. It especially will not be wished away by the dreams of a slow economic recovery. For the 11½ million unemployed, there is no recovery. For the millions of underemployed, there is no recovery. There is only the desperation of wondering how to meet the next mortgage payment.

The emergency housing assistance bill, H.R. 1983, offers the only real hope for these hard-pressed, decent, responsible and hard-working people who have never asked for anything in their whole lives and who now ask only for a loan, not a give out, a loan to help maintain their mortgages. Is that too much? I know it is not.

I wish that the overwhelming and preponderant number of my colleagues would share that feeling. There have been those who claim that the loans provided for in H.R. 1983 could very well go to the well off. That is not true, but to be absolutely certain of this, the substitute language that we have and will be the first motion will provide an asset test to be certain that mortgage assistance loans go only to those who have exhausted every other hope.

There have been those who claim that loans might go to help pay the upkeep of expensive, luxurious property of one kind or another, and though that is a line and a canard, my substitute will provide explicit prohibitions as far as we can on this level against any such abuses.

There are those who claim that emergency loans might go to those who have been fired for misconduct, even though the language, the intent of the bill is clear and defines how assistance is going to be available on what basis of eligibility.

It is for people who are in difficulty through no fault of their own. To be doubly certain, we will prohibit loans for persons who are unemployed because of misconduct or their own voluntary actions. I do not know how more explicit any kind of language could be.

Some have suggested that loans might not be fairly distributed, so that therefore our substitute instructs the Secretary of Housing and Urban Development to distribute the funds in an equitable way, taking into account the areas of high unemployment and areas with high delinquency and foreclosure threat rates.

There are some who have argued that loans should not be available unless the borrower has tried to work out alternative arrangements with the lenders. The substitute requires precisely that. So did our original language.

My substitute language meets every reasonable question and provides, I think, every possible safeguard that could be implanted on this level in the nonadministrative area.

The ultimate issue is very simple. It is whether or not to extend genuine financial help to people who are in genuine need.

Now, I know that under the pressure of an adamant, ideological position on the part of the administration, we have been hampered; but this delay unwittingly, which I have felt so disappointed about, unwittingly, I think, is coming to our aid, because more and more Members are becoming cognizant of the untruthfulness of the criticism up to now and the actual genuine content and the thrust of the legislation and are reporting support in growing numbers; so that I think it adds to our successful consideration of this bill next week.

As I said, the only substitute on the part of the opponents is that which will preserve the one section we have in the first section, that merely says to the lending institutions, "Please try to keep on being nice," and that is all.

There is no substitute for a financial problem, except real financial help. That is what H.R. 1983 provides.

My substitute assures that the necessary financial assistance will be carefully controlled and scrupulously guarded.

I certainly urge my colleagues to consider seriously before next week the actual contents of the legislation as it now stands and will be presented to them.

We have clearly recognized the plight and the peril of farmers, that is, farmers who are in farming as a business, in the emergency agriculture bill just passed earlier this week.

Now, our bill also includes rural as well as urban homesteads, differentiated from a farm as a business.

Now, it is time to recognize and deal with the equally great plight of homeowners generally, urban and rural, throughout our great land.

Before concluding, let me say that this should not be interpreted, this effort that we have initiated early in this Congress, as a program for America in the light of what has happened, that has destroyed the financial underpinning or the financial institutional underpinning that was able to produce the miracle of the world in America in 40 years, that is, the housing of America.

From 1940 to 1980, America performed a miracle, but it was done so only because America accepted a national commitment and it instituted what we call a savings institution, savings and loans, they were protected and they were subsidized and have been all along, so that they could be in a position to provide a special instrument, or a special environment, or institutional framework for a financial underpinning of this great massive housing program that has housed America.

In 1940, over 63 percent of our homes were substandard, inadequate and unacceptable. By 1980, that was only 6½. Unfortunately, in the last 2 years, we have had to add to that undesirable and unacceptable housing stock because there has been a consistent effort to destroy those programs. We had to fight like hornets 2 years ago to keep even such a basic program as FHA from being deleted by the President. That was one of his first recommendations in his first budget presentations on February 8, 1981. Other ancillary programs, some of them have been in place maybe 15 years or less, some have been in place 20 years, FHA, of course, over 40.

What I say is wrong is that instead of evaluating those programs from the standpoint of merit or demerit, in other words, which of the programs have worked, which are the ones that have not, our President would have us kill them all because they symbolize to him everything that has been wrong in the last 30 years.

Now, that is where I part company, because I think that the Congress took a lot of debate and a lot of hearings before they could ever compromise on those programs in the forties and the thirties.

I think that if we are going to decommission them obliquely, the least we ought to do is have hearings to evaluate those that have worked and certainly keep them if they work and discard those that have not, instead of using the blunderbuss of a computer cannon pointed at statistics and not to the crying social needs or the individual citizens that compose those statistics.

□ 1340

But I will come to that later because that has been the greatest challenge that we have been trying to discharge and trying to confront on the subcommittee level. That is, we have to come up now that the financial institutions have been homogenized and still are facing a great crisis and savings and loans are still going under and they are going to continue because as I tried to say last year, with the best of intentions, the Congress was helping not to save but to kill off not only savings and loans but some banks. And they are going under and there will be more, and there is no policy.

We have no evolution of a process to provide the present framework in an environment that would give us the financial underpinning to begin to mass produce housing at affordable rates so that the American dream that every American family that wants and needs a safe, decent home will have that dream fulfilled. That cannot be as long as he has to pay anything over 6 percent interest on a long-term loan. It cannot be if we do not produce them at affordable prices.

So, as I have told even the homebuilders, who unwittingly or wittingly, even the remnants of what is known as the savings and loan institutions—ironically they do not want to recognize this or maybe they feel that they are better off being banks now that they can go in and compete for the high roll money. Now they are big operators.

Of course, they forget old Aesop's fable of the clay vessel and the iron vessel floating down the street and the clay vessel says, "Well, by golly, Mr. Iron Vessel, you think you are strong but I can beat you," and bumped up against him and, of course, cracked up.

This is what is happening to these more feeble and less capitalized institutions. It is inevitable. We have thrown them in with the predatory whales and the whales with the sharks. We have thrown them in here and all with the best of intentions.

In the meanwhile, the massive resources of credit allocation that a nation has to commit, no nation in the world—incidentally, England had some pretty good housing programs within the last 5 years but they first had to have a National Government commitment—here we are confronted with the opposite thrust on the part of the people in power today.

So it is my hope that we will continue this year and will come out with suggestions so that we do not wait, as I have pointed out to the homebuilders and the realtors. That is what is going to happen here, just what happened with us in automobiles.

I said in your greed there is no other way for me to define it, and I do not mean to be insulting, but that is the way the cookie crumbles. These homebuilders that got used to making a several thousand dollar profit per unit do not want to make only $100 today. They still think they are going to go on and, of course, without the Government programs they are not going to do it.

This is why the only thing they are building right now is for whom? It is for those who can afford to come in and have the money or the income for an over $80,000 home. In fact, the average is much more than $80,000. Right now that is the only new construction you are getting, and to the devil with the poor and the moderate income.

I say that is wrong and we have a challenge like we have not had in 40 years. That is to devise a strategy and a framework of reference to provide the financial underpinning of these financial institutions, even if it takes direct governmental intervention in it and the creation of the equivalent of a credit source, because in the meanwhile the massive allocations of credit have gone to where? To housing? No.

In fact, this administration says that the problem is that too much credit has been allocated to the housing sector and therefore they would like to eliminate some of these institutions we have set up, what they call the secondary mortgage institutions, Fannie Mae, Ginnie Mae, and the like. They actually would rub them out if they could right now.

It is but a few of us that have been holding that possibility in abeyance.

But the reason they give, the reason Mr. Stockman gives, and the President gives, is that too much credit has been allocated to housing. What I am telling the folks here today is to look, you are going to wait, and do not be surprised if like in the case of automobiles the manufacturers did not want to realize the domestic needs and priorities, they wanted to come in and sell to an average family a $11,000 or $12,000 car with an interest rate in excess of 10 percent. Maybe you can get some 9-percent interest, but you need to look at the contract and make sure that is what you have.

That is impossible. Mass consumption cannot be there if you do not

have mass credit, even though you might have mass production for a while.

I tell them, I say what you are going to do is wait, just like you did in automobiles, and you are going to have the Japanese and others come in like they did and gave us affordable cars, and then one of these days they are going to have a ship come over from Japan—they have bought up our lumber and they have been one of the principal buyers of our lumber products and forest products—they will make up a unit, prefabricated in Japan, and put it down here and give us a house at less than $10,000 if you do not look out.

Why should we wait for that?

America has the ability, it has the ingenuity. All we need is the will. You will not have the will until you have the acceptance of the responsibility, and you will not accept the responsibility if there is a continuous intention to shirk it and deny the crying critical needs of the American people.

This is why I say that that really is at the root of this trouble. But at this point we are merely trying to get a crying need, an emergency need, and then hopefully, and within a timely fashion we can try to afford the leadership on policymaking functions here in the Congress and not wait for either the Executive or somebody else that comes in after the fact to devise a plan and a system.

This is what we are working on now.

There are definite and specific programs that I have had under study and will be ready for presentation to the subcommittee in the very near future. In the meanwhile we have this and we have the general housing authorization bill which I am proud to say we passed out of the subcommittee over a week ago and will be ready for approval by the full committee this coming week.

Mr. Speaker, with that I yield back the balance of my time.

CONGRESSMAN TONY P. HALL INTRODUCES GEOTHERMAL ENERGY TAX CLARIFICATION BILL

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Ohio (Mr. HALL) is recognized for 40 minutes.

● Mr. HALL of Ohio. Mr. Speaker, today I am introducing a bill to clarify the definition of geothermal energy for tax credit purposes. I am pleased that my colleagues, the gentleman from Washington (Mr. MORRISON), the gentleman from New York (Mr. HORTON), and the gentleman from California (Mr. MATSUI) are joining with me as original bipartisan sponsors. An identical bill is being introduced in the other body by Senator SYMMS.

The legislation we are introducing is similar to H.R. 4091, S. 1684, and S. 1960 from the 97th Congress. The bill, H.R. 4091, which I introduced with Representative Don H. Clausen of California on July 9, 1981, was cosponsored by a final total of 30 Members of Congress. Although H.R. 4091 was referred by the full House Ways and Means Committee to the Subcommittee on Select Revenue Measures in November 1981, no action was taken on the measure and it died in the 97th Congress.

The bill, H.R. 4091, enjoyed significant bipartisan support from across the country. It had the backing of the solar lobby and was cited as a policy recommendation of the water resources agenda of the Northeast-Midwest Congressional Coalition. With the introduction of this legislation today, the drive for geothermal energy tax credit reform begins once again.

Our bill basically contains three parts. The first would amend the definition of geothermal in the Energy Tax Act of 1978 to make it explicit that there is no temperature requirement for the geothermal energy tax credit for residences and commercial facilities. The second part would specify how the credit is to be determined when a residence or business has a system which uses both geothermal energy and another source not eligible for the credit. The final part of the bill would specify how the credit is to be determined when a business has a hybrid system which uses both geothermal energy and another eligible source.

BACKGROUND AND NEED FOR LEGISLATION

The Energy Tax Act of 1978 (Public Law 95-618) provides a residential energy tax credit for certain energy-conserving and renewable energy source expenditures made in connection with a taxpayer's principal residence. The credit applies to expenditures on energy-conserving items such as insulation and storm windows, as well as to investments in solar, wind, and geothermal energy property, categorized as renewable energy source property. In this latter case, the act provided that a credit may be claimed for 30 percent of the first $2,000 of expenditures and 20 percent of the next $8,000 of expenditures up to a maximum credit of $2,000 for expenditures made after April 19, 1977, and before January 1, 1986. Subsequently, the Crude Oil Windfall Profit Tax Act of 1980 (Public Law 96-223) expanded the renewable energy credit to 40 percent of $10,000 in expenditures to a maximum credit of $4,000 for expenditures made after December 31, 1979, and before January 1, 1986.

The Energy Tax Act of 1978 also provided for a 10-percent tax credit for investment in solar, wind, and geothermal energy equipment used by business. The geothermal energy tax credit was increased to 15 percent and extended through the end of 1985 by the Crude Oil Windfall Profit Tax Act of 1980.

For tax purposes, the Energy Tax Act of 1978 defined geothermal energy in the following way:

> • • • the term "geothermal deposit" means a geothermal reservoir consisting of natural heat which is stored in rocks or in an aqueous liquid or vapor (whether or not under pressure).

The law set no temperature requirement in its definition of geothermal energy. Acting in good faith, many citizens invested in geothermal energy systems to tap shallow goethermal wells which they assumed would qualify for the credits.

The Internal Revenue Service proposed regulations to implement the tax credit provisions of the Energy Tax Act of 1978. In its proposed regulations, the IRS decided to set an arbitrary temperature requirement for eligibility for the geothermal tax credits. I was among those who testified against the temperature requirement at an IRS public hearing in Washington on September 12, 1979. I was accompanied by my constituent Mr. Stan Mitchell of Mitchell and Jensen, architects and engineers, of Dayton, Ohio.

Unfortunately, the IRS did not follow the recommendations that were made in opposition to a temperature requirement—including the critical comments of the Department of Energy. On August 29, 1980, the IRS issued final regulations concerning geothermal residential energy tax credits, and on January 23, 1981, issued final regulations concerning geothermal commercial facility tax credits.

For both sets of credits, the IRS required the geothermal source to have a temperature of more than 50°C (122°F). This means that citizens who installed geothermal systems that tap sources with a temperature below 50°C simply do not qualify for the tax credits.

To reiterate this position, on December 28, 1981, the IRS issued Revenue Ruling 81-304. This ruling described the case where a taxpayer applied for the credit for a water source heat pump tapping energy from well water at a temperature of 13°C (56°F). The ruling held that the heat pump is not eligible for the residential energy tax credit as geothermal energy property because the well water has a temperature of less than 50°C. Further, the heat pump is not eligible for the credit as solar energy property because, in the opinion of the IRS, the energy in the well water is only indirectly derived from sunlight.

Some citizens using systems tapping resources at temperatures below 50°C filed for the residential geothermal energy tax credit from 1978 through

1980 and received it. On December 2, 1982, the General Accounting Office released a letter report entitled "Possibility of Improper Geothermal Energy Tax Credit Claims" (GAO/RCED-83-1). The report contended that these tax credits have been claimed by taxpayers residing either in States without geothermal resources as defined by the IRS—essentially, all States east of the Rockies—or in States with such resources but at depths too great (3,000 feet or more) to be economically useful.

GAO recommended that the IRS "test the propriety of selected geothermal tax credit claims and determine the extent to which a problem exists that warrants expanded action on IRS' part." According to the GAO report, "IRS generally agreed with the findings of this report and agreed to take corrective action."

IRS regulations apparently designed to insure the integrity of the geothermal contribution of a particular system had the effect of disallowing the entire credit when a geothermal device is used in conjunction with either fossil fuel peaking equipment or an innovative hybrid alternative energy system.

Thus, a homeowner who installs a geothermal system to heat his or her residence cannot qualify for the residential credit unless 100 percent of the energy in the system is supplied by geothermal sources. The addition of peaking equipment fueled by oil, gas, or coal to provide, for example, less than 10 percent of the total annual energy load would disqualify the entire system. Similarly, a business that installs geothermal equipment cannot qualify for the investment tax credit if the geothermal energy is mixed with energy from another ineligible source.

Perhaps even more senseless is the fact that the credit is disallowed when geothermal is combined with another alternative energy source, such as biomass, wind, or solar to heat or power an industrial facility. For example, a company building a large hybrid geothermal waste wood electrical generating plant can take the geothermal investment credit on the equipment which is run solely on geothermal energy and biomass credit on the equipment which is exlcusively fueled with wood. However, those components in the plant which use energy from both geothermal and biomass sources cannot qualify for either credit.

In short, the IRS regulations are standing in the way of increased utilization both of ground water heat pumps and of promising hybrid alternative energy systems. Congress must act to remove these roadblocks by clarifying the definition of geothermal energy for tax credit purposes and by establishing an appropriate formula for calculating the credits when geothermal is mixed with other energy sources.

THE ADVERSE IMPACT OF AN ARBITRARY TEMPERATURE REQUIREMENT

Developers and users of geothermal energy have been opposed to the temperature limitation since the IRS regulations were proposed over 4 years ago. Indeed, Mr. Tyler Gass, membership secretary for the American Society for Testing and Materials Committee on Geothermal Resources and Energy, wrote me:

> Our committee has gone so far as to eliminate any temperature designation as a limitation in the definition of a geothermal resource. We recognize ambient temperature ground water as being geothermal resources and support the concept of utilizing ground water heat pumps for reducing energy consumption in the United States.

Most of the potential geothermal energy use in the eastern half of the United States, as the GAO report affirmed, would involve resources with a temperature of less than 50°C. The IRS limitation has the effect of eliminating a significant portion of the geothermal resources of the country.

The 50°C. temperature requirement does not reflect congressional intent or scientific fact. Dr. Jay H. Lehr, executive director of the National Water Well Association and a highly respected authority on ground water heat pumps, stated in a letter to me last year:

> By arbitrarily restricting tax credits to geothermal energy equipment using temperatures over 122 degrees Fahrenheit, the IRS will effectively stifle the nation's efforts to utilize innovative energy systems which could free us from our reliance on foreign oil. * * * Congress passed the Energy Tax Act in an effort to encourage the nation to make use of alternative energy sources. The Act does NOT mention a temperature requirement. The IRS has defeated Congress' intention by placing an unrealistic temperature restriction on geothermal equipment.

Geothermal energy is the natural heat of the Earth. The heat in water, soil, or rock close to the surface of the Earth is derived from both solar and geothermal energy. Therefore, it should not matter whether the source of the heat in shallow water sources is geothermal or solar. Further, at depths of more than a few dozen feet, the heat in essentially entirely of geothermal origin.

It is important to point out that the technology is presently commercially available to take advantage of geothermal sources with a temperature below that set by the IRS. Indeed, the basic technology has been around for more than 30 years. We are not talking about some untested energy source that will take years to develop and then put on the market. The equipment is there right now—we only need to make it attractive to use.

As Michael J. McManus wrote in the Cleveland Plain Dealer of September 28, 1981:

> The biggest single block to development is the failure of Congress to provide tax credits for ground water systems unless the water is 50 degrees Centigrade—much hotter than 50 degrees Fahrenheit.

Mr. Robert P. Shapess, marketing project leader in the Climate Control Division then of the Singer Co. and now a unit of Snyder General Corp., put the point this way in a letter to me:

> The consumer is willing to accept the ground water heat pump with open arms. However, the position the government takes will either encourage or discourage this reality.

Energy from groundwater can be extracted through the use of currently marketed heat pumps, which operate according to the same basic principles at work in a refrigerator. The pump systems permit the temperature of the shallow geothermal water to be either raised or lowered for heating or cooling purposes.

Using ground water, a heat pump system heats three to five times as efficiently as a fossil fuel system, in terms of heat output per unit of energy put in. Although the heat pump is operated by electricity, the actual heating or cooling energy in a geothermal system is free and virtually unlimited.

Mr. Don A. Olson, president of Trendsetter Industries in Sacramento, Calif., provided me with the following information in 1981:

> I have been personally involved with about 140 installations over the past 2½ years in California which used high capacity water source heat pumps and the energy savings have been really astounding. Typically the cost of heating and cooling a residence has been reduced by over 50 percent and in one instance a home owner living near Sacramento, California experienced a reduction from an average of about $350.00 per month down to less than $75.00 per month in his electric bills.
>
> According to the National Water Well Association, a ground water heat pump system can pay for itself in 2 to 4 years, if a well is already in place. Even if a well must be drilled, the system will pay for itself in 4 to 8 years. The National Water Well Association further states that it is not aware of any ground water heat pump system that has ever stopped running—even after more than 25 years of service.

Dr. Jay Lehr, the National Water Well Association's executive director, told a Northeast-Midwest Institute workshop on energy from water resources that ground water has the capacity to replace fossil fuel heating and electrical cooling in 85 percent of the domestic dwellings in the northeast-midwest region alone.

With proper management, 75 percent of the United States has plenty of ground water, enough to meet daily needs and to provide water for heat

pumps. National GeoThermal has noted that there further is an absence of negative environmental impacts from the use of ground water heat pumps. The water returns underground slightly cooler, approximately 10°, than the temperature at which it was extracted. It is reheated to the ambient ground water temperature within a few feet of the well as it absorbs geothermal energy from the Earth as well as solar energy from the surface of the Earth. Thus, the system is totally renewable. There is no net change in ground water temperature over time. The small quantities of heat extracted from the water are continually replaced by the reservoir of heat available in the system and by the continuous input of heat energy from the Sun and the Earth.

THE USE OF GROUND WATER ENERGY IN DAYTON, OHIO

The Miami Valley of Ohio is incredibly rich with underground rivers that make it an ideal place to utilize shallow geothermal energy. These streams, which run below the Great Miami, the Stillwater, and the Mad Rivers, all converge on the center of Dayton, Ohio, providing a nearly unlimited energy source for downtown buildings. Unlike the aquifers in some areas, Dayton's underground rivers are easy to tap because they are not blocked by bedrock. In addition, they are located at relatively shallow depths of 50 to 100 feet.

Ground water has been used for cooling Dayton's buildings since the construction of the Hullman Building in 1931. In the 1940's, Frigidaire, Delco, and many downtown buildings used ground water, in their cooling systems. In fact, water is so plentiful in downtown Dayton that it must be pumped away from the foundations of some buildings to keep the basements from flooding.

By one estimate, since 1978 about 2,000 Daytonians have taken advantage of heat pump systems to warm their homes. Recently, Montgomery County installed a ground water heat pump system along with a solar energy system to heat the county animal shelter facility.

To help demonstrate how these local resources could be utilized efficiently, a brick house built in 1934 in Dayton was converted from a natural gas gravity-flow furnace to a ground water heat pump system. The results of this case study were brought to my attention by Mr. John L. Keller, a research meteorologist with the applied systems analysis department of the University of Dayton's Research Institute. According to Mr. Keller's findings:

> The ground water system provides necessary heating using approximately one-fourth of the energy of the old system . . . The total energy consumption rate for the household has been reduced to less than one-third of the previous rate. The improvement in household energy efficiency is typical of what could be realized in this region of the U.S.

Keller went on to state:

> Clearly, if the encouragement of increased energy efficiency is the goal of the "renewable energy" tax credit, the ground water heat pump addresses this goal. Exclusion of these systems then seems wholly arbitrary. The key phrase is "renewable energy." The thermal energy contained within the vast aquifers of the eastern half of the country is no less renewable than that represented by the high temperature geothermal (water temperature at least 90 degrees Celsius), wind, and solar resources of the western half of the country.

Those of us who have been interested in promoting the more widespread application of geothermal energy had hoped that the IRS might be persuaded to change its position on the temperature requirement for the geothermal tax credits. Since it is now most unlikely that the IRS is going to change its views, legislation to clarify the definition of geothermal energy for tax credit purposes is needed.

TAX IMPEDIMENTS TO SOUND GEOTHERMAL ENGINEERING

The IRS policy of disallowing the credit for systems which use both geothermal energy and another energy source also is inconsistent with the intent of Congress and ignores sound engineering practice in the use of geothermal energy.

Geothermal energy systems often include peaking systems fueled by oil, gas, or coal. The fossil energy will typically range from 3 or 4 percent to 20 percent of the annual total energy load. The extra wells, pipe, and pump capacity required for a geothermal system designed to be 100 percent geothermal on the few coldest days of the year would add too much to system cost to be attractive.

Geothermal resources in many instances may not be hot enough to fully satisfy a particular industrial process requirement, but by adding a few degrees to the heat from geothermal energy, it will often be possible to replace a large fraction of the oil or gas use in a plant or other facility. Further, many industrial processes involve several steps at different temperatures. Some of these steps can use geothermal heat, but others might require superheating. Under the IRS limitation, if such a system involved even a minimum addition of nongeothermal heat, the entire system would become ineligible for the tax credit. In effect, the IRS limitation encourages less efficient designs to take advantage of the tax credit. Certainly, this result is contrary to the intent of Congress in the Energy Tax Act of 1978.

In order to help rectify this problem, our bill specifies how the credit is to be determined when a residence or business has a system which uses both geothermal energy and another source not eligible for the credit. Under the bill, all of the equipment comprising the system shall be eligible for the credit if, on a Btu basis, geothermal energy provides more than 80 percent of the energy in a typical year for which the system is designed. If less than 80 percent of the energy is supplied by geothermal energy, the credit shall apply to those portions of the system which produce, distribute, transfer, extract, or use energy which is more than 50 percent supplied by geothermal energy on an annual Btu basis.

TAX DISINCENTIVES TO INNOVATIVE COMBINATIONS OF ALTERNATIVE ENERGY SYSTEMS

In implementing the business investment credit provisions of the Energy Tax Act, the IRS has sought to guarantee that only genuine geothermal projects receive the credits. The regulations (26 CFR 1.48-9(c)(10)(iv)) on this point state:

> (iv) Equipment that uses energy derived from a geothermal deposit is eligible only if it uses geothermal energy exclusively. Thus, geothermal equipment does not include equipment that uses energy derived both from a geothermal deposit and from sources other than a geothermal * * *

While the objective of the IRS is legitimate, the effect of the regulations is to deny the credit to systems that combine the use of geothermal and other alternative energy sources. An example in this regard is the hybrid geothermal wood residue powerplant to be constructed in northern California by the innovative GeoProducts Corp.

Those components of the GeoProducts plant which "produce, extract, or use" energy derived from a geothermal deposit, such as the hot water distribution lines, are eligible for the credit for geothermal property. Similarly, those components of the plant which convert the wood waste to steam, such as the firebox and boiler, will qualify for the credit for "alternative energy property," because the wood burned to heat the water is "an alternative substance." However, those components of the plant which use energy from both geothermal and biomass sources, such as the turbine generator set, cannot qualify for either credit.

To address this problem the bill applies the formula devised for geothermal ineligible combinations to geothermal eligible combinations. Thus, all of the equipment of the system would be eligible for the 15-percent tax credit if more than 80 percent of the energy comes from geothermal, or any of the other alternative energy sources eligible individually for the credit, or any combination thereof. If less than 80 percent of the energy is supplied from qualified sources, the credit shall apply to those portions of the system which produce, distribute, transfer, extract, or use energy that is

more than 50 percent supplied from such qualified sources.

Well-intended, but inequitable IRS regulations should not be allowed to hold up the creative utilization of combinations of alternative energy sources. Certainly, it was not the intent of Congress to thwart projects of the kind being planned by GeoProducts in California.

CONCLUSION

It is important to emphasize that our bill does not create any new tax credits. It does not increase any present tax credits. What it does, instead, is make clear what the current law is and overturn the arbitrary restrictions imposed by the IRS. The objective of the technical corrections made by this bill is to make the present credits effective.

We need to remove the bureaucratic hurdles by the IRS which are preventing incentives—indeed, providing disincentives—to more widespread use of available geothermal technology. We should make it attractive for more homes and businesses to take advantage of the geothermal resources of this Nation. Truly, the ground on which we stand holds part of the solution to our national energy requirements.

Although we do not have long lines at the gasoline stations to remind us of the existence of an energy crisis, this does not mean that the crisis is over. The oil glut we have been experiencing must not be allowed to lull us into a false sense of security. Surely, if the energy crisis again becomes more visible, our citizens rightly will ask why an effective energy conservation policy was neglected by the Government.

In order to help conserve energy and promote the use of renewable energy resources, we urge our colleagues to cosponsor this bipartisan bill and to join with us in encouraging the House Ways and Means Committee to act favorably on it.

For the benefit of our colleagues, the full text of the bill follows:

H.R. 2927

A bill to amend the Internal Revenue Code of 1954 to clarify the definition of geothermal energy, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

(a) CLARIFICATION OF DEFINITION OF GEOTHERMAL ENERGY.—Paragraph (3) of section 613(e) of the Internal Revenue Code of 1954 (defining geothermal deposit) is amended to read as follows:

"(3) GEOTHERMAL ENERGY DEFINED.—For purposes of paragraph (1), the term 'geothermal energy' means the natural heat of the earth (at any temperature) which is stored in rocks, an aqueous liquid or vapor (whether or not under pressure), or any other medium. A geothermal well shall in no case be treated as a gas well for purposes of this section or section 613A, and this section shall not apply to any geothermal property which is located outside the United States or its possessions.".

(b) CLARIFICATION OF APPLICATION OF BUSINESS CREDIT AND RESIDENTIAL CREDIT TO GEOTHERMAL PROPERTY.—

(1) Subparagraph (D) of section 44C(c)(7) of such Code is amended by adding at the end thereof the following: "In the case of a system which uses both geothermal energy and an energy source not eligible for the credit under this section, all of the equipment comprising the system shall be eligible for the credit if, on a British thermal unit (Btu) basis, geothermal energy provides more than 80 percent of the energy in a typical year for which the system is designed. If less than 80 percent of the energy is supplied by geothermal energy, the credit shall apply to those portions of the system which produce, distribute, transfer, extract, or use energy which is more than 50 percent supplied by geothermal energy (on an annual Btu basis).".

(2) Paragraph (3) of section 48(l) of such Code is amended by adding at the end thereof the following new subparagraph:

"(D) APPLICATION OF CREDIT UNDER SECTION 46 TO EQUIPMENT WHICH USES BOTH GEOTHERMAL ENERGY AND ANOTHER ENERGY SOURCE.—

"(i) In the case of a system which uses both geothermal energy and an energy source not eligible for the credit under section 46, all of the equipment comprising the system shall be eligible for the credit for Solar, Wind, or Geothermal Property under section 46(a)(2)(C) if, on a British thermal unit (Btu) basis, geotheimal energy provides more than 80 percent of the energy in a typical year for which the system is designed. If less than 80 percent of the energy is supplied by geothermal energy, the credit shall apply to those portions of the system which produce, distribute, transfer, extract, or use energy which is more than 50 percent supplied by geothermal energy (on an anual Btu basis).

"(ii) In the case of a system which uses both geothermal energy and another energy source eligible for the credit under section 46 (such as biomass, solar, wind, ocean thermal, or hydroelectric), all of the equipment comprising the system (up to, but not including the electrical transmission stage in the case of an electrical generation facility) shall be eligible for the credit for solar, wind, or geothermal property under section 46(a)(2)(C) if, on a Btu basis, more than 80 percent of the energy in a typical year for which the system is designed, is supplied by geothermal energy, or any of the other forms of energy eligible for the credit under section 46, or any combination thereof (hereinafter referred to in this subparagraph as 'qualified sources'). If less than 80 percent of the energy is supplied by qualified sources, the credit shall apply to those portions of the system which produce, distribute, transfer, extract, or use energy which is more than 50 percent supplied by such qualified sources (on an annual Btu basis).".

(c) CONFORMING AMENDMENTS.—

(1) Clause (ii) of section 44C(c)(2)(B) of such Code is amended by striking "any geothermal deposit" and inserting in lieu thereof "geothermal energy".

(2) Clause (i) of section 44C(c)(5)(A) of such Code is amended by striking out "energy derived from the geothermal deposits" and inserting in lieu thereof "geothermal energy".

(3) Clause (viii) of section 48(1)(3)(A) of such Code is amended by striking out "energy derived from a geothermal deposit" and inserting in lieu thereof "geothermal energy".

(4) Clause (ii) of section 57(a)(11)(D) of such Code is amended to read as follows:

"(ii) all geothermal properties.".

(5) Subsection (c) of section 263 of such Code is amended by striking out "any geothermal deposit" and inserting in lieu thereof "geothermal energy".

(6) Subparagraph (E) of section 465(c)(1) of such Code is amended by striking out "geothermal deposits" and inserting in lieu thereof "geothermal energy".

(7) Paragraph (1) of section 613(c) of such Code is amended by striking out "geothermal deposit" and inserting in lieu thereof "geothermal well".

(8) Subsection (e) of section 613 of such Code is amended—

(A) by striking out "deposits" each place it appears in paragraph (1) and inserting in lieu thereof "properties", and

(B) by striking out "DEPOSITS" in the subsection heading and inserting in lieu thereof "PROPERTIES".

(9) Subsection (b) of section 614 of such Code is amended—

(A) by striking out "geothermal deposits" in the text and inserting in lieu thereof "geothermal wells", and

(B) by striking out "GEOTHERMAL DEPOSITS" in the subsection heading and inserting in lieu thereof "geothermal wells".

(10) Paragraph (1) of section 614(c) of such Code is amended by striking out "oil and gas wells and geothermal deposits" each place it appears and inserting in lieu thereof "oil, gas, and geothermal wells".●

● Mr. HORTON. Mr. Speaker, today I join my colleagues, Congressmen HALL of Ohio, MORRISON of Washington, and MATSUI, in introducing legislation to provide a tax credit for the commercial and residential installation of ground water heat pumps. Before speaking to the merits of this bill, I want to express my appreciation to my colleague, Congressman TONY HALL, for his outstanding past and continuing effort to gain congressional approval of this tax credit. I look forward to working with him in this Congress to achieve the expeditious and positive consideration that this bill deserves.

In Government and across this Nation I sense a growing complacency about achieving energy independence for the United States. This complacency is a result of declining oil prices, which, I believe, are directly related to the troubled world economy. We in Congress cannot afford to be fooled by these lower prices. The rapidity with which the original 1973 embargo, and resultant oil price increases were instituted should not be forgotten.

In New York State, we have not forgotten that embargo; or do we experience any luxury of lower energy costs. We are a consuming State and must pay high prices for the oil and gas that we import, whether these imports come from Saudi Arabia or the Southern and Western energy producing States. As a consuming State, we do not have the benefit of increased State

revenues due to severance taxes placed on natural energy sources.

It is my strong belief that New York, and the northwestern and mideastern regions of our country in general, need and have been the major beneficiaries of, the energy tax credits passed by Congress. We in these regions need all the assistance we can get to control our high energy costs. Energy tax credits are an important and viable source of assistance that provide both relief to consumers and encouragement to businesses to locate and continue their operations in our States.

The tax credit we seek is for ground water heat pumps. This viable technology relies on the constant temperature of underground water tables to provide heating and cooling. They are expensive to install, but they can reduce commercial and residential heating and cooling costs from between 25 and 60 percent, depending on the temperature of the water table, the energy source used, and certain other factors. It is important that this credit, which was not clarified by Congress to the extent necessary to satisfy the IRS when it passed the energy tax credit legislation in the 96th Congress, be implemented so installation of ground water heat pump systems will be encouraged.●

● Mr. MORRISON of Washington. I am pleased to join Representative TONY HALL and others today in sponsoring this legislation which makes Federal energy tax credits available to developers of low-temperature geothermal resources. I thank TONY HALL for exercising outstanding leadership on this issue. I also wish to commend Senator STEVE SYMMS who today has introduced identical legislation in the Senate.

A 15-percent geothermal energy tax credit already exists but Internal Revenue Service regulations exempt low-temperature geothermal sources from the credits. Substantial reserves of low-temperature geothermal energy lie beneath most of central Washington. The Washington State Energy Office has identified over 80 cities in the State which have low-temperature geothermal water accessible for use in geothermal district heating systems.

One such geothermal district heating system was recently dedicated in Ephrata in my congressional district. This system is the Nation's first municipal water system designed to provide both heat and domestic water. The demonstration project circulates water through the Grant County Courthouse and courthouse annex. The city of Ephrata should see dramatic reductions in their fuel bills because of this heating system. The geothermal source for this district heating project is low temperature—about 84° F—and would not have qualified for the tax credits available to other geothermal energy systems. Other towns throughout Washington, including North Bonneville, are looking to Ephrata and exploring the possibility of developing their own geothermal district heating systems.

I am particularly excited about applications of low-temperature geothermal energy because it will substitute for other sources of steam. A 20-year energy plan has been developed for the Pacific Northwest region which relies heavily upon expanded energy conservation in the near term. The regional power plan classifies low-temperature geothermal as a form of energy conservation and therefore it should receive priority over other renewable and thermal energy sources.

I am a strong advocate of all energy resources, be they fossil fuels, nuclear energy, solar, conservation, or geothermal. Every energy source must play a rule in our overall energy mix. I believe this legislation helps to place low-temperature geothermal energy on equal footing with other forms of energy.●

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 100

Mr. DURBIN. Mr. Speaker, I ask unanimous consent that my name be removed from the list of cosponsors of H.R. 100.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

PERSONAL EXPLANATION

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Florida (Mr. MACKAY) is recognized for 5 minutes.

● Mr. MACKAY. Mr. Speaker, yesterday evening it was necessary for me to be away from the Capitol for a few hours. Expecting that recorded votes might occur while I was away from the Capitol, I made arrangements to be paired, if possible, on those votes.

While the pair clerk was able to pair me on several votes, unfortunately pairs were not available on three rollcall votes, all of which occurred during the consideration of House Joint Resolution 13.

I would at this point like to make my position on those three votes known for the RECORD. On rollcall 85, the Hyde amendment to the Dicks substitute for the Levitas amendment, had I been present I would have voted "no." On rollcall No. 87, the Solarz amendment to the Hunter amendment, I would have voted "yes." On rollcall No. 88, the Broomfield amendment to recommit, I would have voted "no."

I appreciated having this opportunity to announce my position on these recorded votes for the record, Mr. Speaker.●

EXPLANATION OF MISSED VOTES

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California (Mr. LANTOS) is recognized for 5 minutes.

● Mr. LANTOS. Mr. Speaker, I was unable to be present during final consideration of House Joint Resolution 13, and wish to record my position for the record: Rollcall No. 85, "no"; rollcall No. 86, "no"; rollcall No. 87, "aye"; rollcall No. 88, "no"; rollcall No. 89, "yes."●

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. MOAKLEY) to revise and extend their remarks and include extraneous material:)

Mr. ACKERMAN, for 5 minutes, today.
Mr. GORE, for 15 minutes, today.
Mr. GONZALEZ, for 30 minutes, today.
Mr. ANNUNZIO, for 5 minutes, today.
Mr. HALL of Ohio, for 40 minutes, today.

(The following Members (at the request of Mr. GONZALEZ) to revise and extend their remarks and include extraneous material:)

Mr. MACKAY, for 5 minutes, today.
Mr. LANTOS, for 5 minutes, today.
Mr. ST GERMAIN, for 5 minutes, today.
Mr. ALEXANDER, for 60 minutes, on May 10, 1983.

EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

(The following Members (at the request of Mr. HANSEN of Utah) and to include extraneous matter:)

Ms. FIEDLER in two instances.
Mr. GREGG.
Mr. BROOMFIELD.
Mr. MCCAIN.
Mr. CONABLE.
Mr. PARRIS.
Mr. CRAIG.
Mr. LEWIS of Florida.
Mr. MARRIOTT.

(The following Members (at the request of Mr. MOAKLEY) and to include extraneous matter:)

Mr. FLORIO.
Mr. PEASE.
Mr. BARNES.

Mr. LONG of Maryland.
Mr. MRAZEK.
Mr. WYDEN.
Mr. LEVINE of California.
Mr. MCKERNAN.

SENATE BILLS AND JOINT RESOLUTIONS REFERRED

Bills and joint resolutions of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 46. An act to revise, consolidate, and enact certain laws related to vessels and seamen as subtitle II of title 46, United States Code, "Shipping"; to the Committee on Merchant Marine and Fisheries.

S. 445. An act to amend title 11, United States Code, and for other purposes; to the Committee on the Judiciary.

S.J. Res. 66. Joint resolution to authorize and request the President to designate May 6, 1983, as "National Nurse Recognition Day"; to the Committee on Post Office and Civil Service.

S.J. Res. 68. Joint resolution to authorize and request the President to designate July 16, 1983, as "National Atomic Veterans' Day"; to the Committee on Post Office and Civil Service.

S.J. Res. 83. Joint resolution to recognize Senior Center Week during Senior Citizen Month as proclaimed by the President; to the Committee on Post Office and Civil Service.

ADJOURNMENT

Mr. GONZALEZ. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 1 o'clock and 50 minutes p.m.) under its previous order, the House adjourned until Monday, May 9, 1983, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1076. A letter from the Director, Office of Management and Budget, transmitting an amendment to his earlier report (executive communication No. 1009) advising that the Department of Education has now determined it will be able to utilize in target areas the full 75 percent of the funds available for school construction under the impact aid construction statute, pursuant to section 101(d) of Public Law 98-8; to the Committee on Appropriations.

1077. A letter from the Secretary of Education, transmitting proposed final regulations for the bilingual education: Training projects program, pursuant to section 431(d)(1) of the General Education Provisions Act, as amended; to the Committee on Education and Labor.

1078. A letter from the Secretary of Education, transmitting the annual report for fiscal year 1982 on programs under the Women's Educational Equity Act, pursuant to section 937 of the Elementary and Secondary Education Act, as amended; to the Committee on Education and Labor.

1079. A letter from the Secretary of Agriculture, transmitting a draft of proposed legislation to modify the boundary of the Pike National Forest in the State of Colorado, and for other purposes; to the Committee on Interior and Insular Affairs.

1080. A letter from the Director, Minerals Management Service, Department of the Interior, transmitting notice of the proposed refunds of $122,510.36 to the Amoco Production Co., Shell Oil Co., and the Superior Oil Co., pursuant to section 10(b) of the Outer Continental Shelf Lands Act of 1953; to the Committee on Interior and Insular Affairs.

1081. A letter from the Commissioner of Immigration and Naturalization Service, Department of Justice, transmitting copies of orders suspending deportation under the authority of section 244(a)(1) of the Immigration and Nationality Act, together with a list of persons involved, pursuant to section 244(c); to the Committee on the Judiciary.

1082. A letter from the Acting Under Secretary of Agriculture for International Affairs and Commodity Programs, transmitting a commodity and country allocation table showing the planned programing of food assistance under titles I and III of the Agricultural Trade and Development and Assistance Act, covering the third quarter of fiscal year 1983, pursuant to section 408(b) of the act; jointly, to the Committees on Agriculture and Foreign Affairs.

1083. A letter from the Comptroller General of the United States, transmitting a report on the Department of Agriculture's Food Safety and Inspection Service's regulation of processed meat and poultry products (RCED-83-68, May 4, 1983); jointly, to the Committees on Government Operations and Agriculture.

1084. A letter from the Comptroller General of the United States, transmitting a report on the financial statements of the Federal Home Loan Bank Board and related agencies (AFMD-83-65, April 1, 1983); jointly, to the Committees on Government Operations and Banking, Finance and Urban Affairs.

1085. A letter from the Chairman, National Advisory Committee on Oceans and Atmosphere, transmitting a special report on the Nation's river and flood forecasting and warning service; jointly, to the Committees on Merchant Marine and Fisheries, Public Works and Transportation, and Science and Technology.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. SAM B. HALL, Jr.: Committee on the Judiciary. H.R. 2717. A bill to amend the Ethics in Government Act of 1978 to make certain changes in the authority of the Office of Government Ethics, and for other purposes (Rept. No. 98-89, Pt. I). Ordered to be printed.

Mr. DERRICK: Committee on Rules. House Resolution 183. Resolution providing for the consideration of H.R. 2066, a bill to authorize appropriations to the National Science Foundation for fiscal years 1984 and 1985 (Rept. No. 98-90). Referred to the House Calendar.

Mr. LONG of Louisiana: Committee on Rules. House Resolution 184. Resolution providing for the consideration of H.R. 2175, a bill to amend the Omnibus Crime Control and Safe Streets Act of 1968, and for other purposes. (Rept. No. 98-91). Referred to the House Calendar.

Mr. MOAKLEY: Committee on Rules. House Resolution 185. Resolution providing for the consideration of H.R. 2587, a bill to authorize appropriations to the Department of Energy for civilian research and development programs for the fiscal year 1984 (Rept. No. 98-92). Referred to the House Calendar.

ADVERSE REPORTS

Under clause 2 of rule XIII.

Mr. BOLAND: Permanent Select Committee on Intelligence. House Resolution 159. Resolution directing the President to furnish certain information to the House of Representatives with respect to U.S. activities in Honduras and Nicaragua. (Rept. No. 98-88, Pt. II). Ordered to be printed.

PUBLIC BILLS AND RESOLUTIONS

Under clause 5 of rule X and clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. FASCELL (for himself, Mr. ZABLOCKI, Mr. YATRON, Mr. SOLARZ, Mr. IRELAND, Mr. MICA, Mr. BARNES, Mr. WOLPE, Mr. LANTOS, Mr. KOSTMAYER, Mr. TORRICELLI, Mr. SMITH of Florida, Mr. BERMAN, Mr. FEIGHAN, Mr. WEISS, Mr. GILMAN, Mr. PRITCHARD, and Mr. LEACH of Iowa):

H.R. 2914. A bill to authorize appropriations for fiscal years 1984 and 1985 for the Department of State, the U.S. Information Agency, the Board for International Broadcasting, the Inter-American Foundation, and the Asia Foundation, to establish the National Endowment for Democracy, to provide for U.S. policy toward South Africa, and for other purposes; to the Committee on Foreign Affairs.

By Mr. FASCELL (for himself, Mr. ZABLOCKI, and Mr. GILMAN):

H.R. 2915. A bill to authorize appropriations for fiscal years 1984 and 1985 for the Department of State, the U.S. Information Agency, the Board for International Broadcasting, the Inter-American Foundation, and the Asia Foundation, to establish the National Endowment for Democracy, and for other purposes; to the Committee on Foreign Affairs.

By Mr. ANTHONY (for himself, Mr. FRENZEL, Mr. CRAIG, Mr. LAGOMARSINO, and Mr. AUCOIN):

H.R. 2916. A bill to amend the Internal Revenue Code of 1954 to provide for the establishment of, and the deduction of contributions to, individual housing accounts; to the Committee on Ways and Means.

By Mr. BETHUNE:

H.R. 2917. A bill to designate certain public lands in north-central, northwestern, and western Arkansas as additions to the National Wilderness Preservation System; jointly, to the Committees on Agriculture and Interior and Insular Affairs.

By Mr. CONABLE (for himself, Mr. ARCHER, Mr. FRENZEL, Mr. GIBBONS, Mr. GRADISON, Mr. JENKINS, Mr.

JONES of Oklahoma, Mr. MARTIN of North Carolina, and Mr. VANDER JAGT):

H.R. 2918. A bill to amend the Internal Revenue Code of 1954 to clarify the extent to which a State, or political subdivision, may tax certain income from sources outside the United States; to the Committee on the Judiciary.

By Mr. DAVIS:

H.R. 2919. A bill to provide that the 20-week work requirement established by the Omnibus Budget Reconciliation Act of 1981 for puposes of eligibility to receive extended unemployment compensation shall not apply with respect to benefit years established before January 1, 1983; to the Committee on Ways and Means.

By Mr. EDGAR (for himself, Mr. MONTGOMERY, Mr. HAMMERSCHMIDT, Mr. EVANS of Illinois, Mr. MICA, Mr. SOLOMON, Mr. DOWDY of Mississippi, Mr. SMITH of New Jersey, Ms. KAPTUR, Mr. HARRISON, Mr. BILIRAKIS, Mr. MOLLOHAN, Mrs. JOHNSON, Mr. STAGGERS, Mr. ROWLAND, Mr. SLATTERY, Mr. BRYANT, Mr. RICHARDSON, Mr. DASCHLE, Mr. SAM B. HALL, JR., Mr. SHELBY, Mr. DENNY SMITH, Mr. SUNDQUIST, Mr. HEFNER, Mr. SPENCE, and Mr. JENKINS):

H.R. 2920. A bill to amend title 38, United States Code, to revise and extend certain health-care programs of the Veterans' Administration, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. EVANS of Iowa;

H.R. 2921. A bill to suspend the duty on sulfaquinoxaline until the close of December 31, 1986; to the Committee on Ways and Means.

H.R. 2922. A bill to suspend the duty on sulfanilamide until the close of December 31, 1986; to the Committee on Ways and Means.

H.R. 2923. A bill to suspend the duty on sulfaguanidine until the close of December 31, 1986; to the Committee on Ways and Means.

H.R. 2924. A bill to suspend the duty on sulfamethazine until the close of December 31, 1986; to the Committee on Ways and Means.

H.R. 2925. A bill to suspend the duty on sulfathiazole until the close of December 31, 1986; to the Committee on Ways and Means.

By Mr. GONZALEZ (for himself, Mr. HIGHTOWER, Mr. VANDERGRIFF, Mr. WRIGHT, Mr. BONIOR of Michigan, Mr. WILSON, Mr. ANDREWS of Texas, Mr. SHANNON, and Mr. LEATH of Texas):

H.R. 2926. A bill to establish a National Commission on Neurofibromatosis; to the Committee on Energy and Commerce.

By Mr. HALL of Ohio (for himself, Mr. MORRISON of Washington, Mr. HORTON, and Mr. MATSUI):

H.R. 2927. A bill to amend the Internal Revenue Code of 1954 to clarify the definition of geothermal energy, and for other purposes; to the Committee on Ways and Means.

By Mr. MARLENEE:

H.R. 2928. A bill to make unavailable certain financial assistance with respect to agricultural commodities produced on highly erodible land and to authorize the Secretary of Agriculture to reimburse producers for the cost of applying long-term conservation practices to such land; to the Committee on Agriculture.

By Mr. PARRIS (for himself, Mr. LEWIS of Florida, Mr. SAM B. HALL, JR., Mr. GILMAN, Mr. MATSUI, and Mr. CHAPPIE):

H.R. 2929. A bill to amend the Controlled Substances Act to provide a penalty for employee thefts, customer pilferages, robberies, and burglaries of any controlled substance from any pharmacy, practitioner, hospital, manufacturer, or distributor; jointly, to the Committees on Energy and Commerce and the Judiciary.

By Mr. ST GERMAIN (for himself, Mr. SCHUMER, and Mr. WYLIE):

H.R. 2930. A bill to encourage the coordination of national fiscal and monetary policy in order to achieve sustainable and noninflationary economic growth on a worldwide basis, to amend the Bretton Woods Agreements Act to authorize an increase in the U.S. quota in the International Monetary Fund, to reduce financial pressures on developing nations, and to improve the supervision of international lending by U.S. banks; to the Committee on Banking, Finance and Urban Affairs.

By Mr. SCHUMER:

H.R. 2931. A bill to require the rescheduling of short-term debt incurred by certain countries and to impose restrictions on financial institutions with respect to their lending to foreign countries; to the Committee on Banking, Finance and Urban Affairs.

By Mr. GORE (for himself and Mrs. SCHNEIDER):

H.J. Res. 261. Joint resolution designating the week beginning June 12, 1983, as "National Brick Week"; to the Committee on Post Office and Civil Service.

By Mr. MRAZEK:

H. Con. Res. 122. Concurrent resolution expressing the sense of the Congress that the Republic of South Africa should cease its "blackspot" policy of removing black South Africans from their ancestral land and relocating them; to the Committee on Foreign Affairs.

MEMORIALS

Under clause 4 of rule XXII,

112. The SPEAKER presented a memorial of the Legislature of the State of New York, relative to acid rain; to the Committee on Energy and Commerce.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. EARLY:

H.R. 2932. A bill for the relief of Claire Hontz; to the Committee on the Judiciary.

By Mr. GOODLING:

H.R. 2933. A bill for the relief of Mr. and Mrs. Thomas A. Eichstadt; to the Committee on Interior and Insular Affairs.

ADDITIONAL SPONSORS

Under clause 4 of rule XXII, sponsors were added to public bills and resolutions as follows:

H.R. 1: Mr. ST GERMAIN, Mr. FAUNTROY, Mr. PATTERSON, Mr. LUNDINE, Ms. OAKAR, Mr. VENTO, Mr. GARCIA, Mr. LOWRY of Washington, Mr. MITCHELL, Mr. HUBBARD, Mr. D'AMOURS, Mr. SCHUMER, Mr. FRANK, Mr. COYNE, Mr. MORRISON of Connecticut, Mr. COOPER, Ms. KAPTUR, Mr. ERDREICH, Mr. LEVIN of Michigan, Mr. CARPER, and Mr. TORRES.

H.R. 695: Mr. STUMP, Mr. KINDNESS, Mr. MARRIOTT, Mr. FORSYTHE, Mr. DREIER of California, Mr. RUSSO, Mr. MILLER of Ohio, Mr. KASICH, Mr. GINGRICH, Mr. MCDONALD, Mr. ROBINSON, Mr. HILER, Mr. WALKER, Mr. FAZIO, Mr. WEBER, Mr. HANSEN of Idaho, Mr. BADHAM, Mr. SMITH of Florida, Mr. HARTNETT, Mr. SAWYER, Mr. MCCOLLUM, Mr. SHELBY, Mr. SHUMWAY, Mr. HUBBARD, Mr. WINN, Mr. NIELSON of Utah, Mr. WHITEHURST, Mr. RUDD, Mr. HUGHES, Mr. DAUB, Mr. OXLEY, Mr. MORRISON of Washington, and Mr. BROYHILL.

H.R. 1580: Mrs. KENNELLY, Mr. MITCHELL, Mr. RANGEL, Mr. EDGAR, Mr. NEAL, Mrs. HALL of Indiana, and Mr. GUARINI.

H.R. 1599: Mr. WOLPE, Mrs. BOXER, Mr. MITCHELL, Mr. HEFNER, Mr. WILSON, Mr. OTTINGER, and Mr. SIMON.

H.R. 1603: Mrs. KENNELLY, Mr. WHEAT, Mr. LEVINE of California, and Mr. FISH.

H.R. 1624: Mr. FAZIO.

H.R. 1899: Mr. CONTE and Mr. TORRICELLI.

H.R. 1905: Mr. WORTLEY, Mr. SUNIA, Mr. WON PAT, Mr. HERTEL of Michigan, and Mr. MCNULTY.

H.R. 2073: Mr. HANSEN of Idaho.

H.R. 2350: Mr. BERMAN.

H.R. 2561: Mr. DICKS, Mr. BONKER, and Mrs. SCHNEIDER.

H.R. 2835: Mr. FAUNTROY, Mr. STOKES, Mr. FORD of Tennessee, Mr. ROE, and Mr. BONIOR of Michigan.

H.R. 2865: Mrs. JOHNSON, Mr. MCEWEN, Mr. PETRI, Mr. SUNDQUIST, and Mrs. MARTIN of Illinois.

H.J. Res. 176: Mr. LIVINGSTON.

H.J. Res. 220: Mr. LEVINE of California and Mr. DINGELL.

H.J. Res. 234: Mr. ADDABBO, Mr. BADHAM, Mr. BATEMAN, Mr. BEDELL, Mr. BIAGGI, Mr. BILIRAKIS, Mr. BLILEY, Mr. BOEHLERT, Mrs. BOGGS, Mr. BRITT, Mr. BROOMFIELD, Mr. BROWN of Colorado, Mr. BROYHILL, Mr. BURTON, Mr. CHAPPIE, Mr. CLINGER, Mrs. COLLINS, Mr. CONABLE, Mr. COUGHLIN, Mr. CRAIG, Mr. DANIEL B. CRANE, Mr. D'AMOURS, Mr. DAVIS, Mr. DOWNEY of New York, Mr. DREIER of California. Mr. ECKART, Mr. EMERSON, Mr. EVANS of Illinois, Mr. FASCELL, Ms. FERRARO, Ms. FIEDLER, Mr. FIELDS, Mr. FLIPPO, Mr. FLORIO, Mr. FRANK, Mr. FRANKLIN, Mr. FRENZEL, Mr. GARCIA, Mr. GEJDENSON, Mr. GILMAN, Mr. GINGRICH, Mr. GONZALEZ, Mr. GOODLING, Mr. GREEN, Mr. GREGG, Mr. GUNDERSON, Mr. HANSEN of Utah, Mr. HARTNETT, Mr. HERTEL of Michigan, Mrs. HOLT, Mr. HOPKINS, Mr. HUNTER, Mr. HYDE, Mr. JEFFORDS, Mr. KINDNESS, Mr. KRAMER, Mr. LAFALCE, Mr. LATTA, Mr. LEVITAS, Mr. LIVINGSTON, Mr. LOEFFLER, Mr. LOTT, Mr. LOWERY of California, Mr. LUJAN, Mr. LUNDINE, Mr. LUNGREN, Mr. MCCLOSKEY, Mr. MCCOLLUM, Mr. MCDADE, Mr. MCHUGH, Mr. MADIGAN, Mr. MARKEY, Mr. MARTIN of North Carolina, Mrs. MARTIN of Illinois, Mr. MICHEL, Mr. MINISH, Mr. MITCHELL, Mr. MORRISON of Washington, Mr. MRAZEK, Mr. MYERS, Mr. NIELSON of Utah, Mr. ORTIZ, Mr. OXLEY, Mr. PANETTA, Mr. PARRIS, Mr. PASHAYAN, Mr. PATMAN, Mr. PICKLE, Mr. PURSELL, Mr. QUILLEN, Mr. RANGEL, Mr. RINALDO, Mr. RITTER, Mr. ROGERS, Mr. ROTH, Mrs. ROUKEMA, Mr. RUDD, Mr. ST GERMAIN, Mrs. SCHNEIDER, Mr. SCHUMER, Mr. SHAW, Mr. SHELBY, Mr. SHUMWAY, Mr. SKELTON, Mr. SMITH of New Jersey, Mr. DENNY SMITH, Mr. SMITH of Florida, Mr. ROBERT F. SMITH, Ms. SNOWE, Mr. SOLARZ, Mr. SOLOMON, Mr. STUMP, Mr. SCHAEFER, Mr. TAUKE, Mr.

TAYLOR, Mr. THOMAS of California, Mr. TRAXLER, Mrs. VUCANOVICH, Mr. WALKER, Mr. WEAVER, Mr. WEBER, Mr. WIRTH, Mr. WORTLEY, Mr. WYDEN, Mr. WYLIE, Mr. YOUNG of Alaska, and Mr. ZABLOCKI.

H. Res. 17: Mr. BARTLETT, Mr. BORSKI, Mr. CARR, Mr. FASCELL, Mr. LEACH of Iowa, Mr. LIPINSKI, Mr. MAVROULES, Mr. MCNULTY, Mr. MORRISON of Connecticut, Mr. WEAVER, Mr. VANDERGRIFF, and Mr. YOUNG of Missouri.

H. Res. 50: Mr. DOWNEY of New York, Mr. WILSON, Mr. FORSYTHE, Mr. MARTINEZ, Mr. FEIGHAN, Mr. MCKINNEY, and Mr. GREEN.

H. Res. 155: Mr. BONIOR of Michigan, Mr. BRITT, Mr. DANNEMEYER, Mr. HERTEL of Michigan, Mr. HYDE, Ms. OAKAR, and Mr. SIMON.

DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, sponsors were deleted from public bills and resolutions as follows:

H.R. 100: Mr. DURBIN.

SENATE—*Thursday, May 5, 1983*

(Legislative day of Monday, May 2, 1983)

The Senate met at 10 a.m., on the expiration of the recess, and was called to order by the President pro tempore (Mr. THURMOND).

PRAYER

The Chaplain, the Reverend Richard C. Halverson, D.D., offered the following prayer:

NATIONAL DAY OF PRAYER

Let us pray.

Our Father in Heaven, on this day proclaimed by the President of the United States as a National Day of Prayer, we join with millions who will take seriously the purpose for which this day has been set apart. We beseech Thee, that Thy Holy Spirit will come upon all who pray with mighty anointing and power. We thank Thee that we are not talking to ourselves when we pray—that we are addressing One who exhorts us to pray, who hears prayer and does something about it.

At a time of national and international crisis, we call upon Thee, gracious Father, for a great outpouring of Thy grace upon our land. Convict the churches of hypocrisy and materialism. Turn the hearts of the proud and arrogant to Thyself. Forgive, and purge sin from our lives and quicken us to purity and love. We pray in the name of the One who prayed on the cross and whose sacrifice was for all mankind. Amen.

RECOGNITION OF THE MAJORITY LEADER

The PRESIDENT pro tempore. The majority leader is recognized.

NATIONAL DAY OF PRAYER

Mr. BAKER. Mr. President, I commend the Chaplain for reminding us of the proclamation of today as a National Day of Prayer.

By proclamation of January 27, 1983, President Reagan has designated today, Thursday, May 5, 1983, a National Day of Prayer. Millions of Americans will specially set aside time for prayer today.

As the President said in his proclamation:

From General Washington's struggle at Valley Forge to the present, this Nation has fervently sought and received divine guidance as it pursued the course of history. This occasion provides our Nation with an opportunity to further recognize the source of our blessings, and to seek His help for the challenges we face today and in the future.

Mr. President, in connection with the National Day of Prayer and to acknowledge our dependence on Almighty God I will shortly ask the Senate to recess for 1 minute for silent prayer. While the Senate always opens its sessions with a prayer, it seems only fitting that on the National Day of Prayer we take an additional moment, in conjunction with our fellow citizens, to ask God for His continued blessings on the United States.

Mr. President, I ask unanimous consent that President Reagan's proclamation of the National Day of Prayer be printed in the RECORD.

There being no objection, the proclamation was ordered to be printed in the RECORD, as follows:

NATIONAL DAY OF PRAYER—BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

Prayer is the mainspring of the American spirit, a fundamental tenet of our people since before the Republic was founded. A year before the Declaration of Independence in 1775, the Continental Congress proclaimed the first National Day of Prayer as the initial positive action they asked of every colonist.

Two hundred years ago in 1783, the Treaty of Paris officially ended the long, weary Revolutionary War during which a National Day of Prayer had been proclaimed every spring for eight years. When peace came the National Day of Prayer was forgotten. For almost half a century, as the Nation grew in power and wealth, we put aside this deepest expression of American belief—our national dependence on the Providence of God.

It took the tragedy of the Civil War to restore a National Day of Prayer. As Abraham Lincoln said, "Intoxicated with unbroken success, we have become too self-sufficient to feel the necessity of redeeming and preserving grace, too proud to pray to the God that made us."

Revived as an annual observance by Congress in 1952, the National Day of Prayer has become a great unifying force for our citizens who come from all the great religions of the world. Prayer unites people. This common expression of reverence heals and brings us together as a Nation and we pray it may one day bring renewed respect for God to all the peoples of the world.

From General Washington's struggle at Valley Forge to the present, this Nation has fervently sought and received divine guidance as it pursued the course of history. This occasion provides our Nation with an opportunity to further recognize the source of our blessings, and to seek His help for the challenges we face today and in the future.

Now, therefore, I, Ronald Reagan, President of the United States of America, do hereby proclaim Thursday, May 5, 1983 National Day of Prayer. I call upon every citizen of this great Nation to gather together on that day in homes and places of worship to pray, each after his or her own manner, for unity of the hearts of all mankind.

In witness whereof, I have hereunto set my hand this 27th day of January in the year of our Lord nineteen hundred and eighty-three, and of the Independence of the United States of America the two hundred and seventh.

RONALD REAGAN.

Mr. BAKER. Mr. President, I ask unanimous consent that the Senate now suspend its activities for 1 minute in order that Members of the Senate may take advantage of the opportunity to offer a prayer in their own and silent ways in the Senate Chamber on this day that the President has proclaimed as a National Day of Prayer, before the Senate proceeds to its business.

The PRESIDENT pro tempore. Without objection, it is so ordered.

(The Senate observed 1 minute of silence.)

SENATE SCHEDULE

Mr. BAKER. Mr. President, today, after the recognition of the two leaders under the standing order, there will be a period for the transaction of routine morning business, not to extend past 10:30 a.m., in which Senators may speak for not more than 2 minutes each.

At 10:30 a.m., the Senate will resume consideration of Senate Concurrent Resolution 27, the concurrent resolution on the budget for fiscal year 1984. Although no amendment is pending, it is anticipated that one will be offered at or very shortly after 10:30 a.m.

I expect votes in the course of this day. Once again, let me say that I hope the Senate will have a good, full day, into the evening, on this subject. I anticipate that the Senate will be in session, as it was yesterday, past the dinner hour, until approximately 8, 8:30, or 9 p.m. We used a little less than 8 hours yesterday of the 50 hours allocated for consideration of this measure.

So the millstones of legislation "grind exceeding slow," to paraphrase another expression.

Mr. President, if we keep on at this rate, as I anticipate asking the Senate to do tomorrow as well, and perhaps on Saturday—although I prefer not to do that—we should be able to reach final passage of this measure sometime on Tuesday or no later than midday on Wednesday. That would be my hope.

I know that many Members are concerned about a session of the Senate tomorrow because of other events to which they may be committed, for a variety of reasons, around the country. I apologize to them. We simply have to go forward with the consideration of this resolution tomorrow and perhaps on Saturday, with the objective of trying to finish the budget resolution Tuesday evening or midday on Wednesday.

Mr. President, there is one further matter which I inquire of the minority leader if he would be willing to examine from his point of view.

It seems clear now that we are not going to reach the immigration bill on Monday.

Under the order previously entered, a time certain for final passage of the immigration bill does not become operative unless we reach that measure by Monday. I should like to try to clear on my side of the aisle a new unanimous-consent agreement with similar provisions for 2 days after we pass the budget resolution, with the same relationship to the budget resolution as if we had finished that matter this week instead of next week.

I am going to ask my cloakroom to check on that, and perhaps the minority leader will do the same with his cloakroom. Perhaps later in the day we can make a further announcement on that subject.

Mr. BYRD. Mr. President, I am sure that our cloakroom will do the same. It is a fair and reasonable request. We will get back to the majority leader.

Mr. BAKER. I thank the Senator.

Mr. President, I have no further need for my time under the standing order, if any remains, and I yield it now to the control of the minority leader, if he has need for it.

Mr. BYRD. I thank the majority leader.

RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER (Mr. ARMSTRONG). The minority leader is recognized.

THE KIRKPATRICK DILEMMA—WHAT IS THE TRUE MEANING OF DEMOCRACY?

Mr. BYRD. Mr. President, historically the people of this country have taken great pride that our Nation stands out as a beacon of democracy, freedom, and hope for the rest of the world. We enjoy so many freedoms denied to so many hundreds of millions of people who inhabit this planet of ours. We enjoy these freedoms to such a degree that oftentimes we take them for granted.

Democracy, as practiced in this country, means so many things to all of us who have the privilege of enjoying this most dynamic association of peoples. It means the freedom of peaceful assembly and association; it means the respect for the integrity of the person; it means due process for the individual under our judicial system; it means freedom to participate in the political process; it means the right of the individual to worship his or her own God in his or her own way; it means freedom of the press; and importantly, it means freedom of speech. These are but a few of the freedoms we enjoy as the world's leading representative of democracy. But it is the freedom of speech, the freedom to offer differing views, that I wish to address at this point.

On April 27, 1983, the President addressed a joint session of Congress and the American people on his administration's policies toward Central America. In turn, a distinguished colleague of ours, Senator CHRISTOPHER J. DODD, appeared following the President to provide what was billed as the Democratic response.

At the outset of his remarks, Senator DODD emphasized the following:

> While there is no unanimity in Congress—on either side of the aisle—on Central America, tonight I am speaking for the many Americans who are concerned about our ever deepening involvement in that part of the world.

In other words, Senator DODD made it very clear that there was not a consensus in the Democratic Party on this question, just as the President does not enjoy a consensus in the Republican Party in support of his policies on this subject. The President's Central American policy is in trouble with the American people and in trouble in Congress. That is why the President felt compelled to go on television before a joint session of Congress to make his case on Central America.

That is why I was very concerned to read on Sunday that our Ambassador to the United Nations, Jeane Kirkpatrick, attacked Senator DODD as being irresponsible and demagogic in his response to the President.

In an effort to discredit the arguments presented by Senator DODD, Ambassador Kirkpatrick claimed that he was grossly wrong in his statement on the amount of aid the President had requested for El Salvador.

In his speech, Senator DODD said specifically:

> His (the President's) requests for El Salvador alone will bring the total aid to that country during his term to more than $1 billion.

The Ambassador claimed:

> The figure of $1 billion is off by 40 percent . . . Besides, most of our aid—3 to 1—goes for economic assistance and to helping the poor people Senator DODD says he wants to help. It has nothing to do with killing anybody.

What is the truth of these conflicting claims? I ask unanimous consent to have printed in the RECORD a table entitled "U.S. Assistance to El Salvador Under President Reagan."

There being no objection, the table was ordered to be printed in the RECORD, as follows:

U.S. ASSISTANCE TO EL SALVADOR UNDER PRESIDENT REAGAN

[Dollars in millions]

	Fiscal year 1981,[1] actual Reagan	Fiscal year 1982, actual	Fiscal year 1983, requested	Fiscal year 1984, requested	Total	Percent of overall total
Military [2]	$25.0	$81.0	$136.3	$86.3	$328.6	30.5
ESF [3]	24.9	115.0	140.0	120.0	399.9	37.1
Economic [4]	20.6	71.1	87.1	75.0	253.8	23.5
Other [5]	18.0	24.9	29.0	24.0	95.9	8.9
Total	88.5	292.0	392.4	305.3	1,078.2	

[1] Includes only additional amounts requested by the Reagan administration.
[2] Foreign military sales financing (FMS), military assistance program (MAP), and international military education and training program (IMET).
[3] Economic support funds.
[4] Development assistance and Public Law 480.
[5] Housing guarantee program, Commodity Credit Corporation program, and disaster relief.

Mr. BYRD. Mr. President, the table shows the amounts of military aid, economic aid, and economic support funds which the Reagan administration has provided or requested for El Salvador. The data are drawn from administration documents which have been presented to Congress.

It is clear that, contrary to Ambassador Kirkpatrick's statements on aid to El Salvador, Senator DODD was not wrong. Total aid, actual and requested through fiscal year 1984, is over $1 billion, just as Senator DODD stated.

Military assistance to El Salvador constitutes 30.5 percent of total aid under the Reagan administration. And of the total $400 million in economic support fund moneys already appropriated and requested by the administration, $350 million is to be provided to finance essential imports for the private sector.

As our Embassy in El Salvador points out, one of the major problems in El Salvador has been that of capital flight from the country. Ms. Bonnie Knight, the Embassy's economic counselor, told my staff last month that at least $1 billion had fled the country since 1979 and it is probably even more. She said it has been mainly the big export sectors which have sent their capital out of the country.

Mr. President, in effect, the United States is attempting to replace a portion of the Salvadoran private capital that is fleeing that country with capital provided through our economic support fund programs.

Economic support fund (ESF) assistance is a part of our security assistance programs along with military aid. ESF is not development assistance, which is directed for the benefit of the poor in recipient countries. ESF is a category of security assistance given to nations in which the United States has a security interest. It is used for general balance-of-payments support and

for infrastructure development—that is, roads and bridges. In El Salvador, both these uses have clear military applications. Military aid has comprised 30.5 percent of the total aid to El Salvador under this administration. If the ESF provided to the private sector in El Salvador is combined with military aid, only 37 percent of our aid to that country is designed to address the needs of the vast majority of the population. That is a far cry from Ambassador Kirkpatrick's characterization of the program.

Mr. President, in many ways I was not surprised that the Ambassador reacted to Senator DODD's speech in the manner she did. Since Mrs. Kirkpatrick is perceived as a primary architect of the President's policies in Central America, it is small wonder she would take issue with Senator DODD's remarks. However, I regret that she succumbed to the temptation to attack our distinguished colleague personally.

That is unfortunate given the high position she holds.

Mr. President, our policies in Central America are controversial with the American people and controversial in Congress. Our Government has devoted considerable credibility and resources to prevent a military victory by a leftist insurgency in El Salvador. Therefore, the American people deserve the opportunity of hearing differing views regarding our policy toward that region of the world.

I have not made up my mind completely as to what our proper role should be in the region, and I said this to Senator DODD in discussing the matter. I was careful to remind Senator DODD that the positions of Members on our side of the aisle are probably diverse and may run from one end of the spectrum to the other, and he knew that and so indicated, and I think his statement reflects that understanding. There is not unanimity on this side of the aisle and there is not unanimity on the other side of the aisle.

As I said to Senator DODD:

> Your views may not even necessarily reflect my own. I may not be in agreement fully with you.

I have not made up my mind completely as to what our proper role should be in the region. I remain open to arguments from all sides. If anybody wants to talk about the matter I will listen.

All who speak are exercising their right to express their views just as Senator DODD is exercising his right to express his views and I think we should at least be able to hear all sides of the issue and I think the American people have a right to hear divergent views on the matter.

It does seem to me that debate is the essence of democracy. I am concerned that the Ambassador, having devoted so much time and energy in developing our policy in Central America, has lost sight of what this country is all about. Ours is a democracy. Who knows, I may support her position. I may not. But I want to hear all sides. I have an open mind on the matter. My mind is not closed to her arguments or to Mr. DODD's arguments. I will listen to both.

I will listen to anyone else, and I think the American people are willing to do that.

We are a democracy and a democracy functions best when the policies of its Government are open to free and honest debate, and simply because someone may differ with me I am not constrained to call him a "demagogue," which is a word kicked around pretty freely these days. I suspect there is some demagoguery not only on the Hill but also downtown from time to time. I expect it has always been that way and I guess it will always be that way. But there is a difference in demagoguery and honest expression, a difference between demagoguery and intellectual honesty.

So I do not say that Mrs. Kirkpatrick engaged in demagoguery but I do not think anyone has the right to complain about Senator DODD's different viewpoint. Robotics may be the coming thing in the manufacturing field but I would like to hope that the Senate will not change in that respect and that we will not be mere robots to be moved around and told what to do by people in this administration, the last administration, or the next administration. I quite often differed with Mr. Carter and he never called me a demagog, and I differed with him publicly and privately.

So I think it is wrong to throw the word around so casually. Whether one agrees with Senator DODD or not, he has a right to state his views on a matter of such critical importance to the Nation, and if he wants to state them again I will be glad to listen, listen to anybody, and if and when I finally make up my own mind I will say what I think on the matter.

ROUTINE MORNING BUSINESS

The PRESIDING OFFICER. Under the previous order, there will now be a period for the transaction of routine morning business, not to extend beyond 10:30 a.m., with statements therein limited to 2 minutes each.

Mr. BAKER. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. BYRD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

APPOINTMENTS BY THE VICE PRESIDENT

The PRESIDING OFFICER. The Chair, on behalf of the Vice President, pursuant to Executive Order 12131, signed by the President on May 4, 1979, appoints the Senator from Minnesota (Mr. BOSCHWITZ) to the President's Export Council.

The Chair, on behalf of the Vice President, pursuant to 22 U.S.C. 1928(a)(d), as amended, appoints the following Senators as members of the Senate delegation to the North Atlantic Assembly spring meeting to be held in Copenhagen, Denmark, June 9–13, 1983: The Senator from Delaware (Mr. ROTH), the Senator from Alabama (Mr. DENTON), the Senator from Georgia (Mr. MATTINGLY), the Senator from Alaska (Mr. MURKOWSKI), the Senator from New Hampshire (Mr. RUDMAN), the Senator from Pennsylvania (Mr. SPECTER), the Senator from Missouri (Mr. EAGLETON), the Senator from Texas (Mr. BENTSEN), the Senator from Montana (Mr. MELCHER), the Senator from Arizona (Mr. DECONCINI), and the Senator from Illinois (Mr. DIXON).

GENOCIDE CONVENTION: HOLOCAUST IN CAMBODIA

Mr. PROXMIRE. Mr. President, 1983 thus far has been a year of remembering atrocities of the Holocaust. All over the world, countries have commemorated such significant events as Hitler's rise to power, the Warsaw ghetto rebellion, and the reunion of concentration camp survivors.

While it is important to recognize the 40th anniversary of the Holocaust era, it is equally important for us to realize that such crimes are not merely legacies of the past, for they continue today, all over the world. Cambodia is one tragic example of this sad fact.

When the Pol Pot regime took control, nearly one-half of the Cambodian population was obliterated. Following this slaughter of an estimated 2 to 3 million citizens, the Vietnamese Communists moved into the country, claiming that their presence was necessary to stabilize Cambodia.

In a recent Washington Post article, James Webb, an ex-marine infantry officer in Vietnam, gives his perspective on the Cambodian situation. He points out that there are 200,000 Vietnamese soldiers currently occupying Cambodia and hundreds of thousands of Vietnamese who are now settling in the country. In Webb's view, this policy dictated from Hanoi represents a clear example in history of a final solution planned to eliminate a national and ethnic identity. Webb believes that, after suffering almost total annihilation, the remaining Cambodians are now going to be absorbed.

Webb's article is a grim reminder to us all that the threat of genocide did not end with the Nazi Holocaust. Human rights violations and mass murder are constantly recurring crimes. James Webb writes:

Perhaps the ultimate lesson of the Holocaust is that we do not believe incomprehensible tragedies until they have played themselves out. And then we console ourselves with little ceremonies and empty phrases like "Never Again."

Mr. President, presently our international human rights safeguards are not sufficiently strong to prevent abuses in other countries. However, this need not be the case, since we have right at our fingertips an instrument for strenthening our advocacy of human rights. I am referring to the Genocide Convention, which has been pending before the Senate since 1949. This treaty has been vigorously analyzed in numerous hearings held over the past 33 years. Throughout these hearings, the purpose of the treaty has remained clear. The Genocide Convention would insure that nations, within the limits of their own constitutions, will attempt to prevent and punish those who try to exterminate any national, ethnic, racial, or religious group. The United States stands virtually alone among the major nations in its failure to ratify this treaty. Such inaction is inexcusable.

Let us not forget what has happened in the past, and continues to happen right now in Cambodia. I strongly urge my colleagues to ratify the Genocide Convention.

A NUCLEAR FREEZE MUST BE OUR ULTIMATE GOAL

Mr. PROXMIRE. Mr. President, this Senator intends to push for a nuclear freeze—however long it takes—but in view of the attitude of the administration, the immense influence of the military and the innate tendency that has persuaded mankind to resort to the violence of war to settle disputes from time immemorial, it may be a very long time indeed before we can win a nuclear freeze. Earlier this week, a distinguished military and arms control expert, Adm. Stansfield Turner, former Director of the CIA, told the Appropriations Committee, on which I serve, that those who call for a nuclear freeze, including the Catholic bishops, can never prevail, that the nuclear genie is out of the bottle; it will stay out of the bottle and all we can do is to try to limit its damage. While the people of this country—thank the good Lord—do not accept this grimly pessimistic view, it appears that much of the press and many of our most thoughtful leaders do accept it.

Mr. President, acceptance of the arms race as a given perpetual, everlasting fact of life means that the prospect of civilization, and very likely of mankind itself, enduring for very long is slim to nothing. This onrushing technology has literally expanded our destructive power, since the Hiroshima bomb was dropped less than 38 years ago, more than 1 million times. And it is expanding and growing every day. As it grows, the destructive power of both superpowers will be virtually absolute. As it grows, more and more nations will join the nuclear club—unstable nations run in some cases by psychotic dictators. As it grows, terrorist organizations will begin to develop their own nuclear arsenals. And given the terrible tendency toward violence and strife, as it grows, a civilization-ending nuclear war becomes certain.

But why must it grow? Why can we not try, whatever the odds may be against us, to negotiate a mutual, verifiable freeze? As savvy and realistic a man as William Colby, the former head of the CIA, calls a nuclear freeze reasonable. Sure, war has been the regular and terrible way in which mankind has settled disputes for centuries. But never before has war meant the strong prospect of mankind's extinction and the assurance that such a war would absolutely devastate the country we love and surely destroy the freedom that we so cherish within this country.

Mr. President, the latest expression of pessimism called to my attention comes from the Baltimore Sun. Yesterday, the Sun called the freeze a "sterile" approach and offered an interesting alternative that falls far short of the objective we need but does constitute a genuine advance on the administration's package. Here is what the Sun proposes:

First. Rewrite the START package in order to count warheads rather than launchers.

Second. Scrap MX as contradictory to this approach.

Third. Proceed with development of single-warhead, land-based missiles.

Fourth. Consider banning cruise missile systems that are not verifiable.

While the package constitutes an improvement, the fourth leg of this quadriad is of course very contradictory, especially coming from a paper that derides the freeze as sterile. If the cruise missile systems are not verifiable, how could we ban them without an agreement that would be worthless? Obviously, if we ban cruise missiles, and the ban is not verifiable, there would be no way for either side to verify whether they stayed banned.

Mr. President, the fact is that no arms control agreement, including the freeze, can work unless it is verified down to weapons smaller than the cruise missiles. We must insist on, and I am confident we can get, regular (and irregular) onsite inspection to verify any agreement.

Mr. President, I ask unanimous consent that the editorial from the Baltimore Sun of May 4, to which I have referred, be printed at this point in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the Baltimore Sun, May 4, 1983]

NUKES: A THIRD APPROACH

A third approach to arms control is making headway as the debate between the Reagan administration and the nuclear-freeze movement becomes steadily more sterile. U.S. Roman Catholic bishops, fresh from their Chicago appeal for a "halt" to the testing, production and deployment of nuclear weapons, will not be pleased. Nor will ideologues in the Reagan administration, who have effectively thwarted arms-control progress with proposals that were tailored to be unacceptable to the Russians.

We believe this third approach, though no panacea, has enough merit to render obsolete the deliberations of the bishops and the prolonged nuclear freeze debate in the House. It may also goad a stymied administration to offer new proposals to break the deadlock in Geneva negotiations.

What are some of the elements usually seen in third-approach proposals? First, they would count warheads rather than launchers in setting strategic arms limitations, Second, they would require the scrapping of two old warheads when each new warhead is deployed. Third, they would emphasize single-warhead land-based missiles rather than the multi-warhead missiles in superpower arsenals.

The third approach accepts weapons modernization as inevitable and an opportunity for strategic stability. In contrast, a nuclear freeze would prolong reliance on vulnerable multiple-warhead land-based missiles with a dangerous first-strike potential. That's because one missile with, say, 10 warheads can theoreticaly knock out 10 enemy launchers equipped with a total of 100 warheads.

The third approach runs counter to the administration call for a strategic arms reduction treaty (START) that would encourage more, not fewer, multi-warhead missiles. And it also challenges the administration's rationale for deploying MX missiles by relying, instead, on new single-warhead weapons that could be dispersed and less tempting to enemy attack.

In assessing nuclear discussions recently, the Carnegie Endowment for International Peace had this to say: "Ironically, neither of the two most politically prominent proposals—the nuclear freeze and the president's deep-cut approach—does much to solve the problem of strategic vulnerability that undermines crisis stability."

We agree. In our view, the administration should: (1) rewrite its START package in order to count warheads rather than launchers; (2) scrap MX as contradictory to this approach; (3) proceed with development of single-warhead land-based missiles, and (4) consider banning cruise missile systems that are not verifiable. The third approach puts "crisis stability" at the forefront. Instead of shying away from advanced technology, it tries to use it to prevent nuclear holocaust.

FEDERAL RESERVE BOARD—A BRIEF, COMMONSENSE APPRAISAL

Mr. PROXMIRE. Mr. President, in the 70 years the Fed has been in operation, it has generally served this country well. There has not been the hint of a suggestion of a whisper or a whiff of scandal or corruption. No one has even alleged that the Fed has followed policies to serve the interest of any of the people who run it. This constitues a real distinction when you recognize the immense power of the Fed and the enormous financial stakes involved in its operation, not to mention the relatively meager salaries paid to top Fed officials compared to the handsome reimbursements earned by those they regulate. So they have been honest.

But how about their competence? The competence of the Fed officials has constantly improved, especially in the past 25 years. After all, what constitutes the ideal background and experience for a Fed official? It should be someone who understands our financial system from training and experience. What kind of training does this call for? Obviously not a lifetime devoted to the study of medieval literature or the law, veterinary medicine or manufacturing. What you need is training—education in economics, and understanding of the history of the American economic experience, and some familiarity with the economic history of other countries. And for experience the ideal Fed official should have had a few years at least—and the more the better—working on the staff of the Fed itself to develop a thorough understanding of how the Fed works and an appreciation of the immense human resources, the skill and intelligence of the varied staff of that remarkable agency. He should also have had some experience in the private financial community, in the Treasury Department, the Council of Economic Advisers, and a highly useful added fillip might include a few years of teaching at one of the most challenging universities in the country.

Of course, I am describing the kind of background with variations that our most illustrious Fed chairmen and Governors have shared. Volcker, Burns, Martin, Wallich, Partee—how do they stack up with other officials? These have been the most competent officials anywhere in our Government, in my judgment.

It seems that of all the areas of Government operation, none, but none, has more ignorant know-it-alls than monetary policy. I rarely take a trip to Wisconsin that I do not meet some zealot—and I mean zealot—who walks in off the street in River Falls, Wis. or Oshkosh, Wis. or West Allis, Wis. and rants and raves about the Trilateral Commission, Rockefeller, Wall Street, the Federal Reserve, and the conspiracy to keep interest rates sky high. Usually he is someone who has borrowed money and been through the painful agony of running a business that hinges on the interest rate the business has to pay every month. It may well be that such a person has very strong convictions about how the Fed should stop fooling around with all kinds of mystic voodoo about international monetary flows and exchange rates, cut out the alibiing and just bring down interest rates. After all, we all want low interest rates. Let us cut the mumbo jumbo and do it. Why not? And why not appoint a board that would be weighted with small businessmen and farmers who understand from painful experience how vital low interest rates really are to the Nation's economic health? If necessary, appoint them from River Falls and Oshkosh and forget about academic credentials or whether they have been brainwashed by years in the Fed or some other part of the Federal Government. In other words, give commonsense a chance. What is wrong with that?

Answer, everything. Just as you need a competent veterinarian who understands animal anatomy when you have a disease in your herd so you need a Fed governor and chairman who understand our economy and the role of the Federal Government and the Fed itself in the economy.

So why then has the Fed done so badly in the past 70 years? Answer, it has not done badly at all. In that time we have massively increased our economic well-being—our real personal per capita income has risen by a factor of about 3. We have made this progress in spite of two immensely costly wars, and a Government which, through no fault of the Fed, has exploded in size so that today it takes five times as high a proportion of the gross national product as it did 70 years ago when the Fed began. In spite of occasional lapses, the Fed—if you allow for the necessary lag—has in general leaned against the wind, stimulating the economy in recessions and restraining it in times of inflation and in the process it has improved the Nation's stability. It has had to work under the most painful handicaps, especially in recent years with our huge deficits. Like any human institution it can certainly be improved. It has not been fallible. But generally it has done a good job and it has done it because Presidents especially in recent years have appointed competent persons to run it.

Mr. President, I yield the floor.

SENATE JOINT RESOLUTION 94—FAMILY REUNION MONTH

(Introduced by Mr. MATTINGLY, for himself, Mrs. HAWKINS, Mr. CHAFEE, Mr. DENTON, Mr. ARMSTRONG, Mr. COCHRAN, Mr. BURDICK, Mr. DANFORTH, Mr. DODD, Mr. EAST, Mr. FORD, Mr. HELMS, Mr. HOLLINGS, Mr. LUGAR, Mr. MOYNIHAN, Mr. NUNN, Mr. HEINZ, Mr. HEFLIN, Mr. LEVIN, Mr. NICKLES, Mr. KENNEDY, Mr. SPECTER, Mr. RANDOLPH, Mr. SYMMS, Mr. JEPSEN, Mr. JOHNSTON, and Mr. TOWER.)

Mr. MATTINGLY. Mr. President, the joint resolution which I am introducing today would authorize and request the President to designate the period for Mother's Day, May 8, 1983, to Father's Day, June 10, 1983, to be designated as Family Reunion Month.

Mr. President, if this week is like every other in the past couple of years, Mr. and Mrs. John Clinkscales, residents of LaGrange, Ga., will receive 10 or 15 important telephone calls from people whom they have never met. The callers will be people like themselves, ordinary citizens whose lives have been suddenly and tragically disrupted by the disappearance of one of their family members. They will be calling for advice and encouragement and the kind of counsel that people like the Clinkscales are eager to give.

Seven years ago, at age 22, the Clinkscale's only son Kyle disappeared. He had left his home to return to college 40 miles away, but he never arrived there. His car was never located, his body was never recovered, his credit cards were never used, and his bank account was never touched. Now Kyle has been declared legally deceased, but there is no evidence to support the declaration. There is instead anxiety, grief, uncertainty, and frustration. Kyle is only one of the well over a million Americans—runaways, driftaways, victims of foul play—who disappear from home every year. The Clinkscales represent a growing number of citizens whose families are broken apart as a result.

A brochure published by Find-Me, the volunteer organization founded by the Clinkscales to inform the public about the problem and to help families of the missing, describes the situation better than I could. It states:

> Missing persons are silent refugees. They outnumber the combined totals of the 1979 boat people, the 1980 Cubans, and all the other refugee groups combined. The families of the missing persons are the forgotten ones. There has been no known agency to advise, to counsel, to help them. Nor has there been any national agency to coordinate information on the missing.

In the same pamphlet, which was distributed during the time the Nation's interest was focused on the cases of missing and murdered children in Atlanta, a piercing, rhetorical question is asked. What would be happening in Atlanta now if no bodies had been found—if everything else were the same but no bodies? The answer follows: Probably nothing. There would be no publicity, there would be no concerned citizens, but the problem would

still be there. That response, Mr. President, constitutes a second tragedy.

The problem is still with us, and it will not disappear. Volunteer organizations like Find-Me exist throughout the United States. Many of them have been formed by the parents of missing children who want to help others. Each serves an important role in its own community, but none has the resources or the forum to get their message to the entire country. The Congress and the President have the attention of the American people and I believe we should direct that attention to the issue of runaways, driftaways, and other missing persons and their families.

The problem is clearly a serious one, an issue of national scope and significance. For this reason, I am introducing a resolution today which calls upon the President to designate the period from Mother's Day to Father's Day as "Family Reunion Month." Those holidays are times when Americans celebrate the importance of the family. I believe it is an appropriate time to encourage the reunion of families and the reaffirmation of family ties. This resolution recognizes our Nation's dependence upon strong families. Further, it encourages runaways and driftaways to utilize the networks which currently exist, largely through volunteer organizations, to reestablish contact with their families and encourages families to honor the individual's effort to communicate.

I call upon my colleagues to join with me in helping call attention to the national tragedy of broken families and to encourage the reunion of estranged members. I believe the strength of our country will be enhanced by such action.

Mr. President, I ask unanimous consent that the joint resolution be held at the desk until the close of business today pending further disposition. My hope is that the leadership will have cleared this resolution so it can be placed upon the calendar.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MATTINGLY. Mr. President, I ask unanimous consent that the joint resolution be printed in the RECORD.

There being no objection, the Joint Resolution was ordered to be printed in the RECORD, as follows:

S.J. RES. —

Whereas the family is and has traditionally been recognized as the foundation of our society;

Whereas thousands of families in our nation experience sorrow each year because of runaway, missing, or estranged members;

Whereas organizations exist which can assist families and missing members in establishing contact with one another;

Whereas estranged and missing individuals should be encouraged to use the services furnished by these organizations or to contact their families directly;

Whereas families should be encouraged to honor the individual member's efforts to communicate and to respect the individual's right to privacy;

Whereas the strength of our nation can be increased through the reunion of families and the reaffirmation of family ties; and

Whereas Mother's Day and Father's Day are times when our citizens celebrate the importance of families: Now, therefore, be it

Resolved by the Senate and the House of Representatives of the United States of America in Congress assembled, That the President of the United States is authorized and requested to issue a proclamation designating Mother's Day, May 8, 1983, to Father's Day, June 19, 1983, as "Family Reunion Month", and calling upon the people of the United States to observe the day with appropriate programs and activities.

RESTORATION OF THE WEST FRONT OF THE CAPITOL

Mr. MOYNIHAN. Mr. President, there will soon be before the Senate the question of what to do about the west front of this building. There is but one answer we can give, if we would be faithful to our history and true to our posterity: Restore it.

Now, during the past two decades the Government has become much involved in supporting the arts—as well it should have. But of all the arts it is only architecture that Government must patronize, cannot avoid patronizing. And it has been so since the earliest civilization found need of a common meeting place.

More than we care to realize, what we build tells future generations the sort of people we are. Next to the social edifice of our Constitution and Bill of Rights, the natural and man-made environments we preserve, create—or destroy—will be the most important legacy we leave behind.

The Capitol Building is the architectural symbol of American democracy. We should no more frivolously tamper with it than we would with the Constitution.

I am aware that the Capitol as we know it is a felicitous accretion of separate elements. Some would reason from that, apparently, that each succeeding generation may add to the building at its pleasure.

But the various pieces that now comprise this magnificent composition were all designed in the course of one-half century's work. The architects, and indeed, public sensibility in that period achieved a consensus on matters of public architecture. The Capitol's architects who collaborated indirectly over those decades were educated in a neoclassical architectural vocabulary. This building attests to their fluency in that vocabulary.

It does not seem to me that the west front is the most delightful product of their labors. Perhaps the central colonnade should have been widened after the larger dome was erected during the Civil War. It was not. Perhaps a pediment should have been placed above the colonnade. That was not done, either.

As Members of this body know, I am much concerned with matters architectural. I wrote the Federal Government's first statement of guiding architectural principles 20 years ago for President Kennedy, principles which are still in use. I have taken on the task of trying to improve the Government's public buildings program. And I have steadfastly supported the historic preservation movement in this country, as it has burgeoned over the last decade.

I have had many occasions to remark that we must not preserve buildings out of a fear that we have lost the ability to create things of grace and beauty. But there are certain things we simply do not do any more, and certain sorts of buildings we simply will not and cannot duplicate.

I wish to preserve things as an example of what we were and will be, not what we were and no longer can be.

And so with the Capitol. The Congress surely has all the office space the Members and their too large staffs can need. At the turn of the century we had not a single House or Senate Office Building. The Members met and worked in the Capitol Building. Now each House has three immense office buildings and we have converted several nearby residences into annexes, for good measure.

So let us dispose of any argument that we need more space in the Capitol. If some of our activities that must be carried on within the Capitol cannot now be accommodated, let us resolve to move out of the building those activities that can be carried on elsewhere.

But let us get on with the task of making this building safe, secure, and esthetically sound.

On December 2, 1980, I made a speech to the Senate alerting it to the danger which we were courting by allowing President Reagan's inauguration to take place under the deteriorated west front. I recalled from my naval training that the proper station for the second in command during combat is anywhere the captain is not, and I suggested Vice President BUSH be sworn in at the Library of Congress, a safe distance from the Capitol.

It had then been 3 years since we established a special commission to resolve the west front question. That Commission has now finished its work and, to no one's surprise, been unable to decide the matter.

Which leaves it to the full Senate and House. Well and good. The time for contemplating this rebuilding scheme and that expansion plan is over. If we still have the capacity to do anything boldly and directly, to carry out our duties in the spirit of our past

but with a care for our future, we will vote this month, this week if possible, to restore the west front of the Capitol in place.

TRIBUTE TO THE CHEMISTRY DEPARTMENT OF COLUMBIA UNIVERSITY AND TO PROF. NICHOLAS J. TURRO

Mr. MOYNIHAN. Mr. President, I rise to pay tribute today to the Chemistry Department of Columbia University and to offer my congratulations to Prof. Nicholas J. Turro, the William P. Schweitzer professor of chemistry at Columbia University. Dr. Turro is one of five scientists who has just received the prestigious Ernest Orlando Lawrence Memorial Award, presented by the U.S. Department of Energy.

My reason for bringing this outstanding chemistry department to your attention is that, in my view, the United States, in the areas of scientific and technological innovation, faces a set of challenges which affect both our immediate and long-range wellbeing as a nation—our prosperity, security, and quality of life. Some of these challenges arise from foreign competition in high-technology industries. Other urgent challenges revolve around achieving a greater degree of energy independence, a task that relies heavily on American scientific and technological expertise.

Columbia University has always responded to the great research and development needs of the Nation—in defense, energy, health, and a host of related areas. The university's chemistry department is committed to the kinds of basic research—especially in organic and laser chemistry—which are critical to continued American leadership in the chemical and petrochemical industries. At present, more than half of the research activity now underway in the department bears upon the production, use, and conservation of energy in these and other energy-intensive industries.

Professor Turro exemplifies this department's excellence. The Lawrence Memorial Award that he has received is presented annually to American scientists "who are early in their careers and who have made recent meritorious contributions to the development, use, or control of atomic energy." The award was established in 1959 in memory of Ernest O. Lawrence, inventor of the cyclotron and director of two California laboratories that bear his name at Berkeley and Livermore. The winners may be researchers in any field of science related to atomic energy, including medicine and engineering. Each receives a medal, a citation, and $5,000. The awards were presented by Secretary of Energy Donald Paul Hodel on April 7 in Washington, D.C.

Dr. Turro, 44, is chairman of the Columbia Chemistry Department. The Lawrence Award recognizes his pioneering work in photochemistry, specifically his use of light to enhance chemical reactions ranging from isotope separation to the creation of certain polymers.

A native of Middletown, Conn., Dr. Turro received the B.A. degree summa cum laude from Wesleyan University in 1960 and the Ph. D. in chemistry from the California Institute of Technology in 1963. He joined the Columbia faculty as an instructor in 1964. Dr. Turro was appointed full professor in 1969 and Schweitzer professor in 1982. He was elected chairman of the chemistry department in 1981. That same year Dr. Turro was elected a member of the National Academy of Sciences, one of many honors he has received.

Columbia University has consistently maintained a distinguished faculty. Other Columbia faculty members who have won the Lawrence Prize are physics Profs. Herbert Goldstein and James Rainwater. In addition, 40 of Columbia's faculty, former faculty, or alumni have been honored with the Nobel Prize; last year, Columbia led the Nation in the number of prestigious Guggenheim fellowships awarded to its faculty; and many of its scholars hold top honors in their respective disciplines, including several who are members of the National Academy of Sciences. It is scholars such as these who hold the key, in large part, to our future technological progress and the growth of the American economy.

REPORT OF THE NATIONAL COMMISSION ON EXCELLENCE IN EDUCATION

Mr. HATCH. Mr. President, since last week when the National Commission on Excellence in Education issued its provocative report titled "A Nation at Risk: The Imperative for Education Reform" my office, as well as the offices of my colleagues, has been inundated with letters and calls from constituents all over the country requesting copies of the report or asking specific questions about items from the press coverage.

Upon the issuance of the report, my statement to the press commended the Commission and particularly its distinguished chairman, David Pierpont Gardner, for their frank and forthright statement of the problems and for a report that could be read and understood by the average citizen at the local level who must be the mover and the shaker if change is to take place.

Although the report gave a rather dismal description of the condition of public education in our country, it recognized that as the most advanced democracy in Western civilization, we have the resources to correct our shortfalls in education if we but redirect our energies to do so.

In plain and simple language the report clearly told us of the nadir of education allowed by citizens at the local level who control and elect the school boards who establish policy for the 16,000 school districts in this country, each of which derives its constitutional authority from State legislatures.

The report did not delve into some of the causes for the problems of the schools that are of concern to me and to others in this body such as legislative mandates requiring specific subject matter offerings like driver education, sex education, and peer relationships to be in cafeteria-type curriculums in local schools thus leaving little time in the day for students to elect more intellectually challenging subjects.

The report also artfully avoided asking such questions as how much, if any, has hardball union bargaining tactics engaged in by some teachers—often more concerned with teacher rights and benefit packages than curriculum improvement—contributed to mediocrity in education. Most such bargaining agreements require taxpayers to pay the poorest of the teachers the same as the best.

Although I certainly agree that in general teacher salaries are too low, it should also be recognized that teacher benefit packages where they exist are usually tax exempt and can make the actual or real income of teachers covered by them a very different story when comparing teacher salaries with other professionals who pay for their own retirement, health, or life insurance, or other benefits teachers often receive at taxpayer expense.

In any event, Mr. President, this is a time for serious soul searching by every school patron in each of the 16,000 local school districts in this country. It is a time when all of us who send our youngsters to the local public schools need to be asking ourselves when are we going to become actively engaged in helping to determine local school board policy. If we think voter turnout is poor in national elections, compared with local school elections, the national or State elections look great. I am told that in school board conducted elections in many jurisdictions, whether it be to vote on the school district budget or on new members for the school board, a 20-percent turnout of eligible voters could be considered phenomenal. I would hope the Commission's report will help reduce patron apathy in local school affairs where often more voters turn out for a single athletic event than participate in school board policy setting over an entire year.

Mr. President, there is widespread interest in this report and there is also

apparently an eagerness in the American public to learn of its content with a view toward implementing its recommendations at the State and local levels where implementation must take place if the necessary improvements are to be made. Because the supply of copies of the report for distribution through normal channels is limited, and in order for the report to have the widest distribution possible, I ask unanimous consent that the full text of the report be printed in the RECORD.

There being no objection, the report was ordered to be printed in the RECORD, as follows:

A NATION AT RISK: THE IMPERATIVE FOR EDUCATIONAL REFORM

(By the National Commission on Excellence in Education)

MEMBERS OF THE NATIONAL COMMISSION ON EXCELLENCE IN EDUCATION

David P. Gardner (Chair), President, University of Utah and President-Elect, University of California, Salt Lake City, Utah.

Yvonne W. Larsen (Vice-Chair), Immediate Past-President, San Diego City School Board, San Diego, Calif.

William O. Baker, Chairman of the Board (Retired), Bell Telephone Laboratories, Murray Hill, N.J.

Anne Campbell, Former Commissioner of Education, State of Nebraska, Lincoln, Nebr.

Emeral A. Crosby, Principal, Northern High School, Detroit, Mich.

Charles A. Foster, Jr., Immediate Past-President, Foundation for Teaching Economics, San Francisco, Calif.

Norman C. Francis, President, Xavier University of Louisiana, New Orleans, La.

A. Bartlett Giamatti, President, Yale University, New Haven, Conn.

Shirley Gordon, President, Highline Community College, Midway, Wash.

Robert V. Haderlein, Immediate Past-President, National School Boards Association, Girard, Kans.

Gerald Holton, Mallinckrodt Professor of Physics and Professor of the History of Science, Harvard University, Cambridge, Mass.

Annette Y. Kirk, Kirk Associates, Mecosta, Mich.

Margaret S. Marston, Member, Virginia State Board of Education, Arlington, Va.

Albert H. Quie, Former Governor, State of Minnesota, St. Paul, Minn.

Francisco D. Sanchez, Jr., Superintendent of Schools, Albuquerque Public Schools, Albuquerque, N. Mex.

Glenn T. Seaborg, University Professor of Chemistry and Nobel Laureate, University of California, Berkeley, Calif.

Jay Sommer, National Teacher of the Year, 1981-82, Foreign Language Department, New Rochelle High School, New Rochelle, N.Y.

Richard Wallace, Principal, Lutheran High School East, Cleveland Heights, Ohio.

A NATION AT RISK

Our Nation is at risk. Our once unchallenged preeminence in commerce, industry, science, and technological innovation is being overtaken by competitors throughout the world. This report is concerned with only one of the many causes and dimensions of the problem, but it is the one that undergirds American prosperity, security, and civility. We report to the American people that while we can take justifiable pride in what our schools and colleges have historically accomplished and contributed to the United States and the well-being of its people, the educational foundations of our society are presently being eroded by a rising tide of mediocrity that threatens our very future as a Nation and a people. What was unimaginable a generation ago has begun to occur—others are matching and surpassing our educational attainments.

If an unfriendly foreign power had attempted to impose on America the mediocre educational performance that exists today, we might well have viewed it as an act of war. As it stands, we have allowed this to happen to ourselves. We have even squandered the gains in student achievement made in the wake of the Sputnik challenge. Moreover, we have dismantled essential support systems which helped make those gains possible. We have, in effect, been committing an act of unthinking, unilateral educational disarmament.

Our society and its educational institutions seem to have lost sight of the basic purposes of schooling, and of the high expectations and disciplined effort needed to attain them. This report, the result of 18 months of study, seeks to generate reform of our educational system in fundamental ways and to renew the Nation's commitment to schools and colleges of high quality throughout the length and breadth of our land.

That we have compromised this commitment is, upon reflection, hardly surprising, given the multitude of often conflicting demands we have placed on our Nation's schools and colleges. They are routinely called on to provide solutions to personal, social, and political problems that the home and other institutions either will not or cannot resolve. We must understand that these demands on our schools and colleges often exact an educational cost as well as a financial one.

On the occasion of the Commission's first meeting, President Reagan noted the central importance of education in American life when he said: "Certainly there are few areas of American life as important to our society, to our people, and to our families as our schools and colleges." This report, therefore, is as much an open letter to the American people as it is a report to the Secretary of Education. We are confident that the American people, properly informed, will do what is right for their children and for the generations to come.

History is not kind to idlers. The time is long past when America's destiny was assured simply by an abundance of natural resources and inexhaustible human enthusiasm, and by our relative isolation from the malignant problems of older civilizations. The world is indeed one global village. We live among determined, well-educated, and strongly motivated competitors. We compete with them for international standing and markets, not only with products but also with the ideas of our laboratories and neighborhood workshops. America's position in the world may once have been reasonably secure with only a few exceptionally well-trained men and women. It is no longer.

The risk is not only that the Japanese make automobiles more efficiently than Americans and have government subsidies for development and export. It is not just that the South Koreans recently built the world's most efficient steel mill, or that American machine tools, once the pride of the world, are being displaced by German products. It is also that these developments signify a redistribution of trained capability throughout the globe. Knowledge, learning, information, and skilled intelligence are the new raw materials of international commerce and are today spreading throughout the world as vigorously as miracle drugs, synthetic fertilizers, and blue jeans did earlier. If only to keep and improve on the slim competitive edge we still retain in world markets, we must rededicate ourselves to the reform of our educational system for the benefit of all—old and young alike, affluent and poor, majority and minority. Learning is the indispensible investment required for success in the "information age" we are entering.

Our concern, however, goes well beyond matters such as industry and commerce. It also includes the intellectual, moral, and spiritual strengths of our people which knit together the very fabric of our society. The people of the United States need to know that individuals in our society who do not possess the levels of skill, literacy, and training essential to this new era will be effectively disenfranchised, not simply from the material rewards that accompany competent performance, but also from the chance to participate fully in our national life. A high level of shared education is essential to a free, democratic society and to the fostering of a common culture, especially in a country that prides itself on pluralism and individual freedom.

For our country to function, citizens must be able to reach some common understandings on complex issues, often on short notice and on the basis of conflicting or incomplete evidence. Education helps form these common understandings, a point Thomas Jefferson made long ago in his justly famous dictum:

"I know no safe depository of the ultimate powers of the society but the people themselves; and if we think them not enlightened enough to exercise their control with a wholesome discretion, the remedy is not to take it from them but to inform their discretion."

Part of what is at risk is the promise first made on this continent: All, regardless of race or class or economic status, are entitled to a fair chance and to the tools for developing their individual powers of mind and spirit to the utmost. This promise means that all children by virtue of their own efforts, competently guided, can hope to attain the mature and informed judgment needed to secure gainful employment, and to manage their own lives, thereby serving not only their own interests but also the progress of society itself.

Indicators of the risk

The educational dimensions of the risk before us have been amply documented in testimony received by the Commission. For example:

International comparisons of student achievement, completed a decade ago, reveal that on 19 academic tests American students were never first or second and, in comparison with other industrialized nations, were last seven times.

Some 23 million American adults are functionally illiterate by the simplest tests of everyday reading, writing, and comprehension.

About 13 percent of all 17-year-olds in the United States can be considered functionally illiterate. Functional illiteracy among minority youth may run as high as 40 percent.

Average achievement of high school students on most standardized tests is now lower than 6 years ago when Sputnik was launched.

Over half the population of gifted students do not match their tested ability with comparable achievement in school.

The College Board's Scholastic Aptitude Tests (SAT) demonstrate a virtually unbroken decline from 1963 to 1980. Average verbal scores fell over 50 points and average mathematics scores dropped nearly 40 points.

College Board achievement tests also reveal consistent declines in recent years in such subjects as physics and English.

Both the number and proportion of students demonstrating superior achievement on the SAT's (i.e., those with scores of 650 or higher) have dramatically declined.

Many 17-year-olds do not possess the "higher order" intellectual skills we should expect of them. Nearly 40 percent cannot draw inferences from written material; only one-fifth can write a persuasive essay; and only one-third can solve a mathematics problem requiring several steps.

There was a steady decline in science achievement scores of U.S. 17-year-olds as measured by national assessments of science in 1969, 1973, and 1977.

Between 1975 and 1980, remedial mathematics courses in public 4-year colleges increased by 72 percent and now constitute one-quarter of all mathematics courses taught in those institutions.

Average tested achievement of students graduating from college is also lower.

Business and military leaders complain that they are required to spend millions of dollars on costly remedial education and training programs in such basic skills as reading, writing, spelling, and computation. The Department of the Navy, for example, reported to the Commission that one-quarter of its recent recruits cannot read at the ninth grade level, the minimum needed simply to understand written safety instructions. Without remedial work they cannot even begin, much less complete, the sophisticated training essential in much of the modern military.

These deficiencies come at a time when the demand for highly skilled workers in new fields is accelerating rapidly. For example:

Computers and computer-controlled equipment are penetrating every aspect of our lives—homes, factories, and offices.

One estimate indicates that by the turn of the century millions of jobs will involve laser technology and robotics.

Technology is radically transforming a host of other occupations. They include health care, medical science, energy production, food processing, construction, and the building, repair, and maintenance of sophisticated scientific, educational, military, and industrial equipment.

Analysts examining these indicators of student performance and the demands for new skills have made some chilling observations. Educational researcher Paul Hurd concluded at the end of a thorough national survey of student achievement that within the context of the modern scientific revolution "We are raising a new generation of Americans that is scientifically and technologically illiterate." In a similar vein, John Slaughter, a former Director of the National Science Foundation, warned of "a growing chasm between a small scientific and technological elite and a citizenry ill-informed, indeed uninformed, on issues with a science component."

But the problem does not stop there, nor do all observers see it the same way. Some worry that schools may emphasize such rudiments as reading and computation at the expense of other essential skills such as comprehension, analysis, solving problems, and drawing conclusions. Still others are concerned that an over-emphasis on technical and occupational skills will leave little time for studying the arts and humanities that so enrich daily life, help maintain civility, and develop a sense of community. Knowledge of the humanities, they maintain, must be harnessed to science and technology if the latter are to remain creative and humane, just as the humanities need to be informed by science and technology if they are to remain relevant to the human condition. Another analyst, Paul Copperman, has drawn a sobering conclusion. Until now, he has noted:

"Each generation of Americans has outstripped its parents in education, in literacy, and in economic attainment. For the first time in the history of our country, the educational skills of one generation will not surpass, will not equal, will not even approach, those of their parents."

It is important, of course, to recognize that the average citizen today is better educated and more knowledgeable than the average citizen of a generation ago—more literate, and exposed to more mathematics, literature, and science. The positive impact of this fact on the well-being of our country and the lives of our people cannot be overstated. Nevertheless, the average graduate of our schools and colleges today is not as well educated as the average graduate of 25 or 35 years ago, when a much smaller proportion of our population completed high school and college. The negative impact of this fact likewise cannot be overstated.

Hope and frustration

Statistics and their interpretation by experts show only the surface dimension of the difficulties we face. Beneath them lies a tension between hope and frustation that characterizes current attitudes about education at every level.

We have heard the voices of high school and college students, school board members, and teachers; of leaders of industry, minority groups, and higher education; of parents and State officials. We could hear the hope evident in their commitment to quality education and in their descriptions of outstanding programs and schools. We could also hear the intensity of their frustration, a growing impatience with shoddiness in many walks of American life, and the complaint that this shoddiness is too often reflected in our schools and colleges. Their frustration threatens to over overwhelm their hope.

What lies behind this emerging national sense of frustration can be described as both a dimming of personal expectations and the fear of losing a shared vision for America.

On the personal level the student, the parent, and the caring teacher all perceive that a basic promise is not being kept. More and more young people emerge from high school ready neither for college nor for work. This predicament becomes more acute as the knowledge base continues its rapid expansion, the number of traditional jobs shrinks, and new jobs demand greater sophistication and preparation.

On a broader scale, we sense that the undertone of frustration has significant political implications, for it cuts across ages, generations, races, and political and economic groups. We have come to understand that the public will demand that educational and political leaders act forcefully and effectively on these issues. Indeed, such demands have already appeared and could well become a unifying national preoccupation. This unity, however, can be achieved only if we avoid the unproductive tendency of some to search for scapegoats among the victims, such as the beleaguered teachers.

On the positive side is the significant movement by political and educational leaders to search for solutions—so far centering largely on the nearly desperate need for increased support for the teaching of mathematics and science. This movement is but a start on what we believe is a larger and more educationally encompassing need to improve teaching and learning in fields such as English, history, geography, economics, and foreign languages. We believe this movement must be broadened and directed toward reform and excellence throughout education.

Excellence in education

We define "excellence" to mean several related things. At the level of the individual learner, it means performing on the boundary of individual ability in ways that test and push back personal limits, in school and in the workplace. Excellence characterizes a school or college that sets high expectations and goals for all learners, then tries in every way possible to help students reach them. Excellence characterizes a society that has adopted these policies, for it will then be prepared through the education and skill of its people to respond to the challenges of a rapidly changing world. Our Nation's people and its schools and colleges must be committed to achieving excellence in all these senses.

We do not believe that a public commitment to excellence and educational reform must be made at the expense of a strong, public commitment to the equitable treatment of our diverse population. The twin goals of equity and high-quality schooling have profound and practical meaning for our economy and society, and we cannot permit one to yield to the other either in principle or in practice.

To do so would deny young people their chance to learn and live according to their aspirations and abilities. It would also lead to a generalized accommodation to mediocrity in our society on the one hand or the creation of an undemocratic elitism on the other.

Our goal must be to develop the talents of all to their fullest. Attaining that goal requires that we expect and assist all students to work to the limits of their capabilities. We should expect schools to have genuinely high standards rather than minimum ones, and parents to support and encourage their children to make the most of their talents and abilities.

The search for solutions to our educational problems must also include a commitment to life-long learning. The task of rebuilding our system of learning is enormous and must be properly understood and taken seriously: Although a million and a half new workers enter the economy each year from our schools and colleges, the adults working today will still make up about 75 percent of the workforce in the year 2000. These workers, and new entrants into the workforce, will need further education and retraining if they—and we as a Nation—are to thrive and prosper.

The Learning Society

In a world of ever-accelerating competition and change in the conditions of the workplace, of ever-greater danger, and of ever-larger opportunities for those prepared to meet them, educational reform should focus on the goal of creating a Learning Society. At the heart of such a society is the commitment to a set of values and to a system of education that affords all members the opportunity to stretch their minds to full capacity, from early childhood through adulthood, learning more as the world itself changes. Such a society has as a basic foundation the idea that education is important not only because of what it contributes to one's career goals but also because of the value it adds to the general quality of one's life. Also at the heart of the Learning Society are educational opportunities extending far beyond the traditional institutions of learning, our schools and colleges. They extend into homes and workplaces; into libraries, art galleries, museums, and science centers; indeed, into every place where the individual can develop and mature in work and life. In our view, formal schooling in youth is the essential foundation for learning throughout one's life. But without life-long learning, one's skills will become rapidly dated.

In contrast to the ideal of the Learning Society, however, we find that for too many people education means doing the minimum work necessary for the moment, then coasting through life on what may have been learned in its first quarter. But this should not surprise us because we tend to express our educational standards and expectations largely in terms of "minimum requirements." And where there should be a coherent continuum of learning, we have none, but instead an often incoherent, outdated, patchwork quilt. Many individuals, sometimes heroic, examples of schools and colleges of great merit do exist. Our findings and testimony confirm the vitality of a number of notable schools and programs, but their very distinction stands out against a vast mass shaped by tensions and pressures that inhibit systematic academic and vocational achievement for the majority of students. In some metropolitan areas basic literacy has become the goal rather than the starting point. In some colleges maintaining enrollments is of greater day-to-day concern than maintaining rigorous academic standards. And the ideal of academic excellence as the primary goal of schooling seems to be fading across the board in American education.

Thus, we issue this call to all who care about America and its future: to parents and students; to teachers, administrators, and school board members; to colleges and industry; to union members and military leaders; to governors and State legislators; to the President; to members of Congress and other public officials; to members of learned and scientific societies; to the print and electronic media; to concerned citizens everywhere. America is at risk.

We are confident that America can address this risk. If the tasks we set forth are initiated now and our recommendations are fully realized over the next several years, we can expect reform of our Nation's schools, colleges, and universities. This would also reverse the current declining trend—a trend that stems more from weakness of purpose, confusion of vision, underuse of talent, and lack of leadership, than from conditions beyond our control.

The tools at hand

It is our conviction that the essential raw materials needed to reform our educational system are waiting to be mobilized through effective leadership:

The natural abilities of the young that cry out to be developed and the undiminished concern of parents for the well-being of their children;

The commitment of the Nation to high retention rates in schools and colleges and to full access to education for all;

The persistent and authentic American dream that superior performance can raise one's state in life and shape one's own future;

The dedication, against all odds, that keeps teachers serving in schools and colleges, even as the rewards diminish;

Our better understanding of learning and teaching and the implications of this knowledge for school practice, and the numerous examples of local success as a result of superior effort and effective dissemination;

The ingenuity of our policymakers, scientists, State and local educators, and scholars in formulating solutions once problems are better understood;

The traditional belief that paying for education is an investment in ever-renewable human resources that are more durable and flexible than capital plant and equipment, and the availability in this country of sufficient financial means to invest in education;

The equally sound tradition, from the Northwest Ordinance of 1787 until today, that the Federal government should supplement State, local, and other resources to foster key national educational goals; and

The voluntary efforts of individuals, businesses, and parent and civic groups to cooperate in strengthening educational programs.

These raw materials, combined with the unparalleled array of educational organizations in America, offer us the possibility to create a Learning Society, in which public, private, and parochial schools; colleges and universities; vocational and technical schools and institutes; libraries; science centers, museums, and other cultural institutions; and corporate training and retraining programs offer opportunities and choices for all to learn throughout life.

The public's commitment

Of all the tools at hand, the public's support for education is the most powerful. In a message to a National Academy of Sciences meeting in May, 1982, President Reagan commented on this fact when he said:

"This public awareness—and I hope public action—is long overdue. . . . This country was built on American respect for education. . . . Our challenge now is to create a resurgence of that thirst for education that typifies our Nation's history."

The most recent (1982) Gallup Poll of the Public's Attitudes Toward the Public Schools strongly supported a theme heard during our hearings: People are steadfast in their belief that education is the major foundation for the future strength of this country. They even considered education more important than developing the best industrial system or the strongest military force, perhaps because they understood education as the cornerstone of both. They also held that education is "extremely important" to one's future success, and that public education should be the top priority for additional Federal funds. Education occupied first place among 12 funding categories considered in the survey—above health care, welfare, and military defense, with 55 percent selecting public education as one of their first three choices. Very clearly, the public understands the primary importance of education as the foundation for a satisfying life, an enlightened and civil society, a strong economy, and a secure Nation.

At the same time, the public has no patience with undemanding and superfluous high school offerings. In another survey, more than 75 percent of all those questioned believed every student planning to go to college should take 4 years of mathematics, English, history/U.S. government, and science, with more than 50 percent adding 2 years each of a foreign language and economics or business. The public even supports requiring much of this curriculum for students who do not plan to go to college. These standards far exceed the strictest high school graduation requirements of any State today, and they also exceed the admission standards of all but a handful of our most selective colleges and universities.

Another dimension of the public's support offers the prospect of constructive reform. The best term to characterize it may simply be the honorable work "patriotism." Citizens know intuitively what some of the best economists have shown in their research, that education is one of the chief engines of a society's material well-being. They know, too, that education is the common bond of a pluralistic society and helps tie us to other cultures around the globe. Citizens also know in their bones that the safety of the United States depends principally on the wit, skill, and spirit of a self-confident people, today and tomorrow. It is, therefore, essential—especially in a period of long-term decline in educational achievement—for government at all levels to affirm its responsibility for nurturing the Nation's intellectual capital.

And perhaps most important, citizens know and believe that the meaning of America to the rest of the world must be something better than it seems to many today. Americans like to think of this Nation as the preeminent country for generating the great ideas and material benefits for all mankind. The citizen is dismayed at a steady 15-year decline in industrial productivity, as one great American industry after another falls to world competition. The citizen wants the country to act on the behalf, expressed in our hearings and by the large majority in the Gallup Poll, that education should be at the top of the Nation's agenda.

Findings

We conclude that declines in educational performance are in large part the result of disturbing inadequacies in the way the educational process itself is often conducted. The findings that follow, culled from a much more extensive list, reflect four important aspects of the educational process: content, expectations, time, and teaching.

Findings regarding content

By content we mean the very "stuff" of education, the curriculum. Because of our concern about the curriculum, the Commission examined patterns of courses high school students took in 1964–69 compared with course patterns in 1976–81. On the basis of these analyses we conclude:

Secondary school curricula have been homogenized, diluted, and diffused to the point that they no longer have a central purpose. In effect, we have a cafeteria-style curriculum in which the appetizers and desserts can easily be mistaken for the main course. Students have migrated from vocational and college preparatory programs to

"general track" courses in large numbers. The proportion of students taking a general program of study has increased from 12 percent in 1964 to 42 percent in 1979.

This curricular smorgasbord, combined with extensive student choice, explains a great deal about where we find ourselves today. We offer intermediate algebra, but only 31 percent of our recent high school graduates complete it; we offer French I, but only 13 percent complete it; and we offer geography, but only 16 percent complete it. Calculus is available in schools enrolling about 60 percent of all students, but only 6 percent of all students complete it.

Twenty-five percent of the credits earned by general track high school students are in physical and health education, work experience outside the school, remedial English and mathematics, and personal service and development courses, such as training for adulthood and marriage.

Findings regarding expectations

We define expectations in terms of the level of knowledge, abilities, and skills school and college graduates should possess. They also refer to the time, hard work, behavior, self-discipline, and motivation that are essential for high student achievement. Such expectations are expressed to students in several different ways:

by grades, which reflect the degree to which students demonstrate their mastery of subject matter;

through high school and college graduation requirements, which tell students which subjects are most important;

by the presence or absence of rigorous examinations requiring students to demonstrate their mastery of content and skill before receiving a diploma or a degree;

by college admissions requirements, which reinforce high school standards; and

by the difficulty of the subject matter students confront in their texts and assigned readings.

Our analyses in each of these areas indicate notable deficiencies:

The amount of homework for high school seniors has decreased (two-thirds report less than 1 hour a night) and grades have risen as average student achievement has been declining.

In many other industrialized nations, courses in mathematics (other than arithmetic or general mathematics), biology, chemistry, physics, and geography start in grade 6 and are required of all students. The time spent on these subjects, based on class hours, is about three times that spent by even the most science-oriented U.S. students, i.e., those who select 4 years of science and mathematics in secondary school.

A 1980 State-by-State survey of high school diploma requirements reveals that only eight States require high schools to offer foreign language instruction, but none requires students to take the courses. Thirty-five States require only 1 year of mathematics, and 36 require only 1 year of science for a diploma.

In 13 States, 50 percent or more of the units required for high school graduation may be electives chosen by the student. Given this freedom to choose the substance of half or more of their education, many students opt for less demanding personal service courses, such as bachelor living.

"Minimum competency" examinations (now required in 37 States) fall short of what is needed, as the "minimum" tends to become the "maximum," thus lowering educational standards for all.

One-fifth of all 4-year public colleges in the United States must accept every high school graduate within the State regardless of program followed or grades, thereby serving notice to high school students that they can expect to attend college even if they do not follow a demaning course of study in high school or perform well.

About 23 percent of our more selective colleges and universities reported that their general level of selectivity declined during the 1970s, and 29 percent reported reducing the number of specific high school courses required for admission (usually by dropping foreign language requirements, which are now specified as a condition for admission by only one-fifth of our institutions of higher education).

Too few experienced teachers and scholars are involved in writing textbooks. During the past decade or so a large number of texts have been "written down" by their publishers to ever-lower reading levels in response to perceived market demands.

A recent study by Education Products Information Exchange revealed that a majority of students were able to master 80 percent of the material in some of their subject-matter texts before they had even opened the books. Many books do not challenge the students to whom they are assigned.

Expenditures for textbooks and other instructional materials have declined by 50 percent over the past 17 years. While some recommend a level of spending on texts of between 5 and 10 percent of the operating costs of schools, the budgets for basal texts and related materials have been dropping during the past decade and half to only 0.7 percent today.

Findings regarding time

Evidence presented to the Commission demonstrates three disturbing facts about the use that American schools and students make of time: (1) compared to other nations, American students spend much less time on school work; (2) time spent in the classroom and on homework is often used ineffectively; and (3) schools are not doing enough to help students develop either the study skills required to use time well or the willingness to spend more time on school work.

In England and other industrialized countries, it is not unusual for academic high school students to spend 8 hours a day at school, 220 days per year. In the United States, by contrast, the typical school day lasts 6 hours and the school year is 180 days.

In many schools, the time spent learning how to cook an drive counts as much toward a high school diploma as the time spent studying mathematics, English, chemistry, U.S. history, or biology.

A study of the school week in the United States found that some schools provided students only 17 hours of academic instruction during the week, and the average school provided about 22.

A California study of individual classrooms found that because of poor management of classroom time, some elementary students received only one-fifth of the instruction others received in reading comprehension.

In most schools, the teaching of study skills is haphazard and unplanned. Consequently, many students complete high school and enter college without disciplined and systematic study habits.

Findings regarding teaching

The Commission found that not enough of the academically able students are being attracted to teaching; that teacher preparation programs need substantial improvement; that the professional working life of teachers is on the whole unacceptable; and that a serious shortage of teachers exists in key fields.

Too many teachers are being drawn from the bottom quarter of graduating high school and college students.

The teacher preparation curriculum is weighted heavily with courses in "educational methods" at the expense of courses in subjects to be taught. A survey of 1,350 institutions training teachers indicated that 41 percent of the time of elementary school teacher candidates is spent in education courses, which reduces the amount of time available for subject matter courses.

The average salary after 12 years of teaching is only $17,000 per year, and many teachers are required to supplement their income with part-time and summer employment. In addition, individual teachers have little influence in such critical professional decisions as, for example, textbook selection.

Despite widespread publicity about an overpopulation of teachers, severe shortages of certain kinds of teachers exist: in the fields of mathematics, science, and foreign languages; and among specialists in education for gifted and talented, language minority, and handicapped students.

The shortage of teachers in mathematics and science is particularly severe. A 1981 survey of 45 States revealed shortages of mathematics teachers in 43 States, critical shortages of earth sciences teachers in 33 States, and of physics teachers everywhere.

Half of the newly employed mathematics, science, and English teachers are not qualified to teach these subjects; fewer than one-third of U.S. high schools offer physics taught by qualified teachers.

Recommendations

In light of the urgent need for improvement, both immediate and long term, this Commission has agreed on a set of recommendations that the American people can begin to act on now, that can be implemented over the next several years, and that promise lasting reform. The topics are familiar; there is little mystery about what we believe must be done. Many schools, districts, and States are already giving serious and constructive attention to these matters, even though their plans may differ from our recommendations in some details.

We wish to note that we refer to public, private, and parochial schools and colleges alike. All are valuable national resources. Examples of actions similar to those recommended below can be found in each of them.

We must emphasize that the variety of student aspirations, abilities, and preparation requires that appropriate content be available to satisfy diverse needs. Attention must be directed to both the nature of the content available and to the needs of particular learners. The most gifted students, for example, may need a curriculum enriched and accelerated beyond even the needs of other students of high ability. Similarly, educationally disadvantaged students may require special curriculum materials, smaller classes, or individual tutoring to help them master the material presented. Nevertheless, there remains a common expectation: We must demand the best effort and performance from all students, whether

they are gifted or less able, affluent, or disadvantaged, whether destined for college, the farm, or industry.

Our recommendations are based on the beliefs that everyone can learn, that everyone is born with an urge to learn which can be nurtured, that a solid high school education is within reach of virtually all, and that life-long learning will equip people with the skills required for new careers and for citizenship.

Recommendation A: Content

We recommend that State and local high school graduation requirements be strengthened and that, at a minimum, all students seeking a diploma be required to lay the foundations in the Five New Basics by taking the following curriculum during their 4 years of high school: (a) 4 years of English; (b) 3 years of mathematics; (c) 3 years of science; (d) 3 years of social studies; and (e) one-half year of computer science. For the college bound, 2 years of foreign language in high school are strongly recommended in addition to those taken earlier.

Whatever the student's educational or work objectives, knowledge of the New Basics is the foundation of success for the after-school years, and, therefore, forms the core of the modern curriculum. A high level of shared education in these Basics, together with work in the fine and performing arts and foreign languages, constitutes the mind and spirit of our culture. The following Implementing Recommendations are intended as illustrative descriptions. They are included here to clarify what we mean by the essentials of a strong curriculum.

Implementing recommendations

1. The teaching of English in high school should equip graduates to: (a) comprehend, interpret, evaluate, and use what they read; (b) write well-organized, effective papers; (c) listen effectively and discuss ideas intelligently; and (d) know our literary heritage and how it enhances imagination and ethical understanding, and how it relates to the customs, ideas, and values of today's life and culture.

2. The teaching of mathematics in high school should equip graduates to: (a) understand geometric and algebraic concepts; (b) understand elementary probability and statistics; (c) apply mathematics in everyday situations; and (d) estimate, approximate, measure, and test the accuracy of their calculations. In addition to the traditional sequence of studies available for college-bound students, new, equally demanding mathematics curricula need to be developed for those who do not plan to continue their formal education immediately.

3. The teaching of science in high school should provide graduates with an introduction to: (a) the concepts, laws, and processes of the physical and biological sciences; (b) the methods of scientific inquiry and reasoning; (c) the application of scientific knowledge to everyday life; and (d) the social and environmental implications of scientific and technological development. Science courses must be revised and updated for both the college-bound and those not intending to go to college. An example of such work is in the American Chemical Society's "Chemistry in the Community" program.

4. The teaching of social studies in high school should be designed to: (a) enable students to fix their places and possibilities within the larger social and cultural structure; (b) understand the broad sweep of both ancient and contemporary ideas that have shaped our world; (c) understand the fundamentals of how our economic system works and how our political system functions; and (d) grasp the difference between free and repressive societies. An understanding of each of these areas is requisite to the informed and committed exercise of citizenship in our free society.

5. The teaching of computer science in high school should equip graduates to: (a) understand the computer as an information, computation, and communication device; (b) use the computer in the study of the other Basics and for personal and work-related purposes; and (c) understand the world of computers, electronics, and related technologies.

In addition to the New Basics, other important curriculum matters must also be addressed.

6. Achieving proficiency in a foreign language ordinarily requires from 4 to 6 years of study and should, therefore, be started in the elementary grades. We believe it is desirable that students achieve such proficiency because study of a foreign language introduces students to non-English-speaking cultures, heightens awareness and comprehension of one's native tongue, and serves the Nation's needs in commerce, diplomacy, defense, and education.

7. The high school curriculum should also provide students with programs requiring rigorous effort in subjects that advance students' personal, educational, and occupational goals, such as the fine and performing arts and vocational education. These areas complement the New Basics, and they should demand the same level of performance as the Basics.

8. The curriculum in the crucial eight grades leading to the high school years should be specifically designed to provide a sound base for study in those and later years in such areas as English language development and writing, computational and problem solving skills, science, social studies, foreign language, and the arts. These years should foster an enthusiasm for learning and the development of the individual's gifts and talents.

9. We encourage the continuation of efforts by groups such as the American Chemical Society, the American Association for the Advancement of Science, the Modern Language Association, and the National Councils of Teachers of English and Teachers of Mathematics, to revise, update, improve, and make available new and more diverse curricular materials. We applaud the consortia of educators and scientific, industrial, and scholarly societies that cooperate to improve the school curriculum.

Recommendation B: Standards and Expectations

We recommend that schools, colleges, and universities adopt more rigorous and measurable standards, and higher expectations, for academic performance and student conduct, and that 4-year colleges and universities raise their requirements for admission. This will help students do their best educationally with challenging materials in an environment that supports learning and authentic accomplishment.

Implementing recommendations

1. Grades should be indicators of academic achievement so they can be relied on as evidence of a student's readiness for further study.

2. Four-year colleges and universities should raise their admissions requirements and advise all potential applicants of the standards for admission in terms of specific courses required, performance in these areas, and levels of achievement on standardized achievement tests in each of the five Basics and, where applicable, foreign languages.

3. Standardized tests of achievement (not to be confused with aptitude tests) should be administered at major transition points from one level of schooling to another and particularly from high school to college or work. The purposes of these tests would be to: (a) certify the student's credentials; (b) identify the need for remedial intervention; and (c) identify the opportunity for advanced or accelerated work. The tests should be administered as part of a nationwide (but not Federal) system of State and local standardized tests. This system should include other diagnostic procedures that assist teachers and students to evaluate student progress.

4. Textbooks and other tools of learning and teaching should be upgraded and updated to assure more rigorous content. We call upon university scientists, scholars, and members of professional societies, in collaboration with master teachers, to help in this task, as they did in the post-Sputnik era. They should assist willing publishers in developing the products or publish their own alternatives where there are persistent inadequacies.

5. In considering textbooks for adoption, States and school districts should: (a) evaluate texts and other materials on their ability to present rigorous and challenging material clearly; and (b) require publishers to furnish evaluation data on the material's effectiveness.

6. Because no textbook in anyt subject can be geared to the needs of all students, funds should be made available to support text development in "thin-market" areas, such as those for disadvantaged students, the learning disabled, and the gifted and talented.

7. To assure quality, all publishers should furnish evidence of the quality and appropriateness of textbooks, based on results from field trials and credible evaluations. In view of the enormous numbers and varieties of texts available, more widespread consumer information services for purchasers are badly needed.

8. New instructional materials should reflect the most current applications of technology in appropriate curriculum areas, the best scholarship in each discipline, and research in learning and teaching.

Recommendation C: Time

We recommend that significantly more time be devoted to learning the New Basics. This will require more effective use of the existing school day, a longer school day, or a lengthened school year.

Implementing recommendations

1. Students in high schools should be assigned far more homework than is now the case.

2. Instruction in effective study and work skills, which are essential if school and independent time is to be used efficiently, should be introduced in the early grades and continued throughout the student's schooling.

3. School districts and State legislatures should strongly consider 7-hour school days, as well as a 200- to 220-day school year.

4. The time available for learning should be expanded through better classroom management and organization of the school day. If necessary, additional time should be found to meet the special needs of slow learners, the gifted, and others who need

more instructional diversity than can be accommodated during a conventional school day or school year.

5. The burden on teachers for maintaining discipline should be reduced through the development of firm and fair codes of student conduct that are enforced consistently, and by considering alternative classrooms, programs, and schools to meet the needs of continually disruptive students.

6. Attendance policies with clear incentives and sanctions should be used to reduce the amount of time lost through student absenteeism and tardiness.

7. Administrative burdens on the teacher and related intrusions into the school day should be reduced to add time for teaching and learning.

8. Placement and grouping of students, as well as promotion and graduation policies, should be guided by the academic progress of students and their instructional needs, rather than by rigid adherence to age.

Recommendation D: Teaching

This recommendation consists of seven parts. Each is intended to improve the preparation of teachers or to make teaching a more rewarding and respected profession. Each of the seven standards on its own and should not be considered solely as an implementing recommendation.

1. Persons preparing to teach should be required to meet high educational standards, to demonstrate an aptitude for teaching, and to demonstrate competance in an academic discipline. Colleges and universities offering teacher preparation programs should be judged by how well their graduates meet these criteria.

2. Salaries for the teaching profession should be increased and should be professionally competitive, market-sensitive, and performance-based. Salary, promotion, tenure, and retention decisions should be tied to an effective evaluation system that includes peer review so that superior teachers can be rewarded, average ones encouraged, and poor ones either improved or terminated.

3. School boards should adopt an 11-month contract for teachers. This would ensure time for curriculum and professional development, programs for students with special needs, and a more adequate level of teacher compensation.

4. School boards, administrators, and teachers should cooperate to develop career ladders for teachers that distinguish among the beginning instructor, the experienced teacher, and the master teacher.

5. Substantial nonschool personnel resources should be employed to help solve the immediate problem of the shortage of mathematics and science teachers. Qualified individuals including recent graduates with mathematics and science degrees, graduate students, and industrial and retired scientists could, with appropriate preparation, immediately begin teaching in these fields. A number of our leading science centers have the capacity to begin educating and retraining teachers immediately. Other areas of critical teacher need, such as English, must also be addressed.

6. Incentives, such as grants and loans, should be made available to attract outstanding students to the teaching profession, particularly in those areas of critical shortage.

7. Master teachers should be involved in designing teacher preparation programs and in supervising teachers during their probationary years.

Recommendation E: Leadership and Fiscal Support

We recommend that citizens across the Nation hold educators and elected officials responsible for providing the leadership necessary to achieve these reforms, and that citizens provide the fiscal support and stability required to bring about the reforms we propose.

Implementing recommendations

1. Principals and superintendents must play a crucial leadership role in developing school and community support for the reforms we propose, and school boards must provide them with the professional development and other support required to carry out their leadership role effectively. The Commission stresses the distinction between leadership skills involving persuasion, setting goals and developing community consensus behind them, and managerial and supervisory skills. Although the latter are necessary, we believe that school boards must consciously develop leadership skills at the school and district levels if the reforms we propose are to be achieved.

2. State and local officials, including school board members, governors, and legislators, have the primary responsibility for financing and governing the schools, and should incorporate the reforms we propose in their educational policies and fiscal planning.

3. The Federal government, in cooperation with States and localities, should help meet the needs of key groups of students such as the gifted and talented, the socioeconomically disadvantaged, minority and language minority students, and the handicapped. In combination these groups include both national resources and the Nation's youth who are most at risk.

4. In addition, we believe the Federal government's role includes several functions of national consequence that States and localities alone are unlikely to be able to meet: protecting constitutional and civil rights for students and school personnel; collecting data, statistics, and information about education generally; supporting curriculum improvement and research on teaching, learning, and the management of schools; supporting teacher training in areas of critical shortage or key national needs; and providing student financial assistance and research and graduate training. We believe the assistance of the Federal government should be provided with a minimum of administrative burden and intrusiveness.

5. The Federal government has the primary responsibility to indentify the national interest in education. It should also help fund and support effors to protect and promote that interest. It must provide the national leadership to ensure that the Nation's public and private resources are marshaled to address the issues discussed in this report.

6. This Commission calls upon educators, parents, and public officials at all levels to assist in bringing about the educational reform proposed in this report. We also call upon citizens to provide the financial support necessary to accomplish these purposes. Excellence costs. But in the long run mediocrity costs far more.

America can do it

Despite the obstacles and difficulties that inhibit the pursuit of superior educational attainment, we are confident, with history as our guide, that we can meet our goal. The American educational system has responded to previous challenges with remarkable success. In the 19th century our land-grant colleges and universities provided the research and training that developed our Nation's natural resources and the rich agricultural bounty of the American farm. From the late 1800s through mid-20th century, American schools provided the educated workforce needed to seal the success of the Industrial Revolution and to provide the margin of victory in two world wars. In the early part of this century and continuing to this very day, our schools have absorbed vast waves of immigrants and educated them and their children to productive citizenship. Similarly, the Nation's Black colleges have provided opportunity and undergraduate education to the vast majority of college-educated Black Americans.

More recently, our institutions of higher education have provided the scientists and skilled technicians who helped us transcend the boundaries of our planet. In the last 30 years, the schools have been a major vehicle for expanded social opportunity, and now graduate 75 percent of our young people from high school. Indeed, the proportion of Americans of college age enrolled in higher education is nearly twice that of Japan and far exceeds other nations such as France, West Germany, and the Soviet Union. Moreover, when international comparisons were last made a decade ago, the top 9 percent of American students compared favorably in achievement with their peers in other countries.

In addition, many large urban areas in recent years report that average student achievement in elementary schools is improving. More and more schools are also offering advanced placement programs and programs for gifted and talented students, and more and more students are enrolling in them.

We are the inheritors of a past that gives us every reason to believe that we will succeed.

A word to parents and students

The task of assuring the success of our recommendations does not fall to the schools and colleges alone. Obviously, faculty members and administrators, along with policymakers and the mass media, will play a crucial role in the reform of the educational system. But even more important is the role of parents and students, and to them we speak directly.

To parents

You know that you cannot confidently launch your children into today's world unless they are of strong character and well-educated in the use of language, science, and mathematics. They must possess a deep respect for intelligence, achievement, and learning, and the skills needed to use them; for setting goals; and for disciplined work. That respect must be accompanied by an intolerance for the shoddy and second-rate masquerading as "good enough."

You have the right to demand for your children the best our schools and colleges can provide. Your vigilance and your refusal to be satisfied with less than the best are the imperative first step. But your right to a proper education for your children carries a double responsibility. As surely as you are your child's first and most influential teacher, your child's ideas about education and its significance begin with you. You must be a living example of what you expect your children to honor and to emulate. Moreover, you bear a responsibility to participate actively in your child's education. You should encourage more diligent study and discour-

age satisfaction with mediocrity and the attitude that says "let it slide"; monitor your child's study; encourage good study habits; encourage your child to take more demanding rather than less demanding courses; nurture your child's curiosity, creativity, and confidence; and be an active participant in the work of the schools. Above all, exhibit a commitment to continued learning in your own life. Finally, help your children understand that excellence in education cannot be achieved without intellectual and moral integrity coupled with hard work and commitment. Children will look to their parents and teachers as models of such virtues.

To students

You forfeit your chance for life at its fullest when you withhold your best effort in learning. When you give only the minimum to learning, you receive only the minimum in return. Even with your parents' best example and your teachers' best efforts, in the end it is your work that determines how much and how well you learn. When you work to your full capacity, you can hope to attain the knowledge and skills that will enable you to create your future and control your destiny. If you do not, you will have your future thrust upon you by others. Take hold of your life, apply your gifts and talents, work with dedication and self-discipline. Have high expectations for yourself and convert every challenge into an opportunity.

A final word

This is not the first or only commission on education, and some of our findings are surely not new, but old business that now at last must be done. For no one can doubt that the United States is under challenge from many quarters.

Children born today can expect to graduate from high school in the year 2000. We dedicate our report not only to these children, but also to those now in school and others to come. We firmly believe that a movement of America's schools in the direction called for by our recommendations will prepare these children for far more effective lives in a far stronger America.

Our final word, perhaps better characterized as a plea, is that all segments of our population give attention to the implementation of our recommendations. Our present plight did not appear overnight, and the responsibility for our current situation is widespread. Reform of our educational system will take time and unwavering commitment. It will require equally widespread, energetic, and dedicated action. For example, we call upon the National Academy of Sciences, National Academy of Engineering, Institute of Medicine, Science Service, National Science Foundation, Social Science Research Council, American Council of Learned Societies, National Endowment for the Humanities, National Endowment for the Arts, and other scholarly, scientific, and learned societies for their help in this effort. Help should come from students themselves; from parents, teachers, and school boards; from colleges and universities; from local, State, and Federal officials; from teachers' and administrators' organizations; from industrial and labor councils; and from other groups with interest in and responsibility for educational reform.

It is their America, and the America of all of us, that is at risk; it is to each of us that this imperative is addressed. It is by our willingness to take up the challenge, and our resolve to see it through, that America's place in the world will be either secured or forfeited. Americans have succeeded before and so we shall again.

CORNELIUS SCHNEIDER

Mr. MOYNIHAN. Mr. President, I rise today to recognize Cornelius "Cornie" Schneider, national adjutant of the Jewish War Veterans of the U.S.A., who passed away recently. A veteran of the Second World War and a distinguished member of the organization ever since, he will be painfully missed by all who were fortunate enough to know him.

I ask unanimous consent that a press release issued by the Bronx County Council for the Jewish War Veterans, U.S.A. at the time of Mr. Schneider's death be printed in the RECORD in order that it be preserved for his family, friends, and many admirers.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

Everyone who knew him was saddened and shocked when Cornelius "Cornie" Schneider, National Adjutant of the Jewish War Veterans of the U.S.A. suddenly passed away recently. He was well known throughout the County, City, State and Nationally for his efforts on behalf of veterans and those in dire need in every walk of life.

He was a graduate of Bronx P.S. 44, Evander Childs High School and N.Y.U. School of Commerce where he belonged to Alpha Phi Sigma Fraternity. He received his degree in accounting in 1940 and was a member of the student Hall of Fame and Who's Who in Collegiate America.

He served in the U.S. Armed Forces and immediately after being honorably discharged in 1945, "Cornie" joined the Jewish War Veterans to begin a long and distinguished career in the Jewish War Veterans organization. He held the following positions—Commander Ehrlich Levy Post #82, Bronx County Commander, Department of New York Commander, Second Regional National Commander, National Executive Committeeman and his last title was National Adjutant.

His entire life was devoted to the Jewish War Veterans. He was also a member of the American Legion and the Bronx Voiture 40-8. He was a Commander of the Bronx Memorial and Executive Committee which comprises all of the veteran organizations in Bronx County. Through all of this, he still remained Quartermaster of his Post and Bronx County as well as Auditor for Department of New York.

"Cornie" and his wife Jeanette were the first husband and wife team to be Commander of Bronx County Council and President of the Bronx County Ladies Auxiliary at the same time—the first such team in all of New York State.

Politically, he was campaign manager for Joseph Periconi's successful bid for Bronx Borough President and later served as administrative assistant to the Borough President.

Cornie was a member of the Board of Directors of the Violet Park Jewish Center and involved himself in many community activities of interest to Jews and non-Jews alike. During his lifetime he amassed over 300 awards and citations.

He is survived by his wife Jeanette, daughters Susan and Edna, brothers Harold and Bernard, grandson Jason and son-in-law John Gruen.

His friends in and out of the Jewish War Veterans have started a fund in his name for the Jewish Chapel to be built at the West Point Military Academy, a project very dear to his heart. His friends who wish to donate can make checks payable to Bronx County Jewish War Veterans, 851 Grand Concouse, Bronx, N.Y. 10451.

ALASKA STATEHOOD

Mr. STEVENS. Mr. President, I should like to bring to the attention of the Senate that we approach the 25th anniversary of the passage of the Alaska statehood bill in the Senate on June 30, 1958. The battle for Alaska statehood took many years, but by 1958 public awareness of the tremendous natural resources of Alaska's land and its people had increased to a fever pitch. Newspaper editorials and articles urged passage of Alaska's statehood bill and rallied substantial support for our cause.

It was my privilege to serve as assistant to the Secretary and legislative counsel to the Department of Interior under Fred Seaton, the Secretary of Interior, at the time of our statehood fight. Fred Seaton, a former Senator from Nebraska, was an outspoken supporter of Alaska statehood. He made many trips to Alaska, and, in fact, was in Alaska when the House of Representatives passed the statehood bill on May 28, 1958.

Secretary Seaton outlined the facts in favor of statehood for both Alaska and Hawaii in an article which appeared in the Washington Star on March 14, 1958. I ask unanimous consent that this article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

STATEHOOD FOR ALASKA AND HAWAII

(By Fred A. Seaton)

It is a rare privilege to author a guest column for my long-time friend, Thomas L. Stokes, although I genuinely regret the circumstances which give rise to this opportunity to address his thousands of readers.

The subject I'd like to bring to your attention today is the proposal that the Territories of Alaska and Hawaii be granted statehood in the current session of the Congress. The Eisenhower administration is wholeheartedly supporting statehood for both territories, and I very much hope that we can marshal sufficient bipartisan support in the Congress to achieve our objective.

Although the battle for statehood for Alaska and Hawaii has been going on for many years, it does appear that prospects for success are brighter now than they have ever been. There is increased public understanding in the United States of the true facts concerning the two territories and a consequent increased public demand that both be admitted to statehood.

While the decision is one solely within the power of Congress to make, I devoutly hope

the statehood bills will be kept separate so that each of the territories can be judged on its own merits by each member of the Congress.

This year the congressional leadership apparently believes that the case of Alaska should be considered first. While I have no objection to that, I do believe that it is both desirable and fair that the leadership give public assurance that Hawaiian statehood will be brought up for a vote in both houses immediately following consideration of the Alaska bill.

Fear that Alaska would not be considered was one of the considerations which prompted the Senate to vote to join the two bills in 1954. That action tolled the death knell for any hope for statehood in the 83d session of the Congress.

To combine the bills in this session probably would have the same undesirable effect. Yet it is understandable that unless the friends of Hawaiian statehood are assured of consideration for their bill soon after Alaska, history may repeat itself.

In this year's budget message, the President again voiced his complete support for statehood for both territories. In action consistent with the President's request and the platforms of both major political parties, the Department of the Interior has done everything is can to further the cause of statehood for both Alaska and Hawaii. Statehood for either, I firmly believe, should be a nonpartisan subject. Partisanship in this area of debate serves no good purpose; it can only cloud the real issues and hinder constructive efforts to deal with them.

Simple justice demands that both territories be admitted to the Union now.

As for myself, I haven't the slightest concern about who, or which political party, gets the credit for Hawaiian or Alaskan statehood. Whether Republicans or Democrats, the people of both territories are Americans, and they are entitled to full citizenship. I know of nothing in the Constitution of the United States which gives preference to one political party or the other or, more importantly, sets up political party affiliation as a test of fitness for statehood.

Among the valid tests is this one: Do most of the residents of the territory under consideration favor statehood?

The record is crystal clear on this point.

The proposed Alaskan constitution was ratified in 1956 by an overwhelming vote. Moreover, the last three territorial legislatures passed memorials urging statehood.

My own travels in Alaska as Secretary of the Interior have confirmed and strengthened my earlier view, expressed as a member of the United States Senate in 1952, that Alaska is ready for admission to the Union and that the majority of its people earnestly want statehood at the earliest possible moment.

Many of the arguments against the admission of Alaska have a familiar ring. When admission to the Union was sought for my home State of Nebraska in 1867 (the year the United States purchased Seward's so-called Alaskan "icebox" for $7.2 million), objections were made that the Nebraska population was insufficient to support statehood and that the burden of State government was being forced upon the residents of the territory against their will.

If such specious arguments, now raised in the Alaska debate, had been accepted in 1867, one can only imagine in what stage the development of the West—and indeed the United States as a whole—would be today.

The arguments for admission of Hawaii are equally persuasive; the objections are equally time-worn. From the standpoint of population, wealth and economic development, Hawaii has met every test for statehood. Its people have been loyal citizens of the United states for more than half a century.

This is the year to end the long frustration of their hopes. With their fellow Americans in Alaska, they are ready to take on the full rights and responsibilities of citizenship. Both Alaska and Hawaii are more than able to pay their way as full-fledged members of the Union. As never before, we have reason to expect they will soon be able to do so, as citizens of the 49th and 50th American States.

THE NATIONAL DAY OF PRAYER

Mr. THURMOND. Mr. President, today, May 5, 1983, has been proclaimed as the National Day of Prayer, and I can think of no better way for Americans of different faiths to unite as one voice to ask God's continued blessings upon our land.

Prayer is an essential element of this Nation's spiritual health and indeed, a source of great strength for all individuals. God revealed long ago how prayer plays a vital role in the life of a nation and its people. In the Old Testament of the Bible, specifically in Second Chronicles, chapter 7, He said,

> If my people, who are called by my name, shall humble themselves . . . and pray, then will I hear from heaven, I will forgive their sins, and heal their land.

Mr. President, because prayer is such an important activity in the life of a nation and an individual, it is my sincere hope that a constitutional amendment to allow voluntary prayer in public schools will be passed during the 98th Congress. On March 24, 1983, I introduced this proposal, at the request of the administration, and it is now being considered by the Senate Judiciary Committee.

The Founding Fathers understood well the value of prayer. Indeed, they incorporated religious freedoms as a part of America's constitutional and political fabric, recognizing that religion is, and always has been, a vital part of our lives.

For this reason, I strongly support a constitutional amendment to allow voluntary prayer, and I am pleased to recognize the National Day of Prayer. May Americans today, and every day, take time out to seek God's guidance and blessings for their lives and for our land.

A TRIBUTE TO TURNER CATLEDGE, FORMER EXECUTIVE EDITOR OF THE NEW YORK TIMES

Mr. THURMOND. Mr. President, last month, one of the true giants of American journalism, Turner Catledge, passed away at the age of 82. His friends and colleagues greatly mourn his death, and I thought it appropriate that a tribute to this man—who was the first executive editor of the New York Times—be included in the RECORD.

Turner Catledge was a man who commanded and received the respect of his colleagues not only at the Times, but in news organizations throughout the country. Indeed, in my home State of South Carolina, there are those who fondly remember Turner Catledge and his accomplishments in the newspaper industry.

Mr. President, Turner Catledge joined the New York Times as a reporter in 1929 and during his 39 years of service there, he moved up through the ranks to become executive editor and head of news operations for one of the world's most widely circulated publications.

During Mr. Catledge's tenure as executive editor, the Times compiled a proud record of achievement, earning 10 of journalism' most coveted and prestigious awards—the Pulitzer Prize. He is also remembered for revamping the style of the Times, improving its readability and appearance.

Perhaps the most publicized of his achievements, however, was Turner Catledge's battle against "advocacy journalism," that is, editorializing in the news columns. At a time when many reporters considered it their personal responsibility to criticize American foreign policy in Southeast Asia in the news, Turner Catledge clung steadfastly to the ideal that the mission of the news columns of a newspaper were not to change events, just to report them—in other words, restrict advocacy journalism to the editorial page.

Mr. President, so that my colleagues can learn more about the life of this talented and courageous man. I ask unanimous consent that two articles from the New York Times and the Washington Post be printed in the RECORD.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the New York Times, Apr. 28, 1983]

TURNER CATLEDGE

A born storyteller, Turner Catledge would surely start his own remarkable tale, in perfect Mississippi pitch, with his parents: Willie Anna Turner, stalwart protector of family and fierce stoker of its ambition, Lee Johnston Catledge, failure at business but well-read, shrewd student of the courthouse gang. Thus endowed, Turner Catledge traveled from the dust of the Old South to the patina of Washington and New York, charming all in his path and making a profession of curiosity and undertaking.

More narrator than critic, he landed fortuitously among us, where the stock in trade is impartial coverage of the news, and rose to direct that coverage for three publishers. In ways that even insiders could not always see, he was our medium of change—change in the leadership of The Times, the

style of The Times, the scope of The Times. We salute Turner at his death, as we did in life, because all that we are, he decidedly helped us to become.

Conceived a Democrat and reared a progressive, Turner Catledge was also a natural foe of partisanship. People and politics were much too interesting to dismiss with glib judgment; he saw merit in the boss of Memphis and in the rogues of Congress. Maybe the world didn't make good sense, but it made news.

That's why he found The Times so congenial, and its entire family found him the same. Poised between two generations of owners, he held fast to the values of one while he set the pace for the innovations of the next. Make no small plans was his motto; sneak them through was his style.

When hired in 1929, he bought The Times each day to practice "those long, cumbersome sentences." As always, he mastered the system, then set about altering it. "The best newspaper writing is like a letter to a friend," he'd say, "or to a curious but somewhat dumb younger brother." Thus came publisher's prizes for writing; in-house critiques of writing; rapid advancement for writing. He was delighted to take the result while letting associates take much of the credit.

With his sense of story came a sense of history, particularly about the revolution in the South. He also thought New York sophisticates could learn a thing or two about life in the rest of America, and indeed their own neighborhoods. And as television took bulletins away from newspapers, he understood that serious readers would want the story behind the story ("New Analysis") and the people behind it ("Man in the News").

"A reader is informed when he's not surprised," he'd insist. "To the extent that social conflicts arise because people are uninformed, responsibility lies uncomfortably close to our newsrooms." In the office he was a gentle goad, but to all the world he was our fierce protector. And he kept the shrewdest eye on every courthouse gang.

Deceptively simple, sometimes recklessly candid, Turner Catledge practiced a rare combination of perception and compassion. Among the family that guides The Times and all his colleagues, the stories of his journey will never cease. The pain will be no longer to hear him drawl us one better.

[From the Washington Post, Apr. 28, 1983]

TURNER CATLEDGE DIES; EX-EDITOR OF NEW YORK TIMES

NEW ORLEANS.—Turner Catledge, the first executive editor of The New York Times and head of its news operations from the end of the Korean War through most of the Vietnam War, died Wednesday at his home here. He was 82.

Mr. Catledge, a resident of New Orleans since his retirement from The Times on April 30, 1970, suffered a stroke in late February and had been in declining health since.

He joined The Times as a reporter in 1929 and left as a vice president after 39 years of service broken only by a stint on the Chicago Sun as chief correspondent and editor from 1941 to 1943.

During his 19 years as the paper's No. 1 news executive, The Times won 10 Pulitzer Prizes. At the same time, Mr. Catledge said, the paper became "lighter in appearance and more inviting to read."

The worldwide news-gathering army he commanded was about 800 strong and generated as many as 2 million words a day to be pared down to fit about 170,000 words worth of space.

Mr. Catledge, a foe of advocacy journalism that beguiled some young reporters of the Vietnam era, declared in a retirement interview, "We're not God's anointed . . . I think we should put the emphasis on the code of objective, fair reporting of the news."

He broadened The Times' daily fare to include a regular man-in-the-news feature, frequent news analyses and a thrice-weekly local column and encouraged investigative reporting.

"A riot does not begin with a wild, agitational speech in Harlem or a protest march along Beale Street," he said in a speech. "It begins long before [and] among the great causes of these eruptions which we report so diligently are civil indifference and middle-aged nearsightedness."

Mr. Catledge was appointed managing editor in 1951 after the death of Edwin James, and took over a news operation fragmented by what chroniclers have described as jealously guarded little internal empires.

With the publisher's backing, he established his authority as the top figure in the chain of command in news matters and asserted more control over the paper's Washington bureau.

The post of executive editor was created for Mr. Catledge in 1964, when the previously separate Sunday department came under his sway. He was named a vice president and member of the board four years later.

Mr. Catledge was born in Ackerman, Miss. He graduated from Mississippi State University (then Mississippi A&M) and began his career on a weekly newspaper in Mississippi. He spent three years on the Memphis (Tenn.) Commercial Appeal and two years on the Baltimore Sun before joining The Times in 1929.

After five months on the New York staff of The Times, he was assigned to Washington. For the next decade he covered Capitol Hill and the White House.

A courtly man of gentle wit delivered with a slight drawl, Mr. Catledge became a member of Vice President John Nance Garner's "Board of Education." It was a group that met regularly at day's end to "strike a blow for liberty," and its weapon was burbon and branch water.

Mr. Catledge was president of the American Society of Newspaper Editors in 1961 and served on the Pulitzer Prize Advisory Committee. He collaborated with Joseph Alsop in 1938 on "The 168 Days," a book on President Franklin D. Roosevelt's attempt to pack the Supreme Court. His autobiography, "My Life and the Times," was published in 1971.

His marriage to Mildred Turpin Catledge ended in divorce.

Survivors include his wife, the former Abby Ray Izard, and two daughters by his first marriage, Mildred Lee and Ellen Douglas.

VOTING PROCEDURE MONDAY AND TUESDAY

Mr. BAKER. Mr. President, I have consulted with the minority leader on the matter of scheduling for Monday next that I think is highly desirable from the standpoint of convenience and schedules of all Members.

As my colleagues will recall, when we got the unanimous-consent agreement on the immigration bill, it provided several things, but among them was that we would have final passage on Tuesday by not later than 10 p.m. provided that we reach that measure by noon on Monday. We are not going to do that now. we will be on the budget resolution, barring some miracle which I do not now perceive.

Another of the provisions was that votes on Monday would be stacked to occur beginning on Tuesday. Mr. President, I think, based on that order, that a lot of Members have already made plans with the assumption that we were not going to have any votes on Monday. We will be in session on Monday. I think it would be only fair to extend that provision to the Monday situation even though we are going to be on the budget resolution.

So, Mr. President, what I would like to do now is to reiterate the final paragraph of the unanimous-consent request which was granted as to the immigration bill relating to Monday.

Mr. President, I ask unanimous consent that any rollcall votes ordered on the budget resolution or amendments thereto or other measures in respect thereto on Monday, May 9, 1983, be stacked and occur in sequence starting at 2 p.m. on Tuesday, May 10, 1983, that 5 minutes' debate be in order between any such stacked votes, and that the time be equally divided and controlled by the mover of such amendment and the manager of the bill.

Mr. BYRD. Mr. President, reserving the right to object.

Mr. BAKER. Mr. President, the minority leader has privately made to me a suggestion which is a very good one and is a benefit from having a former majority leader as my counterpart on the Democratic side of the aisle. I will say somewhat facetiously that there are many advantages of having my friend as the former majority leader, but one of them is his great wealth of knowledge about procedure and his quick and agile mind on the matters affecting the operation of the Senate.

His suggestion to me was that it might be in order to protect the Senate, to protect the leadership, on votes in respect to compelling the attendance of absent Senators or to establish the presence of a quorum. Of course, he is correct in that respect.

I amend the request to include the proviso that such votes on Monday would be in order but no other votes would be in order.

The PRESIDING OFFICER. Is there objection to the request?

Mr. BYRD. No objection.

The PRESIDING OFFICER. Hearing none, it is so ordered.

Mr. BAKER. Mr. President, I believe at this point time for morning business has expired and under the order previously entered the Senate will resume consideration of Senate Concurrent Resolution 27. For a variety of

reasons that I have discussed also with the minority leader, the Members who had anticipated they would be first up are engaged in other committee activities away from the floor. That had not been anticipated when the schedule was announced late last night, but perhaps I should have anticipated that. Also, the managers of the resolution are not immediately here and available.

Therefore, Mr. President, I would like to propound a unanimous-consent request with the minority leader's approval. I ask unanimous consent, Mr. President, that, after the resolution is laid down and made the pending business, it may be in order for me to suggest the absence of a quorum with the time charged equally against both sides.

Mr. BYRD. Mr. President, I have no objection.

The PRESIDING OFFICER. Without objection, the majority leader's request is agreed to.

FIRST CONCURRENT BUDGET RESOLUTION—FISCAL YEAR 1984

The PRESIDING OFFICER. Under the previous order, the hour of 10:30 a.m. having arrived, the Senate will resume consideration of the pending business Senate Concurrent Resolution 27, which the clerk will state.

The assistant legislative clerk read as follows:

A Senate concurrent resolution (S. Con. Res. 27) revising the congressional budget for the U.S. Government for the fiscal year 1983 and setting forth the congressional budget for the U.S. Government for the fiscal year 1984, 1985, and 1986.

The Senate resumed consideration of the concurrent resolution.

Mr. BAKER. Mr. President, I see that the distinguished chairman of the committee has arrived. I am told that the ranking minority member has almost arrived. I will yield the floor in favor of the manager of the bill, the chairman of the committee.

The PRESIDING OFFICER. Who yields time?

Mr. DOMENICI. Mr. President, I understand the leader asked that if we have a quorum call, it be charged equally to both sides.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. HUDDLESTON. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Who yields time?

Mr. CHILES. I yield such time as the Senator may need to propose an amendment.

AMENDMENT NO. 1233

(Purpose: To add additional funds for the abandoned mine reclamation fund)

Mr. HUDDLESTON. Mr. President, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The amendment will be stated.

The legislative clerk read as follows:

The Senator from Kentucky (Mr. HUDDLESTON) proposes an amendment numbered 1233.

Mr. HUDDLESTON. Mr. President, I ask unanimous consent that further reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

On page 3, increase the figure on line 13 by $250,000,000.

On page 3, increase the figure on line 19 by $250,000,000.

On page 4, increase the figure on line 1 by $250,000,000.

On page 4, increase the figure on line 7 by $250,000,000.

On page 4, increase the figure on line 8 by $250,000,000.

On page 4, increase the figure on line 9 by $250,000,000.

On page 4, increase the figure on line 14 by $250,000,000.

On page 10, increase the figure on line 9 by $250,000,000.

On page 10, increase the figure on line 10 by $250,000,000.

Mr. HUDDLESTON. Mr. President, the amendment that I am offering adds $250 million in budget authority and outlays in fiscal year 1984 to the environmental and natural resources function of Senate Conncurrent Resolution 27, the first concurrent budget resolution.

The purpose of this amendment is to provide the Appropriations Committee adequate funding authority for the abandoned mine reclamation fund. This fund established by the Surface Mining and Reclamation Control Act (P.L. 95-87), derives its revenues from fees charged to coal operators, $0.35 per ton for surface mined coal and $0.15 per ton for underground mined coal. The fund has accumulated approximately $600 million and continues to accumulate with each ton of coal mined.

The fund can be used only for those purposes prescribed in Public Law 95-87, for now reclamation of mine sites abandoned previous to the enactment of the Surface Mining Act.

To date, the Office of Surface Mining has, for a variety of stated reasons, been reluctant to obligate money from the fund. It is my belief that the primary reason money has not been spent is that the Office of Management and Budget has decided to use the accumulating revenues to offset expenditures in other areas, thereby reducing the deficit with this money collected solely for the purposes of Public Law 95-87.

I believe this procedure to be unjust and counterproductive. We have reclamation work which needs to be done. We have idle workers in the Nation's coal fields willing to work on reclamation projects. We have idle machinery capable of performing the work. We have the money to pay for the work. And the States indicate, contrary to the assumptions of the Budget Committee, and assertions by OSM, that they are prepared to contract for significantly more projects in fiscal year 1984.

However, because of budget scorekeeping procedures that make expenditures from the fund count against the deficit as well as against allocations to the subcommittees of the Senate Appropriations Committee, there is resistance to allocating sufficient spending authority.

The very wording of this amendment points up the problem I have encountered in the Appropriations Committee over the last few years in trying to get this money allocated to the States so that reclamation work can begin.

Just as the amendment adds $250 million in spending authority—and this is in $250 million from a dedicated fund of taxes already collected—the amendment must also add $250 million to the deficit.

Believe me, when I try to explain this situation to the man in the street, I get some very puzzled looks.

Now, I say to the distinguished floor manager of the bill and his counterpart on this side of the aisle that as frustrated as I am with this situation, I also understand their concerns regarding further raising of the deficit.

Also, I am keenly aware of their reluctance to, at this time, pursue another course—in all probability a more effective and suitable course—placing the abandoned mine fund in an off-budget type status.

Therefore, I should advise my colleagues that I do not intend to actively pursue this amendment right now.

However, in order to escalate the attention level on this issue just a bit I would like to engage in a brief colloquy with the floor managers of this bill before us, including the distinguished Senator from New Mexico (Mr. DOMENICI).

I should like to have his comment, if he would, as to the problem that we are encountering and the approach that we would seek to make.

Mr. DOMENICI. I thank my good friend from Kentucky for the recognition of the problem that we have today in this budget resolution. Simply put, because the abandoned mine reclamation fund is an appropriated item and even though it is financed by fees levied on coal production and is available solely for the purpose of reclamation, current budget

scorekeeping procedures dictate that the adoption of this amendment would, as he has stated, increase the projected budget deficit by $250 million. This is true notwithstanding the very fine arguments that the Senator has made regarding what he sees as the special nature of the abandoned mine reclamation fund.

Mr. HUDDLESTON. In a recent Interior Appropriations Subcommittee hearing the chairman of that subcommittee, who is also chairman of the Energy Committee of the Senate (Mr. McCLURE) also spoke of the need to address the kind of problem that I have outlined. Although he was sympathetic to these views, Senator McCLURE was compelled during the consideration of the 1983 Interior appropriations bill to lead the effort in cutting back on a $200 million increase that I had gained for the fund in the subcommittee. But as I have indicated, this was necessary because of those two things: One, a limit on budget authority for this item and, two, the argument that further expenditures would increase the deficit as well as force the subcommittee to exceed our 302 allocation. I commend the distinguished Senator from Florida as well as the Senator from New Mexico for the tremendous time and effort they have put on this whole budget process, in particular the budget resolution that we are now considering. I know that there are a good many quirks and bookkeeping problems that we would like to see done some other way that might facilitate the use of funds. I would appreciate any comment the Senator from Florida might have on this subject.

Mr. CHILES. I say to my distinguished friend from Kentucky I know well the time that he has spent on this particular subject. It has been discussed by him at the Appropriations Committee before, and I know of his frustration because the money is sitting there and thus far nothing has happened on that.

I say to my friend that I certainly want to try to see that he is helped. We do have to be concerned at this time in trying to get this underway, but I think that this might well be something in the second resolution we could look at. Of course, we will be able to discuss this and will be discussing it in the Appropriations Committee again.

Mr. HUDDLESTON. I hope that we have that opportunity. I appreciate the fact that both the Senator from Florida and the Senator from New Mexico are willing to take a look at it. One of the things you run into is that the average person, when you start talking about the huge deficits that we have, certainly wants us to do everything possible to reduce those deficits, but he is usually thinking in terms that that deficit is requiring tax money; he is going to have to pay it off.

Mr. CHILES. I think the Senator is right.

Mr. HUDDLESTON. Or his children or grandchildren are going to have to pay it off. But we are talking about a fund that if we spent the total $600 million would not cost the taxpayer another penny. It cannot be used for any other purpose. It has already been collected. It is laying there not drawing interest.

Mr. CHILES. I should point out to the distinguished Senator from Kentucky that there is some additional money in function 300. This is where this money resides, so I think he certainly can discuss this in the Appropriations Committee. I hope to be with him in trying to see where we can assist at that time because of the funds that are in function 300. But I think his point is well taken. When the money is collected for this purpose, when it is held in a trust fund, it just does not make sense to me that the administration will not go forward with what Congress set up and said we must use the money for this purpose. Certainly we continue to see these kinds of accidents occur. It is not something that we are not seeing. We know how important it is that we have safe working places so that we get the coal out of the ground.

Mr. HUDDLESTON. One can make a good argument that if you are not going to spend the money for the purpose for which it was collected, you ought to quit collecting it. Somebody is having to pay it.

Mr. CHILES. I think it is a very good point, but that is not the only trust fund that is handled that way. It is almost a device of administrations, not just this administration, to collect money.

Mr. HUDDLESTON. Which I think just points up maybe the need to review the whole question of the trust funds.

Mr. CHILES. I think it definitely does.

Mr. HUDDLESTON. And see whether or not a bookkeeping change could be made that would allow the funds to be used without reflecting on the budget deficit situation. Now, whether that could ever be done I think is something worth exploring.

Mr. CHILES. I do, however, oppose changing the abandoned mine reclamation fund from an on-budget to an off-budget item.

Mr. HUDDLESTON. I thank the Senator from Florida.

Mr. DOMENICI. I say to my good friend from Kentucky that he has raised some very important issues. I think he knows that this whole process is an evolving process. I will be happy to work with him in trying to seek solutions to the problem he has raised here.

I am a member of the Appropriations Committee, as is the Senator from Kentucky. I will speak with Senator McCLURE about it.

However, with reference to trust fund-type moneys, and this is one, the fact that there are trust fund moneys, be it highway or mine reclamation, does not mean that everything available in the fund is spent.

Mr. HUDDLESTON. I understand that.

Mr. DOMENICI. The budget process does have a crosswalk to appropriations, and this one does require appropriation, that does cause the issue the Senator has raised. It puts the Subcommittee on Appropriations in a position, with an overall ceiling on crosswalk, of having to decide whether they leave money in the trust fund unspent or cut some other programs.

I do not know how to get around that, other than to put all trust funds in a kind of off-budget posture, and I am sure the distinguished Senator from Florida will agree that we cannot do that in a wholesale manner.

Mr. HUDDLESTON. To do it now, money that is already collected and available has to compete with programs that require new taxes or additional taxes or continuing taxes, or it comes directly out of the Treasury.

I appreciate the consideration of both floor managers and their sympathy with the problem we see, and I appreciate the opportunity to work with them in trying to find a satisfactory solution.

Mr. BYRD. Mr. President, I support the amendment of the distinguished Senator from Kentucky (Mr. HUDDLESTON). He is doing a service by focusing attention on the status of the abandoned mine reclamation fund.

For our colleagues who are not conversant with the AML program, the abandoned mine reclamation fund is comprised solely of money paid into the Treasury of the United States by coal operators. The coal producers pay a fee for every ton that they mine—35 cents for surface-mined coal and 15 cents per ton of coal produced in an underground mine—to cover the costs of reclamation at old, abandoned minesites.

The Office of Surface Mining's budget justification document for fiscal year 1984 projects that $230.8 million in reclamation fees will be added to the abandoned mine reclamation fund in 1984, and that even with an appropriation of $218.8 million, the fund will grow to a record balance of $591.8 million by October 1, 1984. My point is that money is being paid into the fund by coal producers faster than Congress is appropriating the funds to the States that need to carry out reclamation projects.

A unique problem with the operation of the AML program is that

moneys allocated by the Office of Surface Mining to be appropriated to the States are counted in the budget as increasing the deficit. This distorts the nature of the fund.

The abandoned mine reclamation fund is made up of money from one source—coal producers—and the fund can be used for only one purpose—to carry out abandoned mine reclamation projects. Similar sole-purpose trust funds set up by Congress are not subject to budget scorekeeping that shows an increase in the deficit when money is appropriated from them. The abandoned mine reclamation fund should not be subject to such procedures.

One result of showing increases in the deficit when moneys are appropriated from the fund is to put pressure on OSM to reduce its request for spending from the fund. OSM officials have testified before the Subcommittee on Interior and Related Agencies, on which I serve, that a State's ability to spend AML funds efficiently should be the measure of the amount that that State receives from the fund. I strongly support that position, and I do not want to see OSM inhibited from requesting a sufficient appropriation from the fund because of budget scorekeeping anomalies.

In the case of West Virginia, the State has a record of efficient operation of its AML program. Senator HUDDLESTON and I added an amendment to the fiscal year 1983 Interior appropriations bill to provide $54 million in additional appropriations for the AML fund. Despite this addition, OSM had been reluctant to allocate some States the funds that they requested.

My State of West Virginia requested $17.8 million for fiscal year 1983 reclamation projects. The Office of Surface Mining was preparing to allocate a lower amount, despite West Virginia's ability to spend the full $17.8 million in an effective manner.

I expressed my concern about the amount of funds OSM planned to make available to West Virginia in a letter, and a telephonic conversation directed to OSM Director James R. Harris. He gave me assurances on Monday, May 2, that OSM was in the process of preparing a request for supplemental appropriations for the AML program. The supplemental request is to be sufficient to bring West Virginia, and other States, up to their requested funding level, after accounting for any fiscal year 1982 funds carried over into this fiscal year.

For these reasons, I support Senator HUDDLESTON's efforts to focus attention on the need for additional funding for the abandoned mine lands program, and for a change in the budget scorekeeping procedure applied to the abandoned mine reclamation fund.

Mr. HUDDLESTON. Mr. President, I ask unanimous consent to withdraw the amendment I have just submitted.

The PRESIDING OFFICER (Mr. PRESSLER). Without objection, it is so ordered.

Mr. DOMENICI. Mr. President, I suggest the absence of a quorum, and I ask unanimous consent that the time be charged equally.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. METZENBAUM. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 1234

(Purpose: To add funds for unemployment compensation)

Mr. METZENBAUM. Mr. President, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The amendment will be stated.

The legislative clerk read as follows:

The Senator from Ohio (Mr. METZENBAUM) proposes an amendment numbered 1234.

Mr. METZENBAUM. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

On page 3, increase the figure on line 12 by $480,000,000.

On page 3, increase the figure on line 13 by $1,070,000,000.

On page 3, increase the figure on line 14 by $1,690,000,000.

On page 3, increase the figure on line 15 by $1,730,000,000.

On page 3, increase the figure on line 18 by $1,000,000,000.

On page 3, increase the figure on line 19 by $2,120,000,000.

On page 3, increase the figure on line 20 by $3,290,000,000.

On page 3, increase the figure on line 21 by $3,490,000,000.

On page 3, increase the figure on line 25 by $1,000,000,000.

On page 4, increase the figure on line 1 by $2,120,000,000.

On page 4, increase the figure on line 2 by $3,290,000,000.

On page 4, increase the figure on line 3 by $3,490,000,000.

On page 4, increase the figure on line 6 by $1,000,000,000.

On page 4, increase the figure on line 7 by $3,120,000,000.

On page 4, increase the figure on line 8 by $6,410,000,000.

On page 4, increase the figure on line 9 by $9,900,000,000.

On page 4, increase the figure on line 13 by $1,000,000,000.

On page 4, increase the figure on line 14 by $2,120,000,000.

On page 4, increase the figure on line 15 by $3,290,000,000.

On page 4, increase the figure on line 16 by $3,490,000,000.

On page 19, increase the figure on line 2 by $450,000,000.

On page 19, increase the figure on line 3 by $970,000,000.

On page 19, increase the figure on line 10 by $900,000,000.

On page 19, increase the figure on line 11 by $1,950,000,000.

On page 19, increase the figure on line 18 by $1,300,000,000.

On page 19, increase the figure on line 19 by $2,900,000,000.

On page 20, increase the figure on line 2 by $1,100,000,000.

On page 20, increase the figure on line 3 by $2,860,000,000.

On page 25, increase the figure on line 6 bu $30,000,000.

On page 25, increase the figure on line 7 by $30,000,000.

On page 25, increase the figure on line 11 by $170,000,000.

On page 25, increase the figure on line 12 by $170,000,000.

On page 25, increase the figure on line 17 by $390,000,000.

On page 25, increase the figure on line 18, by $390,000,000.

On page 25, increase the figure on line 23 by $630,000,000.

On page 25, increase the figure on line 24 by $630,000,000.

On page 28, insert before the period on line 8 a comma and "except that the Senate Committee on Finance and the House Committee on Ways and Means shall not submit recommendations by such date to the Committee on the Budget of their respective Houses unless such recommendations contain provisions to amend the Federal-State Extended Unemployment Compensation Act of 1970 as follows:

(1) by adding at the end of section 203(d) the following new sentence: "With respect to compensation for weeks of unemployment beginning on or after July 1, 1983, and before the first week thereafter which begins in a month following a month for which the national total rate of unemployment (as determined by the Bureau of Labor Statistics) is below 6.6 percent, determinations shall be made under this subsection as if paragraph (1) did not contain subparagraph (A) thereof."; and

(2) in section 203(e)(1)(A), by striking out "individuals filing claims for regular compensation" and inserting in lieu thereof "individuals filing claims for compensation (including regular, extended, and sharable regular compensation)" effective for weeks beginning on or after April 9, 1983.

Mr. METZENBAUM. Mr. President, the amendment I am offering is designed to correct a defective provision of the 1981 reconciliation bill. Unless modified, that provision will have the unintended result of terminating by October 1 the eligibility of 23 States to participate in the extended unemployment benefits program.

My amendment instructs the Finance Committee to modify the appropriate formula in such a manner as to preserve the eligibility of those 23 States and to permit as many as 6 more to qualify for extended benefits.

The source of our problem is a change enacted by the 1981 bill in the insured unemployment rate formula. When you get into this question of the insured unemployment rate, it be-

comes a little technical and sticky, but the fact is that it works out very unfairly to the State with very high unemployment.

The insured unemployment rate is based on the number of persons eligible for unemployment insurance. Since not all unemployed persons are eligible for unemployment insurance, the IUR—the insured unemployment rate—is usually and almost always below the more familiar seasonally adjusted unemployment rate.

Under current law, if a State's insured unemployment rate is 5 percent or more and 120 percent of the average insured unemployment rate in the prior 2 years, it is eligible for extended benefits. At a State's option, it also qualifies for extended benefits if it has an insured unemployment rate of 6 percent.

The 1981 reconciliation bill made two crucial changes that are causing hardship today. First, it said that persons already receiving extended benefits would no longer be counted as unemployed for the purpose of calculating the insured unemployment rate. The effect of this change is to lower the insured unemployment rate of many States. That becomes terribly significant in view of the second change—raising the trigger for extended benefits eligibility from 4 to 5 percent and raising the optional trigger from 5 to 6 percent.

Again, we are getting into an area that is quite confusing, and I think it is important that I explain why this was done.

The 1981 Reconciliation Act really related very directly to supply-side economics, to the concept that the economy was going to turn the corner and that we were supposed to bring about instant movement in our stagnant economy. Unfortunately, that did not occur. But the 1981 Reconciliation Act assumed that supply-side economics would produce a real economic growth rate of 4.2 percent in fiscal 1982 and 5 percent in fiscal year 1983. As a matter of fact, under those projections, unemployment was expected to decline from 7.2 percent in fiscal year 1982 to 6.6 percent in fiscal year 1983.

What really happened? The real economic growth rate in fiscal year 1982 was not 7.2 percent but was minus 1.3 percent. In fiscal year 1983, in the first two quarters, it is running at 0.2 percent, as compared to the projection of 6.6 percent plus.

Unemployment as of March 1983 continues at 10.3 percent.

Mr. President, my colleagues in the Senate, 10.3-percent unemployment in this country is chaotic in some areas. In some areas, it is higher than 10.3 percent, as in my own State. It is creating misery and suffering.

But because of the rosy optimism that was built into Mr. Stockman's 1981 numbers, thousands upon thousands of jobless Americans stand to lose 13 weeks of extended unemployment benefits.

I point out to my colleagues, and I hope that they are listening on their boxes back in their offices, that this is not a problem that is indigenous just to some States. It does not apply only to States in the Northeast and the Midwest. It does not apply only to some States and not to other sectors of the country.

At the present time, the endangered States include the following: Alabama with 16.1 percent; Alaska, 12.5 percent; California, 11.9 percent; Idaho, 13 percent; Illinois, 13.8 percent; Indiana, 13.2 percent, Iowa, 10.8 percent; Louisiana, 11.6 percent; Maine, 10.9 percent; Minnesota, 10.3 percent; Mississippi, 12.4 percent; Montana, 10.6 percent; North Carolina, 10.2 percent; North Dakota, 8.9 percent; Ohio, 14.5 percent; Oregon, 13.1 percent; Rhode Island, 12.1 percent; Utah, 9.9 percent; Vermont, 8.1 percent; Virgin Islands, it is not available; Washington, 12.8 percent; Wisconsin, 12.7 percent; and Wyoming, 10.9 percent.

Mr. President, the budget resolution as it now stands assumes that only four jurisdictions—three States and Puerto Rico—will receive any Federal unemployment benefits at the beginning of fiscal year 1984.

I repeat that: The budget resolution as it now stands assumes that only four jurisdictions—three States and Puerto Rico—will receive any Federal unemployment benefits at the beginning of fiscal year 1984.

Yet the budget assumes that unemployment will remain at 10 percent. The budget says, in other words, that 11.3 million Americans will be out of work and that the Federal Government will provide no assistance.

If you live in my State of Ohio where unemployment is 14.5 percent, you get nothing. If you live in Alabama where it is 16.1 percent, you get nothing. If you live in Alaska where it is 12.5 percent, you get nothing.

Mr. President, this amendment is so fair, reasonable, and logical that I hope it might even be accepted by voice vote. This amendment really has to do with fairness and equity.

This budget does not provide for the 13 weeks of extended benefits that have always been available to States with high unemployment. I do not think there is any willful intent to deny. But the 1981 Reconciliation Act provisions became so tough and were predicated upon such rosy optimism as to what was going to happen to the economy that Congress accepted it. Now it is time for us to meet that challenge and to make the change.

This budget does not provide supplemental benefits of between 8 and 14 week that are now available to the unemployed. It will not be available after October 1.

This budget says to the States, "Take care of your own and do so in the face of across-the-board cuts in Federal support."

To those States that have to borrow from the Federal Government to pay their unemployment benefits, this budget says, "You get even less from the Federal Government," and this comes a little more than 1 month after we insisted that States which borrow reduce their own benefits in order to qualify for relief from pending loan repayments to the Federal Government.

Need I remind you that we just recently passed legislation that said that those States that had borrowings from the Federal Government had to reduce their benefits or increase the taxes on the employers in order to qualify for relief from pending loan repayments to the Federal Government.

My amendment directs the Finance Committee to make two changes in current law. First, it calls for the suspension of the 120-percent requirement until national seasonally adjusted unemployment falls below 6.6 percent, the unemployment rate that Congress anticipated would exist at the beginning of fiscal year 1984 when the higher trigger rates were enacted.

Second, the amendment returns the insured unemployment rate formula to its 1981 form by treating persons receiving extended benefits as unemployed.

Enacting my amendment is tantamount to extending the unemployment benefits program for the rest of this fiscal year and into next year. It brings help where help is most needed, to the States with the highest rates of unemployment.

I believe that we have an obligation to assist millions of Americans who are unemployed for reasons not of their own making.

I hope, therefore, that the Senate will act favorably on this urgently needed amendment.

Let me just point out that in America today, and pretty much across the country, there are people standing in food lines who cannot provide the food to put on the table for their own families, for their children.

In 1976, two-thirds of the 7.6 million unemployed received either regular or extended benefits. In 1982, with an average of over 10 million unemployed, only one-third received benefits. I emphasize in 1976, with 7.6 million unemployed, two-thirds of them received regular or extended benefits. In 1982, with over 10 million unemployed only one-third received benefits.

All I think we are saying here is that this is equitable, this is fair; we should go back at least to the status we had in 1976, and I hope that this amendment will be accepted.

I hope that Members of this body will see fit to recognize its fairness and its equity.

Mr. President, at this point, I ask for the yeas and nays on the amendment.

The PRESIDING OFFICER. Is there a sufficient second?

There is not a sufficient second.

Mr. DOMENICI. We will help get additional Senators later for a sufficient second.

Mr. METZENBAUM. Very good.

Mr. President, I ask unanimous consent to add Senators LEVIN, RIEGLE, and CRANSTON as cosponsors.

The PRESIDING OFFICER. Without objection it is so ordered.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. DOMENICI. Mr. President, let me first say to my good friend from Ohio, Senator DOLE will be here, since this subject matter is within his committee and he is very familiar with it. He, indeed, has other measures that that committee is considering to address these issues, which are much different and less expensive than those suggested by the add-on. Before we vote, we will have the distinguished Senator down here, and I understand he has some other Senators who want to come down, and we are not going to push this to a vote.

I would just like to make some points on the fiscal aspects of this amendment and then yield to my good friend from Kansas.

This amendment would increase the Federal deficit by $13 billion over the next 5 years. The 1981 Budget Reconciliation Act brought a bit more of the budget under the control of Congress and I am very hopeful that we will not today reverse the changes which we worked so hard to get just 2 years ago.

Congress has repeatedly authorized federally-funded benefits for the long-term jobless at a cost of about $4 billion in 1983. In March of this year, we passed an emergency jobs appropriations bill. The budget we have before us provides $6.8 billion in fiscal year 1984 for the Job Training Partnership Act, a major effort to retrain American workers.

Currently, 26 States are triggered on to the extended benefits including the home State of the distinguished author of the amendment, the State of Ohio. That is hardly the result one would expect from a system that is too restrictive.

According to the Department of Labor, the amendment offered by my colleague on the Budget Committee would add benefits for only 15 States, not 28 he has indicated would be added.

Of the 15 States which would be entitled to provide extended benefits to their unemployed workers, at least 8 are already borrowing, and that is borrowing money from the Federal Government to pay for current benefits, including the State of Ohio.

It is my understanding that other approaches for many of the States are far more acceptable than the approach that would be required by the suggested legislation that the distinguished Senator from Ohio seeks to fund. There are better ways to meet the need of the unemployed without further bankruptcy to the States. The Federal supplemental program which is fully federally funded is obviously a better way.

Now, Mr. President, I would like to yield to my friend from Kansas, who seeks to address the issue. I assume he will be here shortly and I suggest the absence of a quorum and charge it to my time.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. DOMENICI. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DOMENICI. I yield whatever time the distinguished Senator from Kansas requires.

Mr. DOLE. Mr. President, I thank the distinguished floor manager. I am sorry I missed the statement of the distinguished Senator from Ohio. I know his amendment is well intentioned. The problem is that the Metzenbaum amendment would undercut all the reforms we made in the unemployment compensation program in 1981.

As I understand it, the 3-year cost would add about $7.7 billion to the deficit. Over 5 years the cost would be over $13 billion. By forcing more States on to the extended benefits program we would also be aggravating the fiscal problems of a number of States that have been hard hit by unemployment.

I met with a number of Governors in Chicago earlier this year on the subject of unemployment. I must say they were not pressing for this unraveling of the reforms we made. They realize such an action would create additional problems for the States as well as for the Federal Government.

The Governors or their representatives did favor extension of the Federal supplemental compensation (FSC) program and changes in the loan reform structure. But there was a general agreement that we should not undo the 1981 reforms in the extended benefit program.

We are advised that under present law and using current economic assumptions the Labor Department estimates that three States, Michigan, Pennsylvania, and West Virginia, and Puerto Rico will certainly be on the extended benefits program October 1, 1983. This number could well be higher. All of these estimates depend on many factors between now and October.

The Senator from Ohio would claim the enactment of his amendment would trigger 28 States on the EB program and I will furnish for the record those States:

Alabama,* Alaska, Arkansas,* California, Idaho,* Illinois,* Indiana,* Iowa,* Kentucky,* Louisiana,* Maine,* Minnesota,* Mississippi, Montana,* Nevada, New Jersey,* North Carolina, Ohio,* Oregon, Rhode Island,* South Carolina,* Tennessee,* Utah,* Vermont,* Virgin Islands,* Washington, Wisconsin,* and Wyoming.

The Department of Labor, however estimates only 11 States would be affected by the Metzenbaum amendment:

Alabama,* Alaska, Arkansas,* Idaho,* Illinois,* Kentucky,* Louisiana,* Mississippi, Ohio,* Oregon, and Washington.

A number of those States including Alabama, Arkansas, Idaho, Illinois, Kentucky, Ohio, and Louisiana, are States with outstanding loans, and I have indicated the other States that might be affected.

The Metzenbaum amendment would roll back an important unemployment compensation reform enacted in the Omnibus Reconciliation Act of 1981, as well as suspend a longstanding provision of Federal law:

First, it would suspend the definition of insured unemployment rate (IUR) which excludes claimants receiving extended benefits from the IUR calculation. This 1981 Reconciliation Act reform has been in effect since that act was signed on August 13, 1981.

Second, the Metzenbaum amendment would suspend the requirement that the IUR be 20 percent higher than that State's IUR during the comparable period in the 2 preceding years.

I know that the budget impact is not the only concern. It is the human impact. I do not quarrel with the Senator from Ohio's concern and I share it. We are working and have been working with the Senator from Ohio—on ways to extend the FSC program. We are also looking at programs to provide health care coverage for unemployed workers where the health insurance has expired. So we are concerned and involved.

However, I would hope that we do not adopt this spending amendment. It would hamper State solvency efforts and plunge many State programs further into a borrowing status. My colleagues from the borrowing States know that these States are now liable for interest payments on loans, and should loans not be repaid in a timely manner that State's employers will lose a portion of the Federal tax credit.

I am aware that reforms from the 1981 Reconciliation Act may cause some States to trigger off the EB pro-

gram while unemployment problems may persist in that State. However, emergency supplemental benefits are available depending on the unemployment level in each State. The Federal supplemental compensation program has been in effect since September 12, 1982.

Already, the FSC program has provided benefits to 2.5 million Americans at a cost of approximately $2.5 billion. By the end of this fiscal year, a total of over 5 million unemployed workers will have received some $5.5 billion in benefits. I would remind my colleagues this is all Federal money.

There is no State money involved. This is $5.5 billion in Federal money. We tried to target the FSC plan providing higher benefits where unemployment is higher. We hope we have been fair in those efforts.

But I would say, finally, this is a budget buster. No doubt about it. Whether it is 3 years at $7.5 billion or $7.4 billion or $7.8 billion or 5 years at $13 billion plus. It seems to this Senator that with all the problems we are having trying to reduce spending around here, with all the problems we are having trying to reduce the deficit, this amendment should be rejected. I know different Senators have different points of view on how that should be done.

We are going to have to face up to extending unemployment benefits in certain areas. I discussed this with Senator LEVIN and I know the Senator from Ohio is interested in that. We are trying to work out a colloquy where we would indicate that when that decision is made we will have the cooperation of the chairman of the Budget Committee and the chairman of the Finance Committee in securing a waiver. So we are addressing that area.

I would hope that we might reject this amendment.

Mr. METZENBAUM addressed the Chair.

The PRESIDING OFFICER. The Senator from Ohio.

Mr. METZENBAUM. Mr. President, I appreciate the comments of my good friend from Kansas. I would like to point out to him that this is not a new subject for the Senate. On August 5, 1982, we passed a sense of the Senate resolution as an amendment to the debt ceiling instructing the TEFRA tax conferees to include Federal Supplemental compensation and extended benefits. That was passed by a vote of 84 to 13.

I am very proud of the fact that cosponsors of that sense of the Senate amendment to the debt ceiling resolution included Senators SCHMITT, DIXON, LUGAR, BYRD, CHAFEE, KENNEDY, HEINZ, RIEGLE, PACKWOOD, LEVIN, DURENBERGER, DECONCINI, SPECTER, CANNON, PERCY, MATSUNAGA, RANDOLPH, PELL, HUDDLESTON, SARBANES, DANFORTH, DOMENICI, DOLE, and BAKER.

Now, in all fairness, the Senator from Kansas, as chairman of the conferees for the Senate, went to the conference and was successful in bringing back an amendment taking care of the problem with respect to Federal supplemental compensation, but the question of extended benefits reform was not covered. And I remember saying at that time on the floor of the Senate that I appreciated the efforts of the Senator from Kansas in taking care of the problem of the Federal supplemental compensation but regretted the fact the problem having to do with extended benefits, which was a part of our—yours and mine and Senator DOMENICI's—instruction, was not covered in that particular conference committee report.

I note the distinguished chairman of the Budget Committee has just returned to the floor and I just want to say I mentioned his name as being one of the cosponsors of the sense of the Senate amendment to the debt ceiling which was to instruct the TEFRA tax conferees to direct their attention to the problem of extended benefits and the problem of supplemental compensation. That supplemental compensation was satisfactorily resolved, or at least major moves were made in that direction, but the extended benefits problem was not actually resolved.

My friend, the chairman of the Budget Committee, Senator DOMENICI, and I may differ as to the merits of a proposal, but we should not differ with respect to the facts.

As I understood the distinguished Senator from Kansas, the chairman of the Finance Committee, he used the same figures that I used as far as the Department of Labor statistics are concerned, and that is that only 4 States will be triggered or will be obtaining extended benefits as of the end of fiscal year 1983, that is, as of October 1, 1983, those being Michigan, Pennsylvania, Puerto Rico, and West Virginia, and that 23 States will actually be off and very much in need.

I have a list in my hand—and I am certain that the Senator from New Mexico and the Senator from Kansas has it, we all have the same list—and I have represented to the Senate that 23 States would be triggered off as of October 1, 1983. And, as I just said, the Senator from Kansas confirmed that fact, as I thought I heard him say. The Senator from New Mexico said only 15 States could be affected.

I would suggest to the Senator from New Mexico that one of us is either right or wrong with respect to the facts. I am not looking for a confrontation but rather for clarification. I think it might be helpful if my staff and the Senator's staff were able to resolve the question as to whether indeed it is 15 or 23 States that would be triggered off as of October 1. I think we are dealing with a factual question.

Mr. DOMENICI. If the distinguished Senator would yield on my time, I think we are both right; 23 are triggered off but only 15 are triggered back on by yours. So I think we are both right.

Mr. METZENBAUM. It is my understanding, also, and again a factual question, my staff advises me that 29 will be triggered back on with our amendment and the Senator has indicated 15. Again, I think it would be helpful if we could get that matter clarified because again that has to be a factual question rather than an opinion.

Mr. DOLE addressed the Chair.

Mr. DOMENICI. Mr. President, I yield whatever time the Senator from Kansas desires.

Mr. DOLE. Mr. President, I mentioned earlier the impact on borrowing from the States. I want to make clear now that the extended benefits program is financed half from Federal unemployment tax receipts and half from State unemployment payroll taxes. So if, in fact, this amendment were adopted, we would impose a substantial burden on the States. In fact, the $7 billion borrowing by the States would have to increase. Some 30 States will find it necessary to borrow over $7 billion from the Federal Treasury this year to pay benefits under the regular and the EB programs according to the Department of Labor.

Making it easier to trigger on the EB program will simply increase the solvency problems of the States leading to even more borrowing. I think my colleagues will recall that interest of up to 10 percent is now being charged on these loans. This interest liability will reach nearly a half-billion dollars in fiscal year 1983 and over $1 billion in 1984.

Because States are not permitted to use unemployment tax revenue to pay the interest charges, those funds must be either diverted from other State programs or raised through new State taxes. This is a burden we should not force on the States.

The Senator's amendment would force these borrowing States to go deeper into debt by requiring extended benefits to be paid. Take Ohio, for example. As of March 31, 1983, Ohio had outstanding loans from the Federal Treasury of some $2 billion. Ohio must take substantial action to restore solvency to its State UC program. Otherwise, on September 30, 1983, Ohio will owe interest payments of an estimated $75 million. Loans to Ohio in fiscal year 1984 may total over $1 billion—without the increase which would occur if we adopt this amendment.

The State budget impact of this amendment must not be ignored. Of

the 28 States, or whatever number may be affected by this proposal, about 20 have outstanding loans and may be expected to continue borrowing. And I assume that some of those that are not borrowing will have to borrow in fiscal year 1984.

It just seems to me that at a time when we are trying to encourage States to tighten up their programs and be less dependent on Federal borrowing, we should not require increased spending.

I appreciate the Senator's comments with reference to the resolution which I did support. But the record will also show, even though we did not accomplish everything in that little resolution, we have since that time extended FSC programs on two occasions at a substantial cost. We also increased the individual entitlement duration.

Again, I would assure the Senator from Ohio that we are not unmindful of the concerns of the unemployed. We are sensitive to their needs. We hope we have been responsive.

We just cannot afford this amendment even if it were good policy. Since it is bad policy we cannot afford it whatever the cost.

Mr. DIXON. Mr. President, I join my colleague from Ohio in support of this amendment. It is yet another attempt to address the problems which have resulted from changes in the unemployment insurance system, implemented last September.

My State of Illinois currently suffers an unemployment rate of 12.2 percent. We are fourth highest among the 10 large States and have 692,000 people out of work. Our insured unemployment rate is 6.47 percent. This entitles the State to pay extended benefits, by virtue of the qualification that a State have an insured rate of 6 percent. There is another qualification, effective in most States, that extended benefits may be paid if a State has an insured rate of 5 percent, so long as it is 120 percent higher than the previous 2 years. Our rate is currently 124 percent higher, but it has been going down for the past month, and we will trigger off some time between July and October of this year.

There are 24 States currently eligible to pay extended benefits. The problem lies in the rest of this calendar year, when the administration estimates only four States will remain on extended benefits.

As you all know, the extended benefits program is the second tier of unemployment compensation. It is a 13-week program, paid jointly by the States and Federal Government. It follows the regular benefits program.

The amendment being offered today would change the qualifications for this program, which were made more stringent in 1982. I introduced similar legislation last August, in S. 2802.

It makes little sense for States with very high total unemployment rates to be ineligible to pay extended benefits, yet that is precisely what will occur without a change.

The method of calculating the insured unemployment rate no longer includes those individuals receiving extended benefits. It only includes those on the first 26 weeks of benefits.

Therefore the rate bears little or no resemblance to the actual level of unemployment a State suffers. We saw a similar occurrence last December, when the national unemployment rate was the highest in recent memory, 10.8 percent. At that time only 12 States were paying extended benefits, due to the method of calculating eligibility.

What do we tell the unemployed worker in Illinois, Michigan, Pennsylvania, or Ohio when he comes to us and asks why he is only eligible for 26 weeks of benefits? That person is not looking for statistical answers, he is looking for a way to put food on the table, for a way to pay the mortgage. These are not luxuries, they are necessities. And, without the changes we hope to enact, without the hope of finding work, these basic needs will not be met.

There has been a great deal of talk about a recovery. Well, I hope that it is here, but even if it is, the industrial States of this great Nation will not be in a position to see a level of full employment, or even a less devastating level of unemployment, for quite some time to come. All economists agree that unemployment is the last economic indicator to improve.

The provisions of this amendment would include extended benefits recipients in the calculation of the insured unemployment rate. It would also suspend the 120-percent rule until the national level of unemployment falls below 6.6 percent, thereby qualifying a State for extended benefits with an insured rate of 5 percent.

I urge my colleagues to consider the consequences if we do not make this change. If the administration is correct and only four States will be paying these benefits by the end of the year, people will want to know why we could not help them.

I am thankful that we were able to extend the Federal supplemental compensation program for an additional 6 months. That allows individuals to receive benefits beyond the regular 26 week program. But, if that program expires September 30, 1983, and a State no longer qualifies for extended benefits, which 46 States will not, then we are back to paying 26 weeks of benefits in a time when we must do more.

It is unfortunate that we must continue to deal with this dilemma in a piecemeal fashion. The system is patched up when an emergency situation exists. There are many of us who would like to see that changed. The unemployment insurance system is in great need of attention. It should be able to respond to critical times and to times when our Nation is prosperous and our people are working. It does not do that now.

This is another attempt at making some needed repairs in a safety net that is full of holes. Perhaps the time will come when we can put forth the conscientious effort necessary to weave a new net which will more adequately address the needs of the people we were sent here to serve.

I urge the adoption of this amendment.

Mr. RIEGLE. Mr. President, I rise as a cosponsor of the amendment offered by the Senator from Ohio. It allows for changes in the eligibility requirements of the extended benefit (EB) program to reflect more accurately a State's need to pay extended benefits.

Unemployment benefits have proven essential for the survival of the millions of unemployed Americans who have suffered through this recession. Sadly, their numbers have not decreased significantly. Over 11 million people remained unemployed across the Nation in March. The March unemployment rate of 10.3 percent, however, did not include another 1.8 million unemployed who were estimated to be discouraged workers—those individuals who had dropped out of the labor force because they believe that a job search is futile. Unemployed in my own State of Michigan remain frustrated and desperate because of the lack of jobs. The number of Michigan unemployed in March swelled to 720,000, resulting in an unemployment rate of 17 percent.

Despite the highest levels of unemployment in decades, assistance in the form of unemployment benefits reaches a significantly smaller percentage of unemployed today. While 81 percent of the unemployed qualified for assistance in April 1975, only 50 percent qualified in March. Much of this decrease reflects this administration's preoccupation with budget slashing at the expense of the unemployed. This slashing occurred primarily in the Budget Reconciliation Act of 1981, which made severe cuts in the unemployment insurance program by tightening eligibility requirements. We were told then that such changes were necessary to balance the budget and to reflect the lower unemployment rate that the administration predicted. The past 2 years, which have provided us with the highest budget deficit in history and the highest unemployment in decades, have made a mockery of this justification.

Consequently, it is time that we acted to undo some of those changes enacted in 1981. The Metzenbaum amendments calls for the Senate Fi-

nance Committee to do just that. It would allow that committee to make two changes in the EB program's eligibility requirements. These changes will reflect more accurately a State's need to pay extended benefits.

This amendment would allow the Finance Committee to change the IUR calculation so as to include individuals receiving regular or extended benefits. The IUR included both groups of individuals until 1981, when the Reconciliation Act dropped individuals receiving extended benefits from that calculation. Exclusion of these individuals from the IUR makes no sense. The unemployed worker who qualifies for extended benefits suffers the same predicament as the unemployed person who receives regular benefits: both are unemployed. Since both qualify for unemployment benefits, the IUR should not make a distinction between the two.

Exclusion of those individuals receiving extended benefits distorts the true unemployment picture. For example, if a State has been in a continuing recession and a large percentage of its unemployed cannot find jobs after 26 weeks when their regular benefits expire, the exclusion of these individuals will cause the IUR to drop. A falling IUR should indicate an improved economic situation in the State. In fact, that State's economic situation has not improved at all. Indeed, the IUR has ceased to act as an accurate barometer of unemployment. This is why my own State of Michigan triggered off the EB program in November 1981, despite having the highest unemployment rate in the Nation. This is why an enormous gap now exists between the regular unemployment rate and the IUR. That gap has grown from 0.8 percent in 1950 to 5.8 percent in March of this year. That gap was ever more prominent in Michigan. While Michigan's unemployment rate in March was 17 percent, its IUR averaged out to approximately 7.65 percent. Including EB recipients in the IUR calculation will help to restore some meaning to the IUR as a barometer of a State's economic situation.

The Metzenbaum amendment also allows for a change in the EB program's trigger rates. Current law permits a State to trigger on to the EB program if: First, its IUR equals or exceeds 5 percent and is at least 120 percent of the average IUR in the prior 2 years; or second, its IUR equals or exceeds 6 percent and the State has chosen to pay the benefits. Prior to the 1981 Budget Reconciliation Act, these trigger rates were 4 percent and 5 percent respectively. This amendment would allow for the suspension of the 120-percent requirement until the national seasonally adjusted unemployment rate drops below 6.6 percent. The administration forecast this 6.6-percent unemployment rate for fiscal year 1984 when the higher trigger rates were enacted.

Suspension of the 120-percent requirement will permit a more accurate reflection of a State's need to pay extended benefits. Requiring a State's IUR to exceed its average IUR of the prior 2 years poses an insurmountable burden for States with persistently high unemployment. Moreover, the fact that Michigan has not met this 120-percent requirement at any point this year does not reflect an improving unemployment situation. Rather, it reflects an increasing number of unemployed who have exhausted their regular benefits and who therefore are no longer included in the IUR. Combined with the increase in trigger rates, the 120-percent factor represents an unrealistic eligibility requirement that unfairly burdens States with persistently high unemployment rates.

Mr. President, this amendment allows for changes that will prevent many States from triggering off the EB program. Most importantly, it allows for changes that will reflect more accurately a State's eligibility for the EB program. Consequently, I hope that my colleagues will support it.

Mr. DOMENICI. Mr. President, I have told the distinguished Senator from Ohio it is my intention to move to table, if the distinguished Senator from Kansas has nothing further.

Mr. President, I move to table the Metzenbaum amendment and ask for the yeas and nays.

I yield back the remainder of my time.

Mr. METZENBAUM. I yield back the remainder of my time.

Mr. DOMENICI. I ask for the yeas and nays on my motion to table.

The PRESIDING OFFICER. Is there a sufficient second? There is a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from New Mexico. The yeas and nays have been ordered and the clerk will call the roll.

The bill clerk called the roll.

Mr. STEVENS. I announce that the Senator from Alabama (Mr. DENTON) is necessarily absent.

I further announce that, if present and voting, the Senator from Alabama (Mr. DENTON) would vote "yea."

Mr. CRANSTON. I announce that the Senator from Connecticut (Mr. DODD) and the Senator from Hawaii (Mr. MATSUNAGA) are necessarily absent.

The PRESIDING OFFICER (Mr. HUMPHREY). Are there any other Senators in the Chamber wishing to vote?

The result was announced—yeas 63, nays 34, as follows:

[Rollcall Vote No. 71 Leg.]

YEAS—63

Abdnor	Garn	Nickles
Andrews	Goldwater	Nunn
Armstrong	Gorton	Packwood
Baker	Grassley	Percy
Baucus	Hatch	Pressler
Bentsen	Hatfield	Quayle
Bingaman	Hawkins	Roth
Boren	Hecht	Rudman
Boschwitz	Heinz	Simpson
Chafee	Helms	Specter
Chiles	Humphrey	Stafford
Cochran	Jepsen	Stevens
Cohen	Johnston	Symms
D'Amato	Kassebaum	Thurmond
Danforth	Kasten	Tower
DeConcini	Laxalt	Trible
Dole	Long	Wallop
Domenici	Lugar	Warner
Durenberger	Mattingly	Weicker
East	McClure	Wilson
Exon	Murkowski	Zorinsky

NAYS—34

Biden	Hollings	Moynihan
Bradley	Huddleston	Pell
Bumpers	Inouye	Proxmire
Burdick	Jackson	Pryor
Byrd	Kennedy	Randolph
Cranston	Lautenberg	Riegle
Dixon	Leahy	Sarbanes
Eagleton	Levin	Sasser
Ford	Mathias	Stennis
Glenn	Melcher	Tsongas
Hart	Metzenbaum	
Heflin	Mitchell	

NOT VOTING—3

Denton	Dodd	Matsunaga

So the motion to lay on the table amendment No. 1234 was agreed to.

Mr. DOMENICI. Mr. President, I move to reconsider the vote by which the motion was agreed to.

Mr. GOLDWATER. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The Senator from New Mexico is recognized.

Mr. DOMENICI. Mr. President, I understand that the distinguished Senator from Kansas will now offer an amendment with reference to the subject of health care for the unemployed, and I will yield the floor at this time.

Mr. DOLE addressed the Chair.

The PRESIDING OFFICER. The Senator from Kansas is recognized.

AMENDMENT NO. 1235

(Purpose: To add additional funds for health care assistance for the unemployed)

Mr. DOLE. Mr. President, I am shortly going to send an amendment to the desk for myself and the Senator from Minnesota (Mr. DURENBERGER) and both Senators from Pennsylvania, Senator HEINZ and Senator SPECTER, and the distinguished Senator from Rhode Island (Mr. CHAFEE), the distinguished Senator from Alaska (Mr. STEVENS), and I think perhaps Senator BRADLEY and others may want to join.

What we propose to do is to make provisions for health care benefits for the unemployed but also to indicate in our amendment that we will find the revenue to pay for such benefits.

We are not suggesting precisely how that may be done. It seems to me that if, in fact, we are going to provide health care for any unemployed workers, we must move responsibly and tell our colleagues and others who have an interest in this area that we are not only going to offer an amendment to do that, but we are also willing to find the revenues to pay for it

Mr. President, I should like to add the distinguished Senator from New York (Mr. MOYNIHAN) as a cosponsor, and I will check with Senator BRADLEY, but I know there are other Members on both sides who may want to participate in the debate and cosponsor the amendment.

Mr. President, we will be going into conference with the House on this general concept of providing health care asssistance for the unemployed. I believe there ought to be some room for negotiation. The House has already decided to spend $2.7 billion per year on an entitlement program to provide health benefits for the unemployed. I believe we ought to go to these negotiations with a realistic and a conservative figure. These entitlement programs tend to far outstrip the cost estimation.

We do not have any idea what the House provision might finally cost, so what we are proposing is a program of about $1.8 billion over a 3-year period: $200 million in fiscal 1983, $900 million in 1984, and $700 million in 1985. Our approach to this problem should reflect the need for——

The PRESIDING OFFICER. Will the Senator suspend? Does the Senator wish to send an amendment to the desk?

Mr. DOLE. Yes; I am now prepared to send the amendment to the desk.

The PRESIDING OFFICER. The amendment will be stated.

The bill clerk read as follows:

The Senator from Kansas (Mr. DOLE), for himself, Mr. DURENBERGER, Mr. HEINZ, Mr. SPECTER, Mr. CHAFEE, Mr. STEVENS, and Mr. MOYNIHAN, proposes an amendment numbered 1235.

The amendment is as follows:

On page 3, line 12, increase the figure by $255,000,000.

On page 3, line 13, increase the figure by $900,000,000.

On page 3, line 14, increase the figure by $675,000,000.

On page 3, line 18, increase the figure by $225,000,000.

On page 3, line 19, increase the figure by $900,000,000.

On page 3, line 20, increase the figure by $675,000,000.

On page 2, line 8, increase the figure by $225,000,000.

On page 2, line 9, increase the figure by $900,000,000.

On page 2, line 10, increase the figure by $675,000,000.

On page 2, line 14, increase the figure by $225,000,000.

On page 2, line 15, increase the figure by $1,125,000,000.

On page 2, line 16, increase the figure by $1,800,000,000.

On page 17, line 1, increase the figure by $225,000,000.

On page 17, line 2, increase the figure by $225,000,000.

On page 17, line 8, increase the figure by $900,000,000.

On page 17, line 9, increase the figure by $900,000,000.

On page 17, line 15, increase the figure by $675,000,000.

On page 17, line 16, increase the figure by $675,000,000.

Mr. DOMENICI. Mr. President, I ask unanimous consent that the time that the Senator has consumed in explaining the amendment be taken from the bill and not from the time on the amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DOLE. I appreciate the action by the distinguished chairman of the Budget Committee.

Mr. President, providing health benefits for the unemployed means replacing coverage workers lost due to their involuntary unemployment. It does not mean national health insurance. It does not mean covering everyone who is without a job. We want to make that clear.

We are concerned about those who have involuntarily lost their jobs, those who are willing to go back to work, although there is no work to go back to. Many of these workers, whether men or women, have children. It seems to us that there is a need that should be met.

Obviously, we cannot take care of every concern or every person who may be out of work. Unfortunately, I think that may be the effort made on the House side, with a very expensive $2.7 billion program each year for a 3-year period. As indicated, ours would be a total of about $1.8 billion over a 3-year period, and in my view it is an appropriate way to proceed.

There are about 11.4 million unemployed Americans at this time. Not all those Americans have lost health care coverage because of their unemployed status. Almost 1 million voluntarily left their jobs. About 3.7 million more of the 11.4 million may be unemployed for reasons other than losing their jobs.

It seems to me we are talking about possibly 7 million workers; but again I stress that we must take a responsible approach, and I believe that ours is a responsible approach.

Obviously, we cannot provide unlimited or even emergency-type health benefits for everyone. Some money must come from the States, some coverage must be and will be available under medicaid, and some will be provided by private insurance. Some must continue to be provided without cost to any Government agency through physicians, hospitals, and others who I think have been doing an outstanding job. In fact, we had testimony from physicians that more than 70 percent of the physicians in this country have been providing free care, working in clinics and otherwise making an effort to assist those without employment.

We are also advised by the American Hospital Association and the Federation of American Hospitals that hospitals are making an effort to provide low-cost care, and this has been extremely helpful to many people who are out of work.

Mr. President, I am prepared to yield to the distinguished Senator from Minnesota and other cosponsors of the amendment.

Mr. DURENBERGER. Mr. President, I thank the chairman of the Finance Committee for encouraging us to bring up this matter. I know that this matter has been discussed in the Budget Committee, and Members on both sides of the aisle have demonstrated a great deal of concern for a problem which is not necessarily unique in this country—it has existed for a long time—but its prevalence in light of the recession is something that, in effect, cries out for some solution.

I wish to add a couple of observations about the proposal.

One is to clarify, from my standpoint, what our objectives are in suggesting the need for legislation, and that is to identify those people in this country who lie between all the persons on one hand who are currently employed and receiving insurance through that employment arrangement, or those who are self-employed and purchasing insurance, or persons who are not employed but are purchasing individual health insurance policies, and those retired persons, about 29 million of the 36 million people over 65 in this country, who are participating in the medicare program. All those people are on one side of this equation.

On the other side, we have a system in this country which provides for certain persons who qualify, by reason of the family situation and income status, for the medicaid program.

We also have a tradition in this country that is nearly as old as the country, of providing, through a charity hospital system, for persons who do not have any other means of access to hospital care or doctor care.

One of the phenomena occurring now is that public hospitals all over the country are seeing a lot more people than before and that taxpayers in counties or other local government areas all over the country are picking up a much greater burden of this cost.

As the chairman of the Finance Committee indicated, there is another category of charity out there, and that is the Federal providers, who have traditionally stepped into the gaps be-

tween people's ability to pay and their health needs. They are stepping in and filling those gaps partially.

However, one of the observations that doctors and hospitals have made to us in the hearings held by the Finance Committee, is that people come to them only when they absolutely have to—after the appendix has burst, so to speak, rather than when they first feel the pain.

One of the deep concerns we all have is that there are a lot of people not receiving care at a time when they should be receiving care. They are waiting until it is too late. There is not much that charity can do about that sort of thing, and it is actually costing us more in health care dollars than it should.

So between those two areas you will find nationally about 5.3 million or 5.5 million persons who are unemployed but are entitled to some sort of unemployment compensation. If you include their families—their nonworking spouses and their children—the number goes up to approximately 11 million.

Those are the people we are trying to provide for. We are trying to provide in at least two or three different ways: One, start the process of changing employment-based insurance contracts so that, to a degree, working people will be bearing part of the cost of those who are temporarily out of work.

So the legislation we have been looking at, and which is contemplated by what the chairman has in this amendment, would contemplate changes in the private insurance contracts to cover some of those people.

Second, the States already have the right, if they want to exercise it, to set up programs in which part of the unemployment compensation payment is used to purchase insurance policies. But there is no limitation on that right, so most States have not even started the process.

What the proposal we are considering would do, in effect, would be to encourage the States to go ahead with State-based programs, put a limit across this country on how much of the unemployment compensation check would be used to buy insurance; and the limit we have been talking about is 8 percent of the weekly unemployment compensation payment.

We would permit the States to also impose cost sharing up to a limit.

So I think it is very appropriate that this issue is raised. This amendment encapsulates the concerns of many people on both sides of the aisle who care about health care needs of the unemployed, and I urge my colleagues to support this amendment.

Mr. HEINZ. Mr. President, I am pleased to join with Senator DOLE, Senator DURENBERGER, Senator SPECTER, and others in offering this amendment.

As my colleagues know, a number of us have been working for 4 months to find a way to alleviate the burden on the unemployed of the high cost of health insurance purchased at individual rates, or spending down to meet the asset test for medicaid eligibility. We have been looking for a pragmatic solution which would bridge this gap. In the worst of cases, we have heard testimony from witnesses such as Tom Samek, an unemployed coal miner from Crucible, Pa., before the Finance Committee; he cannot afford health insurance, and is still faced with a hospital bill of almost $6,000 for the delivery of his third child. He has exhausted all sources of income, including his unemployment compensation. If Tom Samek or any member of his family needs medical care next week, a choice must be made. He must either go with health care, or wait, hoping his problem or his family's health problems, whatever they may be, will go away. Given the high cost of medical care services, a person might have to choose between his health and whether or not his family has food on the table and a roof over their heads. Clearly, this problem must be addressed.

Mr. President, the amendment we are offering will provide room in the budget for $1.8 billion over the next 2½ fiscal years to fund an emergency program for health benefits for the unemployed and their families. Essentially, this amounts to $900 million for the operation of a 2-year program, which will in effect be a flexible kind of block grant to the States.

The amendment is not only responsible in that it meets the test of flexibility; each State will have the option of helping those individuals most in need in the most appropriate way. It also meets the test of fiscal responsibility because the amendment commits the Finance Committee to raise sufficient revenues to offset any net budgetary cost to this amendment.

I should like, Mr. President, only to reflect on some of the testimony that we have heard before two committees of the Senate. This testimony has confirmed that there is a problem. Those Senators from States like Pennsylvania see the problem firsthand. We see it concentrated in areas of highest and most persistent unemployment, like western Pennsylvania which is my home. But it is also important to have the big picture in mind because a lot of what goes on is hidden from view. The magnitude of this problem cannot be seen because it is hidden in homes darkened because the electricity bill cannot be paid. It is disguised because people do not want to admit they have a problem. It is shuttered away because there are some people with a great deal of pride who are very much afraid of the possible consequences of a health care bill they cannot pay for.

These types of behavior, Mr. President, are not easily measured. We know there are some 10 million Americans without health insurance because of a job loss; either Americans who are unemployed or members of their families. If an unemployed member of a family which includes a worker could speedily enroll in the policies of those who have them that number of 10 million might be reduced to 8 million or 6 million. But whatever the numbers are reduced to; whatever other changes we enact to help those people so they enroll in other family insurance coverage; we are still talking about millions upon millions of Americans who have a very real problem getting affordable health care.

I suggest, Mr. President, that if we delay any longer on addressing this problem, if we for some reason fail to adopt this amendment, we will be delaying not just action by this body, action by Congress, but we will be denying through delay a healthy life to many Americans. If we do not act, many of the unemployed will probably continue to delay seeking treatment for their health care needs. Having so delayed treatment they will find themselves not only prejudicing their own long-term health but inflicting unwillingly, of course, on our society and ultimately on our taxpayers the cost of treating them at much greater expense for more severe illnesses. If these health care problems had been addressed early on, they could have been treated at much less expense.

I view this amendment, therefore, Mr. President, as preventive health care. If there is one thing we talk about in this body, it is cost-effectiveness. We all want to see the Government use the taxpayers' money wisely.

I suggest the approach that Senator DOLE and I and others advocate here is preventive health care in its best sense; it is cost effective; it does address compelling human needs; and, today is the day for the Senate to go on record in addressing those concerns.

Mr. QUAYLE. Mr. President, I ask unanimous consent that I be added as a cosponsor to the Dole-Heinz-Durenberger-Specter, et al. amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. QUAYLE. Mr. President, as the Senator from Pennsylvania pointed out there are two committees that are looking at this legislation. Our Committee on Labor and Human Resources, more specifically the Subcommittee on Employment and Productivity, held a day of hearings this week. We have one more day of hearings scheduled next week, and then we will proceed to mark up legislation and hopefully be able to report it out in a

sport period of time dealing with the very important problem of what we are going to do with the unemployed, more specifically what this amendment is talking about and how we are going to deal with health insurance and health benefits for the unemployed. I think, Mr. President, the first question I ask myself, and I think others have asked themselves as we looked into this problem is, is there a need, is there truly a need for the Congress to establish a health benefits program for the unemployed? I would hasten to add that perhaps not too many or perhaps not many offices have been inundated with a lot of mail on this particular issue. A lot of people are writing and requesting health benefits for those being unemployed but I do not believe that statistic alone would answer the question whether there is a need.

I believe the need was certainly demonstrated at our committee hearings where we had testimony from not only the medical profession but the hospital associations. We had testimony from administrators, we had testimony from the unemployed themselves. We had testimony from the insurance industry, and to a person they said there certainly was a need and they emphasized that the need was in preventive health care rather than perhaps the catastrophic illness or major accidents. The preventive health care aspect was emphasized time and time again throughout the day of hearings, and I believe that is certainly the proper course that I would like to see us take.

There are a number of suggestions that have been touted. As a matter of fact, the Senator from Pennsylvania, both Senators from Pennsylvania, Senators HEINZ and SPECTER, introduced 811 that deals with the health block grant concept, and I believe that is certainly a concept that at least from a theoretical point of view I would endorse. I believe that will in the long run prove to be the most efficient, most effective way that we get immediately at the problem of providing health benefits to the unemployed who are not presently receiving them.

I believe the biggest problem we have today are those people who are simply putting off seeking health care because they do not have insurance and do not have coverage. I think of the pregnant woman who simply puts off prenatal care because she does not have the coverage, and this is going to not only be harmful to the woman but also harmful to the child and in the long run, as Senator DURENBERGER pointed out, this is going to cost us more. Preventive health benefit measures is money very well spent and I believe this is just one example of how you can see a deterioration in the health care of poor individuals who have the very unfortunate aspect of being unemployed.

I believe all will have to be participants in this, I believe the unemployed will be participants, I believe the employers will be participants, the insurance industry, hospitals, the medical profession, and I believe the proper way would be to prescribe minimum benefits first on what kind of minimum coverage we would like to see the unemployed receive.

Mr. President, this is, these facts and these issues are, for another day. Today we are confronted with adding money to the budget $0.2 billion in 1983, $0.9 billion in 1984, and $0.7 billion in 1985. There is also language in this amendment of revenues that offset these expenditures. From a philosophical point of view adopting the so-called pay-as-you-go type aspect I think is perfectly proper. I believe it is proper in this case and a concept with which I heartily agree with the chairman of the Senate Finance Committee.

I want to applaud him in moving his committee forward. I believe the issue of the unemployed is serious. I believe the issue of the lack of benefits in health coverage for the unemployed is serious and I am certain with his conviction and what he has done in the past he will be able to lead his committee in what they think will be the best way to proceed with this problem.

I am also convinced, I and others and particularly the chairman of the committee, Senator HATCH, the ranking member, Senator KENNEDY, on my subcommittee Senator METZENBAUM, in our Committee on Labor and Human Resources are very interested in the unemployed problem, very interested in what we can do with health benefits for the unemployed, and I am sure as we individually move as committees, that as we get to the floor of the Senate we will be able to collectively combine our ideas to the facts and resources that we receive in the committee and be able to come to agreement very quickly on what should be the best mechanism, of what should be the amount of funding and what the source of revenues should be for this very important program.

I salute the chairman of the Finance Committee for bringing this to the floor at this time, moving it forward with great dispatch, and I look forward to working with him and others on this very important issue. I think the time and immediacy are of great concern. There is an immediate problem out there that must be dealt with, and it must be dealt with now.

So we may debate the particulars of this issue, but let us not disagree that something ought to be done, and I believe that having two committees moving in this direction, hopefully the Senate will go on record in very strong support for the amendment, that then we will be able to get on with the budget process, get on with the appropriations process and be able to do something for the unemployed in the nature of health insurance and health benefits.

Mr. DOLE. Will the Senator from Indiana yield?

Mr. QUAYLE. I will yield to the distinguished chairman.

Mr. DOLE. I just want to thank the distinguished Senator from Indiana for his leadership. He, probably earlier than any other Member in this body, started urging us and those in his own committee to start focusing on the problem. It is a problem we must address, and I know this is a start.

I want to assure the Senator from Oregon, who is on the floor, we have not tried to identify how it will be paid for. I have a view, you have a view, and I am not certain much can be done, maybe very little. I did meet with members of organized labor yesterday, and they have gone back to look at other alternatives, and we are trying to work with the impacted groups. Whether it is a cap or whatever it might be, I thought it was only responsible to suggest we are going to have a program which is going to be offset in some way to pay for it. So we have not specified how that will be done, but I do think it is important we recognize it should be done.

Mr. QUAYLE. I certainly want to emphasize and underscore I agree with the chairman's concept of pay-as-you-go. We have no jurisdiction on the revenues, but we have as to what kind of mechanism would go into effect. We would not want to specify but in our bill we probably will want to report out it wil be conditioned on the finances and argue whether it should be health block grant or other mechanisms. But I want to underscore I appreciate your bringing it to the floor at this particular time, indicating we are showing momentum in this area and the immediacy is of concern to me. We have to get on with focusing on this problem. I know you have and others in this Chamber have and I think it is just great we have brought it on the floor and showed two things: We are going to somehow vote benefits for the unemployed, and, two, we believe in the concepts you have outlined it should be paid for.

Mr. PACKWOOD. I want to thank the Senator from Kansas for indicating that it is not necessarily a quid pro quo trying to get money out of health caps, and I admire his statement and that of the Senator from Indiana if we are going to have these programs we should pay for them. I wish as we consider this we have the same philosophy on the rest of the programs in the budget.

Mr. DOLE. I thank the Senator from Oregon. We are trying to find appropriate ways. I do say, following the practice of my predecessor, Senator

LONG, if we are going to send out some programs from the Finance Committee we ought to be able to find resources to pay for them. We did not always follow that but when we could we did follow that policy.

This Senator certainly recognizes the strong opposition of imposing any health care cap. We have been meeting with insurance companies who oppose it and others who write group insurance as well as organized labor. There may be some realistic compromise somewhere but if not, there are other areas we can address or look to to find the revenues. That is one reason we have tried to hold down the costs of the program.

Mr. SYMMS. Mr. President, I yield myself 1 minute.

I would just like to point out, and I appreciate the effort of my fellow Senators who are very concerned about this problem and I am aware it is a problem, I think it should be noted, however, for our record that in the terms of how we wish to pay for this I do not know how we are going to pay for it. But sometimes I wonder in amazement when I look at this whole budget process, and I watched it over the years as we started out in 1974 passing a Budget Act and then in each succeeding year how we have managed to continue to try to figure out how we are going to try to pay for these things as the budget just continues to grow, we might put down an extra shift down on Independence Avenue and, as our old friend from Iowa in the other body used to talk about, they could run the printing press crew another shift to pay for this one, and it is not that I do not think this has merit, I think it does.

I am glad the chairman is not committing us to whether or not we are going to put a cap on those benefits. Because I think some of us, I note the distinguished Senator from Oregon and I last year, when we discussed that issue in the committee, we both made the point that for years and years and years we had gone out and tried to tell people in the private sector that they should take care of this problem.

The PRESIDING OFFICER. The Senator's 1 minute has expired.

Mr. SYMMS. Mr. President, I yield myself 2 more minutes from the bill.

We made a point at that time that if we do address this question of capping the health benefits and start taxing those benefits that for years many of us have gone out to people and made the battle cry: If you cap those benefits or if you do not have benefits you are setting the stage to have socialized medicine in the United States.

So I appreciate the fact that the chairman is not making a commitment here and that the Finance Committee is going to have to wrestle with that. I think I understand the chairman correctly that we have not made any decision of where the money will come from.

Mr. DOLE. That is correct. There have been a lot of ideas. The administration has proposed that we talk about it. Last year, in considering the so-called TEFRA, we had a tax cap in the package temporarily. I think a number of Members had second thoughts about it so it was taken out. It is very controversial. There are arguments on both sides.

But what I have asked, just yesterday, in fact, in a meeting with legislative people on the labor side and also having discussed it with some of the insurance people, is, "Well, if this is not a good idea, give us a better one." So they have agreed to go back and take a look.

I do not think anyone quarrels with the need to pay for a program, to start some new entitlement program, some open-ended program, without any termination, without any way to pay for it. So we decided to sidestep that issue.

In addition, this is a budget resolution. The Budget Committee does not dictate to our committee just how we would finance the program. We are not even assuming how we will finance it. We just say we will do it. We will report out a bill and we will pay for it. We may have to scale it back if we cannot find that money.

Mr. SYMMS. By the passage of this amendment, does this commit us to this course or just say we are going to look at it?

Mr. DOLE. It commits us to the course insofar as we hope to pursue it. In the committee, we have had 2 days of hearings. The hearing we had most recently was last week when David Stockman, the Director of OMB, came before us and indicated the President's concern and willingness to support a program if it were funded, not just some new entitlement program. The last thing we want to start is a new entitlement program. And I am afraid that is what is developing on the House side.

Mr. SYMMS. What are the actual number of people who are unemployed who do not have medical insurance, percentagewise? Five or ten percent?

Mr. DOLE. I think there are about 6.9 million who are unemployed because they lost their jobs. There are about 1.2 million who are seeking their first job, an additional 2.5 million are reentering the labor force, and almost 1 million voluntarily left their jobs. So that means a pool of about 7 million. We are not certain how many have lost coverage.

Mr. SYMMS. Seven million?

Mr. DOLE. Seven million. We are going to try to address the needs of not 7 million, although there are 7 million that could be made eligible. Obviously, we cannot cover 7 million.

Mr. SYMMS. Would those same people be eligible for medicaid? Not in every case, I guess.

Mr. DOLE. That is the problem. You cannot tell some worker in Ohio, Oregon, Idaho, or Kansas, who has lost his or her job through no fault of their own, who has children and emergency needs, that to qualify for medicaid they would have to sell assets if they have over $1,000 in assets. We do not believe that would be fair to a hard-working person. Normally, they are a young couple. We are talking about young people who have just started in the work force and suddenly find themselves out of work.

So we have tried to avoid punishing those who lost their jobs involuntarily by saying, "Well, you can qualify, but you have to be penniless to do it."

Mr. SYMMS. Mr. President, I thank the distinguished chairman. I am sorry that we have to do anything or that any amendments come up that increase this budget at all in view of the total budget, when we see how high it is. And I know the chairman is concerned about that also.

I might say, I am happy that we are not planning to expand the debt anymore. Although I have reservations about trying to raise taxes myself, I do not know if I have an answer for this. I did notice a study was released the other day and I think it is probably worthy of mentioning here. There was a report that came out just in the past week that crossed my desk—and I am sorry I do not have it here—in terms of some critics of some of the administration's programs that had lost their benefit. And when they went in and investigated those people, 85 percent of them—this was not unemployment benefits; I think it was AFDC benefits or some other program—85 percent of them had actually found employment since they lost their Federal benefits and have since been employable and working.

So, I think we always need to keep conscious of the fact that no matter how generous we all may feel with the taxpayers' money in the Federal Treasury about the individual plights that Americans may get into, that we should also be careful not to remove the incentive for people to try to actually get back into the employable work force to sustain their own opportunities.

I do not think that is what this amendment is necessarily doing, but I think it skirts in that direction, which makes me have some reservation of whether we should or should not. Because I am always fearful something will come out later, after the fact, that good intentions by people in the Congress to try to help those cases that the Senator from Indiana, the Senator from Kansas, and others have pointed out, some individual specific cases

which certainly on their face you cannot argue against the plights that people get in—Senator DURENBERGER, I believe, mentioned someone not going to the hospital and ending up with a burst appendix—no one can argue against that specific case.

But, in a general context, I think we must remember that as long as benefits are available, people will always be slower to get back into the work force. We do need to try to do things in job training opportunities, lower interest rates, to try to make jobs available, because ultimately that will be the solution. And this is only a temporary solution at best. The ultimate solution will be for the unemployed to be able to be returned to the work force in the country where they can sustain their own opportunities and can sustain their own insurance programs and their own health care as needed.

I believe the distinguished Presiding Officer may wish to make some comments and I yield back to the chairman.

Mr. DOLE. Mr. President, I will just take a couple of minutes. I know the Senator from Pennsylvania also wishes to speak.

I certainly can understand the reluctance of some to do anything in this area. But I think we ought to outline that we are not talking about some generous, excessive health care coverage. We are talking primarily about prenatal, postpartum care, inpatient hospital care, physicians' services and emergency type care that must, at a minimum, be provided.

Again, I commend the entire health care community—physicians, nurses, hospitals, and all the others who deal with patients—for their willingness to cooperate and provide a lot of service voluntarily and without cost to many of these emergency cases.

On the other hand, we should not strip whoever it might be of everything they have during this period of involuntary unemployment. We are not talking about covering anybody who is voluntarily unemployed. We are not talking about those who are coming into the work force.

We are talking about those who are involuntarily unemployed. We also make certain that if you are eligible for medicaid, you are not eligible for this program. It is a 2-year program.

Again, I would say that coming down the track on some fronts, it is very expensive, $2.7 billion per year program, which would virtually create another entitlement program. The last thing we want to start is another entitlement program.

I do believe we have a responsibility and it should be met. The President recognizes this limited responsibility and I hope we might have strong support for the amendment.

Mr. SYMMS. If the chairman will yield on that one point, on the entitlement program, I hope that the record shows that my hesitation on this amendment is that I would hate to have the Senate take this action here today and then forevermore in the United States, everybody who is unemployed will think it is their entitlement; that somehow, if they are unemployed for any reason, and they are out deerhunting while unemployed and they shoot themselves in the foot, it is our responsibility to pay for their medical insurance.

The record should show that is not what the chairman, the Senator from Kansas, is trying to accomplish. I do not know that there will be a record vote on this or not, but there may be some people who might choose to vote against it for that very reason.

I think the record ought to show that.

The reason this Government is bankrupting itself is because we have so many programs that are demanded upon and called untouchables or entitlements, whatever. I think that is the biggest single problem in the Federal budget process today.

I think the record ought to show that it is not a new entitlement program. If someone chose to register their opposition to it, I think that would be a good reason to do so, because they do resist starting new programs when we are running $200 billion in deficits already.

Mr. DOLE. I would suggest that in the hearing record, a statement by the distinguished OMB Director Stockman and other witnesses that came before the committee made it clear that in our case, we are not going to set up some new entitlement program similar to the one that they are now designing in the House, which I think some in this body would like to have.

There is no certainty that you are ever going to have an end to the program, but I must say that does not mean that you should not address need. Maybe we could rearrange our priorities. We can find a lot of money wasted in this budget that might be spent on helping some couple who might be out of work, who have children, and who need medical care. When somebody goes to the hospital, somebody has to pay for the drugs, the hospital room, and so on. Somebody has to pick it up.

I understand the problem. There was the vote we had last night on a modest reduction of less than $4 billion in the medicare program. The amendment would have chopped the savings in half and the vote was 50 to 45. The Senator from Kansas is under no illusion that it is easy to reduce the growth of programs such as medicare. But that does not eliminate our responsibility to address other areas where I think there is a need. We have done it, I believe, and in a responsible way.

I yield to the Senator from Pennsylvania.

Mr. SPECTER. I thank the Senator for yielding to me, and I thank the distinguished Senator from Kansas (Mr. DOLE) for the leadership he has shown on this matter. Senator DOLE, Senator HEINZ, Senator DURENBERGER, and I have been working on this issue for some time now.

The President, in a trip to Pittsburgh, Pa., on April 6, said that this was an item which ought to be addressed. The matter has been the subject of extensive discussions among Senator DOLE, Senator DURENBERGER, Senator HEINZ, and me, with Mr. Stockman and the Secretary of Health and Human Services, Mrs. Heckler. I think we are heading in the direction, where this problem can be addressed and addressed sensibly, as outlined by Senator DOLE.

According to the Congressional Budget Office, almost 90 percent of the unemployed in the United States, or close to 11 million persons, have already lost employer-based health insurance coverage, most within 30 days of job termination. In Pennsylvania, almost 400,000 people who have dependents receive unemployment compensation but have lost their health insurance.

Senator HEINZ and I have collaborated for the past several months on a health program, and its importance was emphasized to us when we were in Midland, Pa., about a month ago. A survey published in a Pittsburgh Press article, March 10, 1983, reveals that three of four of Mon Valley's unemployed are without any medical coverage. At least one of every five had immediate need of medical care.

In Washington County, Pa., Canonsburg General Hospital is providing free medical service to unemployed workers and their families who no longer have insurance. The hospital workers have volunteered their services to help unemployed workers who live in the area and who have been delaying necessary medical treatment and surgery for lack of income and insurance coverage.

But how long can hospitals, clinics, health centers, and health service employees continue to absorb the increased costs? In Mobile, Ala., for the month of March all of the hospitals but one had to close their emergency rooms on weekends to curb the flood of requests for free care in order to avoid bankruptcy. Fortunately, for now, the county and city have been able to provide some assistance.

As of April 15, 1983, McKeesport Hospital, in Pennsylvania, a Hill-Burton recipient, had to lay off 51 employees across the board. Twelve of these are nurses and three are licensed practicing nurses. Some of the physicians indirectly have been cut back

due to the losses the hospital is experiencing. This is a decrease of almost 3 percent in the hospital staff. Can we afford to run the risk of closed hospital doors nationwide?

In talking with various health providers, we are learning that many of the unemployed who are ill do not know where to go for treatment. We are discovering that one of the major fears of the unemployed is fear itself. The uncertainty of "what will I do if someone in my family becomes ill" plagues them constantly. Early action on health care legislation will help the unemployed find peace of mind with regard to health coverage. The unemployed workers need assurance as well as insurance that their needs will be met.

The Bureau of Labor Statistics has issued recent reports on the total annual consumption costs for both three and four-person families. It has calculated the national average weekly benefit under the States' unemployment insurance programs. For example, a three-person family accustomed to an intermediate level budget of $14,960 would receive $8,224 in unemployment compensation, which is approximately 55 percent of previously received income. Moreover, this compensation is only 5 percent more than the poverty threshold for a comparable family unit. However, if this family had no income, it would be eligible for $10,164, nearly 25 percent more than the amount available through unemployment compensation.

I cite these statistics to make a point: Many people who have worked hard all of their lives are now finding themselves in the unwanted situation of being a poverty-level statistic and living below the poverty level.

Our original bill was intended to be a short-term but immediate solution to the problem of lack of health care coverage for the unemployed. It was to give the States the revenues and the flexibility to establish a program which would service its constituency, including the options "to provide for cost-effective bidding among carriers or providers, or capitation reimbursement systems, while taking into account the existence of related programs or financing structures in given areas."

The States know best which areas are in most need and what facilities are available. While the ultimate solution would be to provide the unemployed workers with a health insurance policy similar to what they have been accustomed, the costs most likely will be prohibitive. It is my understanding that Blue Cross of Western Pennsylvania has a proposal before the Pennsylvania Department of Insurance which would establish a low-cost health insurance program for unemployed people who have lost their benefits. The plan provides for up to 15 days of inpatient hospital care at a cost of $28.15 per month for individuals and $62.20 for families, or a 31-day plan at a cost of $32.90 for individuals and $72.90 for families. In Pennsylvania, the average monthly unemployment benefits is $568. Carrying a policy for $62.20 would be 11 percent of that family's monthly income.

Even if the Government were to decide that health insurance coverage was the best way to go, and would subsidize the policies, say by $52.20 for a 15-day policy for families and the unemployed had to pay $10 of the premium, in Pennsylvania alone, with 400,000 needing coverage, it would cost the Federal Government $20,880,000 each month and $250,560,000 per year. With a Federal Government subsidy of only $10 per month per premium for 400,000 people, it would cost the Government $4 million per month, and $48 million per year for Pennsylvania. Still, those figures only include those workers who are receiving unemployment compensation.

And this is funding individuals and families who may never need medical attention within that year. My goal is to help those individuals who do have health problems when they occur and give all of those who have lost their benefits the peace of mind and assurance that they will be covered when the need arises.

And this need not be as expensive a situation as one might first assume. In a report, committee print 98-A, prepared for the use of the House Subcommittee on Health and Environment, a 1974-75 study regarding high unemployment problems in those years is cited with "estimated that no more than 10 to 14 percent of workers losing group health insurance substituted individual nongroup health insurance. The probability of a two-earner household losing health insurance due to unemployment of the head of the household was reduced by 27 percent. Indeed, our plan is meant to be a payer of last resort, and an unemployed worker whose spouse has coverage would not be eligible.

In addition, in Pennsylvania for 1982 the average length on unemployment compensation was for 18 weeks or 4½ months. While the period of unemployment does not necessarily coincide with the period of loss of benefits, it generally works out to the same amount of time as lack of insurance. This statistic may be important from the standpoint that the majority of unemployed are not going without coverage for an excessive amount of time to warrant the administrative details of signing up for an insurance policy. However, in the event that a catastrophe should occur or a chronic illness need attention in those few months, the unemployed need assurance that they will be treated. The additional burden of mental anguish over reimbursement should be alleviated from the unemployed worker.

In no way do I mean to downplay the graveness of the situation; that should be apparent by my persistence in obtaining a meeting with the administration, and various hearings, not to mention talking to the President personally on April 6. However, the urgency of the need leads me to strive for a workable and financially acceptable solution which can be implemented as soon as it is passed by Congress and signed by the President. This short-term solution should not be bogged down with redtape and administrative nightmares which will hold up the process any longer.

I would like to take this opportunity to encourage the States to look at the existing health services, such as community and migrant health care centers, health maintenance organizations, public hospitals, and even the example in Detroit, Mich.: "Project Health Care." I understand that this project is operating successfully in a city which has had an overwhelming share of the unemployed problem. Briefly, it is a program which provides a health service referral network using the existing social service agencies. It has approximately 360 physicians who volunteer their services and see the patients in their office as they would any other patient. The system is able to handle 1,000 patients per month, and yet to date it has not had to serve that many in any one month.

Reimbursement is worked out between patient and the doctor. It is my understanding that there have been no physician complaints about unnecessary visits or abuse of the system, nor any complaints from the patients that they received second-class treatment. If hospital tests or treatment is required, the physicians use their same hospital privileges and the hospital usually has a social service counselor who assists the patient in determining suitable financial assistance. What is even more encouraging about the program is that the original funding for the program was a $63,000 grant from the Hudson-Webber Foundation. That grant enabled the Greater Detroit Area Health Council to hire a coordinator to recruit the physicians and set up the system.

It is unfortunate that more accurate data is not available. However, I would like to share some recent statistics provided to me by the McKeesport, Pa., hospital, which has recently established a special program for the unemployed.

The first week of the "Health Concern" program, 100 people inquired about services; 35 were in need of immediate care. Only 25 of those 35 were eligible for the program. Eligibility is based on total monthly household expenses in excess of total monthly

income. Those 10 who were ineligible were still on unemployment compensation. One of the patients who arrived was a single unemployed mother with three children who had a pacemaker which had not been checked for 18 months because she was afraid to go in due to lack of coverage.

Some of the unemployed patients now qualify for Hill-Burton—McKeesport is a Hill-Burton hospital—which proves my point about the long-termed unemployed now becoming poverty statistics.

Here is an additional figure which may be of interest: In this same hospital's outpatient clinic, a survey was done for February and March of 1983. Within that clinic, 80 percent of the patients seen were unemployed. In McKeesport, as of February 1983, unemployment rate equals 21 percent.

The McKeesport Hospital reports that it lost $1 million in operating costs in 1982. Obviously, if additional funds were available, the hospital would not have had to release those 51 employees which I mentioned earlier. Through the block grant system, the States would be able to assist those health services providers which are located in high unemployment areas and which have seen a dramatic increase in patients.

The Canonsburg General Hospital in Washington County, Pa., is a private hospital where all of the employees have volunteered their services to help unemployed workers who live in the area and who are delaying necessary treatment and surgery for lack of income and coverage. The data provided to me by this hospital is that in the past 2 months, 120 unemployed workers or a member of their family have been given free health care.

In Washington County, the unemployment rate equals 18.9 percent; 20 out of the 38 active physicians in this hospital are participating in the program. One of the major concerns of the individuals taking advantage of this hospital's generosity is not for the unemployed worker or spouse, but for the health of the children.

Once the States set up their mechanisms for providing health care, it is imperative that an outreach program be implemented to notify those eligible. A letter to all of those who were or are on the rolls of unemployment compensation during the designated eligibility period informing them of what the State has designed and where they can go for help is one simple method. Perhaps this letter could include a brochure on preventative health tips. This would provide the assurance, which I must emphasize once more, that Government officials are concerned and are prepared to assist them in the most expeditious, yet economical, and equitable way possible.

It will take a tremendous commitment from the U.S. Congress and Government to help those people who have lost their health benefits through no fault of their own. Millions of men, women, children, and even unborn children are being exposed to the hazards of poor health care due to unemployment.

The need for health care coverage for the unemployed can no longer be overlooked. We cannot run the risk of having the health of breadwinners and future breadwinners deteriorate to the extent that they may be unable to return to employment once the economy recovers.

The PRESIDING OFFICER (Mr. COCHRAN). The Senator from New Hampshire.

Mr. HUMPHREY. Mr. President, I would like to direct a few questions to the chairman of the Finance Committee.

The first is, what effect does this amendment have on the budget resolution? Does it increase it?

Mr. DOLE. It has no effect on the deficit because we provide in the amendment that the cost of the program will be offset by revenues.

Mr. HUMPHREY. I take it, then——

Mr. DOLE. We will close a loophole somewhere.

Mr. HUMPHREY. But for the time being it does increase the spending limit of the present resolution?

Mr. DOLE. I guess it would increase the spending but it would be offset by increasing the revenues. So, yes, the Senator is correct.

Mr. HUMPHREY. My concern is that we know we will spend right up to the limit of the budget resolution. My concern is if an alternative means is not found to offset the cost of this health insurance provision, what we are talking about here today is an increase in spending.

Mr. DOLE. I can assure the Senator that if we cannot pay for it, it will not come out of our committee, if the Senator from Kansas can avoid it. There are amendments around the Chamber that will add about $2.7 billion a year with no offsetting revenues at all.

Mr. HUMPHREY. The chairman of the Finance Committee, then, is making a public commitment to either find an offset for the cost of this program or will oppose it?

Mr. DOLE. That is correct.

Mr. HUMPHREY. I share the concern of the Senator from Idaho about creating what is essentially a new entitlement program. Once we have set this precedent, will it not be expected of us again in future periods of unemployment? In effect, we are creating an entitlement program because by setting this precedent, in future periods of unemployment it will be expected of us again, will it not?

Mr. DOLE. First of all, it is a 2-year program. It ends 2 years from now but it may be 10 years before we stop it. Some of these temporary programs never end. But we believe that, based on forecasts and other things, that the program ought to self-destruct, as people start going back to work as the economy recovers. We are also going to try to design it very carefully to make certain that we do not end up with some entitlement program.

I think there is a majority in this body, on both sides of the aisle, who say, "First of all, if we cannot pay for it, we should not have it. Second, if it is going to be an entitlement program, we should not have it."

I ask unanimous consent to have Mr. Stockman's testimony printed in the RECORD at this point. He testified before our committee about strong opposition to an entitlement program. I believe if we passed an entitlement program, the President would veto it. I would encourage him to do so.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT OF HON. DAVID A STOCKMAN, DIRECTOR, OFFICE OF MANAGEMENT AND BUDGET, BEFORE THE COMMITTEE ON FINANCE, U.S. SENATE

Mr. Chairman, thank you for the opportunity to appear before your Committee today to discuss the problem of health insurance for the unemployed. As you well know, the Administration has made a systematic study of this issue over the past few weeks. I come before you today to share with you the conclusions the Administration has reached as a result of that study, and to outline the Administration's views of appropriate—and inappropriate—remedies to address it.

SUMMARY OF RECOMMENDATIONS

Our primary conclusion, Mr. Chairman, is that the problem of lack of health insurance among the unemployed is one of selective gaps and discontinuities—and not a pervasive or general problem. As I will discuss in more detail shortly, the number of long-term unemployed who are wholly without access to health care services is really a limited subset of the unemployed. The Administration believes that the needs of this group can be met by a package of policy reforms such as the following:

Requirements for employer insurance packages that ensure the unemployed access to continued coverage when they become unemployed;

Requirements for employer insurance packages to ensure that the unemployed can be enrolled under a working spouse's health plan should they become unemployed and lose their own employer coverage;

Amendments to the Social Services Block Grant Act to provide that funds available to the States can be used to fill in whatever gaps in coverage remain; and

"Pay as you go" financing for any additional funding under title XX through enactment of the Administration's proposed limits on tax exclusion of employer insurance contributions at a level below that originally proposed.

DEFINING THE PROBLEM CAREFULLY

Our support for these measures—and our belief that these steps will be more than adequate to address health coverage prob-

lems among the unemployed—is based on our study of the access of unemployed Americans to health care services. The general perception, Mr. Chairman, is that all unemployed American families somehow confront common problems due to the misfortune of unemployment. We have concluded, however, for the reasons discussed below, that lack of access to adequate health care is not a generic problem associated with unemployment, per se, and that in fact the great majority of the unemployed are not being denied care.

Continuation and conversion privileges

The truth is that many employers presently provide extended coverage to workers who are on layoff. In many cases, such coverage extensions are benefit plan features obtained as a result of collective bargaining. In other instances, employers offer coverages of this sort unilaterally. In any event, most insurance plans, enrolling workers as they do on a month-to-month basis, cover laid-off workers at least until the end of the month in which they are terminated. Such automatic extensions can provide up to four weeks of additional coverage even if there is no employer-financed extension. Many families use this remaining eligibility to actually obtain medical services family members may need.

Additionally, a number of States provide, as a matter of law, that workers may continue to enroll in a health insurance plan. In 12 States, employers are required to offer continued coverage to former employees at group insurance rates. In 11 States, employees must be offered the option of converting to individual health insurance plans. While these practices require laid-off workers to finance coverage out of their own resources, families with significant medical expenses at the time of termination are provided the means to limit their exposure without regard to pre-existing medical conditions. In most such instances, these features provide considerable protection.

RANGE OF UNEMPLOYMENT DURATION

Even in instances where employers do not continue health insurance for laid-off workers, several pieces of available data suggest that the problem is not as large as is commonly perceived.

The best available evidence is that even during economic recessions the labor force is a dynamic one and duration of spells of unemployment for most unemployed individuals remains relatively brief.

TABLE I.—PERCENTAGE DISTRIBUTION OF UNEMPLOYMENT SPELLS

[In percent]

	Short (1 to 4 weeks)	Medium (5 to 26 weeks)	Long (27 plus weeks)	Average
1982	41	48	11	14.3
1978	49	46	5	8.3

In 1982, the worst year for unemployment since World War II, the average spell of unemployment lasted just over three months. Although the average unemployment spell was much longer than it was during a nonrecession year such as 1978, it was still the case in 1982 that two out of every five spells of unemployment lasted for less than one month.

Although many individuals experienced more than one spell of unemployment during 1982, the data still reveal that for most Americans unemployment is a temporary phenomenon. Long-term unemployment, which results in a severe strain on family resources, tends to be concentrated on a small but significant portion of Americans. But even during the most difficult economic times, such as last year, only 11 percent of all spells of unemployment lasted longer than six months.

FAMILY RESOURCES

Despite the vast array of social welfare programs, the family remains the primary social institution that cushions individuals from the financial hardship of unemployment. We often tend to view the unemployed, especially those with long durations of unemployment, as a homogeneous group in need of financial assistance. In fact, the family provides the main source of financial assistance for the unemployed. Although data for 1982 are not available yet, data for 1981 provide some indication of the financial resources of the unemployed in a recession year.

TABLE II.—FAMILY INCOME OF THE UNEMPLOYED IN 1981

	Total	Duration of unemployment	
		Short term (1 to 4 weeks)	Long term (26 plus weeks)
Average family income	$20,898	$23,113	$17,035
Percent with family income greater than $20,000	44	51	33
Percent with family income below poverty	19	14	31

As the data in the accompanying table indicate, the financial curcumstances of the unemployed very enourmously. In 1981, for example, 44 percent of all unemployed individuals lived in families with incomes in excess of $20,000.

On the other hand, 31 percent of all individuals experiencing six months or more of unemployment lived in poverty, while over one-third of the long-term unemployed lived in families with income in excess of $20,000.

Of course, even families with substantial resources can experience cash flow difficulties that compel them to use their savings to tide them over spells where one family is unemployed. But we should not conclude that such families will be unable to afford either health insurance coverage or actual medical expenses simply by reason or length of unemployment.

COVERAGE THROUGH WORKING SPOUSES

The primary reason that family incomes remain relatively high among many of the unemployed is the presence of secondary earners in the household. In 1981, over 80 percent of the average family income among the unemployed represented earnings of family members. Although the 1981 data may not be representative of current conditions, the most recent statistics for the first quarter of 1983 indicate that the proportion of unemployed family members who have other family members working remains high. Among all unemployed individuals in families, 65 percent have other family members at work.

Besides providing an additional source of income, working family members are also a potential source of health insurance coverage for the unemployed. While data on family coverage among secondary workers is unavailable, many have held insurance coverage through their employer.

Some idea of the size of the non-covered unemployed population can be obtained by a close inspection of family characteristics among unemployed individuals:

TABLE III.—CHARACTERISTICS OF THE UNEMPLOYED, 1983

Family type	Millions of individuals
(1) Total unemployed in families	10.5
Intact families:	
(2) Married persons with working spouse	3.3
(3) Dependents with working family member	2.4
(4) Subtotal	5.7
Single-parent potential medicaid families:	
(5) Female headed	2.1
(6) Male headed	.6
(7) Subtotal	2.7
(8) Unemployed sole wage earners	2.1

As is indicated in the accompanying table, 10.5 million individuals living in families experienced some unemployment during the first quarter of 1983. Among the 5.2 million unemployed married persons, 3.3 million had working spouses. Unemployed husbands with working wives represented just over half of this group. Also, unemployed relatives in intact families with a working husband or wife numbered 2.4 million over the period. Therefore, of the 10.5 million unemployed individuals, 5.7 million lived in intact households with at least one parent employed, and hence were potentially eligible for coverage.

In addition, 2.7 million of the unemployed lived in single-parent potential Medicaid-eligible families. Subtracting both of these groups from the total yields a population of 2.1 million Americans who are unlikely to have a source of employer- or Medicaid-provided health insurance. This number represents a reasonable—but lower-bound—estimate of the totally uncovered population of unemployed family members.

One reason why this population represents the lower bound is obviously that, in certain instances, spouses may have elected to either accept self-only coverage, or may have elected family coverage through the spouse who became unemployed. As I will indicate later, however, this problem can be addressed without great difficulty.

OTHER PUBLIC PROGRAMS

We should also note that the total estimate of the unemployed includes many families that are eligible for public assistance, and who therefore qualify for and receive Medicaid coverage. In 22 states, two-parent families can be covered under Medicaid. In 30 states, families can be covered, even if they are not eligible for cash assistance, through "medically needy" programs, wherein high medical expenses are deducted from income to expand eligibility to those who are poor by reason of high medical expenses. While the Medicaid program does require an asset test, the value of the family's home and automobile is not counted for this purpose. In all, those longterm unemployed families most in need of assistance can receive it, in most instances, through existing public sector mechanisms.

Medicaid, of course, is not the sole effort directed at the health care needs of low-income families by the public sector. In the Administration's Fiscal Year 1984 budget, Mr. Chairman, over $85 billion is provided for health care services—ranging from community health centers to immunization programs—to provide health care to those who need it.

Private sector efforts

Our present health care system is characterized by voluntary private efforts to pro-

vide health care services to those who need it. There is strong evidence that those in the private sector have in fact expanded their efforts during the last few years to meet the needs of those who have become unemployed during the recession.

Private physicians have a long and commendable history of meeting the needs of those with limited resources. As the American Medical Association testified last Friday before the House Health Subcommittee, 70% of all American physicians provide reduced rates or free care services to those unable to afford care. A surprising 10% of all physicians are actually donating their time to special programs for unemployed workers and their families.

Hospitals have been and remain active. As the National Association of Counties has testified before your Committee, 98% of the Nation's largest hospitals provided over $750 million in uncompensated care in 1980. The evidence available to us suggests that this commitment to providing care regardless of compensation has if anything expanded markedly in the past few years. This sort of commitment, Mr. Chairman, goes far beyond explicit legal commitments, such as the charity care obligations under the Hill-Burton program, to provide free care. Rather, the Nation's community hospitals, which after all are established as private non-profit charitable institutions, have maintained a long tradition of providing care without regard to the ability to pay.

Insurers and other third-party payors have also been active in meeting the needs of the unemployed. In six States, special insurance pools have been established to provide inexpensive coverage to the unemployed. And just last week, Blue Cross/Blue Shield of Western Pennsylvania announced a special program at heavily-discounted rates to unemployed workers and their families.

Coverage for physician services, for example, will cost only $8.50 per month for full family coverage. Coverage for hospital services will be provided at a 75 percent discount, both through low rates and by waiver of normal deductibles.

In all, the Administration believes that we must recognize the existence of these commendable efforts as we work to fashion solutions in this area.

AVOIDING LEGISLATIVE OVERKILL

As the foregoing has suggested, the problem of accessible and affordable health care services for unemployed workers and their families really consists of a number of special cases of individuals. Failure to recognize this fact in the development of legislation could prove a costly mistake. As you are aware, Mr. Chairman, the natural tendency of the bill-writing process is to expand consideration to an ever-wider scope of circumstances as special conditions and situational anomalies are brought to light. The danger is that the remedies fashioned to address these anomalies often result in adding in whole new classes of beneficiaries for a program despite the fact that only certain individuals within the stated class may have true needs that cannot be addressed some other way. As I will illustrate, Mr. Chairman, that danger is particularly present in the area of provided health insurance coverage to those who are presently uncovered.

THE DILEMMA OF EQUALLY WORTHY CLAIMS

The cause being considered by your Committee is the plight of those unemployed workers who previously had employer-financed health insurance, but lost it as a result of involuntary unemployment. Yet the problem of lack of health insurance coverage is not restricted to this group. There will be a strong temptation for legislation expansion as the circumstances of the target population are compared to the plight of:

Unemployed families without prior coverage;

Employed workers with no employer coverage;

Low-income families with no recent work history who are ineligible for Medicaid; and

Self-employed workers who receive no special tax breaks for health insurance.

As we learned long ago in the national health insurance debate, our society simply cannot afford to go all the way down this road. Yet if we move forward with an explicit Federal entitlement program in this area, we will be hard-pressed to explain why coverage should be bestowed on a narrow subset of the some 30 million Americans who are without health insurance.

The minimum benefits problem

A complementary problem with attempting to address the needs of the unemployed through an explicit benefit program is the problem of establishing some minimum acceptable coverage package. On the one hand, the need to restrict costs would argue for some narrowly defined set of benefits—perhaps restricted to so-called "catastrophic coverage", in which full coverage is provided only after the beneficiary meets some high deductible. Yet the very nature of such coverage would call into question whether any real benefit is in fact being conferred. To the extent that the unemployed have financial problems, the second $500 dollars of unaffordable expense is just as insurmountable as the third. Attempting to draw the line in a way that is generally recognized as fair is probably impossible.

It is easy, however, to understand the fiscal stakes involved. Suppose the target population were restricted to 2 million families—the rough number of families who have lost prior coverage that we estimate will still be on unemployment insurance on October 1. Extremely limited catastrophic coverage might cost perhaps $20 per month per family, or only $480 million annually. Yet present employer coverage plans with full benefits—even at group rates—can cost over $180 per month per family. Moving from the low end to the high end of coverage—a normal tendency in these matters—could raise costs nearly tenfold to nearly $4 billion annually.

The prohibitive cost of a new entitlement

If we examine the potential for expansion due to these two factors, we are forced to conclude that any explicit Federal entitlement effort in this area would quickly escalate beyond affordable levels. Providing all eleven million unemployed workers with full family coverage at $180/month would cost an astonishing $19 billion annually. Even recognizing that many of the unemployed are single individuals and assuming a blended average cost of full coverage of $135 per month, the upside threat is in the $14 billion dollar range. The following table summarizes the potential cost range:

TABLE IV.—COST OF COVERING VARIOUS GROUPS WITH HIGH AND LOW OPTION BENEFITS

[Dollars in billions]

Type of benefit	UI beneficiaries		All unemployed
	With prior coverage	All	
(1) Number in eligible families (millions)	4.0	5.5	17.4
(2) Catastrophic with $1,500 deductible ($22.50 per month)	$0.5	$0.6	$2.1
(3) Catastrophic with $500 deductible ($49.50 per month)	$1.1	$1.3	$4.6
(4) High option plan ($180 per month)	$4.3	$5.8	$18.6

THE ACTUAL FISCAL THREAT IS UNKNOWABLE

I would caution, moreover, that the Federal government's track record in estimating the cost of new health care entitlements offers little solace as we go forward in this area.

Medicare

Shortly after the enactment of Medicare, the Social Security Trustees Report (1966) estimated that outlays from the HI and SMI trust funds would rise, in real terms, by 5.2% and 2.3% annually, respectively. In fact, the programs grew by 9.3% and 10.2% annually in real terms. As a result, an FY 1988 projection for SMI outlays would have been $5.6 billion under the original estimates; in fact, we now expect that SMI will hit $36.5 billion in FY 1988, a 548% overrun from the perspective of the original forecast. Similarly, the original estimate would assume, by 1990, HI outlays totalling $26.6 billion. The current forecast, however, is for HI outlays to hit $116.1 billion in 1990—a 366% overrun.

ESRD

Even short-run estimating in this area has been frought with guess-work. The 1973 Social Security Trustees report estimated ESRD costs for Fiscal Year 1974—a bare one year later—at $65 million dollars. Actual FY 1974 costs were in fact $90 million—a 40% overrun one year out. At that time, the FY 1975 estimate was $84 million. In reality, FY 1975 spending hit $167 million—a 99% overrun two years out. Not surprisingly, spending in FY 1983 is now estimated at $1.4 billion—a 2050% increase over the initial FY 1973 cost estimate.

Unknowable behavioral effects

The reasons for these overruns are the prodigious incentive effects built into the health care field.

On the beneficiary side, health care is considered such a superior good that consumption is limited only by income. Once a new entitlement is created obviating income limits, utilization of services climbs toward the sky.

On the provider side, the capacity for product upgrading and service improvement is constrained only by aggregate demand for health care services. Once an entitlement is created to fund whatever service consumption level is demanded, the "intensity" of service provided—more doctors, nurses, supplies and machines—is limited only by technological advance and labor supply constraints.

First things first

I would hope, Mr. Chairman, that we have learned our lesson in this field—that medical care entitlements strain the limits of the largest economy in the world. In fact, recent developments make clear to me that we are hard-pressed to afford the medical entitlements we now have on the books—let alone

being able to afford new ones. As recent studies from all directions have amply demonstrated, the HI trust fund is headed for bankruptcy at some point between 1987 and 1990. In order to stave off bankruptcy of this existing entitlement system, we will somehow have to contend with a projected $600 billion mismatch between income and outgo to the trust fund between now and the end of the century. This Committee knows well the magnitude of the task before us in either restraining benefits or raising revenues to fund this astronomical shortfall. Adding in new problems will only compound the difficulty of the task.

THE SOBERING FISCAL SITUATION

Even in the best of fiscal circumstances—such as the halycon days of the late 1960's when the Federal government committed the projected "fiscal dividend" to many worthwhile purposes—major new entitlement commitments should only be carefully undertaken. In the present environment, with projected deficits stuck permanently in the 5-6% of GNP range in the absence of concerted policy action, the creation of major new entitlement programs would be the height of fiscal irresponsibility. The following table summarizes our current plight in the entitlements area:

TABLE V.—PRESENT ENTITLEMENTS COMMITMENTS

[CBO estimates in billions of dollars]

Category	1984	1985	1986	1987	1988	Total
Total entitlements	394	418	444	477	511	2,244
SBC proposed savings	−6	−6	−11	−14	−17	−54
CBO baseline deficit	197	214	231	250	267	1,159

As the table shows, the Senate Budget Committee has, to date, been able to find only $54 billion in entitlement savings out of a $2.2 trillion spending base—savings of only 2.4%. Of this amount, $19 billion has already been achieved as a result of the Social Security reform legislation created by your Committee. Another $10.7 billion consists of the savings achieved through adopting the Medicare prospective payment provisions as part of the Social Security bill. Apart from these savings, SBC can find additional savings totalling only 1.1%. As a result, under present Senate policy, total entitlement spending will rise by 28% over the next five years. In this environment, further expansions of the entitlements base would be unconscionable.

THE ADMINISTRATION'S VIEWS

For all of these reasons, the Administration would find any new Federal entitlement program in this area totally unacceptable. To meet the needs of those for whom unemployment is a barrier to care, the Administration would instead direct the attention of your Committee to a number of areas in which we believe constructive action can be taken.

Based on our analysis of the scope of the problem, the Administration concludes that there are three classes of unemployed individuals who are presently unable to obtain health insurance or needed health care services:

Families where one spouse has lost coverage in which the family is unable to reenroll in the health plan of the other working spouse due to restrictive employer open enrollment practices;

Families which would be able to afford to continue their present coverage or perhaps purchase a less costly plan, but are discouraged from doing so due to the difficulty of finding private market alternatives, or due to considerations of age or illness that make them poor risks; and

A residual group of long-term unemployed who do not fall in either of the above classes who are ineligible for Medicaid, and unable to avail themselves of other public or private aid.

The Administration believes that the needs of these families can be met by a five-part plan based on the following three principles:

Support and encourage private sector initiatives

First, the Administration believes that much of the present hardship can be alleviated by constructive actions of the States and the private sector to meet the health care needs of the unemployed. Over the next few months, we plan to call attention to these efforts, and to encourage States and private institutions and individuals to emulate the many commendable efforts already underway. I would urge the Committee to undertake a similar effort, to determine ways in which we at the Federal level can be of assistance in promoting such efforts.

Augmenting existing private insurance coverage—providing incentives for increased access

The Administration will also support efforts through legislation to ensure greater access among the unemployed to private insurance coverage.

Federal support tied directly to new financing

Third, the Administration will also support budget-neutral efforts to assist those for whom increased access and private sector and State assistance is deemed insufficient. If the Committee determines that increased resources are needed for this purpose, the Administration will support increased funding if and only if the Committee also provides a commensurate level of revenues, beyond those provided for in the President's budget proposals, to prevent increases in the deficit.

Legislative changes

The specific legislative measures which the Administration would support are:

Mandated coverage/conversion privileges

The Administration would support amendments to the Internal Revenue Code to mandate:

Continuation of the present employer plan beyond termination, at individual rates at the expense of the former employee, for the lessor of one year or the period of unemployment; and

An option for former employees to convert to a special low-cost "catastrophic" insurance plan, at market rates at the expense of the former employee, for the same period of eligibility.

The combined effect of these provisions would be to ensure unemployed workers access to a health insurance plan without disqualification for pre-existing conditions or other circumstances. By eliminating the need for the unemployed to seek and find out their own coverages, more families are likely to avail themselves of coverage.

Mandatory open enrollment upon termination of a working spouse

The Administration would also support legislation to ensure that individuals who lose insurance coverage at unemployment can be enrolled speedily in a plan available to their spouses. Specifically, the Administration would support:

Permitting workers who had previously elected self-only coverage to elect full family coverage when a covered working spouse becomes unemployed; and

Permitting workers who had previously elected not to accept coverage in favor of enrollment in a working spouse's plan to elect full family coverage should that spouse become unemployed.

As noted earlier, 40% of the unemployed have working spouses. While precise estimates are unavailable, we believe that the combined effect of these provisions will ensure coverage for a significant share—perhaps as many as one-third—of the unemployed.

State assistance through the social services block grant

The Administration would also support amendments to Title XX of the Social Security Act to make State provisions for health insurance for the unemployed an eligible activity under the Social Services Block Grant. In doing so, the Administration believes that the broadest possible latitude should be granted to the States to establish eligibility, benefit and delivery mechanism provisions. In that way, States will be able to use the funds available to them to assist those who are uniquely in need of help within their own States.

If the Committee agrees with this recommendation, and wishes to provide added financial resources under the title to the States for this purpose, the Administration could support such increased funding only if additional revenue measures are enacted to finance whatever incremental increase the Committee finds appropriate. Specifically, the Administration would support simultaneous enactment of the Administration's proposed cap on the exclusion of employer contributions from Adjusted Gross Income as an acceptable method of financing. Any funding increase under title XX, however, would have to be matched with a corresponding decrease in the level of the monthly exclusion cap below the level—$175/month for family coverage—that the Administration has proposed.

For example, enacting the cap in 1984 at the $160/month level would increase revenues in calendar year 1984 by approximately $500 million above the level assumed in the President's budget.

The Department of Treasury staff stands ready to provide technical assistance to the Committee as it considers these recommendations.

Knowing the Committee's desire to move forward expeditiously in this area, the Administration does not propose that you delay your proceedings further while we prepare draft legislation. Rather, we would welcome the opportunity to work together with the Committee to produce legislation within the scope I have just outlined. We are hopeful, Mr. Chairman, that my legislation developed by this Congress to address the health care needs of the unemployed could be fashioned in a manner that the President could accept. I look forward to working with you and your Committee toward achieving that end, and would welcome any questions that the Committee might have.

Mr. HUMPHREY. Again, can the Senator assure us that the program passed by the Finance Committee will be a block-grant program?

Mr. DOLE. That is an area we have discussed with the Senator from Indi-

ana, Senator QUAYLE, and others, as to whether that is an effective way to proceed. I have no quarrel with how it is done. If it can be more efficiently done through the States, through the Governors, somehow through medicaid, so we do not create another whole new structure, I have no quarrel with that. We have not determined the best way to do it, the most cost efficient and the most effective for those who might benefit from the program.

Mr. HUMPHREY. What is to prevent the infinite perpetuation of this program? Can the Senator assure us that there will be some level of national or State unemployment below which this program will be terminated by law?

Mr. DOLE. We have that in our draft now. In fact, some Senators are complaining they are not eligible. We require that at a minimum a State have a 4-percent IUR. If you fall below that rate, you are not eligible. Some say it ought to be lower as that rate does not cover certain States.

We are trying to make certain we do not have an open ended program.

Of course, one additional help we would have is in the election. If we retain a majority in this body, I think we can make certain that we will not have a program that will go on and on for the next 10 or 20 years.

We have put a 2-year limit on it. There is no limit at all on the House provision. I am not certain whether the Senator from Massachusetts has a limit. I understand it is a program funded at $2.7 billion per year in fiscal year 1984 and fiscal year 1985, and $900 million in fiscal year 1983.

Mr. HUMPHREY. My last area concerns why we need this at all. We have medicare programs to take care of experience in exigent circumstances. Why must we create a whole new program at this time?

Mr. DOLE. Medicare, of course, mainly addresses senior citizens.

Mr. HUMPHREY. I meant to say medicaid. Excuse me.

Mr. DOLE. Medicaid might help some. However, the vast majority of unemployment insurance recipients are not eligible for medicaid, as I indicated to the Senator from Idaho.

Mr. HUMPHREY. For what reason?

Mr. DOLE. Because it is unlikely that many would qualify for one of the two cash assistance programs which lead to medical eligibility. One is SSI and one is AFDC.

Mr. HUMPHREY. They do not qualify for that because most of them are receiving unemployment benefits of one kind or another, is that not correct?

Mr. DOLE. That is, in part, correct.

Mr. HUMPHREY. So they are above the income level that would qualify them for these other programs. Is it unreasonable to——

Mr. DOLE. Mr. President, I think it might be helpful to have this in the RECORD.

The SSI program is targeted to low-income individuals who are aged, blind, or disabled, so few, if any, of the unemployment insurance recipients are going to fall into this category.

AFDC is the more likely avenue to medicaid coverage for unemployment insurance recipients. However, that is going to be limited. The AFDC program is targeted to needy children, and their mothers, and other caretaker relatives; children who have been deprived of parental support. In our proposal we are talking primarily about intact families—two parents and children. AFDC would apply more to those whose fathers are away from home.

At present only 23 jurisdictions offer AFDC cash assistance to children in two-parent families who are needy because of unemployment. Furthermore, eligibility on the basis of a parent's unemployment is limited to those families in which the principal wage earner is unemployed.

Given that all these conditions are met, AFDC eligibility for UI recipients is still unlikely due to income and asset tests. In determining AFDC benefits, the States must take into account family income. Since the UI benefits, in many instances, exceed the AFDC benefit levels, UI recipients would be ineligible. Furthermore, families are ineligible for AFDC if their equity in allowable resources exceeds $1,000, excluding the home and one automobile. The equity value limit on the one allowed automobile is $1,500.

As I indicated earlier, we cannot say to some young couple in Detroit, or Topeka, or wherever it might be that it is too bad you have been out of work, too bad you have lost your coverage, but we do not believe there is any Federal responsibility. We believe there is a limited responsibility, and we are trying to make it as tight as we can. We are not talking about extensive coverage, we are talking about emergency-type coverage. I hope that we are able to restrict it in ways that would satisfy the Senator from New Hampshire.

Mr. HUMPHREY. I appreciate the clarification by the chairman, Mr. President, but I think it has to be obvious, based on empirical experience around here, that by creating—whether we say it is only for this particular period of unemployment or not—this new benefit, we are creating a permanent benefit that, even if it is turned off sometimes, is going to be turned back on every time we have a period of unemployment. In effect, we are creating a whole new kind of Federal benefit at a time when we should be striving to reduce entitlements and get some control over this very kind of spending. It seems to be inconsistent with the rhetoric we have been hearing in these last few weeks as we have struggled with the budgets and the deficits. We are creating a whole new class of welfare benefit.

Although the case of unemployment without health insurance is compelling, these cases are always compelling. So is the case of saving the Nation from catastrophe. We are always called upon to pass these measures in the name of compassion, but where is the compassion in a national debt of $1.280 trillion, which will climb by several hundred billion dollars this year and approach the $2 trillion by the end of the 5-year budget figures we have under contemplation?

If the recovery is aborted, as is likely, by high interest rates driven up by Federal borrowing, where is the compassion in that? I believe the Senate is making a mistake or will make a mistake if it passes this proposal, no matter how compassionate it may seem in these particular circumstances.

I thank the chairman for his assistance.

Mr. DOLE. Mr. President, I thank the distinguished Senator from New Hampshire. It is a close call, no doubt about it. There is a tendency when the Government starts to react to a problem that it generally overreacts, and we too often end up with an expensive program that is out of control. Medicare is about the best example this Senator knows of. We were told a decade ago if we did not watch the cost of medicare, it might reach $9 billion by 1990. It is in the budget this year for $57 billion and the 1990 cost is projected to be over $100 billion. So there is no doubt that the Senator from New Hampshire knows the topic and knows the problem. That is just one program. I can bring in farm programs, education programs, defense programs, health programs, where, once they start, they are hard to curtail. But it is my hope that we can be sufficiently restrained in what we propose to do.

Plus, I think the one clear advantage in this type of amendment is that we have offered to offset the cost. We say in our amendment, "Offset through revenues." I think there are other ways to offset it. I would rather offset it with spending reductions in some other programs so we do not add another large program, but reduce one enough to make room for it.

I assure the Senator from New Hampshire that we appreciate his indication of his concern and we are going to try to act responsibly in the process.

Mr. President, I modify my amendment on page 2, line 2, to insert, after the word "by," the figure "$900 million;" and on line 3, after the word, "by," "$675 million."

The PRESIDING OFFICER. The amendment is so modified.

The amendment (No. 1235), as modified, is as follows:

On page 3, line 12, increase the figure by $225,000,000.
On page 3, line 13, increase the figure by $900,000,000.
On page 3, line 14, increase the figure by $675,000,000.
On page 3, line 18, increase the figure by $225,000,000.
On page 3, line 19, increase the figure by $900,000,000.
On page 3, line 20, increase the figure by $675,000,000.
On page 2, line 8, increase the figure by $225,000,000.
On page 2, line 9, increase the figure by $900,000,000.
On page 2, line 10, increase the figure by $675,000,000.
On page 2, line 14, increase the figure by $225,000,000.
On page 2, line 15, increase the figure by $900,000,000.
On page 2, line 16, increase the figure by $675,000,000.
On page 17, line 1, increase the figure by $225,000,000.
On page 17, line 2, increase the figure by $225,000,000.
On page 17, line 8, increase the figure by $900,000,000.
On page 17, line 9, increase the figure by $900,000,000.
On page 17, line 15, increase the figure by $675,000,000.
On page 17, line 16, increase the figure by $675,000,000.

MR. DOLE. Mr. President, I know the Senator from Massachusetts may want to raise some questions or debate or substitute his own proposal. I do believe we have tried to address this problem in the right way. Some would say it does not go far enough. We have had an indication that it goes too far. Some would say we should do nothing; some would say we should do everything. It is the hope of this Senator that, with the administration's support and with the willingness to offset the cost of the program, as we have indicated in our amendment, we might have a strong bipartisan support of this concept.

I suggest the absence of a quorum, unless the Senator from Massachusetts has something he wishes to say.

Mr. KENNEDY. Mr. President, as the Senator from Kansas knows, I intend to offer an amendment in behalf of myself and Senator RIEGLE at the time that the time of the Senator from Kansas has expired. I shall withhold my comments until then.

(The names of the following Senators were added as cosponsors of the amendment, as modified: Mr. D'AMATO, Mr. BOSCHWITZ, Mr. PERCY, and Mr. JEPSEN.)

● Mr. JEPSEN. Mr. President, I believe we must address the problem of lack of health benefits for the unemployed. Currently a large percentage of the unemployed in Iowa are in danger of losing health care insurance. Some have already lost their health care benefits. Providing health benefits for the unemployed means replacing lost coverage. It does not mean creating a program of national health insurance.

Our proposal provides for health care funds for a limited period of time. We do not simply add to the debt as the Kennedy amendment suggested.

We provide the revenues necessary to finance the program, resulting in no increase in the debt.

There is a real problem out there. People are not getting the care they need because of loss of health benefits. We cannot turn our back to this problem. I urge my colleagues to support this amendment.●

Mr. STEVENS. Mr. President, I am pleased to cosponsor the amendment offered by Senator DOLE and many others which would provide health insurance benefits to qualified unemployed workers, including in-patient and out-patient services, hospital and physician's services. Under this amendment benefits would be funded by $1.7 billion from the Federal Government, with contributions from State governments. This is particularly important for Alaska as we have one of the highest unemployment rates in the Nation. In fact, some areas of Alaska have unemployment at nearly 25 percent. Many Alaskans are unemployed through no fault of their own and unable to afford private health insurance. This measure would meet an immediate need for unemployed workers in Alaska and across the Nation.

Mr. DOLE. I am prepared to yield back my time, Mr. President.

Mr. KENNEDY. I am prepared to yield back my time on this side.

Mr. DOMENICI. I ask the Senators, does that mean we shall be expected to go to a vote immediately?

Mr. DOLE. I think the Senator from Massachusetts wishes to offer a substitute.

Mr. DOMENICI. That is fine with me.

The PRESIDING OFFICER. Is all time yielded back?

Mr. DOMENICI. I do not know who is controlling the time.

Mr. KENNEDY. I have control of the opposition. I yield back my time.

Mr. DOMENICI. I yield back time on this side.

The PRESIDING OFFICER. The Senator from Massachusetts.

AMENDMENT NO. 1236

(Purpose: To add additional funds for health-care assistance for the unemployed)

Mr. KENNEDY. Mr. President, I send to the desk an amendment on behalf of myself and the Senator from Michigan (Mr. RIEGLE) as a substitute for the Dole amendment.

The PRESIDING OFFICER. The amendment will be stated.

The legislative clerk read as follows:

The Senator from Massachusetts (Mr. KENNEDY), for himself, Mr. RIEGLE, Mr. METZENBAUM, Mr. EAGLETON, Mr. RANDOLPH, Mr. DODD, Mr. MATSUNAGA, Mr. MOYNIHAN, Mr. SARBANES, and Mr. CRANSTON, proposes an amendment numbered 1236.

Mr. KENNEDY. I ask unanimous consent that further reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

In lieu of the language proposed to be inserted, insert the following:
On page 3, line 12, increase the figure by $930,000,000.
On page 3, line 13, increase the figure by $2,899,000,000.
On page 3, line 14, increase the figure by $3,146,000,000.
On page 3, line 18, increase the figure by $930,000,000.
On page 3, line 19, increase the figure by $2,899,000,000.
On page 3, line 20, increase the figure by $3,146,000,000.
On page 2, line 8, increase the figure by $000,000,000.
On page 2, line 9, increase the figure by $000,000,000.
On page 2, line 10, increase the figure by $000,000,000.
On page 2, line 14, increase the figure by $000,000,000.
On page 2, line 15, increase the figure by $000,000,000.
On page 2, line 16, increase the figure by $000,000,000.
On page 17, line 1, increase the figure by $900,000,000.
On page 17, line 2, increase the figure by $900,000,000.
On page 17, line 8, increase the figure by $2,700,000,000.
On page 17, line 9, increase the figure by $2,700,000,000.
On page 17, line 15, increase the figure by $2,700,000,000.
On page 17, line 16, increase the figure by $2,700,000,000.

Mr. KENNEDY. Mr. President, first, I want to express my own appreciation and, the appreciation of the unemployed workers of this country to the Senator from Kansas, as well as the Senator from Indiana (Mr. QUAYLE), who is the chairman of our Employment Subcommittee, for the attention and the interest that they have given to this issue. With the very sizable increase in the numbers of people who have lost their jobs in the last 2 years, there has been a very substantial increase in human need because most of these workers have lost their health insurance coverage.

The United States has just suffered through the worst recession since the Depression—and now we are suffering through one of the weakest recoveries. More than 11 million Americans are out of work. Businesses and farms continue to fail throughout the Nation—and workers continue to lose their unemployment benefits.

One of the worst consequences of this deep recession is the loss of health insurance—which too often

compounds the tragedy of unemployment.

The dimensions of the problem are staggering. The Congressional Budget Office estimates that over 10 million Americans and their dependents have lost their health insurance because they lost their job. Millions are forced to go without essential health care because they face the cruel choice between paying the bill for food and rent, or paying the doctor's bill. Infant mortality is rising in hard-hit States, where the number of women who receive no prenatal care has tripled.

But these are only the bare statistics. The real human tragedies are even more compelling. Earlier this week the Labor and Human Resources Committee heard from some of these families.

We heard from Mrs. Sloan of Turners Falls, Mass. Mrs. Sloan is a widow with four children. For 4½ years she worked at the Ingersoll-Rand Co. She was laid off a year ago. Her unemployment benefits ran out this March. Mrs. Sloan's 16-year-old daughter has a rare form of arthritis. She needs to see a specialist. Visits to the doctor cost her $100 every time she needs to go. Mrs. Sloan's child does not go to the doctor anymore, because Mrs. Sloan cannot afford to pay the doctor, feed her family, and pay the rent.

We heard from Mr. McCormack. For 10 years, Mr. McCormack worked as a crane operator at Bethlehem Steel in Baltimore. He was laid off in February 1982, and has been unemployed ever since. Mr. McCormack's 6-year-old daughter needs an operation to have her tonsils and adenoids removed. But she cannot get that operation. The hospitals tell him that they cannot admit his daughter unless he pays them money up front. But he has no money to pay up front. His unemployment benefits and his wife's salary come to only $225 a week. From this amount he has to pay his mortgage and his life insurance and the insurance on his car so he can drive around to look for work.

We also heard from Nicholas Contos of Flint, Mich. When Mr. Contos and his wife lost their jobs, they lost their health insurance. When Mrs. Contos became pregnant, they found out that the hospitals required that they put up $3,500 up front for care.

Mrs. Contos had a complicated pregnancy and her baby was born prematurely. The hospital bill for the Contos is $60,000. The Contos will spend the rest of their lives paying off the bill. They face the future under the shadow of doubt, doubt and despair.

These are the men and women who worked hard to build America. They are not out of work because they want to be. Mrs. Sloan from Massachusetts even gave up her widow benefits under social security to take her job. Now they are out of work by no fault of their own and they have no where to turn for health care.

The stories we heard are not unique. All across the United States, unemployed workers have lost their health insurance and lack the funds to pay for health care for their families and themselves.

Our amendment is a modest one in view of the magnitude of the problem. We would provide $900 million to States immediately in fiscal 1983, to begin to help out these unemployed families. For the next 2 years, we will provide $2.7 billion each year to meet the health care needs of the unemployed. Even with this level of funding, the benefits would be modest. We estimate that this amount would be needed simply to provide the unemployed and their families with coverage for approximately 9 hospital days and 10 outpatient visits, plus the funds to cover prenatal delivery and postnatal care.

If we fail to act, the cost will be much higher. Thousands of children will suffer from serious and potentially irreparable illness because they could not get essential primary and preventive care. Thousands of pregnant women will fail to get needed prenatal care to be sure their babies are healthy and well. Millions of unemployed workers and their families will live under the shadow of huge debts for emergency hospital care they cannot afford.

The surest way to address this problem is to put America back to work. Only reversing the administration's reactionary economic policies can we truly offer hope to the struggling families of America.

But it is not enough simply to wait for the recovery. Health care is too important to be sacrificed on the altar of supply-side economics. No pregnant woman should be denied prenatal care because she and her husband are unemployed and cannot pay the doctor's bill. No workers should lose their health insurance because they lost their job. No families should lose their access to health care because they have become casualities of the administration's unfair war against inflation.

It is time for the Congress and the administration to pay something more than lip service to the social safety net. I hope we can act today to offer some assistance to those in need.

As we have seen so many times in the past, the debate on health issues need not be partisan. We may in the Senate have different ways and means of approaching some of these issues. I believe, as we have seen in the debate yesterday, that we are going to have continued debate and discussion in this body and throughout the country on how we are going to address the issue of medicare and how we are going to get a handle on health care costs in the future.

I again thank the Senator from Kansas. His amendment goes beyond what the administration has requested. I am sure all of us in the Senate are aware of the attention that he has given it.

Quite frankly, Mr. President, it is important that we respond to this need. Anyone who had the opportunity as I did this past week in our Health and Human Resources Committee, chaired by Senator QUAYLE, to listen to the witnesses who over a period of years have been hard-working individuals and have lost their jobs and are now facing significant and in many instances devastating choices for themselves and for their families, could not possibly doubt for a minute that there is an extremely important need.

These Americans want to go back to work. They do not want the survivor's benefits that they are eligible to receive. They want to go back to work, even with a family at home.

We heard from a number of individuals, some who are on unemployment compensation and some who have seen their unemployment compensation expire. They even now are back in their taxes, back in their mortgage payments, have lost their car.

Individuals have asked on the floor of the Senate, "Well, why don't they qualify for this medicaid?" Some of these individuals find they cannot sell their home. Some of them cannot sell their property. Most States do not even cover intact families; therefore, they are not eligible for medicaid.

Mr. President, these are not atypical stories. They are taking place in my own State of Massachusetts and States which have been much harder hit with the devastation of the recession which we have seen in our country.

These tragedies befall not only those individuals who are unemployed and receiving unemployment insurance but also those that are not receiving unemployment insurance. You cannot draw the line and separate them in their need.

I do not question the good-faith efforts of those who are recommending a more modest sum than is included in the proposal that is being put forward by the Senator from Michigan and myself. I do feel strongly, Mr. President, that if we are going to address this issue we ought to do it in a substantive way and not offer false hopes to millions and millions of Americans who today wake up in the morning and live in fear of illness and sickness for themselves and most especially for their children.

One of the most severe problems that we have heard about, Mr. President, is the problem which expectant mothers are facing who are unem-

ployed or whose husbands have become unemployed. Hospitals throughout the country are requiring that before delivery the expectant mother has to put down $2,200 in cash. We have heard the stories about individuals being moved from hospitals because they find that they cannot put up the front end money and they are shuttled from hospital to hospital for medical attention.

That is not the exception, Mr. President. More and more often that is becoming the rule. We have heard that in testimony from the commissioner of health in the city of Philadelphia in the past few days.

Infant mortality is rising significantly in parts of this country. Those statistics we know. The problem is there, Mr. President.

There will be those who say that we ought to study it more; we need more information; we need more statistics. The problem is there. Health officers in any State or in any city of this country understand.

We say that the program that we are advocating is a modest program. The funds in this amendment will provide for only about 9 or 10 doctor's visits a year, and about 9 hospital days of coverage.

We are trying to provide a very modest program which works through the States, and there is substantial agreement on that as an approach.

I have introduced legislation with a number of the Senators to establish a health care program for the unemployed. This bill gives priority to preventive health care services and primary care services and in maternal and child care services. We do give priority to those and do provide some degree of specificity in terms of requirements. Generally, we permit the States to make a judgment on the way this can best be achieved. So we do build flexibility into our amendment. This bill would authorize funding at the same level as is included in the pending amendment.

Our bill and our amendment recognize what we consider the extent of the extraordinary need. We do feel that the amounts which are in the Dole amendment we are trying at this time to perfect are insufficient and inadequate to deal with this problem. We do feel that a sufficient record has been made to justify an amendment. It is virtually the same approach that has been accepted by the House of Representatives. There is an important human need here, and I hope we will address it.

We have heard the question asked, "Where are we going to get the revenues?" Mr. President, we are going to address that, and the members of the Budget Committee know we are going to address those issues as this budget process moves along.

I say that those who probably are going to offer the final substitute amendment—which probably will prevail ultimately—are going to increase the Federal deficit by reducing revenues far more significantly and dramatically than anything proposed by our amendment.

The final point is that we find it difficult, if not impossible, to read the economic projections of this administration, let alone the projections of those within the business community, and labor and believe, as some here have said that this need is not going to be a continuing one. We are talking about a problem that is here, and it will not be gone tomorrow. The best estimate is that even if we should get below 10 percent in unemployment, we are going to be facing 9 percent unemployment in the next years. That obviously is going to be a very significant hardship, and the need for this program will continue.

Mr. President, we cannot minimize the human need and the human distress, not only in the dollars and cents of unpaid doctors' bills.

But also in the anxieties and human tragedies that are being experienced by families every day who fear illness. Our amendment is a small price to pay to relieve this suffering.

Given this emergency situation, I hope this body is prepared to act favorably on this amendment.

I reserve the remainder of my time.

Mr. RIEGLE. Mr. President, I join my colleague from Massachusetts and associate myself with his very important and powerful remarks with respect to this problem and our response to it.

The perfecting amendment we have sent to the desk attempts much more fully to respond to the problem of unemployed workers and their families and their health needs than does the primary amendment that has been offered by the Senator from Kansas.

I do want to say, with respect to the work of the Senator from Kansas (Mr. DOLE), that he is in the leadership as to the issue of how we begin the process of providing health insurance to unemployed workers and their families. That matter has moved expeditiously in the Finance Committee, with hearings on that subject, at which I and others have appeared; and I appreciate the fact that he has come to the floor today with a proposal, although I think that proposal falls short, principally in the amount of money being provided to try to meet this need.

To give an idea as to what we are talking about here as to the magnitude of the problem and the amount of money required, the Congressional Budget Office has estimated that if we were to provide health care insurance for all the unemployed workers in the country and their families, it would cost us about $6 billion a year. We have not proposed going that far, although we would like to, and the need is clearly there. We have come in with a proposal—the amendment now at the desk—of about $2.7 billion, which is less than half the amount of money that is estimated in order to treat the entire problem across the country. However, our $2.7 billion proposal has to be looked at in contrast to the underlying proposal that we are attempting to change and augment, which is a figure of $900 million. So we are talking here about a substantially broader reach of effort to these persons across the country who are caught in this situation.

If we were to see our amendment go down—and I hope that will not be the case—the underlying amendment has enough money to provide roughly 2 months' worth of insurance coverage out of the 12-month year for all the people across the country who need that help. So while it makes a start in the direction of the problem, I do not think it goes nearly far enough.

I might say, too, that if we are going to underfinance this need and understate the magnitude of the problem out there, which is really America's problem—and that is why we raise the issue on the Senate floor—if we do not take account of the magnitude of this problem, we are going to be left with the contradiction of an inadequate program that will respond to the needs of some but not others. It is not clear to me how that is to be done.

In other words, are we to go on a given block in a given town and say to one unemployed family with medical problems: "Yes, we are going to help you meet your urgent medical needs," but say to the unemployed family next door, "I am sorry, we cannot help you because we did not provide enough money"?

Will we say, "We have to make a choice, and we are helping your neighbor next door, but you will have to go without"?

Or are we to say to a family with very severe medical problems, with children who are sick, or with a major medical expense, "We will help you, but we can only give you a small amount of help"? We might say, "We can't respond to the entire problem in your family. We can help to the extent of a minor illness but not a major illness. Or we can help with the problems of one child but not two or three children."

I do not think we should put ourselves in those contradictions.

What we have to understand is that the magnitude of the economic disaster that has hit this country is something we have not seen in 50 years in the United States. You have to go back to the days of the Great Depression to find a situation where 12 mil-

lion or more Americans are out of work and you have had people out of work for such a long period of time that they have exhausted their unemployment benefits, their health benefits, and, as has been noted, have had their assets stripped away and literally, in many cases, have had to go out on the road and become wanderers across the country and find work wherever they can, or find some income where they can. We know that lots of people have ended up living in shantytowns and under bridges, and things of that kind.

So the problem is real and it is one that confronts us and it is one that I think we have an obligation to respond to.

Now some will say—I have not heard it said yet in this debate—why is it our responsibility? Why should the Government respond? Especially those who think the Government is sort of an alien and evil force will say why should we see this as a requirement of the Government to step up to this problem of an unmet medical insurance need and health need throughout the country?

The answer to that is very simple. The answer is this: 220 million-plus people who live in our country are part really of our family, the American family of all of our citizens. They are the most valuable and important asset in this Nation. In the end, it is not whether it is the furniture in the room or the brick and mortar of this Capitol Building, our assets across the country that are our factories, our missiles, or even our land or any of the natural resources that are the true treasure of this country. The thing that gives all this meaning is the health and well-being of our people.

So we have an obligation to see that our people have a chance to maintain themselves and particularly to maintain their health and their physical strength.

So in a sense we not only have to respond to emergency medical problems as we properly should but as well we should go beyond that to the question of making sure that there are sufficient income levels available to people so that they are able to eat, they are able to be properly sheltered, and so forth.

That to me is a mark not only of a humane nation but of a modern nation, to recognize the fact that we in this country have an obligation to all of our people and to not turn our backs when we find a situation of a national economic catastrophe that has damaged so many millions of people across the country.

One of the great ironies is that when we have national disasters like Mount St. Helens out in the States of Washington and Oregon, where there was an enormous immediate loss and hardship to people, and so forth, we responded as a nation. When the floods have hit other parts of the country or hurricanes have hit other parts of the country again we responded. In fact, we even set up institutional programs so we are in a position if floods should strike or other things of that kind where we can move in and make national help available because we view that as a national calamity and we view a sense of national connection to a broader purpose to help one another in situations like this that are beyond the control or beyond the strength of an individual person or a family.

So it seems to me that we should respond in that exact same spirit where we have a situation now where we have millions of people who worked through a lifetime of work who want to be working, where there are no jobs available. They have exhausted their unemployment benefits. They have exhausted their health insurance. They are sick. Their wives and husbands are sick. Their kids are sick. They need medical attention, and they should be able to get it. This country should respond to that need 1st not 5th or 25th or 205th. It should be the first thing on the list. It should be our top priority.

As I look around this Chamber, we have Members on this floor today who I know from personal experience have had enormous medical difficulties in their own personal lives and their own families, life-threatening situations. I have had it in mine as have others on the floor, Members who have been in situations where without the best of medical care they would not have been able to survive as well as members of their family.

But because we were fortunately enough situated we got the medical attention we needed. We got that help when we needed it. Therefore, we have been able to survive and come forward as have the members of our families.

Why should it be any less for anyone else in the United States? Why should the citizens of this country not be entitled to the chance to be able to enjoy decent health and especially if they are in a threatened situation as we clearly know the case to be now?

We have all kinds of money in this budget for everything else that one can imagine. If we go into the defense budget, there is every kind of weapon that the mind can devise, chemical weapons, nuclear missiles. We have every sort of hardware that can be devised. We have gone right to the outer limits of the imagination of men and women to devise how we can be the most efficient in killing one another. In fact, we are second to none in that area. And this budget is bursting at the seams with money to finance all of those activities.

Yet literally within walking distance of this Senate Chamber we have people outside in the immediate neighborhoods and stretching out throughout the 50 States who are in desperate medical difficulty and have not a dime to pay to go out and get the medical treatment and help that they need.

So there is something wrong here when we say to ourselves in a budget that is up nearly to the trillion dollar range that we cannot find the money in an emergency situation to respond to a problem where you have people out there who are sick and need help and cannot get it any other way. That is what we should spend our money on. That is where we should start.

If this country is going to be strong in the end, it is going to be strong because its people are strong because they are strong in body and beyond that I would hope in efforts to get people back to work so they can produce, produce for themselves, produce for the Nation because the people that I talked to who are out of work want to be back at work.

That is what our orientation and our priorities should be in this budget. We should not have to come to the floor and fight now for an amendment that only meets half the problem, and that is what we are proposing here because of the financial limits that we are seeing.

But we should be prepared to go at least that far because we can wring that money out any number of other ways in the budget if we are serious about the problem of the overall stress on the Federal budget. But even that argument turns into a lame one when you are looking at the fact that we are talking about a budget up in the $800 billion range and we are talking here about a program of about $2.7 billion.

So we are not talking about something that percentagewise is anywhere near the magnitude that would warrant someone saying this cannot be afforded.

As a matter of fact, today we were cross-examining in the Banking Committee one of the top officials from the administration's Office of Management and Budget and he was saying on the record that over the period of the 8 years since this administration has come in office we are going to add $1.1 trillion to the national debt. Those are large numbers. But if we have national purposes and needs out there that require that kind of massive accumulation of public debt surely in percentage terms we can find this very tiny amount of money, this very small percentage, to respond to the emergency medical needs of rank and file Americans who are out there right now and who need that help.

You know we have never been a nation whether in peace or in war that has left our wounded behind. That has not been the American tradition.

When we drive down the highway most of us when we come upon the

scene of an accident that has just happened in an automobile, we do not just drive on by. We stop and we get out. We try to help someone. We try to comfort people and we try to get medical attention to them and get an ambulance to the scene so that their lives can be helped and be saved. That is what we do. That has always been our tradition.

But if we say no and turn our back on this emergency medical need in this country today on the scale in which it exists it is just as if we were driving right on by—"Sorry, we can't help you; sorry, no, we are not interested; no, your problem is not important enough. I am all right, and I am going to concentrate on myself, and you are going to have to solve your problem the best way you can."

The same in wartime when we had situations in wartime when there were countless instances where we had situations where we had wounded people out on battlefields all over the place and some of the finest parts of the history of this country have been other people risking their lives, their very own lives, to go out and help someone and to try to save someone else's life at the risk of their own.

We say it in the Air Florida crash. We had a Federal employee—everyone was standing around on the riverbank, a woman was drowning, and he jumped in and swam out and saved her life at the risk of his own.

That is what this country is about and that is what this amendment is about. When you have American citizens that are in serious and urgent risk we respond by saying yes, we are prepared to help. That is why the Senate is here. That is why we have a Federal Government. It is what makes us different and makes us a civilized society.

So, yes, we have the money to do this. We are going to spend far more money in this budget on an endless number of things that are less important and where the dollar amounts are larger than what we are proposing in terms of this emergency health care proposal that we are putting forward.

As a matter of fact, I might just say one other thing. We have laid out an approach we think is a good approach, but in the budget document if this number of dollars is approved it does not mandate our particular approach. If a different approach can be found that is better and more cost effective fine, let us go that way. But if we do not provide the money, if we do not step up to the problem in the first instance and say, "Yes, we are willing to sign on the dotted line and willing to spend that money to help our people," Then we are driving right by this problem. I hope that will not happen.

I finally say to the Federal employees in this room, and I mean by that not just the Members but the employees of the Senate, and members of the professional staffs of the Members who are here, we have good health care. Everybody around this room has good health care. When the President of the United States was shot he got immediate and good health care, as properly he should have. So we are all taken care of. We have seen to that in the past, but we have an obligation to see to the least of us, and that, fundamentally, is our public service obligation. It is not just to see to our own needs and not just to think of this in selfish terms but to think in terms of what is needed across this Nation and to the person out there who is in the worst of circumstances. If we are not big enough to respond to that problem then I think we will have failed our duty as Members of this Government.

Mr. METZENBAUM addressed the Chair.

The PRESIDING OFFICER. The Senator from Ohio.

Mr. METZENBAUM. Mr. President, what is the time situation with respect to the amendment?

The PRESIDING OFFICER. The Senator from Massachusetts has 2 minutes and 17 seconds.

Mr. METZENBAUM. Mr. President, I ask the Senator from Michigan who, I understand, is handling time on the bill, I be allotted such time as may be necessary off the bill.

Mr. RIEGLE. I yield such time to the Senator from Ohio.

Mr. METZENBAUM. Mr. President, there is no question but Congress is going to take some action in connection with the problem of millions of Americans who are not now able to meet their health care costs by reason of their being unemployed, and the issue before us is, what are we going to do?

There is a general acceptance of the fact that you cannot let millions of Americans go without health care. It is my understanding the House budget provides $2.7 billion for that purpose, and that this amendment, which I support and of which I am a cosponsor, is also $2.7 billion for fiscal year 1985 and 1986.

Now the question is, can we afford not to do it?

Our States and the Nation, as a whole, will in future years pay a terrible price for medical problems that are today going untreated.

The evidence is already coming in.

For the first time in decades, the trend in infant mortality rates has reversed. Infant mortality is now increasing in those States and cities with high unemployment rates.

Hospital emergency rooms are crammed with those who have nowhere else to turn. Some hospitals are closing their doors entirely to the poor.

Others are on the brink of financial disaster.

Physicians and hospitals are also seeing persons with serious, life-threatening health problems which could have been easily treated at an earlier stage.

On paper, this Nation's health care system looks good—medicaid for the poor, health insurance for the workers, and medicare for the elderly and disabled. The problem is, Mr. President, that it is not working!

Our medical system is full of gaping holes and there is no way to fill those holes without spending money.

The Reagan administration, however, believes that we can solve the problem without spending money. How do they propose to do it?

The argument has been made by the President of the United States about voluntary effort—that you can count upon the doctors and hospitals and they will provide the necessary health care. But we know from the hearings we conducted the day before yesterday that that is not the case. The fact is that the doctors and the hospitals are turning people away day in and day out.

After I had read in the newspapers that the President had been advised by the president of the American Medical Association that the physicians of the country would attend to the problem and that they could be counted upon to do so on a voluntary basis, I asked my staff to check around the major cities in my own State to see whether, by calling a local physicians' group, we could find a doctor for an unemployed person who would be willing to provide assistance. We found that only in 3 of the 12 cities were they prepared to give us an affirmative response. It was our conclusion that at least half the cities are not providing any kind of response at all for unemployed workers in need of health care.

In all fairness to the president of the American Medical Association, there was a correction to the story in the newspaper indicating that he had said the doctors were providing voluntary medical assistance to the unemployed. I am told that statement has been corrected. He did not say that the doctors could take care of the problem, because the AMA has come out in support of legislation to provide for payment of health care services.

The second part of the administration's proposal to provide health care for the unemployed is to allow the States to use their title XX block grant funds for this purpose.

Title XX funds pay for day care programs, elderly nutrition programs, home health care assistance, and other vital services. These funds were cut by approximately 25 percent in the first year of the Reagan administration and States have been forced to make severe cuts in social programs as

a result. Now, we have the administration proposing that States could cut these programs even further in order to provide health care for the unemployed. Aside from David Stockman, I do not think there are many who consider this a reasonable solution.

The third part of the Reagan administration proposal says that if we do have to spend any additional Federal dollars on this program, let us tax employees' health insurance benefits in order to pay for it. This is the same administration that claims it does not want to raise taxes and will veto a budget resolution that includes tax increases.

I think that we need to recognize that there is no such thing as getting something for nothing and that we now have to pay the price for the disastrous unemployment which our economic policies have wrought.

Last week, Senator KENNEDY and I, along with the other Democratic members of the Labor and Human Resources Committee, introduced a bill to provide assistance to the States for health care for the unemployed. Some have criticized this bill as being too costly. In fact, it will provide only a bare minimum of needed medical services.

We cannot afford the luxury of inaction in this area. We have a responsibility to young Americans, children, mothers in need for prenatal care, babies in need of assistance from a pediatrician. If we do not provide adequate medical care for those children now or the mother in the prenatal condition we will pay a much higher price in the future.

This proposal is a very reasonable one.

Mr. METZENBAUM. Mr. President, the issue only is will we meet our responsibility or will we try to do too little and will it be too late? I think this amendment, of which I am one of the cosponsors, will provide a very major move in seeing to it that it is not too little and too late and I hope my fellow Senators in this body will see fit to adopt it.

Mr. DOMENICI. Mr. President, I think on our side unless the Senator from Kansas has anything further we are ready to vote shortly. I yield 5 minutes to the Senator from Kansas.

The PRESIDING OFFICER. The Senator from Kansas.

Mr. DOLE. Mr. President, I will not take 5 minutes. I thank my colleagues, the Senator from Michigan (Mr. RIEGLE), Senator METZENBAUM and the Senator from Massachusetts. I again think we can say there are vast differences in the two programs but I think the record should also show that a number of us on both sides have been trying to figure out the best way to go. It just seems to this Senator, if in fact we are going to get into this area, as I believe we should, then we ought to be able to find the resources to pay for the program, whether it is revenues or whether it is some spending reduction or whatever it may be. So I am hopeful whatever may happen on the vote on this amendment that we are in agreement.

Certainly the Senators who have spoken, the Senators from Massachusetts, Michigan, and Ohio have been in the forefront of efforts in trying to put this up front. It now is up front, it has the attention of the administration. There have been hearings in the Labor and Senate Finance Committees and we are ready to go into a markup in our committee, and I am hopeful we can proceed very quickly as soon as we have a budget resolution.

So I want to thank my colleagues on both sides of the aisle for the bipartisan cooperation we have had in this area. We may not have the perfect amendment, we may need to do more. Some may suggest we do less, but at least we have indicated as clearly as we can that we support the effort and we are willing to find the revenues so there is no increase in the deficit. I hope, only for that reason, we might defeat the amendment of the Senator from Massachusetts and others and then have a vote on the amendment offered by a number of Republicans and Democrats which would be smaller in scope and would be offset by revenues so there would be no deficit.

Mr. DOMENICI. Mr. President, obviously, as chairman of the Budget Committee, my job here is not to pass on the details of a program to provide health insurance to unemployed workers. That is the business of the Finance Committee and the Labor and Human Resources Committee of the U.S. Senate. What I think is healthy and good, however, is that there appears to be very broad bipartisan support for addressing this problem.

Most of our health and social service programs that are aimed at helping people in need are not focused on the long-term unemployed who previously had good jobs. Most programs are means tested and do not contemplate that a family own a house or have other assets. Thus, for many of the unemployed, Federal health and social service program offer no help.

Certainly, that is the case for medicaid, no question about it. Some of the long-term unemployed workers will be helped by medicaid, but that is only a small portion.

As you look down the list of those programs that might help, it is obvious that a big vacuum exists. But I do hope today in the Senate that we understand that this is a very difficult problem to solve. It will be very difficult to draft a program that is fair and, at the same time, maintains budgetary responsibility.

I commend Senator DOLE on my side of the aisle and those with him who have worked hard to bring this issue to the forefront and I am sure they are going to succeed in drafting and passing legislation to address this problem. To those on the other side, I commend them also.

But, frankly, I think we ought to be careful in addressing this issue. Certainly I do not think we ought to create a new entitlement program too quickly.

Second, we ought to be cautious about estimating what the program we do put together is going to cost. I was not here when medicaid was paved. I do understand, however, that the record of debate on the floor of the Senate says that that probably was going to cost Federal, State, and local governments $800 million a year. I just checked and it is $21 billion to the National Goverment and just about 15 billion to States and localities.

When we put medicare on the books, what did we think it was going to cost in 1990? The estimates that came out of the committees and that were used on the floor were $10 billion. The program in 1990 will cost $100 billion.

I mention this underestimate only to emphasize our inability to project costs in health programs. We must be careful to assure that this growth, far beyond estimated levels, will not occur again.

It seems to me, we ought to send a message to our Finance Committee and our Labor and Human Resources Committee that they ought to focus aid on those who really need it, not create unending entitlement programs, we do not want to have a program with a first year estimated cost of $900 million, as contained in the Dole approach, ballooning to a much higher level in subsequent years.

I have nothing further.

Mr. KENNEDY. Mr. President, I yield myself 3 minutes and then I will be prepared to vote.

Mr. President, the chairman of the Budget Committee, I think, has put his finger on one of the real public policy issues of our time, and that is the explosion of health care costs.

The fact remains that prior to the enactment of medicare and medicaid in 1965, the elderly people were paying about 20 percent of their income for health care costs and now they are paying the same percent out of their pockets now. They are not financially better off. Why?

Health care costs have gone up through the ceiling. This body has to make a judgment—are we going to reduce the benefits to the elderly and those in need or are we going to bite the bullet and really try to deal with the explosion of health care costs for hospitals and physicians? We are going to face that issue in the very near future. I look forward to working with the chairman of the Budget Com-

mittee and the Finance Committee to address constructively this critical problem.

A final point that I would make. A question has been raised about can we afford it in this budget. I support the revenue measures which have come out of the Budget Committee that provide about $30 billion in revenues. That issue will be debated back and forth on the floor of the Senate.

But I dare say that many of those who are questioning the support for our amendment because it does not provide for additional revenues, and saying that we are going to be coming here later in this debate and reducing those revenue-raising measures and increasing the deficit themselves. And I think I can say that without fear of contradiction.

But before we take seriously their argument that we are not going to be able to afford our amendment I hope that our colleagues, particularly on the other side, would give us some assurances that they were prepared to stay the course with the Budget Committee's recommendations of $30 billion in revenues.

HEALTH INSURANCE PROTECTION FOR UNEMPLOYED WORKERS AND THEIR FAMILIES

Mr. GLENN. Mr. President, a majority of Americans are protected under group health insurance plans through their or a family member's place of employment. This is because group coverage rates are substantially lower in cost than individual policy coverage and the employer frequently pays most or all the premium coverage.

Today, the devastation of the recession has touched the lives of millions of Americans who have never been without work before, and who have never been without health care protection before. These citizens are finding that individual health insurance coverage is unaffordable. Families are finding they do not qualify for Government medical assistance. While medical needs continue, due to the high cost of health care, many individuals are simply postponing seeking care unless or until they become seriously ill.

The loss of health insurance coverage for Americans who have lost their jobs is not a new problem. There have been unsuccessful efforts in the past to establish programs of protection for unemployed workers and their families. However, the growth in the numbers of people who have lost their jobs and the unprecedented length of their unemployment in recent times, has made this an issue of pressing national concern.

The Congressional Budget Office now estimates that 14 million people—workers and their families—have lost their health insurance coverage as a result of unemployment. Adding to this, the Congressional Budget Office estimates that unemployment will remain above 9 percent for some time. This means some 21 million people could lose health benefits this year as a result of unemployment.

Over the past 2 years, joblessness has become less and less a short, temporary setback for workers. During the last year, we have seen longer periods of joblessness, greater exhaustion of financial reserves, and growing emotional and physical health problems on the part of those out of work. We do not want this to become a permanent part of our economic and social landscape.

The lack of health insurance protection is an especially difficult concern for the unemployed because of the high level of stress associated with unemployment. Unemployment unravels dreams. Homeownership and a good life for the children can be lost or threatened. Compounding other worries, is the additional stress of knowing there is no protection against potentially, devastating, and ruinious medical bills.

With this Nation having endured the worst unemployment since the Great Depression and barely on its way to recovery, clearly the time has come for the Federal Government to help provide shortrun medical aid for those who are and have been suffering. Assistance is desperately needed.

I urge my colleagues to support this program to provide basic health care benefits for the unemployed and their families.

Mr. SARBANES. Mr. President, I am very pleased to join today with Senators KENNEDY and RIEGLE in cosponsoring this important amendment to provide emergency health care assistance for unemployed workers. This amendment would provide $900 million in fiscal year 1983 and $2.7 billion in fiscal year 1984-86 to assist the States in developing a program for assuring the availability of basic health care to jobless Americans and their families.

The United States is currently experiencing the most severe and extended economic crisis since the Great Depression in the 1930's. Since 1981, we have witnessed an explosion in the unemployment rate to nearly 11 percent, with forecasts that unemployment will remain above 10 percent well into 1984. Nearly 12 million Americans are now without jobs, and millions more have either become too discouraged to even look for work or have taken part-time employment simply in order to make ends meet. The threat of losing one's job has become pervasive in America today, touching nearly every age group, type of job, and region of the country.

One of the most disturbing effects of this devastating level of unemployment has been the dramatic impact on the health and well-being of our citizens. Recent studies have indicated a powerful and direct connection between unemployment and mental and physical health. Statistics compiled by Johns Hopkins University Professor Harvey Brenner in my own State of Maryland have attempted to quantify the impact of increases in unemployment on emotional and physical health and suggest that such rises are paralleled by a jump in such indicators of severe stress as suicide, cardiovascular diseases, and admissions to mental hospitals and prisons.

These conclusions have been supported by the experience of the current recession. Public hospitals and mental health clinics have seen their caseloads increase dramatically; there have been reports of increased incidents of spouse and child abuse, and alcoholism and drug abuse programs have been in greater demand. In some areas of the country where the recession and unemployment have hit hardest, there has also been an ominous increase in infant and child mortality rates.

In the face of this urgent need for health care, social services, and counseling, fewer and fewer resources are available to unemployed workers. The Congressional Budget Office has estimated that nearly 11 million workers also lost their health insurance when they lost their jobs in 1982 alone. In addition, for each unemployed worker who lost coverage, on the average at least one child or spouse covered under the same policy also lost protection. Thus, the total number of Americans who lost their health insurance may be as high as 25 million.

Employment-based health insurance is the primary source of coverage for our citizens and is not easily replaced for unemployed workers. Most do not qualify for Federal health care programs such as medicare or medicaid. The cost to them of a private health care plan is generally prohibitive, as premiums can easily equal one-fourth of a worker's unemployment insurance benefits. Moreover, only 40 percent of the unemployed are now eligible to receive unemployment compensation and, despite numerous extensions by Congress, many have exhausted what benefits are available to them. Left without health insurance, unemployed workers and their families often postpone or neglect altogether needed and essential health care.

The current situation has placed unbearable strains on workers, their families, communities, and health care providers. The willingness of public health hospitals, clinics, and many doctors to treat unemployed workers at reduced or no cost is to be commended. States such as Maryland have also provided additional resources for public health care programs and have sought to enact their own health care protections for unemployed workers.

The depth and breadth of the recession, however, has overwhelmed the efforts of local communities to cope with the current crisis. The combination of budget cuts enacted over the past 2 years and the flood of increased demand for emergency services has stretched existing facilities to the limit.

As one who has consistently supported measures in Congress designed to insure that adequate and affordable health care is available to all Americans, I believe it is imperative that the plight of the unemployed be addressed. I therefore urge my colleagues to join with me in supporting the amendment pending before the Senate. This measure places special emphasis on primary and preventive health care to permit unemployed workers and their families to contin' ^ good, cost-effective health care practices and also provides aid to public health care facilities to allow them to continue their invaluable services to uninsured Americans. The time has come for the Federal Government to do its share in protecting the health and well-being of our jobless workers. The consequences of failing to do so, and the long-term cost to our citizens and the quality of life we have worked so hard to create in this country, are indeed frightening.

(Mr. TRIBLE assumed the chair.)

Mr. KENNEDY. Mr. President, I ask for the yeas and nays.

Mr. DOLE. On both amendments?

Mr. KENNEDY. On the substitute.

The PRESIDING OFFICER. Is there a sufficient second? There is a sufficient second.

The yeas and nays were ordered.

Mr. KENNEDY. Mr. President, I am prepared to yield back the remainder of my time.

Mr. DOMENICI. Mr. President, have the yeas and nays been ordered on this Dole amendment?

The PRESIDING OFFICER. They have not.

Mr. DOMENICI. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there objection to ordering the yeas and nays? Without objection, it is so ordered.

Is there a sufficient second? There is a sufficient second.

The yeas and nays were ordered.

Mr. DOMENICI. Mr. President, I yield back any time that we have remaining on this side in opposition to the Kennedy amendment.

Mr. KENNEDY. Mr. President, I yield back my time.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Massachusetts (Mr. KENNEDY). The yeas and nays have been ordered and the clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. CRANSTON. I announce that the Senator from Connecticut (Mr. DODD) is necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber wishing to vote?

The result was announced—yeas 36, nays 63, as follows:

[Rollcall Vote No. 72 Leg.]

YEAS—36

Baucus	Ford	Matsunaga
Bentsen	Glenn	Melcher
Biden	Hart	Metzenbaum
Bingaman	Heflin	Mitchell
Boren	Hollings	Moynihan
Bradley	Huddleston	Pell
Bumpers	Inouye	Randolph
Burdick	Jackson	Riegle
Byrd	Kennedy	Sarbanes
Cranston	Lautenberg	Sasser
Dixon	Leahy	Specter
Eagleton	Levin	Tsongas

NAYS—63

Abdnor	Grassley	Packwood
Andrews	Hatch	Percy
Armstrong	Hatfield	Pressler
Baker	Hawkins	Proxmire
Boschwitz	Hecht	Pryor
Chafee	Heinz	Quayle
Chiles	Helms	Roth
Cochran	Humphrey	Rudman
Cohen	Jepsen	Simpson
D'Amato	Johnston	Stafford
Danforth	Kassebaum	Stennis
DeConcini	Kasten	Stevens
Denton	Laxalt	Symms
Dole	Long	Thurmond
Domenici	Lugar	Tower
Durenberger	Mathias	Trible
East	Mattingly	Wallop
Exon	McClure	Warner
Garn	Murkowski	Weicker
Goldwater	Nickles	Wilson
Gorton	Nunn	Zorinsky

NOT VOTING—1

Dodd

So the amendment (No. 1236) was rejected.

Mr. DOLE. Mr. President, I move to reconsider the vote.

I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 1235

The PRESIDING OFFICER. The question is now on agreeing to the amendment (No. 1235) as modified, of the Senator from Kansas. The yeas and nays have been ordered. The clerk will call the roll.

The bill clerk called the roll.

Mr. CRANSTON. I announce that the Senator from Connecticut (Mr. DODD) is necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber wishing to vote?

The result was announced—yeas 90, nays 9—as follows:

[Rollcall Vote No. 73 Leg.]

YEAS—90

Abdnor	Boschwitz	Cohen
Andrews	Bradley	Cranston
Baker	Bumpers	D'Amato
Baucus	Burdick	Danforth
Bentsen	Byrd	DeConcini
Biden	Chafee	Dixon
Bingaman	Chiles	Dole
Boren	Cochran	Domenici
Durenberger	Kassebaum	Proxmire
Eagleton	Kasten	Pryor
Exon	Kennedy	Quayle
Ford	Lautenberg	Randolph
Garn	Laxalt	Riegle
Glenn	Leahy	Roth
Goldwater	Levin	Rudman
Gorton	Long	Sarbanes
Grassley	Lugar	Sasser
Hart	Mathias	Simpson
Hatch	Matsunaga	Specter
Hatfield	Mattingly	Stafford
Hawkins	Melcher	Stennis
Hecht	Metzenbaum	Stevens
Heflin	Mitchell	Thurmond
Heinz	Moynihan	Tower
Hollings	Murkowski	Trible
Huddleston	Nunn	Tsongas
Inouye	Packwood	Warner
Jackson	Pell	Weicker
Jepsen	Percy	Wilson
Johnston	Pressler	Zorinsky

NAYS—9

Armstrong	Helms	Nickles
Denton	Humphrey	Symms
East	McClure	Wallop

NOT VOTING—1

Dodd

So the amendment (No. 1235), as modified, was agreed to.

Mr. DOLE. Mr. President, I move to reconsider the vote by which the amendment was agreed to.

Mr. DOMENICI. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

● Mr. MATTINGLY. Mr. President, I voted in support of the amendment offered by the Senator from Kansas because I recognize there is a problem out there. A problem that needs our attention now. I also recognize that the problem does not require the establishment of a major new program.

There are a number of Americans today that have lost protection against the costs of health care for themselves and their families. They lost that protection because they lost their jobs and the health insurance provided through their employer. That situation is getting better. The economy is in a recovery and more and more Americans are going back to work. But we need to provide a helping hand to those workers who are still unemployed.

For that reason, I voted for the Dole amendment. It not only allows us to provide the relief needed, but it does so without increasing the deficit. I believe the Finance Committee can and should fashion a program which provides temporary relief without creating a large entitlement program while raising the revenues needed to pay for that relief.●

The PRESIDING OFFICER (Mrs. HAWKINS). The Senator from New Mexico is recognized.

Mr. DOMENICI. Madam President, as I understand our sequence it will now bring Senator HOLLINGS to the floor with his educational amendment.

Is the Senator ready?

Mr. HOLLINGS. Yes.

The PRESIDING OFFICER. The Senator from South Carolina is recognized.

AMENDMENT NO. 1237

(Purpose: To increase funding for education, training, employment, and social services)

Mr. HOLLINGS. Madam President, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The amendment will be stated.

The assistant legislative clerk read as follows:

The Senator from South Carolina (Mr. HOLLINGS), for himself, Mr. STAFFORD, Mr. BRADLEY, Mr. PELL, Mr. ANDREWS, Mr. SASSER, Mr. KENNEDY, Mr. BIDEN, Mr. SARBANES, Mr. TSONGAS, Mr. BINGAMAN, Mr. METZENBAUM, Mr. BURDICK, Mr. MATSUNAGA, Mr. RIEGLE, Mr. DODD, Mr. EAGLETON, Mr. HUDDLESTON, Mr. GLENN, Mr. D'AMATO, Mr. CRANSTON, Mr. MOYNIHAN, Mr. HART, Mr. RANDOLPH, Mr. JACKSON, and Mr. SPECTER, proposes an amendment numbered 1237.

Mr. HOLLINGS. Madam President, I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

On page 3, beginning with line 10, strike out through line 23 on page 16 and insert in lieu thereof the following:

(2) The appropriate levels of total new budget authority are as follows:

Fiscal year 1983: $875,925,000,000.
Fiscal year 1984: $911,200,000,000.
Fiscal year 1985: $983,966,000,000.
Fiscal year 1986: $1,050,387,000,000.

(3) The appropriate levels of total budget outlays are as follows:

Fiscal year 1983: $807,325,000,000.
Fiscal year 1984: $850,055,000,000.
Fiscal year 1985: $911,833,000,000.
Fiscal year 1986: $965,797,000,000.

(4) The amounts of the deficits in the budget which are appropriate in the light of economic conditions and all other relevant factors are as follows:

Fiscal year 1983: $204,225,000,000.
Fiscal year 1984: $164,455,000,000.
Fiscal year 1985: $149,233,000,000.
Fiscal year 1986: $134,997,000,000.

(5) The appropriate levels of the public debt are as follows:

Fiscal year 1983: $1,384,125,000,000.
Fiscal year 1984: $1,592,355,000,000.
Fiscal year 1985: $1,792,663,000,000.
Fiscal year 1986: $1,985,023,000,000.

and the amounts by which the temporary statutory limits on such debt should be accordingly increased are as follows:

Fiscal year 1983: $93,925,000,000.
Fiscal year 1984: $208,580,000,000.
Fiscal year 1985: $201,313,000,000.
Fiscal year 1986: $194,410,000,000.

(6) The appropriate levels of total Federal credit activity for the fiscal years beginning on October 1, 1982, October 1, 1983, October 1, 1984, and October 1, 1985, are as follows:

Fiscal year 1983:
(A) New direct loan obligations, $55,400,000,000.
(B) New loan guarantee commitments, $94,500,000,000.
Fiscal year 1984:
(A) New direct loan obligations, $48,200,000,000.
(B) New loan guarantee commitments, $94,500,000,000.
Fiscal year 1985:
(A) New direct loan obligations, $48,100,000,000.
(B) New loan guarantee commitments, $97,400,000,000.
Fiscal year 1986:
(A) New direct loan obligations, $48,700,000,000.
(B) New loan guarantee commitments, $101,000,000,000.

(b) The Congress hereby determines and declares the appropriate levels of budget authority and budget outlays, and the appropriate levels of new direct loan obligations and new loan guarantee commitments for fiscal years 1983 through 1986 for each major functional category are:

(1) National Defense (050):
Fiscal year 1983:
(A) New budget authority, $244,100,000,000.
(B) Outlays, $214,300,000,000.
(C) New direct loan obligations, $0.
(D) New loan guarantee commitments, $0.
Fiscal year 1984:
(A) New budget authority, $267,000,000,000.
(B) Outlays, $241,500,000,000.
(C) New direct loan obligations, $0.
(D) New loan guarantee commitments, $0.
Fiscal year 1985:
(A) New budget authority, $299,500,000,000.
(B) Outlays, $270,700,000,000.
(C) New direct loan obligations, $0.
(D) New loan guarantee commitments, $0.
Fiscal year 1986:
(A) New budget authority, $334,800,000,000.
(B) Outlays, $300,000,000,000.
(C) New direct loan obligations, $0.
(D) New loan guarantee commitments, $0.

(2) International Affairs (150):
Fiscal year 1983:
(A) New budget authority, $24,900,000,000.
(B) Outlays, $11,500,000,000.
(C) New direct loan obligations, $11,700,000,000.
(D) New loan quarantee commitments, $9,200,000,000.
Fiscal year 1984:
(A) New budget authority, $18,200,000,000.
(B) Outlays, $12,700,000,000.
(C) New direct loan obligations, $11,200,000,000.
(D) New loan guarantee commitments, $10,300,000,000.
Fiscal year 1985:
(A) New budget authority, $16,500,000,000.
(B) Outlays, $12,800,000,000.
(C) New direct loan obligations, $11,500,000,000.
(D) New loan guarantee commitments, $10,300,000,00.
Fiscal year 1986:
(A) New budget authority, $15,900,000,000.
(B) Outlays, $12,800,000,000.
(C) New direct loan obligations, $11,600,000,000.
(D) New loan guarantee commitments, $10,300,000,000.

(3) General Science, Space, and Technology (250):
Fiscal year 1983:
(A) New budget authority, $7,900,000,000.
(B) Outlays, $7,700,000,000.
(C) New direct loan obligations, $200,000,000.
(D) New loan guarantee commitments, $0.
Fiscal year 1984:
(A) New budget authority, $8,500,000,000.
(B) Outlays, $8,200,000,000.
(C) New direct loan obligations, $37,000,000.
(D) New loan guarantee commitments, $0.
Fiscal year 1985:
(A) New budget authority, $8,500,000,000.
(B) Outlays, $8,500,000,000.
(C) New direct loan obligations, $0.
(D) New loan guarantee commitments, $0.
Fiscal year 1986:
(A) New budget authority, $8,400,000,000.
(B) Outlays, $8,400,000,000.
(C) New direct loan obligations, $0.
(D) New loan guarantee commitments, $0.

(4) Energy (270):
Fiscal year 1983:
(A) New budget authority, $4,000,000,000.
(B) Outlays, $4,600,000,000.
(C) New direct loan obligations, $13,100,000,000.
(D) New loan guarantee commitments, $200,000,000.
Fiscal year 1984:
(A) New budget authority, $3,900,000,000.
(B) Outlays, $4,100,000,000.
(C) New direct loan obligations, $13,900,000,000.
(D) New loan guarantee commitments, $200,000,000.
Fiscal year 1985:
(A) New budget authority, $3,600,000,000.
(B) Outlays, $2,900,000,000.
(C) New direct loan obligations, $14,300,000,000.
(D) New loan guarantee commitments, $0.
Fiscal year 1986:
(A) New budget authority, $3,200,000,000.
(B) Outlays, $2,700,000,000.
(C) New direct loan obligations, $14,400,000,000.
(D) New loan guarantee commitments, $0.

(5) Natural Resources and Environment (300):
Fiscal year 1983:
(A) New budget authority, $12,500,000,000.
(B) Outlays, $12,800,000,000.
(C) New direct loan obligations, $100,000,000.
(D) New loan guarantee commitments, $0.
Fiscal year 1984:
(A) New budget authority, $12,000,000,000.
(B) Outlays $12,500,000,000.
(C) New direct loan obligations, $27,000,000.
(D) New loan guarantee commitments, $0.
Fiscal year 1985:
(A) New budget authority, $12,200,000,000.
(B) Outlays $12,600,000,000.
(C) New direct loan obligations, $27,000,000.
(D) New loan guarantee commitments, $0.
Fiscal year 1986:
(A) New budget authority, $12,500,000,000.
(B) Outlays $12,200,000,000.
(C) New direct loan obligations, $27,000,000.
(D) New loan guarantee commitments, $0.

(6) Agriculture (350):
Fiscal year 1983:
(A) New budget authority, $24,200,000,000.
(B) Outlays $24,000,000,000.
(C) New direct loan obligations, $18,600,000,000.
(D) New loan guarantee commitments, $5,500,000,000.
Fiscal year 1984:
(A) New budget authority, $11,600,000,000.
(B) Outlays $11,400,000,000.
(C) New direct loan obligations, $12,100,000,000.
(D) New loan guarantee commitments, $3,800,000,000.
Fiscal year 1985:
(A) New budget authority, $14,000,000,000.
(B) Outlays $12,300,000,000.

(C) New direct loan obligations, $11,700,000,000.
(D) New loan guarantee commitments, $3,800,000,000.
Fiscal year 1986:
(A) New budget authority, $13,200,000,000.
(B) Outlays, $13,100,000,000.
(C) New direct loan obligations, $12,200,000,000.
(D) New loan guarantee commitments, $3,800,000,000.
(7) Commerce and Housing Credit (370):
Fiscal year 1983:
(A) New budget authority, $5,200,000,000.
(B) Outlays, $2,700,000,000.
(C) New direct loan obligations, $6,500,000,000.
(D) New loan guarantee commitments, $48,700,000,000.
Fiscal year 1984:
(A) New budget authority, $5,900,000,000.
(B) Outlays, $1,800,000,000.
(C) New direct loan obligations, $6,400,000,000.
(D) New loan guarantee commitments, $48,700,000,000.
Fiscal year 1985:
(A) New budget authority, $6,500,000,000.
(B) Outlays, $0.
(C) New direct loan obligations, $6,300,000,000.
(D) New loan guarantee commitments, $48,700,000,000.
Fiscal year 1986:
(A) New budget authority, $6,500,000,000.
(B) Outlays, −$300,000,000.
(C) New direct loan obligations, $6,300,000,000.
(D) New loan guarantee commitments, $48,700,000,000.
(8) Transportation (400):
Fiscal year 1983:
(A) New budget authority, $26,800,000,000.
(B) Outlays, $22,100,000,000.
(C) New direct loan obligations, $200,000,000.
(D) New loan guarantee commitments, $1,100,000,000.
Fiscal year 1984:
(A) New budget authority, $27,700,000,000.
(B) Outlays, $25,900,000,000.
(C) New direct loan obligations, $100,000,000.
(D) New loan guarantee commitments, $600,000,000.
Fiscal year 1985:
(A) New budget authority, $28.400,000,000.
(B) Outlays, $26,900,000,000.
(C) New direct loan obligations, $100,000,000.
(D) New loan guarantee commitments, $400,000,000.
Fiscal year 1986:
(A) New budget authority, $29,200,000,000.
(B) Outlays, $27,800,000,000.
(C) New direct loan obligations, $100,000,000.
(D) New loan guarantee commitments, $300,000,000.
(9) Community and Regional Development (450):
Fiscal year 1983:
(A) New budget authority, $8,300,000,000.
(B) Outlays, $7,900,000,000.
(C) New direct loan obligations, $2,100,000,000.
(D) New loan guarantee commitments, $500,000,000.
Fiscal year 1984:
(A) New budget authority, $6,600,000,000.
(B) Outlays, $8,100,000,000.
(C) New direct loan obligations, $1,700,000,000.
(D) New loan guarantee commitments, $300,000,000.
Fiscal year 1985:
(A) New budget authority, $7,100,000,000.
(B) Outlays, $8,200,000,000.
(C) New direct loan obligations, $1,800,000,000.
(D) New loan guarantee commitments, $300,000,000.
Fiscal year 1986:
(A) New budget authority, $7,100,000,000.
(B) Outlays, $7,600,000,000.
(C) New direct loan obligations, $1,800,000,000.
(D) New loan guarantee commitments, $400,000,000.
(10) Education, Training, Employment, and Social Services (500):
Fiscal year 1983:
(A) New budget authority, $28,000,000,000.
(B) Outlays, $26,800,000,000.
(C) New direct loan obligations, $600,000,000.
(D) New loan guarantee commitments, $6,500,000,000.
Fiscal year 1984:
(A) New budget authority, $32,300,000,000.
(B) Outlays, $27,255,000,000.
(C) New direct loan obligations, $700,000,000.
(D) New loan guarantee commitments, $6,600,000,000.
Fiscal year 1985:
(A) New budget authority, $29,291,000,000.
(B) Outlays, $28,958,000,000.
(C) New direct loan obligations, $700,000,000.
(D) New loan guarantee commitments, $6,600,000,000.
Fiscal year 1986:
(A) New budget authority, $29,387,000,000.
(B) Outlays, $29,197,000,000.
(C) New direct loan obligations, $800,000,000.
(D) New loan guarantee commitments, $6,600,000,000.

Mr. HOLLINGS. Madam President, I thank the Chair.

Madam President, the cosponsors of this amendment are our distinguished chairman of the Education Committee, Senator STAFFORD, plus other colleagues, Mr. BRADLEY, Mr. PELL, Mr. ANDREWS, Mr. SASSER, Mr. KENNEDY, Mr. BIDEN, Mr. SARBANES, Mr. TSONGAS, Mr. BINGAMAN, Mr. METZENBAUM, Mr. BURDICK, Mr. MATSUNAGA, Mr. RIEGLE, Mr. DODD, Mr. EAGLETON, Mr. HUDDLESTON, Mr. GLENN, Mr. D'AMATO, Mr. CRANSTON, Mr. MOYNIHAN, Mr. HART, Mr. RANDOLPH, Mr. JACKSON, and Mr. SPECTER.

Madam President, the amendment is a well-considered amendment and more or less a compromise for the needs of education, as is indicated by the broad spectrum of cosponsorship.

In this hour of educational crisis, where there was just published at the White House and the Department of Education a report entitled "A Nation at Risk," we wish to return, of course, to the current policy figures but if we had returned to our current policy level adjusted for inflation we would have gone up to $22.1 billion under this particular budget resolution.

That would have been unrealistic under the particular circumstances. However, any lower figure that would be submitted at this time in our judgment would be unrealistic. We tried to halve the current policy approach, then we brought it down again. We talked with the different Senators, and we all, including this Senator, of course, were hoping to hold the line. I not only had submitted a proposal yesterday for a freeze on spending increases and I joined with Senator NUNN, Senator JOHNSTON on their particular amendment, and Senator EXON, and Senator BOREN, and others, and now since there is very little support for a freeze concept in the U.S. Senate the question evolves as to the priorities themselves.

With respect to those particular priorities, there is no question, Madam President, that education is standing right at the top, in my judgment, even ahead of defense. Because in the last 3 years we have infused $101 billion into the national defense effort. But we have been cutting and reducing in current policy our effort in education, be it elementary and secondary, the new math and science programs, higher education or the other educational spending programs.

I need, at this particular time, Madam President, no real survey to understand and appreciate the crisis. All you have to do is to have been a Governor and realize that the highest rate of dropouts that occur in your State, greater than anywhere else, is from the disadvantaged in the high schools. You look at that particular problem, wrestle with it, and you realize there may be a chance under the Elementary and Secondary Education Act and title I for the disadvantaged. Only last year were we able to obtain the results of this particular program which began some 16 years ago. We learned, Madam President, whereby 93 percent were dropping out when I was in office, now under this farsighted program in education, this magnificent investment, 87 percent of that particular group complete the high school course. Now we know what the investment means in actual savings when we look at a budget.

There are many, many programs, health programs like women's, infants', and children's feeding, where at one time our friend Dave Stockman came up and wanted to cut some $500 million and we tried to explain to him that in cutting the $500 million he was not saving $500 million. He was actually increasing infant care, rehabilitation, health, and other costs some $5 billion. It was not a $500 million savings, it constituted in essence a $5 billion add on.

Similarly, in education, when we are talking about balancing budgets and investing in the infrastructure of this land, first and foremost is our human infrastructure as evidenced by the wonderful report here by the National Commission on the Excellence in Education. This task force on education

having just submitted its particular report, and the report itself, not necessarily all the accompaniments with it, I ask unanimous consent this report be included in the RECORD.

There being no objection, the report was ordered to be printed in the RECORD, as follows:

AN OPEN LETTER TO THE AMERICAN PEOPLE—A NATION AT RISK: THE IMPERATIVE FOR EDUCATIONAL REFORM

(A Report to the Nation and the Secretary of Education, United States Department of Education, by The National Commission on Excellence in Education, April 1983)

LETTER OF TRANSMITTAL

APRIL 26, 1983.

Hon. T. H. BELL,
Secretary of Education,
U.S. Department of Education,
Washington, D.C.

DEAR MR. SECRETARY: On August 26, 1981, you created the National Commission on Excellence in Education and directed it to present a report on the quality of education in America to you and to the American people by April of 1983.

It has been my privilege to chair this endeavor and on behalf of the members of the Commission it is my pleasure to transmit this report, A Nation at Risk: The Imperative for Educational Reform.

Our purpose has been to help define the problems afflicting American education and to provide solutions, not search for scapegoats. We addressed the main issues as we saw them, but have not attempted to treat the subordinate matters in any detail. We were forthright in our discussions and have been candid in our report regarding both the strengths and weaknesses of American education.

The Commission deeply believes that the problems we have discerned in American education can be both understood and corrected if the people of our country, together with those who have public responsibility in the matter, care enough and are courageous enough to do what is required.

Each member of the Commission appreciates your leadership in having asked this diverse group of persons to examine one of the central issues which will define our Nation's future. We especially welcomed your confidence throughout the course of our deliberations and your anticipation of a report free of political partisanship.

It is our collective and earnest hope that you will continue to provide leadership in this effort by assuring wide dissemination and full discussion of this report, and by encouraging appropriate action throughout the country. We believe that materials compiled by the Commission in the course of its work constitute a major resource for all persons interested in American education.

The other Commissioners and I sincerely appreciate the opportunity to have served our country as members of the National Commission on Excellence in Education, and on their behalf I remain,

Respectfully,

DAVID PIERPONT GARDNER,
Chairman.

MEMBERS OF THE NATIONAL COMMISSION ON EXCELLENCE IN EDUCATION

David P. Gardner (Chair), President, University of Utah and President-Elect, University of California, Salt Lake City, Utah.

Yvonne W. Larsen (Vice-Chair), Immediate Past-President, San Diego City School Board, San Diego, California.

William O. Baker, Chairman of the Board (Retired), Bell Telephone Laboratories, Murray Hill, New Jersey.

Anne Campbell, Former Commissioner of Education, State of Nebraska, Lincoln, Nebraska.

Emeral A. Crosby, Principal, Northern High School, Detroit, Michigan.

Charles A. Foster, Jr., Immediate Past-President, Foundation for Teaching Economics, San Francisco, California.

Norman C. Francis, President, Xavier University of Louisiana, New Orleans, Louisiana.

A. Bartlett Giamatti, President, Yale University, New Haven, Connecticut.

Shirley Gordon, President, Highline Community College, Midway, Washington.

Robert V. Haderlein, Immediate Past-President, National School Boards Association, Girard, Kansas.

Gerald Holton, Mallinckrodt Professor of Physics and Professor of the History of Science, Harvard University, Cambridge, Massachusetts.

Annette Y. Kirk, Kirk Associates, Mecosta, Michigan.

Margaret S. Marston, Member, Virginia State Board of Education, Arlington, Virginia.

Albert H. Quie, Former Governor, State of Minnesota, St. Paul, Minnesota.

Francisco D. Sanchez, Jr., Superintendent of Schools, Albuquerque Public Schools, Albuquerque, New Mexico.

Glenn T. Seaborg, University Professor of Chemistry and Nobel Laureate, University of California, Berkeley, California.

Jay Sommer, National Teacher of the Year, 1981-82, Foreign Language Department, New Rochelle High School, New Rochelle, New York.

Richard Wallace, Principal, Lutheran High School East, Cleveland Heights, Ohio.

INTRODUCTION

Secretary of Education T. H. Bell created the National Commission on Excellence in Education on August 26, 1981, directing it to examine the quality of education in the United States and to make a report to the Nation and to him within 18 months of its first meeting. In accordance with the Secretary's instructions, this report contains practical recommendations for educational improvement and fulfills the Commission's responsibilities under the terms of its charter.

The Commission was created as a result of the Secretary's concern about "the widespread public perception that something is seriously remiss in our educational system." Soliciting the "support of all who care about our future," the Secretary noted that he was establishing the Commission based on his "responsibility to provide leadership, constructive criticism, and effective assistance to schools and universities."

The Commission's charter contained several specific charges to which we have given particular attention. These included:

Assessing the quality of teaching and learning in our Nation's public and private schools, colleges, and universities;

Comparing American schools and colleges with those of other advanced nations;

Studying the relationship between college admissions requirements and student achievement in high school;

Identifying educational programs which result in notable student success in college;

Assessing the degree to which major social and educational changes in the last quarter century have affected student achievement; and

Defining problems which must be faced and overcome if we are successfully to pursue the course of excellence in education.

The Commission's charter directed it to pay particular attention to teenage youth, and we have done so largely by focusing on high schools. Selective attention was given to the formative years spent in elementary schools, to higher education, and to vocational and technical programs. We refer those interested in the need for similar reform in higher education to the recent report of the American Council on Education, "To Strengthen the Quality of Higher Education."

In going about its work the Commission has relied in the main upon five sources of information:

Papers commissioned from experts on a variety of educational issues;

Administrators, teachers, students, representatives of professional and public groups, parents, business leaders, public officials, and scholars who testified at eight meetings of the full Commission, six public hearings, two panel discussions, a symposium, and a series of meetings organized by the Department of Education's Regional Offices;

Existing analyses of problems in education;

Letters from concerned citizens, teachers, and administrators who volunteered extensive comments on problems and possibilities in American education; and

Descriptions of notable program and promising approaches in education.

To these public-minded citizens who took the trouble to share their concerns with us—frequently at their own expense in time, money, and effort—we extend our thanks. In all cases, we have benefited from their advice and taken their views into account; how we have treated their suggestions is, of course, our responsibility alone. In addition, we are grateful to the individuals in schools, universities, foundations, business, government, and communities throughout the United States who provided the facilities and staff so necessary to the success of our many public functions.

The Commission was impressed during the course of its activities by the diversity of opinion it received regarding the condition of American education and by conflicting views about what should be done. In many ways, the membership of the Commission itself reflected that diversity and difference of opinion during the course of its work. This report, nevertheless, gives evidence that men and women of good will can agree on common goals and on ways to pursue them.

The Commission's charter, the authors and topics of commissioned papers, a list of the public events, and a roster of the Commission's staff are included in the appendices which complete this volume.

A NATION AT RISK

Our Nation is at risk. Our once unchallenged preeminence in commerce, industry, science, and technological innovation is being overtaken by competitors throughout the world. This report is concerned with only one of the many causes and dimensions of the problem, but it is the one that undergirds American prosperity, security, and civility. We report to the American people that while we can take justifiable pride in

what our schools and colleges have historically accomplished and contributed to the United States and the well-being of its people, the educational foundations of our society are presently being eroded by a rising tide of mediocrity that threatens our very future as a Nation and a people. What was unimaginable a generation ago has begun to occur—others are matching and surpassing our educational attainments.

If an unfriendly foreign power had attempted to impose on America the mediocre educational performance that exists today, we might well have viewed it as an act of war. As it stands, we have allowed this to happen to ourselves. We have even squandered the gains in student achievement made in the wake of the Sputnik challenge. Moreover, we have dismantled essential support systems which helped make those gains possible. We have, in effect, been committing an act of unthinking, unilateral educational disarmament.

Our society and its educational institutions seem to have lost sight of the basic purposes of schooling, and of the high expectations and disciplined effort needed to attain them. This report, the result of 18 months of study, seeks to generate reform of our educational system in fundamental ways and to renew the Nation's commitment to schools and colleges of high quality throughout the length and breadth of our land.

That we have compromised this commitment is, upon reflection, hardly surprising, given the multitude of often conflicting demands we have placed on our Nation's schools and colleges. They are routinely called on to provide solutions to personal, social, and political problems that the home and other institutions either will not or cannot resolve. We must understand that these demands on our schools and colleges often exact an educational cost as well as a financial one.

On the occasion of the Commission's first meeting, President Reagan noted the central importance of education in American life when he said: "Certainly there are few areas of American life as important to our society, to our people, and to our families as our schools and colleges." This report, therefore, is as much an open letter to the American people as it is a report to the Secretary of Education. We are confident that the American people, properly informed, will do what is right for their children and for the generations to come.

The risk

History is not kind to idlers. The time is long past when America's destiny was assured simply by an abundance of natural resources and inexhaustible human enthusiasm, and by our relative isolation from the malignant problems of older civilizations. The world is indeed one global village. We live among determined, well-educated, and strongly motivated competitors. We compete with them for international standing and markets, not only with products but also with the ideas of our laboratories and neighborhood workshops. America's position in the world may once have been reasonably secure with only a few exceptionally well-trained men and women. It is no longer.

The risk is not only that the Japanese make automobiles more efficiently than Americans and have government subsidies for development and export. It is not just that the South Koreans recently built the world's most efficient steel mill, or that American machine tools, once the pride of the world, are being displaced by German products. It is also that these developments signify a redistribution of trained capability throughout the globe. Knowledge, learning, information, and skilled intelligence are the new raw materials of international commerce and are today spreading throughout the world as vigorously as miracle drugs, synthetic fertilizers, and blue jeans did earlier. If only to keep and improve on the slim competitive edge we still retain in world markets, we must dedicate ourselves to the reform of our educational system for the benefit of all—old and young alike, affluent and poor, majority and minority. Learning is the indispensable investment required for success in the "information age" we are entering.

Our concern, however, goes well beyond matters such as industry and commerce. It also includes the intellectual, moral, and spiritual strengths of our people which knit together the very fabric of our society. The people of the United States need to know that individuals in our society who do not possess the levels of skill, literacy, and training essential to this new era will be effectively disenfranchised, not simply from the material rewards that accompany competent performance, but also from the chance to participate fully in our national life. A high level of shared education is essential to a free, democratic society and to the fostering of a common culture, especially in a country that prides itself on pluralism and individual freedom.

For our country to function, citizens must be able to reach some common understandings on complex issues, often on short notice and on the basis of conflicting or incomplete evidence. Education helps form these common understandings, a point Thomas Jefferson made long ago in his justly famous dictum:

"I know no safe depository of the ultimate powers of the society but the people themselves; and if we think them not enlightened enough to exercise their control with a wholesome discretion, the remedy is not to take it from them but to inform their discretion."

Part of what is at risk is the promise first made on this continent: All, regardless of race or class or economic status, are entitled to a fair chance and to the tools for developing their individual power of mind and spirit to the utmost. This promise means that all children by virtue of their own efforts, competently guided, can hope to attain the mature and informed judgment needed to secure gainful employment and to manage their own lives, thereby serving not only their own interests but also the progress of society itself.

Indicators of the risk

The educational dimensions of the risk before us have been amply documented in testimony received by the Commission. For example:

International comparisons of student achievement, completed a decade ago, reveal that on 19 academic tests American students were never first or second and, in comparison with other industrialized nations, were last seven times.

Some 23 million American adults are functionally illiterate by the simplest tests of everyday reading, writing, and comprehension.

About 13 percent of all 17-year-olds in the United States can be considered functionally illiterate. Functional illiteracy among minority youth may run as high as 40 percent.

Average achievement of high school students on most standardized tests is now lower than 26 years ago when Sputnik was launched.

Over half the population of gifted students do not match their tested ability with comparable achievement in school.

The College Board's Scholastic Aptitude Test (SAT) demonstrate a virtually unbroken decline from 1963 to 1980. Average verbal scores fell over 50 points and average mathmatics scores dropped nearly 40 points.

College Board achievement tests also reveal consistent declines in recent years in such subjects as physics and English.

Both the number and proportion of students demonstrating superior achievement on the SATs (i.e., those with scores of 650 or higher) have also dramatically declined.

Many 17-year-olds do not possess the "higher order" intellectual skills we should expect of them. Nearly 40 percent cannot draw inferences from written material; only one-fifth can write a persuasive essay; and only one-third can solve a mathematics problem requiring several steps.

There was a steady decline in science achievement scores of U.S. 17-year-olds as measured by national assessments of science in 1969, 1973, and 1977.

Between 1975 and 1980, remedial mathematics courses in public 4-year colleges increased by 72 percent and now constitute one-quarter of all mathematics courses not taught in those institutions.

Average tested achievement of students graduating from college is also lower.

Business and military leaders complain that they are required to spend millions of dollars on costly remedial education and training programs in such basic skills as reading, writing, spelling, and computation. The Department of the Navy, for example, reported to the Commission that one-quarter of its recent recruits cannot read at the ninth grade level, the minimum needed simply to understand written safety instructions. Without remedial work they cannot even begin, much less complete, the sophisticated training essential in much of the modern military.

These deficiencies come at a time when the demand for highly skilled workers in new fields is accelerating rapidly. For example:

Computers and computer-controlled equipment are penetrating every aspect of our lives—homes, factories, and offices.

One estimate indicates that by the turn of the century millions of jobs will involve laser technology and robotics.

Technology is radically transforming a host of other occupations. They include health care, medical science, energy production, food processing, construction, and the building, repair, and maintenance of sophisticated scientific, educational, military, and industrial equipment.

Analysts examining these indicators of student performance and the demands for new skills have made some chilling observations. Educational researcher Paul Hurd concluded at the end of a thorough national survey of student achievement that within the context of the modern scientific revolution, "We are raising a new generation of Americans that is scientifically and technologically illiterate." In a similar vein, John Slaughter, a former Director of the National Science Foundation, warned of "a growing chasm between a small scientific and technological elite and a citizenry ill-informed, indeed uninformed, on issues with a science component."

But the problem does not stop there, nor do all observers see it the same way. Some

worry that schools may emphasize such rudiments as reading and computation at the expense of other essential skills such as comprehension, analysis, solving problems, and drawing conclusions. Still others are concerned that an over-emphasis on technical and occupational skills will leave little time for studying the arts and humanities that so enrich daily life, help maintain civility, and develop a sense of community. Knowledge of the humanities, they maintain, must be harnessed to science and technology if the latter are to remain creative and humane, just as the humanities need to be informed by science and technology if they are to remain relevant to the human condition. Another analyst, Paul Copperman, has drawn a sobering conclusion. Until now, he has noted:

"Each generation of Americans has outstripped its parents in education, in literacy, and in economic attainment. For the first time in the history of our country, the educational skills of one generation will not surpass, will not equal, will not even approach, those of their parents."

It is important, of course, to recognize the the average citizen today is better educated and more knowledgeable than the average citizen of a generation ago—more literate, and exposed to more mathematics, literature, and science. The positive impact of this fact on the well-being of our country and the lives of our people cannot be overstated. Nevertheless, the average graduate of our schools and colleges today is not as well-educated as the average graduate of 25 or 35 years ago, when a much smaller proportion of our population completed high school and college. The negative impact of this fact likewise cannot be overstated.

Hope and frustration

Statistics and their interpretation by experts show only the surface dimension of the difficulties we face. Beneath them lies a tension between hope and frustration that characterizes current attitudes about education at every level.

We have heard the voices of high school and college students, school board members, and teachers; of leaders of industry, minority groups, and higher education; of parents and State officials. We could hear the hope evident in their commitment to quality education and in their descriptions of outstanding programs and schools. We could also hear the intensity of their frustration, a growing impatience with shoddiness in many walks of American life, and the complaint that this shoddiness is too often reflected in our schools and colleges. Their frustration threatens to overwhelm their hope.

What lies behind this emerging national sense of frustration can be described as both a dimming of personal expectations and the fear of losing a shared vision for America.

On the personal level the student, the parent, and the caring teacher all perceive that a basic promise is not being kept. More and more young people emerge from high school ready neither for college nor for work. This predicament becomes more acute as the knowledge base continues its rapid expansion, the number of traditional jobs shrinks, and new jobs demand greater sophistication and preparation.

On a broader scale, we sense that this undertone of frustration has significant political implications, for it cuts across ages, generations, races, and political and economic groups. We have come to understand that the public will demand that educational and political leaders act forcefully and effectively on these issues. Indeed, such demands have already appeared and could well become a unifying national preoccupation. This unity, however, can be achieved only if we avoid the unproductive tendency of some to search for scapegoats among the victims, such as the beleaguered teachers.

On the positive side is the significant movement by political and educational leaders to search for solutions—so far centering largely on the nearly desperate need for increased support for the teaching of mathematics and science. This movement is but a start on what we believe is a larger and more educationally encompassing need to improve teaching and learning in fields such as English, history, geography, economics, and foreign languages. We believe this movement must be broadened and directed toward reform and excellence throughout education.

Excellence in education

We define "excellence" to mean several related things. At the level of the individual learner, it means performing on the boundary of individual ability in ways that test and push back personal limits, in school and in the workplace. Excellence characterizes a school or college that sets high expectations and goals for all learners, then tries in every way possible to help students reach them. Excellence characterizes a society that has adopted these policies, for it will then be prepared through the education and skill of its people to respond to the challenges of a rapidly changing world. Our Nation's people and its schools and colleges must be committed to achieving excellence in all these senses.

We do not believe that a public commitment to excellence and educational reform must be made at the expense of a strong public commitment to the equitable treatment of our diverse population. The twin goals of equity and high-quality schooling have profound and practical meaning for our economy and society, and we cannot permit one to yield to the other either in principle or in practice. To do so would deny young people their chance to learn and live according to their aspirations and abilities. It also would lead to a generalized accommodation to mediocrity in our society on the one hand or the creation of an undemocratic elitism on the other.

Our goal must be to develop the talents of all to their fullest. Attaining that goal requires that we expect and assist all students to work to the limits of their capabilities. We should expect schools to have genuinely high standards rather than minimum ones, and parents to support and encourage their children to make the most of their talents and abilities.

The search for solutions to our educational problems must also include a commitment to life-long learning. The task of rebuilding our system of learning is enormous and must be properly understood and taken seriously: Although a million and a half new workers enter the economy each year from our schools and colleges, the adults working today will still make up about 75 percent of the workforce in the year 2000. These workers, and new entrants into the workforce, will need further education and retraining if they—and we as a Nation—are to thrive and prosper.

The learning society

In a world of ever-accelerating competition and change in the conditions of the workplace, of ever-greater danger, and of ever-larger opportunities for those prepared to meet them, educational reform should focus on the goal of creating a Learning Society. At the heart of such a society is the commitment to a set of values and to a system of education that affords all members the opportunity to stretch their minds to full capacity, from early childhood through adulthood, learning more as the world itself changes. Such a society has as a basic foundation the idea that education is important not only because of what it contributes to one's career goals but also because of the value it adds to the general quality of one's life. Also at the heart of the Learning Society are educational opportunities extending far beyond the traditional institutions of learning, our schools and colleges. They extend into homes and workplaces; into libraries, art galleries, museums, and science centers; indeed, into every place where the individual can develop and mature in work and life. In our view, formal schooling in youth is the essential foundation for learning throughout one's life. But without life-long learning, one's skills will become rapidly dated.

In contrast to the ideal of the Learning Society, however, we find that for too many people education means doing the minimum work necessary for the moment, then coasting through life on what may have been learned in its first quarter. But this should not surprise us because we tend to express our educational standards and expectations largely in terms of "minimum requirements." And where there should be a coherent continuum of learning, we have none, but instead an often incoherent, outdated patchwork quilt. Many individual, sometimes heroic, examples of schools and colleges of great merit do exist. Our findings and testimony confirm the vitality of a number of notable schools and programs, but their very distinction stands out against a vast mass shaped by tensions and pressures that inhibit systematic academic and vocational achievement for the majority of students. In some metropolitan areas basic literacy has become the goal rather than the starting point. In some colleges maintaining enrollments is of greater day-to-day concern than maintaining rigorous academic standards. And the ideal of academic excellence as the primary goal of schooling seems to be fading across the board in American education.

Thus, we issue this call to all who care about America and its future: to parents and students; to teachers, administrators, and school board members; to colleges and industry; to union members and military leaders; to governors and State legislators; to the President; to members of Congress and other public officials; to members of learned and scientific societies; to the print and electronic media; to concerned citizens everywhere. America is at risk.

We are confident that America can address this risk. If the tasks we set forth are initiated now and our recommendations are fully realized over the next several years, we can expect reform of our Nation's schools, colleges, and universities. This would also reverse the current declining trend—a trend that stems more from weakness of purpose, confusion of vision, underuse of talent, and lack of leadership, than from conditions beyond our control.

The tools at hand

It is our conviction that the essential raw materials needed to reform our educational system are waiting to be mobilized through effective leadership:

The natural abilities of the young that cry out to be developed and the undiminished concern of parents for the well-being of their children;

The commitment of the Nation to high retention rates in schools and colleges and to full access to education for all;

The persistent and authentic American dream that superior performance can raise one's state in life and shape one's own future;

The dedication, against all odds, that keeps teachers serving in schools and colleges, even as the rewards diminish;

Our better understanding of learning and teaching and the implications of this knowledge for school practice, and the numerous examples of local success as a result of superior effort and effective dissemination;

The ingenuity of our policymakers, scientists, State and local educators, and scholars in formulating solutions once problems are better understood;

The traditional belief that paying for education is an investment in ever-renewable human resources that are more durable and flexible than capital plant and equipment, and the availablity in this country of sufficient financial means to invest in education;

The equally sound tradition, from the Northwest Ordinance of 1787 until today, that the Federal Government should supplement State, local, and other resources to foster key national educational goals; and

The voluntary efforts of individuals, businesses, and parent and civic groups to cooperate in strengthening educational programs.

These raw materials, combined with the unparalleled array of educational organizations in America, offer us the possibility to create a Learning Society, in which public, private, and parochial schools; colleges and universities; vocational and technical schools and institutes; libraries; science centers, museums, and other cultural institutions; and corporate training and retraining programs offer opportunities and choices for all to learn throughout life.

The public's commitment

Of all the tools at hand, the public's support for education is the most powerful. In a message to a National Academy of Sciences meeting in May 1982, President Reagan commented on this fact when he said:

"This public awareness—and I hope public action—is long overdue. . . . This country was built on American respect for education. . . . Our challenge now is to create a resurgence of that thirst for education that typifies our Nation's history."

The most recent (1982) Gallup Poll of the Public's Attitudes Toward the Public Schools strongly supported a theme heard during our hearings: People are steadfast in their belief that education is the major foundation for the future strength of this country. They even considered education more important than developing the best industrial system or the strongest military force, perhaps because they understood education as the cornerstone of both. They also held that education is "extremely important" to one's future success, and that public education should be the top priority for additional Federal funds. Education occupied first place among 12 funding categories considered in the survey—above health care, welfare, and military defense, with 55 percent selecting public education as one of their first three choices. Very clearly, the public understands the primary importance of education as the foundation for a satisfying life, and enlightened and civil society, a strong economy, and a secure Nation.

At the same time, the public has no patience with undemanding and superfluous high school offerings. In another survey, more than 75 percent of all those questioned believed every student planning to go to college should take 4 years of mathematics, English, history/U.S. government, and science, with more than 50 percent adding 2 years each of a foreign language and economics or business. The public even supports requiring much of this curriculum for students who do not plan to go to college. These standards far exceed the strictest high school graduation requirements of any State today, and they also exceed the admission standards of all but a handful of our most selective colleges and universities.

Another dimension of the public's support offers the prospect of constructive reform. The best term to characterize it may simply be the honorable word "patriotism." Citizens know intuitively what some of the best economists have shown in their research, that education is one of the chief engines of a society's material well-being. They know, too, that education is the common bond of a pluralistic society and helps tie us to other cultures around the globe. Citizens also know in their bones that the safety of the United States depends principally on the wit, skill, and spirit of a self-confident people, today and tomorrow. It is, therefore, essential—especially in a period of long-term decline in educational achievement—for government at all levels to affirm its responsibility for nurturing the Nation's intellectual capital.

And perhaps most important, citizens know and believe that the meaning of America to the rest of the world must be something better than it seems to many today. Americans like to think of this Nation as the preeminent country for generating the great ideas and material benefits for all mankind. The citizen is dismayed at a steady 15-year decline in industrial productivity, as one great American industry after another falls to world competition. The citizen wants the country to act on the belief, expressed in our hearings and by the large majority in the Gallup Poll, that education should be at the top of the Nation's agenda.

Findings

We conclude that declines in educational performance are in large part the result of disturbing inadequacies in the way the educational process itself is often conducted. The findings that follow, culled from a much more extensive list, reflect four important aspects, of the educational process: content, expectations, time, and teaching.

Findings Regarding Content

By content we mean the very "stuff" of education, the curriculum. Because of our concern about the curriculum, the Commission examined patterns of courses high school students took in 1964-69 compared with course patterns in 1976-81. On the basis of these analyses we conclude:

Secondary school curricula have been homogenized, diluted, and diffused to the point that they no longer have a central purpose. In effect, we have a cafeteria-style curriculum in which the appetizers and desserts can easily be mistaken for the main courses. Students have migrated from vocational and college preparatory programs to "general track" courses in large numbers. The proportion of students taking a general program of study has increased from 12 percent in 1964 to 42 percent in 1979.

This curricular smorgasbord, combined with extensive student choice, explains a great deal about where we find ourselves today. We offer intermediate algebra, but only 31 percent of our recent high school gradautes complete it; we offer French I, but only 13 percent complete it; and we offer geography, but only 16 percent complete it. Calculus is available in schools enrolling about 60 percent of all students, but only 6 percent of all students complete it.

Twenty-five percent of the credits earned by general track high school students are in physical and health education, work experience outside the school, remedial English and mathematics, and personal service and development courses, such as training for adulthood and marriage.

Findings Regarding Expectations

We define expectations in terms of the level of knowledge, abilities, and skills school and college graduates should possess. They also refer to the time, hard work, behavior, self-discipline, and motivation that are essential for high student achievement. Such expectations are expressed to students in several different ways:

By grades, which reflect the degree to which students demonstrate their mastery of subject matter;

Through high school and college graduation requirements, which tell students which subjects are most important;

By the presence or absence of rigorous examinations requiring students to demonstrate their mastery of content and skill before receiving a diploma or a degree;

By college admissions requirements, which reinforce high school standards; and

By the difficulty of the subject matter students confront in their texts and assigned reading.

Our analyses in each of these areas indicate notable deficiencies:

The amount of homework for high school seniors has decreased (two-thirds report less than 1 hour a night) and grades have risen as average student achievement has been declining.

In many other industrialized nations, courses in mathematics (other than arithmetic or general mathematics), biology, chemistry, physics, and geography start in grade 6 and are required of all students. The time spent on these subjects, based on class hours, is about three times that spent by even the most science-oriented U.S. students, i.e., those who select 4 years of science and mathematics in secondary school.

A 1980 State-by-State survey of high school diploma requirements reveals that only eight States require high schools to offer foreign language instruction, but none requires students to take the courses. Thirty-five States require only 1 year of mathematics, and 36 require only 1 year of science for a diploma.

In 13 States, 50 percent or more of the units required for high school graduation may be electives chosen by the student. Given this freedom to choose the substance of half or more of their education, many students opt for less demanding personal service courses, such as bachelor living.

"Minimum competency" examinations (now required in 37 States) fall short of what is needed, as the "minimum" tends to become the "maximum," thus lowering educational standards for all.

One-fifth of all 4-year public colleges in the United States must accept every high school graduate within the State regardless of program followed or grades, thereby serv-

ing notice to high school students that they can expect to attend college even if they do not follow a demanding course of study in high school or perform well.

About 23 percent of our more selective colleges and universities reported that their general level of selectivity declined during the 1970s, and 29 percent reported reducing the number of specific high school courses required for admission (usually by dropping foreign language requirements, which are now specified as a condition for admission by only one-fifth of our institutions of higher education).

Too few experienced teachers and scholars are involved in writing textbooks. During the past decade or so a large number of texts have been "written down" by their publishers to ever-lower reading levels in response to perceived market demands.

A recent study by Education Products Information Exchange revealed that a majority of students were able to master 80 percent of the material in some of their subject-matter texts before they had even opened the books. Many books do not challenge the students to whom they are assigned.

Expenditures for textbooks and other instructional materials have declined by 50 percent over the past 17 years. While some recommend a level of spending on texts of between 5 and 10 percent of the operating costs of schools, the budgets for basal texts and related materials have been dropping during the past decade and a half to only 0.7 percent today.

Findings Regarding Time

Evidence presented to the Commission demonstrates three disturbing facts about the uses that American schools and students make of time: (1) compared to other nations, American students spend much less time on school work; (2) time spent in the classroom and on homework is often used ineffectively; and (3) schools are not doing enough to help students develop either the study skills required to use time well or the willingness to spend more time on school work.

In England and other industrialized countries, it is not unusual for academic high school students to spend 8 hours a day at school, 220 days per year. In the United States, by contrast, the typical school day lasts 6 hours and the school year is 180 days.

In many schools, the time spent learning how to cook and drive counts as much toward a high school diploma as the time spent studying mathematics, English, chemistry, U.S. history, or biology.

A study of the school week in the United States found that some schools provided students only 17 hours of academic instruction during the week, and the average school provided about 22.

A California study of individual classrooms found that because of poor management of classroom time, some elementary students received only one-fifth of the instruction others received in reading comprehension.

In most schools, the teaching of study skills is haphazard and unplanned. Consequently, many students complete high school and enter college without disciplined and systematic study habits.

Findings Regarding Teaching

The Commission found that not enough of the academically able students are being attracted to teaching; that teacher preparation programs need substantial improvement; that the professional working life of teachers is on the whole unacceptable; and that a serious shortage of teachers exists in key fields.

Too many teachers are being drawn from the bottom quarter of graduating high school and college students.

The teacher preparation curriculum is weighted heavily with courses in "educational methods" at the expense of courses in subjects to be taught. A survey of 1,350 institutions training teachers indicated that 41 percent of the time of elementary school teacher candidates is spent in education courses, which reduces the amount of time available for subject matter courses.

The average salary after 12 years of teaching is on $17,000 per year, and many teachers are required to supplement their income with part-time and summer employment. In addition, individual teachers have little influence in such critical professional decisions as, for example, textbook selection.

Despite widespread publicity about an overpopulation of teachers, severe shortages of certain kinds of teachers exist: in the fields of mathematics, science, and foreign languages; and among specialists in education for gifted and talented, language minority, and handicapped students.

The shortage of teachers in mathematics and science is particularly severe. A 1981 survey of 45 States revealed shortages of mathematics teachers in 43 States, critical shortages of earth sciences teachers in 33 States, and of physics teachers everywhere.

Half of the newly employed mathematics, science, and English teachers are not qualified to teach these subjects; fewer than one-third of U.S. high schools offer physics taught by qualified teachers.

Recommendations

In light of the urgent need for improvement, both immediate and long term, this Commission has agreed on a set of recommendations that the American people can begin to act on now, that can be implemented over the next several years, and that promise lasting reform. The topics are familiar; there is little mystery about what we believe must be done. Many schools, districts, and States are already giving serious and constructive attention to these matters, even though their plans may differ from our recommendations in some details.

We wish to note that we refer to public, private, and parochial schools and colleges alike. All are valuable national resources. Examples of actions similar to those recommended below can be found in each of them.

We must emphasize that the variety of student aspirations, abilities, and preparation requires that appropriate content be available to satisfy diverse needs. Attention must be directed to both the nature of the content available and to the needs of particular learners. The most gifted students, for example, may need a curriculum enriched and accelerated beyond even the needs of other students of high ability. Similarly, educationally disadvantaged students may require special curriculum materials, smaller classes, or individual tutoring to help them master the material presented. Nevertheless, there remains a common expectation: We must demand the best effort and performance from all students, whether they are gifted or less able, affluent or disadvantaged, whether destined for college, the farm, or industry.

Our recommendations are based on the beliefs that everyone can learn, that everyone is born with an urge to learn which can be nutured, that a solid high school education is within the reach of virtually all, and that life-long learning will equip people with the skills required for new careers and for citizenship

Recommendation A: Content

We recommend that State and local high school graduation requirements be strengthened and that, at a minimum, all students seeking a diploma be required to lay the foundations in the Five New Basics by taking the following curriculum during their 4 years of high school: (a) 4 years of English; (b) 3 years of mathematics; (c) 3 years of science; (d) 3 years of social studies; and (e) one-half year of computer science. For the college-bound, 2 years of foreign language in high school are strongly recommended in addition to those taken earlier.

Whatever the student's educational or work objectives, knowledge of the New Basics is the foundation of success for the after-school years and, therefore, forms the core of the modern curriculum. A high level of shared education in these Basics, together with work in the fine and performing arts and foreign languages, constitutes the mind and spirit of our culture. The following Implementing Recommendations are intended as illustrative descriptions. They are included here to clarify what we mean by the essentials of a strong curriculum.

Implementing Recommendations

1. The teaching of English in high school should equip graduates to: (a) comprehend, interpret, evaluate, and use what they read; (b) write well-organized, effective papers; (c) listen effectively and discuss ideas intelligently; and (d) know our literary heritage and how it enhances imagination and ethical understanding, and how it relates to the customs, ideas, and values of today's life and culture.

2. The teaching of mathematics in high school should equip graduates to: (a) understand geometric and algebraic concepts; (b) understand elementary probability and statistics; (c) apply mathematics in everyday situations; and (d) estimate, approximate, measure, and test the accuracy of their calculations. In addition to the traditional sequence of studies available for college-bound students, new, equally demanding mathematics curricula need to be developed for those who do not plan to continue their formal education immediately.

3. The teaching of science in high school should provide graduates with an introduction to: (a) the concepts, laws, and processes of the physical and biological sciences; (b) the methods of scientific inquiry and reasoning; (c) the application of scientific knowledge to everyday life; and (d) the social and environmental implications of scientific and technological development. Science courses must be revised and updated for both the college-bound and those not intending to go to college. An example of such work is the American Chemical Society's "Chemistry in the Community" program.

4. The teaching of social studies in high school should be designed to: (a) enable students to fix their places and possibilities within the larger social and cultural structure; (b) understand the broad sweep of both ancient and contemporary ideas that have shaped our world; and (c) understand the fundamentals of how our economic system works and how our political system functions; and (d) grasp the difference between free and repressive societies. An understanding of each of these areas is requisite to the informed and committed exercise of citizenship in our free society.

5. The teaching of computer science in high school should equip graduates to: (a) understand the computer as an information, computation, and communication device; (b) use the computer in the study of the other Basics and for personal and work-related purposes; and (c) understand the world of computers, electronics, and related technologies.

In addition to the new Basics, other important curriculum matters must be addressed.

6. Achieving proficiency in a foreign language ordinarily requires from 4 to 6 years of study and should, therefore, be started in the elementary grades. We believe it is desirable that students achieve such proficiency because study of a foreign language introduces students to non-English-speaking cultures, heightens awareness and comprehension of one's native tongue, and serves the Nation's needs in commerce, diplomacy, defense, and education.

7. The high school curriculum should also provide students with programs requiring rigorous effort in subjects that advance students' personal, educational, and occupational goals, such as the fine and performing arts and vocational education. These areas complement the New Basics, and they should demand the same level of performance as the Basics.

8. The curriculum in the crucial eight grades leading to the high school years should be specifically designed to provide a sound base for study in those and later years in such areas as English language development and writing, computational and problem solving skills, science, social studies, foreign language, and the arts. These years should foster an enthusiasm for learning and the development of the individual's gifts and talents.

9. We encourage the continuation of efforts by groups such as the American Chemical Society, the American Association for the Advancement of Science, the Modern Language Association, and the National Councils of Teachers of English and Teachers of Mathematics, to revise, update, improve, and make available new and more diverse curricular materials. We applaud the consortia of educators and scientific, industrial, and scholarly societies that cooperate to improve the school curriculum.

Recommendation B: Standards and expectations

We recommend that schools, colleges, and universities adopt more rigorous and measurable standards, and higher expectations, for academic performance and student conduct, and that 4-year colleges and universities raise their requirements for admission. This will help students do their best educationally with challenging materials in an environment that supports learning and authentic accomplishment.

Implementing Recommendations

1. Grades should be indicators of academic achievement so they can be relied on as evidence of a student's readiness for further study.

2. Four-year colleges and universities should raise their admissions requirements and advise all potential applicants of the standards for admission in terms of specific courses required, performance in these areas, and levels of achievement on standardized achievement tests in each of the five Basics and, where applicable, foreign languages.

3. Standardized tests of achievement (not to be confused with aptitude tests) should be administered at major transition points from one level of schooling to another and particularly from high school to college or work. The purposes of these tests would be to: (a) certify the student's credentials; (b) identify the need for remedial intervention; and (c) identify the opportunity for advanced or accelerated work. The tests should be administered as part of a nationwide (but not Federal) system of State and local standardized tests. This system should include other diagnostic procedures that assist teachers and students to evaluate student progress.

4. Textbooks and other tools of learning and teaching should be upgraded and updated to assure more rigorous content. We call upon university scientists, scholars, and members of professional societies, in collaboration with master teachers, to help in this task, as they did in the post-Sputnik era. They should assist willing publishers in developing the products or publish their own alternatives where they are persistent in adequacies.

5. In considering textbooks for adoption, States and school districts should: (a) evaluate texts and other materials on their ability to present rigorous and challenging material clearly; and (b) require publishers to furnish evaluation data on the material's effectiveness.

6. Because no textbook in any subject can be geared to the needs of all students, funds should be made available to support text development in "thin-market" areas, such as those for disadvantaged students, the learning disabled, and the gifted and talented.

7. To assure quality, all publishers should furnish evidence of the quality and appropriateness of textbooks, based on results from field trials and credible evaluations. In view of the enormous numbers and varieties of texts available, more widespread consumer information services for purchasers are badly needed.

8. New instructional materials should reflect the most current applications of technology in appropriate curriculum areas, the best scholarship in each discipline, and research in learning and teaching.

Recommendation C: Time

We recommend that significantly more time be devoted to learning the New Basics. This will require more effective use of the existing school day, a longer school day, or a lengthened school year.

Implementing Recommendations

1. Students in high schools should be assigned far more homework than is now the case.

2. Instruction in effective study and work skills, which are essential if school and independent time is to be used efficiently, should be introduced in the early grades and continued throughout the student's schooling.

3. School districts and State legislatures should strongly consider 7-hour school days, as well as a 200- to 220-day school year.

4. The time available for learning should be expanded through better classroom management and organization of the school day. If necessary, additional time should be found to meet the special needs of slow learners, the gifted, and others who need more instructional diversity than can be accommodated during a conventional school day or school year.

5. The burden on teachers for maintaining discipline should be reduced through the development of firm and fair codes of student conduct that are enforced consistently, and by considering alternative classrooms, programs, and schools to meet the needs of continually disruptive students.

6. Attendance policies with clear incentives and sanctions should be used to reduce the amount of time lost through student absenteeism and tardiness.

7. Administrative burdens on the teacher and related intrusions into the school day should be reduced to add time for teaching and learning.

8. Placement and grouping of students, as well as promotion and graduation policies, should be guided by the academic progress of students and their instructional needs, rather than by rigid adherence to age.

Recommendation D: Teaching

This recommendation consists of seven parts. Each is intended to improve the preparation of teachers or to make teaching a more rewarding and respected profession. Each of the seven stands on its own and should not be considered solely as an implementing recommendation.

1. Persons preparing to teach should be required to meet high educational standards, to demonstrate an aptitude for teaching, and to demonstrate competence in an academic discipline. Colleges and universities offering teacher preparation programs should be judged by how well their graduates meet these criteria.

2. Salaries for the teaching profession should be increased and should be professionally competitive, market-sensitive, and performance-based. Salary, promotion, tenure, and retention decisions should be tied to an effective evaluation system that includes peer review so that superior teachers can be rewarded, average ones encouraged, and poor ones either improved or terminated.

3. School boards adopt an 11-month contract for teachers. This would ensure time for curriculum and professional development, programs for students with special needs, and a more adequate level of teacher compensation.

4. School boards, administrators, and teachers should cooperate to develop career ladders for teachers that distinguish among the beginning instructor, the experienced teacher, and the master teacher.

5. Substantial nonschool personnel resources should be employed to help solve the immediate problem of the shortage of mathematics and science teachers. qualified individuals including recent graduates with mathematics and science degrees, graduate students, and industrial and retired scientists could, with appropriate preparation, immediately begin teaching in these fields. A number of our leading science centers have the capacity to begin educating and retraining teachers immediately. Other areas of critical teacher need, such as English, must also be addressed.

6. Incentives, such as grants and loans, should be made available to attract outstanding students to the teaching profession, particularly in those areas of critical shortage.

7. Master teachers should be involved in designing teacher preparation programs and in supervising teachers during their probationary years.

Recommendation E: Leadership and fiscal support

We recommend that citizens across the Nation hold educators and elected officials responsible for providing the leadership necessary to achieve these reforms, and that citizens provide the fiscal support and sta-

bility required to bring about the reforms we propose.

Implementing Recommendations

1. Principals and superintendents must play a crucial leadership role in developing school and community support for the reforms we propose, and school boards must provide them with the professional development and other support required to carry out their leadership role effectively. The Commission stresses the distinction between leadership skills involving persuasion, setting goals and developing community consensus behind them, and managerial and supervisory skills. Although the latter are necessary, we believe that school boards must consciously develop leadership skills at the school and district levels if the reforms we propose are to be achieved.

2. State and local officials, including school board members, governors, and legislators, have the primary responsibility for financing and governing the schools, and should incorporate the reforms we propose in their educational policies and fiscal planning.

3. The Federal Government, in cooperation with States and localities, should help meet the needs of key groups of students such as the gifted and talented, the socioeconomically disadvantaged, minority and language minority students, and the handicapped. In combination these groups include both national resources and the Nation's youth who are most at risk.

4. In addition, we believe the Federal Government's role includes several functions of national consequence that States and localities alone are unlikely to be able to meet: protecting constitutional and civil rights for students and school personnel; collecting data, statistics, and information about education generally; supporting curriculum improvement and research on teaching, learning, and the management of schools; supporting teacher training in areas of critical shortage or key national needs; and providing student financial assistance and research and graduate training. We believe the assistance of the Federal Government should be provided with a minimum of administrative burden and intrusiveness.

5. The Federal Government has the primary responsibility to identify the national interest in education. It should also help fund and support efforts to protect and promote that interest. It must provide the national leadership to ensure that the Nation's public and private resources are marshaled to address the issues discussed in this report.

6. This Commission calls upon educators, parents, and public officials at all levels to assist in bringing about the edu ational reform proposed in this report. We also call upon citizens to provide the financial support necessary to accomplish these purposes. Excellence costs. But in the long run mediocrity costs far more.

America can do it

Despite the obstacles and difficulties that inhibit the pursuit of superior educational attainment, we are confident, with history as our guide, that we can meet our goal. The American educational system has responded to previouis challenges with remarkable success. In the 19th century our land-grant colleges and univerisities provided the research and training that developed our Nation's natural resources and the rich agricultural bounty of the American farm. From the late 1800s through mid-20th century, American schools provided the educated workforce needed to seal the success of the Industrial Revolution and to provide the margin of victory in two world wars. In the early part of this century and continuing to this very day, our schools have absorbed vast waves of immigrants and educated them and their children to productive citizenship. Similarly, the Nation's Black colleges have provided opportunity and undergraduate education to the vast majority of college-educated Black Americans.

More recently, our institutions of higher education have provided the scientists and skilled technicians who helped us transcend the boundaries of our planet. In the last 30 years, the schools have been a major vehicle for expanded social opportunity, and now graduate 75 percent of our young people from high school. Indeed, the proportion of Americans of college age enrolled in higher education is nearly twice that of Japan and far exceeds other nations such as France, West Germany, and the Soviet Union. Moreover, when international comparisons were last made a decade ago, the top 9 percent of American students compared favorably in achievement with their peers in other countries.

In addition, many large urban areas in recent years report that average student achievement in elementary schools is improving. More and more schools are also offering advanced placement programs and programs for gifted and talented students, and more and more students are enrolling in them.

We are the inheritors of a past that gives us every reason to believe that we will succeed.

A word to parents and students

The task of assuring the success of our recommendations does not fall to the schools and colleges alone. Obviously, faculty members and administrators, along with policymakers and the mass media, will play a crucial role in the reform of the educational system. But even more important is the role of parents and students, and to them we speak directly.

To Parents

You know that you cannot confidently launch your children into today's world unless they are of strong character and well-educated in the use of language, science, and mathematics. They must possess a deep respect for intelligence, achievement, and learning, and the skills needed to use them; for setting goals; and for disciplined work. That respect must be accompanied by an intolerance for the shoddy and second-rate masquerading as "good enough."

You have the right to demand for your children the best our schools and colleges can provide. Your vigilance and your refusal to be satisfied with less than the best are the imperative first step. But your right to a proper education for your children carries a double responsibility. As surely as you are your child's first and most influential teacher, your child's ideas about education and its significance begin with you. You must be a living example of what you expect your children to honor and to emulate. Moreover, you bear a responsibility to participate actively in your child's education. You should encourage more diligent study and discourage satisfaction with mediocrity and the attitude that says "let it slide"; monitor your child's study; encourage good study habits; encourage your child to take more demanding rather than less demanding courses; nurture your child's curiosity, creativity, and confidence; and be an active participant in the work of the schools. Above all, exhibit a commitment to continued learning in your own life. Finally, help your children understand that excellence in education cannot be achieved without intellectual and moral integrity coupled with hard work and commitment. Children will look to their parents and teachers as models of such virtues.

To Students

You forfeit your chance for life at its fullest when you withhold your best effort in learning. When you give only the minimum to learning, you receive only the minimum in return. Even with your parents' best example and your teachers' best efforts, in the end it is your work that determines how much and how well you learn. When you work to your full capacity, you can hope to attain the knowledge and skills that will enable you to create your future and control your destiny. If you do not, you will have your future thrust upon you by others. Take hold of your life, apply your gifts and talents, work with dedication and self-discipline. Have high expectations for yourself and convert every challenge into an opportunity.

A Final Word

This in not the first or only commission on education, and some of our findings are surely not new, but old business that now at last must be done. For no one can doubt that the United States is under challenge from many quarters.

Children born today can expect to graduate from high school in the year 2000. We dedicate our report not only to these children, but also to those now in school and others to come. We firmly believe that a movement of America's schools in the direction called for by our recommendations will prepare these children for far more effective lives in a far stronger America.

Our final word, perhaps better characterized as a plea, is that all segments of our population give attention to the implementation of our recommendations. Our present plight did not appear overnight, and the responsibility for our current situation is widespread. Reform of our educational system will take time and unwavering commitment. It will require equally widespread, energetic, and dedicated action. For example, we call upon the National Academy of Sciences, National Academy of Engineering, Institute of Medicine, Science Service, National Science Foundation, Social Science Research Council, American Council of Learned Societies, National Endowment for the Humanities, National Endowment for the Arts, and other scholarly, scientific, and learned societies for their help in this effort. Help should come from students themselves; from parents, teachers, and school boards; from colleges and universities; from local, State, and Federal officials; from teachers' and administrators' organizations; from industrial and labor councils; and from other groups with interest in and responsibility for educational reform.

It is their America, and the America of all of us, that is at risk; it is to each of us that this imperative is addressed. It is by our willingness to take up the challenge, and our resolve to see it through, that America's place in the world will be either secured or forfeited. Americans have succeeded before and so we shall again.

APPENDICES

Appendix A: Charter National Commission on Excellence in Education

Authority

20 U.S.C. 1233a. The Commission is governed by the provisions of Part D of the General Education Provisions Act (P.L. 90-247 as amended; 20 U.S.C. 1233 *et seq.*) and the Federal Advisory Committee Act (P.L. 92-463; 5 U.S.C. Appendix I) which set forth standards for the formation and use of advisory committees.

Purpose and Functions

The Commission advises and makes recommendations to the nation and to the Secretary of Education. To carry out his mission the Commission is charged with the following responsibilities:

(1) To review and synthesize the data and scholarly literature on the quality of learning and teaching in the nation's schools, colleges, and universities, both public and private, with special concern for the educational experience of teen-age youth;

(2) To examine and to compare and contrast the curricula standards, and expectations of the educational systems of several advanced countries with those of the United States;

(3) To study a representative sampling of university and college admission standards and lower division course requirements with particular reference to the impact upon the enhancement of quality and the promotion of excellence such standards may have on high school curricula and on expected levels of high school academic achievement;

(4) To review and to describe educational programs that are recognized as preparing students who consistently attain higher than average scores in college entrance examinations and who meet with uncommon success the demands placed on them by the nation's colleges and universities;

(5) To review the major changes that have occurred in American education as well as events in society during the past quarter century that have significantly affected educational achievement;

(6) To hold hearings and to receive testimony and expert advice on efforts that could and should be taken to foster higher levels of quality and academic excellence in the nation's schools, colleges, and universities;

(7) To do all other things needed to define the problems of and the barriers to attaining greater levels of excellence in American education; and

(8) To report and to make practical recommendations for action to be taken by educators, public officials, governing boards, parents, and others having a vital interest in American education and a capacity to influence it for the better.

Structure

The Commission consists of at least 12, but not more than 19, public members appointed by the Secretary. The Secretary shall designate a chairperson from among the members. Among its members the Commission includes persons who are knowledgeable about educational programs at various levels and are familiar with views of the public, of employers, of educators, and of leaders of a range of professions regarding the status of education today, requirements for the future, and ways the quality of education for all Americans can be improved.

A quorum of the Commission is a majority of appointed members.

Terms of service of members end with the termination of the Commission.

Hearings on behalf of the Commission may be held by one or more members with the authorization of the chairperson.

The Commission may establish standing committees composed exclusively of its members. Each standing committee complies with the requirements of applicable statutes and Departmental regulations. Each committee presents to the Commission findings and recommendations for action by the full Commission. Timely notification of the establishment of a committee and any change therein, including its charge, membership, and frequency of meetings, will be made in writing to the Committee Management Officer. All committees act under the policies established by the Commission as a whole.

Management and staff services are provided by the Executive Director who serves as the Designated Federal Official to the Commission and by the National Institute of Education.

Meetings

The Commission meets approximately four times a year at the call of the Chairperson, with the advance approval of the Secretary or the Designated Federal Official who approves the agenda and is present or represented at all meetings. Standing committees meet as required at the call of their Chairperson with the concurrence of the Commission Chairperson. All meetings are open to the public except as determined otherwise by the Assistant Secretary for Educational Research and Improvement. Notice of all meetings shall be given to the public. Meetings are conducted, and records of proceedings kept, in accordance with applicable laws and Department regulations.

Compensation

In accordance with the General Education Provisions Act and other applicable laws, Commission members shall be entitled to an honorarium of $100 per day for official business of the Commission. Their per diem and travel expenses will be paid in accordance with Federal Travel Regulations.

Annual Cost Estimate

Estimate of the direct cost for operating the Commission, including compensation and travel expenses for members as well as costs for studies, but excluding staff support, is $332,000. Estimate of annual person years of staff required is 16. Estimate of direct annual costs for administrative support, staff and staff per diem and travel expenses is $453,000. The National Institute of Education will provide additional administrative and research assistance to the Commission.

Reports

In addition to its final report, which is expected eighteen months from the initial meeting, the Commission submits to the Congress by March 31 of each year an annual report which contains as a minimum a list of the names and business addresses of the members, a list of the dates and places of the meetings, the functions of the Commission, and a summary of Commission activities and recommendations made during the year. Such report is transmitted with the Secretary's annual report to Congress. The Commission makes such other reports or recommendations as may be appropriate. A copy of the annual report and other reports is provided to the Committee Management Officer.

Termination Date

It is estimated that the time necessary for the Commission to complete its activities and report is at least 18 months. Therefore, to insure the completion of the report, the Secretary determines that this Commission terminates not later than two years from the date of this Charter.

Approved: August 5, 1981.

T. H. BELL,
Secretary.

Appendix B: Schedule of the Commission's public events

Event, Date(s), Place, and Host(s)

Full Commission Meeting; October 9-10, 1981; Washington, D.C.

Full Commission Meeting; December 7, 1981; Washington, D.C.

Full Commission Meeting; February 25, 1982; Washington, D.C.

Hearing—Science, Mathematics, and Technology Education; March 11, 1982; Stanford University, Stanford, California; Donald Kennedy, President, Stanford University; J. Myron Atkin, Dean, Graduate School of Education, Stanford University.

Hearing—Language and Literacy: Skills for Academic Learning; April 16, 1982; Houston Independent School District, Houston, Texas; Raymon Bynum, Texas State Commissioner of Education; Billy R. Reagan, General Superintendent, Houston Independent School District.

Panel Discussion—Performance Expectations in American Education; April 30, 1982; The University of Pennsylvania, Philadelphia, Pennsylvania; Thomas Erlich, Provost, The University of Pennsylvania.

Hearing—Teaching and Teacher Education; May 12, 1982; Georgia State University, Atlanta, Georgia; Alonzo Crim, Superintendent, Atlanta Public Schools; Sherman Day, Dean, School of Education, Georgia State University; Barbara Hatton, Dean, School of Education, Atlanta University.

In addition to these public events, the Commission members also attended a number of subcommittee meetings and work sessions over the course of 18 months.

Full Commission Meeting; May 25, 1982; Washington, D.C.

Hearing—College Admissions and the Transition to Post-Secondary Education; June 23, 1982; Roosevelt University, Chicago, Illinois; Rolf Weil, President, Roosevelt University; John Corbally, President, John D. and Catherine T. MacArthur Foundation, Chicago.

Symposium—The Student's Role in Learning; July 30, 1982; San Diego State University, California; Thomas Day, President, San Diego State University; Richard Atkinson, Chancellor, University of California, San Diego.

Panel Discussion—College Curriculum: Shape, Influence, and Assessment; August 27, 1982; University of Rhode Island; Kingston, Rhode Island; Frank Newman, President; University of Rhode Island.

Hearing—Education for a Productive Role in a Productive Society; September 16, 1982; St. Cajetan's Center, Denver, Colorado; Robert Andringa, Executive Director, Education Commission of the States, Denver.

Full Commission Meeting; September 28-29, 1982; New York, New York; Robert Payton, President, Exxon Education Foundation, Exxon Corporation, New York, New York.

Hearing—Education for the Gifted and Talented; October 15, 1982; Harvard University, Cambridge, Massachusetts; Derek Bok, President, Harvard University; Patricia Albjerg Graham, Dean, Harvard Graduate School of Education.

Full Commission Meeting; November 15-16, 1982; Washington, D.C.

Full Commission Meeting; January 21-22, 1983; Washington, D.C.

Full Commission Meeting; April 26, 1983; Washington, D.C.

Appendix C: Commissioned papers

Author(s) and Paper:

Joseph Adelson, The University of Michigan, Ann Arbor; "Twenty-Five Years of American Education: An Interpretation."

Catherine P. Ailes, Francis W. Rushing, SRI International, Arlington, Virginia; 'A Summary Report on the Educational Systems of the United States and the Soviet Union: Comparative Analysis."

Alexander W. Astin, University of California, Los Angeles; "Excellence and Equity in American Education."

Alexander W. Astin, University of California, Los Angeles; "The American Freshman, 1966-1981: Some Implications for Educational Policy and Practice."

Herman Blake, University of California, Santa Cruz; "Demographic Change and Curriculum: New Students in Higher Education."

Richard I. Brod, the Modern Language Association, New York, New York; Nicholas Farnham, The International Council on the Future of the University, New York, New York; William V. Mayer, Biological Sciences Curriculum Study, Boulder, Colorado; Robert A. McCaughey, Barnard College, New York, New York; "University Entrance Examinations and Performance Expectations."

Barbara B. Burn, Christopher H. Hurn, University of Massachusetts, Amherst; "An Analytic Comparison of Educational Systems."

Philip Cusick, Michigan State University, East Lansing; "Secondary Public Schools in America."

Paul DeHart Hurd, Stanford University, California; "An Overview of Science Education in the United States and Selected Foreign Countries."

Walter Doyle, University of Texas at Austin; "Academic Work."

Kenneth Duckworth, University of Oregon, Eugene; "Some Ideas About Student Cognition, Motivation and Work" (A Critique of the Symposium on *The Student's Role in Learning*).

Max A. Eckstein, Queens College/City of New York, Flushing; Susanne Shafer, Arizona State University, Tempe; Kenneth Travers, University of Illinois, Champaign-Urbana; "A Comparative Review of Curriculum: Mathematics and International Studies in the Secondary Schools of Five Countries."

Eleanor Farrar, The Huron Institute, Cambridge, Massachusetts; Matthew B. Miles, Center for Policy Research, New York, New York; Barbara Neufeld, The Huron Institute, Cambridge, Massachusetts; "A Review of Effective Schools Research: Implications for Practice and Research."

Zelda Gamson, University of Michigan, Ann Arbor; "A Little Light on the Subject: Keeping General and Liberal Education Alive."

William E. Gardner, University of Minnesota, Minneapolis; John R. Palmer, University of Wisconsin, Madison; "Certification and Accreditation: Background, Issue Analysis, and Recommendations."

Thomas L. Good, University of Missouri-Columbia; "What Is Learned in Schools: Responding to School Demands, Grades K-6."

Thomas L. Good and Gail M. Hinkel, University of Missouri-Columbia; "Schooling in America: Some Descriptive and Explanatory Statements."

Donald B. Holsinger, State University of New York, Albany; "Time, Content and Expectations as Predictors of School Achievement in the U.S.A. and Other Developed Countries: A Review of IEA Evidence."

Kenneth R. Howey, University of Minnesota, Minneapolis; "Charting Directions for Preservice Teacher Education."

Torsten Husen, University of Stockholm, Sweden; "A Cross-National Perspective on Assessing the Quality of Learning."

Nancy Karweit, Johns Hopkins University, Baltimore, Maryland; "Time on Task: A Research Review."

Howard London, Bridgewater State College, Massachusetts; "Academic Standards in the American Community College: Trends and Controversies."

Martin L. Maehr, University of Illinois, Champaign-Urbana; "Motivational Factors in School Achievement."

Matthew B. Miles, Center for Policy Research, New York, New York; Eleanor Farrar and Barbara Neufeld, The Huron Institute, Cambridge, Massachusetts; "The Extent of Adoption of Effective Schools Programs."

Barbara Neufeld and Eleanor Farrar, The Huron Institute, Cambridge, Massachusetts; Matthew B. Miles, Center for Policy Research, New York, New York; "A Review of Effective Schools Research: The Message for Secondary Schools."

William Neumann, Syracuse University, New York; "College Press and Student Fit."

C. Robert Pace, University of California, Los Angeles; "Achievement and Quality of Student Effort."

Harvey L. Prokop, San Diego Unified School District, California; "Intelligence, Motivation and the Quantity and Quality of Academic Work and their Impacts on the Learning of Students: A Practitioner's Reaction" (A Critique of the Symposium on *The Student's Role in Learning*).

Lauren B. Resnick, University of Pittsburgh, Pennsylvania; Daniel P. Resnick, Carnegie-Mellon University, Pittsburgh, Pennsylvania; "Standards, Curriculum, and Performance: An Historical and Comparative Perspective."

Frederick Rudolph, Williams College, Williamstown, Massachusetts; "Educational Excellence—The Secondary School-College Connection and Other Matters: An Historical Assessment."

Clifford Sjogren, University of Michigan, Ann Arbor; "College Admissions and the Transition to Postsecondary Education: Standards and Practices."

Richard E. Snow, Stanford University, California; "Intelligence, Motivation and Academic Work" (A Critique of the Symposium of *The Student's Role in Learning*).

Robert J. Sternberg and Richard Wagner, Yale University, New Haven, Connecticut; "Understanding Intelligence: What's in It for Educators?"

Deborah Stipek, University of California, Los Angeles; "Motivating Students to Learn: A Lifelong Perspective."

Judith Torney-Purta, University of Maryland, College Park; John Schwille, Michigan State University, East Lansing; "The Values Learned in School: Policy and Practice in Industrialized Countries."

Beatrice Ward, John R. Mergendoller, and Alexis L. Mitman, Far West Laboratory of Eductional Research and Development, San Francisco, California; "The Years Between Elementary School and High School: What Schooling Experiences Do Students Have?"

Jonathan Warren, Educational Testing Service, Berkeley, California; "The Faculty Role in Educational Excellence."

Dean K. Whitla, Harvard University, Cambridge, Massachusetts; "Value Added and Other Related Matters."

Sam J. Yarger, Syracuse University, New York; "Inservice Education."

Herbert Zimiles, Bank Street College of Education, New York, New York; "The Changing American Child: The Perspective of Educators."

Commissioned papers will be available in the ERIC system after July 1983 (See Ordering Information).

Also available through the ERIC system after July 1983:

Clifford Adelman, National Institute of Education, Washington, D.C.; "A Study of High School Transcripts, 1964-1981."

Appendix D: Hearing testimony

Science, mathematics, and technology education

H. Guyford Stever, National Academy of Sciences, Washington, D.C.

Bernard M. Oliver, Hewlett-Packard Company, Palo Alto, California.

Henry L. Alder, University of California, Davis, representing the Council of Scientific Society Presidents.

Sarah E. Klein, Roton Middle School, Norwalk, Connecticut, representing the National Science Teachers Association.

Harold D. Taylor, Hillsdale High School, San Mateo, California, representing the National Council of Teachers of Mathematics.

John Martin, Palo Alto Unified School District, California.

Ruth Willis, Hamilton Junior High School, Oakland, California.

Sam Dederian, San Francisco Unified School District, California.

Leroy Finkel, San Mateo County Office of Education, California.

Olivia Martinez, San Jose Unified School District, California.

Robert Bell, General Electric Company, San Jose, California.

Judith Hubner, representing the Governor's Office, State of California.

Robert W. Walker, De Anza-Foothill Community College District, California.

Nancy Kreinberg, Lawrence Hall of Science, Berkeley, California.

Robert Finnell, Lawrence Hall of Science, Berkeley, California.

Marian E. Koshland, University of California, Berkeley, representing the National Science Board.

Alan M. Portis, University of California, Berkeley, representing the Education Committee of the American Physical Society.

Leon Henkin, University of California, Berkeley, representing the U.S. Commission on Mathematical Instruction.

John Pawson, Edison High School, Huntington Beach, California.

Alan Fibish, Lowell High School, San Francisco, California.

Juliet R. Henry, representing the California Teachers Association.

Jess Bravin, Board of Education, Los Angeles, California.

Frank Oppenheimer, Exploratorium, San Francisco, California.

Leigh Burstein, University of California, Los Angeles.

Judy Chamberlain, Cupertino Unified School District, California.

Michael Summerville, Fremont Unified High School District, California.

Ted Perry, San Juan Unified School District, California.

Paul DeHart Hurd, Stanford University, California.
Elizabeth Karplus, Campolindo High School, Moraga, California.
Louis Fein, Palo Alto Learners Association, California.
Bob McFarland, representing the California Math Council.
Katherine Burt, Cupertino Elementary School District, California.
Leo Ruth, California Engineering Foundation.
Gordon M. Ambach, State Education Department, Albany, New York.
James L. Casey, State Department of Education, Oklahoma City, Oklahoma.
Carolyn Graham, Jefferson Elementary School, Burbank, California.
Marcy Holteen, Ambler, Pennsylania.
Howard C. Mel and Kay Fairwell, Lawrence Hall of Science, Berkeley, California.
Jean Phillips, Thousand Oaks, California.
Simon Ramo, the TRW-Fujitsu Company, Redondo Beach, California.
Gerhardt W. Reidel, University of West Los Angeles, Culver City, California.
Carl L. Riehm, Virginia State Department of Education, Richmond, Virginia.
John H. Saxon, Norman, Oklahoma.
Thomas O. Sidebottom, Interactive Sciences, Inc., Palo Alto, California.
Karl Weiss, Northeastern University, Boston, Massachusetts.
Jan West, Oroville, California.

Related activities in the Bay Area

Site Visit: Lawrence Hall of Science, University of California, Berkeley, Howard C. Mel, Director.
Tour of the Paul and Jean Hanna Collection on the Role of Education and the Archives and Library at the Hoover Institution, Stanford University.
Dinner with business, education, and community leaders, Sponsored by the Chamber of Commerce of the United States, Western Regional Office, and the William and Flora Hewlett Foundation.

Language and literacy: Skills for academic learning

Richard C. Anderson, University of Illinois, Champaign-Urbana.
Margaret Smith-Burke, New York University, New York.
Donald Graves, University of New Hampshire, Durham.
Eileen Lundy, University of Texas, San Antonio.
Ray Clifford, Defense Language Institute, Presidio of Monterey, California.
Lily Wong-Fillmore, University of California, Berkeley.
Victoria Bergin, Texas Education Agency, Austin.
Alan C. Purves, University of Illinois, Champaign-Urbana.
Delia Pompa, Houston Independent School District, Texas.
Olivia Munoz, Houston Independent School District, Texas.
James Kinneavy, University of Texas, Austin.
Betty Von Maszewski, Deer Park Independent School District, Texas.
Claire E. Weinstein, University of Texas, Austin.
Patricia Sturdivant, Houston Independent School District, Texas.
June Dempsey, University of Houston, Texas, representing the American Association of Community and Junior Colleges, the Western College Reading Association, and the National Association for Remedial and Developmental Studies in Postsecondary Education.
Jane Porter, College Board, Austin, Texas.
Kay Bell, Texas Classroom Teachers Association, Austin, Texas.
Judy Walker de Felix, University of Houston, Texas.
Barbara Glave, University of Houston, Texas, representing the Houston Area Teachers of Foreign Language.
Dora Scott, Houston Independent School District, Texas, representing the National Education Association and the Texas State Teachers Association, Houston.
Georgette Sullins, Spring Independent School District, Texas.
Renate Donovan, Spring Branch Independent School District, Texas.
Gordon M. Ambach, State Education Department, Albany, New York.
Jo Bennett and Jean Parochetti, Alvin Community College, Texas.
Sharon Robinson, National Education Association, Washington, D.C.
Donald L. Rubin, University of Georgia, Athens, representing the Speech Communication Association.
Robert N. Schwartz, University of Houston, Texas.
Ralph C. Staiger, International Reading Association, Newark, Delaware.
Helen Warringer-Burke and Carl L. Riehm, Department of Education, Richmond, Virginia.
William Work, Speech Communication Association, Annandale, Virginia.
Daryl R. Yost, East Allen County Schools, New Haven, Indiana.

Related activities in Houston

Site visits coordinated by the Office of the General Superintendent of the Houston Independent School District: Briargrove Elementary School, Wilson Elementary School, Clifton Middle School, Bellaire High School, High School for Engineering Professions, High School for Health Professions, High School for Performing and Visual Arts.

Teaching and Teacher Education

Gary Sykes, National Institute of Education, Washington, D.C.
Gary Fenstermacher, Virginia Polytechnic Institute and State University, Blacksburg.
David G. Imig, American Association of Colleges for Teacher Education, Washington, D.C.
Anne Flowers, Georgia Southern University, Statesboro.
Barbara Peterson, Seven Oaks Elementary School, Columbia, South Carolina.
Eva Galumbos, Southern Regional Education Board, Atlanta, Georgia.
Robert Scanlon, Pennsylvania State Department of Education, Harrisburg.
Ralph Turlington, Florida State Department of Education, Tallahassee.
Gail MacColl, National Institute of Education, Washington, D.C.
Kathy Jones, Roan State Community College, Harriman, Tennessee, representing the National Education Association.
Mary Lou Romaine, Atlanta Federation of Teachers, Gerogia, representing the American Federation of Teachers.
Janet Towslee-Collier, Georgia State University, Atlanta, representing the Association of Teacher Educators.
Robert Fortenberry, Jackson City Schools, Mississippi, representing the American Association of School Administrators.
Nicholas Hobar, West Virginia Department of Education, Charleston, representing the National Association of State Directors of Teacher Education and Certification.
Fred Loveday, Georgia Private Education Council, Smyrna, representing the Council for American Private Education.
James Lowden, Alabama Christian Education Association, Prattville, representing the American Association of Christian Schools.
J. L. Grant, Florida State University, Tallahassee, representing the American Association for Colleges of Teacher Education.
Carolyn Huseman, Georgia State Board of Education, representing the National Association of State Boards of Education.
Robert Fontenot, University of Southwestern Louisiana, LaFayette.
Nancy Ramseur, Camden High School, South Carolina.
Eugene Kelly, George Washington University, Washington, D.C.
Richard Hodges, Decatur, Georgia.
James Gray, University of California, Berkeley.
Rober Dixon, Institute for Research, Development and Engineering in Nuclear Energy, Atlanta, Georgia.
Pat Woodall, Columbus, Georgia.
Wayne Wheatley, Furman University, Greenville, South Carolina, representing the Council for Exceptional Children
Joe Hasenstab, Project Teach, Westwood, New Jersey
William Drummond, University of Florida, Gainesville
Debbie Yoho, Southeastern Regional Teacher Center, Columbia, South Carolina
Donald Gallehr, Virginia Writing Project, Fairfax
James Collins, National Council of States on In-service Education, Syracuse, New York
Ann Levy, Project New Adventure in Learning, Tallahassee, Florida
Bill Katzenmeyer, University of South Florida, Tampa
Walt Mika, Virginia Education Association
Eunice Sims, Georgia Writing Project, Atlanta
Elaine Banks and Sam Sava, National Association of Elementary School Principals, Reston, Virginia
Alandino A. Burchianti, Masontown, Pennsylvania
Roy Edelfelt, Washington, D.C.
Ed Foglia, California Teachers Association, Burlingame
June Johnson, New Adventure in Learning, Tallahassee, Florida
Richard A. Krueger, Staples Teacher Center, Minnesota
Clare Miezio, Eagle Forum Education Committee, Schaumburg, Illinois
Donald L. Rubin, University of Georgia, Athens, representing the Speech Communication Association Committee on Assessment and Testing
Daryl R. Yost, East Allen County Schools, New Haven, Indiana

Related activities in Atlanta

Site Visits: Douglas High School, L.W. Butts, Principal; Mays High School, Thomas E. Wood, Jr., Principal.
Lunch with local dignitaries hosted by Georgia State University.
Dinner with business, education, and community leaders: Coordinated by the Atlanta Partnership of Business and Education; Sponsored by FABRAP Architects, Inc., and the Coca-Cola Company.

College Admissions and the Transition to Postsecondary Education

Clifford Sjogren, University of Michigan, Ann Arbor.
Ralph McGee, New Trier Township High School, Winnetka, Illinois.

Alice Cox, University of California Systemwide Administration, Berkeley.
George Stafford, Prairie View A&M University, Texas.
Fred Hargadon, Stanford University, California.
Margaret MacVicar, Massachusetts Institute of Technology, Cambridge.
Lois Mazzuca, National Association of College Admissions Counselors, Rolling Meadows, Illinois.
Ora McConnor, Chicago Public Schools, Illinois.
Theodore Brown, Hales Franciscan High School, Chicago, Illinois.
Charles D. O'Connell, University of Chicago, Illinois.
Oscar Shabat, Chicago Community College System, Illinois.
Arnold Mitchum, Marquette University, Milwaukee, Wisconsin.
Michael Kean, Educational Testing Service, Midwestern Regional Office, Evanston, Illinois.
John B. Vaccaro, The College Board, Midwestern Regional Office, Evanston, Illinois.
William Kinnison, Wittenberg University, Springfield, Ohio.
William J. Pappas, Northview High School, Grand Rapids, Michigan.
Carmelo Rodriguez, ASPIRA of Illinois, Chicago.
Jeffrey Mallow, Loyola University, Chicago, Illinois.
Carol Elder, Local 4100 of American Federation of Teachers, Chicago, Illinois.
Bettye J. Lewis, Michigan Alliance of Families.
Rachel Ralya, Michigan Alliance of Families.
Austin Doherty, Alverno College, Milwaukee, Wisconsin.
Gordon M. Ambach, State Education Department, Albany, New York.
Gordon C. Godbey, Pennsylvania Association for Adult Continuing Education.
Daryl R. Yost, East Allen County Schools, New Haven, Indiana.

Related activities in Chicago

Site Visits: Standard Oil of Indiana, Gene E. Cartwright, Manager of Employee Relations and Joseph Feeney, Director, Training and Personnel Planning; Continental Illinois Bank, Jennifer Olsztynski, Personnel Manager; De Paul University, Rev. John T. Richardson, President and David Justice, Dean, School for New Learning.
Luncheon with leaders of higher education institutions; Sponsored by the John D. and Catherine T. MacArthur Foundation.
Dinner with business, education, and community leaders; Sponsored by the John D. and Catherine T. MacArthur Foundation; Chaired by Stanley O. Eikenberry, President, University of Illinois.

Education for a Productive Role in a Productive Society

Daniel Saks, Brookings Institution, Washington, D.C.
Roy Forbes, Education Commission of the States, Denver, Colorado.
Sol Hurwitz, Committee for Economic Development, New York, New York.
Martha Brownlee, Naval Education and Training for Research and Development Pensacola, Florida.
Norman Pledger, Colorado AFL-CIO, Denver.
Lucretia James, Storage Technology, Inc., Louisville, Colorado.
Kathy Collins Smith, American Institute of Banking, Denver, Colorado.
Wade Murphree, Denver Institute of Technology, Colorado.
Calvin Frazier, State Department of Education, Denver, Colorado.
Rober Taylor, The Ohio State University, Columbus.
John Peper, Jefferson County Schools, Lakewood, Colorado.
Michael A. MacDowell, Joint Council on Economic Education, New York, New York.
Larry Brown, 70001, Inc., Washington, D.C.
Robert Stewart, University of Missouri, Columbia.
Gordon Dickinson, Colorado Community College and Vocational Education Board, Sterling.
Karl Weiss, Northeastern University, Boston, Massachusetts.
Donald Schwartz, University of Colorado, Colorado Springs.
Patricia Brevik, Auraria Library and Media Center, Denver, Colorado.
John Dromgoole, National Commission on Cooperative Education, Boston, Massachusetts.
Faith Hamre, Littleton Public Schools, Ohio.
Vernon Broussard, National Council on Vocational Education, Culver City, California.
David Terry, Utah System of Higher Education, Salt Lake City.
Georgia Van Adestine, Western Michigan University, Kalamazoo, Michigan.
Gordon E. Heaton, Colorado Education Association, Aurora, Colorado.
Young Jay Mulkey, American Institute for Character Education, San Antonio, Texas.
George P. Rusteika, Far West Laboratory for Educational Research and Development, San Francisco, California.
Donald Clark, National Association for Industry-Education Cooperation, Buffalo, New York.
Jacqueline Danzberger, Youth-Work, Inc., Washington, D.C.
Charles Davis, Education Clinics, Inc., Seattle, Washington.
Dennis A. Dirksen, San Diego State University, California.
Ben Lawrence, National Center for Higher Education Management Systems, Boulder, Colorado.
Bill Rosser and Jennie Sanchez, Chicano Education Project, Denver, Colorado.
Sandra K. Squires, University of Nebraska, Omaha.

Related activities in the Denver area

Site Visits: Warren Occupational Technology Center, Golden, Byron Tucker, Principal; Mountain Bell Education and Training Center, Lakewood, Fred Wells, Director; Career Education Center, Denver, John Astuno, Principal; Emily Griffith Opportunity School, Denver, Butch Thomas, Principal.
Luncheon discussion with Robert Worthington, Assistant Secretary for Vocational and Adult Education, U.S. Department of Education, Washington, D.C.
Dinner discussion with Willard Wirtz, National Institute for Work and Learning, Washington, D.C., and Henry David, National Institute of Education, Washington, D.C.
Dinner with business, education, and community leaders, Sponsored by the Education Commission of the States, Chaired by Calvin Frazier, Commissioner of Education, Colorado.

Education for the Gifted and Talented

James J. Gallagher, University of North Carolina, Chapel Hill.
Marcel Kinsbourne, Eunice Kennedy Shriver Center, Waltham, Massachusetts.
Joseph Renzulli, University of Connecticut, Storrs.
David Feldman, Tufts University, Medford, Massachusetts.
William Durden, Johns Hopkins University, Baltimore, Maryland.
Connie Steele, Texas Technical University, Lubbock.
Isa Kaftal Zimmerman, Lexington Public Schools, Massachusetts.
Alexinia Baldwin, State University of New York, Albany.
Arthur Pontarelli, Rhode Island State Department of Education, Providence.
Armand E. Bastastini, Jr., Rhode Island State Legislature, Providence.
William R. Holland, Narragansett School District, Rhode Island.
Melissa Lawton, Bristol School District, Rhode Island.
Rachel Christina, Bristol School District, Rhode Island.
Catherine Valentino, North Kingstown School District, Rhode Island.
Marie Friedel, National Foundation for Gifted and Creative Children, Providence, Rhode Island.
Marsha R. Berger, Rhode Island Federation of Teachers, Providence.
Sidney Rollins, Rhode Island College, Providence.
David Laux, State Advocates for Gifted Education, Providence, Rhode Island.
James A. Di Prete, Coventry High School, Rhode Island.
Harold Raynolds, Maine State Department of Education, Augusta.
June K. Goodman, Connecticut State Board of Education, Hartford.
Mary Hunter Wolfe, Connecticut State Task Force on Gifted and Talented Education, Hartford.
Paul Regnier, speaking on behalf of Gordon Ambach, State Education Department, Albany, New York.
Benson Snyder, Massachusetts Institute of Technology, Cambridge, Massachusetts.
June Cox, Sid Richardson Foundation, Fort Worth, Texas.
Loretta L. Frissora, Needham Public Schools, Massachusetts, representing the National Education Association.
Patricia O'Connell, Augusta, Maine, representing the Council of State Directors for Programs for the Gifted.
Virginia Ehrlich, Astor Program Studies for Gifted, Suffern, New York.
Gloria Duclos, University of Southern Maine, Portland.
Anton Lysy, Londonderry School District, New Hampshire.
Rhoda Spear, New Haven Schools, Connecticut.
Judith Grunbaum, Southeastern Massachusetts University, North Dartmouth.
Vincent Hawes, American Association of State Colleges and Universities, Washington, D.C.
Dorothy Moser, Mortar Board, Inc., Columbus, Ohio.
Wendy Marcks, Chelmsford Association for Talented and Gifted, Massachusetts.
James DeLisle, University of Connecticut, Storrs.
Naomi Zymelman, Charles E. Smith Jewish Day School, Rockville, Maryland.
Sherry Earle, Connecticut Association for the Gifted, Danbury.
C. Grey Austin, University of Georgia, Athens.

Sally Reis, Council for Exceptional Children, Talented and Gifted Division, Reston, Virginia.

Betty T. Gilson, Brockton Public Schools, Massachusetts.

Roberta McHardy, Lousiana Department of Education, Baton Rouge.

Felicity Freund, Gifted Child Society, Oakland, New Jersey.

Lydia Smith, Simmons College, Boston, Massachusetts.

Betsy Buchbinder, Massachusetts Association for Advancement of Individual Potential, Milton.

Artemis Kirk, Simmons College, Boston, Massachusetts, representing the Association of College and Research Libraries.

Elizabeth F. Abbott, Governor's Program for Gifted and Talented, Gainesville, Florida.

James Alvino, Gifted Child Newsletter, Sewell, New Jersey.

Gordon M. Ambach, State Education Department, Albany, New York.

Association of San Diego Educators for the Gifted and Talented, California.

Philip J. Burke and Karen A. Verbeke, University of Maryland, College Park.

Sheila Brown, Nebraska Department of Education, Lincoln.

California Association for the Gifted, Downey.

Carolyn M. Callahan, The Association for the Gifted.

Anne B. Crabbe, Coe College, Cedar Rapids, Iowa.

Roxanne H. Cramer, American Mensa, Arlington, Virginia.

Neil Daniel, Texas Christian University, Fort Worth.

Sue Ellen Duggan and Mary Lou Fernandes, Lackawanna City School District, New York.

John F. Feldhusen, Purdue University, West Lafayette, Indiana.

Frank F. Fowle, Ill, Clayton, Missouri.

Joseph Harrington, College Academy, Stoughton, Massachusetts.

Anne E. Impellizzeri, American Association for Gifted Children.

Betty Johnson, Minnesota Council for the Gifted and Talented, Minneapolis.

Nancy Kalajian, Sommerville, Massachusetts.

John Lawson, Massachusetts Department of Education, Quincy.

Barbara Lindsey, Southwest Iowans for Talented and Gifted, Council Bluffs.

Diane Modest, Framingham Public Schools, Massachusetts.

Jack L. Omond, Office for the Gifted, Port Elizabeth, South Africa.

Arthur Purcell, Resource Policy Institute, Washington, D.C.

Annette Raphel, Milton Academy, Massachusetts.

Susanne Richert, Educational Improvement Center, Sewell, New Jersey.

Carl L. Riehm, Virginia State Department of Education, Richmond.

Terry Ruby, Raynham Public Schools, Massachusetts.

Barbara Moore Schuch, San Diego City Schools, California.

Dorothy Sisk, University of South Florida, Tampa.

Mercedes Smith, Gifted Association of Missouri, Springfield.

Christopher L. Sny, Janesville Public Schools, Wisconsin.

Julian C. Stanley, SMPY, Department of Psychology, Johns Hopkins University, Baltimore, Maryland.

Jo Thomason and Frederick J. Weintraub, Council for Exceptional Children, Reston, Virginia.

Jo Anne Welch, Mississippi Association for the Talented and Gifted.

Related activities in the Boston area

Site Visits: Buckingham, Brown and Nichols School, Cambridge, Peter Gunness, Headmaster; Brookline High School, Brookline, Robert McCarthy, Headmaster.

Secretary's Regional Representatives

The Secretary's Regional Representatives held their own conferences or hearings for educators in their regions in order to provide additional testimony to the Commission. In addition to these events, they also supported the hearings the Commission sponsored in their regions.

Region I, Wayne Roberts, Boston, Massachusetts, Forum on Effective Schools, September 16, 1982.

Region II, Lorraine Colville, New York, New York, Forum on Excellence, October 21, 1982.

Region III, Joseph Ambrosino, Philadelphia, Pennsylvania, Hearing/Conference on Cooperative Education, October 11, 1982.

Region IV, Ted B. Freeman, Atlanta, Georgia, Public Meeting on Excellence in Education, October 22, 1982.

Region V, Harold Wright, Chicago, Illinois, Excellence in Education: Preparation for the Transition to Higher Education, October 6, 1982.

Region VI, Scott Tuxhorn, Dallas, Texas, Public Hearing on Excellence in Education, October 4, 1982.

Region VII, Cynthia A. Harris, Kansas City, Missouri, Rural and Small Schools Excellence, October 26, 1982.

Region VIII, Tom Tancredo, Denver, Colorado, Conference on Excellence in Education, November 12-13, 1982.

Region IX, Eugene Gonzales, San Francisco, California, The Teacher: Key to Excellence in the Classroom, October 18, 1982.

Region X, George Hood, Seattle, Washington, Public Hearing, June 25, 1982, August 27, 1982 (Hearing Officer: Hyrum M. Smith).

Transcripts of the preceding hearings sponsored by and for the Commission will be available in the ERIC System (See Ordering Information).

In addition to these hearings sponsored by and for the Commission, Commission members participated in a series of site visits and a public hearing focusing on Excellence in Rural Education. These events took place on April 23-24, 1982, in Kentucky. The hearing was held at the University of Kentucky-Somerset Community College.

Appendix E: Other presentations to the Commission

Adrienne Bailey, The College Board, New York, New York.

Stephen Bailey, Harvard Graduate School of Education, Cambridge, Massachusetts.

Irene Bandy, Ohio Department of Education, Columbus.

Elias Blake, Clark College, Atlanta, Georgia.

Lewis M. Branscomb, National Science Board, Washington, D.C.

David Burnett, University of Pennsylvania, Philadelphia.

Lawrence Cremin, Teachers College, Columbia University, New York, New York

James V. Gaddy, New Rochelle High School, New York.

John Goodlad, University of California, Los Angeles.

Elaine Hairston, Ohio Board of Regents, Columbus.

John Hurley, INA Corporation (Now CIGNA), Philadelphia, Pennsylvania.

Edward Kelly, State University of New York at Albany.

Robert McMillan, University of Rhode Island, Kingston.

Edward Pellegrino, Georgetown Medical Center, Washington, D.C.

Francis Roberts, National Endowment for the Humanities, Washington, D.C.

David S. Seeley, Staten Island, New York.

John Sprott, U.S. Department of State, Washington, D.C.

Carol Stoel, U.S. Department of Education, Washington, D.C.

Abraham Tannenbaum, Teachers College, Columbia University, New York, New York.

Harold Tragash, Xerox Corporation, Stamford, Connecticut.

Appendix F: Notable programs

Institutions Which Submitted Profiles of Programs

With the assistance of a variety of organizations, the Commission conducted four searches for examples of notable programs and promising approaches to specific problems in American education. Our purpose was to understand better how schools, school districts, colleges, and other education organizations were defining and addressing these problems. Where the evidence was convincing, we also sought to learn what made successful programs work in different settings.

The Commission's procedure in these four searches was to solicit original profiles of these programs and approaches, profiles that would answer a number of key questions concerning their purpose, content, organization, impact, and transferability.

Evidence of program success was provided wholly by the institution submitting the profile. The Commission is, thus, in no position to validate these programs or to claim any of them to be "exemplary."

Over 200 schools, school districts, colleges and other educational organizations responded to our solicitations. They sent in profiles and other descriptions of nearly 300 programs. Due to the specific problems on which we were seeking information (e.g. the transition from secondary to postsecondary education, the use of educational technology, mathematics education, cooperative educational ventures with business and industry), most of the respondents were postsecondary institutions. But many of the profiles submitted by colleges involved programs developed for or with elementary and/or secondary schools and are in operation in many school districts.

For their assistance in the efforts to identify and solicit this information, we are particularly grateful to the American Council on Education, the American Association for Higher Education, the American Association of State Colleges and Universities, the American Association of Community and Junior Colleges, the National Association of Secondary School Principals, the Academy for Educational Development, the Council on American Private Education, and the Fund for the Improvement of Postsecondary Education.

The following document will be available in the ERIC System sometime after July, 1983 (See Ordering Information):

Authors and Paper:

Clifford Adelman, National Institute of Education, Washington, D.C.; Elaine Reuben, Elaine Reuben Associates, Wash-

ington, D.C.; "Notable Programs in American Postsecondary Education: Selected Analytical Abstracts".

Appendix G: Acknowledgments

We want to express particular appreciation to the Commission staff which, under the leadership of Executive Director Milton Goldberg, assisted us in our work and helped prepare this report. The staff included: Betty S. Baten, Stella Carol Foley, Peter H. Gerber, James Harvey, Arnetta D. LaGrone, Alisa M. Longworth, Mollie Shannahan MacAdams, Penny S. McDonald, Shelia L. Sam, Haroldie K. Spriggs, Tommy M. Tomlinson, Susan Traiman, and Patricia A. Welch.

Others who assisted us at various times throughout the course of our work include: Clifford Adelman, Ned Chalker, Cheryl Chase, Antoine M. Garibaldi, Bruce Haslam, Carolyn Johnson, Sharon Jones, Lily A. Kliot, Andrew M. Lebby, Beverly Lindsay, Carolyn Lowe, Irene Lykes, Claude Mayberry, John M. Mays, Brad Mitchell, Jean Narayanan, Lewis Pike, Joanne Sanders, Ramsay Selden, Gary Sykes, and Marilyn A. Tapscott. Also, the Commission owes a considerable debt to Editorial Experts, Inc., and Morgan-Burchette Associates, both of Alexandria, Virginia, and in particular to Bruce Boston, Karen Burchette, Lee Mickle, and Ian McNett, for invaluable assistance in designing, editing, and producing this volume.

Finally, we sincerely appreciate the support and cooperation provided by Mary Jean LeTendre, Special assistant to Secretary Bell; Donald J. Senese, Assistant Secretary, Office of Educational Research and Improvement; and Manuel J. Justiz, Director of the National Institute of Education.

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Mr. HOLLINGS. It only follows on an even more meaningful report to this particular Senator, and that more meaningful report is entitled "People and Productivity: A Challenge to Corporate America." This was published some 6 months preceding the Commission on Excellence in Education report. It was a study from the New York Stock Exchange's Office of Economic Research, and when you have the blue-chip corporations of America study for a solid year to determine why Japan is excelling, why Japan is increasing its productivity, and you see there a statement:

> Much of the Japanese success in the work place appears attributable to what happens before people get to the work place, to the effectiveness of Japanese primary and secondary education.

It makes you take notice. And you read on, Madam President, to see in answer to a particular question as to why they are excelling at this particular time. That question is: "If you had to pick the one factor that is responsible for what the extraordinarily high productivity of the Japanese people would be," unhesitatingly the answer is: "The high quality of Japanese primary and secondary education."

The particular study "A Nation At Risk," is by majority of distinguished educators, whether in the parents and teachers, superintendents' level, or the institutions of higher learning, I do not detract from in any sense their ability and leadership. But even more meaningful to this Senator is when the blue-chip corporations of America come forward and say "we're worried about what is going on in the first grade in America, in elementary schools, in the public high schools." That is what the New York Stock Exchange study indicates.

So there it is. We have, Madam President, quite a challenge here now. To, in essence, play catchup ball on the precept of the American character. Servan-Schreiber, in his book over 20 years ago, entitled "The American Challenge," found that America was excelling because of its universal public education system. Our competitors, our allies in Europe and in Japan, have now not only copied that particular approach but they are now beating us at our own game.

Madam President, today the senior Senator from Vermont, chairman of the Education Committee, Mr. STAFFORD, and I, along with 22 of our colleagues offer a comprehensive amendment to increase funding for elementary and secondary and higher education programs. With our amendment we propose to add $1.5 billion to the level of funding reported in the first concurrent budget resolution. When this amount is added to the resolution, the total amount for education programs is $16.4 billion for fiscal year 1984. Our amendment contemplates adding $500 million to elementary and secondary education programs; $800 million for higher education programs; and, $200 million for a new math and science program.

At no time in the opinion of this Senator, Madam President, has the education need of the Nation been so clearly presented. We are deeply indebted to the National Commission on Education Excellence for the report it released last week. The report is stark and direct. But, as eloquent as it is, it does no more than present facts that many of us have long ago recognized. The Commission found a "nation at risk," and warns that "our very future as a nation and as a people" is threatened because of the steady decline in educational achievement over the past two decades. In spelling out the risk, the Commission suggested a goal, Madam President, which I think is appropriate and deserves our attention:

> All, regardless of race of class or economic status, are entitled to a fair chance and to the tools for developing their individual powers of mind and spirit to the utmost. This promise means that all children by virtue of their own efforts, competently guided, can hope to attain the mature and informed judgment needed to secure gainful employment and to manage their own lives, thereby serving not their own interests but also the progress of society itself.

Our Nation faces an increasingly difficult period of competition from the other nations of the world. As the Commission's report points out: "History is not kind to idlers." Everyone knows that our foreign competitors have entered our markets vigorously and are displacing American products, and consequently American workers, with alarming ease and increasing regularity. The report points out, and correctly in my opinion, that this development signifies:

> A redistribution of trained capability throughout the globe. Knowledge, learning, information, and skilled intelligence are the raw materials of international commerce and are today spreading throughout the world as vigoriously as miracle drugs. * * * If only to keep and improve on the slim competitive edge we still retain in the world markets, we must dedicate ourselves to the reform of our educational system for the benefit of all—old and young alike, affluent and poor, majority and minority. Learning is the indispensible investment required for success in the "information age" we are entering.

For years the educational capacity of our people and the natural resources of our Nation have established our paramount position in the world. But no more. We must meet the competition. To do so is to insure excellence in the educational process of our Nation and the students it teaches.

Another distinguished group made a similar observation late last year. I am referring to the New York Stock Exchange and its study entitled, "People and Productivity: A Challenge to Corporate America." As part of a series, the exchange issued a report that focused on the human factor of the productivity formula. And, a significant part of the report involved a case

study of the highly regarded Japanese system. It starts with the assumption that what happens in the workplace is significantly determined by the preparation and training for work that people receive before they get to the workplace.

In trying to understand the high productivity of the Japanese people and the tremendous success of Japan's industrial machine experts offered many reasons: quality circles, the art of Japanese management, the practice of theory Z, the partnership between government and business, and others. However, the study reports, when the question, "If you had to pick the one factor that is responsible for the extraordinarily high productivity of the Japanese people, what would that factor be?" the expert on Japan answered unhesitatingly "the high quality of Japanese primary and secondary education." The study points out that a similar view is held by no less an authority than Prof. Edwin Reischauer, former Ambassador to Japan. In his book, "The Japanese," Reischauer writes that:

Nothing, in fact, is more central in Japanese society or more basic to Japan's success than is its educational system.

The report states:

The Japanese educational system and job training programs have a sharper focus than their American counterparts on preparing young people for the workplace. The Japanese school system is a long-term investment in human capital which yields important benefits when these people enter the workforce.

And, further, the report "urges American business to recognize its stake in the educational system and to become involved in upgrading schools."

As important as education is to the commercial and economic capacity of the United States and our ability to meet the competition from abroad, it is just as important, as the commission's report points out:

To the intellectual, moral, and spiritual strengths of our people which knit together the very fabric of our society.

We all know this to be true. It is crucial to the basic strength and stability of our democratic form of government, and the report makes the point:

A high level of shared education is essential to a free, democratic society and to the fostering of a common culture, especially in a country that prides itself on pluralism and individual freedom. For our country to function, citizens must be able to reach some common understandings on complex issues. * * * Education helps form these common understandings, a point Thomas Jefferson made long ago in his justly famous dictum:

I know no safe depository of the ultimate powers of the society but the people themselves; and if we think them not enlightened enough to exercise their control with a wholesome discretion, the remedy is not to take it from them but to inform their discretion.

As mentioned, "History is not kind to idlers." For far too long we have neglected our responsibility for the education of our children. The facts are clear and convincing. A course of action has been suggested, and I am confident that the consensus we see building in this Nation to rebuild our economy and restore prosperity will give ample attention to the part that education must play it we are to reach our goal. This Senator, for one, intends to involve himself in that effort, as he has before.

With the amendment we present today we can take a modest step in the long-term investment we must make to restore excellence to our system of education. The problems we face in education did not occur over night, nor will the solution we devise enable us to cure these problems over night. Instead a measured plan and a demonstrated commitment to the goal we all desire for our education system is the best course. The amendment we offer today is one positive step we can take now. It is a responsive, fiscally sound first step. In fiscal year 1980, the Federal Government spent a total of $15.6 billion for education programs. In fiscal year 1981 that figure was $15.2 billion. In fiscal year 1982 that figure was $14.6 billion. In fiscal year 1983 that figure was $15.1 billion. If we were to provide funding at the fiscal year 1980 level, adjusted for inflation, the figure for fiscal year 1984 would be $22.1 billion. I know, and you know, that that sum is out of the question at this time. But, with the pressing needs we all must admit to, the $14.9 billion in the budget resolution is equally out of the question. The amendment provides for a level of $16.4 billion. In my opinion we should spend more, but I have bowed to the realities of the time and the amendment we present, targeted for need-based, proven, and beneficial programs for higher education and elementary and secondary education, as well as a new program for math and science education, will at least allow us to take a step in the right direction.

History is not kind to idlers. The choice is up to us. By taking this small step, modest step, we will recognize the challenge, make the commitment, and began to restore our education programs. This is not a solution by any means, but it is an important first step.

In shaping our amendment for elementary and secondary education, we were guided by the principle of trying to restore program funding to the fiscal year 1980 level, as adjusted for inflation. However, after reviewing the figures such policy produces, we found it necessary to scale back our objective because the size of the increase was not fiscally possible—the spending cuts of the last 2 years are significant and cannot, and in some cases should not, be replaced in one quick move. Instead, we decided to add back, in most cases, only half of the fiscal year 1980 level. Still, Madam President, even the half restoration policy would have been more than could be realistically expected under present fiscal circumstances so we trimmed our amendment figures even further. What has emerged, in my opinion, is a carefully crafted amendment designed to improve the educational services provided to the Nation's elementary and secondary school students.

The amendment provides $500 million more for elementary and secondary programs than is contained in the budget resolution. This increase is based on the assumption that money would be added for title 1, compensatory aid for disadvantaged students; chapter 2, State block grants, handicapped education, vocational and adult education, impact aid, and bilingual education.

We followed a similar approach in providing for additional funds for higher education programs. Over the last 3 years, Madam President, funding for higher education has been reduced by 23 percent in constant dollars—32 percent if social security and veteran's education benefits are included. And, just as important, numerous policy changes have been made that have a tremendous impact on how the programs operate. The net effect, in addition to reduced educational opportunities for millions of needy students, is a general destabilization of the higher education community. With that in mind, our amendment, first of all, seeks to restore stability to the operation of higher education programs so that students, parents, and college administrators can plan with as much certainty as possible. Therefore, we reject any further policy changes and seek to maintain the programs as they are. Such changes are more appropriate when the higher education programs come up for reauthorization next year, if they need to be made.

The focus of our amendment is to restore funding to valued programs. We accomplish this primarily by redistributing to other need-based student-aid programs a savings of approximately $700 million in the guaranteed student loan program resulting from lower interest rates. Therefore, total funding for student aid for fiscal year 1984 under our amendment would increase by only $51 million—less than 1 percent—above the current fiscal year 1983 appropriations level of $6.717 billion.

Finally, our amendment seeks to provide for a new math and science program. There is general recognition and widespread consensus in the Nation that it is time to address the critical shortage of teachers in this

area, inadequacy of instruction, insufficient materials and equipment, lack of available training in new and emerging technologies, and a scarcity of funds available for math and science. Legislation is presently before committee and I am confident that we can expect passage in this Congress. Therefore we provide funding in the budget to get this much needed effort underway.

Currently, 22 percent of the teaching posts in mathematics nationwide are unfilled and five times as many math and science teachers leave the teaching profession for other jobs as leave due to retirement. The shortages for physics teachers, for example, are even more critical. Passage of the authorizing legislation and the important funds we provide in this bill are essential to reversing this serious shortage.

Madam President, I believe we have made a strong case for the additional funding we seek today. Our amendment is fiscally responsible and allows us to begin to respond to the critical needs in education. To fail to add back this modest sum, in light of all the cuts our valuable education programs have received in the last several years and in light of the clearly demonstrated need only adds to the failure that our schools are experiencing. If we want to begin the process of upgrading the education system of our Nation, I can think of no better way than to pass the amendment we offer. I urge my colleagues to join with us and vote for this amendment.

Madam President, I will have some other insertions but with these many cosponsors I want to yield to the distinguished chairman of our Education Committee, the Senator from Vermont and some of the other Senators who want to be heard on this particular score.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. STAFFORD. Madam President, I appreciate the most able Senator from South Carolina's yielding to me at this time.

Madam President, I am pleased to join with my distinguished colleague, Senator HOLLINGS, in offering this bipartisan amendment to add $1.5 billion to the first concurrent budget resolution for fiscal year 1984, to be used to increase Federal support for critically needed education programs.

Our amendment would increase education funding by $1.3 billion, or 8 percent over the fiscal year 1983 level of $15.1 billion, and would be an increase of 10 percent above the Budget Committee-reported resolution. The amendment would be an increase of 24 percent above the President's $13.2 billion education budget.

We do not undertake this amendment lightly, Madam President. During the past few years, deep cuts have been made—in real terms—in the programs which characterize the essence of our Federal education effort, namely title I of the Elementary and Secondary Education Act and the Pell grant program. In fiscal year 1980, Madam President, funding for title I, which is intended to provide compensatory education services for over 11 million disadvantaged youngsters, was $3.2 billion. Funding for title I decreased in actual terms in both fiscal year 1982 and fiscal year 1983, and the President's budget has included only slightly more than $3 billion for fiscal year 1984. The levels assumed in the budget resolution would provide for little more than level funding in fiscal year 1984, a decrease, in real terms, of more than 20 percent from 1980 levels. By allowing $3.8 billion for title I, our amendment seeks to reverse the pattern of substantial real reductions in spending for title I, and would begin to provide services to the more than 5 million disadvantaged students who are eligible for title I services, but who yet go unserved.

With respect to the Pell grant program—the principal mechanism for financial access to higher education for disadvantaged students—funding has declined from $2.6 billion in fiscal year 1981 to $2.4 billion both in fiscal year 1982 and fiscal year 1983. The resolution reported by the Budget Committee provides for a third consecutive year of funding at $2.4 billion for the Pell grant program. Our amendment would restore funding for the Pell grant program to the level authorized in the Omnibus Budget Reconciliation Act of 1981, $3 billion, which nevertheless represents a substantial cut in real terms since fiscal year 1980, especially given rising tuition costs, which have grown by more than 30 percent since that time. Our amendment would help as many as 600,000 more needy students to meet those increasing tuition obligations.

The Hollings-Stafford amendment would also provide addbacks in other essential education programs—the Education for All Handicapped Children Act, vocational education, college work-study, supplemental educational opportunity grants, and the trio programs, among others. I believe that, in particular, we must begin to meet the explicit commitment of Congress to fund an increasing proportion of school district costs for educating the handicapped: The Budget Committee-reported resolution would, by holding funding level for Public Law 94-142, result in a decline in Federal participation.

Madam President, our amendment also allows sufficient funds for the adoption of a new mathematics and science education initiative, which we are currently considering in the Labor and Human Resources Committee. I recognize that the administration would like to see modest funding of such an initiative, in the vicinity of a total of $75 million. The distinguished chairman of the Budget Committee, Senator DOMENICI, has proposed legislation which we are trying to incorporate into the bill in the Labor and Human Resources Committee, and the Budget Committee's resolution assumes the level of his bill, $230 million. Nevertheless, after the extensive hearings and discussions my Education Subcommittee has had on this subject, I am convinced that the bare minimum we need to address the many problems of mathematics and science education is $400 million. This is the amount assumed in the Hollings-Stafford amendment.

Finally, Madam President, it is particularly appropriate that we are debating this amendment to increase Federal support for education above the insufficient levels of the past few years. Last week, as we all know, the National Commission on Excellence in Education issued its report, "A Nation At Risk: The Imperative for Educational Reform." That report decried the "mediocre" state of American education, and called for numerous changes in the way our Nation approaches the educational enterprise. One thing is absolutely clear from the report, that we need to improve the status of education in our Nation and that, in order to do so, we must increase our commitment to education. This commitment must be enhanced at all levels. As Federal officials, we cannot merely say to our States and municipalities, "you must increase the length of the school day, strengthen your curricular requirements, pay your teachers more." We too have an obligation to be leaders and partners in this renewed commitment, and we must start somewhere, and soon.

Madam President, I know of no better way to invest the taxpayers' funds of this Nation than in education at all levels, from kindergarten to postgraduate and collegiate study. Education and young people are the future of this Nation. We cannot treat them inadequately or we will shortchange the future of the United States.

Therefore, Madam President, as a necessary step toward this renewed commitment to education in America, I urge my colleagues to adopt this amendment.

Mr. PELL addressed the Chair.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. PELL. Madam President, I am very pleased to be a cosponsor of the amendment submitted by the Senator from South Carolina (Mr. HOLLINGS) that would add $1.5 billion to the level of funding for education in the Senate budget resolution.

Late last year a U.S. Chamber of Commerce/Gallup survey of public opinion found that 64 percent of those surveyed favored more Federal spending for education and training. That represented an increase of 15 points over the 49 percent who wanted more Federal spending in this area just 2 years ago. This dramatic change is encouraging and heartening news for those of us who champion the small, but vital role which Federal aid plays in education. It is also significant support for the amendment that is before us today.

Madam President, passage of this amendment would send a strong and positive signal to the American people. It would demonstrate clearly that education is an important and high priority of this Congress. It would also show that our concerns are not narrow, but that they reach to every aspect of Federal educational aid.

I am particularly encouraged that this amendment does not favor one type of education over another, or pit one educational group against another. It is a comprehensive amendment that recognizes the need for additional assistance in every area, from aid to children from economically disadvantaged families at the elementary and secondary level to aid for school districts heavily impacted by the presence of Federal installations, from student aid at the postsecondary level to vocational and adult education, and from aid to handicapped children to a new initiative to improve mathematics and science instruction in our Nation's schools.

If passed, this amendment could mean an additional 500,000 student awards to young men and women seeking a college education, serving an additional 1.2 million young children in the chapter I program of educational assistance to children from economically disadvantaged families, and impact aid to an additional 2,000 deserving school districts.

Madam President, the benefits that could be derived from passage of this amendment are considerable, and I would hope my colleagues could join me in supporting it.

Mr. BRADLEY addressed the Chair.

The PRESIDING OFFICER. The Senator from New Jersey.

Mr. BRADLEY. Madam President, I am proud to join with Senator HOLLINGS and Senator STAFFORD in offering this amendment to restore $1.5 billion for the elementary and secondary and higher education programs. This increase in funding will insure that we will be providing minimally adequate funding for these high priority education programs. Our amendment assumes that this additional funding will be allocated for the following programs: $200 million for elementary and secondary education for chapter 1 aid to the disadvantaged, chapter 2 State block grants, handicapped education, vocational education, impact aid, bilingual education, and increased funding for a science and math initiative; $800 million for higher education for Pell grants, SEOG, college work study, NDSL, SSIG, TRIO, title III, and university research.

Madam President, over the past 3 years almost all of these programs have undergone significant spending reductions and policy changes that seriously harm the goals we seek to accomplish in educating the young people of our Nation. We are attempting today to reverse that trend—to restore funds to these proven programs and to restore some stability and certainty to their operation.

In 1980, we spent $7.2 billion for elementary and secondary education programs. This budget proposes holding fiscal year 1984 funding to $7 billion and freezing education spending at this lower level for the next 5 years. Make no mistake about it. These proposals represent a clear and fundamental shift in Federal priorities, a shift that I cannot and will not support. We propose to partially compensate for the erosion that inflation has caused by providing $700 million more for these programs. This would only offset part of the loss due to inflation.

Madam President, we all know that Federal aid for higher education is as good as any investment we can make to keep our leadership position in the world. In 1981, we provided nearly $7 billion in aid to higher education, primarily for student assistance programs. Since then, we have pared these programs to the bone. We have seen 1 million students cut out of the guaranteed student loan program. In New Jersey, there has been a 35-percent drop in student loan volume. The Pell grant program has been reduced sharply by several hundred thousand students and grant awards have been cut. And research grants to higher education institutions have been pared back as well.

This is simply not the time to make further cuts in higher education. Since 1980, student aid funding has been cut in real terms by a third, while tuition at State universities has risen by a third. And in some cases, the jump in tuition costs has been a good deal higher. At Rutgers, for example, tuition has increased by 80 percent since 1979. Enough is enough. It is time to reverse the declining trend in student aid.

Our amendment would restore $0.8 billion for higher education programs, primarily for student aid. The amendment would set funding for need-based student assistance programs about 15 percent above the 1980 level, thereby only partially restoring the purchasing power of the student aid dollars that have been eroded over the past 3 years. In addition, funding would be increased for higher education research activities to help universities rebuild their declining research base.

Madam President, last week the National Commission on Excellence in Education reported that something is seriously remiss in our educational system. I quote from the Commission report:

Our Nation is at risk. Our once unchallenged preeminence in commerce, industry, science, and technological innovation is being overtaken by competitors throughout the world. This report is concerned with only one of the many causes and dimensions of the problem, but it is the one that undergirds American prosperity, security, and civility. We report to the American people that while we can take justifiable pride in what our schools and colleges have historically accomplished and contributed to the United States and the well-being of its people, the educational foundations of our society are presently being eroded by a rising tide of mediocrity that threatens our very future as a Nation and a people. What was unimaginable a generation ago has begun to occur—others are matching and surpassing our educational attainments.

If an unfriendly foreign power had attempted to impose on America the mediocre education performance that exists today, we might well have viewed it as an act of war. As it stands, we have allowed this to happen to ourselves. We have even squandered the gains in student achievement made in the wake of the Sputnik challenge. Moreover, we have dismantled essential support systems which helped make those gains possible. We have, in effect, been committing an act of unthinking, unilateral educational disarmament.

Our society and its educational institutions seem to have lost sight of the basic purposes of schooling, and of the high expectations and disciplined effort needed to attain them.

The world is indeed one global village. We live among determined, well-educated, and strongly motivated competitors. We compete with them for international standing and markets, not only with products but also with the ideas of our laboratories and neighborhood workshops. America's position in the world may once have been reasonably secure with only a few exceptionally well-trained men and women It is no longer.

The risk is not only that the Japanese make automobiles more efficiently than Americans and have government subsidies for development and export. It is not just that the South Koreans recently built the world's most efficient steel mill, or that American machine tools, once the pride of the world, are being displaced by German products. It is also that these developments signify a redistribution of trained capability throughout the globe. Knowledge, learning, information, and skilled intelligence are the new raw materials of international commerce, and are today spreading throughout the world as vigorously as miracle drugs, synthetic fertilizers, and blue jeans did earlier. If only to keep and improve on the slim competitive edge we still retain in world markets, we must dedicate ourselves to the reform of our educational system for the benefit of all—old and young alike, affluent and poor, majority and minority. Learning is the indispensable investment required for

success in the "information age" we are entering.

Madam President, I agree with the concerns raised by the National Commission on Excellence in Education. President Reagan says he also agrees with the Commission's findings. But, somehow, the President has concluded that the Commission report helps to justify his position that the Federal role in education should be dramatically curtailed. Does the Commission report justify further cutbacks in Federal education programs? I have come to just the opposite conclusion: We need to increase public support for education at all levels—Federal, State, and local—if we are to continue in a leadership position in the world.

In summary, Madam President, since 1980 there has been a clear and fundamental shift away from our longstanding Federal commitment to education. Most of the Federal aid to education programs have been cut back in real terms by about 25 percent, and many have been cut back even further.

We continue this trend at our own peril. The student we do not educate today becomes the nonworking, nonproductive member of society tomorrow. We cannot afford this to happen in economic terms or in social terms.

Education programs should not be cut back any further. I believe the 98th Congress should significantly increase aid for current education programs and develop new ones to address the needs of students, schools, teachers, and the Nation.

Less than 2 months ago the Senate overwhelmingly, by a vote of about 82 to 10, adopted a resolution that I introduced opposing any further cuts in education programs. Adoption of that resolution was the first step in reversing the decline in Federal education aid. But it is now time to press ahead, to restore funding for high priority education programs.

Madam President, this amendment is a step in the right direction, a step this country must take in order to maintain our position in the world. But, Madam President, I would take it even further. Not only do we need adequate funding for education in order to compete effectively in an increasingly competitive world environment, but I think the assistance for education of all of our children is essential to our own self-concept—of how we think about ourselves.

Should we say "No" to the handicapped student? Should we say "No" to the student who happens to be growing up in an inner city where the tax base is not sufficient to support local revenues?

Madam President, education has been the means in our society for at least the past 50 years, if not longer, for moving up the ladder of success.

There is great rhetoric about how we want to compete, how we want a marketplace, how we want to make sure that we can test our skills against each other in that free marketplace. But, Madam President, if we do not provide an educational system that can equip people to compete in that marketplace, our students will be disadvantaged from the beginning.

Madam President, in schools across this country there are dedicated, hard working teachers who are busy trying to provide the best possible education. And we need to provide teachers the means to walk the extra mile for the inner city student or to walk the extra mile to create a creative program to reach the specially talented or handicapped student. If we do not provide adequate funding, we not only deprive teachers of the means to work in their profession, but we also deprive a generation of Americans who happen to be at a certain economic level or located in a certain geographical region the opportunity to move up that ladder, which we in this country believe is essential to our self-concept as Americans.

So, Madam President, I argue that we should put some meat back on the bones. We need to restore funding for these valuable programs. We need to insure that future generations can compete in the marketplace by assuring that students receive an adequate education.

Mr. SYMMS. Will the Senator yield?

Mr. BRADLEY. Madam President, this amendment does that. I urge my colleagues to support it fully.

Mr. SYMMS. Will the Senator yield for a question,

Mr. BRADLEY. I shall be pleased to yield the floor.

Mr. SYMMS. Madam President, who has the time?

The PRESIDING OFFICER. The Senator from South Carolina has the time.

Mr. HOLLINGS. They have plenty of time. I yield to the Senator from Delaware.

Mr. BIDEN. I would be happy to answer the question.

Mr. SYMMS. Maybe the distinguished Senator from Delaware can answer the question. When I read "This Nation at Risk" report, there is no mention that cost is a problem. The fact is that some of our skills have evidently gone down since we spent more Federal money. What kind of a lesson do we teach the schoolchildren of America when we have a $200 billion plus deficit and we are going to add another billion and a half dollars to it? If more money is a question, why are we stopping at a billion and a half dollars? Why not go to 5, 10, or 15?

Mr. BIDEN. Let me try to answer that question for the Senator, Madam President. I think we are probably teaching the young people of America a practical art of politics, because if we were going to teach them economics, we certainly would not be considering the President's budget, which calls for deficits exceeding $200 billion for a number of years to come. Fortunately for us, both the Republicans and the Democrats believe that the President's budget does not make a lot of sense, so we are, hopefully, trying to rewrite the lesson. We are practically trying to deal with a President who does not understand economics, if I may respectfully suggest.

What we are trying to do is come up with a means whereby we find the ability, until the President sees the light a little more, of keeping programs which are vitally essential from crumbling completely before us while we regain the consensus in this Chamber to be able to turn around what has been an erosion of support for education.

I think it is a very appropriate lead into the comments I should like to make, and I shall be brief.

I think it is important that we keep our eye on the ball here, Madam President. This is not about $1.5 billion; this is not about a 25-percent cut in education. This is not about whether or not we are going to marginally help higher education. This is a basic philosophic concern and difference of opinion between a President who, if he had his druthers, would have no Federal involvement in education, and a longstanding commitment that this Nation has made, this body has made, and previous Presidents have made, that the Federal Government can, in fact, have an impact and should, in fact, be involved.

What we are arguing about is $1.5 billion or maybe what we are really arguing is about the difference between $1.5 billion and $400 million that I am told is going to be a substitute offer. The real fundamental argument here is whether or not the Federal Government has a constructive role and an obligation to be involved.

The President says to us that, in fact, the reason why the report is so scathing is that the Federal Government has been involved. He offers that as proof positive that we should not be spending the money on education at the Federal level. We all know very well that even the amount of Federal money spent in the heyday made up a relatively small portion of the amount of money spent on all of education in the States and the local municipalities.

The fact of the matter is, that where we are now, is determining whether or not those areas where the Federal Government got involved—because the States did not get involved; because the States did not take the lead; because the States, with rare exceptions, did not feel that it was the obligation of the States to protect the handicapped; because they did not feel it

was an obligation to fashion programs for minorities; because they did not feel it was the obligation of the States to take care of the students with particular talent. We came along on the margins, if you will, years ago and said we should be involved.

We made mistakes.

Mr. DOMENICI. Would the Senator yield?

Mr. BIDEN. I shall be happy to yield.

Mr. DOMENICI. Why is this an argument about whether or not we are going to help with education or, as the Senator has stated it, whether we are for a President who, he states, is against helping, when, as a matter of fact, the issue is a Senate budget resolution number arrived at with bipartisan support, that had $7.2 billion in elementary and secondary, which was only 9 percent more than last year? I submit the issue is whether 9 percent is enough, not the issue the Senator is describing.

Mr. BIDEN. I think, if the Senator will let me answer the question, the philosophic difference is not one that exists between the Senator from New Mexico, chairman of the committee, and the Senator from Delaware. That, in fact, has been accurately described by the Senator, as to how much. The debate that has been taking place, I submit to the Senator, the one that is contained in surrounding the report, is what is the role of the Federal Government in education? So, in order to be able to justify, I argue, the increased amount of $1.5 billion—which, if we had our way, most of us on this side would be arguing should be more—I think it is important that we state for the record and make it clear why the Federal Government is involved in the first instance and why the Federal Government should; in fact, go beyond what we are doing now.

The Senator from New Jersey is asking me to yield. I shall be happy to yield for a comment or question.

Mr. BRADLEY. If I could respond to the distinguished chairman of the committee, he seemed to imply that, because there is bipartisan support for an action in the Budget Committee, when it came to the floor, it could not be challenged. I would say, by that same analogy, there should be no change in the revenue numbers on the floor.

I know the Senator did not mean to say that, so I think it is important to point out that, just because something comes out of the Budget Committee does not mean that a bipartisan group such as represented on this amendment might not want to change it on the floor of the Senate.

Mr. DOMENICI. Will the Senator yield?

Mr. BRADLEY. That is precisely what we are trying to do with this amendment.

Mr. BIDEN. I shall be happy to yield.

Mr. DOMENICI. I say to my good friend from New Jersey, that is precisely what I said, that the Senator is privileged to amend for a very significant increase what is already before us, but I thought the Senator from Delaware said that was not the issue, that the issue was philosophical.

I did not understand it to be philosophical in terms of whether or not to have a 9-percent increase in elementary and secondary education, as already before us, voted by the committee, to which they want to add some money. I thought that was a question of how much money we want to spend, not philosophic.

Certainly, it can be amended and the fact that it is bipartisan on the floor does not mean that it is not wrong and that some do not want a different priority. I just mean to say I did not think the issue was philosophic on the floor.

(Mr. GORTON assumed the chair.)

Mr. BRADLEY. Does the Senator from Idaho feel that?

Mr. BIDEN. That is what I was about to say.

I was responding to what I believed to be, and I may be incorrect, a difference of philosophy between the Senator from Idaho and myself on the role of the Federal Government in education and what I deeply believe and I think have clearly stated is the difference between the President and myself and those who are offering this amendment on the philosophy of the role of the Federal Government.

So I may yield the floor to my colleagues who would like to speak to this, of which there are many, including the Senator from Idaho—he does, I think, have a different philosophical point of view and I think the Senate has a right to hear it and an obligation to listen to it—let me point out to my colleagues a few things.

EDUCATION: A FOUNDATION FOR EXCELLENCE

Mr. President, the budget of any administration is much more than a compilation of figures on a balance sheet. It represents the key to what the administration is trying to accomplish—it is a statement of the values, ideals, and priorities of that administration. In short, the budget submitted by a President suggests, in concrete terms, exactly what he believes this Nation ought to be focusing on.

On numerous occasions during the past decade, I have maintained that any education budget must assure two important needs: First, funding is supplied so that our educational institutions are able to teach skills that will keep the United States competitive in a rapidly changing world economy; and second, there is sufficient funding to assure that all people in our society will have the opportunity to receive a quality education.

I regret that none of the budgets submitted by President Reagan thus far meets either of these critical needs. In fact, the budgets submitted by this administration deny that there is even a Federal interest in assuring that the youngsters of this Nation, our future leaders, receive a good education.

I find this utterly incredible given this administration's rhetoric that we are falling behind the Soviets in military strength. If we adopt the Reagan budget proposals, just who do they think will man the sophisticated weapons the President would like to purchase to meet this threat? If we adopt their proposals who do they think will develop new technology, or manage tomorrow's businesses?

The President says he recognizes the fact that our economy has had difficulty in adjusting to and keeping up with changes in efficiency and productivity that are sweeping through the industrial sectors of our competitors abroad. But the Reagan budget does not recognize that American education must be bolstered and supported so that young Americans will have the skills necessary to help America compete; and that this is a national responsibility.

If there be any doubt as to the President's intention to completely wash his hands of any Federal involvement in education, we need look no further than his comments at the news conference held last week to announce the release of the report of the National Commission on Excellence in Education. Rather than pledging his best effort to address the very real problems identified in the report, President Reagan used the occasion to repeat his usual statements that the Federal Government has no responsibility for educational excellence, and his belief that the only way to educational excellence is through such steps as vouchers, tuition tax credits, school prayer and the elimination of the Department of Education. An occasion meant for discussing our commitment to solving the serious educational problems of our country was turned into nothing more than a political charade.

If President Reagan had read the entire report, he would have found that it contains a strong statement of the national interest in educational excellence, and the Federal Government's responsibility in fostering that interest. Let me quote from the report:

> The Federal Government, in cooperation with States and localities, should help meet the needs of key groups of students such as the gifted and talented, minority and language minority students, the socioeconomically disadvantaged and the handicapped.

In addition, we believe the Federal Government's role includes several functions of national consequence that States and localities alone are unlikely to be able to meet: protecting constitutional and civil rights; collecting data . . . and information . . . supporting curriculum development and research . . . supporting teacher training in areas of critical shortage or key national needs; and providing student financial assistance . . .

The Federal Government has the primary responsibility to identify the national interest in education. It should also help fund and support efforts to protect and promote that interest.

These goals and ideals are not reflected in any of the administration's education budgets. I supported congressional rejection of the President's education budget last year, and I will vote to reject it again this year. By denying the administration's proposed cuts, the budget resolution reported by the Senate Budget Committee takes a good step in the right direction, but it is not enough.

That is why I am cosponsoring the Hollings-Stafford amendment.

This amendment would add $1.5 billion to the Budget Committee's resolution for education. We propose to add $500 million for critical elementary and secondary education programs such as title I and Public Law 94-142. We propose to add another $200 million to fund a new program designed to meet this Nation's critical shortage of math and science teachers. And we propose to add $800 million for important student assistance programs such as Pell grants and direct loans. Most of that 800 million, could be funded by redistributing approximately $700 million of savings in the guaranteed student loan program resulting from the decline in interest rates. In fact, our amendment would fund student aid for fiscal year 1984 at a level of only $51 million above that actually appropriated for the current fiscal year.

Ours is a fiscally responsible approach to perhaps the most critical problem facing our Nation today. Even if our amendment is adopted, the student aid budget would be increased by less that 1 percent over the amount actually appropriated in fiscal year 1983, while providing aid to many thousands of additional students. By passing this amendment, the elementary and secondary education programs that are so critical in laying the foundation for our future economic and military security will receive needed increases in funding, but we would still have replaced only about one-half the purchasing power lost by these programs due to earlier Reagan cuts. Furthermore, more than one-half of all students eligible for title I services will still be unable to receive them. Finally, the Federal Government will still be picking up only about 10 percent of the cost of the Federal mandate that handicapped children receive an appropriate education. Hardly a case of excessive Federal involvement in education.

In conclusion, Mr. President, I recently viewed a commercial on television. This particular commercial depicted a young boy in the cockpit of a fighter plane, followed by another youngster in front of a computer terminal, and the final scene showed a third youngster at the desk of a corporate executive. All of the shots showing the children in these various modes were designed to show today's children in the military, technological, and business leadership roles we hope they will assume someday. The narrator concludes the commercial by telling us, "Education is the one thing we have that is important to everything we have."

Mr. President, truer words were never spoken. Education is the one thing we have that is important to everything we have. I respectfully submit that the funding at the Federal level is not sufficient to protect everything we have.

I urge my colleagues to support the Hollings-Stafford amendment.

I thank my colleague from South Carolina for yielding. He has been a leader in the area of education not only in the Senate but when he was Governor of the State of South Carolina. I am pleased and happy to be a cosponsor.

I thank my colleagues, Mr. President, and I yield the floor.

Mr. HOLLINGS. I thank my distinguished colleague.

Mr. SYMMS addressed the Chair.

The PRESIDING OFFICER. Who yields time?

Mr. DOMENICI. Mr. President, I yield Senator SYMMS as much time as he desires.

The PRESIDING OFFICER. The Senator from Idaho is recognized.

Mr. SYMMS. I thank the distinguished chairman for yielding. I appreciate the concern expressed by my colleagues who are in support of this amendment.

The Senator from Delaware poses some very, very interesting questions. He made the point, and I think he made it very well, about how many of our State legislatures have been jumping in and filling the gap in some of these programs left by less Federal dollars that might have been available since we have had the budget squeeze. But I think we first must look at it in perspective.

The Federal printing presses printed dollars night and day for years and years, and spent and spent. There was no end to it—the philosophy was to just inflate the currency, kick the people into higher tax brackets through inflation of the currency; there would always be more dollars for the Government to spend and everything would work out forever.

Well, finally it came to the point that the people who were lending money wanted higher interest rates because they could see such dollars were declining in value after years and years of this type of philosophy.

What then happened was we suffered a recession. I do not lay the blame of that recession on the other party necessarily or on either the President or past Presidents or necessarily past Congresses but on the policy that came from Washington. However, I might say to my friend from Delaware that it was his party that was in control of the Congress for years and years that helped create this environment.

The President of the United States inherited a very difficult economic situation. As long as that situation exists in this country, we are going to find out that it will be difficult for our State legislators to come up with enough dollars to satiate the demands and the needs of public education.

Mr. BRADLEY. Will the Senator yield on that point?

Mr. SYMMS. I yield very briefly for a question.

Mr. BRADLEY. The Senator seems to be saying that we cannot afford to spend the money to educate our children.

Mr. SYMMS. That is not——

Mr. BRADLEY. But we can afford a massive defense increase and we can afford to give away the store in tax cuts.

As the Senator looks over the next 5 years, the tax reduction bill of 1981 will add $860 billion to the deficit. The defense spending increases will add $285 billion to the deficit. In that same period of time we will have cut nondefense spending $387 billion.

Mr. SYMMS. I thank the Senator very much——

Mr. BRADLEY. I suggest to the Senator that when he starts to argue about what causes deficits he remember that taxes and spending are like two blades of a pair of scissors; they are both necessary to cut the paper; both taxes and spending cause deficits.

Mr. SYMMS. I thank the Senator very much. I thought he was going to ask a question. I appreciate his point of view on that, but I only say to the Senator that I put in the RECORD in debate yesterday or the day before figures to show that the Federal revenues have increased each and every year since 1976 except for fiscal year 1983. It is projected that they may be $4 billion or $5 billion less than the preceding year. And they are going to continue to track up with the current policies.

For us to stand on this floor and say that the reason we have deficits is because of any tax bill that has been passed when the Federal Government is taking in more money each and

every year than it was the preceding year simply will not stand up under the light of careful inspection because revenues are increasing on an annual basis to the Federal Treasury. The problem is Federal spending has been increasing at a rate much faster than the Federal revenues. We really should not confuse apples with oranges.

The Senator is saying that we should balance the budget by raising taxes. We would have to raise taxes by 20 percent in order to balance the budget because we are now taxing the public at a rate of around 19 percent of the gross national product, where the Federal Government is spending about 25 percent of the gross national product.

The difference between 19 and 25, is about 6 percent which would cause a 20-percent increase in taxes. I do not think that the public would put up with it, nor do I think the economy could stand it. Then I think education would be much worse off.

What we are talking about doing is adding $1.5 billion. This Senator probably would vote for the amendment if somehow I would be assured that the money would go to the teachers of the country, particularly those teachers in the first through the sixth grade, who can get people off to a good start. There is no assurance that this money will go for teachers' salaries. Instead we are going to throw money at the problem and add $1.5 billion.

I say to the Senator from South Carolina that if $1.5 billion is good and will improve the educational quality of the country, why not make it $3 billion, if it is for a good cause?

I think the Senator from New Mexico made an important point: We actually increased the dollars in this budget over last year, and now we are talking about adding more to it.

If somebody could guarantee that the money would go to teachers, it might be worthwhile. But that has not been the record since the Federal Government has become involved in education.

What happens is that we have more bureaucracy in education and more programs, so that people on the banks of the Potomac tell the people on the banks of the Missouri River or the Snake River how to run their schools. I have not seen that the money goes to raise the teachers' pay in the classrooms where the real education takes place.

I may be mistaken, and it may be an old-fashioned idea, but I believe that education in this country takes place between the teacher and the student. All this other stuff that goes on with the Federal Government or other bureaucratic levels does not actually seem to do much for increasing the viability, the credibility, and the quality of the education that takes place.

That, I think, is the point our President is making. For someone to stand in this Chamber and criticize and say that the President is trying to emasculate education in the country is simply not the case.

I looked through the Commission report, and I am sure people will quote it. The Senator from Delaware quoted it. The Commission came up with not necessarily a cost finding, but on page 21 it points out:

(1) Compared to other nations, American students spend much less on school work; (2) time spent in the classroom and on homework is often used ineffectively; and (3) schools are not doing enough to help students develop either the study skills required to use time well or the willingness to spend more time on school work.

I come back to the point I am making: The emphasis in education needs to be made at the lowest level closest to the students, not in Washington, where money gets lost with administrators, gets lost with program allocators, gets lost with people who dream up schemes of how to do it. The actual education takes place between student and teacher in the classroom.

I am one of those in this Chamber who have been critical of the deficit. I think it is absolutely outrageous that Congress has been unable to come up with a more fiscally sound budget than we have.

So far as defense spending is concerned, historically through the 1970's, the commitment that the Federal Treasury has made and the Federal Government has made to the Nation's defenses has consistently declined. The commitment to education has consistently gone up.

I think dollars could better be spent if left at home or given out in block grants. We should get back to the idea that people take care of their own educational responsibility.

What we are doing is trying to load on a couple of more bales. The Senator has been to the fairs and has seen the horses. What we are talking about is loading on a few more bales for the team to pull. When you get it down to where the horses cannot pull any more, they stop. And that is exactly what happens.

All these noble ideas—that if you throw money at it, you can help solve some kind of problem. But we should not measure our commitment to education based strictly on how many dollars we put to it.

Mr. GRASSLEY. Mr. President, will the Senator yield?

Mr. SYMMS. I yield.

Mr. GRASSLEY. The Senator from Idaho raises a point about spending enough money for education. I think it would be quite an accomplishment if we could reach a point where we say enough is enough.

The Senator and I served in the other body together, and, invariably, every appropriations bill that came up on Labor-HEW, regardless of how liberal that appropriation was, was subject to an amendment to spend more for education. In 1977 and 1978 there were dramatic increases in appropriations for education programs, yet there was never a point where enough funding was provided for education.

What is that magic appropriations figure out there that would solve all our problems? If we could determine that, it would be a tremendous contribution to the process.

Mr. BRADLEY. Mr. President, will the Senator yield?

Mr. SYMMS. I say to the Senator from Iowa that it depends on whom you ask that question. If you ask the National Education Association lobby, which is one of the largest and most powerful unions in the country, you never could spend enough. If you took all the gold in Fort Knox, it would not be enough. There never would be enough.

If you ask someone out here who already has his education, maybe he would say, "Enough is enough, once they got me through, and now we want to back off a little."

The Senator asked the right question. There has to be a recognition that in educating future captains of industry, future workers in America, future soldiers of this country, we have to make a commitment to educate those people if we want to continue to be the leader of the free world. But spending 9 percent more than we spent last year, at a time when we do not have the 9 percent—we are not talking about a country that has all the money in the world. We are talking about a country with a trillion dollars less than nothing in the Federal Treasury.

The fact is that we have to pay approximately $100 billion in interest just to pay for our past indiscretions, so far as spending is concerned, and now we are talking about adding another $1.5 billion at current interest rates. That would be $15 million or $20 million interest a year.

Mr. GRASSLEY. Mr. President, will the Senator yield?

Mr. SYMMS. I yield.

Mr. GRASSLEY. First, I do not find myself in opposition to what the Senator from Idaho is saying. I think debate on this issue should legitimately focus not only on the amount of money that should be spent on education, but also on how that money is going to be spent.

If we continue to do things as we have in the past, based on the report from which the Senator was quoting, more money alone will not improve the quality of education in this country.

There have to be some basic reforms. This issue is not too much different than the defense budget. We

are spending more now on defense than ever before, yet getting less for our money. We must enact major reforms in the bureaucracy of education, as well as in the bureaucracy of defense. Otherwise, we will not be able to insure that we are getting our money's worth at whatever level of expenditure.

Mr. SYMMS. I thank the Senator. I appreciate his point.

I know the Senator from Iowa, and I have known him for many years in the other body. I know he personally has taught in the classroom and knows something about what we are talking about here.

Just throwing more money at the classroom, if the methodology, the direction, and the emphasis of education does not change, is not going to change the empirical ability of the students to be more capable once they have graduated or passed their educational level.

Mr. President, I yield the floor.

The PRESIDING OFFICER. Who yields time?

Mr. HOLLINGS. I yield time.

The PRESIDING OFFICER. Does the Senator from South Carolina yield?

Mr. HOLLINGS. Yes. I yield to the Senator from New Jersey.

Mr. BRADLEY. Mr. President, I wish to respond briefly to the Senator from Idaho. I found his dialog with the Senator from Iowa interesting because the hidden assumption in their discussion seems to be that if you spend more, you are going to get less, and that if you spend more, it does not really mean anything.

Mr. GRASSLEY. Mr. President, will the Senator yield?

Mr. BRADLEY. Not at this point.

I ask the Senator to try to move beyond the rhetoric to real life situations. The Senator comes with me to a school in the center of Newark or Paterson or Camden, N.J., where we have very serious remedial education problems, where there are no moneys from property taxes or State revenues to adequately provide teachers for remedial assistance.

Local revenues are primarily used to keep the plant functioning, and it is the Federal aid that we provide that allows the schools to hire remedial teachers and teachers' aids to sit down with the kids who cannot read and go over and over and over their schoolwork so that those kids will learn to read.

So do not tell me about rhetoric.

Or take the school where we have an incredibly talented student in the first, second, third, fourth, fifth, or sixth grade that the Senator was concerned about, but the regular curriculum of that school is aimed at the median. You get a teacher that is sensitive. The teacher tries to take care of it and stimulate the student but you have in every class a special few who are particularly bright who need to be challenged at their level and who cannot be challenged at their level if the teacher is dealing with 25 students. Therefore, you have a special need and indeed Federal aid goes to meet that special need.

So do not tell me about how you would vote for the amendment if the additional aid would go to the teachers. Where does the Senator think it is going to go? The bulk of Federal aid is going to go for teachers and teachers' aids.

Mr. SYMMS. Mr. President, the Senator is missing the point. If the Senator is correct in his assumption, why are we stopping at $1.5 billion? That is the point of the Senator from Iowa. Where do we draw the line?

Mr. BRADLEY. The Senator I think raised a good issue.

In 1980 we spent $7 billion on these programs. These programs in real terms have received about a 25-percent cut in real terms since 1980, and meanwhile we are giving maximum rhetoric to what we have to do to educate our children to compete in the world economy and giving maximum rhetoric how we want this to apply to all our children.

This amendment is more than rhetoric. We have to get the means to educate children, and that is what this amendment does.

Mr. CHILES. Mr. President, will the Senator yield?

Mr. BRADLEY. I yield back to the Senator from South Carolina.

Mr. HOLLINGS. I yield.

Mr. CHILES. Mr. President, I wish to join in and associate myself with the remarks of the Senator from New Jersey and the Senator from South Carolina.

We were just looking at a commission report, a study that went on for several years, that said that we have a disaster on our hands in regard to the education of our young people, that we have taught them something about reading, we went into remedial reading, but they do not know how to think. We taught them something about remedial math, but they do not know when to multiply, and they do not know when they should use it.

So we have a situation in which we are falling farther and farther behind and we see that in the percentage of engineers that we are graduating in real terms and not in averages. Even though our population is so much greater, we see the Germans and Japanese send more kids to engineering school and more kids in their scientific and technological education in actual numbers than we are sending.

What happened to us? One reason we cannot respond is we do not even have the teachers now for math. We do not have the teachers for science. Why not? It is because industry is taking those teachers faster than we are producing them. We are eating our seed corn. No farmer does that. He knows that is foolish and that is ridiculous.

But we are doing that and so now we are passing a number of bills. Everyone in here has a bill or is on a bill for science and math to do something about it. I have one. Everyone else is working on one.

Are we just going to have a bill? Are we going to do it without any funds?

We spend less than 10 percent of the educational dollar, about 7 percent in the elementary and secondary education. The States spend the rest.

What do we get for our dollars? We encourage education to the disadvantaged. There were not any real programs of education to the disadvantaged until the Federal Government got into it. There were no programs really for the handicapped until we got into it. There were no programs that were even alleviating some of the problems again caused by Federal courts in regard to segregation and in regard to integrating the schools until the Federal Government got into it.

Our money is the trigger money. Our money is triggering money that the States are spending more. And Commissioner Bell is now talking about the States are going to have to pick up the bulk of the money for this new educational program. They will have to. But we have to be willing to provide some of the trigger money, and that is how I see this money we are talking about. It is inducement money. It is trigger money. It is going to be leveraged over 10 times that we are talking about, and we are talking about moneys that we are adding in the resolution itself. Under the Domenici mark we provided a tiny amount in 1 year, but then we did not go forward with that commitment into the outyears, There was a freeze in the outyears.

So if you look and see what that freeze does in the outyears, as the Senator from New Jersey pointed out, we are going to see a decline going on. Obviously, we are not talking about big, big money here. We cannot. We have a tough situation.

But to take the kind of Commission report that we now have to see the disaster that we have on our hands in regard to science and technical education and to recognize that we are all talking about bills and we are putting in bills on that and then to say we are not going to put in any mark for that, we are not going to recognize any mark for that, I think that would be the height of folly.

There are programs like education of the disadvantaged and education of the handicapped, where the number of children served is directly related to Federal funding. So if we freeze these

programs or if we provide a fraction of the cost, we are simply saying to disadvantaged children, "You will not get a chance to participate in the mainstream."

What will happen is we will pick that up somewhere else. We will pick it up in our welfare rolls. We will pick it up in our prison rolls. We will pick it up somewhere else. It is not going to be free to us. It is going to be a heck of a lot easier if we try to give that child an education so he can go out and do something for himself than if we just turn our back on this function.

I hope that the body is going to respond to this amendment.

Mr. HOLLINGS. Mr. President, let me yield to the distinguished Senator from Tennessee.

Mr. SASSER. Mr. President, I thank the distinguished Senator from South Carolina for yielding.

Mr. President, I rise today to support the amendment of my able friend, the distinguished Senator from South Carolina (Mr. HOLLINGS). This amendment represents an important step forward on the education front. It reaffirms the strong Federal commitment to education that is essential to reinvigorating the economy and turning, to quote the words of the bipartisan Commission that just gave us a very alarming report on education of this country, the "tide of mediocracy that threatens our very future as a nation * * *."

In his budget, the President proposed severe funding cutbacks in education programs including vocational and adult education, the Older Americans programs, and outright elimination of the community services block grant. This comes at a time when unemployment is at the highest levels since the Great Depression. These cutbacks are unwarranted and counterproductive. During Budget Committee deliberations on this function, I offered an amendment which would have increased funding levels in these programs as part of an overall strategy to enhance job training and employment. That amendment was defeated by a vote of 8 to 12. I believe the Senator's education mark presented here will garner the requisite number of votes to pass and I applaud his efforts, and add my voice in support.

I join today with many of my colleagues here in this Chamber and many of our countrymen all across this land in expressing very serious concerns over the crisis surrounding the deterioration of this Nation's math and science education programs.

This is not a Republican problem, it is not a Democratic problem. It is a national problem, it is a problem of the United States of America and its people. It requires full bipartisan attention.

I would liken the situation we find ourselves in today to the crisis that we faced when the Soviet Union launched Sputnik in 1957, and this graphically illustrated the need for increased mathematical skills, for increased studies in science and other technical skills that are necessary in the last half of the 20th century.

A disturbing truth today is that the average achievement of students on most standardized tests is now lower today than it was 26 years ago when Sputnik was first launched.

I think it is absolutely appalling that in this country which prides itself on pluralism and individual freedom and promises that "all are entitled to a fair chance and to the tools for developing their individual powers of mind and spirit to the utmost," that in a country that makes these promises, 23 million adult Americans are functionally illiterate, 13 percent of all 17-year-olds are functionally illiterate, and 40 percent of the minority youth in this country today are functionally illiterate. Well, we have an opportunity here, I think, to convert challenge to opportunity.

The amendment that is offered by the distinguished Senator from South Carolina permits the Federal Government, in cooperation with State and local governments, to meet the needs of the diverse groups of students in our elementary and secondary schools and our institutions of higher education. In light of the large national stake involved, it is not unreasonable for the Federal Government to increase funding in this area by a mere 9 percent, especially at a time when many States are experiencing severe fiscal strains as a result of Federal funding cutbacks.

Over the past 3 years there has been a serious deterioration in educational services precipitated by these funding reductions. For example, student aid has declined over 23 percent in real dollars and chapter I basic grants has sustained a 22-percent real dollar reduction during the same period. If funding for education programs had remained constant during this period, the appropriation for fiscal year 1983 would have been $20.1 billion rather than $15.1; moreover, when adjusted for inflation in 1980 dollars the fiscal year 1984 budget proposal would have been $21.1 billion rather than the budget resolution proposal of $14.9 billion.

In the chapter I program, funding for education for disadvantaged children, the reductions have been dramatic. When adjusted for inflation using 1980 dollars, the constant funding level would have been approximately $500 million more than is being proposed in this amendment and $1 billion more than contained in the budget resolution. According to the National Institute of Education, elementary school students participating in chapter I gained 7 to 12 months in reading achievement and 11 to 12 months in math achievement for each year in the program. Furthermore, a recently released study administered by the education commissions of the States found that disadvantaged youngsters and low-achieving students made considerable gains, especially in elementary school, and ascribed the gains to the chapter I program.

This amendment also provides $400 million for math and science education, some $200 million more than that contained in the budget resolution. A New York Stock Exchange study released early this year found that the single most important factor in Japan's high productivity is the high quality of Japanese elementary and secondary education. Moreover, testimony before the Subcommittee on Science, Technology, and Space described the new mathematics and science curricula developed in the Soviet Union and emphasized that "a dangerous gap exists between our educational standards and those of the Soviet Union."

Years ago, the British Economist Alfred Marshall stated that "the most valuable of all capital is that invested in human beings." In that spirit, I urge my colleagues to join me in supporting this amendment as an investment in the future.

The PRESIDING OFFICER. The opponents of the amendment have 43 minutes and 40 seconds remaining.

Mr. DOMENICI. I yield 10 minutes to the Senator.

Mr. GORTON. Mr. President, both through the 30 minutes during which I presided and since then it has been my pleasure to listen to this debate and to reflect upon it. It is a curious debate for perhaps one frivolous reason and one much more serious reason. The frivolous reason is I am somewhat bemused in the sponsorship of the amendment by the Senator from South Carolina who yesterday proposed a budget which would have cut $600 million from the education function and today asks us to add $1.5 billion to that function and, perhaps, he will enlighten us on what has happened in the last 24 hours to cause that change in his views on the subject.

But the more important curious nature of this debate stems from the fact that for all practical purposes every word which has been stated here this afternoon could have been taken out of the CONGRESSIONAL RECORD of 15 or 20 years ago. The implicit connection between how much this Congress spends on primary and secondary education and the quality of that education certainly has driven all of the debates on the subject in the decades since it was first determined that the Federal Government did indeed have an appropriate role to play in the education of our children.

We do have today a relatively new report on the condition of our educational system, one which all agree shows that we have deep and serious problems in our educational establishment and with our educational philosophies.

It is clearly true that that report is highly critical of the way in which education is provided to the children of the United States. It is also equally true, as the proponents of this amendment state, that in a number of areas, at least, the authors of that report prescribed as a partial cure, at least, the investment of more money on the part of the Federal Government.

What that means, I suppose, is that there would be no debate at all over this amendment or over a similar amendment at a different figure if we had any idea what in fact this $1.5 billion would buy us in the way of better education.

History has taught us regrettably in the last two decades that the more we have spent the less we have received and I say that, with respect especially to the Senator from Delaware who made this point, spending has increased almost as much in the States and localities on education as it has through the vehicle of the Congress of the United States; the great bulk of all spending for that purpose still comes from State and local governments. The amount spent per student in the United States, the share of the gross national product which has gone into education, has steadily increased during exactly the same years as educational attainment has declined. Ironically, as a footnote, the slight turnaround in SAT scores has taken place in exactly those years in which the Federal investment in education has gone down, at least as a percentage.

But I would hope that the proponents of the amendment would enlighten us in a little more specific fashion, as this debate goes on, as to just what they expect this $1.5 billion to buy for us. Maybe they can be specific enough on that so that when we debate an identical amendment a year from now we will be able to determine whether or not we got our money's worth out of this additional money.

When we vote for an increase in the gas tax, for example, for the creation of more roads in the United States we have a pretty good idea of precisely what we will get out of what additional spending. Even in the field of social spending, when we vote to increase the amount of money for food stamps we have a fairly good idea as to how much better nutrition there will be available for those people in the United States who are eligible for those food stamps. The same thing holds true for medical care. Perhaps not alone, but most remarkably in this area, we have not really been able to put any precise results against the amount of money which we have spent.

Some, and I think reported in this Commission report, in the administration certainly believe that a major factor in the decline of educational performance has been the lack of competition in that area, and they therefore recommend tax credits and the like for private schools, voucher systems which will provide more and better education.

They have to take that, of course, as a matter of faith. Others quite accurately report it as the lack of a strong family structure as we have had in the past and lack of participation on the part of parents in the education of their children that has gone on before. Others blame it very largely on television. And I think it must be obvious that there is some truth in each of these criticisms.

Others, of course, have it taking place within the educational structure itself, a movement away from basic educational skills in favor of self-awareness, social skills, drivers' training, and the like.

But what I regret, in connection with this amendment, is the ability, one which I must say I lack myself, to speak directly to the connection between the proposal which is made here and any assurance—even a 50-50 assurance—that it will, in fact, result in better education, given the nature of our system today.

We are greatly concerned, as the Senator from Florida said, about lack of skills, particularly in the areas of science and mathematics, and yet we know that the educational system in our country makes it practically impossible to pay a premium to hire mathematics and science teachers, who of course are greatly in demand in the private sector, by paying more to them than we do to other classes of teachers, because that clashes with a number of other ideas we have about education itself.

But I would hope that at some point, in connection either with this amendment or whatever appropriation flows from it, we will be able to have a more thoughtful discussion of exactly what the relationship is between what we put into the educational establishment in the way of budget authority or appropriations and the like and what we get out of it and why it is that the more we seem to have put in—and I mean not just this Congress but all of us in the course of the last 20 years—the less we seem to get out of it.

Mr. STAFFORD. Will the Senator yield for a question?

Mr. GORTON. The Senator would be happy to, but he does not have the floor. The chairman of the committee has the floor. Would the Senator from New Mexico permit a colloquy?

Mr. DOMENICI. I would be pleased to yield.

Mr. STAFFORD. Will the Senator yield for a question?

Mr. DOMENICI. Of course, on my time.

Mr. STAFFORD. In connection with what the very distinguished Senator was saying—and the Senator knows my admiration for him and I listened very carefully to what he said—in connection with some specificity, to use that new word that is kicked around these days, as to what we would do with the $1.5 billion that is in the amendment, specifically, it proposes, under chapter 1 of the Elementary and Secondary Education Act, an increase of $540 million, and that would serve an additional 1.1 million disadvantaged children.

In the education of handicapped children program, the amendment proposes $50 million, which would increase the Federal participation in this program by one-half of 1 percent to 9.5 percent of school district costs, still far below federally mandated levels.

As to Pell grants, the amendment proposes an increase of $580 million, which would allow for the participation of an additional 580,000 students with financial need to participate in higher education. For college work study, the amendment proposes an increase of $50 million which would give work study jobs to an additional 63,000 needy college students.

Finally, for student education opportunity grants, an increase of $85 million, which would give student assistance to an additional 142,000 needy students.

And I simply wondered if the Senator was aware of those figures and if not I wanted to inform him of them.

Mr. GORTON. The Senator from Washington wants to thank his distinguished friend from Vermont for the details he has provided.

That was not, however, my question. Of course, every Member has available to him or to her the intentions of the sponsors of the amendment as to the spending of this $1.5 billion by title or by function. The Senator from Vermont, of course, is aware that in fact this amendment only adds the $1.5 billion to the education function which means that it can be spent by the Appropriations Committee in any way that it wishes and in any educational program that it wishes.

The Senator from Vermont did not, however, answer the question which I asked in my own talk on this, and that is, What are the American people going to get out of this $1.5 billion in the form of better education? Can we look to higher SAT scores? Can we look to a better educated population, in view of the fact that that does not seem to have been the result of our spending in the past? Is there any way that we are ever going to be able to measure that?

And I must confess that I do not demand an answer that we will be higher than we are today. Maybe it is true that SAT scores would have declined more precipitously had we not been spending this money over the last several years.

The point that the Senator from Washington was making is that the implicit assumption that there is some correlation between what we have spent here and elsewhere on these programs and the product we have received seems to him not to have been proven and in fact not even seriously debated.

Mr. STAFFORD. Well, the Senator from Vermont would thank his distinguished friend and simply say that I guess it is a matter of philosophy and faith. It is the judgment of this Senator as an individual that the $1.5 billion would be well spent and that it would improve the educational levels in this country and that, in this Senator's judgment, is important to the future of this Nation.

Mr. ANDREWS. Would my colleague from New Mexico, the chairman of the committee, yield me some time?

Mr. DOMENICI. How much time does the Senator want? Five or ten minutes?

Mr. ANDREWS. That would be fine.

Mr. DOMENICI. I yield whatever amount of time the Senator desires.

Mr. ANDREWS. Mr. President, I rise in support of the amendment. I do not think that anyone can tag me as a big spender. But let me point out that this is not a spending amendment. It is an investment that can pay off in tens of millions of dollars down the line.

Every dollar we invest today in a better education for our young people pays off in countless benefits, only one of which is the amount of dollars returned to the Federal Treasury.

Let me quote from the National Commission on Excellence in Education some unfortunate statistics. Mr. President, these are statistics that came out after the Senate Budget Committee took action on education.

The Commission pointed out that 23 million American adults are functionally illiterate by the simplest terms of everyday reading, writing, and comprehension. It added that 13 percent of all 17 year olds in the United States can be considered functionally illiterate, and that the average achievement of high school students on most standardized tests is now lower than 26 years ago when Sputnik was launched.

Mr. President, on numerous occasions I have spoken to individuals throughout the country on the matter of where the challenges of tomorrow are likely to be. I would point out to my colleague, the senior Senator from Vermont, that I was participating in a hearing in his State not too long ago. The first official hearing of a Senate committee conducted on statewide public television and where testimony was also taken by telephone. Many individuals from all over Vermont called in and said one of the greatest challenges for them is to find adequately trained young people. Mr. President, this amendment can assist in the goal we all seek: a well-trained and well-educated citizenry. That will insure our survival as a political and economic democracy.

I might also note that there is a direct correlation between the salaries and quality of teachers necessary to teach young people in all subjects including the increasingly important areas of mathematics and science. We are not getting enough young people in our colleges and universities to study the courses that our Nation critically needs during the coming decades.

Many people believe that education is only a local matter. That is important, but we must realize that a child who is educated in North Dakota will be contributing to the State of New York during his working life. The young child educated in Virginia may well move out to Nebraska and end up contributing to that area during his or her lifetime.

Historically, we have been a nation of transient individuals. Those who are educated in one State end up contributing in another State where they find job opportunities and a satisfactory way of life. Therefore, Mr. President, education is also a responsibility of the Federal Government, guided and directed, of course, by local school authorities. Those of us on the Federal level have to see that adequate resources are provided, in order that our investment in America's future is adequately protected.

I would hope, Mr. President, my colleagues will support this amendment, if for no other reason than the fact that the report of the President's Commission has come out after the time we considered the level of spending in the Budget Committee. I think the report spells out in language that everyone can understand the challenge that lies ahead of us.

In conclusion, Mr. President, let me reiterate that this is not additional spending. It is money for an investment in the future, and money that will be paid back. If you are too flinty-eyed and hard-hearted to care about individual Americans, remember it is money that will be returned in increased taxable income.

Mr. President, because of the potential returns on this investment, I urge the adoption of this amendment.

Mr. CHILES addressed the Chair.

The PRESIDING OFFICER (Mr. SIMPSON). Who yields time?

Mr. CHILES. I yield 10 minutes to the Senator from South Carolina.

Mr. SARBANES. Mr. President, will the Senator yield?

Mr. HOLLINGS. I yield.

Mr. SARBANES. Mr. President, I am very pleased today to join with Senator HOLLINGS and my Senate colleagues in cosponsoring this important amendment to provide an additional $1.5 billion in fiscal year 1984 for priority education programs. Over the past 2 years, key education programs have undergone significant spending reductions and policy changes which have severely undermined the ability to educate our Nation's young people. The amendment before the Senate would restore some of the funds that have been cut from these valuable and proven programs.

An emphasis upon and commitment to education have been at the very heart of the meaning of American society since the founding of our Republic. The recent report by the National Commission on Excellence in Education noted that, "very clearly, the public understands the importance of education as the foundation of an enlightened and civil society, a strong economy, and a secure nation."

Our society must strive to achieve opportunity and excellence in education. It is my firm belief that our Nation should continue to move toward the goal that all of our citizens, regardless of handicap, financial need, or other special concerns, will be educated to the full extent of their talents and abilities. Maintaining and enhancing educational opportunities for the next generation is essential to our society.

It was in response to these concerns that Federal education programs were originally created. Since coming to Congress, I have been a consistent supporter of improving education and increased educational opportunities, which are so important to building the strength of our country. I have been deeply distressed by the Reagan administration's efforts to sharply limit the role of the Federal Government in providing support to our Nation's students, and have strongly opposed the sweeping cuts in Federal education programs that have been proposed over the past 2 years.

As a result of these cuts, there has been a serious deterioration in education services; and our country's basic educational needs are not being met. Chapter 1 aid to the disadvantaged has fallen by $500 million since 1981, with only half of the 11 million currently eligible students being served. Funds for chapter 2 State block grants would have to be increased by 207 percent in fiscal year 1984 in order to match the real dollar amount its programs received in fiscal year 1980. Funds for adult education have been cut by 22 percent, with the result that

500,000 fewer adults are able to participate in these programs.

In the face of 30-percent increases in the cost of higher education, Federal postsecondary aid has declined in real terms by 25 percent. Support for vocational education, elementary and secondary school programs, impact aid, and bilingual education have experienced similarly dramatic declines. The current proposals to level fund these programs over the next 5 years would, due to still-rising education costs, squeeze real service capacity by an additional 20 to 25 percent.

The amendment offered by my colleagues and myself would begin to reverse this recent dangerous trend of declining Federal support for education programs by adding $800 million for elementary secondary school aid and by redistributing $700 million in lower interest rate savings from the guaranteed student loans to other need-based higher education programs. The Nation has been moving in the wrong direction by limiting, curtailing, and even denying educational opportunities to our young people. As the United States is increasingly concerned with economic growth, putting our people back to work, and our competitive position in world markets, further reductions in education are clearly counterproductive to the national interest. An adequate level of financial investment in education is one of the most prudent, cost-effective, and high-priority investments our country can make.

I, therefore, urge my Senate colleagues to join me in supporting the pending amendment to reemphasize education as a critical national priority.

● Mr. MOYNIHAN. Mr. President, I rise to register my strong support of the Hollings-Stafford amendment. As you know, I have long supported programs that serve to educate our children. Educational opportunities are crucial to the growth and betterment of our Nation. Without such opportunities, our children, particularly disadvantaged youth, are shackled, and we as a nation have abandoned one of our greatest responsibilities.

Since the present administration took office, support for education and related programs has decreased precipitously. An examination of funding for the largest education, training, employment, and social service programs reveals that, in constant fiscal year 1982 dollars, Federal outlays decreased by 36.5 percent between fiscal year 1980 and fiscal year 1983. Even in nominal dollars, for those same years, Federal outlays decreased by over 21 percent. Certainly, such funding changes could not have occurred without having significant impact.

For example, the title I compensatory education for the disadvantaged program, one of the largest education programs and a program for which the Hollings-Stafford amendment recommends an increase, has been witness to considerable change. This important program provides funds that are essential to help pay the excess costs of meeting the special education needs of disadvantaged children. Yet the number of children aided has dropped to an estimated 5.3 to 6.3 million children—out of 11 million eligible students—in fiscal year 1983, compared to 7.9 million in fiscal year 1970.

The administration now proposes further cuts in this program for fiscal year 1984, while the Senate Budget Committee voted for funding slightly above the President's request but below the CBO baseline. Further, the administration's request not only proposed less funds but recommended a redistribution of funding among the title I programs. That is, funds for basic grants to local school districts would be increased slightly while funds for the three State agency programs for migratory, handicapped, and neglected or delinquent children would be reduced overall by 41 percent. Such funding levels could reduce the educational opportunities available to the specific groups who need the funds the most.

Now let us examine the Pell grants. Named in recognition of the good work of the distinguished Senator from Rhode Island, the Pell grant program is the largest Federal need-based postsecondary student aid program. Grants are provided directly to needy undergraduates based upon financial need. In academic year 1980–81, approximately 64 percent of Pell grant awards went to students from families with annual incomes of $12,000 or below.

The Hollings-Stafford amendment would restore the level authorized for this program by the 1981 Reconciliation Act. I believe this recommendation is fully warranted. The Pell grants have had an enormously positive effect on our youth. They have assisted some 18 million students since their creation in 1973, and in 1982 alone, they assisted approximately 2.6 million students. Yet the administration continues to seek to reduce, if not eliminate, this program. For example, the Reagan administration's fiscal year 1983 budget proposed a Pell grant program budget 42 percent below that of fiscal year 1982. A reduction of this magnitude would eliminate 800,000 Pell grant recipients from the program.

Although the Congress refused to support this proposal, the administration is again trying to reduce support for student financial assistance programs. Under the guise of consolidation and reorganization, it proposes to transform five programs into two—one of which would be the Pell grants program—and requests funding equal to that of fiscal year 1983. The Senate Budget Committee, although rejecting the President's proposal to consolidate the student financial assistance programs, did agree to the President's funding level, a level nearly $200 million below the CBO baseline.

The importance of the Pell grants is manifest. First and foremost, it provides an opportunity for many who otherwise would be unable so to do to enjoy the fruits of higher education. In addition these individuals are provided an opportunity to achieve a higher income than they most likely would have earned if they discontinued their education after high school. Recent statistics reveal that for persons 25 and over, yearly incomes of those graduating from a 4-year college are 28 percent higher than those with only a high school education.

It is clear to me, Mr. President, that the Hollings-Stafford amendment reverses a trend of the past few years and gives recognition to an area of Federal support which is vital to the well-being of our Nation. I support this amendment and I urge my colleagues to do so.●

Mr. HOLLINGS. Mr. President, I ask unanimous consent to include Senator LEAHY as a cosponsor.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HOLLINGS. And also the Senator from Massachusetts (Mr. KENNEDY).

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HOLLINGS. Mr. President, Senator STAFFORD has made some fine points in his remarks.

But we are hit low and then high. The opponents hit us high in the first place by saying that they are very quizzical, or amused, I think was the term he used, that we were asking for any money in view of the fact that on yesterday we put in our freeze resolution.

We fought the good fight. There were several freeze resolutions. None received more than 23 votes, I think. Three-quarters of the U.S. Senate did not believe in that particular approach. So the struggle is priorities, irrespective of deficits.

May I add that the Senator from Washington should not be bemused because I understand his side of the aisle are working out a particular compromise budget calling for about a $200 billion deficit and saying in the same breath that they want a balanced budget.

As Senator Dirksen used to quote, consistency being the hobgoblin of little minds, I think we are being consistent. I hope we are not a hobgoblin.

The fact that we are not asking for enough is perhaps the fault of this Senator and a group interested in education. Certain it is that we could have

the unmitigated gall and perhaps the brass to ask for current policy or $7 billion more.

The Senator from Idaho came in and said, "Why ask for $1.5 billion? Why not have the sky as the limit? Why not ask for more?"

There is good reason to ask for $7 billion or current policy. In their compromise in a few minutes or tomorrow they will ask for $8 billion more for defense. They have figured that $7 billion is not enough and they will come forward and ask for $8 billion more. But we get accused of being unreasonable by asking for $1.5 billion for education and somehow we are the ones who are busting the budget.

What we tried to do was to correlate the effort. I think it is quite a distinct accomplishment, not of mine but of the disciplines in education who have banded together, some 83 entities in all, in behalf of this amendment:

COMMITTEE FOR EDUCATION FUNDING MEMBER ORGANIZATIONS

AFL-CIO.
American Association of Classified School Employees.
American Association of Adult and Continuing Education.
American Association of Colleges for Teacher Education.
American Association of Community and Junior Colleges.
American Association of Education Service Agencies.
American Association of School Administrators.
American Association of State Colleges and Universities.
American Association of University Professors.
American Association of University Women.
American Council on Education.
American Educational Research Association.
American Federation of Teachers.
American Federation of State, County and Municipal Employees.
American Library Association.
American Personnel and Guidance Association.
American Speech-Language-Hearing Association.
American Vocational Association.
Association of American Publishers.
Association of American Universities.
Association of Catholic Colleges and Universities.
Association of Independent Colleges and Schools.
Association of Research Libraries.
Association of Urban Universities.
Colorado Department of Education.
Committee of Private University Students.
Connecticut State Department of Education.
Council for American Private Education.
Council for Educational Development and Research.
Council for Exceptional Children.
Council of Chief State School Officers.
Council of Great City Schools.
Council of Independent Colleges of Virginia.
Council of State Administrators of Vocational Rehabilitation.
Detroit Board of Education.
Educational Testing Service.
Georgetown University.
Hispanic Higher Education Coalition.
International Reading Association.
McGraw Hill, Inc.
Michigan Department of Education.
Mid-American Association of EOP Personnel.
National Association of Bilingual Education.
National Association for Equal Opportunity in Higher Education.
National Association of Elementary School Principals.
National Association of Federal Impacted Schools.
National Association of Independent Colleges and Universities.
National Association of Private Schools for Exceptional Children.
National Association of School Psychologists.
National Association of Secondary School Principals.
National Association of State Boards of Education.
National Association of State Directors of Special Education.
National Association of State Universities and Land Grant Colleges.
National Association of Student Financial Aid Officers.
National Audio-Visual Association.
National Committee for School Desegregation.
National Council of Educational Opportunity Associations.
National Council of La Raza.
National Education Association.
National Parent Teacher Association.
National Organization of Black University and College Students.
National School Boards Association.
New York City Board of Education.
New York State Department of Education.
Princeton University.
Project on Equal Educational Rights.
Rochester City School District.
Speech Communication Association.
State Higher Education Executive Officers.
United Negro College Fund.
United States Student Association.
University of Missouri.
Washington Superintendent of Public Instruction.

I ask unanimous consent, Mr. President, that letters from several of the organizations in endorsement of this particular amendment also be printed in the RECORD.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

NATIONAL SCHOOL BOARDS ASSOCIATION,
Washington, D.C., May 3, 1983.

DEAR SENATOR: On behalf of the National School Boards Association, we urge you to support the Stafford/Andrews/Hollings amendment to add $1.3 billion over fiscal year 1983 appropriation levels to the Senate First Concurrent Budget Resolution (S. Con. Res. 27). The amendment adds $1.5 billion to the education budget assumption in resolution which includes $14.9 billion for education. Total education funding for fiscal year 1983 was $15.1 billion. The Stafford/Andrews/Hollings amendment would assume education room in the budget for $16.4 billion in funding.

If education had received just inflationary increases since fiscal year 1980, the funding level would be $21 billion dollars. We know the argument will be made that this increase will be paid for by borrowed money. As the governors of the largest units of local government, we well understand the fiscal ramifications of the national deficit. School board members are not educators; we are citizens and business people who serve the public interest. We know that the lack of investment in education, although such a course may save a penny in the short run, places, as the President's Commission on Education Excellence said last week, the "Nation at Risk."

Please vote for the Stafford/Andrews/Hollings amendment.

Very truly yours,

M. JOAN PARENT,
President.

COUNCIL OF CHIEF STATE SCHOOL OFFICERS,
Washington, D.C., May 2, 1983.

DEAR SENATOR: Members of the Council of Chief State School Officers urge you to support a comprehensive bipartisan education amendment to be offered by Senators Hollings and Stafford to the First Concurrent Budget Resolution.

As the principal administrators of each state's public education system, members of the Council are keenly aware of the desperate need for additional investments in education. This amendment is based on an assumption that at least one-half the cuts made in the last two years should be restored for programs of proven worth. Examples include: ECIA Ch. 1 (compensatory education), ECIA Ch. 2 (school improvement), handicapped education, vocational and adult education, and aid for college students. If education programs had only stayed even with inflation since 1980, the Education Department budget would be $21 billion instead of the current $15.1 billion. The Hollings-Stafford amendment proposes to add $1.5 billion to the $14.9 billion approved by the Budget Committee, for an overall education budget of $16.4 billion.

We believe this amendment is a reasonable and responsible investment in our country's future. Given the present fiscal climate, this amendment is a prudent step. We therefore urge you to support this amendment on the floor.

Sincerely,

WILLIAM F. PIERCE,
Executive Director.

NATIONAL ASSOCIATION OF STUDENT FINANCIAL AID ADMINISTRATORS,
Washington, D.C., May 3, 1983.

DEAR SENATOR: On behalf of the National Association of Student Financial Aid Administrators' 2800 member institutions of postsecondary education, I would encourage you to support the amendment to the FY-84 Budget Resolution which will be offered by Senator Ernest Hollings and Senator Robert Stafford. This amendment would restore essential funding to education programs.

While we realize the difficult decisions you face during these times of fiscal constraint, we must not forget the support needed to educate the citizens of our Nation.

Therefore, we sincerely hope you'll support this vital amendment and resist any attempts to reduce funding or make changes to student aid programs.

Sincerely,

DALLAS MARTIN,
Executive Director.

AMERICAN ASSOCIATION OF STATE COLLEGES AND UNIVERSITIES,
Washington, D.C., April 27, 1983.

DEAR SENATOR: When the First Concurrent Budget Resolution (S. Con. Res. 27) is debated on the Senate floor next week, Senator Ernest Hollings will offer an amendment to increase the ceilings for elementary, secondary, and higher education above the FY 83 spending levels assumed in the Resolution. On behalf of the 355 colleges and universities which make up the membership of the American Association of State Colleges and Universities (AASCU), we strongly urge your support for the amendment.

The Hollings amendment would raise the ceiling for higher education programs by approximately $700 million. It would allow modest increases for federal student assistance programs such as Pell Grants, Supplemental Educational Opportunity Grants (SEOG), National Direct Student Loans (NDSL), and State Student Incentive Grants (SSIG). In addition, the amendment would allow for slight increases in the TRIO programs and Title III (Strengthening Developing Institutions).

The additional funds contained in the Hollings amendment would result in only a 15 percent increase above FY 80 levels for these programs and as you know, funding for need-based student aid programs has already been reduced by almost 25 percent in real terms since FY 80. At the same time, median undergraduate tuition at AASCU institutions has increased by 30 percent. Needy students therefore are facing an increasing gap each year in financing their college costs. At a time when new and expanded opportunities are essential for economic recovery, the Budget Committee proposal for level funding imposes further real losses in aid for students who need assistance in meeting rising costs.

Please help to ensure that millions of needy students will not be denied educational opportunities by voting for the Hollings amendment.

Sincerely yours,

ALLAN W. OSTAR,
President.

NATIONAL ASSOCIATION OF INDEPENDENT COLLEGES AND UNIVERSITIES,
Washington, D.C., April 28, 1983.

DEAR SENATOR: Early next week (the first week of May) the Senate will consider S. Con. Res. 27, the first Budget Resolution for fiscal year 1984. On behalf of the 900 member colleges, universities, and associations of the National Association of Independent Colleges and Universities, I urge you to vote for the Hollings-Stafford bipartisan education amendment to the resolution to restore federal aid to students; and to vote against any effort to further reduce federal student aid.

S. Con. Res. 27, as reported by the Budget Committee, proposes to freeze federal higher education spending at the fiscal year 1983 level. But the fiscal year 1983 level already represents a freeze from fiscal year 1982. And the fiscal year 1982 Appropriations were reduced below the federal funding levels for these programs in fiscal years 1980 and 1981. Thus, to freeze federal support for higher education now would set it at a four-year low—and not even provide for marginal adjustments to account for erosion of student aid benefits attributable to inflation over the last four years.

For that reason, we ask your support for the Hollings-Stafford bipartisan education amendment. The amendment would allow modest but critically needed restorations of funding to several programs of assistance to students attending our nation's colleges and universities. Your "yea" vote is needed.

Sincerely,

JOHN PHILLIPS,
President.

COMMITTEE FOR EDUCATION FUNDING,
Washington, D.C., April 29, 1983.

DEAR SENATOR: I am writing on behalf of the Committee for Education Funding to urge your support of a comprehensive, bipartisan education amendment that will be offered by Senator Hollings and Senator Stafford to the First Concurrent Budget Resolution.

The Committee for Education Funding which represents the entire education community including elementary and secondary, vocational and higher education organizations, agencies and institutions, fully supports this amendment which would add $1.5 billion of additional funds to the First Budget Resolution reported by the Senate Budget Committee.

The Committee for Education Funding firmly believes in the long-term national benefits of a strong, well-supported education system. Further, the Committee recognizes that an adequate level of financial investment in education is one of the most prudent, productive and high priority investments this country can make. Congress has long recognized that the education of our children is a bipartisan concern. We believe that it is imperative that we work together once again to provide increased funding for these essential programs.

Suggestions that the education budget cuts made to date have been mere reductions in growth are misleading. On the contrary, there is ample evidence that the deterioration in education services over the past three years has been severe. The loss of purchasing power due to inflation combined with current dollar reductions have had a significant impact on reducing program services. In that period, student aid declined more that 23 percent in real dollar terms. Chapter I, basic grants sustained a 22 percent real dollar reduction. Other examples are numerous. In total, if education programs had only stayed even with inflation since 1980, as measured by the consumer price index, funding for the Department of Education would be $21 billion instead of the $15.1 billion appropriated in FY 1983.

The Senate Budget Committee proposal for FY 1984 would make some internal adjustments in individual education programs but keep the overall funding level at $14.9 billion. We do not believe that quality education for millions of elementary and secondary, university and college students can be maintained at this proposed funding level.

We therefore ask that you support this bipartisan effort to bring the level of education funding to $16.4 billion for FY 1984.

As stated by the National Commission on Educational Excellence:

"Excellence costs. But in the long run mediocrity costs far more . . ."

Sincerely,

JIM GREEN,
President, Committee for Education Funding.

COMMITTEE FOR EDUCATION FUNDING MEMBER ORGANIZATIONS

AFL-CIO.
American Association of Classified School Employees.
American Association of Adult and Continuing Education.
American Association of Colleges for Teacher Education.
American Association of Community and Junior Colleges.
American Association of Education Service Agencies.
American Association of School Administrators.
American Association of State Colleges and Universities.
American Association of University Professors.
American Association of University Women.
American Council on Education.
American Educational Research Association.
American Federation of Teachers.
American Federation of State, County and Municipal Employees.
American Library Association.
American Personnel and Guidance Association.
American Speech-Language-Hearing Association.
American Vocational Association.
Association of American Publishers.
Association of American Universities.
Association of Catholic College and Universities.
Association of Independent Colleges and Schools.
Association of Research Libraries.
Association of Urban Universities.
Colorado Department of Education.
Committee of Private University Students.
Connecticut State Department of Education.
Council for American Private Education.
Council for Educational Development and Research.
Council for Exceptional Children.
Council of Chief State School Officers.
Council of Great City Schools.
Council of Independent Colleges of Virginia.
Council of State Administrators of Vocational Rehabilitation.
Detroit Board of Education.
Educational Testing Service.
Georgetown University.
Hispanic Higher Education Coalition.
International Reading Association.
McGraw Hill, Inc.
Michigan Department of Education.
Mid-American Association of EOP Personnel.
National Association for Bilingual Education.
National Association for Equal Opportunity in Higher Education.
National Association of Elementary School Principals.
National Association of Federally Impacted Schools.
National Association of Independent Colleges and Universities.
National Association of Private Schools for Exceptional Children.
National Association of School Psychologists.
National Association of Secondary School Principals.
National Association of State Boards of Education.

National Association of State Directors of Special Education.
National Association of State Universities and Land Grant Colleges.
National Association of Student Financial Aid Officers.
National Audio-Visual Association.
National Committee for School Desegregation.
National Council of Educational Opportunity Associations.
National Council of La Raza.
National Education Association.
National Parent Teacher Association.
National Organization of Black University and College Students.
National School Boards Association.
New York City Board of Education.
New York State Department of Education.
Princeton University.
Project on Equal Educational Rights.
Rochester City School District.
Speech Communication Association.
State Higher Education Executive Officers.
United Negro College Fund.
United States Student Association.
University of Missouri.
Washington Superintendent of Public Instruction.

AMERICAN COUNCIL ON EDUCATION,
DIVISION OF GOVERNMENTAL RELATIONS,
Washington, D.C., April 27, 1983.

Hon. ERNEST F. HOLLINGS,
U.S. Senate, Washington, D.C.

DEAR SENATOR HOLLINGS: During debate on the Senate Budget Resolution next week, Senator Hollings intends to offer an amendment to permit some restoration of funding for federal education programs, including student aid.

On behalf of the American Council on Education, representing the nation's colleges and universities, I urge you to vote for Senator Hollings' amendment. It would raise the ceiling for higher education programs by some $700 million and permit an additional 500,000 student awards, assuming increases of $600 million for Pell Grants, $85 million for Supplemental Grants, and smaller increases for Direct Loans, State Student Incentive Grants, TRIO, and Developing Institutions.

Without such increases, the value of student aid would continue its serious erosion due to failure to keep pace with inflation in recent years. From fiscal year 1980 through fiscal year 1983, need-based federal aid has already declined 23 percent in constant dollars.

We urge your support of the Hollings amendment, and your opposition to any amendments which would cut education funding.

Sincerely,

CHARLES B. SAUNDERS, Jr.,
Vice President for Governmental Relations.

NATIONAL ASSOCIATION OF STATE UNIVERSITIES AND LAND-GRANT COLLEGES,
Washington, D.C., April 28, 1983.

DEAR SENATOR: I am writing in behalf of the 140 member institutions of the National Association of State Universities and Land-Grant Colleges (NASULGC) to ask for your vote in favor of an amendment to be offered by Sen. Hollings to the First Concurrent Budget Resolution for fiscal year 1984. The Hollings amendment would increase the budget ceiling in Function 500 by $700 million for Higher education programs and $600 million for elementary/secondary education programs.

For higher education, the Committee-reported resolution assumes a freeze at fiscal year 1983 levels. Need-based student aid programs, such as Pell Grants, Supplemental Grants, and National Direct Student Loans have already been cut by 23 percent in real terms between fiscal year 1980 and fiscal year 1983. Freezing them at this level for another year translates into another 5 percent real cut. The Hollings amendment would set fiscal year 1984 higher education funding about 15 percent above fiscal year 1980, thereby only partially restoring the purchasing power of student aid dollars that has been eroded over the last three years.

Restoration of student aid funding is of vital importance to low and moderate-income students who are finding it increasingly difficult to finance a college education. While student aid funding has declined, tuitions at state universities jumped by 32 percent between Fall 1980 and Fall 1982. Needy students at public institutions already faced an average unmet financial need of $443 for dependent students in the Fall of 1981.

Freshmen enrollments in both private and public four-year institutions declined this year, largely as a result of reductions in student aid. At NASULGC institutions, freshmen enrollment dropped by 1.7 percent, while at historically black land-grant institutions, the freshmen decline was 7.4 percent.

To confirm that federal support of worthwhile and needy students is both appropriate and widely accepted, the National Commission on Excellence in Education while stating the federal government's role in education includes "providing student financial assistance," said, "Very clearly, the public understands the primary importance of education as the foundation for a satisfying life, an enlightened and civil society, a strong economy, and a secure nation." A recent Gallup Poll placed funding for education above health care, welfare, and military defense.

In order to maintain the bipartisan commitment of the Congress that students should not be denied a college education due to financial need, I ask you once again to note that a vote in favor of the Hollings amendment to increase funding for education programs is an affirmative commitment to the future of this country.

Sincerely,

ROBERT L. CLODIUS,
President.

RESEARCH UNIVERSITIES NETWORK—RUN

To: Research Universities Network Members.
From: ACE, AAU, NASULGC Legislative Staffs.
Date: April 26, 1983.
Subject: Action Needed on Senate Budget Resolution.

Your help is needed to assure that the fiscal year 1984 Budget Resolution permits some restoration in funding of federal student aid programs.

During Senate debate on the Budget Resolution, which will begin within a few days, Senator Ernest Hollings (D-SC) will offer a floor amendment to increase the ceilings for elementary, secondary, and higher education above the fiscal year 1983 spending levels assumed in the Resolution reported by the Senate Budget Committee. A vote on the Hollings amendment may come as soon as Tuesday, May 3, or Wednesday, May 4.

It is important to call your Senators immediately to urge their support of the Hollings amendment. (Also urge their opposition to any amendments to cut education funding.)

The Hollings amendment would raise the ceiling for higher education programs by over $700 million. It would permit increases of $600 million for Pell Grants, $85 million for Supplemental Grants, $18 million for Direct Loans, $17 million for State Student Incentive Grants, and slight increases for the TRIO programs and Title III.

Unless the ceilings for these programs are raised, student aid funding for fiscal year 1984 could not exceed fiscal year 1983 levels—which in constant dollar terms already represent a cut of 23 percent since fiscal year 1980. The House-passed budget resolution would permit a $650 million increase in student aid programs.

ASSOCIATION OF CATHOLIC COLLEGES AND UNIVERSITIES,
Washington, D.C., April 28, 1983.

DEAR SENATOR: During debate on the Senate Budget resolution next week, you will be asked to vote on an amendment offered by Senator Hollings to permit restoration of some funding for federal education programs. Senator Hollings' amendment has bipartisan support, in recognition of the fact that the value of federal student aid has declined 23 percent in constant dollars since fiscal year 1980.

On behalf of the Association of Catholic Colleges and Universities, representing 218 institutions of higher education in the United States, I urge you to support the Hollings amendment and to oppose any attempts to cut education funding even further. Your support will permit funding for an additional 500,000 awards to students with demonstrated financial need, and will clearly demonstrate your belief that access to higher education is essential to our nation's future.

Thank you for your attention to this matter.

Sincerely,

ALICE GALLIN,
Executive Director.

ASSOCIATION OF JESUIT COLLEGES & UNIVERSITIES,
Washington, D.C., April 28, 1983.

Hon. SENATORS,
U.S. Senate, Washington, D.C.

DEAR SENATORS: Due to time constraints, we, unfortunately, were unable to address each of you individually and properly. We hope you understand this situation in view of the issue at stake.

As you are aware, the Senate is expected to vote on the fiscal year 1984 Budget Resolution next week, possibly on May 4. Senator Hollings will introduce an amendment to raise the funding levels for education, including about $750,000,000 for Title IV Student Aid programs.

We urge your support of this amendment. Simply to leave these aid programs funded at current levels would continue to reduce educational opportunities for needy students, particularly the ability to choose an appropriate institution and program.

Thank you for your consideration. On behalf of the Association of Jesuit Colleges and Universities, we urge your support.

Respectively,

Rev. WILLIAM MCINNES, S.J.,
President.

JOSEPH KANE,
Vice President.

Mr. HOLLINGS. I commend these organizations, not just for their support but their self-discipline. They realize we are in trouble. They are located all over this country and understand the need for fiscal restraint.

Necessarily, if I am having difficulty trying to hold the line on spending and I cut back programs because I cannot print money, but there is a resource in the land, namely, this Congress, that can print the money, then, in fairness to my particular interest, to my responsibilities, I must come to Washington asking for help in financing these particular programs.

Mr. President, our distinguished chairman of the Education Committee, Senator STAFFORD, went down a list I have here, a specific list, of each one of the particular assumptions in the resolution and the increase plus a description.

I ask unanimous consent that this information be printed in the RECORD at this particular point.

There being no objection, the information was ordered to be printed in the RECORD, as follows:

ELEMENTARY AND SECONDARY EDUCATION

Our amendment adds funding to the First Concurrent Budget Resolution for several important programs; Title I, Handicapped Education, Vocational/Adult Education, Chapter 2 Block Grants, Impact Aid, Bilingual Education, and the new Math and Science Program.

Title I aid to disadvantaged children.—Enacted in 1965 to provide financial assistance to school districts with concentrations of children from low-income families, its focus has been to provide compensatory educational programs that address the special needs of educationally deprived children—primarily for instructional services in reading, math and language arts. The Department of Education reports that only 3 percent of the total monies spent across the "country for elementary and secondary education are Title I monies." But, "they have accounted for almost one-third of per pupil expenditures in some of the Nation's poorest school districts." Recent studies by the department and the National Assessment of Education Progress give the program glowing marks for upgrading math and reading achievement scores. The shortcoming of the program is, while it serves over 5 million students, it is available to less than half of the students who are eligible for its valuable service. And, adjusting for inflation, the estimated constant dollar funding level for Title I has fallen by 21 percent between FY 1980 and FY 1983. Our amendment would allow a funding level in FY 1984 of $3.830 billion as compared to the Budget Resolution level of $3.268 billion—an additional $562 million. This increase will allow States and localities the flexibility of either increasing the level of expenditure per child served, thereby improving the educational services now available to the educationally disadvantaged, or increasing the number of educationally disadvantaged children who participate in the program, or some combination of both. Our recommendation would increase Federal support to local school districts faced with the problems of providing basic skills development and mathematics proficiency to those children who begin school with fundamental educational disadvantages. It is estimated that our amendment will allow an additional 1 million eligible students to participate in title 1.

Handicapped education.—The Education of the Handicapped Act was established for the purpose of awarding grants to States to assist them in providing a "free and appropriate education" to all handicapped children. This program represents the basic vehicle through which the federal government maintains a partnership with the states and localities to end the educational neglect of handicapped children. Over 4 million handicapped children and youth ages 3 to 21 are receiving special education and related services now. Although Federal appropriations for this program have increased steadily since 1975, the Federal share of the excess costs peaked at 12.5 percent in 1979 and currently represents 8 percent, well below the authorized level of 40 percent. State and local districts simply cannot afford the extra financial burden of carrying out the Congressional mandate of providing free public education in as normal a setting as possible for every handicapped child. We must live up to our obligation and provide the funding necessary to assist the states in this important endeavor. Our amendment would provide an additional $40 million for handicapped education over the level provided in the Budget Resolution. An increase in funding for the Education of the Handicapped program would result in an increase in the overall Federal contribution for the excess costs of educating a handicapped child.

Vocational and adult education.—Vocational education programs provide education, training and basic instruction needed by persons to successfully compete and advance in the labor market. Vocational education is currently able to work closely with business, labor, and government to meet the training needs of the workplace. Enrollments in vocational education have increased by more than 85 percent in the last 10 years, with current enrollment totaling 16.5 million secondary, post-secondary, and adult students. Although federal funding of vocational education has increased in absolute dollars, the Federal share of total spending has declined from 19 percent to approximately 10 percent during the same period. With unprecedented long-term unemployment and the need of specialized skills in the emerging high-tech industries we cannot afford to weaken this network.

Adult Education programs provide educational opportunities to adults 16 years of age and over to complete their secondary education and services or instruction for adults whose inability to speak, read or write the English language constitutes a substantial impairment to their ability to get or retain employment. More than 2.1 million adults enroll annually in these programs. However, the potential target population of adults who have not finished high school or its equivalency is in excess of 53 million and the number of adults who lack the basic skills to cope with the every day demands of this technological society is more than 20 million. Here, too, is a program whose positive results more than compensate their cost to the federal government. Thousands of adults benefiting from adult education programs are removed from public assistance, employed or promoted, and become contributors to society.

The world of work is changing rapidly and it is absolutely critical that people be prepared with skills that will enable them to compete and succeed in the job market. The President has proposed consolidating Vocational Education and Adult Education into a block grant and funding the two at $500 million. My amendment does not assume this consolidation and provides a funding level of $948 million for the two programs. By providing $948 million for vocational/adult education in FY 1984, programs for special populations such as the handicapped, disadvantaged and limited-English proficient, who traditionally have high unemployment rates, would be expanded and improved. In addition, States and localities would receive the necessary financing to maintain successful programs and to initiate new programs to meet the challenge of developing a competent and modernized work force for today's rapidly changing economy.

Chapter 2 State block grants.—Chapter 2 Block Grants provide funding to state and local education agencies for a wide variety of educational improvement purposes from special programs for the gifted to career education and teacher education. Enacted in 1981, this program replaced 28 categorical programs previously funded at $760 million. The total number of beneficiaries is about 45 million but the low level of funding for the program, $479.5 million in FY 1983, means that projects provide very modest assistance to a large number of children or measurable assistance to a particular group. In addition, enactment of this consolidation under the severely reduced funding level has meant competition among diverse previously funded programs for shrinking funds. For example, local education agencies now find themselves choosing between funds for library materials or desegregation assistance. Our recommendation of $528 million would reverse the funding decline these activities have experienced since FY 1980. It would provide States and localities with additional financial flexibility to adjust elementary and secondary education programs to the changing educational needs of our society, and to develop and expand programs ensuring that students have the basic minimal skills needed to be educated citizens in our society. Funds may also be used to purchase and utilize modern instructional equipment, including microcomputers, or to encourage and enhance the process of school desegregation. This amount would also provide more funds to the Secretary of Education to invest in education programs of national priority—programs which would identify areas in education where deficiencies exist and where national leadership could avert future crises in our educational system.

IMPACT AID

The impact aid program provides funds for current operating expenses and construction assistance to compensate school districts for the costs of educating children when school enrollments and local revenues have been adversely affected by Federal activities. Payments for the cost of educating children who reside and/or whose parents work on Federal property, or are in the uniformed services, as well as children who reside on Indian lands or in federally subsidized low-rent housing, constitute the majority of this program. The number of children served under this program has been reduced from nearly 2.4 million in FY 1980 to 2 million in FY 1983, and the number of districts receiving assistance have decreased

from 4,300 to 2,000 between FY 1980 and FY 1983. Our amendment would provide funding for 3,320 school districts.

Since recipient school districts use the impact aid assistance for general operating costs rather than serving only federally-affected children, decreases in the impact aid program could only be offset by increasing or redirecting local revenues or reducing staff and educational services. Our recommendation of $535 million for FY 1984 would help minimize the fiscal inequities and deficiencies resulting from and caused by both the presence of a tax-exempt Federal lands and the burden of providing public education to children who reside on Federal property or whose parents work on Federal property, and partially reverse a steady decline of payments to recipient school districts since FY 1981.

Bilingual education.—The federal bilingual education program was developed to assist local education agencies in meeting the special educational needs of children with the limited ability to speak, read, write, or understand English. In school year 1980–1981, approximately 322,000 limited or non-English proficient children participated in nearly 600 federally-financed bilingual projects. In contrast, in the current school year, (1982-1983), approximately 188,300 children, less than half as many, are being served in about 355 projects. Thus, proportionately fewer projects and consequently fewer students are participating in the bilingual education programs due to funding reductions. The Department of Education estimates that there are some 3.6 million non-English speaking school children in the United States—obviously this figure represents a substantial number of children not receiving these services and the number of affected children is expected to continue to rise. Our amendment would provide $148 million for bilingual education, an increase of $10 million over the Budget Resolution and would achieve, in addition to serving nearly 13,000 more students, several important goals:

1. increasing the number of limited- and non-English proficient children who could benefit from bilingual education programs;

2. providing States and localities with the necessary assistance to build their capacity to deliver quality bilingual education in order to accommodate the increasing portion of language-minority children in the total school-age population. (The Department of Education estimates that by the year 2000, language minority children will increase by 40 percent while the overall school-aged population will increase by 16 percent); and

3. providing needed financial resources to those localities with highest concentrations of limited-English proficient children, which are often those areas relatively unable to afford bilingual education programs.

HIGHER EDUCATION

Our amendment provides a restoration in funding for several important higher education programs: Pell Grant, College Work Study, Supplemental Educational Opportunity Grants (SEOG), State Student Incentive Grants (SSIG), National Direct Student Loans (NDSL), Trio Programs, and Strengthening Developing Institutions (Title III). By raising the ceiling for higher education as we provide in our amendment, it would permit an additional 500,000 student awards.

Pell grants.—The buying power of the Pell Grant for needy students has declined drastically over the last three years. In fiscal year 1980, the $1750 maximum award represented 40 percent of the average cost of attendance at all institutions—although only 25 percent of the cost of students attending independent institutions. By fiscal year 1983 the maximum award grew to $1800 and unless that level is increased for fiscal year 1984 it will meet only 27 percent of the average cost of attendance—and only 16 percent of the average cost for students at independent institutions. Students from needy backgrounds will find it increasingly difficult to attend college.

The $3.0 billion included in our amendment would allow for a fully-funded Pell Grant program with a maximum award of $2100 paying 60 percent of education costs. This $2100 maximum award, while less than the $2500 authorized for fiscal year 1984 by the Education Amendments of 1980, would provide for approximately 2.7 million recipients, 600,000 more students than the Administration's budget request, restoring the number served in fiscal year 1980. Additionally, our amendment will serve over 300,000 more than provided for in the Budget Resolution.

College work study.—The purpose of the college work-study program is to provide part-time employment opportunities for students with financial need. The college work-study program, a federal-institution cost sharing partnership, is popular both with students and the higher education institutions they attend. Not only does the program help students meet their college expenses, but participants also receive training and experience in their selected course of study through their part-time jobs. Still other students are employed under the program to support various campus services and activities that the institutions might not otherwise be able to provide. Our amendment will provide $640 million for College Work Study—a $100 million increase over the level provided in the Budget Resolution. This level will provide 160,000 additional self-help job opportunities—or a total of over 1 million. And it will do much to enable needy students to continue their higher education.

Supplemental educational opportunity grants.—The SEOG Program is targeted on undergraduate students with substantial financial need and is especially critical for students attending higher-priced public and independent institutions and single parents who are resuming their higher education or seeking retraining. Approximately 70 percent of the SEOG funds are awarded to students with family incomes of less than $15,000 per year. This program's effectiveness also has been substantially eroded in the past three years, even though data from the Department of Education's latest Annual Evaluation Report notes that the SEOG Program continues to target its funds on lower income students to a greater degree than most aid programs.

The $440 million contained in our amendment would provide a supplemental grant to approximately 765,000 needy students in FY 1984, thus reversing the current trend that has seen approximately 25,000 students dropped from the program since 1980.

State student incentive grants.—This program is a Federal-State cost sharing partnership, encouraging States to develop or expand grant assistance to students with "substantial financial need" and contribute toward the goal of equality of educational opportunity. The Administration would eliminate this program while our amendment would provide $77 million—$17 million more than provided in the Budget Resolution and the same level allowed in the Reconciliation Act.

A decrease in funding would force most States to reduce total student aid and some States would eliminate student aid entirely for lack of adequate State funding. And still other States would have to reduce the size of grants or tighten student eligibility. SSIG is a need-based program with substantial participation of low-income students, and, reduction would be felt hardest by this segment of the population. Our amendment would take the other road by providing 60,000 more student awards next year than were made this year, the same number of awards as were made in 1981–82.

National direct student loans.—This program was created to stimulate and assist in the establishment and maintenance of revolving funds at institutions of higher education for the purpose of making low-interest loans to needy students. By providing long-term, low interest loans to financially needy students, this federal-institutional matching program has offered a system of credit to those persons who have difficulty securing loans from commercial lenders. Revolving funds have developed at colleges through prior and current year loan repayments. The federal capital contribution permits institutions that have not yet achieved revolving fund status to make new awards. Last year's federal capital contribution of $179 million provides for 255,000 new awards. Our recommendation of $202 million, the CBO current services estimate, will continue to meet the needs of low-income students by allowing an estimated 255,000 new awards to be made next year.

TRIO.—The TRIO programs; such as Upward Bound, provide important outreach, counseling and tutoring services to encourage attendance and retention and to improve academic performance of low income disadvantaged students whose parents did not have the opportunity to attend college. The proposed increase of $15.3 million (to $170 million) is within limits of the Ominibus Reconciliation Act of 1981 and would enable the program to reach 57,000 more disadvantaged students who need special assistance to complete their education.

Between FY 80 and FY 83, TRIO lost 29 percent of its funding in real dollars. In 1980 dollars, the FY 83 TRIO appropriation is equivalent to $109.8 million.

Title III.—The Strengthening Developing Institutions program provides grants to approximately 455 postsecondary institutions with high percentages of students receiving federal need-based aid and low average educational and general expenditures. The grants may be used to improve academic quality, institutional management and fiscal stability of these institutions to enable them to become more viable. The proposed increase of $5 million in our amendment would match the Administration's funding request and would increase the value of each grant award.

New math and science program.—Legislation creating a program to meet critical needs in providing math and science instruction—the Education for Economic Security Act—is before committee. It would authorize $400 million for each of the fiscal years 1984 and 1985. Our amendment assumes enactment of such a measure and provides $400 million in funding for FY 1984.

The President has called for such a program. Leading educators point out the need for such a program. Because of the growing

shortage of math and science teachers, the declining achievement levels of students and the need for improved computer literacy in the work place. America's economic and technological position in the world marketplace is imperiled. The most critical problem to overcome is the shortage of qualified math and science teachers. Currently 22 percent of the teaching posts in mathematics nationwide are unfilled and five times as many math and science teachers leave the teaching profession for other jobs as leave due to retirement. The legislation under consideration is designed to strengthen programs to retrain current teachers and new ones. Our amendment will provide for the necessary funding to get this important first step program underway. A solution to the math and science teacher shortage will take a longer-term effort, but it is important that we begin this effort in a significant way and a timely manner. Our amendment achieves that goal.

Mr. HOLLINGS. There is no guarantee that these particular amounts, our assumptions, will find that result in treatment by the Appropriations Committee. We all know we are not a line itemized committee. That is up to the Appropriations Committee.

This is what the education organizations are saying in their negotiations. They have done a lot of hard work over the past 5 weeks, meeting here in Washington saying, "give a little bit more here. I want more but I will give up more on the others." I have never seen a better disciplined and better organized effort in trying to put forth a realistic figure, trying, of course, to gain the most support.

Individual Senators interested in particular programs like myself, title I for the disadvantaged, know what good it will do. We know of the National Assessment of Education and Progress and the Department of Education saying that this will increase the math achievement level of the disadvantaged students it serves. Title I is tremendously successful. The problem is less than 50 percent of those eligible receive its services.

That $500 million we assume for title I, I say to Senator GORTON, I know what it will do. I have seen that 93 percent dropout rate turn, if you please, to an 87 percent completion rate in my State of South Carolina. That is billions and billions of dollars in advancement. It is an investment worth every dime we have spent.

If the distinguished Senator from Iowa was here I would tell my Marshalltown story. They have a magnificent school and schools, plural.

In Iowa, I have traveled there, I have talked to the Education Association. And I can feel immediately the feeling of the distinguished Senator from New Jersey as he looks upon his city that he mentioned, and as the Senator from Mississippi looks upon his schools.

We do not see that situation. Bless them. They have hardship in Marshalltown. I have talked to the labor groups in that town. I do not mean to say everybody is employed, but when it comes to the schools I have never seen any better than at Marshalltown. There are wonderful art courses and courses of every description. And the disadvantaged? I am sure they must have some but not in the depth and amount of Newark, N.J., or down in Mississippi, or down in South Carolina.

This is the kind of problem that we feel very keenly. Do not come up here and give me a means test for education when you have not gotten an MX missile and you are ready to put $40 billion into that and it has not worked yet, and I hope it never does. Give me money for proven programs such as title I. It is a winner.

The fact of the matter is, Mr. President, I would like to refer to the direct result of our amendment. It will be a reversal to the enrollment declines in higher education for the first time. It will amount to a reversal in the trend; quality education is becoming available only to the wealthy; a reversal, with high unemployment rates among our youth, particularly minority youth who look in vain for jobs because they cannot afford higher education or do not possess the skills for jobs.

When we correlate private and public, elementary, secondary, and higher, Republican and Democrat, North, South, East, and West, in an educational effort to respond to that crisis in America—or "a nation at risk," as it is entitled, when you realize we have a nation at risk, then, Mr. President, you see the reality and a response—and a very minimal response at that.

In reality, were it not for the $200 million that is forward funded of the impact aid that is not to be spent for 2 years, and without the $230 million included now for math and science, the budget resolution would be below current policy, not an increase.

Finally, in appealing on a bipartisan basis, look at what really impacts upon this particular Senator, because we know that the Secretary of Education was sworn in to abolish his department. He appointed a distinguished group. That distinguished group, and I am reading now from page 32 of the recommendations, talks not of abolishing the Federal role in education. I am reading from the Secretary's own results and report:

> The Federal Government, in cooperation with States and localities, should help meet the needs of key groups of students such as the gifted and talented, the socioeconomically disadvantaged, minority and language minority students, and the handicapped. In combination these groups include both national resources and the Nation's youth who are most at risk.
>
> In addition, we believe the Federal Government's role includes several functions of national consequence that States and localities alone are unlikely to be able to meet: protecting constitutional and civil rights for students and school personnel; collecting data, statistics, and information about education generally; supporting curriculum improvement and research on teaching, learning, and the management of schools; supporting teacher training in areas of critical shortage or key national needs; and providing student financial assistance and research and graduate training. We believe the assistance of the Federal Government should be provided with a minimum of administrative burden and intrusiveness.
>
> The Federal Government has the primary responsibility to identify the national interest in education. It should also help fund and support efforts to protect and promote that interest.

There is a complete 180-degree turnaround from the expert commission of the Secretary of Education and his Department, sworn to abolish the Federal role in education.

Mr. President, I hail this particular measure. Now is not the time for partisanship. Now is the time to join ranks and quit pick, pick, picking about you cannot prove what good is done, because I can.

Then, why did you not ask for more? Because you cannot satisfy the appetite of the NEA?

They may have an appetite, but they are not as greedy and hoggish as the Department of Defense. The NEA is a fine organization and is dedicated to improvings the Nation's educational program as any group I know. They have done a remarkable job, as have the many others I have listed.

The PRESIDING OFFICER. The time yielded to the Senator from South Carolina by the Senator from Florida has expired.

Mr. HOLLINGS. I think that is a good stopping point. I think I have made my point. I yield back to the Senator from Florida.

Mr. BYRD. Mr. President, I strongly support this amendment to add $1.5 billion to the level of funding for education reported by the Budget Committee. I commend the Senator from South Carolina (Mr. HOLLINGS), and his cosponsors for their efforts in developing this carefully crafted and fiscally responsible amendment.

I would also like to be a cosponsor of it, and I shall ask unanimous consent at the close of my statement that I may be added as a cosponsor.

During the last 2½ years, I have often taken the floor to express my concern about the drastic cuts in educational programs proposed by the current administration. These cuts in funding, combined with substantive policy changes over the last few years, have done severe damage to the American education system. This damage has been done in the face of mounting evidence that our Nation is falling behind in its efforts to educate its citizens. We have cut funds and programs despite growing functional illiteracy among children and adults; despite a

serious decline in standardized test results; despite the need for greatly strengthened mathematics and science programs; despite reports from employers that workers are not adequately equipped or trained in today's sophisticated technologies.

Last week, the National Commission on Educational Excellence issued its report reiterating these problems, and affirming the urgency of a renewed national commitment to the education of our people. That report eloquently reminds us of the interrelationships between the education we give our children, the continued learning of our adults, our position in the world economy, our national defense, and the social and economic well-being of our citizens.

The Hollings amendment is a first step in redressing the damage done to vital education programs during the last 2½ years. The amendment looks carefully at those programs which have been cut in the past several years, and restores a total of $1.5 billion in funding. These programs address our commitment to the education of all our people, poor as well as rich, adult as well as child; and they acknowledge the critical need for accelerated efforts in the math and science fields.

This amendment is a fiscally responsible investment, as Mr. ANDREWS said a few minutes ago, in the future of our Nation, and especially in our future position in the world economy. I urge my colleagues to support the Hollings amendment.

Mr. President, I ask unanimous consent that my name be added as a cosponsor of the Hollings amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

● Mr. BINGAMAN. Mr. President, I support the Hollings-Stafford amendment to the budget resolution. This amendment, which I am cosponsoring, would add $1.5 billion for education.

Last week the President's Commission on Excellence in Education issued an important report. Titled "A Nation at Risk," it puts the issue in perspective.

While I would not agree with every point in the Commission's report, its message is timely and significant.

Education is an investment, not a luxury.

It is an investment in our children, our economy, our security, and our future.

This investment must not be neglected in a world of foreign competition and fast-paced change.

In the fifties, the United States produced over 50 percent of the world's gross national product. Today our share has dropped to slightly over 20 percent.

Foreign competition is rising. One in seven American jobs depends on our ability to sell abroad.

Meanwhile, over 11 million Americans are jobless. Many of them have lost their jobs to foreign competition. Many American consumers have chosen to buy products made abroad, instead of similar products made in America. We have to change that.

To quote from the Commission's report:

> Our once unchallenged preeminence in commerce, industry, science, and technological innovation is being overtaken by competitors throughout the world.

We have to meet that competition. To compete, we need an educational system that is second to none.

Not long ago, the Japanese Ministry of International Trade and Industry released a document describing their plans for the 1980's.

I would like to quote a passage:

> It is extremely important for Japan to make the most of her brain resources, to develop creative technologies of her own, to maintain and develop her industries' international superiority.

I would note that the inevitable effect of such superiority, should it be attained, would be a greater number of unemployed Americans.

The Japanese economic system is different from ours. There are political and cultural differences as well. I would not emulate the regidity of the Japanese educational system. However, to their credit, the Japanese have placed a tremendous emphasis on the development of human talent through education and training.

The kids they educate today will be competing against our kids tomorrow.

This week our special trade representative, Ambassador William Brock, compared the Japanese and American educational system. Here is some of what he said:

> Surveys have shown that 13 percent of all 15-year-old high school students in America could not perform reading tasks designated as "functional", 28 percent could not answer questions testing "literal comprehension" of what they read, and 10 percent could not write prose deemed marginally acceptable.
>
> One half of all U.S. high school students do not study math or science beyond the 10th grade. Only 1 in 10 American students is studying physics—1 in 12 is studying calculus; 53 percent could not write a letter, and could not solve simple problems involving applied math.
>
> This survey did not include the 26 percent that had dropped out of high school.
>
> Compare that with Japan. There, 95 percent of Japanese teenagers graduate from high school as opposed to 74 percent in the United States. Japanese students are in session 5½ days a week with more weeks to the school year than U.S. schools.
>
> The result is that the graduate of a Japanese high school accrues approximately 4 more full years of total primary and secondary education than the U.S. high school graduate.

Mr. President, the words of Ambassador Brock should command our attention. I repeat, we do not want the rigidity and pressure of Japanese education. However, we have to do better than we have been doing. We have to strengthen our educational system.

I would add that education is important to our national security. I am privileged to sit on the Senate Armed Services Committee. I am constantly reminded that national security is more than bullets and bombs.

National security is enhanced by an economy that is neither dependent on foreign manufacturers nor fearful of foreign competition.

National security is enhanced by a growing economy that can finance a strong, sustained, economically feasible, and politically acceptable defense program.

National security is enhanced by educating the people to create and operate the modern weapons for the modern military.

For several reasons, then, I believe it was a mistake to reduce funding for education.

In 1980, the budget for the Department of Education was $15.6 billion. To maintain the 1980 level of programs, including the cost of inflation, we would need to spend about $22 billion in fiscal year 1984.

Yet the administration is requesting well under $14 billion. I think this is a serious mistake.

In 1980, we spent over $190 million on bilingual education, which is particularly important to my home State of New Mexico. The administration is requesting under half that amount for fiscal year 1984. I think this, as well, is a serious mistake.

In fact, the administration has worked to reduce education funding for a host of programs. If this continues, I fear we will pay the price for a long time to come.

I hope my colleagues will support the Hollings-Stafford amendment.

By adding $1.5 billion for education, the amendment will send a message of support to teachers, students, and parents alike. It is fiscally sound. Even if it passes, the full impact of the budget cuts will not have been reversed. It is bipartisan, with support from both sides of the aisle.

The amendment would add $500 billion, above the Budget Committee proposal, for elementary and secondary education.

I would add $200 million, to allow a new math and science education program totaling $400 million for fiscal year 1984. I believe that this is especially important, to my home State and the Nation, at a time of technological advance and foreign competition. Today the Japanese produce over twice as many engineers as we do, as a percentage of the population. We must change this.

The amendment would add $800 million for support of higher education.

Ph. D's in the sciences are down from the peak level of the 1970's. In

physics, astronomy, chemistry, computer sciences, and other fields they are down between 25 and 40 percent.

We must produce more doctorates and employ the highest standards. They would improve the research capability of private industry. They would strengthen our defense industry and our military's ability to develop effective, technologically advanced weaponry. They would provide the teachers that are needed in classrooms across the Nation.

The amendment would budget $148 million for bilingual education. This is about $53 million above the administration request, and is urgently needed in New Mexico and elsewhere.

In conclusion, Mr. President, I think this amendment is particularly important. Money alone is not the answer. The amendment is a small part of the answer to a most difficult problem. It is, however, a statement of commitment to improving the quality of education.

All Americans must be part of the solution. Parents, teachers and students will have to work hard and work together. We should support them.

Despite our problems, there is reason for optimism. We live in the strongest Nation on Earth, and the most productive. Time and again we have faced our difficulties and overcome them.

Since 1979, there were 42 Nobel Prizes awarded and 22 went to Americans. Only one went to a citizen of Japan. None were awarded to Soviets.

We can build on our strengths, developing genius in the laboratories, skills in the workplace, and excellence in the classroom.

I hope my colleagues will see fit to support this amendment, which I believe is a modest but significant step in the right direction.●

Mr. KENNEDY. Mr. President, I think it is quite appropriate for us to be discussing Federal funding for education only a few days after the National Commission on Excellence in Education issued its final report. The Commission throughout its report emphasized the important role that the Federal Government must play to insure that our Nation possesses a quality educational system.

According to the Commission:

> It is essential—especially in a period of long-term decline in educational achievement—for government at all levels to affirm its responsibility for nurturing the Nation's intellectual capital.

More specifically, the Commission concluded:

> The Federal Government has the primary responsibility to identify the national interest in education, to help fund and support efforts to protect and promote that interest and to provide the national leadership.

But during the Reagan administration, we have seen the Federal Government retreat from its historic efforts to improve public education. President Reagan has established two goals in his education policy: To aid private schools at the expense of public schools and to cede any Federal leadership and support role in education to the States and localities. While many of these proposals have been repudiated repeatedly by this Congress, his efforts have shrunk the Federal efforts in education.

In terms of real dollars, the title I program, which helps the neediest students and has a demonstrated record of success, has suffered a 30-percent cut since fiscal year 1980.

In terms of real dollars, the bilingual education program, which gives limited English proficient students a chance at a quality education, has suffered a 49-percent cut since fiscal year 1980.

Since fiscal year 1979, student assistance has declined by 32 percent in constant Federal dollars, while the cost of tuition for an undergraduate student has risen by an average of 30 percent.

The Hollings-Stafford amendment would reverse that trend. The programs which are being targeted for an increase in funds have a record of success. They have demonstrated that Federal efforts can make a difference for the student and our country.

That very conclusion was drawn in a Department of Education study released in January of this year, performed by SRI International. Looking specifically at the impact of title I, Public Law 94-142, bilingual education, vocational education, and the three civil rights laws, the study concluded:

> Federal policies for special populations have substantially improved and expanded the array of educational services for the intended target students and that Federal actions have made a substantial difference in local educational practice and have achieved their intended purposes.

What is at risk in this Nation's promise to its citizens—that all, regardless of race or class or economic status, are entitled to a fair chance and to the tools for developing their individual powers of mind and spirit to the utmost.

This amendment will bring us closer to fulfilling that promise. That is why I urge my colleagues to support the amendment.

Mr. BURDICK. Mr. President, I am pleased to join as a cosponsor of the Hollings-Stafford amendment to the first budget resolution, adding $1.5 billion to the amount we will spend on education in this country next year.

Education, I am sure everyone will agree, is one of the key building blocks that make up the foundation of this great country. It is part of our vital economic infrastructure, just as important as our Interstate Highway System. And like our highway system in recent years, it has come under attack because of its state of disrepair. The current debate over math and science education, the comparisons of our educational system with those of other industrialized countries, both friend and foe, and the recent report by the National Commission on Excellence in Education, all point to the need to reexamine our priorities in the area of education.

This amendment is a substantial move to correct the neglect that we have shown toward education in the past decade. Without strengthening education, we will not be able to strengthen our country, economically, technologically, nor militarily. This is the beginning of an attempt to correct the harm which has been done, although we have lost much which cannot be recovered.

This money will be distributed to existing programs, programs which have been proven effective, but which have suffered greatly in the past few years under the budget ax. It will benefit a wide range of educational programs, at all levels from primary schools to institutions of higher learning. The original goal of this amendment was to restore these programs to the fiscal year 1980 level of funding, adjusted for inflation. But given the restrictiveness of the budget and the massive cuts which have occurred in the past 2 years, this was an impossible task. Instead, only half that amount was included in the amendment.

I think that we all should take note of what has been said by the Commission in their report and act now to restore the needed funding to education in this country so that our schools will be ready to "prepare our children for far more effective lives in a far stronger America."

I urge all my colleagues to vote for the Hollings-Stafford amendment. I, too, am concerned about the tightness of the Federal budget and the enormous levels of the deficit, but if we are to have a strong America, we must have strong education for our future leaders.

Mr. MATSUNAGA. Mr. President, as a cosponsor of the Hollings-Stafford amendment to add $1.5 billion to the budget resolution for education funding, I rise to urge my colleagues to adopt the Hollings-Stafford amendment, which is vital to our national educational system.

Mr. President, we are all aware of the findings of the National Commission on Excellence in Education, a Commission appointed by Education Secretary Terrel Bell. This report warns us that American education was deteriorated so drastically in the past two decades that "our very future as a nation and a people" is threatened. It points to a rising tide of mediocrity which has swept over our national educational system and reveals some

startling statistics, such as the fact that about 13 percent of all 17-year-olds can be considered functionally illiterate and that 23 million American adults are also functionally illiterate, according to the simplest tests of everyday reading, writing, and comprehension.

I, for one, have always believed that the education of our Nation's citizens must be one of our highest national legislative priorities. This report only serves to emphasize the fact that we cannot shirk our responsibility in this area. We must provide adequate national leadership to insure that our youth are given the chance they need and deserve to become productive and contributing members of this society. If we fail to assume this leadership, in the words of the Commission's report, our Nation is indeed at risk.

Our amendment assumes that funding will be allocated to such programs as education aid for the disadvantaged, handicapped education, vocational and adult education, impact aid, bilingual education, higher education, and a new math and science program.

These programs are vital to our system and are in dire need of adequate funding. For example, it is estimated that only half of the 11 million students eligible for the title I program for the disadvantaged are being served. In the case of handicapped education, only 9 percent of school district costs are provided from Federal funds. With regard to impact aid assistance, which is critical to my State of Hawaii, local school districts have been forced to bear a heavy share of the burden in educating federally connected students.

In the area of math and science education, I would like to point out that widespread national concern has recently focused on the serious deterioration in teaching and learning in mathematics and science. Indeed, many of our Nation's secondary schools are woefully ill-equipped to provide even fundamental math and science teaching. This situation clearly threatens not only our country's economic stability, but our national security as well. Here again, we must assume our responsibility to insure that this national need is being met—and met in a meaningful way with enough funding to guarantee an effective program.

Mr. President, over the past few years, many of these programs have absorbed drastic budget cutbacks. It is time to reverse this trend and restore to America a top quality educational system. I, therefore, urge my colleagues to support the Hollings-Stafford amendment which will start us on the way toward meeting this goal. The Hollings-Stafford amendment merits our support, for it represents a responsible investment in our youth and our country's future.

Mr. RANDOLPH. Mr. President, as a cosponsor of the Hollings-Stafford amendment to increase funding in function 500 in the budget resolution for education, I strongly express the hope that my Senate colleagues will vote overwhelmingly in favor of its adoption.

In its recent report, the National Commission on Educational Excellence stated, without equivocation, that our Nation is at risk because of the condition of our public education system.

The Commission report went on to say:

> It is . . . the America of all of us that is at risk; it is to each of us that this imperative is addressed.

To each of us, the 100 Members of the U.S. Senate representing that America of all of us, is remanded the duty and the responsibility to help bring the Nation back from the brink of chaos and back from mediocrity to a state of excellence.

The most chilling words I would have ever expected to read in a report on the condition of education in this country were the words:

> If an unfriendly foreign power had attempted to impose on America the mediocre educational performance that exists today, we might well have viewed it as an act of war. We have, in effect, been committing an act of unthinking, unilateral educational disarmament.

I know that all of my colleagues speaking both for and against this budget amendment today have used their favorite quote from the Commission's report, and if they are opposed to this amendment, they have quoted the Commission's report as though it supports their opposition to more Federal funding for education. Those who, like myself, use it to justify additional Federal spending—a Federal role—in education for the children of America, are just as sincere in their views.

It does not take sincerity, or genuine belief, in one's own philosophical views about fiscal responsibility, to at least admit what all of us know—have known in our hearts for some time—and that is that our educational system is not producing educated individuals, not with the functional illiteracy rate on the rise in this country, when high school graduates cannot even read a first-grade primer, nor a menu in a restaurant, nor a bus schedule that might, if they could decipher it, take them to a job on the other side of town, or at least to a job interview. The President has, on several occasions, whipped out his copy of the Post's want ads, stating with firm conviction that there are jobs out there if the unemployed would only apply.

How many of the unemployed—particularly the unemployed young people in this country—are unable to read the very complicated listings on the Post's want ad pages?—much less apply for those jobs which probably would involve filling out forms—application forms, health insurance forms—very complicated indeed.

Those who oppose these dollars for education—elementary, secondary, student aid, handicapped—do so stating that they are concerned about deficits. They will say that we should take care of the deficits first—reduce Federal spending—and in later years, we can as the economy begins to recover, increase funds for education and other domestic programs.

But I say to my colleagues that we do not have the luxury of waiting.

In my own State, it took a judge's decision on a case that lingered in West Virginia courts for 10 years, to finally make educators and parents alike realize that our State's children were not being educated properly—were not, in fact, being guaranteed their constitutional rights to a thorough and effective education. As a result of that court decision, a master plan was designed by a committee of 99 educators, parents, business executives, and tax experts—and it addressed the need for better education curricula, text books, instructional materials, teacher competency, higher expectations of high school students in course work requirements—more government, civics, languages, art, and music. It mandated parental advisory committees statewide and school district wide and at local school site levels.

The Committee of 99 did many things in accordance with the specific dictates of the court order—including their view that it would take 17 years to phase in each and every improvement specified. The judge who issued that order sent it back to the committee and told them that they did not have the luxury of waiting 17 years, and so they are now revising the plan to phase in changes and improvements at an accelerated rate. The people of West Virginia, with the highest unemployment rate in the Nation, with coal mines and steel mills that may never reopen, even when the economy comes back strongly, those people are going to have to approve the expenditure of funds, of increased revenues, to finance an adequate education for our State's children at a time when they are hardly in a position to raise taxes for any purpose.

And so I say that despite the deficits—despite our deep desire to be fiscally responsible and cut Federal spending—we cannot allow ourselves to condemn our children—our national resource—our greatest asset, our future leaders, and every other rhetorical, flowery phrase you have ever heard uttered about what our children mean to us, to continued mediocrity and worse, several generations of illi-

terates, unable to function in the post-industrial age.

If we have a health problem, we go to a doctor. First, we have to know our worst symptoms and be able to describe them to the doctor. How else can he diagnose the illness or disease? The Commission on Excellence in Education has sought out and learned the symptoms of the disease affecting our educational system, they have diagnosed the problem. The next step, after diagnoses, for our doctor is to suggest treatment. Will we treat it with snake oil remedies and ignore the doctor? Or will we listen to him and take the prescribed treatment, even if it means surgery? Most of us will take the doctor's advice—because the seriousness of the disease may not allow us the luxury of waiting—even if the treatment or the surgery is expensive. To wait may mean sure death.

If we do not address the needs of our young people in the schools and colleges across this Nation now—today—we may be sounding the death knell, not only for the institutions, but for the minds of those who depend on those institutions for sustenance, nourishment of the mind, the development of skills, talents, gifts of individuals who will, all rhetoric aside, become tomorrow's leaders.

Recent surveys in West Virginia show that over the last 9 years, students assisted under higher education student aid programs increased 282 percent, and the funds awarded from these programs to those students rose by 743 percent. That is not just a significant gain or increase, its a phenomenal increase.

What it does prove is that; It clearly indicates that large number of West Virginia college and university students rely heavily on financial aid for assistance in reaching their educational goals. And, since the majority of assistance awarded is need-based, it is clear that without this financial aid, thousands of able but needy students would be denied access to higher education.

In 1981-82, $15.3 million was awarded in Federal grant aid. The Pell grant program made 15,302 awards and accounted for 82.9 percent of the Federal outlay for grants and scholarships in West Virginia colleges and universities. The average Pell grant was $982 for recipients in private colleges and universities, and $795 for public institutions. Students at public institutions—76.7 percent of those awarded—received 72.8 percent of the total funds from Federal programs.

Federal loan and employment programs provided for 28,881 awards totaling $41,068,879 in 1981-82. Only 12.3 percent of this amount was for employment assistance—college work-study—with the balance being supplied by loan programs, money to be repaid by students when they complete their studies. The guaranteed student loan program was the largest of the Federal self-help programs with 76.8 percent of the total awarded in 1981-82.

Yet West Virginia had another self-help student aid program at work in our colleges and universities, where institutional aid amounted to $6.7 million in 1981-82, going to aid 8,929 students, 80 percent of whom were students who have high academic ratings or have special extracurricular talents leading to specialized degrees.

Mr. President, the increase in Federal funding for student assistance in my State, over the past 9 years, of more than 200 percent, did not show the number of students being aided, also increased by 200 percent. The number of individual awards increased by only 81 percent—reflecting the upward trend in educational costs which necessitated larger awards.

This statistic alone—for our State as well as the Nation—is justification for the increased funding for education contained in the Hollings amendment, and particularly that portion to be allocated to student aid; the costs continue to rise dramatically.

But, Mr. President, educational financing needs are not confined to higher education, as is shown by the breakdown of funding for all levels of education in the Hollings-Stafford amendment. The needs of disadvantaged children in elementary schools, aid for the handicapped, aid for children in schools impacted because of Federal installations—vocational education's needs that are so obvious in an increasingly technological country where skills training is changing from welding and printing to the computerized and robotized technology—all of these education needs in our States and localities must be served.

Mr. President, I am sure my colleagues will agree—we have the Commission's report on educational excellence from which we learned there is not much excellence to point to—and we have been told by the Commission that we must act and act now and keep on acting to bring excellence out of mediocrity. And the Commission acknowledges that we cannot expect it to be cheap—it will cost money. And I submit that if each and every one of us would admit it to ourselves, we have seen this coming. We knew, before the Commission reported, that our educational system is not doing the job. There were not all that many surprises in the Commission's report, at least not for me. I stay close to education, close to our schools. I visit them. I audit classes. I have seen it coming; I have noted many of the inadequacies specified in the Commission's report. I have asked questions and I have inquired and I have admonished school officials, teachers, and parents for not supporting their local schools—and though I am fully aware that the blame falls on all of us—Federal, State, and local—I have known for some time that insufficient amounts of money were available to do the job and do it right.

"It is by our willingness to take up the challenge, and our resolve to see it through, that America's place in the world will be either secured or forfeited. Americans have succeeded before and so we shall again." Familiar words? They should be—they are my final quote from the Commission's report on excellence.

It is my sincere, deeply held prayer that my colleagues will vote in favor of the pending amendment to increase, by approximately $1.5 billion dollars, the budget in function 500, for all education in fiscal year 1984.

● Mr. PRYOR. Mr. President, I have become increasingly alarmed—along with many of my Senate colleagues—by what this Budget resolution says about education and the priorities of this country.

Over the course of the past weeks and months, I have talked to school administrators, to teachers, and to presidents of several colleges and universities in Arkansas. And from them I have heard a similar concern. Theirs comes, in a sense, from the trenches—directly from those schools and campuses in my home State that are destined to bear the burden of cuts in education.

Because of these concerns, Mr. President, I want to pledge my support for the Hollings amendment to add $1.5 billion to the funding reported in the resolution. The recently published report by the National Commission on Excellence in Education is entitled, "A Nation at Risk: The Imperative for Educational Reform." It follows 18 months of work, and it outlines in eloquent terms what might happen to this Nation if we should fail to adjust our priorities.

This report calls for sweeping changes in every area of education, from teachers' salaries to a more rigid curriculum. It spells out the need to support with all our resources not only mainline public education programs but also special training for the handicapped, and for adults, and for the disadvantaged.

The present amendment would go a long way toward addressing many of the problems outlined in this report. Here are some specific concerns included in this legislation:

Title I—currently only half of the 11 million eligible students are served; this amendment reverses the trend of dropping students and begins restoring compensatory education services.

Handicapped education—currently Federal funds for this program amount to only 9 percent of school district costs; this amendment would re-

verse this decline and increase Federal participation as required by the authorizing law.

Math and science education—the amendment would provide funds for a new program to meet critical economic and defense needs.

Vocational and adult education—to obtain and keep jobs in the increasingly competitive job market requires training and skill upgrading; this legislation restores funds to programs that need this objective.

Bilingual education—currently only 205,000 of the estimated 3.5 million non-English-speaking children receive assistance; this amendment maintains the current level of service and makes for a modest expansion.

Impact aid—this year less than 50 percent of the school districts receiving assistance in fiscal year 1979 still receive aid; the present amendment would allocate more funds so that the burden local school districts must meet due to enrollment caused by Federal activity is reduced.

The current amendment would provide similar support for higher education. During the past several years, higher education has been trimmed severely. Since fiscal year 1980, Federal student assistance has declined 32 percent in constant dollars. And yet the median undergraduate tuition has increased over 30 percent since fiscal year 1980.

This amendment would raise the ceiling for higher education by about $700 million in the guaranteed student loan program, and it would allow an additional 500,000 student awards. A total funding for student aid in fiscal year 1984 would increase by $50 million over the current fiscal year 1983 appropriations level.

I believe this measure represents a fiscally responsible investment in America's future. Surely it meets the challenge of an American nation "at risk" by assuring us that our young people will receive the best in education and training.●

Mr. GLENN. Mr. President, I rise to cosponsor this amendment to increase funding for elementary, secondary, and higher education programs. This amendment restores funding to a broad range of essential programs of proven worth and effectiveness. Specifically, it allocates funding to: Elementary and secondary education—title I, aid to the disadvantaged, chapter 2, State block grants, handicapped education, vocational and adult education, impact aid, and bilingual education; for higher education—Pell grants, SEOG, college work study, NDSL, SSIG, TRIO, and title III; and a new math and science program. In short, it reaffirms our commitment to the principle of opportunity and represents a badly needed and fiscally responsible investment in America's future.

Last week, the National Commission on Educational Excellence warned that America is now a country "at risk." The Commission reported that a "rising tide of mediocrity" in our schools is "(threatening) our very future as a nation and a people."

We have all read the statistics:

Thirteen percent of all 17-year-olds in the United States are functionally illiterate. Among minority youth, the figure may run as high as 40 percent.

Average achievement of high school students on most standardized tests is now lower than when Sputnik was launched 26 years ago.

Over the past 17 years, expenditures for textbooks have declined by over 50 percent.

In 35 of these United States, students can graduate from high school without taking more than a single course in mathematics or science—and in too many cases, that course can be health and hygiene.

We are almost to the point where knowing how to wash your hands qualifies our students for a diploma.

But maybe none of this should be too surprising. Because when we stop to think about it, our Nation has all but washed its hands of education for some time now.

Fifty years ago, Franklin Roosevelt said that "the school is the last expenditure upon which America should be willing to economize." Fifty years later, the Reagan administration has sought to make education the budgetary target of first resort. Apparently, they believe that if a little education is a good thing, even less is better.

Why else would they propose a 1984 budget that cuts a billion dollars from what Congress has already appropriated for education? Why else would they slash compensatory education by 10 percent—and vocational and adult education by 40 percent?

And so it goes in program after program. Impact aid: down 15 million dollars. Bilingual education: slashed 33 percent. Pell grants, supplemental opportunity grants, State student incentive grants: all zeroed out. It getting to the point where "zero option" does not just describe this administration's arms control policy for Europe—it also describes their education policy for America. Last week, in fact, the administration's own Commission described what has been happening as "an act of unilateral educational disarmament."

The White House says that it is concerned about all this and wants to help. So first they helped by trying to grant special favors to segregationist academies that racially discriminate. Then they helped again by asking for tuition tax credits that would weaken our public schools even more. And just last week the President repeated his pledge to solve the education crisis by promoting school prayer and abolishing the Department of Education.

And yet—despite its dismal record—the administration still insists that it is for education. But we know what they really mean. They are for education—if the Federal Government has no part in it. They are for education—but preferably by private schools. And they are for education, except when it costs money.

But it is not enough merely to criticize. Scapegoating is not going to solve our problems—and finger pointing is not going to turn this situation around. If we hope to regain control of our country's destiny, we must prove that we have learned from the mistakes of the past—and that we have better ideas for meeting the challenges of the future.

A sound education policy for the eighties must be based on three overriding principles.

First, we must recognize that education is not just an expense, Education is an investment—an investment in our country, in our children, and in ourselves. If we make that investment, we can meet the challenges of the future and remain a leader among nations. But if we refuse to make it, both our country and our people will fall further and further behind. People are America's greatest resource—and with proper education, incentives, and leadership, our people can still outwork, outproduce, outinvent, and outcompete anyone on the face of this planet.

They can, that is, if we give them the opportunity. And that is why providing an opportunity to achieve excellence must be the second principle of our education policy.

But excellence must never be sought at the expense of equity. In fact, excellence and equity go hand in hand. We cannot achieve one by sacrificing the other. Just as we cannot raise our Nation's sights by lowering our standards, neither can we hope to move our Nation ahead by leaving some of our people behind.

It is a big effort—and everyone must play a part. Teachers must keep standards from dropping, grades from inflating, and performance from slipping. Parents must become more interested and involved—and accept nothing less than their children's best.

Those of us in government must do our part as well—by seeing to it that every person in this land receives the best possible instruction under the best possible circumstances.

That brings me to the third principle. In today's world, schools need not be only for children—and education should be more than memorizing information. Perhaps now as never before, American education must prepare our people for the rights and responsibilities of citizenship. That means giving our young people the

basic skills they need to survive in a rapidly changing world—and it means giving adults the training they need for new jobs. But above all, it means giving all our people the tools they need to become full-fledged citizens in our democratic system of government. In short, today we need two kinds of education in this country: one that teaches people how to make a living—and one that teaches them how to live.

If these three principles are accepted as a proper foundation for American education, then it follows that education is a national interest that demands Federal support.

While education should continue to be primarily a State and local responsibility, because unnecessary Federal intervention will only poison the wellspring of educational creativity that exists in the 16,000 local school boards across this country that does not mean that the Federal Government should stand by and do nothing. As the Commission put it, Washington's job is to "identify the national interest in education * * * (and then) help fund and support efforts to protect and promote that interest."

That requires a number of things.

First, the Federal Government must do all it can to insure equal access and opportunity in our school systems. That means enforcing civil rights laws and giving the disadvantaged the help they need to compete. It means renewing proven programs like title I and Head Start, and it means restoring grant and loan programs to bring higher education within the reach of everyone.

Second, the Federal Government should cooperate in the effort to train and retrain our workers. Without Federal assistance, neither communities nor individuals can keep up with the rapid changes occurring in our economy and technology. Continuing education is not a luxury anymore—it is the key to our country's economic survival. And that is especially true for workers whose jobs will never return.

We all know who these workers are: They are steelworkers in Youngstown, auto workers in Detroit, and rubber workers in Akron. These people were the lifeblood of America's industrial heartland—and we can no more turn our backs on them than we can turn our backs on the cities and communities in which they live. That is why we ought to consider a trust fund to provide displaced workers with loans for education and training—and that is why I have directed a task force to examine this proposal.

We cannot stop there. Mastering the challenges of the 21st century requires a population that is both scientifically and technologically literate. That is why it is crucial to improve science and math education at all levels—and to increase the number and quality of science and math teachers. We can do it with summer institutes for current teachers and with congressional fellowships for prospective ones. Restoring our scientific leadership will mean increased Federal support for science education, modernization of our laboratories, and upgraded graduate and postgraduate fellowships for training and research.

To be sure, none of this will come cheaply. Excellence costs money. But as the National Commission on Education stated in its report, "mediocrity costs far more in the long run." So if the Reagan administration really wants to help, let them understand that it is not enough merely to pray for excellence; we must also be willing to pay for it.

Finally, it is vital that all the measures I have outlined be administered through a Cabinet-level Department of Education. We can achieve our goals of full employment, increased productivity, and a strong national defense only if we have an educated citizenry—and any discussion of our national goals must include the voice of education.

Mr. CHILES. Mr. President, the distinguished chairman of the subcommittee wished to speak. Before I yield to him, I yield to the Senator from New Mexico.

Mr. DOMENICI. Mr. President, I do not think we have had an amendment offered since we came to the floor from this Budget Committee that was not couched in terms of crisis—whether it was a crisis in uninsured long-term unemployed, a crisis in medicare, or a crisis in unemployment benefits. It seems to me that if we just followed the argument that we have a crisis in almost every part of the country and almost every aspect of either government or the private sector, what we ought to do is come to the floor and, in each instance, offer an amendment to increase spending in the budget to address that crisis. I have not had an opportunity to read the National Commission on Education report, "A Nation at Risk." I have used that word "risk," I would note about the economy, and about the various approaches we might even be thinking about to solve the economic problems. But I did ask for a summary of that report.

It is amazing. If that Commission really thought that a lot more money from the Federal Government was the way to improve education in this country, I think it would have been very easy for them to suggest in plain, old, simple English language that what we need is a lot more money from the Federal Government. I am safe in saying that it does not say that.

That does not answer the question before us today, but it does, in a sense, put this argument into some perspective. I hope no one in this institution thinks the Senator from New Mexico is against the Federal Government taking a significant role in helping our States and local districts with education. Just so there is not any misunderstanding, I am for a significant Federal role. I do not have any philosophical hangup about that. I think there is a leadership role, and I think there is a role for encouraging and prompting the States to assume responsibilities that they might be prone to ignore because they are high risk, or because they are the type of education that the States are accustomed to.

Mr. President, I also am not one who has been on the opposite side of major education groups in this country in the past. The NEA has been mentioned here. This one Senator—not when he first ran, but when he ran for reelection, for the record, received their endorsement. I assume that will end as of today. Nonetheless, let me suggest that that is indicative of my thinking about education.

In addition, I happen to have eight children. Three of them are not through high school yet. They are still in high school, and I have three or four in college almost all the time; I think it is never going to end. It used to end after 4 years in college. Now education includes postcollege, doctorates, law work. I have not had any choose a career in medicine yet, so I guess their education will end, maybe, 10 or 12 years from now. If any of them choose to be doctors, it will probably end 18 or 20 years from now.

In addition to that, I happen to have had the privilege of being an educator. Maybe those in the education field would say, well, you left us and you do not know what it is about.

But I think I do. I loved it; thoroughly enjoyed it. I think I was a good teacher. I left because I was challenged to do something else.

I only tell the Senate that because I am not opposed to a Federal role in education or opposed to spending money on education. The Senate Budget Committee that I preside over, whatever the philosophical ideas of its individual members, does not think that either. They do not think the Federal role ought to cease. In fact, they think it ought to increase in terms of dollars. As a matter of fact, this is my third year of presiding over that committee, and never has that committee recommended the President's numbers on education. We have always come in with more than the President asked for. This year is no exception. In fact, we recommend $5 billion more than the President requested in this function. As a matter of fact, in the part of this function that has been talked about most today, elementary and secondary education, we added 9 percent to last year's budget, increasing it from $6.6 to $7.2 billion.

I do not stand before the Senate and say that is absolutely with all certain-

ty, unequivocally enough. I do not know if it is enough. What I do know is that there is hardly any function of Government that you can discuss in this Chamber to set a spending level or a target—which is all we are doing today—without somebody saying we need more. That is the nature of things. There is nothing new about that, nothing different. These are difficult times, and consequently the rhetoric is a little stronger. Perhaps from time to time the rhetoric offers a little more incentive for us to be concerned and think about spending more. I do not talk about breaking the bank everytime someone proposes spending money. I understand we have huge deficits, but I also understand almost every area of the Federal Government wants more money. If it is not the Congress who wants to spend more, sometimes it is the President. He wants to spend more in defense than we do. He wants to spend more in foreign assistance than 51 Senators want to. Between the President and the Members here in the Senate there is rarely an issue we can bring to the floor without somebody saying, "I want to spend more."

I just want to set the record straight. We will vote today. I understand there will be a substitute amendment costing something between the Budget Committee and $1.5 billion increase proposed by the distinguished Senator, Senator HOLLINGS. I will listen to debate on that substitute. I might support it. But basically, we should know that the Senate Budget Committee has already recommended increasing spending in elementary and secondary education by 9 percent over the fiscal year 1983 level.

It is still up to the appropriators as to how they create the mix of program funding within this total functional amount. Some of those who support the Hollings amendment are telling us that the total of $14.9 billion that we advocate is less than fiscal year 1983. It is a half a billion dollars more.

I will tell Senators why this is right and why they are wrong. There is $700 million in fiscal year 1983 student loan budget authority that is not going to be spent because interest rates went down. We "saved" $700 million. Those who advocate this amendment do not want to take into account that $700 million reduction in the 1983 level.

I want to note that a bipartisan majority of the Senators on the Budget Committee recommended $14.9 billion for fiscal year 1984 which is $500 million more than fiscal year 1983.

Now, in passing I should like the Senate to know—I have not searched the record on this but my intuition tells me I am right—that if the Hollings mark is adopted we will be at $16.4 billion. This will be the first time that the Senate in a budget resolution has recommended more than the House in this function. They recommend only $16.3 billion and that budget has been heralded across this country as a budget that is unrealistic.

I do not need any more time in opposition. I understand there is a substitute. Unless somebody else has something to say with reference to the Hollings amendment, I am prepared to yield back the remainder of my time.

Parliamentary inquiry. Has the time in favor of the amendment expired?

The PRESIDING OFFICER. The time of the proponents has expired.

Mr. DOMENICI. I yield back the remainder of my time.

AMENDMENT NO. 1238

Purpose: To increase the budget ceilings to allow increased funding for elementary and secondary education programs and student financial assistance

The PRESIDING OFFICER. The Senator from New Hampshire is recognized.

Mr. RUDMAN. It is my understanding that all time has been yielded back.

The PRESIDING OFFICER. The Senator is correct.

Mr. RUDMAN. Mr. President, I send to the desk an amendment in the second degree on behalf of myself, Senator DURENBERGER, Senator ABDNOR, and Senator DOMENICI, and ask that it be immediately considered.

The PRESIDING OFFICER. The amendment will be stated.

The legislative clerk read as follows:

The Senator from New Hampshire (Mr. RUDMAN), for himself, Mr. DURENBERGER, Mr. ABDNOR, and Mr. DOMENICI, proposes amendment numbered 1238.

Mr. RUDMAN. Mr. President, I ask unanimous consent that further reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

In lieu of the language proposed to be inserted, insert the following:

On page 3, line 13, strike the number and insert "$910,100,000,000."

On page 3, line 14, strike the number and insert "$982,575,000,000."

On page 3, line 15, strike the number and insert "$1,048,900,000,000."

On page 3, line 19, strike the number and insert "$850,000,000,000."

On page 3, line 20, strike the number and insert "$910,675,000,000."

On page 3, line 21, strike the number and insert "$964,400,000,000."

On page 4, line 1, strike the number and insert "$163,500,000,000."

On page 4, line 2, strike the number and insert "$147,400,000,000."

On page 4, line 3, strike the number and insert "$133,600,000,000."

On page 4, line 7, strike the number and insert "$1,591,300,000,000."

On page 4, line 8, strike the number and insert "$1,789,400,000,000."

On page 4, line 9, strike the number and insert "$1,979,600,000,000."

On page 4, line 14, strike the number and insert "$207,400,000,000."

On page 4, line 15, strike the number and insert "$198,100,000,000."

On page 4, line 16, strike the number and insert "$191,200,000,000."

On page 16, line 4, strike the number and insert "$31,200,000,000."

On page 16, line 5, strike the number and insert "$27,200,000,000."

On page 16, line 11, strike the number and insert "$27,900,000,000."

On page 16, line 12, strike the number and insert "$27,800,000,000."

On page 16, line 18, strike the number and insert "$27,900,000,000."

On page 16, line 19, strike the number and insert "$27,800,000,000."

Mr. HOLLINGS. Mr. President, will the distinguished Senator from New Hampshire permit me to ask for the yeas and nays on the Hollings-Stafford amendment?

Mr. RUDMAN. Yes.

Mr. HOLLINGS. Mr. President, I ask for the yeas and nays on the Hollings-Stafford amendment.

The PRESIDING OFFICER. Unanimous consent is required to ask for the yeas and nays.

Mr. HOLLINGS. I ask unanimous consent.

The PRESIDING OFFICER. Without objection, it is in order to request the yeas and nays on the Hollings amendment.

Mr. HOLLINGS. I request the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second? There is a sufficient second.

The yeas and nays were ordered.

Mr. RUDMAN. Mr. President, I have spent a part of this afternoon listening to this debate because I think the debate is important. I believe the debate addresses an issue which is of paramount importance to the country.

In many ways, if the genesis of the economic problems of this country were better understood, I expect that we might find that in many ways it has been the failure of education in this country to prepare young Americans for the kind of employment that is vital for the age in which we live.

I have been a consistent supporter of educational programs as they have come to the floor. As a member of the Senate Appropriations Committee, serving on the appropriate subcommittee, I have always voted for what I believe would be adequate funding for the functions of which we speak this afternoon.

However, Mr. President, I must reluctantly come to the conclusion that the amount contained in the amendment offered by the Senator from South Carolina and the Senator from Vermont, of $1.5 billion, is, in my view, in light of the current economic situation and in view of the realistic growth of programs across the scope of our Government, more than we should approve today. Thus, what I am offering is a substitute; because I, too, share the belief of my friend from South

Carolina that the amount in the budget resolution is inadequate.

So, in order to come up with a number, I thought what we ought to do would be to add enough not only to keep pace with inflation over the 1983 appropriation but also to have a small additional increment. Thus, this amendment adds $400 million. In addition—and this I think is significant—it eliminates the language of forward funding under a section of the resolution, so that the net financial impact of this amendment is to add $600 million.

I parenthetically add that the amount for math and science teacher training remains identical to that in the pending underlying amendment.

Mr. President, why do I think this is what we ought to do? I think it because the fact is that we are facing deficits, depending on whom you wish to talk to, of between $160 billion and $200 billion.

The House budget for function 500 is $39 billion, or $8 billion more than the Senate level. I think that, unquestionably, the amount that will finally be approved in the budget resolution that comes out of conference, and thus the amount of money that will finally come before the subcommittee of the Appropriations Committee chaired by the Senator from Connecticut, will be an amount at least equal to the rate of inflation for 1983 and perhaps a slight bit more.

I ask support for this amendment because I believe it has a realistic chance of being approved and eventually finding its way into an appropriation that would be approved by our President.

I want to depart from the specifics of the amendment to address in some further detail the excellent remarks made a few moments ago by the junior Senator from Washington.

We have had the opinion in this country for a long time that problems of a general nature can be solved by money paid in a specific nature. It is most interesting to read the report. I have read a good part of the report. I should like to quote three sections of that report, since this debate is important in terms of many issues which we will not confront in this resolution. I will read three sections:

First—

High school curricula has been diluted because students take too many nonacademic classes, such as training for adulthood and marriage. One is forced to wonder how many of these nonacademic classes or "frills" were paid for with federal money.

Second—

The amount of homework has decreased, and textbooks are poorly written. Students are not challenged.

On the matter of time, the Commission's report is interesting, particularly when compared to the time spent in the school systems by young people in Europe and in the Far East.

Time—the most valuable resource of all—is not used wisely. Compared to other nations, American students spend less time on schoolwork; time spent in the classroom is used ineffectively; schools do not do enough to help students develop study skills or the desire to learn.

Finally, the feature shortage, which has been alluded to by every speaker here, is covered in more detail by the report of the Commission.

Let me relate a little about my own State—although sometimes I think the Senator from South Carolina, who has spent more time in my State in the last 6 months than I have, probably knows more about it than I do. But let me attempt to educate the Senator from South Carolina about things in New Hampshire that he might find out about that State, but in pursuit of other things.

The State of New Hampshire has no State income tax. The State of New Hampshire has no State sales tax. The State of New Hampshire has no inheritance tax. As a matter of fact, the tax base of the State of New Hampshire is very narrow, resulting in its being 49th or 50th this year in State aid to education. Because of that failure, there are certain Federal programs for which the State does not qualify.

The great part of education in New Hampshire is supported by locally funded property taxes which, surprisingly, are not particularly higher than those in adjoining New England States that have all those taxes that New Hampshire does not have.

The average amount of money spent per capita on students in New Hampshire at the elementary, secondary, and high school levels is from the middling to the lower part of the spectrum in New England and about in the middle to the lower part of the spectrum nationally.

Mr. President, with those statistics you would expect to find very poor performance.

Also, last year again, year after year, students in the public schools of New Hampshire scored higher on the SAT scores and the achievement tests than did their counterparts in New England.

I would not submit to this body that there were no other reasons for that and that the only conclusion you could draw was that money alone does not solve the problem.

But I do think, Mr. President, it is illustrative of something and what it is illustrative of is that school districts that have relatively scarce funding tend to use funds very wisely.

I submit that anyone who wants to see how education is taught in New Hampshire would find it very interesting that in the elementary schools in the towns and the regional high schools very little money is wasted.

Sure, our students did not get some advantages they have in wealthier school districts. They do not get some of the optional courses in marriage and child rearing and flower growing and all the other things that we spend hundreds of millions of dollars on.

But I will tell you that they learn how to read, they learn how to write, and they learn how to add, subtract, multiply, and divide.

So I will simply close by saying this: Yes, the amount in the proposal by the Senator from New Mexico in the budget proposal is probably not adequate because of a failure to fund math and science to the sufficient level and some of the areas in which the Senator from New Jersey was referring, but we do not have to tell the American people we have to find another $1.6 billion to educate American children when there is very little proof whatsoever that any additional money, the way we are spending it today, will add one quantum of merit to how they achieve in their schools.

Mr. President, I ask for the yeas and nays on this amendment.

The PRESIDING OFFICER (Mr. JEPSEN). Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

Mr. RUDMAN. I yield the floor.

The PRESIDING OFFICER. Who yields time?

Mr. HOLLINGS. Mr. President, the distinguished Senator from New Hampshire is quite correct. I have been in New Hampshire. I have learned to admire him and become very fond of New Hampshire. I hope I can be back before I get through the New Hampshire calendar.

When you get through New Hampshire you notice a stark difference. I wish to acknowledge the basics in the approach in the lack of waste. I am not taking issue with the educational approach of the State of New Hampshire.

But when he talks about local taxation, having ridden through that wonderful State, and it is almost like a community from one end to the other, in an evening, one begins to understand in riding through my State or coming in some parts of the city or going again to parts of Newark, N.J., and some of the other cities that to put it on just local taxes there just would not be any schools. It is a sad situation but it is a fact of life.

We have the lower per capita income States. The distinguished Senator points out the very interesting features of not having to have an income tax or an inheritance or a sales tax. I wish it were so. The fact of the matter is that the only way we can really begin to institute an educational facility for the local school needs was with the sales tax.

I happened to have authored that back 33 years ago. I saw the local school effort, and I wish I could have taken him to the Freedom School where they had the flag and freedom. They had no less than four classes in one big room, and the four classes in the room had these wide little desks where there were all minority students, and there were four students seated at a desk and they were not any wider than the Senator's desk right here.

You say physically you could not jam them in. I think I can find that picture and show you were they were jammed in.

There was one teacher for the four classes. That was what was going on with the local effort, and they did not get around to the basics of reading, writing, and arithmetic, like our distinguished friends from New Hampshire have been able to.

That is why we need this kind of assistance because we are competing with Japan for one country. That is why we find the private, public, church and public schools, North and South, elementary and secondary, higher education, all have joined in our particular amendment for the $1 billion more, actually some $900 million more than the amendment of the distinguished Senator from New Hampshire because we know of the general need overall.

I see where in essence the distinguished Senator has matched our increase on math, science, handicapped, and bilingual, but there is one thing that I found out with respect to the Senator from New Hampshire in that he was a leader in higher education.

I am a little distressed having learned of his reputation to see him cutting our figures in higher education.

As we went down our particular list, we find that we had put in Pell grants some $600 million and if I read correctly the amendment of the distinguished Senator from New Hampshire cut that back to $170 million.

So we are going to cut the Pell grants and not provide for the $100 million increase in college work study, the $85 million in supplementary educational opportunity grants, the $9 million in national direct student loans, and some $17 million in State student incentive grants.

The authorities and those interested from New Hampshire actually participated, of course, in our correlation of this particular effort, and we did pare back. I wanted more myself, and I am confident in conscience the distinguished Senator from New Hampshire wants more.

I just have to pick and I will have to admit there is no discipline here, and I still try some self-discipline. That is what the educators have done from all over the country here and in this 80-some group that have correlated this effort in trying to have some majority vote increase here for education and in essence, as the Senator from New Mexico, the distinguished chairman has pointed out, slightly over the House $100 million. We wanted to match that particular effort and lock it in to this particular budget resolution and in that give and take I would hope that the Senator from New Hampshire would not go and cut these higher education programs.

It is just one of those things that we need very, very greatly.

I talked on some of the campuses there in New Hampshire. I hope to travel to every one of them and in fact the effort made not just at the local school level of reading, writing, and arithmetic but perhaps the most impressive thing is the higher education effort made in New Hampshire for the various little colleges around, all strong liberal arts endeavors. Of course, you have the great Dartmouth College, the university itself, Franklin Pierce College—all around everywhere I look I find an outstanding college that I remember the name of or a graduate from, and I am using those names, incidentally, because they are writing letters for me. I love to see that happen.

I want the Senator from New Hampshire to look as I am looking and as I have told our distinguished friend, Senator GORTON from Washington, now this is a matter of priorities.

Neither one of us are balancing the budget. The distinguished chairman of the Budget Committee is not balancing the budget. None of us are.

So what we are really talking about are those priorities, and we know intimately where we can give and pick up this modest amount in education across the board.

That was the one distinctive feature that really came to the fore in both "A Nation at Risk," the Commission on Excellence in Education report and the New York Stock Exchange. It was not just the math and science teachers. We provided for that and we acknowledged it, but Senators and Congressmen, too, want to identify a singular point and work it to death. It is the long hard buildup. America on the road to improved education is not the 100-yard dash but it is the endurance contest, and if we are going to start with that buildup amidst our economic difficulties with respect to balancing the budget then heaven knows let us not put it totally out of kilter with some 66,000 extra civilians added on at the Pentagon where I think they must be filling up the inside where we cannot see them. They must all be in hammocks around and out in tents. I am going out there to see if they have put out pyramidal tents on the inner loop in that Pentagon building. But they have jammed more than a million and a half more additional civilians over there since this group has come to town and they have cut education. It is a bad move. It weakens the security of the country. It was Edmund Burke who said "Education is the chief defense of a nation." Let me yield to our distinguished chairman.

The PRESIDING OFFICER. Who yields time?

Mr. STAFFORD. Mr. President, does the Senator from South Carolina yield me time?

Mr. HOLLINGS. Yes.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. STAFFORD. Mr. President, just a very few observations and I will make them brief. The debate has been long and I think we are approaching the time for resolving the matter.

First, I want to point out that the figures contained in the amendment proposed by Senator HOLLINGS, myself, and more than 20 cosponsors are basically the figures which I individually, but as chairman of the Subcommittee on Education, asked of the Budget Committee, so they have not been taken out of a hat or out of the air. They were figures which were considered at length, and we considered them the basic additional figures necessary for education in fiscal year 1984 if we were to restore the funding of the Federal Government to education in this country to the level back about fiscal year 1981. It is not really an increase.

Then let me look at the amendment, very briefly, which has been proposed by my good friend and neighbor from New Hampshire, Senator WARREN RUDMAN, which, as I understand it, would reduce the increase proposed in the Hollings-Stafford amendment to $400 million. Let me first indicate that the Hollings-Stafford amendment proposes an increase of $540 million for chapter I of the Elementary and Secondary Education Act, and that is designed to serve an additional 1.1 million disadvantaged children. I never have been strong on mathematics, but by a very hurried computation, if the distinguished Senator from New Hampshire prevails, 800,000 of those 1.1 million disadvantaged children not now served will continue to be without service.

Looking at the Pell grants, our amendment proposes an increase of $540 million to allow for the participation of an additional 580,000 students with financial need to participate in higher education. In fact the Pell grants are the means of access for needy students to have an opportunity to go to college. If the Rudman amendment prevails, instead of 580,000 more students having this opportunity to go onto higher education, 435,000 will have to stay home, and that cannot be made up later.

College work study, the amendment proposed by Senator HOLLINGS and myself and our cosponsors, proposes $50 million for college-work-study jobs. It would assist 63,000 needy students otherwise unable to go to college in all probability. If the Rudman amendment carries 51,000 of those 63,000 will not have that opportunity.

Under supplemental education opportunity grants the Hollings-Stafford amendment proposes $85 million to give student assistance to needy students and it would provide aid to an additional 142,000 students. My very rough mathematics indicate to me that if the Rudman amendment carries, 85,000 or thereabouts of those students will not have that opportunity to go on to college.

So, I am going to close my brief participation in this part of the debate this afternoon by saying that I believe the money we invested in education, whether it be in kindergarten, in elementary and secondary education, or in postsecondary education, is the best investment that we can make of American tax dollars.

I believe with all my heart that the money we have proposed in the Hollings-Stafford amendment is the minimum that will get the job done, that will move this Nation ahead.

Educated children are the future of this Nation. If we bring up generations unequipped to deal with the technological world into which they will be entering, if they understand neither the marvelous machines that are being devised for commerce or the weapons that are being devised for war, if they are incapable of understanding the implications of using the weapons of war that are being devised, then I fear for the future of this Nation.

I hope, I just hope, as much as I admire the Senator from New Hampshire, that our colleagues will vote down his amendment and vote up that offered by Senator HOLLINGS and myself.

The PRESIDING OFFICER. Who yields time?

● Mr. EXON. Mr. President, the recent report by the prestigious Commission on the state of education in this country gives us all cause for concern. The basic responsibility for education in this country lies with State and local governments, but there is an important Federal role to play. The answer to our education problems, as many have pointed out, is not just a great deal more of Federal assistance. Changes have to be fundamental, and they must be made at all levels of government.

But the Hollings-Stafford amendment to the budget is a good faith effort to assist education in this country. One of my concerns about this amendment, however, is that it may not provide enough funds for the one education program which is totally a Federal responsibility: Impact aid. Some of my colleagues who support impact aid as I do believe that there should be an increase in the impact aid authorization to $600 million this year. The Hollings-Stafford amendment assumes that there will be a $535 million appropriation for the impact aid program. Could the distinguished Senator from Vermont, chairman of the Education Subcommittee, tell me what his intentions are with regard to the impact aid program should this amendment be adopted in the budget resolution?

Mr. STAFFORD. I am pleased to respond to my colleague. The Senator from Nebraska knows my feeling that aid to impacted schools is not our highest Federal education priority. Nevertheless, I acknowledge that impacted districts have legitimate concerns, and we have tried to address that in our assumption that the impact aid funding level would move to $535 million for fiscal year 1984. I am aware that there will be an effort to move that up to $600 million regardless of the outcome of this amendment.

I want to assure the Senator from Nebraska that should the Hollings-Stafford amendment become a part of the budget resolution; I will try to accommodate the legitimate concerns of impacted schools. But win or lose, I will be pleased to work with the Senator from Nebraska to address the concerns I know he has which involve the administration of impact aid. These concerns should be addressed at some point regardless of the level of authorization.●

Mr. DOMENICI. Mr. President, I am reminded that at a couple of places in my remarks I improperly stated that the amendment of the Senator from South Carolina added $1.6 billion. It is $1.5 billion and I apologize for the error and ask that it be corrected wherever it appears.

I would also say to Senator STAFFORD that I am fully aware of where the numbers came from. The Senator submitted them. I would just remind the Senate that it is rare indeed that a Budget Committee accepts the recommendations in toto of any authorizing committee. If we accepted all-such recommendations we would add another $30 billion or $40 billion to what we already have in the budget. Very rarely do we agree to allocate everything a committee requests.

I yield as much time as the distinguished Senator ABDNOR desires.

The PRESIDING OFFICER. The Senator from South Dakota.

Mr. ABDNOR. Mr. President, I thank the chairman for yielding.

I am pleased to be able to cosponsor the amendment offered by my friend and distinguished colleague from New Hampshire, along with the Senator from New Mexico and the Senator from Minnesota.

I believe this substitute is a very necessary addition to the budget. It provides an additional $400 million for education programs. I think it is a well-reasoned, well-thought-out, as well as a fiscally responsible approach to the needs of education at this time.

Let me say that this amendment will increase by $170 million budget authority for the science-math initiative, bringing to $400 million the total for this important new program. It is an increase of $170 million also for postsecondary student assistance, a very necessary expenditure, $50 million for handicapped education, and $10 million more for the bilingual education program.

I recognize that each of us considers certain programs of special importance—this particular amendment will also make possible what I believe to be a very necessary increase in impact aid.

Now this program, which is of great concern to many of us from States with Indian lands and military installations, was reduced more drastically than any other education program by the Omnibus Reconciliation Act of 1981. The amendment offered today by these two gentlemen, the distinguished Senator from South Carolina, Mr. HOLLINGS, and my good friend and colleague Senator STAFFORD, increases the outlays for impact aid by only $60 million. A mere pittance. The impact aid program is designed to enable federally impacted school districts to provide their students with a basic education. Obviously, adding more dollars for special programs—if we have additional dollars—is desirable. But I think we all agree that every child ought to have at least the opportunity to go to school. The law demands it.

Yet although I pleaded with you, gentlemen, and though I do not mean to complain too loudly, since I appreciate greatly the time Senator STAFFORD allowed me and two of the impact school superintendents from my State to make a plea to him, as the chairman of the Labor and Human Resources Education Subcommittee, for additional authority to provide adequate funding for the impacted schools, I have apparently failed to impress upon you the extreme need for additional impact aid dollars. I believe that there may be Members of this Congress that do not know exactly what impact aid is intended to do.

We may argue with our colleagues on the floor over what is a State, Federal, or local responsibility. But let me tell you that in the instance of impact aid, the education of federally connected children is strictly a Federal responsibility. Public schools responsible for educating military dependents and Native American children are particu-

larly dependent upon impact aid moneys.

Now, I just heard my good friend, the Senator from South Carolina, say that the best defense is a strong education. Well, for Heaven's sake, then let us give children who are the sons and daughters of our military people a chance to go to school.

Let me give you an example of one of the more serious impacted areas in these United States. It happens to be a part of the SAC installations, near Rapid City, S. Dak., at Ellsworth Air Force Base. The local school district, the Douglas School system, has an enrollment of more than 2,500 students, principally children of airbase personnel—nearly 80 percent of the children enrolled in its schools are military dependents. Prior to the opening of this installation, the community had only a little one-room school.

Today, it is one of the largest school districts in my State. Yet the local school board has given a pink slip to every one of its teachers—there are no teachers under contract for the 1983-84 school year. The board cannot afford to hire them. The school district has reached the legal limit of their indebtedness. If the board makes a financial commitment it is unable to meet, the individual board members become personally liable for the district's contracts.

Nevertheless, while I hear my colleagues pleading for more money for various categorical education programs, they do not seem to show much consideration for the children who may not have a school to attend in the event their school district does not receive adequate assistance under the impact aid program. So I wonder.

A moment ago, I heard my friend and colleague from New Hampshire and my friend and colleague from Washington suggest that we cannot buy a better education for the children of this Nation with merely more dollars. And from the Commission's report, the principal sponsor of this amendment cited very clear evidence that educational quality requires far more than dollars. And yet although some would plead for a few more dollars for their pet programs, they do not plead also for assistance sufficient to provide an education for children who live in impacted areas.

Let me cite another example because, again, I do not think all of my colleagues recognize fully the serious nature of this situation. Under Federal law, one county in the State of South Dakota, which has just one school for the whole county, is unable to tax 66 percent of its land. This land is tax-exempt because it is owned by Native Americans who do not pay local taxes.

Do you know what percentage of the school district's enrollment is comprised of Indian students? More than 85 percent, even more than the percentage of land that cannot be taxed. And the limited number of taxpayers are trying to pick up the tab. In fiscal year 1981, a rescission of 5 percent reduced impact aid payments to districts. Since then, payments have declined without regard for inflation. The Department of Education estimates that during the current fiscal year, Super "A" districts—those with the greatest Federal burden—are receiving only 72 percent of the amount to which they are entitled under the provisions of Public Law 81-874.

I hope to impress upon my colleagues the seriousness of this situation. If we are really serious about improving education and insuring that schools are able to provide their students with at least basic education, the least we can do, and must do, is provide every child with the opportunity to attend school.

Recently, my colleague from South Carolina, agreed to sponsor an amendment I plan to offer. This amendment, which amends S. 1008, the ECIA technical amendments package introduced by Senators HATCH and STAFFORD, would raise the authorization ceiling for impact aid by $145 million, and the Senator agreed to cosponsor my proposal. Yet, I am troubled to note that the $1.5 billion amendment before us, assumes an increase of merely $60 million for this vital program. It just does not add up. Mr. President, let me conclude by saying that I think the amendment offered by my able colleagues from New Hampshire and New Mexico is a necessary amendment, one that we should pass and, because of fiscal responsibility and the other reasons cited, we should reject the Hollings-Stafford amendment.

Mr. HOLLINGS. Mr. President, let me say a word to my friend about the impact aid. The Senator from South Dakota is exactly right. I joined in that move with him to assist funding for impact aid. He and I both serve on the Appropriations Committee.

I would strongly suggest that this is like the Aesop fable of the dog with the bone in his mouth. You are looking down at the mirror and you are looking at that impact aid and you are looking at a bigger amount, but if you drop what you have—namely, this Hollings-Stafford amendment—and you are going to end up with nothing. Because when we get into the competition, and that is why there has been such a good movement, in my opinion, for all the different education elements to get together. You might desire more for impact aid, and so would I. However, the other needs will come along relative to the handicapped, and title I for the disadvantaged, and others. That is why, since 1979, we have come down from serving about 4,300 school districts to serving 2,000. I hope to take it back up to 3,300 under my particular amendment.

But I am confident, while the Senator looks at it in a singular desire and interest of impact aid and he says you are putting more for it, by putting a lesser amount in there and trying to cut the Hollings-Stafford amendment down to $600 million, then what you have done is eliminated your impact aid. You will have a very, very difficult time actually receiving that increase. Your assumptions for impact are no more binding than my assumptions for any program I have advanced. The only way to insure more funding for impact aid is to provide for more funding for other programs with greater priority. Otherwise impact aid would not have received significant cuts over the past years.

I strongly suggest that as a consideration when you vote, because the Senator and I are speaking the same language, but the rationale is different. Having served with the Senator on the Appropriations Committee, there is no doubt that all of the different interests, the groups that came in, they have watched the trades, they have watched the give and take, they have watched the action not only of the authorizing committees but the appropriations committees as well, and that is why this is fashioned and characterized as a carefully crafted amendment, one that is in order for education at this particular point. And one that will do more for impact aid than any other offered.

I might say at this point, also, I will be pleading with my colleagues in the well. Some have suggested that what you want to do is move to table the Rudman amendment. I am not going to move to table. I think that this distinguished Senator from New Hampshire has a right to an up or down vote and he deserves it. But in receiving an up or down vote, I remind my colleagues that it is a substitute. So if you vote for that $600 million, that will be the end of the line for really doing a job for education in this country.

So do not be misled that you will vote for this now knowing that we can get this amendment and then later on hope to vote for the other, because we will lose it entirely.

The idea is to look at the whole picture. I hope Senators are listening on their squawk boxes. We want to turn back the amendment of the Senator from New Hampshire and vote for the Stafford-Hollings approach which has been worked out by all the educational interests and by both the Republican and Democratic side of the aisle.

Mr. DOMENICI. Mr. President, I yield 2 minutes to the Senator from South Dakota.

Mr. PRESSLER. Mr. President, I rise in strong support of my colleague's amendment and ask unani-

mous consent to be added as a cosponsor.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. PRESSLER. Mr. President, there are many things that I could say about this important amendment. Many of them have been said already. We truly are facing a crisis in many of our federally impacted school districts. It is clear that in these districts the Federal Government has an undisputed obligation. There is no way for many of these districts to make up the lost revenue. Education will truly suffer. The severity of the situation is illustrated by the plight of the Douglas School System which serves 2,500 students. Many of these students are military dependents from the Ellsworth Air Force Base. Everyone of their teachers has received a termination notice and is uncertain about his or her future.

This is really a tragic situation. Only yesterday I spoke to a representative of the Douglas Teacher's Association who was trying to bring to the public's attention what is happening at the Ellsworth Air Force Base schools. I also have been in touch with the superintendents of South Dakota's federally impacted districts. As impact aid has been cut more severely than any other education program each of these 50 schools has been threatened. These districts are in dire need of this additional assistance.

Mr. President, I would also like to point out that this amendment provides a total of $400 million in additional education funding above the amount recommended by the Senate Budget Committee. This is a substantial increase in the critical investment we must make in the future security of our Nation. Besides increasing the budget level for impact aid, the amendment increases amounts available for student financial assistance, mathematics and science education, bilingual education, and education of the handicapped.

I have long fought for higher education. This amendment includes $170 million for student financial assistance programs. Having attended college with the help of student loans, I know from personal experience how essential these sources of financial aid are to middle and lower income students. Such assistance permits students to pursue careers which will be important in maintaining U.S. leadership in the decades ahead. We cannot neglect to prepare the youth of today for the responsibilities of national and world leadership tomorrow.

South Dakota's experienced teachers, counselors, and other education leaders have written to me in great numbers expressing their concern over the quality of mathematics and science education programs. These hard-working educators deserve our support and respect. It is my hope that the additional $170 million included here for these programs will help our students to become better prepared for the higher technology demands they will face.

The importance of quality education was most graphically expressed by a report issued last week by the National Commission on Excellence in Education. That report included a recommendation that the:

> Federal government in cooperation with States and localities, should help meet the needs of key groups of students such as the gifted and talented, the socioeconomically disadvantaged, minority and language minority students and the handicapped. In combination, these groups include both national resources and the Nation's youth who are most at risk.

Mr. President, I am most pleased to serve as a cosponsor of an amendment which assists our most important resource—our Nation's young people.

Mr. DOMENICI. Mr. President, does the distinguished sponsor of the amendment to the amendment desire to speak?

Mr. RUDMAN. Just for a moment, but I thought I saw the Senator from South Carolina seeking recognition.

Mr. HOLLINGS. The distinguished Senator from Mississippi desires to speak for a moment. I yield such time as the Senator desires.

Mr. STENNIS. Mr. President, I will be quite brief on this matter. It is a subject matter, Mr. President, which I have a great deal of interest in. I have served on the Subcommittee on Education Appropriations and am now an ex-officio member of that subcommittee.

I joined the Senator from Massachusetts (Mr. TSONGAS) and others some 2 months ago or more, in a special bill for technology, the sciences, mathematics, and so forth. It even went so far as to set up funds to buy equipment where it was needed.

I did not get to appear at the hearings of the Education Committee on this bill, being tied up on other matters which were demanding. I understand the subcommittee has reported a version of the bill to which I have just referred, recommending, at least, a considerable part of the funds and the different items. I appreciate that, and I am certainly going to vigorously support it here on the floor.

Mr. President, I was confronted here on the floor with which one of these education amendments to vote for. Ordinarily, I support the smaller figure. I generally do that in these battles about the budget, and this is a budget resolution which we have.

But I will say right now, Mr. President, I cannot pass by an opportunity to get a real start on extending, broader, deeper education programs that have to be extended if the job is to be done.

I am thinking about the overlooked talent, the untrained talent, and the lack of the ability of many of our States to support a program of that kind as vigorously as it should be and send the rest of them on to college or whatever special training it takes. So I am going to support this matter even though it is about $1½ billion above what we call the overall budget figure. I know there is going to be a world of adjustments to be made, give and take, settle this and settle that, to stay in line. I have cast enough votes for the lower figure, but I am interested in this subject and it is the best chance that I know to get something special done this year. I hope those that have a similar viewpoint will join and let us get enough votes to pass the Hollings amendment which will be just one step in reaching another phase, an added phase of the education program that I have some knowledge of myself and know about its needs.

I thank the Senator for yielding to me and I hope that we can pass this amendment. I yield back what time is left.

Mr. HOLLINGS. I thank the distinguished Senator from Mississippi. Was it the request of the Senator from New Hampshire that we yield back our time?

Mr. DOMENICI. I yield as much time as the distinguished Senator from New Hampshire desires.

The PRESIDING OFFICER. The Senator from New Hampshire is recognized.

Mr. RUDMAN. Mr. President, I will be very brief. The debate on the underlying amendment and the substitute certainly have been complete. I want to say to my colleagues who are listening that my friend from Vermont I think accurately described what might not occur if this amendment is passed, but I should point out that this amendment adds substantially, $600 million, onto the budget resolution that we will be considering and does add substantial services across the whole spectrum of education.

The Hollings-Stafford amendment, if my calculations are correct, is an add on of 15-percent plus. What I have tried to do is come up with a number that will handle inflation plus a small amount across the board on the programs that we found as we funded them in the 1983 budget.

Mr. President, let me just conclude on this note. I listened to my friend from South Carolina, my friend from Vermont and everyone here——

Mr. STENNIS. Mr. President, may we have quiet? It seems like the conference in the well can be held somewhere else. I think the Senator speaks on one of the more important matters we have to consider.

The PRESIDING OFFICER. The Senate will be in order.

Mr. RUDMAN. Mr. President, let me just conclude by saying this: Some folks came down from New Hampshire a few months ago who were interested in a particular educational project in my State. They are friends and they are people who supported me. They asked that I support a particular aspect of funding in the education budget. I asked them if they had gone to the State legislature to get that funding. They said they had.

We have a pretty adequate legislature up there. We have 400 people in the state house for a State with 1 million people. You cannot say we do not have a representative government. I said: "What happened up in the State House?" They said: "Well, they thought the cost was too high. They did not want to increase State taxes." I said: "Did you go to your local government?" They said: "We did." And what happended there? "Well, we went to the town meeting, we debated it. They asked how much it would add to the local property tax. People thought it was a good idea but was too expensive."

Mr. President, we have found the magic elixir in this Congress. People ask us for promises. We fulfill the promises, and nobody pays for them. The greater distance you get from the constituents the easier it is to be irresponsible. I say that after what this Budget Committee did, going above and beyond what the President said he would stand for, and the chairman of that committee and the ranking minority member standing up and saying no, that it is not enough and then the chairman of the committee joining on this amendment adding another $600 million. I say to Senators that enough is enough. I hope they will support this amendment and defeat an amendment that amounts to $1.5 billion in additional deficit that of course nobody will pay for—nobody, Mr. President, except the American people when inflation starts up again next year.

Mr. SYMMS. Will the Senator yield?

Mr. RUDMAN. I yield the floor.

Mr. SYMMS. I ask the Senator to yield just to make a clarification for those of us who think that the Budget Committee came out with a number that was as generous as the country could afford. We are going to have a chance to vote in a matter of moments. If we vote for the Rudman amendment, we are voting for a $600 million add on. If we do not vote for the Rudman amendment, we are setting the stage for a billion-and-a-half add on; is that correct?

Mr. RUDMAN. I believe that is correct.

Mr. DOMENICI. The Senator is correct.

I suggest the absence of a quorum.

Mr. HOLLINGS. Before the Senator does that, I ask the distinguished chairman of the Budget Committee, what is our 050 function? How much is that?

I have the figure—$267 billion. I say to my great friend from New Hampshire, we are asking $14.9 for education in the budget resolution before us. I am taking it up to $16.4.

The Senator from New Hampshire says $16.4 billion is going to wreck the country, bust the budget, cause the deficit, and bring back inflation. But the $267 billion under defense, the 050 function, has no effect whatsoever? Now, if Senators believe that, please vote for the amendment of the Senator from New Hampshire and I would like to see that list of people.

Mr. GOLDWATER. Will the Senator yield?

Mr. DOMENICI. I will be pleased to yield to the distinguished Senator from Arizona.

Mr. GOLDWATER. Mr. President, I am going to vote for the Rudman substitute only because it is the lesser of two evils.

Mr. President, when Federal aid to education. I do not think $1½ billion is many, many years ago, I constantly and consistently opposed it. I said at the time it would be the end of quality education in our elementary schools.

Mr. President, unfortunately—and I say this with sadness—this has come about. I do not think the addition of another dollar is going to pull the National Education Association out of the hole they put this country into in education. I do not think $1½ billion is going to do any good. I think we should look to the day when we can abolish Federal aid to elementary education.

Mr. President, it has done no good. I hope that someday this body will come to its senses and realize that unions are all right but they are not all right in our educational system.

Mr. President, the 18-member Commission on Excellence in Education was created as a result of Secretary Bell's concern about the widespread public perception that something is seriously remiss in our educational system. I contend that something is seriously remiss with the Commission's report.

In the report, the Commission listed its own indicators and findings on the decline of education in this country. Among the more alarming facts and figures listed in the report are: First, many 17-year-olds do not possess the higher order intellectual skills we should expect of them, 40 percent cannot draw inferences from written material, and over 60 percent cannot solve a math problem requiring several steps; second, the College Board's scholastic aptitude tests from 1963 to 1980 had consistent declines with average verbal scores dropping 50 points and average math scores dropping nearly 40 points; third, the proportion of students taking a generally less-demanding program of study in high schools has increased from 12 percent in 1964 to 42 percent in 1979; fourth, 35 States require only 1 year of math and 36 require only 1 year of science for a high school diploma; fifth, the teacher shortage is critical in math and science with half of the newly employed math and science teachers not qualified to teach these subjects; sixth, the Department of the Navy reported that 25 percent of its recent recruits cannot read at the ninth grade level, the minimum needed simply to understand written safety instructions; and seventh, the number of remedial courses have increased in high schools and colleges with business and military communities reporting an increase, too.

Now, if we are to believe the Commission's indicators and findings, how can we be asked, also, to believe in the validity and feasibility of their recommendations? Recommendations which expect students, who fall too often into the above categories, to fulfill the increased requirements for high school graduation and to meet the higher admission requirements to 4-year colleges and universities. How can students, whom the Commission found undereducated and unqualified to meet minimum standards, lift their achievement levels to meet these new higher requirements? In spite of the fact that the recommendations will be interpreted by each State according to the needs of its school system and full implementation will be over a period of time, a gorge as big as the Grand Canyon exists within this report.

The larger question which needs to be addressed by the Commission is: What are the basic skills and achievement levels required for elementary school graduation? Students need to enter high school with a strong foundation in the basic skills. In order to turn around the lower achievement levels of high school students, the problem, also, has to be reviewed at its initial stages of development which is in the elementary school years. Otherwise, the problem at the high school level will continue with students entering high school unprepared to tackle the academic challenges expected of them. However, the Commission's charter directed it to pay particular attention to teenage youth and selective attention to the formative years spent in elementary school. The way the Commission interpreted selective attention did a grave disservice to those valuable 8 years. The Commission failed dismally to address the importance of the educational process in the elementary school years as being the preparation for high school success. In doing so, it overlooked the fundamental resource for nurturing basic student skills and knowledge.

True, the Commission gave faint praise to the importance of the elementary school curriculum when it stated that the crucial 8 years leading to high school years should provide a sound base for study in those and later years. But these are empty words since the Commission failed to expound on this statement with facts and figures on the achievement levels of elementary school students.

It seems ludicrous that a Commission would spend 18 months examining the quality of education in the United States, and then fail to report on the abilities of students and teachers at each level. What the Commission should have done is to adopt appropriate recommendations that would allow students to be proud of their accomplishments, while reaching for still higher levels of achievement. I do not believe in studying a problem only in its late stages, which is where the high school years fall in the continuous 12-year educational program. The whole problem must be addressed from the beginning to the end.

Now, I would like to state there are some school systems across the country that have taken steps, previous to this report, to improve their educational institutions and I have read with great interest of their improvements.

Needless to say, I am very pleased that Arizona's school system is one of them. The local education officials have already approved higher graduation requirements for high school to be effective starting with the graduating class of 1987. Also, admission requirements at our 4-year colleges and universities are being reviewed by the board of regents, at the present time.

In conclusion, Arizona's elementary school and high school programs will be studied in the months ahead in order to establish basic skill requirements for the core subjects at each grade level. These requirements for the basic skills at each of the 12 grade levels will be in place for the 1986-87 school year, if not before. For the last 3 years, the teacher basic skills test and the teacher professional knowledge test have been required before teacher certification is granted. Overall, Arizona's legislature and educational officials can be considered pacesettlers in the field of promoting educational excellence.

Mr. DOMENICI. I yield back any time I have.

Mr. CHILES. We yield back any time we have.

The PRESIDING OFFICER. The Chair advises the Senate that there is some confusion over the nature of the amendment to be voted on.

The Rudman amendment is a first-degree amendment to the language of the bill which is proposed to be stricken by the Hollings amendment.

The yeas and nays have been ordered, and the clerk will call the roll.

Mr. DOMENICI. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. DOMENICI. The first vote, then, is on the Rudman amendment. Is that correct?

The PRESIDING OFFICER. The perfecting amendment to the bill.

Mr. DOMENICI. To the bill.

The PRESIDING OFFICER. The Senator is correct.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. STEVENS. I announce that the Senator from Wisconsin (Mr. KASTEN), is necessarily absent.

Mr. CRANSTON. I announce that the Senator from Texas (Mr. BENTSEN), the Senator from Connecticut (Mr. DODD), and the Senator from Massachusetts (Mr. KENNEDY), are necessarily absent.

I further announce that, if present and voting, the Senator from Massachusetts (Mr. KENNEDY), would vote "nay."

The PRESIDING OFFICER. Are there any other Senators in the Chamber who desire to vote?

The result was announced—yeas 50, nays 46, as follows:

[Rollcall Vote No. 74 Leg.]

YEAS—50

Abdnor	Hawkins	Pressler
Armstrong	Hecht	Quayle
Baker	Heinz	Roth
Boschwitz	Helms	Rudman
Chafee	Humphrey	Simpson
Danforth	Jackson	Specter
Denton	Jepsen	Stevens
Dole	Kassebaum	Symms
Domenici	Laxalt	Thurmond
Durenberger	Lugar	Tower
East	Mathias	Trible
Garn	Mattingly	Wallop
Goldwater	McClure	Warner
Gorton	Murkowski	Weicker
Grassley	Nickles	Wilson
Hatch	Packwood	Zorinsky
Hatfield	Percy	

NAYS—46

Andrews	Eagleton	Metzenbaum
Baucus	Exon	Mitchell
Biden	Ford	Moynihan
Bingaman	Glenn	Nunn
Boren	Hart	Pell
Bradley	Heflin	Proxmire
Bumpers	Hollings	Pryor
Burdick	Huddleston	Randolph
Byrd	Inouye	Riegle
Chiles	Johnston	Sarbanes
Cochran	Lautenberg	Sasser
Cohen	Leahy	Stafford
Cranston	Levin	Stennis
D'Amato	Long	Tsongas
DeConcini	Matsunaga	
Dixon	Melcher	

NOT VOTING—4

Bentsen	Kasten
Dodd	Kennedy

So the amendment (No. 1238) was agreed to.

Mr. DOMENICI. Mr. President, I move to reconsider the vote by which the amendment was agreed to.

Mr. McCLURE. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

VOTE ON AMENDMENT NO. 1237

Mr. DOMENICI. Mr. President, I move to table the Hollings amendment and I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second? There is a sufficient second.

The yeas and nays were ordered.

Mr. HOLLINGS. Mr. President, I have an amendment, another amendment.

The PRESIDING OFFICER. The Senator is advised that an amendment is not in order while a motion to table is pending.

Mr. HOLLINGS. I am sorry.

You moved to table?

Mr. DOMENICI. I did.

Mr. HOLLINGS. All right, let us vote on that.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from New Mexico to lay on the table the amendment of the Senator from South Carolina. The yeas and nays have been ordered, and the clerk will call the roll.

The bill clerk called the roll.

Mr. STEVENS. I announce that the Senator from New York (Mr. D'AMATO), the Senator from Wisconsin (Mr. KASTEN), and the Senator from Texas (Mr. TOWER) are necessarily absent.

Mr. CRANSTON. I announce that the Senator from Texas (Mr. BENTSEN), the Senator from Connecticut (Mr. DODD), and the Senator from Massachusetts (Mr. KENNEDY) are necessarily absent.

I further announce that, if present and voting, the Senator from Connecticut (Mr. DODD) and the Senator from Massachusetts (Mr. KENNEDY) would each vote "nay."

The PRESIDING OFFICER. Are there any other Senators in the Chamber wishing to vote?

The result was announced—yeas 46, nays 48, as follows:

[Rollcall Vote No. 75 Leg.]

YEAS—46

Abdnor	Hatfield	Pressler
Armstrong	Hawkins	Proxmire
Baker	Hecht	Quayle
Boschwitz	Heinz	Roth
Chafee	Helms	Rudman
Danforth	Humphrey	Simpson
Denton	Kassebaum	Stevens
Dole	Laxalt	Symms
Domenici	Lugar	Thurmond
Durenberger	Mathias	Trible
East	Mattingly	Wallop
Garn	McClure	Warner
Goldwater	Murkowski	Weicker
Gorton	Nickles	Wilson
Grassley	Packwood	
Hatch	Percy	

NAYS—48

Andrews	Boren	Byrd
Baucus	Bradley	Chiles
Biden	Bumpers	Cochran
Bingaman	Burdick	Cohen

Cranston	Jackson	Nunn
DeConcini	Jepsen	Pell
Dixon	Johnston	Pryor
Eagleton	Lautenberg	Randolph
Exon	Leahy	Riegle
Ford	Levin	Sarbanes
Glenn	Long	Sasser
Hart	Matsunaga	Specter
Heflin	Melcher	Stafford
Hollings	Metzenbaum	Stennis
Huddleston	Mitchell	Tsongas
Inouye	Moynihan	Zorinsky

NOT VOTING—6

Bentsen	Dodd	Kennedy
D'Amato	Kasten	Tower

So the motion to lay on the table amendment No. 1237 was rejected.

Mr. BAKER addressed the Chair.

The PRESIDING OFFICER. The majority leader.

Mr. BAKER. Mr. President, I have discussed this with the minority leader. I believe there is a requirement for a brief time now for consultations off the floor, on one side of the aisle, at least. I have agreed with the minority leader that we would stand in recess for 30 minutes, with the time charged equally, notwithstanding the recess of the Senate, against both sides against the resolution. I make that request at this time.

Mr. BYRD. Mr. President, I thank the distinguished majority leader.

Mr. HOLLINGS. Can I make a motion to reconsider?

Mr. BAKER. You can do that, but you will get another rollcall out of it. We can do that, if you wish.

Mr. HOLLINGS. All right.

Mr. BAKER. Mr. President, I put the request.

Mr. BYRD. Does the Senator wish to make a motion before the ruling?

Mr. HOLLINGS. I move to reconsider the vote by which the motion was rejected.

Several Senators addressed the Chair.

The PRESIDING OFFICER. The Chair will advise that the majority leader has the floor.

Mr. BAKER. Mr. President, I am perfectly willing to do that, but I want it understood that I am yielding for the purpose of a motion to reconsider being made without losing my right to the floor.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HOLLINGS. I thank the Senator.

I move to reconsider the vote by which the motion was rejected.

Several Senators addressed the Chair.

The PRESIDING OFFICER. The majority leader has the floor.

Mr. BAKER. I have no desire to thwart anybody's desires, but the question will be whether we will debate this at this time, have another tabling motion at this time, or have a recess at this time. It does not make any difference to me except that if we are going to have the vote at this time, I believe there is a request by the distinguished manager to discuss the matter of reconsidering. In a moment, I will yield the floor, if that is the case. I expect either the minority leader or the manager will be recognized at that time.

I would recommend, Mr. President, if I may, that if we are going to have a recess, this is the best time to have it. The motion is pending, and nobody's rights will be disturbed. We can come back here and throw the ball up in the air and see what happens.

RECESS UNTIL 7:18 P.M.

The PRESIDING OFFICER. Is there objection to the request of the majority leader?

There being no objection, the Senate, at 6:48 p.m., recessed until 7:18 p.m.; whereupon the Senate reassembled when called to order by the Presiding Officer (Mr. HECHT).

RECESS UNTIL 7:45 P.M.

Mr. GARN. Mr. President, I ask unanimous consent that the recess be continued until 7:45 p.m. under the same conditions with the time on the 50 hours continuing to run and being charged equally to both sides.

There being no objection, the Senate, at 7:18 p.m., recessed until 7:45 p.m.; whereupon, the Senate reassembled when called to order by the Presiding Officer (Mr. HECHT).

The PRESIDING OFFICER. The majority leader is recognized.

Mr. BAKER. I thank the Chair.

RECESS UNTIL 8 P.M.

Mr. BAKER. Mr. President, I am advised that the caucus of Democratic Members has not yet ended, and it would be their wish that the time of the recess be extended for 15 more minutes. I ask unanimous consent that the Senate now stand in recess under the same terms and conditions.

Mr. GOLDWATER. Reserving the right to object. Now they say 8 p.m. It was 7:45. I want to get out of here.

Mr. BAKER. I am hoping they are doing good things, BARRY.

Mr. PERCY. Will there be one more vote tonight, definitely?

Mr. BAKER. Yes.

Mr. President, until 8 p.m., under the same terms and conditions.

There being no objection, the Senate at 7:46 p.m., recessed until 8 p.m.; whereupon, the Senate reassembled when called to order by the Presiding Officer (Mr. HECHT).

The PRESIDING OFFICER. The majority leader.

Mr. BAKER. Mr. President, so that we can have just a moment to confer, since the Democratic caucus has ended, I ask unanimous consent that it may be in order for me to suggest the absence of a quorum, with the time consumed therein charged equally against the parties.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BAKER. I suggest the absence of quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. BAKER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER OF PROCEDURE

Mr. BAKER. Mr. President, after conferring with the minority leader and a large number of Senators on both sides who were accurately portrayed by the junior Senator from New Jersey as the Senate's first joint caucus, I am prepared to say it seems the consensus of Members the best thing to do now is to recess over until tomorrow and to continue with the disposition of amendments during the day tomorrow.

ORDER FOR RECESS UNTIL 9:30 A.M. TOMORROW

Mr. BAKER. Mr. President, I now ask unanimous consent that when the Senate completes its business today it stand in recess until 9:30 a.m. tomorrow.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER FOR A PERIOD FOR THE TRANSACTION OF ROUTINE MORNING BUSINESS ON TOMORROW

Mr. BAKER. Mr. President, I further ask unanimous consent that after the recognition of the two leaders under the standing order, the time remaining between that hour and the hour of 10 a.m. be devoted to the transaction of routine morning business in which Senators may speak for not more than 2 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER FOR RESUMPTION OF SENATE CONCURRENT RESOLUTION 27, FIRST BUDGET RESOLUTION FOR 1984, ON TOMORROW

Mr. BAKER. Mr. President, at the hour of 10 a.m., I ask unanimous consent that the Senate resume consideration of the pending resolution, at which time the pending question will be the Hollings motion to reconsider the vote by which the Senate did not table the Hollings amendment.

The PRESIDING OFFICER. And that motion is not debatable.

Mr. BAKER. I thank the Chair.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BAKER. Mr. President, I thank the minority leader and I thank all the Senators.

ORDER OF PROCEDURE

Mr. BYRD. Mr. President, before the majority leader and everyone goes, may I ask two questions?

Mr. BAKER. Yes.

Mr. BYRD. One, have the yeas and nays been ordered on the motion to reconsider?

The PRESIDING OFFICER. They have not.

Mr. BYRD. Mr. President, I ask for the yeas and nays on the motion to reconsider.

The PRESIDING OFFICER. Is there a sufficient second? There is a sufficient second.

The yeas and nays were ordered.

Mr. BYRD. Mr. President, will the majority leader yield once more?

Mr. BAKER. I yield.

Mr. BYRD. Is it clear from the majority leader's statement, and I so ask, is it indubitably clear that there will be rollcall votes tomorrow?

Mr. BAKER. Mr. President, we will be in session tomorrow. I expect it to be a full day. There will most assuredly be rollcall votes tomorrow.

Mr. BYRD. I thank the majority leader.

Mr. President, the majority leader will agree with me, will he not, that the first rollcall can come as early as 10 a.m.?

Mr. BAKER. 10:01 a.m.

Mr. BYRD. 10:01 a.m.

Mr. BAKER. Mr. President, Senators should know, first, there will be no more RECORD votes tonight, but they should be on notice that there probably will be a rollcall vote as early as 10 a.m. tomorrow.

I point out, as the Chair pointed out, that the pending question is the motion to reconsider and it is a nondebatable motion. Therefore, it becomes nondebatable and a vote could occur immediately after we resume consideration of the pending resolution.

Senators should be on notice that there probably will be a vote at 10 a.m. tomorrow.

ROUTINE MORNING BUSINESS

Mr. BAKER. Mr. President, I ask unanimous consent that there now be a period for the transaction of routine morning business to extend not past 8:25 p.m. in which Senators may speak.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BAKER. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BAKER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. (Mr. PRESSLER). Without objection, it is so ordered.

ORDER OF BUSINESS

Mr. BAKER. Mr. President, I have a few items that appear to be cleared for action by unanimous consent. I will state these requests now, first, for the benefit of the minority leader and, of course, then for all Senators.

SENATE RESOLUTION 132—TO RECOGNIZE THE WEEK OF MAY 8, 1983, THROUGH MAY 14, 1983, AS SMALL BUSINESS WEEK

Mr. BAKER. Mr. President, I send a resolution to the desk on behalf of Senator WEICKER, the distinguished Senator from Connecticut, and others, and ask that it be placed on the calendar.

The PRESIDING OFFICER. Is there objection?

Mr. BYRD. No objection.

The PRESIDING OFFICER. Without objection, it is so ordered.

SENATE JOINT RESOLUTION 94—TO DESIGNATE MAY 8, 1983, to JUNE 19, 1983, AS "FAMILY REUNION MONTH"

Mr. BAKER. Mr. President, I have a request for a joint resolution offered by the distinguished junior Senator from Georgia (Mr. MATTINGLY) which is now at the desk and, similarly, I ask unanimous consent that that measure be placed on the calendar.

Mr. BYRD. Mr. President, I have no objection.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON LABOR AND HUMAN RESOURCES DISCHARGED FROM FURTHER CONSIDERATION OF S. 600 AND THE BILL REFERRED TO COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. BAKER. I ask unanimous consent that the Labor and Human Resources Committee be discharged from further consideration of S. 600, the Grand Canyon School District legislation, and it be referred to the Committee on Energy and Natural Resources.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON ENERGY AND NATURAL RESOURCES DISCHARGED FROM FURTHER CONSIDERATION OF S. 287

Mr. BAKER. I ask unanimous consent that the Committee on Energy and Natural Resources be discharged from further consideration of S. 287 a bill to establish the Harry S Truman National Historic Site in the State of Missouri and for other purposes and that the bill be placed on the calendar.

The PRESIDING OFFICER. Without objection, it is so ordered.

SENATE RESOLUTION 133 PLACED ON THE CALENDAR

Mr. BYRD. Mr. President, I ask unanimous consent that the Moynihan resolution at the desk relating to Solidarity Sunday be placed on the calendar.

Mr. BAKER. Mr. President, there is no objection to the request from this side.

The PRESIDING OFFICER. Without objection, it is so ordered.

THE DEDICATION OF THE MEMORIAL PLAQUE HONORING THOSE WHO DIED IN THE IRANIAN RESCUE MISSION

Mr. WARNER. Mr. President, on April 25, 1980, eight brave American servicemen lost their lives in a valiant attempt to rescue 53 of their fellow countrymen being held as hostages by the revolutionary government in Iran.

Those eight patriots, Marine Sgt. John Harvey, Marine Cpl. George Holmes, Jr., and Marine S. Sgt. Dewey Johnson; Air Force Maj. Richard Bakke, Maj. Harold Lewis, Jr., T. Sgt. Joel Mayo, Capt. Lyn McIntosh, and Capt. Charles T. McMillan, made the ultimate sacrifice for their country.

In honor of their sacrifice, Congress approved and the President signed into law a resolution last year authorizing the placement of a plaque in Arlington National Cemetery in recognition of the valor of these eight men.

On April 25, 1983, 3 years after this tragic mission, the congressionally ordered plaque was dedicated. I had the honor, as did others in this Chamber, of attending that ceremony, and I had the privilege of hearing what I consider to be one of the most moving statements I have ever heard—a speech by L. Bruce Laingen, America's last Ambassador to Iran, the man who faithfully and courageously represented our Nation during that wrenching experience.

There are no words which I am capable of expressing which better describe the feelings of pride, of dedication, of honor on the part of one human being toward the sacrifices of others than those of Ambassador Laingen.

Mr. President, I ask unanimous consent that Ambassador Laingen's speech at the April 25, 1983, dedication of the Iranian Mission plaque be printed in the RECORD so that all may reflect on his magnificent message.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

REMARKS BY AMBASSADOR BRUCE LAINGEN AT CEREMONY IN ARLINGTON NATIONAL CEMETERY, APRIL 25, 1983, DEDICATING A MEMORIAL PLAQUE TO THOSE WHO GAVE THEIR LIVES IN THE IRAN RESCUE MISSION

Mr. Secretary, Members of Congress, distinguished guests, families of those we honor, colleagues from the Tehran hostage group, three years ago those whose memory

we honor today were members of a small band of valorous men, embarked on a mission of almost incredible complexity. Men persuaded by hope and filled with the exuberance of youth, bright eyed in a spirit of adventure and daring, confident and committed in teamwork.

But more than that—they were also men joined together because they cared; because they cared about something much larger than themselves. Because they cared about freedom; because they cared with special fervor about the freedom and welfare of 53 of their countrymen; and because they cared about the dignity of the human spirit.

Renewing in this way their commitment to those very fundamentals of individual freedom that have always been at the core of the American experience; reminding us of the commitment of all who respond to the call of public service. Reminiscent of an expression from Thomas Paine that those who expect to reap the blessings of freedom must undergo the fatigue of supporting it. Reminiscent also of a maxim attributed to another American patriot, Andrew Jackson, that one man with courage makes a majority. Courage was not in short supply at Desert One. The men on that mission three years ago made courage contagious.

This is not the time or place to make a judgment of the technical or political wisdom of what those men were asked to do, and of the resources made available to them. Their mission has been termed a failure. And it did fail, in the sense that none of those men reached their goal. And it was a terrible tragedy in the loss of these eight men.

But it was not a failure in other respects: in what was learned, and in the demonstrated readiness of that group of men to try, and to try against almost impossible odds. Nor was it a failure in the way they reaffirmed in that way America's espousal of freedom and in the example they set for all of us of personal courage and sacrifice.

Today we come to this place, so symbolic of sacrifice in our nation's history, to dedicate a simple plaque to their memory, and to their heroism; yes, and also to commemorate the courage and spirit of all who went on that mission, and the love of families that gave them the strength to try.

A plaque that can do little to ease the pain of the families of those who did not return. A plaque inevitably inadequate in terms of what we owe them. But let this plaque, this monument, be seen as something more as well; let this plaque—and its dedication today—be also a reminder of the sacrifice of those many unsung heroes in a far larger sense. All those in public service who give of themselves and, infrequently, their very lives in responding to the call of duty; all those whose lives are lost in the daily task of training and exercises in maintaining our military deterrent in times of peace, at sea and on land (including those who died in the Indian Ocean while we were held in Iran), but whose loss sees so little public notice.

Yes, those too who man and who seek to protect our Embassies abroad in so many areas of risk—all of us reminded this past week by the tragedy of Beirut of what too often we take for granted in such service and where examples of heroism too often go unnoticed. Unsung, all of them, but heroes too. Just as much as those we honor here today.

So let this memorial be a continuing memorial, one that is alive in our minds and preserved in our hearts, to all who even today risk their lives, their homes, their sacred honor in the defense of those ideals that have made us proud to be called Americans.

And now to you, eight brave countrymen, who tried to reach out to us; from 53 fellow Americans who did not and now can never know you, but whose freedom when it finally came was brighter because of what you tried to do and what your memory means to us; over the distance of that great unknown that in death divides you from us, but within the faith that unites us all; we salute you, we reach out to you in a spirit of undying respect, we will not forget.

I now ask Secretary Weinberger to join me in unveiling the memorial plaque.

IN DEFENSE OF MARKETING ORDERS

Mr. CRANSTON. Mr. President, President Reagan is being counseled by some of his advisers to abandon marketing orders. This would be disastrous. It would invite chaos in the marketplace for numerous fruit, vegetable, and other specialty crops now sold under the provisions of Federal marketing orders. It would be disruptive for both growers and consumers.

Marketing orders provide stability in the marketplace and help insure that the consumer receives a reliable supply of high-quality products at affordable prices. By regulating the flow of commodities into the market, marketing orders prevent unreasonable fluctuations in supplies and prices, benefiting both producers and consumers.

I want to point out that marketing orders are not a form of Federal Government regulation. They are established only at the request of growers and handlers who must also approve the marketing orders before they are implemented.

President Reagan's directive on marketing orders this week is unclear. The fact that he did not come out clearly and strongly for marketing orders leaves open the possibility of further attacks on the marketing order system. As a longtime supporter of marketing orders, I criticize the President for placing this important marketing tool in jeopardy.

MESSAGES FROM THE HOUSE

At 11:29 a.m., a message from the House of Representatives delivered by Mr. Berry, one of its reading clerks, announced that the House has passed the following bills and joint resolution, in which it requests the concurrence of the Senate:

H.R. 594. An act to amend section 1 of the act of June 5, 1920, as amended, to authorize the Secretary of Commerce to settle claims for damages of less than $2,500 arising by reason of acts for which the National Oceanic and Atmospheric Administration is responsible;

H.R. 596. An act to transfer responsibility for furnishing certified copies of Miller Act payment bonds from the Comptroller General to the officer that awarded the contract for which the bond was given;

H.R. 723. An act for the relief of Marsha D. Christopher;

H.R. 726. An act for the relief of James A. Ferguson;

H.R. 730. An act for the relief of Ronald Goldstock and Augustus M. Statham;

H.R. 732. An act for the relief of Gregory B. Dymond, Samuel K. Gibbons, Jack C. Kean, James D. Nichols, and Roy A. Redmond;

H.R. 745. An act for the relief of Stephen C. Ruks;

H.R. 1692. An act to amend section 171 of title 10, United States Code, to provide that the Commandant of the Marine Corps shall be a member of the Armed Forces Policy Council;

H.R. 1750. An act for the relief of Apolonio P. Tumamao and others;

H.J. Res. 219. Joint resolution declaring the support of the U.S. Government for efforts of the U.S. Soccer Federation to bring the World Cup to the United States in 1986, designating the Secretary of Commerce as the official representative of the U.S. Government to the Federation Internationale de Football Association, and for other purposes.

HOUSE BILLS REFERRED

The following bills were read twice, and referred as indicated:

H.R. 594. An act to amend section 1 of the act of June 5, 1920, as amended, to authorize the Secretary of Commerce to settle claims for damages of less than $2,500 arising by reason of acts for which the National Oceanic and Atmospheric Administration is responsible; to the Committee on the Judiciary;

H.R. 596. An act to transfer responsibility for furnishing certified copies of Miller Act payment bonds from the Comptroller General to the officer that awarded the contract for which the bond was given; to the Committee on the Judiciary;

H.R. 723. An act for the relief of Marsha D. Christopher; to the Committee on the Judiciary;

H.R. 726. An act for the relief of James A. Ferguson; to the Committee on the Judiciary;

H.R. 730. An act for the relief of Ronald Goldstock and Augustus M. Statham; to the Committee on the Judiciary;

H.R. 732. An act for the relief of Gregory B. Dymond, Samuel K. Gibbons, Jack C. Kean, James D. Nichols, and Roy A. Redmond; to the Committee on the Judiciary;

H.R. 745. An act for the relief of Stephen C. Ruks; to the Committee on the Judiciary;

H.R. 1692. An act to amend section 171 of title 10, United States Code, to provide that the Commandant of the Marine Corps shall be a member of the Armed Forces Policy Council; to the Committee on Armed Services; and

H.R. 1750. An act for the relief of Apolonio P. Tumamao and others; to the Committee on the Judiciary.

HOUSE MEASURE PLACED ON CALENDAR

The following joint resolution was read twice and placed on the calendar.

H.J. Res. 219. Joint resolution declaring the support of the United States Government for efforts of the United States Soccer

Federation to bring the World Cup to the United States in 1986, designating the Secretary of Commerce as the official representative of the United States Government to the Federation Internationale de Football Association, and for other purposes.

MEASURES PLACED ON THE CALENDAR

The following measures were ordered placed on the calendar:

S. 287. A bill to establish the Harry S Truman National Historic Site in the State of Missouri, and for other purposes (discharged from the Committee on Energy and Natural Resources);

S. Res. 132. Resolution to recognize the week of May 8, 1983, through May 14, 1983, as "Small Business Week";

S. Res. 133. Resolution to express the sense of the Senate in support of "Solidarity Sunday".

PETITIONS AND MEMORIALS

The following petitions and memorials were laid before the Senate and were referred or ordered to lie on the table as indicated:

POM-126. A resolution adopted by the City Council of the City of Plainfield, New Jersey supporting that portion of Senate Bill 17, as well as other pending legislation in the House of Representatives, that would appropriate funds to local agencies to cover the administrative cost associated with the distribution, transportation and storage of surplus commodities; to the Committee on Agriculture, Nutrition, and Forestry.

POM-127. A resolution adopted by the City Commission of the City of Hallandale, Florida urging the Congress to preserve local control and contract rights for CATV systems in municipalities; to the Committee on Commerce, Science, and Transportation.

POM-128. A resolution adopted by the House of Representatives of the State of Pennsylvania; to the Committee on Commerce, Science, and Transportation:

"HOUSE RESOLUTION No. 19

"Whereas, Conrail is abandoning track in many areas of the Commonwealth; and

"Whereas, This abandonment program has serious economic impact on the various municipalities and businesses operating within this Commonwealth; therefore be it

"Resolved, That the House of Representatives of the Commonwealth of Pennsylvania memorialize the Congress of the United States to take such steps as will suspend Conrail's track abandonment program and to arrange for the United States Department of Transportation together with the Pennsylvania Department of Transportation and the management of Conrail to study the serious economic impact of track abandonment and to find ways to mitigate this impact; and be it further

"Resolved, That a copy of this resolution be immediately transmitted to the Governor, the Secretary of Transportation, the management of Conrail, the United States Secretary of Transportation and to the presiding officers of each house of Congress and to each member of Congress from Pennsylvania."

POM-129. A resolution adopted by the Council of the County of Hawaii urging Congress to approve the $2.6 million needed to allow BioEnergy Development Corporation to continue developing alternate energy sources; to the Committee on Energy and Natural Resources.

POM-130. A joint resolution adopted by the Legislature of the State of Idaho; to the Committee on Energy and Natural Resources:

"SENATE JOINT MEMORIAL No. 101

"Whereas, the public lands in Idaho are intermingled and managed with state and private lands; and

"Whereas, management policies on public land impact, restrict and influence the management of state and private lands; and

"Whereas, the current policies on public land relative to the management of wild horses and burros have caused severe damage to the vegetative, wildlife and soil resources on public, state and private lands; and

"Whereas, the current management policies for wild horses and burros are not cost effective and have not effectively controlled the wild horse and burro populations: Now, therefore, be it *"Resolved* by the members of the First Regular Session of the Forty-seventh Idaho Legislature, the Senate and the House of Representatives concurring therein, that the Congress is urged to pass legislation incorporating the principles of Senate Bill 2183 of the Second Session, Ninety-seventh Congress, allowing the sale of wild horses and burros from the public lands. Further, the Congress is urged to consider legislation for the management of wild horses and burros which is cost effective, technically sound and considerate of state and private land resources; and be it further

"Resolved, That the Secretary of the Senate be, and she is hereby authorized and directed to forward copies of this Memorial to the President of the Senate and the Speaker of the House of Representatives of Congress, and the honorable congressional delegation representing the State of Idaho in the Congress of the United States."

POM-131. A resolution adopted by the House of Representatives of the Commonwealth of Massachusetts; to the Committee on Environment and Public Works:

"RESOLUTION

"Resolved, That the Massachusetts House of Representatives respectfully urges the Congress of the United States to repeal and amend in part the Federal Clean Air Act, so as to not require motor vehicle inspection stations to purchase any type of machine to inspect gasoline emissions from leaded gasoline used by motor vehicles and further allow older models of motor vehicles to wear themselves out, in order not to create hardship to the owners of motor vehicle inspection stations; and be it further

"Resolved, That copies of these resolutions be transmitted forthwith by the Clerk of the House of Representatives to the President of the United States, to the presiding officer of each branch of the Congress and to each member thereof from this Commonwealth."

POM-132. A resolution by the Assembly of the State of California; to the Committee on Environment and Public Works:

"HOUSE RESOLUTION No. 15

"Whereas, The State of California and the federal government have been undertaking a preliminary study on the feasibility of enlarging Shasta Reservoir; and

"Whereas, The State of California has already expended approximately eight hundred twenty-five thousand dollars ($825,000) for its share of the Shasta study and the federal government has expended approximately eight hundred thousand dollars ($800,000) for its share; and

"Whereas, The enlargement of Shasta Reservoir could result in a net firm yield increase of 1.5 million acre-feet per year; and

"Whereas, There is still a need for additional water development to fulfill the contractual commitments of the State Water Project, to take care of the overdraft in the San Joaquin Valley, and to ensure an adequate water supply for the San Francisco Bay area; and

"Whereas, The federal government has not included additional funding in the 1984 budget to continue the studies necessary to determine the feasibility and design of the project; now therefore, be it

"Resolved by the Assembly of the State of California, That the Assembly memorializes the President and the Congress of the United States to include continued funding in the 1984 budget for the Shasta Reservoir enlargement studies; and, be it further

"Resolved, That the Chief Clerk of the Assembly transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, and to each Senator and Representative from California in the Congress of the United States."

POM-133. A resolution adopted by the House of Representatives of the State of Pennsylvania; to the Committee on Finance:

"HOUSE RESOLUTION No. 43

"Whereas, The domestic steel industry is one of the largest industries in America and has become an integral part of the American economy; and

"Whereas, Many factors have combined in the past ten years to reduce greatly the demand for and therefore the production of domestic steel; and

"Whereas, One of these factors is the significant rise in the amount of foreign steel being imported into America at low prices; and

"Whereas, Low foreign steel prices reflect market practices with which the American steel industry cannot compete, including the dumping of foreign steel into the American market, or, selling it at prices below its actual production cost, and foreign governmental subsidization of the steel industry within that country, as well as such competitive market practices as technological improvements and wage differences; and

"Whereas, As a direct result of the decrease in demand for domestic steel, domestic steel plants in this Commonwealth are operating at below 66% capacity and have experienced lay-offs of 40% of their steelworkers for over a year, causing substantial hardship to many Pennsylvanians and arousing the concern of everyone who senses the far-reaching effects of this situation; and

"Whereas, A limitation imposed on foreign steel importation by the United States government, either by increasing the import tax on foreign steel or by placing a quota on amounts imported, would result in an increase in demand for domestic steel; therefore be it

"Resolved, That the House of Representatives memorialize the Congress of the United States to pass legislation imposing quotas on foreign steel importation and directly pursuant thereto to reintroduce the steel quota bill which was introduced during

the 97th session of Congress; and be it further

"Resolved, That copies of this resolution be transmitted to the presiding officers of each house of Congress and to each member of Congress from Pennsylvania."

POM-134. A resolution adopted by the House of Representatives of the State of Pennsylvania; to the Committee on Finance:

"HOUSE RESOLUTION No. 52

"Whereas, The Federal General Revenue Sharing Program has greatly assisted State and local governments in the funding of necessary and needed governmental functions and programs; and

"Whereas, This program allows Pennsylvania municipalities to finance projects and services for their citizens and permits municipal governments to apportion spending in relation to individual community needs; and

"Whereas, General Revenue Sharing accounts for about 14% of local government budgets in Pennsylvania; and

"Whereas, Property taxes or other taxes and user fees would have to be raised to offset any loss of General Revenue Sharing funds; and

"Whereas, Many local governments in Pennsylvania are at or near their statutory taxation limits; therefore be it

"Resolved, That the House of Representatives memorialize the Congress of the United States to swiftly enact the Federal General Revenue Sharing Program for the 1983-1984 fiscal year prior to the expiration of the current program on September 30, 1983, so that local governments may begin to compose their 1984 budgets; and be it further

"Resolved, That copies of this resolution be transmitted to the presiding officers of each house of Congress and to each member of Congress from Pennsylvania."

POM-135. A resolution adopted by the Senate of the State of Pennsylvania; to the Committee on Finance:

"RESOLUTION

"Whereas, The Federal General Revenue Sharing Program expires September 30, 1983; and

"Whereas, The General Revenue Sharing Program is the most visible local return of the Federal tax dollar; and

"Whereas, The General Revenue Sharing Program allows municipalities the freedom to tailor spending to individual community needs; and

"Whereas, The General Revenue Sharing Program has enabled local governments to finance projects and services for their citizens that they otherwise would not be able to provide; and

"Whereas, The General Revenue Sharing accounts for about 14% of local government budgets in Pennsylvania; and

"Whereas, Property taxes or other taxes and user fees would have to be raised to offset any loss of General Revenue Sharing funds; and

"Whereas, Many local governments in Pennsylvania are at or near their statutory taxation limits; and

"Whereas, Favorable action needs to be taken on the General Revenue Sharing Program before municipalities begin to work on their 1984 budgets; therefore be it

"Resolved, That the Senate of Pennsylvania urge the President and Congress to work for an early reenactment of the Federal General Revenue Sharing Program as it now exists; and be it further

"Resolved, That copies of this resolution be transmitted to the President of the United States, to the presiding officers of each House of Congress and to each member of Congress from Pennsylvania."

POM-136. A concurrent resolution adopted by the Legislature of the State of North Dakota; to the Committee on Finance:

"HOUSE CONCURRENT RESOLUTION No. 3099

"Whereas, many North Dakota residents are currently engaged in railroad employment or have been engaged in such employment in the past and look to the railroad retirement system to provide benefits when they retire; and

"Whereas, many North Dakota residents are currently receiving benefits under the railroad retirement system and rely on those benefits to a large extent to meet their normal costs of living; and

"Whereas, any reduction in the amount of benefits received by beneficiaries under the railroad retirement system would have a drastic effect on the ability of these beneficiaries to meet their living expenses; and

"Whereas, projections of the financial condition of the railroad retirement system now show that unless corrective action is taken, monthly annuities will have to be reduced significantly beginning with the annuities to be sent out on October 1, 1983, with additional reductions probably required in the future; and

"Whereas, H.R. 1646, the Railroad Retirement Solvency Act of 1983, was introduced in the United States House of Representatives on February 24, 1983; and

"Whereas, H.R. 1646 would resolve the short-term and long-term financial problems of the railroad retirement system, though an even-handed approach of tax increases on railroad employers and employees and the adjustment of benefits to current and future beneficiaries, thereby preserving and protecing the rights and expectations of those currently receiving benefits and those who would receive those benefits in the future; now, therefore,

"Be it resolved by the House of Representatives of the State of North Dakota, the Senate concurring therein; That members of the United States Congress are urged to actively support and vote favorably on H.R. 1646, the Railroad Retirement Solvency Act of 1983; and

"Be it further resolved, That copies of this resolution be presented to the Speaker and Clerk of the United States House of Representatives, the President and Secretary of the United States Senate, and to each member of the North Dakota Congressional Delegation."

POM-137. A petition from the members of the National Treasury Employees Union urging Congress to reject the proposals to freeze pay for Federal employees, to cut retirement benefits or to otherwise attack the employment benefits and job rights of Federal employees; to the Committee on Government Affairs.

POM-138. A resolution adopted by the International Association of Machinists and Aerospace Workers urging Congress to recommend that Qantas Airways enter immediately into meaningful negotiations that will restore California's discharged Qantas employees to their former jobs; to the Committee on Labor and Human Resources.

POM-139. A resolution adopted by the Senate of the State of Pennsylvania; to the Committee on Energy and Natural Resources:

"RESOLUTION

"Whereas, Gradual decontrol of wellhead gas prices allowed under the Natural Gas Policy Act of 1978 hiked Pennsylvania gas bills by more than 130% since 1978; and

"Whereas, Decontrol continued either at its current rate under the Natural Gas Policy Act, or at a rate accelerated by the United States Congress or by administrative actions of the Federal Energy Regulatory Commission, would cost Pennsylvania gas consumers between ten and thirteen billion dollars between 1983 and 1986; and

"Whereas, Interstate gas pipelines have little incentive to make prudent purchasing decisions to keep prices as low as possible; therefore be it

"Resolved, That the Senate urge the United States Congress to pass comprehensive legislation which would:

"(1) extend gas price controls beyond 1985 and set ceilings at prewinter 1982-83 levels, allowing for increases based on inflation only;

"(2) eliminate expensive and onerous pipeline contract provisions which unnecessarily increase gas costs to consumers;

"(3) force the Federal Energy Regulatory Commission to review pipeline gas purchases to insure that pipelines buy the least expensive gas available;

"(4) remove the ability of the Federal Regulatory Commission to administratively deregulate gas prices; and

"(5) require the Federal Energy Regulatory Commission to allow greater public participation in the gas rate proceedings of the Federal Energy Regulatory Commission; and be it further

"Resolved, That copies of this resolution be transmitted to the President of the United States, to the presiding officers of each House of Congress, to each member of Congress from Pennsylvania and to the Chairman and Commissioners of the Federal Energy Regulatory Commission."

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. DURENBERGER, from the Committee on Governmental Affairs, with an amendment in the nature of a substitute:

S. 531: A bill to amend the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (together with additional views) (Rept. No. 98-71).

By Mr. PERCY, from the Committee on Foreign Relations, with amendments:

S. 639: A bill to authorize supplemental assistance to aid Lebanon in rebuilding its economy and armed forces, and for other purposes (Rept. No. 98-72).

By Mr. ANDREWS, from the Select Committee on Indian Affairs, without amendment:

S. 973: A bill to make technical amendments to the Indian Self-Determination and Education Assistance Act and other Acts (Rept. No. 98-73).

By Mr. ANDREWS, from the Select Committee on Indian Affairs, with amendments:

S. 884: A bill to provide for the use and distribution of funds awarded the Red Lake Band of Chippewa Indians in docket numbered 15-72 of the U.S. Court of Claims (Rept. No. 98-74).

By Mr. PERCY, from the Committee on Governmental Affairs, with an amendment in the nature of a substitute:

S. 376: A bill to amend the Debt Collection Act of 1982 to eliminate the requirement

that contracts for collection services to recover indebtedness owed the United States be effective only to the extent and in the amount provided in advance appropriation acts (Rept. No. 98-75).

By Mr. PERCY, from the Committee on Foreign Relations, without amendment:

S. Res. 131: An original resolution waiving section 402(a) of the Congressional Budget Act of 1974 with respect to the consideration of S. 639.

By Mr. McCLURE, from the Committee on Energy and Natural Resources:

Special report entitled "History, Jurisdiction, and a Summary of Legislative Activities during the 97th Congress of the Committee on Energy and Natural Resources" (Rept. No. 98-76).

EXECUTIVE REPORTS OF COMMITTEES

Mr. TOWER. Mr. President, from the Committee on Armed Services, I favorably report the following nominations: Gen. James R. Allen, U.S. Air Force, to be placed on the retired list, Gen. Thomas M. Ryan, Jr., U.S. Air Force, to be reassigned in the grade of general, Lt. Gen. Andrew P. Iosue, U.S. Air Force, to be general, Maj. Gen. Kenneth L. Peek, Jr., U.S. Air Force, to be lieutenant general, Lt. Gen. Harry A. Griffith, U.S. Army (age 58), to be placed on the retired list, Maj. Gen. Arthur E. Brown, Jr., U.S. Army, to be lieutenant general, Vice Adm. Lando W. Zech, Jr., U.S. Navy, to be placed on the retired list, Vice Adm. William P. Lawrence, U.S. Navy, to be reassigned in the grade of vice admiral, Lt. Gen. Robert J. Lunn, U.S. Army (age 55), to be placed on the retired list, Maj. Gen. Robert L. Moore, U.S. Army, to be lieutenant general, Brig. Gen. Donald E. Edwards, Army National Guard of the United States, to be major general, Col. Raymond R. Galloway, Army National Guard of the United States, to be brigadier general, Col. William A. Hornsby, Army National Guard of the United States, to be brigadier general, Vice Adm. William P. Lawrence, U.S. Navy, to be Chief of Naval Personnel, Lt. Gen. Winfield W. Scott, U.S. Air Force, to be reassigned in the grade of lieutenant general, Maj. Gen. John L. Pickitt, U.S. Air Force, to be lieutenant general, Maj. Gen. Robert E. Kelley, U.S. Air Force, to be lieutenant general, Lt. Gen. Robert W. Bazley, U.S. Air Force, to be reassigned in the grade of lieutenant general, Maj. Gen. Carl H. Cathey, U.S. Air Force, to be lieutenant general, Lt. Gen. Hans H. Driessnack, U.S. Air Force, to be placed on the retired list, Vice Adm. Robert R. Monroe, U.S. Navy, to be placed on the retired list, Vice Adm. William J. Cowhill, U.S. Navy, to be reassigned in the grade of vice admiral, Rear Adm. Carol C. Smith, Jr., U.S. Navy, to be vice admiral, Maj. Gen. D'Wayne Gray, U.S. Marine Corps, to be lieutenant general, and Maj. Gen. John R. Galvin, U.S. Army, to be lieutenant general. I ask that these names be placed on the Executive Calendar.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. TOWER. Mr. President, in addition, in the Navy and Naval Reserve there are 42 promotions/appointments to the grade of captain and below (list begins with Brandon O. Clarke), in the Navy there are 358 permanent appointments to the grade of lieutenant (list begins with James W. Arvin), in the Regular and Reserve of the Marine Corps there are 347 permanent appointments to the grade of lieutenant colonel (list begins with Richard M. Ahlers), in the Air Force there are 37 appointments to the grade of captain (list begins with William P. Abraham), in the Air Force there are 76 appointments to the grade of second lieutenant (list begins with Ray S. Adkins), and in the Navy there are 18 permanent appointments to the grade of captain and below (list begins with Thomas N. Cheamitru). Since these names have already appeared in the CONGRESSIONAL RECORD and to save the expense of printing again, I ask unanimous consent that they be ordered to lie on the Secretary's desk for the information of any Senator.

The PRESIDING OFFICER. Without objection it is so ordered.

(The nominations ordered to lie on the Secretary's desk were printed in the RECORD of April 15, April 18, and April 26, 1983, at the end of the Senate proceedings.)

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second time by unanimous consent, and referred as indicated:

By Mr. THURMOND:

S. 1212. A bill for the relief of 16 employees of the Charleston Naval Shipyard; to the Committee on the Judiciary.

By Mr. EAGLETON (for himself and Mr. DANFORTH):

S 1213. A bill to direct the U.S. Postal Service to issue a special postage stamp to commemorate the 100th anniversary of the birth of President Harry S. Truman; to the Committee on Governmental Affairs.

By Mr. HEINZ:

S. 1214. A bill to amend the Railroad Retirement Act of 1974 to provide that certain additional military service shall be deemed part of the years of service of an individual for the computation of certain annuities; to the Committee on Labor and Human Resources.

By Mr. COCHRAN:

S. 1215. A bill to amend section 218 of title 38, United States Code, to clarify the authority of police officers and special investigators of the Veterans' Administration, to fix the rates of pay of such personnel, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. INOUYE:

S. 1216. A bill for the relief of Mr. Clement Esmail; to the Committee on the Judiciary.

S. 1217. A bill for the relief of Mrs. Lusia M. Loholoho; to the Committee on the Judiciary.

By Mr. NUNN (for himself and Mr. MATTINGLY):

S. 1218. A bill to amend the act of August 15, 1978, regarding the Chattahoochee River National Recreation Area in the State of Georgia; to the Committee on Energy and Natural Resources.

By Mr. MELCHER:

S. 1219. A bill to define the circumstances under which construction workers may deduct travel and transportation expenses in computing their taxable incomes for purposes of the Federal income tax; to the Committee on Finance.

By Mr. MATHIAS (for himself, Mr. KENNEDY, Mr. HEINZ, Mr. BIDEN, Mr. SPECTER, Mr. BAUCUS, Mr. STAFFORD, Mr. LEAHY, Mr. PACKWOOD, Mr. METZENBAUM, Mr. DURENBERGER, Mr. CRANSTON, Mr. DANFORTH, Mr. GLENN, Mr. WEICKER, Mr. HART, Mr. HATFIELD, Mr. HOLLINGS, Mr. BOSCHWITZ, Mr. INOUYE, Mr. MOYNIHAN, Mr. RIEGLE, Mr. SARBANES, Mr. TSONGAS, Mr. BURDICK, Mr. BENTSEN, Mr. PROXMIRE, Mr. LAUTENBERG, Mr. BRADLEY, Mr. LEVIN, Mr. DODD, Mr. MATSUNAGA, Mr. BINGAMAN, Mr. EAGLETON, Mr. PELL, Mr. MELCHER, Mr. MITCHELL, Mr. JACKSON, and Mr. DIXON):

S. 1220. A bill to amend title VIII of the act commonly called the Civil Rights Act of 1968, to revise the procedures for the enforcement of fair housing, and for other purposes; to the Committee on the Judiciary.

By Mr. HATCH:

S. 1221. A bill to amend the the Internal Revenue Code of 1954 to encourage the donation of volunteer services to charitable organizations by allowing a deduction for the costs incident to such services; to the Committee on Finance.

By Mr. BAUCUS:

S. 1222. A bill for the relief of Charles V. Waldron; to the Committee on the Judiciary.

By Mr. HUDDLESTON (for himself and Mr. FORD):

S. 1223. A bill to amend the Internal Revenue Code of 1954 to provide that proceeds from wagers will not be aggregated for purposes of determining whether tax should be withheld; to the Committee on Finance.

By Mr. NICKLES (for himself, Mr. BOREN, and Mr. DENTON):

S. 1224. A bill to provide for the disposition of certain undistributed judgment funds awarded the Creek Nation; to the Select Committee on Indian Affairs.

By Mr. MATHIAS (for himself, Mr. FORD, and Mr. HUDDLESTON):

S. 1225. A bill to amend the Internal Revenue Code of 1954 to clarify the extent to which a State, or political subdivision, may tax certain income from sources outside the United States; to the Committee on Finance.

By Mr. CRANSTON (for himself, Mr. KENNEDY, Mr. MOYNIHAN, and Mr. TSONGAS):

S. 1226. A bill to amend the Public Health Service Act to authorize appropriations to be made available to the Secretary of Health and Human Services to respond to

public health emergencies; to the Committee on Labor and Human Resources.

By Mr. NICKLES:

S. 1227. A bill to amend the Employee Retirement Income Security Act of 1974 for the purpose of improving the single-employer pension plan termination insurance program established under Title IV therein; to the Committee on Finance.

By Mr. MATTINGLY (for himself, Mrs. HAWKINS, Mr. CHAFEE, Mr. DENTON, Mr. ARMSTRONG, Mr. COCHRAN, Mr. BURDICK, Mr. DANFORTH, Mr. DODD, Mr. EAST, Mr. FORD, Mr. HELMS, Mr. HOLLINGS, Mr. LUGAR, Mr. MOYNIHAN, Mr. NUNN, Mr. HEINZ, Mr. HEFLIN, Mr. LEVIN, Mr. NICKLES, Mr. KENNEDY, Mr. SPECTER, Mr. RANDOLPH, Mr. SYMMS, Mr. JEPSEN, Mr. JOHNSTON, Mr. TOWER, and Mr. DECONCINI):

S.J. Res. 94. Joint resolution to authorize and request the President to designate May 8, 1983 to June 19, 1983, as "Family Reunion Month"; read twice and placed on the calendar.

By Mr. PRESSLER:

S.J. Res. 95. Joint resolution declaring the support of the U.S. Government for efforts of the U.S. Soccer Federation to bring the World Cup to the United States in 1986, designating the Secretary of Commerce as the official representative of the U.S. Government to the Federation Internationale de Football Association, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. DECONCINI (for himself, Mr. PROXMIRE, Mr. DIXON, Mr. HOLLINGS, Mr. BOSCHWITZ, Mr. SASSER, Mr. LUGAR, Mr. WILSON, Mr. DOMENICI, Mr. BENTSEN, Mr. PRESSLER, Mr. HEFLIN, Mr. QUAYLE, Mr. INOUYE, Mr. PELL, Mr. COHEN, Mr. HEINZ, Mr. GRASSLEY, Mr. BUMPERS, Mr. EXON, Mr. GORTON, Mr. BOREN, Mr. ARMSTRONG, Mr. NICKLES, Mr. ROTH, Mr. DOLE, and Mr. LEAHY):

S.J. Res. 96. Joint resolution to designate August 1, 1983, as "Helsinki Human Rights Day"; to the Committee on the Judiciary.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. PERCY:

S. Res. 131. An original resolution waiving section 402(a) of the Congressional Budget Act of 1974 with respect to the consideration of S. 639; from the Committee on Foreign Relations; to the Committee on the Budget.

By Mr. BAKER (for Mr. WEICKER) (for himself, Mr. NUNN, Mr. ABDNOR, Mr. ANDREWS, Mr. BAUCUS, Mr. BENTSEN, Mr. BINGAMAN, Mr. BOREN, Mr. BOSCHWITZ, Mr. BRADLEY, Mr. BUMPERS, Mr. BURDICK, Mr. BYRD, Mr. CHILES, Mr. COCHRAN, Mr. COHEN, Mr. CRANSTON, Mr. D'AMATO, Mr. DIXON, Mr. DODD, Mr. DOLE, Mr. DOMENICI, Mr. DURENBERGER, Mr. EAGLETON, Mr. EAST, Mr. FORD, Mr. GARN, Mr. GLENN, Mr. GOLDWATER, Mr. GORTON, Mr. HART, Mr. HATCH, Mrs. HAWKINS, Mr. HEFLIN, Mr. HEINZ, Mr. HELMS, Mr. HOLLINGS, Mr. HUDDLESTON, Mr. JEPSEN, Mr. JOHNSTON, Mrs. KASSEBAUM, Mr. KASTEN, Mr. KENNEDY, Mr. LAUTENBERG, Mr. LAXALT, Mr. LEAHY, Mr. LEVIN, Mr. LUGAR, Mr. MCCLURE, Mr. MELCHER, Mr. METZENBAUM, Mr. MITCHELL, Mr. MOYNIHAN, Mr. MURKOWSKI, Mr. NICKLES, Mr. PACKWOOD, Mr. PELL, Mr. PERCY, Mr. PRESSLER, Mr. PROXMIRE, Mr. PRYOR, Mr. QUAYLE, Mr. RANDOLPH, Mr. RIEGLE, Mr. RUDMAN, Mr. SARBANES, Mr. SASSER, Mr. SPECTER, Mr. STAFFORD, Mr. STENNIS, Mr. STEVENS, Mr. TSONGAS, Mr. WALLOP, Mr. WILSON, Mr. ZORINSKY, Mr. CHAFEE, Mr. EXON, and Mr. DANFORTH):

S. Res. 132. Resolution to recognize the week of May 8, 1983, through May 14, 1983, as "Small Business Week"; submitted and placed on the calendar.

By Mr. BYRD (for Mr. MOYNIHAN) (for himself, Mr. D'AMATO, Mr. BAUCUS, Mr. BENTSEN, Mr. BOREN, Mr. BOSCHWITZ, Mr. BRADLEY, Mr. BYRD, Mr. CHILES, Mr. COHEN, Mr. CRANSTON, Mr. DANFORTH, Mr. DIXON, Mr. DOLE, Mr. GARN, Mr. GLENN, Mr. GRASSLEY, Mr. HECHT, Mr. HEINZ, Mr. HOLLINGS, Mr. INOUYE, Mr. JACKSON, Mr. JEPSEN, Mr. JOHNSTON, Mrs. KASSEBAUM, Mr. LEVIN, Mr. LUGAR, Mr. METZENBAUM, Mr. NICKLES, Mr. PELL, Mr. PERCY, Mr. PRESSLER, Mr. PROXMIRE, Mr. QUAYLE, Mr. RIEGLE, Mr. SARBANES, Mr. SASSER, Mr. SYMMS, and Mr. TSONGAS):

S. Res. 133. A resolution to express the sense of the Senate in support of "Solidarity Sunday"; submitted and placed on the calendar.

By Mr. ARMSTRONG:

S. Con. Res. 31. A concurrent resolution calling upon the Union of Soviet Socialist Republics to end the current repressive policies of forced labor and expressing the sense of the Congress that the exploitation of workers in forced-labor camps by the Union of Soviet Socialist Republics is morally reprehensible; to the Committee on Foreign Relations.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. THURMOND:

S. 1212. A bill for the relief of 16 employees of the Charleston Naval Shipyard; to the Committee on the Judiciary.

CHARLESTON NAVAL SHIPYARD EMPLOYEES

Mr. THURMOND. Mr. President, today I am reintroducing a bill which will provide monetary relief for 16 civil service employees at the Charleston Naval Shipyard. These employees have been required to repay the Government a portion of the per diem allowances they had received for expenses incurred while attending a long-term training program in 1976.

The Navy regulations, which governed the per diem to which they were entitled, were changed while these employees were attending this program. The Navy, through administrative error, failed to reduce the per diem as required by the new regulations and thus overpaid the 16 employees. The Navy has acknowledged this error, but has interpreted current law as prohibiting cancellation of repayment.

For this reason, I am introducing this legislation to relieve these employees of all liability for the amounts which they were overpaid. It would authorize the Government to reimburse any amounts subsequently withheld by the Navy in satisfaction of that liability. I introduced this same legislation in previous Congresses, including the 95th Congress. It passed the Senate on June 8, 1978, as S. 1909, but the House of Representatives failed to take action.

The total amount involved is $12,434.65. The amount per individual varies from a low of $434 to a high of $1,250.05. This variation among the 16 employees is due to differences in calendar time and training time during the specified temporary duty period for which per diem allowances were authorized and paid.

Mr. President, when my constituents brought this problem to my attention in 1977 and provided the documentation supporting the administrative error, I requested the Department of the Navy to investigate. For clarification of the problem, I would like to quote a portion of the resulting Navy report:

The employees for whom you have inquired received overpayment of per diem while attending long-term training programs. All of the employees in question were assigned to training programs which lasted in excess of 120 continuous calendar days. Prior to commencing their training assignments, the employees were issued travel orders which authorized a per diem not to exceed the maximum allowable, which at that time was $33 per day. Effective 1 August 1976, the Joint Travel Regulations (JTR), Volume 2, which set forth the regulations governing travel and transportation entitlements of Department of Defense civilian personnel, were revised to provide that employees assigned to a continuous full-time training program of 120 or more calendar days are entitled to receive 55 percent of the maximum amount allowable for the locality where the training is being conducted. This change thus affected those employees already in attendance at training programs and resulted in a reduction in per diem entitlement effective 1 August 1976. Payments made to those Charleston Naval Shipyard employees on whose behalf you have inquired, were not reduced as required by the change in the regulations, resulting in an overpayment for which repayment has now been sought.

The per diem rates stipulated in the JTR are applicable to all Department of Defense personnel and are mandatory for the various conditions of travel described unless otherwise provided. The Comptroller General of the United States has consistently held that amendatory regulations changing per diem rates have the force and effect of law and are applicable from the stated effective date thereof. This ruling is applicable not only in cases where the individual employee has not recieved notice of the increase or decrease in rates, but also in cases where the installation directing the travel has not received actual notice of the amendment.

Furthermore, an employee has no vested right to be paid at the rate in effect on the

date his travel orders are issued for the duration of those orders in the presence of a regulatory revision to the rate in the interim.

The current provision of the JTR, which was effective 1 August 1976 and requires a reduction in the rate of per diem for long-term training programs of 120 or more calendar days, was initiated on the basis that when an employee is attending a course of instruction for a period in excess of four months he can reasonably be expected to procure semi-permanent quarters on other than a daily basis and with facilities sufficient for the preparation of meals, thereby reducing lodging and subsistence expenses. This provision is also in consonance with the Department of Defense policy that a civilian employee performing travel on official business is expected to exercise the same care in incurring expenses that a prudent person would if traveling on personal business.

Civilian Manpower Management Instruction (CMMI) 410.10 sets forth the Department of the Navy policy on assignment of employees to long-term training and education provided by the Government Employees Training Act of July 7, 1958, and as codified at Chapter 41 of title 5, United States Code. In the statement of scope, that CMMI provides in part that "As used in this CMMI, the term long-term training and education refers to the off-the-job training (other than apprenticeship, cooperative education, and management intern programs) to which an employee is assigned on a full-time basis and which consists of more than 120 consecutive working days." Such a statement clearly indicates that the definition as used therein relates solely to the expenditure of Government funds as authorized under the law to procure instructional or training services for employees to further development and thus provide improved service to the Government. It does not indicate that such definition governs in determining entitlement to travel and transportation allowance expenditures. As requested in your letter of 25 May 1977, following is a list of amounts overpaid to those employees on whose behalf you have inquired:

Henry Brown	$476.00
Byron R. Buchanan	1,077.00
Arthur Canady	450.00
Robert E. Carter	442.00
Edwin L. Clickner	476.00
William F. Cummings	1,077.00
Edward F. Fuller	1,077.00
Wilbur Geathers	482.85
Donell E. Gourdine	1,250.05
David D. Lorick	1,077.00
Martin N. Olmeda	1,077.00
Lawrence E. Riley	617.00
Dean W. Sabo	1,077.00
Leon T. Scarborough	902.75
George B. Stone	442.00
Paul K. Vincent	434.00

It is regretted that the erroneous payments of per diem were caused by a misinterpretation of applicable regulations relating to long-term training, and that the information was accepted in good faith by the employees in question. The Comptroller General has consistently ruled, however, that the United States is not bound by erroneous or unauthorized acts of its officers and employees. Such a misinterpretration may not, therefore, serve as a basis for an exception to the regulations. Though Public Law 92-453 (5 U.S. Code 5584) permits the waiver of erroneous payments of pay and allowances to employees, travel and transportation allowances are specifically excluded from the provision. There is, therefore, no authority under which the overpayments of per diem made to your constituents may be waived.

Mr. President, the Department of the Navy reiterated its intention to complete the collection of these debts in its letter of September 1981. It has expressed however, its willingness to immediately refund any moneys it has collected upon enactment of this bill. These employees have been financially penalized due to a Government error. I strongly urge my distinguished colleagues to support this bill.

Mr. President, I ask unanimous consent that the bill be printed in the CONGRESSIONAL RECORD at the conclusion of my remarks.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 1212

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following named employees of the Charleston Naval Shipyard, Charleston, South Carolina, are hereby relieved of all liability to repay to the United States the below listed sums representing overpayments of per diem made through administrative error and received in good faith by the employees:

(1) Henry Brown, the sum of $476;
(2) Byron R. Buchanan, the sum of $1,077;
(3) Arthur Canady, the sum of $450;
(4) Robert E. Carter, the sum of $442;
(5) Edwin L. Clickner, the sum of $476;
(6) William F. Cummings, the sum of $1,077;
(7) Edward F. Fuller, the sum of $1,077;
(8) Wilbur Geathers, the sum of $482.85;
(9) Donell E. Gourdine, the sum of $1,250.05;
(10) David D. Lorick, the sum of $1,077;
(11) Martin N. Olmeda, the sum of $1,077;
(12) Lawrence E. Riley, the sum of $617;
(13) Dean W. Sabo, the sum of $1,077;
(14) Leon T. Scarborough, the sum of $902.75;
(15) George B. Stone, the sum of $442; and
(16) Paul K. Vincent, the sum of $434.

SEC. 2. The Secretary of the Treasury is hereby authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to an employee listed above any amount equal to the aggregate of the amount paid by such employee or withheld from any sum due him, in complete or partial satisfaction of the liability to the United States as specified in the first section of this Act.

SEC. 3. No part of the amounts appropriated in this Act shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of the Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exeeding $1,000.

By Mr. HEINZ:

S. 1214. A bill to amend the Railroad Retirement Act of 1974 to provide that certain military service shall be deemed part of the years of service of an individual for the computation of certain annuities; to the Committee on Labor and Human Resources.

RAILROAD RETIREMENT ACT

● Mr. HEINZ. Mr. President, today I am introducing legislation to correct an inequity in the Railroad Retirement Act that affects a very small number of railroad employees and retirees who served the United States of America during the Korean conflict.

Currently, under the Railroad Retirement Act, almost all veterans who served their country during a so-called war service period have their years of military service counted in their total years of service for retirement purposes. The military service provisions of the Railroad Retirement Act allow credit for military service to individuals whose railroad service was interrupted either by conscription or because he volunteered during an armed conflict or state of national emergency.

The problem is that if an individual entered into the military voluntarily—just prior to the commencement of a "war service period"—he cannot receive credit for any of the military service. Because of the way the war service periods are defined under the Railroad Retirement Act, between 1939 and 1978, only those who enlisted just prior to the Korean conflict receive no credit for their military service.

This matter was brought to my attention by a constituent from Altoona, Pa., Mr. Albert Lemme. Mr. Lemme received a draft questionnaire on October 3, 1950. Believing he had the right to exercise his preference concerning the branch of military service in which he chose to serve, Mr. Lemme enlisted in the U.S. Navy on October 17, 1950. He has since learned that none of his 4 years of military service are credited under the Railroad Retirement Act, because he enlisted voluntarily prior to the official war service period that began just 2 months later on December 16, 1950.

Mr. President, it is neither fair nor equitable to penalize those few railroad employees who voluntarily enlisted prior to this war service period, when they served alongside those who do get credit for the same service, simply because they enlisted or were drafted just a few months later than Mr. Lemme and others like him.

Let me elaborate on this inequity by describing the war service periods as defined by the Railroad Retirement Act. The war service period that began September 8, 1938, with the advent of World War II, ended following the Presidential proclamation of June 14, 1948. A subsequent war period began on December 16, 1950, in connection with the Korean conflict, and did not officially end until September 14, 1978. Thus, between 1939 and 1978, virtually the only people whose military service is not counted in total years of service are those who volun-

tarily enlisted in the 29-month period between June 1948 and December 1950. In addition, some small number of individuals who entered military service in the war service period between January 1, 1947, through June 14, 1948, do not get credit for their military service during the 29 months in between the war service periods.

This bill corrects these inequities. It redefines the "war service period" to include the period between June 15, 1948, through December 15, 1950. The bill thus eliminates the disparate treatment between individuals whose railroad employment was interrupted by military service. As a condition for crediting this military service, however, the bill requires that the individual's military service must have been preceded and followed by employment in the rail industry.

Mr. President, within a matter of a few short weeks, the Senate will be taking up the railroad retirement legislation that is necessary to prevent automatic, drastic reductions in benefits that will take place next October if Congress fails to act in time. I would like to see this noncontroversial, technical bill included in that legislation.

It is my understanding that representatives of labor and management will agree to this provision and would be willing to include it in the forthcoming railroad retirement bill. This is a good time for Congress to correct an inequity that affects only a small number of people. Because so few people will be affected by this bill, the cost of this provision would be negligible, too small to estimate. For this small group of people, however, the inequity is too unfair for us to ignore. I urge my colleagues to join me in support of this bill.

I ask unanimous consent that the text of the bill be made part of the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 1214

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 1(g)(2) of the Railroad Retirement Act of 1974 is amended by adding at the end thereof the following: "For purposes of section 3(i)(2) of this Act, the period June 15, 1948, through December 15, 1950, shall be deemed to be a war service period with respect to any individual who without intervening employment not covered under this Act rendered service as an employee to an employer under this Act in the year he was released from active military service or in the year immediately following such year.".

SEC. 2. The amendment made by this Act shall apply with respect to annuities accruing in months beginning after the date of enactment of this Act.●

By Mr. COCHRAN:

S. 1215. A bill to amend section 218 of title 38, United States Code, to clarify the authority of police officers and special investigators of the Veterans' Administration, to fix the rates of pay of such personnel, and for other purposes; to the Committee on Veterans' Affairs.

VETERANS' ADMINISTRATION POLICE AMENDMENTS OF 1983

● Mr. COCHRAN. Mr. President, today I am introducing legislation which addresses the needs of Veterans' Administration medical centers' police authorities. Hearings in the 97th Congress highlighted deficiencies in the current system of security enforcement and also in the retention of qualified personnel. This situation, which is common to VA medical centers throughout the country, is running off some of our most qualified security personnel and poses a threat of danger not only to each facility, but also to the surrounding communities.

The Veterans' Administration Police Amendments of 1983 clarifies the responsibility of VA police officers as enforcers of Federal laws and VA rules and regulations while on VA property. It allows the Administrator to determine whether officers and investigators need to carry firearms in case of emergencies. My bill also increases the amount of penalties the Administrator may set for violations of regulations which constitute petty offenses under Federal criminal law. This brings the penalty limits for offenses in line with those for other Federal agency property protection regulations. The longstanding problem of inadequate salary and uniform allowance is also remedied by this legislation in an attempt to both attract and retain highly competent police officers.

The issue of adequate pay scales for these important positions has been a major concern to VA officals and others, including the American Legion. During the September 23, 1982, House Veterans' Affairs Subcommittee on Hospitals and Health Care hearing on this subject, John F. Sommer, Jr., Deputy Director of the National Veterans' Affairs and Rehabilitation Commission at the American Legion made the alarming observation that the starting salary of a New York City VA police officer is "reported to be a little less than a married couple with one child receiving welfare payments."

Mr. Sommer also gave several illustrations of losses in the form of robbery and vandalism at VA medical centers which were directly attributable to an inadequate security system which allows a high turnover of personnel with little incentive for highly qualified people to even apply for positions, much less stay with the VA.

Mr. President, this is a distressing situation which needs immediate attention. I am proud to introduce this legislation as a remedy to the problems which have been brought to our attention through congressional hearings and personal contact from VA employees.●

By Mr. NUNN (for himself and Mr. MATTINGLY):

S. 1218. A bill to amend the act of August 15, 1978 regarding the Chattahoochee River National Recreation Area in the State of Georgia; to the Committee on Energy and Natural Resources.

CHATTAHOOCHEE RIVER NATIONAL RECREATION ACT AMENDMENTS OF 1983

● Mr. NUNN. Mr. President, I am pleased to introduce legislation along with Senator MATTINGLY which will carry out the intent of the original act which created the Chattahoochee River National Recreation Area. To fulfill this intent, any new proposal must provide an adequate property base for the long-term protection of the natural, scenic, and historic values of the Chattahoochee corridor. It must also include sufficient provisions for the growing recreational demands of the area. I believe our bill, which is identical to H.R. 2645 introduced by Congressman LEVITAS and eight of my colleagues from the Georgia House delegation, meets these criteria, and does so in a way which demonstrates a responsible awareness of the budgetary constraints currently facing the Congress.

The original act to establish the Chattahoochee River National Recreation Area was approved by the Senate after careful study in August of 1978. At that time, the boundaries of the park were generally defined, but it was understood that more time and study would be needed to further clarify the exact properties needed and best suited for the protection of this scenic corridor.

The Chattahoochee begins as a small mountain stream in northeast Georgia, passes by the northwest boundary of metro-Atlanta and forms the boundary for the States of Georgia and Alabama before flowing into the Apalachicola in Florida and then into the Gulf of Mexico. The Chattahoochee River National Recreation Area involves a string of park properties along a 48-mile stretch of river from Buford Dam to Peachtree Creek, near the center of Atlanta. Combined with the parcels of Federal property will be areas owned privately or controlled by local governments, but in which development will be strictly limited. Therefore, the plan as a whole provides substantial protection for the river corridor. The Federal presence provides the vital framework around which local effort and cooperation is built.

The preservation of the area has received broad-based support from both the State of Georgia and the various local governments involved. The Georgia State Legislature began limiting

development along the river with the Metropolitan River Protection Act in 1972. This past year the act was strengthened in an effort to prevent the further development of the Chattahoochee River corridor. Such local efforts have created the opportunity for this unique natural recreation area within a major metropolitan area.

Since the creation of the park, it has been marked by the enthusiasm and cooperation of the many governments, property owners and conservationists involved. The National Park Service park superintendent has organized a special advisory group composed of homeowners, developers, environmentalists and public officials. This advisory council has met regularly for the past 2 years. In addition, a dozen different citizens groups have joined together to form the Chattahoochee River Coalition, in order to facilitate citizen support.

After extensive public input through hearings, studies, and advisory groups, we are ready to go forward with a plan to complete the great national recreation area envisioned by the original legislation.

Specifically, this bill would increase the acreage ceiling from the present cap of 6,300 to a cap of 7,328 acres. Park boundaries would be changed by adding some land, while deleting other sections, in order to most efficiently use the funds available. The bill would increase the presently authorized funding cap from $72.9 million to an overall ceiling of $84.6 million. This percentage change in funding reflects the change in land authorization.

It should be noted that funding for the park does not come from general tax dollars, but rather from the land and water conservation fund. This fund is created by the proceeds from mineral development leases on the Outer Continental Shelf and other public lands. The funds generated by the depletion of one public resource are then designated for the purchase of new public resources.

The bill would also limit further condemnation by the Park Service of land included in the proposed park boundary used for agricultural or limited residential purposes and yet preserves the power to prevent commercial encroachment. The bill would not necessarily prevent any water projects in the area which might be needed in the future. It would also create an advisory commission to provide a forum for local participation in the park.

I am proud of this bill and I am glad to introduce it as a companion to the Levitas bill in the House of Representatives. Many organizations such as the Chattahoochee River Coalition, the Sierra Club, the League of Women Voters and the Audubon Society have already endorsed the bill.

The Chattahoochee River National Recreation Area is a nationally significant resource which will rapidly be engulfed in urban sprawl if we do not act soon to insure its protection. Along the Chattahoochee we have a rare opportunity to preserve a large natural area within a metropolitan area with a population approaching 2 million. Such opportunities have already been lost in many other major cities.

The river corridor provides a habitat for many species of wildlife including deer, fox, beavers and, during spring migrations, over 100 bird species. Of special significance was the sighting of a young bald eagle in the park.

Another important factor is the water quality protection provided by the park. One-fourth of metro-Atlanta's water supply comes from the Chattahoochee. Investments in this park may prevent expensive water quality problems in the future.

The area also has historical significance; 5,000 to 7,000 year old Indian rock shelters and village sites have been discovered near the river. More modern Creek and Cherokee village sites are also present. In several places, confederate trench works formed during the last defense of Atlanta are still evident.

One of the most important elements of the plan is, of course the recreational opportunities it provides. The average resident of the Southeastern United States will never be able to afford to visit one of the crown jewels of the National Park System, but millions have already visited the natural splendor along the Chattahoochee. Thousands of Atlanta children may never have the opportunity to see Yellowstone or Glacier National Park, but they may catch a trout or see a beaver on the Chattahoochee, a few miles from downtown Atlanta.

Although still uncompleted, the park is one of the most popular park service sites in the Nation. Approximately 20 percent of the park patrons are from outside the metropolitan Atlanta area. These recreational opportunities are particularly important in light of the fact that, according to National Recreation and Park Association standards, the seven county metro area has a 17,000- to 20,000-acre shortage of open space. According to current growth projections the shortage could be 45,000 acres by the year 2000.

The preservation of park lands throughout the Nation is becoming increasingly important as more and more Americans seek outdoor recreation at the same time open space is quickly disappearing under a concrete blanket of high rises and parking lots.

If the preservation opportunity on the Chattahoochee is not seized soon it will be lost forever to urban sprawl. The Chattahoochee River National Recreation Area has been an ongoing proposal for more than 10 years now, and it cannot be deferred any longer. I urge my colleagues to support the completion of this worthwhile and nationally significant project, which will preserve the natural beauty of this area for future generations.

Mr. President, I send the bill to the desk and ask unanimous consent that it be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 1218

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) the first sentence of section 101 of the Act of August 15, 1978, entitled "An Act to authorize the establishment of the Chattahoochee River National Recreation Area in the State of Georgia, and for other purposes." (P.L. 95-344; 16 U.S.C. 460ii) is amended by inserting "a 2,000 foot wide corridor adjacent to each bank of the Chattahoochee River and its impoundments in" after "other values of".

(b) Section 101 of such Act is amended—

(1) by striking out "numbered CHAT-20,000, and dated July 1976" and substituting "numbered ——, and dated ——, 1983"; and

(2) by striking out "six thousand three hundred acres" and substituting "approximately 7,328 acres".

(b) Section 102 of such Act is amended by adding the following new subsections at the end thereof:

"(f)(1) The Secretary shall identify for exhange those lands (hereinafter referred to as 'exchange lands') owned by the United States which—

"(A) were within the boundaries of the recreation area (as depicted on the map entitled 'Chattahoochee River National Recreation Area', numbered CHAT-20,000, and dated July 1976) before the date of the enactment of this subsection; and

"(B) are not within such boundaries as depicted on the map referred to in section 101 (entitled 'Chattahoochee River National Recreation Area', numbered ——, and dated ——, 1983).

Where possible the Secretary shall exchange such exchange lands for nonfederal lands which are within the boundaries of the recreation area as depicted on the map referred to in section 101 (entitled 'Chattahoochee River National Recreation Area', numbered ——, and dated ——, 1983). The values of lands exchanged under this subsection shall be equal, or shall be equalized, in the same manner as provided in section 206 of the Federal Land Policy and Management Act of 1976.

"(2) After the date 10 years after the date of the enactment of this subsection, the Secretary, in consultation with the Advisory Commission, shall review—

"(A) the exchange lands identified under paragraph (1) which have not been exchanged, and

"(B) the remaining nonfederal lands which are within the boundaries of the recreation area as depicted on the map referred to in section 101 (entitled 'Chattahoochee River National Recreation Area', numbered ——, and dated ——, 1983) which are unlikely to be available or suitable for exchange or purchase by the Secretary.

On the basis of such review, the Secretary shall determine which of the exchange lands should be disposed of and which of

such lands should be retained in Federal ownership and included within the recreation area.

"(3)(A) The exchange lands which the Secretary determines, under paragraph (2), to be unsuitable for inclusion in the recreation area may be disposed of in accordance with the provisions of the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 471 et seq.).

"(B) In the case of the exchange lands which the Secretary determines, under paragraph (2), to be suitable for inclusion in the recreation area, the Secretary shall publish a revision of the boundary map referred to in section 101 to include such areas. Upon publication of such revised map, such areas shall be included within the recreation area and shall be administered as provided in section 103.

"(g)(1) No lands, waters, or interests therein may be acquired under this Act without the consent of the owner thereof if the property concerned is used for single family residential purposes unless, after its inclusion in the recreation area—

"(A) a permit is applied for to permit the use of the property of any purpose other than single family residential purposes; or

"(B) the property is used or altered in a manner which will have an adverse effect on the values and purposes for which the recreation area was established and the owner has failed or refused, after reasonable notice from the Secretary, to take reasonable steps to correct such adverse effects.

"(2) No lands, waters, or interests therein may be acquired under this Act without the consent of the owner thereof if the property concerned is used for agricultural purposes unless, after its inclusion in the recreation area—

"(A) a permit is applied for to permit the use of the property of any purpose other than agricultural purposes; or

"(B) the property is used or altered in a manner which will have an adverse effect on the values and purposes for which the recreation area was established and the owner has failed or refused, after reasonable notice from the Secretary, to take reasonable steps to correct such adverse effects.

"(3) If an owner of lands or interests therein within the recreation area intends to transfer any such lands or interest to persons other than the owner's immediate family, the owner shall notify the Secretary in writing of such intention. Within 60 days after receipt of such notice, the Secretary shall respond in writing as to his interest in exercising a right of first refusal to purchase fee title or lesser interests. If, within such 60 days, the Secretary declines to respond in writing or expresses no interest in exercising such right, the owner may proceed to transfer such interests. If the Secretary responds in writing within such 60 days and expresses an interest and intention to exercise a right of first refusal, the Secretary shall exercise such right within 90 days after the date of the Secretary's response. If the Secretary fails to initiate action to exercise such right within such 90 days, the owner may proceed to otherwise transfer such lands or interest. Nothing in this paragraph shall be construed to impair or affect the authority of the Secretary to subsequently acquire such lands, or any interest therein, under this Act.

"(4) As used in this subsection—

"(A) The term 'single-family residential purposes' means use for a single-family dwelling, the construction of which began before January 1, 1983. Property use for single-family residential purposes includes the entire tract of land (determined as of January 1, 1983, in accordance with applicable deeds and property tax records) on which the dwelling and appurtenant buildings are located and which is in the same ownership as such dwellings.

"(B) The term 'agricultural purposes' means production of food or fiber except that such term does not include commercial timber operations.

"(C) The term 'immediate family' when used with respect to a property owner means the spouse, brother, sister, parent, or child of such property owner. Such term includes a person bearing such relationships through adoption and a stepchild shall be treated as a natural born child for purposes of determining such relationship.".

(c)(1) Section 104 of such Act is amended by adding the following at the end thereof:

"(d) Any department, agency, or instrumentality of the United States or of the State of Georgia, or any other entity which constructs any water supply project or other project (including any dam, water conduit, reservoir, power house, road, or transmission line) which adversely affects the recreation area shall mitigate such adverse effects by acquisition of replacement lands of comparable resource value within the corridor referred to in section 101. Such replacement lands shall be acquired only after consultation with the secretary. Any lands acquired under this subsection shall be included in the recreation area and transferred to the Secretary for management under this Act.".

(2) Nothing in any amendment made by this Act shall affect the provisions of section 104 regarding the construction of water resources projects.

(d) Section 105(a) of such act is amended by striking out "$72,900,000" and substituting "$84,600,000".

(e) Title I of such Act is amended by adding the following at the end thereof:

"SEC. 106. (a) There is hereby established the Chattahoochee River National Recreation Area Advisory commission (hereinafter in this Act referred to as the 'Advisory Commission'). The Advisory Commission shall be composed of the following 12 voting members appointed by the Secretary to serve for terms of 5 years:

"(1) four members appointed from among individuals recommended by local governments—

"(A) one of whom shall be recommended by the Board of County Commissioners of Forsyth County;

"(B) one of whom shall be recommended by the Board of County Commissioners of Fulton County;

"(C) one of whom shall be recommended by the Board of County Commissioners of Cobb County; and

"(D) one of whom shall be recommended by the Board of County Commissioners of Gwinette County;

"(2) one member appointed from among individuals recommended by the Governor of Georgia;

"(3) one member appointed from among individuals recommended by the Atlanta Regional Commission;

"(4) two members appointed from among individuals recommended by a coalition of citizens, public interest groups and environmental organizations concerned with the protection and preservation of the Chattahoochee River;

"(5) two members appointed from among individuals recommended by the Georgia Chamber of Commerce or by a local chamber of commerce in the vicinity of the recreation area; and

"(6) two members who represent the general public, at least one of whom shall be a resident of one of the counties referred to in paragraph (1).

In addition, the Park Administrator for the recreation area shall serve as a nonvoting member of the Advisory Commission. Any voting member of the Advisory Commission may be reappointed for one additional 5 year term. The Advisory Commission shall designate one of its members as Chairman.

"(b) The Advisory Commission shall meet on a regular basis. Notice of meetings and agenda shall be published in local newspapers which have a distribution which generally covers the area affected by the park. Commission meetings shall be held at locations and in such a manner as to insure adequate public involvement.

"(c) Members of the Commission shall serve without compensation as such, but the Secretary may pay expenses reasonably incurred in carrying out their responsibilities under this Act on vouchers signed by the Chairman.".

SEC. 2. Any provision of any amendment made by this Act which, directly or indirectly, authorizes the enactment of new budget authority described in section 402(a) of the Congressional Budget Act of 1974 shall be effective only for fiscal years beginning after September 30, 1983.●

● Mr. MATTINGLY. Mr. President, I am happy to join my distinguished colleague, Senator NUNN, in introducing this bill which will modify and update the original act of Congress which authorized the Chattahoochee River National Recreation Area in 1978. That legislation recognized as a significant National resource a 48-mile segment of the Chattahoochee River extending from Peachtree Creek to Buford Dam. The current statute mandated the Secretary of the Interior to return to Congress with a general management plan which more fully defined the exact areas which should be included within the boundaries of the park and the manner in which these properties would be utilized to further the goal of providing educational and recreational opportunities while protecting the unique qualities and stunning beauty of this national asset.

In September 1981, the National Park Service prepared a draft environmental impact statement and general management plan in which it proposed that the CRNRA be completed, with minor changes, at the 6,300 acre size originally envisioned by Congress in 1978. However, current budgetary restraints have caused the Interior Department to withdraw that draft, and rather than make an official recommendation that no further action be taken to acquire and protect properties in excess of the currently owned 3,500 acre, Secretary James Watt has been kind enough to simply take no formal action. So, the purpose of the bill which we introduce today is to

stand in lieu of the management plan approach and allow Congress to decide directly on the future of this vital resource.

Some areas that were included in the original plan have been dropped and others added. Overall, the acreage ceiling will go from 6,300 to 7,328 acres. Although land swaps will be done where possible, the authorized funding cap will increase from $72.9 million to a ceiling of $84.6 million.

Conservationist who have made a careful study of the situation say the increased acreage is necessary for us to have a viable park. Some have advocated far more than this be added to the park but a real effort was made to recognize some of the budgetary restraints we are now under and keep the increase to a minimum.

A bill identical to this one was recently introduced in the House by Congressman ELLIOTT LEVITAS and eight other Members of the Georgia delegation. It has the backing of all the major conservation organizations including the Georgia Conservancy, the Sierra Club, the Audubon Society, the League of Women Voters, and the Chattahoochee Park River Coalition.

A major problem we face with the Chattahoochee Park is the threat of deveopment. Many areas that are vital to the park are on the verge of being sold to developers. Candidly some of the past zoning decisions in the area were not at all helpful. I believe recent bills adopted by the Georgia Legislature and signed into law will provide more protection for the river.

The park has had broad support. The Interior Secretary James Watt rafted the Chattahoochee years ago as Director of the Office of Outdoor Recreation. More recently, he provided key help to me in obtaining $14 million for a piece of river property that we were about to lose. The option on that 350 acres was coming up and the failure to buy would have almost certainly resulted in its development.

I should also mention the support of some of the private property owners along the river. They have been very patient considering the long delays we have faced in completing the park.

It is a beautiful river. By its location in an urban area and in a transportation hub for the entire South, there will be hundreds of thousands of people visiting the Chattahoochee. They will be able to fish for trout, go rafting, view wildlife, or simply have a picnic.

Mr. President, I believe strongly in the Chattahoochee Park. I have personally spent more hours than I care to remember debating, discussing, and working on park plans, or park funding. The time has come to act.●

By Mr. MELCHER:

S. 1219. A bill to define the circumstances under which construction workers may deduct travel and transportation expenses in computing their taxable incomes for purposes of the Federal income tax; to the Committee on Finance.

CONSTRUCTION WORKERS' TRAVEL COSTS

● Mr. MELCHER. Mr. President, the bill I am introducing today clarifies the tax law concerning the deductibility of travel expenses to and from temporary job sites. Under this amendment, taxpayers will be deemed to be temporarily away from home for their first 2 years of employment at any job site more than 40 miles from their home, and thus will be eligible for travel expense tax deductions. Thereafter, the deductibility of their travel expenses will be determined, case by case, on the basis of whether the expenses were incurred because of business necessity rather than personal convenience.

I introduced the same bill in the last Congress as S. 1342. We were unable to get hearings on S. 1342, but the Senate approved an amendment to H.R. 6211, the highway construction/gas tax bill, calling for the IRS to present alternatives to their current rules concerning the deduction of travel expenses to and from temporary job sites. Although that amendment did not survive conference with the House of Representatives, its adoption in the Senate clearly showed there is real concern over the current IRS rules.

Under the 1-year rule, as enforced through IRS rulings 59-371 and other similar rulings, the IRS automatically disallows deductions for away-from-home travel expenses for construction workers if they are on the temporary job site for longer than 1 year. Under the 1-year rule, not only does the IRS disallow current deductions for away-from-home expenses, but also using the hindsight test, the IRS disallows deductions claimed during the previous year.

This arbitrary test is totally unfair to the taxpayer and, in fact, has been struck down in court cases in the eighth and ninth districts. This bill is aimed at eliminating these unfair IRS rulings, and replacing them with a simple and fair method to determine the deductibility of away-from-home expenses.

The need for this legislation is best illustrated by an actual case history. In 1970, Mr. Louis Frederick, a carpenter, lived in Belcourt, N. Dak.—his hometown—with his wife and five children. He had practiced his trade in the Belcourt area, close to his home, for more than 18 years.

In the summer of 1970, however, there was no work available for carpenters in the Belcourt area. Mr. Frederick's union referred him to an antiballistic missile project in Nekoma, N. Dak., 81 miles from his home. His only alternative to working in Nekoma would have been to go on welfare.

When he took the job, Mr. Frederick knew that his tenure at Nekoma was highly uncertain. Work at the project was seasonal, owing to the harsh North Dakota winters. Layoffs were routine occurrences because of the 17,000 change orders made on the project. A laid-off worker would be placed at the bottom of the referral list, and a subsequent referral would be to the first available job, which might or might not be the Nekoma project. The project was part of the Safeguard antiballistic missile system, whose construction depended on the progress of the SALT talks. Once the missile site was completed no more carpentry work would be available in the Nekoma area.

In order to take the job at Nekoma, Mr. Frederick had only two choices. Either he had to drive 81 miles to and from Nekoma each day, or he had to move closer to the project. Moving closer to the project was not a realistic option, since he could be laid off at any time, and if he were laid off there would be no other available work in the Nekoma area. In any event, there was no housing available in Nekoma or the surrounding communities. The limited housing in the area had long been spoken for, and the Government and the contractor had refused to build housing because of the uncertainty of the project. Mr. Frederick tried to find a room near the project, but none was available, and on several occasions he had to sleep in his car. In light of these circumstances, Mr. Frederick made the only reasonable decision: He decided to drive back and forth each day.

Mr. Frederick deducted the costs he incurred in driving to the project each day as ordinary and necessary business expenses. The IRS disallowed the deductions, on the theory that Mr. Frederick's travel expenses were personal expenditures, indistinguishable in the IRS' view—from the commuting expenses of typical suburbanites.

Both the U.S. District Court for North Dakota and the Eighth Circuit Court of Appeals rejected the IRS position and held the expenses to be fully deductible. Mr. Frederick thus finally prevailed, although he was forced to incur substantial legal expenses to do so.

The problems encountered by Mr. Frederick are not unusual in the construction industry. Construction workers typically maintain their homes in areas where work is generally available, and move from job to job within those areas. Because construction work is erratic and uncertain, however, most workers eventually experience times when no work is available in their home areas. When this happens, the worker must look for a job else-

where until work opens up nearer home.

Workers forced to look for work elsewhere face a variety of problems of the kind experienced by Mr. Frederick. The job outside the home area will often be in a remote or unpopulated area in which local housing is scarce or nonexistent. There typically will be few prospects for further employment once the worker's project is completed. And, of course, the progress of the distant job—and the worker's continued employment—like all construction work, will always be subject to interruption because of supply, regulatory, environmental, and economic problems.

A worker in this situation has no choice but to incur substantial travel costs in order to practice his trade. It is not unusual for workers to drive 100 miles or more each day to and from these temporary jobs, often spending almost all their waking hours either working or traveling. The travel is difficult and expensive, but it is necessary if the worker is to continue earning money.

The IRS, however, generally takes the position that these travel expenses are not necessary to the worker's trade but are incurred for personal reasons, and are therefore not deductible.

The IRS has announced that it will refuse to follow the Frederick decision. The Service based this position on its conclusion that the decision "conflicts in principle with a long line of judicial authority." In fact, Frederick is fully consistent with existing law, which allows deductions for all necessary business travel expenses. The expenses incurred by Mr. Frederick were unavoidable if Mr. Frederick was to practice his trade. They were thus ordinary and necessary business expenses and properly deductible.

In determining whether construction workers may deduct the travel expenses they incur in traveling to and from distant job sites, the IRS—apparently for reasons of administrative convenience—applies a hindsight approach in deciding whether a worker's travel expenses resulted from personal convenience rather than business necessity. Thus, in auditing construction worker's tax return, the IRS ordinarily asks only how long the job actually lasted, disdaining any inquiry into whether there was any reasonable possibility of predicting the job's duration at any previous time.

The hindsight approach is often used in tandem with a rule of thumb known as the 1-year rule. This informal administrative rule, followed in the field by IRS examining agents, provides that a job that lasts more than 1 year is presumed not to be temporary—whether or not the worker could have determined its length in advance—in the absence of special circumstances. If under this rule the job is not temporary, travel expenses incurred in connection with it are held to be nondeductible.

The IRS frequently explains its reasons for denying these deductions by stating that the construction worker's job is not temporary, but is indefinite. These terms are often used in judicial decisions in elucidating whether the expenses are necessary; if the distant job is temporary, the travel expenses are necessary, but if it may be expected to last indefinitely, the taxpayer should move nearer the job rather than incur the expenses. The IRS unjustifiably interprets this test in construction worker cases to mean that any uncertainty over the expected length of the job precludes deductibility. This interpretation, however, is inconsistent with the reasons underlying the test; a taxpayer can reasonably be expected to avoid travel expenses by moving closer to the job only if he is assured of some minimum length of employment. It makes no sense to move closer to a job that may terminate at any time. The proper test is that travel expenses to an indefinite job are nondeductible only if the job is expected to last for an indefinite and substantially long period of time.

The approach taken by the IRS has resulted in discrimination against construction workers by denying them the right to deduct expenses that unquestionably would be deductible if incurred by persons in other professions. An attorney with a Chicago law firm who travels to Los Angeles for a complex antitrust trial that may be settled promptly but may last 2 years if it has to be tried is entitled to deduct his travel expenses. He is not subjected to a hindsight test if he eventually has to conduct a protracted trial, nor are his expenses denied simply because the case in fact lasted longer than 1 year. Similarly, his deductions are not denied because the length of the case is indefinite; indeed, his uncertainty over its length is a strong factor supporting deductibility. Construction workers such as Mr. Frederick are in no different situation, and they should not be subjected to different treatment.

There are indications that the Service may be preparing to advance to an even more extreme position. In the recently decided case of *Paolini* v. *Commissioner,* T.C.M. 1982-69 (February 11, 1982), the Service departed from a longstanding policy and contended that travel each day between a personal residence and any place where business is done, even if the taxpayer works at the alternate site for only a single day, is commuting unless the trip requires sleep or rest, and that expenses incurred in such travel are therefore nondeductible. The Tax Court, in a highly questionable decision, accepted the Service's position. The Service had attempted to adopt this position previously by publishing Revenue Ruling 76-453, 1976-2 C.B. 86, but Congress forbade the IRS from implementing the policy by passing Public Law 95-427 and Public Law 96-167. Although the congressional prohibition has not expired, it was allowed to do so with the understanding that no similar ruling would issue until Congress has had a chance to act. The IRS is apparently nevertheless asserting the rationale of the forbidden ruling in its litigating positions.

The problems cause by the IRS position are widespread. The Service often conducts mass audits at large construction projects, disallowing travel expense deductions for long lists of workers. These and other audits, and the controversy they often generate, consume audit resources of time and money that are disproportionately large when compared with the amount of additional revenue collected. Congressional action is necessary to eliminate the waste of audit resources and the unfairness of treatment resulting from the IRS administrative practices.

This need for corrective action is clear and I hope that my colleagues will join me in approving this bill.

Mr. President, I ask unanimous consent that the bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 1219

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. AMENDMENT OF INTERNAL REVENUE CODE OF 1954.

(a) TRAVEL AND TRANSPORTATION EXPENSES OF CONSTRUCTION WORKERS.—Section 162 of the Internal Revenue Code of 1954 (relating to deductions for ordinary and necessary business expenses) is amended by inserting therein the following new subsection:

"(h) SPECIAL RULE FOR CONSTRUCTION WORKERS.—

"(1) DEFINITION OF TEMPORARY JOB SITE.—For purposes of applying subsections (a)(1) and (a)(2) to travel and transportation expenses incurred by construction workers, a job at a site located more than 15 miles from a construction worker's principal place of residence—

"(A) shall be deemed to be temporary for the first 2 years that the worker is employed at that job, and

"(B) shall be determined to be temporary or not temporary with respect to periods following the first 2 years of employment based on an examination of all the facts and circumstances, subject to the rules set forth in subparagraphs (2), (3), and (4).

"(2) EFFECT OF FIRST 2 YEARS ON SUBSEQUENT DETERMINATION.—In determining whether or not a job is temporary under subparagraph (1)(B), the worker's employment at the job during the period specified in subparagraph (1)(A) shall not be taken into account.

"(3) INDEFINITE EMPLOYMENT.—No deduction shall be disallowed, by reason of section 262 or any other provision of law, solely be-

cause a construction worker's employment at a job site is of indefinite duration.

"(4) PROHIBITION ON APPLICATION OF 1 YEAR RULE.—In making the determination specified in subparagraph (1)(B), no length of time shall be deemed, either automatically or presumptively, to make the job other than temporary. The '1-year' rule set forth is Revenue Ruling 59-371, or in any similar ruling or regulation, is expressly disapproved as a grounds for disallowing deductions.

"(5) DEFINITION.—For purposes of this subsection, the term 'construction worker' means any individual employed, whether as a skilled, semiskilled, or unskilled laborer, in the building or construction industry, but does not include clerical or management employes.".

(b) TECHNICAL AMENDMENT.—Subsection 162(h) of the Internal Revenue Code of 1954 is amended by striking out "(h)" and inserting therefor "(j)".

SEC. 2. EFFECTIVE DATE.

This section shall apply to all judicial or administrative determinations that are made subsequent to December 31, 1980, with respect to the deductibility of travel or transportation expenses.●

By Mr. MATHIAS (for himself, Mr. KENNEDY, Mr. HEINZ, Mr. BIDEN, Mr. SPECTER, Mr. BAUCUS, Mr. STAFFORD, Mr. LEAHY, Mr. PACKWOOD, Mr. METZENBAUM, Mr. DURENBERGER, Mr. CRANSTON, Mr. DANFORTH, Mr. GLENN, Mr. WEICKER, Mr. HART, Mr. HATFIELD, Mr. HOLLINGS, Mr. BOSCHWITZ, Mr. INOUYE, Mr. MOYNIHAN, Mr. RIEGLE, Mr. SARBANES, Mr. TSONGAS, Mr. BURDICK, Mr. BENTSEN, Mr. PROXMIRE, Mr. LAUTENBERG, Mr. BRADLEY, Mr. LEVIN, Mr. DODD, Mr. MATSUNAGA, Mr. BINGAMAN, Mr. EAGLETON, Mr. PELL, Mr. MELCHER, Mr. MITCHELL, Mr. JACKSON, and Mr. DIXON):

S. 1220. A bill to amend title VIII of the act commonly called the Civil Rights Act of 1968, to revise the procedures for the enforcement of fair housing, and for other purposes; to the Committee on the Judiciary.

FAIR HOUSING AMENDMENTS ACT OF 1983

Mr. MATHIAS. Mr. President, on April 11, 1968, title VIII of the Civil Rights Act of 1968 was enacted codifying the policy of the United States to provide for fair housing throughout the United States and making unlawful discrimination in the sale or rental of housing because of race, color, religion, sex, or national origin.

The law was hurriedly drafted on the floor of the U.S. Senate in response to a rising tide of protest. As a result, title VIII states a clear national policy against housing discrimination, but is short on details on how discrimination is to be eliminated.

The statute designated the Department of Housing and Urban Development as the lead enforcement agency, but gave the HUD Secretary only conciliation authority to resolve individual discrimination complaints.

The only other recourse for a person alleging discrimination is a private court suit—a time-consuming, costly avenue of redress, which is a realistic choice for only a few victims of discrimination.

These cases are usually brought by one of a small number of attorneys. The relatively low award of damages as well as the present law's indigency provision regarding attorneys' fees may account in part for this.

Families denied housing need relief quickly, not years later when the apartment they want is already rented or the house is sold. The lack of knowledge of how to go about a court suit coupled with the costs of hiring an attorney and taking time off from work to go to court preclude most persons from ever pursuing this route.

As the first Secretary of Housing and Urban Development, Robert Weaver, noted:

Title VIII charged the Department of Housing and Urban Development with the responsibility for "enforcement" of its provisions but gave HUD no real enforcement authority. Instead, the statute restricted enforcement of the important rights protected under the fair housing law to ligitation by private parties or, in selected cases, by the Department of Justice.

Thus, we saddled the already overburdened courts—and particularly the Federal courts—with an additional burden. And this additional burden was in an area—housing—in which they possessed little experience or expertise.

Mr. President, the time to trial in most metropolitan district courts is longer than 2 years.

Because of HUD's lack of success in conciliating discrimination complaints, victims do not perceive the conciliation process as offering a true remedy.

Even though the number of discrimination complaints filed with HUD has increased from 2,931 in 1979 to 5,112 in 1982, the Department's success in conciliating those complaints still remains below 20 percent.

These complaints included:

Refusal to rent;

Refusal to sell;

False representation by a manager or real estate agent;

Blockbusting;

Discriminatory financing;

Discriminatory brokerage service;

Discriminatory membership treatment in a real estate broker organization;

Discriminatory terms or conditions in a rental or sale; and

Steering.

A 1979 HUD-funded survey or 40 metropolitan housing markets found the probability that black homeseekers would encounter discrimination 75 percent of the time in the rental market and 62 percent of the time in the sales market.

In 1980 HUD estimated that more than 2 million instances of housing discrimination occur each year. Yet, because of the lack of an adequate enforcement mechanism and because of the sophisticated, subtle practices employed, only one-quarter of 1 percent ever result in formal complaints.

As former HUD Secretary Carla Hills stated:

The most serious obstacle to an effective title VIII program is the lack of adequate enforcement powers . . . the present law, in relying upon conciliation, is an invitation to intransigence.

Discrimination in the housing market continues today. It is simply more difficult at times to detect discrimination, but it is just as insidious as it was in its earlier more blatant forms.

In the words of one court:

Discrimination may be, and often is, artfully cloaked and concealed in sophisticated language so that its true nature does not become obvious. (Haythe v. Decker Realty Co., 7th Cir. 1972.)

The prospective renter may be shown an apartment and may even be offered an application to fill out. Then, later, he or she will be told the apartment was rented to someone else or that he or she "lacked adequate credit." The rejected applicant is told that their race, sex, or handicap did not enter into the rejection decision.

The Leadership Council for Metropolitan Open Communities in Chicago describes the bizarre lengths to which some agents will go to avoid confronting a prospective black homeseeker.

In one case, each time the agent spotted the complainant approaching the rental office, she would lock all of the doors and close shop for the day. On one occasion, the complainant spotted her locking the front door and raced around to the rear to slip in the back door. He arrived just in time to hear the door slam and a lock click. The investigator suggested that the complainant approach the office door 5 minutes after the investigator entered the building. While the investigator discussed available apartments, the defendant spotted the complainant approaching the building. With a rush, she charged past the investigator, kicking his ankles and stepping on his feet in her attempt to lock the front and back doors. Suit was filed on the basis of that unusual office procedure.

In another case, the complainants had extreme difficulty in locating a salesman to show them the model homes in a suburban community. Whenever they would approach the models, the salesmen would race for their cars and peel-off. On one occasion, the complainant chased after them in his car at high speeds, while his wife took pictures of the fleeing salesman. Not good enough! A confrontation was necessary, and the investigator made an appointment to see the models. He met the salesman at the model, and they went inside. The salesman locked both front and back doors after entering the model, and once secure in the belief that he could avoid being seen by black homeseekers, he proceeded to offer the model to the investigator at a much lower price.

Soon, there was a knock at the door. Ignored! Another knock at the door. Ignored! Finally, the salesman shouted to the face pressed against a back window, "We're closed for the day." The outside face seemed uncomprehending. The salesman finally opened the door to deliver his message, and bodies flooded past him. The complainant, his wife, and children cornered the defendant in the kitchen and told him they were interested in purchasing one of the houses. He demurred weakly, said that he was nothing more than a groundskeeper, and had nothing at all to do with the selling of the homes. Suit was filed, and, of course, the investigator's testimony was crucial to the success of the case.

The process of auditing certain situations, thus, becomes a crucial tool in detecting sophisticated discriminatory practices. In some cases, discrimination can only be verified when the same type of applicant with the same income, credit history, employment history, and references—except that he is white, male, childless, and nonhandicapped—applies for the same apartment or house and is accepted.

Mr. President, housing discrimination skews the market, inflates housing rents and prices for everybody, increases the time and cost of the journey to work, school, shopping, and public services for all. And because the effect of a dual housing market is segregation, it has given rise to litigation in a host of related areas, most notably schools. The response of the courts has been busing, a costly, inconvenient remedy for the entire community. Increasingly, the courts in their consent decrees with communities are recognizing that the root cause of segregated schools is the dual housing market—one white and one black. Until such time as we have guaranteed equal access to housing for all Americans, the larger spinoff effects of segregation will continue to plague our towns and cities.

It is clear that the majority of Americans will not countenance civil rights violations of any kind including the denial of housing. In his 1981 book, "The New Suburbanites: Race and Housing in the Suburbs," Robert W. Lake recounts the following homebuyer reaction to racial steering.

Before we bought our house, we had gone to P. We went to two people, and they seemed to take us to black run-down areas. And I didn't want a black run-down house in a run-down area, so we just stopped looking altogether.

My husband just happened to see this particular home, he liked it, and we bought it. How did I find it? It was on the placard they put out front.

We are in a period of new economic realities. People are demanding quality services and products for their hard-earned dollars. And if they do not get them, they will go elsewhere.

The bill I am introducing today on behalf of a bipartisan group of cosponsors is not new to this body. It is very similar to a bill that the Judiciary Committee reported to the Senate in late 1980. It is the product of 6 days of extensive Judiciary Committee hearings in the 96th Congress and 3 days of markup. It has been debated and honed in committee.

The debate on the merits of the bill in the waning days of the 96th Congress was thwarted by 9 days of filibuster and procedural delay. That failure to bring the fair housing bill before the full Senate for debate was a great disappointment to me personally as it was to the bipartisan Senate cosponsors and the bipartisan House leaders who had shepherded a similar bill through the other body by an overwhelming two-thirds majority.

Given this legislative history, I hope that this bill will receive early and expeditious consideration by my colleagues on the Judiciary Committee and that we can make fair housing a priority legislative agenda item of this Senate session.

Let me review the principal features of the fair housing bill at this point.

The purpose of the bill is to provide a speedy, fair, and inexpensive adjudication process for the person alleging denial of housing as well as the respondent or person charged. It does this by means of a hearing by an independent administrative law judge appointed by a Presidentially appointed three-member Fair Housing Review Commission. This Commission was proposed by our colleague from Alabama, Senator HEFLIN, during committee markup to insure the independence of the law judges from influence of the agency administering the law. It would also hear appeals from the decision of the law judge.

This type of administrative enforcement mechanism is a well-established method of expediting individual, but significant cases and is employed by 28 Federal agencies and departments.

The advantage of this administrative enforcement mechanism is that the law judges are specialists in the field of housing discrimination hearing, as they do, only those types of cases. Thus, decisions will be more predictable and uniform as would the setting of penalties because of the law judge's greater experience in a specialized area. In addition, ALJ's are a cadre of mobile expert hearing judges who can go where the parties are located and the alleged complaint arose, rather than forcing the parties to incur time and costs in travelling to a court which may not be close by and which invariably will have an overloaded schedule of cases.

As the Administrative Conference of the United States stated in its 1972 recommendations entitled "Civil Money Penalties as a Sanction":

. . . the already critical overburdening of the courts argues against flooding them with controversies of this type which generally have small precedential significance.

The law judge may order equitable and declaratory relief, compensatory damages, and may impose a civil penalty up to $10,000.

Reasonable attorney and expert witness fees may also be allowed to the prevailing party.

The law judge's proposed order becomes final 30 days after its issuance unless it is appealed.

Any of the parties may appeal to the Fair Housing Review Commission within 30 days after issuance of the law judge's proposed order. The Commission shall establish an appeals panel of two commissioners and one law judge who did not hear or decide the case. The appeals panel may approve, reject, modify, or vacate and remand the law judge's proposed order.

Any party may appeal to the court of appeals within 60 days after the law judge's order becomes final. The court's review of the findings of fact is based on the traditional "substantial evidence" test.

In sum, within 30 days of the law judge's issuance of a proposed order, any of the parties may appeal to the Fair Housing Review Commission. Appeal of a final order may be filed with the court of appeals within 30 days.

If, after an initial investigation, the Secretary of HUD believes prompt action is necessary to hold the housing unit in dispute off the market until a resolution of the charge, the Secretary may ask the Attorney General to seek a temporary restraining order from the court.

This temporary injunctive relief, coupled with the law judge's authority to issue cease and desist orders, award relief, compensatory damages and civil penalties provides the "teeth" to enforce title VIII. Without them, title VIII will remain what the National Urban League calls it—a "paper tiger."

With these powers available to enforce the law, the existing HUD conciliation process will work far better than it has in the past. A person charged will be much more willing to sit down and talk and come to an agreement with the aggrieved person if he or she knows that the alternative is a hearing before a law judge who can impose stiff penalties.

So, while the fair housing bill provides strong enforcement teeth, their very existence will make the current HUD conciliation process much more effective.

A second important feature of my bill is the required referral of individual cases filed with HUD to those State and local agencies which, through a similar hearing process, protects rights and provides remedies substantially equivalent to those provided in this bill. HUD would take no further action with respect to cases re-

ferred to those substantially equivalent State and local agencies. The case would be handled entirely at the local level.

Thus, we would hope by enactment of this legislation to establish a Federal model which State and local human rights commissions could look to in improving their enforcement mechanisms for housing discrimination cases. Several States already have comprehensive fair housing statutes and enforcement mechanisms which may qualify them for HUD certification.

The bill also provides, as an optional first step after a complaint is filed that, with the consent of both parties, the charge may be referred to the Department of Justice Community Relations Service for binding arbitration.

The Attorney General will continue to be responsible for pattern or practice suits, land use and zoning cases, and cases which pose an issue of general public importance.

In addition to these strengthened administrative enforcement mechanisms, the aggrieved person retains his or her right to file a private lawsuit up until the time an administrative hearing commences.

"Aggrieved person" is defined to include those both directly and indirectly affected. This would include testers and auditors who, as the Supreme Court has recently held, have the same title VIII right as others in the community to receive truthful information about the availability of housing.

The bill also codifies existing case law with respect to the act's coverage of anyone in the real estate chain whose judgments and actions can have the effect of denying housing to certain classes of persons protected by the act.

Besides the current classes protected by the act—race, color, religion, sex, and national origin—the bill adds two others: Handicap and familial status. The handicapped protection extends to those persons with mental or physical impairments and is identical to the existing definition of handicapped in section 504 of the Rehabilitation Act. I would emphasize, however, that this bill does not intend that building owners pay to retrofit the Nation's housing stock for this purpose. Rather, a handicapped person would be expected to bear expenses of modifying an apartment or house.

The Urban Institute estimates that 23.3 million adults between the ages of 18 and 64 are disabled in addition to 2 million persons disabled and institutionalized. The 1980 census tells us that by the year 2000, 32 million Americans will be 65 or older, an increase of 30 percent over 1980. Thus, more Americans are living longer and are more prone to disabilities. By making housing accessible to handicapped persons, we help to avoid the economic and social costs of institutionalization and isolation.

People's Housing of California, an architectural, planning, and research development firm, reports that for an additional $200 per unit, a builder can provide adaptable features to a new apartment building thereby making it suitable for future modifications by handicapped individuals at their own expense.

The other new protected class, "familial status," refers to families with children. This segment of our society increasingly encounters refusals to rent and more subtle discriminatory terms and conditions of rental simply because children are involved. In these times when the family unit, the bedrock of social stability, is being battered by so many external forces, our public policy ought to seek to protect it. Certainly, denial of equal access to housing because of the presence of children should not be countenanced in America. My bill addresses this important group forthrightly and provides them the protection of the law.

Last, my bill requires that, within 6 months of enactment, HUD promulgate rules and regulations to implement congressional intent with respect to this act. This provision is to insure that the mistakes of the past are not repeated. Since enactment of title VIII 15 years ago, no substantive regulations have been promulgated by HUD. Republican and Democratic administrations alike share the blame for this inexplicable and inexcusable failure to implement the law of the land. HUD as the lead enforcement agency under title VIII, as well as all other Federal departments and agencies charged with assisting and regulating the production, financing and delivery of housing and with protecting the civil rights of the housing consumer have an obligation to implement the law.

Mr. President, I ask unanimous consent that the text of my bill and a section-by-section analysis be printed in the RECORD at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. President. This bill is supported vigorously by the Leadership Conference on Civil Rights, a Coalition of 175 organizations representing blacks, hispanics, Asian-Americans, disabled persons, women, senior citizens, churches, and labor.

Mr. President, I ask unanimous consent that a letter from the Leadership Conference appear at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection it is so ordered.

Mr. MATHIAS. In addition, a bipartisan Citizens' Commission on Civil Rights chaired by Dr. Arthur S. Flemming, former Chairman of the U.S. Commission on Civil Rights, has called for enactment of fair housing legislation with many of the provisions encompassed by this bill. Dr. Flemming has stated, "I am convinced that this fair housing bill, if enacted, will carry out the recommendations of the Citizens' Commission."

In addition this bill is supported by the National Committee Against Discrimination in Housing, chaired by former HUD Secretary Robert C. Weaver. This 33-year-old nonprofit group is affiliated with more than 70 public and private fair housing organizations working at the State and local level to achieve equal housing opportunity. Drawing on the wealth of experience of those local agencies in auditing, testing, counselling, and litigation discrimination complaints, NCDH has encountered the daily real-life problems which this bill addresses.

Mr. President, I ask unanimous consent that a letter from the national committee appear at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection it is so ordered.

Mr. President, housing discrimination has no place in American society. It is unfair, immoral, and against the law. It violates the most basic rights guaranteed to every American by our Constitution.

The late Senator Hubert Humphrey, long a supporter of this bill, focused the issue for us with these words:

> Even if discrimination cost this Nation not 1 penny, we would have the moral obligation to eradicate it.

But, he added:

> We must not close our eyes to the staggering costs we incur each year for our failure to open wide the doors of opportunity for every American.

We cannot rely solely on the good intentions of the private market place, voluntarism, and the New Federalism hand-off to the States, to bring about the reality of true equal access to housing for all Americans.

Government has as much a responsibility to enforce civil rights as it ever did. The extension of the Voting Rights Act in the last Congress reinforced that belief.

I am confident we can prove our commitment to fair housing enforcement by enactment of this bill this session. We must not lose our precious civil rights gains through benign neglect.

I ask my colleagues to join me in cosponsoring this legislation and seeing it through to enactment.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

S. 1220

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SHORT TITLE

SECTION 1. This Act may be cited as the "Fair Housing Amendments Act of 1983".

SHORT TITLE FOR 1968 ACT

SEC. 2. The Act entitled "An Act to prescribe penalties for certain acts of violence or intimidation, and for other purposes" (Public Law 90-284, approved April 11, 1968) is amended by inserting immediately after the comma at the end of the enacting clause the following: "That this Act may be cited as the 'Civil Rights Act of 1968'.".

SHORT TITLE FOR TITLE VIII

SEC. 3. Title VIII of the Act entitled "An Act to prescribe penalties for certain acts of violence or intimidation, and for other purposes" (Public Law 90-284, approved April 11, 1968) is amended by inserting immediately after the title's catchline the following new section:

"SHORT TITLE

SEC. 800. This title may be refered to as the 'Fair Housing Act'.".

AMENDMENTS TO DEFINITIONS SECTION

SEC. 4. (a) Section 802(f) of the Act entitled 'An Act to prescribe penalties for certain acts of violence or intimidation, and for other purposes" (Public Law 90-284, approved April 11, 1968) is amended by striking out "section 804, 805, or 806" and inserting "this title" in lieu thereof.

(b) Section 802 of such Act is amended by adding at the end the following:

"(h) 'Handicap' means, with respect to a person—

(1) a physical or mental impairment which substantially limits one or more of such person's major life activities,

(2) a record of having such an impairment, or

(3) being regarded as having such an impairment.

Such term does not include any current alcohol, drug abuse, or any other impairment which would be a direct threat to property or to the safety of others.

"(i) 'Aggrieved person' includes any person who claims to have been injured by a discriminatory housing practice or who believes that he or she will be irrevocably injured by a discriminatory housing practice that is about to occur.

"(j) 'Familial status' means the condition of one or more minors, under the age of 18, being domiciled with (1) their parent, parents or legal guardian, or (2) the designee of the parent, parents or guardian with the written permission of such parent, parents or guardian.

"(k) 'Conciliation' means the resolution of issues raised by a complaint and the investigation of such complaint through informal negotiations involving the aggrieved person, the respondent, and the Secretary.

"(l) 'Conciliation agreement' means a written record, executed by the person aggrieved and the respondent and approved by the Secretary, setting out the terms under which the issues raised by a complaint and its investigation have been resolved.

"(m) 'Respondent' includes the person named in a complaint, or any other person identified in the course of investigation as a person who participated in, or was responsible for, an alleged discriminatory housing practice.".

DISCRIMINATORY HOUSING PRACTICE AMENDMENTS

SEC. 5. (a) The heading of section 804 of the Act entitled "An Act to prescribe penalties for certain acts of violence or intimidation, and for other purposes" (Public Law 90-284, approved April 11, 1968) is amended by adding at the end the following: "AND-OTHER PROHIBITED PRACTICES".

(b) Section 804 of such Act is amended by adding at the end thereof the following:

"(f)(1) To refuse to sell or rent after the making of a bona fide offer, or to refuse to negotiate for the sale or rental of, or otherwise make unavailable or deny, a dwelling to any person because of a handicap of a prospective buyer or renter or of a person or persons associated with such buyer or renter unless such handicap would prevent a prospective dwelling occupant from conforming to such rules, policies, and practices as are permitted by clause (2).

"(2) To discriminate against any person in the terms, conditions, or privileges of sale or rental of a dwelling, or in the provision of services or facilities in connection therewith, because of a handicap. For purposes of this subsection, (A) discrimination shall include: (i) refusal to permit reasonable modifications of premises occupied or to be occupied, by persons with a handicap when such modifications are necessary to afford such handicapped persons access to premises substantially equal to that of nonhandicapped persons, if, with respect to the rental of premises regularly occupied as a landlord's personal residence, such handicapped persons have agreed to return such premises to their original condition if requested to do so by the landlord, or (ii) refusal to make reasonable accommodations in policies, practices, rules, services, or facilities when such accommodations are necessary to afford handicapped persons enjoyment of dwellings substantially equal to that of nonhandicapped persons; but (B) discrimination shall not include (i) refusal to make alterations in premises at the expense of sellers, landlords, owners, brokers, building managers, or persons acting on their behalf, (ii) refusal to make a modification of generally applicable rules, policies, practices, services or facilities where such modification would result in unreasonable inconvenience to other affected persons, or (iii) refusal to allow architectural changes to, or modifications of, dwellings which would materially alter the marketability of a dwelling or the manner in which a dwelling or its environs has been, or is intended to be, used.

"(g) For any employee or agency of a State or local government to take any action, or to deny any privilege, license, or permit, and thereby prevent the establishment of any community residence operated for the purpose of providing residential services or supervision for eight or fewer persons who have a handicap, unless such community residence or its proposed use—

"(1) would not meet an established, applicable Federal, State, or local health, safety, or program standard; or

"(2) violates, or would violate, a comprehensive land use plan or zoning ordinance for the geographical area for which the employee or agency has jurisdiction and such land use plan or zoning ordinance as enforced would permit the establishment of such community residence in other equally suitable locations. The granting or denying of variances in the past shall be deemed a part of such plan or ordinance.

"(h) For a person in the business of insuring against hazards to refuse to enter into, or to discriminate in the terms, conditions, or privileges of a contract of insurance against hazards to a dwelling because of race, color, religion, sex, handicap, familial status, or national origin.".

(c)(1) Subsections (c), (d), and (e) of section 804, and section 806 are each amended by inserting "handicap, familial status," immediately after "sex," each place it appears.

(2) Subsections (a) and (b) of section 804 are each amended by inserting "familial status," after "sex," each place it appears.

(d) Section 805 of such Act is amended to read as follows:

"SEC. 805. It shall be unlawful for any person or other entity whose business includes the making, purchasing, or insuring of loans, or the selling, brokering, or appraising of real property, to deny or otherwise make unavailable a loan or other financial assistance which is for the purpose of purchasing, constructing, improving, repairing, or maintaining a dwelling, or to discriminate in the fixing of the amount, interest rate, duration, or other terms or conditions of such loan or other financial assistance, because of race, color, religion, sex, handicap, familial status, or national origin.".

(e) Section 806 of such Act is amended by inserting "handicap, familial status," after "sex,".

(f) Section 807 of such Act is amended by adding the following: "Nothing in this title shall be construed to defeat the applicability of any reasonable local, State, or Federal restrictions regarding the maximum number of occupants permitted to occupy a dwelling unit. Nor shall any provision in this title regarding familial status apply with respect to dwellings provided under any State or Federal program specifically aimed at assisting elderly persons, as defined in the State or Federal program, nor to dwellings in bona fide retirement communities for older persons or dwellings otherwise intended and operated exclusively for older persons, and equipped with facilities and amenities specifically designed to meet the physical and social needs of such persons.".

FUNCTIONS OF THE SECRETARY

SEC. 6. (a) Section 808(c) of the Act entitled "An Act to prescribe penalties for certain acts of violence or intimidation, and for other purposes" (Public Law 90-284, approved April 11, 1968) is amended—

(1) by inserting "(1)" after "(c)";

(2) by striking out "hearing, determining, ordering," in the first sentence;

(3) by striking out the second sentence;

(4) by striking out the last sentence; and

(5) by adding at the end the following new paragraph:

"(2)(A) There is hereby established, as an independent agency in the executive branch, the Fair Housing Review Commission (hereinafter referred to as the 'Commission'). The Commission shall be composed of three members who shall be appointed by the President, by and with the advice and consent of the Senate, from among persons who by reason of training, education, or experience are qualified to carry out the functions of the Commission under this title. Not more than two members of the Commission may be members of the same political party. The President shall designate one of the members of the Commission to serve as Chairman.

"(B) The term of office of members of the Commission shall be six years, except that (i) the members of the Commission first taking office shall serve, as designated by the President at the time of appointment, one for a term of two years, one for a term of four years, and one for a term of six years, and (ii) a vacancy caused by the death, resignation, or removal of a member prior to the expiration of the term for

which he was appointed shall be filled only for the remainder of such unexpired term. A member of the Commission may be removed by the President for inefficiency, neglect of duty, or malfeasance in office. A vacancy in the Commission shall not affect its powers and shall be filled in the same manner in which the original appointment was made.

"(C) The Chairman shall be responsible on behalf of the Commission for the administrative operations of the Commission. The principal office of the Commission shall be in the District of Columbia. Whenever the Commission deems that the convenience of the public or of the parties may be promoted or that delay or expense may be minimized, it may hold hearings or conduct other proceedings at any other place.

"(D) The Commission shall appoint such administrative law judges and other employees as it deems necessary to assist in the performance of the Commission's functions and to fix their compensation in accordance with the provisions of chapter 51 and subchapter III of chapter 53 of title 5, United States Code, relating to classification and General Schedule pay rates. The assignment, removal, and compensation of administrative law judges shall be in accordance with section 3105, 3344, 5372, and 7521 of title 5, and the assignment of administrative law judges to individual cases shall take place on a fair and impartial basis in accordance with a system established by the Commission. The Commission may obtain the services of administrative law judges from other agencies on a reimbursable basis.

"(E) For the purpose of carrying out its functions under this title, two members of the Commission shall constitute a quorum and official action can be taken only on the affirmative vote of at least two members.

"(F) Every official act of the Commission shall be entered of record, and its hearings and records shall be open to the public. The Commission is authorized to make such rules as are necessary for the orderly transaction of its proceedings. Proceedings of the Commission shall be in accordance with chapter 5 of title 5, United States Code.

"(G) Not later than 180 days after a majority of the Commission has taken office, the Commission shall—

"(i) promulgate a code of ethics to assure the independence of administrative law judges employed by the Commission; and

"(ii) promulgate rules of discovery for the orderly conduct of its proceedings consistent insofar as is practicable with the Federal Rules of Civil Procedure.

"(H) For the purpose of considering an appeal from a proposed order of an administrative law judge, the Commission shall establish an appeals panel consisting of two members of the Commission and one administrative law judge who shall not have participated in any way in the issuance of the proposed order. Such appeals panel may approve, reject, or modify, in whole or in part any proposed order under section 811 of this title, or may vacate and remand such order with directions for further proceedings. The Secretary is not authorized to modify any order under section 811 of this title or any decision of an appeals panel.

"(I) Within thirty days after the issuance of a proposed order of an administrative law judge, any party may appeal to the Commission for review of such proposed order. Such order shall not become final until such period of thirty days has expired or an appeals panel of the Commission has acted on such appeal, if applicable.

"(J) Except as otherwise provided in this title, the administrative law judges shall be subject to the laws governing employees in the competitive service, except that appointments shall be made without regard to section 5108 of title 5, United States Code. Each administrative law judge shall receive compensation at a rate not less than that prescribed for GS-16 under section 5332 of such title.

"(K)(i) The Chairman of the Commission shall be compensated at the rate provided for level III of the Executive Schedule under section 5314 of title 5, United States Code.

"(ii) The other members of the Commission shall be compensated at the rate provided for level IV of the Executive Schedule under section 5315 of title 5, United States Code.".

(b) Section 808(d) of the Act entitled "An Act to prescribe penalties for certain acts of violence or intimidation, and for other purposes" (Public Law 90-284, approved April 11, 1968) is amended by—

(1) inserting "(including any Federal agency having regulatory authority over financial institutions)" after "urban development"; and

(2) adding at the end thereof the following: "All participants in such programs and activities, including State, local, or private agencies and persons, shall also carry out their responsibilities in a manner to affirmatively further the purposes of this title.".

(c) Section 808(e) of such Act is amended by—

(1) inserting before the semicolon in paragraph (2) "including an annual report to the Congress specifying the nature and extent of progress made nationally in eliminating discriminatory housing practices and furthering the purposes of this title, obstacles remaining to achieving equal housing opportunity, and recommendations for further legislative or executive action";

(2) inserting "financial and" before "technical" in paragraph (3);

(3) inserting after paragraph (3) a new paragraph to read as follows:

"(4) provide advice and assistance, consistent with the purposes of this title, to any person of lower income, as defined by the Secretary under the United States Housing Act of 1937, upon request, concerning housing assistance for which he or she is eligible and the availability and location of housing within his or her means. The Secretary shall select the most effective methods for providing these services, including establishment of additional offices in appropriate locations and provision of financial and technical assistance to private and public agencies to provide these services in whole or in part;";

(4) redesignating paragraphs (4) and (5) as paragraphs (5) and (6), respectively;

(5) striking out the period at the end of paragraph (5) and inserting in lieu thereof "; and"; and

(6) adding at the end thereof the following:

"(7) issue such rules, regulations, and procedures, including procedures for the collection, maintenance, and analysis of appropriate data, to carry out the requirements of subsection (d) and paragraph (6) of this subsection."

ENFORCEMENT CHANGES

SEC. 7. The Act entitled "An Act to prescribe penalties for certain acts of violence or intimidation, and for other purposes" (Public Law 90-284, approved April 11, 1968) is amended by striking out sections 810 through 815 and inserting in lieu thereof the following:

"ADMINISTRATIVE ENFORCEMENT; PRELIMINARY MATTERS

"SEC. 810. (a)(1) Whenever an aggrieved person, or the Secretary on the Secretary's own initiative, files a charge alleging a discriminatory housing practice, the Secretary shall serve a notice of the alleged discriminatory housing practice on the party charged (hereinafter in this title referred to as the 'respondent') within ten days after such filing. A respondent may file an answer to such charge within 10 days of receipt of such notice from the Secretary. The Secretary shall make an investigation thereof, and such investigation shall be completed no more than 90 days after the filing of the charge. Upon receipt of such charge, the Secretary shall serve notice upon the aggrieved person acknowledging receipt of the charge and advising the aggrieved person of the time limits and choice of forums provided under this title. At any time after the filing of a charge and until the investigation of such charge has been completed, the Secretary shall attempt, to the extent feasible, to resolve such charge by means of a conciliation agreement. If both the aggrieved person and the respondent consent to binding arbitration, the Secretary shall refer such charge to an arbitrator who shall be made available by the Community Relations Service of the Department of Justice. Nothing said or done in the course of such informal endeavors may be made public or used as evidence in a subsequent proceeding under this title without the written consent of the persons concerned. Any employee of the Secretary who shall make public any information in violation of this provision shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined not more than $1,000 or imprisoned not more than one year. Such charges shall be in writing under oath or affirmation and shall contain such information and be in such form as the Secretary requires. An aggrieved person shall file a charge under this section with the Secretary not later than one year after the alleged discriminatory housing practice occurred or terminated. The Secretary may also investigate housing practices to determine whether charges should be brought under this section. In consultation with other appropriate Federal agencies, the Secretary shall issue new rules and regulations to implement the policies, purposes, and provisions of this title within one hundred and eighty days after the enactment of the Fair Housing Amendments Act of 1983.

"(2)(A) In connection with any investigation of such charge, the Secretary, at reasonable times, shall have access to, and the right to copy, any information that is reasonably necessary for the furtherance of the investigation. The Secretary may issue subpenas to compel such access to or the production of such information, or to compel the appearance of persons, and may issue interrogatories to a respondent to the same extent and subject to the same limitations as would apply if the subpenas or interrogatories were issued or served in aid of a civil action in the United States district court for the district in which the investigation is taking place. The Secretary may administer oaths.

"(B) Upon written application to the Secretary, a respondent shall be entitled to the issuance of a reasonable number of subpenas by and in the name of the Secretary to

the same extent and subject to the same limitations as subpenas issued by the Secretary under subparagraph (A) of this paragraph.

"(C) Witnesses summoned by a subpena of the Secretary under this title shall be entitled to the same witness and mileage fees as witnesses in proceedings in United States district courts.

"(D) The Secretary or other party at whose request a subpena is issued under this title may enforce such subpena in appropriate proceedings in the United States district court for the district in which the person to whom the subpena was addressed resides, was served, or transacts business.

"(E) Any person who willfully fails or neglects to attend and testify or to answer any lawful inquiry or to produce records, documents, or other evidence, if it is in such person's power to do so, in obedience to the subpena or lawful order of the Secretary under this title, shall be fined not more than $1,000 or imprisoned not more than one year, or both. Any person who, with intent thereby to mislead the Secretary, shall make or cause to be made any false entry or statement of fact in any report, account, record, or other document produced pursuant to the Secretary's subpena or other order, or shall willfully neglect or fail to make or cause to be made full, true, and correct entries in such reports, accounts, records, or other documents, or shall willfully mutilate, alter, or by any other means falsify any documentary evidence, shall be fined not more that $1,000 or imprisoned not more than one year, or both.

"(3) Whenever a charge alleges a discriminatory housing practice within the jurisdiction of a State or local public agency which has been certified by the Secretary under this paragraph, the Secretary shall refer such charge to that certified agency before taking any action with respect to such charge. Except with the consent of such certified agency, the Secretary, after that referral is made, shall take no further action with respect to such charge unless the certified agency has not acted in a timely fashion following the date such charge was received or unless the Secretary determines that the certified agency no longer qualifies for certification under this paragraph. No agency may be certified under this paragraph unless the Secretary determines that the substantive rights protected by such agency, the procedures followed by such agency, the remedies available to such agency, and the availability of judicial review of such agency's action, are substantially equivalent to those created by and under this title. Before making such certification, the Secretary shall take into account the current practices and past performance, if any, of such agency.

"(4) The Secretary and other Federal agencies having authority to prevent housing discrimination shall cooperate and seek to avoid duplication of effort in the exercise of their several authority. The Secretary is authorized to enter into agreements to permit such other Federal agencies to carry out the provisions of this paragraph within their respective jurisdictions. Not later than 180 days after the date of enactment of the Fair Housing Amendments Act of 1983, the Secretary shall enter into agreements with the Comptroller of the Currency, the Board of Governors of the Federal Reserve System, the Board of Directors of the Federal Deposit Insurance Corporation, the Federal Home Loan Bank Board, and the National Credit Union Administration Board, to carry out this paragraph with respect to depository institutions which are subject to the jurisdiction of such agencies.

"(b) If the Secretary concludes, after a preliminary investigation of a charge, that prompt judicial action is necessary to carry out the purposes of this title, the Secretary may refer the matter to the Attorney General. The Attorney General may bring an action for appropriate temporary or preliminary relief pending final disposition of such charge. Any temporary restraining order or other order granting preliminary or temporary relief shall be issued in accordance with Rule 65 of the Federal Rules of Civil Procedure. It shall be the duty of a court having jurisdiction over proceedings under this paragraph to assign such proceedings for hearing at the earliest practical date and to cause such proceeding to be in every way expedited. An application for relief under this paragraph shall not affect the initiation or continuation of administrative proceedings under this section and section 811 of this title.

"(c)(1) If the Secretary determines, after an investigation under this section, that reasonable cause exists to believe the charge is true, and the Secretary has been unable to obtain a conciliation agreement, the Secretary shall—

"(A) file, on behalf of the aggrieved person filing the charge, a complaint under the procedures provided under section 811 of this title; or

"(B) refer the matter to the Attorney General for the filing of an appropriate civil action under section 813(b) of this title.

"(2) Notwithstanding paragraph (1) of this subsection the Secretary shall refer charges involving the legality or validity of any State or local zoning, or other land use law or ordinance, or any novel issue of law or fact or other complicating factor, as determined by the Secretary, to the Attorney General for appropriate action under section 813(b) of this title.

"(3) After each investigation under this section, the Secretary shall provide to each aggrieved person and each respondent a copy of the report of such investigation.

"ADMINISTRATIVE ENFORCEMENT; HEARING PROCESS

"SEC. 811. (a) Upon filing an administrative complaint, the Secretary shall cause a copy of such complaint to be served on the respondent, together with a notice of opportunity for a hearing on the record at a place and time (not less than thirty days after the service of such complaint) specified in such notice. On the request of the respondent and with the consent of all other parties, a hearing may be rescheduled for a time earlier than the time specified in such notice. Any resolution of a charge or complaint by means of conciliation shall require the consent of the person who filed the charge, and any such resolution following the service of complaint under this subsection shall also require the approval of the Secretary. The repondent shall have the right to file an answer to the administrative complaint, to appear in person or otherwise and give testimony at a hearing on the record, and to obtain a reasonable number of subpenas in the manner set forth in section 810(a)(2)(B). Any aggrieved person shall have the right to intervene in the proceeding, to appear in person or otherwise, to obtain the issuance of a reasonable number of subpenas in the manner set forth in section 819(a)(2)(B) of this title, and to present testimony. After the conclusion of such hearing, the administrative law judge shall make findings of fact and conclusions of law, and may issue an order providing for such relief as may be appropriate (including compensation for all damages suffered by the aggrieved person as a result of the discriminatory housing practice), and may impose a civil penalty of not to exceed $10,000. Any order issued under this subsection is subject to review in accordance with section 808(c) of this title any final order under section 808(c) is subject to review in accordance with subsection (c) of this section.

"(b) The findings of fact and conclusions of law made with respect to a final order issued under subection (a), together with a copy of such order, shall be served on each aggrieved person and each respondent in the proceeding.

"(c) Any petition for judicial review of a final order under subsection (a) shall be filed in the appropriate court of appeals not later than sixty days after the entry of such final order. Such judicial review of a final order shall be in the manner provided under chapter 158 of title 28 of the United States Code. For the purposes of judicial review of such an order, any aggrieved person shall be deemed a party in the administrative proceedings reviewed. The findings of fact shall be conclusive if supported by substantial evidence in the record considered as a whole. No objection not urged at the appropriate state of the administrative hearing process shall be considered by the court unless the failure or neglect to urge such objection should be excused because of extraordinary circumstances.

"(d)(1) Any person who violates a final order under subsection (a) shall be subject to a civil penalty assessed by the administrative law judge of not more than $1,000 for each day during which such violation continues after the date on which such final order becomes unreviewable.

"(2) For the purposes of paragraph (1) of this subsection, a final order becomes unreviewable—

"(A) if a petition for review has not been filed in the appropriate reviewing court, on the day sixty days after the entry of such final order; or

"(B) on the date on which the last appellate court's decision becomes final and not subject to any further appellate proceeding.

"(e) Within thirty days after the issuance of a final order that is unreviewable pursuant to subsection (d)(2) of this section, the Commission shall, in cases involving a violation of any provision of this title by any person licensed by a State agency to conduct business relating to housing and urban development, forward copies of the findings of fact, conclusions of law, and order to the appropriate State licensing agency, with recommendations for appropriate disciplinary action, including suspension or revocation of such license.

"PRIVATE ENFORCEMENT

"SEC. 812. (a)(1) An aggrieved person may commence a civil action in an appropriate United States district court or State court at any time not later than two years after the alleged discriminatory housing practice occurred or terminated.

"(2) After an aggrieved person has commenced a trial on the merits in a civil action under this section, the Secretary may not commence or continue proceedings toward the issuance of a remedial order based on such charge.

"(3) An aggrieved individual shall not commence a civil action under this subsection with respect to a charge made by that

individual to the Secretary if the Secretary (or a State or local agency to which the Secretary refers such charge) has commenced a hearing on the record with respect to such charge.

"(4) Upon timely application the Attorney General may intervene in such civil action if the Attorney General certifies that the case is of general public importance.

"(b) Upon application by an aggrieved person any trial or appellate court may appoint an attorney for such person and may authorize the commencement or continuation of the action without the payment of fees, costs, or security if in the opinion of the court such person is financially unable to bear the costs of such action.

"(c) If, in a civil action under this section, the court finds that an alleged discriminatory housing practice has occurred, is occurring, or is about to occur, the court shall award such relief as may be appropriate. Such relief may include money damages, equitable and declaratory relief, and, punitive damages.

"ENFORCEMENT ROLE OF ATTORNEY GENERAL

"SEC. 813. (a) Whenever the Attorney General has reasonable cause to believe that any person or group of persons is engaged in a pattern or practice of resistance to the full enjoyment of any of the rights granted by this title, or that any group of persons has been denied any of the rights granted by this title and such denial raises an issue of general public importance, the Attorney General may bring a civil action in an appropriate United States district court.

"(b) The Attorney General may bring a civil action in an appropriate United States district court (1) to enforce any final order under this title that is referred for enforcement by the Secretary; (2) to collect any civil penalty assessed under section 811 of this title; and (3) to remedy any discriminatory housing practice (A) with respect to which the Secretary has made a finding that reasonable cause exists under this title and (B) which the Secretary refers to the Attorney General for enforcement under this subsection.

"(c) The court may award such relief in any civil action under this section as is authorized in section 812(c) of this title.

"(d) A person may intervene in any civil action commenced under this section which involves an alleged discriminatory housing practice with respect to which such person is an aggrieved person.

"ANCILLARY AND PROCEDURAL MATTERS RELATING TO ENFORCEMENT

"SEC. 814. (a) In any action or proceeding under this title, the court, in its discretion, may allow a prevailing party (other than the United States with respect to attorney fees) reasonable attorney and expert witness fees as part of the costs, and the United States shall be liable for such costs the same as a private person. Such costs may also be awarded upon the entry of any interlocutory order which determines substantial rights of the parties.

"(b) In any administrative proceeding based on a charge under section 810(a) of this title, any prevailing party (other than the United States with respect to attorney fees) may be awarded reasonable attorney and expert witness fees as a part of a final order under section 811(b) of this title.

"(c) Any court in which a proceeding is instituted under this title shall assign the case for hearing at the earliest practicable date and cause the case to be in every way expedited.

"(d) Any sale, encumbrance, or lease executed before the issuance of any order under this title, and involving a bona fide purchaser, encumbrancer, or tenant without actual notice of the existence of the filing of a complaint or civil action under this title shall not be affected by such court order.

"EFFECT ON OTHER LAWS

"SEC. 815. (a) Nothing in this title shall be construed to invalidate or limit any law of a State or political subdivision of a State, or of any other jurisdiction in which this title shall be effective, that grants, guarantees, or protects the same rights as are granted by this title; but any such law that purports to require or permit any action that would be a discriminatory housing practice under this title shall to that extent be invalid.

"(b) Nothing in this title shall be construed to repeal, supersede or diminish the protection provided to handicapped persons by any other Federal law.".

INTERFERENCE, COERCION, OR INTIMIDATION

SEC. 8. Section 817 of the Act entitled "An Act to prescribe penalties for certain acts of violence or intimidation, and for other purposes" (Public Law 90-284, approved April 11, 1968) is amended by striking out "section 803, 804, 805, or 806." and inserting in lieu thereof "this title.".

CONFORMING AMENDMENT TO TITLE IX OF 1968 CIVIL RIGHTS ACT

SEC. 9. Section 901 of the Act entitled "An Act to prescribe penalties for certain acts of violence or intimidation, and for other purposes" (Public Law 90-284, approved April 11, 1968) is amended by inserting ", handicap (as such term is defined in section 802 of this Act), familial status (as such term is defined in section 802 of this Act)," after "sex" each place it appears.

CONFORMING AMENDMENTS TO TITLE 28, UNITED STATES CODE

SEC. 10. (a) Section 2341(3) of title 28, United States Code, is amended—

(1) by striking out "and" at the end of subparagraph (B);

(2) by striking out the period at the end of subparagraph (C) and inserting in lieu thereof "; and"; and

(3) by inserting at the end thereof the following new subparagraph:

"(D) the Commission, when the order was entered by the Fair Housing Review Commission.".

(b) Section 2342 of such title is amended—

(1) by striking out "and" at the end of paragraph (4);

(2) by striking out the period at the end of paragraph (5) and inserting in lieu thereof "and"; and

(3) by adding immediately after paragraph (5) but before the final sentence, the following:

"(6) all final orders under section 811 of the Fair Housing Act.".

BUDGET AUTHORITY

SEC. 11. This Act and the amendments made by this Act shall not be construed to authorize the enactment of new budget authority for the fiscal year ending September 30, 1983. Effective October 1, 1983, there are authorized to be appropriated such sums as may be necessary to carry out the provisions of this Act and the amendments made by this Act.

PRINCIPAL PROVISIONS OF THE FAIR HOUSING ACT OF 1983

1. PURPOSE

The bill provides a speedy, fair, and less costly adjudication process in cases where persons allege that they have been denied housing because of discrimination on grounds of race, color, religion, sex, national origin, handicap, or familial status.

2. ADMINISTRATIVE ENFORCEMENT

The bill provides for an administrative hearing process. It uses independent administrative law judges selected by a Presidentially appointed three-member Fair Housing Review Commission.

The complainant has the right to intervene in this hearing. The decision of the administrative law judge may be appealed to the Fair Housing Review Commission. The final order may be appealed in the appropriate federal court of appeals.

Similar types of administrative enforcement procedures are used by 28 other federal agencies and departments.

The Attorney General will continue his responsibility to pursue "pattern or practice" suits, land-use cases, and cases which pose issues of general public importance or novel questions of law.

3. REFERRAL OF CHARGE TO STATE OR LOCAL AGENCY OR ARBITRATOR

Under the bill, administrative enforcement is a last resort. The Secretary of HUD shall first attempt conciliation, or, with the consent of both parties, refer the case to the Justice Department for binding arbitration.

Moreover, the Secretary shall refer any charge to the pertinent State or local agency if that agency has an enforcement mechanism substantially equivalent to that created by this bill. The state or local agency will hear the case. HUD will not be involved. Only if a substantially equivalent state or local agency does not exist will the federal enforcement procedure be invoked.

Aggrieved persons retain their right to pursue a private law suit up until the time an administrative hearing commences.

4. RELIEF

If, after an initial investigation, the Secretary of HUD believes prompt action is necessary to keep the housing unit available until the charge is resolved, then the Secretary may ask the Attorney General to seek a temporary restraining order from the court.

If discrimination is proved, equitable and declaratory relief (including cease and desist orders) as well as compensatory damages may be awarded. Civil penalties of up to $10,000 may also be imposed.

This authority to grant all necessary relief provides the real enforcement power for Title VIII.

Reasonable attorney fees and expert witness fees may also be granted to the prevailing party.

5. AGGRIEVED PERSONS

"Aggrieved person" is defined as those both directly and indirectly affected.

This will include so-called "testers" who, as the Supreme Court has recently held, have the same Title VIII right as others in the community to receive truthful information about the availability of housing.

6. ADDITIONAL PROTECTED CLASSES

In addition to the current Title VIII classes protected from discrimination, the bill adds two others:

(a) "Handicapped persons," as defined in SEC. 504 of the Rehabilitation Act.

This provision includes the requirement that landlords permit reasonable modifications to a unit to make it substantially equal in its access by handicapped persons. The

modifications are subject to the following conditions:

They are not at the expense of the owner.

They do not materially alter the marketability of the dwelling.

They do not cause unreasonable inconvenience to other persons.

(b) "Familial status" is added as a protected class. This will protect families with children from discrimination. However, this protection does not bar exclusion of families with children from governmentally assisted housing for the elderly or retirement communities, nor other reasonable government occupancy restrictions.

7. COVERAGE OF ACTORS IN THE REAL ESTATE CHAIN

Mortgage lenders are prohibited from practicing redlining.

Property insurers, mortgage insurers, real estate appraisers, and mortgage purchasers are explicitly listed as subject to the Fair Housing Act's coverage. This provision codifies existing case law with respect to these agencies and their practices in the real estate chain.

8. IMPLEMENTING RULES AND REGULATIONS

HUD is required to issue rules and regulations to implement this act, to submit an annual report to Congress on progress in eliminating discrimination in housing, and to provide advice and assistance to persons of low and moderate income in need of housing assistance.

SECTION-BY-SECTION ANALYSIS—FAIR HOUSING AMENDMENTS ACT OF 1983

Section 1. Provides that the short title of the Act will be the Fair Housing Amendments Act of 1983.

Section 2. Provides in the law that the short title of the 1968 Act (which is being amended) will be the Civil Rights Act of 1968. This simply establishes in the law itself the short title which is usually used when referring to the 1968 Act.

Section 3. Provides that the short title of Title VIII of the 1968 Act shall be the Fair Housing Act. Again, this simply establishes in the law a title normally used in reference to Title VIII.

Section 4(a). Broadens the definition of "discriminatory housing practice" to include any violation under the Act and not merely those made illegal under sections 804, 805, and 806.

Section 4(b). Provides a definition of "handicap" identical to that used in other federal laws, including the Rehabilitation Act of 1973; of "aggrieved person," thereby clarifying issues of standing in fair housing cases; of "familial status," for the protection of families with children; of "conciliation" and "conciliation agreement" to clarify the meaning of those terms; and of "respondents" to include the person named in the complaint or any other person identified in the course of the investigation.

Section 5(a). Broadens the catchline of sections 804 of the Act by adding "And Other Prohibited Practices" to the end thereof.

Section 5(b). Amends section 804 of the Act to make it unlawful to discriminate against the handicapped in the sale or rental of housing. Reasonable modifications of premises would be required when a handicapped tenant agrees to pay the cost of such changes and the cost of restoring the unit to its original condition at some later date. Required modifications would not include those that result in unreasonable inconvenience to other affected persons or those that would materially change the marketability of the dwelling.

State or local agencies could not deny any license or permit for a residence for eight or fewer handicapped persons that meets applicable health, safety, or program standards unless the residence would violate the community's land use plan that permits such residence in other equally suitable locations.

Discrimination in housing would also be prohibited by those in the business of insuring against hazards.

Section 5 (c) and (e). Includes "familial status" as a protected class under Sections 804 and 806, and includes "handicap" as a protected class regarding those practices prohibited under Section 804 that discriminate in advertising, in representing an intent to sell or rent, or in "blockbusting" actions, and as a protected class under Section 806.

Section 5(d). Amends section 805 of the Act to clarify that discrimination by those whose business includes the making, purchasing, or insuring of loans, and the appraisal of real property is prohibited.

Section 5(f). Amends section 807 of the Act to state that nothing in this title is to be construed to defeat any reasonable local, state, or federal restrictions having to do with the maximum number of individuals permitted to occupy a dwelling unit. Familial status, as used in this title, is not to apply to any state or federal programs aimed at assisting elderly persons or to bona fide retirement communities or housing operated for older persons, equipped with facilities and amenities to meet the physical and social needs of older persons.

Section 6(a). Establishes a Fair Housing Review Commission made up of three members appointed by the President with the advice and consent of the Senate. The Commission would appoint administrative law judges (ALJs) who would conduct hearings on claims of alleged discrimination. All hearings and administrative records would be open to the public. A Commission appeal panel would review appeals of proposed orders of ALJs and could approve, reject, modify, or vacate and remand to the ALJs for further proceedings. The HUD Secretary could not modify any order under section 811 of this title or any decision of the Commission.

Section 6(b). Amends section 808(d) of the Act to make clear the obligation of all participants in HUD programs and activities (including state, local or private agencies or persons) and any federal financial regulatory agency (including the Federal Home Loan Bank Board, the Comptroller of the Currency, and the Federal Deposit Insurance Corporation) to administer their programs and activities in a manner that affirmatively furthers the purposes of this title.

Section 6(c). Amends section 808(e) of the Act to require an annual report to Congress on the progress made in eliminating discriminatory housing practices, obstacles remaining to equal housing opportunity, and recommendations for further legislative or executive action. HUD is further required to give advice and assistance, upon request, to persons of low income, concerning housing assistance for which they are eligible and the availability and location of such housing within their means.

Section 7. Revises the enforcement mechanisms in the Act. Under present law, HUD has only the authority to investigate and conciliate violations. This section would provide authority for ALJs to issue cease and desist orders and order other appropriate relief through administrative proceedings.

A new section 810 provides for the filing of housing discrimination charges with HUD by the Secretary and by aggrieved persons. HUD is authorized to investigate charges and attempt to resolve them through conciliation or, if all parties agree, arbitration. If such efforts fail and there is reasonable cause to believe the charge, the HUD Secretary has several enforcement options: mandatory referral to a state or local agency found by the Secretary to operate under laws substantially equivalent to those in Title VIII; the filing of an administrative complaint under section 811; or referral to the Attorney General for court action. All cases involving the legality of state or local zoning laws, or any novel issue of law or fact or other complicating factor would be referred to the Attorney General.

A new section 811 provides for a hearing before an ALJ following which the ALJ may order appropriate relief, including a cease and desist order, compensation for all damages suffered, and a civil penalty not to exceed $10,000. An appeal of a proposed order can be made to the Fair Housing Review Commission (within 30 days) and of a final order to the appropriate court of appeals (within 60 days).

A new section 812 outlines private judicial enforcement rights. An aggrieved person has two years, rather than the present 180 days, within which to file a civil action to remedy a discriminatory housing practice. However, such a suit may not be filed if the aggrieved person has filed the charge with HUD, and a hearing on the record has commenced by the ALJ or the state or local agency to which HUD has referred the charge.

The court, in cases brought by aggrieved persons, who are financially unable to bear the costs, may appoint an attorney and authorize the commencement of actions without fees. The Attorney General may intervene in such civil actions, where the case involves issues of general public importance.

A new section 813 outlines the enforcement role of ther Attorney General. The Attorney General is authorized to file suit on his own initiative to remedy "pattern or practice" violations, or in cases involving issues of "general public importance." The Attorney General may otherwise bring civil actions to enforce the Secretary's final orders, to collect any civil penalties assessed under section 811, and to remedy discriminatory housing practices when the Secretary has found reasonable cause and referred the matter to the Department of Justice.

A new section 814 provides that attorneys fees may be awarded to prevailing parties in both judicial and administrative proceedings.

A new subsection to section 815 states that nothing in Title VIII shall repeal, supersede, or diminish the protection provided the handicapped under other federal laws.

Section 8. Amends section 817 of the Act by broadening that section to provide a civil remedy for interferences with or intimidations relating to the exercise of rights granted by the title. Present law technically provides such remedies only for violations of sections 803, 804, 805, and 806 of the Act.

Section 9. Title IX of the Civil Rights Act of 1968 is brought into conformance with the 1983 amendments with addition of "handicap" as a protected class.

Section 10. Amends Title 28 of the United States Code to provide for judicial review of the Fair Housing Review Commission in the appropriate court of appeals.

Section 11. Conforms the 1983 amendments to the Congressional Budget Act and authorizes appropriations of necessary funds after October 1, 1983.

LEADERSHIP CONFERENCE
ON CIVIL RIGHTS,
Washington, D.C., May 5, 1983.

Hon. CHARLES McC. MATHIAS, Jr.,
U.S. Senate, Russell Senate Office Building, Washington, D.C.

DEAR SENATOR MATHIAS: The Leadership Conference on Civil Rights, a coalition of 165 national organizations representing Blacks, Hispanics, women, labor, Asian and Native Americans, senior citizens, disabled persons, and churches, strongly supports the introduction of the Fair Housing Amendments Act. This measure is a top legislative priority for the Leadership Conference in the 98th Congress.

Regrettably, the passage of this measure is still very much needed, for many studies document that discrimination in the sale and rental of housing continues to be a serious national problem. One principal reason for the persistence of this discrimination is that the 1968 Fair Housing Act lacks an effective enforcement mechanism. By establishing an administrative hearing process, the Fair Housing Amendments Act would at long last provide a speedy, fair, less costly, and effective adjudication process for resolving housing complaints.

In addition to retaining provisions from previous legislation which would expand fair housing coverage to protect the handicapped, the 1983 measure also prohibits discrimination against families with children. Such discrimination has become widespread, affecting especially racial minorities and families headed by single women. A H.U.D. sponsored study conducted in 1980 showed that 25 percent of all apartment rental units across the country were closed to families with children. In some localities, the discrimination rate went as high as 75 percent, and rates of 50 percent were not uncommon.

The Leadership Conference also applauds the bipartisan congressional coalition supporting the legislation. This is the type of coalition that propelled the 1982 extension of the Voting Rights Act to an overwhelming victory.

The Conference urges the Congress to expeditiously consider and enact the Fair Housing Amendments Act. For this vital legislation will help further our Nation's irrevocable commitment to equality of opportunity for all our citizens.

Sincerely,

RALPH G. NEAS,
Executive Director.
BENJAMIN L. HOOKS,
Chairperson.

NATIONAL COMMITTEE AGAINST
DISCRIMINATION IN HOUSING,
Washington, D.C., April 28, 1983.

Hon. CHARLES McC. MATHIAS, Jr.,
U.S. Senate,
Washington, D.C.

DEAR SENATOR MATHIAS: The National Committee Against Discrimination in Housing offers its full support and that of its more than 70 affiliated public and private fair housing organizations across the country for the legislation you are introducing to amend and strengthen the Federal Fair Housing Act.

As you know, NCDH has been devoting its full efforts and resources to the cause of equal housing opportunity for more than three decades. We were gratified when Congress enacted the 1968 Federal Fair Housing Law, establishing fair housing as firm national policy and as the law of the land.

Over the past 15 years, since the Fair Housing Law was enacted, we and our affiliates have devoted special attention to enforcing that law. We have had first-hand experience demonstating the law's weaknesses and inadequacies that impede greater progress in achieving equal housing opportunity for all Americans. We are convinced that the bill you are introducing will eliminate those weaknesses and inadequacies, and contribute significantly to securing in fact the goals of fair housing.

We fully support the provisions extending protection to handicapped persons and families with children. Studies and investigations have shown that these groups of Americans are subjected to widespread discrimination in their efforts to secure decent housing and are in need of the protection of Federal law.

We also endorse the amendments clarifying certain ambiguities in the Fair Housing Law. These amendments, as you know, do not effect any substantive changes in the existing law, but rather, conform to uniform decisions and interpretations by the Federal courts.

We are especially gratified by the provisions strengthening enforcement of the Fair Housing Law. Our experience has demonstrated that the enforcement mechanisms now available—conciliation of complaints by HUD, "pattern or practice" suits by the Department of Justice, and private litigation—are not sufficient, alone or in combination, to do the job. We are convinced, on the basis of our own experience and the experience of our affiliated fair housing centers, that establishment of an administrative enforcement mechanism, with appropriate judicial review, will add a necessary adjunct to existing enforcement mechanisms that not only will put teeth into the HUD conciliation process, but will also serve to enhance the importance of conciliation as an instrument for successful resolution of housing discrimination complaints.

In short, we believe you and your colleagues in the Senate have crafted superb legislation, deserving of the full support of the Congress.

We enthusiastically endorse the bill and urge its enactment.

Sincerely,

MARTIN E. SLOANE,
Executive Director.

Mr. CRANSTON. Mr. President, I am very pleased to be an original cosponsor of the Fair Housing Amendments Act of 1983. The enactment of a bill of this nature is long overdue. An earlier version of these amendments, S. 506, should have been passed in the waning days of the 96th Congress but, unfortunately, was subjected to a filibuster. Despite the efforts of myself and others, we were not able to break the filibuster and the bill was taken down. I said then—and it is just as true now—this bill is a symbol of justice for many Americans. We must continue the effort to insure equal opportunity for all our citizens. We must be committed to do combat with housing discrimination and its degrading effects. Our antidiscrimination statutes are nothing if they are not armed with strong enforcement procedures. The bill that we are introducing today adds teeth to the Fair Housing Act by strengthening the act's enforcement procedures.

The current fair housing enforcement procedures under title VIII of the Civil Rights Act of 1968 are inadequate. The Secretary of Housing and Urban Development has little authority to enforce the law by administrative action. Presently, he can only help conciliate—with the cooperation of the parties concerned—complaints of discrimination. Not many complaints are ever resolved by this process, and so most aggrieved individuals must seek redress in the courts. But in the courts, the overwhelming cost of civil rights cases and the delay in the hearing of those cases discourage many of those who have a legitimate complaint from pursuing a remedy. A stronger enforcement procedure, such as the proposal contained in the Fair Housing Act Amendments of 1983, would retard discriminatory practices by making it easier to seek and exercise sanctions against violators of the law.

INCREASED ENFORCEMENT PROCEDURES

The proposed act provides for an administrative hearing process as a last resort. Before independent administrative law judges are used, the Secretary of HUD would first attempt conciliation, or, with the consent of both parties, refer the case to the Justice Department for binding arbitration.

The Secretary could also refer any grievances to a State or local agency if that agency has an enforcement mechanism substantially equivalent to the one created by these proposed amendments. The bill also allows individuals to seek redress in the Federal courts if they so choose and allows the Attorney General to bring suit when he has reasonable cause to believe that the rights granted by title VIII are being denied.

Still, the most important enforcement provision contained in this bill is the establishment of a Presidentially appointed three member fair housing Review Commission that will select administrative law judges and review their opinions. The final order of the Commission may be appealed in the appropriate Federal court. Similar procedures are currently being used effectively by 28 other Federal agencies and departments. The promise of Fair Housing means little if victims of discrimination cannot seek adequate redress due to the inherent systematic problems of the current procedures. This bill will insure that minorities, women, handicapped people, and families with children will have access to a judicial system that can protect them from illegal actions.

COVERAGE OF HANDICAPPED PERSONS

Mr. President, I strongly support the proposed expansion of the Fair Housing Act's coverage to protect handicapped persons from certain discriminatory practices in the housing market.

During the past decade, our Nation has made significant strides toward overcoming the attitudinal and physical barriers that have kept many disabled Americans out of the mainstream of our society and deprives them of opportunities that should be each citizen's due.

The chance to live in the community and to have the range of choices of location, cost, and type of housing necessary to make that chance a realistic one can be vitally important. Having these choices can be the key to a disabled person's ability to lead a more productive, self-sustaining life, to enjoy the recreational and social activities that are readily available to others, and to live with or be close to family and friends.

Thus, I believe that enactment of this bill, supplementing the more substantial rights under section 504 of the Rehabilitation Act of 1973 to be free of discrimination in federally assisted housing and other programs, would be of substantial value in helping to make further needed progress toward making ours a land that is truly one of opportunity—and our society a truly open one—for all of our citizens.

HOUSING DISCRIMINATION AGAINST FAMILIES WITH CHILDREN

Mr. President, this legislation contains a provision which would prohibit discrimination against families with children. This provision would not override any reasonable local, State, or Federal restrictions regarding the maximum number of occupants permitted to occupy a dwelling unit, nor would it apply with respect to dwellings established strictly for senior citizens, such as retirement communities. It would prohibit the type of blanket exclusions of families with young children that has substantially limited the housing available to such families.

Mr. President, discrimination in rental housing against families with children is a serious problem. A report issued in 1980 by the Department of Housing and Urban Development, "Measuring Restrictive Rental Practices Affecting Families With Children: A National Survey," found that some 26 percent of the Nation's rental housing units are in buildings which ban families with children. In addition to outright bans on children, the report found other restrictive practices, such as limitations on the age, sex, or number of children. These additional restrictions limit even further the rental units available to families with children. A second report issued by HUD in 1980, "How Restrictive Rental Practices Affect Families With Children," documented the extent to which such rental restrictions affect families with children. That report found that more than half of the survey's respondents who had faced difficulties in finding decent housing had to search for more than 9 weeks for rental housing which would accept children. Many reported having to accept substandard housing because they could not find rentals that would accept children.

Mr. President, a number of States have recently enacted legislation to prohibit discrimination against families with children. Last year, the California Supreme Court in a landmark case declared that such discriminatory policies violated the California Civil Rights Act. In its decision in this case, Marina Point, Ltd. against Wolfson, the California court took note of the extensive nature of the practice of discrimination against families with children in rental housing, and concluded,

A society that sanctions wholesale discrimination against its children in obtaining housing engages in suspect activity. Even the most primitive society fosters the protection of its young; such a society would hardly discriminate against children in their need for shelter.

The provisions of this legislation would extend protection against this type of discrimination to families with children throughout the Nation.

Mr. President, it should also be noted that although the practice of discriminating against families with children is encountered by many families regardless of race or ethnic background, the HUD reports noted that minority families experienced even more serious housing problems than did white families with similar income levels. Some question can be raised as to whether at times no-children policies are used as a smoke screen for racial discrimination. In any event, extending the provisions of the fair housing law to bar discrimination against families with children would clearly be consistent with the overall focus of this law with regard to other types of discriminatory rental practices.

CONCLUSION

Mr. President, stronger enforcement procedures are needed. Testimony before the Senate Judicary Committee in the 96th Congress indicated that housing discrimination is still a widely practiced phenomenon. While discrimination in housing is certainly not limited to racial discrimination, the National Advisory Commission on Federal Disorders—the Kerner Commission—pointed out that although blacks had attained similar incomes, living standards, and cultural levels of their white counterparts, most black families had remained within predominantly black neighborhoods, primarily because they had been excluded from white residential areas. The discrimination in housing that was identified over a decade ago is still prevalent in today's society.

It is time to get serious about fair housing. It is time to stamp out housing discrimination in all its forms against minorities, women, handicapped persons, and families with children. It is time to do the right thing—the moral thing—and provide access to equal housing opportunities for all Americans. This bill rings the chimes freedom. It is with great pride that I join as a cosponsor, and I urge all of my colleagues to do the same.

● Mr. KENNEDY. Mr. President, I am pleased to join with Senator MATHIAS and 35 other Senators in introducing the Fair Housing Act of 1983.

In 1968, Congress enacted legislation to provide equal housing opportunity for all Americans. The Fair Housing Act of 1968 was landmark legislation. Along with the Public Accommodations Act of 1964 and the Voting Rights Act of 1965, it formed the basic Federal protection against racial discrimination.

We knew then, and we know today, that segregated housing goes hand in hand with a segregated society. The Fair Housing Act was essential to this Nation's commitment to root out all aspects of segregation and to advance the cause of equal justice and equal opportunity for every American.

Fifteen years ago we promised equal housing opportunity to all citizens. Fifteen years later that promise is unfulfilled. Today, equal housing opportunity continues to be denied to millions of Americans.

Housing discrimination places an unfair economic and emotional burden upon millions of individuals and families. In a highly mobile society, it limits the mobility of minorities, families with children, and the handicapped. Job opportunity is lost when the head of a household cannot find suitable housing close to a workplace. Families may be separated and children divided among relatives, while a parent searches for decent housing. In countless other ways, housing segregation does immeasureable damage to the values for which this country stands. The widespread patterns of housing segregation that exist throughout America are a highly visible blight on our democracy. This demonstrates that we are not yet one Nation, but still two societies, separate and unequal.

We can change that. Through the enforcement mechanisms of the legislation we are introducing today, we can redeem the promise of the 1968 act and reduce segregation in housing.

We must not accept arbitrary and irrational restrictions on places where Americans may live. The pressures generated by such restrictions breed ghettos that create despair and that

condemn too many Americans to lives of second-class citizenship.

Housing discrimination feeds a vicious cycle. By restricting the dwellings and communities available to minorities, it forces them into ghettos of inadequate housing. In turn, this offense against human dignity is misused to perpetuate the myth that the minority victims are somehow responsible for their plight. This is not only unjust; it fuels the fears that breed more housing discrimination. This cycle of segregation must be broken—and it can be broken by effective and consistent enforcement of the law.

In these harsh economic times, the burden of overpriced or inadequate housing falls most heavily on those least able to afford it. Today, three out of every four black and Hispanic Americans will be victims of discrimination when they seek rental housing.

A recent analysis by the Citizens Commission on Civil Rights reveals that segregation has declined only slightly in the past decade. The Commission concluded that the present fair housing law has been tragically ineffective for a generation of home buyers. This bipartisan group of 15 distinguished Americans was headed by Dr. Arthur Flemming, a member of President Eisenhower's Cabinet and former Chairman of the Civil Rights Commission.

Its members include former Attorney General Elliot Richardson; the Reverend Theodore Hesburgh, also a former Chairman of the Civil Rights Commission; former Federal judge and Deputy Attorney General Harold Tyler; former Solicitor General and dean of Harvard Law School Erwin Griswold; former Secretary of Labor Ray Marshall; and former Senator Birch Bayh.

The Commission also was clear in its strong criticism of the present administration's failure to provide adequate enforcement of the Nation's fair housing laws.

The fundamental flaw in present law is that it confers a right without a remedy. Those who suffer discrimination have little hope for relief. Under current law, victims of discrimination in the sale or rental of housing have two courses of action: They can file a private suit in Federal district court; or they can ask HUD to attempt a conciliation procedure. But neither remedy is effective.

Filing a private suit means long delays and high costs—in most metropolitan areas, it takes more than 2 years for such cases to come to trial. Conciliation is equally futile. Since HUD cannot sue them, parties who have discriminated have no incentive to settle. HUD has no authority to require the parties to conciliate, and it has no power to enforce any final agreement. Of the 5,000 complaints that HUD receives each year, the Department resolves only 6 percent. The absence of any effective and accessible remedy for housing discrimination means that large numbers of individuals and their families are denied the housing of their choice.

This legislation is designed to remedy this injustice by providing a realistic and workable enforcement mechanism for existing law. Under its procedures, black and Hispanic Americans will at last have a remedy capable of making their right to fair housing a reality.

This legislation is essentially the same bill approved by the Senate Judiciary Committee in 1980. The bill's basic provisions deal with enforcement of the law. It provides speedy hearings before administrative law judges who are expert in fair housing law. Complaints can be pursued by the Government on behalf of the victim; cases can be resolved sooner and at lower cost than through the courts.

At the same time, the bill incorporates the special safeguard of an independent Fair Housing Review Commission. This Presidential Commission will appoint the administrative law judges and an Appellate Review Board. It will thereby insulate the hearing process from undue influence by the Secretary of HUD or by the enforcement arm of HUD, which will initiate proceedings in cases of alleged discrimination.

The standard of proof necessary to establish illegal discrimination will remain the same as current case law.

In the final days of the 97th Congress, a bipartisan coalition almost succeeded in passing this important legislation. A similar bill passed overwhelmingly in the House of Representatives. The need for a more effective remedy for the right to fair housing was recognized by a bipartisan majority of the Senate. But time ran out, and the Congress ended before action could be completed.

Today the time is right for a new effort to enact effective fair housing legislation—and this time we must succeed.

Our bill also contains new protections for two important groups—families with children, and handicapped persons. We know that restrictions against children are often used as a subterfuge for segregation in housing. All too frequently today, such restrictions are invoked against blacks or Hispanics, but not against whites. Discrimination against families with children is a major factor in the number of children living in substandard housing—today, 13 percent of all children are inadequately housed, but for black and Hispanic children, the figure is 24 percent.

When families with children seek housing today, they find that 26 percent of the rental units exclude children. Another 50 percent have restrictions on the age, sex, and number of children that may reside in an apartment of a particular size. As a result, families with children often find that three-quarters of apartments are off limits to them.

The impact of this discrimination falls most heavily on families headed by women. They have less income than families headed by men or two-parent households. Their need to be close to the job, schools, day care, and social services is greater. They can least afford time-consuming searches for adequate housing or the stress of inadequate housing.

Black women heads of households are particularly vulnerable to housing discrimination. Only one out of four families headed by black women reside outside this country's central cities. These families suffer the dual impact of discrimination based on race and familial status.

Nine States have passed legislation prohibiting discrimination against families with children in rental housing. Any meaningful Federal fair housing measure must extend protection to families with children everywhere in America.

Housing for senior citizens, retirement communities, and local government occupancy restrictions are exempt from the provisions with respect to families.

Handicapped Americans will also benefit from this legislation. Since 1970, it has been national policy to provide access for handicapped persons to all public and commercial facilities. The rights of handicapped persons have advanced over the past decade—but housing has been a constant roadblock.

Small group homes often provide the most effective means of housing for the handicapped, so that they can receive the special care they need. This legislation eliminates arbitrary restrictions on such homes. In addition, handicapped tenants will be allowed to make minor alterations in their residences at their own expense. These measures will promote self-sufficiency and independent living for handicapped Americans.

Fifteen years have passed, and yet the 1968 Fair Housing Act remains a noble promise unfulfilled. Year after year, blatant discrimination mocks the law. Segregation in housing helps to sustain segregation in every other aspect of society. It means ghettos for children, for the handicapped, for blacks, and Hispanics. We must open the doors of equal housing opportunity for all. We can no longer be content with a law which pays lip service to fair housing but denies the remedies that alone can give meaning to the right.

I hope that Congress will give this measure the full support which it de-

serves—and which conscience and history demand. It is time for America to take the next great step for civil rights and equal justice under law.●

● Mr. METZENBAUM. Mr. President, I am pleased to join as a cosponsor of the Fair Housing Amendments Act of 1983. Fair and open housing markets are the essence of a truly just society. We as a free people simply cannot afford to countenance practices that systematically deprive some of our citizens of the full promise of American life. The need for effective laws to deter—and eliminate—such discriminatory practices cannot be denied.

But frankly, Mr. President, there's something equally as important at stake here as assuring every American citizen—man, woman, and child—the right to a free choice of where to live. At stake here also is the question of whether we are going to honor a commitment we made 15 years ago to eliminate unlawful housing discrimination. As part of the 1968 Civil Rights Act, we promised to eliminate the blight of housing discrimination from American life, but we did not provide the enforcement tools necessary to accomplish that end. Unless we act now to provide the necessary enforcement remedies, we will be serving notice to the people of this country that we intend for the 1968 act to remain an empty promise. We will serve notice that discrimination may continue unabated—just as it has in the 15 years since enactment of the original fair housing legislation.

Mr. President, the bill we are introducing today does provide the effective remedies we need. It establishes a streamlined administrative procedure within the Department of Housing and Urban Development to process individuals' complaints of housing discrimination. Administrative law judges experienced in fair housing issues would be available to aggrieved persons. Cases would be heard by specialists in the field rather than by judges dealing with a multitude of different topics. Time-consuming and expensive court cases would be replaced by simple and straightforward administrative hearings. And HUD would have the authority to resolve the complaints before it.

Mr. President, this bill makes no dramatic changes in the substance of fair housing law. It doesn't change the legal requirements for the showing necessary to establish a fair housing violation. It simply puts some teeth into a commitment we made 15 years ago to insure all Americans the right to choose where they want to live. Mr. President, we have an obligation to fulfill that commitment. I urge my colleagues to join in helping to insure prompt passage of this long-overdue message.●

● Mr. MOYNIHAN. Mr. President, I rise today to join with my distinguished colleague from Massachusetts, Senator KENNEDY, and my distinguished colleague from Maryland, Senator MATHIAS, in introducing the Fair Housing Amendments Act of 1983. This legislation is intended to give, at long last, full effect to the 1968 Fair Housing Act—title VIII of the Civil Rights Act of 1968—strengthening the act's administrative enforcement provisions; expanding its coverage to protect the handicapped, and families with children, from discriminatory practice; and requiring compliance from all persons involved in the housing sector.

The history of fair housing legislation in this country has been one of failed commitment. Fifteen years ago, in 1968, landmark legislation was enacted to ban discrimination on the basis of race, color, religion, sex, or national origin in the sale or rental of housing. Passage of this measure was indeed a significant advance for civil rights advocates. Regrettably, however, no rules or regulation were ever promulgated to implement the law. Likewise, repeated efforts to improve the law through amendments have continually been rebuffed. The initial act of Congress to insure each American the right to his or her choice of housing was laudable; that nothing has since been done to carry out the civil rights protections embodied in the original Fair Housing Act is a national disgrace.

The bill we offer today gives new life to the promises contained in the 1968 Fair Housing Act. No substantive changes are made in the current law—the same standard of proof is required as evidence of illegal discrimination. Rather, our legislation provides an effective enforcement mechanism for adjudicating housing discrimination cases more quickly, fairly and at less cost. Presently, a complainant has only two courses of action; he may initiate a private law suit or request HUD to attempt conciliation. The first option places an onerous financial burden on victims of discrimination, while the second alternative has minimal effect since HUD has no authority to make adverse parties enter conciliation or comply with a final agreement. Our legislation provides a third option: a hearing before an administrative law judge with review by a three-member Fair Housing Review Commission appointed by the President. In many respects, our bill is quite similar to legislation (S. 506) reported out of the Senate Judiciary Committee in the 96th Congress, of which I was also a cosponsor.

The measure we introduce would also bring the handicapped, and families with children, under the provisions of the current fair housing law. In doing so, we seek to extend protection to two groups who traditionally have encountered serious obstacles when attempting to find housing accommodations. Other provisions of the legislation further improve the present law: Prohibiting mortgage lenders from practicing redlining; making property insurers, mortgage insurers, real estate appraisers, and mortgage purchasers subject to the Fair Housing Act's coverage; and permitting equitable and declaratory relief, as well as awards for compensatory damages. These proposed changes are vital and deserving of support.

One would hope that additional fair housing legislation is no longer necessary; that this expectation has yet to be realized underscores the continuing need for efforts to eliminate, once and for all, discriminatory housing practices. Recent studies by the U.S. Commission on Civil Rights, HUD, and private fair housing groups have documented ongoing discrimination in a wide range of sales and rental markets. The problem confronting us is clear, and demands our immediate attention.●

Mr. DOLE. Mr. President, I would like to commend my distinguised colleagues, Senators MATHIAS and KENNEDY, for taking this important step forward in finally fulfilling the promise we made 15 years ago when we passed the Fair Housing Act of 1968.

Passed in the wake of the tragic shooting death of Martin Luther King, the fair housing law represented the final major building block of the landmark civil rights legislation passed in the sixties—legislation which gave long overdue promises of equal opportunity in education, employment, public accommodations and voting.

The promise of this final measure was to provide for fair housing throughout the Nation. Unfortunately, the Congress failed to include in the law an enforcement mechanism which was adequate to fulfill that promise.

A PROMISE UNFULFILLED

Specifically, while the law charges the Secretary of HUD with primary responsibility to enforce the law, it empowers HUD only to investigate complaints and seek "conciliation." HUD does not have the power to require the parties to conciliate, and even if they do, and an agreement is reached, HUD has no power to enforce the agreement.

The Department of Justice has authority to bring suit, but only where a "pattern or practice" of discrimination can be shown. Thus, the burden of redressing instances of discrimination against individuals falls upon the victims themselves, through private causes of action. But to most victims, this avenue of enforcement is meaningless because they lack adequate financial resources to pursue Federal court litigation.

Every administration has spoken to the need to strengthen the law's enforcement. As Carla Hills, President Ford's HUD Secretary candidly put it, "The present law, in relying on conciliation, is an invitation to intransigence."

The consequence of the law's impotence has been that housing discrimination against minorities and women continues to be persistent and pervasive. And despite it's known lack of an effective enforcement tool, HUD continues to receive thousands of complaints a year, only a fraction of which it is able to successfully conciliate.

IT IS TIME TO ACT

I will not belabor the law's inadequacies. They have been belabored for the past 15 years. The need to strengthen the law is clear. The time to act is now.

Though there may be a wide range of views as to how the enforcement mechanism should be structured, in light of continued widespread noncompliance, it must be a strong enforcement mechanism to give true meaning to the law's antidiscrimination mandate. Symbolic gestures will not be enough. In addition, it should be designed to provide for prompt resolution of fair housing complaints, insofar as the victims of discrimination may be denied adequate housing during the pendency of the suit.

Under the approach contained in this bill, HUD could initiate suits on behalf of housing discrimination victims before administrative law judges, placed under a Presidentially appointed Fair Housing Review Commission.

In addition to the strengthened enforcement mechanism, the bill contains a number of other important improvements in existing law. One of these improvements which is of particular importance to me, is extending the protections of the act to the handicapped. For many years, it has been the well-defined policy of this Nation to bring the handicapped into the mainstream of American life. Opening the doors of the housing market to our disabled citizens constitutes a crucial link in carrying out that policy.

CONCLUSION

In concluding, I have some real concerns about the structure of the enforcement mechanism included in the Mathias-Kennedy bill and for that reason, have decided not to be a cosponsor. There are changes and alternative approaches which I am considering and wish to more fully explore. Again, I commend Senators MATHIAS and KENNEDY for moving forward with this important legislation and to reaffirm my commitment to working with them and others for a strengthened fair housing law this year.

● Mr. LAUTENBERG. Mr. President, the United States stands for a number of principles which have distinguished our country from many others throughout its history. Among the most important of these principles is an absolute commitment to equal rights under the law. To me this means that discrimination against a person because of their race, religion, color, sex, or national origin is abhorrent. Protection against discrimination has been embodied in our civil rights laws. In these laws, Congress has declared it illegal to discriminate against people in several fundamental aspects of life. One of these laws is the Fair Housing Act of 1968, which assures equal access to housing.

Although this principle is fundamental and has been protected by law for 15 years, the undeniable fact is that it has been difficult, in many cases, to enforce the law. Many minority group still report continuing and serious problems with discrimination. Experience has shown that the fair housing provisions of the Civil Rights Act of 1968 are not being respected and lack an adequate method for enforcement.

Mr. President, I regret that in 1983, with the progress that has been made in providing equality for all our citizens, we still encounter noncompliance with civil rights laws. But the facts are clear. Problems of housing discrimination still exist and the enforcement mechanisms in the Civil Rights Act are deficient.

To correct the long-standing difficulty in enforcing the Fair Housing Act, I am today joining with a group of my colleagues, led by Senators KENNEDY and MATHIAS, in sponsoring the 1983 Fair Housing Act Amendments.

Under current procedures, a person who believes he or she has been the victim of housing discrimination can either file a private law suit in Federal district court or request the Department of Housing and Urban Development (HUD) to attempt conciliation between the parties. Lawsuits are costly and slow. The conciliation process is weak because HUD cannot require both sides to participate and it cannot enforce any agreement. A stronger enforcement mechanism is needed if the law is to be effective. Citizens seeking to rent or buy homes must be assured of their right to fair treatment regardless of their race or other group charactistics.

The bill we are introducing today provides a new adjudication process for cases in which a person believes he or she has been denied housing because of discrimination. The bill provides for an administrative hearing process, using independent administrative law judges (ALJ's). The ALJ's will be appointed by a new Fair Housing Review Commission established by the bill. The ALJ hearing process will only be used after an attempt at conciliation has been made at HUD or binding arbitration procedures have been conducted by the Department of Justice. HUD will not be involved at all if a State or local government has its own enforcement mechanism which is certified to be substantially the same as HUD's. Discrimination charges made in jurisdictions that have HUD-certified enforcement will be handled by a State or local government agency.

The Fair Housing Act currently prohibits discrimination on the basis of race, color, religion, sex, or national origin. This bill adds handicapped persons and families with children to the classes which are protected from housing discrimination. Certain reasonable exemptions are allowed in cases where it is necessary.

Just as Congress reaffirmed its commitment to voting rights for all citizens last year by extending the Voting Rights Act, I believe that this year Congress must show its commitment to fair housing by amending the Civil Rights Act to establish an effective enforcement procedure in housing discrimination cases.

Mr. President, this country needs to give more than lipservice to its principles. The strength of this country is in its promise of equal opportunity for all. Surely the right of equal access to housing is part of that promise. Congress can help to make that promise come true by putting teeth into the Fair Housing Act. I am proud to cosponsor this important bill and look forward to early hearings and consideration by the Senate.●

● Mr. GLENN. Mr. President, I am pleased to announce my support for an important measure being introduced today—the Fair Housing Amendments Act of 1983. As an original cosponsor of the legislation and a consistent supporter of fair housing proposals in the past, I believe this bill will put teeth in our laws by providing a strong administrative enforcement mechanism to combat racism and discrimination in housing.

Building on the 1968 Civil Rights Act, this legislation recognizes that no American should be denied a home simply because of his or her color, sex, religion, or national origin. As a free society, we cannot allow housing discrimination if we are ever to achieve our goal of equal treatment under the law for all Americans. Although well-intentioned, the 1968 law, specifically title VIII, does not extend adequate enforcement power to insure fair housing.

The law now permits two courses of action. One is weak and ineffective. The Department of Housing and Urban Development can only urge parties to a housing discrimination dispute to conciliate. The process is voluntary and either party can refuse to participate. When that happens, HUD's enforcement authority is neutralized. The agency is blocked. Not

surprisingly, then, only 6 percent of the cases are conciliated.

Litigation is a second course of action, but that step, too, is often impractical and ineffective. Litigants find it costly and time-consuming to go to Federal district court, and delays of up to 2 years are not uncommon. Once in court, there is no guarantee of success.

The results are unfortunate. Too many Americans continue to suffer the humiliation of discrimination as they search for a suitable place to live. This is not mere speculation. A HUD-financed survey, for example, found that blacks encounter discrimination 75 percent of the time when attempting to rent housing and 62 percent of the time when attempting to buy housing. Congress cannot pass any bill that will persuade all people to relinquish their racist attitudes, but we must act to guarantee equal access to housing. The statistics reported by HUD are too disturbing to allow inaction on our part.

In a major change from current law, the legislation introduced today provides for a prompt hearing by an independent administrative law judge empowered to award "appropriate relief" including compensatory damages and a civil penalty of up to $10,000. In addition, any person found to have violated a final administrative order would be subject to a civil penalty of up to $1,000 for each day a violation continued.

These new powers established the much-needed "legal teeth" to make HUD administrative enforcement an effective and vital part of the fair housing law. This power, however, represents only a remedy of last resort. It would not preclude private action in the Federal district court as allowed under current law.

Let me very briefly explain how a complaint would be handled if this legislation is approved. The alleged victim of discrimination would be required to present a grievance within 1 year after the incident occurs. State and local agencies certified by HUD would consider the cases, unless no such agency exists in the locality. In these instances, HUD first would attempt to conciliate or, if both parties agree, it would refer the matter to the U.S. Justice Department for binding arbitration. If these approaches fail to bring a solution, HUD could file an administrative complaint or send the case to the U.S. Attorney General to file a civil action in Federal district court.

A three-member Fair Housing Review Commission would sit at the apex of this system. The Commissioners, appointed by the President with the advice and consent of the Senate, would establish rules and procedures for administrative hearings and create a process to choose the administrative law judges. The Commission would be authorized to review decisions by the administrative law judges. Any final decisions rendered by these judges could be appealed to the appropriate court of appeals. The Commission would also submit an annual report to Congress describing the extent of housing discrimination in the country.

Individuals who believe they have been treated illegally in the housing market could also seek private enforcement of their discrimination complaint. Such actions must be filed in the appropriate Federal district court within 2 years from the time of the alleged incident, but they could not be filed after an administrative hearing has begun. Similarly, HUD would be barred from taking administrative action once a trial on its merits has commenced.

The proposal would expand the guarantee of fair housing to cover the handicapped and families with children. I am aware that families with children sometimes encounter more difficulty than others in finding housing, even though I am not sure that "familial status" should be a basis for discrimination. Accordingly, I will defer to the judgment of members of the Senate Judiciary Committee in deciding if the legislation should incorporate family status. Perhaps the committee members will conclude that some other action, rather than new Federal law, is the answer to the problem; for example, better counseling for families seeking housing.

The proposal introduced today is important in another respect. It would extend coverage of fair housing laws to virtually every segment of the housing market chain, including appraisers, brokers, lenders, and sellers. The bill would also permit the use of "testers" to find and expose housing discrimination.

Mr. President, many difficult issues will surface as the Senate considers this legislation—issues, for example, concerning coverage, standards of proof, methods of enforcement, and more. These matters must be debated fully and fairly by this body. They deserve our closest attention because they touch the lives of so many millions of Americans. However, we must resist efforts to destroy the intent behind this measure and that is to protect the right of fair treatment in our society.

Our goal today is fair housing, but our long-range hope must be for decent housing for everyone. To those who would frustrate our search for an end to housing discrimination, we must send an unequivocal message in this legislation.

To that purpose, I hope that many of my Senate colleagues will join me in cosponsoring this bill. With swift and decisive action in both the Senate and House, we can take a giant step toward giving meaning to our Nation's pledge for equal treatment for all Americans.●

By Mr. HATCH:

S. 1221. A bill to amend the Internal Revenue Code of 1954 to encourage the donation of volunteer services to charitable organizations by allowing a deduction for the costs incident to such services; to the Committee on Finance.

DONATION TO VOLUTEER SERVICES

● Mr. HATCH. Mr. President, I am introducing a bill today to encourage the donation of volunteer services to charity. The bill provides that the costs incident to services benefiting charitable organizations are deductible to the same extent as contributions made directly to such organizations.

Mr. President, public charities are heavily dependent upon volunteer and donated services to accomplish their charitable purposes. Congress has always encouraged volunteer services by permitting the deductibility of unreimbursed out-of-pocket expenses incident to such services. In general, the Internal Revenue Service has recognized the intent of Congress in this area. However, recent court cases clearly show that the Internal Revenue Service is failing to follow the intent of Congress is two ways.

First, the regulations provide that out-of-pocket expenses incident to the rendition of services may constitute a charitable deduction. This permissive language has allowed the Internal Revenue Service to inconsistently apply the law with respect to payments incident to the rendition of volunteer services. In particular, analysis of the court cases show that the Internal Revenue Service is particularly prone to disallow at least part of the out-of-pocket expenses incident to the rendition of services to charity if other family members are involved in the services. For example, in one case the taxpayer claimed a charitable contribution education for expenditures he made as an unpaid special assistant to the attorney general for the State of Kansas in connection with an effective antinarcotic campaign. The Commissioner argued that the deduction should be disallowed because the taxpayer was partly motivated by a desire to avenge two of his children whose lives were destroyed by drugs. Further, the Commissioner even claimed that to be deductible donations must essentially be paid directly to the charity so that the charity can divert the donation to other uses.

The court correctly rejected these arguments and observed that it has long been held that the nature of the services and not the motivation of the taxpayer controls the deductibility of the payments. This observation agrees with the Treasury regulation which

allows normally personal expenditures to be deductible when made incident to the rendition of charitable services.

Considering the clear intent of Congress to encourage charitable giving, and the long history of regulations and case law, it is unfortunate that the Internal Revenue Service should ever have forced this taxpayer to court in order to obtain his charitable contribution deduction.

If charities are to undertake an increased load as a result of the public demand for decrease in Federal spending, they need all the volunteer assistance they can get. Taxpayers should be encouraged to make charitable service a family affair, both to increase the amount of services available to charity and to help preserve and encourage the family unit. It is contrary to important public policy for the Internal Revenue Service to continue denying charitable contribution deductions when family services are involved, or when family considerations give taxpayers' a substantial motivation to render charitable services.

The second failure of the Internal Revenue Service to follow congressional intent is its narrow treatment of those expenditures which it admits are deductible under the regulations. When the limit on the amount of charitable contributions which could be deducted from income in any given year was raised in 1954, Congress felt that the increased limit and the 5-year carryover of unused contributions should be available only for donations which immediately benefit a charity. Congress never intended to restrict the deductibility of expenses incident to services which were immediately available to the charity. Nevertheless, the Internal Revenue Service has recently announced that it intends to restrict the deductibility of unreimbursed expenses to provide services even though a U.S. circuit court of appeals has ruled that such expenses are not subject to the more narrow limitations. Again, it is improper for the Internal Revenue Service, despite the clear decisions of the courts to continue to discourage volunteer services by forcing certain taxpayers to either reduce or forego the deductibility of their costs in providing services to charity.

The bill which is being introduced today will end this abuse by providing, mostly in the language within the Service's own regulation, that unreimbursed out-of-pocket expenses incident to the rendition of services to charity are deductible without regard to the relationship between the taxpayer and the person rendering the services, and that such expenses qualify for the more favorable deductibility limits to the same extent as cash contributions.

Although this bill merely codifies existing court decisions, it will have an important effect on the charitable community by showing that Congress continues to support charity and will not tolerate the tax collector's discrimination against those paying for charitable services. Fairness demands that those willing to sacrifice time and resources to serve charity should be assured of the deductability of their expenses.

Mr. President, I ask unanimous consent that the bill be printed following my remarks.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 1221

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) section 170 of the Internal Revenue Code of 1954 (relating to charitable, etc., contributions and gifts) is amended by redesignating subsections (j) and (k) as subsections (k) and (l), respectively, and by inserting after subsection (i) the following new subsection:

"(j) AMOUNTS PAID OR INCURRED FOR EXPENDITURES INCIDENT TO PERFORMANCE OF SERVICE.—

"(1) IN GENERAL.—For purposes of subsection (c), if any person pays or incurs expenditures which are incident to the performance of qualified services (whether or not such person performed such services) in connection with any organization described in subsection (c), such person shall be treated as having made a contribution to such organization in the amount of such expenditures.

"(2) QUALIFIED SERVICES.—For purposes of this subsection, the term 'qualified services' means services which are related to the purposes or functions constituting the basis for the exemption under section 501 of the organization described in subsection (c).".

(b) The amendment made by subsection (a) shall apply to taxable years beginning after December 31, 1979, with respect to amounts paid or incurred after such date.

(c) If the filing of a claim for credit or refund relating to an overpayment attributable to the amendment made by subsection (a) would be prevented by any law or rule of law, then such filing may be made within one year of the enactment of this Act.●

By Mr. BAUCUS:

S. 1222. A bill for the relief of Charles V. Waldron, to Committee on the Judiciary.

CHARLES V. WALDRON

● Mr. BAUCUS. Mr. President, in both of the last two Congresses, I have introduced bills for the relief of Charles V. Waldron of Montana. Mr. Waldron has been trying for a number of years to collect retirement and severance pay owed to him by the U.S. Navy. His claim, however, has been rejected by the Claims Division of the General Accounting Office because it was received more than 6 years after it first accrued. The bill I am introducing again today would authorize the Secretary of the Navy to accept and consider Mr. Waldron's claim, and pay him any amount of disability retired pay and any amount of severance pay he would have received had he made a timely claim.

Mr. Waldron, a chief petty officer in the U.S. Navy, was given a temporary disability retirement from the Navy in 1963 under honorable conditions because, during the course of his service in the Navy, he incurred bilateral hearing loss and a nervous condition. Subsequent to his temporary disability retirement, Mr. Waldron moved around the country looking for work, and had no contact with the Navy until 1978 when he learned, through the Veterans' Administration, that he had been granted an honorable discharge on August 30, 1968. At the time of his honorable discharge, and until April 1978, Mr. Waldron was unaware that he was entitled to receive disability compensation.

In 1978, Mr. Waldron visited the VA center in Fort Harrison, Mont., to see if the VA would pay for a new hearing aid. As a result of his visit to the VA hospital, Mr. Waldron learned for the first time that he was entitled to receive service-connected disability benefits for his bilateral hearing loss. He also discovered that he was entitled to receive retirement pay as well as severance pay. The VA advised Mr. Waldron to contact the Navy Finance Center in Cleveland, Ohio, to file his back claim.

Having learned that he was entitled to these benefits, Mr. Waldron wrote to the Cleveland Navy Finance Center on July 29, 1978, requesting the severance and retired pay due to him. The Navy forwarded the claim to the Claims Division of the General Accounting Office classifying it as "doubtful" because of the period of time that had elapsed since the claim first accrued. On December 14, 1978, Mr. Waldron was informed by GAO that his claim was barred by the 6-year statute of limitations. Mr. Waldron then appealed the decision of the Claims Division. Upon review, the rejection of his claim was sustained by the Comptroller General on May 16, 1980.

Mr. President, I believe that notwithstanding the statute of limitations, Mr. Waldron's situation warrants a humanitarian response. It is undisputed that Mr. Waldron had to retire from the Navy because of physical disability. Moreover, he only learned in 1978 that he had been granted an honorable discharge from the Navy in August of 1968. And, it was not until some time later in 1978 that Mr. Waldron discovered that he was entitled to receive disability retirement pay and back severance pay from the Navy. Under these circumstances, it is not surprising that the 6-year statute of limitations had run. With these facts in mind, I urge my colleagues to give full consideration to Mr. Waldron's case and the legislation that would provide him with the mili-

tary service benefits he is entitled to receive.

I ask unanimous consent that a copy of the bill be reprinted in full in the RECORD at this point.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 1222

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That notwithstanding the provisions of the Act entitled "An Act providing for the barring of claims against the United States", approved October 9, 1940 (31 U.S.C. 71a), the Secretary of the Navy is authorized and directed to—

(1) accept and consider any claims filed with the Secretary within one year after the date of enactment of this Act by Charles V. Waldron of Deer Lodge, Montana, for disability retired pay for the period beginning on June 1, 1964, and ending on September 30, 1968, and for severance pay under section 1203 of title, United States Code; and

(2) pay to the said Charles V. Waldron any amount of disability retired pay which the said Charles V. Waldron would have been entitled to receive for the period referred to in clause (1) had the Secretary known the address of the said Charles V. Waldron during such period, and any amount of severance pay which the said Charles V. Waldron would have been entitled to receive had he made timely application therefor.

SEC. 2. The Secretary of the Navy is authorized to pay any amount determined by him to be payable under the first section out of funds available for the payment of retired or severance pay, as the case may be. Such payment shall be made in a lump sum within 60 days after the determination that an amount is payable under such section.●

By Mr. NICKLES (for himself, Mr. BOREN, and Mr. DENTON):

S. 1224. A bill to provide for the disposition of certain undistributed judgment funds awarded the Creek Nation; to the Select Committee on Indian Affairs.

CREEK NATION JUDGMENT FUNDS

● Mr. NICKLES. Mr. President, the legislation that my colleagues, Mr. BOREN, Mr. DENTON, and I are introducing today is the final step in satisfying a longstanding debt to the Creek Indians.

Public Laws 90-596 and 90-504 provided for the disposition of judgment funds awarded to the Creek Nation of Indians in docket Nos. 21 and 276. Per capita payments were made and a balance was held in trust pending appeals. As of March 31, 1983, the account, including principal and interest, for docket No. 21 was $1,013,192.90 and for docket No. 276, $59,922.13.

This legislation provides for the disposition of this balance to the Creek Nation of Oklahoma for tribal programs and a portion for the Eastern Creeks to be held in trust pending a decision on Federal recognition.

The Creek Nation of Oklahoma was the first Indian tribe to take over the administration of an Indian Health Service hospital which they have been operating since the midseventies. In December 1982, the tribe initiated the contracting of the services that have been provided by the agency office of the Bureau of Indian Affairs. I commend the diligence demonstrated by the tribal leadership in these giant strides toward self-determination.

I am pleased to have the opportunity of sponsoring this legislation with Mr. BOREN and Mr. DENTON. I know that our fellow colleagues will join in quick action to finalize this payment to the Creek Nation.●

● Mr. BOREN. Mr. President, today I am joining with my colleague from Oklahoma in introducing legislation concerning the unexpended balance of certain tribal judgment funds awarded to the Muscogee (Creek) Nation of Oklahoma. The funds in question were appropriated to the Creek Nation in 1965 and 1966 for distribution to tribal members, but have remained unclaimed. The purpose of our legislation is to provide for the disposition of these unclaimed funds.

Mr. President, the Creek Nation of Oklahoma has a proud and distinguished history. In recent years, the Creeks have made significant strides in establishing a thriving tribal economic base. Under the terms of our bill, all remaining funds in docket Nos. 21 and 276 will be used to strengthen ongoing tribal programs and assist in helping the Creek Nation achieve the goal of economic self-sufficiency. I urge the Senate to act quickly in approving this measure.●

● Mr. DENTON. Mr. President, I am pleased to join my good friend from Oklahoma, Senator NICKLES, in introducing this bill to distribute the awards under docket No. 21 of the Indian Claims Commission.

The award is divided between the Creek Indians in Oklahoma and the Creek Indians in Alabama. The Creek Indians in Alabama are currently seeking Federal recognition, and I am confident that they will receive it later this year.

For that reason, Mr. President, the bill will place the share due to the Alabama Creeks in an interest bearing account until Federal recognition is accorded. After Federal recognition, the money will go to the tribal government for use in tribal programs.

I believe that approach is far preferable to numerous, small, per capita payments that will not markedly affect anyone's economic well-being. By using the entire sum for tribal programs, the tribe can undertake initiatives that will help develop an economic base for the area and provide services that assist all Indians in Alabama.

I hope that the legislation will receive prompt consideration. I look forward to working with my colleagues to see that it is enacted.●

By Mr. MATHIAS (for himself, Mr. FORD, and Mr. HUDDLESTON):

S. 1225. A bill to amend the Internal Revenue Code of 1954 to clarify the extent to which a State, or political subdivision, may tax certain income from sources outside the United States; to the Committee on Finance.

STATE TAXATION OF FOREIGN SOURCE CORPORATE INCOME

Mr. MATHIAS. Mr. President, today I reintroduce a bill I have pursued in the last two Congresses, to rationalize the tax treatment of foreign source corporate income by the States. By purging a major inefficiency in our tax system, it would make U.S. business more competitive in international markets, and it would remove a constant source of irritation in our relations with our foreign trading partners.

A small number of States currently practice worldwide combined reporting in assessing the tax liability of a multinational corporation or group of affiliated corporations with a presence in those States. This has the effect of extending their tax tentacles overseas, contrary to Federal policy, based on an arms-length method, which treats affiliates and foreign subsidiaries in a corporate family as separate businesses for taxing purposes.

Another problem arises with intercorporate dividend payments by an overseas subsidiary to an American parent. The Federal Government allows a foreign tax credit on these earnings to avoid double taxation, but some States deny such a credit, raising the specter of double taxation.

These State practices are more than just paperwork headaches. They hurt our export effort: They cost us jobs and they discourage foreign investment. My bill would get rid of some of this confusion and inequity by putting an end to the worldwide combined reporting system, and requiring the States to follow the practice of taxing dividends from overseas subsidiaries only when they are repatriated, with a credit for any foreign taxes paid beforehand.

I was pleased to note a recent convert to my solution among the States, when Illinois passed a law last year repudiating worldwide combined reporting. The Governor, James R. Thompson, commented: "Worldwide unitary is clearly an undesirable form of State taxation * * *." My efforts also got a big boost last summer from the Supreme Court decisions in ASARCO against Idaho and Woolworth against New Mexico, where the Court invoked the due process clause of the Constitution and held that the States cannot tax the dividends a nonunitary out-of-State subsidiary pays its U.S. parent. Two other cases pending in the Supreme Court this term, Chicago Bridge & Iron against Caterpillar

Tractor and Container Corporation against the California Franchise Board, will also have an important bearing on the issues addressed by my bill, and I anticipate making revisions as necessary when those decisions are forthcoming.

An efficient tax system at all levels is to everyone's advantage domestically. Internationally it is a must. I urge all my colleagues to give the bill their closest consideration and to act promptly to insure that the United States speaks with one voice in matters of foreign commerce.

I ask unanimous consent that the text of the bill be printed in the RECORD following my remarks.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 1225

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) chapter 77 of the Internal Revenue Code of 1954 (relating miscellaneous provisions) be amended by adding at the end thereof the following new section:

"SEC. 7518. INCOME OF CORPORATIONS ATTRIBUTABLE TO FOREIGN CORPORATIONS.

"(a) IN GENERAL.—Where two or more corporations are members of the same affiliated group of corporations—

"(1) for purposes of imposing an income tax on any corporation which is a member of such group, no State, or political subdivision thereof, may take into account, or include in income subject to such tax, any amount of income of, or attributable to,

"(2) any other corporation which is a member of such group and which is a foreign corporation,

unless such amount is includable in the gross income of the corporation described in paragraph (1) for purposes of chapter 1 (including any amount includable in gross income under subpart F of part III) of subchapter N of chapter 1) for the taxable year in which or with which the taxable period (for purposes of State or local law) ends.

"(b) INCOME TAX DEFINED.—For purposes of this section, the term 'income tax' means any tax which is imposed on, according to, or measured by net income.

"(c) AFFILIATED GROUP DEFINED.—For purposes of subsection (a), the term 'affiliated group' means a common parent corporation and one or more chains of corporations connected through stock ownership with such common parent corporation.

"(d) CERTAIN CORPORATIONS TREATED AS FOREIGN CORPORATIONS.—For the purpose of this section, a domestic corporation shall be treated as a foreign corporation if under section 861(a)(2)(A) a dividend received from such corporation in the taxable year referred to in subsection (a) would not be treated as income from sources within the United States.

"(e) CERTAIN DIVIDENDS PAID OR DEEMED PAID.—

"(1) DIVIDENDS EXCLUDED FROM TAX.—If a corporation receives in any taxable year a dividend from a foreign corporation (or is by application of section 951 treated as having received such a dividend), in imposing an income tax on such corporation no State, or political subdivision thereof, may tax, or otherwise take into account—

"(A) in the case of a dividend received from a corporation with respect to which an election under section 936 is in effect for the taxable year in which such dividends are paid, the amount of deduction allowed by section 243,

"(B) in the case of a dividend received from a corporation described in subsection (d) which is not described in paragraph (A), more than the lesser of—

"(i) the amount of the dividend exclusive of any amount of dividend determined under paragraph (3), or

"(ii) the amount by which the dividend plus any amount of dividend determined under paragraph (3) exceeds the excluded portion of the dividend determined in accordance with paragraph (2),

"(C) in the case of a dividend received from any other foreign corporation more than the lesser of—

"(i) the amount of the dividend (exclusive of any amount determined under section 78), or

"(ii) the amount by which the dividend plus any amount determined under section 78 exceeds the excluded portion of the dividend determined in accordance with paragraph (2).

"(2) EXCLUDED PORTION OF A DIVIDEND.—The excluded portion of any dividend shall be determined by multiplying the amount of the dividend (including any amount of dividend determined under section 78 or paragraph (3)) by a fraction—

"(A) the numerator of the fraction shall be the sum of—

"(i) the total amount of tax withheld from all such dividends at the source.

"(ii) the total amount of tax which by application of section 902 or section 960 to all such dividends, the domestic corporation is deemed to have paid, and

"(iii) the total amount of tax deemed paid by application of paragraph (3).

"(B) The denominator of the fraction shall be 16 percent of all such dividends.

"(3) SPECIAL RULE WITH RESPECT TO DIVIDENDS RECEIVED FROM DOMESTIC CORPORATIONS TREATED AS FOREIGN UNDER SUBSECTION (d).—A corporation that receives a dividend which is described in subparagraph (B) of paragraph (1) shall—

"(A) treat as a dividend for purposes of subparagraph (B) of paragraph (1), and

"(B) treat as a tax deemed paid for purposes of subparagraph (A) of paragraph (2), foreign income taxes which such other corporation has paid or deemed paid in the same proportion on or with respect to the accumulated profits of such corporation from which such dividend was paid, which the amount of such dividend bears to the amount of such accumulated profits in excess of all income taxes (other than those deemed paid).

For purposes of this section, only a tax for which a credit against tax would be allowable under section 901 (determined without regard to the limitations in section 904 and 907) shall be taken into account.".

(b) Nothing in this section shall subject any dividend, other income item or portion thereof to taxation if such taxation is otherwise prohibited by any law, or rule of law, of the United States.

(c) EFFECTIVE DATE.—The amendment made by this section shall apply to taxable periods (for purposes of State or local law) beginning after December 31, 1980.

(d) AMENDMENT OF THE TABLE OF SECTIONS.—The table of sections for chapter 77 of such Code is amended by adding at the end thereof the following new item:

"Sec. 7518. Income of corporations attributable to foreign corporations.".

By Mr. CRANSTON (for himself, Mr. KENNEDY, Mr. MOYNIHAN, and Mr. TSONGAS):

S. 1226. A bill to amend the Public Health Service Act to authorize appropriations to be made available to the Secretary of Health and Human Services to respond to public health emergencies; to the Committee on Labor and Human Resources.

PUBLIC HEALTH EMERGENCY FUND

Mr. CRANSTON. Mr. President, today I am introducing legislation, S. 1226, to establish a public health emergency fund in order to help insure the availablity of funding for swift and effective Federal responses to public health emergencies. Such emergency funding would expressly be made available for research into the cause, treatment, and prevention of diseases or disorders, such as acquired immune deficiency syndrome—AIDS—that constitute public health emergencies. I am very pleased that joining me in cosponsoring this legislation are the Senators from Massachusetts (Mr. KENNEDY), the ranking minority member of the Committee on Labor and Human Resources, from New York (Mr. MOYNIHAN), who has himself introduced three bills to address similar purposes which I have joined in cosponsoring, and from Massachusetts (Mr. TSONGAS).

Our bill would establish in the Treasury a public health emergency fund and authorize the appropriation of $40 million to the fund in fiscal year 1984 and, in each subsequent fiscal year, such sums as are necessary for there to be $40 million in the fund at the beginning of the fiscal year. The funds would be available for use in responding to an emergency if the Secretary of Health and Human Services, after consultation with the Director of the National Institutes of Health, the Commissioner of the Food and Drug Administration, the Director of the Centers for Disease Control, or the Administrator of the Alcohol, Drug Abuse, and Mental Health Administration, determines either that a disease or disorder presents a public health emergency or that a public health emergency otherwise exists with respect to which the Secretary of HHS has authority to take responsive action. Following that determination, the allocation of moneys from the fund would be authorized for the purpose of appropriate responses to the emergency, including grants or entering into contracts for research into the cause, treatment, and prevention of a disease or disorder that presents an emergency.

On April 21, similar legislation, H.R. 2713, was introduced in the House by my good friend and fellow Californian,

the very able chairman of the Energy and Commerce Committee's Subcommittee on Health and the Environment (Mr. WAXMAN), and I congratulate him on the foresight and leadership he has deomonstrated with respect to this important issue. I wish to pay further tribute to my dear and late friend, the respected Congressman from California (Mr. Burton) who first focused congressional attention on the urgent need to take steps to confront, contain, and hopefully resolve the epidemic that the spread of AIDS has become.

Mr. President, although several Government agencies have authority to address different aspects of public health problems, we lack an effective mechanism for responding quickly to public health emergencies which require new medical research to be undertaken or a new, higher priority to be given to relevant research proposals and projects. Without such a contingency fund and coordinated effort, our only effective way of reacting to a public health emergency is to siphon resources off from other research and public health projects to which the same immediacy may not attach but that are equally important in protecting the health of our Nation's citizens. When such other resources cannot be found quickly, we experience dangerous delays in efforts to stop the spread of mysterious or newly discovered diseases that can rapidly become epidemics causing the suffering and death of many individuals.

Unfortunately, we have learned this lesson the hard way through the situation we face with the current problem of AIDS, a disease that destroys the body's immune system, leaving the individual highly susceptible to life-threatening infections. This disease is rapidly becoming an uncontrolled epidemic in this country. Since AIDS was first identified in 1981, over 1,300 Americans have been afflicted with it. Of these victims, 489 have died. Fewer than 14 percent of AIDS victims have survived more than 3 years after being diagnosed, and no victim has recovered fully.

The incubation period for AIDS is anywhere from a few months to 2 years or more. According to the Centers for Disease Control—CDC—there will be more than 2,000 cases by the end of this year. Nearly 3 to 5 new cases are reported each day. And if, as are many diseases, AIDS is contagious before it can be diagnosed, future victims will number much higher.

We do not know what causes this disease, how it is transmitted, or how to stop its spread or to cure it. One thing we have learned, however, is that, although 95 percent of AIDS victims thus far are members of population groups with identifiable risk factors, the disease is moving out of these well-defined high-risk groups. First reported in the gay communities of San Francisco, Los Angeles, and New York, AIDS has now spread to 35 States and 16 foreign countries. Although gay men still account for 72 percent of all cases, the disease is appearing with greater frequency among other groups as the epidemic grows. AIDS has been identified in intravenous drug users, Haitian immigrants, hemophiliacs, and children, and more and more cases are appearing that do not seem to fit into any of these risk groups.

Mr. President, I recognize that the CDC and the National Institutes of Health—NIH—are trying as best they can to deal with the problem of AIDS. However, I am concerned that they do not have the means to respond to this type of public health emergency as effectively as they should be able to. The CDC is responsible for the identification of outbreaks of disease, the epidemiological work so important to understanding disease trends, and the preliminary biomedical research to help identify a cause of the disease. However, this agency does not have the budgetary flexibility that might be needed in any given year to respond to the problems that swiftly arise due to disease epidemics, contaminants in foods or drugs, or other public health emergencies. At the present time, other programs within CDC, such as the hepatitis and infectious disease programs, are being unnecessarily restricted by the need to shift resources to the AIDS epidemic. At NIH little research on AIDS has been able to get underway because of the lengthy process of review for funding research proposals that is ordinarily required and because funds are often obligated far in advance.

It is important to note that these are not problems only with respect to AIDS. They are typical of what can happen and does happen when we face any public health emergency that requires a quick and intensive Federal response.

I have joined with my colleagues from New York (Mr. MOYNIHAN) and others in cosponsoring S. 972, a bill to increase funding for CDC for the purposes of epidemiological studies and research on AIDS. I have also joined with him in cosponsoring S. 971, legislation to create an expedited process at the National Institutes of Health for identifying and funding applications for grants or research on diseases or disorders, such as AIDS, that constitute a public health emergency. I am very pleased that the provisions of S. 971 are being incorporated in both the House and Senate Committee versions of the NIH reauthorization legislation. The approach in the bill we are introducing would be consistent with and complementary to the process that S. 971 would establish.

Mr. President, these steps will help us in our effort to solve the AIDS mystery and bring it under control as quickly as possible. But clearly we need to address the underlying problems of our lack of ability to respond to future outbreaks of unknown diseases or disorders. We need an effective mechanism for responding to public health emergencies quickly and with adequate resources.

I believe that the bill we are introducing today would provide that mechanism and that its enactment would help to insure the protection of the public's health.

Mr. President, I ask unanimous consent that the text of our bill be printed in the RECORD at this point.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 1226

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Public Health Service Act is amended by inserting after section 318 the following new section:

"PUBLIC HEALTH EMERGENCIES

"SEC. 319. (a) If the Secretary determines, after consultation with the Director of the National Institutes of Health, the Administrator of the Alcohol, Drug Abuse, and Mental Health Administration, the Commissioner of the Food and Drug Administration, or the Director of the Centers for Disease Control, that—

"(1) a disease or disorder presents a public health emergency, or

"(2) a public health emergency otherwise exists and the Secretary has the authority to take action with respect to such emergency,

the Secretary, acting through such Director, Administrator, or Commissioner, may take such action as may be appropriate to respond to the public health emergency, including making grants and entering into contracts for investigations into the cause, treatment, or prevention of a disease or disorder involved.

"(b) There is established in the Treasury a fund designated the 'Public Health Emergency Fund' to be available to the Secretary without fiscal year limitation to carry out subsection (a). There is authorized to be appropriated to the fund $40,000,000 for fiscal year 1984. For fiscal year 1985 and each fiscal year thereafter there is authorized to be appropriated to the fund such sums as may be necessary to have $40,000,000 in the fund at the beginning of such fiscal year.".

By Mr. NICKLES:

S. 1227. A bill to amend the Employee Retirement Income Security Act of 1974 for the purpose of improving the single-employer pension plan termination insurance program established under title IV therein; to the Committee on Finance.

SINGLE-EMPLOYER PENSION PLAN TERMINATION INSURANCE IMPROVEMENTS ACT OF 1983

● Mr. NICKLES. Mr. President, today I am introducing legislation amending the provisions governing the single employer plan termination insurance program created in 1974 by title IV of ERISA.

This proposal is the product of extensive discussions between the Labor Subcommittee, representatives of the Federal agencies directly concerned with the insurance program—specifically the Pension Benefit Guaranty Corporation, the Department of Labor, the Treasury Department—and outside interested parties representing premium payers and beneficiaries. The essential concepts contained in this proposal were developed by an administration Cabinet council task force.

Early in the 97th Congress, I introduced, as part of an onmibus ERISA revision, a more complicated proposal designed to address the flaws in the system. The subcommittee devoted 2 days of hearings to the single employer termination problem—one of which dealt solely with the PBGC request for a premium increase—and then tried to piece together a proposal fair to the Pension Benefit Guaranty Corporation, plan sponsors and beneficiaries. Unfortunately, time ran out before we finished our negotiations.

The administration's involvement in the process last fall and continuing until now has directly led to the introduction of this proposal. I must point out that this proposal is a simplified version of the legislation that we were developing last Congress.

This proposal keeps the general parameters laid out in current law. Plan sponsors of fully funded defined benefit plans can still terminate their plans with minimum PBGC involvement. The insurable event remains plan termination. Plan sponsors of underfunded terminated plans still have their liability capped at 30 percent of net worth—with one minor exception.

However, three prinicipal flaws in the current system are dealt with in this proposal: plan sponsors dumping underfunded plans on the PBGC, and consequently on the other premium payers; plan sponsors evading liability by spinning off underfunded plans that eventually are dumped on the system; and plan sponsors being granted funding waivers by the IRS that are not repaid, and thereby increasing the exposure to the PBGC should the plan subsequently be terminated.

By way of background information on this rather obscure agency, it should be noted that the Pension Benefit Guaranty Corporation performs a vital function by taking over defunct underfunded defined benefit pension plans. Currently the PBGC is paying monthly retirement benefits to over 106,000 recipients and has incurred future obligations exceeding $3 billion.

I must point out that as of September 30, 1982, the PBGC was some $333 million in the red, that this figure is steadily growing, and that the administration has again requested a premium increase from the current $2.60 per participant per year to $6. If the premium is not increased soon, the PBGC deficit will grow to the point where the $6 premium would be insufficient to ever eliminate the deficits. The $333 million liability is real and Congress needs to take action soon both on the premium increase and on changes to the system designed to reduce future upward pressure on the premium.

Mr. President, as the result of the many hours I have spent talking to all concerned parties, I agree that the concepts reflected in this proposal are both reasonable and workable—it will provide necessary protection for the insurance system, cause minimum disruption to te defined benefit pension community, and ultimately reduce the upward pressure on the premium. However, I welcome constructive comments and am open to suggestions from all concerned parties to improve upon the proposal.

At this point, it is my intention to hold hearings on this proposal on June 6, 1983. Interested parties may contract Chuck Carroll of the Labor Subcommittee at 224-5546. I am hopeful that the Labor Committee can expedite condideration of the bill.

Mr. President, I ask unanimous consent that the bill, along with a section-by-section analysis be printed in the RECORD. I also ask unanimous consent that two letters sent by Secretary of Labor Donovan be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

S. 1227

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Single-employer Pension Plan Termination Insurance Improvements Act of 1983".

SEC. 2. TABLE OF CONTENTS.

Sec. 1. Short title
Sec. 2. Table of contents
Sec. 3. Findings and declaration of policy.
Sec. 4. Amendments to Title IV of the Employee Retirement Income Security Act of 1974
Sec. 5. Definitions
Sec. 6. Premiums
Sec. 7. Funding waivers
Sec. 8. Termination of insufficient plans
Sec. 9. Contingent liability
Sec. 10. Required actions of the corporation
Sec. 11. Effective date
Sec. 12. Amendments to the table of contents

SEC. 3. FINDINGS AND DECLARATIONS OF POLICY

(a)(1) The Congress finds that the continued viability of the Pension Benefit Guaranty Corporation and the insurance program administered by it requires:

(A) An increase in the premium payable under the single-employer insurance program;

(B) A modification of the conditions under which the corporation is required to assume the guaranteed pension liabilities under terminated plans so as to avoid inequitable transfers of such liabilities to the corporation;

(C) A modification of the conditions under which an employer may obtain a waiver of the funding requirements under the Employee Retirement Income Security Act of 1974, as amended, in order to provide better protection to plan participants, the corporation and premium payers.

(2) The Congress further finds that the insurance program is affected with a national public interest and that the plans covered by such program are an important factor in commerce because of the interstate character of their activities.

(3) The Congress further finds that the modifications contained herein are necessary to carry out the purposes of Title IV of the Employee Retirement Income Security Act of 1974, as amended. (b) It is hereby declared to be the policy of this Act to carry out the purposes of Title IV of the Employee Retirement Income Security Act of 1974, as amended, by enacting the modifications contained herein.

SEC. 4. AMENDMENTS TO TITLE IV OF THE EMPLOYEE RETIREMENT INCOME SECURITY ACT OF 1974.

Whenever in this Act, an amendment is expressed in terms of an amendment to a section or other provision, the reference is to a section or other provision of title IV of the Employee Retirement Income Security Act of 1974, as amended, unless otherwise specified.

SEC. 5. DEFINITIONS.

(a) Section 4001(a) (29 U.S.C. 1301(a)) is amended—

(1) by striking out paragraph (10) and inserting in lieu thereof the following:

"(10) 'plan sponsor' means—

"(A) with respect to a multiemployer plan—

"(i) the plan's joint board of trustees, or

"(ii) if the plan has no joint board of trustees, the plan administrator, and

"(B) with respect to a single-employer plan, the 'plan sponsor' as defined for a single-employer plan in section 3(16)(B)";

(2) in paragraph (11), by striking out "and";

(3) in paragraph (12), by striking out "corporation." and inserting in lieu thereof "corporation;" and

(4) by adding after paragraph (12) the following new paragraphs:

"(13) 'contributing sponsor' means, in connection with a plan, a person, whether or not incorporated—

"(A) who employs or employed any individual who, as a result of such employment, is retaining or earning credited service under the plan, and

"(B) who is contributing to the plan, who is responsible (under such regulations as the corporation may prescribe) for making contributions to the plan, or on whose behalf contributions are being made to the plan;

"(14) 'control group', when used in connection with a single-employer plan, means a group of two or more persons under common control, as determined under regulations of the corporation; and, in the case of a single-employer plan, the determination under such regulations of whether two or more persons are under 'common control' shall be based on principles similar to principles which apply in determining under section 4001(b) in the case of a multiemployer plan whether employees of two or more trades or businesses (whether or not incorporated) shall be treated as employed by a single employer, except that 'common control' shall be based on a common interest of more than 50 percent;

"(15) 'Single-employer plan' means, except as otherwise specifically provided in this title, any plan which is not a multiemployer plan;

"(16) 'composite single-employer plan' means a single-employer plan with respect to which there are two or more contributing sponsors, not all of whom are within the same control group; and

"(17) 'amount of unfunded guaranteed benefits' means, in connection with a single-employer plan, an amount equal to the excess of—

"(A) the actuarial present value of the guaranteed benefits under the plan determined on the basis of assumptions prescribed by the corporation for purposes of section 4044, over

"(B) the current value of the assets of the plan that are allocated to those benefits in accordance with section 4044.

"(18) 'amount of unfunded vested benefits' means, in connection with a single-employer plan, an amount equal to—

"(A) the actuarial present value of nonforfeitable benefits under the plan determined on the basis of plan assumptions except that the actuarial present value determined on such basis shall not be less than the value of those benefits as determined under assumptions prescribed by the corporation for purposes of section 4044, less

"(B) the current value of the assets of the plan.".

(b) Section 4001(c) (29 U.S.C. 1301(b)) is redesignated section 4001(b) and is amended—

(1) by striking out "For purposes of this title," and inserting in lieu thereof "In applying this title to multiemployer plans,"; and

(2) by striking out the last sentence.

(c) Section 4001(b), as redesignated by paragraph (1) of subsection (b), is amended by striking out subsection (2) and redesignating subsection (3) as subsection (2), and subsection (4) as subsection (3).

SEC. 6. PREMIUMS.

Section 4006 is amended as follows:

(a) Section 4006(a)(1) (29 U.S.C. 1306(a)(1)) is amended in the third sentence by striking out "apply." and inserting in lieu thereof "apply, except that the reference in such paragraph (5) to paragraph (3) shall be construed to be a reference to paragraph (3) as amended by such Act.".

(b)(1) Section 4006(a)(3)(A)(i) (29 U.S.C. 1306(a)(3)(A)(i)) is amended by striking out, "for plan years beginning after December 31, 1977, an amount equal to $2.60" and inserting in lieu thereof "for plan years beginning after December 31, 1982, an amount equal to $6.00".

(c) Section 4006(c)(1) is amended by striking out subparagraph (A) and inserting in lieu thereof—

"(A) in the case of each plan which was not a multiemployer plan in a plan year—

"(i) with respect to plan years beginning before January 1, 1978, an amount equal to $1.00 for each individual who was a participant in such plan during the plan year, and

"(ii) with respect to plan years beginning after December 31, 1977, an amount equal to $2.60 for each individual who was a participant in such plan during the plan year, and".

SEC. 7. FUNDING WAIVERS.

Title IV is amended by adding after section 4009 (29 U.S.C. 1309) the following new section:

"CORPORATION MAY SET TERMS AND CONDITIONS FOR VARIANCE FROM MINIMUM FUNDING STANDARD"

"SEC. 4010. (a)(1) Any waiver granted by the Secretary of the Treasury under section 303 or 304 of this Act or under section 412 (d) or (e) of the Internal Revenue Code of 1954 with respect to a plan to which section 4021 of this Act applies shall contain such terms and conditions as the corporation shall specify relating to the payment and collection of the waived amounts including security in favor of the plan.

"(2) A lien shall arise in favor of the plan on the date of the waiver granted under section 303 or 304 of this Act or under section 412 (d) or (c) of the Internal Revenue Code in the amount of the waived funding deficiency. The lien shall be on all property and rights to property, whether real or personal, belonging to the employer maintaining or contributing to such plan.

"(3) The lien imposed by paragraph (2) arises on the date the waiver referred to in such paragraph is granted, and continues until the amounts waived are paid to the plan.

"(4) Except as otherwise provided under this section, the priority of the lien imposed under paragraph (2) shall be determined in the same manner as under section 6323 of the Internal Revenue Code of 1954. Such section 6323 shall be applied by substituting 'lien imposed by section 4010(a) of the Employee Retirement Income Security Act of 1974' for 'lien imposed by section 6321'; 'corporation' for 'Secretary or his delegate'; 'the lien imposed by section 4010(a)' for 'tax lien'; 'employer' for 'taxpayer'; 'lien arising under section 4010(a) of the Employee Retirement Income Security of 1974' for 'assessment of tax'; and 'payment of the loan value is made to the corporation' for 'satisfaction of a levy pursuant to section 6332(b)'; each place such terms appear.

"(5) In a case under Title 11 of the United States Code or of insolvency proceedings, the lien imposed under subsection (a) shall be treated in the same manner as a tax due and owing to the United States for purposes of Title 11 of the United States Code or section 3466 of the Revised Statutes (31 U.S.C. 191).

"(6) For purposes of applying section 6323(a) of the Internal Revenue Code of 1954 to determine the priority between the lien imposed under paragraph (2), the lien imposed by section 4068 of this Act, and a Federal tax lien, each lien shall be treated as a judgment lien arising as of the time notice of such lien is filed.

"(b) In the case of a lien arising under paragraphs (1) and (2) with respect to a composite single-employer plan, the amount of the lien shall be allocated among contributing employers in accordance with a fraction, the numerator of which is the contributions required under the plan from each employer for the plan year for which the waiver is granted and the denominator of which is the total contribution required under the plan from all employers for the plan year for which the waiver is granted.

"(c) Notwithstanding any other provision of law, the Secretary of the Treasury shall make available to the corporation, upon request, any information, documents, returns, or other items in the possession of the Secretary relating to plans with respect to which a waiver is requested under section 303 or 304 of this Act or under section 412 (d) or (e) of the Internal Revenue Code of 1954 that the corporation considers necessary to carry out the provisions of subsection (a). Any such information, document, return, or other item so made available to the corporation shall be subject to the same rules governing confidentiality and disclosure with respect to such information, document, return, or other item as apply thereto under section 6103 of the Internal Revenue Code of 1954.

"(d)(1) The plan administrator shall, at the direction of the corporation, perfect and file notice of the lien imposed by this section and shall file such reports with the corporation as may be required in regulations issued by the corporation, and

"(2) Notwithstanding any other provision of this section, the corporation shall have the power and the authority to do any acts required of the plan administrator with respect to the lien.".

SEC. 8. TERMINATION OF INSUFFICIENT PLANS.

(a) Section 4041(c) is amended to read as follows:

"(c)(1) For plans other than composite single-employer plans, if, within such 90-day period referred to in subsection (a), the corporation finds that it is unable to determine that, if the assets are allocated in accordance with the provisions of section 4044, the assets held under the plan are sufficient to discharge when due all obligations of the plan with respect to basic benefits, it shall notify the plan administrator within such 90 day period of that finding, and, except as provided in subsection (g), the proposed termination shall not be effective and the plan sponsor shall continue to maintain the plan as if no notice had been filed under subsection (a). Nothing in this section shall preclude a plan sponsor from taking other action with respect to the accrual of benefits under a plan that is not inconsistent with section 203 and 204 of title I and section 411 of the Internal Revenue Code.

"(2)(A) For composite single-employer plans, if within such 90 day period referred to in subsection (a), the corporation finds it is unable to determine that, if the assets of the plan are allocated in accordance with the provisions of section 4044, the assets held under the plan are sufficient to discharge when due all obligations of the plan with respect to basic benefits, it shall notify the plan administrator within such 90-day period of that finding. When the corporation issues a notice under this paragraph, it shall commence proceeding in accordance with the provisions of section 4042. Upon receiving a notice under this subsection, the plan administrator shall refrain from taking any action under the proposed termination.

"(B) Notwithstanding subparagraph (A), the corporation may prescribe regulations under which composite plans are treated in a manner consistent with paragraph (1).".

(b) Section 4041 is amended by adding thereto new subsections (g) and (h) to read as follows:

"(g) Termination is effective for a plan to which subsection (c)(1) applies if the corporation—

"(1) finds that the plan sponsor maintaining the plan has proved to the corporation that it is unlikely to pay its debts as they mature and it will be unable to continue in business if its contribution obligations to the pension plan are not terminated; and

"(2) will receive, on a date and in a form acceptable to the corporation, including but not limited to cash, debt instruments, collateralized notes, bonds or other security,

"(A) the amount of all contributions with interest becoming due the plan, including those for which waivers had been granted

under sections 303 or 304 of Title I of this Act, or sections 412 (d) or (e) of the Internal Revenue Code and all contributions due after the filing of a petition under Title 11, U.S. Code (or a similar law of any state or political subdivision of a state); and

"(B) an amount equal to the lesser of the value of the unfunded guaranteed benefits under the plan on the date of plan termination or 30 percent of the net worth of the employer; and

"(3) finds that it is reasonably assured, taking into account such facts and circumstances that the corporation determines to be relevant including the interests of the employees, employer and the corporation, that, if the plan sponsor continues in business, the corporation will collect on or after the date of termination through an interest in the future profits of the employer, an amount equal to the excess, if any, of the value of the unfunded guaranteed benefits on the date of plan termination over 30 percent of the employer's net worth, as well as any costs incident to terminating the plan under this paragraph.

"(4) For purposes of this section, the net worth of an employer shall be determined in accordance with sections 4062(b)(2) and 4062(c).

"(5) Notwithstanding any other provisions of this section, a termination which occurs as a result of the complete liquidation of a plan sponsor shall be effective if the corporation determines that it will receive on a date and in a form acceptable to the corporation, an amount equal to the lesser of the value of the unfunded guaranteed benefits under the plan of the date of plan termination or 30 percent of the net worth of the employer, determined in accordance with sections 4062(b)(2) and 4062(c).

"(h) The district courts of the United States shall have jurisdiction of actions brought to review the actions of the corporations under subsection (g). In any such action, the court shall review the record and remand any action found to be

"(1) arbitrary, capricious, an abuse of discretion, or otherwise not in accordance with law;

"(2) taken without procedures required by law, rule, or regulation having been followed; or

"(3) unsupported by substantial evidence.".

(c) Section 4062(b) is amended by inserting, after the word "corporation," in the first sentence thereof, the phrase "except as otherwise provided in section 4041(g)".

SEC. 9. CONTINGENT LIABILITY.

(a) Title IV is amended by inserting after section 4064 (29 U.S.C. 1364) the following new section 4064A:

"LIABILITY FOLLOWING CERTAIN CHANGES UNDERGONE BY CERTAIN PERSONS IN RELATION TO SINGLE-EMPLOYER PLANS OTHER THAN COMPOSITE SINGLE-EMPLOYER PLANS

"SEC. 4064A. (a)(1) Except as provided in subsection (c) and (e), a person whose obligation with respect to benefits under a single-employer plan (other than a composite single-employer plan) is changed as defined in subsection (b) after the [effective date] is jointly and severally liable under this section if a single-employer plan providing the benefits with respect to which the change occurred terminates before the end of the tenth year following the date on which the change occurred.

"(2) Notwithstanding paragraph (1), the corporation may prescribe regulations under which composite plans are treated in a manner consistent with other single-employer plans.

"(b) There is a change in the obligation of a person with respect to benefits in the circumstances and to the extent described in paragraphs (1) through (3).

"(1) In any case in which the liability for some or all of the benefits under a plan is assumed by another plan, there is a change in the obligation of the contributing sponsor of the first plan and of all persons in the same control group as the contributing sponsor as of the date of the change with respect to the benefits for which the liability was assumed by the second plan, unless the contributing sponsor of the first plan is also a contributing sponsor of the second plan.

"(2) In any case in which a person ceases to be a contributing sponsor with respect to a plan, there is a change in the obligation of the person and all members of the same control group as the person as of the date of the change with respect to benefits covered under the plan, however, there shall be no change with respect to such a member of the same control group as the person who ceased to be a contributing sponsor with respect to the plan, if such a member is a contributing sponsor or in common control with a contributing sponsor to the plan after the cessation.

"(3) In any case in which a person ceases to be a member of a control group, there is a change in the obligation of that person with respect to benefits under any plan for which other members of the control group are contributing sponsors, and there is a change in the obligation of such other members with respect to benefits for which the person that ceased to be a member continues to be a contributing sponsor after the cessation.

"(c) This section shall not apply to any person in connection with a plan termination if the person is liable under section 4062 in connection with the termination.

"(d)(1) Except as provided in paragraph (2), the liability of any person under this section with respect to termination described in subsection (a) is the aggregate amount of liability to the corporation incurred by the corporation with respect to the plan under section 4062(b), less any amounts collected (exclusive of promissory notes, obligations, securities and other debt instruments) by the corporation in satisfaction of that liability during the 90-day period following the date of the corporation's determination of liability (or the court's determination, in the case of a court proceeding); except that such 90-day period may be extended to a 180-day period by the court in a court proceeding to determine liability under this section. Upon receipt of payment of all liability imposed by this title, the corporation shall transfer all rights and ownership under any debt instruments evidencing the liability, to the persons liable under this section who have paid amounts due under this section, to the extent retention by the corporation of such instruments is not necessary to satisfy such liability under section 4062(b). Any person liable under this section when such rights and ownership are transferred shall succeed to the claims and all rights and ownership interest under any debt instrument or contractual agreement of the corporation against any person liable under section 4062 to the extent such claims, if paid, would have reduced the liability of such person under this section.

"(2) If a person liable under this section demonstrates that the amount of unfunded guaranteed benefits with respect to which the change occurred on the date of the change is less than the amount determined under paragraph (1), the liability of such person shall not exceed the lower amount.

"(3) A person liable under this section may pay the liability imposed under paragraphs (1) or (2) by amortizing the amount in equal annual installments over a period not to exceed 15 years, in accordance with regulations promulgated by the corporation.

"(4) If a person liable under this section demonstrates to the corporation that payment of the liability imposed by this section will prevent it from being able to pay its debts as they mature and from being able to continue in business, the corporation shall have the authority to structure the debt repayment in a manner not inconsistent with sections 4041(g)(1)(B) (ii) and (iii), and shall treat such person no differently than the person would have been treated at the time of the change had such person applied to the corporation for termination of the plan at the time of the change.

"(e) This section shall not apply to a person described in subsection (a) if:

"(1) the amount of unfunded vested benefits with respect to which the change occurred is less than $500,000 as of the date of the change; or

"(2) under regulations which shall be prescribed by the corporation, the change does not increase the risk of loss to the corporation with respect to the plan. Such regulations shall set forth specific tests which an employer can use to demonstrate whether any such increased risk of loss exists based on analyses of assets, income and net worth of the person who is the plan sponsor after the change in relation to the value of the unfunded vested benefits on the date of the change, and the ability of the person who is the plan sponsor after the change to maintain the plan.

"(f) If a principal purpose of any transaction is to evade or avoid liability under this section or section 4062, this section and section 4062 shall be applied (and liability shall be determined and collected) without regard to such transaction."

"(g) For purposes to this section, the following rules apply in the case of the certain corporate reorganizations.

"(1) If a person ceases to exist by reason of a reorganization which involves a mere change in identity, form, or place of organization, however effected, a successor corporation resulting from such reorganization shall be treated as the person to whom this section applies.

"(2) If a person ceases to exist by reason of liquidation into a parent corporation, the parent corporation shall be treated as the person to whom this section applies.

"(3) If a person ceases to exist by reason of a merger, consolidation, or division, the successor corporation or corporations shall be treated as the person to whom this section applies.".

SEC. 10. REQUIRED ACTIONS OF THE CORPORATION.

(a) Within two years after the date of enactment the corporation shall submit to the Congress a report that identifies alternatives for performing some or all of the corporation's functions in the private sector.

(b) Within two years after the date of enactment the corporation:

(1) shall submit to the Congress for approval in accordance with section 4006(a)(4) and (b)(1) alternative schedules of premium rates and bases for the application of those

rates, for basic benefits guaranteed by it under section 4022. Such premium rates shall be based in whole or in part on the risks insured by the corporation in each plan; or

(2) shall submit a report to the Congress which identifies such alternatives and explains why their use is not feasible.

SEC. 11. EFFECTIVE DATE.

The provisions of this Act shall be effective on [insert date] except that the amendments made by section 6 of this act shall be effective for plan years commencing after December 31, 1982.

SEC. 12. AMENDMENTS TO THE TABLE OF CONTENTS.

Section 1 of the Employee Retirement Income Security Act of 1974, as amended, is amended by—

(1) Adding after section "4009" the following new section 4010:

"SEC. 4010. Corporation may set Terms and Conditions for Variance from Minimum Funding Standard"

(2) Adding after section "4064", the following:

"SEC. 4064A. Liability Following Certain Changes Undergone by Certain Persons in Relation to Single-Employer Plans Other than Composite Single-Employer Plans"

EXPLANATION OF THE SINGLE-EMPLOYER BILL

Section 1 contains a short title and section 2 contains a table of contents. Section 3 contains the findings and declaration of policy.

Section 4 specifies that any amendment to a section or other provision in the bill is an amendment to a section or other provision of Title IV of ERISA, as amended.

Section 5 adds the following new definitions:

(1) a definition of plan sponsor, which with respect to a single-employer plan references the definition in Title I of ERISA, section 3(16)(B);

(2) a definition of contributing sponsor which is designed to identify which business or businesses in a common controlled group of corporations is the sponsor that is maintaining the pension plan;

(3) a revised definition of control group;

(4) a definition of single-employer plan, which is defined as any plan which is not a multiemployer plan;

(5) a definition of composite single-employer plan, which is defined as a single-employer plan that has two or more unaffiliated contributing sponsors, i.e., there are at least two sponsors to the plan which are not in the same control group;

(6) a definition of the amount of unfunded guaranteed benefits; and which is defined as the difference between the actuarial present value of guaranteed benefits and the current value of plan assets allocated to those benefits. This definition is substantially the same as the definition in existing law.

Section 6 amends existing law to increase the annual premium paid by single-employer pension plans from $2.60 per participant to $6.00 per participant for plan years beginning on or after January 1, 1983.

FUNDING WAIVERS

Section 7 adds a new section 4010 to Title IV, which gives the Pension Benefit Guaranty Corporation the authority to place conditions on funding waivers designed to assure collection by the pension plan of the waived amounts. The section also provides that when a funding waiver is granted a lien arises on behalf of the plan for the waived amount. The lien is treated the same as an employer liability lien under section 4068(c) of existing law. Subsection (b) provides that the Secretary of the Treasury shall make available to the PBGC all of the information that it gets with respect to a funding waiver request and applies to the PBGC the rules of confidentiality and disclosure that apply to the Internal Revenue Service under section 6103 of the Internal Revenue Code.

INSURABLE EVENT

Section 8 substitutes a new Section 4041(c)(1) and (2) for existing Section 4041(c), and adds two new subsections, (g) and (h), that change the procedures applicable to terminating pension plans which do not have sufficient assets to pay all guaranteed benefits.

Section 4041(c) currently provides that a plan which is insufficient to provide guaranteed benefits shall be notified of that fact by the PBGC within ninety days after a notice of intent to terminate is filed with the PBGC. Thereafter, termination proceeds as specified in section 4042, which is not being amended. Under the revised bill paragraph (1) of Subsection 4041(c) would provide that a single-employer plan (other than a composite plan) which is determined by the PBGC to have insufficient assets to provide guaranteed benefits is not terminated and shall continue to be maintained as an ongoing plan unless terminated in accordance with the provisions of new Subsection (g). The reference to "composite plans" in Subsection (c)(1) is included to exclude them from the insurable event procedures, primarily for simplicity. Paragraph (2) of subsection 4041(c) then specifies that composite plans terminate as under current law regardless of whether they are sufficient or insufficient to pay guaranteed benefits. Justification for continuing present law with respect to composite plans stems from the fact that no abuses in that area have occurred.

No change in the law is proposed with respect to sufficient plans which continue to be governed by Section 4041(b) which is not being amended.

The new Subsection (g) is the key section of the insurable event changes. It would provide that termination is effective for a pension plan only if the PBGC finds that the plan sponsor maintaining the plan has proved that it would be forced out of business if its contribution obligations to the pension plan are not terminated. The PBGC is also required to find, as a condition of termination, that it is reasonably assured that if the plan sponsor continues in business, PBGC will collect the following amounts:

(1) 30 percent of the net worth of the employer;

(2) the amount of all contributions with interest on those contributions that were due to the plan prior to termination, including waived funding deficiencies; and

(3) taking into account the best interests of employees, the employer and the corporation, and if the plan sponsor continues in business, any difference between the amounts under items 1 and 2 and the unfunded guaranteed benefits through an interest in the future profits of the employer. Plans terminating as a result of the complete liquidation of the plan sponsor will be accepted by the corporation if the corporation is assured that it will receive the lesser of 30 percent of net worth or the value of the unfunded guaranteed benefits under the plan. This section further provides that amounts due PBGC under terms 1 and 2 are to be secured in some fashion.

New Subsection 404(h) provides that PBGC determinations are reviewable by the District Court. The court shall remand to the Corporation for further proceedings any action found to be (1) arbitrary, capicious, an abuse of discretion; or otherwise not in accordance with law; (2) taken without procedures required by law, rule, or regulation having been followed; or (3) unsupported by substantial evidence.

TRANSFER RULES

Section 9 adds new section 4064A to Title IV. It creates contingent liability for certain changes in a person's obligation with respect to a pension plan. (The transfer rules do not cover composite plans.) The contingent liability extends for ten years following the change, as specified in Subsection (a).

Subsection (b) outlines the circumstances in which a change in the obligation with respect to benefits occurs. Briefly stated, a change occurs under three different described circumstances and to the extend specified in paragraphs 1 through 3:

Assumption of some or all of the benefits under one plan by other plan, except where the contributing sponsor of the first plan is also a contributing sponsor of the second plan. The change occurs with respect to the benefits for which the liability was assumed by the second plan. (See Example 1.)

Cessation of any person as a contributing sponsor with respect to a plan. The change occurs with respect to benefits covered under the plan. (See Example 2.)

Cessation of any person as a member of a control group. The change occurs with respect to benefits under any plan for which the person is a contributing sponsor after the change. (See Example 3.)

Subsection (c) provides that, if a person is liable in connection with a plan termination under Section 4062 as the employer of the terminating plan, these transfer rules shall not apply to that person. The liability arises in the event of a plan termination within ten years after the change, if the PBGC at the time of plan termination is unable to recover the full underfunding of the plan for guaranteed benefits. The contingent liability under subsection (d) is for the difference between what PBGC recovers from the employer maintaining the plan when it terminates and the underfunding for guaranteed benefits as of that date. However, such differences can be reduced if the person contingently liable demonstrates that the amount of underfunding for guaranteed benefits as of the date of the change is less than the amount of underfunding as of the date of the plan termination. In that event the liability is limited to the underfunding at the time of the change. Thus, if the contingently liable person establishes that immediately after the change the value of the assets of the plan that covers the benefits for which the change occurs equals or exceeds the present value of those benefits guaranteed by PBGC, the contingent liability is zero. Also, there is no contingent liability under subsection (e) if:

(1) immediately after the change the difference between the value of the vested benefits and the value of assets with respect to which the change occurs is less than $500,000; or

(2) the change does not increase the risk of loss of PBGC with respect to the plan, which will be determined under regulations that PBGC is required to issue.

Paragraph 3 of Subsection (d) provides that liability imposed by this section may be amortized in equal annual installments over fifteen years. Paragraph 4 of Subsection (d) provides that if a person liable under this section demonstrates that payment of the liability will prevent it from being able to continue in business, the Corporation shall have the authority to structure the payment in a manner not inconsistent with Section 4041(g) discussed above under Insurable Event. Under this paragraph a person transferring liabilities with respect to a plan will have no greater liability than it would have had had it terminated the plan on the date of the transfer.

Subsection (f) provides that if a principal purpose of any transaction is to evade or avoid liability under this section or Section 4062, such section shall be applied without regard to the transaction. The transfer rules are illustrated in the examples below.

Example 1—Transfer of Pension Liabilities

Corporation A sells one of its divisions to Corporation Z, and transfers the assets and liabilities for the division's employees from the Corp. A pension plan to a new pension plan established by Corp. Z. The value of the vested benefits transferred is $10 million, of which $9 million is guaranteed as of the date of the transfer. The value of assets transferred is $5 million. Seven years after the transfer Corp. Z is liquidated. At that time the plan is underfunded for guaranteed benefits by $10 million and PBGC recovers $8 million from Corp. Z. Corp. A's liability is the lesser of PBGC's loss before contingent liability of $2 million ($10 million underfunding minus $8 million recover from Z) or $3 million, the underfunding for guaranteed benefits at the time of the transfer. If PBGC had collected only $6 million from Corp. Z, Corp. A's contingent liability would have been limited to $3 million, the unfunded guaranteed benefits as of the date of the transfer, and PBGC would have absorbed a $1 million loss ($10 million underfunding minus $6 million from Z and $3 million from A).

Example 2—Ceasing to be a Contributing Sponsor

Corp. B is a subisidary of Corp. A. Both contribute to the AB pension plan. The stock of Corp. B is distributed to Corp. A's shareholders and Corp. B ceases participation in plan AB. Corp. A then goes bankrupt causing the termination of plan AB. Corp. B is contingently liable for any unfunded benefits in plan AB for which PBGC does not recover from Corp. A. The liability is determined the same way as in Example 1.

Assume that instead of Corp. B's stock being distributed to Corp. A's shareholders, it is purchased by Corp. Z. Upon the termination of plan AB only Corp. B would be liable, not Corp. Z, unless Corp. Z and Corp. B had merged. The reason is that a change occurred with respect to benefits under Plan AB only for Corp. B when it ceased to be a contributing sponsor. Since Corp. Z was never a contributing sponsor to Plan AB, it did not suffer a change in its obligations with respect to that plan. However, if Corp. B and Corp. Z merge, then the merged entity succeeds to Corp. B's contingent liability under section 4064A(f).

Example 3—Control Group Split-Up

Corp. A and Corp. B are both owned by Corp. C and each corporation maintains a separate pension plan for its own employees. The stock of Corp. A and Corp. B is distributed to Corp. C's shareholders so that these are now three separate unaffiliated corporations. Assume Corp. A's pension plan has less than $500,000 in unfunded vested benefits, but Corp. B's and Corp. C's pension plans have $1 million and $2 million in unfunded guaranteed benefits respectively. If Corp. A's plan terminates, neither Corp. B nor Corp. C is contingently liable because of the $500,000 rule. But, if Corp. B's or Corp. C's pension plans terminate, the other two corporations, including Corp. A, would have contingent liability. This result is the same as if the split-up of the control group had not occurred, because, under existing law, when a plan terminates all members of the same control group as the contributing sponsor to the terminating plan are jointly and severally liable under section 4062.

Example 4—Sale of Assets with no Pension Liabilities Transferred

Corp. A sells the assets of division 1 to Corp. Z but transfers no pension liabilities. There is no contingent liability because there has been no change in the obligation of A with respect to benefits under any plan. However, if owners of Corp. A set up a new Corp. Z that assumes all A's assets and liabilities except for the pension plan, leaving Corp. A a shell with the pension plan which is then liquidated, Corp. Z would be liable under 4064A(f), which creates liability if a principal purpose of a transaction is to aviod liability under Title IV.

Section 10 of the bill requires the Corporation to submit to Congress, within 2 years after enactment, a report that identifies alternatives for performing some or all of PBGC's functions in the private sector. In addition, the PBGC is required to submit to the Congress for its approval within two years after enactment, an alternative schedule of premium rates which would be based on risk, or to submit a report explaining to the Congress why a risk-related premium structure is not feasible.

Section 11 provides that the provisions of the Act are effective as of the date of enactment, except that the premium increase is effective as January 1, 1983.

Section 12 amends the statute's table of contents.

U.S. DEPARTMENT OF LABOR,
SECRETARY OF LABOR,
Washington, D.C., March 9, 1983.

Hon. DON NICKLES,
U.S. Senate, Washington, D.C.

DEAR SENATOR NICKLES: The Administration is deeply concerned with the problems of single employer pension plan termination and is hopeful that appropriate legislation to resolve these difficult problems can be achieved in the near future. I am pleased to present to you the Administration's views on the major issues involved in single employer pension legislation. We believe that the following recommendations can be the basis for a simple, constructive approach to the problem.

(1) The insurable event

Under present law an employer may voluntarily terminate its pension plan at any time. If the firm's assets are insufficient to pay its guaranteed benefits, the PBGC becomes the trustee of the plan and pays the guaranteed benefits. The PBGC has a claim against the employer for any underfunding, but the maximum amount of PBGC's claim is limited to 30 percent of the employer's net worth.

RECOMMENDATION

Plan termination should continue to be the insurable event. Employers with adequately funded plans may still terminate at any time or "freeze" plans as under current IRS rules.

Amend the current law to prohibit insufficient plans to terminate except under the following rules:

(1) The PBGC would be given the power to allow an employer to terminate such plans only if the employer proves to the PBGC that its creditors would force it out of business if the obligation of the employer to the pension plan cannot be restructured and if such termination is in the best interests of employees, the employer and the PBGC.

(2) The PBGC, upon agreeing to a termination, would receive a lien for 30 percent of the employer's net worth and for any hardship waivers for which they did not already have a lien (but not to exceed the amount of unfunded guaranteed benefits).

(3) Upon terminating, the employer would be liable for the unfunded guaranteed benefits (not to exceed 30% of net worth). The PBGC would be able to negotiate the structure of the employer's debt to the PBGC, including future liens. It should also be able to accept a profit interest for part of the debt. If the employer and the PBGC cannot agree, the employer would be able to go to court to seek review of the settlement proposed by the PBGC.

(2) Creditor status

PBGC now has a claim against the employer for up to 30 percent of net worth for the amount by which guaranteed benefits exceed the plan's assets.

RECOMMENDATION

Maintain the present law.

(3) Transfer liability

Under present law, liability to the PBGC for unfunded guaranteed pension benefits is attributable only to the employer maintaining the pension plan on the date of plan termination. This means that some employers have been able to shift responsibility for their pension promises to the PBGC by transferring their pension liabilities to a weak employer who then terminates and leaves PBGC with the unfunded liabilities.

RECOMMENDATION

Title IV should be changed in a way that an employer who transfers a business is contingently liable for 10 years. This means that if the transferee has inadequate net worth, the transferor is liable for the difference.

We also recommend two exceptions to this contingent liability: (1) if the unfunded vested liabilities of the plan transferred are less than $500,000 at the time of the transfer, the transferor would have no contingent liabilities regardless of the transferor's size, and (2) PBGC would promulgate regulations eliminating or reducing the transferors' contingent liabilities when such an action does not increase risk of the PBGC. (For example, when the transferee is financially "stronger" than the transferor.)

We also recommend that the liability of the transferor (upon a transferee's termination of a transferred plan) be equal to the amount of the unfunded guaranteed benefits of the plan at the time of the transfer, less amounts collected from the transferee upon termination. Finally, we recommend that transferors amortize over 15 years the unfunded guaranteed benefits in excess of amounts collected from transferees upon plan termination.

(4) Minimum funding waivers

ERISA permits the Internal Revenue Service (IRS) to waive all or part of the minimum funding requirements for a year and to require instead that the waived amount be amortized over 15 years. IRS now has complete discretion to waive the minimum funding requirements, however PBGC inherits these waivers as liabilities if the employer later terminates the plan.

RECOMMENDATION

Amend Title IV so that IRS and the PBGC share authority over the hardship waiver. The IRS would retain the authority to grant a waiver but PBGC should be allowed to place conditions on the waiver, such as a lien for the PBGC.

(5) Privatization

There are increasing reasons to question whether the insurance programs performed by the PBGC should be retained in the public sector. It may be more efficient for the functions of the PBGC to be absorbed by the private insurance industry after elimination of the existing PBGC deficit.

RECOMMENDATION

Propose a congressionally mandated feasibility study of privatization. The study should be completed within two year.

(6) Premium structure

With each premium increase, the flat rate premium becomes increasingly more inequitable for employers with well-funded plans.

RECOMMENDATION

Amend Title IV of ERISA so that PBGC extends its present study of a variable premium structure. The study would be completed within two years. At that point a report would be made to Congress that suggests a specific variable rate structure and its feasibility and desirability.

I hope that the preceding discussion of the issues relating to single employer pension legislation will assist you in your efforts to produce legislation in this area. The Administration is hoping that legislative action will proceed as soon as possible so that the current problems of single employer plan termination can be resolved.

Sincerely,

RAYMOND J. DONOVAN.

U.S. DEPARTMENT OF LABOR,
SECRETARY OF LABOR,
Washington, D.C., April 12, 1983.

Hon. DONALD L. NICKLES,
Chairman, Subcommittee on Labor, U.S. Senate, Washington, D.C.

DEAR MR. CHAIRMAN: On March 9, 1983, I sent you a letter discussing the Administration's views on single employer pension plan termination insurance legislation. The letter outlined detailed rules to deal with the complex and troublesome issues that arise in this area. We understand that the discussion of the liability of a terminating employer of an insufficient plan on page two of our letter (paragraph (3) under the first recommendation) may have caused some confusion regarding application of the 30 percent of net worth limit.

As we indicated, an employer who terminates his plan upon agreement with the Pension Benefit Guaranty Corporation (PBGC) is liable for the full unfunded guaranteed benefits. This is true whether or not the unfunded benefits exceed 30 percent of the employer's net worth. The intent of the Administration's recommendation is to allow the PBGC to collect from an ongoing employer 30 percent of net worth as employer liability and unpaid contributions as under current law; in addition, however, the PBGC would be able to negotiate a profits interest for any remaining unfunded guaranteed benefits. Thus, the phrase "(not to exceed 30 percent of net worth)" should be deleted from the referenced paragraph. We hope this clears up any confusion over this issue.

We would also note that the Administration continues to believe, as it did last Congress, that a premium increase to $6 for plan years commencing on or after January 1, 1983, is essential for the PBGC to eliminate its $333 million deficit in a reasonable period of time and become funded in a fiscally prudent manner. Any bill amending the single employer termination insurance provisions must include such an increase.

We look forward to working with you to remedy the problems faced by the single employer termination insurance program.

Sincerely,

RAYMOND J. DONOVAN.●

By Mr. PRESSLER:

S.J. Res. 95. A joint resolution declaring the support of the United States Soccer Federation to bring the World Cup to the United States in 1986, designating the Secretary of Commerce as the official representative of the U.S. Government to the Federation Internationale de Football Association, and for other purposes; to the Committee on Commerce, Science and Transportation.

1986 WORLD CUP SOCCER TOURNAMENT

● Mr. PRESSLER. Mr. President, I am today introducing a joint resolution regarding the 1986 World Cup soccer tournament. This resolution is similar to one I introduced earlier and which has been reported by the Commerce Committee, Senate Joint Resolution 69. However, in the interest of quick action on this matter I have decided to introduce a version of my original resolution which is identical to a corresponding House resolution, House Joint Resolution 219. The full House passed this resolution earlier in the week and we should be receiving it in the Senate shortly.

My reason for expediting consideration of this resolution is that urgent efforts are being undertaken to convince the International Soccer Federation that the United States would be a suitable host country for the 1986 World Cup tournament. As chairman of the Subcommittee on Business, Trade and Tourism, I am in strong support of these efforts.

Designation of the United States as host country would give a major boost to not only the development of soccer at all levels, but it would also be a major attraction for international travelers. As we have so often heard in testimony before my subcommittee, the economic and social benefits to the United States which stem from international tourism cannot be over emphasized.

Tourism is now our second largest retail industry in the United States. It provides employment for over 6 million people and contributes many billions of tax dollars to local, State and Federal coffers. In addition, the expenditures of international travelers provide us with some $12 billion in foreign trade income each year. This is our fourth largest single source of foreign trade revenue.

It is imperative that increased tourism be permitted to play an important part in our growing economic recovery. The 1984 World's Fair in New Orleans and the 1984 Olympics in Los Angeles will create thousands of jobs. The 1986 World Cup soccer tournament has the potential to do the same. For this reason I stress the importance of our efforts to have the United States designated as host country for the event, and I ask my colleagues to join me in supporting this joint resolution which lends additional substance to the claim of the United States that we would be a fitting and proper host for the tournament.●

By Mr. DECONCINI (for himself, Mr. PROXMIRE, Mr. DIXON, Mr. HOLLINGS, Mr. BOSCHWITZ, Mr. SASSER, Mr. LUGAR, Mr. WILSON, Mr. DOMENICI, Mr. BENTSEN, Mr. PRESSLER, Mr. HEFLIN, Mr. QUAYLE, Mr. INOUYE, Mr. PELL, Mr. COHEN, Mr. HEINZ, Mr. GRASSLEY, Mr. BUMPERS, Mr. EXON, Mr. GORTON, Mr. BOREN, Mr. ARMSTRONG, Mr. NICKLES, Mr. ROTH, Mr. DOLE, and Mr. LEAHY):

S.J. Res. 96. Joint resolution to designate August 1, 1983, as "Helsinki Human Rights Day"; to the Committee on the Judiciary.

HELSINKI HUMAN RIGHTS DAY

Mr. DECONCINI. Mr. President, I am privileged to introduce today a joint resolution that authorizes and requests the President of the United States to designate August 1, 1983, as "Helsinki Human Rights Day."

The purpose of this resolution is simple. It sets aside a specific day to recognize the plight of thousands of citizens, particularly in the Soviet Union and its satellites, in their pursuit of fundamental rights guaranteed by the Helsinki accords. Their cause is a significant one. We are all members of the human family, and so long as any member of that family does not enjoy full human dignity and rights, none of us is truly free. While men and women are oppressed in other lands, our freedom is only partial. But so long as we defend the freedom of all men, the tyranny under which they live is mitigated.

In agreeing to the Helsinki accords, the signatory nations have acknowledged their adherence to the principles of freedom. Not, perhaps, to the sophisticated modes of parliamentary democracy, but to the basic rights of citizens to emigrate, to be reunited

with their families and to enjoy at least the minimal respect by their government of their individuality and personal worth. In the contemporary world where governments seek the respect and recognition of other nations, this is the least we can demand.

Soviet emigration policy, especially in the case of minorities, exemplifies the individual, cultural, and religious repression that the Soviet regime imposes on many of its citizens. Because they have been denied the right to speak, the right to publish freely, the right to freedom of expression, and above all the right to freely practice their religion, many Soviet citizens have felt compelled to apply for emigration visas. However, the emigration process itself is demoralizing. It is unpredictable and arbitrary, and becomes for many a futile, nightmarish experience. Applicants systematically are demoted or fired from their jobs, watched, followed, harassed, interrogated, searched, silenced by being sent to psychiatric hospitals, and ultimately imprisoned or banished to Siberia to hard labor camps.

In recent years the rate of emigration from the Soviet Union has dramatically declined. For example, only 2,688 Jews were allowed to emigrate in 1982 as compared with 51,320 in 1979. These statistics are alarming and are in direct contravention to the Helsinki accords.

We cannot, it is true, enforce the Helsinki agreement; it does not have the force of international law. But it is a moral document and we, as a free society, have an obligation to express our outrage and concern when individuals are continually harassed for no legitimate reason.

By proclaiming August 1, 1983, the eighth anniversary of the signing of the Helsinki accords, as "Helsinki Human Rights Day," we are reaffirming our commitment to the principles upon which our own democracy was founded. We are sending a message to the signatory nations, particularly the Soviet Union and its satellites, that we expect them to live up their international agreements.

Mr. President, I urge each Member of this body to let his commitment be known. As John Kennedy so eloquently stated in his inaugural address:

> Let every nation know, whether it wishes us well or ill, that we shall pay any price, bear any burden, meet any hardship, support any friend, oppose any foe to assure the survivial and the success of liberty.

Mr. President, I ask unanimous consent that the text of the resolution be printed in the RECORD at this point.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S.J. RES. 96

Whereas August 1, 1983, will be the eighth anniversary of the signing of the Final Act of the Conference on Security and Cooperation in Europe (hereafter in this preamble referred to as the "Helsinki Accords");

Whereas the Helsinki Accords express the desire of the participating States to "respect human rights and fundamental freedoms, including the freedom of thought, conscience, religion or belief, for all without distinction as to race, sex, language or religion";

Whereas the Helsinki Accords also express the commitment of the participating States to "facilitate freer movement and contacts, individually and collectively, whether privately or officially, among persons, institutions and organizations of the participating States, and to contribute to the solution of the humanitarian problems that arise in that connection";

Whereas the Helsinki Accords specify that the participating States will "deal in a positive and humanitarian spirit with the applications of persons who wish to be reunited with members of their family" and will "deal with applications in this field as expeditiously as possible";

Whereas the Helsinki Accords also state that the participating States will facilitate travel by citizens of such States for both personal and professional reasons and that for this purpose such States will simplify exit and entry procedures;

Whereas the Government of the Union of Soviet Socialist Republics, in agreeing to the Helsinki Accords, has acknowledged an adherence to the principles of freedom and to the basic human rights of citizens to emigrate, to be reunited with their families, and to enjoy at least minimal governmental respect for their individuality and human worth;

Whereas the Soviet Government has not fulfilled its commitment to the Helsinki Accords by denying individuals inherent rights to freedom of religion, thought, conscience, and emigration;

Whereas the governments of the Soviet Union and its satellites have increased the difficulties faced by citizens who wish to reunite with family members in other countries, resulting in a drastic decline in recent emigration figures;

Whereas Jews, Ukrainians, Balts, Byelorussians, Armenians, Georgians, and members of other nationalities in the Soviet Union are persecuted and often imprisoned for attempts to celebrate their national heritage, to practice their religion, to express freely their opinions, to emigrate, or to monitor Soviet Government compliance with the provisions of the Helsinki Accords;

Whereas the satellite nations of the Soviet Union have increased repression against labor union members, peace activists, religious and political dissenters, and others desiring to emigrate; and

Whereas the denial of fundamental rights by the Soviet Government is a threat to peace throughout the world: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That—

(1) August 1, 1983, the eighth anniversary of the signing of the Final Act of the Conference on Security and Cooperation in Europe, is designated as "Helsinki Human Rights Day";

(2) the President is authorized and requested to issue a proclamation reasserting the American commitment to full implementation of the human rights and humanitarian provisions of the Helsinki Accords, urging all signatory nations, particularly the Soviet Union and its satellites, to abide by their obligations under the Helsinki Accords, and encouraging the people of the United States to join the President and Congress in observance of "Helsinki Human Rights Day" with appropriate programs, ceremonies, and activities; and

(3) the President is further requested to continue his efforts to achieve full implementation of the human rights and humanitarian provisions of the Helsinki Accords by raising the issue of noncompliance with authorities of the Soviet Union and East European countries at every available opportunity.

SEC. 2. The Secretary of the Senate is directed to transmit copies of this joint resolution to the President, the Secretary of State, and the Ambassadors of the thirty-four Helsinki signatory nations.

Mr. PELL. Mr. President, August 1, 1983, will be the eighth anniversary of the signing of the Final Act of the Conference on Security and Cooperation in Europe, commonly known as the Helsinki Final Act. As a member and former Cochairman of the Commission on Security and Cooperation in Europe (the Helsinki Commission), I am pleased to join Senator DECONCINI in sponsoring this resolution to designate this day as "National Human Rights Day."

The Final Act was the culmination of nearly 2 years of negotiations between the United States, Canada, the Soviet Union, and every European nation except Albania. While the act covers nearly every aspect of East-West relations—military security, trade and economic cooperation, scientific and cultural exchange—the provisions that have received the most attention in the West and, sadly, the least implementation in the East, are those dealing with human rights and humanitarian issues. The 35 signatories agreed to respect human rights, to facilitate the freer movement of people, especially for family reunification and binational marriage, to disseminate information of all kinds, and to guarantee religious freedom. Yet, the Soviet Government imprisons human rights activists, denies Jews and others the right to join their relatives abroad, forces spouses to undergo life-threatening fasts in order to be reunited with their loved ones, jams Western radio broadcasts, and severely restricts the exercise of religious rights. Many of the Warsaw Pact nations, especially Czechoslovakia, Romania, East Germany, and more recently, Poland—have followed the Soviet example of repression.

As a founding member of the U.S. Helsinki Commission, I have had the opportunity to witness firsthand the expectations of the people of Europe, both East and West, that were generated by the signing of the Final Act. Those expectations have not been fully realized and, tragically, in some cases, those hopes have been dashed completely. Nevertheless, we cannot abandon either the Helsinki process or

our own deep commitment to obtain basic human rights and fundamental freedoms for the people of the Soviet Union and Eastern Europe.

By designating August 1 as "National Human Rights Day," we can once again demonstrate our dedication to the Helsinki process and our support for the brave men and women such as Vaclav Havel, Anatoly Shcharansky, Ida Nudel, and Lech Walesa, to name only a few, who are struggling courageously and selflessly to force the Soviet and Eastern European governments to fulfill obligations undertaken in the area of human rights. We can show that we will not stand by silently while the Soviet Union tries to halt Jewish emigration, while the Czechoslovak Government persecutes Catholics who seek to practice their religion freely, while Romania imposes exorbitant exit taxes on would-be emigrants, and Poland continues to stamp out the spirit of Solidarity. We will speak out again and again until the Soviet Union and its Warsaw Pact allies fulfill their commitment on human rights and fundamental freedoms and come to understand that there can be no real peace or genuine security without respect for the rights of man.

ADDITIONAL COSPONSORS

S. 474

At the request of Mr. COCHRAN, the name of the Senator from New Mexico (Mr. DOMENICI) was added as a cosponsor of S. 474, a bill to amend title 18, United States Code, to provide for the protection of Government witnesses in criminal proceedings.

S. 508

At the request of Mr. LAXALT, the name of the Senator from Texas (Mr. BENTSEN) was added as a cosponsor of S. 508, a bill to exempt entities receiving financial assistance from the Rural Electrification Administration from fees under the Federal Land Policy and Management Act of 1976.

S. 593

At the request of Mr. DENTON, his name was added as a cosponsor of S. 593, a bill to amend the Federal Meat Inspection Act and the Poultry Products Inspection Act to permit distribution of certain State-inspected meat and poultry products, and for other purposes.

S. 654

At the request of Mr. WALLOP, the names of the Senator from Texas (Mr. BENTSEN) and the Senator from Montana (Mr. BAUCUS) were added as cosponsors of S. 654, a bill to amend the Internal Revenue Code of 1954 to treat deductions for research and experimental expenses attributable to activities conducted in the United States as allocable to income from sources within the United States.

S. 691

At the request of Mr. MATSUNAGA, the name of the Senator from Montana (Mr. MELCHER) was added as a cosponsor of S. 691, a bill to amend title 38, United States Code, to establish a new veterans' educational assistance program and a veterans' supplemental educational assistance program, and for other purposes.

S. 746

At the request of Mr. PERCY, the name of the Senator from Pennsylvania (Mr. HEINZ) was added as a cosponsor of S. 746, a bill to establish the Illinois and Michigan Canal National Heritage Corridor in the State of Illinois, and for other purposes.

S. 764

At the request of Mr. WARNER, the names of the Senator from Montana (Mr. BAUCUS) and the Senator from Connecticut (Mr. WEICKER) were added as cosponsors of S. 764, a bill to assure the continued protection of the traveling public in the marketing of air transportation, and for other purposes.

S. 843

At the request of Mr. COCHRAN, the name of the Senator from Nebraska (Mr. ZORINSKY) was added as a cosponsor of S. 843, a bill to amend the Agricultural Act of 1949 to authorize the Secretary of Agriculture to make payments to reimburse producers for the cost of applying approved conservation practices to acreage diverted under an acreage limitation program for the 1982 through 1985 crops of wheat, feed grains, upland cotton, rice, and soybeans.

S. 905

At the request of Mr. EAGLETON, the names of the Senator from Illinois (Mr. PERCY), the Senator from Florida (Mr. CHILES), the Senator from South Carolina (Mr. HOLLINGS), and the Senator from New Mexico (Mr. BINGAMAN) were added as cosponsors of S. 905, a bill entitled the "National Archives and Records Administration Act of 1983."

S. 1018

At the request of Mr. ARMSTRONG, the name of the Senator from Colorado (Mr. HART) was added as a cosponsor of S. 1018, a bill to rename the Consolidated Space Operations Center in Colorado Springs the "Jack Swigert Space Center."

S. 1025

At the request of Mr. HATFIELD, the name of the Senator from Wyoming (Mr. SIMPSON) was added as a cosponsor of S. 1025, a bill to establish in the Federal Government a global foresight capability with respect to natural resources, the environment, and population; to establish a national population policy; to establish an interagency Council on Global Resources, Environment, and Population, and for other purposes.

S. 1026

At the request of Mr. MOYNIHAN, the name of the Senator from Massachusetts (Mr. TSONGAS) was added as a cosponsor of S. 1026, a bill to provide for national public improvements.

S. 1121

At the request of Mr. COCHRAN, the names of the Senator from Nevada (Mr. HECHT), the Senator from Montana (Mr. MELCHER), the Senator from North Carolina (Mr. HELMS), and the Senator from Utah (Mr. GARN) were added as cosponsors of S. 1121, a bill to repeal the national maximum speed limit for motor vehicles.

S. 1171

At the request of Mr. HEINZ, the name of the Senator from Mississippi (Mr. COCHRAN) was added as a cosponsor of S. 1171, a bill to authorize and direct construction of certain navigation projects of critical national and regional importance, to provide jobs during construction, to foster and encourage economic revitalization and increased employment opportunities through provision of efficient, economical, and dependable inland waterway transportation, and to provide for coordinated use and enhancement of the upper Mississippi River system.

S. 1194

At the request of Mr. DANFORTH, the names of the Senator from Idaho (Mr. SYMMS) and the Senator from Rhode Island (Mr. CHAFEE) were added as cosponsors of S. 1194, a bill to amend the Internal Revenue Code of 1954 to encourage the contribution of scientific equipment to elementary and secondary schools and institutions of higher education and to foster university research and scientific training.

SENATE JOINT RESOLUTION 61

At the request of Mr. ANDREWS, the names of the Senator from Louisiana (Mr. JOHNSTON), the Senator from Connecticut (Mr. WEICKER), the Senator from Rhode Island (Mr. PELL), the Senator from Michigan (Mr. LEVIN), the Senator from Arizona (Mr. DECONCINI), the Senator from Arizona (Mr. GOLDWATER), the Senator from Washington (Mr. GORTON), and the Senator from Rhode Island (Mr. CHAFEE) were added as cosponsors of Senate Joint Resolution 61, a joint resolution to designate the week of May 22, 1983, through May 28, 1983, as "National Digestive Diseases Awareness Week."

SENATE JOINT RESOLUTION 68

At the request of Mr. SPECTER, the name of the Senator from Alaska (Mr. MURKOWSKI) was added as a cosponsor of Senate Joint Resolution 68, a joint resolution to authorize and request the President to designate July 16, 1983, as "National Atomic Veterans' Day."

SENATE JOINT RESOLUTION 75

At the request of Mr. SYMMS, the names of the Senator from Nevada

(Mr. LAXALT), the Senator from Arizona (Mr. DECONCINI), the Senator from Massachusetts (Mr. KENNEDY), the Senator from Ohio (Mr. GLENN), the Senator from Washington (Mr. GORTON), the Senator from Minnesota (Mr. DURENBERGER), the Senator from Massachusetts (Mr. TSONGAS), the Senator from Wisconsin (Mr. KASTEN), the Senator from Florida (Mrs. HAWKINS), and the Senator from Arkansas (Mr. BUMPERS) were added as cosponsors of Senate Joint Resolution 75, a joint resolution to provide for the designation of June 12 through 18, 1983 as "National Scleroderma Week."

SENATE JOINT RESOLUTION 92

At the request of Mrs. HAWKINS, the names of the Senator from Florida (Mr. CHILES), the Senator from New York (Mr. D'AMATO), the Senator from Minnesota (Mr. BOSCHWITZ), the Senator from Louisiana (Mr. JOHNSTON), the Senator from New York (Mr. MOYNIHAN), the Senator from Alabama (Mr. HEFLIN), the Senator from Idaho (Mr. SYMMS), the Senator from Vermont (Mr. LEAHY), the Senator from Hawaii (Mr. INOUYE), the Senator from North Carolina (Mr. HELMS), the Senator from Indiana (Mr. LUGAR), and the Senator from Hawaii (Mr. MATSUNAGA) were added as cosponsors of Senate Joint Resolution 92, a joint resolution designating the week beginning May 8, 1983, as "Municipal Clerk's Week."

SENATE JOINT RESOLUTION 94

At the request of Mr. MATTINGLY, the name of the Senator from Arizona (Mr. DECONCINI) was added as a cosponsor of Senate Joint Resolution 94, a joint resolution to authorize and request the President to designate May 8, 1983, to June 19, 1983, as "Family Reunion Month."

SENATE CONCURRENT RESOLUTION 24

At the request of Mrs. HAWKINS, the names of the Senator from Alaska (Mr. MURKOWSKI) and the Senator from Wyoming (Mr. WALLOP) were added as cosponsors of Senate Concurrent Resolution 24, a concurrent resolution expressing the sense of the Congress that the people of the United States should observe the month of May 1983 as Older Americans Month.

SENATE CONCURRENT RESOLUTION 30

At the request of Mr. BAUCUS, the name of the Senator from Montana (Mr. MELCHER) was added as a cosponsor of Senate Concurrent Resolution 30, a concurent resolution to reject the medicare cuts contained in the President's fiscal year 1984 budget.

SENATE RESOLUTION 126

At the request of Mr. WALLOP, the name of the Senator from Oklahoma (Mr. NICKLES) was added as a cosponsor of Senate Resolution 126, a resolution to express the sense of the Senate that the changes in the Federal estate tax laws made by the Economic Recovery Tax Act of 1981 should not be modified.

SENATE CONCURRENT RESOLUTION 31—OPPOSING THE POLICY OF FORCED LABOR IN THE SOVIET UNION

Mr. ARMSTRONG submitted the following concurrent resolution, which was referred to the Committee on Foreign Relations:

S. CON. RES. 31

Whereas international law in this century has recognized that everyone has the right to liberty and security of person, and has repeatedly condemned the use of forced or compulsory labor;

Whereas on February 9, 1983, the United States Department of State documented that the Government of the Union of Soviet Socialist Republics operates the largest forced-labor system in the world, comprising some one thousand one hundred forced-labor camps, and that this system "gravely infringes internationally recognized fundamental human rights";

Whereas the United States Department of State has estimated that the Soviet system "includes an estimated four million forced laborers, of whom at least ten thousand are considered to be political and religious prisoners";

Whereas the International Commission on Human Rights, following a hearing in Bonn on November 18 and 19, 1982, concluded that the Union of Soviet Socialist Republics "continues the deplorable practice of forced labor in manufacturing and construction projects" and that prisoners, "among them women and children, are forced to work under conditions of extreme hardship including malnutrition, inadequate shelter and clothing, and severe discipline";

Whereas for nearly thirty years the International Labor Organization has investigated allegations concerning forced labor in the Union of Soviet Socialist Republics, and that the Soviet authorities have refused to provide responses satisfactory to the International Labor Organization or to open their entire forced-labor system to impartial international investigation;

Whereas through these repressive policies the Union of Soviet Socialist Republics has failed to fulfill its solemn undertakings as a signatory of the Helsinki Accords, the United Nations Charter, the Universal Declaration of Human Rights, and Anti-Slavery Convention of 1926, as well as the Soviet Constitution; and

Whereas the continued violations of human rights by the Union of Soviet Socialist Republics, and in particular the use of forced labor, are factors that contribute to world tension and create concern about the validity of the international commitments of the Soviet Union: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That it is the sense of the Congress that the policies of forced labor are morally reprehensible, and that the President, at every opportunity and in the strongest terms, should express to the Government of the Union of Soviet Socialist Republics the opposition of the United States to these reprehensible policies, and that they cease these practices and honor the international commitments agreed upon.

SENATE RESOLUTION 131—WAIVING SECTION 402(a) OF THE BUDGET ACT

Mr. PERCY, from the Committee on Foreign Relations, reported the following original resolution; which was referred to the Committee on the Budget.

S. RES. 131

Resolved, That pursuant to section 402(c) of the Congressional Budget Act of 1974, the provisions of section 402(a) of such Act are waived with respect to the consideration of S. 639, the "Lebanon Emergency Assistance Act of 1983," a bill to authorize supplemental assistance to aid Lebanon for fiscal year 1983.

Such a waiver is necessary to allow the authorization of $150,000,000 in additional budget authority for fiscal year 1983, which will be available until expended, for the purpose of providing economic assistance to Lebanon for the rebuilding of its economy, and $1,000,000 for military training under the provisions of chapter 5 of part II of the Foreign Assistance Act. The administration has requested an additional $151,000,000 in budget authority for this purpose.

Compliance with section 402(a) of the Congressional Budget Act of 1974 was not possible by May 15, 1982, because the circumstances that required and enabled the funding did not exist at the time.

The effect of defeating consideration of the supplemental authorization will be a disruption and delay of the United States assistance to Lebanon's reconstruction.

The desired authorization will not delay the appropriations process and will need to be accommodated in a supplemental appropriation.

SENATE RESOLUTION 132—RECOGNIZING SMALL BUSINESS WEEK

Mr. BAKER (for Mr. WEICKER) (for himself, Mr. NUNN, Mr. ABDNOR, Mr. ANDREWS, Mr. BAUCUS, Mr. BENTSEN, Mr. BINGAMAN, Mr. BOREN, Mr. BOSCHWITZ, Mr. BRADLEY, Mr. BUMPERS, Mr. BURDICK, Mr. BYRD, Mr. CHILES, Mr. COCHRAN, Mr. COHEN, Mr. CRANSTON, Mr. D'AMATO, Mr. DIXON, Mr. DODD, Mr. DOLE, Mr. DOMENICI, Mr. DURENBERGER, Mr. EAGLETON, Mr. EAST, Mr. FORD, Mr. GARN, Mr. GLENN, Mr. GOLDWATER, Mr. GORTON, Mr. HART, Mr. HATCH, Mrs. HAWKINS, Mr. HEFLIN, Mr. HEINZ, Mr. HELMS, Mr. HOLLINGS, Mr. HUDDLESTON, Mr. JEPSEN, Mr. JOHNSTON, Mrs. KASSEBAUM, Mr. KASTEN, Mr. KENNEDY, Mr. LAUTENBERG, Mr. LAXALT, Mr. LEAHY, Mr. LEVIN, Mr. LUGAR, Mr. MCCLURE, Mr. MELCHER, Mr. METZENBAUM, Mr. MITCHELL, Mr. MOYNIHAN, Mr. MURKOWSKI, Mr. NICKLES, Mr. PACKWOOD, Mr. PELL, Mr. PERCY, Mr. PRESSLER, Mr. PROXMIRE, Mr. PRYOR, Mr. QUAYLE, Mr. RANDOLPH, Mr. RIEGLE, Mr. RUDMAN, Mr. SARBANES, Mr. SASSER, Mr. SPECTER, Mr. STAFFORD, Mr. STENNIS, Mr. STEVENS, Mr. TSONGAS, Mr. WALLOP, Mr. WILSON, Mr. ZORINSKY, Mr. CHAFEE, Mr. DANFORTH, and Mr. EXON) submitted the follow-

ing resolution, which was ordered placed on the calendar:

S. RES. 132

Whereas small and independent businesses represent 97 percent of all business in this country and are the driving force of the American economy and the mainstay of our free enterprise system;

Whereas small business is responsible for creating most new employment opportunities and accounts for approximately 40 percent of the gross national product;

Whereas small businesses have substantially maintained employment levels during difficult economic conditions;

Whereas small business originates 50 percent of all major innovations and new technologies and brings these new innoviations to market quickly;

Whereas the President has previously issued a proclamation designating the week of May 8, 1983, through May 14, 1983, as "Small Business Week": Now, therefore, be it

Resolved, That the Senate recognizes the achievements and contributions which small business men and women have made to American society, and urges the people of the United States and interested groups and organizations to observe the week of May 8, 1983, through May 14, 1983, as "Small Business Week" with appropriate programs, ceremonies, and activities.

SENATE RESOLUTION 133—SUPPORTING SOLIDARITY SUNDAY

Mr. BYRD (for Mr. MOYNIHAN) (for himself, Mr. D'AMATO, Mr. BAUCUS, Mr. BENTSEN, Mr. BOREN, Mr. BOSCHWITZ, Mr. BRADLEY, Mr. BYRD, Mr. CHILES, Mr. COHEN, Mr. CRANSTON, Mr. DANFORTH, Mr. DIXON, Mr. DOLE, Mr. GARN, Mr. GLENN, Mr. GRASSLEY, Mr. HECHT, Mr. HEINZ, Mr. HOLLINGS, Mr. INOUYE, Mr. JACKSON, Mr. JEPSEN, Mr. JOHNSTON, Mrs. KASSEBAUM, Mr. LEVIN, Mr. LUGAR, Mr. METZENBAUM, Mr. NICKLES, Mr. PELL, Mr. PERCY, Mr. PRESSLER, Mr. PROXMIRE, Mr. QUAYLE, Mr. RIEGLE, Mr. SARBANES, Mr. SASSER, Mr. SYMMS, and Mr. TSONGAS) submitted the following resolution, which was ordered placed on the calendar:

S. RES. 133

Whereas on May 22, 1983, the eighty-five constituent agencies of the Greater New York Conference on Soviet Jewry will sponsor the twelfth annual "Solidarity Sunday for Soviet Jewry" to reaffirm their resolve to secure freedom for Soviet Jews and beleaguered people everywhere; and

Whereas Americans of all faiths will join with the Conference in myriad activities on that day in expression of their solidarity with the almost three million Jews in the Soviet Union; and

Whereas the right to emigrate freely and to be reunited with their families abroad is being denied Jews and others in the Soviet Union; and

Whereas the Universal Declaration of Human Rights adopted by the General Assembly of the United Nations and the Helsinki Final Act clearly recognize those rights; and

Whereas the Government of the Soviet Union has implemented restrictive measures sharply reducing the number of people permitted to emigrate, bringing Jewish emigration from the soviet Union to a virtual halt; and

Whereas the Government of the Soviet Union is persecuting its Jewish citizens and denying them even those rights and privileges accorded other recognized religions in the Soviet Union; and

Whereas the Government of the Soviet Union discriminates against Jewish cultural activities by banning and suspending Hebrew and Jewish cultural classes, by threatening Hebrew teachers, and by intimidating all Soviet Jews who seek only to practice their religion; and

Whereas leading Soviet Jewish activist and cultural figure, Mr. Anatoly Shcharansky, who was arrested in March of 1977 and falsely charged with espionage and "anti-Soviet agitation", continues to suffer exceptionally harsh treatment in Chistopol prison; and

Whereas a virulent anti-Semitic campaign continues unabated in the Soviet press and Soviet Jews are increasingly deprived of occupational and educational opportunities; and

Whereas thousands of innocent jews and other persons, after applying to leave the Soviet Union, have been subjected to illegal induction into the armed forces, incarceration in mental institutions, expulsion from school and constant surveillance and harassment; and

Whereas the Government of the Soviet Union will not succeed in isolating Soviet Jews from their friends in the free world so long as those who cherish liberty continue to speak on behalf of beleaguered people everywhere; and

Whereas "Solidarity Sunday for Soviet Jewry" will serve as a vigorous expression of American determination to secure freedom for Soviet Jewish Prisoners of Conscience incarcerated solely because of their desire to emigrate, and veteran refuseniks who have awaited exit visas for as many as fourteen years; and

Whereas the Government of the Soviet Union refuses to permit the free exercise of religious beliefs and cultural expression and also refuses to remove all obstacles to the free emigration of its Jewish citizens and others who wish to leave and live in other countries: Now, therefore, be it

Resolved, That it is the sense of the Senate that the Congress supports "Solidarity Sunday for Soviet Jewry" in an effort to achieve these goals and encourages Americans to participate.

AMENDMENTS SUBMITTED

FIRST CONCURRENT RESOLUTION ON THE BUDGET—FISCAL YEAR 1984

HUDDLESTON AMENDMENT NO. 1233

Mr. HUDDLESTON proposed an amendment to the concurrent resolution (S. Con. Res. 27) revising the congressional budget for the U.S. Government for the fiscal year 1983 and setting forth the congressional budget for the U.S. Government for the fiscal years 1984, 1985, and 1986, as follows:

On page 3, increase the figure on line 13 by $250,000,000.

On page 3, increase the figure on line 19 by $250,000,000.

On page 4, increase the figure on line 1 by $250,000,000.

On page 4, increase the figure on line 7 by $250,000,000.

On page 4, increase the figure on line 8 by $250,000,000.

On page 4, increase the figure on line 9 by $250,000,000.

On page 4, increase the figure on line 14 by $250,000,000.

On page 10, increase the figure on line 9 by $250,000,000.

On page 10, increase the figure on line 10 by $250,000,000.

METZENBAUM AMENDMENT NO. 1234

Mr. METZENBAUM (for himself, Mr. LEVIN, Mr. RIEGLE, and Mr. CRANSTON) proposed an amendment to the concurrent resolution (S. Con. Res. 27) supra, as follows:

On page 3, increase the figure on line 12 by $480,000,000.

On page 3, increase the figure on line 13 by $1,070,000,000.

On page 3, increase the figure on line 14 by $1,690,000,000.

On page 3, increase the figure on line 15 by $1,730,000,000.

On page 3, increase the figure on line 18 by $1,000,000,000.

On page 3, increase the figure on line 19 by $2,120,000,000.

On page 3, increase the figure on line 20 by $3,290,000,000.

On page 3, increase the figure on line 21 by $3,490,000,000.

On page 3, increase the figure on line 25 by $1,000,000,000.

On page 4, increase the figure on line 1 by $2,120,000,000.

On page 4, increase the figure on line 2 by $3,290,000,000.

On page 4, increase the figure on line 3 by $3,490,000,000.

On page 4, increase the figure on line 6 by $1,000,000,000.

On page 4, increase the figure on line 7 by $3,120,000,000.

On page 4, increase the figure on line 8 by $6,410,000,000.

On page 4, increase the figure on line 9 by $9,900,000,000.

On page 4, increase the figure on line 13 by $1,000,000,000.

On page 4, increase the figure on line 14 by $2,120,000,000.

On page 4, increase the figure on line 15 by $3,290,000,000.

On page 4, increase the figure on line 16 by $3,490,000,000.

On page 19, increase the figure on line 2 by $450,000,000.

On page 19, increase the figure on line 3 by $970,000,000.

On page 19, increase the figure on line 10 by $900,000,000.

On page 19, increase the figure on line 11 by $1,950,000,000.

On page 19, increase the figure on line 18 by $1,300,000,000.

On page 19, increase the figure on line 19 by $2,900,000,000.

On page 20, increase the figure on line 2 by $1,100,000,000.

On page 20, increase the figure on line 3 by $2,860,000,000.

On page 25, increase the figure on line 6 by $30,000,000.

On page 25, increase the figure on line 7 by $30,000,000.

On page 25, increase the figure on line 11 by $170,000,000.
On page 25, increase the figure on line 12 by $170,000,000.
On page 25, increase the figure on line 17 by $390,000,000.
On page 25, increase the figure on line 18 by $390,000,000.
On page 25, increase the figure on line 23 by $630,000,000.
On page 25, increase the figure on line 24 by $630,000,000.
On page 28, insert before the period on line 8 a comma and "except that the Senate Committee on Finance and the House Committee on Ways and Means shall not submit recommendations by such date to the Committee on the Budget of their respective Houses unless such recommendations contain provisions to amend the Federal-State Extended Unemployment Compensation Act of 1970 as follows:
(1) by adding at the end of section 203(d) the following new sentence: "With respect to compensation for weeks of unemployment beginning on or after July 1, 1983, and before the first week thereafter which begins in a month following a month for which the national total rate of unemployment (as determined by the Bureau of Labor Statistics) is below 6.6 percent, determinations shall be made under this subsection as if paragraph (1) did not contain subparagraph (A) thereof."; and
(2) in section 203(e)(1)(A), by striking out "individuals filing claims for regular compensation" and inserting in lieu thereof "individuals filing claims for compensation (including regular, extended, and sharable regular compensation)" effective for weeks beginning on or after April 9, 1983.

DOLE AMENDMENT NO. 1235

Mr. DOLE (for himself, Mr. DURENBERGER, Mr. HEINZ, Mr. SPECTER, Mr. CHAFEE, Mr. STEVENS, and Mr. QUAYLE) proposed an amendment to the concurrent resolution (S. Con. Res. 27) supra, as follows:

On page 3, line 12, increase the figure by $225,000,000.
On page 3, line 13, increase the figure by $900,000,000.
On page 3, line 14, increase the figure by $675,000,000.
On page 3, line 18, increase the figure by $225,000,000.
On page 3, line 19, increase the figure by $900,000,000.
On page 3, line 20, increase the figure by $675,000,000.
On page 2, line 8, increase the figure by $225,000,000.
On page 2, line 9, increase the figure by $900,000,000.
On page 2, line 10, increase the figure by $675,000,000.
On page 2, line 14, increase the figure by $225,000,000.
On page 2, line 15, increase the figure by $900,000,000.
On page 2, line 16, increase the figure by $675,000,000.
On page 17, line 1, increase the figure by $225,000,000.
On page 17, line 2, increase the figure by $225,000,000.
On page 17, line 8, increase the figure by $900,000,000.
On page 17, line 9, increase the figure by $900,000,000.
On page 17, line 15, increase the figure by $675,000,000.
On page 17, line 16, increase the figure by $675,000,000.

KENNEDY AMENDMENT NO. 1236

Mr. KENNEDY (for himself, Mr. RIEGLE, Mr. METZENBAUM, Mr. EAGLETON, Mr. RANDOLPH, Mr. DODD, Mr. MATSUNAGA, Mr. MOYNIHAN, Mr. SARBANES, and Mr. CRANSTON) proposed an amendment to the Dole amendment No. 1235, to the concurrent resolution (S. Con. Res. 27) supra, as follows:

In lieu of the language proposed to be inserted insert the following:
On page 3, line 12, increase the figure by $930,000,000.
On page 3, line 13, increase the figure by $2,899,000,000.
On page 3, line 14, increase the figure by $3,146,000,000.
On page 3, line 18, increase the figure by $930,000,000.
On page 3, line 19, increase the figure by $2,899,000,000.
On page 3, line 20, increase the figure by $3,146,000,000.
On page 2, line 8, increase the figure by $0.
On page 2, line 9, increase the figure by $0.
On page 2, line 10, increase the figure by $0.
On page 2, line 14, increase the figure by $0.
On page 2, line 15, increase the figure by $0.
On page 2, line 16, increase the figure by $0.
On page 17, line 1, increase the figure by $900,000,000.
On page 17, line 2, increase the figure by $900,000,000.
On page 17, line 8, increase the figure by $2,700,000,000.
On page 17, line 9, increase the figure by $2,700,000,000.
On page 17, line 15, increase the figure by $2,700,000,000.
On page 17, line 16, increase the figure by $2,700,000,000.

HOLLINGS AMENDMENT NO. 1237

Mr. HOLLINGS (for himself, Mr. STAFFORD, Mr. BRADLEY, Mr. PELL, Mr. ANDREWS, Mr. SASSER, Mr. KENNEDY, Mr. BIDEN, Mr. SARBANES, Mr. TSONGAS, Mr. BINGAMAN, Mr. METZENBAUM, Mr. BURDICK, Mr. MATSUNAGA, Mr. RIEGLE, Mr. DODD, Mr. EAGLETON, Mr. HUDDLESTON, Mr. GLENN, Mr. D'AMATO, Mr. CRANSTON, Mr. MOYNIHAN, Mr. HART, Mr. RANDOLPH, Mr. JACKSON, Mr. BYRD, Mr. LEAHY, and Mr. SPECTER) proposed an amendment to the concurrent resolution (S. Con. Res. 27) supra, as follows:

On page 3, beginning with line 10, strike out through line 23 on page 16 and insert in lieu thereof the following:
(2) The appropriate levels of total new budget authority are as follows:
Fiscal year 1983: $875,925,000,000.
Fiscal year 1984: $911,200,000,000.
Fiscal year 1985: $983,966,000,000.
Fiscal year 1986: $1,050,387,000,000.
(3) The appropriate levels of total budget outlays are as follows:
Fiscal year 1983: $807,325,000,000.
Fiscal year 1984: $850,055,000,000.
Fiscal year 1985: $911,833,000,000.
Fiscal year 1986: $965,797,000,000.
(4) The amounts of the deficits in the budget which are appropriate in the light of economic conditions and all other relevant factors are as follows:
Fiscal year 1983: $204,225,000,000.
Fiscal year 1984: $164,455,000,000.
Fiscal year 1985: $149,233,000,000.
Fiscal year 1986: $134,997,000,000.
(5) The appropriate levels of the public debt are as follows:
Fiscal year 1983: $1,384,125,000,000.
Fiscal year 1984: $1,592,355,000,000.
Fiscal year 1985: $1,792,663,000,000.
Fiscal year 1986: $1,985,023,000,000.
and the amounts by which the temporary statutory limits on such debt should be accordingly increased are as follows:
Fiscal year 1983: $93,925,000,000.
Fiscal year 1984: $208,580,000,000.
Fiscal year 1985: $201,313,000,000.
Fiscal year 1986: $194,410,000,000.
(6) The appropriate levels of total Federal credit activity for the fiscal years beginning on October 1, 1982, October 1, 1983, October 1, 1984, and October 1, 1985, are as follows:
Fiscal year 1983:
(A) New direct loan obligations, $55,400,000,000.
(B) New loan guarantee commitments, $94,500,000,000.
Fiscal year 1984:
(A) New direct loan obligations, $48,200,000,000.
(B) New loan guarantee commitments, $94,500,000,000.
Fiscal year 1985:
(A) New direct loan obligations, $48,100,000,000.
(B) New loan guarantee commitments, $97,400,000,000.
Fiscal year 1986:
(A) New direct loan obligations, $48,700,000,000.
(B) New loan guarantee commitments, $101,000,000,000.
(b) The Congress hereby determines and declares the appropriate levels of budget authority and budget outlays, and the appropriate levels of new direct loan obligations and new loan guarantee commitments for fiscal years 1983 through 1986 for each major functional category are:
(1) National Defense (050):
Fiscal year 1983:
(A) New budget authority, $244,100,000,000.
(B) Outlays, $214,300,000,000.
(C) New direct loan obligations, $0.
(D) New loan guarantee commitments, $0.
Fiscal year 1984:
(A) New budget authority, $267,000,000,000.
(B) Outlays, $241,500,000,000.
(C) New direct loan obligations, $0.
(D) New loan guarantee commitments, $0.
Fiscal year 1985:
(A) New budget authority, $299,500,000,000.
(B) Outlays, $270,700,000,000.
(C) New direct loan obligations, $0.
(D) New loan guarantee commitments, $0.
Fiscal year 1986:
(A) New budget authority, $334,800,000,000.
(B) Outlays, $300,000,000,000.
(C) New direct loan obligations, $0.
(D) New loan guarantee commitments, $0.
(2) International Affairs (150):
Fiscal year 1983:
(A) New budget authority, $24,900,000,000.
(B) Outlays, $11,500,000,000.

(C) New direct loan obligations, $11,700,000,000.
(D) New loan guarantee commitments, $9,200,000,000.
Fiscal year 1984:
(A) New budget authority, $18,200,000,000.
(B) Outlays, $12,700,000,000.
(C) New direct loan obligations, $11,200,000,000.
(D) New loan guarantee commitments, $10,300,000,000.
Fiscal year 1985:
(A) New budget authority, $16,500,000,000.
(B) Outlays, $12,800,000,000.
(C) New direct loan obligations, $11,500,000,000.
(D) New loan guarantee commitments, $10,300,000,000.
Fiscal year 1986:
(A) New budget authority, $15,900,000,000.
(B) Outlays, $12,800,000,000.
(C) New direct loan obligations, $11,600,000,000.
(D) New loan guarantee commitments, $10,300,000,000.
(3) General Science, Space, and Technology (250):
Fiscal year 1983:
(A) New budget authority, $7,900,000,000.
(B) Outlays, $7,700,000,000.
(C) New direct loan obligations, $200,000,000.
(D) New loan guarantee commitments, $0.
Fiscal year 1984:
(A) New budget authority, $8,500,000,000.
(B) Outlays, $8,200,000,000.
(C) New direct loan obligations, $37,000,000.
(D) New loan guarantee commitments, $0.
Fiscal year 1985:
(A) New budget authority, $8,500,000,000.
(B) Outlays, $8,500,000,000.
(C) New direct loan obligations, $0.
(D) New loan guarantee commitments, $0.
Fiscal year 1986:
(A) New budget authority, $8,400,000,000.
(B) Outlays, $8,400,000,000.
(C) New direct loan obligations, $0.
(D) New loan guarantee commitments, $0.
(4) Energy (270):
Fiscal year 1983:
(A) New budget authority, $4,000,000,000.
(B) Outlays, $4,600,000,000.
(C) New direct loan obligations, $13,100,000,000.
(D) New loan guarantee commitments, $200,000,000.
Fiscal year 1984:
(A) New budget authority, $3,900,000,000.
(B) Outlays, $4,100,000,000.
(C) New direct loan obligations, $13,900,000,000.
(D) New loan guarantee commitments, $200,000,000.
Fiscal year 1985:
(A) New budget authority, $3,600,000,000.
(B) Outlays, $2,900,000,000.
(C) New direct loan obligations, $14,300,000,000.
(D) New loan guarantee commitments, $0.
Fiscal year 1986:
(A) New budget authority, $3,200,000,000.
(B) Outlays, $2,700,000,000.
(C) New direct loan obligations, $14,400,000,000.
(D) New loan guarantee commitments, $0.
(5) Natural Resources and Environment (300):
Fiscal year 1983:
(A) New budget authority, $12,500,000,000.
(B) Outlays, $12,800,000,000.
(C) New direct loan obligations, $100,000,000.
(D) New loan guarantee commitments, $0.
Fiscal year 1984:
(A) New budget authority, $12,000,000,000.
(B) Outlays, $12,500,000,000.
(C) New direct loan obligations, $27,000,000.
(D) New loan guarantee commitments, $0.
Fiscal year 1985:
(A) New budget authority, $12,200,000,000.
(B) Outlays, $12,600,000,000.
(C) New direct loan obligations, $27,000,000.
(D) New loan guarantee commitments, $0.
Fiscal year 1986:
(A) New budget authority, $12,500,000,000.
(B) Outlays, $12,200,000,000.
(C) New direct loan obligations, $27,000,000.
(D) New loan guarantee commitments, $0.
(6) Agriculture (350):
Fiscal year 1983:
(A) New budget authority, $24,200,000,000.
(B) Outlays, $24,000,000,000.
(C) New direct loan obligations, $18,600,000,000.
(D) New loan guarantee commitments, $5,500,000,000.
Fiscal year 1984:
(A) New budget authority, $11,600,000,000.
(B) Outlays, $11,400,000,000.
(C) New direct loan obligations, $12,100,000,000.
(D) New loan guarantee commitments, $3,800,000,000.
Fiscal year 1985:
(A) New budget authority, $14,000,000,000.
(B) Outlays, $12,300,000,000.
(C) New direct loan obligations, $11,700,000,000.
(D) New loan guarantee commitments, $3,800,000,000.
Fiscal year 1986:
(A) New budget authority, $13,200,000,000.
(B) Outlays, $13,100,000,000.
(C) New direct loan obligations, $12,200,000,000.
(D) New loan guarantee commitments, $3,800,000,000.
(7) Commerce and Housing Credit (370):
Fiscal year 1983:
(A) New budget authority, $5,200,000,000.
(B) Outlays, $2,700,000,000.
(C) New direct loan obligations, $6,500,000,000.
(D) New loan guarantee commitments, $48,700,000,000.
Fiscal year 1984:
(A) New budget authority, $5,900,000,000.
(B) Outlays, $1,800,000,000.
(C) New direct loan obligations, $6,400,000,000.
(D) New loan guarantee commitments, $48,700,000,000.
Fiscal year 1985:
(A) New budget authority, $6,500,000,000.
(B) Outlays, $0.
(C) New direct loan obligations, $6,300,000,000.
(D) New loan guarantee commitments, $48,700,000,000.
Fiscal year 1986:
(A) New budget authority, $6,500,000,000.
(B) Outlays, −$300,000,000.
(C) New direct loan obligations, $6,300,000,000.
(D) New loan guarantee commitments, $48,700,000,000.
(8) Transportation (400):
Fiscal year 1983:
(A) New budget authority, $26,800,000,000.
(B) Outlays, $22,100,000,000.
(C) New direct loan obligations, $200,000,000.
(D) New loan guarantee commitments, $1,100,000,000.
Fiscal year 1984:
(A) New budget authority, $27,700,000,000.
(B) Outlays, $25,900,000,000.
(C) New direct loan obligations, $100,000,000.
(D) New loan guarantee commitments, $600,000,000.
Fiscal year 1985:
(A) New budget authority, $28,400,000,000.
(B) Outlays, $26,900,000,000.
(C) New direct loan obligations, $100,000,000.
(D) New loan guarantee commitments, $400,000,000.
Fiscal year 1986:
(A) New budget authority, $29,200,000,000.
(B) Outlays, $27,800,000,000.
(C) New direct loan obligations, $100,000,000.
(D) New loan guarantee commitments, $300,000,000.
(9) Community and Regional Development (450):
Fiscal year 1983:
(A) New budget authority, $8,300,000,000.
(B) Outlays, $7,900,000,000.
(C) New direct loan obligations, $2,100,000,000.
(D) New loan guarantee commitments, $500,000,000.
Fiscal year 1984:
(A) New budget authority, $6,600,000,000.
(B) Outlays, $8,100,000,000.
(C) New direct loan obligations, $1,700,000,000.
(D) New loan guarantee commitments, $300,000,000.
Fiscal year 1985:
(A) New budget authority, $7,100,000,000.
(B) Outlays, $8,200,000,000.
(C) New direct loan obligations, $1,800,000,000.
(D) New loan guarantee commitments, $300,000,000.
Fiscal year 1986:
(A) New budget authority, $7,100,000,000.
(B) Outlays, $7,600,000,000.
(C) New direct loan obligations, $1,800,000,000.
(D) New loan guarantee commitments, $400,000,000.
(10) Education, Training, Employment, and Social Services (500):
Fiscal year 1983:
(A) New budget authority, $28,000,000,000.
(B) Outlays, $26,800,000,000.
(C) New direct loan obligations, $600,000,000.
(D) New loan guarantee commitments, $6,500,000,000.
Fiscal year 1984:
(A) New budget authority, $32,300,000,000.
(B) Outlays, $27,255,000,000.
(C) New direct loan obligations, $700,000,000.
(D) New loan guarantee commitments, $6,600,000,000.
Fiscal year 1985:
(A) New budget authority, $29,291,000,000.
(B) Outlays, $28,958,000,000.
(C) New direct loan obligations, $700,000,000.
(D) New loan guarantee commitments, $6,600,000,000.
Fiscal year 1986:
(A) New budget authority, $29,387,000,000.
(B) Outlays, $29,197,000,000.
(C) New direct loan obligations, $800,000,000.
(D) New loan guarantee commitments, $6,600,000,000.

RUDMAN AMENDMENT NO. 1238

Mr. RUDMAN (for himself, Mr. DURENBERGER, Mr. ABDNOR, Mr. DOMENICI, and Mr. PRESSLER) proposed an amendment to the concurrent resolution (S. Con. Res. 27) supra, as follows:

On page 3, line 13, strike the number and insert "$910,100,000,000."

On page 3, line 14, strike the number and insert "$982,575,000,000."

On page 3, line 15, strike the number and insert "$1,048,900,000,000."

On page 3, line 19, strike the number and insert "$850,000,000,000."

On page 3, line 20, strike the number and insert "$910,675,000,000."

On page 3, line 21, strike the number and insert "$964,400,000,000."

On page 4, line 1, strike the number and insert "$163,500,000,000."

On page 4, line 2, strike the number and insert "$147,400,000,000."

On page 4, line 3, strike the number and insert "$133,600,000,000."

On page 4, line 7, strike the number and insert "$1,591,300,000,000."

On page 4, line 8, strike the number and insert "$1,789,400,000,000."

On page 4, line 9, strike the number and insert "$1,979,600,000,000."

On page 4, line 14, strike the number and insert "$207,400,000,000."

On page 4, line 15, strike the number and insert "$198,100,000,000."

On page 4, line 16, strike the number and insert "$191,200,000,000."

On page 16, line 4, strike the number and insert "$31,200,000,000."

On page 16, line 5, strike the number and insert "$27,200,000,000."

On page 16, line 11, strike the number and insert "$27,900,000,000."

On page 16, line 12, strike the number and insert "$27,800,000,000."

On page 16, line 18, strike the number and insert "$27,900,000,000."

On page 16, line 19, strike the number and insert "$27,800,000,000."

NOTICES OF HEARINGS

COMMITTEE ON SMALL BUSINESS

Mr. WEICKER. Mr. President, I would like to announce that the Senate Small Business Committee will hold a hearing on S. 1022, a bill to make small businesses owned by American Indian tribes eligible for the SBA 8(a) program, on May 11, 1983, at 2 p.m. in room 428A, Senate Russell Office Building. For further information, please contact Bob Wilson of the committee staff at 224-2130.

Mr. President, I would like to announce that the Senate Small Business Committee will hold a markup on pending legislation dealing with the Small Business Administration's programs, on May 12, 1983, at 9:30 a.m. in room 428A, Senate Russell Office Building. For further information, please contact Mike Haynes of the committee staff at 224-8487.

SUBCOMMITTEE ON LABOR

Mr. NICKLES. Mr. President, the Subcommittee on Labor will hold a hearing on June 6, 1983, at 9:30 a.m., in room SD-430 of the Dirksen Senate Office Building to discuss the Single-Employer Pension Plan Termination Insurance Improvements Act of 1983. Persons wishing to testify should submit written requests to Hon. DON NICKLES, chairman, Subcommittee on Labor, Washington, D.C. 20510. Requests to testify must be submitted no later than May 13, 1983. If you have questions concerning the hearing, please contact Chuck Carroll at 224-5546.

AUTHORITY FOR COMMITTEES TO MEET

SELECT COMMITTEE ON INTELLIGENCE

Mr. BAKER. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on Friday, May 6, at 9 a.m., to receive a briefing on intelligence matters.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON INTERGOVERNMENTAL AFFAIRS

Mr. BAKER. Mr. President, I ask unanimous consent that the Subcommittee on Intergovernmental Affairs of the Committee on Governmental Affairs be authorized to meet during the session of the Senate on Thursday, May 12, at 3 p.m., to hold a hearing to consider transferring authorization for the Catalog of Federal Domestic Assistance.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADDITIONAL STATEMENTS

THE ALASKA HUNTING BILL

● Mr. LEVIN. Mr. President, I encourage all of our colleagues read the following statement by the senior Senator from Washington (Mr. JACKSON), outlining his views of S. 49, the Alaska hunting bill. His statement eloquently warns of the dangers of reopening the debate on Alaska lands. Although Senator JACKSON and I did not agree on all of the issues raised during the consideration of the Alaska National Interest Lands Conservation Act, ANILCA, I certainly support his position on S. 49.

The letter follows:

STATEMENT OF SENATOR HENRY M. JACKSON

Mr. Chairman, while I can appreciate the concerns that generated this legislation, I am going to have to vote against it.

I do this, Mr. Chairman, not because I am opposed to hunting. My record on sportsmen's issues is a good one, and I certainly make no apologies for it. However, the fundamental policy issue raised by this measure is not "Are you for hunting or against hunting?" Rather, the issue is whether the Congress wants to change a land allocation decision made in 1980 after long and careful consideration of competing interests and values. In one sense, it is analogous to any wilderness or park bill where the Congress is asked to make a land-use decision. Competing values must be considered, balanced and, in most instances, a compromise reached. Such a compromise does not necessarily imply that one is opposed to wilderness areas, parks, development, or hunting. The measure before us today is no different. To suggest otherwise does a disservice to its proponents and is grossly unfair to its opponents.

Mr. Chairman, from 1976-1980, this Committee held numerous hearings, workshops, and public meetings on the Alaska lands issue. I had the privilege of chairing all 58 Committee business meetings on this issue. I floor managed the bill in the Senate for 9 days, and I was one of the Senators involved in formulating the final compromise that passed the Senate overwhelmingly and ultimately was adopted by the House. The bill we crafted was not perfect. No group got everything it wanted. But I happen to believe that the balance we struck was fair and reasonable to all parties; and that include those who wanted more lands closed to sport hunting and those who wanted more lands open for that purpose.

The bill was not "pro development," "anti-mining," "proconservationist," or "anti-timber." ANILCA is not "pro" or "anti" anything, and hunting is no exception. We addressed the concerns of sport hunters by creating some 19 million acres of National Preserves. These are lands managed by the National Park Service just like National Parks except sport hunting is permitted. We addressed the concerns of sport hunting by adjusting park boundaries in a number of instances to accommodate sport hunting. We addressed the concerns of sport hunters by adopting a number of special management provisions specifically to facilitate sport hunting. And, we addressed the concerns of sport hunters by opening some 15 million acres to sport hunting that were closed in 1979 as a result of President Carter's actions under the Antiquities Act.

I hope the Committee will keep this firmly in mind as it considers this measure. I hope the Committee will also keep firmly in mind that one cannot pull one strand of a web without disturbing the others.●

THE DITCHLEY BELLS

● Mr. MATHIAS. Mr. President, the great occasions in the future life of the Republic will be punctuated by the sound of bells as the result of a generous gift to the Congress of the United States. A peal of bells similar to those in Westminster Abbey and cast by the same foundry was presented by the Ditchley Foundation to the Congress as a part of the commemoration of the American Bicentennial.

The bells have been hung in the tower of the Old Post Office on Pennsylvania Avenue between the Capitol and the White House and were first officially rung on April 19, 1983, exactly 200 years to the day after the cessation of hostilities in the War of Independence.

The occasion was marked by a 2-day celebration in which Vice President GEORGE BUSH, Speaker of the House TIP O'NEILL, and former Secretary of State Cyrus Vance were among those on the American side. The British side included Her Royal Highness Princess

Alexandra, former Prime Minister Lord Home, the Right Honorable David Channon, and Sir David Wills.

The gift was presented by Sir David Wills who, in a moving speech, expressed the hope that "maybe in a few hearts the voice of a great peal of bells—perhaps faint and far away—can occasionally provide that blinding flash of inspiration which helps drive civilization in its way."

The Congress of the United States has received a matchless gift in the Ditchley Bells. So that my colleagues who were unable to attend the presentation ceremony may appreciate the significance of the bells, I ask that Sir David Wills' remarks at the dedication of the Ditchley Bells be inserted at this point in the RECORD.

The remarks follow:

REMARKS OF SIR DAVID WILLS AT THE DEDICATION OF THE DITCHLEY BELLS

Mr. Speaker, Your Royal Highness, Secretary Vance, Lord Home, Minister Channon, Your Excellency, Ladies and Gentlemen,

It is a very special milestone in Ditchley's life that this peal of Bells should be accepted by Congress as a Bicentennial gift from the Ditchey Foundations in honour of the many Senators and Congressmen who have been to Ditchley in Britain over the last two decades. The Bells themselves were, indeed, cast in the Bicentennial year, at the Whitechapel Bell Foundry in London—a Foundry, I might add, which has been on the same site since about 1570. The first of the Westminster Abbey Bells was cast there in 1596 and, as the Vice President said, Congress' Bells are exactly similar in number, size and tone to the Abbey Bells, and the Dean of Westminster was kind enough to encourage us to have the Abbey's Coat of Arms inscribed on each headstock. It is, moreover, an especially happy thought that the Westminster Abbey Bells in London should ring out their welcome over Westminster to Washington and to America today—a welcome which the BBC and NPR have relayed to us here in this great hall. Each bell has engraved on it Britannia and the Great Seal of the United States and, in order to perpetuate the connection with London, the flower "London Pride" is engraved around the base of each bell. The treble bell carries the words "Fide et Constantia" which was the motto of the Lee family who lived at Ditchley in Britain for over 350 years, and the tenor bell, the biggest bell, carries the three words "Wisdom Courage Love"—but I will come back to the Bells themselves in a minute.

I would now like to thank the Administrator of GSA and his staff, and the Architects and the Consulting Engineers for the immense amount of trouble they have taken over the installation of the Bells in this splendid Bell Tower. I know that for one reason or another, it has been a complex and difficult operation. I would also like to pay a most special tribute to the memory of the late Ambassador David Bruce, at one time the American Ambassador in Britain and always a kind and true friend of my country and of Ditchley, to whom I turned when the idea of giving Congress this bicentennial gift took shape on our minds. By this time Ambassador Bruce was your Ambassador with NATO and I flew to Brussels at his invitation to see him, and his warm encouragement was a vital link in the chain of events. As a result of our discussion, he wrote to Senator Mansfield, who at that time was the majority leader in the Senate. From then on, the project was under the thoughtful aegis of Senator Moynihan and Senator Mathias, Congresswoman Lindy Boggs, Congressman John Brademas, as he then was, Congressman Barber Conable and Congressman Elliott Levitas; for the kindness and patient help of all these individuals, I am deeply grateful.

Now to return to the Bells themselves. You may wonder why the Tenor Bell bears this very special (special at any rate to me) inscription—Wisdom—Courage—Love—and so perhaps I should try and explain why so. It seems to me that for a country to achieve wisdom is a fairly tall order—but looking back over the last two centuries I would have thought that America can be proud of her record in that respect. Your history tells us too that you have always been brave, and love? Love must forever be the cornerstone of our civilization, and certainly to someone from the other side of the Atlantic your country is spontaneously warmhearted and kind, and so we felt that this was indeed the message which Congress might wish the voice of the bells to carry on the wind across the City of Washington. Perhaps one day too what was once just a dream may come to be realized if, and if that is what Congress would wish, sometimes the bells are rung on ceremonial occasions and to mark important activities of Congress. Thus they would be heard by the many visitors to Washington, and heard too over radio and television so that in this way the bells may become loved by those citizens of this great country who hear them now, not just in Washington but in America and the world over, and by unknown and unborn millions of Americans who will hear them in the centuries to come.

To go back to Ditchley for a moment, I hope with all my heart that the Anglo-American centre there will always be able to continue its work for America and Britain and the other countries of the Western World over the years which lie ahead; the Ditchley Foundation has always been, and will always be, about the close relationship between America and Britain and their friends. Here I would like to pay to warm tribute to the devoted and generous help the British end of the operation receives from the American Ditchley Foundation in New York under the direction of its distinguished Chairman, Secretary Vance. Just to touch briefly on the international scene, because in turn this touches on the thoughts which lie behind the creation of Ditchley, Western civilization after all depends wholly on the strength and political will of America and Europe; one does not have to be in Government either here or in Britain to know that the road over the next decade could be difficult—full of blind corners and dangerous stretches—and so it seems to me that America and Britain and all their friends must always try to meet each other quickly and gracefully and generously on minor issues so that on the great issues of peace and how it is to be best achieved, we can all walk in step and in strength side by side—in that way and only in that way shall we walk in safety. The motto of the Lee family inscribed on the Treble Bell is an admirable reminder to us that faith and steadfastness must always be the foundation of the relationship of Britain and America.

And again the Bells; well, about 150 years ago an Irish poet, Francis Mahony, wrote a poem about the Bells of Shandon. Shandon was his home town and lies on the banks of the River Lee in far off County Cork. The first lines go like this:

With deep affection
and recollection
I often think of those Shandon bells
Whose sounds so wild would
in the days of my childhood
Fling around my cradle their magic spells.

There is an indefinable spiritual quality about bells and maybe in a few hearts the voice of a great peal of bells—perhaps faint and far away—can just occasionally provide that blinding flash of inspiration which helps drive civilization on its way. Now if in the years and centuries to come Congress' bells hung here in the centre of the capital city of this wonderful country can achieve that, then this gift which has been generously accepted by Congress, may well perhaps prove to have been doubly worthwhile to a wholly incalculable degree, and in this context we might remember that "Heaven doth with us as we with torches do—not light them for themselves."

Mr. Speaker, Your Royal Highness, it is my great privilege and honour to present these bells as a gift from the American and British Ditchley Foundations to the Congress of the United States of America.●

CHILD KILLER: DIARRHEAL DISEASE IN THE THIRD WORLD

● Mr. KENNEDY. Mr. President, every year 10 percent of the children in the developing world die before they reach their fifth year because of the continuing scourge of diarrheal disease.

Although the root causes behind diarrheal disease—poverty, unsanitary water supplies, inadequate sewage disposal—are long-term developmental problems, the treatment of this disease is easily within our grasp.

We could save the lives of 4 to 5 million children in Asia, Africa, and Latin America each year if simple, inexpensive oral rehydration therapy were more readily available. This simple, life-saving technique reverses the dehydration, the actual cause of diarrhea deaths, and it can easily be administered by rural health workers if—and this is the big "if"—if they had access to this simple therapy and equipment.

Mr. President, some 10 years ago I saw the beginnings of this program when I visited what is now the International Center for Diarrheal Disease Research in Dhaka, Bangladesh. Recently, William Stevens, a correspondent for the New York Times visited the center and reported on the great progress that has been achieved in developing the knowledge and technology for dealing with diarrheal disease.

Throughout the center's work, the United States has been one of the largest and most consistent supporters. In addition, the International Health Office of the Agency for International Development is in the process of developing a program to support the greater use and availability of oral

rehydration therapy in the Third World.

And next month, AID, in cooperation with the center, UNICEF, and the World Health Organization's diarrheal disease control program, will sponsor an international conference to discuss better ways of combating dehydration caused by diarrhea. Leading scientists and physicians from around the world, as well as representatives from developing countries, will convene on June 7 here in Washington to increase professional and public awareness of the critical importance of oral rehydration therapy.

Mr. President, I commend AID and its Office of International Health for its leadership in promoting this simple therapy that can save the lives of millions of children every year—and for working with WHO, UNICEF, and others in the international community in support of this program.

When I addressed the World Health Organization's medical society in Geneva in May 1977, oral rehydration therapy was precisely the kind of health program I felt the United States and other developed countries should be supporting in the Third World.

I noted then—and, unfortunately, it is still true in too many cases—that—

Children are those who suffer most, whose suffering is the least excusable. They are the innocent victims. They are the victims of the negligence and unconcern—if not the outright unthinking and inhumanity—of nations that could ease the burden if only they understood the need.

The conference next month, Mr. President, will once again establish the need and, hopefully, also create greater understanding about the need for international action to finally deal with the scourge of diarrheal disease.

A world that spends over $300 billion a year for arms can spend a little more for health. And it may well be that what we do in health will be as important to world peace and cooperation in the long run as what we are now trying to achieve in arms control—and at a tiny fraction of the cost.

I commend to the attention of the Senate the thoughtful article by William Stevens in the New York Times and ask that it be printed in the RECORD.

The article follows:

[From the New York Times, May 3, 1983]

DIARRHEA PERSISTS AS SCOURGE OF THE THIRD WORLD

HOPE LIES IN NEW NONDRUG METHOD OF TREATMENT BEING PIONEERED IN INDIA

(By William K. Stevens)

DHAKA, Bangladesh.—The man staggered as he walked in and would have collapsed on the floor had a friend not been holding him up. Soon he was stretched out on a cot in a long, spotless, wardlike room that held perhaps 125 similarly stricken people, more than half of them children who appeared to be less than 5 years old.

Pale and sunken-eyed, some of the children whimpered or cried as their mothers, wrapped in gaily colored Bengali saris, ministered to them, but most were silent.

No cyclone or war was responsible. All were victims of a medical disaster of gigantic proportions and lethal powers. It is not the plague, malaria or yellow fever. It is simple, miserable, inelegant diarrhea, the most widespread and pervasive health problem in underdeveloped nations, and the biggest killer of children on the earth.

"Delhi belly" is a joke among world travelers, although not always to those who have had it. But in Asia, Africa and Latin America, it is an inescapable fact of existence, and for those under 5 a very real threat to life.

Four million to five million children die each year from the dehydration caused by severe diarrhea. Various studies indicate there are one billion to two billion cases of the malady annually. Virtually every child in the third world will have the disease more than once in his or her lifetime. With some common diarrheal diseases, a child or even an adult can die in a day, so severe and rapid is the dehydration.

Yet, experts in the field of diarrheal diseases say that knowledge about such diseases has been limited, and that prevention and treatment programs have been haphazard at best and nonexistent at worst. Now advances in both understanding and controlling the diseases are being made, many of them here in Dhaka at the world's only internationally sponsored center for the study and treatment of diarrhea.

"Ten years ago, we knew about 20 percent of the causes of diarrheal disease," said Dr. K. M. Sultanul Aziz, associate director of the International Center for Diarrheal Disease Research, Bangladesh. "But, we have proceeded rapidly. Today we know the cause of 80 to 90 percent."

Until 1978, the center was a cholera laboratory operated by the Bangladesh Government. Now, supported and governed by 19 countries and agencies and staffed by professionals from 14 nations, it has become recognized as the world's primary institution for research, collection of information and development of treatment methods for diarrheal diseases. Its director, Dr. W. B. Greenough 3d, is an American.

Among other things, investigators and physicians at the center have discovered that cholera and amoebic dysentery, perhaps the two best-known and traditionally most-feared forms of diarrheal disease, are not the most lethal among this group of ailments. They have also found, contrary to conventional wisdom, that diarrheal patients absorb food almost normally and should therefore eat normally. They are trying to clarify the extent to which the body develops immunity to some of the diseases.

And perhaps most important, they are propagating a simplified and effective oral method of treatment that can be used by families in the poorest and most illiterate villages, using easily obtainable materials and ingredients.

What might be called the Dhaka doctrine holds that medication is unnecessary in most cases of severe diarrhea. The best thing to do, say the Dhaka doctors, is to let the body purge itself naturally, while at the same time replacing the fluids, nutrients and minerals lost through dehydration. They have devised a simple method for doing this orally, using a mixture of water, salt, sodium bicarbonate, potassium chloride and sugar.

Where some of the ingredients are unavailable, as is likely to be the case in rural areas, they have found that an even simpler solution of a three-finger pinch of salt and a fistful of sugar to a half liter of water works very well. And where sugar is not available, researchers here have found pulverized rice or wheat, the staples of most third world diets, will suffice.

Some 400 to 500 patients a day are treated at the center's new hospital here, and more drink the cure at an older center at the town of Matlab, south of here.

The effects of diarrheal disease involves the body's attempt to flush from the digestive tract harmful bacteria, protozoa and viruses that invade it through contaminated water or food. Death is caused not by the infection itself, but by the body being rapidly drained of its vital fluids. The most likely victims are children weakened by malnutrition, as so many are in underdeveloped countries.

Since contaminated water is the norm in the third world, virtually the entire population of Asia, Africa and Latin America is exposed to disease-carrying bacteria. Small children, coming from the protected environment of the uterus, are wide open to infection because they have not built up the immunity some diarrheal infections provide.

Studies in Bangladesh have shown that the two most prevalent and serious diarrheal diseases are caused by the bacterium Escherichia coli, which makes its way into water supplies through contamination by fecal matter, and rotavirus, which can be transmitted not only through food or water, but also by skin contact from person to person in a handshake. One study showed that in children under 2, 73 percent of all cases of diarrhea were caused by one of these two pathogens.

Both are regarded as very dangerous: rotavirus because it is the predominant cause of death in children under 3, and E. coli because it can cause very rapid and catastrophic dehydration.

The incidence of infection by rotavirus drops in the later years of life because, scientists believe, it confers a high level of immunity on children who survive the first attack.

Four other bacteria, "including our old friend cholera," says Dr. Aziz, also cause disabling or fatal diarrhea, but affect fewer children. When cholera does strike, however, death can come within 24 hours if treatment is not prompt. Dr. Aziz added that the cholera vaccine required of travelers to some countries has now been found to be ineffective.

The other bacteria involved are shigella, which can also be transmitted hand-to-hand and then to food; salmonella, transmitted in food; and campylobacter, which can be carried by poultry and domestic animals.

Among the protozoa, or one-celled animals, the two most important causes of diarrhea are amoebas and a parasite called Giardia lamblia.

Dr. Aziz said he considered the purification of third world water supplies a hopeless task for the foreseeable future. The next line of defense lies in certain preventive measures.

The experts recommend that people in underdeveloped countries wash their hands thoroughly with soap and hot water after defecation and before eating. Drink nothing except boiled water, they say, or water from a wellproved pour source, or liquids from a sealed bottle you have opened, or seen opened, yourself.

Eat only thoroughly cooked food that is still hot (even the food in street bazaars is all right if this rule is followed). Eat no fresh fruit except what you peel yourself. Eat no raw vegetables except those that have been properly treated in a special germ-killing wash, such as a solution of potassium permanganate. Make sure that dishes, glasses, cups and utensils have been washed in boiling water.

The Dhaka doctrine of oral rehydration holds that except in a few cases where a bacterial infection may move outside the digestive tract and invade other organs, medication should not be given because it impedes the development of immunity. And as in all viral diseases, the rotavirus is unaffected by antibiotics.

The protozoal infections are an exception to the nonmedication rule. It is considered important to treat them antibiotically to kill the live parasites.●

THE FARMERS HOME ADMINISTRATION LET THE FARMERS DOWN

● Mr. BUMPERS. Mr. President, I rise today to speak on a subject that, for the most part, should have never been necessary to address. Most of you are aware of the thoughtless upheaval caused by the shutting down of farmers' operating loan disbursements by the Farmers Home Administration. Even though the national office of FmHA knew over 1 month ago that a financing crisis was upon them, they allowed the situation to continue to deteriorate. Without warning, State FmHA offices in 17 States were told to shut down their insured operating loan program just a couple of weeks after the USDA assured this body that current FmHA funding levels were adequate.

One can only guess what games the USDA was playing, but it is certain that the national office of FmHA had been warned since the beginning of this fiscal year that greater amounts of money would be needed for the farmers insured operating loan program. This need was due to the insistence of the administration on initiating an early phaseout of the economic emergency program begun after the 1980 drought, thereby forcing thousands of farmers to enter the regular operating loan program. Yet, instead of making preparations on the national level for this eventuality, FmHA sat on its hands. It failed to warn Congress, the State FmHA offices, or the thousands of farmers cruelly exploited by its inaction. It was in this light that the shutdown was ordered. Although I cannot speak for all States, I am sure that farmers in many States caught in the crunch also spent many anxious days. Over 800 farmers needing $30 million were shut out in Arkansas. In defense of the Arkansas State office of FmHA—which was given no advance notice either—it worked hard to develop alternatives in the face of this calamity.

What is most frustrating is that Secretary Block has $600 million appropriated for the economic emergency program to be used at his discretion. This money would have provided tremendous relief to many of our Nation's farmers and it afforded the most logical resource for acquiring enough money to cover the shortfall. If the Secretary was unaware of its existence, the letters, telegrams, and calls from Senators, Representatives, and farmers urging its application surely raised his level of cognizance. Yet, in a classic "rob Peter to pay Paul" maneuver, money was transferred from other FmHA accounts, including $300 million from the sewer and water grants and loans program. For some inexplicable reason, the obvious source was not utilized even though the economic emergency program was specifically designed to aid applicants in obtaining credit when credit was unavailable from other sources, including FmHA's insured operating loan program, due to economic stresses. And, for all the trumpeted rescue by the USDA of the FmHA insured operating loan program, as of April 25, the State of Arkansas did not even know what its allocation would be although the State office has been told to conduct business as usual.

I realize that many of my colleagues understand well what I am saying today. It is unconscionable that the Farmers Home Administration, the lender of last resort, could allow itself to be a contributing factor to the adverse credit situation already brought on by the refusal of credit to many farmers by the traditional commercial and cooperative lenders. It is equally unconscionable that the Secretary of Agriculture could fail to exercise his option to implement the economic emergency guarantee program.

As a cosponsor of S. 24, the Emergency Agricultural Credit Act of 1983, I urge my colleagues to give this bill their support. Of its many necessary provisions, one of the most important will extend the economic emergency direct loan program. I also hope that the Senate will restore the mandatory provision for implementation and will remove the discretionary authority of the Secretary.

I would like to close by expressing my concern over the plight of the poultry industry. The poultry industry in this country has suffered greatly for the better part of 4 years. One of the salvaging factors was that feed costs were low due to the depressed grain prices. With the implementation of the PIK program, many of these growers have suddenly been put into a financial bind because of the peculiar nature of the poultry industry. Just after the PIK signup figures were released, feed costs rose $30 a ton, driving grow-out costs up 2 cents to 3 cents a pound. Concurrently, turkey prices have fallen from 70 cents to 50 cents a pound and broiler prices have dropped from 47 cents to around 39 cents a pound.

The poultry industry needs help. Their quarrel is not with the grain farmer, because a prosperous grain production industry is essential to the future of poultry. Their quarrel is with our agricultural planners who did not provide adequate relief for the poultry growers to insure their survival through this readjustment period. We must recognize the interdependence of poultry and grain production and I ask my colleagues to aid Senator PRYOR and me in finding a solution that would be acceptable to all. We wrote to Secretary Block on May 4 asking that he do two things: First, release some of the economic emergency loan money, earmarking some of the funds for poultry and egg relief; and, second, that he seek authority from Congress to make direct economic emergency loans to poultry and egg producers. I ask that our letter be printed in the RECORD following my statement. I am convinced that we should give our best efforts to the consideration of proposals to assist the poultry industry, which is so important in Arkansas and in many other States. We look forward to Secretary Block's response.

The letter referred to follows:

UNITED STATES SENATE,
COMMITTEE ON APPROPRIATIONS,
Washington, D.C., May 4, 1983.

Hon. JOHN R. BLOCK,
Secretary, Department of Agriculture, Washington, D.C.

DEAR SECRETARY BLOCK: As you are well aware, the agriculture sector of this country is still struggling through a serious recession. Although the PIK program offers tremendous hope to many of our grain farmers, including thousands in Arkansas, the rapid rise in grain prices has been a staggering shock to the poultry and egg industries. Our egg, broiler, and turkey producers have no quarrel with the grain farmers, because their survival is critical to them. However, since the interdependencies of grain, poultry and egg production are well known, our poultry and egg producers are surprised that government protection was not afforded to them also during this readjustment period.

Because of the peculiar nature of our integrated egg and poultry industries, it is difficult for producers to absorb these rising grain costs. Grow-out costs for broilers and turkeys have risen two to three cents a pound and egg costs have risen three cents a dozen. To aid these producers in their attempt to weather the rippling effects of our PIK program, we respectfully request that you release some of the Economic Emergency loan money, and ask that you earmark these guarantee funds for poultry and egg relief. We also respectfully request that you seek authority to make direct loans from the Economic Emergency appropriation which could benefit all producers, including poultry and egg.

We appreciate your consideration of this request and your concern for the economic

health of our farmers. We look forward to your reply.

Sincerely,

DAVID PRYOR.
DALE BUMPERS.●

ABORTION: AN EVIL THAT MUST BE ENDED

● Mr. HELMS. Mr. President, despite the fact that the major news media and their spokesmen almost uniformly support legalized abortion, there are at least a few voices in the media who speak out courageously for the right to life. Jack Currie of the Daily Advance of Elizabeth City, N.C., is one of those voices.

In a March 13, 1983, column Mr. Currie points out the brutality of abortion and how in many ways it is similar to evils of the past. Among other things, Mr. Currie writes:

Abortion is an evil that must be ended. * * * Unlike the carnage on the highways, where about 50,000 people die annually, abortion is something hidden away and troublesome to think about. It is time we thought about it.

Mr. President, I call the attention of my colleagues and the American public to Mr. Currie's article. I join with him in saying that after a decade of Supreme Court-imposed abortion on demand it is time we face this unpleasant and tragic issue and solve the problem by restoring legal protection for the unborn.

Mr. President, I ask that "Abortion is Medieval, Says Reporter" by Jack Currie, appearing in the March 13, 1983, edition of the Daily Advance of Elizabeth City, N.C., be printed in the RECORD at this point.

The article follows:

ABORTION IS MEDIEVAL, SAYS REPORTER

(By Jack Currie)

Hey, here's a great way to help win the war on crime: round up all the criminals and execute them by quartering, just like they used to do back in Medieval times.

Back then they used to take no-good-niks and, after tying their arms and legs to Clydesdale horses, would pull them limb from limb. That certainly showed them who was boss.

Away with the electric chair, away with the gas chamber, away with all these new-fangled "humane" gadgets. We've got to get back to basics.

What's that? Quartering seems a bit barbaric?

Well, pilgrim, perhaps you're right. But before making such a hasty judgement, consider that about 1½ million of America's outcasts were executed in that manner last year.

And not one of the self-appointed defenders of the country's civil liberties said a word.

According to statistics released recently, about that number of babies were aborted at varying stages of growth last year, roughly one of three pregnancies.

Before dismissing the comparison between abortion and the techniques used by Medieval tormentors, realize that the results are basically the same.

Babies aborted by the suction method, the most popular way of disposing of unwanted infants, are quite literally torn limb from limb. Sometimes the smaller body parts are still recognizable.

Other methods of infant execution are equally savage.

Injection of salt solution into the womb in effect burns the child to death chemically. The baby breathes in and swallows the salt and is poisoned by it and the outer layer of skin is burned off by the corrosive effect of the salt. It commonly takes an hour for the child to die by this method.

Babies killed by the "surgical" method—that is, using a sharp knife—are simply carved to ribbons, like victims of the Chinese "death of a thousand cuts." Helpless as they are, there is nowhere for them to hide.

One of the jobs of the operating nurse is to reassemble the body parts to make sure the uterus is empty.

And, finally, like the Caesarian section method of birthing, the Caesarian method of abortion removes the baby through the mother's abdomen after an incision is made. Only instead of being placed in the arms of his or her mother the aborted babies are tossed into a bucket to die.

Consider: what would your reaction be if you read in the newspaper tomorrow that North Carolina planned to start executing convicted murderers and rapists in these ways?

Horrified?

Yet thousands of babies are killed in the state each week by these methods.

And their only crime is that they exist.

Somehow amid the raucous yelps of the radical crowd during the past decade or so, Americans seem to have lost the gumption to stand up and say "no" to the amoral changes being wrought in their county by the smug cadre of "experts."

Moral paralysis is evident at all levels of society. Certainly in the U.S. Supreme Court. For, although they preen like great eagles of jurisprudence, the legal sparrows that have perched in the high court in recent years have been a sad lot.

Carrying the medieval comparison a little further, the legal minds of today seem to have lost their way, wallowing through empty reasonings like the philosophers of the middle ages. In place of sound judgment, they appear content to ponder how many convicted killers can dance on the head of a pin.

Abortion is a case in point.

While the high court wrings its hands over the execution of convicted murderers such as Gary Gilmore (shot by a firing squad a few years ago), the murder of innocents continues.

The prime concern in recent years is whether public money should be used to subsidize the carnage. After all, we wouldn't want to see the poor shut out of this wonderful opportunity. That would be un-American.

Yet abortion strikes at the most basic of constitutional freedoms—the right to life. Never mind the right to liberty and the pursuit of happiness, aborted infants aren't given the chance to get that far.

In the Dred Scott decision of 1857, the Supreme Court ruled that black people were not "persons" in the eyes of the constitution. Slaves could be bought, sold or even killed at the whim of their owners. That piece of legal shame was only corrected by passage of the 14th Amendment.

And like a terrible echo of the Dred Scott Decision, the judges have once again taken the devine mantle upon themselves and declared that unborn children are not "persons."

Yet medical discoveries in recent years do not support that contention. At only six weeks of growth an unborn infant's brain activity can be measured and at eight weeks he or she is responsive enough to grab hold of an item place in his or her hand.

Some argue that unless abortion is available on demand, "mothers" will be forced to seek back-alley remedies. God forbid they should take responsibility for the actions they freely entered into.

That line of reasoning, however, argues for the abolition of all law. After all, we have laws against murder, rape and theft. Yet some people still choose to murder, some still choose to rape and some still choose to steal.

Some argue that the baby isn't viable because it couldn't survive outside the mother's womb. Yet how many adults could survive outside the "womb" of society? Without the clothing, food, shelter and weapons society provides, few would survive very long.

Abortion is an evil that must be ended. The difficult thing about it is that, unlike the slave or the downtrodden, their pain goes largely unseen. And the full measure of it, unappreciated.

Unlike the carnage on the highways, where about 50,000 people die annually, abortion is something hidden away and troublesome to think about. It's time we thought about it.

And time we acted.●

THE NEED FOR PEACE—NOT WAR

● Mr. PELL. Mr. President, nearly 20 years ago, President John F. Kennedy issued a call for a world at peace in an eloquent address at American University here in Washington. At that time, he announced two strong and positive arms control steps: The initiation of high-level discussions on a test ban and the pledge that the United States would not be the first to resume tests in the atmosphere.

In less than 2 months, the United States, Great Britain, and the Soviet Union had agreed the Limited Test Ban Treaty banning tests in the atmosphere, outer space and under water.

President Kennedy achieved that excellent agreement at a time when relations between the Soviet Union and the United States were complicated by differences no less severe than we face today. President Kennedy faced squarely the need to share this planet with friends as well as adversaries and to strive for peace, not war. He told his American University audience of his discouragement at the anti-American propaganda being put out by the Soviets, which he said provided "a warning to the American people not to fall into the same trap as the Soviets, not to see only a distorted and desperate view of the other side, not to see conflict as inevitable, accommodation as impossible, and communication as nothing more than an exchange of threats."

President Kennedy understood full well the need for greatness—not pettiness—in our Nation and its leaders. He understood the importance of keeping our sights on achievements of genuine importance. Thus, he was able to achieve a test ban and prepare the way for other arms control efforts.

The President's brother, the Senator from Massachusetts, spoke recently at American University to commemorate the 20th anniversary of the address. He reflected upon the success and failures of the past two decades, telling his audience.

We have found reason for hope in the Test Ban Treaty and the other agreements that have followed it. At least, we are all still here.

But that is also far less than we could have sought—and far less than we should have achieved.

For the mere absence of war has been accompanied by the increasing insecurity of a precarious nuclear peace. The knife's edge of the nuclear balance has been steadily sharpened. Arms control has often been twisted into a means for managing a faster arms race.

Our colleague, the Senator from Massachusetts, concluded his superb remarks with this admonition:

You have lived and grown in these dangerous years—and now you must cherish your own future. You are the sons and daughters of this Atomic Age—and now you must resolve that it shall not be succeeded by a Second Stone Age. You know that we are all mortal. And so let all of us seek to end the mortal danger—and let us see to it that twenty years from now, on the fortieth anniversary of President Kennedy's speech, your children can gather on this campus to celebrate his call to a world at peace—not merely as a promise to keep, but as a dream that has finally come true.

Mr. President, I commend Senator KENNEDY's remarks to my fellow Senators. I ask that the Senator's address and President Kennedy's June 12, 1963, address at American University be printed in the RECORD following my remarks.

The materials referred to follow:

ADDRESS OF SENATOR EDWARD M. KENNEDY MARKING 20TH ANNIVERSARY OF PRESIDENT KENNEDY'S DISARMAMENT SPEECH

This day is an occasion not only for remembrance, but for the reaffirmation of our commitment to creating a world "safe for diversity"—and for human survival.

Twenty years ago, here at American University, President Kennedy called for a treaty to ban nuclear tests—as the first step in a strategy of peace to ban nuclear war.

The words he spoke then ring now with a timeless truth. Despite loose talk today about a nuclear warning shot and a winnable nuclear conflict, we know the abiding truth of his warning then that "total war makes no sense" in this age. And so we insist once more as clearly as we can that there is no such thing as a limited nuclear war.

Despite the escalation of bellicose rhetoric from the centers of power in both of the most powerful nations, we know the enduring truth of John Kennedy's wisdom that "no government is so evil that its people must be seen as lacking in virtue." As he said, "We must not see a distorted and desperate view of the other side; we must not see conflict as inevitable, accommodation as impossible, and communication as nothing more than an exchange of threats."

Two decades later, our leadership would do well to hear and heed that wisdom again. And so we say that we dare not misuse what is wrong in the Soviet system as an excuse for denying what is right in Soviet-American relations—which is the overriding imperative of nuclear arms control. No government should be regarded as so much of an "evil empire" as to justify reckless policies which could subjugate so much of the world to a permanent evil empire of radioactive death.

We must demand a national leadership which will spend less time preparing for nuclear war—and more time preventing one.

On the arms race, the essential truths of 1963 remain the same in 1983. But some things have changed—and many of them for the worse.

We have found reason for hope in the Test Ban Treaty and the other agreements that have followed it. At least, we have not fought the third and last world war. At least, we are all still here.

But that is also far less than we could have sought—and far less than we should have achieved.

For the mere absence of war has been accompanied by the increasing insecurity of a precarious nuclear peace. The knife's edge of the nuclear balance has been steadily sharpened. Arms control has often been twisted into a means for managing a faster arms raced.

In 1960, the combined total of deliverable nuclear explosives on station on both sides was 6500. By 1983 that lethal number has multiplied by sevenfold to 50,000.

While the negotiatiors have bargained, their governments have developed and deployed missiles with multiple warheads, greater accuracy, and lesser warning time. Relentlessly we have reduced the narrow span of minutes in which the fate of humanity can be decided by human beings.

The United States Senate has failed to ratify SALT II and other relatively modest treaties which would widen a little the margin between our existence and extinction. In Moscow, Soviet leaders reach for potential first strike weapons. In Washington, the President claims he favors arms control and that his Administration has proposed it—but in fact, and sometimes in the strongest terms, he has opposed every single arms control agreement since he entered public life two decades ago.

So we have come to the dangerous place where we now find ourselves—on the brink of Cold War Two. We can continue to practice that brinksmanship—and to proclaim our own toughness. And if those who advocate such mindless toughness prove to be mistaken, and their mistakes lead to the last great war, they may be safe in a protected bunker, inside a mountain and behind steel doors. But the rest of the earth will be dying—and there will be few if any of us around to blame them for the most catastrophic error in all recorded history.

I reject that risk—and I reject the advice that we must not offer an alternative because it will undermine the present negotiations. That is what other Administrations have said in their effort to mute dissent in other dark days on other difficult issues. And in the case of Vietnam, tens of thousands of Americans and hundreds of thousands of Vietnamese died before the lesson was learned that the answer to failure is not more of the same.

The greatest strength of a free society is that we can differ and speak out; we can develop and stand for different policies. And on the nuclear issue, that strength may be the saving virtue of our national life and the life of all the world.

We now have the obligation and the opportunity to turn aside from another cold war—and to create instead a new strategy of peace.

That strategy must be based on a realistic assessment of our relationship with the Soviet Union.

For too long, we have strayed between two misconceptions about the Russians—between overblown illusions of cooperation and overstated notions of confrontation. An arms control treaty will not tame Soviet misconduct in other areas. And the refusal to negotiate such an agreement, even when it is in our national interest, will not free Afghanistan or break the repression in Poland.

In short, we cannot punish the Russians by raising the risk of nuclear war. We hear about linkage—but we must not forget our fundamental common link as people on this planet—that we shall all live or die together.

We will find ourselves at odds with the Soviet Union far into the foreseeable future. We need not fear an economic competition—for our economy is rich in resources and potential—and capable of performing at much higher levels than it has in recent years. The Soviet economy is inefficient, corrupt, and dependent on the catalyst of Western technology.

Nor need we fear an ideological rivalry. We believe in individual liberty and human dignity—and with inspired leadership, that belief can have the most powerful appeal, as it has in the past, to the rest of the world. But how many immigrants have ever moved to the Soviet Union in search of a better life? In this arena, the Soviets can gain only when we betray our own best ideals.

The one place where the Russians know they can compete is military power—and they will pay any price to prevent us from forcing them into a position of military inferiority. We can and we should maintain strategic parity—which requires a sufficient and a secure deterrent. We can and we should strengthen our conventional forces—so that we can limit our reliance on nuclear retaliation during a crisis.

We can and we should withhold our financial credits, when they are paying for martial law in Poland—because the Soviets, too, cannot demand linkage as the price of limiting weapons.

But for both great powers, arms control is a far saner way to preserve strategic parity than an endless arms race. Despite the differences which divide the United States and the Soviet Union today, and which will divide us for years or generations to come, what must unite us is an unflagging determination to avoid nuclear annihilation. We must seek to maintain our freedom and the peace at the same time—for there will be no such thing as liberty in a lifeless land.

The United States and the Soviet Union now possess the equivalent of three million Hiroshima bombs—a total of four tons of T.N.T. for every man, woman, and child presently living on this planet. Even in the unlikely event of a successful Soviet first strike against our land-based missiles, we would still have over 3,500 warheads at sea and on bombers—enough to destroy every Soviet city and town seven times over. The

Secretary of Defense and the members of the Joint Chiefs of Staff have testified that they would not exchange the deterrent forces of the United States for those of the Soviet Union.

Because this is so, a year ago, a number of us in Congress took up a cause and a challenge that had already stirred at the grass roots across this country. We called for an immediate, mutual, and verifiable freeze on the testing, production and deployment of Soviet and American nuclear weapons. That idea has enlisted the energies of ordinary citizens everywhere—and next week, the House of Representatives will debate and vote on the freeze resolution.

Those who oppose it have put forth a changing array of arguments that range from the disingenuous to the dishonest.

First, we repeatedly hear the outright falsehood that the freeze is somehow unilateral. The purveyors of that distortion either cannot read the resolution—or care more about making their case than keeping to the facts. Perhaps they think that if they repeat themselves often enough, they can fool at least some of the people into believing some of their scare charges.

The freeze is plainly, unequivocally, and indisputably bilateral. In supporting it, we do not and would not suggest that Americans on the other side want a nuclear war. So I wish they would stop suggesting that in some sense we want unilateral disarmament.

Second, the opponents of the nuclear freeze contend that we cannot halt the arms race in the face of a continuing Soviet build-up. But in fact, a bilateral freeze is the best way to prevent that build-up. It would halt the entire new generation of weapons which the Soviets are now developing—including the Blackjack bomber, the Typhoon submarine, cruise and land-based mobile missiles. The cries of alarm about Soviet advances in the future amount to a compelling reason to freeze the present balance of forces—and to stop the threatening trends now.

The Administration instead prefers to respond with a two trillion dollar American military build-up. But the lesson of the last generation is that the Soviets will match us bomber for bomber, missile for missile, warhead for warhead.

Third, we are told that a freeze at this time would prevent us from perfecting our own deterrent—for example, by creating a new type of bomber, which, for at least a while, will be less vulnerable to Soviet defenses. But at any time, there will always be some imperfections in the military forces on either side—and that reality can be used every time to justify just one more little round of the arms race. That is all they want, they say, and then we will have enough. But the Soviets have learned to make that argument too. And so we drift, as Einstein said, toward unparalleled catastrophe. We must reject policies which claim for the moment to make the world a little more secure, but in the end make the world a more unsafe and unstable place.

Fourth, our opponents say that a freeze is impossible to verify. This may be the most deceptive contention of them all. For impartial experts have testified again and again that a freeze is at least as verifiable—and probably more so—than other arms control agreements, including the President's own S.T.A.R.T. proposal. Moreover, we have made it clear from the beginning that anything which cannot be verified will not be frozen. The Administration had better be careful—or their careless and baseless attacks on verification will become a basis and a rallying cry for extremists who will oppose any and every arms accord. We do not advocate a freeze because we trust the Russians. But we do distrust those who would continue the arms race at any and all costs.

Finally, there are opponent of the nuclear freeze who explain that they favor reductions instead. But there is a darker side to their slogan. Reductions are not all they want. While professing limits in some areas, they want no limits on the newest and most modern weapons—which are also the costliest and the most theatening.

Indeed, the Administration's own START proposal for reductions proves the point. For example, it would permit us to build the B-1 bomber—which is nothing more than a supersonic Edsel in the sky. And the Administration's proposal would even permit the unrestrained pursuit of their new scheme for outer space—which would open another arena for the arms race and set another tripwire for nuclear war.

You know, this really is a very strange idea. We cannot found national policy on fond memories of radio serials, dreams of the Old West, and the thrilling days of yesteryear. We must reject the preposterous notion of a Lone Ranger in the sky, firing silver laser bullets and shooting missiles out of the hands of Soviet outlays. The best defense against nuclear war is arms control and then disarmament.

The Administration answers that we need the threat of new weapons as bargaining chips for negotiation. And they say we need the MX missile because of the window of vulnerability. Now, let's all try hard to understand this. Mr. Reagan claimed we were vulnerable because the Russians could hit and destroy our existing Minuteman silos. So he appointed a commission which reviewed every conceivable solution to the problem of Minuteman vulnerability. And did you hear what they have just come up with? They want to put the new MX missile in the old, vulnerable Minuteman silos. You know what this is like? It's like having a car that is getting wet because of a leaky garage roof—and then trying to solve the problem by changing the make of the car.

The President has already declared that the MX is not on the bargaining table at the START talks—that he will never trade it away. So let us say now—it is time for Congress to take it away. It is time for the President of the United States to admit that the MX is a mistake—that it is a missile without a mission and a weapon without a home. It is time to make it clear that even by the Administration's own logic, the MX in Minuteman silos is a sitting duck—and to state clearly that, by any rational standard, the MX missile in any form is a dead duck.

Both sides should renounce forever the pursuit of the phantom of nuclear advantage. We must free our diplomacy from the myth that more megatons mean bigger bargaining chips. We must reject the foolish theory that we can have fewer bombs tomorrow only if we have more bombs today. The Administration defends this as a negotiation strategy. I call it voodoo arms control.

We must ask a simple question of them. Instead of piling overkill upon overkill, why not start now with a freeze? Why not stop where we are—so that at least we can begin to turn the arms race around?

We face a new and uncertain time. The continued advance of technology will move us steadily back from the possibility of peace. But a nuclear freeze can give the two great powers breathing room before they rush into a nuclear future that may threaten the future itself. It can halt new technologies that will be dangerous and destabilizing, and may be impossible to stop once they are started.

Some critics say that the freeze does not go far enough—which is what so many of them said twenty years ago when a test ban treaty was proposed in this very place. We remember the answer that was given then: "A journey of a thousand miles begins with a single step." And so today, we reply: The long journey of survival in the nuclear age begins with the nuclear freeze.

Support for the freeze does not mean that we seek a weaker America. We have watched in recent weeks as ministers of the Gospel have been urged to preach in favor of an escalating arms race. But in the Scriptures I have read, nowhere does it say: "Blessed are the warmakers and the munition manufacturers." We have witnessed the revival of McCarthyite tactics which equate dissent with disloyalty—and which imply that the advocates of a freeze are somehow or other dupes or pawns. But someone should tell the apostles of this reincarnated Red Scare that the freeze movement began in Massachusetts and Vermont, not in Moscow and Vladivostok.

Support for the feeeze does not mean opposition to a strong national defense. I favor a real growth of 5 percent in the military budget to assure the readiness and reliability of our forces. The President is demanding twice as much. But we cannot afford military waste which weakens the nation—and which has subverted the national consensus for sustained improvement in our defenses, especially our conventional capability. Instead of lavishing our treasure on first strike weapons, let us spend it on first class schools—from the first grade through student loans for college and graduate study.

And let us never forget that national security includes the condition of our society as well as the size of our missiles. The world in an arms race is also a world impoverished. For America, running that arms race cripples our capacity to do anything else.

Today we are cutting immunization for children in order to finance the weapons that may someday kill them. Every new shelter for a missile means fewer homes for our families. Every new warhead guidance system that can read enemy defenses means more pupils who will not learn to read. Every new escalation that could mean death at an early age across the earth also darkens the golden years of our senior citizens now.

We hear rhetoric from our highest officials about eliminating budgetary waste. If they are serious, let them enter into a nuclear freeze; let them pursue nuclear reductions; let them eliminate the expenditures that now make a desert of our dreams—and that someday could make a cold wasteland of all the earth.

What more can we gain if we drain more of our resources into nuclear overkill? The American and Soviet arsenals are already bristling with weapons that could kill more people, burn more buildings, and sack more cities, than in all the conflicts from the beginning of history until now. The greatest works of human enterprise and spirit could be vaporized in a single instant by the most terrible work of human invention. Despite all our bombs and all our missiles, we stand essentially defenseless upon a stage on which the human drama could be closed in the flashing of a fireball.

As an American I believe in a national defense second to none, sufficient to deter any attack from any adversary. But I also be-

lieve that we must preserve and protect a world which is now only a second away from nothingness.

In closing, let me say something special to each of you who are students here, and to all those of your age who share the high ideals of this occasion. The conscience, the caring, the commitment that you and your generation bring to the nuclear issue can help to change the direction of our country and even the fate of the earth.

Others before you have faced a similar test. The young were there in the 1960s in the forefront of the fight for civil rights and the struggle against the Vietnam War. In the 1970s, your older sisters and brothers summoned America to provide equality for the majority of our people who are women—and to prevent the poisoning of the land and the air and water that are the greatest natural gifts of this continent.

Now in the 1980s, a moment of history and a sense of hope call your generation to a work as great as any that has gone before—indeed the greatest work of our time and of all time—the work of peace. The challenge comes especially in this decade because the danger has become so present and so clear. The difference each of you can make, if all of you will try, may make the difference between peace and war, between a just society and a garrison state.

Many of you were not even born yet when John Kennedy was here in 1963. But as he said then, he was speaking on your behalf, on behalf of "future generations," and for the sake of all those in America and in the Soviet Union "who cherish our children's future." He reminded us that "we are all mortal." And in the summer that followed, he felt that he would rather lose the next election than the lose the test ban treaty.

The years have passed and so have Presidents—but the meaning of that message has not passed away.

You have lived and grown in these dangerous years—and now you must cherish your own future. You are the sons and daughters of this Atomic Age—and you must resolve that it shall not be succeeded by a Second Stone Age. You know that we are all mortal. And so let all of us seek to end the mortal danger—and let us see to it that twenty years from now, on the fortieth anniversary of President's Kennedy's speech, your children can gather on this campus to celebrate his call to a world at peace—not merely as a promise to keep, but as a dream that has finally come true.

COMMENCEMENT ADDRESS AT AMERICAN UNIVERSITY IN WASHINGTON, JUNE 10, 1963

President Anderson, members of the faculty, board of trustees, distinguished guests, my old colleague, Senator Bob Byrd, who has earned his degree through many years of attending night law school, while I am earning mine in the next 30 minutes, ladies and gentlemen:

It is with great pride that I participate in this ceremony of the American University, sponsored by the Methodist Church, founded by Bishop Fletcher Hurst, and first opened by President Woodrow Wilson in 1914. This is a young and growing university, but it has already fulfilled Bishop Hurst's enlightened hope for the study of history and public affairs in a city devoted to the making of history and to the conduct of the public's business. By sponsoring this institution of higher learning for all who wish to learn, whatever their color or their creed, the Methodists of this area and the Nation deserve the Nation's thanks, and I commend all those who are today graduating.

Professor Woodrow Wilson once said that every man sent out from a university should be a man of his nation as well as a man of his time, and I am confident that the men and women who carry the honor of graduating from this institution will continue to give from their lives, from their talents, a high measure of public service and public support.

"There are few earthly things more beautiful than a university," wrote John Masefield, in his tribute to English universities—and his words are equally true today. He did not refer to spires and towers, to campus greens and ivied walls. He admired the splendid beauty of the university, he said, because it was "a place where those who hate ignorance may strive to know, where those who perceive truth may strive to make others see."

I have, therefore, chosen this time and place to discuss a topic on which ignorance too often abounds and the truth is too rarely perceived—yet it is the most important topic on earth: world peace.

What kind of peace do I mean? What kind of peace do we seek? Not a Pax Americana enforced on the world by American weapons of war. Not the peace of the grave or the security of the slave. I am talking about genuine peace, the kind of peace that makes life on earth worth living, the kind that enables men and nations to grow and to hope and to build a better life for their children—not merely peace for Americans but peace for all men and women—not merely peace in our time but peace for all time.

I speak of peace because of the new face of war. Total war makes no sense in an age when great powers can maintain large and relatively invulnerable nuclear forces and refuse to surrender without resort to those forces. It makes no sense in an age when a single nuclear weapon contains almost ten times the explosive force delivered by all of the allied air forces in the Second World War. It makes no sense in an age when the deadly poisons produced by a nuclear exchange would be carried by wind and water and soil and seed to the far corners of the globe and to generations yet unborn.

Today the expenditure of billions of dollars every year on weapons acquired for the purpose of making sure we never need to use them is essential to keeping the peace. But surely the acquisition of such idle stockpiles—which can only destroy and never create—is not the only, much less the most efficient, means of assuring peace.

I speak of peace, therefore, as the necessary rational end of rational men. I realize that the pursuit of peace is not as dramatic as the pursuit of war—and frequently the words of the pursuer fall on deaf ears. But we have no more urgent task.

Some say that it is useless to speak of world peace or world law or world disarmament—and that it will be useless until the leaders of the Soviet Union adopt a more enlightened attitude. I hope they do. I believe we can help them do it. But I also believe that we must reexamine our own attitude—as individuals and as a Nation—for our attitude is as essential as theirs. And every graduate of this school, every thoughtful citizen who despairs of war and wishes to bring peace, should begin by looking inward—by examining his own attitude toward the possibilities of peace, toward the Soviet Union, toward the course of the cold war and toward freedom and peace here at home.

First: Let us examine our attitude toward peace itself. Too many of us think it is impossible. Too many think it unreal. But that is a dangerous, defeatist belief. It leads to the conclusion that war is inevitable—that mankind is doomed—that we are gripped by forces we cannot control.

We need not accept that view. Our problems are manmade—therfore, they can be solved by man. And man can be as big as he wants. No problem of human destiny is beyond human beings. Man's reason and spirit have often solved the seemingly unsolvable—and we believe they can do it again.

I am not referring to the absolute, infinite concept of universal peace and good will of which some fantasies and fanatics dream. I do not deny the value of hopes and dreams but we merely invite discouragement and incredulity by making that our only and immediate goal.

Let us focus instead on a more practical, more attainable peace—based not on a sudden revolution in human nature but on a gradual evolution in human institutions—on a series of concrete actions and effective agreements which are the interest of all concerned. There is no single, simple key to this peace—no grand or magic formula to be adopted by one or two powers. Genuine peace must be the product of many nations, the sum of many acts. It must be dynamic, not static, changing to meet the challenge of each new generation. For peace is a process—a way of solving problems.

With such a peace, there will still be quarrels and conflicting interests, as there are within families and nations. World peace, like community peace, does not reqiure that each man love his neighbor—it requires only that they live together in mutual tolerance, submitting their disputes to a just and peaceful settlement. And history teaches us that enmities between nations, as between individuals, do not last forever. However fixed our likes and dislikes may seem, the tide of time and events will often bring surprising changes in the relations between nations and neighbors.

So let us persevere. Peace need not be impracticable, and war need not be inevitable. By defining our goal more clearly, by making it seem more manageable and less remote, we can help all peoples to see it, to draw hope from it, and to move irresistibly toward it.

Second: Let us reexamine our attitude toward the Soviet Union. It is discouraging to think that their leaders may actually believe what their propagandists write. It is discouraging to read a recent authoritative Soviet text on *Military Strategy* and find, on page after page, wholly baseless and incredible claims—such as the allegation that "American imperialist circles are preparing to unleash different types of wars . . . that there is a very real threat of a preventive war being unleashed by American imperialists against the Soviet Union . . . [and that] the political aims of the American imperialists are to enslave economically and politically the European and other capitalist countries . . . [and] to achieve world domination . . . by means of aggressive wars."

Truly, as it was written long ago: "The wicked flee when no man pursueth." Yet it is sad to read these Soviet statements—to realize the extent of the gulf between us. But it is also a warning—a warning to the American people not to fall into the same trap as the Soviets, not to see only a distorted and desperate view of the other side, not to see conflict as inevitable, accommodation

as impossible, and communication as nothing more than an exchange of threats.

No government or social system is so evil that its people must be considered as lacking in virtue. As Americans, we find communism profoundly repugnant as a negation of personal freedom and dignity. But we can still hail the Russian people for their many achievements—in science and space, in economic and industrial growth, in culture and in acts of courage.

Among the many traits the people of our two countries have in common, none is stronger than our mutual abhorrence of war. Almost unique, among the major world powers, we have never been at war with each other. And no nation in the history of battle ever suffered more than the Soviet Union suffered in the course of the Second World War. At least 20 million lost their lives. Countless millions of homes and farms were burned or sacked. A third of the nation's territory, including nearly two thirds of its industrial base, was turned into a wasteland—a loss equivalent to the devastation of this country east of Chicago.

Today, should total war ever break out again—no matter how—our two countries would become the primary targets. It is an ironic but accurate fact that the two strongest powers are the two in the most danger of devastation. All we have built, all we have worked for, would be destroyed in the first 24 hours. And even in the cold war, which brings burdens and dangers to so many countries, including this Nation's closest allies—our two countries bear the heaviest burdens. For we are both devoting massive sums of money to weapons that could be better devoted to combating ignorance, poverty, and disease. We are both caught up in a vicious and dangerous cycle in which suspicion on one side breeds suspicion on the other, and new weapons beget counterweapons.

In short, both the United States and its allies, and the Soviet Union and its allies, have a mutually deep interest in a just and genuine peace and in halting the arms race. Agreements to this end are in the interests of the Soviet Union as well as ours—and even the most hostile nations can be relied upon to accept and keep those treaty obligations, and only those treaty obligations, and only those treaty obligations, which are in their own interest.

So, let us not be blind to our differences—but let us also direct attention to our common interests and to the means by which those differences can be resolved. And if we cannot end now our differences, at least we can help make the world safe for diversity. For, in the final analysis, our most basic common link is that we all inhabit this small planet. We all breathe the same air. We all cherish our children's future. And we are all mortal.

Third: Let us reexamine our attitude toward the cold war, remembering that we are not engaged in a debate, seeking to pile up debating points. We are not here distributing blame or pointing the finger of judgment. We must deal with the world as it is, and not as it might have been had the history of the last 18 years been different.

We must, therefore, persevere in the search for peace in the hope that constructive changes within the Communist bloc might bring within reach solutions which now seem beyond us. We must conduct our affairs in such a way that it becomes in the Communists' interest to agree on a genuine peace. Above all, while defending our own vital interests, nuclear powers must avert those confrontations which bring an adversary to a choice of either a humiliating retreat or a nuclear war. To adopt that kind of course in the nuclear age would be evidence only of the bankruptcy of our policy—or of a collective death-wish for the world.

To secure these ends, America's weapons are nonprovocative, carefully controlled, designed to deter, and capable of selective use. Our military forces are committed to peace and disciplined in self-restraint. Our diplomats are instructed to avoid unnecessary irritants and purely rhetorical hostility.

For we can seek a relaxation of tensions without relaxing our guard. And, for our part, we do not need to use threats to prove that we are resolute. We do not need to jam foreign broadcasts out of fear our faith will be eroded. We are unwilling to impose our system on any unwilling people—but we are willing and able to engage in peaceful competition with any people on earth.

Meanwhile, we seek to strengthen the United Nations, to help solve its financial problems, to make it a more effective instrument for peace, to develop it into a genuine world security system—a system capable of resolving disputes on the basis of law, of insuring the security of the large and the small, and of creating conditions under which arms can finally be abolished.

At the same time we seek to keep peace inside the non-Communist world, where many nations, all of them our friends, are divided over issues which weaken Western unity, which invite Communist intervention or which threaten to erupt into war. Our efforts in West New Guinea, in the Congo, in the Middle East, and in the Indian subcontinent, have been persistent and patient despite criticism from both sides. We have also tried to set an example for others—by seeking to adjust small but significant differences with our own closest neighbors in Mexico and in Canada.

Speaking of other nations, I wish to make one point clear. We are bound to many nations by alliances. Those alliances exist because our concern and theirs substantially overlap. Our commitment to defend Western Europe and West Berlin, for example, stands undiminished because of the identity of our vital interests. The United States will make no deal with the Soviet Union at the expense of other nations and other peoples, not merely because they are our partners, but also because their interests and ours converge.

Our interests converge, however, not only in defending the frontiers of freedom, but in pursuing the paths of peace. It is our hope—and the purpose of allied policies—to convince the Soviet Union that she, too, should let each nation choose its own future, so long as that choice does not interfere with the choices of others. The Communist drive to impose their political and economic system on others is the primary cause of world tension today. For there can be no doubt that, if all nations could refrain from interfering in the self-determination of others, the peace would be much more assured.

This will require a new effort to achieve world law—a new context for world discussions. It will require increased understanding between the Soviets and ourselves. And increased understanding will require increased contact and communication. One step in this direction is the proposed arrangement for a direct line between Moscow and Washington, to avoid on each side the dangerous delays, misunderstandings, and misreadings of the other's actions which might occur at a time of crisis.

We have also been talking in Geneva about other first-step measures of arms control, designed to limit the intensity of the arms race and to reduce the risks of accidental war. Our primary long-range interest in Geneva, however, is general and complete disarmament—designed to take place by stages permitting parallel political developments to build the new institutions of peace which would take the place of arms. The pursuit of disarmament has been an effort of this Government since the 1920's. It has been urgently sought by the past three administrations. And however dim the prospects may be today, we intend to continue this effort—to continue it in order that all countries, including our own, can better grasp what the problems and possibilities of disarmament are.

The one major area of these negotiations where the end is insight, yet where a fresh start is badly needed, is in a treaty to outlaw nuclear tests. The conclusion of such a treaty, so near and yet so far, would check the spiraling arms race in one of its most dangerous areas. It would place the nuclear powers in a position to deal more effectively with one of the greatest hazards which man faces in 1963, the further spread of nuclear arms. It would increase our security—it would decrease the prospects of war. Surely this goal is sufficiently important to require our steady pursuit, yielding neither to the temptation to give up the whole effort nor the temptation to give up our insistence on vital and responsibile safeguards.

I am taking this opportunity, therefore, to announce two important decisions in this regard.

First: Chairman Khrushchev, Prime Minister Macmillan, and I have agreed that high level discussions will shortly begin in Moscow looking toward early agreement on a comprehensive test ban treaty. Our hopes must be tempered with the caution of history—but with our hopes go the hopes of all mankind.

Second: To make clear our good faith and solemn convictions on the matter, I now declare that the United States does not propose to conduct nuclear tests in the atmosphere so long as other states do not do so. We will not be the first to resume. Such a declaration is no substitute for a formal binding treaty, but I hope it will help us achieve one. Nor would such a treaty be a substitute for disarmament, but I hope it will help us achieve it.

Finally, my fellow Americans, let us examine our attitude toward peace and freedom here at home. The quality and spirit of our own society must justify and support our efforts abroad. We must show it in the dedication of our own lives—as many of you who are graduating today will have a unique opportunity to do, by serving without pay in the Peace Corps abroad or in the proposed National Service Corps here at home.

But wherever we are, we must all, in our daily lives, live up to the age-old faith that peace and freedom walk together. In too many of our cities today, the peace is not secure because freedom is incomplete.

It is the responsibility of the executive branch at all levels of government—local, State, and National—to provide and protect that freedom for all of our citizens by all means within their authority. It is the responsibility of the legislative branch at all levels, wherever that authority is not now adequate, to make it adequate. And it is the responsibility of all citizens in all sections of

this country to respect the rights of all others and to respect the law of the land.

All this is not unrelated to world peace. "When a man's ways please the Lord," the Scriptures tell us, "he maketh even his enemies to be at peace with him." And is not peace, in the last analysis, basically a matter of human rights—the right to live out our lives without fear of devastation—the right to breathe air as nature provided it—the right of future generations to a healthy existence?

While we proceed to safeguard our national interests, let us also safeguard human interests. And the elimination of war and arms is clearly in the interest of both. No treaty, however much it may be to the advantage of all, however tightly it may be worded, can provide absolute security against the risks of deception and evasion. But it can—if it is sufficiently effective in its enforcement and if it is sufficiently in the interests of its signers—offer far more security and far fewer risks than an unabated, uncontrolled, unpredictable arms race.

The United States, as the world knows, will never start a war. We do not want a war. We do not now expect a war. This generation of Americans has already had enough—more than enough—of war and hate and oppression. We shall be prepared if others wish it. We shall be alert to try to stop it. But we shall also do our part to build a world of peace where the weak are safe and the strong are just. We are not helpless before that task or hopeless of its success. Confident and unafraid, we labor on—not toward a strategy of annihilation but toward a strategy of peace.●

THE DEBT BURDEN MUST BE BORNE BY THOSE RESPONSIBLE FOR IT

● Mr. HUMPHREY. Mr. President, the second of a three-part Washington Times series on the international debt dilemma appears today. Columnist Steven K. Beckner explores a most worthwhile and necessary theme; namely, that the primary responsibility for resolving the debt situation must fall upon those whose actions have led to it. The banks must bear the necessary losses which accompany any bad loan, and the troubled economies of the Third World must begin to pursue aggressively policies designed to promote free trade and growth of productive industries.

Unfortunately for all concerned, the pervasive mood in Congress seems to prefer another course: A bailout of the banks and the LDC's through an expansion of the resources of the International Monetary Fund. The $8.4 billion in question constitutes a crutch that we as a nation cannot afford to provide, Mr. President. The banks and the LDC's should be granted no exception to the general rule that individuals and institutions are ultimately responsible for their decisions and actions.

I ask that the article be printed in the RECORD.

The article referred to follows:

THIRD WORLD POLICY CHANGES ARE NEEDED TO EASE DEBT PROBLEM

A few years ago those who warned of a global financial crisis were labeled "prophets of doom."

Now it is fashionable for prominent politicians and academics to predict massive loan defaults, an implosion of the world's credit pyramid and the imminent destruction of the international banking system.

To ward off disaster, governments, including the Reagan administration, are advocating increased funding for the International Monetary Fund and other agencies. They also want special "bridging" loans, standby credit facilities among the central banks and stepped-up lending by commercial banks to the less-developed countries (LDCs).

Congress is being asked to commit the U.S. Treasury to an additional $8.4 billion in contributions to the IMF, which makes conditional loans to financially strapped nations. Also, the administration is requesting increased support for the International Development Association, an affiliate of the World Bank specializing in interest-free loans to impoverished nations.

International banks—those strange hybrids of starched-shirt conservatism, riverboat gambling and Third World philanthropy—find themselves laden with nearly $265 billion in medium- and long-term loans to non-OPEC developing countries. It comes to about half of those nation's total debts.

Banks already have had to reschedule payment on many of these loans. But how vulnerable are our banks?

The banks are doing fine, if earnings are any indication. They were over $15 billion last year, compared with $14.7 billion in 1981 and $7.8 billion in 1976, according to the Federal Deposit Insurance Corp.

American Banker's list of top earners is headed by Citicorp, J.P. Morgan, Bank of America and Chase Manhattan.

If banks are concerned about bad foreign loans, it is not reflected in another key statistic. Reserves for loan losses were up from their 1981 level at the end of 1982, but only by about $1 billlion for banks with assets over $750 million, according to the Federal Reserve.

Smaller banks, which frequently participate in foreign loans, have become more cautious. Locally, Riggs cut foreign loans by $10 million last year and increased reserves for loan losses by $4 million. At its recent stockholders meeting, Riggs Chairman Joe L. Allbritton announced that he intends to "focus our future lending activity more on our domestic business" and to choose international customers "carefully on a conservative basis."

American Security, Riggs' biggest rival, trimmed its foreign loan portfolio by $8 million in 1982, while raising its loan loss reserves by $1 million.

The new bank restraint has met with alarm at Treasury, where Undersecretary Beryl Sprinkel warns, "There is a danger they could go too far and drive other countries now in reasonably good shape into financial difficulty."

Others predict that failure to extend ample credits on easy terms will lead to a "debtors' cartel" and coordinated loan defaults. If that happens, "we're all in trouble," said Richard Puz, executive vice president of the Bank of America, in an interview, "but the likelihood of a debtors' cartel is extremely remote. It's a nice phraseology that defies logic."

Puz likened wholesale default to the U.S. Treasury announcing it's not going to roll over or pay interest on its securities.

In a new study, Joint Economic Committee senior economist Robert E. Weintraub writes that if the nine largest debtor nations "repudiated their external debts and loans to them had to be written down to zero, the loss would represent 150 percent of the capital of our largest banks."

Defaults by Mexico and Brazil alone would "wipe out 95 percent of the capital of the nine largest U.S. banks and 74 percent of the capital of the next 15 largest banks," he notes.

But Weintraub hastens to add that large-scale default is very unlikely and that the threat of widespread bank failures is imaginary. He observes that, although total foreign loans by U.S. banks exceed $343 billion, only $108.2 billion is owed by non-OPEC developing nations.

"There is no aggregate Third World debt problem," he adds. "Banks are exposed significantly in some developing countries and hardly at all in others. Further, different countries have different capacities to handle debt."

The LDCs' debt servicing costs rose from 10 to 25 percent of their exports from 1973 to 1981, estimates an Atlantic Council policy paper.

But, citing economic recovery and reduced interest rates, Weintraub predicts, "it will be easier for all of the nations, excepting possibly Mexico and Venezuela, to service their debts in 1983 than it was in 1981 and 1982."

At the IMF, a high-ranking loan official confident, "There are a number of countries who won't make it through the year and others who won't without a lot of help," but he added, "I'm not suggesting the bigger more publicly visible countries will default in a big way."

Even in the event of default, Weintraub says, "immediate write-downs of loans would neither be necessary nor desirable. The regulators can allow banks time to write down defaulted loans, and it would be disruptive for them not to do so.

"Some banks might fail," Weintraub acknowledged, but "given common-sense behavior by bank regulators and appropriate actions by the Federal Reserve, the collapse of our money and banking systems can be ruled out even in the event of widespread defaults by LDCs."

Senate Banking Committee Chairman Jake Garn, R-Utah, is prepared to accept some bank failures, "If they have to merge so be it," he told The Washington Times.

Others take a harsher view. "I think that if the IMF refused to help these countries certain banks would suffer," New York University Professor Melvyn Krauss told a Manhattan Institute forum. "They ought to suffer the consequences for having made foolish loans, and perhaps they will cease to do so in the future."

International banks didn't get mired in sticky foreign loans all of a sudden. They became entangled as the international monetary muddle developed in the 1970s.

Today's financial flux was not anticipated in July 1944, when the dollar-dominated Bretton Woods regime of fixed exchange rates replaced the shattered hegemony of the British pound. Financial tranquility was to be guaranteed by the U.S. Treasury's vow to pay gold to foreign official holders of dollars at the rate of $35 per ounce.

With nearly 700 million ounces of American gold, there seemed no limit to the flow

of U.S. currency that could buy, at favorably fixed rates of exchange, the goods and resources of other nations. By 1959, the external dollar liabilities of the United States exceeded the official value of its gold holdings. Few noticed, and America kept spending freely. But, by the mid-1960s, the dollar's strong facade had become transparently thin.

Besieged by foreign demands for gold, President Richard M. Nixon bowed to inevitability in 1971 by devaluing the dollar and reneging on the U.S. promise to redeem paper with metal. The dollar was allowed to float against foreign currencies.

Citing dollar depreciation, OPEC responded with sharp oil price increases. With price controls discouraging domestic oil production, the United States became heavily dependent on foreign oil. Via balance of payments deficits, the United States caused a six-fold increase in world monetary reserves within a decade.

The Euro-currency market, where banks lend and relend currencies (three-quarters of them dollars) outside their home borders, mushroomed. With no central bank restraints, the Euro-market grew 25 percent per year in the '70s.

The U.S. government encouraged American banks to lend abroad to help recycle OPEC surpluses to countries faced with climbing oil import bills.

By 1980, the Euro-market had grown to $1 trillion from virtually nothing in 1960. Until a couple of years ago, it was an article of faith that the world was "awash in excess liquidity." Then Federal Reserve Chairman Paul Volcker began turning off the dollar spigot. Soon concerns shifted from double-digit inflation to recession.

The growth of the Euro-currency market has slowed, but it hasn't dried up. The Bank for International Settlements reports that banks' gross external assets rose by $173.6 billion in 1982, down from 1981's $264.7 billion surge but good enough to bring the gross size of the Euro-market to $1.69 trillion.

Throughout the 1970s, America's biggest banks loaned aggressively to non-OPEC developing countries and East bloc countries, dragging smaller banks like Riggs and American Security with them through loan syndications. Too often, little regard was given to a country's ability to repay.

It all began in the 1960s, when a new breed of bankers, seeking to maximize revenues and profits, enhance share prices and bring their institutions into the limelight, began courting international business. So intense was the competition for foreign customers that banks were shoving money at developing countries and cutting their loan margins to the bone in the process.

Mexico, which owes $80.1 billion, is a case in point. "It was very easy for us to pick up the phone and get some more dollars," Finance Minister Jesus Silva Herzog said. "It permitted us to avoid taking some measures we should have taken."

Although the two oil shocks are frequently blamed for Third World debt burdens, Mexico is a net oil exporter. Venezuela, a founding member of OPEC, has debts of nearly $30 billion, which it is attempting to reschedule.

Borrowing by most developing countries was closely related to the effect higher oil prices had in widening current account deficits. But developing countries' debts "grew far more than did their oil bills," a Cato Institute policy analysis notes.

Weintraub observes that Third World "credit appetites did not decline as the current account surpluses of OPEC members fell in 1978 and again after 1980."

The blame has to be shared by Pied Piper banks, Third World politicians all to eager to follow, and our own government.

American banks, restricted in many ways on the domestic front, found foreign avenues more attractive. But, as Garn observes, "You can't put it all on the banks. There were a lot of politicians encouraging them."

Weintraub points the finger at Third World policies of "extremely rapid money growth and huge budget deficits," which produced inflation.

"With exchange rates fixed or at least sticky, inflation reduced exports and increased imports, and thus acted to increase current-account deficits," he says.

Whatever their other disagreements, nearly all students of the problem agree that policy changes in the LDCs must be part of the long-term solution.●

THE HOMELESS

● Mr. DURENBERGER. Mr. President, the number of homeless has grown alarmingly in the past several years. Individuals who may once have been hard-working members of our society now find themselves jobless and without shelter or food.

As the winter months—and resulting cold weather—leave us, we cannot afford to forget these people. It is far too easy to stereotype these nameless faces as "street people" and banish them into a world of anonymity. We must not do that. We must remember that these are fellow human beings who need compassion and support. We must strive to return those who are able to work—to make them self-sufficient once again.

Last December, a conference was held in the Twin Cities to discuss the needs of lower income Twin Citians during these times of economic difficulty. David Schultz, who is the manager of branch I, II, and III, works with the homeless in the Twin Cities. At the conference he identified some of the needs of the homeless—in very human terms. I believe Mr. Schultz' perspective is an important one and would like to share his comments with my colleagues.

At the same meeting, Robert J.N. Ryan presented, for consideration, a proposal to rethink our social policies. Ryan suggested that we attempt to institute an incentive, rather than welfare, system. The goal of such a system, obviously, would be to create a series of successive approximations to independence and health. At a time when innovation is critical, we should look seriously at alternatives like Ryan's.

Mr. President, I ask that the texts of these two articles be printed in the RECORD.

The articles referred to follow:

DAVID SCHULTZ, MANAGER, BRANCHES I, II, AND III

I'm proof of the fact that anyone can walk off the streets, stand up in front of a group and talk. I want to talk to you about street people. That's my business and that's what I consider myself. Branch I, II and III doesn't really identify itself. I think by the fact that there are three of them you know they have something to do with Catholics. Catholics divide everything into three. As a matter of fact, the Branches do have something to do with Catholics. Catholic Charities of the Archiocese of St. Paul and Minneapolis runs Branch I, II and III. We have a fourth, called the Dorothy Day Center, but we did not call it Branch IV because that would not fit into the scheme of things. We have also done a few other sacrilegious things. I hope no one takes this in a bad way, but we're all aware of the fact that bread and wine are very sacred things within a local church. But we have added a new dimension called peanut butter. The Branches and the Dorothy Day Center are known for their peanut butter. If you find yourself out of a job, please come and try one of our peanut butter sandwiches.

I'm going to address the issue of street people economics. In spite of what I just said, I'm going to divide this into three parts. I want to give you some idea of who are the street people and what are their feelings, which I think is often overlooked. I'll look at what they mean when they talk about being safe. Finally, I'll discuss where they're going and where we're going in relationship to them.

If you haven't yet, I encourage you to read Jim Scheibel's background paper. I'm not going to go over his material. It's excellent background data on street people in St. Paul. I will focus my comments on the Minneapolis area.

The term, "street people," is being used a lot these days. I think it can mean any one of us, as a matter of fact. Most street people that I see in the Branches are people who have mental health problems, are poverty stricken, or who may have been involved in some kind of criminal activity. Or they may have been involved or currently are involved in alcoholism. However, I want to stress the fact that alcoholism on the streets only plays an important role for less than one-third of the people. There's a stereotype that says that all people on the streets are alcoholics or have an alcoholic problem. This is completely erroneous.

For some, something destructive occurred back in their lives that put them on the streets. This is where many of us have something in common with the street people. It could have been a death in the family. It could have been a separation or divorce. It could have been incest or family violence. Generally, the people on the streets feel they have been screwed by the system. In order to save face, they have created a whole new system. There have been many famous street people in the past. Jesus was a street person. We oftentimes look down at street people, but a lot of people who have resorted to the streets have done things of great value for us. One example is George Orwell, whose Down and Out in London and Paris talks about his early life as a street person. It also contains a lot of data and a view of street life.

Historically, street people here go back to skid row. When there were skid rows, you didn't hear the word street people. You heard the word skid row. There was a large population prior to 1930. Many of them were immigrants. In 1910, the average age of the skid row person was 34 years old. They were considered part of the surplus labor force; migrant workers of a sort. The foundation of our economic system, as we

know it today, was fostered by them because when people were needed, they were there to work. In the late 1930s, there was a great decline in the number of people on skid row brought about by the great resurgence of our economy. Jobs were becoming more plentiful. People found permanent jobs. But there was a residue of the 1930 group. They were a new group of "skid rowers," called the "losers." They began to blame themselves for their situation.

The old songs, poems and parodies about skid rowers way back illustrate that the life they led was rather glamorous at times. There were a lot of folk tales about it. But by 1930, all that went away. What was left was the fact that this situation was a scar. The people began to feel this. I think that's one of the most important elements to remember about street people even today. There's a scar on them. It has been placed on them. They feel it. We have reassured them of it.

As I've said the average age in 1910 was 34, but by 1958 the average age of the street person was 60. I think that's very significant. In 1958, Minneapolis decided that skid row was a bad scene. We wanted to do away with it. We tore down 200 buildings and displaced 2,900 residents. Of those 2,900 residents, 1,056 were immediately identified as not having another place to go to. We talked about how to build different residences for them. But as time went by and the costs were seen, we decided to forsake that answer. These people were then labeled as transients. To this very day, transients are considered street people, but I can assure you from some of our surveys that at least 25 or 50 percent of the people on the street have been here at least five years, and another 25 percent have lived here over 18 years. This means that the street people here are basically from our area. They were born and raised here.

Street persons tend to be very asocial. Webster's definition of asocial is "to be not social, rejecting or lacking the capacity of social interaction or attitude." That's the kind of behavior I see amongst the street people. They withdraw. They blame themselves. They feel that others blame them. They suddenly become an island unto themselves. They're dropped on the street. They feel they are abandoned by everybody else. There is no god. There is nothing. And this, I think, is one of the things that our economic situation today continues to foster.

When asked which problem caused their current situation, 55 percent answered "no jobs". 35 percent said it was themselves. I think the "self" issue is really annoying, but the job issue is seen as much stronger. The people hold themselves accountable even though there is 10.8 percent unemployment. They hold themselves accountable for the fact that they don't have a job.

Based on our data, generally I don't think you're going to see riots from people on the street. This might be some good news. But the bad news is that there's more and more internalizing of the problem. I think that's a festering that we can't tolerate in our society, even though we have tolerated it in the past. The people are just leading slow deaths. I thought that there would be riots by this time based on what is going on. In fact, I would encourage that kind of reaction.

How do street people feel about a safety net? 81 percent of the people on the streets feel that they need jobs. The answer was one of seven categories that they could choose. 81 percent said they needed jobs. 65 percent said they needed lower housing costs, 63 percent said they needed lower food costs. 44 percent said more housing needs to be built. Only 39 percent said welfare needs to be expanded. People really zeroed in that it's jobs, it's lower housing costs, it's ways that I can deal with things on my own. It's my freedom that they're really talking about. I want freedom. All they really want is a fair chance.

I'd like to read briefly a couple of the comments that were on the survey that we did. The Center for Urban and Regional Affairs (CURA) at the University helped us do the survey work. We surveyed 706 people. Surveys are becoming part of the modern day scene. We have to do more and more survey work. It's really part of the Reagan economic system to stay on top of all the statistics. here are a few comments directly from the street people.

They said, "Give jobs to those who can handle them and help to others". I don't know if any of us can say it better. "Give people a chance to make a decent living." "Help people be aware that they are capable." They said, "leave Indians alone and let them go back to Mother Earth." They said, "Educate people on how to adjust to changes in life."

How do they see the situation right now? 35 percent of them said they are worse off today than they were last year, which was really bad. We've been talking about people who don't have a lot of leeway, one way or the other. 33 percent said they were about the same. 25 percent said that they were better off, but there was no proof of what they meant by better off.

I think it's also very interesting to look at what prediction these people had for the future. 10 percent said they would be worse off next year. 27 percent said they would be the same. 55 percent said that they would be better off. I think that's better than what the people in this room would say.

What is the first choice of help when these people are in need? 38 percent had no answer of where they would go to get help. 25 percent said they would go to friends. 13 percent said they would go to private agencies. 12 percent said they would go to their families. 28 percent said they would go to church and 3 percent said they would go to welfare.

In conclusion, we're seeing a awful lot more people. We see about 400 people a day in each of our branches. And we're seeing a lot more new faces. The question that I am always asked are how many people do you see regularly, and how many people do you see off and on. About 14 percent of our people come back every day. But at least 17 percent of the people are brand new every day. They are brand new, and very ill-prepared for what's happening on the streets. We ask them questions about when they last had a job. For some of them it was just last week. But they have no savings, so when the job went they were out on the street looking and that's it. That's what we're seeing more and more. We continue to allow this to happen.

In closing, I'd like to say that as yesterday's paper reported, transients might have accidentally set the holiday fire. I think the fire shows that a lot of problems in the streets are beginning to be seen: the Craig Jacksons of the world and what's happened there; the Peek children being buried this morning. We can't statistically gather those kinds of incidents. We can't, in this particular room, sit and try to even consider it. It's those kinds of things that really say very clearly we're all in this together. People are always hurrying to get ahead and they don't know what to do to be of help. I'm confident, in lot of ways, that we don't know how to help either. The one thing I do know is that we need to pull together. These are our brothers and our sisters. They're part of us. We can make it together.

The Incentive System

(By Robert J. N. Ryan)

The temptation for the social service professionals to bemoan the unfortunate circumstances we are cast in by administrative fiat is almost overwhelming. But rather than succumbing to that ancient litany of "us against them", I have chosen to see our current fiscal dilemma as an opportunity to examine more effective ways of delivering service to those in need. The method that we are using is based on a timeless formula of providing charity—helping others out of some sense of duty, compassion or sympathy. It has become formalized in this country and is seen as a public right. It is an entitlement. There is an assumed right to housing, food, medical care, clothing, etc.

As social policy debate over the year slowly molded this welfare legacy, another development was taking place which has become the cornerstone of this nation's overall prosperity—the development of competition and the free enterprise system. It is my contention that welfare and free enterprise systems, as we know them today, are mutually exclusive.

Since the free enterprise system (albeit modified by our society's sense of protectionism) has been reasonably successful in the development of our country's industry, I would further contend that it is the logical choice of a model upon which to base the design of a new kind of welfare system.

In this paper, I will introduce suggestions for such a design as I see it. Each of this Forum's sponsors is, no doubt, familiar with different aspects of this concept. My purpose is to present various aspects under one unifying idea. It is my hope that these sponsors and other policy developers will have the vision to look beyond what we have always done before in providing for persons in need, and develop a system that will both meet those needs and be compatible with the socio-economic character of this country.

THE TRADITIONAL WELFARE SYSTEM

Welfare has had many different names over the years, all reflecting some sort of beneficence on the part of the giver. With a few notable and notorious exceptions, welfare has always been a donation. The gift is given based on the largesse of the giver and therefore limited by the resources of the times. The recipients have been defined by some categorical determination of belonging based not on the individual, but on his ability to fit into some grouping. By definition one either is or isn't—is sick or isn't, is poor or isn't, is homeless or isn't, etc. Consequently, there is an inherent disincentive to change one's status. Welfare is an all or nothing proposition. A chronically mentally ill person on GA cannot try living independently, because to do so for just 5 weeks would categorically define him as able-bodied and therefore make him ineligible for all medical benefits. An AFDC mother cannot take the promotion she has worked so hard for because loss of child care benefits will result in a sizeable net loss. The wife of an elderly heart attack patient must spend the couple's whole life savings in

order to qualify for medical benefits that would have only been needed temporarily, thus banishing them to the welfare roles for the rest of their lives.

THE FREE ENTERPRISE SYSTEM

Free Enterprise refers to an economic system in which individuals own and direct the means of production. It is governed for the most part by supply and demand. In our country, the system is not pure, but the effects of the marketplace are nonetheless the determining factor in our economy. Growth and development take place as a result of the relationship between natural resources, capital, labor and technology. A complete study of the system is well beyond the scope of this paper, but suffice it to say that an enlightened self interest leads to investments in the future, thus creating new interests.

This admitted oversimplification is presented only to provide a backdrop against which to view the following suggestions for the creation of a new welfare system.

INCENTIVES

First, it is time to introduce a new name for a system which will not look at all like our old welfare system. For convenience, I will term it the Incentive System. The system might work something like this.

A need is recognized. Let it be that someone is ill, or jobless, or homeless or any combination of those. If there were an incentive (read, self interest) for society to meet this need, it would be that this person might be able to increase society's wealth. (Note here that wealth is meant in the broad sense. Society can gain through more than monetary contributions. However, to keep this example simple, let it mean money.) In keeping with the model of free enterprise, there would need to exist a parallel incentive for the individual; that is, whatever addresses his/her need would have to further self interest. In the economic world, when a need exists, it is met by merging the self interest of the needy with the self interest of the investor. I suggest that social needs can be met in the same manner.

The concept is not new. Rather than only paying the poor's heating bills, investments are being made in energy retrofits. The poor become less dependent, society doles out less money both in heat relief and in petrodollars and both come out better than they were last winter. Such programs are all too rare, though. Rather, the system abounds in disincentives.

The challenge is to design incentives into the remedies for social ills so that we create a series of successive approximations to independence and health in the broad sense. The energy aids program is a step in the right direction, but allow me to offer a few more examples.

The poor, chronically ill, periodically disabled person for whom we pay 100 percent medical, food and shelter begins to show promise of some gainful recovery. We pay more money to give him sheltered employment and job skills training. He gets a part time competitive job and betters his own financial situation because he can keep the first $90.00 of his earnings for personal needs. But as he continues to earn more he quickly reaches a point which is the cutoff for assistance and he is on his own.

At that point, I recommend the Incentive System to go to work. Offer an investment in his future and ours; some sort of a sliding scale perhaps which allows him to earn more while aid is carefully and systematically reduced. Provide a medical insurance program that demands incrementally larger contributions until he reaches full time status in which he may be eligible for company benefits. All the while, he is paying taxes on his earnings and setting himself up to be independent. The alternative is our present "all or nothing" situation. Society pays him for the rest of his life and he loses opportunity and dignity.

Another example centers around catastrophic health care. Under the current system, a family with minimal hospitalization insurance would be financially decimated by a medical catastrophe. The welfare eligibility requirements would force a family into poverty before coming to its aid. If, instead, an investment could be made to cover the short term catastrophe—say a low interest loan or even a grant—the family would continue to be financially independent in all other areas. Tax money would still come in from its working members and its other needs—food, housing and clothing would still be met independently.

Another example can be found in our whole approach to health care. Private insurance, Medicaid and Medicare are all designed with an inherent disincentive to health. They pay for care, not prevention. Millions of dollars are spent addressing the consequences of alcoholism—the lost lives, the destroyed property, the high life and collision insurance rates. A like amount spent investing in prevention and early intervention would benefit the individual, the society, the insurance carriers and the taxpayer.

Obviously the situations described above are oversimplified and a bit naive. I would argue, however, that they should not be dismissed out of hand. Investment, incentive and independence are all integrally tied together. There is risk in such a program, but I maintain that risk which includes a chance for success is far better than the safe route we are on now which guarantees continued failure.

There are a number of questions to be asked and answered. It is not lightly that I suggest we undertake this course. This Forum will listen to many needs assessments and hopefully many proposed solutions. I request that the members of this Forum cast all that information into a new light and that the basis of future reports and actions be geared toward returning incentive to people in need and to those with the resources to provide for needs. I request that these sponsoring agencies, and all the presenters at this Forum shed the disincentives of an archaic welfare system, and accept the challenge and dignity of a new Incentive System.●

SALUTING VOLUNTEER FIREFIGHTERS

● Mr. D'AMATO. Mr. President, in countless communities across our country, men and women respond to the call for help from their neighbors 365 days a year, round the clock, in good weather and in bad, risking their lives and asking nothing in return. They are volunteer firefighters and there is no award, no commendation, no words of praise which can adequately say thanks for their efforts and achievements.

Fireman James Walker of the East Rockaway Fire Department is receiving the Bronze Medal of Valor for his efforts on November 11, 1982, when working with a fellow employee of Manhattan Cable in New York, he noticed an elderly man clinging to life in the freezing waters of the East River. When police efforts to bring the man to shore by helicopter failed, Mr. Walker plunged into the river and dragged the man to shore.

Capt. Timothy Joyce, Fireman Bryan McPherson, and James Joyce, from the Williston Park Fire Department, are receiving the Silver Medal of Valor for their efforts on November 19, 1982. Captain Joyce, despite a broken oxygen mask, found three people sprawled unconcious in the smoke- and fire-filled bedroom of a second-story house. With the help of Firefighters McPherson and Joyce, the three were brought out through windows while Fireman Joyce would subsequently discover the unconcious body of a young girl and carry her to safety.

The Silver Medal of Valor is being awarded to First Assistant Chief Raymond Of, Second Assistant Chief Richard Miller, and Fireman Matthew Corless, all from the Bellmore Fire Department. These men, despite intense heat, flame, and smoke, on August 29, 1982, managed to find a woman who had returned to a blazing house in the mistaken belief that her children were still trapped. Chiefs Miller and Matthew returned time and again to find the woman, and with the help of Fireman Corless, managed to pull the woman to safety.

In my own village of Island Park, Capt. Joseph Annarella on January 27, 1983, was driven back several times by heavy smoke in his attempt to singlehandedly rescue an elderly woman trapped by fire in an apartment. Recognizing that time was slipping away in their effort to rescue the woman, Captain Annarella entered through a rear entrance, battled smoke and flames, and then with the help of Assistant Chief Francis Nicholas, carried the woman to safety.

For extraordinary risk, First Assistant Chief William Pullaro is being awarded the Gold Medal of Honor. On October 4, 1982, realizing the life of an invalid was at stake, he raced into a burning building without protective gear or self-breathing apparatus to drag the injured person to safety. Then refusing medical attention, he directed fire and rescue operations at the scene.

In addition, Mr. President, four civilian awards are going to Nassau County residents who courageously took actions to save lives, regardless of risk and danger.

Thirteen-year old Karen Misrock of Rockville Centre, on April 15, 1982, was babysitting when she heard her 2½-year-old charge coughing. Knowing him not to have a cold, she went

upstairs to find smoke and flames coming from an adjacent room. Closing the door to the fire, thus saving the home from severe damage, she scooped up the child and ran to a neighbor's home for help.

On November 30, 1982, Vincent Corsaro of Rockville Centre ran to a burning car whose driver was injured and unable to leave the vehicle. Despite the threat of injury, Mr. Corsaro removed the person from the car, eliminating the threat of additional serious injuries to the victim.

Freeport resident Richard Touchstone, despite a hearing impairment, heard cries for help from a burning apartment. Without regard for his own safety, he crawled through a fully involved burning apartment, found the victim, a handicapped individual, and managed to drag him from the apartment. Mr. Touchstone's hair and eyelashes were burned off from the intense heat and flames. Although the fire victim died from his critical burns, Mr. Touchstone was willing to lay down his life, if necessary, to rescue another human being.

Mr. William Brown of Baldwin smelled smoke from a nearby house and, upon entering the home, informed two elderly people that their house was on fire. Told of a third person on the top floor, he, along with another man, attempted to wade through intense smoke and heat to reach that person. Even after their jackets caught on fire, they returned to try to effect a rescue. Although their efforts failed, Mr. Brown took great personal risk to try and save another.

Mr. President, as these examples illustrate, volunteer firemen are the finest example of courage and dedication to their fellow human beings. I am proud and humbled to be considered among their members. It is difficult, Mr. President, to properly thank these dedicated, selfless men and women. I ask that my colleagues in this body consider the sacrifices of these volunteer firefighters and join with me in applauding their courage.●

SELLING AMERICA IN THE MARKETPLACE OF IDEAS

● Mr. PELL. Mr. President, as Members of the Senate recognize, our national security depends not only on a strong military but also on the power of American ideals and values abroad. I was, therefore, extremely pleased when the Senate Foreign Relations Committee last week voted to increase funding dramatically for U.S. Government-sponsored exchange-of-persons programs. In so doing, the committee reaffirmed its commitment to the Pell amendment which requires that these programs be doubled by fiscal year 1986. The committee also approved another amendment, offered by me, to protect the academic excellence and nonpartisan character of international educational and cultural programs by giving them a legislative charter.

In taking these important steps, the committee was unquestionably influenced by an extremely thoughtful and persuasive article by Prof. Richard Gardner, our former Ambassador to Italy, which appeared in the March 20, 1983, New York Times magazine. In the article, which is entitled "Selling America in the Marketplace of Ideas," Professor Gardner chronicles the serious decline in U.S. public diplomacy, and in particular in the Fulbright academic exchange programs and the international visitor program. Professor Gardner notes that USIA's fiscal year 1983 budget of $588 million is a mere 0.25 percent of the $209 billion defense budget. Exchange programs are funded at only two-thirds of the 1965 levels; support for foreign translation of U.S. books has declined over the same period from $10 million to $500 thousand; the number of USIA libraries has declined from 254 in 1963 to 132 today with a concomitant decline in attendance from 28 million in 1958 to 3.5 million. Professor Gardner also describes a comparable decline in domestic programs for foreign languages and foreign studies.

As Professor Gardner makes clear, the consequences of this neglect are very serious. Citing examples from his experience in Rome, Professor Gardner points out that the Federalist Papers and many of the other great documents of American democracy are no longer in print in Italian. By contrast, Italian translations of Marx, Lenin, and Stalin are widely available. The decline in officially sponsored Italian international visitors from 200 to 30 reduced the possibilities for U.S. influence in Italy at the very time that Italy was making crucial decisions relating to the future of NATO. The decline in foreign studies and foreign languages has, among other consequences, affected the ability of the foreign service to recruit qualified officers with a language background.

Professor Gardner makes a number of constructive suggestions to counter the decline in our public diplomacy. I am, of course, pleased at his endorsement of my amendment mandating a doubling of exchanges by fiscal year 1986. Professor Gardner says he would prefer to go further and advocates a quadrupling of the Fulbright, international visitor and related programs. I heartily concur, since my original proposal was for a 10-fold increase in those programs. Professor Gardner estimates a 4-fold increase would cost no more than four F-15's—a 10-fold increase would still be less expensive than a squadron—but would be a boost of incalculable value to our national security.

Professor Gardner also advocates separation of USIA's short-term informational activities from the long-term educational and cultural programs. I share Professor Gardner's belief that the informational functions have come to dominate and distort the educational and cultural programs. The Foreign Relations Committee has addressed this problem by adopting my amendment to give USIA's Bureau for Educational and Cultural Affairs a legislative charter. I believe this proposal will help insure the scholarly integrity and nonpolitical character of these programs thus preserving their credibility abroad.

As the Senate proceeds to consider the foreign relations authorization legislation, I would urge Members to consider the case advanced for an effective public diplomacy in Professor Gardner's splendid article. I therefore ask that the article be printed in the RECORD.

The article referred to follows:

SELLING AMERICA IN THE MARKETPLACE OF IDEAS

(By Richard N. Gardner)

Alarmed by Soviet leader Yuri Andropov's peace offensive in Europe, President Reagan recently established a Cabinet-level group under the chairmanship of the national security adviser William P. Clark to "coordinate . . . national security public affairs matters of Presidential interest." He also called home our Ambassador to Ireland, Peter H. Dailey, his 1980 campaign advertising manager, to help firm up European support for the deployment of the Pershing 2 and cruise missiles.

"The President is not known as the Great Communicator for nothing," an unnamed State Department official was quoted as saying. "He is recognizing that public diplomacy plays a large part in the world."

Having spent four years on the front lines of European diplomacy as Ambassador to Italy, I read these news items with mixed emotions. I felt a twinge of hope that our long years of neglect of "public diplomacy" might finally be coming to an end. I also felt concern, which has not been diminished by recent events in Washington, that the White House and the Washington bureaucracy are looking for a quick advertising fix for a current foreign policy "crisis," and have no comprehensive long-term vision of "public diplomacy" as a vital element in American foreign policy.

In these last decades of the 20th century, "public diplomacy" ought to be conceived as a nation's efforts to project its values, purposes, interests and policies to the people of other countries and to understand, in return, their values, purposes, interests and policies. It is more than just "selling" the official policy of the moment through the daily mass media, important as that element is. "Public diplomacy" has to do with assuring an effectively functioning "intellectual connection" between one's own and foreign countries.

The British, the French, the Germans and the Japanese have long understood "public diplomacy" in this broad sense and have applied resources and intelligence to programs of information, education and culture to assure the vitality of the "intellectual connection" between themselves and other soci-

eties. The United States has not. As long as this remains the case, we will lack the ability both to shape a foreign policy that takes account of the real world and to influence foreign countries in ways that are consistent with our long-term interests.

We will continue to bemoan the fact that people overseas are poorly informed about the nature of our society and our foreign policy—that so many students, workers and intellectuals in Europe, Japan and the developing countries are convinced that both the Soviet Union and the United States represent threats to their interests—and that American embassies and the American intelligence community are frequently taken by surprise by foreign developments (the collapse of the Shah's regime being only one dramatic example).

This is the real "window of vulnerability" about which we should be concerned—for it is contributing to the progressive political isolation of the United States.

In fiscal year 1983, our country is spending $209 billion for national defense. In this same fiscal year, the operating budget for the United States Information Agency is about $588 *million*—or about 0.25 percent of our military spending. Of that amount, less than $100 million will be available for educational and cultural exchange programs. In real dollar terms, these programs are now operating at two-thirds of 1965 levels.

The Fulbright program for the exchange of scholars and students that supported the exchange of about 7,600 people in 1965 is now down to 5,000. The number of foreign leaders coming to our country each year for short visits under the International Visitor program is down to about 1,700 from a high of more than 2,400 in 1966. The book publishing program of the U.S.I.A. for foreign translation of American books has been gradually reduced since the 1960's from $10 million to $500,000 a year. The number of U.S.I.A. libraries and reading rooms overseas has been reduced from 254 in 1963 to today's 132; annual attendance at those libraries is down from 28 million in 1958 to 3.5 million.

We are thus deliberately destroying some of our principal vehicles for influencing future generations of leaders in allied, neutral and adversary nations. We are denying our foreign policy one of our greatest sources of strength as a nation—our system of higher education and our rich pluralistic culture. We have also shamefully neglected the education of our young people in foreign languages and foreign area studies. All this seems to me the height of folly.

The consequences of this continuing neglect of "public diplomacy" in its proper sense—of our failure to give adequate support to the "intellectual connection" in our foreign policy—were painfully evident to me during my years in Rome. Here are a few representative items in an ambassadorial mosaic:

Item: In the early weeks of my tenure as Ambassador, I asked to see an Italian translation of "The Federalist," perhaps our most representative book of American political philosophy. I was told, with some embarrassment, by the embassy's cultural section that the Italian edition had been out of print for many years. I then asked for a list of Italian editions of Marx, Lenin, Stalin and other representative writers in the Soviet pantheon. The cultural office found well over 100. I also learned, through my teen-age daughter, that her best friend, an Italian girl studying for her university exam in American history could not find anywhere in Rome an inexpensive paperback history of the United States in Italian—except for works by Italian Communists and American revisionist historians.

Item: During my last year as Ambassador, a major assignment for the embassy was to work with the Italian leadership on the deployment of the cruise missiles in Italy as part of NATO's program of theater nuclear force modernization. It was not an easy decision for Italy to make in the face of opposition by the Communist Party, representing 30 percent of the electorate.

Two Italians played a key role in Italy's courageous decision to take the missiles—the Prime Minister Francesco Cossiga, a Christian Democrat, and a Socialist leader, Lelio Lagorio, who later became Minister of Defense. Each had come to the United States on the International Visitor program—the small but significant enterprise that brings to this country for brief visits young leaders in the fields of politics, labor, journalism, education and the arts. Both told me their visits had been important in changing their hitherto skeptical attitudes toward our country.

The cost of their visits at the time was about $2,000 each, but who can put a value on the contribution that those visits may have made to Western security? Yet the International Visitor program, which once brought 200 Italians to our country each year, was down to 30 when I arrived in Italy. We used Washington's fear of Communist entry into the Italian Government to get it up to 50; as the Communist threat receded, the number slid to 30 once again. It is a measure of the shortsightedness of our Government that this program, which has as alumni at least 35 foreign heads of state and prime ministers, has to fight every year just to stay alive, much less be funded at an adequate level.

Item: During my first year as Ambassador, I learned that we had spent tens of millions of dollars since World War II on our educational and cultural programs in Italy, but we (and the Italians) had so neglected the teaching of English that fewer than one Italian in 20 can now speak English with a reasonable degree of fluency. Both Italy and the United States share a heavy responsibility for this sad state of affairs, which continues to be an obstacle to understanding between the two countries as well as to Italy's full participation in an alliance system in which English is the basic language of communication.

After much table pounding in Washington, I was able to get a small sum of money, supplementing additional funds in Italy's own budget, to train Italian teachers of English—and, vice versa, to increase aid to our rapidly growing but inadequately staffed Italian language programs in American schools. But the level of American effort in this area is still pitifully small—as is the support given by both the Italian and American Governments to the teaching of American history, literature and contemporary civilization in Italian schools and universities.

Item: When my wife and I arrived in Rome, we naturally asked to see the embassy guest lists. Whom an ambassador invites to receptions, dinners and cultural events not only does much to determine his capacity to understand and influence the leadership of a foreign country, it also shapes the leadership's perception of him and the Administration he represents.

So we were surprised to find that key editors, journalists, trade union leaders, scholars, artists and writers had been notable by their absence from embassy functions. From the cultural world, for example, the Ambassador's residence had not seen Federico Fellini or Lina Wertmuller, Giacomo Manzu or Renato Guttuso, Leonardo Sciascia or Alberto Moravia. They had not been invited, we were told, because they were "left wing." And, of course, they were: They were Socialists and radicals and some were even Communists. But they were also prime movers in the world of ideas—artists, writers, film makers, who helped shape Italy's values.

These and other figures from the intellectual and artistic world, including, of course, missing moderate and conservative personalities, were quickly added to our guest lists. It turned out that some of the "leftists" could be good friends of the United States, given half a chance.

Item: During most of my service as Ambassador, there was no one in our embassy, including our large information and cultural section, who knew anything about the history of ideas in Italy or who even cared to find out. This was damaging our embassy's effectiveness politically as well as culturally, since the contemporary clash of political ideas in Italy cannot be understood except in historical context.

One day, I asked a cultural affairs officer to perform a service for himself and other members of our embassy by preparing a memorandum on some of the great thinkers whose ideas have shaped contemporary Italy—Giuseppe Mazzini, intellectual father of the Risorgimento; Antonio Gramsci, the patron saint of Italian Communism; Filippo Turati, the Democratic Socialist; Luigi Sturzo, founder of modern Christian Democracy, and Benedetto Croce, the liberal philosopher. But the cultural affairs officer told me I had made an unreasonable request: neither he nor anyone on his staff could prepare such a memo. Not only that, but writing memos about the ideas that had shaped modern Italy was not part of his job description. In despair, I accepted a compromise: In place of the memo we circulated photocopies of the relevant entries in the Encyclopedia of the Social Sciences.

Item: On the eve of my departure for Rome, I asked the Council on Foreign Relations to assemble members of that small band of American scholars who make a profession of studying contemporary Italy. Inevitably, the dominant question of the meeting was the Italian Communist Party, which then seemed on the threshold of power. I expressed misgivings about what Communist entry into an Italian Government might mean for the Western alliance and cited the stridently anti-American tone of the Communist and pro-Communist press.

A young Harvard professor, then much in vogue as the American interpreter of "Eurocommunism," interjected: "You don't understand: The Italian Communist Party is not anti-American." Several years later, I gave him a fat collection of clippings from the Italian Communist press, a veritable treasure of anti-American calumnies, including insinuations that the United States was behind the Red Brigades and the murder of Aldo Moro. It moved him not at all, for the principal influence on his thinking was what party leaders had been telling him in the United States, not what the party was actually saying and doing in Italy. (Eventually I concluded that our academic community has only three or four people who really qualify as experts on contemporary

Italy. I know of none in the United States Government.)

These pieces of an ambassadorial mosaic illustrate some deficiencies in our "intellectual connection" with the rest of the world. What is to be done? I shall venture some specific remedies in a moment, but first it may be useful to consider some basic ideas of which any reform program should take account.

I begin by recalling the advice I received from the Italian journalist Luigi Barzini when I began my service in Rome. "The most important thing you can do," he said, "is to radiate American ideals." Not such bad advice for an ambassador. But, of course, an ambassador can do this effectively only if our foreign policy itself also "radiates American ideals."

If we give the impression to the world that we do not know the difference between dictatorships and democracies, if we give uncritical support to "authoritarian" regimes in the name of anti-Communism, if we seem to lack a genuine commitment to arms control, if we appear indifferent to critical world issues like poverty, hunger and environmental degradation, and if we break with our bipartisan tradition of American leadership in the quest for a rule of law among nations, we cannot expect enthusiastic support from thoughtful people in other countries.

We seem to have forgotten the obvious truth that you don't defend national security with arms alone. The Soviet SS-20 missile is a threat to European security, but just as great a threat is the slow and steady erosion of common values and interests that is the foundation of the Atlantic alliance. More than a quick-fix advertising campaign will be necessary to meet this challenge.

Our overseas educational and cultural programs will not be successful if they are little more than exercises in anti-Soviet propaganda. Charles Z. Wick, the head of U.S.I.A., told a Congressional committee: "We are refuting the massive Soviet campaign of disinformation and misinformation about us and our intentions in the world. . . . We must recognize, however, that this agency is a critical component of our national security apparatus, and that we are waging a war of ideas with our adversaries."

This seems to me a very incomplete description of what the U.S.I.A. should be doing—yet it has become the dominant theme in the Reagan Administration. Doubts about the U.S.I.A.'s excessively strident and narrowly ideological approach are behind the skepticism that both Democratic and Republican members of Congress are now expressing about "Project Democracy"—the Reagan Administration's still undefined initiative to promote democratic values and institutions around the world. If our cultural and educational programs are conceived as in the service of a "war" or "crusade" against our adversaries, if they seem to reflect only the limited views of a particular United States Administration on the meaning of the democratic experience, they will be distorted from their proper purposes—"radiating American values" to the world and building the "intellectual connection" with foreign societies.

Obviously there is a crucial role for the informational arm of the United States Government—including the combating of Soviet disinformation—and the current strengthening of the Voice of America is long overdue. But there is another function to be performed, separate from this tactical, day-to-day, foreign-policy-related role: It is the function of educational and cultural relations, which is now, sadly, increasingly subordinated to the propagandistic and political.

Consider what is happening to one of the most valuable programs we have in the educational and cultural field—the "American Participants" program, which sends American scholars and professional people abroad for short periods to give lectures and meet with foreign counterparts. In previous Administrations, Republican and Democratic, there was never a partisan loyalty test applied to the lecturers chosen to go abroad under those programs. One of the great strengths of the "American Participants" program was that it reflected our pluralistic society with a diversity of American views. But today someone under consideration to participate in this program is asked if he is prepared to support the foreign policy of the Reagan Administration. As the word gets around that we are running a propaganda agency for current policy, the credibility and effectiveness of the program in foreign countries will be fatally compromised.

So much for the philosophy of what we should be trying to do. Now for some proposals about how to do it. If we are really concerned to remedy our flawed "intellectual connection" with foreign societies, here are four areas where changes will be required:

First and foremost, we need a top-to-bottom improvement in the quality of the people who represent us overseas. Americans have fallen into the habit of thinking that ambassadors and embassies have become irrelevant luxuries, obsolete frills in an age of instant communications. We make the mistake of thinking that if a sound foreign policy decision is approved at the State Department or the White House, it does not much matter how it is carried out in the field. This is a dangerous illusion indulged in by no other major country.

Ambassadors today need to perform multiple roles. They should be the "eyes and ears" of the President and Secretary of State; advocates of our country's foreign policy in the upper reaches of the host government; resourceful negotiators in bilateral or multilateral diplomacy. They should also "radiate American values" as intellectual, educational and cultural emissaries, communicating what our country stands for to key interest groups and intellectual leaders as well as to the public at large. To this end the Congress provided in the Foreign Service Act of 1980 that "ambassadors should possess knowledge of the language and of the history, culture, economic and political institutions of the country to which they are accredited."

That was a good law. The trouble is, it isn't being applied. The issue here is not one of "career" versus "political" appointees. The issue is the professional and personal qualities that a particular appointee brings to service in the country of his assignment, including knowledge of the language.

Would anyone consider a foreign ambassador in Washington to be qualified who could not read The Washington Post or The New York Times, could not understand what was being said on the evening news, could not talk on delicate matters without an interpreter to Congressmen, columnists or leading officials of the country? And suppose he neither knew English nor had any previous knowledge of our country—and indeed, had no diplomatic experience at all?

No less serious is the situation below the ambassadorial level, where the job of making the "intellectual connection" falls mainly to the Foreign Service and the career service of the United States Information Agency. Both services, of course, still contain some highly qualified people. But there has been an alarming exodus of senior career officers opting for early retirement in both the State Department and the U.S.I.A. in exasperation with less than competitive salaries and the filling of jobs with unqualified political appointees.

The new recruits are of uneven quality, and this should not surprise us. A young person entering either of these career services today begins at a salary of about $20,000 a year, while our best law and business-school graduates begin at more than $40,000. Unless we give urgent consideration to improving the financial and professional rewards of Foreign Services and U.S.I.A. career-service employees, their quality will continue to decline—and with it the quality of our "intellectual connection" as well as our general diplomacy.

We have tried a variety of institutional arrangements for the conduct of international educational and cultural programs since their beginnings in 1938. Five years ago, the Carter Administration eliminated the State Department's Bureau of Educational and Cultural Affairs, merging its functions with informational activities in a single agency, the International Communication Agency (now renamed the United States Information Agency). The merger, as many predicted at the time, was a serious mistake. The U.S.I.A.'s short-term informational functions have tended (more than ever in this Administration) to dominate and distort the educational and cultural programs.

The time has come to separate these functions again. One possibility is to move educational and cultural affairs back into the Department of State, but this will work only if the Secretary of State is prepared to appoint a non-political personality of superior quality from the private sector to the re-created post of Assistant Secretary for Educational and Cultural Affairs, with the necessary independence to assure the integrity of these essential programs. If this cannot be done, we should consider a second option—setting up a hybrid public-private foundation, as the former Assistant Secretary of State for Educational and Cultural Affairs Charles Frankel once proposed, supported by both Government and private funds to carry out the educational and cultural exchange programs.

Changes in the Washington organization would need to be matched by changes overseas. Our cultural affairs officers now work under the authority of a counselor for public affairs (the head of the U.S.I.A. in embassies abroad), whose main responsibility is informational support of our day-to-day foreign policy requirements. In other words, the embassies reflect the same subordination of the cultural and educational programs that currently characterizes the Washington headquarters.

To change this, we should create a separate and upgraded counselor for cultural affairs, who would report directly to the ambassador. We could then attract distinguished people from our universities and centers of culture to take two- to three-year appointments as cultural counselors, at least in key countries such as Italy.

Without significantly increasing financial resources, no reforms in the personnel system or organizational setting will remedy our flawed "intellectual connection." Unfortunately, the present Administration has so

far accorded relatively low priority to the educational and cultural dimension of public diplomacy in its budgetary decisions.

In 1981, when President Reagan proposed a 12 percent across-the-board spending cut by Federal agencies, the Director of the U.S.I.A. decided to apply the cut almost entirely to the educational and cultural programs. This would have meant a 60 percent reduction in the Fulbright and International Visitor programs. The Fulbright program would have ended in 61 countries, mainly in the third world, where the Soviet Union already offers more than seven times as many fellowships as the United States. Fortunately, there was such a protest from the Congress, from the academic world and from the press that the U.S.I.A. was forced to reverse its decision. The Reagan Administration then asked and received a level of funding for fiscal 1983 which, after inflation, is marginally higher than it was for 1982 and previous years.

An amendment sponsored by Senator Claiborne Pell, Democrat of Rhode Island, and passed by the last Congress calls on the U.S.I.A. to double its exchange programs. I believe we should go still further. We should quadruple the Fulbright, International Visitor, and book and library programs in stages over the next several years. The annual cost would be equal to that of four F-15 aircraft or one-quarter of a Trident submarine. We can afford *both* a strong defense and a fully funded public diplomacy. What will it avail us to have the most modern weapons if we wind up with no friends or allies?

During my four years in Italy I came to be preoccupied not only by the decline in our overseas cultural and educational programs, but also by the shocking neglect of our nation's domestic programs in foreign languages and foreign studies. Of the more than 1,000 positions in the State Department identified as requiring foreign language ability, only two-thirds are now adequately filled. In an excellent polemic on this subject, "The Tongue-Tied American," Representative Paul Simon, Democrat of Illinois, recounts a telling detail: At our American Embassy in Teheran in 1978, the year the Shah was overthrown, only six of the 60 Foreign Service officers were even minimally proficient in Farsi, the language of the country.

How well are we preparing our young people for the world of today—not to mention the world of the 21st century in which they will be reaching the peak of their professional careers? Only 5 percent of the Americans graduating from college can function adequately in a language other than their mother tongue. Only 1 percent of our private and public elementary schools offer any foreign language at all—and often that language is taught by people with little enthusiasm or expertise. Yet we all know that languages are best learned very early, preferably beginning when students are in third or fourth grade.

Four years ago, the President's Commission on Foreign Language and International Studies, headed by the educator James A. Perkins, described our nation's incapacity in languages and foreign studies as "scandalous." That report was presented to President Carter and quickly forgotten. The Reagan Administration has shown little interest in the problem. Indeed, in its budget for fiscal year 1984, it has proposed to eliminate all funding for foreign language and foreign studies in Title VI of the Higher Education Act.

In the face of such indifference, it is now up to Congress and to academic, business and professional groups around the country to ask that language requirements be re-established in our major universities and that language and foreign studies be given greater priority.

Finally, and perhaps most important, we should start teaching languages in the third or fourth grade of our public and private schools. Some local educational systems are finally moving to do this. But our Federal Government must take responsibility for financing a national effort in a matter that is so fundamental to the security of our nation and the welfare of our people. That is the central message of the National Council on Foreign Language and International Studies, a group of private citizens established as a result of the Perkins report, which is mobilizing support for the report's recommendations in the Congress and the private sector.

Lyndon Johnson was not a popular President with the American intellectual community. Yet, of all our Presidents, it was he who best defined our national agenda in public diplomacy in a speech at the Smithsonian Institution in 1965:

"We know today that . . . ideas, not armaments, will shape our lasting prospects for peace; that the conduct of our foreign policy will advance no faster than the curriculum of our classrooms, and that the knowledge of our citizens is the treasure which grows only when it is shared.

"That is why I have directed a special task force within my Administration to recommend a broad and long-range plan of worldwide educational endeavor.

"First, to assist the education effort of the developing nations and the developing regions.

"Second, to help our schools and universities to increase their knowledge of the world and the people who inhabit it.

"Third, to advance the exchange of students and teachers who travel and work outside their native lands.

"Fourth, to increase the free flow of books and ideas and art, of works of science and imagination.

"And fifth, to assemble meetings of men and women from every discipline and every culture to ponder the common problems of mankind."

The principal drafter of President Johnson's speech 18 years ago was that pioneer in enlightened public diplomacy, Charles Frankel. How long must we wait until another President, aided by someone like Charles Frankel, will speak again in that way, summoning us to our responsibilities as a nation?●

CRIME AND THE FEDERAL COURTS

● Mr. HELMS. Mr. President, the level of crime in America is, simply put, intolerable. Although the trend lines are not without some encouraging signs, the fact is that government, both State and Federal, is not doing the job it should be doing to detect, arrest, and convict criminals. Keeping the peace and securing order is the first duty of government in a free society, and the sad reality is that we today are not adequately discharging this duty.

By and large, the administration of criminal justice is the responsibility of State governments in our Federal system. This scheme was the way the Framers of the Constitution intended, and the way it ought to be. With some notable exceptions such as organized crime, the States are fully capable of enforcing basic criminal laws.

However, Mr. President, the States have been severely handicapped in fighting crime in recent years by rulings of the Federal courts. This fact would come as a great shock to the Constitution's drafters who took such pains to limit the power of the Federal Government so that it would not interfere in the legitimate functions of the States. Despite these well-laid plans, the Federal judiciary has inflicted heavy blows in recent years to the capacity of the States to fight crime.

The whys and wherefores of this situation have been ably brought out by the former chief of police of Herndon, Va., in a column in the Washington Post of May 1, 1983. Walter J. Bishop says quite accurately:

> Our (federal) judicial system is a mockery and will continue to be as long as judges are too concerned with root causes of crime or with technicalities to worry about justice for the community.

Mr. President, this Senator for one is committed to doing whatever is necessary to restore the balance in our Federal system so that the States can do the job of fighting crime which the Constitution wisely entrusts to them. To a large extent, this means congressional reform of the Federal judiciary. In short, fighting crime in Congress means correcting wayward Federal judges. Fortunately the Framers, in providing checks and balances among the three branches of the Federal Government, did provide Congress with ample powers to do this job. In this regard, I call on my colleagues both here in the Senate and in the House to move forward expeditiously to enact the Federal judicial reform required to put the States in the position to effectively reduce criminal activity.

Mr. President, I ask that "Our Judicial System Is a Mockery," by Walter R. Bishop, a veteran police officer and former chief of police of Herndon, Va., appearing in the Washington Post of May 1, 1983, be printed in the RECORD.

The article referred to follows:

[From the Washington Post, May 1, 1983]

OUR JUDICIAL SYSTEM IS A MOCKERY

(By Walter R. Bishop)

I am tired—tired of attorneys, judges and "experts" with academic credentials who don't know anything about crime telling the police how to solve the crime problem. They have no concept of the day-to-day problems faced by police officers.

Despite great strides by police departments, it is never enough. The police are continually told to improve, but the courts,

a contributing cause of the crime problem, continue to do it their way—and damn the American public.

Gadgets and innovations were the answer of the "bleeding hearts" to adverse and often ridiculous court decisions in the '50s. These same individuals were quick to shout down protesting police administrators during the controversial Warren Court decisions. They encouraged police administrators to accept these decisions as challenges to be solved with innovation and leadership.

One famous attorney interviewed on television pointed out that the decisions were having no impact on cases brought to trial and that the police had overreacted. What he failed to address was the adverse effect the decisions had on crime-prevention activities by the officer on patrol, which subsequently afforded the criminal additional movement without fear of arrest. Police officers have been so intimidated that they are afraid to act.

The police administrators of that era were street-wise. They recognized the consequences of the court decisions, but the policy was to refrain from speaking out, thus keeping police departments nonpolitical. The administrators who did speak out—often those on the brink of retirement—incurred the wrath of the press and of the shocked but vocal idealists.

After 20-some years of modernizing police departments without substantially reducing the crime rate, the "experts" are again blaming the police, this time for cases being lost in court. There is always room for improvement, but how did the courts manage to come out unscathed?

Usually, the police officer who makes an arrest on the scene, or shortly thereafter, is faced with a jumbled puzzle that he is required to piece together quickly under the pressures of the particular crime and the necessity of handling other calls or investigations that are waiting; or, he makes an arrest based on brief observations of a violation during rapidly changing situations.

During the initial on-scene investigations, additional personnel are not available to solve the crimes as easily as shown on those television programs. In actual practice the officers must do the best they can with the available facts and whatever else they may be able to uncover between assignments. Certainly the cases cannot be solved as meticulously as the courts, in their sterile environment want—as desirable as that may be.

The court system makes these demands while making it difficult or impossible to obtain evidence to fulfill their demands. Prosecutors want the ideal case, but the "school" solution is seldom attainable in the streets. The police officer must deal with the facts that are available—legally available. Frequently, these facts are elusive and are lost with time.

The good prosecutor should be able to help the officer strengthen the case and then demonstrate his ability to successfully prosecute, not "wheel and deal," as is often the case, to avoid a long trial.

Chief Justice Warren Burger demonstrates a concern and a knowledge of the problem, although some of his solutions could make incarceration an even more acceptable alternative to the criminal who is devoted to a life of crime. But it is a better option than a recommendation being proposed to reduce the use of prisons.

Actions in the Maryland correctional system again demonstrate the futility of releasing hardened criminals into community programs. A federal appellate court judge argues against the expenditure of billions of dollars for prisons, stating that the ugly realities behind street crimes have not been confronted. But the immediate problem is not political, as he implies: rather, it is a result of years of liberal interpretation by the judge and his associates who feel that, say, a 10-year sentence for a narcotic wholesaler with prior convictions is "cruel and unusual punishment."

Frequently, what appears to be a long prison sentence is not. If the sentence is concurrent, the individual merely serves one term. It is a farce to sentence an individual to concurrent prison terms for multiple charges. Even a stiff sentence by a judge will be substantially reduced by early-release programs, good-time release, parole, etc. An individual sentenced to life plus 50 years may be out in approximately 12 years.

Crimes committed by juveniles have become a serious national problem, yet instead of teaching our youngsters the difference between right and wrong, we are teaching them to remain silent and to request an attorney when arrested. We are teaching them how to beat the system. The state of Virginia publishes for the juvenile a step-by-step guide through the Juvenile Justice System. The National Council on Crime and Deliquency published a booklet, "You have the Right, If You Know It." Is advising a juvenile of his rights supposed to be a crime deterrent?

We are dealing with immature youngsters' lives, not playing a courtroom game. Why does the criminal justice system need an "angler" to find loopholes or a "burlesquer" to put on a show for the judge and jury? What the juvenile needs is a more personal relationship between the judge, the parents and the juvenile during the early stages of delinquency.

Our judicial system is a mockery and will continue to be as long as judges are too concerned with root causes of crime or with technicalities to worry about justice for the community.

Apparently that appellate judge is waiting for Americans to take the law into their own hands—as has happend in some jurisdictions in our country: attempts to form vigilante groups; an attempt to pass a homeowner's bill in Florida authorizing the shooting of trespassers; a Baltimore grand jury's recommendation that unrehabilitated rapists be castrated; an increase in gun purchases; or the beating of criminals by citizens.

As Chief Justice Burger pointed out, we have carried the question of constitutionality far beyond its intent—to the point of being unreasonable. Can our nation afford to permit so many of our young people to go down the drain while we argue about the constitutionality of paraphernalia laws? Did the framers of our Constitution envision movies and magazines depicting abnormal sex acts as "freedom of speech?" Could our forefathers have envisioned a judge placing technical constitutional values over our citizens' personal safety? How far are we going to distort the intent of the Constitution?●

MASSACRES AND TORTURES IN NICARAGUA

● Mr. ARMSTRONG. Mr. President, on January 24 of this year, Time magazine published an interview with Roberto Guillén, a military counterintelligence officer for Sandinista Defense Ministry in Nicaragua, who has since joined the insurgents headed by the hero of the anti-Somoza revolution, Eden Pastora. Senor Guillén sheds new light on the brutal character and methods of the Marxist junta that presently is misruling his country. I ask that Time's interview with Guillén be printed in the RECORD.

The interview follows:

NEW REGIME, OLD METHODS—A DEFECTOR'S FIRSTHAND ACCOUNT OF MASSACRES AND TORTURE

(NOTE.—When the Sandinistas toppled Anastasio Somoza Debayle and seized control of Nicaragua in 1979, many in the country hailed the victory as an end to the tyranny of the Somoza years. Yet over the past year evidence has surfaced showing that the Sandinistas are equally capable of repression and brutality. According to Nicaragua's Permanent Commission on Human Rights, the regime detains several hundred people a month; about half of them are eventually released, but the rest simply disappear. Roberto Guillén, 23, served as deputy chief of military counterintelligence for the Defense Ministry, but grew so disenchanted with the tactics of the government that last August he fled to join Edén Pastora Gómez, a hero of the Sandinista revolution who defected in July 1981 and is now based in neighboring Costa Rica. Guillén's parents subsequently sought refuge in the Venezuelan embassy. In an exclusive interview with Mexico City Bureau Chief James Willwerth, Guillén detailed the secret jails, torture methods and unprosecuted murders committed by the Sandinistas, including the systematic killing of Miskito Indians in the northeast department of Zelaya. Guillén's account.)

In the beginning, we were trained to work against terrorists and spies from other countries. But then we were instructed to work against comrades within the Ministry of Defense. Every individual who was not in agreement with the politics of the Sandinista National Liberation Front was considered to be an excessively dangerous element. For example, people who had disagreed politically with the National Directorate [the nine-member body that oversees the ruling three-man junta] began to face trumped-up charges of theft, even murder.

Clandestine jails are organized by zone, distributed among the different security organizations. In Managua, for example, military counterintelligence has a mechanics shop eight blocks south of the Casa del Obrero, a union headquarters. Behind the store are two cells against a wall. Each cell is less than a meter wide and a meter deep and two meters high. The prisoners inside were always handcuffed, gagged and blindfolded. They were usually put in these cells for softening up, or for depersonalization. Sometimes they were foreign spies: Hondurans, Guatemalans, sometimes intelligence agents from the United States. I recall two U.S. agents who were shot. One was Puerto Rican; the other was from New Orleans. The Puerto Rican had been captured trying to get information on arms traffic between the Soviet Union, Cuba and Nicaragua. It was not so difficult to catch U.S. spies. The U.S. intelligence services always underestimated the Nicaraguan counterintelligence capacity.

In the basement of a onetime military academy in Managua, there is a dark, unventilated underground prison that can hold 20 people. At the Montelimar military base, there are several underground jails

dug into the rocks. They are at sea level. At high tide, the water enters and comes into the cells up to the chest level of the prisoner.

Physical torture has two forms. One consists of beatings, electric shocks, blows to the testicles, and so forth. The methods proved to be more effective by the KGB and Cuban intelligence are both more complex and simpler for obtaining information. The Soviets and the Cubans have found out that violent methods are often counterproductive. People will stick to the principles for which they fought. But if you depersonalize a person, he will lose his social standards, his principles. One method is to change the body metabolism. You shut a man in a room with no light or a lot of light 24 hours a day. You interrogate him constantly, off and on. You bring him food every two hours, saying it is mealtime. After two days you lose your sense of time. The constant food brings you to a state of desperation. The mind, upon receiving so much pressure, comes to a point where it is blocked. You are questioned constantly. The mind is so exhausted, it has no defense. There are many medical ways to make a person practically unconscious.

In a more general sense, the pressure begins the moment a man or woman becomes a prisoner. There are seats that have a very uncomfortable backrest. The individual has to maintain an erect position and he has to look straight at his interrogator. If you try to get comfortable, they'll hit you.

Another method is to put you in a small room, completely white. The only furniture is your chair, the interrogator's chair and a desk. In the middle of the wall, going all around the room, is a black stripe. As the interrogation continues, the individual begins to feel that the black line is closing in on him. Sometimes people are locked in a cell so small that they can only sit down, not stand. Then the prisoner is photographed, made to squat for a drug search of his anus. If the prisoner is skinny, he is issued a baggy uniform. If he is fat, it will be too tight. You feel ridiculous. From then on, they address you only by number. Interrogation begins, which can be either very intense or very relaxed. Your cell will always be very bright or very dark. It has no windows, only a door. It is usually designed to echo. Everything echoes. You are completely disoriented.

I went to Cuba to study counterintelligence. When I returned in April of 1982, I was assigned to Zelaya Norte. After arriving there, I began to discover barbarities that were being committed against the Miskito people by reading the Ministry of Defense reports. Here is one entry which I copied in my notebook: "On Feb. 8, 1982, at 8:45 a.m., a troop of border guards fired at civilian persons on the Rio Coco at the point of the community of Bilwaskarma." The report explained that the people were traveling in canoes at the moment the troops fired upon them. One man survived. Reading this, I could not understand why the chief of counterintelligence for the area had not brought this to trial. I couldn't understand also why the soldiers would kill a pregnant woman in the canoe.

The Directorate had published an article in *Barricada* [the offical government newspaper] boasting that Sandinista soldiers had killed counterrevolutionaries coming out of Honduras. This was the same shooting I was reading about. The report I was reading said the people were searching for food and lived in Nicaragua. They had gone from Waspán [a town on the river] to Bilwaskarma in their canoes. I couldn't understand this. I fought against the barbarities Somoza committed against the Nicaraguan people. But as the revolutionary process increased, the level of class hatred increased. Among the officers, an attitude was created that one should kill rather than forgive.

The Miskito populations began to rise up. The Ministry of Defense said in its propaganda that the people who were fighting us were former national guardsmen [Somoza supporters], not Miskitos. On June 5, I participated in a firefight that was said to be with guardsmen, but it was really with Miskitos. They lost no one. We lost 19 men, officers as well as enlisted men. Twenty-two more were wounded. Only I and one other man were not hurt or killed. The regional chief of staff and his escort staff ran when the fighting started. When he decided to leave, he defended this by saying that he could not afford to die like any ordinary soldier.

There were large-scale arrests of Miskitos. About 800 people were detained. A second lieutenant saw an Indian woman among the prisoners and raped here. When this was investigated, the chief of staff pardoned him and transferred him to another unit in Kambla. It was interpreted as a promotion. I was transferred to Managua in August. I was now determined to leave Nicaragua.

But on Aug. 8, state security called me to a meeting in the Ministry of Defense building at Chipote military base. There they proposed to me that I provide the logistics, the guns, trucks and soldiers to physically eliminate the 800 Miskito prisoners. The state security people said they would have to be killed, and it should look as if they died in combat. When this was discussed, I practically went into a state of shock because of the moral conflicts it caused within me. It made me sick. They wanted me to provide soldiers to dig the graves, guards to control the Miskitos while they were being shot, trucks to transport them. I don't know if this massacre actually happened or not. On Aug. 10, I left Nicaragua.●

THE BISHOPS' LETTER

● Mr. MOYNIHAN. Mr. President, I would like, if I may, to bring to the attention of the Senate and the many readers of the CONGRESSIONAL RECORD an extraordinary document of great value and enduring importance to all Americans.

I speak of the pastoral letter of the National Conference of Catholic Bishops setting forth the teaching of the American Catholic Church with respect to morality in this nuclear age. Entitled "The Challenge of Peace: God's Promise and Our Response," the bishops' letter was formally adopted by the full conference only this Tuesday, May 3, 1983. As the complete text with the numerous minor amendments added this week is not yet in print, I submit to the RECORD excerpts published in this morning's New York Times.

The bishops' letter reminds us that nuclear war is not merely a mathematical problem of percentages and angles and megatonnage. They quite eloquently and candidly assert that arms control is something more than a logistical challenge of arranging for sufficient numbers of sessions in Geneva among negotiating teams. They try, and one hopes the bishops succeed, to teach us something about the very difficult moral choices that currently confront us in the matter of nuclear weapons and strategic policy—not only those of us in the U.S. Senate or in the Government, but all of us, Catholics, Christians, Americans, persons of good will everywhere.

This is a time for prayerful attention to important details in this area, as it is a time for careful reflection of the gravity of the decisions the Senate will soon take in this regard.

In that spirit, I urge my colleagues to read the insights offered this week—after more than 2 years of rigorous and thorough study and discussion—by the Catholic Conference.

I would also like to express my admiration and respect for the bishops who are the principal authors of this letter. The drafting committee was chaired by His Eminence Joseph Cardinal Bernardin, Archbishop of Chicago, a man of exceeding erudition and scholarly competence, as he has been an inspiring pastor in Cincinnati and Chicago.

The others on the committee were no less impressive in their immeasurably careful deliberation: The Most Reverend Thomas J. Gumbleton, auxiliary bishop of Detroit; the Most Reverend John O'Connor, auxiliary bishop to the military vicar in New York; the Most Reverend George A. Fulcher, bishop of Lafayette, Ind., and the Most Reverend Daniel P. Reilly, bishop of Norwich, Conn. I congratulate them all on this fine work, and I thank them all.

The excerpts follow:

[From the New York Times, May 5, 1983]

(Following are excerpts from "The Challenge of Peace: God's Promise and Our Response," the pastoral letter of the National Conference of Cathlic Bishops that was approved Tuesday in Chicago. The excerpts have been provided by The Associated Press, which worked from a copyrighted, published third draft of the document produced by the conference, and inserted amendments that were approved at this week's meeting. The bishops will publish the official version of their letter later.)

INTRODUCTION

"The whole human race faces a moment of supreme crisis in its advance toward maturity." Thus the Second Vatican Council opened its treatment of modern warfare. Since the council, the dynamic of the nuclear arms race has intensified.

I. PEACE IN THE MODERN WORLD: RELIGIOUS PERSPECTIVES AND PRINCIPLES

The experience of preparing this pastoral letter has shown us the range of strongly held opinion in the Catholic community on questions of war and peace. Obviously, as bishops we believe that such differences should be expressed within the framework of Catholic moral teaching.

THE MORAL CHOICES FOR THE KINGDOM

The Catholic tradition has always understood the meaning of peace in positive

terms. Peace is both a gift of God and a human work.

The Church's teaching on war and peace establishes a strong presumption against war which is binding on all; it then examines when this presumption may be overridden, precisely in the name of preserving the kind of peace which protects human dignity and human rights.

A government threatened by armed, unjust aggression must defend its people. This includes defense by armed force if necessary as a last resort. The need, right and duty to maintain appropriate armed defense now, even while exploring nonviolent methods of defense on a large scale as a possibility for the future, once again reflects the tension for the Christian, who must live in this world while trying to hasten the coming of the Kingdom.

The moral theory of the "just war" or "limited war" doctrine begins with the presumption which binds all Christians: We should do no harm to our neighbors; how we treat our enemy is the key test of whether we love our neighbor; and the possibility of taking even one human life is a prospect we should consider in fear and trembling.

Just war teaching has evolved, however, as an effort to prevent war; only if war cannot be rationally avoided, does the teaching then seek to restrict and reduce its horrors. It does this by establishing a set of rigorous conditions which much be met if the decision to go to war is to be morally permissible. Such a decision, especially today, requires extraodinarily strong reasons for overriding the presumption in favor of peace and against war.

Jus Ad Bellum: Why and When Recourse to War Is Permissible

Just Cause: War is permissible only to confront real and certain danger, i.e., to protect inocent life, to preserve conditions necessary for decent human existence, and to secure basic human rights.

Competent Authority: In the Catholic tradition war must be declared by those with responsibility for public order, not by private groups or individuals.

Comparative Justice: To pretend that as a nation we have lived up to all our own ideals would be patently dishonest. To pretend that all evils in the world have been or are now being perpetuated by dictatorial regimes would be both dishonest and absurd. But having said this, it is imperative that we confront reality. The facts simply do not support the invidious comparisons made at times, even in our own society, between our way of life, in which most basic human rights are at least recognized even if they are not always adequately supported, and those totalitarian and tyrannical regimes in which such rights are either denied or systematically suppressed.

Right Intention: During the conflict, right intention means pursuit of peace and reconciliation, including avoiding unnecessarily destructive acts or imposing unreasonable conditions (e.g., unconditional surrender).

Last Resort: For resort to war to be justified, all peaceful alternatives must have been exhausted.

Probability of Success: This is a difficult criterion but its purpose is to prevent irrational resort to force or hopeless resistance when the outcome of either will clearly be disproportionate or futile.

Proportionality: In terms of the Jus Ad Bellum criteria, proportionality means that the damage to be inflicted and the costs incurred by war must be proportionate to the good expected upon taking up arms." In today's interdependent world even a local conflict can affect people everywhere; this is particularly the case when the nuclear powers are involved.

Jus In Bello: Even when the stringent conditions which justify resort to war are met, the conduct of war (i.e., strategy, tactics and individual actions) remains subject to continuous scrutiny in light of two principles which have special significance today precisely because of the destructive capability of modern technological warfare.

When confronting choices among specific military options, the question asked by proportionality is: Once we take into account not only the military advantages that will be achieved by using this means, but also the harms reasonably expected to follow from using it, can its use still be justified? Even if the means adopted is not evil in itself, it is necessary to take into account the probable harms that will result from using it and the justice of accepting those harms.

Do the exorbitant costs, the general climate of insecurity generated, the possibility of accidental detonation of highly destructive weapons, the danger of error and miscalculation that could provoke retaliation and war—do such evils or others attendant upon and directly deriving from the arms race make the arms race itself a disproportionate response to aggression?

Finally, another set of questions concerns the interpretation of the principle of discrimination. The principle prohibits directly intended attacks on noncombatants and nonmilitary targets."

Mobilization of forces in modern war includes not only the military, but to a significant degree the political, economic, and social sectors. It is not always easy to determine who is directly involved in a "war effort" or to what degree.

Direct attacks on military targets involve similar complexities. Which targets are "military" ones and which are not? To what degree, for instance, does the use (by either revolutionaries or regular military forces) of a village or housing in a civilian populated area invite attack? What of a munitions factory in the heart of a city?

II. War and Peace in the Modern World: Problems and Principles

Both the just war teaching and nonviolence are confronted with a unique challenge by nuclear warfare. This must be the starting point of any further moral reflection: nuclear weapons, particularly, and nuclear warfare as it is planned today, raise new moral questions.

In the nuclear arsenals of the United States or the Soviet Union alone, there exists a capacity to do something no other age could imagine: We can threaten the entire planet. For people of faith this means we read the Book of Genesis with a new awareness. Today the destructive potential of the nuclear powers threatens the human person, the civilization we have slowly constructed, and even the created order itself.

A. THE NEW MOMENT

This nuclear escalation has been opposed sporadically and selectively but never effectively. The race has continued in spite of carefully expressed doubts by analysts and other citizens and in the face of forcefully expressed opposition by public rallies. Today the opposition to the arms race is no longer selective or sporadic, it is widespread and sustained.

As a people we must refuse to legitimate the idea of nuclear war. Such a refusal will require not only new ideas and new vision, but what the Gospel calls conversion of the heart.

We see with increasing clarity the political folly of a system which threatens mutual suicide, the psychological damage this does to ordinary people, especially the young, the economic distortion of priorities—billions readily spent for destructive elements while pitched battles are waged daily in our legislatures over much smaller amounts for the homeless, the hungry and the helpless here and abroad.

The political paradox of deterrence has also strained our moral conception. May a nation threaten what it may never do? May it possess what it may never use? Who is involved in the threat each superpower makes; government officials? or military personnel? or the citizenry in whose "defense" the threat is made?

B. RELIGIOUS LEADERSHIP AND THE PUBLIC DEBATE

We believe it is necessary, for the sake of prevention, to build a barrier against the concept of nuclear war as a viable strategy for defense. There should be a clear public resistance to the rhetoric of "winnable" nuclear wars, or unrealistic expectations of "surviving" nuclear exchanges and strategies of "protracted nuclear war."

C. THE USE OF NUCLEAR WEAPONS

For the tradition which acknowledges some legitimate use of force, some important elements of contemporary nuclear strategies move beyond the limits of moral justification. A justifiable use of force must be both discriminatory and proportionate. Certain aspects of both U.S. and Soviet strategies fail both tests as we shall discuss below. The technical literature and the personal testimony of public officials who have been closely associated with U.S. nuclear strategy have both convinced us of the overwhelming probability that major nuclear exchange would have no limits.

Moral Principles and Policy Choices

Counter-Population Warfare: Under no circumstances may nuclear weapons or other instruments of mass slaughter be used for the purpose of destroying population centers.

Retaliatory action which would indiscriminately take many wholly innocent lives, lives of people who are in no way responsible for reckless actions of their government, must also be condemned. This condemnation, in our judgment, applies even to the retaliatory use of weapons striking enemy cities after our own have already been struck.

The Initiation of Nuclear War: We do not perceive any situation in which the deliberate initiation of nuclear warfare, on however restricted a scale, can be morally justified.

This judgment affirms that the willingness to initiate nuclear war entails a distinct, weighty moral responsibility; it involves transgressing a fragile barrier—political, psychological and moral. We express repeatedly in this letter our extreme skepticism about the prospects for controlling a nuclear exchange, however limited the first use might be. Precisely because of this skepticism, we judge resort to nuclear weapons to counter a conventional attack to be morally unjustifiable. Our support of a "No First Use" policy must be seen in this light.

Limited Nuclear War: The issue at stake is the real as opposed to the theoretical possibility of a "limited nuclear exchange."

One of the criteria of the just war tradition is a reasonable hope of success in bringing about justice and peace. We must ask whether such a reasonable hope can exist once nuclear weapons have been exchanged. The burden of proof remains on those who assert that meaningful limitation is possible.

It is necessary to state that a nuclear response to either a conventional or nuclear attack can cause destruction which goes far beyond "legitimate defense." In such a case the use of nuclear weapons would not be justified.

D. DETERRENCE IN PRINCIPLE AND PRACTICE

Deterrence is at the heart of the U.S.-Soviet relationship, currently the most dangerous dimension of the nuclear arms race.

Moral Principles and Policy Choices

There are moral limits to deterrence policy as well as to policy regarding use. Specifically, it is not morally acceptable to intend to kill the innocent as part of a strategy of deterring nuclear war. The question of whether U.S. policy involves an intention to strike civilian centers (directly targeting civilian populations) has been one of our factual concerns.

This statement does not address or resolve another very troublesome moral problem, namely, that an attack on military targets or militarily significant industrial targets could involve "indirect" (i.e., unintended) but massive civilian casualties.

In our consultations, administration officials readily admitted that, while they hoped any nuclear exchange could be kept limited, they were prepared to retaliate in a massive way if necessary. They also agreed that once any substantial numbers of weapons were used, the civilian casualty levels would quickly become truly catastrophic, and that even with attacks limited to "military" targets, the number of deaths in a substantial exchange would be almost indistinguishable from what might occur if civilian centers had been deliberately struck.

We cannot be satisfied that the assertion of an intention not to strike civilians directly, or even the most honest effort to implement that intention, by itself constitutes a "moral policy" for the use of nuclear weapons.

These considerations of concrete elements of nuclear deterrence policy lead us to a strictly conditioned moral acceptance of nuclear deterrence. We cannot consider it as a long-term basis for peace.

We wish now to make some specific evaluations:

1. If nuclear deterrence exists only to prevent the use of nuclear weapons by others, then proposals to go beyond the minimum requirements necessary to insure credibility of deterrence at any level of conflict are not acceptable.

2. If deterrence is our goal, "sufficiency" to deter is an adequate strategy; the quest for superiority must be rejected.

3. If nuclear deterrence should be used as a step on the way toward progressive disarmament, then each proposed addition to our strategic system or change in strategic doctrine must be assessed precisely in light of whether it will render steps toward "progressive disarmament" more or less likely.

Progress toward a world free of dependence on nuclear deterrence must be carefully carried out. But it must not be delayed.

In light of these general judgments we oppose some specific proposals in respect to our present deterrence posture:

1. The addition of weapons which are likely to be vulnerable to attack, yet also possess a "prompt hard target kill" capability that threatens to make the other side's retaliatory forces vulnerable.

2. The willingness to foster strategic planning which seeks a nuclear warfighting capability that goes beyond the limited function of deterrence outlined in this letter.

3. Proposals which have the effect of lowering the nuclear threshold and blurring the difference between nuclear and conventional weapons.

In support of the concept of "sufficiency" as an adequate deterrent, and in light of the present size and composition of both the U.S. and Soviet strategic arsenals, we recommend:

1. Support for immediate, bilateral, verifiable agreements to halt the testing, production, and deployment of new nuclear weapons systems;

2. Support for negotiated bilateral deep cuts in the arsenals of both superpowers;

3. Support for early and successful conclusion of negotiations of the comprehensive test ban treaty;

4. Removal by all parties of short-range nuclear weapons which multiply dangers disproportionate to their deterrent value;

5. Removal by all parties of nuclear weapons from areas where they are likely to be overrun in the early stages of war, thus forcing rapid and uncontrollable decisions on their use;

6. Strengthening of command and control over nuclear weapons to prevent inadvertent and unauthorized use.

Nevertheless, there must be no misunderstanding of our profound skepticism about the moral acceptability of any use of nuclear weapons. We are told that some weapons are designed for purely "counterforce" use against military forces and targets. The moral issue, however, is not resolved by the design of weapons or the planned intention for use; there are also consequences which must be assessed. It would be a perverted political policy or moral casuistry which tried to justify using a weapon which "indirectly" or "unintentionally" killed a million innocent people because they happened to live near a "military significant target."

Even the "indirect effects" of initiating nuclear war are sufficient to make it an unjustifiable risk in any form. It is not sufficient, for example, to contend that "our" side has plans for "limited" or "discriminate" use. Modern warfare is not readily contained by good intentions or technological designs.

The need to rethink the deterrence policy of our nation, to make the revisions necessary to reduce the possibility of nuclear war, and to move toward a more stable system of national and international security will demand a substantial intellectual, political and moral effort. It also will require, we believe, the willingness to open ourselves to the providential care, power and Word of God.

III. The Promotion of Peace: Proposals and Policies

A. SPECIFIC STEPS TO REDUCE THE DANGERS OF WAR

Accelerated work for arms control, reduction and disarmament: We urge negotiations to halt the testing, production and deployment of new nuclear weapons systems. The numbers of existing weapons must be reduced in a manner which lessens the danger of war.

Arms control and disarmament must be a process of verifiable agreements especially between two superpowers. While we do not advocate a policy of unilateral disarmament, we believe the urgent need for control of the arms race requires a willingness for each side to take some first steps.

Negotiations on arms control agreements in isolation, without persistent and parallel efforts to reduce the political tensions which motivate the buildup of armaments will not suffice.

We strongly support negotiations aimed at reducing and limiting conventional forces and at building confidence between possible adversaries . . . We urge that prohibitions outlawing the production and use of chemical and biological weapons be reaffirmed and observed.

Sales of increasingly sophisticated military aircraft, missiles, tanks, anti-tank weapons, anti-personnel bombs and other systems by the major supplying countries (especially the U.S.S.R., the U.S., France and Britain) have reached unprecedented levels.

We call for a reversal of this course.

The Relationship of Nuclear And Conventional Defenses: The strong position we have taken against the use of nulcear weapons, and particularly the stand against the initiation of nuclear war in any form, calls for further clarification of our view of the requirements for conventional defense.

From the perspective of a developing theology of peace, we hope that a significant reduction in numbers of conventional arms and weaponry would go hand in hand with diminishing reliance on nuclear deterrence.

Civil Defense: Attention must be given to existing programs for civil defense against nuclear attack, including blast and fall-out shelters and relocation plans.

Efforts to Develop Nonviolent Means of Conflict Resolution: We affirm a nation's right to defend itself, its citizens, and its values. Security is the right of all, but that right, like everything else, must be subject to divine law and the limits defined by law.

Nonviolent means of resistance to evil deserve much more study and consideration than they have thus far received. Nonviolence is not the way of the weak, the cowardly, or the impatient. Such movements have seldom gained headlines, even though they have left their mark on history.

Nonviolent resistance offers a common ground of agreement for those individuals whose choose the option of Christian pacifism even to the point of accepting the need to die rather than to kill, and those who choose the option of lethal force allowed by the theology of just war.

B. SHAPING A PEACEFUL WORLD

Preventing nuclear war is a moral imperative; but the avoidance of war, nuclear or conventional, is not a sufficient conception of international relations today.

World Order in Catholic Teaching: An important element missing from world order today is a properly constituted political authority with the capacity to shape our material interdependence in the direction of moral interdependence.

Major global problems as well as the danger or world war resulting from these growing tensions cannot be remedied by a single nation-state approach.

The Superpowers in a Disordered World: No relationship more dramatically demonstrates the fragile nature of order in international affairs today than that of the United States and the Soviet Union. These two sovereign states have avoided open war, nuclear or conventional, but they are divid-

ed by philosophy, ideology and competing ambitions.

The fact of a Soviet threat, as well as the existence of a Soviet imperial drive for hegemony at least in regions of major strategic interest, cannot be denied.

Americans need have no illusion about the Soviet system of repression and the lack of respect in that system for human rights, or about Soviet covert operations and pro-revolutionary activities. To be sure, our own system is not without flaws. Our government has sometimes supported repressive governments in the name of preserving freedom, has carried out repugnant covert operations of its own, and remains imperfect in its domestic record of insuring equal rights for all.

There are political philosophies with understandings of morality so radically different from ours, that even negotiations proceed from different premises, although identical terminology may be used by both sides. This is no reason for not negotiating. It is a very good reason for not negotiating blindly or naively.

Sensible and successful diplomacy, however, will demand that we avoid the trap of a form of anti-Sovietism which fails to grasp the central danger of a superpower rivalry in which both the U.S. and the U.S.S.R. are the players, and fails to recognize the common interest both states have in never using nuclear weapons.

Diplomatic dialogue usually sees the other as a potential or real adversary. But the Soviet people and their leaders are human beings created in the image and likeness of God. To believe we are condemned in the future only to what has been the past of U.S.-Soviet relation is to underestimate both our human potential for creative diplomacy and God's action in our midst which can open the way to changes we could barely imagine.

IV. Pastoral Challenge and Response

We readily recognize that we live in a world that is becoming increasingly estranged from Christian values. In order to remain a Christian, one must take a resolute stand against many commonly accepted axioms of the world.

The arms race presents questions of conscience we may not evade. As American Catholics, we are called to express our loyalty to the deepest values we cherish; peace, justice and security for the entire family.

We speak here in a specific way to the Catholic community.

To Priests and Religious: This letter will be known by the faithful only as well as you know it, preach it and teach it, and use it creatively.

To Educators: To teach the ways of peace is not to "weaken the nation's will," but to be concerned for the nation's soul.

To Parents: Your role, in our eyes, is unsurpassed by any other; the foundation of society is the family. Children hear the Gospel message first from your lips. Parents who consciously discuss issues of justice in the home and strive to help children solve conflicts through nonviolent methods, enable their children to grow up as peacemakers.

To Youth: Pope John Paul II singles you out in every country where he visits as the hope of the future; we agree with him. We call you to choose your future work and professions carefully. How you spend the rest of your lives will determine, in large part whether there will any longer be a world as we know it.

To Men and Women in the Military Service: It is surely not our intention in writing this letter to create problems for Catholics in the armed forces. Every profession, however, has its specific moral questions and it is clear that the teaching on war and peace developed in this letter poses a special challenge and opportunity to those in the military profession . . .

We remind all those in authority and in the chain of command that their training and field manuals have long prohibited, and still prohibit, certain actions in the conduct of war, especially those actions which inflict harm on innocent civilians. The question is not wehther certain measures are unlawful or forbidden in warfare, but which measures: To refuse to take such actions is not an act of cowardice or treason but one of courage and patriotism.

We address particularly those involved in the exercise of authority over others. In developing battle plans and weapons systems, we urge you to try to ensure that these are designed to reduce violence, destruction, suffering, and death to a minumum, keeping in mind especially noncombatants and other innocent persons.

Attention must be given to the effects on military personnel themselves of the use of even legitimate means of conducting war. While attacking legitimate targets and wounding or killing opposed combat forces may be morally justified, what happens to military persons required to carry out these actions? Are they treated merely as instruments of war, insensitive as the weapons they use?

We especially command and encourage our priests in the military service. In addition to the message already addressed to all priests and religious, we stress the special obligations and opportunities you face in direct pastoral service to the men and women of the armed forces. To complement a teaching document of this scope, we shall need the sensitive and wise pastoral guidance only you can provide.

To Men and Women in Defense Industries: We do not presume or pretend that clear answers exist to many of the personal, professional and financial choices facing you in your varying responsibilities. In this letter we have ruled out certain uses of nuclear weapons, while expressing conditional moral acceptance for deterrence. All Catholics, at every level of defense industries, can and should use the moral principles of this letter to form their consciences. Those who in conscience decide that they should no longer be associated with defense activities should find support in the Catholic community. Those who remain in these industries or earn a profit from the weapons industry should find in the Church guidance and support for the ongoing evaluation of their work.

To Men and Women of Science: We appreciate the efforts of scientists, some of whom first unlocked the secret of atomic power and others of whom have developed it in diverse ways, to turn the enormous power of science to the cause of peace.

To Catholics as Citizens: Nuclear weapons pose especially acute questions for the conscience of American Catholics. As citizens we wish to affirm our loyalty to our country and its ideals, yet we are also citizens of the world who must be faithful to the universal principle proclaimed by the Church. While some other countries also possess nuclear weapons, we may not forget that the United States was the first to build and to use them. Like the Soviet Union, this country now possesses so many weapons as to imperil the continuation of civilization. Americans share responsibility for the current situation, and cannot evade responsibility for trying to resolve it.●

THE CHRYSLER LOAN

● Mr. RIEGLE. Mr. President, today, I received a letter from Lee Iacocca, chairman of the board of the Chrysler Corp. I would like to share this letter, and the accompanying news release, with my colleagues because they contain an announcement that will gratify us all.

On December 19, 1979, the Congress enacted the Chrysler Loan Guarantee Act. That legislation was the product of countless hours of debate, negotiation, and controversy. Many statements were made concerning the wisdom of that legislation and the risk that the Federal Government was assuming to assist a failing corporation.

Mr. President, it gives me great pleasure to echo the announcement that Mr. Iacocca made today that Chrysler will repay $400 million—a full one-third of the total loan guarantees extended to them—on or shortly after June 15. That date is the earliest allowed for repayment by the statute. This payment occurs 7 years ahead of schedule, and it is truly a remarkable achievement.

This is a tribute to Mr. Iacocca, the United Auto Workers, and the entire Chrysler Corp. Our Nation made an investment in the future of that company and in a short time that investment has been returned to us in a healthy corporation, hundreds of thousands of jobs, and an early repayment of the loan guarantees.

I ask that the news release be printed in the Record at this point.

The news release follows:

Detroit, May 5.—Chrysler Corporation Chairman Lee A. Iacocca today announced that in June the company intends to pay off $400 million, one-third of its total government guaranteed loans. The company sold notes totaling $1.2 billion between June, 1980 and February, 1981, under the terms of the Loan Guarantee Act of 1979.

Under the terms of the loan, Chrysler cannot begin paying on the guaranteed notes until June 15, 1983, and Iacocca said the company would "do it on that day, or as soon thereafter as we can." Chrysler is filing its payment plan with the Loan Guarantee Board on Monday, May 9.

In a related development, Iacocca announced that Chrysler would be going into the bond market to refinance a portion of the guaranteed debt. That will be the first time in 10 years that Chrysler has gone to the public bond market without government assistance.

Chrysler sold government guaranteed notes in the financial markets three times between June, 1980 and February, 1981. The first sale in June, 1980 was for $500 million worth of notes bearing 10.35 percent interest. The final sale in February, 1981, was for $400 million at 14.9 percent interest and it is this last issue that Chrysler is retiring. In

addition, Chrysler pays a one percent guarantee fee to the Federal Government.

"This is a great day for everyone associated with Chrysler," Iacocca said, "stockholders, employees, dealers, suppliers, lenders, and for all those millions of people around the country who were with us in spirit.

"It is remarkable to many people that we're paying off the loans," he added, "considering that so many government loans and guarantees actually become outright grants.

"Just try to name a person, corporation or government, that has paid off a note seven years ahead of schedule," Iacocca said.

The Loan Guarantee Act was passed by Congress on December 21, 1979. President Jimmy Carter signed it into law on January 7, 1980, and Chrysler began to put together a $2 billion financial package to qualify for the government guaranteed loans. After six months, Chrysler had qualified to begin drawing down on $1.5 billion of loan guarantees. Repayment was required in 1990.

As collateral, the U.S. government has liens on substantially all of Chrysler's assets. In addition, Chrysler has been paying an annual fee to the Treasury Department of $12 million. The government recently estimated that it costs $1 million a year to administer the loans. Chrysler's cumulative fee payments to the Treasury since 1980 amount to $31.2 million.●

GEOPOLITICS OF STRATEGIC AND CRITICAL MINERALS

● Mr. McCLURE. Mr. President, over the past several years, the Committee on Energy and Natural Resources has conducted extensive hearings on the geopolitics of oil. The purpose of those hearings was to determine the implications of the changing nature of the world oil market and to identify the factors that are likely to affect access to and the cost of oil, both in monetary and political terms, through the rest of this century.

While developments in the world oil markets have, and will continue to have a significant impact upon the United States and the rest of the free world, oil should not be viewed as the only commodity of strategic and critical importance to the United States.

Of equal importance to our survival as an industrialized democratic society is the availability of an adequate and secure supply of strategic and critical minerals. The United States is currently 50 percent or more dependent on foreign sources of over half of the approximately 40 minerals considered to be essential to our multitrillion dollar economy. The United States imported 25 billion dollars' worth of these minerals in 1982. Many of these minerals come from politically and economically unstable foreign sources.

The price and availability of vital minerals such as cobalt, chromium, and manganese are almost completely dependent on geopolitical events in southern Africa. For example, the area of southern Africa has 95 percent of the world's chrome, 86 percent of the world's platinum, 64 percent of the world's vanadium, 53 percent of the world's manganese, and 52 percent of the world's cobalt.

While many of these strategic and critical minerals are not found in the United States and, therefore, will have to be imported, we must be concerned with the potential vulnerability attendant to any future cutoff of these supplies. Thus, vulnerability to supply disruptions must be distinguished from import dependence. In other words, reducing import dependence would not necessarily eliminate our vulnerability to a supply disruption.

Global competition for strategic and critical materials clearly has important implications for our balance of payments, inflation, and a host of other implications regarding national defense, foreign policy, and our domestic industrial base.

It is therefore my intent, working with Senator WARNER and other members of the Energy and Natural Resources Committee, to conduct extensive hearings on the geopolitics of strategic and critical minerals with the first hearing to be held on May 19 at 10:30 a.m. in room SD-366.●

ORDER OF BUSINESS

Mr. BAKER. Mr. President, I have completed now my collection of items to be disposed of this evening. The minority leader is leaving the Chamber, and he has advised me that he has nothing further and I intend to follow him.

RECESS UNTIL 9:30 A.M. TOMORROW

Mr. BAKER. Mr. President, I now move, in accordance with the order previously entered, that the Senate stand in recess until the hour of 9:30 a.m., tomorrow.

The motion was agreed to; and, at 8:25 p.m., the Senate recessed until Friday, May 6, 1983 at 9:30 a.m.

EXTENSIONS OF REMARKS

WORLDWIDE COMBINED REPORTING

HON. BARBER B. CONABLE, JR.

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 5, 1983

● Mr. CONABLE. Mr. Speaker, most States use the unitary method of tax assessment for those corporations doing business in more than one State. Under that method, income subject to tax is generally computed on the ratio of payroll, sales and property in the taxing State compared to all States. When the formula apportionment of the unitary method is carried one step further and overseas affiliated corporations are included that method of tax assessment has become known as the worldwide combined reporting system.

While the formulary apportionment of the unitary system may work for activities within the United States, its application to overseas activities presents serious problems of very different systems of accounting, languages, currencies, levels of productivity, cost of labor, cost of materials, and elements of risk. The obvious differences in property and labor costs worldwide builds in an instant unbalance which can cause a substantial risk of multiple taxation.

At present only a few States use the worldwide combined reporting system. The Federal Government does not use the worldwide combined reporting system and has agreed not to in its tax treaties. No foreign country uses the worldwide combined reporting system.

The fact that the Federal Government has one policy and a few States have different ones has led to considerable international concern and opposition. The European Economic Community has twice filed demarches with the Departments of State in opposition to the use of the worldwide combined reporting system. At present there is pending in the British House of Commons an early day motion signed by over 190 members of that body protesting the fact that though Britain was promised a legislative solution, none has been forthcoming.

The problems of State taxation of corporations doing business in more than one State also continued to be the subject of challenges in the courts. Since the introduction of H.R. 1983 in the 97th Congress, two major unitary tax cases—ASARCO and Woolworth—have been decided by the Supreme Court. Two more cases—Container Corporation of America and Caterpillar—are literally days away from a decision.

In light of these pending Court decisions, some have suggested that congressional consideration of unitary worldwide combination be delayed. However, the Supreme Court itself has repeatedly taken precisely the opposite view. Throughout its recent rulings, the Court has openly discussed the severe limitations of the judicial process in dealing with matters like worldwide combination.

Instead of the time consuming, piecemeal, case-by-case determinations of the judicial system, the Court has urged a comprehensive legislative solution.

Moreover, the questions before the Court and those before the Congress are not the same. The Court cases are being brought under the principle that the State tax practice is so damaging as to be prohibited by the Constitution. On the other hand, it is up to the Congress to determine whether these methods of taxation—even if marginally constitutional—are consistant with the national interest in the free flow of national and international commerce.

In March 1977 the Task Force on Foreign Source Income of the Committee on Ways and Means determined it to be in the national interest that:

> States be precluded from taking into account, under the unitary method or any other method, the income of foreign affiliates of corporations doing business within the States until such time as that income is subject to Federal income tax. More recently, on July 1, 1982 the GAO in a report to the Chairman of Ways and Means said: "Federal legislation is the most appropriate solution."

I am today introducing a bill for myself and Mr. ARCHER, Mr. FRENZEL, Mr. GIBBONS, Mr. GRADISON, Mr. JENKINS, Mr. JONES of Oklahoma, Mr. MARTIN of North Carolina, and Mr. VANDER JAGT, which will bring uniformity to this country's taxation of foreign source income. It will also conform the State rules for taxation of dividends received by domestic corporations from their overseas subsidiaries to those of the Federal Government as to the quantity of those dividends which are taxed by the States.

The purpose of the section of the bill regarding dividends paid to U.S. coporations by their overseas affiliates is to provide that a State may not tax a greater portion of the dividend than the Federal Government effectively taxes. Under principles of State taxation, a State is only entitled to tax that part of a corporation's income which has been generated by that State's economy. Thus, States should not tax foreign source business profits or dividends paid from profits of a corporation not doing business in the United States. This legislation does not prohibit such taxation, but imposes only a limitation parallel to the Federal system. It would allow States to tax foreign source dividends to the extent that the Federal Government effectively taxes those dividends after taking into account the foreign tax credit.

I urge my colleagues to recognize that this Nation must have one uniform policy in this vital area in keeping with its treaty obligations. I hope that they will understand that this legislation will not only provide that uniformity, but will increase corporate, commercial and industrial investment in the United States by removing the obstacle that worldwide combined reporting presents, resulting in increased job opportunities. It will also remove the threat of multiple taxation and retaliatory taxing methods by other countries which could place U.S. companies at a disadvantage when competing in worldwide markets.●

INTERNATIONAL RECOVERY AND FINANCIAL STABILITY ACT OF 1983

HON. FERNAND J. ST GERMAIN

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 5, 1983

● Mr. ST GERMAIN. Mr. Speaker, on behalf of myself, Mr. SCHUMER, and Mr. WYLIE, the ranking minority member of the Committee on Banking, Finance and Urban Affairs, I am introducing the International Recovery and Financial Stability Act of 1983. This proposal, a product of many hours of committee and subcommittee hearings and extended discussions involving virtually the entire membership of the committee is clearly a workable compromise proposal to encourage the coordination of national fiscal and monetary policy in order to achieve sustainable and noninflationary economic growth on a worldwide basis, to amend the Bretton Woods Agreements Act to authorize an increase in the U.S. quota in the International Monetary Fund, to reduce financial pressures on developing nations, and to improve the supervision

of international lending by U.S. banks. This committee will meet at 2 p.m., Monday, for the purpose of marking up this essential legislation. For the information of the members, a section-by-section analysis of the bill follows:

SECTION-BY-SECTION ANALYSIS OF THE INTERNATIONAL RECOVERY AND FINANCIAL STABILITY ACT OF 1983

SECTION 1: SHORT TITLE

Provides that the short title of the bill will be the International Recovery and Financial Stability Act of 1983.

TITLE I—INTERNATIONAL ECONOMIC RECOVERY

SEC. 101. Sets forth Congressional findings that the U.S. depends on international economic recovery; that recovery is being impeded by high U.S. interest rates, by the high level of debt of developing nations, and by differences in bank regulation among nations; that U.S. jobs have been lost by the worldwide recession; that recovery would be helped by extending the maturity of developing country debt; and that bank regulation in individual nations may have contributed to the international debt problem and is inadequate for future needs. Directs the President to encourage industrialized nations to take coordinated actions to support sustainable, non-inflationary growth in the world economy, to take steps to assure a stretch-out of developing country debt, to promote effective regulation of international banking, and to report to Congress in one year on implementation actions.

TITLE II—INTERNATIONAL MONETARY FUND

SEC. 201. Increases the U.S. commitment to the IMF as requested by the Administration. Directs the Secretary of Treasury to instruct the U.S. Director of the IMF to vote against loans to nations which practice apartheid.

SEC. 202. Directs the Secretary of the Treasury to promote long-term recovery for developing countries and to require the U.S. Director of the IMF to undertake an analysis of the long-term effects of restructuring proposals, to work to secure conversion of high interest, short-term debt into long-term, low interest debt, and to report to the Congress on implementation.

SEC. 203. Directs the Secretary of the Treasury to instruct the U.S. Director of the IMF to improve information flows on foreign country debt, to work to have the IMF consider limiting foreign country debt levels, and to publish in the IMF annual report detailed information on international debt levels and trends.

TITLE III—INTERNATIONAL LENDING SUPERVISION

SEC. 301. Provides that the title shall be entitled the "International Lending Supervision Act of 1983".

SEC. 302. Defines the terms "appropriate Federal banking agency", "banking institution", and "Examination Council".

SEC. 303. Provides that the appropriate Federal banking agencies shall take foreign country exposure and transfer risk into account when considering the adequacy of the capital of banking institutions.

SEC. 304. Provides that the appropriate Federal banking agencies will require banking institutions to establish special reserves on international loans whenever (1) there is a protracted failure of foreign borrowers to meet payments according to terms of IMF lending agreements on restructuring of loans or (2) there is a likelihood that debt cannot be repaid in accordance with the terms of the original debt without restructuring or additional borrowing. The Examination Council is directed to promulgate regulations to implement this section within 180 days.

SEC. 305. Directs the Examination Council to establish rules or regulations to assure that fees on restructured loans would be amortized over the life of a loan.

SEC. 306. Directs the appropriate Federal banking agencies to require banking institutions to disclose their foreign country debt exposure. The Examination Council is directed to promulgate regulations and forms for this disclosure within 180 days of enactment.

SEC. 307. Directs the Examination Council and the Federal banking agencies to consult with their foreign counterparts to work for uniform supervisory practices with respect to international banking, and directs the Examination Council to report within bank supervisory practices in other countries.

SEC. 308. Directs the appropriate Federal banking agencies to require banking institutions to maintain adequate levels of capital. The Examination Council is directed to promulgate regulations to implement this section within 180 days of enactment.

SEC. 309. Provides the Examination Council authority to define terms used in the Act and establishes the authority of the banking agencies to implement the Act in a uniform manner. Provides that this Act does not limit existing agency authorities. Provides that any banking institution which, or any person participating in the conduct of the affairs of that institution who, violates this Act or its regulations must pay a civil penalty of up to $1,000 per day as the violation continues. Such violations are deemed a violation of section 8(i)(2) of the Federal Deposit Insurance Act. Penalties will be assessed and collected under the procedures and rights provided in that section. Requires the Examination Council and the agencies to report to the Congress on this Act in one year and every two years thereafter.

SEC. 310. Provides a 30 day Congressional review of Examination Council regulations written pursuant to this Act. The 30 day period begins on the date of publication of final rules and establishes a procedure for either the House or the Senate Banking Committee to approve a resolution disapproving or modifying the regulation.

SEC. 311. Affirms the GAO's authority to audit the international regulatory, examination and supervisory actions of the Examination Council and the Federal banking agencies. The safeguards incorporated are identical to those now provided for in the Federal Banking Agency Audit Act.●

OUR NATION'S STRENGTH AND GREATEST RESOURCE

HON. JOHN R. McKERNAN, JR.

OF MAINE

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 5, 1983

● Mr. McKERNAN. Mr. Speaker, I would like to bring to the attention of my colleagues in the House a speech which was delivered recently by a young constituent of mine in Sanford, Maine. In her speech, "Youth—America's Strength," Ms. Michele Rivard makes it clear that our greatest resource is to be found in our young people. Indeed, Ms. Rivard is living proof of this fact, as her drive, her conviction, and her steadfast commitment to making this world a better place to live are all evident in her thought-provoking remarks.

After reading Michele's uplifting thoughts on the contributions our Nation's youth are capable of making to our society, I am confident that each one of us will view the future of this Nation with a bit more optimism and hope. If Michele Rivard is representative of tomorrow's leaders, the country will indeed be in good hands. At this time, I would like to insert in the CONGRESSIONAL RECORD the text of Ms. Rivard's recent speech.

YOUTH—AMERICA'S STRENGTH

(By Michele M. Rivard)

The future of this nation lies with its young people. We are the people who will determine whether or not our commitment to progress and to strive for excellence is maintained in a sea of universal conflict and confusion. The backbone of America—its steady force—is obtained from the new generation.

Youth denotes novelty and vitality, untried promise and burgeoning ability, courage and motivation in reference to the entire world out there. For years, young people have observed the happenings around them. At the point of adulthood, we are bursting forth to experience being a catalyst—a moving, driving force—in the world today.

Because of our determination to accomplish, the youth of America is its strength. We have pride and belief in ourselves and our country, so are willing to take on the challenge of building for now and for the future. An excitement fills the air with idea of risk and chance to succeed, an achieving of a far-sought goal, and perceiving of the unexplored.

Youth are vital forces of durable strength to the nation. They serve as Instruments of variance. Young people are not afraid of trying or accepting new ideas, trying a different method of action, or attempting to change set procedure. This versatility of attitude encourages progress for continued efforts for excellence in all areas. Youth serve to stabilize and also improve facets of living, causing gradual change and improvement in all aspects of lifestyle. Youth pave new pathways, thereby encouraging new abilities and successes to take place.

Today's youth will be tomorrow's leaders. But before we make up a majority of the population, youth work to stimulate growth and progress, strive for new goals, and encourage enlightenment. Youth is the driving force behind the national yearning to accomplish as much as is possible. Youth wants the entire land to be better for everyone in our world—to make it the best that we can.

Youth is involved in all facets of life. From the economic viewpoint of employment force and buying power, to educational standpoints of seeking greater knowledge, to politics and government and the environment. We are the force behind the strength of our country in all areas affecting the nation.

Also, a strong moral structure and stability of the family is desired by the entire American community. In this mobile society of today, youth is the hope of the family

structure—to lead toward a stronger feeling of unity and understanding within our homes. This effects positive character build-up; which leads to more morally satisfied people being an asset to a surviving country.

Youth encourages transition. We are in favor of present developments and future progressions. Youth causes diversity. New ideas are conceived and projected by people of the next age level. From cultural areas to government rulings to economic situations, youth follows the search for invention and creation through discovery.

Youth tempers the level of concern and humanity in the country. Our pride and determination and excitement for this world is a solid force as the backbone of American idealism and the pillar of ability and promise.

Youth accepts the duty given of ourselves to give back what we have received. We're very lucky to live in the independent, free country that we do. Youth is proud of our high standards and far-reaching dreams and works to make successful our goals. Youth stands for promise and pride—which is the continuing strength of America.●

A TRIBUTE TO MR. ALAN SHEPARD

HON. MEL LEVINE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 5, 1983

● Mr. LEVINE of California. Mr. Speaker, 22 years ago today Alan Shepard rode his Mercury-Redstone 3 Freedom 7 capsule into orbit to become the first Americn launched into space. This historic flight signalled the beginning of one of the great episodes in our history—our national campaign to land a man on the Moon.

Since that first flight, our manned space program has progressed through the Mercury, Gemini, and Apollo programs to the most technologically advanced and most promising manned space vehicle ever produced, the space shuttle.

Brave men like Alan Shepard deserve our gratitude for risking their lives as part of man's efforts to reach for the stars and begin the exploration of outer space.

The space program and the men and women who have taken part in it made enormous contributions to our country. The efforts of these remarkable individuals have helped this country maintain its position as the world leader in technological innovation, given consumers all over the world remarkable new products to enrich their lives, and provided Americans with hope and inspiration during times when we have needed new sources of national pride.

And the space program holds even greater promise for the future.

In only five flights the space shuttle has already demonstrated its usefulness and potential as an orbiting laboratory for scientific experiments, the production of new and more effective drugs, and a platform to help scientists expand their knowledge of our planet, the solar system, and beyond.

It is important to recall the courage and commitment of men like Alan Shepard who did so much to accomplish President John F. Kennedy's goal that the United States would lead the way in the exploration of outer space. It is truly one of man's great adventures. We must remember our national commitment to space exploration.●

BUSINESS AND ENVIRONMENTALISTS: A PEACE PROPOSAL

HON. WILLIAM F. GOODLING

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 5, 1983

● Mr. GOODLING. Mr. Speaker, I believe that the preservation of our environment from the ravages of air and water pollution is a goal toward which we must all strive. On the other hand, I also believe that we must avoid unnecessary regulations, as well as our dependence on foreign energy sources. Because of this, I have consistently reviewed any legislation affecting national energy and environmental policies with an eye for the best balance, and I likewise have urged my colleagues on the appropriate committees handling this legislation to formulate compromises keeping all these points in mind. This has been my view regarding a range of issues, including the Clean Air and Clean Water Act reauthorizations, the acid rain phenomenon, the nuclear waste disposal debate, water conservation, and toxic waste cleanup—to name only a few.

I was, therefore, delighted to read the following article by a director in the Washington office of the National Audubon Society, Mr. Christopher Palmer, which intelligently and succinctly describes the advantages to both the business and environmental communities in crafting such balances in public policy. "Business and Environmentalists: A Peace Proposal," originally appeared in the Washington Post, and most recently in the spring issue of Ecolibrium.

The bottom line is that now, more than ever, we need improved understanding and cooperation between business and enviromental groups if we are to achieve both our economic and ecologic goals. These are not mutually exclusive; on the contrary, with diligence, creativity, and open lines of communication, the two can flourish harmoniously.

I commend Mr. Palmer's article to my colleagues' attention.

The article follows:

BUSINESS AND ENVIRONMENTALISTS: A PEACE PROPOSAL

(By Christopher Palmer)

Environmental groups are not perfect. We have flaws, as does business. By candidly examining the flaws on both sides, we may be able to defuse the destructive animosity and mutual misunderstanding, and even fund areas where we can make common cause. Let me first focus on the weaknesses, both real and perceived, of environmentalists.

One of our problems is that we tend to assume a tone of arrogance when talking to business. When we environmentalists act as though we talk to God and as though we have all the answers, then industry, even those business people who are inclined to be sympathetic, will be irritated. We call ourselves "public interest" groups—the implication being that we look after the "public interest" while everyone else is pursuing his own selfish goals.

This tendency is matched by a tendency to be rigid, unwilling to compromise or negotiate. Environmentalists sometimes are afraid to bend and be flexible. We think the arguments made by industry are totally self-interested and exaggerated.

Too often environmentalists think of profits as dirty. We don't always appreciate the effectiveness of the free market. Too few of us have ever worked as entrepreneurs and, consequently, lack an appreciation of just how hard it is to succeed in business. We are more expert at grantsmanship.

Some environmentalists are—like some business people—probably not concerned enough about the harsh impact of high prices on poor people. Few of us know anything about the degradation and pain of poverty. While the image of us—in Michael Kinsley's words—as a "clique of rich people attempting to protect their backyard" is an exaggeration, nevertheless we are probably oversensitive to the desires of the upper and middle class and insufficiently sensitive to the desires of those less well-off.

Environmental goals should not be pursued without regard to their consequences elsewhere. Preserving wilderness is important, but it is only one of a number of important national goals. For example, energy policy should not be based on environmental values alone. A clean environment is just one of many results we want in an energy policy, not the central driving force. Environmentalists have to accept the fact that occasionally—ideally, rarely—they may have to compromise some environmental goals for more important ones, such as jobs.

This brings me to economic growth and productivity. Too often environmentalists give the impression of wishing economic growth would somehow go away. But economic growth and increased productivity are needed to create new jobs, to increase our investments in energy efficient housing and our investments in new less polluting industrial processes.

And finally, environmentalists, like other human beings, can suffer from parochialism. A recent issue of a major environmental magazine contained a long and detailed editorial on how domestic cats are not a threat to birds. We voraciously consume each other's newsletters but tend to neglect Business Week, Forbes and Fortune.

Let me now turn to steps that business could take to gain a better understanding of us and to help win our confidence and trust.

There should be a greater realization on the part of business of the extent to which future growth and profits depend on efforts

to preserve land, air and water. Erosion control aims at maintaining the productivity of soils, essential to substaining U.S. agricultural output. Forest conservation and reforestation are essential to the protection of soils and watersheds. Reduced pollution means fewer work days lost to environment-related illnesses. Thus, conservation and environmental protection make direct contributions to economic productivity.

Another step that business could take would be to show greater appreciation of the tremendous market opportunities in energy conservation, solar energy and pollution control. *Business Week* reported in its April 6, 1981, issue that the market for energy conservation investments was growing phenomenally fast and could reach $30 billion by 1985. An article in the November/December 1980 *Harvard Business Review* concluded that alert companies can turn pollution prevention into profit and make economic growth and environmental protection go hand in hand. There are now over 600 companies in the business of manufacturing air-and water-pollution-control equipment, including cooling towers, scrubbers, precipitators and catalytic converters. These firms constitute a multi-billion-dollar industry employing hundreds of thousands of people.●

THE CALL TO CONSCIENCE VIGIL FOR THE BYALY AND YAKIR FAMILIES—SOVIET REFUSENIKS

HON. HOWARD L. BERMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 5, 1983

● Mr. BERMAN. Mr. Speaker, it is my privilege today to be able to participate in the 1983 Congressional Call to Conscience Vigil for Soviet Jews, organized by our distinguished colleague, the gentleman from Colorado (Mr. WIRTH).

Earlier this year, shortly after coming to Congress, the cases of two Soviet families came to my attention. These Soviet Jews, the Byaly family and the Yakir family, have been denied permission to leave the Soviet Union, thus becoming part of the growing number of Soviet refuseniks.

The Byaly family applied for permission to emigrate to Israel in 1977. Mrs. Byaly's parents had been allowed to leave 4 years earlier, and appealed to the Soviet Government to allow their family to join them. Tragically, Mrs. Byaly's father passed away in 1978, and her mother now awaits their arrival alone.

In 1979, the Byaly's son Mikhail and five other Jewish students received failing grades on the Moscow University mathematics department entrance exam. When private tests with a math professor revealed that Mikhail and the others were actually quite proficient in the subject, the Byaly's held a press conference to call attention to this blatant anti-Semitism at the university. Subsequently, the six students' failing marks were reviewed and corrected, and they were admitted to Moscow University.

In 1981, their younger son, Alexander, was prevented from celebrating his Bar Mitzvah by the KGB. A number of young Jews around the world reacted to this by celebrating their own B'nai Mitzvah and dedicating the ceremonies to Alexander Byaly.

The Byaly family continues their attempts to obtain emigration visas, in spite of the persistent threats of the KGB and Soviet authorities that they will not be permitted to leave.

The Yakir family, Yvgeny, Rimma, and their son, Sasha, first applied to emigrate to Israel in 1973. They were refused permission on the grounds that Rimma, as an engineer, allegedly had access to state secrets. She has not been permitted to work since that time. Sasha also has been denied work as an engineer since his graduation. In the hope of improving his chances of being able to emigrate, he applied to and was accepted at Brandeis University. However, his requests for a visa have been turned down.

Sasha's situation has been especially critical because young men in the Soviet Union who are not attending school are subject to induction into the military. After serving for a term of 3 years in the military, the entire Yakir family could be detained an additional 5 years.

The Byaly and the Yakir families are, for all practical purposes, being held as hostages in the Soviet Union because they are Jews. They and their fellow Soviet Jews are engaged in a constant daily struggle for survival, as the repressive Soviet Government continues its efforts to eliminate all Jewish activities through harassment, arrest, imprisonment, and officially sanctioned anti-Semitism. Emigration of Soviet Jews has dropped to its lowest level in over 10 years in what clearly seems to be a calculated plan on the part of the Soviet Union to conceal these refuseniks from the world, and to shut the world out for Soviet Jews.

Mr. Speaker, any action that we can take on behalf of Soviet Jewry, such as the Call to Conscience Vigil I am participating in today, is potentially very significant. The more we speak out, the more pressure there will be on Soviet leaders to relax their repressive grasp on Soviet Jews. With the situation growing worse, there can be little doubt that the number of Jews wishing to emigrate will increase. We must work to ease their plight, and to help them emigrate, before it is too late.●

HON. HENRY B. GONZALEZ

HON. JAMIE L. WHITTEN

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 3, 1983

● Mr. WHITTEN. Mr. Speaker, needless to say, I have served with many Members of Congress and my associations have been most pleasant and rewarding. In the years of service I have had here and among all the fine people with whom I have served, HENRY GONZALEZ ranks with the best in sincerity, application, and in forthrightness.

No one ever has to worry about where HENRY stands today nor have they had to wonder through the years he has been here. You find that he makes every effort to know the subject and he takes a position and his standing with his colleagues is as solid as anyone I know.

I join with my friends in congratulating HENRY and the people of his district on his 30 years of public service. He sets a fine example and one I am pleased to join in recognizing for the record.

HENRY, we wish you the very best and may we have more of your kind—but from some other district, for many years to come.●

THE STRONG DOLLAR

HON. DONALD J. PEASE

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 5, 1983

● Mr. PEASE. Mr. Speaker, economists say that the dollar is overvalued and that most other currencies are undervalued against the American dollar. The worldwide demand for dollars is great and our dollar is "strong" compared with the Japanese yen, the German mark, the French franc, the British pound, and virtually every other currency in the world.

While there are some advantages to a "strong" dollar, there are major drawbacks when it comes to our trade with other nations. This is the topic I addressed in one of my recent weekly newspaper columns. It follows.

WASHINGTON REPORT

(By Don J. Pease)

If you had $1,000 to invest and were contemplating the myriad places where you could invest your money, the chances are you would ask yourself three questions.

How easily can I get access to my money once it is invested? Will my money be safe? Where can I get the highest interest?

Across the world, the same questions are asked by all investors, whether they be wealthy individuals, oil sheikdoms, big corporations, national banks or insurance companies.

The answers all point to the United States and to investments denominated in Ameri-

can dollars. With billions of dollars traded every day in world financial markets, investments denominated in dollars are easy to dispose of. The U.S. is considered a stable "safe haven" in a politically volatile world, and interest rates in the U.S. are among the highest in the industrial west.

The result? The worldwide demand for dollars is great and the American dollar is "strong" compared with the Japanese yen, the German mark, the French franc, the British pound and virtually every other currency in the world.

Economists say that the dollar is overvalued and that most other currencies are undervalued against the American dollar.

While there are some advantages to a "strong" dollar, there are major drawbacks when it comes to our trade with other nations.

For example, it is widely believed that the Japanese yen is undervalued against the dollar by at least 10 percent and probably closer to 20 percent. That means that Japanese goods imported into the U.S. can be priced up to 20 percent cheaper than they otherwise would be if the dollar-yen relationship were "proper".

That's a $1,000 price differential on a $5,000 to $6,000 Honda or Datsun or Toyota sold in the U.S.

Conversely, General Motors or Ford cars sold in Japan may cost 20 percent more than they otherwise would.

And when the Caterpillar Tractor Company tries to sell heavy equipment in Saudi Arabia, its Japanese competitors have a 10 to 20 percent price advantage solely because of the "strong" dollar and the "weak" yen.

The impact on our international trade balance is not hard to predict.

Thus, the Trade Subcommittee of the House Ways and Means Committee, on which I serve, has an intense interest in the dollar-yen relationship. We've had hearings on the subject in Washington, and we discussed the problem at length with top Japanese officials earlier this month in Tokyo.

Alas, somewhat to our disappointment, we concluded that there is no Japanese conspiracy to keep the yen "weak". Indeed, Japan imports all of its oil, and OPEC nations demand payment in dollars, so a "weak" yen cuts both ways for the Japanese.

Rather, it all gets back to the three basic reasons why the dollar is the world's favored investment currency.

We did learn that Japan can do more than it has to "internationalize" the yen—to make it easier for worldwide investors to acquire and dispose of investments in yen. We pressed Japanese officials hard to do just that.

As to the "safe haven" reason why investment in U.S. dollars is favored, Japan is certainly not an unstable country, but in the eyes of cautious investors, no nation on earth is as safe as the U.S. Neither the U.S. nor Japan can alter that perception.

That leaves interest rates, which are substantially higher in the United States and serve as a magnet to draw money to the U.S. from all over the world. We complained that the Japanese government acts to keep interest rates in Japan artificially low, thus weakening the yen.

But it's a little cheeky to insist that another nation raise its interest rates when the convention wisdom is that high interest rates are bad and low interest rates are good. The Japanese kept saying, "But wouldn't it be better if you in the United States lowered YOUR interest rates?"●

COMMEMORATIVE ENVELOPE HONORING SMALL BUSINESS UNVEILED

HON. WM. S. BROOMFIELD

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 5, 1983

● Mr. BROOMFIELD. Mr. Speaker, our colleague, ANDY IRELAND from the 10th Congressional District of Florida, is chairman of the Small Business Subcommittee on Export Opportunities and Special Small Business Problems. I have the privilege of being the ranking minority member of this subcommittee and can personally testify how hard ANDY works for small business. Two years ago he introduced House Concurrent Resolution 60, a resolution requesting that the Postmaster General consider issuing a postage stamp in honor of America's small businesses. He received 80 cosponsors to the resolution, 37 of which serve on the Small Business Committee. The Postal Service issues a very limited number of commemorative stamps each year and these stamps are decided upon at least 2 years in advance, sometimes more. There were other options available which Congressman IRELAND decided to explore. After much hard work he was successful in his efforts. In a press conference that was held at this time last year, Postmaster General William F. Bolger announced that the Postal Service would issue a commemorative envelope honoring small business. Today I joined ANDY, Mr. Bolger, and other distinguished members of the Small Business Committee as the design of the envelope was unveiled.

Mr. Speaker, it is significant that the announcement was made at this time because next week is Small Business Week. This is a time we have set aside to recognize our Nation's small business men and women. Small business is the cutting edge of competition; small business is the Nation's job creator; small business is the vanguard of innovation and invention; and small business is the source of the free enterprise leadership. It is the responsibility of all of us in public service to recognize these attributes and today, due to Congressman IRELAND's hard work, I feel we have done just that.

Next year the envelope will actually be released. At the press conference ANDY said:

> There are over 13 million small businesses in our country today. I plan on wide-spread publicity to let them know of this envelope. I also plan on encouraging each and every one of them to use this envelope in their business correspondence. And even if only half of them heed my advice, we will have record breaking sales in the number of commemorative envelopes sold!

I think this is a great accomplishment and think Congressman IRELAND should be commended for the hard work and dedication he has shown toward helping our Nation's small businesses.●

TRIBUTE TO CONGRESSMAN HENRY GONZALEZ

HON. DON FUQUA

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 3, 1983

● Mr. FUQUA. Mr. Speaker, it is with great pleasure that I join my colleagues today in recognizing the outstanding 30-year career in public service achieved by my good friend from Texas.

Last Sunday marked the anniversary of Mr. GONZALEZ' election in 1953 to the San Antonio City Council.

Mr. GONZALEZ was subsequently elected to the Texas Senate and, in 1961, to the U.S. House of Representatives where he has since served with dedication and vision.

Today, of course, also marks the 67th anniversary of Mr. GONZALEZ' birth, so it is cause for double rejoicing for his friends.

I look forward to many future opportunities to offer Mr. GONZALEZ anniversary and birthday greetings as he continues his valuable work in this House.●

SIXTY YEARS OF COMBINED SERVICE

HON. CLARENCE D. LONG

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 5, 1983

● Mr. LONG of Maryland. Mr. Speaker, today, I am honored to recognize two noncommissioned officers who have given over 60 years of combined service to our Nation's Armed Forces.

First Sergeant Kenneth Stewart Yingling served on active duty for 2½ years from July 1943 to January 1946 and spent a total of over 5 years in the Maryland National Guard before joining the U.S. Army Reserve in 1956. This weekend he will be retiring after a total of nearly 35 years of service to our country. In that time, he has been decorated nine times.

Retiring with him, Sfc. William Edward Pittinger has given over 25 years of service in the U.S. Army Reserve, beginning in 1958. In that time, he has been decorated seven times.

These men, as all men in our Reserve Forces, provide an invaluable service to our country. They help keep our defense strong by being prepared to go into active duty on a moment's notice, in any circumstances where the Nation's security is in danger.

I am sure that my colleagues join me in expressing appreciation to them and wishing them happiness in the years to come.●

LOARA HIGH SCHOOL NATIONAL HONOR SOCIETY INDUCTEES

HON. JERRY M. PATTERSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 5, 1983

● Mr. PATTERSON. Mr. Speaker, it is great with pride that I ask my colleagues to join me in recognizing the achievements of the Loara High School National Honor Society inductees.

These 124 students are not only being honored for their scholastic leadership and achievements, but for the character they have displayed in maintaining a 3.0 or better cumulative grade point average during their 4 years of high school.

Mr. Speaker, to properly honor the Loara High School National Honor Society inductees, I would like to read into the CONGRESSIONAL RECORD the names of these exemplary students: Miles Acker, Celeste Antenucci, Jeanette Antoine, Richard Arden, Hilda Beck, Barbara Bergines, Cheryl Biggs, Katherine Brannen, Erik Brewer, Mary Burrows, Angelo Casimiro, Gen-Phong Chen, Lynnette Chen, Susan Cheng, Yoon-Koo Cho, Denise Cords, Sheri Craig, Jonathan Davidson, Steve Davis, Adriana Degodoy, Silvio Delligatta, Rachel Dinco, and Lisa D'Ordine.

Larry Edmond, Aimee Errington, Jenny Ewing, Maryann Fabian, Annette Fong, Mike Fono, Wendy Fowke, Jacquelin Fruhlinger, Jane Fujishiee, Steven Gann, Andria Gold, Lisa Gonzalez, Scott Goula, Denise Gugliotta, David Gunderson, Karen Guthrie, Mette Hansen, Kevin Hasting, Robert Heinze, George Holloway, Monique Hoogstraten, Lisa Hugdahl, Gaylord Humphries, and Jimmy Hwang.

Jenny Jenssen, Elizabeth Jirikils, Jung-Hyun Joe, David Judy, Linda Karlen, Mike Kim, Scott Knight, Melissa Kobel, Veronica Krueger, June Kusaka, David Lappin, Kristan Laughinghouse, Shari Lerner, Grace Lim, Kim Lindquist, Becky Liptrap, Mark Lorenti, Jacquelin Mahrley, Gregory Martin, Florence McDole, and Rebecca Milo.

James Monahan, Cindy Moore, Molly Moore, Dan Mrotzek, Kristina Myers, Hung Ngo, Kiet-Tuan Nguyen, Quan Nguyen, Shari Oblenberi, Doug Patterson, Ken Pechter, Elena Perrotta, Donna Petersen, Jill Porter, Leeanne Posner, Diane Puccio, Raphael Reich, Edward Reyes, Lynne Rickertsen, Yvonne Ritchey, Susan Rumble, Gary Samples, Lisa Santangelo, Jerry Scalf, Kimberly Scherer, Todd Schoenke, Amelia Schroth, James Schultz, Mike Schwartz, Richard Schwartz, Barang Seng, and Terri Siegele.

Randy Simpson, Seng Soeng, Julie Spaeter, Debbe Stair, Gary Stark, Susan Stoddard, Jussi Tarpila, Jeffery Tober, Anh-Thu Tram, John Ulicki, Laura Van Bueren, Hung Vu, Lisa Waelde, Katheryn Wasner, Andrew Weber, Cheri Wiley, Anne Williams, Allison Wilson, Steve Wright, Bernard Yamron, Nani Yoshikane, Scott Young, David Yu, and Doreen Zavis.

Mr. Speaker, please join me in saluting these outstanding young people for their worthwhile achievements. These inductees have not only instilled pride into their school, but into their families and community as well.●

SOCIAL WORKERS URGE CONTINUED FTC JURISDICTION OVER THE PROFESSIONS

HON. JAMES J. FLORIO

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 5, 1983

● Mr. FLORIO. Mr. Speaker, as the Energy and Commerce Committee takes up the reauthorization of the Federal Trade Commission, we have received communications from many groups urging continued FTC jurisdiction over professionals. Although in the last Congress a few professional groups sought an exemption from the FTC, the strength of the public opposition to such a result has produced an overwhelming consensus in support of the FTC. A recent indication of such support came from the New Jersey Chapter of the National Association of Social Workers. I insert a copy of their letter in the RECORD for the information of all Members.

NATIONAL ASSOCIATION OF SOCIAL WORKERS, INC.,
New Jersey, March 28, 1983.

Hon. JAMES J. FLORIO,
First Congressional District, Stratford, N.J.

DEAR CONGRESSMAN FLORIO: Over 30 national organizations, representing 20 million people and their 800 affiliated organizations have come together to preserve the jurisidiction of the Federal Trade Commission over the professions. The Coalition is made up of:

Health care professionals who believe in a free and open marketplace and are not afraid to compete, including nurses, nurse-midwives, psychologists, clinical laboratory practitioners, dental hygienists, chiropractors, opticians, optometrists, podiatrists, speech-language pathologists and audiologists;

Consumer groups, especially those representing the elderly and women, for whom rising costs and lack of access to health care have become problems of crisis proportions;

Labor unions and major employers who are caught in an inflationary spiral where the cost of health care are rising faster than the costs of food and housing; and

Retailers, such as general merchandise stores, chain drug stores and small business entities who want to offer competitively priced goods and services to consumers.

The 97th Congress repudiated attempts to provide a complete exemption from FTC oversight to professionals; an outcome the Coalition to Save the Jurisdiction of the Federal Trade Commission over the Professions worked very hard to bring about. The 98th Congress is now faced with the same issue. Special interest group exemptions from the laws which the rest of American business must follow cannot be permitted. Such exemptions would make it impossible for the FTC to pursue those acts which it has successfully prevented in the past: fixing prices, conducting illegal boycotts, using false or deceptive advertising and using abusive billing practices.

The FTC is the only independent federal agency which has actively enforced the antitrust and consumer protection laws in the health care and professional services industry. The FTC has proved itself to be of critical importance to consumers. Competition in the health care marketplace is a crucial variable in the equation which produces increased availability, improved quality and lowered costs for consumers. Currently consumers are spending over $300 billion a year on health care, representing over 10 percent of the Gross National Product. And, even though overall inflation has declined, inflation in the price of health care services remains high—about three times the general inflation rate. In the face of these rising costs, the need for the Federal Trade Commission to ensure fair and open competition among the professions has never been greater.

NASW-New Jersey urges the Congress to resist any attempts to carve special interest, anti-competitive exemptions out of the FTC's authority over the professions.

Sincerely,

JEFFREY L. FAUE,
Executive Director.●

URGE REJECTION OF MX MISSILE PLAN

HON. ROBERT J. MRAZEK

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 5, 1983

● Mr. MRAZEK. Mr. Speaker, contrary to recent impressions put forth by the Reagan administration, no consensus exists in this Nation among the experts on the subject of MX missile deployment. Although the Scowcroft Commission's findings recommended procurement of the MX in conjunction with development of the single-warhead Midgetman missile, the following letter should demonstrate that serious reservations remain concerning the MX among others with vast knowledge on matters of strategic weaponry.

Mr. Speaker, I hope my colleagues will consider the sentiments contained in this message when the debate on the MX missile resumes this year. The letter follows:

STRATEGIC EXPERTS URGE CONGRESS TO REJECT MX MISSILE PLAN

The recent Scowcroft Commission recommendation that the United States should

both procure the MX missile and proceed with research and development on a new, single-warhead missile, the so-called Midgetman, is based upon an assertion that these two weapons are linked into a complete and indivisible strategic whole. This assertion is untenable. The MX and the Midgetman are not inevitably wedded together and should not be considered as a package. We urge the Congress to examine and debate these two missile programs as individual proposals, and to decide upon the fate of each without reference to the other.

The proposal to build a new, single-warhead intercontinental ballistic missile has many interesting aspects—the idea should be examined at length and in depth. In the end, the final value of such missile may be found less in its technical characteristics, and more in the number of missiles procured, the basing system(s) selected, and the arms control context under which it is deployed. In any case, research into the Midgetman should not be held hostage to a decision to procure the MX.

The MX has been debated at length for several years—it should now be possible for the Congress to resolve the issues of whether the MX should be procured and how it should be based solely on that weapon's technical merits. The Commission's proposal to permanently base the MX in existing silos which the Reagan administraton has repeatedly stated are vulnerable to Soviet attack certainly raises grave questions on the value the missile will add to the U.S. deterrent force. The potential vulnerability of fixed land-based missiles suggests that the MX is intended for use as a first-strike weapon since its survival for second-strike use cannot be assumed.

We believe that placing the MX missile in fixed silos will detract from, not add to, our strategic deterrent. We urge the Congress to reject the production of the MX missile while considering the rest of the "strategic package."

Dr. J. Edward Anderson, Professor and Director, Industrial Engineering Division, University of Minnesota, former missile guidance engineer; Dr. Hans Bethe, Professor Emeritus, Physics, Cornell University, Nobel Physics winner, 1967; Jonathan Bingham, former Member of Congress; Rear Admiral Eugene Carroll, Jr., USN, Retired; Dr. Arthur Macy Cox, former analyst, Central Intelligence Agency.

Maj. Gen. William T. Fairbourn, USMC, Retired; Dr. Richard L. Garwin, IBM T. J. Watson Research Center; Dr. Henry Kendall, Chairman, Union of Concerned Scientists; Vice Admiral John M. Lee, former Assistant Director, Arms Control and Disarmament Agency; Dr. Philip Morrison, Institute Professor, Massachusetts Institute of Technology; Dr. George W. Rathjens, Professor of Political Science, Massachusetts Institute of Technology.

Dr. Herbert Scoville, Jr., former Deputy Director, Central Intelligence Agency; Prof. Marshall Shulman, Director, W. Averell Harriman Institute for Advanced Studies of the Soviet Union, Columbia University; Ambassador Gerard C. Smith, Consultant; Dr. Frank von Hippel, Senior Research Physicist, Princeton University; Hon. Paul C. Warnke, Chief U.S. Negotiator, SALT II; Dr. Victor Weisskopf, Institute Professor Emeritus Massachusetts Institute of Technology, Member, Pontifical Academy of Science, Vatican City.●

THE 92D ANNIVERSARY OF THE DENNI HLASATEL NEWSPAPER

HON. WILLIAM O. LIPINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 5, 1983

● Mr. LIPINSKI. Mr. Speaker, I am proud to offer my heartfelt congratulations to the Denni Hlasatel newspaper for 92 years of faithful and insightful service to the Czechoslovak-American community in the Chicago area. It is inspiring that the newspaper formed as a result of a printers strike in 1891, has risen to become the largest foreign-language daily in the United States, and the only Czechoslovak daily newspaper in the free world.

The Denni Hlasatel is typical of the Czechoslovak-American community as a whole: Dedicated, hardworking, and patriotic. People of all ethnic groups need a publication of their own that reaffirms the goals and dreams of the people; the Denni Hlasatel does just that for the Czechoslovak community in America. It is gratifying to know that the Denni Hlasatel has been with us for almost 100 years promoting the proud Czechoslovak cultural heritage and helping to contribute to the rich ethnic diversity and uniqueness of the Chicago metropolitan area. And the Denni Hlasatel has always been at the forefront of the push for freedom for Czechoslovakia.

I also offer my congratulations to the Czechoslovaks of Chicagoland for the rededication of the Karel Havlicek statue on May 15. This monument to the great Czech journalist is being moved from Douglas Park to Adler Planetarium in Chicago due to the efforts of State Senator Leroy Walter Lemke. Havlicek was a fervent believer in freedom of the press, and was a patriot working for Czech freedom from the Hapsburg dynasty. The rededication of the Havlicek statue and the Denni Hlasatel's 92d anniversary give Czechoslovak-Americans across the country great reason to celebrate.

May the Denni Hlasatel continue to serve the Czechoslovak-American community with pride and honor for 92 more years.●

COMMENDATION FOR DON SKILLING, PRESIDENT, SERVICE STATION DEALERS OF AMERICA

HON. BARBARA BOXER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 5, 1983

● Mrs. BOXER. Mr. Speaker, Don Skilling was instrumental in the formulation of the California Service Station Association in 1973. He served as president in Marin County and also as president of the State association. For 7 years he was a director of the Service Station Dealers of America (formerly the National Congress of Petroleum Retailers), and is presently president of Service Station Dealers of America.

Don has served on the Department of Energy's Gasoline Advisory Committee, Industry and Public Affairs Committee of the American Petroleum Industry, and as treasurer and director of the California Service Station Council, a coalition of dealer associations in the State.

In these various capacities, Don has worked on every piece of State and Federal legislation affecting service station dealers since 1973. He has served, without compensation, with a sense of loyalty, duty, and love for the industry and the small, independent businessmen who are such a vital cog in the "scheme of things."

The inspiration and dedication of Don Skilling have uplifted flagging spirits on many occasions. Don has the respect and admiration of all who come in contact with him.●

PARRIS INTRODUCES DRUG THEFT BILL

HON. STAN PARRIS

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 5, 1983

● Mr. PARRIS. Mr. Speaker, the Federal Drug Enforcement Administration recently provided me with some alarming statistics on thefts and losses of controlled substances in Virginia and nationwide. While I only received a breakdown of statistics for Virginia, it is very likely that data on your State will reflect similar trends.

Several of my colleagues on the Select Committee on Narcotics and Drug Abuse have joined me in sponsoring legislation which we believe will adequately address the problem. Our bill would amend the Controlled Substances Act to provide a penalty for employee thefts, customer pilferages, robberies, and burglaries of any controlled substance from any pharmacy, practitioner, hospital, manufacturer, or distributor.

There are no statutes that address the serious problem of thefts, robberies, et cetera, from hospitals, pharmacies, manufacturers, distributors, or practitioners. Existing Federal statutes only make it unlawful to create, distribute, possess, or dispense a controlled or counterfeit substance. In addition, the bills pending before this Congress only deal with the thefts of controlled substances from pharmacies. But pharmacies are only one source of controlled substances and these drugs can be obtained in a

number of ways and from a variety of places.

The following statistics will give you an idea of the extent of the problem we are facing. According to the DEA, in 1982 there were 2,861 thefts by night breakins, 1,037 thefts by armed robbery, 876 employee thefts, 247 customer pilferages, and 833 incidents of loss in transit. Each one of these thefts or losses involves a large number of drugs. The average night breakin resulted in a loss of over 4,000 dosage units. This data clearly reinforces the need for enactment of legislation.

This bill was designed in response to the statistics compiled by the Drug Enforcement Administration. The bill is comprehensive and addresses a serious domestic problem. Our Nation's drug problem is very serious and over 90 percent of the illegal drugs in America come from abroad. By supporting this bill, we can take an important first step and send a signal to the rest of the world that the Congress intends to get tough on illegal and controlled substances.●

A SPEECH BY THE HONORABLE ALBERT GORE

HON. RON WYDEN

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 5, 1983

● Mr. WYDEN. Mr. Speaker, my good friend and colleague from Tennessee, ALBERT GORE, JR. recently delivered a speech in Memphis, Tenn., concerning the issues in the Middle East. His thoughtful analysis of the complex problems in this area is very insightful and I would like to share it with my colleagues:

The speech follows:

REMARKS OF HON. ALBERT GORE, JR., BARON HIRSH SYNAGOGUE, MEMPHIS, TENN., APRIL 24, 1983

I am very pleased to be here today. I welcome this opportunity to discuss with you the present situation in Israel and the Middle East—A subject that is important to all of us. I know that so many of you have worked tirelessly over the years in support of Israel and I share your concern that Israel be strong and secure.

It is time for Israel's neighbors to realize how much more they have to gain by making peace rather than needlessly prolonging a state of war. Let them finally put to rest their refrain of "no recognition, no negotiations, no peace." That position has accomplished nothing—nothing that is, except a tragic continuation of hatred and hostility.

The United States must make it unmistakably clear to all nations that Israel is a permanent and key part of the map of the Middle East.

It is appropriate to be discussing the security of Israel just before the 35th anniversary of Israel's Independence and just after the season of Passover, the Festival of Freedom. There is a saying that each generation should consider itself as if it participated in the Exodus. Parents tell their children the story of the Exodus—just one of all too many examples of efforts to destroy the Jewish people.

I recently shared a Seder with a family in Nashville. I admire a tradition that places such emphasis on teaching its young people the importance and value of freedom. That is also the importance of Israel today—a tiny, narrow country, surrounded by hostile armies, called upon to defend her very existence numerous times in her short history. And yet, Israel is the only democratic society in the Middle East.

To ask questions, as so many families have just done during the Passover season is a sign of freedom. Is it not now time for the people of the Arab Nations to ask their leaders fundamental questions about their future, their hopes and dreams, and the lives of their sons and daughters? As the drops of wine are spilled on the Seder Plate, we do not rejoice in Arab suffering, and we wonder when they too will develop leadership committed to peace, compassion, and the values of life.

All of our prayers and hopes are for an Israel at peace. We share the dream of a day when Israel can devote her energies to solving the problems of education and agriculture, economics and politics, and not to the problems of defense and terrorism, war and the military.

Israel and the United States share a special relationship—a relationship that began on the very day Israel was proclaimed a nation in May, 1948. It is no secret that there were those who advised President Truman against recognizing Israel. But the President did what he thought was right and helped Israel gain some measure of acceptance in the world. And for 35 years, the special relationship has deepened and grown stronger.

It is important for us to remember that each country contributes to this special relationship and benefits from it. Israel is a strong and independent democracy, with a free and vocal press, contested elections, peaceful transitions of government, and a commitment to freedom of speech and the right to dissent. All of the world's major religions flourish in Israel. Israel provides free access to all the holy sites—something that was denied to Jews when Jordan controlled them prior to the Six Day War. It is very sad that so few countries share our belief in democratic values. When our government disagrees with Israel on one issue or another, it is important to keep in mind our common commitment to basic democratic ideals.

It is particularly important also to remember that Israel is of great strategic value to the United States. This contribution should never be overlooked or underestimated. Israel is our strongest and most stable ally in a volatile part of the world. In the thirty-five years of Israel's existence, her army has demonstrated truly outstanding abilities, at times against overwhelming odds. It is not difficult to imagine circumstances when the United States might choose to take advantage of Israel's military expertise and perhaps even her military facilities. Our own military leaders talk about a rapid deployment force stretched over thousands of miles, but too often fail to acknowledge what is so obvious to all, especially the Russians—that the Israeli Defense Forces are the strongest deterrent in the region and that Israeli military facilities are the strongest and best resources for the United States to look to in the region.

The relations between any two nations, no matter how friendly, occasionally undergo periods of strain. While I believe that the basic relationship between Israel and the United States remains firm, I must admit that I am deeply troubled by some recent events that have undermined this friendship. Some recent actions by U.S. officials have not contributed to better relations with Israel. More to the point, I believe that some actions by our government have not been in the best interest of the United States.

Let me briefly discuss four recent instances that have strained the relationship.

First, United States and Israeli negotiators had reached an agreement on the sharing of military information gained by Israel during the war in Lebanon. Even though the agreement was negotiated and initiated by our Defense Department officials, Secretary of Defense Casper Weinberger rejected it because of Israeli requests for safeguards to prevent this information from falling into the hands of its enemies. As a member of the House Intelligence Committee, I know how useful this kind of information has been over the years. Israel has been enormously successful in combating Soviet weapons and Israel has first-hand battlefield experience using American weapons. It knows what works and what needs improvement. It knows the strengths and weaknesses of Soviet military equipment, and has captured some of the most sophisticated Soviet weapons. Access to this material makes our own defense planning more accurate and more efficient. In the long-run it saves us unnecessary expenditures. Indeed the lessons learned by Israel can help our own Defense Department reduce the cost of new weapons. In order to avoid further strains in the relationship, Israel has agreed to provide this information to the United States with the *hope* it will not be passed on to other nations, specifically those that might give it to Israel's enemies.

Second, I disagree with the Reagan Administration's proposal to sharply cut grant military aid to Israel. The President has asked for $200 million less in grant military aid than was appropriated last year. Since I have been in Congress, I have supported every aid request for Israel and I pledge to you that I will do everything I can to see to it that aid to Israel is restored to a level sufficient to meet the pressing needs.

Third, I am troubled by the Administration's delay in finalizing the sale of seventy-five F-16 airplanes to Israel. These planes were originally scheduled to be sold to Israel last June. I urge the President to expedite their shipment. There is no good reason for further delay. We should be pressuring Syria by strengthening Israel.

Fourth, at the same time we are delaying the shipment of arms to Israel, the President is discussing arms sales with other countries in the area. Just as I opposed the sale of AWACS to Saudi Arabia as not conducive to the peace process, I will continue to oppose these proposed sales. I have signed a letter to the President stating my strong opposition to selling arms and planes to Jordan, unless King Hussein actively and openly joins the peace process. He has now once again refused to do so. Jordan has opposed U.S. efforts to bring peace to the Middle East, has rejected Camp David and, of course, does not even recognize Israel. I believe in rewarding only those countries contributing to the peace in the area and not those that obstruct it. Only when King Hussein embarks on the path of peace and

engages in direct negotiations with Israel should the United States even consider selling arms to Jordan.

It is not necessary to agree with or condone everything that happened in Lebanon last summer to see in broader terms what was accomplished—for Israel and for the United States. Israel has finally been able to provide security for its northern towns and cities. Children in northern Israel no longer have to spend nights in shelters as protection from terrorist attacks originating from Lebanon. But the departure of the P.L.O. does more than help Israel. It destroys the P.L.O. base of operation, their training sites and their operating headquarters. Terrorists from around the world had been trained by P.L.O. in Lebanon. This will not be possible any longer and the entire civilized world can breathe a little easier as a result.

We should also remember that two Soviet surrogates—the P.L.O. and the Syrians—were dramatically defeated in Lebanon. Soviet equipment was proven to be inferior to its American counterparts. This will have great implications around the world, particularly on Europe where similar weapon systems are arrayed against each other.

The war has also created the opportunity for Lebanon to establish a strong, democratic, pro-Western government. The removal of P.L.O. "state-within-a-state" was the first step. Now it is time for all foreign troops to leave Lebanon. That is the main purpose of the current negotiations and I am pleased to note that there has been some progress. Still, it is unlikely that Israel will withdraw entirely until real guarantees are found to ensure that the P.L.O. will not return to Southern Lebanon.

The role of Syria is particularly troubling. There are presently 30,000 Syrian troops in Lebanon. Their stated purpose is to make sure that Lebanon does not make peace with Israel, as Egypt did. The Syrians show no willingness to withdraw their forces from Lebanon.

A serious threat is also posed by the presence of Soviet SAM-5 missiles in Syria. The SAM-5 is a long-range anti-aircraft weapon never before deployed outside the Soviet Union. These missiles, operated by Soviet technicians, have a range that can reach all of Lebanon, most of Israel, and as far as Cyprus, Turkey and the U.S. fleet in the Eastern Mediterranean. Our own Secretary of Defense has described Syria as an "outpost of the Soviet empire" and on this I agree with him, although I think we should have reacted more vigorously to the Soviet entry. I fully understand Israel's alarm at these developments. It helps explain Israel's insistence on strong guarantees and safeguards in any agreement. Whatever solutions are proposed for the withdrawal of troops from Lebanon depends to some extent on Syrian cooperation. So far they have shown no sign of advancing peace in the area.

I am confident the problems in the Middle East can be solved. I remain convinced that the only path to peace is through direct negotiations between the parties, with the help of the United States if it is desired.

The best way for the United States to help is not necessarily to lay out in advance the details of a final agreement which it then tries to persuade the nations in the region to accept.

The tried and true method is that of an "honest broker", facilitating negotiations between the nations involved. This approach is the one which was spectacularly successful at Camp David. The recent rejection by King Hussein of President Reagan's plan shows once again that the "honest broker" approach is the best and most productive way to proceed.

There has been much analysis of the President's plan, but any discussion of this plan, or any other peace plan, is purely academic. Unless King Hussein of Jordan is prepared to openly enter direct negotiations with Israel, there will be no movement toward peace in the Middle East. Sadly, King Hussein is still not prepared to take this first step. As long as the Arab countries refuse to recognize or negotiate with Israel, the danger of military confrontation will exist and Israel will remain understandably insecure.

In considering the Middle East, we must remember that the present set of circumstances did not develop overnight. It is clear that many of the problems in the Middle East were brought about by circumstances over which Israel had little or no control—starting with the refusal of Israel's neighbors to accept the original United Nations partition plan and their declaration of war on the new State of Israel in 1948. The West Bank was controlled by Jordan from 1948 to 1967. As Golda Meir frequently reminded her American audiences, no steps were taken to establish a Palestinian state there during those nineteen years. Only when the West Bank came under Israeli jurisdiction, a direct consequence of Jordan's attack on Israel in the Six Day War, did pressure mount to make it a Palestinian homeland. The future of the West Bank should be decided by Israel and Jordan through direct negotiations. Arrangements for security, adjustments to borders, citizenship of residents—these are questions for the parties themselves to decide.

The Six Day War resulted in Jerusalem becoming a united city. For nineteen years, all Israelis and most Jews from other countries were denied access to the Western Wall and other important religious sites. Many of you visited Jerusalem when there was a wall dividing the two portions of the city—one part under Jordanian control and one part the capital of Israel. Since 1967, Jerusalem has been *one* city. I believe Israel is prepared to make appropriate arrangements for the supervision of the holy sites of the various religions. But the city of Jerusalem must remain united and continue to be part of Israel.

I am reminded of a story that once, when visiting Israel, Henry Kissinger asked Golda Meir if it were true that when you pray at the Western Wall, your prayers go directly to God. Golda said, "Henry, it is the one place on earth where you speak directly to God." Kissinger said, "Good, would you take me there? Golda said, "of course."

As they were walking to the wall, Henry said, "Golda, are you sure that when I pray here, I pray directly to God?" Golda replied, "Henry, I told you already—directly to God." "Good," said Henry, "I was just checking."

Kissinger got to the Wall and said loudly, "God, I pray for peace for the people of Israel." He looked at Golda and said, "Golda, was I speaking directly to God?" She sighed and said, "Directly to God."

Then Kissinger said, "Good. Now, Lord, I pray that Israel will return the City of Jerusalem to King Hussein." And Golda immediately interrupted him and said, "Henry, now you are talking to the wall."

The existence of Israel for the past thirty-five years is a fact. Recognition of Israel by her neighbors is not a concession for which Israel must negotiate. Once Jordan, or any other country, agrees to recognize and negotiate with Israel, I think Israel might be suprisingly forthcoming in the concessions it is prepared to make. The prospect of peace is a powerful force anywhere in the world, but especially in Israel. Israelis are a proud people and they are prepared to defend their battles. But the cost to Israel has been high. The loss of life over the past thirty-five years has been staggering. Give the people of Israel a chance to put this loss of life behind them and there will be a strong desire within Israel to accept. And the more confident and secure Israel feels in its friendship with the United States, the easier it will find making concessions with its neighbors.

Let King Hussein look at the treaty between Israel and Egypt as his example. Since its birth, Israel has sought peace—but one country cannot negotiate by itself. When Anwar Sadat came to Jerusalem and recognized Israel, Prime Minister Begin made far-reaching concessions to achieve peace. Returning the entire Sinai was painful for Israel. But the reward, peace with Egypt, enabled Israel to take this most difficult step and the Sinai was returned on schedule. The negotiations between Israel and Egypt took time and great patience, with the United States playing a crucial role.

Today, there still are important issues between Egypt and Israel. The Camp David agreement called for full diplomatic, trade, and cultural ties. These have been too slow to develop. But Egypt and Israel chose to resolve their differences by negotiations and diplomacy. The peace treaty, signed four years ago, provides for Egypt to sell 40,000 barrels of oil a day to Israel. This provision is being fulfilled. Egypt and Israel are at peace. They are making efforts to undo the history of hostility brought about by decades of war. Does anyone doubt that both Egypt and Israel are better off today having signed a treaty than they would be without one?

The United States plays an important role in this process. Without American counsel and encouragement, and more than a little persistence, the Egyptian-Israeli peace treaty would not have been achieved. We stand ready to provide similar assistance to Jordanian-Israeli negotiations, whenever King Hussein is prepared to participate. We can offer the good offices of our diplomatic corps. We can provide the technology to assure that the terms of agreements are carried out—technology that includes early warning stations and satellite photography. Small numbers of American soldiers can participate in multi-national peace keeping forces. The United States is the only world power with credibility on all sides of the dispute. We should continue to provide economic aid to those countries participating in and advancing the peace process. I would much rather see us provide economic aid to countries at peace, rather than military aid to countries waging war.

I admire what this young country of Israel has accomplished in thirty-five years. When I look at Israel, I think how sad it is that this tiny country has been forced to devote so much of its resources to defense; how sad it is that so many of its best young lives have been sacrificed to war. But despite all these obstacles, Israel has done more than survive; it has thrived. Israel has built great universities and medical centers, trained outstanding scholars and scientists, developed its agricultural resources and indus-

tries of all types. In a Middle East at peace, Israel would have much to offer her neighbors. Israel's path to peace and acceptance has been difficult. I will continue to do all I can in the Congress to help speed up the peace process and to encourage and reward those countries that support it. And I will join with you in your conern that "Next Year in Jerusalem" will be a year of peace. We all look to the day when the Biblical prophecy will be fulfilled: ". . . They shall beat their swords into plowshares and their spears into pruning hooks. Nation shall not lift up sword against nation: neither shall they learn war anymore."●

SANTA MONICA MOUNTAINS NATIONAL RECREATION AREA NEEDS FUNDING NOW

HON. BOBBI FIEDLER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 5, 1983

● Ms. FIEDLER. Mr. Speaker, providing funding for land acquisition for the Santa Monica Mountains National Recreation Area deserves the support of this House and, indeed, of all Americans concerned about our national heritage. Last year, we approved a $15 million appropriation for this purpose, but the bill that emerged from conference omitted this money. Today, I testified before the Interior Subcommittee of the House of Representatives Appropriations Committee to urge them to repeat their farsighted actions of last year and to support the Santa Monica Mountains National Recreation Area. I have attached a copy of my testimony, which I believe shows the importance of this park to all southern Californians.

TESTIMONY OF HON. BOBBI FIEDLER BEFORE THE HOUSE APPROPRIATIONS SUBCOMMITTEE ON INTERIOR, MAY 5, 1983

Mr. Chairman, I am pleased to be able to appear here today in support of funding for the Santa Monica Mountains National Recreational Area. As a native Californian, I believe that each and every one of us who values our natural heritage should support the goal of preserving the beauty of the Santa Monica Mountains and its wildlife.

This subcommittee earned our gratitude—as I expressed it on the floor of the House on December 18, 1982—for including $15 million for the Santa Monica Mountains in its appropriation. I noted with great regret that this interest and active support was not matched in the Senate last year, and the bill that emerged from conference lacked this Subcommittee's recommended money for the Santa Monica Mountains. I now hope that we shall see a new and greater awareness of exactly how much is at stake in the Santa Monica Mountains from the Senate, and I strongly urge the Committee to work with us to persuade our colleagues in the Senate to stand alongside us, and the vast majority of Californians, on this issue. But the most important show of support for the Santa Monica Mountains will be for this Subcommittee to repeat its far-sighted actions of last year and include money for the Santa Monica Mountains National Recreation Area in its appropriations bill.

Back in 1978, when it passed Public Law 95-625, Congress recognized the unique value of the Santa Monica Mountains. Yet, only $41 million out of a total authorization of $155 million, has been appropriated. As a result, the Santa Monica Mountains National Recreation Area has lagged behind other areas established at the same time, in terms of land acquired. We have waited for our turn for funds, and we hope it will be this year.

I was born in southern California and I have lived there all my life. I would like to let you know how important these mountains are to all of us there. They are literally vital to us, for they are the airshed that provides the fresh air that we must breathe. Without action to protect the trees of the Santa Monica Mountains, the future could have us all choking on fumes.

But the Santa Monica Mountains provide us with more than just air. It is part of the most beautiful area of our State. It provides a place to relax and learn from nature. Just how much the people of southern California appreciate and need the National Recreation Area is shown by the attendance figures: no less than 29 million visitors to public lands within the National Recreation Area, 7 million visitors through National Park Service Areas and 395,000 visitors to National Park Service activity areas. The Santa Monica Mountains are as necessary to Los Angeles as Central Park is to New York, as the Common is to Boston, because Los Angeles is not a traditional downtown-core city, but one that is spread out, so it is only fitting that its greatest park should lie outside the city itself. The Santa Monica Mountains are one of the closest parklands to any American city, and so are all the more important.

If our southern California is not to become one enormous slab of concrete, we must preserve our natural beauty and heritage. That is what I have urged Senator Wilson, my California colleagues, and now this committee to do in appropriating funds for the Santa Monica Mountains.

Santa Monica Mountains has lagged behind our other National Recreation Areas in terms of land acquisition. Only 11 percent of the planned land acquisition has been completed in the Santa Monica Mountains. In comparison, other National Recreation Areas have achieved much higher levels of completion: Gateway: 100 percent, Indiana Dunes: 95 percent, Golden gate: 73 percent, Cuyahoga: 71 percent, and Chattahoochee—authorized at the same time as Santa Monica Mountains: 59 percent. Considering the level of use of the Santa Monica Mountains National Recreation Area, it certainly deserves a higher priority treatment.

This year, we are faced with the need to act quickly. Now that the economic recovery is starting to blossom, the rate of building is increasing. More of the Santa Monica Mountains may be developed and the price of land will increase. While there is no reason why the National Recreation Area and the local community cannot abide happily together on these development issues, funding must be available now to make sure that key areas become part of the National Recreation Areas before they are permanently lost to it.

We need the Santa Monica Mountains National Recreation area. I urge this Subcommittee to put language in the report accompanying this appropriation to show its support for continued funding to maintain and expand this truly great natural resource. There's nothing else like it.

In addition to the Santa Monica Mountains, I would like to state my support for Congressman Lagomarsino's efforts in support of funding for land acquisition in the newly established Channel Islands National Park.●

SARAH DALE MANNAKEE

HON. MICHAEL D. BARNES

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 5, 1983

● Mr. BARNES. Mr. Speaker, I want to take this opportunity to honor one of the truly great ladies of Montgomery County, Md., Sarah Dale Mannakee. This remarkable woman, who died recently at the age of 106, gained fame late in life through her vibrant and joyful paintings of landscapes, flowers, and occasionally animals which she began creating at the age of 84.

To anyone who knew her at all before she became a local celebrity, Sarah Dale Mannakee was already a star. Throughout her long life, she charmed all she met with her philosophical wit, her knack for anecdotes, and her natural charm which radiated from her paintings. Born in 1876—when Ulysses Grant was President—Mrs. Mannakee grew up in Patterson, N.J., Poughkeepsie, N.Y., Newport, R.I., and Toronto, Canada, where her father taught geology and botany at various colleges. When she was 32, she married Nathan Mannakee, a civil engineer, and the couple raised five children. Taking care of a family and teaching school left no time for painting, but when she was 84 her husband reminded her of her lifelong ambition and she began taking art lessons. In the last years of her life, as a resident of Ashton, Md., and later the Friends Nursing Home in Sandy Spring, Mrs. Mannakee had countless art exhibits, and requests for interviews, and speaking engagements. At 94, she pursued another interest and took up archery, although she admitted to becoming a little rusty several years later: "The other day I accidentally shot the head off a mouse," she once confessed to a reporter.

Mrs. Mannakee had some simple remedies for old age and boredom: "If you get sick," she advised, "wait ten days and nature will take care of it." On her 100th birthday, she told her friends: "Stay busy, sleep well, eat well, and don't be a sourpuss." Sarah Dale Mannakee's lighthearted spirit will be greatly missed, but she has left us a colorful legacy in the beautiful paintings which gave her—and others—so much pleasure.●

THE PAIUTE RESTORATION ACT

HON. DAN MARRIOTT

OF UTAH

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 5, 1983

● Mr. MARRIOTT. Mr. Speaker, under Public Law 96-227, the Paiute Restoration Act, Congress authorized up to 15,000 acres of land for the enlargement of the Paiute Tribe of Utah's present reservation and restored tribal status to the Paiute community. Today, I have introduced legislation, H.R. 2898, which will provide approximately 5,000 acres of land to fulfill that mandate, along with a 5-year trust fund for economic development of that land.

During the past 3 years, since the enactment of Public Law 96-227, the Bureau of Land Management, the Bureau of Indian Affairs, the Department of the Interior, the U.S. Forest Service, and the Paiute Indian Tribe Commission for Self-Determination have been working on proposals for the land restoration. Unfortunately, 3 years have passed since the passage of the original mandate and still no plan has been adopted. It is important for the 98th Congress to fulfill the mandate of the 96th Congress. H.R. 2898 will do this. It is a workable compromise, based on the proposals, opinions, objectives, and suggestions of all the parties involved.

H.R. 2898 will provide that certain lands in the State of Utah be held in trust for the benefit of the Paiute Indian Tribe. In addition, this measure establishes a fund for the economic development of the land, a trust fund financed by revenues received from public lands. It is important to note, Mr. Speaker, that these moneys are to be used by the tribe collectively for the economic development of the lands being transferred to the tribe; these are not "in-pocket" reimbursement for any previous wrongs.

Public Law 96-227 provided for up to 15,000 acres of land. We, by passing this measure, will transfer just 5,000 acres of land, but along with that will provide a 5-year trust fund to provide for economic sustenance off of the lands. Public Law 96-227 indicated the intent of Congress by stating that the Federal trust relationship be restored to the Paiute Tribe of Utah and that lands be provided for "the benefit of members of the tribe or bands." By providing lands to the tribe, along with the limited trust fund to be administered by the Secretary of the Interior, the Pauite Tribe of Utah will now be able to provide an economic base for their community.

Mr. Speaker, it has always been their intent, since Congress restored to the tribe their tribal status, that they be a self-sufficient body, not dependent upon funding from the Bureau of Indian Affairs. It is my belief that we should provide these lands and the funds for development of the lands to provide a sound economic base. This is consistent with substantial historical and economic justification. The Paiute Tribe wishes to be part of the economic mainstream, while maintaining their heritage and traditional religious beliefs.

Mr. Speaker, the Governor of the State of Utah, along with my colleagues in the House and Senate, know of the importance of this piece of legislation. This is a compromise document. In fact, many individuals in Utah supported an even greater land transfer proposal, including the Governor's office.

While opposition to the stronger proposal was heard in the State of Utah, many of the objections to the measure have been eliminated in H.R. 2898. For example, this bill will not levy taxes on any existing land rights nor terminate existing grazing rights, usurp existing water rights, hunting or fishing rights. Nor will the tribe have claim to any mining rights. In fact, no coal reserves or leases are involved in the land being transferred.

The tribes are subject to the laws—both civil and criminal—of the State of Utah and the United States. No one is opposed to providing the tribe the opportunity to achieve self-determination and economic self-sufficiency. By having a 5-year trust available to the Paiute Tribe for development of the 5,000 acres of land provided for in H.R. 2898, Congress will provide them that opportunity to develop self-sufficiency—and, in future years, the tribe will no longer be in need of the $500,000 they received in 1982 from the BIA.

Is it not better, Mr. Speaker, to provide $500,000 for 5 years rather than an escalating amount for an indefinite period?

Further, Mr. Speaker, I have been informed that the House Interior and Insular Affairs Committee, chaired by my good friend and colleague, Representative MORRIS UDALL, has authorized that I hold public meetings later this month, May 27, in Utah to receive comments on the proposed legislation. After consultation with Utahans, their concerns will be presented at a hearing in Washington, D.C., on June 2 on H.R. 2898, and hopefully markup of this legislation can be concluded on June 9, 1983.

This is a mandate Mr. Speaker, from the 96th Congress. I urge that my colleagues in the 98th Congress collectively join with me in fulfilling this mandate.●

TRIBUTE TO A TRUE YANKEE

HON. JUDD GREGG

OF NEW HAMPSHIRE

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 5, 1983

● Mr. GREGG. Mr. Speaker, today I want to call to the attention of my colleagues the dedication of a man who exemplifies the characteristics of a true Yankee. Haven Little, of Rumney, N.H., will be honored at an afternoon reception in the Rumney Town Hall, on May 15, for his 45 years of service as a town selectman.

Selectmen serve as the governing body of town affairs, taking care of social security forms, timber tax forms, the road department, the cemetaries, the town bills, the tax books, and believe it or not, answering individual problems, including what to do about a hedgehog gnawing on an outhouse door. Obviously serving as a selectman is a humbling experience. A special kind of individual is needed who is willing to be held accountable to such a degree for finding solutions to the townspeople's problems. Over 45 years, Mr. Little has been an inextricable part of the governing of Rumney, including going before the public at the annual town meeting. As some of you may know, the town meeting form of government requires an annual meeting of the townspeople to adopt annual operating and capital budgets, enact ordinances, and take other actions required or authorized by State law. All registered voters of the town may vote. Articles are passed by a simple majority unless a State law states otherwise. The board of selectmen is responsible for presenting background information on the articles voted on at the town meeting. This small-town government is very important to the people of New Hampshire.

Mr. Little has played a vital role in keeping government by the people a continuing tradition. When he first ran for selectman, in 1937, Mr. Little barely won, by one vote. At that time most of the town was in farms and selectman would go out, house to house, farm to farm, with inventory blanks. At town meeting things might get a little hot, but everyone knew everyone and it was all carried out with good humor. Today, the inventories are mailed out. At town meetings there are many more people finding fault and asking questions and there is a different atmosphere because people do not know each other. Mr. Little will not say it was better in the thirties, only different.

Clearly Mr. Little's steadfast service of 45 years is a fine example of a true Yankee, a person who works hard, cherishes independence, is plain spoken, and most of all is practical in

that he makes do with what he has in good times and bad. I hope my colleagues will join me in saluting Haven Little, a true Yankee.●

CARGO PREFERENCE

HON. VIRGINIA SMITH

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 5, 1983

● Mrs. SMITH of Nebraska. Mr. Speaker, I would like to comment regarding H.R. 1242, providing cargo preference for 20 percent of all bulk imports and exports, introduced by my good friend and colleague, Mrs. BOGGS. LINDY and I work closely together as we both serve on the Energy and Water Appropriations Subcommittee and share many of the same concerns about water resources and navigation. However, today I must take exception to the cargo preference provisions contained in H.R. 1242.

Before I explain my objections, I would like the Members to know that I understand and sympathize with the motivations for this measure. The decline of U.S. shipbuilding and U.S.-flag fleet cargo capacity is well documented. This steady downturn beginning after World War II has undoubtedly caused economic hardship for shipbuilding communities and U.S.-flag lines.

In light of this situation and because I recognize the value of a strong and competitive merchant marine, I voted in favor of H.R. 4374, the Shipping Act of 1982. I have a letter from Chairman BIAGGI thanking me for my vote and stating that the shipping law changes embodied in the Shipping Act would make the merchant marine more competitive and efficient. I know that the bill did not see passage in the Senate last year, but I hope sponsors and supporters have not given up on this regulatory approach to upgrade the competitive standard of U.S.-flag ships.

Although I had serious reservations about voting in favor of the Shipping Act, I felt that it was a much more rational approach to revitalization than the concept of expanding guaranteed business through cargo-preference rules.

U.S. agricultural interests have been fighting a losing battle to increase our exports over the last 2 years. The combination of bumper crops worldwide, economic recession, increased value of the dollar, and uncompetitive trade practices by other exporters have all contributed to economic losses in the export and, hence, the farm sector. The 1983 forecast shows $36.5 billion worth of agricultural exports versus $43.8 billion in 1981 or a 16.6-percent decline.

Using history as a guide, this legislation would further erode our competitive standing in the international grain trade by increasing ocean transportation costs that would inhibit demand. Further, H.R. 1242 would prolong farm recession and eliminate jobs, not create them.

In an assessment of a similar piece of legislation put forth last year, the General Accounting Office stated that the ability of exporters to pass on these increased ocean freight costs depends on the particular commodity's price advantage relative to its competitor.

This year our agricultural export volume will fall for the third year in a row. More importantly, we are losing our market share of many commodities, which means that other countries are increasing their exports while ours are decreasing. This situation makes it easy to see that our commodities do not enjoy a price advantage that would enable exporters to pass through increased costs.

Also, with 25 percent of the dry bulk fleet out of operation and ocean freight rates falling due to world economic conditions, it is highly unlikely that the transportation sector could absorb the increased costs.

Who will pay the increased costs then? I predict they would be passed directly back to agriculture. Exporters would decline. Commodity prices to producers would be forced lower.

If the present cargo preference laws have done nothing else, they have at least given us a quantitative measure of how U.S.-flag bulk-carrier rates compare to foreign-flag bulk-carrier rates. The following table illustrates weighted ocean-freight differentials calculated from actual negotiated void charter rates from all U.S. ports that service both U.S.-flag and foreign-flag heavy grain carriers:

OCEAN FREIGHT DIFFERENTIALS (OFD) [1]

[Dollars per metric ton; volume in metric tons]

Fiscal year	U.S. flag	Volume	Foreign flag	Volume	OFD
1980	81.15	413,000	30.30	579,000	51.85
1981	106.58	295,000	40.62	420,000	65.96
1982 [2]	78.81	319,505	25.73	344,373	52.98

[1] USDA-ERS.
[2] 1st and 2d quarters only.

Using the latest ocean freight differentials of $52.98 per metric ton for the first two quarters of 1982, it can be deduced that the bill's provisions calling for 5 percent cargo preference on all imports and exports in the first year after passage would result in the loss of 14,185 jobs in the agricultural sector alone. This estimate is drawn from export employment figures in an April 1981 USDA staff report, "Agriculture's Role in the U.S. Economy." The report shows that every $1 billion in agricultural exports accounts for 35,000 jobs. Grain exports for 1983 are estimated at 153 million metric tons (MMT) and assuming 7.65 MMT—5 percent—would be carried by U.S.-flag ships in the first year—$405 million would be added to transportation costs. Since these costs could not be absorbed they would be translated into reduced sales and fewer jobs.

Taking the scenario one step further and figuring a full 20-percent set-aside for U.S.-flag ships, the legislation would cost 56,630 jobs. This admittedly rough estimate is significant because it demonstrates the resultant magnitude of the loss of jobs in one sector when resources are statutorily diverted to another sector. The total estimate of ship-related job creation is 112,000, while the effect on only one of the many sectors encompassed by H.R. 1242 would negate the job creation by 50 percent. When the impacts on all the other exporting and importing industries are calculated, the net job loss would be tremendous.

I can only speak about the effects of this legislation upon the agricultural sector. If the severe consequences I have outlined for this one sector are reflected in other kinds of import and export businesses, and I predict they would, this body may agree that H.R. 1242 is not in the best national interest.

Let me turn briefly now to the other main purpose of H.R. 1242. The argument for an expanded U.S. bulk fleet has constantly been based on strategic military needs. Rather than rely on my own opinions regarding this argument I need only to turn to an April 1982 letter from the Department of State to CLEMENT ZABLOCKI, chairman of the House Committee on Foreign Affairs. An excerpt from that letter outlining the Department of State's position on last year's attempt to increase cargo preference—title IV of H.R. 4227, the Port Development and Navigation Improvement Act of 1982—follows:

In the view of the Department, Title IV would not substantially increase security of supply, the primary rationale offered for its passage. While only about two percent of U.S. bulk imports and exports are carried in U.S.-flag vessels, a much larger percentage is carried in foreign-flag vessels owned and controlled by American citizens and corporations. The Department agrees with the assessment made by Secretary Weinberger in June 1981 that there is no basis to believe that most of these vessels would not be available when needed in time of war and national emergency. Still other vessels are controlled by U.S. entities under long term charters, and the great majority of the remainder of the world's bulk fleet is owned and managed by nationals of our allies. Under these circumstances, a U.S.-flag bulk fleet would not significantly improve the security of supply of bulk imports and exports in times of national emergency. Moreover, it is difficult to understand what interest we have at all in securing the supply of exports under these circumstances.

I remind the House that this comes from an administration currently being accused of military extrava-

gance, excess, and inability to turn down any equipment procurement proposals. There must indeed be very shaky grounds for the strategic military arguments for cargo-preference assistance.

As a footnote to testimony on that particular piece of legislation, it is interesting to note that the Departments of Agriculture, State, Transportation, Treasury, and Justice, as well as the U.S. Trade Representative and the Agency for International Development (AID) all opposed expansion of cargo preference to commercial trade.

It should be obvious that past efforts to stimulate the merchant marine through direct and indirect subsidies has not thwarted the bulk cargo decline. We have seen a laundry list of programs, including guaranteed loans to build the ships, construction differentials to fund the extra cost of building in the United States, operations differentials to fund the extra cost of using U.S. crews, tax breaks, and among other things, a Merchant Marine Academy to train the crews. These programs, in addition to present cargo-preference rules, have failed to stimulate U.S.-flag shipbuilding and failed to make the U.S. fleet competitive.

Some might draw the conclusion that American business interests are just not very enthusiastic about the ocean freight business. On the contrary. American companies own or control around 480 ships registered under the flags of other countries, such as Liberia, Panama, and Honduras, constituting the U.S. effective controlled fleet referred to earlier for strategic military purposes.

Freed thus from high construction and crew costs, these U.S. companies have built 45 dry-bulk carriers since 1970, while U.S.-flag lines built only 10. I use 1970 as the benchmark because that was the year the Merchant Marine Act was adopted, authorizing a dramatic increase in maritime subsidies to stimulate the U.S. merchant marine. As we all know, the subsidies did not work as well as was hoped or expected. To those proponents of expanded cargo preference who are quick to discount agricultural objections by pointing out various agricultural subsidies, I believe a very importrant distinction needs to be made.

As a rule, agricultural subsidies are designed to rein in the overproductive capacity of American agriculture when the world cannot absorb its abundance. We have an agricultural sector that is the envy of the world. Its efficiency, technological advancement, diversity, and reliability are unparalleled. Ironically, this constant capacity to overproduce leads to Government programs aimed at temporarily reducing the supply to meet commercial demand.

In contrast, maritime subsidies are designed to prop up an undercapitalized and uncompetitive shipping base.

I urge the House Merchant Marine Subcommittee to defer action on H.R. 1242 and to search for other means to support the merchant marine in its efforts to regain a sizable share of this country's bulk cargoes. I implore shipping interests not to follow the path of the past that has led nowhere, that would undoubtedly cause continued recession in the agricultural economy, and would eliminate countless thousands of jobs in the general economy.●

H.R. 966—THE SAVING OF JOBS THROUGH STRENGTHENING TRADE REMEDIES

HON. BOBBI FIEDLER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 5, 1983

● Ms. FIEDLER. Mr. Speaker, I have introduced H.R. 966, a bill amending the Trade Act of 1974 that I believe has the potential to help restore jobs and export potential that have been lost as a result of unfair trade practices by foreign nations. I believe that this bill is a powerful weapon against protectionism and for the free trade that will keep America working, for it would allow Congress to become directly involved in countering unfair trade practices. I have appended a copy of my testimony before the Trade Subcommittee of the House of Representatives Committee on Ways and Means and a copy of H.R. 966 itself. H.R. 966 provides a significant yet highly feasible step in helping to restore American jobs and export potential.

TESTIMONY OF HON. BOBBI FIEDLER

Mr. Chairman, I appreciate having the opportunity to express my views concerning trade remedy laws. I have introduced legislation, H.R. 966, that I believe can make a significant contribution in this effort. I commend this Committee for taking on this challenge to restore America's competitive leadership.

We all know that free trade increases the standard of living of all our citizens. Likewise, we know, from experience, that protectionism hurts people. It increases consumer prices, limits consumer choices and international efficiency. America is an exporting nation. We all benefit from a free international flow of goods. Unfortunately, today, changing economic realities have pushed many nations away from the responsibilities of our interdependent global economy.

In recent years, America's export performance has declined. It may well continue to unless we seriously examine those restrictive policies of other nations that restrain U.S. trade and our response to these barriers. We must provide the leadership to expand international markets, for the job situation in this country depends heavily on the future of our exports. With one out of five manufacturing jobs producing products for export, our action is demanded.

The effectiveness of existing trade remedy laws is, at times, questionable, only ten percent of American manufacturers export goods; a mere one percent of those businesses account for eighty percent of all exported merchandise. Thus, we must ensure that business—especially small business—is provided with adequate trade remedy laws or we cannot expect them to be involved in exporting and the resultant job creation it entails.

My testimony deals with Section 301 of the Trade Act of 1974, which authorizes the President to take all appropriate action to remove a foreign practice which is in violation of an international trade agreement or is found to restrict U.S. exports. This appears a powerful weapon to defend the global economy, but the fact that only an average of ten applications a year are submitted to the U.S. Trade Representative for investigation, under Section 301, shows that this trade remedy is a cumbersome, expensive and time-consuming process.

We have seen a number of examples of the limitations to the practical applications of Section 301 trade remedies. After 14 years, the citrus issue has still not been resolved. The latest round of bilateral negotiations with the European Economic Community were abandoned after six years and finally submitted to the dispute settlement process available under the General agreement on Tariffs and Trade. Clearly, something is wrong when an industry, and the people who depend on it for their livelihood, must be burdened with 14 years of unfair trade. Such terribly long, drawn-out processes give an incentive to our foreign competitors to continue the same unfair practices that Section 301 was written to combat. Their use of unfair trade practices will not be deterred by a process that has proved to be slow and uncertain.

Another limit to the effectiveness of actions undertaken pursuant to Section 301 was seen in the recent failure of the G.A.T.T. dispute settlement panel to make substantive findings in the European Economic Community wheat flour case.

While I have the greatest respect for the U.S. Trade Representative, our businesses, especially our small businesses, cannot tolerate such time lags in trade remedies, especially in today's highly competitive world market. We cannot scare away the ogre of protectionism with a blunt sword. We must let our international competitors know that Congress is committed to growth in trade and is standing beside the U.S. Trade Representative, ready to fight unfair trade practices.

I have introduced H.R. 966, a bill that would strengthen trade remedies available under Section 301 in two ways. First, by giving Congress the information it needs to effectively use this new capability through provision of an annual trade practices report and, second, by permitting Congress to become directly involved in the initiation of remedies under Section 301.

H.R. 966 would require the Department of Commerce to provide Congress with an annual balance-of-trade report. This report would specify the extent to which each negative balance of trade is attributable to unfair trade practices and what actions were taken by the Executive Branch during the preceding year, in response to Congress' actions.

The report would give Congress the full picture of the effect of foreign unfair trade practices on the U.S. balance-of-trade. Publishing the actions would show Congress

what has been done and what needs to be done. While Commerce does provide limited information now, it does not provide information that focuses on specific unfair trade practices.

Currently, Congress is not directly involved in the Section 301 process; only the President or private business can initiate an application for investigation. H.R. 966 will give Congress a vehicle that provides leverage to directly affect the decisions the President makes on unfair trade practices, rather than being kept from direct involvement in this key area.

Congressional action would be initiated by adopting a concurrent resolution, citing a particular foreign trade action that Congress has determined to be unfair and requesting Presidential action. Within 21 days, the President will publish, in the Federal Register, what action, if any, he is taking in response to such unfair trade practices. It does not mandate any specific sanctions by the Executive branch.

The annual report, combined with Congress' own expertise and resources, will make the Congress a valuable ally to the U.S. Trade Representative in his international negotiations and as a part of our national effort to keep America exporting.

H.R. 966 would complement the existing remedies available under Section 301 of the Trade Act of 1974 without prejudicing or weakening them. It would not affect or reduce any of the other remedies available, and in practice should present no obstacle to the use of any of them. Much proposed legislation has come before the Congress recently dealing with issues touching the broad spectrum of international trade. I believe H.R. 966 is entirely consistent with the thrust of what we, in the Congress, are trying to achieve—to encourage free competition and trade, but to discourage the unfair trade practices by foreign countries that have cost us so much in jobs and opportunities in the past.

Indeed, I believe that the enactment of legislation such as H.R. 966 would reduce the need for the use of any of the many remedies for our trade problems that now exist. Such legislation, by its very existence, would help to deter foreign countries from instituting or carrying out unfair trade practices. Deterrence would be helped by the knowledge that the Congress could act quickly to request action and to have the President come to grips with the issue. It would certainly be much more of a deterrent than the long adjudication times in many Section 301 proceedings.

Today, the institution of world trade is faced with a choice. It can either proceed toward protectionism and all the hardship that it entails, or proceed toward the free system of exports that holds the potential for economic growth for America. I believe that by adopting H.R. 966 and thus strengthening Section 301, we would be arming ourselves with a strong, sharp sword. A weapon that would deter as much as it would retaliate against those who have violated the rules on international trade. I urge this committee to give it its full consideration.

H.R. 966

A bill to amend the Trade Act of 1974 to provide for congressional initiation of actions to respond to unfair foreign trade practices, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That chapter 1 of title III of the Trade Act of 1974 (19 U.S.C. 2411-2416) is amended—

(1) by adding at the end of section 301(c) the following new paragraph:

"(3) ACTION REQUESTED BY CONGRESS.—If the Congress adopts a concurrent resolution that—

"(A) states in effect that the Congress considers that an act, policy, or practice of a foreign country or instrumentality is an act, policy, or practice described in subsection (a)(2) (A) or (B); and

"(B) requests the President to take action with respect to such act, policy, or practice under this section;

then not later than twenty-one days after the date on which the concurrent resolution is adopted the President shall determine what action, if any, he will take under this section, and shall submit written notice of his determination, including the reasons for the determination, to each House of Congress and shall also publish such notice in the Federal Register. Before making such a determination, the President shall provide opportunity for the presentation of views concerning the matters raised in the concurrent resolution.";

(2) by adding at the end thereof the following new section:

"SEC. 307. PRESIDENTIAL REPORT REGARDING EFFECT OF FOREIGN PRACTICES ON BALANCES OF TRADE.

"Within ninety days after publication by the Department of Commerce of its complete balance-of-trade results for any year after 1982, the President shall submit to each House of Congress a report specifying, with respect to each foreign country or instrumentality with which the United States had, according to such results, a negative balance of trade for that year—

"(1) the extent to which such negative balance of trade was attributable to acts, policies, or practices of such country or instrumentality that are acts, policies, or practices described in sections 301(a)(2) (A) and (B); and

"(2) what actions were taken during such year under the authority of this chapter, as well as other provisions of law, to eliminate each such act, policy, or practice, and the results of such action."; and

(3) by amending the table of contents of such Act of 1974 by inserting immediately after

"Sec. 306. Administration."

the following:

"Sec. 307. Presidential report regarding effect of foreign practices on balances of trade.".●

SENATE—*Friday, May 6, 1983*

(Legislative day of Monday, May 2, 1983)

The Senate met at 9:30 a.m., on the expiration of the recess, and was called to order by the President pro tempore (Mr. THURMOND).

PRAYER

The Chaplain, the Reverend Richard C. Halverson, D.D., offered the following prayer:

Let us pray.

God of truth and justice, in our pragmatic culture it is so easy to sacrifice principle for expediency. At a time when the values endorsed and promulgated by our forebears are not only forsaken but often ridiculed, strengthen the resolve of those in positions of national leadership who take seriously these values. Encourage them in their conviction. Enlighten and sensitize their conscience and give them courage to heed it. Quicken in them the indispensable virtues of integrity, honesty, and purity of heart. Give them Thy wisdom as they process complex issues in which right and wrong are not easily discernible. Brace them against the criticism and pressure of those who demand inadequate solutions based upon simplistic thinking. Grant to those who labor here, Senators, committees and staffs, grace and peace, through Him who is the Servant of all. Amen.

RECOGNITION OF THE MAJORITY LEADER

The PRESIDENT pro tempore. The majority leader is recognized.

Mr. BAKER. I thank the Chair.

127TH BIRTHDAY OF SIGMUND FREUD

Mr. BAKER. Mr. President, today marks the 127th anniversary of the birth of one of modern civilization's greatest minds, Dr. Sigmund Freud. This is an anniversary embraced with the genius of revelation and revolution that Freud's legacy brought to mankind.

Freud was born on May 6, 1856, to middle-class Jewish parents in what is now Czechoslovakia. As a youngster, Freud had a keen interest in the scientific dimensions to the general philosophic and humanitarian dilemmas that were the focus of mid-19th century intellectual thought. He entered the medical faculty of the University of Vienna in 1873 and began bold investigations on the medulla oblongata, the lowest part of the brain. He clarified the connections between the spinal cord and the cerebellum, and published a series of reports on the relationship between the sensory nuclei of the cranial nerves and the sensory ganglia of the spinal cord.

In 1882, Freud became a resident assistant physician, and it was here, at the Vienna General Hospital, that he began to concentrate on psychiatry. After publishing a series of studies on the use of cocaine as an anesthetic, Freud traveled to Paris where he devoted himself to the study of hysteria. By 1895, Freud had moved away from the use of hypnotism in treating his patients in favor of his own new method—free association. This technique, along with his use of self-analysis, was one of the most important contributions Freud made.

In 1928, Freud spoke of a future illusion, and those words remain emblematic of the sensitivity and insight that distinguished his writings. "The voice of the intellect is a soft one," he said, "but it does not rest until it has gained a hearing. Ultimately, after endlessly repeated rebuffs, it succeeds. This is one of the few points in which one may be optimistic about the future of mankind, but in itself it signifies not a little."

Mr. President, it is indeed necessary for those of us in Government to be both patient and optimistic about the future; and to that end, it is clear that Freud's unparalleled brilliance has aided us in understanding ourselves and the issues that swirl about us.

I thought that it would be appropriate at this time of controversy to remember those words of Freud's, and to celebrate the anniversary of the birth of a giant in history.

ORDER OF PROCEDURE

Mr. BAKER. Mr. President, there will be a time for the transaction of routine morning business after the conclusion of the leadership time.

May I say to my friend, the minority leader, that for a variety of reasons I have discovered that it may be 10:15 a.m. or 10:20 before we can actually resume Senate Concurrent Resolution 27. I would prefer not to put in a quorum call or otherwise delay the measure, but I want to say to the minority leader that there are some Senators who are instrumental in this matter who are having a little trouble reaching the floor this morning.

I would hope that there would not be any problem about agreeing that it might be 10:15 a.m. before we can get to this matter. It may be that we will want to extend the time for the transaction of morning business. I wanted to let the minority leader know about that.

Mr. BYRD. Mr. President, I thank my friend, who is both patient and optimistic.

Mr. BAKER. Mr. President, I believe I have no further requirement for my time under the standing order. I am prepared to yield to the minority leader if he requires additional time.

RECOGNITION OF THE MINORITY LEADER

The PRESIDENT pro tempore. The minority leader is recognized.

Mr. BYRD. Mr. President, I thank the majority leader.

ARMS CONTROL PROPOSALS

Mr. BYRD. Mr. President, the Soviet leader, Mr. Andropov, this week made a new proposal regarding the balance of nuclear forces in the European theater. The details of the proposal are vague and raise many unanswered questions. The precise nature of the proposal will not be clarified until it is formally placed on the table at the Geneva talks.

Nevertheless, it is clear that this latest Soviet effort is a direct result of the determination of the NATO alliance to move forward with the deployment of Pershing II and cruise missiles in Europe this December. It is clear that Andropov's announcement is part of the Soviet campaign to head off the initial steps of that deployment. It is another step in their campaign to divide the alliance—to cripple our ability to meet the destabilizing impacts of their vigorous SS-20 deployments in the European region.

Public accounts of the Andropov proposal indicate there may be some new areas of flexibility in the Soviet approach. If it is, in fact, a serious step in the direction of a fair arms limitation in Europe, then it is to be welcomed. Nevertheless, it does not concede the validity of any portion of the NATO deployment, and threatens additional Soviet weapons deployment if NATO does not completely abandon its plan. If we do not agree with the outlines of this proposal, Andropov warns us that a chain reaction is inevitable that would not suit us.

It is obvious that we are still far from a fair agreement with the Soviets on this matter. It is therefore impor-

tant that the Geneva negotiations proceed, and that our deployment plans proceed.

It is critical that the alliance retain and refresh its consensus on this matter. Strong and sensitive American leadership is essential. Although there may well be some positive aspects to the Soviet offer, it is also a test of NATO's resiliency. Such testing can be expected to intensify greatly as the deployment date draws nearer.

Mr. President, President Reagan on March 23 made a reasonable and, I believe, fair offer to the Soviets on the European missile question. He has my full support for beginning deployment of U.S. Pershing and cruise missiles this December in the event that a full agreement is not reached with the Soviets. The Soviets have rejected his interim proposal for a balanced deployment of missilry in the European theater. This is to be regretted, but it is not unexpected. The Soviets are tough negotiators. They understand a businesslike approach. They face a choice. Either they deal with us in a fair way, or we go to full deployment of these weapons.

The President has handled this situation in the right way. On March 18, I suggested on this floor that the best chance for success was to take a strong leadership position in the alliance. I suggested that in order to put the alliance together, an interim proposal would probably be needed well before December. This would put the Soviets on the defensive and help our European partners deal with domestic opposition to the development program. The President followed this line in his proposal of March 23, and he has been commended throughout the alliance for his approach. He has my support. The Soviets will, I hope, understand that they cannot field major new weapons systems which threaten the vital interests of the West without a response.

The Soviets should always be given the opportunity to join us in meaningful arms control. Both the initial zero-option proposal and the interim proposal offered by the alliance give the Soviets an opportunity to walk down the path of arms reductions, of rejecting arms races, and of rejecting tactics which threaten to destabilize the balance of forces. This should be the American position—namely, always to hold out the hand of negotiations; ready to counter the Soviet threat with systems of our own, but always extending an olive branch.

As technology becomes more complex, as new equipment is developed, the need will grow for more creative solutions. These solutions, when coupled with a true commitment to arms control, can be offered by this Nation. Our people expect no less. The free world expects no less.

Mr. President, the President said that he is deeply committed to arms control. I accept his word on that. We all want progress in the Geneva negotiations. We all want agreements to be reached which will stand the test of time.

The President said that bipartisanship is important to him. I agree with that. It is important to all of us. It is the only responsible way to deal with the Nation's security. He said that our strategic forces program has been embroiled in political controversy—that we would all have to take a fresh look at our previous positions. He pledged to take a fresh look at his previous positions. This is a welcome statement. There will be only one consideration paramount in my thinking on these matters. That is, will the proposal or the system enhance the Nation's security? I will be delighted to support those elements of the defense program which meet this test. I will oppose those elements which do not, no matter how cosmetically enticing they appear.

THE SPACE DEFENSE PROPOSAL

Mr. President, President Reagan has also made a very bold proposal regarding the use of new technology in the cause of peace. He has suggested that our inventive genius be put to work to make obsolete the awesome destructive power of nuclear weapons. He proposes to banish the nuclear genie from threatening our annihilation. This is a noble concept, a possibility which excites the imagination.

Mr. President, this proposal to use space-based laser satellites and other exotic systems to provide a shield against enemy ICBM's has sparked worldwide comment. It has provoked quite a fair dose of criticism both here and abroad. The Soviets have denounced it in harsh terms. It has been labeled a beguiling pipedream which will provoke a new wasteful arms race in space. Critics have painted a new world of battle stations in space, killer satellites and death rays, of echelons of measures and countermeasures ad infinitum. The President's speech has been dubbed his "Star Wars Fantasy."

But, the President has raised an issue, which the march of these technologies would have propelled upon us in any case, several years before its time. And I believe there is an opportunity to balance off these technological developments with a space weapons treaty. Such a treaty would push these technologies into peaceful applications, not weapons.

He has put an idea on the table. It is not a perfectly formed idea. It needs explanation; it can be supplemented.

CRITICISMS OF THE PROPOSAL

A number of arguments have been leveled against the space defense proposal.

First, the President has unilaterally switched strategic concepts. A shifting to a space-based defense and away from the doctrine of MAD, or mutually assured destruction, as the linchpin of deterrence and arms control, is highly destabilizing. This argument would throw Mr. Reagan's commitment to arms control in doubt because it unilaterally changes the rules of the game. It tears apart the framework with which the two superpowers have structured their strategic forces.

Up until now, strategic arms negotiations have focused on stabilizing the strategic arsenals by placing limits on systems. Stability has been sought by limiting the numbers of launchers and warheads, and then reducing them. The proposal now offered by the distinguished Senator from Georgia, Senator NUNN, to reduce the numbers of warheads or systems as the price of modernization, is a contribution along these lines. I am a cosponsor of the Nunn proposal.

Critics claim that the President intends to short circuit the hard business of reductions in forces. They claim he is looking for a quick fix which papers over these efforts at arms reductions—that he does not really believe in arms control, and as a result, it will be harder to achieve ratified arms agreements with the Soviets. Furthermore, this quick fix is destabilizing in the extreme because it appears to the Russians as a way of pinning them down. This argues that a perfect defense would either force the Soviets to capitulate to us, or allow a first strike by us to go unpunished. The Soviets would then be tempted into a first strike to preempt our putting the perfect defense system into place.

A second major criticism is that the proposal is dangerous because it could not ever deliver its promise—that a perfect ballistic missile defense is just not achievable. And so there would be leakage; some Russian missiles would get through. In the absence of arms control, Soviet strategic warheads might rise from some 7,500 today to perhaps 10,000 in the 1990's. Under these circumstances, even 5-percent leakage would allow perhaps 500 warheads in. Even if a reduction down to some 5,000 Soviet warheads is achieved, 5-percent leakage would allow some 250 warheads in. In either case, our society would be devastated.

Furthermore, this proposed defensive system would not protect against low-flying cruise missiles and bombers.

A third criticism is that it would lead to an arms race in space—that the Soviets would match us system for system, countermeasure for countermeasure. This could lead to extreme complexity, and great uncertainty regarding the other side's intentions. The fear of one power setting a trap against the other could be enhanced. This would lead to instability and

tempt a first strike. Furthermore, while not fostering additional stability between the superpowers, the race would be hideously expensive. A space-laser battlestation complex has been estimated to carry a price tag of perhaps $100 billion. The other antisatellite devices and countermeasures would add significantly to this figure. We would strip from our budget any adequate funding for pure science and for peaceful exploration of the universe.

A fourth criticism is that it abandons the alliance. Some European commentators have expressed concern that this fortress-America concept would not protect them against cruise missiles, low-flying bombers and flat-trajectory SS-20's.

A final criticism is that the proposal is not accompanied by any offer to the Soviets to negotiate either a ban or weapons deployment or any sort of intellectual common ground from which to proceed. Not only does the plan render the ABM treaty a dead letter, but it rejects reopening negotiations on space weaponry. In 1978 and 1979, the United States and the Soviets negotiated seriously on the question of banning killer satellite systems. Those negotiations could be reopened. Furthermore, the Soviets have offered a draft treaty in 1981 on the general subject of space weaponry. We have neither responded to this treaty draft nor offered one of our own.

There are, of course, elements of truth in all these critiques. Indeed, many suggest that it was premature to raise the issues of space weaponry at this time. But, Mr. President, anyone who raises that argument simply does not understand the rapid development of these technologies. The Soviets already have developed an operational killer satellite system for low-orbiting satellites. We will have one, and I understand one superior to the Soviets, within 2 years. The Soviets have a manned space station program with major military implications. The U.S. space shuttle has military functions. The Soviets have a very ambitious directed energy weapons program—space-based laser satellites. They are ahead of us in this technology.

ARMS CONTROL BEFORE DEPLOYMENT

Mr. President, the best opportunity for arms control is before the weaponry is deployed. And we are learning that a temporary advantage in technology is erased in a few short years, as each side strives to at least match the overall capabilities of the other. The best example of arms control which might have been pursued is MIRV technology. A conventional wisdom is now growing that the major cause of instability in the current military environment is the MIRV'ing of strategic missiles, particularly the very extensive Soviet deployment of MIRV'd missiles. Former Secretary Kissinger, who was a central player in the decisions made by President Nixon to proceed with MIRV'ing, now says it was a crucial mistake. He indicates we were wrong in assuming the Soviets could not match the accuracies necessary to make MIRV'ing viable for them. He indicates we would be better off today had we negotiated a ban on MIRV's before the warheads were deployed.

Indeed, the recommendation of the President's Commission on Strategic Forces, the Scowcroft Commission, that we attempt to convince the Soviets to shift back away from large MIRV'd missiles to smaller one-warhead missiles, seems to confirm this judgment.

Nevertheless, Mr. President, advanced U.S. technology is one of our critical advantages. We must pursue technological advance with vigor and adequate funding. I am, for example, a strong advocate of accelerating the Stealth bomber. We should go forward with it, deploy it. It renders the extensive Soviet air defense system relatively useless. It is a strategic asset of high value because it is a formidable factor which must be considered by Soviet strategic planners. It will put all Soviet targets at risk beyond the turn of the century. I could not readily conceive of a reason why we would want to bargain it away.

There may well be, however, some circumstances where technological developments can be held back from deployment. If there is benefit for both us and the Soviets, in that parallel systems will surely be deployed and cause greater instability in the strategic environment, deployment might be deferred. If there would be no substantial net gain for us and if deployment could be deferred on a basis that was fair, that was essentially equal, and that was verifiable, then a negotiated settlement should be preferred.

Several situations of this kind are emerging. In the area of cruise missile forces, we are ahead and the Soviets are catching up. We are already fitting out our B-52 bombers with such weapons. Clearly both sides will have formidable cruise missile forces in a few short years. These forces will be difficult to verify, and very large numbers of them may lead to undesirable levels of instability. Public reports indicate that the administration has now initiated discussions on this matter in the context of the START talks. As I mentioned earlier, I think it is essential to deploy cruise missiles in the European theater for purposes of balancing off the Soviet SS-20's. Nevertheless, equitable, fair, and verifiable restraints on other cruise missile deployments may be wise. If so, such restraints are more easily negotiated now than later.

It seems equally clear that space weaponry can lead us down a similar path, leaving it to a future generation to lament our lack of vigor in pursuing negotiations before deploying a constellation of these arms. It will, of course, be much more difficult for our children to formulate proposals to reduce the numbers and variety of proliferated space arms than for us, today, to cut short these future deployments.

The President reopened a strategic debate. The march of technology demanded it. The time was right. The general criticisms of the President's proposal and the harsh Soviet reaction obsure the real opportunities for broad-ranging negotiations on these matters.

The President was asked in a news conference on March 29, whether his space defense plan would not just set off another round of the arms race. His response was when we reached the point where the technology had matured, "a President of the U.S. would be able to offer to give that same defensive weapon" to the Soviets. This would "prove to them that there was no longer any need for keeping these missiles." And so President Reagan envisions sharing the technology, giving the technology to the Soviets. He apparently feels that in this way mutuality in eliminating nuclear weapons could be achieved. I do not agree that we should share such technology.

On the question of interim tensions while the systems were being built, the President was asked about an interim arrangement to share research data on these technologies with the Soviets. His reply was that that would be something we could "look at."

The President is apparently open to share data now and to share technology later. I am opposed to such sharing. We could never be sure that the Soviets would lay all cards on the table.

So, I, for one, would not be able to support the sharing of our technology with the Soviets on this or any other strategically sensitive area. The Soviets are adept at extracting data and technology from us. They are great copyists and masters at reverse engineering. What they cannot derive from our vast open sources of information, or cannot buy, they attempt to steal. I do not think we need to give them anything.

Yet, I am sure that the President's goal is correct: We should make all reasonable efforts to end the arms race, not accelerate it. I think the way to do this is develop businesslike arrangements, fair and equitable treaties on space weaponry. I do think we should make an intensive effort to develop an understanding with the Soviets on the development and deployment of these hardware systems. Part of this can be in the context of the ABM Treaty and part of it—such as in antisatellite systems—would go beyond the scope of that treaty.

The President's proposal for ending the threat of nuclear destruction through American inventive genius is an ennobling concept.

It needs to be supplemented by proposals for discussion which would build mutual agreement between the superpowers on these matters. The idea of mutuality is essential, because, without it, the arms race might well accelerate out of control. Such a proposal for negotiations would challenge the Soviets to act.

I would like to offer these specific suggestions. First, U.S. research and development funding for miltary space systems should be at a level where we can match Soviet capabilities in approximately the same timeframe. This should help convince the Soviets to negotiate restrictions on the use of these technologies for military means. Second, we should offer to reopen the antisatellite talks and extend them to include a ban on destructive space systems of any kind, and devices with a high capability of upsetting the strategic balance, such as directed-energy satellites or ground-based systems aimed at satellites.

The United States and the Soviet Union are standing at a crossroads in the broad field of arms control. It is time for both to act.

Mr. BYRD. Mr. President, how much time do I have remaining?

The PRESIDING OFFICER (Mr. GORTON). The Senator has 8 minutes remaining.

Mr. BYRD. Does the distinguished President pro tempore wish any of my time?

Mr. THURMOND. Mr. President, I thank the minority leader very much. I do not require any time.

Mr. BYRD. I thank the Senator.

THE DISAPPEARED AND GENOCIDE

Mr. PROXMIRE. Mr. President, for years, human rights groups such as Amnesty International have used a term which identifies a particularly frightening type of human rights abuse. This term, to be "disappeared," refers to the act of being illegally abducted by political authorities and never being heard from again. In all too many countries of the world, tens of thousands of instances of disappeared persons have been reported in the last decade alone.

According to essayist Joan Didion, the term originates from the Spanish verb, desaparecer, or disappear. In Spanish, the verb is both transitive and intransitive. This flexibility is utilized by those speaking English so that sentences such as "John Smith was disappeared from his home," or "the government disappeared the students" are possible. While these sound strange, they are effective evocations of the cloudy circumstances that surround such events.

"Disappearances" have several characteristics: They always happen at night, their victims are presumably executed, and they are all unquestionable violations of human rights. The victims of this technique of political repression are taken into custody and then disappear; their relatives cannot find out where they are or what has happened to them.

The greatest number of disappearances occurred in Argentina in the midseventies. At that time, military forces were responsible for 6,000 to 15,000 disappearances which human rights groups consider an illegal campaign of kidnaping, torture, and death against those labeled subversive. Included among the disappeared were hundreds of elderly people, a similar number of pregnant women, and more than 100 children under age 12.

Mr. President, the mysterious disappearance of individuals continues today in nations large and small. While disappearances cannot be considered genocide, they are undeniably flagrant abuses of the human rights of thousands upon thousands of people. These abuses point to the glaring need for an International Moral Code that would help secure a minimum of basic human rights for all.

Certainly an integral part of a Moral Code of Conduct that would deter human rights abuse would include a treaty making genocide an international, punishable crime. I urge my colleagues to make this treaty a reality by giving their advice and consent to the Genocide Convention now.

WHY IS NEW YORK TIMES GOING STEADY WITH THE BOMB, WHEN IT DOES NOT TRULY LOVE IT?

Mr. PROXMIRE. Mr. President, now that the House of Representatives has passed a nuclear freeze resolution and, indeed, passed it by a nearly 2-to-1 bipartisan margin, it is up to this body to determine whether or not Congress should inform the President that it is our will that he negotiate a mutual, verifiable, nuclear freeze with the Soviet Union as the first step in reducing nuclear arsenals and stopping the nuclear arms race.

The Catholic bishops have just contributed to the oral support of the freeze, after a detailed, 2-year study, and after hearing from an impressively competent number of experts. The New York Times, that remarkably wise counselor to the country on matters of public policy, today gives the bishops' recommendations the back of their hand. In this morning's lead editorial, the Times punches some holes in the bishops' 150-page analysis. And even among those of us who agree with the bishops' conclusion, most will disagree with some of their recommendations along the way.

But, Mr. President, on the fundamental conclusion of the Catholic bishops, which the Times singles out for flat disagreement, this Senator believes the bishops are right and the New York Times is wrong. Here are the Times' disagreements and why the Times errs:

First. The Times contends that "in supporting a nuclear weapons freeze, the bishops seem unmindful of the risk that such negotiations, if successful, could end up freezing the existing nuclear instabilities and actually add to the risk of war." Now, Mr. President, the Times makes the same mistake in this criticism as they did in an earlier editorial which they headlined "After the Freeze, What Then?" Somehow the Times cannot acknowledge that those of us who back the freeze view it as the first step and only the first step toward the reduction of nuclear weapons on both sides. The bishops, like other advocates of freezing nuclear weapons, do not for a minute assume that the freeze will end the terrible threat of a nuclear holocaust. We recognize that without constructing one more nuclear weapon at this very moment, each of the superpowers has the capability of utterly destroying the other as an organized society. The freeze, by itself, left alone, would continue this dangerous prospect. So the freeze is only the beginning. We want to stop the arms escalation and then reduce nuclear arms.

Second. The Times seems to concede this, but then dismisses it as an impossible dream in its next objection when it writes:

> The American bishops' approach falters on the assumption that the nuclear dilemma can eventually be resolved by eliminating rather than controlling nuclear weapons. But there is no known way to get rid of the Bomb, no way to guard against all possible production or concealment of warheads.

Here we go to the very heart of the problem of the freeze:

> We cannot enforce it. We cannot verify it. We think the Russians will cheat. They think we will.

Now, of course, there is risk, and very big risk, no matter what course we pursue. But both sides have abided by limited restrictions on the arms race when we have enforced them with adequate monitoring and compliance features. Could we envision an inspection system that would enforce the virtual elimination of nuclear weapons? It would have to be extraordinarily rigorous. It would have to permit irregular as well as regular inspections. It would have to include onsite inspections. And even then it might not work. But it might.

The argument that we cannot virtually eliminate nuclear weapons be-

cause we lack verification is just as strong against the Times alternative of trying to control nuclear weapons. After all, any arms control agreement worthy of the name will require rigorous inspection and verification. If we cannot negotiate that kind of rigorous inspection for a freeze, why should we believe we can negotiate it for any genuine limits? As realistic and hardheaded an intelligence expert as William Colby, the former head of the CIA has, within the last month, declared his support of the nuclear freeze. He has asserted his judgment based on years of experience as this Nation's top intelligence expert.

Does William Colby understand our intelligence capability and the Soviet threat less than the Times' editorial writers?

Third. Finally the Times argues: "too much reduction could add to instability." Oh, how George Orwell would love that prize example of Nukespeak. What a threat. The Soviet Union and the United States would so sharply reduce their nuclear arsenals that we would have a less stable, more dangerous world. Does this mean the Times has learned to "love the bomb?" Not quite. In the next paragraph the Times has learned to "love the bomb?" be holding hands with the bomb, giving it a loving squeeze now and then, and looking forward to a cozy future keeping company with the bomb.

Mr. President, I ask unanimous consent that the lead editorial from this morning's New York Times be printed in the RECORD at this point.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

BISHOPS AND THE BOMB

The two-year quest of the Catholic bishops for an answer to the nuclear dilemma is as important as the result. In composing their 150-page pastoral letter, they heard scorces of experts and weighed hundreds of nuances. The key bishops and their assistants now know as much about the issues as laymen can.

Their sense of moral challenge is admirable. And many of their strategic judgements, like the finding that nuclear war never can be winnable, are beyond dispute. But their letter also contains ambiguities, contradictions and dubious policy counsel that other advocates of arms control will surely want to question.

Though they speak to the moral questions of war and weaponry, the bishops plainly hope to add political weight to the antinuclear movement now rallied behind the call for a weapons freeze. Though they thus come perilously close to an undesirable involvement of the church in political action, bishops have an obvious duty to concern themselves with preparations for mass destruction and killing.

In their fusion of theology, morality, strategy and politics, the bishops wind up in a curious position. They are not only attacking the main doctrines of the Reagan Administration but also straying far from the prevailing theories of the arms control community.

They reluctantly accept America's possession of nuclear weapons to deter a Soviet nuclear attack, pending complete disarmament. But they also characterize any use of nuclear weapons as immoral—thus emboldening Archbishop John Quinn to call upon Catholics in the armed forces to reject any order to fire them. The obvious contradiction is that a weapon that can in no circumstances be fired cannot very well deter an attack.

The bishops also undermine any strategy of deterrence by opposing the targeting of Soviet cities—even to threaten retaliation for the destruction of American cities. This insistence, as in the pre-nuclear era, that military attacks must be limited to military targets paradoxically validates the view of those who want to prepare to fight "limited" nuclear war.

In supporting a nuclear weapons freeze, the bishops seem unmindful of the risk that such negotiations, if successful, could end up freezing the existing nuclear instabilities and actually add to the risk of war. And by repudiating NATO's threat that it may have to use nuclear weapons against a massive Soviet conventional attack, they oppose not only the views of allied governments but of the bishops of West Germany and France.

Fundamentally, the American bishops' approach falters on the assumption that the nuclear dilemma can eventually be resolved by eliminating rather than controlling nuclear weapons. But there is no known way to get rid of The Bomb, no way to guard against all possible production or concealments of warheads. That is why, for a quarter-century, negotiations have focused on limiting and reducing delivery systems.

Even reductions of Soviet and American nuclear weapons, while useful, are less important than achieving a stable nuclear balance. Too much reduction could add to instability; a small number of concealed weapons could make one side dominant.

None of this means mankind has to learn to love The Bomb. But it does have to learn how to live with it and manage the problems it poses. There's no place to hide, even in morality.

APPROPRIATIONS COMMITTEE HEARINGS ON MX MISSILE BASING MODE

Mr. HATFIELD. Mr. President, the Appropriations Committee today concluded a 3-day series of hearings on the MX missile and its basing mode, pursuant to Senate Concurrent Resolution 26. The committee received testimony from Secretary of Defense Caspar Weinberger and Chairman of the Joint Chiefs of Staff, Gen. John Vessey. So that all Senators may have an opportunity to review their prepared statements, I ask unanimous consent that they be printed in the RECORD.

There being no objection, the statements were ordered to be printed in the RECORD, as follows:

STATEMENT OF THE SECRETARY OF DEFENSE

(By Caspar W. Weinberger, Secretary of Defense)

Mr. Chairman, thank you for this opportunity to discuss the President's plan for revitalizing the ICBM leg of our strategic TRIAD.

This is not my first visit to talk about the need to update our ICBM forces. Nor am I the first Secretary of Defense to raise these issues before this distinguished committee. Four Presidents, six Secretaries of Defense, and a majority of the members in several sessions of Congress all have concluded that we need to modernize our ICBM force.

The members of the President's Commission on Strategic Forces have done us all a great service, and not just because they have presented an eminently reasonable, and achievable, proposal for modernizing our ICBMs. They have also reminded us that there is a long-standing, bipartisan consensus about three facts. First, that the United States pursues peace and protects its freedom and the freedom of its allies through a joint strategy of deterrence and arms control. Second, that deterrence depends on retaining a multiplicity, and more specifically a TRIAD, of strategic forces, including intercontinental ballistic missiles. And third, that in view of actions taken by the Soviet Union over the last decade and a half, we must take steps now to ensure the effectiveness of that TRIAD and in so doing not only maintain deterrence but also improve the prospects for genuine, mutual, and significant reductions in nuclear weapons.

Before discussing the President's recommendation for modernizing the ICBM force, let me review the reasoning that lies behind this consensus about American strategic policy.

Since the end of World War II and the dawn of the atomic age, the United States has maintained peace and preserved its freedom, and that of its allies, by means of an inherently defensive policy—deterrence. This policy, and the strategic capability to back it up, serves as a clear indication to potential aggressors that the West has the will and the means necessary to resist aggression. By maintaining the ability to retaliate against a potential aggressor in such a manner that the costs we will exact will exceed substantially any gains he might hope to achieve through aggression, we can prevent any aggressor from coming to believe that he could profit from or win a nuclear war.

We, for our part, are under no illusions about the consequences of nuclear war. We know there would be no winners in such an exchange. But this recognition on our part is not enough to maintain deterrence. The Soviet leadership must understand this as well. The President's Commission on Strategic Forces made this point eloquently in their report.

"Deterrence is not an abstract notion amenable to simple quantification. Still less is it a mirror image of what would deter ourselves. Deterrence is the set of beliefs in the minds of the Soviet leaders, given their own values and attitudes, about our capabilities and our will. It requires us to determine, as best we can, what would deter them from considering aggression, even in a crisis—not to determine what would deter us."

Unlike the United States, the Soviet Union seems to believe that under certain circumstances a nuclear war could be fought and won. Today we see that the number, the explosive power, and the accuracy of Soviet nuclear weapons are far greater than would be needed simply to deter attack. In addition, the Soviets have developed a refiring capability for some of their larger ICBMs, which could allow them to reload

their delivery systems several times. They have given us indications that they think they could fight a protracted war by hardening their silos and protecting key targets with elaborate air defenses. Their writings, military doctrine, and exercises all emphasize the kind of nuclear warfighting policy which we in the United States have rejected—and which we must deter. We must, therefore, make sure that the Soviet leadership, in calculating the risks of aggression, recognizes that an effective American response exists, and understands that, consequently, there can be no circumstance where the initiation of a war at any level would make sense.

To this end, we have maintained over the last two decades a strong and interdependent force, known as the TRIAD, which consists of land-based intercontinental ballistic missiles, sea-based ballistic missiles, and manned strategic bombers. This multiplicity of forces provides three significant benefits.

First, each of the strategic components of the TRIAD acts in concert with the others to complicate Soviet planning, making it more difficult for the Soviet Union not only to plan and execute a successful attack but also to defend againt retaliation.

Second, each of the legs of the TRIAD acts as a hedge against a possible technological break-through that could threaten the viability of any single strategic system. By maintaining a TRIAD we force the Soviet Union to disperse their resources among three components, preventing them from concentrating their considerable resources on defeating two or only one U.S. strategic system.

Finally, only a TRIAD of three unique systems can provide us with all the elements necessary to provide a strong, secure deterrent. The strengths of each system not only complement the strengths of the other two but also compensate for their weaknesses. To deter successfully all types of nuclear attack, our forces as a whole must possess a number of characteristics and capabilities—including survivability, prompt response, mission flexibility and sufficient accuracy and warhead yield to retaliate against hardened Soviet military targets. No single weapons system can incorporate all of these capabilities. Submarines are less vulnerable, but less accurate. Bombers are accurate, and retrievable, but they are much slower. ICBMs are easier to command and control, faster, and more accurate, but they are more vulnerable than submarines and, once launched, irretrievable. But all three systems together can incorporate all those elements necessary to deter against all types of attack.

For many years it was our good fortune to possess a TRIAD whose effectiveness could be assured well into the future. Unhappily, due to the massive, and largely unmatched, strategic build-up that the Soviets have sustained since the 1960s, those days are gone. That build-up has created substantial vulnerabilities in our strategic TRIAD which in turn have altered the strategic balance and reduced the effectiveness of our deterrent capability.

Over the past two years the President has instituted, and the Congress has supported, a number of initiatives to rectify the TRIAD deficiences that build-up has created, including production of the Trident submarine and development of a new, more capable SLBM, the D-5; production of the air-launched cruise missile, development of the B-1B and the "Stealth" bombers; improvements in the U.S.-Canadian Air Defense network; and improvements in the effectiveness and reliability of our command, control, communications and attack warning capabilities. I know this committee shares our conviction that such a strategic modernization program is vital to preserving deterrence and enhancing the prospects for arms reduction.

But one very serious weakness in our TRIAD has yet to be resolved—the modernization of the ICBM force. The United States made a conscious choice during the 1970s to restrict its nuclear weapons developments so as not to present the Soviet Union with a first strike threat. However, the Soviets showed no such restraint. During the 1970s the Soviet Union deployed more than 600 powerful SS-18 and SS-19 ICBMs with nearly 5,000 highly accurate warheads; at the same time they hardened their missile silos and key command and control facilities to resist attack. These Soviet developments have simultaneously endangered the survivability of our ICBM force, and substantially reduced the retaliatory effectiveness which lies at the heart of our strategy of deterrence.

Without a viable ICBM force our TRIAD would lose several qualities that are crucial to deterrence: extremely high peacetime readiness rates, rapid and reliable communications with command authorities, and prompt counter military capability.

But, even more important, indeed at the heart of the current U.S.-Soviet strategic force imbalance, is the Soviet monopoly of prompt hard target kill capability. This gives them a twofold advantage over the United States. First, it enables the Soviets to launch a very high confidence first strike attack on our land-based ICBM, while expending only one-third of their ICBM force in the process. The large store of remaining ICBMs would then enable them to divert weapons to other essential targets in a first-strike attack and still maintain a large and effective reserve force to conduct follow-on attacks. Second, the fact that we lack a prompt retaliatory capability against very hard targets allows Soviet planners to consider the possibility that, for the crucial first few hours of a nuclear conflict, the bulk of their ICBM force and supporting command and control structure would remain largely immune to U.S. retaliation. This would eliminate one of the major sources of uncertainty that is such an important element of deterrence—the unpredictable effects of U.S. retaliation on Soviet war plans. Without this crucial uncertainty exerting an influence on Soviet war planners, their confidence in their ability to fight and win a nuclear war is reinforced.

This development is too dangerous to be allowed to continue unchallenged. If we do nothing, we will face the very real danger that the Soviets could at some point come to believe that they could use, or blackmail us by threatening to use, nuclear forces to gain their military or political ends.

Because the problems of the ICBM leg of the TRIAD are essentially two-fold—retaliatory effectiveness and survivability—we must seek a solution that answers both concerns. Last November the Administration recommended deploying the Peacekeeper missile in a closely spaced basing mode, which would take advantage of the fratricide phenomenon produced by attacks on closely spaced super-hardened ICBM silos. Congress, as you know, directed us to study further the question of basing and deployment. To fullfill this requirement, the President established an independent, bipartisan Commission on Strategic Forces made up of distinguished experts and former Government officials and chaired by former National Security Adviser, Brent Scowcroft. The President directed the Commission to examine the broad range of strategic modernization issues including basing alternatives to CSB, ICBM alternatives to the Peacekeeper, and air- and sea-based alternatives to a modernized land-based ICBM force. Over the last several months the Commission thoroughly studied these alternatives and last week presented its report to the President; a report that, I think all will agree, equals in every respect the expectations of excellence that such a distinguished body of experts naturally engenders. It is a report that has won the strong support of the President, his National Security Adviser, the Joint Chiefs and me. In addition to endorsing the President's strategic modernization program, the report addresses the two weaknesses of the ICBM leg in a phased approach.

To solve the problem of retaliatory effectiveness the plan calls for a limited deployment of 100 Peacekeeper missiles in Minuteman silos which will reestablish the hard target capability necessary to maintain deterrence. By deploying the Peacekeeper missile we will immensely complicate any attack the Soviets might plan and, by threatening their remaining ICBM force, decrease their confidence that an attack might succeed. As the President's Commission points out "Soviet planners would have to account for the possibility that Peacekeeper missiles would be available for use and thus they would help deter such attacks." Thus the lack of retaliatory effectiveness in our current ICBM force is a relatively easy weakness to overcome and the Peacekeeper can begin to accomplish this in 1986 and finish the job in 1989. Meeting this schedule is contingent on prompt action by the Congress in providing necessary authorities and approvals.

The President's modernization plan also spells out an approach to enhancing survivability. However, because this aspect of the problem is more complicated, the solution is necessarily more difficult. I can think of few national security issues that have been so intensively and exhaustively examined as Peacekeeper basing. The search for a survivable basing mode has preoccupied political leaders of both parties, as well as the American people for nearly a decade. Although we frequently have embraced different solutions to this problem, we all, nevertheless, shared the belief that if we looked long and hard enough, a single, perfect solution would be revealed.

By now it is clear that this was an illusion. As the Commission noted, ". . . by trying to solve all ICBM tasks with a single weapon and a single basing mode in the face of the trends in technology, we have made the problem of modernizing the ICBM force so complex as to be virtually insoluble." Or, in the words of Voltaire, sometimes, ". . . the best is the enemy of the good."

With the Peacekeeper missile deployed in Minuteman silos, we will restore our retaliatory capability. However, for the near term, we must rely on the interaction of the TRIAD legs to provide some degree of ICBM survivability. The point here, to quote the Commission report once again, is that "whereas it is highly desirable that each component of the strategic forces be survivable when it is viewed separately, it makes a major contribution to deterrence even if this survivability depends in a sub-

stantial measure on the existence of one of the other components of the force." With respect to the longer term, the President's ICBM modernization plan will achieve survivability through an extended, two-step process: development of a new small missile, and research and development on mobility, silo hardening, ballistic missile defense, and deep underground basing.

Just as there are significant advantages to diversity among the TRIAD forces, there might also be significant advantages to diversity within the ICBM force. By deploying different types of ICBMs—each with different capabilities—and basing them in dissimilar configurations, the independent survivability of the ICBMs force as a whole might be dramatically improved, while its flexibility is increased.

Specifically, by deploying the Peacekeeper we will quickly provide the ICBM force with the retaliatory hard target capability necessary to maintain deterrence. The Peacekeeper's throwweight also gives us sufficient payload flexibility to maintain retaliatory effectiveness even if the Soviets were to harden their strategic assets even further, or violate the ABM Treaty by rapidly and massively increasing their ballistic missile defense deployments. By deploying a new small missile we would add to the flexibility and overall capability of the ICBM force while providing basing options, such as mobility, that are not feasible with larger missiles. And by deploying the ICBM force in a range of dissimilar basing modes, we improve the survivability of our entire ICBM force by driving the Soviet offensive force structure in opposite and counterproductive directions. That is, a force structure designed to effectively attack one type of basing mode may be ill suited to attack a different basing mode.

As mentioned earlier, the President's plan includes vigorous research on new techniques for hardening silos and shelters, on different types of land-based vehicles and launchers, including hardened vehicles, on ballistic missile defense and deep underground basing, and on the phenomenon of fratricide, that is, destruction of an attacking warhead by the explosive effects of another. By supporting such diversity, the President's plan retains—and even enhances—our options for a changing strategic environment.

But the impact of the President's ICBM modernization plan extends beyond the world of nuclear deterrence. It also will have a significant impact on our ability to meet our commitments to our friends and allies. One important effect could be on the essential NATO INF modernization program. Scheduled to begin late this year, this program is necessary to counter the growing European strategic imbalance resulting from the persistent Soviet build-up of its SS-20 intermediate range missile force. Many of our NATO allies are watching the decision on the deployment of the Peacekeeper very closely. Deployment of a modern land-based missile system in this country is necessary to maintain the effectiveness of the U.S. strategic deterrent, just as ending the present imbalance in Europe—either through arms reduction or deployment of modern intermediate range nuclear forces in Europe—is essential to keeping our allies securely linked to the U.S. strategic umbrella. Failure to deploy Peacekeeper could not only undercut the ability of key allied governments to muster and hold the political support necessary to back Pershing II and ground-launched cruise missile deployments in their countries but also be seen as undercutting America's nuclear umbrella for NATO.

But the President's plan also has a wider, more long-term impact. The peacetime, day-to-day, decisions that collectively make up the behavior of the United States, the Soviet Union and all other nations are influenced by perceptions of the U.S.-Soviet strategic balance. The greater the imbalance, the more conscious we become of the limits to our options in international affairs and the greater the chance that we might be forced to compromise our interests to avoid crises that might overburden our capacity to deter conflict. In the same vein, the greater the imbalance, the greater the tendency of the Soviet Union to embrace ever more ambitious definitions of what constitute legitimate Soviet interests; the greater their tendency to view the risks of crises as an acceptable price to pay for the satisfaction of their political aims. The behavior of other nations is affected by perceptions of the strategic balance too. The greater the imbalance, the greater the tendency to view Soviet aims as interests to be accommodated; the greater, also, their tendency to view U.S. aims as interests to be ignored or challenged.

Today, we are confronted with just such a strategic imbalance; an imbalance that, in the face of the continued enhancement of Soviet power, will only worsen if we do nothing to counter it. There are many things we can do to reestablish a strategic balance, some of which, as I mentioned earlier, we are doing already. However, if we do not modernize the ICBM leg of the TRIAD, and maintain those important capabilities unique to the ICBM, restoration of a strategic balance will not be possible. As my predecessor, Harold Brown, wrote recently: "* * * we said in the early 1970s that we would modernize with a new missile in the late 1970s. In the mid-1970s we said that we would do so in the early 1980s, and in the late 1970s that we would in the mid-1980s. We have failed so far to do any of those things, even while the Soviets were deploying over 600 new ICBMs, each with a payload equal to or greater than that of MX, and with accuracies now matching those of the most accurate U.S. ICBMs.

To say that the United States will modernize in the early 1990s with a small single-warhead missile will just not be believable. The Soviets would be justified in calculating that any new U.S. ICBM system will be aborted by some combination of environmental, doctrinal, fiscal, and political problems."

Finally, there is the important consideration of arms control. While a strong and viable deterrent is essential to the maintenance of peace, our search for a durable foundation that can support a lasting peace must also incorporate significant and verifiable reductions in the size and destructive potential of existing nuclear arsenals. The President's ICBM modernization plan is fully consistent with, in fact, necessary to, such arms reductions. As you are all aware, the President has proposed a strategic arms reduction proposal, START, which would reduce by one-third the overall size of both sides' deployed ballistic missile warheads, with even greater reductions in those weapons systems that are potentially the most destabilizing—land-based ballistic missiles. Whether the President's START proposal is successful will, in large measure, depend on Soviet perceptions of this nation's determination to maintain its deterrent capability in the face of the persistent growth of Soviet military power. Because the ICBM modernization plan is essential to our deterrence capability, the Soviets will undoubtedly perceive this nation's decision on whether to support it a litmus test of the extent of that determination. If the American people and its Congress give their support, the Soviet Union will come to the realization that the United States understands the current strategic realities and fully intends to meet the national security obligations these realities impose. By reinforcing this perception of American determination, vigorous ICBM modernization will discourage the notion that a continuation of the Soviet arms build-up will afford the Soviet Union any strategic advantage and encourage Soviet cooperation in bringing strategic arms under control. Conversely, failure to modernize will serve only to foster a Soviet belief in the soundness of their policy of seeking unilateral strategic advantage through the continued deployment of ever more powerful weapons in ever greater numbers.

Until this issue is clearly resolved in favor of a modernized ICBM force, we can expect little cooperation from the Soviet Union in Geneva. We have learned the hard way that the Soviet Union is impressed not by self-restraint, but by determination. For the first time they have proved willing to sit down at the negotiating table to discuss arms reduction; let us give them the incentive to stay there and reach fair, equitable, and verifiable agreements.

Let me make one final point about the centrality of our ICBM modernization plan to arms control. This Administration has sought to move away from arms control agreements that confine their restrictions to such limited measures of strategic capability as launchers and missiles, and emphasized instead those elements of strategic capability that threaten to upset stability. In this connection, I was pleased to note that the Commission report echoed this Administration's focus on warhead and throwweight reductions in the START negotiations.

The President's modernization plan supports this concern with stability by holding out the promise, over the long term, of channeling ICBM forces into more stable directions. Such stability can be enhanced by deployments that distribute the total number of warheads contained in the ICBM forces over a larger number of smaller missiles, thereby reducing the target value of individual ICBMs. In reducing the value of individual strategic assets, we reduce the attack incentive of a potential aggressor. If this promise is to be realized, we must pursue the two-step process provided by the President's plan.

First, we must deploy the Peacekeeper missile to end the current, destabilizing advantage the Soviet Union enjoys in critical prompt hard target capability. The Soviets will not voluntarily give up their current strategic advantage. If we do not take this first step, they will have no incentive to move toward ICBM deployments that are more stabilizing. Deployment of the Peacekeeper will act as a necessary foundation and catalyst for a restructuring of U.S. and Soviet ICBM forces.

Second, we must vigorously pursue small, single warhead missile technology and operational concepts to determine the technical, operational and fiscal feasibility of moving to an ICBM structure that increases the em-

phasis on the deployment of ICBMs that individually are of less value as targets.

The report issued by the President's Commission reflects the dedication and patriotism with which this bipartisan group of distinguished Americans responded to the task given them. Let me end, then, by quoting from the end of their report:

"If we can begin to see ourselves, in dealing with these issues, not as political partisans or as crusaders for one specific solution to a part of this complex set of problems, but rather as citizens of a great nation with the humbling obligation to persevere in the long-run task of preserving both peace and liberty for the world, a common perspective may finally be found."

STATEMENT OF GEN. JOHN W. VESSEY, JR., USA, CHAIRMAN, JOINT CHIEFS OF STAFF

Mr. Chairman, members of the Committee, thank you for inviting me to testify on the important subject of strategic force modernization and the JCS views on the report of the President's Commission on Strategic Forces.

In December of last year, the President asked the Joint Chiefs of Staff to review our strategic forces modernization program, and to report back to him in February with the results of the review. We did so. We also reviewed the report of the President's Commission and provided our recommendation to the President on that report on the 4th of April. Today, Mr. Chairman, I report to you that the Joint Chiefs of Staff, working independently of the Commission, arrived at land-based ICBM force conclusions which are fundamentally the same as those of the President's Commission. I can report to you, as the JCS did to the President, that the JCS are unanimous in their support for the report of the Commission.

Through the years, the Joint Chiefs of Staff have examined strategic nuclear force issues in great detail. This particular group of Chiefs has continued the examination. Since last fall, we have met 48 times to examine strategic nuclear force issues. We have looked at our entire strategic nuclear force, examined its effectiveness, survivability, the need for modernization, and the arms control impacts of our programs. We have looked at the intercontinental ballistic missile force, with particular emphasis on MX, its contribution to our total force, and the alternate basing modes for the MX. We have heard reports from recognized authorities from both inside and outside the Government; we met often with the Secretary of Defense on these issues; we met twice with the President's Commission; and since the first of the year we have met twice with the President on strategic forces issues. We have spent a great deal of time and effort studying the problems.

The need for our defense forces stems from the threats this country may face. The Soviets have made massive strategic deployments in the past decade. In the past six years, they have deployed among the most accurate operational missiles in the world, and those missiles are based in the world's hardest missile silos. In the last year, as part of the further modernization of their missiles, they deployed over 1,200 modern, hard-target attack warheads—more than we intend to deploy in our entire ICBM modernization program.

In considering the modernization of our strategic forces, we must recognize that accelerating Soviet modernization and our own lack of modernization in the past two decades has left us well behind the Soviet Union in several important measures of military capability. We have not deployed a new ICBM since the early 1970s. We have deployed only one new ballistic missile submarine since 1967; in fact, under the provisions of SALT I, the Soviets are dismantling ballistic missile submarines that are newer than our newest POSEIDON boats. We began to deploy cruise missiles only in December of last year. On the other hand, during this same period the Soviet Union tested and deployed several new types of ICBMs and new and improved submarine-launched ballistic missiles. The Soviets have had cruise missiles deployed on submarines since the early 60s.

For the past several decades, the United States has relied on deterrence through strength to counter the growing Soviet threat. We have tried to make it clear to the Soviets that they would not be able to achieve their aims through war. Our strategy is to deter war. The Joint Chiefs of Staff believe that deterrence and stability come from establishing significant doubt in the minds of the Soviets that their war aims can be achieved. We also believe that from the military point of view the entire range of US and Allied forces—strategic nuclear forces, theater nuclear forces, and general pupose forces—all contibute to deterrence. The present body of the Joint Chiefs of Staff has consistently recommended the modernization of the entire strategic nuclear TRIAD to restore an adequate margin of safety in the immediate future. The President's Commission has made the same recommendation.

On the 11th of February, the Joint Chiefs of Staff briefed the President on the results of their review of strategic forces and recommended:

Continued strong support for the TRIAD, and continued support to modernize the TRIAD. We believe that the combination of land-based ICBMs, sea-based ballistic missiles, and bombers with air-launched cruise missiles provide a broad range of capabilities whose synergism complicates the Soviet planning, provides us flexibility and provides an important hedge against technological surprise by the Soviets in neutralizing any particular leg of the TRIAD.

Continued highest priority support for improvements in command, control, communications and warning. Because our strategy is one that does not include a first-strike, the ability of the command and control and intelligence system to survive an attack and provide the wherewithal to retaliate is key to deterrence.

Field MX in MINUTEMAN silos. The accurate, prompt, hard-target attack capability of the MX is needed now and will add greatly to our deterrent strength.

Continued research and development for survivable land-based ICBM systems, to include research on small mobile ICBMs.

Continued research to resolve the uncertainties about hardness of fixed bases for ICBMs.

We also recommended that the President set a new direction for the future and announce increased research for active defense against ballistic missiles. We pointed out our recognition that there was no near-term solution for defense against ballistic missiles, but that technological developments on the horizon could give hope to our own people and to our allies that we could use our technology to provide defenses which, when supplemented with arms control agreements, could move us away from sole dependence on the threat of retaliation.

The Commission pointed out that it is the survivability and effectiveness of the entire TRIAD, and not of any single leg, on which deterrence must rest. Strategic modernization must deal with the combination of land-based ICBMs, sea-based ballistic missiles, and bombers with air-launched cruise missiles, all providing a broad range of necessary, complementary and mutually supporting capabilities. The synergism of these capabilities complicates Soviet planning and provides us flexibility to threaten various forms and levels of retaliation against the Soviet Union. It also provides an important hedge against technological surprise which might lead to neutralization of any leg of the TRIAD. We agree with the Commission that deployment of MX as soon as possible is necessary to counter the increasing Soviet military advantage. The accurate MX warheads will let the Soviets know that their missile silos, their leadership, bunkers, and associated command and control are placed at risk, and that their ability to achieve their war aims is seriously in doubt. It also provides leverage in arms control negotiations, and thus improves our deterrent posture.

I told the Senate Armed Services Committee on 8 December that the Joint Chiefs of Staff fully supported the deployment of MX but that there were differing views on the basing mode. On 21 April 1983 we reported to the Senate Armed Services Committee and the House Armed Services Committee that we all support basing MX in Minuteman silos. Now, some will ask what has changed our views since the President's 22 November 1982 recommendations on deployment. To set this issue to rest, let me provide you some of the details of our November recommendations to the President. On 8 November we told the President that we believed he was being forced into a final basing decision prematurely and that his first decision to field MX in Minuteman silos while searching for a better mode was a good decision. Three of the Chiefs disagree with deploying in closely spaced basing. The principal concerns of two of those three were technological and cost uncertainties of closely spaced basing. General Gabriel and I, considering the early congressional rejection of MX in Minuteman silos, recommended going ahead with deployment in the closely spaced basing mode and recommended a vigorous research and development program to resolve the uncertainties in closely spaced basing. We believed that most of the uncertainties could be resolved and that uncertainty itself has deterrent value. Central to all viewpoints was unanimous agreement on the importance of deploying on schedule. After considering the intervening political development and in reconsidering the arguments on technological uncertainty, the Joint Chiefs of Staff have unanimously concluded that the crucial need for an advanced highly capable ICBM can best be met by the deployment of MX in Minuteman silos.

The Commission correctly looked beyond the specifics of an MX basing mode, and more importantly did not consider the ICBM force in isolation. They recognized that our goal should be to increase stability. We endorse their recommendation that research on a small, single warhead ICBM begin at once. Development of such a weapon may offer the prospect of continued deterrence with even greater stability in the future. We also strongly support the recommendation for continued research to resolve uncertainties about silo or shelter hardness.

The Commission's report gives us a formula that makes sense both militarily and fiscally.

Following the Commission's recommendations will provide effective deterrence. The deployment of MX will help redress the imbalances that have developed over the past decade. In the future, adding the small single warhead ICBM coupled with an aggressive arms control effort offers the prospect of increased stability. We believe that these steps coupled with the President's long-term goal of effective defense against ballistic missiles provide a blueprint for deterrence well into the next century.

In our review of strategic systems and our overall strategic posture we have also looked at costs. We believe that the President's budget represents a balance among our strategic nuclear, our theater nuclear forces and our general purpose forces. The President's program for strategic forces represents less than 15 percent of the DoD budget for each year of the five year period. This equates to about one percent of the GNP. The estimated cost of the President's program based on the recommendations of the Commission would be $5.3 billion in FY 1984. This is $4.7 billion for deployment of MX in Mnuteman silos and $.6 billion to begin follow-on technology. The total cost of deploying MX in Minuteman silos is estimated to be $16.6 billion (constant 82 dollars). This is $9.8 billion less than the $26.4 billion estimated for CSB deployment for MX. The Commission recommended an additional $1.5 billion for research on hardening techniques and for engineering design for a small missile. Results of this concept development effort will determine additional funding requirements for FY 1987 and beyond. In terms of cost and military capability the President's proposal represents a balanced approach to the modernization of our strategic nuclear deterrent.

Before concluding, I should discuss arms control. As the Secretary of Defense noted in his fiscal year 1984 Annual Report, it is the policy of the United States to maintain the lowest level of armament compatible with the preservation of our security and that of our allies. The Joint Chiefs of Staff have concluded that the preservation of that security urgently requires deployment of MX and continuation of the strategic modernization program. But we are united in strong support for meaningful, effective, and verifiable arms reduction. Such reductions will occur only if we make it clear to the Soviets that we have the resolve to maintain an adequate strategic deterrent force. Approval of the President's recommendations is an essential first step toward greater stability and genuine arms reductions.

All of us share a common desire to provide for our national security in the most effective and most economical way. Soviet goals and objectives are not a reflection of our own, and the capability that might deter the United States does not necessarily deter the Soviet Union. The Joint Chiefs of Staff are firmly convinced that the program outlined by the President is needed to deter aggression and represents a balanced approach to providing the forces necessary to provide for the common defense. A strong modern deterrent, coupled with aggressive arms control policies, will provide for stability and ensure national security. The President's decision has the unqualified support of the Joint Chiefs of Staff and deserves the full support of the Congress. I urge this Committee to lead the Congress to appropriate the funds for this most important undertaking in providing security for the American people and the Free World.

Mr. Chairman, I am ready for your questions.

THE POLISH DAILY ZGODA

Mr. PERCY. Mr. President, I call the attention of the Senate to the 75th anniversary of the Polish Daily Zgoda (Dziennik Zwiazkowy) published in Chicago by the Polish National Alliance. The weekly Zgoda, published since 1881, was supplemented by the Daily Zgoda in 1908.

The Polish Daily Zgoda not only has brought its readers news of special interest to them from across the Nation and the world, but it has contributed significantly to our country by keeping alive Polish history, culture and traditions which are so notable and so worthy.

My friend Aloysius A. Mazewski, president of the Polish National Alliance, in a statement on the paper's 75th anniversary notes that the Polish Daily Zgoda reflects the prevailing attitudes and aspirations of Americans of Polish heritage. He says that the paper addresses itself to the objectives of the Polish National Alliance, to publicizing the activities of Polonia's civic, cultural and educational societies, to the role of Americans of Polish heritage in the mainstream of American life, to the policies of the United States, and to the defense of Poland's right to freedom and independence within the framework of American security and enlightened self interest.

For many years now, Jan Krawiec, who once worked with me in Chicago, is the editor of the Polish Daily Zgoda. He has always been very respected as both a journalist and editor.

On the occasion of the Polish Daily Zgoda's 75th anniversary, I congratulate Aloysius Mazewski, Jan Krawiec and all the men and women who participate in the writing, editing and publishing of this fine newspaper.

DEFENDING AMERICA

Mr. ARMSTRONG. Mr. President, when Demosthenes, the great statesman of Athens, was asked why the people of that ancient city failed to oppose the dictatorship of Phillip of Macedon in 341 B.C., Demosthenes blamed the leaders. The people of Athens failed in their duty, he said, because the leaders had not only failed to inform but had, in effect, told the people what they wanted to hear, instead of what they needed to hear to assure their survival.

Whatever may lie ahead for our Nation, I believe history will record that President Reagan has told the people of America what they need to know, the hard facts of international life. In his address to the Nation on the night of March 23, Mr. Reagan called for historic change in U.S. strategy and explained in clear, forceful terms the reasons for his proposal.

How we shall respond remains to be seen. But I am personally convinced that the fate of our Nation depends upon our response; indeed, if I may borrow the title of Jonathan Schell's influential new book, upon our response to the President's initiative may well depend "The Fate of the Earth."

In reading military history, I am impressed that over and over again, nations have come to historical intersections; those nations which have chosen wisely have survived and prospered while those which have taken wrong turns have paid a bitter price for their errors of judgment.

The failure of King Phillip II to adapt Mediterranean style naval warfare doomed Spanish efforts to compete in the Atlantic against the English and Dutch and contributed heavily to the historic defeat of the Spanish Armada.

The conscious and obstinate refusal of the Turks to adopt European methods of training led to one military disaster after another. Even subsequent efforts to modernize could not prevent defeats which culminated in dissolution of the Empire in 1918.

Similarly, the deliberate downplaying of artillery doomed the ambitions of Frederick the Great despite the legendary valor and obedience of his Prussian troops.

But the willingness to form a national bank to finance naval expansion permitted Britain to become a global seapower, far outdistancing rival nations including some whose warships were better designed than their British equivalents and whose governments aspired to naval parity or predominance.

In our own century, drastic strategic mistakes have been the margin between safety and suffering, victory and defeat, as the French sought to hide behind an impractical maginot line, the British failed to mobilize against Hitler and America dallied while Japan prepared war in the Pacific.

That such decisions—of preparedness and strategy—are matters of life or death is the repetitious lesson of history. Therefore President Reagan's March 23 message to the American people should be evaluated in an historical perspective.

Mr. Reagan's proposal is to execute a 180° shift in the strategic nuclear policy which the United States has followed for the past 20 years—to move away from a policy based on our ability to kill the Russian people, and toward a policy based on our ability to protect our own homeland without threatening the Russian population.

He seeks nothing less than to lift from above our heads the nuclear sword of Damocles. If he is successful in this noble endeavor, I believe President Reagan will one day be regarded as the greatest peacemaker of our century. He deserves our wholehearted admiration and our vigorous support.

Undoubtedly, the Senate will consider much testimony of a scientific nature and properly so. But the basic issue of U.S. strategy hinges on issues of moral and political judgment which far transcend purely military or scientific considerations. It is upon these issues that I would like to briefly comment.

In the congressional reading room is a volume entitled: "An Encyclopedia of Military History," compiled by R. E. and T. N. Dupuy. It records the history of warfare from 3,500 years before the birth of Christ to the present day, with a page or two devoted to each major battle or war. The volume is depressingly long, comprising nearly 1,500 pages. In nearly 5,500 years of human history, during which hundreds of empires and thousands of nations rose and fell, the Dupuys were able to find only a single instance—just one—of a nation which voluntarily abandoned the defense of its own people. That dubious distinction belongs to the United States. We acquired it in the mid-1960's when we unilaterally abandoned efforts to defend our homeland, and embraced the policy that has become known as mutual assured destruction.

I do not believe that any military acronym is more on the mark than the one that was coined for the doctrine of mutual assured destruction, because if mutual assured destruction is not MADness, then nothing is. The MAD doctrine was based on false premises, was never accepted by the Soviets, and is fundamentally immoral.

The MAD theory is easier to describe than it is to defend. Essentially, it is a murder-suicide pact. The theory was that if both the United States and the Soviet Union possessed the power to destroy each other, but not each other's weapons, then neither would ever attack the other, because the end result would be the destruction of both.

The first false premise on which the MAD doctrine was based was the notion that the intercontinental ballistic missiles, of the late 1960's vintage, was the ultimate weapon. The MADmen assumed there would be no further advances in military technology, at least none that would matter.

This was a most foolish assumption to make. The "Encyclopedia of Military History," to which I have already alluded, indicates that over the last five millenia there has been a rough balance in the relative preminence of offensive and defensive systems, with the balance shifting every 60 or 70 years. More often than not, it was the defense that was in the ascendancy. The military balance has never ever been static, yet the MADmen assumed the time and technology would be frozen, if not for all of time, at least for the indefinite future, at where we were 15 to 20 years ago.

It was an assumption that proved false within a few years after Secretary McNamara succeeded in making mutual assured destruction offical U.S. policy. The development of independently targetable warheads with circular errors probable of 300 feet or less undermined an essential component of the MAD doctrine. With accurate MIRV's on ICBM's, it was at least theoretically possible for one nation to destroy the other's weapons under condition of surprise attack. Assured destruction no longer would be mutual.

By adhering to the MAD doctrine, we have assured our own destruction in the event of a general nuclear war, but not that of the Soviet Union. The Soviets are on the verge of achieving, if they have not already, the ability, under conditions of first strike, to destroy virtually all of our ICBM's, virtually all of our strategic bombers, and those nuclear submarines that are in port at any given time. While still most unlikely, a nuclear Pearl Harbor is now a conceivable policy option for the generals in the Kremlin.

Another fundamental flaw of mutual assured destruction is that it was never mutual. Soviet leaders, in both official statements for foreign consumption and in their military journals, derided it from the beginning as both insane and immoral. As Senators know, for the MAD doctrine to have any validity at all, it is necessary for the leaders of both the United States and the Soviet Union to reject nuclear war as an instrument of policy. We, of course, have done so. But the Soviet leaders never have. On the contrary, it is still Soviet doctrine that a military clash between the Communist world and the capitalist world is inevitable; that weapons of mass destruction will be used in that clash, and that the Soviets should initiate the use of weapons of mass destruction in order to make certain that the Socialist world will emerge triumphant.

I do not believe this is mere rhetoric on the part of the Soviet leaders, Mr. President, they have been putting their money where their mouths are. The Soviet strategic forces, unlike ours, are configured for an attack on our weapons, not for the mutual massacre of civilians called for in the MAD doctrine. While Secretary McNamara and his successors deliberately stripped America's air defenses so our civilians would be more vulnerable to Soviet nuclear weapons, the Soviets were spending hundreds of billions of rubles on air defense, ballistic missile defense, and civil defense. Last June 18, the Soviets tested, apparently successfully, the command and control systems that would be required to make a nuclear surprise attack work. It seems clear that the Soviet leaders do not accept the MAD doctrine and never will. MAD is not a pact at all, just a one-way ticket to oblivion for the United States if we continue to cling to this preposterous doctrine.

The practical reasons I have discussed are more than reason enough for us to abandon, once and for all, the doctrine of mutual assured destruction, and to move in the direction that the President has pointed out for us. But there is for me an even more compelling reason:

The MAD doctrine is immoral. There is something macabre, and worse, in basing our security on our ability to murder Russian women and children. And it is even more reprehensible—if that is possible—to deliberately increase the exposure of our own people to nuclear destruction simply in order to fulfill the demands of an abstract, ahistorical, unproven, and illogical theory. We pray that deterrence will not fail. But if deterrence fails, there is nothing to be gained by massacring ordinary Russian civilians, the vast majority of whom have suffered more from communism, and who hate communism more than we ever will. Americans across the political spectrum have been uncomfortable with our strategic nuclear policy for some time, and I think the MAD doctrine is the reason why.

By emphasizing strategic defense, President Reagan has pointed the way to a revised nuclear strategy that is logically sound and historically correct; that does not rely on the goodwill of the generals in the Kremlin to succeed, and which is based on the concept of saving lives, not destroying them.

If we can create an effective ballistic missile defense, the American people no longer need fear a nuclear holocaust. We can lift that fear from the lives of all of our people without relying for our security on the goodwill and humanitarianism of leaders who have butchered innocents from Afghanistan to Poland, or on the promises of totalitarian leaders who have never kept such promises in the past.

I should point out, in anticipation of objections which are sure to be raised, that an effective missile defense system need not be perfect in order to achieve a substantial reduction in danger.

Furthermore, if we can create an effective ballistic missile defense, we can then begin to withdraw from our own arsenal the weapons of mass destruction that have cast such a pall over the world. If we can base our security

on something more substantial than our ability to kill Russian women and children, we need no longer stockpile such weapons. We could take a very positive step toward reducing the number of offensive weapons in the world with fear of endangering our own security, and perhaps begin the process that would remove these nightmare weapons from the face of the Earth.

Experts assure me that it is both practicable and affordable for the United States to deploy an effective ballistic missile defense before the end of this century. I can think of no more worthy task than the one the President set before us on March 23. Let us get on with the task.

Mr. BAKER. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The Clerk will call the roll.

The Assistant Secretary of the Senate proceeded to call the roll.

Mr. BAKER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. PRESSLER). Without objection, it is so ordered.

Mr. BAKER. Mr. President, I believe there is an order for the Senate to proceed now to the consideration of the pending resolution.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Is there any further morning business? If not, morning business is closed.

FIRST CONCURRENT BUDGET RESOLUTION—FISCAL YEAR 1984

The PRESIDING OFFICER. Under the previous order, the hour of 10 a.m. having arrived, the Senate will now resume consideration of the pending business, Senate Concurrent Resolution 27, which the clerk will report.

The assistant legislative clerk read as follows:

A Senate concurrent resolution (S. Con. Res. 27) revising the congressional budget for the U.S. Government for the fiscal year 1983 and setting forth the congressional budget for the U.S. Government for the fiscal years 1984, 1985, and 1986.

The Senate resumed consideration of the concurrent resolution.

VOTE ON HOLLINGS MOTION TO RECONSIDER

The PRESIDING OFFICER. The pending question is the Hollings motion to reconsider the vote by which the motion to table Hollings amendment No. 1237 was rejected.

The yeas and nays have been ordered, and the clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. STEVENS. I announce that the Senator from Oregon (Mr. HATFIELD), the Senator from North Carolina (Mr. HELMS), the Senator from Wisconsin (Mr. KASTEN), the Senator from Maryland (Mr. MATHIAS), the Senator from Idaho (Mr. MCCLURE), and the Senator from Alaska (Mr. MURKOWSKI) are necessarily absent.

I further announce that, if present and voting, the Senator from Alaska (Mr. MURKOWSKI) would vote "yea."

Mr. CRANSTON. I announce that the Senator from Arizona (Mr. DECONCINI), the Senator from Illinois (Mr. DIXON), the Senator from Missouri (Mr. EAGLETON), the Senator from Ohio (Mr. GLENN), the Senator from Kentucky (Mr. HUDDLESTON), and the Senator from Massachusetts (Mr. KENNEDY) are necessarily absent.

I further announce that if present and voting, the Senator from Massachusetts (Mr. KENNEDY), the Senator from Illinois (Mr. DIXON), and the Senator from Kentucky (Mr. HUDDLESTON) would each vote "nay."

The VICE PRESIDENT. Are there any other Senators in the Chamber wishing to vote?

The result was announced—yeas 42, nays 46, as follows:

[Rollcall Vote No. 76 Leg.]

YEAS—42

Abdnor	Grassley	Proxmire
Armstrong	Hatch	Quayle
Baker	Hawkins	Roth
Boschwitz	Hecht	Rudman
Chafee	Heinz	Simpson
Danforth	Humphrey	Stevens
Denton	Kassebaum	Symms
Dole	Laxalt	Thurmond
Domenici	Lugar	Tower
Durenberger	Mattingly	Trible
East	Nickles	Wallop
Garn	Packwood	Warner
Goldwater	Percy	Weicker
Gorton	Pressler	Wilson

NAYS—46

Andrews	Exon	Mitchell
Baucus	Ford	Moynihan
Bentsen	Hart	Nunn
Biden	Heflin	Pell
Bingaman	Hollings	Pryor
Boren	Inouye	Randolph
Bradley	Jackson	Riegle
Bumpers	Jepsen	Sarbanes
Burdick	Johnston	Sasser
Byrd	Lautenberg	Specter
Chiles	Leahy	Stafford
Cochran	Levin	Stennis
Cohen	Long	Tsongas
Cranston	Matsunaga	Zorinsky
D'Amato	Melcher	
Dodd	Metzenbaum	

NOT VOTING—12

DeConcini	Hatfield	Kennedy
Dixon	Helms	Mathias
Eagleton	Huddleston	McClure
Glenn	Kasten	Murkowski

So the motion to reconsider the motion to table was rejected.

AMENDMENT 1239

(Purpose: to increase the budget ceilings, allow increased funding for elementary and secondary education programs, and student financial assistance)

The VICE PRESIDENT. The Senator from New Mexico.

Mr. DOMENICI. Mr. President, I send an amendment to the desk and ask for its immediate consideration.

The VICE PRESIDENT. The amendment will be stated.

The legislative clerk read as follows:

The Senator from New Mexico (Mr. DOMENICI) proposes an amendment numbered 1239.

Mr. DOMENICI. I ask unanimous consent that further reading of the amendment be dispensed with.

The VICE PRESIDENT. Without objection, it is so ordered.

The amendment is as follows:

In lieu of the language proposed to be inserted, insert the following:

On page 3, beginning with line 10, strike out through line 23 on page 16 and insert in lieu thereof the following:

(2) The appropriate levels of total new budget authority are as follows:

Fiscal year 1983: $875,925,000,000.
Fiscal year 1984: $910,100,000,000.
Fiscal year 1985: $982,575,000,000.
Fiscal year 1986: $1,048,900,000,000.

(3) The appropriate levels of total budget outlays are as follows:

Fiscal year 1983: $807,325,000,000.
Fiscal year 1984: $850,000,000,000.
Fiscal year 1985: $910,675,000,000.
Fiscal year 1986: $964,400,000,000.

(4) The amounts of the deficits in the budget which are appropriate in the light of economic conditions and all other relevant factors are as follows:

Fiscal year 1983: $204,000,000,000.
Fiscal year 1984: $163,500,000,000.
Fiscal year 1985: $147,400,000,000.
Fiscal year 1986: $133,600,000,000.

(5) The appropriate levels of the public debt are as follows:

Fiscal year 1983; $1,383,900,000,000.
Fiscal year 1984; $1,591,300,000,000.
Fiscal year 1985; $1,189,400,000,000.
Fiscal year 1986; $11,980,600,000,000.

and the amounts by which the temporary statutory limits on such debt should be accordingly increased are as follows:

Fiscal year 1983; $93,700,000,000.
Fiscal year 1984; $207,400,000,000.
Fiscal year 1985; $198,100,000,000.
Fiscal year 1986; $191,200,000,000.

(6) The appropriate levels of total Federal credit activity for the fiscal years beginning on October 1, 1982, October 1, 1983, October 1, 1984, and October 1, 1985, are as follows:

Fiscal year 1983:
(A) New direct loan obligations, $55,400,000,000.
(B) New loan guarantee commitments, $94,500,000,000.
Fiscal year 1984:
(A) New direct loan obligations, $48,200,000,000.
(B) New loan guarantee commitments, $94,500,000,000.
Fiscal year 1985:
(A) New direct loan obligations, $48,100,000,000.
(B) New loan guarantee commitments, $97,400,000,000.
Fiscal year 1986:
(A) New direct loan obligations, $48,700,000,000.
(B) New loan guarantee commitments, $101,000,000,000.

(b) The Congress hereby determines and declares the appropriate levels of budget authority and budget outlays, and the appropriate levels of new direct loan obligations and new loan guarantee commitments for fiscal years 1983 through 1986 for each major functional category are:

(1) National Defense (050):
Fiscal year 1983:
(A) New budget authority, $244,100,000,000.
(B) Outlays, $214,300,000,000.
(C) New direct loan obligations, $0.
(D) New loan guarantee commitments, $0.
Fiscal year 1984:
(A) New budget authority, $267,000,000,000.
(B) Outlays, $241,500,000,000.
(C) New direct loan obligations, $0.
(D) New loan guarantee commitments, $0.
Fiscal year 1985:
(A) New budget authority, $299,500,000,000.
(B) Outlays, $270,700,000,000.
(C) New direct loan obligations, $0.
(D) New loan guarantee commitments, $0.
Fiscal year 1986:
(A) New budget authority, $334,800,000,000.
(B) Outlays, $300,000,000,000.
(C) New direct loan obligations, $0.
(D) New loan guarantee commitments, $0.
(2) International Affairs (150):
Fiscal year 1983:
(A) New budget authority, $24,900,000,000.
(B) Outlays, $11,500,000,000.
(C) New direct loan obligations, $11,700,000,000.
(D) New loan guarantee commitments, $9,200,000,000.
Fiscal year 1984:
(A) New budget authority, $18,200,000,000.
(B) Outlays, $12,700,000,000.
(C) New direct loan obligations, $11,200,000,000.
(D) New loan guarantee commitments, $10,300,000,000.
Fiscal year 1985:
(A) New budget authority, $16,500,000,000.
(B) Outlays, $12,800,000,000.
(C) New direct loan obligations, $11,500,000,000.
(D) New loan guarantee commitments, $10,300,000,000.
Fiscal year 1986:
(A) New budget authority, $15,900,000,000.
(B) Outlays, $12,800,000,000.
(C) New direct loan obligations, $11,600,000,000.
(D) New loan guarantee commitments, $10,300,000,000.
(3) General Science, Space, and Technology (250):
Fiscal year 1983:
(A) New budget authority, $7,900,000,000.
(B) Outlays, $7,700,000,000.
(C) New direct loan obligations, $200,000,000.
(D) New loan guarantee commitments, $0.
Fiscal year 1984:
(A) New budget authority, $8,500,000,000.
(B) Outlays, $8,200,000,000.
(C) New direct loan obligations, $37,000,000.
(D) New loan guarantee commitments, $0.
Fiscal year 1985:
(A) New budget authority, $8,500,000,000.
(B) Outlays, $8,500,000,000.
(C) New direct loan obligations, $0.
(D) New loan guarantee commitments, $0.
Fiscal year 1986:
(A) New budget authority, $8,400,000,000.
(B) Outlays, $8,400,000,000
(C) New direct loan obligations, $0.
(D) New loan guarantee commitments, $0.
(4) Energy (270):
Fiscal year 1983:
(A) New budget authority, $4,000,000,000.
(B) Outlays, $4,600,000,000
(C) New direct loan obligations, $13,100,000,000.
(D) New loan guarantee commitments, $200,000,000.
Fiscal year 1984:
(A) New budget authority, $3,900,000,000.
(B) Outlays, $4,100,000,000
(C) New direct loan obligations, $13,900,000,000.
(D) New loan guarantee commitments, $200,000,000.
Fiscal year 1985:
(A) New budget authority, $3,600,000,000.
(B) Outlays, $2,900,000,000
(C) New direct loan obligations, $14,300,000,000.
(D) New loan guarantee commitments, $0.
Fiscal year 1986:
(A) New budget authority, $3,200,000,000.
(B) Outlays, $2,700,000,000
(C) New direct loan obligations, $14,400,000,000.
(D) New loan guarantee commitments, $0.
(5) Natural Resources and Environment (300):
Fiscal year 1983:
(A) New budget authority, $12,500,000,000.
(B) Outlays, $12,800,000,000
(C) New direct loan obligations, $100,000,000.
(D) New loan guarantee commitments, $0.
Fiscal year 1984:
(A) New budget authority, $12,000,000,000.
(B) Outlays, $12,500,000,000.
(C) New direct loan obligations, $27,000,000.
(D) New loan guarantee commitments, $0.
Fiscal year 1985:
(A) New budget authority, $12,200,000,000.
(B) Outlays, $12,600,000,000.
(C) New direct loan obligations, $27,000,000.
(D) New loan guarantee commitments, $0.
Fiscal year 1986:
(A) New budget authority, $12,500,000,000.
(B) Outlays, $12,200,000,000.
(C) New direct loan obligations, $27,000,000.
(D) New loan guarantee commitments, $0.
(6) Agriculture (350):
Fiscal year 1983:
(A) New budget authority, $24,200,000,000.
(B) Outlays, $24,000,000,000.
(C) New direct loan obligations, $18,600,000,000.
(D) New loan guarantee commitments, $5,500,000,000.
Fiscal year 1984:
(A) New budget authority, $11,600,000,000.
(B) Outlays, $11,400,000,000.
(C) New direct loan obligations, $12,100,000,000.
(D) New loan guarantee commitments, $3,800,000,000.
Fiscal year 1985:
(A) New budget authority, $14,000,000,000.
(B) Outlays, $12,300,000,000.
(C) New direct loan obligations, $11,700,000,000.
(D) New loan guarantee commitments, $3,800,000,000.
Fiscal year 1986:
(A) New budget authority, $13,200,000,000.
(B) Outlays, $13,100,000,000.
(C) New direct loan obligations, $12,200,000,000.
(D) New loan guarantee commitments, $3,800,000,000.
(7) Commerce and Housing Credit (370):
Fiscal year 1983:
(A) New budget authority, $5,200,000,000.
(B) Outlays, $2,700,000,000.
(C) New direct loan obligations, $6,500,000,000.
(D) New loan guarantee commitments, $48,700,000,000.
Fiscal year 1984:
(A) New budget authority, $5,900,000,000.
(B) Outlays, $1,800,000,000.
(C) New direct loan obligations, $6,400,000,000.
(D) New loan guarantee commitments, $48,700,000,000.
Fiscal year 1985:
(A) New budget authority, $6,500,000,000.
(B) Outlays, $0.
(C) New direct loan obligations, $6,300,000,000.
(D) New loan guarantee commitments, $48,700,000,000.
Fiscal year 1986:
(A) New budget authority, $6,500,000,000.
(B) Outlays, −$300,000,000.
(C) New direct loan obligations, $6,300,000,000.
(D) New loan guarantee commitments, $48,700,000,000.
(8) Transportation (400):
Fiscal year 1983:
(A) New budget authority, $26,800,000,000.
(B) Outlays, $22,100,000,000.
(C) New direct loan obligations, $200,000,000.
(D) New loan guarantee commitments, $1,000,000,000.
Fiscal year 1984:
(A) New budget authority, $27,700,000,000.
(B) Outlays, $25,900,000,000.
(C) New direct loan obligations, $100,000,000.
(D) New loan guarantee commitments, $600,000,000.
Fiscal year 1985:
(A) New budget authority, $28,400,000,000.
(B) Outlays, $26,900,000,000.
(C) New direct loan obligations, $100,000,000.
(D) New loan guarantee commitments, $400,000,000.
Fiscal year 1986:
(A) New budget authority, $29,200,000,000.
(B) Outlays, $27,800,000,000.
(C) New direct loan obligations, $100,000,000.
(D) New loan guarantee commitments, $300,000,000.
(9) Community and Regional Development (450):
Fiscal year 1983:
(A) New budget authority, $8,300,000,000.
(B) Outlays, $7,900,000,000.
(C) New direct loan obligations, $2,100,000,000.
(D) New loan guarantee commitments, $500,000,000.
Fiscal year 1984:
(A) New budget authority, $6,600,000,000.
(B) Outlays, $8,100,000,000.
(C) New direct loan obligations, $1,700,000,000.
(D) New loan guarantee commitments, $300,000,000.
Fiscal year 1985:
(A) New budget authority, $7,100,000,000.
(B) Outlays, $8,200,000,000.
(C) New direct loan obligations, $1,000,000,000.
(D) New loan guarantee commitments, $300,000,000.
Fiscal year 1986:
(A) New budget authority, $7,100,000,000.
(B) Outlays, $7,000,000,000.
(C) New direct loan obligations, $1,000,000,000.
(D) New loan guarantee commitments, $400,000,000.
(10) Education, Training, Employment, and Social Services (500):
Fiscal year 1983:
(A) New budget authority, $28,000,000,000.

(B) Outlays, $26,800,000,000.
(C) New direct loan obligations, $600,000,000.
(D) New loan guarantee commitments, $6,500,000,000.
Fiscal year 1984:
(A) New budget authority, $31,200,000,000.
(B) Outlays, $27,200,000,000.
(C) New direct loan obligations, $700,000,000.
(D) New loan guarantee commitments, $6,600,000,000.
Fiscal year 1985:
(A) New budget authority, $27,900,000,000.
(B) Outlays, $27,800,000,000.
(C) New direct loan obligations, $700,000,000.
(D) New loan guarantee commitments, $6,600,000,000.
Fiscal year 1986:
(A) New budget authority, $27,900,000,000.
(B) Outlays, $27,800,000,000.
(C) New direct loan obligations, $800,000,000.
(D) New loan guarantee commitments, $6,600,000,000.

The VICE PRESIDENT. The Senator from New Mexico.

Mr. DOMENICI. Mr. President, Members of the Senate, as you will recall, yesterday, we found ourselves in a position where the amendment by the distinguished Senator from New Hampshire (Mr. RUDMAN) was to the resolution, not to the Hollings amendment. What this amendment now does is amend the Hollings amendment so that it is now brought down to the exact levels of the Rudman amendment.

In other words, yesterday, we were running on two courses. We passed the Rudman amendment as a freestanding amendment to the resolution. What this will do is to reduce the funding level in the Hollings amendment to the level in the Rudman amendment passed yesterday.

I reserve the remainder of my time.

Mr. HOLLINGS. Will the Senator yield?

Mr. SARBANES. Will the Senator yield for a question?

Mr. DOMENICI. Yes; I yield for a question.

Mr. HOLLINGS. That brings us down to $400 million, is that right?

Mr. DOMENICI. That brings us down to the $400 million that was in the Rudman amendment.

Mr. HOLLINGS. That is right.

The VICE PRESIDENT. Who yields time?

Mr. CHILES. Vote.

Mr. DOMENICI. I ask for the yeas and nays.

The VICE PRESIDENT. Is there a sufficient second? There is a sufficient second.

The yeas and nays were ordered.

The VICE PRESIDENT. Is all time yielded back?

Mr. SARBANES. Mr. President, will the Senator yield for a question?

Mr. DOMENICI. Yes.

Mr. SARBANES. I am not clear in my mind what the amendment does.

Mr. DOMENICI. This amendment will reduce the Hollings amendment to the funding levels contained in the Rudman amendment.

Mr. SARBANES. Is this reducing the Hollings amendment to the level of the Rudman amendment?

Mr. DOMENICI. That is correct.

Mr. HOLLINGS. So we are voting once again on $400 million rather than $1.5 billion. We are definitely opposed to that.

I think, Mr. President, if the distinguished Senator will yield, we have had two very hotly contested but very positive majority votes now for our amendment at the $1.5 billion. I hope our colleagues will stick with us. This is right at the House level practically, and I hope we can proceed with it and go to conference on this amount and defeat this particular amendment.

Mr. DOMENICI. Mr. President, let me say to the Members of the Senate that we are in a position as of last night where the Senate, by a majority vote, approved the Rudman amendment. I am not asking them to do that again but reaffirm their position as an amendment to the Hollings amendment. At present, we have a very inconsistent situation.

We approved the Rudman amendment and it was freestanding. Then we did not table the Hollings amendment. So what I am asking the Senate to do is reaffirm the vote that it made last evening in support of the Rudman amendment, but I am doing it by amending the Hollings amendment so that, if we do so vote, the Hollings amendment will become the add-on that was sought by Senators RUDMAN, DURENBERGER, myself, and others.

Mr. SARBANES. Mr. President, that is not what the Senate has been indicating by its votes. The Senate has been clearly indicating by its votes that it wants to do more than the Rudman amendment.

Mr. DOMENICI. The Senate has not clearly indicated anything. What it has indicated is that it is in favor of the Rudman amendment. How many votes did the Senator win by? He won by four votes. Our refusal here this morning to table the Hollings amendment was never won by more than four votes. So it seems to me that the question is squarely formed: What did the Senate mean when it voted both ways? Now I would like to give them an opportunity without other amendments around to see if they really intended their vote for the Rudman amendment.

I am prepared to yield back the remainder of my time.

Mr. HOLLINGS addressed the Chair.

Mr. RUDMAN. Will the Senator yield for a brief comment?

Mr. DOMENICI. I yield to the Senator.

Mr. RUDMAN. I just want to say to the Senator from Maryland two other things about the amendment that should be called to the attention of the Senate.

No. 1, the amount for the math and science initiative contained in the Hollings amendment is identical in my amendment. Second, language which would have funded $200 million has been eliminated. Thus, the actual net impact financially of my amendment is not $400 million but $600 million.

Mr. HOLLINGS addressed the Chair.

The VICE PRESIDENT. Does the Senator from Florida yield time to the Senator from South Carolina?

Mr. CHILES. I yield 2 minutes to the Senator from South Carolina.

Mr. HOLLINGS. Mr. President, you can see why the budget is not balanced with that dialog. The Senator is saying that my amendment is just being conformed. We voted very positively on two occasions, even calling the Vice President to the Chamber—it must be a very serious treatment of this particular matter—and we still prevailed.

So under that premise, I think the votes are fairly well established that Senators feel this is a good amendment. We voted twice on it, once yesterday and once this morning, with everybody being worked over, and the Vice President being called to the Chamber. To say we are just conforming to what we did, obviously the Rudman amendment was just to put in a part but it was not enough. A majority of the Senate now feels very positive we should move forward and put a total of $1.5 billion add-on into some 17 different educational programs.

On that premise, Mr. President, I move to table the Domenici amendment and ask for the yeas and nays.

The VICE PRESIDENT. Until time has been used or yielded back, the motion to table is not in order.

Mr. DOMENICI. I yield back my time.

Mr. CHILES. I yield back all of our time.

The VICE PRESIDENT. The question is on agreeing to the motion to table the Domenici amendment. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

The VICE PRESIDENT. The clerk will call the roll.

The legislative clerk called the roll.

Mr. STEVENS. I announce that the Senator from Oregon (Mr. HATFIELD), the Senator from North Carolina (Mr. HELMS), the Senator from Wisconsin (Mr. KASTEN), the Senator from Maryland (Mr. MATHIAS), the Senator from Idaho (Mr. MCCLURE), and the Senator from Alaska (Mr. MURKOWSKI) are necessarily absent.

I further announce that, if present and voting, the Senator from Oregon (Mr. HATFIELD) and the Senator from Alaska (Mr. MURKOWSKI) would vote "nay."

Mr. CRANSTON. I announce that the Senator from Arizona (Mr. DECONCINI), the Senator from Illinois (Mr. DIXON), the Senator from Missouri (Mr. EAGLETON), the Senator from Ohio (Mr. GLENN), the Senator from Kentucky (Mr. HUDDLESTON), and the Senator from Massachusetts (Mr. KENNEDY) are necessarily absent.

I further announce that, if present and voting, the Senator from Massachusetts (Mr. KENNEDY), the Senator from Illinois (Mr. DIXON), and the Senator from Kentucky (Mr. HUDDLESTON) would each vote "yea."

The VICE PRESIDENT. Are there any other Senators in the Chamber wishing to vote?

The result was announced—yeas 45, nays 43, as follows:

[Rollcall Vote No. 77 Leg.]

YEAS—45

Andrews	Dodd	Melcher
Baucus	Exon	Metzenbaum
Bentsen	Ford	Mitchell
Biden	Hart	Moynihan
Bingaman	Heflin	Nunn
Boren	Hollings	Pell
Bradley	Inouye	Pryor
Bumpers	Jackson	Randolph
Burdick	Jepsen	Riegle
Byrd	Johnston	Sarbanes
Chiles	Lautenberg	Sasser
Cochran	Leahy	Specter
Cohen	Levin	Stafford
Cranston	Long	Stennis
D'Amato	Matsunaga	Tsongas

NAYS—43

Abdnor	Hatch	Roth
Armstrong	Hawkins	Rudman
Baker	Hecht	Simpson
Boschwitz	Heinz	Stevens
Chafee	Humphrey	Symms
Danforth	Kassebaum	Thurmond
Denton	Laxalt	Tower
Dole	Lugar	Trible
Domenici	Mattingly	Wallop
Durenberger	Nickles	Warner
East	Packwood	Weicker
Garn	Percy	Wilson
Goldwater	Pressler	Zorinsky
Gorton	Proxmire	
Grassley	Quayle	

NOT VOTING—12

DeConcini	Hatfield	Kennedy
Dixon	Helms	Mathias
Eagleton	Huddleston	McClure
Glenn	Kasten	Murkowski

So the motion to lay on the table amendment No. 1239 was agreed to.

AMENDMENT 1240

(Purpose: to increase the budget ceilings to allow increased funding for elementary and secondary education programs and student financial assistance)

Mr. HOLLINGS. Mr. President, I send to the desk an amendment which I ask the clerk to state and after he states the amendment I wish to make a statement on that amendment.

The VICE PRESIDENT. The amendment will be stated.

The bill clerk read as follows:

The Senator from South Carolina (Mr. HOLLINGS) for himself, Mr. STAFFORD, and Mr. BRADLEY proposes an amendment numbered 1240.

Mr. HOLLINGS. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

The VICE PRESIDENT. Without objection, it is so ordered.

The amendment is as follows:

On page 3, line 13, strike the number and insert "$910,700,000,000".

On page 3, line 14, strike the number and insert "$983,175,000,000".

On page 3, line 15, strike the number and insert "$1,049,500,000".

On page 3, line 19, strike the number and insert "$850,050,000,000".

On page 3, line 20, strike the number and insert "$911,275,000,000".

On page 3, line 21, strike the number and insert "$965,000,000,000".

On page 4, line 1, strike the number and insert "$163,550,000,000".

On page 4, line 2, strike the number and insert "$148,000,000,000".

On page 4, line 3, strike the number and insert "$134,200,000,000".

On page 4, line 7, strike the number and insert "$1,591,350,000,000".

On page 4, line 8, strike the number and insert "$1,790,000,000,000".

On page 4, line 9, strike the number and insert "$1,980,200,000,000".

On page 4, line 14, strike the number and insert "$207,450,000,000".

On page 4, line 15, strike the number and insert "$198,700,000,000".

On page 4, line 16, strike the number and insert "$191,800,000,000".

On page 16, line 4, strike the number and insert "$31,800,000,000".

On page 16, line 5, strike the number and insert "$27,250,000,000".

On page 16, line 11, strike the number and insert "$28,500,000,000".

On page 16, line 12, strike the number and insert "$28,400,000,000".

On page 16, line 18, strike the number and insert "$28,500,000,000".

On page 16, line 19, strike the number and insert "$28,300,000,000".

(The names of the following Senators were added as cosponsors: Mr. PELL, Mr. D'AMATO, Mr. BOSCHWITZ, and Mr. HUDDLESTON.)

Mr. HOLLINGS. Mr. President, after consulting with colleagues on both sides of the aisle, on behalf of Senators STAFFORD, ANDREWS, BRADLEY, myself and others who have been working on this, I propose this amendment. We have had three votes at the $1.5 billion figure; however, we must work our way out of this situation because we know a determined minority can stretch out this matter. We think the better part of judgment at this particular moment is to go ahead and present a perfecting amendment to the resolution itself at the $1 billion add-on rather than the $1.5 billion for the some 17 programs which would bring the budget resolution up to $15.9 billion rather than the $16.4 billion.

I do not think we need any further discussion unless there are further questions.

I yield to the distinguished chairman of the committee, Senator STAFFORD.

Mr. STAFFORD. Mr. President, I appreciate the distinguished Senator yielding to me. I agree with what he has said.

We debated this at length yesterday. It seems to me that at $1 billion instead of $1.5 billion we have made a very substantial concession of the realities of the budget situation the country is in and that at the $1 billion figure we will be able to accomplish two-thirds of the total program of additional help in many very important areas of education that we were targeting the money toward yesterday, including chapter 1 of elementary, secondary education, the disadvantaged children, the handicapped children, and at the college level programs and college work study and student education opportunity grants, all designed to help disadvantaged young people of this country have an equal opportunity for education.

I hope that at this figure the Senate will be prepared to vote affirmatively on the proposal.

Mr. BAKER. Mr. President, will the Senator yield to me?

Mr. DOMENICI. I am pleased to yield.

Mr. BAKER. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator will state it.

Mr. BAKER. Mr. President, I am not sure because I have not had a chance to look at the amendment. Could I inquire, is the amendment now offered by the Senator from South Carolina to the resolution or to the Hollings amendment?

Mr. HOLLINGS. It is to the resolution. My intention would be if we could adopt this particular amendment I would vitiate the rollcall and withdraw the other amendment. I could not perfect my own.

The VICE PRESIDENT. The Senator is correct.

Mr. BAKER. I am not sure. Let me make sure. Did I understand the Chair to say the Senator is correct saying he could not perfect his own amendment?

The VICE PRESIDENT. No. But the Senator is correct that it is an amendment to the resolution.

Mr. BAKER. Mr. President, I thank the Chair.

Now let me point out to the Senate that I have absolutely no doubt that the Senator from South Carolina will do precisely what he says, but let me suggest that if we go that route we are going to end up in the same place we were before and we are going to have two inconsistent amendments adopted, assuming this amendment is adopted. We are precisely where we were with Rudman. We will have one amendment adopted at $1 billion and an-

other amendment adopted at $1.5 billion or pending.

Mr. President, what I hope is that the Senator from South Carolina, if he wants to do this, would go ahead and amend his own amendment. I believe the Chair will rule that he can do that and I believe he would not have an objection on this side to him doing that if he wishes.

But I point out that after we have this vote it still will not be dispositive of the issue unless that is done.

Mr. HOLLINGS. Mr. President, on that premise that we have, as if the Senator came in with a pocketful of amendments, and that is the one we had, I ask that the amendment be to my own amendment. That is exactly what I am trying to do. I ask that my amendment be withdrawn and submitted as a perfecting amendment to the pending Hollings amendment so there is no doubt about it, if I could ask unanimous consent to do that.

Mr. METZENBAUM. The Senator does not need unanimous consent.

Mr. HOLLINGS. I ask it anyway so there is no doubt about it.

The VICE PRESIDENT. The Senator may modify his amendment.

Mr. HOLLINGS. That is right.

The VICE PRESIDENT. But the modification should be sent to the desk.

Mr. BAKER. Mr. President, if the Senator will yield to me, it should not take but only a moment to do that.

Mr. HOLLINGS. That is right.

Mr. BAKER. If the Senator will do it, and the minority leader will not disagree, I will ask unanimous consent that we may now have a quorum call with the time charged equally to both sides.

Mr. SARBANES. Mr. President, will the minority leader yield for a question before he does that?

Mr. HOLLINGS. He is the majority leader.

Mr. BAKER. I yield.

Mr. SARBANES. What is the parliamentary situation that the minority leader—I mean the majority leader is to approve?

Mr. BAKER. He has a mind set.

Mr. SARBANES. I recovered from the past; it is a hope for the future.

Mr. BAKER. But a vain hope, I assure the Senator.

We tried it and liked it.

Mr. President, the situation is that if we are going to do this and if it is going to pass, and I would not be surprised if it does, why take two steps when we can do it in one for the reason if we adopt this amendment we still have two inconsistent amendments pending and then will have to reconcile them on some basis.

I am making the suggestion that the Senator modify his amendment so that his perfecting amendment to the amendment can be dispositive of the whole issue.

Mr. HOLLINGS. And mine would. The question has been asked would my amendment also eliminate the Rudman amendment and it would.

Mr. BAKER. It would.

Mr. HOLLINGS. I am working with Senator STAFFORD's staff.

Mr. BAKER. Mr. President, a further parliamentary inquiry.

The VICE PRESIDENT. The Senator will state it.

Mr. BAKER. If indeed the Senator from South Carolina modifies his amendment and it is adopted as a perfecting amendment to his amendment would it supersede the Rudman amendment which has already been adopted?

The VICE PRESIDENT. Not at that point. The Hollings amendment as amended would then have to be adopted.

Mr. BAKER. If adopted in that form it would supersede the Rudman amendment?

The VICE PRESIDENT. If adopted in that form it would supersede.

Mr. BAKER. Mr. President, I now renew my request that it may be in order for me to suggest the absence of a quorum for a brief time and the time thus consumed be charged equally against both sides.

Mr. HOLLINGS. Mr. President, along with that request I am just trying to explain. As the Senator knows, it is a six-page amendment and there are about 47 different figures to change and the staff of the Budget Committee are checking those changes in order to make the modification the majority leader has suggested. We want to expedite consideration. That is the only reason for the delay. We are usually pretty quick. It does take that amount of time. So I join in the request.

The VICE PRESIDENT. Without objection, it is so ordered. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. DOMENICI. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. HOLLINGS addressed the Chair.

The VICE PRESIDENT. The Senator from South Carolina.

Mr. HOLLINGS. As I understand, the Hollings amendment as an add-on is in and of itself separate from the $1 billion amendment. If I ask unanimous consent to withdraw the $1.5 billion Hollings amendment, the amendment which is now pending, which is the pending question, the Hollings, Stafford and others, is for $1 billion, and if adopted it would supersede or take the place of the Rudman amendment, is that correct?

The VICE PRESIDENT. The Senator is correct.

Mr. HOLLINGS. On that basis, then, I ask unanimous consent to withdraw the Hollings amendment for $1.5 billion.

The VICE PRESIDENT. Amendment No. 1237 that is, and, if there is no objection, it is so ordered.

Mr. HOLLINGS. Then, Mr. President, I ask unanimous consent that the distinguished Senator from Vermont (Mr. STAFFORD) and the distinguished Senator from New Jersey (Mr. BRADLEY) be added as cosponsors to this pending amendment—the $1 billion add-on to the educational function, and the distinguished Senator from Montana (Mr. MELCHER). The distinguished Senator from Nebraska (Mr. EXON) and I will have a colloquy.

Also, to add as cosponsors the distinguished Senator from Kentucky (Mr. FORD), the distinguished Senator from West Virginia (Mr. RANDOLPH), the distinguished leader (Mr. BYRD), the distinguished Senator from Maryland (Mr. SARBANES), and the distinguished Senator from New Jersey (Mr. LAUTENBERG).

Does the distinguished senior Senator from New Mexico wish to cosponsor this amendment?

Mr. DOMENICI. I am not a cosponsor at this moment.

Mr. HOLLINGS. I yield to the Senator from Nebraska.

Mr. EXON. Mr. President, I want to have a brief discussion with Senator HOLLINGS and Senator STAFFORD concerning the amendment of the Senator from South Carolina, which was agreed to, with regard to the impact aid. I would like to ask the question if that colloquy previously agreed to has the same intent and effect on the amendment now being offered.

Mr. HOLLINGS. That is exactly correct.

Mr. STAFFORD. That would be the understanding of the Senator from Vermont, also.

Mr. HOLLINGS. I ask unanimous consent that the Senator from Michigan, Mr. RIEGLE, be added as a cosponsor, and the distinguished Senator from Delaware, Mr. BIDEN.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. HOLLINGS. I ask for the yeas and nays on the amendment.

The PRESIDING OFFICER (Mr. SIMPSON). Is there a sufficient second? There is a sufficient second.

The yeas and nays were ordered.

Mr. HOLLINGS. I yield back my remaining time.

I will withhold that.

Mr. DOMENICI. Mr. President, I have had a number of inquiries about impact aid. Let me see if I can state what I understand about the present Hollings amendment which has basically been reduced from his previous amendment by a half billion dollars in 1984.

I know that the distinguished Senator, the prime sponsor of this measure, when he is offering it at $1 billion and previous to that when he was offering it at $1.5 billion, spoke of what he thought the amendment would do in the appropriation process for education.

In the budget process, it is clearly up to the appropriators to utilize both the budget authority and the outlay projections as they see fit within the appropriations process.

As I understand it, if the Rudman $400 million add-on would have added money to impact aid, certainly the $1 billion program adds to impact aid. It is strictly a question of whether the appropriators see fit to use more budget authority for impact aid or not.

In other words, despite the fact that that the sponsor of an amendment indicate what the budget authority contained in the amendment will be used for, it is the appropriators who actually decide exactly how they are going to appropriate it in the educational field. Is that not correct?

Mr. HOLLINGS. The Senator is correct. The chairman of the Appropriations Subcommittee is not in the Chamber at the moment. He has been talking with the distinguished Senator from South Dakota, Senator ABDNOR, about that.

Mr. PRESSLER. If the Senator will yield, I am very concerned about impact aid funding. We have 50 school districts which currently receive impact aid. One of the districts most severely hit is the Douglas School District which serves the Ellsworth Air Force base. All the teachers at this school have been given termination notices. The survival of this school is at stake. There is also an additional forward funding problem. I would be prepared to support this amendment, if we are sure we are taking care of assumptions for impact aid, especially for heavily impacted school districts.

Mr. EXON. Mr. President, I assure my friend from South Dakota that I think the chairman of the committee of jurisdiction, with the cosponsors of the amendment, will very fairly consider this matter. I have been working closely with him on it. I believe the matter has been resolved as best it can be. With the fact that we are still under a first concurrent budget resolution nothing can be guaranteed. But the intent of the principal sponsor is very clear.

Mr. HOLLINGS. I yield to the Senator from Connecticut.

Mr. WEICKER. I have given my assurances to Senator PRESSLER that I will certainly sit down in the matter of the appropriations process and give consideration to the matters raised here. Make no mistake about it, this is only the opening skirmish of future battles which lie ahead. I have a complete understanding of what the Senator from South Dakota is trying to achieve and have given my personal assurance.

STATEMENTS DELIVERED OR SUBMITTED ON HOLLINGS AMENDMENT

● Mr. D'AMATO. Mr. President, I support this compromise which would add $1 billion to the education function. As a cosponsor of the Hollings-Stafford amendment, I feel it is essential that we increase funding for education.

Last week, the National Commission on Excellence in Education transmitted its report to the Secretary of Education on the quality of education in America. The title of the report, "A Nation at Risk," does not leave one with the sense that all is well with the state of education in our country. I will not restate all of the educational dimensions of risk which the Commission found to reach its conclusions; however, some bear mention.

About 13 percent of all 17 year olds in the United States can be considered functionally illiterate and functional illiteracy among minority youth may range as high as 40 percent. Some 23 million American adults are functionally illiterate. International comparisons of student achievement demonstrated that on 19 academic tests American students were never first or second, and compared with other industrialized nations, were last 7 times.

Perhaps the most cogent reason for the compromise which we are now advocating lies in the Commission's finding that business and military leaders are required to spend millions of dollars on costly remedial education and training programs in basic skills such as reading and writing. The Commission reports, for example, that one-quarter of the Department of the Navy's recent recruits cannot read at the ninth grade level, the minimum needed to understand written safety instructions.

I might also mention, Mr. President, that the National Task Force on Education for Economic Growth, a group of Governors, corporate leaders and other prominent figures, also found that the United States simply must address its educational deficienies.

Mr. President, as a nation we must understand that we will end up paying in the long run the cost of educational neglect. Education is an investment, not an expense. The key to the strength of our national defense, economy, and political institutions is an educated people.

Our future prosperity hinges in large measure on our competitive edge in international commerce. We have already seen this edge eroded in certain key industries—most notably autos and steel. Now our leadership in the high tech industries—especially computers—is quickly slipping away. We simply cannot expect to compete successfully in the international arena unless we are willing to make the investment in education which is essential to economic success in the world today.

Likewise, our very security as a free people depends mightily on the quality of American education. Perhaps our best defense is an educated citizenry. In today's high-tech military all of the sophisticated hardware means nothing without educated personnel to operate it. And without an educated American public, the national consensus upon which our dedication to the defense of freedom rests could be severely eroded.

Mr. President, if we are to successfully meet the educational challenges of the future, the Federal Government must continue its effective partnership with the States and local education agencies. We must continue to support important elementary and secondary programs, such as the chapter 1 program which assists economically disadvantaged children, if we hope to address the Commission's concerns.

With respect to higher education, it is essential that there be a real Federal commitment, particularly to those lower- and middle-income students who wish to pursue a higher education. Educational choice has been the cornerstone of American higher education. The system of private and public universities has greatly benefited this Nation. If we do not continue our commitment to higher education and vital student financial assistance programs, we will move toward a situation where only the rich can afford many of the colleges and universities of this country.

Mr. President, the compromise we are considering will add $1 billion for elementary and secondary education programs and important student financial aid programs such as the Pell grant program and the supplemental educational opportunity grant program. The $1 billion investment we are making today will be repaid many times over in terms of increased productivity from our citizens and a more secure defense. I urge its adoption.●

Mr. PERCY. Mr. President, I will support the amendment offered by the distinguished Senator from South Carolina (Mr. HOLLINGS). This amendment, by adding $1 billion to the fiscal year 1984 first concurrent budget resolution for education programs, addresses a most critical need.

Just a little more than 1 week ago, the National Commission on Excellence in Education, appointed by Secretary of Education Terrel Bell, reported to the Nation on the state of education in this country. The title of their report alone is revealing—"A Nation at Risk: The Imperative for Educational Reform."

Among the Commission's findings:

International comparisons of student achievement, completed a decade ago, reveal that on 19 academic tests American students were never first or second and, in comparison with other industrialized nations, were last seven times.

Some 23 million American adults are functionally illiterate by the simplest tests of everyday reading, writing, and comprehension.

About 13 percent of all 17-year-olds in the United States can be considered functionally illiterate. Functional illiteracy among minority youth may run as high as 40 percent.

Average achievement of high school students on most standardized tests is now lower than 26 years ago when Sputnik was launched.

Over half the population of gifted students do not match their tested ability with comparable achievement in school.

The College Board's Scholastic Aptitude Tests (SAT) demonstrate a virtually unbroken decline from 1963 to 1980. Average verbal scores fell over 50 points and average mathematics scores dropped nearly 40 points.

College Board achievement tests also reveal consistent declines in recent years in such subjects as physics and English.

Both the number and proportion of students demonstrating superior achievement on the SAT's—that is, those with scores of 650 or higher—have also dramatically declined.

Many 17-year-olds do not possess the "higher order" intellectual skills we should expect of them. Nearly 40 percent cannot draw inferences from written material; only one-fifth can write a persuasive essay; and only one-third can solve a mathematics problem requiring several steps.

There was a steady decline in science achievement scores of U.S. 17-year-olds as measured by national assessments of science in 1969, 1973, and 1977.

Between 1975 and 1980, remedial mathematics courses in public 4-year colleges increased by 72 percent and now constitute one-quarter of all mathematics courses taught in those institutions.

Average tested achievement of students graduating from college is also lower.

Business and military leaders complain that they are required to spend millions of dollars on costly remedial education and training programs in such basic skills as reading, writing, spelling, and computation. The Department of the Navy, for example, reported to the Commission that one-quarter of its recent recruits cannot read at the ninth grade level, the minimum needed simply to understand written safety instructions. Without remedial work they cannot even begin, much less complete, the sophisticated training essential in much of the modern military.

Mr. President, the Commission goes on to make several recommendations to improve our education system and I commend the report to all of my colleagues who have not yet had the opportunity to review it.

One thing is absolutely clear from the report—we need to improve the status of education in our country and in order to do so we must keep strong our commitment to education programs at all levels. That is why I support the pending amendment and urge my colleagues to do so as well.

The amendment will add $1 billion to all education programs, including chapter I for disadvantaged children, Education for All Handicapped Children Act, vocational education, Pell grants, college work study, supplemental educational opportunity grants and the trip programs, among others. The amendment also allows funds for the adoption of the new mathematics and science education initiative, which is currently being considered by the Senate Labor and Human Resources Committee.

Mr. President, these additional funds represent an important investment, an investment in human capital that will reap rewards for years and years to come. It will also signal to other nations that we in America intend to strengthen and improve our educational programs and reverse the decline cited by the Commission on Excellence. For these reasons, I urge my colleagues to join me in voting for the Hollings amendment.

Mr. DOMENICI. I yield back the remainder of my time.

Mr. HOLLINGS. I yield back the remainder of my time.

The PRESIDING OFFICER. The question is on agreeing to the amendment. The yeas and nays have been ordered and the clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. STEVENS. I announce that the Senator from Alabama (Mr. DENTON), the Senator from Oregon (Mr. HATFIELD), the Senator from North Carolina (Mr. HELMS), the Senator from Wisconsin (Mr. KASTEN), the Senator from Maryland (Mr. MATHIAS), the Senator from Idaho (Mr. MCCLURE), and the Senator from Alaska (Mr. MURKOWSKI) are necessarily absent.

I further announce that, if present and voting, the Senator from Oregon (Mr. HATFIELD) would vote "yea."

On this vote, the Senator from Maryland (Mr. MATHIAS) is paired with the Senator from Alaska (Mr. MURKOWSKI). If present and voting, the Senator from Maryland would vote "yea" and the Senator from Alaska would vote "nay."

Mr. CRANSTON. I announce that the Senator from Arizona (Mr. DECONCINI), the Senator from Illinois (Mr. DIXON), the Senator from Missouri (Mr. EAGLETON), the Senator from Ohio (Mr. GLENN), the Senator from Kentucky (Mr. HUDDLESTON), and the Senator from Massachusetts (Mr. KENNEDY) are necessarily absent.

I further announce that if present and voting, the Senator from Illinois (Mr. DIXON), the Senator from Massachusetts (Mr. KENNEDY), and the Senator from Kentucky (Mr. HUDDLESTON) would each vote "yea."

The PRESIDING OFFICER (Mr. HECHT). Are there any other Senators in the Chamber wishing to vote?

The result was announced—yeas 55, nays 32, as follows:

[Rollcall Vote No. 78 Leg.]

YEAS—55

Andrews	Exon	Moynihan
Baucus	Ford	Nunn
Bentsen	Hart	Packwood
Biden	Hawkins	Pell
Bingaman	Heflin	Percy
Boren	Heinz	Pressler
Boschwitz	Hollings	Pryor
Bradley	Inouye	Randolph
Bumpers	Jackson	Riegle
Burdick	Jepsen	Sarbanes
Byrd	Johnston	Sasser
Chafee	Lautenberg	Specter
Chiles	Leahy	Stafford
Cochran	Levin	Stennis
Cohen	Long	Tsongas
Cranston	Matsunaga	Weicker
D'Amato	Melcher	Zorinsky
Danforth	Metzenbaum	
Dodd	Mitchell	

NAYS—32

Abdnor	Hatch	Rudman
Armstrong	Hecht	Simpson
Baker	Humphrey	Stevens
Dole	Kassebaum	Symms
Domenici	Laxalt	Thurmond
Durenberger	Lugar	Tower
East	Mattingly	Trible
Garn	Nickles	Wallop
Goldwater	Proxmire	Warner
Gorton	Quayle	Wilson
Grassley	Roth	

NOT VOTING—13

DeConcini	Hatfield	Mathias
Denton	Helms	McClure
Dixon	Huddleston	Murkowski
Eagleton	Kasten	
Glenn	Kennedy	

So the amendment (No. 1240) was agreed to.

Mr. HOLLINGS. Mr. President, I move to reconsider the vote by which the amendment was agreed to.

Mr. STAFFORD. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

SENATE SCHEDULE

Mr. BYRD. Mr. President, I ask the distinguished majority leader to inform the Senate, as best he can, as to what the program is for the remainder of the day, and to see if there is any possibility of sequencing amendments as we look into Monday.

Mr. BAKER. I thank the minority leader.

Mr. President, the minority leader and I have discussed this unofficially, meaning off the floor—not on the record—and I must say that it appears

that, once again, forces beyond the control of the leadership are sort of dictating the circumstances. It appears that a lot of Senators are going to leave, for fully legitimate and understandable reasons and laudable purposes. Nonetheless, it appears that there is a great danger that nobody will be here pretty soon but me and the minority leader.

I hope we can continue with the present sequence of events today or, in the alternative, that at least we get credit for it. I think if we get a couple of more votes in today, we are going to be flying.

Mr. DOMENICI. Did the Senator say "flying"?

Mr. BAKER. I am afraid that they will fly after that.

Mr. President, answering seriously my friend the minority leader, I hope we can go until midafternoon—say, about 3 p.m.—have a couple of more votes, maybe a Republican and a Democratic vote, alternating them as we are; and at 3 p.m. we might have a little time for general debate, and then go out.

Mr. BYRD. I wonder if the majority leader would be interested in trying to put some amendments in sequence at this point.

Mr. BAKER. I will be glad to do that.

Mr. President, I wonder if I could impose on the chairman of the Budget Committee to meet with his counterpart and make a recommendation in that respect. I would like to sequence amendments if we can.

I might also say that there is some possibility that the chairman of the committee might want to lay down a substitute today, before we go out. I would not expect a vote on that today.

Mr. BYRD. We have some Senators who wish to call up amendments—Mr. NUNN, Mr. BRADLEY, Mr. PRYOR.

Mr. PRYOR. To be called up today?

Mr. BYRD. The majority leader indicated a willingness to have one or two more votes today. He has also indicated, for understandable reasons, that the Senate probably will not operate beyond midafternoon, if that long.

At least, if we could get a sequence built up so that Senators would know that their amendments are going to be called up, I think it would be profitable for the majority leader as well as the managers to know that.

Mr. BAKER. Mr. President, if the minority leader will yield to me, I hope there might be an amendment we can call up now; and while that is being debated, maybe the two managers can work out a sequence for today and Monday.

Mr. BYRD. That would be fine. Mr. Bradley is ready.

Mr. BRADLEY. I am prepared to offer my amendment at any time.

Mr. BAKER. Mr. President, with that suggestion, I will yield the floor, and the two managers can take over. In a few moments, if they will give us their advice on that, I will have a colloquy with the minority leader, to see if he is agreeable as to the future plan.

Mr. DOMENICI. The distinguished Senator from New Jersey has a sense-of-the-Senate proposal. We have not seen it, so I am not yet prepared to say we are ready to proceed.

Senator DANFORTH would like to engage in a colloquy which will take a couple of minutes, while we look at this amendment.

Mr. President, I suggest the absence of a quorum, and I request that the time be charged equally to both sides.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. DOMENICI. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DOMENICI. Mr. President, I understand the distinguished Senator from New Jersey, Senator BRADLEY, has an amendment he desires to offer.

The PRESIDING OFFICER. The Senator from New Jersey is recognized.

AMENDMENT 1241

(Purpose: To express the sense of the Congress with respect to world economic recovery)

Mr. BRADLEY. Mr. President, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The amendment will be stated.

The assistant legislative clerk read as follows:

The Senator from New Jersey (Mr. BRADLEY) proposes an amendment numbered 1241.

Mr. BRADLEY. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

At the end of the concurrent resolution add the following:

SEC. 7. It is the sense of the Congress that—

(1) world economic recovery is being retarded by high United States interest rates and by inconsistent macroeconomic policies among the major developed countries; and

(2) in order to restore economic growth and full employment at the earliest possible date, the President and the Secretary of Treasury, in consultation with their counterparts in the other major industrial countries at the Williamsburg Economic Summit and in followup deliberations, should pursue a coordinated economic expansion to ensure a worldwide economic recovery.

Mr. BRADLEY. Mr. President, the world economy is at a very critical juncture. I rise today to encourage the administration to take a leadership role at the Williamsburg summit by agreeing to a coordinated economic expansion in order to avert the possibility of economic collapse and to return the world economy to growth and high levels of employment at the earliest possible date.

The worldwide recession has become the dominant political issue in most countries and its effects are now spilling over to international political relations in ways which have not been seen since the 1930's. Increasing protectionism is the most visible sign but the strains are also being felt throughout the international financial system.

The specter of default hangs over the financial system because the developing countries incurred large debts in recent years which, even in normal times, they find it difficult to repay. The private banking system overextended itself in making loans to many developing countries. Now the global recession and increasing protectionism are making it extremely difficult for many of these countries to service their debts and major banks are faced with mounting nonperforming assets. Unless the world economy gets going again, the threat of a financial collapse remains alive.

Unfortunately, most industrial countries are framing their solutions to the global recession in a national context that overlooks the international dimension to the problem. Most industrial countries are still adopting austerity measures to fight yesterday's battle—the battle against inflation. As a result, the world is faced with a "paradox of austerity" similar to the "paradox of the thrift" we all learned about in introductory economics. If everyone is adopting austerity measures, where will the growth stimulus come from? If we continue to pursue these inconsistent macroeconomic policies, we run the risk of a repeat of the tragedy of the 1930's.

The severity and duration of the Great Depression of the 1930's were increased precisely because countries failed to join in an effort to solve problems at a world level. Global recovery will not spontaneously occur. And it will come only slowly, if at all, if we each pursue independent macroeconomic policies. The best, fastest, and perhaps only way out of the current recession is if the major countries collectively agree to a coordinated macroeconomic expansion.

To date, the administration's approach has been for each country to put its own house in order and to ignore the uniquely international dimensions of the economic problems we face. Certainly a recovery in this country will help, but by itself it will not be sufficient. Furthermore, there are great risks in the recovery. Real interest rates in this country are at a

record high level for any post-World War II recovery. In the previous 35 years, when real interest rates hit 5 percent short term or 8 percent long term, as they are now, it was a signal that a period of expansion was coming to an end.

In no previous recovery have we had an overvalued dollar and such depressed economic conditions overseas. The dollar is overvalued by at least 20 percent vis-a-vis the Japanese yen. That means that U.S. producers are at a 20-percent disadvantage when they compete with Japanese firms.

Europe is suffering through its worst recession in the post war period and the forecasts are for sluggish growth and rising unemployment through the first half of 1984. Unemployment in Europe has increased every year since 1973 and it is expected to go almost to 11 percent next year.

The developing countries with rapidly expanding markets had been the major source of growth in recent years, but they have also ceased to grow. The recession in the industrial world has caused primary commodity prices to collapse and, combined with the high interest rates on their overseas debt, many developing countries now have debt-service ratios of greater than 100 percent. That means they have to pay more to service their outstanding debt than they are earning from exporting and consequently those countries have little or no money left over to buy our exports.

In 1982, our exports to the six largest developing countries fell by 30 percent. In Mexico alone, the drop in exports was over $8 billion. Using the rule of thumb that each billion dollars of exports is equivalent to 24,000 jobs in this country, we lost almost 200,000 jobs because of the drop in our exports to Mexico alone.

This highlights an important point: the importance of exports to our economy. Over 22 percent of our final shipments are now exported. One out of five jobs in manufacturing is related to exports and four out of every five new jobs created is in the export sector. However, this process was reversed in the past 2 years. Between the first quarter of 1981 and the fourth quarter of 1982, U.S. exports declined by 19 percent in real terms. During that same period real GNP contracted by 2.2 percent. It has been estimated that three-quarters of this decline in growth was due to the deterioration in our international trade position and that the deterioration has added over 2 percentage points to our unemployment rate or over 2 million workers.

A global recovery and expansion could reverse those figures but only if most countries are expanding. Unfortunately, the OECD currently forecasts that recovery will be weak where it occurs and that most countries will continue to slump.

The final risk in the recovery is the international debt crisis. Some observers have become complacent after the first round of debt reschedulings most notably for Mexico, Brazil, and Argentina. Their complacency, however, is based upon optimistic growth forecasts for the industrial world. If those forecasts prove inaccurate, well-qualified observers, such as Rimmer de Vries of Morgan Guaranty have cautioned that more reschedulings will be needed and the risk of financial collapse looms larger.

The recovery could be aborted even if a collapse did not occur. For example, if it becomes widely perceived that a collapse is likely, interest rates on new extensions of credit will rise and, in a tiering effect the recovery would be choked off.

Even with recovery, problems lie ahead unless it is a rapid recovery, because it is likely that new extensions of credit of as much as $3 billion will be necessary for Brazil by the end of the summer. In an expanding world economy, such an extension would not be a cause for concern, but in the current uncertain environment, such extensions are more difficult to accomplish. Confidence is a scarce commodity in the world today.

The world economy is suffering from a paralysis of policy. What is more, the policies being pursued in many countries are counterproductive when they collide on a global level. With most major industrial economies pursuing austere macroeconomic policies and with the IMF imposing austere conditions on debt-ridden developing countries, we are faced with a "paradox of austerity." Where will the growth stimulus come from?

The slow and uncertain recovery in the United States will not be sufficient to pull the world economy out of this recession. A coordinated expansion is needed. Such an expansion was advocated last fall by 26 economists from 14 different countries in a document entitled "Promoting World Recovery" released under the auspices of the Institute for International Economics here. The head of the institute, Fred Bergsten, and Nobel Laureate Larry Klein of the University of Pennsylvania spelled out the form of such a coordinated expansion and estimated its impact in the April 23 issue of The Economist.

Their proposal for promoting worldwide recovery stressed three central themes: First, the adoption of new expansionary measures by five of the major countries—the United States, Japan, West Germany, the United Kingdom, Canada—and some of the smaller nations in a position to do so, in the light of their sharp reductions in inflation and viable external positions; second, tailoring of these measures to minimize the risk of rekindling inflationary concerns; and third, international coordination among the national measures, both in their thrust and in policy composition.

The most important policy step is to reduce interest rates by at least 2 percentage points in this country. This requires large cuts in the outyear budget deficits which we are attempting to do here, and the maintenance of substantial growth in the money supply for a further temporary period before dropping back to lower rates for the longer run. Other countries should then match our interest rate cuts, fully or partially.

On fiscal policy, Japan, West Germany, and the United Kingdom are all in a position to expand. In Germany and Japan, this is possible because of high savings rates and the large cyclical component of their current budget deficits. In Britain, fiscal reexpansion would be a reaction to the excessive tightening which occurred during 1980–82.

Bergsten and Klein estimated the impact of such a program using Project LINK, a model of the world economy maintained at the University of Pennsylvania which provides a consistently interrelated system of existing macroeconomic models from 18 OECD countries, eight centrally planned economies and four regional groupings of developing countries.

The specific American policy changes they assumed included a reduction of almost $100 billion in the budget deficit by 1986 and growth of M_1 through 1983 at the pace of the last 6 months, dropping to 5–6 percent thereafter. The resulting decline of 2 percentage points in U.S. short-term interest rates is matched by Britain's and Canada's, with rates in other OECD countries dropping by smaller amounts. They assumed a fiscal expansion in Japan, Germany, and Britain equal to 2½ percent of present real Government spending.

If these changes were made, the level of economic activity in 1986 would rise from where it would otherwise be, by 2½ to 3 percent in the United States and Germany; by 1½ to 2 percent in Canada, Japan, and Italy; and by one-half to 2 percent in France and Britain.

Unemployment rates would drop sharply over the 3-year period in this country—1.7 percentage points, or about 2 million workers—and significantly in most of the other countries as well.

Annual growth rates would rise by one-half to 1 percent in most of the major countries in most years up to 1986. Overall OECD growth is pushed above 3 percent, about the maximum one could envisage without policy changes—a critical threshold in terms of reducing unemployment and stimu-

lating enough trade expansion to handle the debt and protection problems. About 60 percent of the impetus comes from the reduction in interest rates, about 40 percent from the direct impact of fiscal expansion.

Moreover, world trade is stimulated substantially more than OECD growth—over twice as much during 1983-85. This provides an important spur to exports from the developing countries, enabling them to expand their foreign exchange earnings and thus become better able to service their debt. The decline in interest rates reduces the cost of their debt service, so the program should help considerably to limit the risk of renewed financial crises.

Although models and forecasts are subject to margins of error, the direction of change—higher growth and employment and expanded trade—is certain. Working together in a consistent fashion to expand individual national economies would produce results superior to inaction because the recession and the debt problems we face are fundamentally international problems.

Although it has taken the administration 2 years to understand the error of their ways, maybe a change is at hand. Speaking at the annual meeting of the Asian Development Bank this week, Secretary Regan said:

> No single nation can be the engine for world recovery. To the contrary, the current economic situation requires that all industrialized nations work together (to) . . . the common goal of solid non-inflationary economic expansion.

Furthermore, Secretary Regan seems to have come around to agree that unemployment is now the No. 1 priority:

> The inflationary fires that were troubling us so much at Ottawa (the site of the 1981 summit) and Versailles (1982) seem to have subsided," now the problem facing not only the industrialized, indeed most nations of the world. . . . (is) high employment . . . it is something that we all have to come to grips with.

And yet, I am troubled by the less cooperative attitude expressed in other quarters of the administration. Apparently "working together" means different things to different people. According to preparatory documents for the summit, the U.S. objective on economic policy is to reach an agreement that world economic recovery depends on each country establishing the domestic conditions for sustainable, noninflationary growth, not on an international blueprint of expansionary action.

Such an approach sounds reminiscent of the monetarist ideology that the administration has been preaching in international meetings over the past 2 years. The time for ideology has passed. There are no simple answers. The world economy is foundering. Although the United States can no longer lead the world out of the recession on its own, we can take a leadership position at Williamsburg and agree to a coordinated expansion.

Collectively, through consultation, cooperation and coordination, high rates of economic growth and employment can be restored to the world economy. But this will require the major countries to pull together as never before and this cannot be done without U.S. acceptance of the need to pursue a coordinated expansion.

This is what Helmut Schmidt has called the inevitable need for American leadership in a recent article on global economic problems. He called for cooperative, multilateral expansion because the experience of France in the past 2 years shows the difficulty of trying to expand unilaterally in a depressed world economy.

The dilemma is that everyone is looking to everyone else to expand, but all other countries are looking to us to take the lead. That is why, I urge the Senate to pass this amendment.

Mr. President, I ask unanimous consent to have printed in the RECORD the article by C. Fred Bergsten and Lawrence R. Klein.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Economist, Apr. 23, 1983]

THE NEED FOR A GLOBAL STRATEGY

(By C. Fred Bergsten and Lawrence R. Klein)

Four major problems continue to bedevil the world economy. Unemployment remains at record postwar levels and will decline very slowly even under the most optimistic of current recovery scenarios. The international debt crisis still looms over both the world's banking system and the recovery itself. The world trading system continues to erode under a proliferation of new import barriers and export subsidies. Severe exchange-rate misalignments persist, distorting economic structures and fostering protectionist pressures particularly in the United States.

In this sense, little has changed since Helmut Schmidt wrote so forcefully in The Economist on February 26th. There has been absolutely no response to his call for "a joint economic policy offensive" among the major countries or an assertion of American leadership to avoid the "great danger . . . of slid[ing] into a long depression."

Indeed, there seems even less inclination now than earlier to pursue such prescriptions. The modest signs of upturn in America, West Germany and Britain have apparently shunted to the sidelines most initiatives for new national measures to assure recovery, let alone a coordinated international approach. The success of the emergency measures taken to cope with the first wave of the debt crisis seems to have fostered confidence that the worst is behind us on this account. All governments seem reconciled to, if not enthusiastic about, their ad hoc approach to each successive trade problem (though each chips away a bit more at the open regime of the past). And America's government, through Mr. Martin Feldstein, has now proclaimed that substantial dollar overvaluation, the most extreme of the currency problems, is desirable under current circumstances and may remain with us "for several years to come."

WHY THE MALAISE?

There are four possible explanations for this state of affairs. One is that officials throughout the world genuinely believe that a sustained recovery will ensue on the basis of present circumstances and policies. The decline in the world price of oil, which might yet have some way to go, will certainly help. So for most of the world will the deterioration in the current balance of payments of the United States and the oil exporters, which taken together will approach a cumulative $150 billion between 1981 and 1983.

This view might be right, but the odds are heavily against it. Real interest rates remain quite high throughout the world and seem likely to stay there so long as American budget deficits continue to be large. It is extremely difficult to envisage a substantial recovery in private investment, and hence a sustainable recovery, in such circumstances. Even a pick-up in consumer demand will be sharply constrained by the high cost of credit. High interest rates will maintain heavy pressure on debtor countries and firms, and could sustain the currency misalignments for some time. There will be an inventory correction and a rebound from the depths of late 1982, to be sure, but it is quite a gamble to extrapolate from there to a recovery which is strong enough to reduce unemployment significantly and provide a basis for resolving the problems of debt and protectionism.

A second explanation is that authorities actually prefer a slow recovery, on the view that it might prove more sustainable and less likely to reignite inflation, to the more rapid expansion typical of post-recessionary periods.

Again, such a view is understandable, but the risks are also acute. Growth of 3 percent or less would not even dent unemployment levels, and the problems of political stability suggested by both Mr. Henry Kissinger and the recent riots in Sao Paulo could be quickly upon us. The protectionism or debt crises might explode into trade wars or a wave of repudiations. Moreover, such events—or even the fact that the languid pace might stall out before achieving lasting momentum—could bring on the third leg of a "triple dip recession" or even the world depression feared by Helmut Schmidt.

Third, there is a tendency throughout the world to rely heavily on recovery in the United States to lift everyone back to (at least modest) prosperity. Unfortunately, such a stategy is unlikely to work. In 1977-78, even a vigorous American recovery failed to impart significant growth to others. In the best of times, a 5 percent expansion of the American economy generates only a 1 percent increase in the rest of the OECD. And there are reasons to doubt the strength and perhaps even the sustainability of America's present recovery. One particular problem is the likely rise in the current overseas deficit in 1983 to at least $40 billion, three times the previous record. In addition to dampening the recovery, this will bring the strong possibility of new protectionist measures and limit still further this source of stimulus to the rest of the world.

Fourth, authorities may take the view that there is nothing they can do anyway. Monetary policy has allegedly been immobilised; either increases or decreases in the

growth of the monetary aggregates are said to be likely to push interest rates upward. Everybody has "large" budget deficits; further fiscal stimulus is thus "impossible", but substantial cuts in those deficits would also be unwise because they would jeopardise the recovery. Incomes policies have been "discredited". National pressures are said to be too great to permit new trade or currency initiatives at the international level.

Concern over these constraints is understandable, but it would be quite wrong to draw the conclusion that nothing can be done. Indeed, the effective crisis responses of the past eight months show once more that answers do exist to major problems confronting the world economy and that governments can move together to resolve them. The more ambitious efforts of earlier times, such as those adopted at the Bonn summit in 1978, support the same view.

AN ALTERNATIVE PROPOSED

In late 1982, the Institute for International Economics in Washington published a statement by 26 leading economists from 14 countries, outlining a programme which could provide an effective response to current needs. The group included the authors, economists from different schools of thought such as Mr Rimmer de Vries of Morgan Guaranty and Mr Lester Thurow of MIT, and former cabinet ministers such as Mr Karl Schiller from Germany, Mr Saburo Okita from Japan and Mr Mario Simonsen from Brazil. Its report laid out a detailed programme, quite similar to the proposals made by Chancellor Schmidt in The Economist, through which the major industrial countries, working together, could ensure a sustainable world recovery and resolve the global problems of debt, protection and currency misalignments.

These proposals stressed three central themes: (a) the adoption of New expansionary measures by five of the major countries (the United States, Japan, West Germany, the United Kingdom, Canada) and some of the smaller nations in a position to do so, in the light of their sharp reductions in inflation and viable external positions; (b) tailoring of these measures to minimise the risk of rekindling inflationary concerns; and (c) international co-ordination among the national measures, both in their thrust and in policy composition. Such a strategy remains at least equally relevant today.

The most important policy step is to reduce interest rates by at least two percentage points in the United States. This would require large cuts in the outyear budget deficits, and the maintenance of substantial growth in the money supply for a further temporary period before dropping back to lower rates for the longer run. Other countries should then match the American interest rate cuts, fully or partially.

As regards fiscal policy, Japan, West Germany and the United Kingdom are all in a position to expand. In Germany and Japan, this is possible because of high savings rates and the large cyclical component of their current budget deficits. In Britain, fiscal reexpansion would be a reaction to the excessive tightening which occurred during 1980-82.

The quantitative impact of such a programme has been estimated through Project LINK, a model of the world economy maintained at the University of Pennsylvania which provides a consistently interrelated system of existing macroeconomic models from 18 OECD countries, eight centrally planned economies and four regional groupings of developing countries. The specific American policy changes include a reduction of almost $100 billion in the budget deficit by 1986 and growth of M_1 through 1983 at the pace of the last six months, dropping to 5-6 percent thereafter. The resulting decline of two percentage points in America's short-term interest rates is matched by Britain's and Canada's, with rates in other OECD countries dropping by smaller amounts. The required fiscal expansion in Japan, Germany and Britain is equal to 2½ percent of present real government spending.

ESTIMATED IMPACT OF CONCERTED EXPANSION PROGRAMME

[In percentage points]

	1983	1984	1985	1986
Increase in levels of real GNP:				
United States	0.5	1.3	2.0	2.8
EEC	0.8	1.4	1.5	1.7
Japan	0.9	1.3	1.5	1.8
18 OECD countries	0.5	1.0	1.4	1.8
Reductions in the rate of unemployment:				
Canada	0.1	0.6	0.9	1.0
West Germany	0.4	0.5	0.5	0.8
Japan	0.1	0.1	0.1	0.1
United Kingdom	1.2	0.4	0.1	0
United States	0.1	0.5	1.0	1.7
Changes in the rate of inflation (private consumption deflator):				
United States	−0.2	−0.6	−0.4	0
EEC	−0.1	0.1	−0.1	0.2
Japan	0.2	0.4	0.5	0
18 OECD countries	−0.2	−0.2	0	0.2
Increase in level of world trade	1.1	2.0	2.6	3.0

Source: Project LINK, University of Pennsylvania. All impact estimates represent changes from LINK base forecast.

The result would be to raise the level of economic activity by 1986, from where it would otherwise be, by 2½-3 percent in the United States and Germany; by 1½-2 percent in Canada, Japan, and Italy; and by ½-1 percent in France and Britain. In the first year of the programme, Germany and Britain would receive the largest boost; the gains would be roughly similar among the seven summit countries in the second year, with the major impetus in North America coming in 1985-86. As a result of the programme, the model suggests that unemployment rates would drop sharply over the three-year period in the United States (1.7 percentage points, or about 2m workers) and Canada, very rapidly in 1983 in the United Kingdom (1.2 points), and significantly in most of the other countries as well—although the heavy structural component of unemployment limits the gains in most of continental Europe, excepting West Germany where the rate should fall by almost a full 1 percent.

The model suggests that annual growth rates would rise by ½-1 percent in most of the major countries in most years to 1986. Overall OECD growth is pushed above 3 percent, about the maximum one could envisage without policy changes—a critical threshold in terms of reducing unemployment and stimulating enough trade expansion to handle the debt and protection problems. About 60 percent of the impetus comes from the reduction in interest rates, about 40 percent from the direct impact of fiscal expansion.

Moreover, as usual, world trade is stimulated substantially more than OECD growth—over twice as much during 1983-85. This provides an important spur to exports from the developing countries, enabling them to expand their foreign-exchange earnings and thus become better able to service their debt. The decline in interest rates reduces the cost of their debt service, so the programme should help considerably to limit the risk of renewed financial crises.

Similarly, the trade pick-up would help to counter protectionism by providing more rapidly growing markets for all nations, thereby limiting pressures to restrain imports. So of course would faster growth and lower levels of unemployment. And the changes in the direction and mix of policies in the key countries would push exchange rates in the desired direction, reducing the pressures to restrict trade in countries with overvalued currencies (notably the United States).

We estimate that these gains can be achieved without rekindling inflation. Neither consumer price indexes nor gnp deflators change noticeably as a result of the package. The group's specific policy proposals were designed to secure such a result; a one-shot growth in the money supply followed by a return to lower rates of expansion, "front-end loading" of fiscal increases with offsetting receipts coming later, raising government spending via one-shot public infrastructure investments rather than larger transfer payments (which are hard to cut back in the future). But the result derives largely from the underlying macroeconomic situation: the continuing high levels of unemployment and capacity underutilisation should preserve continuing wage moderation, while a pick-up in output generates cyclical productivity gains.

Such a new global macroeconomic strategy would improve the prospects for resolving the distinctly international aspects of the current situation. However, it alone would not be sufficient. New forms of co-operation will be needed to avoid the periodic onset of severe currency misalignments, perhaps through the adoption of a "target zone" system under which countries continuously monitor the course of exchange rates against agreed norms which mirror underlying competitive conditions and take policy steps as needed to keep rates from diverging too far from these norms.

The history of trade policy reveals that it proceeds very much like a bicycle, falling over in the face of protectionist pressures unless it is moving forward toward further liberalisation. This suggests that a major new "round" will be needed for the 1980s just as the Kennedy and Tokyo rounds helped preserve the system against seemingly intractable forces in the 1960s and 1970s.

The financial crisis may not finally yield without a major restucturing of the outstanding debt. Our public international institutions, the World Bank as well as the IMF, will probably need to play proportionately larger roles to compensate for the presumed cutback in the growth of private bank loans in financing future Idc current account deficits. And Helmut Schmidt may be right in asking for an international commodity agreement to stabilise the world price of oil.

THE IMPERATIVE OF CO-ORDINATION

The linchpin of this entire effort, however, is co-ordination among the major industrial countries. Recent history suggests that no country is now able to expand alone in a stagnant world economiy: even the United States was unable to do so in 1977-78, let alone France in 1981 or Mexico in 1982. History also suggests that co-ordination could help avoid excessive policy responses, like the inflationary blow-off of the early 1970s and the deep recent recession. The wait for autonomous market forces to promote lasting expansion has been shown to be ex-

tremely risky—witness the dashed hopes in many countries in 1978 and virtually everywhere in 1980.

The policy paralysis is likely to be broken in some countries only if they see prospects for similar movement elsewhere. Otherwise they must fear that their own efforts will mainly produce a deteriorating trade balance and currency. Confidence, which may be the key ingredient most lacking in the present recovery, could be greatly enhanced if there were a sense of firm and effective global response to the problems of the day. It is much more likely that the debt, trade, exchange-rate and other "purely international" problems will be set right if they are addressed in the context of a coordinated response to global growth and macroeconomic needs—rather than left in cubbyholes assigned to national bureaucracies and international organizations with narrow mandates, and susceptible to the nationalistic pressures which always flouish in the absence of a clear lead from the authorities to see local problems in an unwieldy, but essential, global framework.

A summit meeting is a natural event through which to devise and launch such a programme, as has actually happened once or twice in the past. Unfortunately, there is no evidence that the Williamsburg seven are even contemplating such an approach next month. The gap between need and likely performance promises to be greater at this summit than ever before. It can only be hoped that the lead of Helmut Schmidt and others who counsel such a course will be followed before it becomes too late.

Mr. BRADLEY. Mr. President, this is an amendment which calls for coordinated economic expansion internationally.

We are in a very serious downturn in our economy. We have, in essence, been in a 4-year recession. There are many causes of that recession, some long term, some shorter term. But the result has been a dramatic increase in unemployment in the United States and worldwide.

If we were to look at what in normal economic cycles would be termed the possible engines of recovery, each of those possible engines of recovery have to be considered somewhat questionable in our present economic climate.

If one would look at capital spending as an engine to pull us out of the recession, it is unlikely that capital spending is going to do that job, given the present underutilization of our plant and capacity, our present unemployment rate, and our present excessively high real interest rate.

Then one turns to the possibility of Government spending pulling us out of this recession. Clearly with $200 billion budget deficits, we are not going to be able to stimulate our economy with further Government spending so that that alone would pull us out of the recession.

Third, one looks at exports as a possible vehicle and yet in our present economic circumstance, our dollar is roughly 20 percent overvalued against major currencies in the world and that overvaluation of the dollar makes our goods that much more expensive abroad and foreign goods that much cheaper in America, leading to what is projected to be a $70 billion trade deficit in this year.

That leaves consumer spending, which has traditionally been the engine of growth. It is unlikely that consumer spending is going to do the full job. While inflation has dropped and interest rates have come down, that has had the potential of having a perverse effect on consumer spending because there are now people out there who are seeing the prices drop and saying, "next year maybe the washing machine will be that much cheaper and, therefore, I will withhold my expenditure."

So, Mr. President, if we look at those four normal sources of economic recovery, capital spending, Government spending, exports, and consumer spending, and each one of them is problematical, then one clearly has to go across the bridge to the other side where monetary policy plays a dominant role. Therefore, the key to any recovery is a continued downward trend in interest rates; interest rates which have in the last 2 years been contradictory to fiscal policy; interest rates which have in this country been highly restrictive, working against the highly stimulative fiscal policy, and in large part producing the situation that now confronts us.

So that the first part of any recovery has to come from the monetary side.

Mr. President, if we have learned anything in the last few years, it is that we are a part of an international economy. We receive calls for protectionism in this country, we receive very serious pleas from those who have lost their jobs, and they diagnose as the problem trade restrictions when, in fact, the problem is the overvalued dollar.

So every day we are reminded of the degree to which we are a part of that international economy. When there is a currency misalinement, when one country is pursuing a very tight monetary policy and another country a very loose monetary policy, then clearly there are trade effects to that mismatch. One country's goods have a significantly greater price advantage over another country's goods, and yet at the same time there is the potential of having to buy a lot more inflation for that price competitiveness.

So, Mr. President, what this resolution calls for are the following two things. It says: First, "World economic recovery is being retarded by high United States interest rates and by inconsistent macroeconomic policies among the major developed countries." One country is restrictive, another country is expansionary, and there is no coordinated approach.

The second thing the resolution says is that: "In order to restore economic growth and full employment at the earliest possible date the President and the Secretary of the Treasury, in consultation with their counterparts in other major industrial countries at the Williamsburg economic summit and in follow-up deliberations, should pursue a coordinated economic expansion to ensure a worldwide recovery."

So, Mr. President, the first part recognizes the need for countries to harmonize their economic policies and the threat that high interest rates represent to economic recovery. The second part of the resolution recognizes that no one country can do it alone. Even the United States cannot, by its own domestic economic policies, solve the problems of slumping economies throughout the world, and likewise if there are stagnant economies among our trading partners, then we cannot begin to approach the level of recovery that we all hope for, and that requires we follow, with our allies, a coordinated economic expansion.

We had a good case in point in the last 2 years. While we in this country were pursuing a very tight monetary policy and a very stimulative fiscal policy, there was a government in France that took power and decided that they could put their unemployed workers back to work by following an expansionary policy. Clearly they could not. They could not pull their economy out of a very deep recession while we were retarding and restricting our economy, and that is the way it works.

So, Mr. President, what we are suggesting in this resolution is that the President and the Secretary of the Treasury should use the occasion of the Williamsburg summit conference to call upon our allies to follow an expansionary policy to insure economic recovery.

Mr. President, it is not so often that we have the opportunity to get together in one room with the economic powers of the world. The summit conferences which were begun in the early 1970's were established for that purpose. They have not always worked that way. They frequently represent nothing more than a photo opportunity for the participants at some time immediately prior to an election to demonstrate that that person, that statesman, is indeed respected worldwide for his opinions on international economic policy.

But this particular conference I view as a very important meeting because the world economy is indeed under seige from high unemployment worldwide, not just in this country but in Germany, in France, even in Japan. It is also battered by an international debt crisis that could become worse unless we have that coordinated eco-

nomic expansion, an international debt crisis that could indeed bankrupt not only various important newly industrializing countries such as Brazil and Mexico, but in turn our own financial institutions which would then result in much fewer jobs and less credit for the working person in America.

That international system is also threatened by protectionist pressures and, finally, severe exchange rate misalinements.

Mr. President, I believe that the reason we have had the degree of economic recovery as we have to date is due in large part because about last August when the Chairman of the Federal Reserve Board looked at our country and saw extremely high unemployment he also looked out at a world that was on the brink of financial collapse. He realized at that moment that he was not only the arbiter of internal demand in this country, but that he was the lender of last resort for a world economy. Therefore, given the comparative risks that a more expansionary monetary policy posed, the risk being a slight blip up of inflation against the risk of continuing to restrict that monetary policy, the risk being a dramatic dropoff in world trade, the blip being a rise in interest rates, he chose to opt for stimulating our economy and pulling us back from the brink of that very serious decline.

Interest rates have to continue on a downward path. They will be much more effective if interest rates in other countries also are coordinated with ours so that we get a coordinated economic expansion.

Mr. President, that is what this resolution calls for. It calls upon the President and the Secretary of the Treasury to use the occasion of the upcoming Williamsburg summit conference to do what most all economists know has to be done.

Mr. President, I hope the Senate will adpot the resolution and we might send a clear message that we not only need a bipartisan economic policy but we need a coordinated international economic policy dedicated to the goal of stable growth and full employment, recognizing that we cannot attain that goal alone if other countries are operating against our interests, against our policies, nor should we be able or can we expect to have that level of economic growth without their cooperation.

I am prepared to yield the floor.

Mr. DOMENICI. Mr. President, I rise to ask the Senate not to burden down this budget resolution with this sense-of-the-Senate language.

Just as the Banking Committee here in the U.S. Senate quite appropriately presumes that relevant statements regarding monetary policy are within their jurisdiction, the Foreign Relations Committee quite appropriately perceives this kind of resolution to be within their jurisdiction, and I quite agree with them.

I do not really want to argue the facts. The distinguished Senator from New Jersey has spent a lot of time on this issue and has delivered a rather lengthy statement here today indicating what the United States ought to do at Williamsburg in terms of international coordination of economic policies.

I am not sure that he is right; I am not sure that he is wrong. But I would hope that the Senate would attach this language to a budget resolution. One body passing such language makes it rather inconclusive. We have plenty of work to do with reference to matters at hand and certainly with reference to fiscal policy issues in this budget resolution.

I know the Senator understands that this is in no way intended in derogation of his contention or his right, but as soon as I have enough Senators on the floor I am going to move to table. I am not going to do that until we have yielded back our time because I have no such right. But I would say I am prepared to yield my time back and move to table. Senator DOLE is here; perhaps he would like to say a few things on this subject.

Mr. STENNIS. Will the Senator yield me 2 minutes?

Mr. DOMENICI. I am pleased to yield to my good friend.

Mr. STENNIS. Mr. President, my judgment is we do not have a man in this body who is more capable of doing more worthy work and making sound conclusions in the field in which the Senator from New Jersey has spoken. He could make a contribution most anywhere he chooses.

But I feel the budget resolution, if we use it as a vehicle for all kinds of resolves and so forth, we are firming the criticism that is made, not of the Members but of the system, that we are snuffing the life out of our regular committees in the Senate.

I have found that a Senate that has a good staff and has Members that have been serving on a committee of the Senate year after year, some of them become very well versed indeed in these subject matters. And there is a new feed in all the time of new Members coming in and some of them picking it up and they come out here with a recommendation that has strengthened it and can be defended and put over, so to speak.

But, anyone, whether it be the Senator from New Jersey or anyone else, should have the united support of any staff work along the lines of the subject matter. I just believe it would most likely be dropped in conference and there will not be a chance to get at it. I believe it would be a far better policy if we could leave these to the regular committees and continue straight on the things that have to be decided.

Again, I emphasize my respect for the Senator from New Jersey in his capacity in any field that he works in.

Mr. DOMENICI. Mr. President, I thank the distinguished Senator from Mississippi. I feel exactly as he does, both about what we ought to do here and, prior to his coming to the floor, I clearly indicated my great respect for the Senator from New Jersey.

But I really think we have so many other actions to consider that clearly go to the heart of the substance of the budget issue. I note there is a free-standing resolution pending before the Senate on this subject that the chairman of the Foreign Relations Committee has introduced with many, many cosponsors.

How much time does the Senator from New Jersey desire before I move to table?

Mr. BRADLEY. I think I would be able to finish in 5 to 10 minutes.

Mr. DOMENICI. I thank the Senator.

Mr. BRADLEY. Mr. President, I think that it is very appropriate that this resolution appear in the budget debate. Because we are spending a great deal of effort talking about how much the deficit will be reduced, we are making assumptions about interest rates and unemployment and economic growth and we pretend in this process as if we are operating in a vacuum.

This country is no longer a closed economy. It is an open economy. Indeed, actions that we take in this body the next few days affect the prospects for employment, inflation, growth in Japan, Germany, around the world, just as actions that they take in their national legislatures affect interest rates in New Jersey, New Mexico, Maryland, and the country as a whole.

So, Mr. President, this is the appropriate place to address this issue. In fact, this is the only place that you can appropriately address an issue that involves budget policy, monetary policy, and international economic policy. Just so there should be no misunderstanding about this resolution, this, I think, should be a bipartisan resolution.

I would like to quote what Secretary Regan said at the annual meeting of the Asian Development Bank this week. He said:

> No single nation can be the engine for world recovery. To the contrary, the current economic situation requires that all industrialized nations work together (to) . . . the common goal of solid non-inflationary economic expansion.

And he goes on to, I think, finally recognize that unemployment is the No. 1 priority. He says:

> The inflationary fires that were troubling us so much at Ottawa (the site of the 1981 summit) and Versailles (1982) seem to have

subsided," now the problem facing not only the industrialized, indeed most nations of the world, . . . (is) high unemployment . . . it is something that we all have to come to grips with.

Mr. President, this resolution simply gives substance to the words of the Secretary of the Treasury, gives substance to the pleadings and hopes of the Democratic side that we could follow an expansionary policy with lower interest rates in this country, and recognizes that unless that it is coordinated with our allies around the world, it could be self-defeating and we might not get that economic expansion that we all think we can with lower interest rates.

So, Mr. President, that is the thrust of the argument. I am prepared to yield to the Senator from Maryland for a brief comment and then I am prepared to yield back the remainder of my time.

Mr. SARBANES. Mr. President, I rise in strong support of the resolution. I commend the distinguished Senator from New Jersey for offering it.

I agree with him completely, that this is absolutely the right place in which to consider such a resolution, since all the figures we are looking at here as we deal with the budget resolution, as they relate to assumptions in terms of economic growth, as they relate to deficits, as they relate to interest rates, are all part of a broader perspective to which this resolution is addressed.

The substance of the resolution, it seems to me, makes eminent good sense. Inconsistent macroeconomic policies among the major industrial countries puts us at cross purposes with one another. One of the very purposes of the summit at Williamsburg, and comparable summits which have been held annually, is, in fact, to work toward coordinated macroeconomic policies.

Clearly, the President and the Secretary of the Treasury must work with their counterparts from the other major industrial countries to develop a coordinated approach to economic expansion if we are going to have worldwide economic recovery.

To proceed as we have been proceeding, along different paths, cross paths in some instances, in which we cancel out one another's initiatives makes no sense at all.

I commend the Senator for offering the resolution. Obviously, every number that we are looking at in the budget resolution is and will be affected by our success in achieving a coordinated economic worldwide policy.

With the Williamsburg summit coming up very shortly, I think this is a very important expression of the sense of the Congress as to the importance of this subject matter. I hope the amendment will be agreed to.

Mr. PERCY. Mr. President, I rise to support the motion to table the amendment of the distinguished Senator from New Jersey (Mr. BRADLEY).

I do so not because I disagree with the sentiments he has expressed here, but because I do not feel that the budget resolution is an appropriate vehicle on which to tack this important matter of the Williamsburg summit.

After all, it was just this morning that a group of us joined together to introduce a resolution very similar to the amendment now being offered by the Senator from New Jersey.

I am the sponsor of that resolution (S. Res. 135) and the chairman of the Budget Committee is a cosponsor. The Senator from New Jersey, Mr. BRADLEY, is also a cosponsor. In all, 10 of us introduced this resolution today and I know the Senate will want to turn to it in the next few weeks before the Williamsburg summit begins.

I am somewhat surprised that the Senator from New Jersey has raised this issue on the budget resolution. It was the first of this week that he agreed to join me in introducing Senate Resolution 135. He is an avid student of international economics and has a strong interest in this subject of currency alinements. Yet he knew we were pursuing this independent resolution in the Senate this week.

So I am a bit perplexed as to why he would raise it in this context today.

In any case, I will support the motion to table because we will proceed with Senate Resolution 135 as we would with any Senate resolution, in an independent fashion where we have time to focus on the issues of dollar and yen misalinements and the items that will be discussed at Williamsburg at the end of this month.

For the record, Mr. President, I ask unanimous consent that the letter I am circulating with Senator DOMENICI, Senator BRADLEY and our other cosponsors be included in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

U.S. SENATE,
COMMITTEE ON FOREIGN RELATIONS,
Washington, D.C., May 6, 1983.

DEAR COLLEAGUE: Today we introduced S. Res. 135, which calls on the administration to discuss the dollar/yen relationship and other currency alignments at the upcoming Williamsburg Summit. We hope you will join us as a cosponsor.

The continuing overvaluation of the U.S. dollar against the currencies of our major trading partners, most notably Japan, has remained a major American trade problem too long. Since the late 1970's, the U.S. dollar has appreciated roughly 30 percent against major currencies, despite our markedly higher inflation. U.S. products have become much too costly overseas, and foreign products unduly inexpensive in the U.S. market. High U.S. interest rates, fed by large U.S. budget deficits, contrast with low rates abroad and will keep the dollar overvalued for the foreseeable future.

Persistence of this problem will cause prolonged deterioration in U.S. competitiveness, cost us hundreds of thousands of U.S. jobs, and damage severely American localities and enterprises that depend heavily on exports. It is also a key stimulant to protectionist trade policies and legislation. Delay is costly indeed because the adverse competitive consequences of these misalignments may persist for up to two years after the problem is corrected.

Specialists may not agree on the extent of misalignments, the best mix of measures, or the division of country responsibility for resolving them. However, the unique opportunity at present is the official interest in Japan and Europe in taking steps to alleviate the problem.

Our resolution urges the administration to take the initiative to make currency discussions a priority U.S. objective at the Williamsburg Summit in late May. A statement by summit participants of their intention to coordinate economic policies more closely with the dual aims of reducing international interest rate and exchange rate discrepancies, and of hastening a sound, sustainable recovery in world trade and economic activity would be a major step forward. If, in addition, participants announced plans to have their finance ministers and our Treasury Secretary meet at an early date to begin that process, it would build supporting expectations in the money and currency markets. In light of the apparent desire of our European and Japanese colleagues to address these topics, our failure to respond cooperatively would send the wrong signals.

Our resolution is supported by a number of organizations and companies, including: National Association of Manufacturers, Business Roundtable, National Motor Vehicle Manufacturers Association, President's Export Council, Emergency Committee for American Trade and the National Machine Tool Builders Association.

If you would like to cosponsor this resolution, please have a member of your staff contact Erland Heginbotham on extension 4-4194 or Bill Banis at 4-2152 as soon as possible.

Sincerely,

Charles H. Percy, John C. Danforth, John H. Chafee, Pete V. Domenici, John Heinz, Mack Mattingly, Bill Bradley, Alan J. Dixon, Christopher J. Dodd, and Carl Levin.

Mr. BRADLEY. Mr. President, I am prepared to yield back the remainder of my time on the resolution if the Senator from New Mexico is prepared to yield back the remainder of his time.

Mr. President, I ask unanimous consent that the Senators HOLLINGS, SARBANES, and MITCHELL be added as cosponsors.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DOMENICI. Mr. President, I suggest the absence of a quorum with the time to be charged against my time.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. DOMENICI. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DOMENICI. If the Senator from New Jersey is prepared to yield back his time, I am prepared to yield mine.

Mr. BRADLEY. I yield back the remainder of my time.

Mr. DOMENICI. I move to table the amendment and I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second? There is a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from New Mexico. The yeas and nays have been ordered and the clerk will call the roll.

The legislative clerk called the roll.

Mr. HEINZ (when his name was called). On this vote I have a pair with the distinguished Senator from Massachusetts (Mr. KENNEDY). If he were present and voting, he would vote "nay." If I were at liberty to vote, I would vote "aye." Therefore, I withhold my vote.

Mr. STEVENS. I announce that the Senator from Maine (Mr. COHEN), the Senator from Alabama (Mr. DENTON), the Senator from Minnesota (Mr. DURENBERGER), the Senator from Oregon (Mr. HATFIELD), the Senator from Kansas (Mrs. KASSEBAUM), the Senator from Wisconsin (Mr. KASTEN), the Senator from Maryland (Mr. MATHIAS), the Senator from Idaho (Mr. MCCLURE), and the Senator from Alaska (Mr. MURKOWSKI) are necessarily absent.

I further announce that, if present and voting, the Senator from Alabama (Mr. DENTON), the Senator from Wisconsin (Mr. KASTEN), and the Senator from Alaska (Mr. MURKOWSKI) would each vote "yea."

Mr. CRANSTON. I announce that the Senator from Montana (Mr. BAUCUS), the Senator from Arizona (Mr. DECONCINI), the Senator from Illinois (Mr. DIXON), the Senator from Missouri (Mr. EAGLETON), the Senator from Nebraska (Mr. EXON), the Senator from Ohio (Mr. GLENN), the Senator from Colorado (Mr. HART), the Senator from Kentucky (Mr. HUDDLESTON), the Senator from Massachusetts (Mr. KENNEDY), the Senator from Louisiana (Mr. LONG), and the Senator from Montana (Mr. MELCHER) are necessarily absent.

I further announce that, if present and voting, the Senator from Montana (Mr. MELCHER) and the Senator from Montana (Mr. BAUCUS) would vote "nay."

The PRESIDING OFFICER. Are there any other Senators in the Chamber wishing to vote?

The result was announced—yeas 47, nays 32, as follows:

[Rollcall Vote No. 79 Leg.]

YEAS—47

Abdnor	Hatch	Rudman
Andrews	Hawkins	Simpson
Armstrong	Hecht	Specter
Baker	Helms	Stafford
Boschwitz	Humphrey	Stennis
Chafee	Jepsen	Stevens
Cochran	Laxalt	Symms
D'Amato	Lugar	Thurmond
Danforth	Mattingly	Tower
Dole	Nickles	Trible
Domenici	Packwood	Wallop
East	Percy	Warner
Garn	Pressler	Weicker
Goldwater	Proxmire	Wilson
Gorton	Quayle	Zorinsky
Grassley	Roth	

NAYS—32

Bentsen	Ford	Mitchell
Biden	Heflin	Moynihan
Bingaman	Hollings	Nunn
Boren	Inouye	Pell
Bradley	Jackson	Pryor
Bumpers	Johnston	Randolph
Burdick	Lautenberg	Riegle
Byrd	Leahy	Sarbanes
Chiles	Levin	Sasser
Cranston	Matsunaga	Tsongas
Dodd	Metzenbaum	

PRESENT AND GIVING A LIVE PAIR, AS PREVIOUSLY RECORDED—1

Heinz, for

NOT VOTING—20

Baucus	Exon	Kennedy
Cohen	Glenn	Long
DeConcini	Hart	Mathias
Denton	Hatfield	McClure
Dixon	Huddleston	Melcher
Durenberger	Kassebaum	Murkowski
Eagleton	Kasten	

So the motion to lay on the table amendment No. 1241 was agreed to.

Mr. DANFORTH. Mr. President, I wish to commend the chairman of the Budget Committee for resolving a budget problem of concern to me and a number of my colleagues involving the need to fund adequately the adjustment assistance programs.

It had been my intention to offer an amendment—along with Senators BRADLEY, MOYNIHAN, HEINZ, and METZENBAUM—to increase the money available for the TAA program for workers by $92 million. However, it is my understanding from discussions with the distinguished chairman of the Budget Committee that there is sufficient room in the budget to accommodate the estimated $132 million needed to fund the trade adjustment assistance program for workers.

I wish to address a question to the Senator from New Mexico. Am I correct in my understanding that the Budget Committee intends to crosswalk an additional $92 million to the Finance Committee from function 600?

Mr. DOMENICI. The Senator is correct.

I wish to thank the chairman for his cooperation, as well as that of the cosponsors of the amendment that I had anticipated offering.

My purpose in maintaining funds for the TAA program for firms, and in restoring funds for the TAA program for workers, is to insure that these important programs continue to provide assistance to firms and workers adversely impacted by imports.

As chairman of the Subcommittee on International Trade, I am committed to reauthorizing these programs and, in the case of the worker TAA program, to enhance its emphasis on retraining of dislocated workers.

Mr. President, hundreds of thousands of American workers have been laid off in industries adversely impacted by imports. Many of these individuals—whether in the automobile or steel industries, or involved in the manufacture of textiles and apparel or footwear—may never go back to work for the industry that represented their livelihood over the years. This is likely to be the case regardless of how long or how strong the economic recovery is. As the economy evolves, however, new jobs will be created for which qualified workers will be needed. Many of these jobs will be in sectors related to exports. Between 1977 and 1982, some four out of five of all new jobs created in the manufacturing sector were dependent on exports.

Therefore, if we are to offer help and hope to those workers who lose their jobs as a result of imports, we must be prepared to do two things: We must be aggressive in our efforts to maintain and further open foreign markets to U.S. exports and we must provide the assistance necessary to help these workers make the transition into new jobs in our economy. Both of these options are far, far preferable to a third alternative that is likely to be of more harm than good to our economy; namely, protectionism. By maintaining and enhancing the TAA program for workers, we are making a long-term investment in America's greatest resource—our human capital.

The changes in the TAA program for workers that were enacted in 1981 were designed to shift the program's traditional emphasis on cash benefits for workers displaced by imports toward a much stronger emphasis on retraining and relocation. With the money we have now placed in the budget, we will be able to further emphasize the retraining and relocation opportunities provided by the TAA program. These funds would enable us to insure training opportunities for any worker who qualifies for training under the TAA program by more than doubling the money made available in fiscal years 1982 and 1983. In addition, we would be able to provide supplemental assistance benefits to workers participating in a retraining program who may have exhausted UI or TAA cash benefits. The amounts available for workers for job search and relocation could be increased. Finally, TAA

coverage could be expanded to include individuals who work for independent suppliers of parts and services.

Mr. President, this is not a new program. The trade adjustment assistance was established by the Congress in the Trade Act of 1974. It was designed to compensate and help those American workers who lose their jobs because of import competition. Although the program is far from perfect, the need to assist such workers to adjust to new economic circumstances is clear. Between April 1975 and September 1982, some 1.35 million workers benefited from the trade adjustment assistance program—close to 64,000 in my home State of Missouri alone.

The need to maintain and improve programs such as the trade adjustment assistance program for workers and firms is clear. I commend the chairman of the Budget Committee for recognizing this and for insuring that adequate funding is available in the budget to accomplish the objectives of these important programs.

Mr. BRADLEY. Mr. President, I thank the chairman of the Budget Committee for explaining that the budget resolution includes $132 million in fiscal year 1984 for trade adjustment assistance. This represents nearly a $100-million increase in the current level of funding. It is my hope that the Finance Committee will use this additional money to expand the current program and target additional funding on retraining.

Mr. President, workers throughout this country in almost all of our industrial sectors are losing their jobs with no prospect of being recalled. Many of these workers are being displaced because of increased imports and the program which was specifically developed to aid import-displaced workers—the trade adjustment assistance program—is due to expire in September.

The TAA program has had its problems—there was not enough emphasis on adjustment and the administration of the program was cumbersome—but it represents a commitment by this Nation that those who bear the brunt of the adjustment burden because of liberal international trade policies are entitled to Government assistance. If we allow the program to expire this September, as proposed by the President, we will be breaking a commitment.

Instead I feel we should extend the program but we should base that extension on what we have learned from past problems and shift the emphasis to retraining. I am pleased that the resolution includes almost $100 million in increased funding for the program, although I am concerned that this is clearly insufficient to resolve the problems of import-displaced workers.

Adjustment problems will continue to be with us even if we get out of this recession. Indeed, the number of workers laid off because of trade will increase in the future. If we do not develop more effective adjustment programs for workers who lose their jobs because of trade, we will be wasting our most valuable resource—our workers. And many of our workers are sitting idle. A recently completed study of Ford workers laid off when the Mahwah, N.J., plant closed showed that 2 years after the plant closed, half the workers still had no jobs and of those over age 40, 61 percent were still jobless.

What we need to do is to target these funds to the workers who have permanently lost their jobs and who have to be retrained or relocated for new jobs. An increase of $100 million is not enough but it will help 15,000 to 20,000 workers shift to new productive jobs.

It is my hope that the Finance Committee will hold hearings on the extension and reform of the trade adjustment assistance program. I also hope that when the program is extended it will be expanded so that all workers who have to bear the brunt of the adjustment burden because of our free-trade policies are provided with assistance in qualifying for and finding new employment.

Mr. MOYNIHAN. Mr. President, I wish to commend the distinquished Senators from Missouri and New Mexico, Mr. DANFORTH, and Mr. DOMENICI, for their work insuring that $132 million is included in this budget for trade adjustment assistance for workers. This agreement obviates the necessity for an amendment, which was to be offered by Senators DANFORTH, HEINZ, BRADLEY, METZENBAUM, and myself.

While this money does not go nearly as far as legislation introduced by Senator HEINZ and I—S. 749—on March 10, I do believe it is important that the Senate register its support for the trade adjustment assistance program. Trade adjustment assistance represents a commitment made to the American worker two decades ago at the time of the Kennedy round of multilateral trade negotiations. We recognized then that while a policy of open trade is essential to a healthy domestic economy, important segments of the work force are adversely affected by import competition. Trade adjustment assistance is for those workers. It helps them pay the bills when they are unemployed and it enables them to receive training for new jobs in different sectors of the economy.

I regret that this administration has shown little interest in trade adjustment assistance and in fact proposes to let it die when its authorization expires September 30, 1983. By this action the Senate is sending a message to the President: Trade adjustment assistance is important to the U.S. Senate and it will be reauthorized. I look forward to working with the chairman of the International Trade Subcommittee and others as we go about the task of developing a new, improved trade adjustment assistance program.

Mr. METZENBAUM. Mr. President, I am pleased that Senator DOMENICI has agreed to insure that the budget set aside $132 million to help American workers who are hurt because of foreign imports. I also want to thank Senator DANFORTH for the leadership he displayed in bringing about this agreement. While I believe even more money is necessary to help retrain trade-impacted workers, I also believe that this commitment signals an important first step on the road to developing a meaningful retraining program for millions of displaced American workers.

This kind of program is desperately needed. Many of today's unemployed workers—and those threatened by layoffs in the future—will not be able to return to their old jobs. As a nation, we have an obligation to help these people who have been adversely affected by U.S. trade policies and a changing international economy. We must help give them the tools to fill the jobs of the eighties and beyond.

The current trade adjustment assistance program will expire at the end of this fiscal year. I know I share Senator DANFORTH's interest in developing a new trade readjustment program that actually does what its title implies. And I know that he would agree with me that the current trade adjustment program has led to far less "adjustment" than was intended.

I have offered a proposal to rewrite the current program. It would for the first time create a program which would truly lead to the retraining of millions of workers in trade-impacted industries. This proposal has several new features that distinguish it from the current program.

First, it would earmark one-third of all tariff revenues to be placed into a retraining trust fund administered by the Department of Labor. This approach clearly establishes the principle that those who are causing industry dislocation, the importers, should pay for the cost of readjustment.

Second, the bill would require individuals to enter and remain in qualified retraining programs in order to receive any funds under this program.

Third, the bill would encourage industries to relocate to trade-impacted areas by authorizing the trust fund to pay the costs of retraining programs required by the company. This incentive will help create jobs for those individuals going through retraining.

Other approaches to trade adjustment assistance have also been offered. I understand that Senator DANFORTH will hold hearings on the issue

later this year. I am grateful to know that we share a commitment to the principle of trade adjustment assistance and I look forward to working with him over the next few months to develop a responsible and effective program.

NUCLEAR FREEZE RESOLUTION

Mr. BYRD. Mr. President, I have indicated to the distinguished majority leader that I shall move to proceed to have the clerk state the message from the House of Representatives on House Joint Resolution 13, and I will ask for its first reading and I will ask for its second reading, which I doubt will occur.

Mr. BAKER. Mr. President, will the Senator yield?

Mr. BYRD. I yield.

Mr. BAKER. Mr. President, the minority leader advised me of this yesterday. This is the nuclear freeze resolution from the House of Representatives.

The minority leader is moving in accordance with the rules of the Senate through provisions of rule XIV, and he has the absolute right to do that.

He is correct that there will not be an objection, of course, to his asking for the first reading, but I will in due course object to further proceedings.

Mr. BYRD. I thank the distinguished majority leader. May I say, I do this on behalf of Senators who have requested that I do it.

The PRESIDING OFFICER. The clerk will state the resolution for the first time.

The bill clerk read as follows:

A House joint resolution (H.J. Res. 13) calling for a mutual and verifiable freeze on and reductions in nuclear weapons.

Mr. BYRD. Mr. President, I ask that the resolution be read a second time.

The PRESIDING OFFICER. Is there objection to the request of the Senator from West Virginia?

Mr. BAKER. Mr. President, I object to further proceedings with the resolution.

The PRESIDING OFFICER. Objection is heard.

Pursuant to rule XIV the joint resolution having received the first reading will remain at the desk pending the second reading on the next legislative day.

ORDER FOR ADJOURNMENT UNTIL MONDAY

Mr. BAKER. Mr. President, I ask unanimous consent that when the Senate completes its business today it stand in adjournment until 12 noon Monday next.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER OF PROCEDURE ON MONDAY

Mr. BAKER. Mr. President, I further ask unanimous consent that when the Senate reconvenes on Monday, May 9, the reading of the Journal be dispensed with, no resolutions come over under the rule, the call of the calendar be dispensed with, and following the time allocated to the two leaders under the standing order there be a period for the transaction of routine morning business not to extend beyond 10 minutes in length with Senators permitted to speak for not more than 5 minutes each and provided further, Mr. President, that the morning hour be deemed to have expired.

The PRESIDING OFFICER. Without objection, it is so ordered.

FIRST CONCURRENT BUDGET RESOLUTION—FISCAL YEAR 1984

The Senate resumed consideration of the concurrent resolution.

Mr. BAKER. Mr. President, I am told by the manager on this side and I believe the manager on the other side is of a similar view, that it is unlikely that we can get much more done this afternoon. I had hoped that we could get another vote, but it does not look like it is probable.

I believe there is a Nunn amendment to be offered which may be laid aside temporarily after it is brought up and the Domenici substitute which may be offered today but will not be voted on.

Mr. President, I now wish to say to the Senate that there will be no more record votes today.

amendment no. 1242

(Purpose: To add additional funds for national defense)

Mr. CHILES. Mr. President, I send to the desk an amendment on behalf of Senator NUNN and Senator JACKSON and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated.

The bill clerk read as follows:

The Senator from Florida (Mr. CHILES), for himself, Mr. JACKSON, and Mr. NUNN, proposes an amendment numbered 1242.

Mr. CHILES. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Florida.

Mr. DOMENICI. Mr. President, reserving the right to object, I say to my good friend I have not seen that amendment. I assume it is consistent with the Budget Act.

Mr. CHILES. It is consistent with the Budget Act. They may wish to make some modification to it on Monday. It primarily is changing the defense number from the resolution, adding some to the defense number, and I am submitting it on their behalf and my understanding is that this would be the pending business when we come in on Monday.

Mr. DOMENICI. I have no objection.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

On page 3, increase the figure on line 13 by $6,300,000,000.

On page 3, increase the figure on line 14 by $5,700,000,000.

On page 3, increase the figure on line 15 by $3,000,000,000.

On page 3, increase the figure on line 19 by $1,900,000,000.

On page 3, decrease the figure on line 20 by $200,000,000.

On page 3, decrease the figure on line 21 by $1,500,000,000.

On page 4, increase the figure on line 2 by $1,900,000,000.

On page 4, decrease the figure on line 3 by $200,000,000.

On page 4, decrease the figure on line 6 by $1,500,000,000.

On page 4, increase the figure on line 7 by $1,900,000,000.

On page 4, decrease the figure on line 8 by $1,700,000,000.

On page 4, increase the figure on line 9 by $200,000,000.

On page 4, increase the figure on line 14 by $1,900,000,000.

On page 4, decrease the figure on line 15 by $200,000,000.

On page 4, decrease the figure on line 16 by $1,500,000,000.

On page 6, increase the figure on line 5 by $6,200,000,000.

On page 6, increase the figure on line 6 by $1,800,000,000.

On page 6, increase the figure on line 11 by $5,600,000,000.

On page 6, decrease the figure on line 12 by $300,000,000.

On page 6, increase the figure on line 17 by $2,900,000,000.

On page 6, decrease the figure on line 18 by $1,600,000,000.

The PRESIDING OFFICER. Who yields time?

Mr. DOMENICI. Mr. President, unless someone wants some time on the resolution, I need a few moments, and I suggest the absence of a quorum and ask unanimous consent that it be charged to our side.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. DOMENICI. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr DOMENICI. Mr. President, consistent with what the distinguished minority leader and the floor manager of the bill, Senator CHILES, understood, I intend to send to the desk a Domenici-Baker substitute.

I think in order to accomplish that, I must ask unanimous consent that the pending amendment, the Nunn-Jackson amendment, be temporarily laid

aside so that I might introduce my substitute.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 1243

Mr. DOMENICI. Mr. President, I send my substitute, in behalf of myself and the distinguished majority leader, Senator BAKER, to the desk.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from New Mexico (Mr. DOMENICI), for himself and Mr. BAKER, proposes an amendment numbered 1243 in the nature of a substitute.

Mr. DOMENICI. Mr. President, I ask unanimous consent that further reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

On page 1, strike all after the resolving clause and insert the following:

That the Congress hereby determines and declares that the concurrent resolution on the budget for fiscal year 1983 is hereby revised, the first concurrent resolution on the budget for fiscal year 1984 is hereby established, and the appropriate budgetary levels for fiscal year 1985 are hereby set forth:

(a) The following budgetary levels are appropriate for the fiscal years beginning on October 1, 1982, October 1, 1983, and October 1, 1984:

(1) The recommended levels of Federal revenues are as follows:

Fiscal year 1983: $603,100,000,000.
Fiscal year 1984: $658,000,000,000.
Fiscal year 1985: $729,200,000,000.

and the amounts by which the aggregate levels of Federal revenues should be changed are as follows:

Fiscal year 1983: −$100,000,000.
Fiscal year 1984: +$2,600,000,000.
Fiscal year 1985: +$5,700,000,000

and the amounts for Federal Insurance Contributions Act revenues for hospital insurance within the recommended levels of Federal revenues are as follows:

Fiscal year 1983: $35,900,000,000.
Fiscal year 1984: $39,700,000,000.
Fiscal year 1985: $44,200,000,000.

and the amounts for Insurance Contributions Act revenues and other revenues pursuant to Public Law 98-21 for old age, survivors, and disability insurance within the recommended levels of Federal revenues are as follows:

Fiscal year 1983: $148,500,000,000.
Fiscal year 1984: $166,500,000,000.
Fiscal year 1985: $187,700,000,000.

(2) The appropriate levels of total new budget outlays are as follows:

Fiscal year 1983: $876,200,000,000.
Fiscal year 1984: $918,000,000,000.
Fiscal year 1985: $990,300,000,000.

(3) The appropriate levels of total budget outlays are as follows:

Fiscal year 1983: $807,100,000,000.
Fiscal year 1984: $850,400,000,000.
Fiscal year 1985: $915,500,000,000.

(4) The amounts of the deficits in the budget which are appropirate in the light of economic conditions and all other relevant factors are as follows:

Fiscal year 1983: $204,000,000,000.
Fiscal year 1984; $192,400,000,000.
Fiscal year 1985; $186,300,000,000.

(5) The appropriate levels of the public debt are as follows:

Fiscal year 1983; $1,383,900,000,000.
Fiscal year 1984; $1,620,200,000,000.
Fiscal year 1985; $1,857,200,000,000.

and the amounts by which the temporary statutory limits on such debt should be accordingly increased are as follows:

Fiscal year 1983; $93,700,000,000.
Fiscal year 1984; $236,300,000,000.
Fiscal year 1985; $237,000,000,000.

(6) The appropriate levels of total Federal credit activity for the fiscal years beginning on October 1, 1982, October 1, 1983, October 1, 1984, and October 1, 1985, are as follows:

Fiscal year 1983:
(A) New direct loan obligations, $55,400,000,000.
(B) New loan guarantee commitments, $94,500,000,000.
Fiscal year 1984:
(A) New direct loan obligations, $48,200,000,000.
(B) New loan guarantee commitments, $94,500,000,000.
Fiscal year 1985:
(A) New direct loan obligations, $48,100,000,000.
(B) New loan guarantee commitments, $97,400,000,000.

(b) The Congress hereby determines and declares the appropriate levels of budget authority and budget outlays, and the appropriate levels of new direct loan obligations and new loan guarantee commitments for fiscal years 1983 through 1986 for each major functional category are:

(1) National Defense (050):
Fiscal year 1983:
(A) New budget authority, $244,600,000,000.
(B) Outlays, $214,300,000,000.
(C) New direct loan obligations, $0.
(D) New loan guarantee commitments, $0.
Fiscal year 1984:
(A) New budget authority, $275,000,000,000.
(B) Outlays, $241,800,000,000.
(C) New direct loan obligations, $0.
(D) New loan guarantee commitments, $0.
Fiscal year 1985:
(A) New budget authority, $304,300,000,000.
(B) Outlays, $272,600,000,000.
(C) New direct loan obligations, $0.
(D) New loan guarantee commitments, $0.

(2) International Affairs (150):
Fiscal year 1983:
(A) New budget authority, $24,900,000,000.
(B) Outlays, $11,500,000,000.
(C) New direct loan obligations, $11,700,000,000.
(D) New loan guarantee commitments, $9,200,000,000.
Fiscal year 1984:
(A) New budget authority, $18,200,000,000.
(B) Outlays, $12,700,000,000.
(C) New direct loan obligations, $11,200,000,000.
(D) New loan guarantee commitments, $10,300,000,000.
Fiscal year 1985:
(A) New budget authority, $16,500,000,000.
(B) Outlays, $12,800,000,000.
(C) New direct loan obligations, $11,500,000,000.
(D) New loan guarantee commitments, $10,300,000,000.

(3) General Science, Space, and Technology (250):
Fiscal year 1983:
(A) New budget authority, $7,900,000,000.
(B) Outlays, $7,700,000,000.
(C) New direct loan obligations, $200,000,000.
(D) New loan guarantee commitments, $0.
Fiscal year 1984:
(A) New budget authority, $8,500,000,000.
(B) Outlays, $8,200,000,000.
(C) New direct loan obligations, $37,000,000.
(D) New loan guarantee commitments, $0.
Fiscal year 1985:
(A) New budget authority, $8,500,000,000.
(B) Outlays, $8,500,000,000.
(C) New direct loan obligations, $0.
(D) New loan guarantee commitments, $0.

(4) Energy (270):
Fiscal year 1983:
(A) New budget authority, $4,000,000,000.
(B) Outlays, $4,600,000,000.
(C) New direct loan obligations, $13,100,000,000.
(D) New loan guarantee commitments, $200,000,000.
Fiscal year 19884:
(A) New budget authority, $3,900,000,000.
(B) Outlays, $4,100,000,000.
(C) New direct loan obligations, $13,900,000,000.
(D) New loan guarantee commitments, $200,000,000.
Fiscal year 19885:
(A) New budget authority, $3,600,000,000.
(B) Outlays, $2,900,000,000.
(C) New direct loan obligations, $14,300,000,000.
(D) New loan guarantee commitments, $0.

(5) Natural Resources and Environment (300):
Fiscal year 19883:
(A) New budget authority, $12,500,000,000.
(B) Outlays, $12,800,000,000.
(C) New direct loan obligations, $100,000,000.
(D) New loan guarantee commitments, $0.
Fiscal year 19884:
(A) New budget authority, $12,000,000,000.
(B) Outlays, $12,500,000,000.
(C) New direct loan obligations, $27,000,000.
(D) New Loan guarantee commitments, $0.
Fiscal year 19885:
(A) New budget authority, $12,200,000,000.
(B) Outlays, $12,600,000,000.
(C) New direct loan obligations, $27,000,000.
(D) New Loan guarantee commitments, $0.

(6) Agriculture (350):
Fiscal year 1983:
(A) New budget authority, $24,200,000,000.
(B) Outlays, $24,000,000,000.
(C) New direct loan obligations, $18,600,000,000.
(D) New Loan guarantee commitments, $5,500,000,000.
Fiscal year 1984:
(A) New budget authority, $11,600,000,000.
(B) Outlays, $11,400,000,000.
(C) New direct loan obligations, $12,100,000,000.
(D) New Loan guarantee commitments, $3,800,000,000.
Fiscal year 1985:
(A) New budget authority, $14,000,000,000.
(B) Outlays, $12,300,000,000.
(C) New direct loan obligations, $11,700,000,000.
(D) New loan guarantee commitments, $3,800,000,000.

(7) Commerce and Housing Credit (370):
Fiscal year 1983:
(A) New budget authority, $5,200,000,000.
(B) Outlays, $2,700,000,000.
(C) New direct loan obligations, $6,500,000,000.

(D) New loan guarantee commitments, $48,700,000,000.
Fiscal year 1984:
(A) New budget authority, $5,900,000,000.
(B) Outlays, $1,800,000,000.
(C) New direct loan obligations, $6,400,000,000.
(D) New loan guarantee commitments, $48,700,000,000.
Fiscal year 1985:
(A) New budget authority, $6,500,000,000.
(B) Outlays, $0.
(C) New direct loan obligations, $6,300,000,000.
(D) New loan guarantee commitments, $48,700,000,000.
(8) Transportation (400):
Fiscal year 1983:
(A) New budget authority, $26,800,000,000.
(B) Outlays, $22,100,000,000.
(C) New direct loan obligations, $200,000,000.
(D) New loan guarantee commitments, $1,100,000,000.
Fiscal year 1984:
(A) New budget authority, $27,700,000,000.
(B) Outlays, $25,900,000,000.
(C) New direct loan obligations, $100,000,000.
(D) New loan guarantee commitments, $600,000,000.
Fiscal year 1985:
(A) New budget authority, $28,400,000,000.
(B) Outlays, $26,900,000,000.
(C) New direct loan obligations, $100,000,000.
(D) New loan guarantee commitments, $400,000,000.
(9) Community and Regional Development (450):
Fiscal year 1983:
(A) New budget authority, $8,300,000,000.
(B) Outlays, $7,900,000,000.
(C) New direct loan obligations, $2,100,000,000.
(D) New loan guarantee commitments, $500,000,000.
Fiscal year 1984:
(A) New budget authority, $6,600,000,000.
(B) Outlays, $8,100,000,000.
(C) New direct loan obligations, $1,700,000,000.
(D) New loan guarantee commitments, $300,000,000.
Fiscal year 1985:
(A) New budget authority, $7,100,000,000.
(B) Outlays, $8,200,000,000.
(C) New direct loan obligations, $1,800,000,000.
(D) New loan guarantee commitments, $300,000,000.
(10) Education, Training, Employment, and Social Services (500):
Fiscal year 1983:
(A) New budget authority, $28,000,000,000.
(B) Outlays, $26,800,000,000.
(C) New direct loan obligations, $600,000,000.
(D) New loan guarantee commitments, $6,500,000,000.
Fiscal year 1984:
(A) New budget authority, $30,800,000,000.
(B) Outlays, $27,000,000,000.
(C) New direct loan obligations, $700,000,000.
(D) New loan guarantee commitments, $6,600,000,000.
Fiscal year 1985:
(A) New budget authority, $27,500,000,000.
(B) Outlays, $27,400,000,000.
(C) New direct loan obligations, $700,000,000.
(D) New loan guarantee commitments, $6,600,000,000.
(11) Health (550):
Fiscal year 1983:
(A) New budget authority, $25,100,000,000.
(B) Outlays, $29,600,000,000.
(C) New direct loan obligations, $47,000,000.
(D) New loan guarantee commitments, $200,000,000.
Fiscal year 1984:
(A) New budget authority, $31,800,000,000.
(B) Outlays, $31,800,000,000.
(C) New direct loan obligations, $29,000,000.
(D) New loan guarantee commitments, $300,000,000.
Fiscal year 1985:
(A) New budget authority, $35,000,000,000.
(B) Outlays, $34,500,000,000.
(C) New direct loan obligations, $28,000,000.
(D) New loan guarantee commitments, $300,000,000.
(12) Medical Insurance (570):
Fiscal year 1983:
(A) New budget authority, $46,100,000,000.
(B) Outlays, $53,100,000,000.
(C) New direct loan obligations, $0.
(D) New loan guarantee commitments, $0.
Fiscal year 1984:
(A) New budget authority, $61,400,000,000.
(B) Outlays, $60,300,000,000.
(C) New direct loan obligations, $0.
(D) New loan guarantee commitments, $0.
Fiscal year 1985:
(A) New budget authority, $69,400,000,000.
(B) Outlays, $68,300,000,000.
(C) New direct loan obligations, $0.
(D) New loan guarantee commitments, $0.
(13) Income Security (600):
Fiscal year 1983:
(A) New budget authority, $121,700,000,000.
(B) Outlays, $110,200,000,000.
(C) New direct loan obligations, $1,000,000,000.
(D) New loan guarantee commitments, $14,600,000,000.
Fiscal year 1984:
(A) New budget authority, $126,000,000,000.
(B) Outlays, $104,100,000,000.
(C) New direct loan obligations, $1,000,000,000.
(D) New loan guarantee commitments, $14,700,000,000.
Fiscal year 1985:
(A) New budget authority, $127,500,000,000.
(B) Outlays, $105,500,000,000.
(C) New direct loan obligations, $800,000,000.
(D) New loan guarantee commitments, $16,500,000,000.
(14) Social Security (650):
Fiscal year 1983:
(A) New budget authority, $184,100,000,000.
(B) Outlays, $167,600,000,000.
(C) New direct loan obligations, $0.
(D) New loan guarantee commitments, $0.
Fiscal year 1984:
(A) New budget authority, $174,900,000,000.
(B) Outlays, $177,100,000,000.
(C) New direct loan obligations, $0.
(D) New loan guarantee commitments, $0.
Fiscal year 1985:
(A) New budget authority, $194,700,000,000.
(B) Outlays, $188,400,000,000.
(C) New direct loan obligations, $0.
(D) New loan guarantee commitments, $0.
(15) Veterans Benefits and Services (700):
Fiscal year 1983:
(A) New budget authority, $25,200,000,000.
(B) Outlays, $24,500,000,000.
(C) New direct loan obligations, $1,000,000,000.
(D) New loan guarantee commitments, $8,000,000,000.
Fiscal year 1984:
(A) New budget authority, $25,700,000,000.
(B) Outlays, $25,700,000,000.
(C) New direct loan obligations, $800,000,000.
(D) New loan guarantee commitments, $9,000,000,000.
Fiscal year 1985:
(A) New budget authority, $26,800,000,000.
(B) Outlays, $26,400,000,000.
(C) New direct loan obligations, $600,000,000.
(D) New loan guarantee commitments, $10,500,000,000.
(16) Administration of Justice (750):
Fiscal year 1983:
(A) New budget authority, $5,200,000,000.
(B) Outlays, $5,100,000,000.
(C) New direct loan obligations, $0.
(D) New loan guara...ee commitments, $0.
Fiscal year 1984:
(A) New budget authority, $6,000,000,000.
(B) Outlays, $6,000,000,000.
(C) New direct loan obligations, $0.
(D) New loan guarantee commitments, $0.
Fiscal year 1985:
(A) New budget authority, $5,800,000,000.
(B) Outlays, $5,900,000,000.
(C) New direct loan obligations, $0.
(D) New loan guarantee commitments, $0.
(17) General Government (800):
Fiscal year 1983:
(A) New budget authority, $5,600,000,000.
(B) Outlays, $5,700,000,000.
(C) New direct loan obligations, $0.
(D) New loan guarantee commitments, $0.
Fiscal year 1984:
(A) New budget authority, $5,700,000,000.
(B) Outlays, $5,700,000,000.
(C) New direct loan obligations, $0.
(D) New loan guarantee commitments, $0.
Fiscal year 1985:
(A) New budget authority, $6,000,000,000.
(B) Outlays, $5,800,000,000.
(C) New direct loan obligations, $0.
(D) New loan guarantee commitments, $0.
(18) General Purpose Fiscal Assistance (850):
Fiscal year 1983:
(A) New budget authority, $6,400,000,000.
(B) Outlays, $6,400,000,000.
(C) New direct loan obligations, $300,000,000.
(D) New loan guarantee commitments, $0.
Fiscal year 1984:
(A) New budget authority, $7,100,000,000.
(B) Outlays, $7,000,000,000.
(C) New direct loan obligations, $300,000,000.
(D) New loan guarantee commitments, $0.
Fiscal year 1985:
(A) New budget authority, $7,200,000,000.
(B) Outlays, $7,100,000,000.
(C) New direct loan obligations, $300,000,000.
(D) New loan guarantee commitments, $0.
(19) Net Interest (900):
Fiscal year 1983:
(A) New budget authority, $87,600,000,000.
(B) Outlays, $87,600,000,000.
(C) New direct loan obligations, $0.
(D) New loan guarantee commitments, $0.
Fiscal year 1984:
(A) New budget authority, $96,500,000,000.
(B) Outlays, $96,500,000,000.
(C) New direct loan obligations, $0.
(D) New loan guarantee commitments, $0.

Fiscal year 1985:
(A) New budget authority, $106,100,000,000.
(B) Outlays, $106,100,000,000.
(C) New direct loan obligations, $0.
(D) New loan guarantee commitments, $0.
(20) Allowances (920):
Fiscal year 1983:
(A) New budget authority, $800,000,000.
(B) Outlays, $900,000,000.
(C) New direct loan obligations, $0.
(D) New loan guarantee commitments, $0.
Fiscal year 1984:
(A) New budget authority, $600,000,000.
(B) Outlays, $600,000,000.
(C) New direct loan obligations, $0.
(D) New loan guarantee commitments, $0.
Fiscal year 1985:
(A) New budget authority, $1,900,000,000.
(B) Outlays, $2,000,000,000.
(C) New direct loan obligations, $0.
(D) New loan guarantee commitments, $0.
(21) Undistributed Offsetting Receipts (950):
Fiscal year 1983:
(A) New budget authority, −$18,000,000,000.
(B) Outlays, −$18,000,000,000.
(C) New direct loan obligations, $0.
(D) New loan guarantee commitments, $0.
Fiscal year 1984:
(A) New budget authority, −$17,900,000,000.
(B) Outlays, −$17,900,000,000.
(C) New direct loan obligations, $0.
(D) New loan guarantee commitments, $0.
Fiscal year 1985:
(A) New budget authority, −$18,700,000,000.
(B) Outlays, −$18,700,000,000.
(C) New direct loan obligations, $0.
(D) New loan guarantee commitments, $0.

RECONCILIATION

SEC. 2. (a) Not later than June 6, 1983, the Senate committees named in subsections (b) through (f) of this section shall submit their recommendations to the Senate Committee on the Budget and not later than June 6, 1983, the House committees named in subsections (g) through (l) of this section shall submit their recommendations to the House Committee on the Budget. After receiving those recommendations, the Committees on the Budget shall report to the House and Senate a reconciliation bill or resolution or both carrying out all such recommendations without any substantive revision.

SENATE COMMITTEES

(b) The Senate Committee on Agriculture, Nutrition, and Forestry shall report changes in laws within the jurisdiction of that committee, (A) to require reductions in appropriations for programs authorized by that committee so as to achieve savings in budget authority and outlays, or (B) which provide spending authority as defined in section 401(c)(2)(C) of Public Law 93-344, sufficient to reduce budget authority and outlays, or (C) any combination thereof, as follows: $1,243,000,000 in budget authority and $1,243,000,000 in outlays in fiscal year 1984; and $1,332,000,000 in budget authority and $1,332,000,000 in outlays in fiscal year 1985.

(c)(1) The Senate Committee on Finance shall report changes in laws within the jurisdiction of that committee which provide spending authority as defined in section 401(c)(2)(C) of Public Law 93-344, sufficient to reduce outlays by $856,000,000 in fiscal year 1984; and to reduce outlays by $2,024,000,000 in fiscal year 1985.

(2) The Senate Committee on Finance shall report changes in laws within the jurisdiction of that committee sufficient to increase revenues as follows: $2,600,000,000 in fiscal year 1984; and $5,700,000,000 in fiscal year 1985.

(d) The Senate Committee on Governmental Affairs shall report changes in laws within the jurisdiction of that committee which provide spending authority as defined in section 401(c)(2)(C) of Public Law 93-344, sufficient to reduce budget authority by $285,000,000 and outlays by $534,000,000 in fiscal year 1984; and to reduce budget authority by $368,000,000 and outlays by $834,000,000 in fiscal year 1985.

(e) The Senate Committee on Small Business shall report changes in laws within the jurisdiction of that committee to require reductions in appropriations for programs authorized by that committee so as to achieve savings in budget authority and outlays as follows: $139,000,000 in budget authority and $287,000,000 in outlays in fiscal year 1984; and $555,000,000 in budget authority and $466,000,000 in outlays in fiscal year 1985.

(f) The Senate Committee on Veterans' Affairs shall report changes in laws within the jurisdiction of that committee which provide spending authority as defined in section 401(c)(2)(C) of Public Law 93-344, sufficient to reduce budget authority by $202,000,000 and outlays by $201,000,000 in fiscal year 1984; and to reduce budget authority by $117,000,000 and outlays by $115,000,000 in fiscal year 1985.

HOUSE COMMITTEES

(g) The House Committee on Agriculture shall report changes in laws within the jurisdiction of that committee, (A) to require reductions in appropriations for programs authorized by that committee so as to achieve savings in budget authority and outlays, or (B) which provide spending authority as defined in section 401(c)(2)(C) of Public Law 93-344, sufficient to reduce budget authority and outlays, or (C) any combination thereof, as follows: $1,243,000,000 in budget authority and $1,243,000,000 in outlays in fiscal year 1984; and $1,332,000,000 in budget authority and $1,332,000,000 in outlays in fiscal year 1985.

(h) The House Committee on Energy and Commerce shall report changes in laws within the jurisdiction of that committee which provide spending authority as defined in section 401(c)(2)(C) of Public Law 93-344, sufficient to reduce outlays by $816,000,000 in fiscal year 1984; and to reduce outlays by $1,538,000,000 in fiscal year 1985.

(i) The House Committee on Post Office and Civil Service shall report changes in laws within the jurisdiction of that committee which provide spending authority as defined in section 401(c)(2)(C) of Public Law 93-344, sufficient to reduce budget authority by $258,000,000 and outlays by $534,000,000 in fiscal year 1984; and to reduce budget authority by $368,000,000 and outlays by $834,000,000 in fiscal year 1985.

(j) The House Committee on Small Business shall report changes in law within the jurisdiction of that committee to require reductions in appropriations for programs authorized by that committee so as to achieve savings in budget authority and outlays as follows: $139,000,000 in budget authority and $287,000,000 in outlays in fiscal year 1984; and $555,000,000 in budget authority and $466,000,000 in outlays in fiscal year 1985.

(k) The House Committee on Veterans' Affairs shall report changes in laws within the jurisdiction of that committee which provide spending authority as defined in section 401(c)(2)(C) of Public Law 93-344, sufficient to reduce budget authority by $202,000,000 and outlays by $201,000,000 in fiscal year 1984; and to reduce budget authority by $117,000,000 and outlays by $115,000,000 in fiscal year 1985.

(l)(1) The House Committee on Ways and Means shall report changes in laws within the jurisdiction of that committee which provide spending authority as defined in section 401(c)(2)(C) of Public Law 93-344, sufficient to reduce outlays by $849,000,000 in fiscal year 1984; and to reduce outlays by $1,481,000,000 in fiscal year 1985.

(2) The House Committee on Ways and Means shall report changes in laws within the jurisdiction of that committee sufficient to increase revenues as follows: $2,600,000,000 in fiscal year 1984; and $5,700,000,000 in fiscal year 1985.

DEFICIT REDUCTION PATH

SEC. 3. It is the sense of the Congress that further deficit reduction actions will be necessary in Fiscal Years 1986-88 in order to insure a long-lasting economic recovery. While one Congress cannot bind another, the Congress recognizes that the President has recommended Fiscal Year 1986-88 revenue increases and spending restraint that would yield a predictable path of declining deficits. The Congress endorses actions of this magnitude if the deficits exceed 2.5 percent of the Gross National Product of the Nation. The President estimates that such actions would yield deficits in the range of $144.6 billion in Fiscal Year 1986, $136.6 billion in Fiscal Year 1987, and $102.4 billion in Fiscal Year 1988. The Congress further recognizes that if the economic recovery approximates the typical post-World War II economic recovery, deficits will be more on the order of $110 billion in Fiscal Year 1986, $90 billion in Fiscal Year 1987, and $60 billion in Fiscal Year 1988. The Congress realizes the extreme uncertainty involved in any out-year forecasts of the economy and that deficit, unemployment, and inflation predictions three years hence may be wrong. In light of these uncertainties, the Congress believes it unwise to take actions now that may exacerbate economic problems in the future.

MISCELLANEOUS PROVISIONS

SEC. 4. It shall not be in order in either the House of Representatives or the Senate to consider any bill or resolution, or amendment thereto, providing—

(1) new budget authority for fiscal year 1984; or

(2) new spending authority described in section 401(c)(2)(C) of the Budget Act first effective in fiscal year 1984.

within the jurisdiction of any of its committees unless and until such committee makes the allocations or subdivisions required by section 302(b) of the Budget Act, in connection with the most recently agreed to concurrent resolution on the budget.

SEC. 5. It is the sense of the Congress that the President and the Congress, through the appropriations process, should limit the on-budget new direct loan obligations of the Federal Government to an amount not to exceed $37,600,000,000 in fiscal year 1983 and $29,300,000,000 in fiscal year 1984; off-budget new direct loan obligations to an amount not to exceed $17,800,000,000 in fiscal year 1983 and $18,900,000,000 in fiscal year 1984; and new loan guarantee commitments to an amount not to exceed $94,500,000,000 in fiscal year 1983 and $94,500,000,000 in fiscal year 1984. It is fur-

ther the sense of the Congress that the President and the Congress should limit total Federal Financing Bank origination of direct loans guaranteed by other Federal agencies to $16,200,000,000 in fiscal year 1983 and $17,300,000,000 in fiscal year 1984, and Federal Financing Bank purchases of certificates of beneficial ownership from Federal agencies to $11,500,000,000 in fiscal year 1983 and $13,200,000,000 in fiscal year 1984. It is further the sense of the Congress that direct borrowing transactions of Federal agencies should be, to the maximum extent possible, restricted to the Federal Financing Bank.

SEC. 6. (a) The joint explanatory statement accompanying the conference report on this resolution shall include an estimated allocation, based upon the first section of this resolution as recommended in such conference report, of the appropriate levels of total new direct loan obligations and new loan guarantee commitments for fiscal year 1983 and fiscal year 1984, among each committee of the House of Representatives and the Senate which has jurisdiction over bills and resolutions providing such new obligations and commitments.

(b) As soon as practicable after this resolution is agreed to, every committee of each House, after consulting with the committee or committees of the other House to which all or part of the allocation has been made, shall subdivide among its subcommittees the allocation of new direct loan obligations and new loan guarantee commitments for fiscal year 1983 and fiscal year 1984, allocated to it in the joint explanatory statement accompanying the conference report on this resolution.

SEC. 7. It is the sense of the Congress that the budgets of Federal agencies initiating Federal Financing Bank purchases of certificates of beneficial ownership and originations of guaranteed loans should include the budget authority and outlays resulting from the transactions. The Congress recommends that the committees with jurisdiction over the Federal Financing Bank Act of 1973 consider expeditiously legislation to require that the budgetary impact of such Federal Financing Bank transactions be included in the budgets of the initiating agencies beginning with the fiscal year 1985 budget.

Mr. DOMENICI. Mr. President, I send this amendment to the desk in the form of a substitute to the pending resolution. This substitute contains a 2-year budget plan that, in the view of this Senator, is more responsive to our genuine uncertainty about our economic future than is the committee recommendation.

First and most important, Mr. President, this substitute retains the bipartisan recommendations of the Senate Budget Committee on domestic spending—including both selected increases in high-priority areas and significant savings in other programs.

This substitute contains all of the savings in key programs contained in the original committee recommendation. This includes important entitlement savings in the areas of medicare, medicaid, farm price supports, and changes in cost-of-living provisions for all Federal retirement programs to bring them in line with the recently enacted social security amendments. These savings will be achieved through the reconciliation process, just as is the case in the committee recommendation. And although this is only a 2-year resolution, once the relevant laws are changed, these savings will lower Federal spending many years into the future.

Second, Mr. President, this substitute provides a small increase above the Senate Budget Committee recommendation for national defense. As my colleagues in this Chamber are well aware, the committee debated at length the President's proposals for national defense. Ultimately, the committee voted to restrain the President's request for 10 percent real growth in defense budget authority to about 5 percent in fiscal year 1984, with slightly larger increases in subsequent years. Many members of the committee took this action with strong reservations and only because there did not appear to be a practical compromise available at that time.

This substitute offers a middle ground on the defense issue. It provides for 7½ percent real growth in defense budget authority in fiscal year 1984 and 5 percent in fiscal year 1985. It provides for $8 billion more in budget authority and $0.3 billion more in outlays for defense in fiscal year 1984 and $4.8 billion more in budget authority and $1.9 billion more outlays in fiscal year 1985 than the committee recommendation.

Finally, Mr. President, this substitute reduces substantially the very large tax increases contained in the committee recommendation. This substitute provides for $2.6 billion in higher taxes in fiscal 1984 and $5.7 billion in fiscal year 1985. These amounts were recommended by the President in his April budget update.

This compares to the recommended tax increases of almost $70 billion in the pending budget resolution, that is, $30.2 billion in 1984 and $39.1 billion in 1985. The taxes contained in this substitute could be achieved through a variety of tax proposals, including additional tax reform measures and/or the adoption of such proposals as the President's proposed legislation on the taxation of employer health benefits.

As per previous resolutions, the specific changes in law necessary to achieve these revenue increases is left totally within the jurisdiction of the taxing committees of both Houses.

Mr. President, some of my colleagues may be concerned that this resolution is a 2-year document. This is true in form only.

As I indicated previously, the changes in law to reduce spending made this year will be permanent. These actions will reduce domestic spending for not just 2 or 3 or even 5 years, but many years into the future.

Second, we must not forget that the appropriations process is a 1-year process. We have held down the level of nondefense discretionary spending in fiscal year 1984 with the assumption of additional savings in future years. As a practical matter, however, the assumptions for future year savings in these programs will have to be debated again next year, whether we call this a 1-year or a 2-year or a 3-year resolution.

But, most importantly, I think we need a dose of realism about what the Congress can reasonably and prudently expect to accomplish in 1 year. Actions taken in this budget resolution cannot bind future Congresses 2 or 4 years hence. Plans made this year to reduce spending or increase taxes 3 or 4 years hence are empty promises unless the Congress enacts changes in law that take effect several years into the future. Congress has always been reluctant to take such actions because circumstances change.

We cannot foretell the future. Indeed, we do not appear to be able even to foretell the present very well.

Let us just look for a moment at our experience during the past 2 years. In the spring of 1981 the budget resolution assumed that the economy would grow 4.2 percent in calendar 1982. The consensus of other economists suggested that the economy would grow by at least 3 to 3½ percent.

As we moved through 1981, economists became more pessimistic. By the fall, they projected that the economy would grow only 2.5 percent in 1982. Our own Congressional Budget Office, for example, expected that the economy would grow 3.1 percent in 1982.

But, unfortunately, the recession that everyone thought would be over quickly hung on throughout 1982. Even in the spring of 1982, that is, with 3 months of the calendar year already over, most economists were still projecting that the recession would be about average in comparison to other postwar recessions and that the economy would decline about 1 percent for the year.

What actually happened? The economy declined 1.8 percent in 1982 and we slugged our way through the worst recession in postwar history.

The results of the recession were as devastating for the budget as for the economy. If we look at the difference between our initial projections and the final outcome, real growth in the economy was 6 percentage points lower in 1982 than expected a year and a half earlier and over 5 percent lower compared to the consensus projections. This series of economic reestimates added over $60 billion to our 1982 budget deficit and much larger amounts to future deficits. Indeed, the circumstances that we faced last year were quite different from what we expected a year earlier.

Now, I ask my colleagues, what would have happened if we had elimi-

nated the tax cuts that were in place last July, at the very depth of the recession? Catastrophe, certainly. If, in 1981, we had set policy on automatic pilot and put severely restrictive budget actions in place, in anticipation of good solid economic growth, we almost certainly would have made the recession far worse.

I do not want to suggest, however, that we should not plan ahead and that we should not show leadership in assuring financial markets that deficits will be lower in future years. This substitute contains sense-of-the-Congress language that recognizes that additional actions will be necessary to reduce deficits after 1985. This language recognizes that the President has submitted proposals for subtantial out-year changes in taxes and spending in order to bring the budget deficits down. This substitute language endorses actions of this magnitude—and the deficit levels proposed by the President in his April budget update—as appropriate fiscal goals. These deficits decline from $144.6 billion in fiscal year 1986 to $136.6 billion in fiscal year 1987 to $102.4 billion in fiscal year 1988.

But make no mistake about it, the most important issue in this budget debate is the spending issue. Each Senator knows, if he is really honest with himself, that we have essentially made that decision already.

The substitute budget resolution that I put before the Senate today retains the domestic spending levels that the Senate Budget Committee members supported—Republican and Democrat alike. These spending levels are approximately $3 billion below current policy and $19 billion below the House. We have made changes to the original committee recommendation here on the floor, both of them upward.

In fact, over the course of debate in recent days, the Senate has resoundingly defeated amendments to reduce spending substantially below the levels in the committee recommendation that are also contained in this substitute. We have defeated with a much narrower margin amendments to add to these spending levels, and have had to accept one amendment that added $1 billion to the 1984 level. The other amendment that I mentioned was the Dole amendment. While it added to spending, it made up for that by way of recoupment on the tax side. So the greatest pressure is for higher, not lower, spending. This is a temptation that we must resist.

Clearly, then, if the levels of spending in the proposed substitute are the same as the committee recommendation, the debate today on this substitute is not a spending debate but a tax debate. The key decision each Senator must make in deciding to support this substitute is whether or not taxes should be raised now by large amounts as is suggested by the pending resolution. As I indicated, approximately $70 billion as compared to about $8 billion in the 2 years as recommended by the President. My unequivocal answer is "No."

We are in the early stages of the weakest economic recovery in postwar history—coming on the heels of the steepest economic decline. Real GNP last quarter increased 3.1 percent. This compares to an average first quarter recovery of almost 8 percent for the four previous postwar recoveries, excluding 1980. Indeed, even in the weakest recovery, prior to 1980, the first quarter growth was 5 percent. Is this the time to raise taxes and to raise them substantially? I do not think so.

Some may argue that the deficit reduction achieved by raising taxes is more important than the fiscal stimulus it provides. This is an argument that depends, first, on the course of monetary policy; second, on conditions in credit markets more than a year from now; and third, on the extent to which current interest rates are higher because of fears of large deficits in the future.

Already, we have been disappointed by changes in monetary policy which are outside of our direct control. Monetary policy was clearly too restrictive in the past 2 years. How can we be sufficiently sure it will effectively offset the effects of large tax increases?

The same is true of credit market conditions. Credit demands were very strong throughout most of 1982, but now private credit demand, particularly business demand, is weak. How can we fully anticipate credit market conditions over a year in advance?

Some would say that lower Federal borrowing will necessarily be replaced by higher business borrowing for new investment. During the cash rich phase of a business expansion when corporate cashflow is more than adquate for current operations, this may not be the case.

Some would say that lower total borrowing would lower interest rates. This also may not happen. In fact, we could have a replay of the 1976-77 period, when Federal and business demand for funds declined and interest rates remained essentially unchanged.

Finally, making the assumption that lower projected budget deficits will lower real interest rates is a chancy business at best. Last year, the Senate passed large spending reductions and the largest tax increase in history. Still most interest rates fell only in line with inflation, and real long-term interest rates have actually risen a bit.

All of this is to say that we live in an uncertain world in which economists as well as policy makers are necessarily cautious about the future. The Congress has enacted dramatic economic policy changes in the past 2 years. I suggest, with a bit of tongue in cheek, that these policy changes at one time or another should have satisfied almost every economic theory known to man. But, the result was still the same—an unexpected and extremely severe recession. This Senator believes that now is the time for pragmatism, not theory. Now is not the time for drama and chance.

This is the time to hold to the course of domestic spending restraint we have pursued for the past 2 years. This is the time for a steady-state budget that makes small, but determined steps forward to hold down domestic spending growth. This is not the time to recommend a budget with radical actions. There are no cure-all panaceas. This is a time to put into place a budget plan that is not based on miracles and depends not upon magic. I believe the substitute I have put before the Senate is such a budget.

Mr. President, I yield the floor.

Mr. RANDOLPH addressed the chair.

The PRESIDING OFFICER (Mr. WILSON). The Senator from West Virginia.

Mr. BAKER. Will the Senator from West Virginia permit me to interrupt him?

Mr. RANDOLPH. Yes.

Mr. BAKER. Mr. President, I wonder if the Senator would permit me to take us off the resolution and put us in morning business. It might be a little better. Does that suit the minority leader?

Mr. BYRD. Yes, that is agreeable with me and I am sure it would be agreeable with my distinguished colleague.

Mr. BAKER. I was momentarily out of the room. That was my plan in the first instance. If the two Senators from West Virginia will not mind, that is what I would like to do at this point.

ROUTINE MORNING BUSINESS

Mr. BAKER. Mr. President, I ask unanimous consent that there now be a period for the transaction of routine morning business to extend not past the hour of 2:30 p.m. in which Senators may speak for not more than 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

MOTHER'S DAY

Mr. RANDOLPH. Mr. President, on this Sunday, May 8, millions of individuals—fathers and mothers and their children—will observe Mother's Day.

Mother's Day was created by a resolution of the Congress of the United States.

Mother's Day became a reality in 1914 pursuant to the intense interest of Anna Jarvis, a West Virginian, born in Grafton, in Taylor County.

It was her desire, by the display of the American flag throughout our country, not only on public buildings—national, State, and municipal—but in the homes of America, that we would remember on that particular day the mothers of this country. Often, they have been the unapplauded molders of men and women.

That resolution was offered by U.S. Senator Thomas Heflin, the uncle of our able colleague at the present time, HOWELL HEFLIN.

So, 69 years ago—it is not wrong, you know, to go back at times and remember that which has taken place but continues very much a part of American tradition and heritage and worthwhileness in the days in which we live—the resolution was passed by the Congress. There was no opposition. The proclamation was signed by President Woodrow Wilson.

I pause for a personal remembrance of my own mother. Perhaps those people in the galleries today, our guests, may remember their mothers, and as Members of the Senate remember.

I recall the loving tenderness of my mother, the sweetness of her life, and her name Idell, a beautiful name, which characterized her life. Ernestine, my cherished sister, and I, had good parents.

I remember well, Mr. President, that in 1920, I was graduated from Salem College Academy, in Salem, W. Va. I received a gift from my father, Ernest, a wonderful man, and my mother, Idell on graduation day. I thought perhaps mother might give me a hat—we wore hats in those days—or it might be a pair of shoes, or a book.

Mr. President, it was a book, and my mother gave me that book, placing it in my hands. It was a Bible. I keep it very close to the desk at which I work.

On the fly leaf of that Bible, in my mother's handwriting, are these words: "Each for the other, and both for God."

Through these years—now, of course, many, many years, 62 years—I have cherished that Bible and have read it, often taking it home at night.

We do not refer to our guests in the galleries except on very rare occasions, but I do ask in these moments that those in the galleries remember their mothers.

Mother's Day is important. It was proclaimed by the action by the Congress, and signed by Woodrow Wilson. Through the years, not only in this country but throughout the world, the loving thought of Anna Jarvis of her mother has given us the opportunity to express our tributes to motherhood in our own homes, in our communities, and throughout a shrinking world. Time and distance are no more.

Mr. President, when I was sworn into the U.S. House of Representatives on March 9, 1933, I decided—and I will say this to my cherished friend, the majority leader, HOWARD BAKER,—That sometimes those who come to this body and the other body have the urge to speak quickly. I decided that not on March 9, or subsequent days, but that I would wait until May 11, and then I would express tribute to mothers, recalling the life of Anna Jarvis—whom I knew—and talk of what mothers have done for the well-being of their children and, ultimately, the understanding of the peoples of the world.

At that time, I recall that I quoted—and now I reread—the words of Henry Van Dyke, a man who was able to set into poetry the strength of beauty. I quoted Henry Van Dyke:

> I cannot pay my debt for all the love that she has given; but Thou, love's Lord, wilt not forget her due reward—Bless her in Earth and Heaven.

Mr. President, 69 years come and go. The love of mother is with us now regardless of the year in which we first celebrated Mother's Day, and on Sunday of this year, we shall express our tribute again, through the display of the flag. Anna Jarvis wanted that in homes as well as in public buildings on that day.

Mr. President, I also call attention to another day, Grandparent's Day, the idea of another West Virginian, Marian McQuade, of the hill country of West Virginia. Marian is the mother of 15 children.

She is a very youthful mother and has, of course, many, many grandchildren. Marian brought this plan for a grandparents day. People are inclined these days, perhaps, to think of only the nuclear freeze or the deficit or the budget and all of the matters that press down on us minute by minute. But when Marian talked with me about a grandparents day, I said to her, as I repeat now, "Marian, I think this should be done."

There was interest by my good colleague, Mr. ROBERT C. BYRD, in this matter, and by other members of the West Virginia delegation and throughout Congress. In 1978, there was a resolution passed in the Congress for another meaningful day to be celebrated in this country—Grandparents Day. I offered the resolution that I have indicated was adopted by Congress and proclaimed by President Jimmy Carter.

For Grandparents Day, I ask unanimous consent that there be printed in the RECORD the proclamation by President Carter on first Grandparents Day, 1978.

There being no objection, the proclamation was ordered to be printed in the RECORD, as follows:

NATIONAL GRANDPARENTS DAY, 1978

(By the President of the United States of America)

A PROCLAMATION

Our nation was shaped by the wisdom and courage of our founding fathers, and by the steadfastness of succeeding generations who have sustained their vision through two turbulent centuries of challenge and growth.

Each American family is shaped and guided by its forbears. Just as a nation learns and is strengthened by its history, so a family learns and is strengthened by its understanding of preceding generations. As Americans live longer, more and more families are enriched by their shared experiences with grandparents and great-grandparents.

The elders of each family have the responsibility for setting the moral tone for the family and for passing on the traditional values of our nation to their children and grandchildren. They bore the hardships and made the sacrifices that produced much of the progress and comfort we enjoy today. It is appropriate, therefore, that as individuals and as a nation, that we salute or grandparents for their contribution to our lives.

Now, therefore, I Jimmy Carter, President of the United States of America, do hereby designate Sunday, September 10, 1978, as "National Grandparents Day." I urge officials of Government at the national, state, and local levels, and of voluntary organizations to plan appropriate activities so that the contributions that our grandparents have made may be appropriately recognized.

I urge each citizen to pause and to reflect on the influence his grandparents have had in shaping his own destiny, and on the legacy bestowed upon our contemporary society by his grandparents' generation.

In witness whereof, I have hereunto set my hand this third day of August, in the year of our Lord nineteen hundred seventy-eight, and of the Independence of the United States of America the two hundred and third.

JIMMY CARTER.

Mr. RANDOLPH. To the majority leader, I say that I shall include these most meaningful messages for Grandparents Day last year, those words being from the present Chief Executive in the White House, Ronald Reagan.

I shall have these two tributes placed with my remarks, by two Presidents of the United States.

When do we celebrate Grandparents Day? Few people now know about it. It has not been too long since adoption. But the President of the United States proclaims it on the first Sunday after Labor Day. We shall be observing Grandparents Day.

It is important to add that Marian McQuade's husband, Joe McQuade, has been very helpful in this project. Joe was a cook in the 1933 Civilian Conservation Corps of the United States in one of the CCC camps in the hill country of West Virginia. He aided Marian, his wife, in the printing and production of a book on Grandparents Day which truly is a marvelous collection of that which goes with the observance of this day.

I have written the foreword in that book, "By Grandfather Jennings Randolph." That is the foreword of the readable book mentioned as being tender and worthwhile, compiled by Marian McQuade and by Jim Comstock, a noted journalist in West Virginia.

I ask unanimous consent that that foreword be printed in the RECORD, as follows:

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[Foreward]

BY GRANDFATHER JENNINGS RANDOLPH

Grandparents are the grandest people!

Marian McQuade, the mother of fifteen children and many times over a grandparent, has lived a very busy and useful life in the hill country of West Virginia. She and her husband, Joe, who was once a cook in the Civilian Conservation Corps, have brought good cheer and companionship and love to hundreds and hundreds of older Americans. Marian has authored a touching book which tells in highly readable fashion the story of her constant effort to achieve national recognition for grandparents everywhere.

The President of the United States each year proclaims this special day on the first Sunday after Labor Day. It was my privilege to cooperate with Marian in the Congressional approval of this unique legislation.

I recall so very well my wonderful grandparents on both sides of the family tree. There was Mary Frances and Jesse Randolph, Mandena and James Bingman. Times seems to pass so quickly . . . Mary and I became grandparents ourselves with Jennings III (Jay), Brian and Rebecca.

Jesse taught me to milk a cow and to ride a horse and to plant and nurture and harvest the vegetables to fill the barrels that filled the basement with potatoes and apples. Mary Frances cautioned me that a penny must be dropped into the copper kettle and how to stir the apple butter so that it would not scorch. The homemade bread (thick slices) tasted so good to a growing boy. Incidentally, Grandpa ate apple pie at breakfast every morning. What a happy home it was! There was the organ in the parlor where we would gather to sing with friends and family the songs of seventy years ago, like "Come, Josephine, in My Flying Machine Going Up We Go, Up We Go," and the popular number, "Redwing."

Grandpa Jim could seemingly take a piece of wood and fashion it into something useful. I recall listening with wonderment to the true tales he told of the earlier lumbering days when he would ride the rafts of timber down the Tygart River into what is now beautiful Tygart Lake.

Grandparents are the warming influence that knit together the ties of family life. Too often grandparents have been shunted aside to sit in the shadows. Marian's book will reawaken memories for her readers. Her story is worth the telling!

THE WHITE HOUSE,
Washington.

GRANDPARENTS DAY, 1982

For generations, grandparents have strengthened the fabric of the family, preserving and enriching our national heritage. It is fitting that we pay special recognition to our nation's 20 million or more grandparents, and Congress has designated the first Sunday after Labor Day as National Grandparents Day.

Research has shown what many of us know from personal experience—that the emotional attachment between grandparent and grandchild is a special legacy handed down from one generation to the next. Grandparents often fill roles as surrogate parents, care-givers, tutors, decision-makers, confidants, counselors, story-tellers, and family historians. They also help by sharing their wisdom, knowledge, and experience. In turn, the love and care that grandparents give enhances their own sense of usefulness.

With Americans living longer than ever before, three- and four-generation families have become increasingly common. An estimated one-third of all persons who have grandchildren have at least one great-grandchild. Of prime importance is the building of bridges between younger and older Americans, a lifelong process involving such institutions as our schools, colleges, churches, synagogues, and, most important, the family.

Henry Ward Beecher once wrote, "There are only two lasting bequests we can hope to give our children. One of these is roots . . . the other, wings." Grandparents give us both bequests and help instill in future generations the values which make America great.

I urge all Americans to take the time to honor our nation's grandparents on National Grandparents Day, Sunday, September 12. In so doing, we will celebrate a union of the generations, in a very real sense, a triumph of life.

RONALD REAGAN.

Mr. RANDOLPH. Mr. President, Grandparents Day really widens the circle of mothers and fathers. The family circle is very important in the life of America. It has been ripped apart too often under our present society. By that, I mean the family unit is not the family unit of 25 and 50 years ago. I am not asking that we return to the type of living of our childhood days. I am urging that the family circle be recreated.

Mr. President, I am grateful that I have been indulged with the cooperation of the leadership to speak of our mothers and our grandparents and to recall for those who are our guests today, not only the memories that they have of their parents, their mothers and fathers, and their grandparents, but to hope that they realize that there is a very real matter of substance attached to these thoughts, to which I address myself. In this country, there is a need now, perhaps as never before, to understand the principles of citizenship through courses that would be taught, not political or partisan, in the elementary and public schools. There is a challenge today for not a mere compilation of historical facts, but the story, the thrilling, the often shocking and saddening story of those who gave so much to bring America into being.

I hope that parents and teachers and those in authority will bring back to the school systems, public and private, in this country the study of America and those men and women who made such magnificent contributions from more than 200 years ago until the afternoon I speak.

I talk to boys and girls. I do not talk down to them. I love them as I have loved our two sons. But if I ask them about the signers of the Declaration of Independence, the children of today, Mr. Leader, they may know there were 56, they might even guess at that number, but they have never been given the opportunity and the challenge to study the makeup of the 56 signers of the Declaration of Independence. A mere civics course is not enough. Instilling pride into our youth in this country at an early age and continuing, yes, through high school and college and university educational processes is very, very crucial.

I thank the President of the United States, Ronald Reagan. A few months ago he signed legislation that I had offered. I thank him because he felt as I that we need to study the principles of citizenship and to have taught to our boys and girls by the teachers, the instructors, and the professors of this country. You do not take away anything from science or math or the technological approaches, but you bring back to the youth of our Republic the facts about this Republic through the stages which bring us again to another challenging hour in our history.

I am glad, Mr. Leader, that someone told me about those signers of the Declaration of Independence. It came from a teacher of history in the little town of Salem, W. Va., where I was born. I began on my own to study them. I have written articles and called them "They Signed for Our Independence." I have gone into the life of each signer, telling the reader what type of person was the signer. I close today by telling you, Mr. President and our guests, about one signer.

He was Stephen Hopkins of Rhode Island. He was ill, very ill, with palsy. We do not have that malady as much today as we once did. But he was afraid that with his palsied hand, as he signed, there would be those who would think he was afraid to sign the declaration. So, not in legend but it is documented, as he signed these were the words he spoke that others might hear: "My hand trembles but my heart does not."

That was the feeling that all of the signers possessed. They never recanted, not a single one of them, for what they did. They knew that by their action if we failed to bring into being the great country which we have inherited now and hope to keep, the citadel of freedom and responsibility, and hopefully peace, they never recanted. They knew that they had done that which was right. Their children were abused, their homes were burned

and destroyed, their lands were laid waste, but they never wavered. They were citizens of our land which was to become our Republic, the United States of America.

So turning from all of the subjects I have touched today, we come back to my original thought, that there is a very real reason for us to remember the wellsprings of the life that we live because of a mother and the love that continued because of the mothers and fathers and grandparents and the love that must be in this Chamber between Members. Confrontation will not bring us that which we need in these hours. Too much confrontation between Capitol Hill and the White House and vice versa will not suffice. Differences, of course, should and will take place, but if we permit ourselves to drift into divisiveness, the Nation will not be well served.

For that attention which I have received and for the opportunity to speak, I am grateful, remembering that 50 years ago, as a very young man, I had the opportunity to address this subject matter, and again today, a span of 50 years later, I speak from my heart with understanding and concern, yet above all with faith in the future.

The PRESIDING OFFICER. The Senator from Alabama is recognized.

MOTHER'S DAY, MAY 8, 1983

Mr. HEFLIN. Mr. President, Sunday, May 8, 1983, marks the 69th celebration of Mother's Day. While millions of Americans will take this opportunity to show in very personal ways their appreciation to their mothers, I hope this very special day will mark a return to the values of basic American life.

This 69th celebration of Mother's Day comes at a time when it is critically important that we strengthen basic American family life.

As we observe Mother's Day and honor the mothers of this Nation, let us also work to bring our families closer together—for it is the family unit that is the primary molder of proper and good values in our society. The family unit has been the backbone of America throughout the history of this Nation. Without the role of the mother, the family as a force for good would play a less important mission.

American mothers have been the greatest source of this proud Nation's strength and inspiration. When we honor our mothers, we honor our families and, yes, we honor our Nation.

The idea for setting aside a day to honor the Nation's mothers came from a West Virginia lady, Anna Jarvis. Miss Jarvis came to be known as the "Mother of Mother's Day."

Mr. President, I take this time to read the original Mother's Day Act, which was introduced on May 7, 1914.

JOINT RESOLUTION RELATIVE TO THE OBSERVANCE OF MOTHERS' DAY

Whereas the service rendered the United States by the American mother is the greatest source of the country's strength and inspiration; and

Whereas we honor ourselves and the mothers of America when we do anything to give emphasis to the home as the fountainhead of the State; and

Whereas the American mother is doing so much for the home, the moral uplift, and religion, hence so much for good government and humanity: Therefore be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the President of the United States is hereby authorized and requested to issue a proclamation calling upon the Government officials to display the United States flag on all Government buildings and the people of the United States to display the flag at their homes or other suitable places on the second Sunday in May as a public expression of our love and reverence for the mothers of our country; and be it further

Resolved, That the second Sunday in May shall hereafter be designated and known as Mothers' Day and it shall be the duty of the President to request its observance as provided for in this resolution.

Mr. President, I am exceedingly proud that the author and sponsor of the original Mother's Day Act was my uncle, former U.S. Senator J. Thomas "Cotton Tom" Heflin of Alabama.

For his efforts on behalf of this Nation's mothers, "Cotton Tom" became known as the "Father of Mother's Day."

Mr. BAKER. Mr. President, I will not take long.

I wish, however, to extend my appreciation to the distinguished Senator from West Virginia, Senator RANDOLPH, for his remarks today and those of Senator HEFLIN for similar remarks on the occasion that is important to all of us.

I sat here listening to Senator RANDOLPH'S remarks in particular, and I have never known a situation where a single Member with whom I have served has seen and observed the passage of so much of the history of this Senate and of this Congress.

He spoke of having made his remarks on Mother's Day 50 years ago in the House of Representatives. He is too young to have done that, but I will accept it at face value. But, you know, that is one-fourth of the history of this Congress observed by a single person.

And on that day in March 1933 when he was sworn in, there was another man sworn in named Everett McKinley Dirksen who was my father-in-law. And the Senator from West Virginia and Everett Dirksen served together in the House of Representatives for a long time and in the Senate together for a long time.

The two of them in a way became the trustees of an important American heritage, as the repository of so much knowledge and insight.

So it is exhilarating to hear the Senator from West Virginia recount those historic times and to relate them to the upcoming Mother's Day event of Sunday and to do so with such eloquence and style which has come to characterize the service and the statements of the Senator from West Virginia.

I wish to express my gratitude to him. He does a great service.

It is always characteristically kind of him to allude, as he has, to the kinsman of our friend from Alabama who was also instrumental in the creation and designation of this day for Mothers Day upcoming and Grandmothers and Grandfathers Day.

That may sound to some, inconsequential compared to the note in my pocket from the Acting Secretary of State reporting on the progress of our peace negotiations in the Middle East, or having just concluded the Senate's deliberations on the budget upcoming and tax policy for this country, or having just conferred with the chairman of the Intelligence Committee about other matters of vital and sensitive import. But it struck me that none of those things in the long term are perhaps as important as the celebration of the event described by the Senator from West Virginia and certainly not as important as the continuum of experience that he represents in these 50 years of participation in congressional affairs.

Mr. President, I hold in my hand a portion of the CONGRESSIONAL RECORD for Thursday, May 11, 1933, excerpted from the record of proceedings of the House of Representatives, which appears to be the first and major address of our distinguished friend, the senior Senator from West Virginia (Mr. RANDOLPH).

I think it would be only appropriate under the circumstances and I ask unanimous consent that it be printed in the RECORD.

There being no objection, the speech was ordered to be printed in the RECORD, as follows:

THE UNAPPLAUDED MOLDERS OF MEN

THE ORIGIN OF MOTHER'S DAY—A TRIBUTE TO ANNA JARVIS

(Reprint of a speech by Hon. Jennings Randolph, U.S. Senator from the State of West Virginia)

(This is the Text of the initial Speech in the United States Congress by Then Representative Jennings Randolph, Presented on May 11, 1933.)

CONGRESSIONAL RECORD

HOUSE OF REPRESENTATIVES

THURSDAY, MAY 11, 1933.

The House was called to order at 12 o'clock noon by the Clerk of the House of Representatives, who read the following communication from the Speaker:

THE SPEAKER'S ROOMS,
U.S. HOUSE OF REPRESENTATIVES,
Washington, D.C., May 11, 1933.

I hereby designate Hon. ALFRED L. BULWINKLE to act as Speaker pro tempore today.

HENRY T. RAINEY.

Mr. Bulwinkle assumed the chair as Speaker pro tempore.

ORDER OF BUSINESS

Mr. BYRNS. Mr. Speaker, I ask unanimous consent that the gentleman from West Virginia, Mr. RANDOLPH, may have 15 minutes to address the House on the subject of Mother's Day. The lady who first suggested Mother's Day and who is the founder of Mother's Day formerly lived in the gentleman's district in West Virginia. I hope no one will object to the request at this time.

Mr. WOODRUM. Mr. Speaker, reserving the right to object, and I shall not object to this request, because I think the address of the gentleman is highly appropriate * * *.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

THE UNAPPLAUDED MOLDERS OF MEN

Mr. RANDOLPH. Mr. Speaker, it is with a feeling that I am treading on holy ground that I ask you to turn with me today for a few minutes to honor the immortal builder of all heroes—mother. Too long have mothers been the unapplauded molders of men, too long the true but unsung architects of destiny.

Volumes have been written about kings and emperors; historians have told of the exploits of a thousand heroes of battle; biographers have packed into colorful words the life and death of our statesmen; while painters have filled galleries with likenesses of our living great; but it remained for Miss Anna Jarvis, a West Virginia woman, untold years after the first mother had given birth to a son, to immortalize mother by having the Congress of the United States give recognition to Mother's Day through the display of our flag. The Congress established this memorial in 1914, and since that year on Mother's Day men and women turn from the turmoil of labor and by silent communion with that mother, living or dead, receive again from her the strength of mind and the pureness of soul that only can be bred in that greatest of all loves—that of a mother for her child.

Oh, if the historians, the painters, and sculptors could see through the outward acts of men to the source from which they derive their power of greatness, how different might be the lists of the honored and successful. How different would be the story of our national progress.

Behold the settling of the New World. With the Pilgrim father who sought his religious liberty in a new and unknown land came also the Pilgrim mother. She it was who endured the same hardships as her stronger mate; she it was who steadfast to her duty of wife and mother battled with him the cold of the cruel New England winters; she with him sacrificed the comparative peace and safety of the Old World for the dangers of the New; she with him fought the savage Indian; she kept his house, cooked his meals, bore him sons and daughters, and earnestly and faithfully reared them into new pioneers destined to build America.

Write, ye historians, of the mother of George Washington faithfully training that great man in the paths of duty and service. Record the story of the brave mother from the hills of western Virginia who sent her three sons to fight in the Continental Army when the British under Colonel Tarleton, threatened invasion of the Shenandoah Valley with these words:

"Go, my sons, and keep back the foot of the invader or see my face no more."

When this story was related to Washington in the darkest hours of the Revolution he said:

"Leave me but a banner to plant upon the mountains of West Augusta and I will rally around me men who will lift our bleeding Nation from the dust and set her free."

Paint, ye artists, the settlement of the western America, but forget not that into that empire-building went not only the toil and blood of our pioneer men but that into it also went the immeasurable toil of pioneer women. Too often we visualize the skeletons that marked the trail across the prairies, the mountains, and deserts as the last remains of a Custer, a Lewis, a great frontiersman who died in glory defending his loved ones. Too often the true story written on the desert sands is the story of a mother's sacrifice, sometimes in the forefront of battle but more often in the burdensome strife of daily tasks that bent and broke her body. Too often the mute bones on the Westward trail speak the death of a mother in childbirth. The story of the cradle rather than the report of the blunderbuss marks the westward course of empire.

O orators, if you would explain the greatness of Lincoln paint the vision of Nancy Hanks; fill your minds, if you can, with the glory of her mother love, catch the strains of the strange lullabies she sang to her unborn child. What fount of greatness can compare with hers? Biographers, if you would know from whence came the staunchness of Woodrow Wilson's soul, the breadth of his great vision, search out the secret gift of life and life's greatest ideals transmitted to him by his mother.

And so goes the story day in and day out, from the mothers of the great to the mothers of all men throughout the world. I wonder if any son ever knew the true depth of a mother's heart. Is there any force for righteousness and peace in the world equal to the force of a mother's daily teaching of obedience, of peace, of love, and of devotion to high ideals? Is there any nobler lesson taught than is taught by a mother's living example of sacrifice, of duty, and of love?

One September evening, several years ago, I stood on the railroad-station platform in Charleston, the capital of our State, just before the night train for Clarksburg was ready to pull out.

It was a delightful twilight, and I did not want to board the sleeper until the last minute. Just then a young man came swinging toward the car steps carrying his luggage. I know the boy, and it happened that he was leaving for Morgantown to enroll as a freshman at West Virginia University. It was the beginning of his first great life's adventure.

Standing close by, I heard the final words of parting. The father shook his son's hand with a final admonition, "I hope you'll make the football team, but go easy on the money, for your old dad has to settle all the bills." And this was a remark that many a father has made to his son. The sister said she hoped he might be pledged to the best fraternity on the campus. And then his sweetheart murmured—but I shall not report what they said, for we should never tell what sweethearts speak at parting time.

But, seriously, I shall never forget the words spoken by that mother to her boy, as she put her loving arms around his stalwart shoulders and said, "My boy, like your father, I want you to make the football team, and like your sister, I want you to know the best people, but above all other things I hope you'll always remember to be a good boy."

When that mother spoke she did not mean "good boy" in the sense that she desired her son to be a wishy-washy sort of person. She meant what every mother has meant when she said those words. She simply wanted her boy to be honest, chivalrous, brave, and to stand foursquare against the evil winds that blow.

And thus do mothers write the living stories of men and nations. Behind the storm and strife and blustering of the actors most vividly before our eyes do we see the power of mother love and the fashioning of manhood and womanhood in mother's heart and hands.

I once heard a friend telling a young woman that he did not believe in any hereafter; that so far as he was concerned heaven and hell consisted of the joys and sorrows that every person experienced in this world and that when death stopped the movements of this life his body became only so much decaying matter and nothingness was the end. The young woman answered him in these words, "Do you mean to tell me that I shall never again see my mother?" And in that simple and yet boundless faith that mother and immortality were one and inseparable; in the sureness of her knowledge that when she had become weary of the labors of life there would be waiting the radiant face of her mother to comfort her and the loving arms to enfold her once more—never again to be separated in all eternity—in the light of that abiding hope and faith, all of the scientific arguments of my friend were of the nothingness of which he spoke. Against that mother-love logic was but the mere exercise of dried-up mathematics. And it is the same mother love that has enthroned the highest ideals in the hearts of all men. It has been the inspiration of the great and the comfort and hope of the lowly. Before the voice of a mother telling her son to "be a good boy" all of the pomp and the splender of the outward world fades away and

The tumult and the shouting dies,
The captains and the kings depart,
Still stands thine ancient sacrifice,
An humble and a contrite heart.

Mother's Day is the most fitting memorial that can be raised to mothers of men. When we drive about the city of Washington we proceed from circle to circle, from monument to monument. Here stands a statue of Farragut, and here a likeness of Webster, and towering over them all is the giant spire honoring the great Washington. It is fitting that a nation should honor its heroes. But no statue can be raised to mother as enduring and as inspiring as the child each mother rears herself. No writer can enclose between the backs of any book all of the wisdom of a mother's teaching. No poet can capture all of the joys and sorrows of a mother's heart. No painter has the power to transmit to his canvas the beauty of a mother's face that glows in the memory of her dear ones, no matter how homely, how grotesque, or how blank and stupid that same face may have appeared to strangers. Even the wizardry of the sculptor's hand cannot endue his cold marble with the warmth of a

mother's love. No; only a special day set apart for us, sons and daughters of mothers living and mothers dead, to commune again in our thoughts with those to whom we owe our all, is a fitting memorial to Mother. Memory alone holds for us the charm of her personality. Memory alone brings back the picture of those thousands of cares and daily tasks she did for us; the joyful laughter at our successes; the loving kindness of her manner. Memory alone brings back the mother we knew, and to bring back any other mother is only to rear an unworthy monument.

Today we are living in a world of personalities. Europe bristles with names of men rather than names of nations. Stalin of Russia, Mussolini of Italy, Hitler of Germany—who knows what influence their mothers had upon them? From whence their courage, their vision, their power? A mother tapped the sources of their personality, taught them the duties and tasks of life, guarded their bodies, and filled their minds with great thoughts.

Today in our Western Hemisphere it has been said that our President Roosevelt is the outstanding and dominant personality. Fortunate are we Americans to have his mother alive. This splendid mother of our President sees him as he magnificently commands our ship of state. She remembers daily the dreams she had for him in the yesteryears when with her aid and guidance he was equipping himself for just such a momentous task of leadership. Humble, yet justly proud, she walks securely down the remaining miles on her highway of life, knowing that there follows along the trail a son who is perhaps destined to become one of the truly great leaders of mankind. And ever behind Roosevelt will remain his warm and glowing mother.

The late great poet, Henry Van Dyke, has expressed in tender words my wish and your wish when he says:

I cannot pay my debt
For all the love that she has given;
But Thou, love's Lord,
Wilt not forget
Her due reward—
Bless her in earth and heaven.

[Applause.]

Mr. RANDOLPH. I thank my colleague. Mr. President, will the Senator yield?

Mr. BAKER. I yield.

Mr. RANDOLPH. Mr. President, I remember Everett Dirksen. We came to Congress on the same day, he a Republican from Illinois. I came from West Virginia, a member of another party.

That day we stood together and were sworn into the House of Representatives. I remember that we served on the same committee on the first day to which assignments were made.

I shall never forget him. There was something about him that made the day a more memorable one because he was a man of substance, vision, and spirit.

Since we are talking about parents and grandparents and Mother's Day, how notable is the career of our present leader from Tennessee, HOWARD BAKER. His father served in Congress and his mother served in Congress.

I refer again to the strength of the family circle. No matter where the child is, often there has been the mother and the father.

I shall never forget, when I leave this body on January 4, 1985, that I served such stalwarts, men who knew the human side of politics and were a part of it, like the leader who has just spoken.

Thank you, Mr. President.

Mr. BAKER. Mr. President, I am grateful, as always, to the distinguished Senator from West Virginia for his remarks.

Mr. President, the Senator from West Virginia made reference to my father and mother serving in Congress, and indeed that is so.

I should say for the record that my mother died when I was 8 years old, but I then had the extreme good fortune to be raised by a distinguished woman who succeeded my father in Congress, whom I hesitate to call stepmother, although that is the legal description.

She was and is a great woman. She lives by herself in Knoxville, Tenn., now and she is 82 years old. She is fiercely independent.

I am probably the only Member of the Senate who has a mother who reads the RECORD daily and writes him critical letters about his votes.

But in any event, I appreciate the remarks of the Senator from West Virginia.

Mr. President, I see the Senator from Hawaii is here, and I judge by the gleam in his eye he may have some remarks to make.

I yield the floor and await his further presentation.

Mr. MATSUNAGA. I thank the distinguished majority leader for yielding.

Mr. President, I had not intended to speak, but being inspired as I am now, after listening to the senior Senator from West Virginia and the distinguished majority leader, I could not contain myself.

So I rise to express my deep appreciation for the great privilege of serving with these two gentlemen in the Senate.

My first experience in viewing the Senate was when Hawaii was still a territory, not a State, and looking down from the gallery, down into this distinguished body, I was somewhat disillusioned because there were only a half dozen Senators on the floor at that time, and I am sure many visitors to this Chamber feel the same.

But then when it was explained to me by my host Delegate to Congress that most Senators were in committee meetings and that is where the decisions are really made—in the committees—then I began to understand, and having now served in Congress going on 21 years, I fully understand the situation, and so frequently I wish that I could stand on this floor of the Senate to explain all this to visitors up in the gallery. All in all, it is not how many Senators there are on the floor that matters but what is said by the few who are present. And for me, it has been a real great privilege to sit here and listen to my esteemed colleagues. As a matter of fact, when I was first elected to this body, I made a public statement that my great American dream had come true. I realize now that that dream is much greater than what I had envisioned. To serve in this body of distinguished leaders from all 50 States is truly an exciting and challenging experience. The men and women who serve here are without exception dedicated to the welfare of their country and its people. My earlier dream had not envisioned the great and inspirational privilege of serving and associating with remarkable men like the Senator from West Virginia and the Senator from Tennessee. Not only am I inspired by their words, I am truthfully awed at the youthfulness of the Senator from West Virginia.

I only wish that at age 70 I would look as youthful as the octogenerarian Senator from West Virginia. But lest I might stray too far from what prompted me to rise, let me say that we have witnessed here on the Senate floor today a demonstration of what makes America the greatest nation on Earth. Here we have listened to Senators speak not only of the great issues of the day at the international and domestic levels, but about their mothers, the object and source of love in its purest sense. What makes this country truly great is that its leaders are moved as much by human sentiments as by social ideals and political philosophy. So in observance of Mothers' Day, May 8, 1983, let me join my colleagues in paying tribute to the mothers of the world—may God bless them all. And in remembrance of my own mother who rests in Heaven, I must declare that no one had a greater mother than she—she who taught me "keep your spirit forever high, but your head bowed in reverence."

Let me conclude in the prevailing mood that I am truly sorry that both the Senators who have spoken before I did here on the floor have announced their retirement, come the next election. I want it unashamedly to appear in the RECORD that I, for one, will dearly and sorely miss them.

I thank the Chair and I thank the majority leader for yielding.

Mr. BAKER. Mr. President, I thank the Senator from Hawaii. I must say I appreciate his remarks about my impending retirement from the Senate, which will not be until January 4, 1985, and inform him that I am currently negotiating for time off because

of good behavior. I am grateful, however, for the Senator's remarks.

EXTENSION OF ROUTINE MORNING BUSINESS

Mr. BAKER. Mr. President, I ask unanimous consent that the time for the transaction of routine morning business be extended until not past 2:45 p.m. today under the same terms and conditions.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BAKER. Mr. President, I wonder if there is any other Senator now seeking recognition? I do not see anyone. I would like to confer with the minority leader before I move that we stand in adjournment. So, for the moment, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. PRESSLER). The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BAKER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

EXTENSION OF TIME FOR ROUTINE MORNING BUSINESS

Mr. BAKER. Mr. President, I ask unanimous consent that the time for the transaction of routine morning business be extended until not past 3 p.m. under the same terms and conditions.

The PRESIDING OFFICER. Without objection, it is so ordered.

THE CALENDAR

Mr. BAKER. Mr. President, may I say to the minority leader that I have a number of items in my folder that appear cleared for action by unanimous consent. I would like to invite his consideration of some of them.

First of all, I am prepared to proceed to the consideration of Calendar Order No. 118, House Joint Resolution 219, which is an initiative of the occupant of the chair, the Senator from South Dakota (Mr. PRESSLER). I wonder if the minority leader is prepared to consider that item.

Mr. BYRD. Mr. President, that item has been cleared on this side.

Mr. BAKER. I thank the Senator.

SUPPORT FOR EFFORTS TO BRING THE WORLD CUP SOCCER TOURNAMENT TO THE UNITED STATES IN 1986

Mr. BAKER. Mr. President, I ask unanimous consent that the Senate now proceed to the consideration of House Joint Resolution 219, Calendar Order No. 118.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

A joint resolution (H.J. Res. 219) declaring the support of the U.S. Government for efforts of the United States Soccer Federation to bring the World Cup to the United States in 1986, designating the Secretary of Commerce as the official representative of the U.S. Government to the Federation Internationale de Football Association, and for other purposes.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Tennessee?

There being no objection, the Senate proceeded to consider the joint resolution.

Mr. BAKER. Mr. President, today, the distinguished occupant of the chair, my distinguished colleague from South Dakota, Mr. PRESSLER, is fighting for passage of a resolution to bring the 1986 World Cup Soccer Tournament to the United States. As the original sponsor of this legislation, Senator PRESSLER skillfully guided it through his Subcommittee on Business, Trade, and Tourism and now the full Senate. This measure, which we are about to vote on, will help provide thousands of jobs and millions of dollars to our economy, at virtually no cost to the Government.

As he has done so often in the past, Senator PRESSLER continues to champion the cause of travel and tourism trade. He has often reminded us of the importance of travel and tourism to our national economy, pointing out that tourism is now our second largest retail industry. It provides employment for over 6 million American workers and contributes billions of tax dollars to our local, State, and national economy. He has argued his case well. During his 4 years as chairman of the Senate Subcommittee on Business, Trade, and Tourism, he has made great strides in advancing the cause of tourism.

Under his leadership, we now have, for the first time, a stated national tourism policy. We have once again begun to effectively compete in the world market for the many billions of dollars in travel and tourism trade. His National Tourism Policy Act created the U.S. Travel and Tourism Administration to carry out the stated goals of our new national policy. Senator PRESSLER is currently engaged in a battle to provide that agency with the necessary funds to effectively fulfill its requirements. He already has 45 cosponsors to that legislation.

He has successfully fought for many other aspects of the industry, always reminding us of its importance as a powerful economic, political, and social force. His tireless efforts have made him an extremely effective voice for travel and tourism here in the Senate. His record speaks for itself.

Senator PRESSLER frequently reminds the Senate of the importance of travel and tourism in his home State of South Dakota, where tourism is the second largest industry. We have all frequently heard him tell of his home State's many attractions, not the least of which is the beautiful Black Hills and Badlands areas of South Dakota.

Mr. President, I want to commend my distinguished colleague for his strong leadership in this important segment of our economy, and join him in support of his resolution today.

The joint resolution was ordered to a third reading, read the third time, and passed.

The preamble was agreed to.

Mr. BAKER. Mr. President, I move to reconsider the vote by which the joint resolution was passed.

Mr. BYRD. Mr. President, I move to lay on the table the motion to reconsider the vote on the resolution.

The motion to lay on the table was agreed to.

ORDER TO INDEFINITELY POSTPONE SENATE JOINT RESOLUTION 69

Mr. BAKER. Mr. President, I ask unanimous consent that Senate Joint Resolution 69, which is a companion measure to House Joint Resolution 219 just passed by the Senate and which appears as Calendar Order No. 117, be indefinitely postponed.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BAKER. Mr. President, I next ask the distinguished minority leader if he is prepared to proceed to the consideration of Calendar Order No. 125, Senate Joint Resolution 94.

Mr. BYRD. Mr. President, there is no objection on this side.

FAMILY REUNION MONTH

The joint resolution (S.J. Res. 94) to authorize and request the President to designate May 8, 1983, to June 19, 1983, as "Family Reunion Month," was considered, ordered to be engrossed for a third reading, read the third time, and passed.

The preamble was agreed to.

The joint resolution, together with the preamble, is as follows:

S.J. Res. 94

Whereas the family is and has traditionally been recognized as the foundation of our society;

Whereas thousands of families in our Nation experience sorrow each year because of runaway, missing, or estranged members;

Whereas organizations exist which can assist families and missing members in establishing contact with one another;

Whereas estranged and missing individuals should be encouraged to use the services furnished by these organizations or to contact their families directly;

Whereas families should be encouraged to honor the individual member's efforts to communicate and to respect the individual's right to privacy;

Whereas strength of our Nation can be increased through the reunion of families and the reaffirmation of family ties; and

Whereas Mother's Day and Father's Day are times when our citizens celebrate the importance of families: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the President of the United States is authorized and requested to issue a proclamation designating Mother's Day, May 8, 1983, to Father's Day, June 19, 1983, as "Family Reunion Month", and calling upon the people of the United States to observe the day with appropriate programs and activities.

Mr. BAKER. Mr. President, I move to reconsider the vote by which the joint resolution was passed.

Mr. BYRD. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. BAKER. Mr. President, next on my list is Calendar Order No. 126, Senate Resolution 132. I inquire of the minority leader if he is prepared to consider that item.

Mr. BYRD. There is no objection on this side.

SMALL BUSINESS WEEK

The resolution (S. Res. 132) to recognize the week of May 8, 1983, through May 14, 1983, as "Small Business Week" was considered and agreed to.

The preamble was agreed to.

The resolution, together with its preamble, is as follows:

S. RES. 132

Whereas small and independent businesses represent 97 per centum of all business in this country and are the driving force of the American economy and the mainstay of our free enterprise system;

Whereas small business is responsible for creating most new employment opportunities and accounts for approximately 40 per centum of the gross national product;

Whereas small business have substantially maintained employment levels during difficult economic conditions;

Whereas small business originates 50 per centum of all major innovations and technologies and brings these new innovations to market quickly;

Whereas the President has previously issued a proclamation designating the week of May 8, 1983, through May 14, 1983, as "Small Business Week": Now, therefore, be it

Resolved, That the Senate recognizes the achievements and contributions which small business men and women have made to American society, and urges the people of the United States and interested groups and organizations to observe the week of May 8, 1983, through May 14, 1983, as "Small Business Week" with appropriate programs, ceremonies, and activities.

Mr. BAKER. Mr. President, I move to reconsider the vote by which the resolution was agreed to.

Mr. BYRD. Mr. President, I am becoming a little affected with headiness at the ability I am demonstrating today to put the majority leader's motions on the table. I think I will try again.

I move to lay that motion on the table.

Mr. BAKER. Mr. President, I understand debate is not in order on a motion to table, but I would point out to my friend, the minority leader, notwithstanding that, I am more willing for some to be tabled than others.

The motion to lay on the table was agreed to.

Mr. BAKER. Mr. President, I inquire next of the minority leader if he is in a position to clear for action by unanimous consent S. 287, Calendar Order No. 124.

Mr. BYRD. Mr. President, as a great admirer of the late President Harry S Truman, I have no objection and no objection can be found on this side.

HARRY S TRUMAN NATIONAL HISTORIC SITE

The bill (S. 287) to establish the Harry S Truman National Historic Site in the State of Missouri, and for other purposes, was considered.

(By request of Mr. BAKER, the following statement was ordered to be printed in the RECORD:)

● Mr. McCLURE. Mr. President, I rise in support of S. 287. This coming Sunday, May 8, is former President Harry S Truman's birthday. For the man who coined the phrase "the buck stops here" I am particularly pleased to offer my support for this bill. It authorizes the Secretary of the Interior to acquire the former residence of our 33d President at 219 North Delaware Street in Independence, Mo., its contents, and adjacent property which passed to Bess Wallace Truman upon the death of her husband.

After its acquisition by the Secretary, S. 287 provides that this property would thereafter be known as the Harry S Truman Historic Site. It would be administered, preserved, maintained, and interpreted by the Secretary of the Interior as a unit of the national park system by the National Park Service for the enjoyment of the public.

The Truman home at 219 Delaware Street reflects the personality and character of the late President. He and Mrs. Truman lived in it from the time of his marriage to Bess Truman until her death in October 1982. Yet, this unpretentious 2½-story victorian white frame house was known as the "Summer White House" during the Truman Presidency, five Presidents walked through its doors. Decisions of national importance were made there.

We, the Congress, can assure that this historical treasure is preserved so that it will bring the joy of a glimpse into the past for untold numbers of Americans in the future. That is precisely what we would be doing by passing S. 287 today, on the eve of President Truman's birthday.

Mr. President, with regard to S. 287, a bill to establish the Harry S Truman National Historic Site in the State of Missouri, the Committee on Energy and Natural Resources does not intend that this measure authorize any additional budget authority for fiscal year 1983 than that already available to the Department of the Interior. The committee intends that any fiscal year 1983 expenses incurred from the bill will be absorbed within funds otherwise available.●

The bill was ordered to be engrossed for a third reading, read the third time, and passed, as follows:

S. 287

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in order to preserve and interpret for the inspiration and benefit of present and future generations the former home of Harry S Truman, thirty-third President of the United States, the Secretary of the Interior (hereinafter referred to as the "Secretary") is authorized to acquire by donation, purchase with donated or appropriated funds, transfer from another Federal agency, or otherwise, the residence and real property known as 219 North Delaware Street in the city of Independence, Missouri, as passed to Bess Wallace Truman upon the death of her husband. The Secretary may also acquire, by any of the above means, fixtures, and personal property for use in connection with the residence.

SEC. 2. The property acquired pursuant to subsection (a) is designated as the Harry S Truman National Historic Site and shall be administered by the Secretary in accordance with the provisions of law generally applicable to units of the national park system, including the Act entitled "An Act to establish a National Park Service, and for other purposes", approved August 25, 1916 (39 Stat. 535; 16 U.S.C. 1-4), and the Act of August 21, 1935 (49 Stat. 666; 16 U.S.C. 461-467). The Secretary is further authorized, in the administration of the site, to make available certain portions thereof for the use of Margaret Truman Daniel subject to reasonable terms and conditions which he may impose.

SEC. 3. There is authorized to be appropriated such sums as may be necessary to carry out the provisions of this Act.

Mr. BAKER. Mr. President, I move to reconsider the vote by which the bill was passed.

Mr. BYRD. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

ORDER FOR STAR PRINT—SENATE JOINT RESOLUTION 77

Mr. BAKER. Mr. President, next I ask unanimous consent that Senate Joint Resolution 77 be star printed to reflect certain changes which I now send to the desk.

The PRESIDING OFFICER. Without objection, the request is agreed to.

PERMISSION FOR COMMITTEES TO FILE REPORTS UNTIL 5 P.M., MONDAY MAY 16, 1983

Mr. BAKER. Mr. President, since we are going to adjourn in a few moments, I believe it would be in order to put the next request.

Mr. President, I ask unanimous consent that all committees have until 5 p.m. on Monday, May 16, 1983, to file reports, and reports filed by that time be considered to have been valid in the time permitted by section 402(A) of the Congressional Budget Act of 1974 with respect to fiscal year 1984.

The PRESIDING OFFICER. Without objection, it is so ordered.

PERMISSION TO PHOTOGRAPH THE SENATE CHAMBER

Mr. BAKER. Next, Mr. President, I have a resolution sponsored by myself and the distinguished minority leader. I send it to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The resolution will be stated by title.

The assistant legislative clerk read as follows:

A resolution (S. Res. 136) suspending paragraph 1 of rule IV of the rules for the regulation of the Senate wing of the United States Capitol to permit a photograph of the Senate Chamber.

The PRESIDING OFFICER. Is there objection to the immediate consideration of the resolution?

Mr. BYRD. Mr. President, I have no objection so long as it is understood that the distinguished majority leader is the one who will take the photograph.

Mr. BAKER. Mr. President, I would relish the opportunity but I must demure to the suggestion.

Mr. BYRD. Mr. President, I withdraw the condition.

There being no objection, the Senate proceeded to consider the resolution.

The PRESIDING OFFICER. The question is on agreeing to the resolution.

The resolution (S. Res. 136) was agreed to, as follows:

That paragraph 1 of rule IV of the Rules for the Regulation of the Senate Wing of the United States Capitol (prohibiting the taking of pictures in the Senate Chamber) be temporarily suspended to conduct, when the Senate is not in session, such tests as may be appropriate for the making of a photograph of the Senate Chamber.

SEC. 2. The Sergeant of Arms of the Senate is authorized and directed to make necessary arrangements therefor.

THE EXECUTIVE CALENDAR

Mr. BAKER. Mr. President, next I have a few items that appear on today's Executive Calendar that are cleared for action at this time. I once more suspect I will suffer the embarrassment, if indeed not the humiliation, of having fewer nominations cleared on my calendar than the minority leader has cleared on his. But I have come to understand that, even to live with it, though I do not always appreciate it.

Mr. President, the ones that are cleared on this side are Calendar Nos. 130, 131, 132, and 133; all the nominations on page 6 under the Air Force and page 7 under the Air Force and Army, on page 8 under the Army, on page 9 under the Army and the Navy, on page 10 under the Navy and the Marine Corps, and on page 11 nominations placed on the Secretary's desk in the Air Force, the Marine Corps, and the Navy.

Would the minority leader favorably indicate his reaction?

Mr. BYRD. Mr. President, the distinguished majority leader will not be embarrassed today. Only those Calendar Numbers 130, 131, 132, and 133 have been cleared on this side.

EXECUTIVE SESSION

Mr. BAKER. Mr. President, I ask unanimous consent that the Senate go into executive session for the purpose of considering nominations on page 4 beginning with Calendar No. 130, the nomination of Mary F. Wieseman, of Maryland, to be inspector general, Small Business Administration; Calendar No. 131, under the Department of Energy; Calendar No. 132, under U.S. Postal Service; and Calendar No. 133, under the Merit Systems Protection Board.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BAKER. Mr. President, will the minority leader object if we consider those nominations en bloc?

Mr. BYRD. Mr. President, I have no objection.

The PRESIDING OFFICER. Without objection, it is so ordered.

Without objection, the nominations are considered and confirmed en bloc.

The nominations considered and confirmed en bloc are as follows:

SMALL BUSINESS ADMINISTRATION

Mary F. Wieseman, of Maryland, to be Inspector General, Small Business Administration.

DEPARTMENT OF ENERGY

Theodore J. Garrish, of Virginia, to be General Counsel of the Department of Energy.

U.S. POSTAL SERVICE

John Lathrop Ryan, of Indiana, to be a Governor of the U.S. Postal Service for the remainder of the term expiring December 8, 1989.

MERIT SYSTEMS PROTECTION BOARD

Maria Lucia Johnson, of Alaska, to be a member of the Merit Systems Protection Board for the term of 7 years expiring March 1, 1990.

STATEMENT ON THE CONFIRMATION OF THEODORE J. GARRISH TO BE GENERAL COUNSEL OF THE DEPARTMENT OF ENERGY

(By request of Mr. BAKER, the following statement was ordered to be printed in the RECORD:)

● Mr. McCLURE. Mr. President, I rise in strong support of the nomination of Theodore J. Garrish to be general counsel of the Department of Energy. On May 4, the Committee on Energy and Natural Resources unanimously endorsed Mr. Garrish's nomination by a vote of 20–0. The committee's vote followed a nomination hearing held on April 25.

Mr. Garrish is currently serving as special assistant to the Secretary of Energy. Previously, he was legislative counsel at the Department of the Interior, general counsel of the Consumer Product Safety Commission, and he has held a variety of other legal positions in the Federal Government. His background also includes 3 years in private law practice.

Throughout his career, both in the public and private sectors, Mr. Garrish has distinguished himself as a capable and dedicated professional. He has unquestionably demonstrated his ability to carry out the extensive responsibilities he will assume as DOE general counsel. I have been particularly impressed by Mr. Garrish's serious approach to the position for which he has been nominated, and his commitment to see to it that laws enacted by the Congress are interpreted and executed properly by the Department of Energy. As Mr. Garrish testified before the committee:

The General Counsel has the singular responsibility to see to it that the legal advice rendered to the Secretary and to the other Department Officers, as well as the legal positions taken in administrative and judicial proceedings, properly reflect the legislative intentions of the Congress without regard to the political views or personal preferences of the General Counsel, the Secretary or the Administration. Secretary Hodel and I have discussed this particular matter, and I am pleased to report to you that he fully expects me to render legal advice on the basis of my best, professional judgment as to what the law is, not what he, I, or others might like it to be. To say the least, I am committed to that approach to the office both intellectually and philosophically.

Mr. President, on behalf of the Committee on Energy and Natural Resources, I am pleased to recommend Senate approval of the nomination of Theodore J. Garrish for the position of general counsel of the Department of Energy.●

Mr. BAKER. Mr. President, I move to reconsider the vote by which the nominees were confirmed.

Mr. BYRD. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. BAKER. Mr. President, I ask unanimous consent that the President

be immediately notified that the Senate has given its consent to these nominations.

The PRESIDING OFFICER. Without objection, it is so ordered.

LEGISLATIVE SESSION

Mr. BAKER. Mr. President, I ask unanimous consent that the Senate now return to legislative session.

The PRESIDING OFFICER. Without objection, it is so ordered.

NATIONAL NURSES DAY

Mr. PELL. Mr. President, I rise to bring attention to National Nurses Day, which is being celebrated today, May 6, 1983. There is not one of us who has not needed the competent services of a practicing nurse at many instances during our lives—indeed from our entrance into this world as well as throughout our childhood and adult illnesses and problems—nurses are there. Yet, it is a sad fact that this profession has not received the respect, attention, and thanks that it so richly deserves. Even here in the U.S. Senate, generally when we discuss health we focus on health care cost containment issues, somewhat necessarily, it is true. However, we do so at the expense of concentrating energies on the people who deliver health care on a daily basis with skill, compassion, and unsurpassed dedication.

As we celebrate National Nurses Day, we should focus national attention on the irrefutable fact that our Nation's physicians and health delivery systems could not function without the strong support, aid, and assistance of the nursing profession. Our Nation's nurses perform tasks that go beyond the scientific necessities of treating the ill—they comfort the afflicted and their loved ones during the most traumatic, sometimes painful moments of their lives. They help individuals and families adjust to the unstabilizing effects of hospitalization. They counsel and comfort loved ones regarding the illness of a family member; indeed they pray along with families and friends for the recovery of all their patients.

Mr. President, let us take note today that nurses work under highly stressful conditions. Their caseloads are large, frequently involving life and death decisions. Theirs is a profession which requires high energy and crisp, precise decisionmaking. Given this foundation of their occupation, we must strive to insure that nurses receive professional respect in terms of societal status, monetary rewards, and general recognition of their vitally important functions.

Nursing practitioners undergo a rigorous academic and clinical training prior to serving in our Nation's hospitals, clinics, and physician offices. They are examined by licensing boards and undergo constant professional peer review. The standards of the nursing profession are exacting, as well as they should be, and it is with great pride and satisfaction that I emphatically point out that nurses live up to and embody these high standards daily. They are and should be models of professional behavior to all of us, including this great body.

In my home State of Rhode Island we have 11,717 registered nurses and 3,695 licensed practical nurses. These 15,412 professionals service a population of 945,761 people. They render a first-class service, I might add. Today, I urge all my colleagues to join with me in saluting this venerable group of professionals. Perhaps by recognizing National Nurses Day, we can begin to focus the Nation's attention to enhancing the nursing profession's status and respect in every way that we can. While that process is continuing and developing, each and every nurse in our great Nation, can find great solace in realizing that they perform a noble and necessary work. They should know this as certainly as their patients know it; without question, their God knows it.

Thank you, Mr. President, for allowing me to speak on this matter.

OBJECTIONS TO NEW HOUSING BILL

Mr. ARMSTRONG. Mr. President, a few days ago the Banking Committee recommended a new housing authorization, a budget-busting subsidy bill which should not even be considered, let alone passed by the Senate.

The U.S. economy is finally staggering out of a recession caused or, at least, seriously aggravated by large Federal budget deficits. But the whole world is nervously eyeing the $1.2 trillion in deficits projected for the next 5 years with a general fear that such deficits will send our economy into a tailspin and pull other nations down with us.

Under the circumstances, it seems extraordinarily unwise for the Banking Committee to recommend a bill which creates seven new HUD programs, adds billions to projected deficits and, at the same time, fails to protect those who have the most to lose from the failure of subsidized housing programs—the poor and ill housed.

The bill recommended by the committee calls for:

Housing vouchers, similar in concept to food stamps, and with the same potential for explosive cost growth. Although funded for only 60,000 persons in this bill, approximately 12 million people meet the legislative eligibility standards.

Mortgage foreclosure relief, a $750 million loan guarantee program, on which no hearings have been held before committee markup.

Rehabilitation and development grants, a program with funding double that proposed by the administration which would permit anyone to receive Federal money to fix up their house, build new housing, and so forth, regardless of income or financial need.

Demonstration projects which overlap and may preempt private sector efforts.

A new public housing policymaking committee, not requested by the administration, nor is the administration represented on the committee.

PHA capital replacement fund, also not requested, for good reason.

No Davis-Bacon reform which could save $500 million.

A total of $40 billion in budget authority above the President's request (1984-88), according to the Office of Management and Budget.

A total of $11.9 billion in outlays above the President's request (1984-88), again, according to the Office of Management and Budget.

A total of $18 billion in higher guarantee authority for the Federal Housing Authority and Government National Mortgage Administration than was requested by the administration.

A total of $2 billion more in lending authority for rural housing programs than was requested by the administration.

Increasing subsidized rents to levels 13 percent higher than requested by the administration.

As I review these staggering proposals, I cannot help wondering whether the administration and Congress realize the magnitude of resources already committed to Federal housing. Of the $363 billion obligated to Federal housing programs, some $263 billion remains to be spent. We now provide housing assistance to 5.6 million units and 13 million Americans. If Congress did not commit a single additional dollar, another 300,000 units are already authorized to be provided by 1988. I believe Congress would be foolish to authorize additional Federal housing assistance at this time. Yet the administration over the next 5 years projects new housing authorizations of $47.9 billion over amounts already committed providing an additional 446,000 subsidized units. The Senate Banking Committee then proposes $40 billion in spending higher than what the administration requested. How can such spending levels, new housing programs, and changes in current programs proposed in the Senate authorization bill be justified in view of existing commitments and the prospect of gigantic budget deficits?

OBJECTIONS TO THE SENATE HOUSING BILL

The history of Federal housing policy amply shows that most housing programs are ill conceived. Time after

time, a program is begun, then expanded, and eventually becomes so large and the problems so manifest that Congress finally comes to its senses and scuttles the program—only to begin new programs. Yet, of course, the bill for the previously discredited programs is left to future generations to pay.

From this perspective, the additional spending and new programs contained in this bill are apt successors to the long line of flawed Federal housing programs. But at a time when the Government cannot afford the housing programs already in place, both the administration and Congress are proposing new programs that, in many instances, are illogical and counterproductive. These new programs contained in this bill include:

First, rental rehabilitation and development grants;

Second, housing vouchers;

Third, mortgage foreclosure relief for the unemployed and the underemployed;

Fourth, Public Housing Accreditation Commission.

Let us consider the details of each of these new initiatives.

RENTAL REHABILITATION AND DEVELOPMENT GRANTS

This program was proposed by the administration in January. In less than 2 months, the Senate Banking Committee has—

Doubled funding for the program.

Dramatically changed the nature and scope of the program. No longer will the program only provide grants to rehabilitate existing housing, but will also provide grants to help develop new units of housing. Moreover, grants need only finance "primarily" residential real estate projects rather than "exclusively" residential property as was first proposed.

Expanded the program so that grants can be provided for acquisition of property, not just rehabilitation.

Authorized assisted units to receive Federal insurance guarantees.

Created a "Secretary's Discretionary Fund" of $30 million to finance substantially rehabilitated or newly constructed units that was not even requested by the HUD Secretary.

Authorized $1 million in technical assistance not requested by the administration.

Permitted unspent funds left after terminating the section 312 rehabilitation loan program—another failed housing development program that, ironically, the Banking Committee wants to terminate with this bill—to be transferred to the new "improved" rehabilitation program.

All at a time when the Federal Government is projecting $200 billion in annual deficits.

Perhaps this new program could be justified if it were tightly written, urgently needed, millions of Americans were demanding its enactment and offered ironclad guarantees that the money would be spent wisely and efficiently.

Of course this is just wishful thinking. Let me quote from an April 1983 analysis by the General Accounting Office which states that this could lead to subsidies which are:

First, targeted at housing units without adequate consideration for benefiting needy renter households,

Second, have costs higher than necessary to improve the housing conditions of lower income households,

Third, have the potential for significant displacement of lower income households,

Fourth, have little evaluation information available.

While it is true that some GAO concerns were addressed by provisions added to the committee bill, Congress would be foolhardy to commit to this program until each of these concerns are addressed, and GAO, HUD, and OMB verify these potential problems will not occur.

LACK OF FINANCIAL ACCOUNTABILITY

In addition, this rental rehabilitation proposal lacks financial accountability as well. For example, records on incomes of households in determining eligibility or their citizenship occupying rehabilitated housing are not explicitly required by the bill. In a study conducted by GAO of 64 communities which had implemented some previous rental rehabilitation loan programs, only 23 of the communities were able to verify incomes of households benefiting from the rehab program. In addition, these cities used various forms of calculating income limits—if they did keep records—some based on section 8 or some independent method by which income and demographic data was not efficiently kept.

Rental rehabilitation should be specifically targeted to neighborhoods of low-income housing projects. Many of the cities surveyed by GAO were found to have "pockets" of middle-income households which participated in the rehab program. In essence, much of the money was going to other than needy households.

SECRETARY'S DISCRETIONARY FUND

This bill creates a Secretary's discretionary fund of $30 million, and directs the funds are to be spent for substantial rehabilitated or newly constructed projects.

This slush fund was not requested by HUD. In my view, discretionary funds of this size are inappropriate in Government no matter who is in control. Again, history proves my point.

The section 8 new construction program became notorious for contracts given to developers who, coincidentally, contributed significant campaign sums to reigning politicians. During the previous administration, newspaper headlines screamed "Housing and Politics: The Way it Works," "A Donation to Carter Unlocks HUD Dollars," "Friends of the Governor Thrive on Housing Funds," "Politicians Steer Section 8 Profits to Allies." It is interesting to note that on the last day of the Carter administration, HUD released more than $2 billion in Section 8 contracts out of the Secretary's Discretionary Fund.

In short, providing $30 million in discretionary funds that can be spent unconditionally can only be labeled as poor public policy.

TARGETING

Federal assistance programs are generally not targeted to help the truly needy, since less than 8.3 percent of all Federal assistance is means tested.

This proposed rental rehabilitation progam is no exception and is far from being targeted to those most in need. No income limit is imposed on those who qualify to receive the grants to rehabilitate housing, and for as much as 50 percent of the funds provided there is no income limit on those living in the units once rehabilitated.

This failure to target program works directly against our successful efforts of the past 3 years to insure that future housing subsidies be made available only to the very low income. In fact, one result of this bill is to make some eligibility requirements more generous than in the entire history of the Department of Housing and Urban Development.

The new eligibility standards are at best very complicated to explain, and, incidentally, are radically different from all other HUD eligibility standards that they must now enforce. This new program has not one, but three sets of eligibility standards. First, all grants must be spent in neighborhoods whose median incomes are less than 80 percent for the area. Literally thousands of neighborhoods across this country would meet this standard. How can the Government insure that the most needy neighborhoods will receive priority funding?

The next standard of eligibility is even more faulty. This bill specifies that 70 percent—and in some cases 50 percent—of benefits must help those earning less than 80 percent of median income, or about 30 million families. But what happens to the rest of the money?

Thirty percent of this assistance could potentially go to anyone regardless of income.

For example, a wealthy individual who wants to renovate a townhouse in a blighted Washington, D.C., area could receive a grant to renovate his property, and then live in it. Although this is not likely to happen, the fact is this bill permits opening the door to such schemes.

Yet the story does not end here.

The eligibility standards take even a more tortured twist. The bill states that when a multifamily project is granted approval for assistance only 20 percent of the units need be made available to lower income families. There is no income limit for those living in the rest of the units. In the past, the General Accounting Office has repeatedly told Congress that these so-called partially essential projects are the most expensive and inefficient use of housing subsidy.

Now for the final blow. Newly built units which are part of this program and are subject to a rent control system that—incredibly—provides proportionately greater tenant subsidies to moderate-income families and less to very low-income families.

Absurd? Yes.

Illogical? Yes.

Included in the committee bill? Yes.

QUADRUPLE SUBSIDIES

It is a mistake for Congress to review any single Federal housing program in isolation. Almost all Federal housing programs are overlapping or attempt to patch past programs. Section 202 low-interest loans build units for elderly persons assisted under section 8. Farmers Home Administration low-interest loans build units assisted under several types of housing subsidies. Section 8 new construction units receive guaranteed tenant income, lower cost construction financing, and often have federally backed mortgage insurance.

This new program is no exception. In fact, this program could be coupled with at least three other forms of direct Federal subsidy. In summary it is conceivable that an owner may rehabilitate a unit of housing and not put a single penny of his own money or be exposed to any risk of default. Here is how:

This bill allows grants to supply up to 50 percent of the cost of rehabilitating a unit yet if this is not enough an owner can apply for another grant for another 50 percent of the cost from any other Federal program, including the community development block grant. Once built, a tenant living in such a unit is eligible to receive direct tenant subsidy available under a new section 8 program created under this bill (see the "housing voucher" section of these views). If the unit is newly constructed, it is also eligible for tax-exempt financing. Finally, the mortgage can be 100 percent insured by the Federal Government so that the owner faces little if any economic risk for default. How could the Government be more generous?

NEW CONSTRUCTION

Although the administration does not request such authority, the bill permits grants to help build new units of housing despite the Federal Government's past proven inability to build inexpensive, low-cost housing.

Congress terminated new starts for the section 8 program for this very reason. Even Congress—which rarely says no to extravagant uses of tax dollars—realized that the section 8 new construction program was a horrible mistake.

Now just a few months after terminating section 8, Congress is about to embark on a wholly new program.

Why does Congress so abjectly fail in its efforts to build new housing? Here are a few reasons:

First. New housing is built under the rules of Davis-Bacon, meaning that labor costs are usually far higher than labor costs for other types of housing.

Second. Congress never initially authorizes or appropriates enough to build a new unit, so the new units either run deficits—which future Congresses will be required to make up—or Congress has to fork over more money up front to get the project built.

Third. Numerous Federal rules govern construction of new housing, and compliance increases costs. For example, housing must be built according to standards written in the National Environmental Policy Act.

Fourth. These rules discourage owner-developer participation. To offset this, HUD must offer other inducements to encourage participation, and that only increases costs. For example, under section 8 new construction, developers were required to invest little, if any, of their own money in the project.

There are other factors far too numerous to mention that drive up costs for building Federal housing. Congress will live to regret a decision to use this program to provide units of new construction.

INTERFERES WITH PRUDENT FEDERAL-STATE-LOCAL GOVERNMENT RELATIONSHIPS

This bill contains a rather curious provision that if a State or local government chooses not to administer this new program—and I would think most would have every reason not to—then the Secretary of HUD must administer the program for the State. If a State or community has elected not to participate in the program, the Federal Government should have absolutely no business in initiating such a scheme in a local community.

Some of those to whom I have expressed these concerns say we need not worry since "after all, it is only $300 million."

History mocks this contention. When section 8 began in 1974, it did so with an initial appropriation of just $42 million. In less than a decade, Congress committed $150 billion to this discredited program.

If the Senate fails to kill this new program, in all probability a future Senate will have to, but only after billions will have been spent needlessly and foolishly as we have done so many times before. Why have we never learned from these lessons of the past?

HOUSING VOUCHERS

Another new housing program included in this bill is the modified section 8 existing housing assistance program.

This program is being sold as the efficient, modest, affordable, and equitable way to replace the horrible section 8 new construction program.

That sort of sales job only increases my apprehension. After all, that is exactly the way section 8 was sold to Congress as being efficient, modest, affordable, and equitable way to replace the section 236 program, which replaced the section 221 program, all of which are in addition to the public housing program, the section 235 program, rural housing, college housing, et cetera.

The question I have is this: Will those who are in the Senate 10 years from now scratch their heads and ask what in the world were we thinking of when we created this monster?

I believe the answer is yes. Here is the way this program works. Public housing authorities will provide certificates, or vouchers, to eligible families to cover the difference between 30 percent of their adjusted income and the cost of a rental housing unit. A "payment standard" based on the rental cost of modestly priced standard quality housing of various sizes and types in a particular area would be used in combination with the family's income to determine the amount of Federal subsidy to be provided. A participating family could choose a unit with a rent above the payment standard, but the family would not receive any additional subsidy and would absorb the additional cost. A family could also choose a standard quality unit with a rent below the payment standard and would be able to retain the savings. Thus, families would be able to decide for themselves how much they are willing to pay in order to live in better housing units or neighborhoods.

This program is being sold as the best way to reduce Federal housing costs on the theory that it is cheaper than section 8. Proponents argue that under section 8, landlords have raised rents to match rent levels the Federal Government is committed to subsidize. Under the HUD proposal, the opportunity for tenants to negotiate rent levels should hold down rents and subsidy levels—in theory.

Sounds good, right?

Consider the following facts:

This program will only save money if the so-called payment standard is lower than the fair market rent standard. It is true that in proposing this program, HUD developed a payment standard that is likely to be lower than the currently used fair market rent standard.

But what did the Senate Banking Committee do less than 2 months after the proposal was sent to Congress? It liberalized the payments standard, and made the subsidy more generous? Here's how:

First, it set payments and fair market standards at levels 13 percent higher than levels initially proposed by the administration.

Second, it allows public housing authorities to set rents 20 percent higher than levels projected by the administration. Then the bill allows PHA's to retain 50 percent of the rent savings resulting from tenants finding units below the payment standard, and tenants may have less overall incentive to find cheaper housing, and projected savings may not materialize.

It is interesting that this approach by the committee funds fewer units, but at subsidies substantially greater than the administration proposes. Keep in mind this is only 2 months after the proposal was submitted. If the past is any lesson, future Congresses will enact more generous subsidies and expand the number of units provided.

Just take a look at the eligibility standards the bill provides. Although the committee used an eligibility standard that is now used for housing programs, literally millions of families will meet the proposed eligibility standard of 50 percent of median area income.

While millions are eligible, the initial administration proposal proposed funding 80,000 units of housing with this new certificate program. This is only a drop in the bucket of potential need as defined by the bill. There will soon rise a great clamor by public housing authorities and tenant organizations for more certificates, higher subsidies.

These certificates are extremely valuable. Some Americans pay more than 50 percent of their gross income for housing. But from the many eligible, the lucky few who receive assistance could pay only 30 percent of adjusted income for rent. To give such a gift to some eligible families but not others is grossly discriminatory. Congress is likely to resolve such a dilemma by agreeing to expand the program to all who qualify even though the taxpayers are already assisting some 13 million Americans. The bill, in effect, creates an ocean of demand and irresistible political pressure to fulfill that demand.

MORTGAGE FORECLOSURE RELIEF ACT

By a vote of 11 to 7, the Banking Committee, without benefit of hearings beforehand, approved the "unemployed and underemployed" mortgage default assistance program. This $750 million Federal loan guarantee program provides a second mortgage for a homeowner to make his first mortgage loan payments—in other words, a Government bailout for a homeowner unable to make monthly mortgage payments.

Like other Federal housing assistance programs, this mortgage assistance program also is not targeted to the needy. No income or asset test is required to qualify; in fact a homeowner need only have "incurred a substantial reduction in income as a result of involuntary unemployment or underemployment." The definition of "underemployment" is left to the imagination, since the bill does not define it. In addition, no limit exists for the amount of the first mortgage which homeowners can have and still be assisted. For example, a wealthy homeowner with two homes, several cars, and other assets could still qualify for this Federal loan guarantee.

While I applaud the spirit which motivates Senators to propose legislation to help those strapped by mortgage payments they are unable to make, this legislation is likely to do more harm than good for those intended to benefit from this assistance.

The program actually provides an incentive to mortgageholders to foreclose. The program requires lenders to indicate an intent to foreclose in order for homeowners to be eligible for the guarantees. Also the bill essentially encourages a debt-strapped homeowner to take on further debt only digging a deeper hole of debt. For example, a homeowner with a 13-percent mortgage for 80 percent of the average existing home price of $68,000 would be paying $604 per month. After being assisted by this program he would owe $819 per month, an increase of 35 percent in debt payments.

Moreover, the total loan value would be in excess of 100 percent of the purchase price. This greatly increases the probability of ultimate foreclosure on the home. The result—this program may actually create a Federal grant to delinquent homeowners program, not simply a loan guarantee program. By increasing the total debt on the home beyond conventional bank lending standards, the risk of a direct Federal outlay occurring is very high.

THE PUBLIC HOUSING AUTHORITY ACCREDITATION COMMISSION

The Senate bill also contains a new accreditation commission—section 304. The bill assigns to this privately appointed Commission authority to set and administer standards for accreditation of public housing agencies. The Commission would act as an independent entity empowered to formulate standards and administer accreditation for public housing authorities and at the same time be subject to the Department of Housing and Urban Development, subject to the HUD Secretary.

This arrangement is unworkable and violates the appropriate and proper roles of the Department of Housing and Urban Development in overseeing the use of Federal funds and to assist public housing authorities in their management. Although ostensibly under HUD, the Secretary would have no role in Commission appointments, no control over use of personnel, no control over use of funds or involvement in establishing performance standards or participation in the accreditation processes. The Secretary could only approve or reject the final draft before it is published in the Federal Register. We already have an agency, HUD, with the authority, matched with responsibility and accountability to the President and Congress. Why do we want to diffuse the adminstration of public housing with little or no responsibility to HUD or Congress?

Furthermore, this proposal would at best interfere with the past progress made in developing an efficient, workable certification process currently in operation. The establishment of performance and accreditation standards is a tested, accepted procedure which has been developed by HUD and voluntary associations with the case of expert panels and individual professionals' assistance. It is difficult to predict the decisions of this Commission—but on thing is clear: it would destroy the years of cumulative work in developing the new existing structure.

In addition, from a philosophical perspective, the Commission creates bad Federal precedent. Unlike many study commissions created by Congress, this one has both operating and regulatory functions without proper accountability. A privately appointed commission would regulate and set standards for Federal assistance programs. This Commission would also accredit other units of Government and perform other Federal functions and decisionmaking. Such a delegation is poor policy.

It is not surprising the National Association of Housing and Redevelopment officals (NAHRO) have voiced strong opposition to the proposal. This organization which works closely with public housing authorities across the country decisively rejects the proposal.

EXPANSION OF EXISTING PROGRAMS

This bill also makes costly changes to current programs which will—

Result in outlays by 1988 $1.3 billion higher than the administration projects even though the same number of units will be assisted. The committee bill establishes a new fair market rent system to determine subsidy levels. The effect will be to raise fair market rents 13 percent above the administration's proposed levels.

Not count food stamps as income in determining either eligibility for housing or the amount of housing subsidy to be received.

Prohibit the inclusion of housing assistance in determining eligibility for all other domestic assistance programs, an issue not properly within the jurisdiction of the committee.

Accelerate spending in the community development block grant program by permitting local governments to draw down grant funds by demand rather than according to spending need.

These are just a few of the many undesirable changes to current programs included in this bill. But two issues deserve also close scrutiny:

First, proposed changes in income eligibility and,

Second, failure to repeal Davis-Bacon as it applies to Federal housing.

INCOME ELIGIBILITY

This bill makes a major change by adding a little noticed provision to exclude the value of housing assistance from tenants' income for the purpose of any other Federal law. Although few in words, this change has extensive impact. The provision is clearly a substantive change to all domestic assistance programs including those not within the jurisdiction of the Banking Committee. For example, this change affects the aid to families with dependent children (AFDC) program. This program is in the Finance Committee's jurisdiction, and this change is opposed by both the chairman and the ranking minority member of the Senate Finance Committee. Let me quote from their December 8, 1982, letter to the Banking Committee:

> The treatment of income is perhaps the most fundamental element of a public assistance program.
>
> Clearly, Congress made an important policy decision when it adopted the Administration proposal permitting states to count housing subsidies as income. Currently, two states (Oregon and North Carolina) have elected to utilize the offset. At least 10 additional states count housing assistance in the form of cash payments as income. Repealing the option would have a disruptive effect on these states and their AFDC programs. It would also be a violation of the principle this Committee has followed when considering changes to income maintenance programs; that in a time of scarce resources, federal benefits should be targeted to those most in need and that all resources available to the family should be considered when determining benefit amounts.

In addition to the exclusion of housing assistance as income for purposes of determining eligibility and assistance for other Federal programs, the bill excludes the counting of food stamps as income in determining housing eligibility. Clearly, food stamps are in kind income that have cash value and should be included when determining housing subsidy eligibility.

DAVIS-BACON

Not only is the bill deficient for what it contains, it is also deficient for what it does not contain—namely, repeal of the Davis-Bacon Act.

Davis-Bacon sets Government dictated wage and hour guidelines and, in almost all cases, substantially increases labor costs. The Davis-Bacon Act applies to Federal construction projects, including the construction rehabilitation and maintenance of assisted housing projects.

Huge savings would occur if Davis-Bacon were repealed across the board, and particularly if Federal housing were exempted. Consider the following:

The General Accounting Office, which advocates outright repeal, estimates that for each 100,000 newly constructed or substantially rehabilitated units of housing Davis-Bacon increases costs $160 million. Since 800,000 new section 8 units have been built, cumulative savings had Davis-Bacon been repealed would be $1.28 billion—money that could have been saved, or alternatively, provide additional housing the elderly or handicapped.

GAO recently studied HUD's section 8 rental assistance program. In their report they stated, "various Federal, State and local officials and developers told us that the act significantly increased the cost of the section 8 new construction program in particular areas." Two areas specifically noted were southern California where cost increases due to the act were estimated from 5 to 15 percent and Pennsylvania where the estimated cost increases ranged from $1,000 per housing unit to 15 to 25 percent for the entire project.

The National Homebuilders Association has estimated that at least 10 percent of the development costs of HUD programs will go toward higher construction and administrative costs because of Davis-Bacon. HUD-funded housing aid covered by Davis-Bacon is approximately $4 billion. If we repealed Davis-Bacon for all HUD programs, including section 8, new construction, rehabilitation, and public housing programs for 1982, homebuilders estimate a savings of Federal dollars of $407.5 million in the first year alone.

Many other problems exist with Davis-Bacon, and it continues to be impractical to administer. The GAO charged that the Department of Labor has failed to consistently determine permissible Davis-Bacon wages, and have not developed an effective system to plan, control, or manage the data collection, compilation, and wage determination functions.

Davis-Bacon discourages the efforts of minorities to enter the construction crafts, says GAO. Davis-Bacon discriminates against minorities for three reasons: First, the concept of a minimum rate; second, high apprentice rates; and third, discouragement of minority contractors.

If there was no minimum rate, contractors could, in many instance, give up the expertise and expense of the skilled craftsman in favor of the inexpensive unskilled laborer. The act discourages the use of minorities on Federal construction projects. Apprentice rates are often set so high as to favor use of the more skilled journeyman over the apprentice. Minorities have used categories such as helpers and trainees as a major means of entry into the construction industry when not barred by Davis-Bacon.

The Department of Labor's disposition toward union rates discourages minority contractors, a vast majority of whom are open shop, from bidding on Federal projects. This not only hurts minority employment, but also contradicts Federal procurement policies aimed at encouraging minority enterprises.

During testimony before the Senate Labor Subcommittee in late April, Chicago housing authority commissioner, Renault A. Robinson, outlined the outrageous Federal pay scales of housing authority maintenance employees.

"We did a survey last year," Robinson told subcommittee Senators, "to determine how much overtime we paid to our 216 elevator mechanics. We spent, in a 10-month period last year in overtime alone—not counting the regular 40-hour week—$3 million. The highest employee took home $80,000 in overtime. Now if you figure that out, he never slept, he just stood there in the elevator."

HISTORY OF FAILURE IN FEDERAL HOUSING PROGRAMS

Since 1937, more than $360 billion has been committed to Federal subsidized housing; 90 percent of this enormous sum was obligated in the last 8 years alone. Some 13 million Americans live in 5.6 million subsidized units. By this standard, Congress might appear to have been sensitive to the poor. On close inspection, however, the facts show Federal housing is not only insensitive to the poor, but is also intellectually and fiscally bankrupt.

From 1937 to 1969, public housing was the major Federal housing program. Construction of the units was federally financed, and local public housing authorities (PHA's) operated the units. Because of the low-cost financing, rents were reduced, and made available to the poor. No Federal operating subsidies were used, and virtually all PHA's met their costs, and even established reserves to meet replacement and emergency costs.

Yet concerns were raised that this system created instant public housing ghettos, and that tenants paid too much of their incomes for rent. Rushing to the rescue, Congress enacted requirements that tenants were to pay no more than 25 percent of their income toward rent. While assisting tenants, this reduced the operating

income of PHA's, so Congress created another new program—PHA operating subsidies designed to keep PHA's solvent.

This cure proved almost worse than the disease, however. By 1975, all large PHA's had exhausted their reserves, operating deficits mounted forcing Congress to enact larger and larger operating subsidies. We are to the point now where last year there were 383,000 units located in PHA's that were financially distressed to the point of bankruptcy.

PHA's have not rented units that have become vacant because they lack the money to do so. Incredibly, PHA's have told congressional committees that they are thinking about boarding up additional units that are currently occupied.

In the sixties, Congress was not just concerned about excessive tenant contributions to rent. It also wanted to stimulate private ownership of subsidized housing—in itself a noble goal. So Congress launched a series of rental subsidy programs that directly subsidized owners and landlords renting to low-income tenants. Again, the cure proved worse than the disease. The costs and inequities of these programs—known as sections 235, 236, and 221 programs—led to critical reports by the General Accounting Office. Costs rose so high that a Presidential impoundment of the funds was ordered. Even so, today Congress still funds commitments made under these programs, and will continue to do so for the next decade.

In 1974, Congress approved a new housing program—section 8. This program rose like a phoenix out of the ashes of the previously discredited programs. It was hailed as the solution to the Nation's low-income housing problems. It was said the new program borrowed all the best features of earlier housing programs. But from the start, section 8 proved ill conceived, poorly managed, and scandalously costly. Its initial appropriation was modest—only $42 million. But in 8 short years Congress committed to section 8 more than $145 billion. Some 1 million units were built or leased, and 200,000 are awaiting occupancy. The Congressional Budget Office at one point estimated that a newly constructed section 8 unit could have a lifetime cost of more than $500,000. Eligibility was so broad that 40 million Americans—a GAO figure—were eligible for the subsidy. Abuses abound. Published reports documented that section 8 was a program for the "greedy, not the needy." Elaborate housing was built that lined the pockets of the developers at the expense of the poor. Other scandalous practices were reported:

Section 8 contracts were given to developers who, coincidentally, contributed significant campaign sums to reigning politicians.

Illegal aliens were housed in subsidized units.

Those with incomes exceeding section 8's already broad eligibility standards lived in units built for the poor.

Newspaper and magazine headlines screamed "Billion Dollar Nightmare at HUD," "Very Poor Last in Line to Receive Federal Housing Assistance," "Taj Mahal in New York: Symptoms of Rent Subsidy Headaches," "Housing and Politics: The Way It Works."

In 1982, Congress finally woke up to the horrors of section 8, slashed funding for new commitments by 40 percent, and adopted program reforms.

Even with these desirable changes, the fact remains that in future years Congress will have to spend more money to bail out this program. Poor budgeting and dismal planning plagues section 8 with a huge unfunded liability—estimated by the Congressional Budget Office to be as large as $50 billion—just to keep existing section 8 units available to the poor.

SPENDING ALREADY COMMITTED TO FEDERAL HOUSING

Before embarking on new housing adventures, this Congress must understand exactly what our situation is today after this long history of housing programs. We need to understand what we have already committed and the obligations that have already been fastened on the taxpayers, both in direct, defined commitments as well as the other unfunded obligations that have been built into our structure.

Of the $363 billion Congress has committed to Federal housing programs, less than $90 billion has been spent. That means that if Congress did not commit an additional dollar to these programs, at least $263 billion is obligated to be spent over the next 40 years—quite a legacy for future generations to pay.

Even these figures understate costs since they do not take into account the value of special tax advantages and Federal financing often associated with housing programs, nor does it include future funding that will be necessary to finance deficits in housing already provided.

This year there are 5,680,000 units of housing which are directly subsidized—either in direct tenant subsidies or low-interest loans—by the Federal Government, housing about 13 million people.

In addition, another 364,805 units are not yet occupied for which Congress has previously obligated the Government to build. Again, if Congress does not commit any additional money and only fulfills present obligations, 360,000 units of housing will be provided this decade.

Using President Reagan's 1984 housing budget assumptions, in the next 5 years, the Government will commit another $25.9 billion in new long-term spending for programs within the Department of Housing and Urban Development. This additional $25.9 billion will provide financing for another 234,000 units. But that is not all. The Department of Agriculture's Farmers Home Administration proposes to commit an additional $22 billion to its low-income housing programs and that will provide an additional 212,000 units.

Even these budget figures do not tell the full story about future spending. These figures fail to reflect the overly optimistic assumptions of the President's budget in revealing the potentially large deficits in housing programs. Current housing policy makes it impossible for public housing authorities to meet their spending obligations and their only recourse is to seek assistance from the Federal Government. Also, as a result of Congress initially failing to provide adequate resources to finance the section 8 and other housing programs, Congress will be forced to appropriate more money to keep already subsidized housing projects in operation.

Contrary to the prevailing wisdom in Congress and the media, there have not been and will likely not be any actual budget cuts in housing programs during the first term of the Reagan Presidency. These are the facts:

Housing outlays have and will continue to increase each year during President Reagan's first term.

At least 1 million additional subsidized units will be occupied between 1981 and 1985.

Between 1985 and 1988, another 163,000 units will be occupied—not counting increases in units provided through rural housing programs.

It is true that the spending totals proposed by the administration and provided in the committee bill are much lower than those proposed during the 1970's. It is also true that in 1981, during the heyday of cutting taxes and spending during the so-called Reagan revolution, the Congress did reduce by $23 billion the spending commitments proposed by President Carter for new housing and community developments to be made in 1981 and 1982. But these reductions will not show up in actual outlay reductions until 1984 and 1985. That is because as much as 3 years lapse between the time Congress appropriates funds and the time the money is actually spent. While there were other spending restraint changes—increasing tenant contributions to rent, for example—these will take as long as 5 years to become fully effective.

The bottom line is this: The total savings realized from spending restraint will not reduce Federal outlays during President Reagan's first term.

But even with full implementation of all budget savings, Federal outlays will still rise each year this decade.

Incredibly, the spending cuts in Federal housing programs constituted 52 percent of total budget savings in the first year of the so-called Reagan revolution that was to achieve a balanced budget by 1984.

Yet, I believe a strong case can be made that rather than reduce spending in Federal housing, Congress and the administration actually accelerated spending by authorizing additional financing subsidies for 74,000 new units of housing that otherwise would not have been built.

In sum, Congress has to date committed $363 billion to Federal housing and almost all of that since 1970. Less than $90 billion has been spent to meet these obligations leaving future generations at least $263 billion to pay, assuming no additional commitments are made and that projected deficits do not materialize. Five million units are already subsidized, and by 1988, 6.3 million units will receive subsidy. And far from cutting actual spending, the Congress has, at best, only slowed future increases in spending.

ACTUAL AND POTENTIAL UNFUNDED OBLIGATIONS IN FEDERAL HOUSING

A review of commitments to housing to date still does not tell the whole story of where we stand today on public housing. We must go further and understand HUD budgeting practices which have now created a huge unfunded liability. This has come about through three major practices: First, amendments; second, project reserves; and third, rent supplement programs. They add up to a colossal faux pas in Federal housing policy and add billions in unfunded obligations whose magnitude cannot be accurately measured.

AMENDMENTS

This innocuous sounding budget concept is the cover used to hide billions of dollars in cost overruns run up in the construction and rehabilitation of federally subsidized units. The sums involved are large. Since 1978 alone, some $20.5 billion in amendment funds have been committed by Congress. Additional billions will be needed in the future. In fact, this bill alone provides at least $3 billion in long-term spending for cost overruns. The need for amendment funds originated as follows:

In the past, Congress has told HUD that it must build a certain number of units, and theoretically Congress provides adequate authorizations to build those units. HUD then allocates the money to build the congressionally determined number of units. Yet, these authorizations in virtually every case have been insufficient to pay for the unit—but HUD has already committed the Government to build the unit. Therefore, HUD has no choice but to ask Congress to fork up more money—the so-called amendments—to pay for the previously authorized unit.

Here is an example. Suppose HUD in 1980 entered into a contract with a developer for a section 8 contract. HUD then reserves a certain amount of budget authority—that Congress mandated—for this project. For a variety of reasons, construction will not begin until 1982. In the interim, costs have increased, and the developer cannot build the project for the money initially reserved. So HUD has to reserve additional budget authority for these past projects, and the authority is reflected in requests to Congress in the form of additional amendments.

This policy is nothing more than a shell game. HUD submits and Congress approves the budget supposedly with enough funds to build a certain number of units. Often these estimates are underestimated. But it serves the political purpose of reducing, although deceptively, full program costs. Only much later will Congress pay the full bill for previously authorized units, once the commitments are made.

Second, knowing that amendment money is always available, there is little incentive for developers to reduce costs. Keep in mind that developers frequently are paid on the basis of a percentage of the costs of the total project. Thus, the more dollars, the greater the percentage, the greater the need for amendments.

According to HUD, all of the 800,000 section 8 newly constructed units have required additional amendment funds before they could be built. Therefore, repeatedly Congress has initially understated total costs and then deceptively escalated the authority allocated to these units by using future amendments to cover the actual costs.

PROJECT RESERVES

Even with the cost overrun amendments just described, total housing costs are still understated because Congress has not provided enough money to pay future costs. In fact, this bill proposes to begin the first wave of what will likely be a tidal wave of additional dollars that Congress will be asked to commit just to keep currently occupied section 8 units operational. In part, section 8 units are financed on the project reserve concept. HUD takes the first year costs of operating a project—total rents, maintenance, repair, and other expenses—and multiplies these costs times the number of years for the contract, usually 20 years.

Yet over the course of a 20-year period, costs will rise. These additional costs are paid out of the project reserve. This reserve is the income derived from tenant contributions to rent. The theory underlying this practice originated from tenant rent contributions which will rise with inflation and along with other increases in operating costs.

Like so many theories that comprise Federal housing policy, this project reserve theory is beginning to crumble. In reality funds used in some project reserves have been diverted to other than intended purposes, tenant income and their contributions to rent are not likely to rise with inflation. In addition, other economic assumptions used to determine project levels may be overly optimistic.

For the first time this year, HUD was forced to request that Congress appropriate an additional $6.7 million in 1984 for project reserve funds. The administration now projects that it will have to spend at least $75 million in each of the following 4 fiscal years to keep project reserves adequate and housing projects solvent.

Moreover, I am informed these figures also are underestimated . . . the potential for future project reserves required in each of the next 25 years may be large. HUD is now conducting an intensive review to determine the amount needed for project reserves.

The bottom line is this: Congress is foolish to begin even one, let alone seven new programs and to expand further funding for current programs when we face the prospect of spending billions just to keep the doors open for currently provided housing.

SECTION 236 RENTAL ASSISTANCE PROGRAM

Because of horrible mistakes made when the section 236 rent supplement program began in 1968, the Federal Government faces a potentially huge unfunded liability that the Federal Government is responsible for, and eventually must pay.

Rent supplement and the rental assistance programs were created without an adequate mechanism to pay for future cost increases. Because most projects are insured by the Federal Government against default, the Federal Government is responsible to pay obligations if defaults occur. The effect of this deficiency is to expose the Government to large risk in the future.

To its credit, the administration foresaw this problem, and the 1984 budget proposed a solution that would reduce the Government's risk. This solution, however, is not included in the Senate committee bill.

The administration proposed ending the rent supplement rental assistance program, and converting all insured units to the section 8 program. Specifically, the administration wants to recapture all unspent funds in the section 236 program, convert these funds in the section 8 program, and use the converted funds to pay for currently nonbudgeted rent and cost increases in the section 236 units. After these costs were properly financed, HUD pro-

posed Congress rescind the left-over funds. This conversion would apply only to insured projects; noninsured projects—those projects financed by State housing finance agencies—would be responsible for funding future cost increases that are above amounts funded by HUD.

The Senate bill rejects this approach. Instead, the bill requires HUD to offer increased subsidies to cover future cost increases of all rent supplement units, including both insured and noninsured projects. Because it is optional, not mandatory, for the project sponsor, few conversons would result and for a number of reasons. Yet, while the committee bill creates the obligation, it does not provide enough money to meet this obligation. Depending on which economic assumptions are used, Congress in the next 30 years may need to commit $8 billion in new money to keep the rent supplement operational if conversions do not result. The committee bill authorizes $3.2 billion to meet this and—important to note—other future obligations. So under the committee bill, the unfunded obligations by the Government is at least $5.4 billion, and potentially more, depending on how much of the $3.4 billion authorized by the committee is spent on rent supplement and rental assistance amendments.

SUMMARY

Experience teaches us that public housing legislation leads to uncontrollable costs, waste, abuse, and failure. Congress should never again pass new housing legislation without careful study, extensive hearings, and full debate along with an extensive review of previous programs and critical evaluation of how they are working. This legislation has not undergone anything resembling such scrutiny.

The defects in this bill are only a few that I have identified after only a cursory review of its provisions. I could discuss at length other undesirable provisions, the huge increase in lending authority for rural housing, the Federal Housing Administration and the Government National Mortgage Administration, the provisions for a new, capital subsidy and replacement fund, defects in the method for computing public housing operating subsidies, the inclusion of a new rural housing preservation grant program, the liberalization of the prohibition against providing assisted housing to illegal aliens. It seems like an endless list.

But my basic point is this. The bill cannot and should not pass bearing any resemblance to its present form. Why then are proponents arguing for its passage?

Here are a few arguments I have heard for the bill. "The Senate bill is better than the House bill." That is true. The Senate bill has half to two-thirds the spending levels in the House bill. But that alone is no reason to pass this bill. In fact, the opposite is true. It is reason to defeat this bill so that no version of the House bill will pass.

I have also been told, "We have to pass this bill because the House is holding hostage the International Monetary Fund bill until successful adoption of a housing authorization legislation." If true, the Senate should reject such flagrant extortion. Committing an additional $21 billion in new spending as the price to help international governments keep their loan agreements is absurd, and a price I am not prepared to pay.

I have also heard that, "We must pass this bill. After all, we have not had an authorization bill in 2 years." So what? Then there is, "If we do not pass an authorization, the Appropriations Committee will do so anyway." Maybe, but again, no reason to pass an absurd bill now.

Finally, there is the argument that there are urgent unmet housing needs to fill. Yes; it is true. But no matter how many billions Congress spends, it will never be able to fully satisfy those needs. And it surely never will if Congress continues to blindly and unthinkingly spend money on untargeted rehabilitation grants, Davis-Bacon, and subsidies for the wealthy.

It is easy to oppose legislation, and not propose constructive alternatives. What housing policies do I endorse? Here is what I think should be done immediately:

First, full recapture of every unspent and uncommitted dollar within the Department of Housing and Urban Development and Farmers Home Administration.

Second, inventory every Federal housing project in the United States and the territories. Determine which units that we are now paying for that are either uninhabited or in need of serious repair and determine how much is needed to bring each unit to an acceptable level of habitability, using local standards as the benchmark.

Over the next 5 years, as many as 100,000 units of public housing which the Federal Government is financing will be either uninhabited or should be abandoned. Why build new housing, or provide additional housing until these units are demolished, renovated, or paid for?

Third, determine future levels of spending that will be needed to erase current or projected deficits. Right now, two-thirds of all units are located in public housing authorities that are near bankruptcy. What needs to be done to erase these deficits, replenish reserves, modernize their housing stock, and make them energy efficient and less costly?

In the future, almost all long-term section 8 newly constructed units will have to have additional appropriations beyond what is already committed. Using intermediate assumptions, what are the projected deficits? Can recaptured funds be held in reserve to pay these obligations?

Fourth, immediate repeal of Davis-Bacon and other regulations responsible for increased costs, including the National Environmental Policy Act as it applies to subsidized housing, the use of Federal Building Code standards, et cetera.

Fifth, provide no additional subsidies until we know for certain we have reduced waste, targeted assistance to the needy, and are fully able to meet current and future obligations.

Sixth, of course, the best housing policy is one that would help permanently to lower interest rates. To keep interest rates down we must reduce the future deficits now projected. Rather than freeze spending levels, this bill actually increases spending and thereby does nothing to solve our country's basic economic problems and opens the door for future increases in interest rates.

In the meantime, I urge defeat of this housing authorization legislation.

Mr. President, I ask unanimous consent to have printed in the RECORD statistical reports which emphasize the concerns I have expressed.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

APPENDIX.—DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT COMPARISON OF BUDGET AUTHORITY AND OUTLAYS CARTER BUDGET, REAGAN BUDGET AND ACTUAL

[In millions of dollars]

	1981	1982
Budget authority:		
Carter	$38,390.9	$38,209.0
Reagan	32,830.7	23,040.8
Actual	33,350.4	20,084.7
Outlays:		
Carter	13,304.9	15,507.4
Reagan	14,082.4	13,934.8
Actual	14,033.4	14,490.6

Outlay increases in 1981 were due primarily to interest rates increasing and remaining at substantially higher levels than projected for the balance of the year. For 1982 the Reagan Budget projected lower interest rates which did not fully materialize.

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT SUBSIDIZED HOUSING PROGRAMS, UNITS ELIGIBLE FOR PAYMENT/TOTAL UNIVERSE INCLUDING PIPELINE, 1980–84

	1980		1981		1982		1983		1984	
	Units eligible for payment	Total universe	Units eligible for payment	Total universe	Units eligible for payment	Total universe	Units eligible for payment	Total universe	Units eligible for payment	Total universe
Public housing	1,192,000	1,372,611	1,204,000	1,428,810	1,224,000	1,359,006	1,250,000	1,326,006	1,255,000	1,285,877
Section 8:										
New/sub rehab	333,153	739,168	474,465	790,464	571,298	802,179	651,298	807,154	724,298	808,154
Existing	781,949	873,318	844,462	973,515	955,385	1,071,701	1,128,504	1,229,847	1,393,959	1,398,288
Rent supplement	164,992	164,992	157,779	157,779	153,355	153,355	80,000	80,000	15,000	15,000
Section 236	377,285	382,088	376,206	376,206	361,931	361,931	356,000	356,000	347,000	347,000
Section 235	219,452	227,652	240,539	264,739	241,927	263,173	232,000	232,000	213,000	213,000
Subtotal	3,068,831	3,759,829	3,297,451	3,991,513	3,507,896	4,011,345	3,697,802	4,031,007	3,948,257	4,067,319
Section 221 (BMIR)	88,000	88,000	88,000	88,000	88,000	88,000	88,000	88,000	88,000	88,000
GNMA tandem:										
Nonsection 8 units	NA	NA	NA	NA		10,600	8,000	14,800	14,800	14,800
Targeted tandem	5,600	49,000	18,800	57,900	39,900	74,900	53,900	78,700	73,900	78,700
Section 202 (Original program)	25,000	25,000	25,000	25,000	25,000	25,000	25,000	25,000	25,000	25,000
Totals	3,187,431	3,921,829	3,429,251	4,162,413	3,660,796	4,209,845	3,872,702	4,237,507	4,149,957	4,273,819

Note.—Does not include 1.7 million units assisted under rural housing operated by the Farmers Home Administration, nor administration projection of 80,000 additional units in each year 1984–1988.

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT SUBSIDIZED HOUSING PROGRAMS, UNITS ELIGIBLE FOR PAYMENT/TOTAL UNIVERSE INCLUDING PIPELINE, 1985–88

	1985		1986		1987		1988	
	Units eligible for payment	Total universe	Units eligible for payment	Total universe	Units eligible for payment	Total universe	Units eligible for payment	Total universe
Public housing	1,238,000	1,245,877	1,206,000	1,206,000	1,171,000	1,171,000	1,161,000	1,161,000
Section 8:								
New/Sub rehab	775,298	817,154	799,298	826,154	808,298	835,154	817,298	844,154
Existing	1,491,273	1,495,602	1,578,480	1,582,809	1,654,363	1,658,692	1,711,380	1,715,709
Rent supplement	15,000	15,000	15,000	15,000	15,000	15,000	15,000	15,000
Section 236	346,000	346,000	345,000	345,000	344,000	344,000	343,000	343,000
Section 235	206,000	206,000	199,000	199,000	192,000	192,000	187,000	187,000
Subtotal	4,071,571	4,125,633	4,142,778	4,173,963	4,184,661	4,215,846	4,234,678	4,265,863
Section 221 (BMIR)	88,000	88,000	88,000	88,000	88,000	88,000	88,000	88,000
GNMA tandem:								
Non section 8 units	14,800	14,800	14,800	14,800	14,800	14,800	14,800	14,800
Targeted tandem	78,700	78,700	78,700	78,700	78,700	78,700	78,700	78,700
Section 202 original program	25,000	25,000	25,000	25,000	25,000	25,000	25,000	25,000
Totals	4,278,071	4,332,133	4,349,278	4,380,463	4,391,161	4,422,346	4,441,178	4,472,363

Note.—Assumes enactment of administration fiscal year 1984 budget in fiscal year 1985, fiscal year 1987.

SELECTED INDICES OF PROGRAM COSTS, HUD HOUSING ASSISTANCE PROGRAMS

[In millions of dollars]

	Cumulative Sept. 30, 1982	1983	1984	1985	1986	1987	1988
Annual contributions (utilization of budget authority)	$232,905.1	$15,616.5	$7,966.0	$5,127.6	$5,280.4	$8,907.4	$3,041.7
Section 235 (obligations)	20,244.6	1,017.9					
Section 236 (obligations)	28,094.3	123.3	2.9				
Rent supplement (obligations)	12,415.8	46.0	20.4				
Subtotal, subsidized housing	293,659.8	16,803.7	7,989.3	5,127.6	5,280.4	8,907.4	3,041.7
Section 312							
Operating subsidies (obligations)	7,460.6	1,281.6	1,636.5	1,524.9	1,481.4	1,469.0	1,550.4
Section 221(d)(3) BMIR (outstanding loan balance)	1,239.0	NA	NA	NA	NA	NA	NA
GNMA tandem (discount on mortgage sales)	1,656.0	650.1	603.4	355.4	127.5		
FHA–GI/SRI (losses on sales)	3,101.8	240.0	253.0	432.9	269.4	269.4	269.4
Total, all programs	[1] 307,117.2	18,975.4	10,482.2	7,440.8	7,158.7	10,645.8	4,861.5

[1] Does not include $38 billion in low interest direct loans provided by Farmers Home Administration.

ANNUAL CONTRIBUTIONS FOR ASSISTED HOUSING BUDGET AUTHORITY UTILIZED FOR AMENDMENTS (1978–1988)

[In millions of dollars]

	Actuals					Estimated					
	1978	1979	1980	1981	1982	1983 [1]	1984	1985	1986	1987	1988
Public housing	274.1	437.4	956.0	935.4	372.1	1,187.0	45.0				
Section 8	2,993.2	1,873.5	3,223.1	3,007.3	4,020.0	1,406.2	391.0	99.0	87.0	75.0	75.0
Total	3,267.0	2,310.9	4,179.1	3,942.7	4,392.1	2,593.2	436.0	99.0	87.0	75.0	75.0

[1] Represents amounts appropriated for 1983; public housing total includes $405 million provided for interest rate adjustments.

Note.—1978–81 data on a net basis; 1982–88 data on a gross basis.

APPENDIX 11.—GAO REPORT, RENTAL REHABILITATION GRANTS

ISSUE

HUD plans to replace the section 8 Moderate Rehabilitation and section 312 Rehabilitation Loans programs with a new rental rehabilitation grants program.

PERSPECTIVE

The Administration is requesting $150 million for fiscal year 1984 to implement a new rental rehabilitation grants program. This program would provide grants to States and units of local governments for up to one-half of the cost of rehabilitating both single-family and multifamily rental properties. An estimated 30,000 rental units would be rehabilitated under the program in fiscal

year 1984. This proposed rental rehabilitation program has the potential to be effective in upgrading a badly deteriorated rental housing stock, but without specific congressional guidance regarding program objectives and approaches, States and local governments will tend to design programs which (1) are targeted at housing units without adequate consideration for benefiting needy renter households, (2) have costs higher than necessary to improve the housing conditions of lower income household, (3) have the potential for significant displacement of lower income households, and (4) have little evaluation information available.

Based on past work, GAO believes that many communities eligible to receive rental rehabilitation grants would probably use low interest loans to rehabilitate single-family housing, although they estimate a greater need to rehabilitate and provide assistance to multifamily rental housing for lower income households. Eligible communities would have wide discretion to determine the type and level of rehabilitation assistance. Under the Community Development Block Grant (CDBG) program, which has many similarities to the proposed program, nearly half of the entitlement cities have undertaken some rental housing rehabilitation, but far fewer cities have had extensive recent experience in designing, implementing, or evaluating rental rehabilitation programs. The CDBG program has no explicit targeting criteria for rehabilitation and many communities emphasized rehabilitation of single-family housing, while reporting that renters were in greater need of assistance. Further, the most common subsidy mechanism used by CDBG communities was low interest loans, which has resulted in substantially higher average per unit rehabilitation costs than other financing methods such as grants and interest subsidy payments.

The rental rehabilitation grants program could encourage communities to allow unnecessary improvements in order for the rehabilitated units to be marketable and competitive with other non-subsidized units. The higher rehabilitation costs associated with these improvements imply higher rents, which heightens the potential that low-income families will be displaced in favor of the more affluent. Rental rehabilitation grants would be used to subsidize the cost of rehabilitating rental properties at competitive market rents rather than at rents affordable to lower income households. Under past rehabilitation programs there has been a tendency by communities to allow repairs beyond those necessary to bring substandard and deteriorating units up to code. The Administration estimates that the average cost to rehabilitate a rental unit is $10,000. Based on a recent survey of 64 CDBG communities, however, GAO found that the average rehabilitation costs per unit (excluding a few cities with very high costs) were less than $7,000 per unit. Although housing payment certificates would be provided to eligible low-income renters to help them afford the rehabilitated units, these units would not be affordable by many low-income households without housing certificates if sizable rehabilitation expenses resulted in substantial increases in rents. Early indications are that rehabilitation costs under the Administration's rental rehabilitation demonstration program are much higher than under CDBG. In the past, housing rehabilitation programs have been conditioned on the use of the housing for lower income households. Actual experience under the past programs, however, has shown that, in the absence of clear guidelines on targeting, many communities fail to assure that benefits go to lower income households.

Furthermore, program evaluation has been relegated a minor role in local rental rehabilitation programs. Our past research on the CDBG program has identified several problems relating to the reliability of data used to report program activities and beneficiaries. Unless program evaluation is made an integral component of any new rental rehabilitation program, evaluation information will be inadequate to effectively administer the program.

QUESTIONS

How would eligible communities be selected? Will housing need be the major factor?

What is the average funding level that eligible communities will receive and how many units will this enable them to rehabilitate? Are the anticipated funding levels for individual communities going to be sufficient to have a substantial impact?

What is the extent of Federal technical assistance that the Department anticipates will be needed to help communities design, implement, and evaluate programs?

Will there be any limits and/or controls established on the type and amount of rehabilitation assistance allowed on a given project to ensure that only substandard units are brought up to code at the minimum cost feasible?

Will project owners be required to pass on to the tenants any reduction in costs resulting from the rehabilitation assistance provided?

How will projects that are funded through the rental rehabilitation grants program be targeted to low-income families and what assurances are there that the rehabilitated units will remain available to low-income families for any reasonable period of time? Will low-income occupancy be a mandated requirement for a specific number of years?

Will project owners be prohibited from converting rehabilitated projects to condominium ownership? Is the Department considering establishing any requirements to recapture subsidies provided to units occupied by other than low-income households or for any other reason?

What specific program performance criteria and reporting requirements will the Department impose to ensure that program objectives are met and that the program is being administered effectively? Will project owners be required to provide verified income and demographic information to local administering agencies? Will these agencies be required to submit annual reports to the Department showing what they have accomplished?

Will the Department report to the Congress on a periodic basis as to the overall progress of the program, including consolidated verified information from all State and local governments and information on costs, services delivered, and program beneficiaries?

What sanctions or penalties does the Department anticipate imposing for non-compliance with specific performance criteria and reporting requirements?

Contact: William J. Gainer, 426-1780.

MESSAGES FROM THE HOUSE

At 12:33 p.m., a message from the House of Representatives, delivered by Mr. Berry, one of its reading clerks, announced that the House has passed the following joint resolution, in which it requests the concurrence of the Senate:

H.J. Res. 13. Joint resolution calling for a mutual and verifiable freeze on and reductions in nuclear weapons.

HOUSE JOINT RESOLUTION READ

The following joint resolution was read the first time:

H.J. Res. 13. Joint resolution calling for a mutual and verifiable freeze on and reductions in nuclear weapons.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, which were referred as indicated:

EC-1002. A communication from the Acting Under Secretary of Agriculture for International Affairs and Commodity Programs transmitting, pursuant to law, the third quarterly commodity and country allocation table for fiscal year 1983; to the Committee on Agriculture, Nutrition, and Forestry.

EC-1003. A communication from the Comptroller General of the United States transmitting, pursuant to law, a report entitled "Federal Regulation of Meat and Poultry Products—Increased Consumer Protection and Efficiencies Needed"; to the Committee on Agriculture, Nutrition, and Forestry.

EC-1004. A communication from the Director of the Office of Management and Budget transmitting, pursuant to law, an amendment to his report of April 25, 1983, identifying funds in the jobs bill which cannot be rapidly and efficiently utilized; to the Committee on Appropriations.

EC-1005. A communication from the Assistant Secretary of Defense (Comptroller) transmitting, pursuant to law, a secret report on "Selected Acquisition Reports" and summary tables for the quarter ended March 31, 1983; to the Committee on Armed Services.

EC-1006. A communication from the Assistant Secretary of the Navy for Shipbuilding and Logistics transmitting, pursuant to law, a report on a decision made to convert the shelf-stocking function at the Commissary Store, Pensacola, Fla., to performance under contract; to the Committee on Armed Services.

EC-1007. A communication from the Assistant Secretary of the Navy for Shipbuilding and Logistics transmitting, pursuant to law, a report on a decision made to convert the shelf-stocking function at the Branch Commissary Store, New London, Conn., to performance under contract; to the Committee on Armed Services.

EC-1008. A communication from the Assistant Secretary of the Navy for Shipbuilding and Logistics transmitting, pursuant to law, a report on a decision made to convert the base operations support function at the Naval Air Station, Memphis, Tenn., to performance under contract; to the Committee on Armed Services.

EC-1009. A communication from the Secretary of the Air Force transmitting, pursuant to law, a determination that the ground launched cruise missile system has exceeded its baseline unit cost by more than 25 percent; to the Committee on Armed Services.

EC-1010. A communication from the General Counsel of the Department of Defense transmitting a draft of proposed legislation to freeze the rates of variable housing allowance payable in fiscal 1984 to the rates in effect in fiscal 1983; to the Committee on Armed Services.

EC-1011. A communication from the Deputy Assistant Secretary of the Navy for Reserve Affairs transmitting a copy of the brochure entitled "Naval Reserve Review"; to the Committee on Armed Services.

EC-1012. A communication from the Secretary of the Treasury transmitting, pursuant to law, his annual report on the activities of the depository institutions deregulation committee and the viability of depository institutions; to the Committee on Banking, Housing, and Urban Affairs.

EC-1013. A communication from the Chairman of the Securities and Exchange Commission transmitting, pursuant to law, the Commission's 48th annual report; to the Committee on Banking, Housing, and Urban Affairs.

EC-1014. A communication from the Comptroller General of the United States transmitting, pursuant to law, a report entitled "Examination of the Federal Home Loan Bank Board's and Related Agencies' Financial Statements for the Year Ended December 31, 1982"; to the Committee on Banking, Housing, and Urban Affairs,.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. WALLOP (for Mr. GOLDWATER), from the Select Committee on Intelligence; without amendment:

S. 1230. An original bill to authorize appropriations for the fiscal year 1984 for intelligence activities of the U.S. Government, the intelligence community staff, the Central Intelligence Agency retirement and disability system, and for other purposes (Rept. No. 98-77).

EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of committees were submitted:

By Mr. STAFFORD, from the Committee on Environment and Public Works:

William D. Ruckelshaus, of Washington, to be Administrator of the Environmental Protection Agency.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second time by unanimous consent, and referred as indicated:

By Mr. SPECTER:

S. 1228. A bill to amend the Internal Revenue Code of 1954 to provide for the establishment of rural enterprise zones, and for other purposes; to the Committee on Finance.

By Mr. COHEN:

S. 1229. A bill for the relief of Richard C. Rianhard of Bar Harbor, Maine; to the Committee on the Judiciary.

By Mr. WALLOP (for Mr. GOLDWATER):

S. 1230. An original bill to authorize appropriations for the fiscal year 1984 for intelligence activities of the U.S. Government, the intelligence community staff, the Central Intelligence Agency retirement and disability system, and for other purposes; from the Select Committee on Intelligence; placed on the calendar.

By Mr. BOREN (for himself, Mr. MATSUNAGA, Mr. MITCHELL, Mr. SYMMS, and Mr. BAUCUS):

S. 1231. A bill to amend the Internal Revenue Code of 1954 to exempt certain piggyback trailers and semitrailers from the tax on motor vehicles; to the Committee on Finance.

By Mr. HART (for himself, Mr. TSONGAS, Mr. CRANSTON, Mr. ROTH, and Mr. BAUCUS):

S. 1232. A bill to clarify the responsibilities of the Secretary of the Interior with respect to national wildlife refuges; to the Committee on Environment and Public Works.

By Mr. PRYOR (for himself, Mr. HEINZ, Mr. RIEGLE, and Mr. PELL):

S. 1233. A bill to prohibit the drugging or numbing of racehorses and related practices, and to amend title 18, United States Code, to prohibit certain activities conducted in interstate or foreign commerce relating to such practices; to the Committee on the Judiciary.

By Mr. BOSCHWITZ (for himself, Mr. SYMMS, Mr. LAXALT, Mr. DECONCINI, Mr. RANDOLPH, Mr. GORTON, Mr. NUNN, Mr. BOREN, Mr. DIXON, Mr. HELMS, Mr. SASSER, Mr. GLENN, Mr. DURENBERGER, Mr. FORD, Mr. RUDMAN, Mr. INOUYE, Mr. MITCHELL, Mr. PRYOR, Mr. EAST, Mr. CHILES, Mr. MATTINGLY, Mr. COCHRAN, Mr. MOYNIHAN, Mr. BUMPERS, and Mr. THURMOND):

S.J. Res. 97. A joint resolution to authorize the erection of a memorial on public grounds in the District of Columbia, or its environs, in honor and commemoration of members of the Armed Forces of the United States and the allied forces who served in the Korean war; to the Committee on Rules and Administration.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. COHEN:

S. Res. 134. A resolution to refer S. 1229 entitled "A bill for the relief of Richard C. Rianhard of Bar Harbor, Maine" to the chief judge of the U.S. Claims Court for a report thereon; to the Committee on the Judiciary.

By Mr. PERCY (for himself, Mr. DOMENICI, Mr. BRADLEY, Mr. HEINZ, Mr. DIXON, Mr. DANFORTH, Mr. DODD, Mr. CHAFEE, Mr. LEVIN, and Mr. MATTINGLY):

S. Res. 135. A resolution expressing the sense of the Senate with respect to the urgency of achieving and maintaining proper alinement of major international currencies essential to stem protectionism and aid early recovery of world trade expansion; to the Committee on Foreign Relations.

By Mr. BAKER (for himself and Mr. BYRD):

S. Res. 136. A resolution suspending paragraph 1 of rule IV of the Rules for Regulation of the Senate wing of the U.S. Capitol to permit a photograph of the Senate Chamber; considered and agreed to.

By Mr. SPECTER (for himself, Mr. BURDICK, Mr. PRYOR, Mr. DOLE, Mr. DANFORTH, and Mr. PACKWOOD):

S. Con. Res. 32. A concurrent resolution to express the sense of the Congress concerning the legal minimum age for drinking and purchasing alcohol; to the Committee on the Judiciary.

STATMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. SPECTER:

S. 1228. A bill to amend the Internal Revenue Code of 1954 to provide for the establishment of rural enterprise zones, and for other purposes; to the Committee on Finance.

RURAL ENTERPRISE ZONE ACT OF 1983

Mr. SPECTER. Mr. President, today, I am introducing the Rural Enterprise Zone Act of 1983. There has been much discussion over the past few years about the plight of urban America and the use of enterprise zones to stimulate economic development. While metropolitan areas are suffering from decay, it is essential that we not overlook the similar problems that rural America is facing. The problems of chronic unemployment, poverty and disinvestment, population loss, and physical deterioration are just as pervasive in rural areas as in urban areas. In Pennsylvania, for instance, one-third of the population resides in nonurban areas. The average State unemployment rate is 13.4 percent, but the rate in rural counties averages 14 percent, with some counties as high as 20 percent. The enterprise zone concept, originally geared toward rejuvenating the inner city, also can be applied to rural areas with equal success.

My bill would allow State and local governments and consortiums of government to apply for designation as a rural enterprise zone. The Secretary of Agriculture would be authorized to designate 25 areas each year for a period of 3 years. Eligibility would be based on unemployment, poverty, and population loss and the zone must be outside of a metropolitan area. Preference would be given to areas with demonstrated community support, management capability, and the ability to carry out commitments outlined in their enterprise zone plans. The Secretary also would look at minimizing the expenditure of State and Federal funds and the potential for significant job creation. Zones would then be eligible for various Federal tax incentives, including credits for labor force growth and job training.

By providing tax credits for labor growth, zones would be able to attract labor-intensive industries at least as

related to relatively smaller businesses. When coupled with the increased investment tax credits, existing industries will be encouraged to expand. New industry will need newly trained employees. The workers are there, but many lack the necessary skills. There is little doubt that America is in transition from heavy industry to high technology and labor will have to be retrained to adapt to these changes. I have included a 10-percent tax credit against contributions to job training programs. This credit is similar to that proposed in S. 481, the Tax Credit for Job Training Act, which I reintroduced on February 15. Zone sponsors could then establish training and retraining programs in coordination with the needs of businesses located in the zone. The Commonwealth of Pennsylvania currently offers a similar tax credit under the Neighborhood Assistance Act. This program has worked well in urban areas of Pennsylvania and could be a useful tool in rural areas, also.

Eligible areas would be required to demonstrate the marketing and administrative capabilities necessary to assure that the objectives of job creation and revitalization are achieved. Good management will be essential to coordinate the various local activities to best address the zone's economic deficiencies. In addition, zone sponsors must be adept at marketing their area to businesses and investors to maximize the benefits derived from tax incentives. Without these skills, success would be unlikely and revenues wasted.

The enterprise zone bill, reported by the Finance Committee in the previous Congress, did permit zone designation of small towns. However, I am concerned that rural areas will not receive designation when in competition with more densely populated areas which have a broader range of local contributions and commitments to draw from. If this experiment is to succeed, we must consider a mix of zones, including urban and rural areas. The intent of enterprise zones is to use targeted tax incentives to create jobs and spur investment in economically distressed areas. Rural communities are willing to do what they can to improve the environment for economic growth and should be given the opportunity to use these new tools to enhance the probability of recovery.

Mr. President, I ask unanimous consent that the bill be printed along with an explanation of its provisions.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

S. 1228

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE AMENDMENT OF 1954 CODE.

(a) This Act may be cited as the "Rural Enterprise Zone Act of 1983".

(b) Except as otherwise expressly provided, whenever in this Act an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of the Internal Revenue Code of 1954.

TITLE I—DESIGNATION OF RURAL ENTERPRISE ZONES

SEC. 101. DESIGNATION OF ZONES.

(a) GENERAL RULE.—Chapter 80 (relating to general rules) is amended by adding at the end thereof the following new subchapter:

"Subchapter C—Designation of Rural Enterprise Zones

"Sec. 7871. Designation.

SEC. 7871. DESIGNATION.

"(a) DESIGNATION OF ZONES.—

"(1) RURAL ENTERPRISE ZONE DEFINED.—For purposes of this Act, the term 'rural enterprise zone' means any area—

"(A) which is nominated by—

"(i) the local government or governments with jurisdiction over such area,

"(ii) an intergovernmental organization which is designated by such local governments to manage a zone jointly with such governments (hereinafter in this section referred to as an 'intergovernmental organization'), or

"(iii) a State government or governments on behalf of—

"(I) such local government or governments, or

"(II) such intergovernmental organization,

(if such local governments approve the nomination),

for designation as a rural enterprise zone (hereinafter in this section referred to as a 'nominated area'), and

"(B) which the Secretary of Agriculture, after consultation with—

"(i) the Secretaries of Commerce, Labor, and the Treasury, the Director of the Office of Management and Budget, and the Administrator of the Small Business Administration, and

"(ii) in the case of an area on an Indian reservation, the Secretary of the Interior,

designates as a rural enterprise zone.

"(2) LIMITATIONS ON DESIGNATION.—

"(A) PUBLICATION OF REGULATIONS.—Before designating any area as a rural enterprise zone, the Secretary of Agriculture shall prescribe by regulation, after consultation with the officials described in paragraph (1)(B)—

"(i) the procedures for nominating an area under paragraph (1)(A),

"(ii) the parameters relating to the size of a rural enterprise zone, and

"(iii) the manner in which nominated areas will be compared based on the criteria specified in subsection (d) and the other factors specified in subsection (e).

"(B) TIME LIMITATIONS.—The Secretary of Agriculture may designate nominated areas as rural enterprise zones only during the 36-month period beginning on the later of—

"(i) the first day of the first month following the month in which the effective date of the regulations described in subparagraph (A) occurs, or

"(ii) July 1, 1984.

"(C) NUMBER OF DESIGNATIONS.—The Secretary of Agriculture may not designate more than 25 nominated areas as rural enterprise zones during—

"(i) the 12-month period beginning with the first day of the 36-month period described in subparagraph (B), and

"(ii) each of the two following 12-month periods.

"(D) PROCEDURAL RULES.—The Secretary of Agriculture shall not make any designation under paragraph (1) unless—

"(i) the government or governments with jurisdiction over such area have the authority—

"(I) to nominate such area for designation as a rural enterprise zone (or have delegated such authority to an intergovernmental organization described in paragraph (1)(A)(ii)),

"(II) to make the commitments described in subsection (e)(2)(A) with respect to such area, and

"(III) to provide assurances satisfactory to the Secretary of Agriculture that such commitments will be fulfilled,

"(ii) a nomination therefor is submitted in such manner and in such form, and contains such information, as the Secretary of Agriculture shall by regulations prescribe,

"(iii) the Secretary of Agriculture determines that information furnished with respect to such nomination is reasonably accurate, and

"(iv) the Secretary of Agriculture determines that no portion of the area nominated is already included in a rural enterprise zone or in an area otherwise nominated to be a rural enterprise zone.

"(b) MANAGEMENT OF RURAL ENTERPRISE ZONE.—

"(1) IN GENERAL.—Subject to the authority of the Secretary of Agriculture to revoke the designation of an area as a rural enterprise zone, if a nominated area is designated as a rural enterprise zone under subsection (a), the Secretary shall contract with the State government, local government, or intergovernmental organization nominating such area for the management of such zone, and such State government, local government, or intergovernmental organization (hereinafter in this section referred to as a 'managing entity') shall be responsible for such management and for compliance with the provisions of this title.

"(2) THIRD-PARTY MANAGEMENT.—Such managing entity may contract with another person to carry out its responsibilities under this section.

"(c) PERIOD FOR WHICH DESIGNATION IS IN EFFECT.—

"(1) IN GENERAL.—Any designation of an area as a rural enterprise zone shall remain in effect during the period beginning on the date of the designation and ending on the earliest of—

"(A) December 31 of the 15th calendar year following the calendar year in which such date occurs,

"(B) the date set forth in application nominating such area for designation as a rural enterprise zone, or

"(C) the date the Secretary of Agriculture revokes such designation under paragraph (3).

"(2) PERIODIC REVIEW.—The Secretary of Agriculture shall, from time to time, review the activities of the government or governments with jurisdiction over an area designated as a rural enterprise zone to insure that such government or governments are complying substantially with the commitments made with respect to such area pursuant to subsection (e)(2)(A).

"(3) REVOCATION OF DESIGNATION.—

"(A) IN GENERAL.—The Secretary of Agriculture, after consultation with the officials

described in subsection (a)(1)(B), may revoke the designation of an area if the Secretary of Agriculture determines that the governments with jurisdiction over such area are not complying substantially with the commitments made with respect to such area pursuant to subsection (e)(2)(A).

"(B) PERIOD FOR REMEDIAL ACTION.—Before revoking a designation, the Secretary of Agriculture may allow a period for remedial action to be taken.

"(C) ADDITIONAL DESIGNATION.—Notwithstanding the limitations imposed by subsections (a)(2)(B) and (a)(2)(C), the Secretary of Agriculture may designate one nominated area as a rural enterprise zone for each area with respect to which a designation is revoked pursuant to subparagraph (A).

"(d) AREA, ELIGIBILITY, ETC. REQUIREMENTS.—

"(1) IN GENERAL.—The Secretary of Agriculture may designate any nominated area under subsection (a)(1) only if it meets the requirements of paragraphs (2) and (3).

"(2) AREA REQUIREMENTS.—A nominated area meets the requirements of this paragraph if—

"(A) the area is within the jurisdiction of the government or governments nominating such area or jointly involved in managing such area,

"(B) the boundary of the area is continuous, and

"(C) the area is—

"(i) located outside a standard metropolitan statistical area (as defined in section 103A(l)(4)(B)),

"(ii) entirely within an Indian reservation (as determined by the Secretary of the Interior), or

"(iii) otherwise determined by the Secretary of Agriculture to be a rural area.

"(3) UNEMPLOYMENT, POVERTY, ETC. REQUIREMENTS.—A nominated area meets the requirements of this paragraph if—

"(A) the annual average unemployment rate (as determined by the most recent data available from the Bureau of Labor Statistics) was at least 125 percent of the national average for the period to which such data relates,

"(B) the poverty rate (as determined by the most recent census data available) for each census tract, minor civil division, or census county division within the area was at least 20 percent for the period to which such data relates,

"(C) at least 70 percent of the households living in the area have incomes below 80 percent of the median income of households of the local government or governments with jurisdiction over such area (determined in the same manner as under section 119(b)(2) of the Housing and Community Development Act of 1974), or

"(D) the population of the area decreased by 20 percent or more between 1970 and 1980 (as determined by the most recent census data available).

"(e) RURAL ENTERPRISE ZONE PLAN.—

"(1) IN GENERAL.—Each State government, local government, or intergovernmental organization nominating an area for designation as a rural enterprise zone shall submit a rural enterprise zone plan.

"(2) REQUIREMENTS OF PLAN.—Each rural enterprise zone plan submitted under paragraph (1) shall—

"(A) document the commitments to be made by the governments with jurisdiction over the area with respect to the reduction of the various burdens borne by employers or employees in such area;

"(B) analyze the probable costs and benefits of such plan;

"(C) describe the efforts or contributions which will be made in the area to increase employment and to encourage the formation and expansion of business enterprises and general economic development, including any local concessions to be made such as—

"(i) tax abatement,

"(ii) the providing of State, local, and private loans, loan guarantees, industrial revenue bonds, and other financing incentives for financing businesses in the area,

"(iii) the providing of local government services (such as infrastructure, transportation, sewage, utility, and zoning) to support business and economic development,

"(iv) the providing of education and training to residents of the area who are eligible for assistance under the Job Training Partnership Act,

"(v) making available to residents of the area public services which encourage their entry into the workplace,

"(vi) the commitment of land and buildings for economic development,

"(vii) the providing of technical and management assistance, and

"(viii) the creation of a loan fund for businesses within the area;

"(D) guarantee the ability of any government with jurisdiction over the area to manage the zone, including, but not limited to, the ability to certify residents eligible for tax or other assistance; and

"(E) describe the planned use of existing Federal resources for economic development and how such use will enhance any tax incentives provided by this section.

"(f) PREFERENCES IN DESIGNATION.—In choosing nominated areas to designate as rural enterprise zones, the Secretary of Agriculture shall give preference to nominated areas—

"(1) with respect to which there is a rural enterprise zone plan which—

"(A) demonstrates—

"(i) broad community support,

"(ii) the ability of the governments with jurisdiction over such area to—

"(I) meet the commitments made pursuant to subsection (e)(2)(A) with respect to such plan,

"(II) make available nonresidential property which is appropriately zoned for commercial use, and

"(III) reduce taxes on businesses located in such area;

"(iii) the most substantial commitments by private entities to establish or expand business activities (especially labor intensive activities) within such area,

"(B) minimizes—

"(i) the expenditure of Federal and State funds, and

"(ii) the unnecessary loss of tax revenues by the Federal Government

with respect to such plan; and

"(C) creates the greatest number of jobs at the lowest expenditure of government funds for each job created; and

"(2) with a high average annual rate of unemployment.

"(g) DEFINITIONS.—For purposes of this section—

"(1) GOVERNMENTS.—If more than one government seeks to nominate an area as an enterprise zone, any reference to, or requirement of, this section shall apply to all such governments.

"(2) STATE.—The term 'State' shall also include Puerto Rico, the Virgin Islands, Guam, American Samoa, the Northern Mariana Islands and any other possession of the United States.

"(3) LOCAL GOVERNMENT.—The term 'local government' means—

"(A) any county, city, town, township, parish, village, or other general purpose political subdivision of a State,

"(B) any combination of political subdivisions described in subparagraph (A) recognized by the Secretary of Agriculture, and

"(C) the District of Columbia.".

(b) CONFORMING AMENDMENT.—The table of subchapters for chapter 80 is amended by adding at the end thereof the following new item:

"Subchapter C—Designation of Enterprise Zones".

SEC. 102. INTERACTION WITH OTHER FEDERAL PROGRAMS.

(a) TAX REDUCTIONS.—Any reduction of taxes under any required program of State and local commitment under section 7871(d) of the Internal Revenue Code of 1954 shall be disregarded in determining the eligibility of a State or local government for, or the amount or extent of, any assistance or benefits under any law of the United States.

(b) COORDINATION WITH RELOCATION ASSISTANCE.—The designation of an enterprise zone under section 7871 of the Internal Revenue Code of 1954 shall not—

(1) constitute approval of a Federal or federally assisted program or project (within the meaning of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (42 U.S.C. 4601)), or

(2) entitle any person displaced from real property located in such zone to any rights or any benefits under such Act.

(c) PREFERENCES IN DISTRIBUTING FEDERAL FUNDS AND IN AWARDING FEDERAL CONTRACTS.—

(1) IN GENERAL.—Notwithstanding any other provision of law, the head of each Federal department, agency, or program which distributes Federal funds or awards Federal contracts to any programs, organizations, or local governments shall give the following preferences in distributing such funds and in awarding such contracts:

(A) A preference shall be given to any program, organization, or local government located in, or primarily serving, a rural enterprise zone (within the meaning of section 7871(a)(1) of the Internal Revenue Code of 1954) over all other programs, organizations, or local governments.

(B) A preference shall be given to those programs or organizations which are part of the rural enterprise zone plan of the rural enterprise zone submitted pursuant to section 7871(e) of such Code over all other programs or organizations located in, or primarily serving, such zone.

(C) A preference shall be given to community-based organizations located in, or primarily serving, a rural enterprise zone over all other organizations so located or so serving (but only if such preference does not undermine any portion of the rural enterprise zone plan of such zone submitted pursuant to section 7871 (e) of such Code).

(2) PREFERENCES IN AWARDING SUBCONTRACTIONS.—The head of each Federal department, agency, or program which distributes Federal funds or awards Federal contracts shall take such actions as are necessary to assure that any program, organization, or local government which is a recipient of such Federal funds or contracts will give special consideration to the preferences described in paragraph (1) in making any further distribution of such funds or in awarding any subcontract under such contract.

TITLE II—FEDERAL INCOME TAX INCENTIVES

SUBTITLE A—CREDIT FOR EMPLOYERS

SEC. 211. CREDIT FOR RURAL ENTERPRISE ZONE EMPLOYERS.

(a) CREDIT FOR INCREASED RURAL ENTERPRISE ZONE EMPLOYMENT AND EMPLOYMENT OF DISADVANTAGED.—Subpart A of part IV of subchapter A of chapter 1 (relating to credits allowable) is amended by inserting immediately before section 45 the following new section:

"SEC. 44H. CREDIT FOR RURAL ENTERPRISE ZONE EMPLOYMENT.

"(a) IN GENERAL.—There shall be allowed as a credit against the tax imposed by this chapter for the taxable year an amount equal to the sum of—

"(1) 10 percent of the qualified increased employment expenditures of the taxpayer for the taxable year, and

"(2) the economically disadvantaged credit amount of the taxpayer for such taxable year.

"(b) LIMITATION BASED ON AMOUNT OF TAX.—

"(1) IN GENERAL.—The credit allowed by subsection (a) for a taxable year shall not exceed the tax imposed by this chapter for such taxable year, reduced by the sum of the credits allowable under any section of this subpart having a lower number or letter designation than this section, other than the credits allowable by sections 31, 39, and 43. For purposes of the preceding sentence, the term 'tax imposed by this chapter' shall not include any tax treated as not imposed by this chapter under the last sentence of section 53(a).

"(2) CARRYBACK AND CARRYOVER OF UNUSED CREDIT.—

"(A) ALLOWANCE OF CREDIT.—If the amount of the credit determined under this section for any taxable year exceeds the limitation provided by paragraph (1) for such taxable year (hereinafter in this paragraph referred to as the 'unused credit year'), such excess shall be—

"(i) a rural enterprise zone employment credit carryback to each of the 3 taxable years preceding the unused credit year, and

"(ii) a rural enterprise zone employment credit carryover to each of the 15 taxable years following the unused credit year,

and shall be added to the amount allowable as a credit by this section for such years. If any portion of such excess is a carryback to a taxable year beginning before January 1, 1985, this section shall be deemed to have been in effect for such taxable year for purposes of allowing such carryback as a credit under this section. The entire amount of the unused credit for an unused credit year shall be carried to the earliest of the 18 taxable years to which (by reason of clauses (i) and (ii)) such credit may be carried, and then to each of the other 17 taxable years to the extent that, because of the limitation contained in subparagraph (B), such unused credit may not be added for a prior taxable year to which such unused credit may be carried.

"(B) LIMITATION.—The amount of the unused credit which may be added under subparagraph (A) for any preceding or succeeding taxable year shall not exceed the amount by which the limitation provided by paragraph (1) for such taxable year exceeds the sum of—

"(i) the credit allowable under this section for such taxable year, and

"(ii) the amounts which, by reason of this paragraph, are added to the amount allowable for such taxable year and which are attributable to taxable years preceding the unused credit year.

"(c) QUALIFIED INCREASED EMPLOYMENT EXPENDITURES DEFINED.—For purposes of this section—

"(1) IN GENERAL.—The term 'qualified increased employment expenditures' means the excess of—

"(A) the qualified wages paid or incurred by the employer during the taxable year to qualified employees with respect to all rural enterprise zones, over

"(B) the base period wages of the employer with respect to all such zones.

"(2) LIMITATIONS AS TO QUALIFIED WAGES TAKEN INTO ACCOUNT.—

"(A) DOLLAR AMOUNT.—The amount of any qualified wages taken into account under paragraph (1) for any taxable year with respect to any qualified employee may not exceed 2.5 times the dollar limitation in effect under section 3306(b)(1) for the calendar year with or within which such taxable year ends.

"(B) APPLICATION WITH ECONOMICALLY DISADVANTAGED CREDIT AMOUNT.—Qualified wages shall not be taken into account under paragraph (1) if such wages are taken into account in determining the economically disadvantaged credit amount under subsection (d).

"(3) BASE PERIOD WAGES.—

"(A) IN GENERAL.—The term 'base period wages' means, with respect to any rural enterprise zone, the amount of wages paid to employees during the 12-month period preceding the date on which the rural enterprise zone was designated as such under section 7871 which would have been qualified wages paid to qualified employees if such designation had been in effect for such period.

"(B) RULES OF SPECIAL APPLICATION.—For purposes of subparagraph (A)—

"(i) subsection (f)(1) shall be applied by substituting '12-month period' for 'taxable year' each place it appears, and

"(ii) the dollar limitation taken into account under paragraph (2) in computing qualified wages shall be the amount in effect for the taxable year for which the amount of the credit under subsection (a) is being computed.

"(d) ECONOMICALLY DISADVANTAGED CREDIT AMOUNT.—For purposes of this section—

"(1) IN GENERAL.—The term 'economically disadvantaged credit amount' means the sum of the applicable percentage of qualified wages paid to each qualified economically disadvantaged individual.

"(2) APPLICABLE PERCENTAGE.—For purposes of paragraph (1), the term 'applicable percentage' means, with respect to any qualified economically disadvantaged individual, the percentage determined in accordance with the following table:

"If the qualified wages are paid for services performed:	The applicable percentage is:
Within 36 months of the starting date.	50
More than 36 months but less than 49 months after such date.	40
More than 48 months but less than 61 months after such date.	30
More than 60 months but less than 73 months after such date.	20
More than 72 months but less than 85 months after such date.	10
More than 84 months after such date.	0

"(3) STARTING DATE; BREAKS IN SERVICE.—For purposes of this subsection—

"(A) STARTING DATE.—The term 'starting date' means the day on which the qualified economically disadvantaged individual begins work for the employer within a rural enterprise zone.

"(B) BREAKS IN SERVICE.—The periods described in the table under paragraph (2) (other than the first such period) shall be extended by any period of time during which the individual is unemployed.

"(e) QUALIFIED WAGES DEFINED.—For purposes of this section—

"(1) IN GENERAL.—Except as otherwise provided in this subsection, the term 'qualified wages' has the meaning given to the term 'wages' by subsection (b) of section 3306 (determined without regard to any dollar limitation contained in such section).

"(2) REDUCTION FOR CERTAIN FEDERALLY FUNDED PAYMENTS.—For purposes of this section, the wages paid or incurred by an employer for any period shall not include the amount of any federally funded payments the employer receives or is entitled to receive for on-the-job training of such individual for such period.

"(3) SPECIAL RULES FOR AGRICULTURAL AND RAILWAY LABOR.—Under regulations prescribed by the Secretary, rules similar to the rules of section 51(h) shall apply with respect to services described in subparagraphs (A) and (B) of section 51(h)(1).

"(f) QUALIFIED EMPLOYEE DEFINED.—

"(1) IN GENERAL.—For purposes of this section, the term 'qualified employee' means an individual—

"(A) at least 90 percent of whose services for the employer during the taxable year are directly related to the conduct of the employer's trade or business located in a rural enterprise zone, and

"(B) who performs at least 50 percent of his services for the employer during the taxable year in a rural enterprise zone.

"(2) EXCEPTION FOR INDIVIDUALS WITH RESPECT TO WHOM CREDIT IS ALLOWED UNDER SECTION 44B.—The term 'qualified employee' shall not include an individual with respect to whom any credit is allowed the employer for the taxable year under section 44B (relating to credit for employment of certain new employees).

"(g) QUALIFIED ECONOMICALLY DISADVANTAGED INDIVIDUAL.—

"(1) IN GENERAL.—For purposes of this section, the term 'qualified economically disadvantaged individual' means an individual—

"(A) who is a qualified employee,

"(B) who is hired by the employer during the period a designation under section 7871 is in effect for the area in which the services which qualify such individual as a qualified employee are performed, and

"(C) who is certified as—

"(i) an economically disadvantaged individual,

"(ii) an eligible work incentive employee (within the meaning of section 51(d)(9)), or

"(iii) a general assistance recipient (within the meaning of section 51(d)(6)).

"(2) ECONOMICALLY DISADVANTAGED INDIVIDUAL.—For purposes of paragraph (1), the term 'economically disadvantaged individual' means any individual who is certified by the designated local agency as being a member of a family that had an income during the 6 months preceding the month in which such determination occurs that, on an annual basis, would be 70 percent or less of the Bureau of Labor Statistics lower living standard. Any such determination shall be valid for the 45-day period beginning on the date such determination is made.

"(3) CERTIFICATION.—Certification of an individual as an individual described in paragraph (1)(C) shall be made in the same manner as certification under section 51.

"(h) SPECIAL RULES.—For purposes of this section—

"(1) APPLICATION TO CERTAIN ENTITIES, ETC.—Under regulations prescribed by the Secretary, rules similar to the rules of section 52 (other than subsection (b) thereof) and section 44F(f)(3) shall apply.

"(2) PERIODS OF LESS THAN A YEAR.—If designation of an area as a rural enterprise zone under section 7871 occurs, expires, or is revoked on a date other than the first or last day of the taxable year of the taxpayer, or in the case of a short taxable year—

"(A) the limitation specified in subsection (c)(2)(A), and the base period wages determined under subsection (c)(3), shall be adjusted on a pro rata basis (based upon the number of days), and

"(B) the reduction specified in subsection (e)(2) and the 90 percent and 50 percent tests set forth in subsection (f)(1), shall be determined by reference to the portion of the taxable year during which the designation of the area as a rural enterprise zone is in effect.

"(i) PHASEOUT OF CREDIT.—In determining the amount of the credit for the taxable year under subsection (a) with respect to qualified wages paid or incurred for services performed in a rural enterprise zone—

"(1) the following percentages shall be substituted for '10 percent' in subsection (a)(1):

"(A) 7.5 percent in the earlier of—

"(i) the taxable year which includes the date which is 12 years after the date on which such rural enterprise zone was designated under section 7871, or

"(ii) the taxable year which includes the date which is 4 years before the date (if any) on which such rural enterprise zone ceases to be a zone under section 7871(c)(1)(B),

"(B) 5 percent in the next succeeding taxable year,

"(C) 2.5 percent in the second next succeeding taxable year, and

"(D) zero thereafter, and

"(2) the amount determined under subsection (a)(2) shall be reduced by—

"(A) 25 percent in the case of the taxable year described in paragraph (1)(A),

"(B) 50 percent in the next succeeding taxable year,

"(C) 75 percent in the second next succeeding taxable year, and

"(D) 100 percent thereafter.

"(j) EARLY TERMINATION OF EMPLOYMENT BY EMPLOYER IN CASE OF QUALIFIED ECONOMICALLY DISADVANTAGED INDIVIDUALS, ETC.—

"(1) GENERAL RULE.—Under regulations prescribed by the Secretary, if the employment of any qualified economically disadvantaged individual with respect to whom qualified wages are taken into account under subsection (a) is terminated by the taxpayer at any time during the 270-day period beginning on the date such individual begins work for the employer, the tax under this chapter for the taxable year in which such employment is terminated shall be increased by an amount (determined under such regulations) equal to the credit allowed under subsection (a) for such taxable year and all prior taxable years attributable to qualified wages paid or incurred with respect to such employee.

"(2) SUBSECTION NOT TO APPLY IN CERTAIN CASES.—

"(A) IN GENERAL.—Paragraph (1) shall not apply to—

"(i) a termination of employment of an employee who voluntarily leaves the employment of the employer,

"(ii) a termination of employment of an individual who, before the close of the period referred to in paragraph (1), becomes disabled to perform the services of such employment, unless such disability is removed before the close of such period and the employer fails to offer reemployment to such individual,

"(iii) a termination of employment of an individual, if it is determined under the applicable State unemployment compensation law that the termination was due to the misconduct of such individual, or

"(iv) a termination of employment of an individual due to a substantial reduction in the trade or business operations of the employer.

"(B) CHANGE IN FORM OF BUSINESS, ETC.—For purposes of paragraph (1), the employment relationship between the employer and an employee shall not be treated as terminated—

"(i) by a transaction to which section 381(a) applies, if the employee continues to be employed by the acquiring corporation, or

"(ii) by reason of a mere change in the form of conducting the trade or business of the taxpayer, if the employee continues to be employed in such trade or business and the employer retains a substantial interest in such trade or business.

"(3) SPECIAL RULE.—Any increase in tax under paragraph (1) shall not be treated as tax imposed by this chapter for purposes of determining the amount of any credit allowable under subpart A.".

(b) NO DEDUCTION ALLOWED.—

(1) IN GENERAL.—Section 280C (relating to disallowance of deductions for that portion of wages for which credit is claimed under section 40 or 44B) is amended—

(A) by adding at the end thereof the following new subsection:

"(c) RULE FOR SECTION 44H CREDITS.—No deduction shall be allowed for that portion of the wages or salaries paid or incurred for the taxable year which is equal to the amount of the credit allowable under section 44H (relating to the employment credit for rural enterprise zone businesses). This subsection shall be applied under a rule similar to the rule under the last sentence of subsection (b).''; and

(B) by striking out "or 44B" in the heading and inserting in lieu thereof ", 44B, or 44H".

(2) CONFORMING AMENDMENT.—The table of sections for part IX of subchapter B of chapter 1 is amended by striking out "or 44B" in the item relating to section 280C and inserting in lieu thereof ", 44B, or 44H".

(c) TECHNICAL AMENDMENTS RELATED TO CARRYOVER AND CARRYBACK OF CREDITS.—

(1) CARRYOVER OF CREDIT.—

(A) Subparagraph (B) of section 55(c)(3) (relating to carryover and carryback of certain credits) is amended—

(i) by striking out "or 44F" in clause (i) and inserting in lieu thereof "44F, or 44H", and

(ii) by inserting "44H(b)(1)," after "44F(g)(1)," in clause (ii).

(B) Subsection (c) of section 381 (relating to items of the distributor or transferor corporation) is amended by adding at the end thereof the following new paragraph:

"(30) CREDIT UNDER SECTION 44H.—The acquiring corporation shall take into account (to the extent proper to carry out the purposes of this section and section 44H, and under such regulations as may be prescribed by the Secretary) the items required to be taken into account for purposes of section 44H in respect to the distributor or transferor corporation."

(C) Section 383 (relating to special limitations on unused credits and capital losses), as in effect for taxable years to which the amendments made by the Tax Reform Act of 1976 apply, is amended—

(i) by inserting "to any unused credit of the corporation under section 44H(b)(2)," after "44G(b)(2),", and

(ii) by inserting "**RURAL ENTERPRISE ZONE EMPLOYMENT CREDITS,**" after "**EMPLOYEE STOCK OWNERSHIP CREDITS,**" in the section heading.

(D) Section 383 (as in effect on the day before the amendments made by the Tax Reform Act of 1976) is amended—

(i) by inserting "to any unused credit of the corporation which could otherwise be carried forward under section 44H(b)(2)," after "44G(b)(2),", and

(ii) by inserting "**RURAL ENTERPRISE ZONE EMPLOYMENT CREDITS,**" after "**EMPLOYEE STOCK OWNERSHIP CREDITS,**" in the section heading.

(E) The table of sections for part V of subchapter C of chapter 1 is amended by inserting "rural enterprise zone employment credits," after "employee stock ownership credits," in the item relating to section 383.

(2) CARRYBACK OF CREDIT.—

(A) Subparagraph (C) of section 6511(d)(4) (defining credit carryback) is amended by striking out "and employee stock ownership credit carryback" and inserting in lieu thereof "employee stock ownership credit carryback, and rural enterprise zone employment credit carryback".

(B) Section 6411 (relating to quick refunds in respect of tentative carryback adjustments) is amended—

(i) by striking out "or unused employee stock ownership credit" each place it appears and inserting in lieu thereof "unused employee stock ownership credit, or unused rural enterprise zone employment credit carryback";

(ii) by inserting ", by a rural enterprise zone employment credit carryback provided by section 44H(b)(2)," after "by an employee stock ownership credit carryback provided by section 44G(b)(2)" in the first sentence of subsection (a);

(iii) by striking out "or employee stock ownership credit carryback from" each place it appears and inserting in lieu thereof "employee stock ownership credit carryback, or rural enterprise zone employment credit carryback from"; and

(iv) by striking out "research and experimental credit carryback)" in the second sentence of subsection (a) and inserting in lieu thereof "research and experimental credit carryback, or in the case of a rural enterprise zone employment credit carryback, to an investment credit carryback, a new employee credit carryback, a research and experimental credit carryback, or an employee stock ownership credit carryback)".

(d) OTHER TECHNICAL AND CLERICAL AMENDMENTS.—

(1) Subsection (b) of section 6096 (relating to designation of income tax payments to Presidential Election Campaign Fund) is amended by striking out "and 44G" and inserting in lieu thereof "44G and 44H".

(2) The table of sections for subpart A of part IV of subchapter A of chapter 1 is

amended by inserting before the item relating to section 45 the following new item:

"Sec. 44H. Credit for rural enterprise zone employment.".

(e) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 1984.

SUBTITLE B—INCENTIVES FOR INVESTMENT IN TANGIBLE PROPERTY IN RURAL ENTERPRISE ZONES

SEC. 221. INVESTMENT TAX CREDIT FOR RURAL ENTERPRISE ZONE PROPERTY.

(a) SECTION 38 PROPERTY.—Paragraph (1) of section 48(a) (defining section 38 property) is amended by striking out "or" at the end of subparagraph (F), by striking out the period at the end of subparagraph (G) and inserting in lieu thereof "; or", and by adding after subparagraph (G) the following new subparagraph:

"(H) rural enterprise zone property (within the meaning of subsection (r)) which is not otherwise section 38 property.".

(b) AMOUNT OF CREDIT.—

(1) IN GENERAL.—Subparagraph (A) of section 46(a)(2) (relating to amount of investment tax credit) is amended by striking out "and" at the end of clause (iii), by striking out the period at the end of clause (iv) and inserting in lieu thereof ", and", and by adding at the end thereof the following new clause:

"(v) in the case of qualified rural enterprise zone property, the rural enterprise zone percentage.".

(2) RURAL ENTERPRISE ZONE PERCENTAGE DEFINED.—Paragraph (2) of section 46(a) is amended by adding at the end thereof the following new subparagraph:

"(G) RURAL ENTERPRISE ZONE PERCENTAGE.—

"(i) IN GENERAL.—

For purposes of this paragraph—

"In the case of qualified rural enterprise zone expenditures with respect to:	The rural enterprise zone percentage is:
Zone personal property (within the meaning of section 48(r)(2))	5
New zone construction property (within the meaning of section 48(r)(3))	10.

"(ii) PHASEOUT OF CREDIT AS RURAL ENTERPRISE ZONE ENDS.—Clause (i) shall be applied by substituting the following percentages for 5 percent and 10 percent, respectively:

"(I) For the taxable year described in section 44H(i)(1)(A), 3.75 and 7.5.

"(II) For the next succeeding taxable year, 2.5 and 5.

"(III) For the second next succeeding taxable year, 1.25 and 2.5.

"(IV) For any subsequent taxable year, zero.".

(3) ORDERING RULES.—That portion of paragraph (7) of section 46(a) (relating to special rules in the case of energy property) which precedes subparagraph (B) is amended to read as follows:

"(7) SPECIAL RULES IN THE CASE OF ENERGY PROPERTY OR RURAL ENTERPRISE ZONE PROPERTY.—Under regulations prescribed by the Secretary—

"(A) IN GENERAL.—This subsection and subsection (b) shall be applied separately—

"(i) first with respect to so much of the credit allowed by section 38 as is not attributable to the energy percentage or the rural enterprise zone percentage,

"(ii) second with respect to so much of the credit allowed by section 38 as is attributable to the application of the energy percentage to energy property, and

"(iii) third with respect to so much of the credit allowed by section 38 as is attributable to the application of the rural enterprise zone percentage to enterprise zone property.".

(4) CONFORMING AMENDMENT.—Section 48(o) (defining certain credits) is amended by adding at the end thereof the following new paragraph:

"(9) RURAL ENTERPRISE ZONE CREDIT.—The term 'rural enterprise zone credit' means that portion of the credit allowable by section 38 which is attributable to the rural enterprise zone percentage.".

(c) DEFINITIONS AND TRANSITIONAL RULES.—Section 48 (relating to definitions and special rules) is amended by redesignating subsection (r) as subsection (s) and by inserting after subsection (q) the following new subsection:

"(r) RURAL ENTERPRISE ZONE PROPERTY.—

"(1) The term 'rural enterprise zone property' means property—

"(A) which is—

"(i) zone personal property, or

"(ii) new zone construction property,

"(B) not acquired (directly or indirectly) by the taxpayer from a person who is related to the taxpayer (within the meaning of section 168(e)(4)(D)), and

"(C) acquired and first placed in service by the taxpayer in a rural enterprise zone during the period the designation as a zone is in effect under section 7871.

"(2) ZONE PERSONAL PROPERTY DEFINED.—The term 'zone personal property' means property which is—

"(A) 3-year property;

"(B) 5-year property;

"(C) 10-year property; and

"(D) 15-year public utility property,

which is used by the taxpayer predominantly in the active conduct of a trade or business within a rural enterprise zone. Property shall not be treated as 'zone personal property' if it is used or located outside the enterprise zone on any regular basis.

"(3) NEW ZONE CONSTRUCTION PROPERTY DEFINED.—The term 'new zone construction property' means 15-year real property, which is—

"(A) located in a rural enterprise zone,

"(B) used by the taxpayer predominantly in the active conduct of a trade or business within a rural enterprise zone, and

"(C) either—

"(i) the construction, reconstruction, rehabilitation, renovation, expansion, or erection of which is completed by the taxpayer during the period the designation as a zone is in effect under section 7871, or

"(ii) acquired during such period if the original use of such property commences with the taxpayer and commences during such period.

In applying section 46(c)(1)(A) in the case of property described in clause (i), there shall be taken into account only that portion of the basis which is properly attributable to construction or erection during such period.

"(4) REAL ESTATE RENTAL.—For purposes of this section, ownership of residential, commercial or industrial real property within a rural enterprise zone for rental shall be treated as the active conduct of a trade or business in a rural enterprise zone.

"(5) DEFINITIONS.—For purposes of this subsection, the terms '3-year property', '5-year property', '10-year property', '15-year real property', and '15-year public utility property' have the meanings given such terms by section 168(c)(2).".

(d) LODGING TO QUALIFY.—Paragraph (3) of section 48(a) (relating to property used for lodging) is amended—

(1) by striking out "and" at the end of subparagraph (C),

(2) by striking out the period at the end of subparagraph (D) and inserting in lieu thereof ", and", and

(3) by adding at the end thereof the following new subparagraph:

"(E) new zone construction property.".

(e) RECAPTURE.—Subsection (a) of section 47 (relating to certain dispositions, etc., of section 38 property) is amended by adding at the end thereof the following new paragraph:

"(9) SPECIAL RULES FOR RURAL ENTERPRISE ZONE PROPERTY.—

"(A) IN GENERAL.—If, during any taxable year, property with respect to which the taxpayer claimed a rural enterprise zone credit—

"(i) is disposed of, or

"(ii) in the case of zone personal property—

"(I) otherwise ceases to be section 38 property with respect to the taxpayer, or

"(II) is removed from the rural enterprise zone, converted or otherwise ceases to be rural enterprise zone property (other than by the expiration or revocation of the designation as a rural enterprise zone),

the tax under this chapter for such taxable year shall be increased by the amount described in subparagraph (B).

"(B) AMOUNT OF INCREASE.—The increase in tax under subparagraph (A) shall equal the aggregate decrease in the credits allowed under section 38 by reason of section 46(a)(2)(A)(v) for all prior taxable years which would have resulted solely from reducing the expenditures taken into account with respect to the property by an amount which bears the same ratio to such expenditures as the number of taxable years that the property was held by the taxpayer bears to the applicable recovery period for earnings and profits under section 312(k).".

(f) BASIS ADJUSTMENT TO REFLECT INVESTMENT CREDIT.—

(1) IN GENERAL.—Paragraph (3) of section 48(q) (relating to basis adjustment to section 38 property) is amended to read as follows:

"(3) SPECIAL RULE FOR QUALIFIED REHABILITATION AND RURAL ENTERPRISE ZONE EXPENDITURES.—In the case of any credit determined under section 46(a)(2) for—

"(A) any qualified rehabilitation expenditure in connection with a qualified rehabilitated building other than a certified historic structure, or

"(B) any expenditure in connection with new zone construction property (within the meaning of section 48(r)(3)),

paragraphs (1) and (2) shall be applied without regard to the phrase '50 percent of'.".

(2) CONFORMING AMENDMENT.—The heading for subsection (c) of section 196 (relating to deductions for certain unused investment credits) is amended by striking out "rehabilitated buildings" and inserting in lieu thereof "rehabilitation and rural enterprise zone expenditures".

(g) INVESTMENT CREDIT CARRYOVER PERIOD EXTENDED.—Paragraph (1) of section 46(b) (relating to carryover and carryback of unused credits) is amended by adding at the end thereof the following new sentence: "If the number of taxable years during the period beginning with the taxable year following the unused credit year and ending with the taxable year in which the designa-

tion of the rural enterprise zone to which the unused credit relates expires under section 7871 exceeds 15, then the preceding sentence shall be applied by substituting such number for '15', such number plus 3 for '18', and such number plus 2 for '17'.

(h) EFFECTIVE DATE.—The amendments made by this section shall apply to periods after December 31, 1984, under rules similar to the rules of section 48(m) of the Internal Revenue Code of 1954.

SEC. 222. REMOVAL OF LIMITATION ON EXPENSING OF CERTAIN DEPRECIABLE BUSINESS ASSETS BY RURAL ENTERPRISE ZONE SMALL BUSINESSES.

(a) IN GENERAL.—Section 179(d) of the Internal Revenue Code of 1954 (relating to dollar limitation on treatment as expenses) is amended by adding at the end thereof the following new paragraph:

"(10) DOLLAR LIMITATION IN CASE OF RURAL ENTERPRISE ZONE SMALL BUSINESS.—The dollar limitation contained in subsection (b)(1) shall not apply to section 179 property used by a small business (as defined in section 3(a) of the Small Business Act) in a rural enterprise zone (as defined in section 7871(a)).".

(b) Effective Date.—The amendment made by this section shall apply to taxable years beginning after December 31, 1984.

SUBTITLE C—CREDIT FOR CHARITABLE CONTRIBUTIONS TO JOB-TRAINING ORGANIZATIONS IN ENTERPRISE ZONES

SEC. 231. CREDIT FOR CERTAIN CHARITABLE CONTRIBUTIONS.

(a) IN GENERAL.—Subpart A of part IV of subchapter A of chapter 1 of the Internal Revenue Code of 1954 (relating to credits allowable against tax) is amended by inserting immediately before section 45 the following new section:

"SEC. 44I. CHARITABLE CONTRIBUTIONS TO QUALIFIED JOB-TRAINING ORGANIZATIONS

"(a) GENERAL RULE.—There shall be allowed as a credit against the tax imposed by this chapter for the taxable year an amount equal to 10 percent of the qualified job-training charitable contributions of the taxpayer for the taxable year.

"(b) LIMITATIONS.—

"(1) MAXIMUM DOLLAR AMOUNT.—The amount of the credit allowed under subsection (a) with respect to any taxpayer shall not exceed $250,000.

"(2) LIABILITY FOR TAX.—

"(A) IN GENERAL.—The credit allowed by subsection (a) for any taxable year shall not exceed an amount equal to the tax imposed by this chapter for the taxable year, reduced by the sum of the credits allowed under a section of this subpart having a lower number designation than this section, other than credits allowable by sections 31, 39, and 43. For purposes of the preceding sentence, the term 'tax imposed by this chapter' shall not include any tax treated as not imposed by this chapter under the last sentence of section 53(a).

"(B) CARRYBACK AND CARRYOVER OF UNUSED CREDIT.—

"(i) ALLOWANCE OF CREDIT.—If the amount of the credit determined under this section for any taxable year exceeds the limitation provided under subparagraph (A) for such taxable year (hereinafter in this paragraph referred to as the 'unused credit year'), such excess shall be—

"(I) a job-training credit carryback to each of the 3 taxable years preceding the unused credit year, and

"(II) a job-training credit carryover to each of the 15 taxable years following the unused credit year,

and shall be added to the amount allowable as a credit by this section for such years. If any portion of such excess is a carryback to a taxable year ending before January 1, 1984, this section shall be deemed to have been in effect for such taxable year for purposes of allowing such carryback as a credit under this section. The entire amount of the unused credit for an unused credit year shall be carried to the earliest of the 18 taxable years to which (by reason of subclauses (I) and (II)) such credit may be carried, and then to each of the other taxable years to the extent that, because of the limitation contained in clause (ii), such unused credit may not be added for a prior taxable year to which such unused credit may be carried.

"(ii) LIMITATION.—The amount of the unused credit which may be added under clause (i) for any preceding or succeeding taxable year shall not exceed the amount by which the limitation provided under subparagraph (A) for such taxable year exceeds the sum of—

"(I) the credit allowable under this section for such taxable year, and

"(II) the amounts which, by reason of this paragraph, are added to the amount allowable for such taxable year and which are attributable to taxable years preceding the unused credit year.

"(c) DEFINITIONS.—For purposes of this section—

"(1) QUALIFIED JOB-TRAINING CHARITABLE CONTRIBUTIONS.—The term 'qualified job-training charitable contributions' means an amount equal to the amount of charitable contributions to qualified job-training organizations.

"(2) CHARITABLE CONTRIBUTION.—The term 'charitable contribution' has the meaning given to such term by subsection (c) of section 170.

"(3) QUALIFIED JOB-TRAINING ORGANIZATION.—The term 'qualified job-training organization' means an organization which—

"(A) is described in section 501(c)(3);

"(B) is located within, and provides job training for the residents of, an area designated as a rural enterprise zone under section 7871; and

"(C) provides job training solely to individuals certified as handicapped individuals, economically disadvantaged individuals, displaced workers, or Vietnam-era veterans.

"(4) JOB TRAINING.—The term 'job training' means instruction in vocational and other skills necessary to obtain employment or a higher grade of employment.

"(5) HANDICAPPED INDIVIDUAL.—The term 'handicapped individual' means any individual who—

"(A) has a physical or mental disability which for such individual constitutes or results in a substantial handicap to employment; and

"(B) can reasonably be expected to obtain employment or a higher grade of employment as a result of job training.

"(6) ECONOMICALLY DISADVANTAGED INDIVIDUAL.—The term 'economically disadvantaged individual' means any individual who—

"(A) receives cash welfare payments under a Federal, State, or local welfare program;

"(B) has an income, for the 6-month period before applying for job training with a qualified job-training organization, which—

"(i) would have met the qualifications for such welfare payments, or

"(ii) if computed on an annual basis, would not exceed the poverty level established by the Director of the Office of Management and Budget pursuant to section 673(2) of the Ombinus Budget Reconciliation Act of 1981; or

"(C) is a member of a family which meets the requirements of subparagraph (A) or (B).

"(7) DISPLACED WORKER.—The term 'displaced worker' means any individual who—

"(A) was employed by an establishment—

"(i) on a full-time basis, and

"(ii) for at least 1 year;

"(B) was not employed by such establishment in an executive, administrative, or professional capacity (as such terms are defined by the Secretary of Labor under section 13(a)(1) of the Fair Labor Standards Act of 1938); and

"(C) is currently unemployed because of—

"(i) a change in the technology of such establishment, or

"(ii) a total or partial closing of such establishment by reason of competing technology.

"(8) The term 'Vietnam-era veteran' means any individual who is certified by the designated local agency as—

"(A) having served on active duty (other than active duty for training) in the Armed Forces of the United States for a period of more than 180 days, any part of which occurred after August 4, 1964, and before May 8, 1975, or

"(B) having been discharged or released from active duty in the Armed Forces of the United States for a service-connected disability if any part of such active duty was performed after August 4, 1964, and before May 8, 1975.

"(9) ESTABLISHMENT.—The term 'establishment' means any factory, plant, facility, or concern engaged in the production of goods or services, or both.

"(10) CERTIFICATION.—Certification of an individual as an individual described in paragraph (3)(C) shall be made in the same manner as certification under section 51.

"(d) SPECIAL RULES.—For purposes of this section—

"(1) AGGREGATION OF CONTRIBUTIONS.—

"(A) CONTROLLED GROUP OF CORPORATIONS.—In determining the amount of the credit under this section—

"(i) all members of the same controlled group of corporations shall be treated as a single taxpayer, and

"(ii) the credit (if any) allowable by this section to each such member shall be its proportionate share of the qualified job-training charitable contributions giving rise to the credit.

"(B) COMMON CONTROL.—Under regulations prescribed by the Secretary, in determining the amount of credit under this section—

"(i) all trades or businesses (whether or not incorporated) which are under common control shall be treated as a single taxpayer, and

"(ii) the credit (if any) allowable by this section to each such trade or business shall be its proportionate share of the qualified job-training charitable contributions giving rise to the credit.

The regulations prescribed under this subparagraph shall be based on principles similar to the principles which apply in the case of subparagraph (A).

"(2) ALLOCATIONS.—

"(A) PASSTHROUGH IN THE CASE OF SUBCHAPTER S CORPORATIONS, ETC.—Under regulations prescribed by the Secretary, rules similar to

the rules of subsections (d) and (e) of section 52 shall apply.

"(B) ALLOCATION IN THE CASE OF PARTNERSHIPS.—In the case of partnerships, the credit shall be allocated among partners under regulations prescribed by the Secretary.".

(b) TECHNICAL AND CLERICAL AMENDMENTS.—

(1) Subparagraph (B) of section 55(c)(3) (relating to carryover and carryback of certain credits) is amended—

(A) by striking out "or 44H" in clause (i) and inserting in lieu thereof "44H, or 44I", and

(B) by inserting "44I(b)(1)," after "44H(b)(1)," in clause (ii).

(2) Subsection (c) of section 381 of such Code (relating to items of the distributor or transferor corporation) is amended by adding at the end thereof the following new paragraph:

"(31) CREDIT UNDER SECTION 44I.—The acquiring corporation shall take into account (to the extent proper to carry out the purposes of this section and section 44I, and under such regulations as may be prescribed by the Secretary) the items required to be taken into account for purposes of section 44I in respect of the distributor or transferor corporation.".

(3)(A) Section 383 of such Code (relating to special limitations on unused investment credits, work incentive program credits, new employee credits, alcohol fuel credits, foreign taxes, and capital losses), as in effect for taxable years beginning with and after the first taxable year to which the amendments made by the Tax Reform Act of 1976 apply, is amended—

(i) by inserting "to any unused credit of the corporation under section 44I(b)(2)(B)," after 44H(b)(2),", and

(ii) by inserting "JOB-TRAINING CREDITS," after "RURAL ENTERPRISE ZONE EMPLOYMENT CREDITS," in the section heading.

(B) Section 383 of such Code (as in effect on the day before the date of the enactment of the Tax Reform Act of 1976) is amended—

(i) by inserting "to any unused credit of the corporation which could otherwise be carried forward under section 44I(b)(2)(B)," after "44H(b)(2),", and

(ii) by inserting "JOB-TRAINING CREDITS," after "RURAL ENTERPRISE ZONE EMPLOYMENT CREDITS," in the section heading.

(C) The table of sections for part V of subchapter C of chapter 1 is amended by inserting "job-training credits," after "rural enterprise zone employment credits," in the item relating to section 383.

(4) Subparagraph (C) of section 6511(d)(4) of such Code (defining credit carryback) is amended by striking out "and rural enterprise zone employment credit carryback" and inserting in lieu thereof "rural enterprise zone employment credit carryback, and job-training credit carryback".

(5) Section 6411 of such Code (relating to quick refunds in respect of tentative carryback adjustments) is amended—

(A) by striking out "or unused rural enterprise zone employment credit carryback" each place it appears and inserting in lieu thereof "unused rural enterprise zone employment credit, or unused job-training credit";

(B) by inserting ", by a job-training credit carryback provided by section 44I(b)(2)" after "by a rural enterprise zone employment credit carryback provided in section 44H(b)(2)," in the first sentence of subsection (a);

(C) by striking out "or rural enterprise zone employment credit carryback from" each place it appears and inserting in lieu thereof "a rural enterprise zone employment credit carryback, or a job-training credit carryback from"; and

(D) by inserting "or, in the case of a job-training credit carryback, to an investment credit carryback, a new employee credit carryback, a research and experimental credit carryback, or an employee stock ownership credit carryback" after "research and experimental credit carryback" in the second sentence of subsection (a).

(c)(1) Subsection (b) of section 6096 of such Code (relating to designation of income tax payments to Presidential Election Campaign Fund) is amended by striking out "and 44H" and inserting in lieu thereof "44H and 44I".

(2) The table of sections for subpart A of part IV of subchapter A of chapter 1 of such Code is amended by inserting after the item relating to section 44H the following new item:

"Sec. 44I. Charitable contributions to qualified job-training organizations.".

(d) The amendments made by this section shall apply to taxable years beginning after December 31, 1984.

SUBTITLE D—REDUCTION IN CAPITAL GAIN TAX RATES

SEC. 241. CORPORATIONS.

(a) GENERAL RULE.—Subsection (a) of section 1201 (relating to alternative tax for corporations) is amended by striking out paragraph (2) and inserting in lieu thereof the following:

"(2) a tax of 28 percent of the excess (if any) of—

"(A) the net capital gain for the taxable year, over

"(B) the qualified rural enterprise zone capital gain.".

(b) DEFINITION OF QUALIFIED RURAL ENTERPRISE ZONE CAPITAL GAIN.—Section 1201 is amended by redesignating subsections (b) and (c) as subsections (c) and (d) and by inserting after subsection (a) the following new subsection:

"(b) QUALIFIED RURAL ENTERPRISE ZONE CAPITAL GAIN.—For purposes of this section—

"(1) IN GENERAL.—The term 'qualified rural enterprise zone capital gain' means gain which is—

"(A) described in section 1222(3),

"(B) attributable to the sale or exchange of qualified property, and

"(C) properly allocable only to periods during which the property is qualified property.

"(2) LIMITATIONS.—The term 'qualified rural enterprise zone capital gain' does not include any gain attributable to the sale or exchange of an interest in a qualified business to the extent attributable to—

"(A) any property contributed to the qualified business within the previous 12 months,

"(B) any interest in any business which is not a qualified business, or

"(C) any other intangible property to the extent not properly allocable to the active conduct of a trade or business within a rural enterprise zone.

"(3) DEFINITIONS.—

"(A) The term 'qualified property' means—

"(i) any tangible personal property used by the taxpayer predominantly in a rural enterprise zone in the active conduct of a trade or business within such enterprise zone,

"(ii) any real property located in a rural enterprise zone used by the taxpayer predominantly in the active conduct of a trade or business within such enterprise zone, and

"(iii) any interest in a corporation, partnership, or other entity if, for the three most recent taxable years of such entity ending before the date of disposition of such interest, such entity was a qualified business.

"(B) QUALIFIED BUSINESS.—The term 'qualified business' means any person—

"(i) which is actively engaged in the conduct of a trade or business within a rural enterprise zone during the period described in subparagraph (A)(iii),

"(ii) with respect to which at least 80 percent of such person's gross receipts for the taxable year are attributable to the active conduct of a trade or business within a rural enterprise zone, and

"(iii) with substantially all of its tangible assets located within a rural enterprise zone.

"(C) REAL ESTATE RENTAL.—For purposes of this section, ownership of residential, commercial or industrial real property within a rural enterprise zone for rental shall be treated as the active conduct of a trade or business in a rural enterprise zone.

"(D) PROPERTY REMAINS QUALIFIED AFTER ZONE DESIGNATION CEASES TO APPLY.—

"(i) IN GENERAL.—The treatment of property as qualified property under subparagraph (A) shall not terminate when the designation of the rural enterprise zone in which the property is located or used expires or is revoked.

"(ii) EXCEPTIONS.—Clause (i) shall not apply after the first sale or exchange of property occurring after the designation expires or is revoked.".

SEC. 242. TAXPAYERS OTHER THAN CORPORATIONS.

Subsection (a) of section 1202 (relating to deduction for capital gains) is amended to read as follows:

"(a) DEDUCTION ALLOWED.—

"(1) IN GENERAL.—If for any taxable year a taxpayer other than a corporation has a net capital gain, there shall be allowed as a deduction from gross income an amount equal to the sum of—

"(A) 100 percent of the lesser of—

"(i) the net capital gain, or

"(ii) the qualified rural enterprise zone capital gain (as defined in section 1201(b)), plus

"(B) 60 percent of the excess (if any) of—

"(i) the net capital gain, over

"(ii) the amount of the net capital gain taken into account under subparagraph (A).".

SEC. 243. MINIMUM TAX.

Paragraph (9) of section 57(a) (relating to tax preference for capital gains) is amended by adding at the end thereof the following new subparagraph:

"(E) For purposes of this paragraph, gain attributable to qualified rural enterprise zone capital gain (within the meaning of section 1201(b)) shall not be taken into account.".

SEC. 244. EFFECTIVE DATE.

The amendments made by this subtitle shall apply to sales or exchanges after December 31, 1983.

SUBTITLE E—RULES RELATING TO INDUSTRIAL DEVELOPMENT BONDS

SEC. 251. INDUSTRIAL DEVELOPMENT BONDS.

(a) LIMITATION ON ACCELERATED COST RECOVERY DEDUCTION NOT TO APPLY TO RURAL ENTERPRISE ZONE PROPERTY.—Subparagraph (C) of section 168(f)(12) (relating to limitations on property financed with tax-exempt bonds) is amended—

(1) by striking out "or" at the end of clause (iii),

(2) by striking out the period at the end of clause (iv) and inserting in lieu thereof ", or", and

(3) by adding at the end thereof the following new clause:

"(v) as rural enterprise zone property (within the meaning of section 48(r)).".

(b) TERMINATION OF SMALL ISSUE EXEMPTION NOT TO APPLY.—Subparagraph (N) of section 103(b)(6) (relating to termination of small issue exemption after December 31, 1986) is amended by adding at the end thereof the following new sentence: "This subparagraph shall not apply to any obligation which is part of an issue substantially all of the proceeds of which are used to finance facilities within a rural enterprise zone if such facilities are placed in service while the designation as such a zone is in effect under section 7871.".

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to obligations issued after December 31, 1984, in taxable years ending after such date.

SUBTITLE F—SENSE OF THE CONGRESS WITH RESPECT TO TAX SIMPLIFICATION

SEC. 261. TAX SIMPLIFICATION.

It is the sense of the Congress that the Secretary of the Treasury should in every way possible simplify the administration and enforcement of any provision of the Internal Revenue Code of 1954 added to, or amended by, this Act.

RURAL ENTERPRISE ZONE ACT

GENERAL PROVISIONS

Establishes 10 zones per year for three years designated by the Secretary of Agriculture.

Zones can be nominated and managed by a local government, State government, or consortium of governments.

ELIGIBILITY

Nominated area must be within the jurisdiction of government or governments nominating the area.

Boundary must be continuous.

Area must be outside a standard metropolitan statistical area, entirely within an Indian reservation, or otherwise determined by the Secretary as "rural".

One of the following conditions must exist:

1. Unemployment rate must be at least 125 percent of national average.

2. Poverty rate must be at least 20 percent.

3. At least 70 percent of households in area must have incomes below 80 percent of median income of households within area.

4. Population of area must have decreased by 20 percent between 1970 and 1980.

RURAL ENTERPRISE ZONE PLAN

The government or governments nominating an area must submit an enterprise zone plan to the Secretary outlining commitments and contributions by private organizations, business, and state and local governments to encourage economic expansion including tax abatement, land and building donations, public services, training, and technical and management assistance.

The entity nominating must guarantee the ability to manage the zone, including the ability to certify residents for tax assistance.

The entity must describe the planned use of existing federal resources and how such use will enhance tax incentives provided by this bill.

PREFERENCES IN DESIGNATION

Preference will be given to areas with plans which demonstrate the following:

Broad community support; ability of entity nominating to meet commitments, make land available, and reduce taxes; minimizing federal and state expenditures; minimizes loss of revenue; and labor-intensive.

Preference will also be given to areas with high annual rates of unemployment.

TAX INCENTIVES

TAX CREDIT FOR EMPLOYERS

Provides credit of 10 percent of qualified increased employment and economically disadvantaged credit amount.

"qualified increased employment."—Excess of wages paid during a taxable year over the base period wages prior to designation as zone.

"economically disadvantaged credit."—Wages paid to certain individuals, i.e., those who receive or are qualified for general assistance, or are eligible work incentive employees.

INVESTMENT TAX CREDITS

Provides a 5 percent increase in the investment tax credit for personal property (for a maximum total of 15 percent) and a 10 percent increase for new construction (for a maximum total of 20 percent)

JOB TRAINING

Similar provisions to those contained in S. 418, the Tax Credit for Job Training Act, providing tax credits to corporations which contribute to community organizations for the purposes of job training. The credit would be 10 percent.

EXPENSING

Small businesses (as defined by the Small Business Administration, i.e., less than 500 employees and less than $9—12 million total annual sales) would be given the option of expensing rather than depreciating the costs of conducting business.

CAPITAL GAINS

Corporations.—For the purposes of capital gains tax, corporations will be taxed at a rate of 28% on the difference between the net capital gain for the taxable year and the qualified rural enterprise zone capital gain.

"Qualified rural enterprise zone capital gain"—gain attributable to sale or exchange of personal or real property or interest in a corporation which is predominantly in a zone and actively engaged in conducting trade in the zone.

Taxpayers other than Corporations—The section in the Internal Revenue Code relating to deduction for capital gains is amended to allow a deduction from gross income in any year such taxpayer has a capital gain in an amount equal to: 100 percent of the lesser of the net capital gain or the qualified rural enterprise zone capital gain (as defined previously), plus 60 percent of the difference (if any) between the net capital gain and the capital gain taken above.

Gain attributed to "qualified rural enterprise zone capital gain" is exempt from the minimum tax.

INDUSTRIAL DEVELOPMENT BONDS

Limitations on property financed with tax-exempt bonds will not apply to rural enterprise zones, nor shall the termination of the small issue exemption.

By Mr. BOREN:

S. 1231. A bill to amend the Internal Revenue Code of 1954 to exempt certain piggyback trailers and semitrailers from the tax on motor vehicles; to the Committee on Finance.

EXEMPTION FROM TAX ON CERTAIN TRAILERS

● Mr. BOREN. Mr. President, in December, during the closing hours of debate on the Surface Transportation Act of 1982, I became aware of a gross inequity which resulted from the exemption from the 12-percent Federal sales tax of a rail vehicle known as RoadRailer to the exclusion of a vehicle made and used for the same purpose, a piggyback trailer.

Today, I introduce legislation to correct this inequity and take this opportunity to briefly outline the background and facts.

Piggyback trailers pay the full 12-percent Federal sales tax even though they travel the same low mileage as a RoadRailer, and are designed and serve the same purpose as a RoadRailer. Both RoadRailer and piggyback trailer travel from the loading dock to the rail yard to be transferred for the long haul by rail. The basic difference between the RoadRailer and the piggyback trailer is that the RoadRailer has a set of train wheels to travel on the rail, while the piggyback trailer is lifted onto a flatcar to travel on the rail. Both types of trailers are specifically designed and manufactured to serve the same purpose. In addition, both types of trailers travel the same land mileage, which usually averages less than 3,000 miles a year. As a result of the difference in tax treatment for vehicles doing the same job, piggyback trailers are put at a competitive disadvantage to the RoadRailer.

The Department of Transportation states in its final report on Federal highway cost allocation:

Consideration should be given to relieving truck trailers that are manufacture for use as Piggyback trailers from the new truck excise tax.

Piggyback trailers cost more to build and weigh about 1,000 pounds more than an over-the-road trailer, and are certified to travel on the rail by the American Association of Railroads. They therefore would not represent an enforcement burden if exempted from the sales tax as is their competitor, the RoadRailer.

The $13 million a year loss of revenue for exempting piggyback trailers would be offset by savings in wear and tear to the national highways, and statistics show it is immeasurably safer than over the road trailer transportation.

I hope that the Senate will act to put fairness into our transportation

policy by correcting this oversight in the 1982 act.●

By Mr. HART (for himself, Mr. TSONGAS, Mr. CRANSTON, Mr. ROTH, and Mr. BAUCUS).

S. 1232. A bill to clarify the responsibilities of the Secretary of the Interior with respect to national wildlife refuges; to the Committee on Environment and Public Works.

NATIONAL WILDLIFE REFUGE SYSTEM ADMINISTRATION ACT AMENDMENTS OF 1983

● Mr. HART. Mr. President, I am introducing today, along with Senators TSONGAS, CRANSTON, ROTH, and BAUCUS, the National Wildlife Refuge System Administration Act amendments, to provide that before the Department of the Interior disposes of any lands in a national wildlife refuge the Secretary of the Interior must find that the lands are no longer needed for the purposes for which Congress created the national wildlife refuge system; to prohibit the disposal of any refuge lands that also are in the national wilderness, wild and scenic river, or trails systems; and to clarify that the Secretary cannot assign the Fish and Wildlife Service's statutory responsibility to manage refuges to any other Federal agency, to a State government, or to any other entity, without specific congressional approval.

It is a sad commentary that this legislation is needed. Under all previous administrations, of both parties, the national wildlife refuges have been properly managed by the Federal Government to fulfill the congressional mandate that these lands should be administered by the Secretary of the Interior, acting through the Fish and Wildlife Service, for the purpose of conserving wildlife.

But this administration has completely broken from this past record. This administration seems to be seeking any excuse, and any pretense of authority, to get rid of national wildlife refuges.

That is a harsh statement, but it is completely supported by the record of the past 2 years. I invite my colleagues, and all Americans, to review what this administration is doing to the national wildlife refuge system.

The Department of the Interior is in the final stages of entering into a land exchange with three Alaska native regional corporations for the express purpose of allowing the construction of an oil production staging base on St. Matthew Island, which is not only part of the Alaska Maritime National Wildlife Refuge but which is also part of the National Wilderness Preservation System. The land will first be given to the native corporation because the Department thinks it can find in an obscure provision of the Alaska Lands Act of 1980 authority to exchange any Federal land with native corporations. But everybody knows, even the Department admits, that the real purpose of the exchange is to let the native corporation turn around and give the lands on St. Matthew Island to ARCO, which wants to build a staging base for its exploration and development of oil on the Alaska coastline.

Let me repeat this: The Department of the Interior is preparing to give away land which the Congress has said should be a national wildlife refuge and a wilderness area so an oil company can build a base of operations.

St. Matthew Island was designated as a national wildlife refuge, in 1909, because of its unique wildlife values. It has been estimated that 1½ million sea birds breed on the island. It is one of the very few areas where the McKay's bunting nests. It also is important habitat for seals and other marine mammals. To insure proper protection of this island, Congress in 1970 added it to the national wilderness system, guaranteeing that the land remains for all time as wilderness, which Congress in 1964 defined in this way:

A wilderness, in contrast with those areas where man and his own works dominate the landscape, is hereby recognized as an area where the earth and its community of life are untrammeled by man, where man himself is a visitor who does not remain. An area of wilderness is further defined to mean in this chapter an area of undeveloped Federal land retaining its primeval character and influence, without permanent improvements or human habitation, which is protected and managed so as to preserve its natural conditions and which (1) generally appears to have been affected primarily by the forces of nature, with the imprint of man's work substantially unnoticeable; (2) has outstanding opportunities for solitude or a primitive and unconfined type of recreation; (3) has at least five thousand acres of land or is of sufficient size as to make practicable its preservation and use in an unimpaired condition; and (4) may also contain ecological, geological, or other features of scientific, educational, or historical value.

Now the administration thinks it has found a loophole in the Alaska Lands Act that lets it ignore the congressional declaration that St. Matthew Island is part of the national wilderness system. It is giving away the island so an oil development staging center can be built on it. This is being done without any congressional approval or even consultation. It is being done without a single public hearing. It is being done without any study of the environmental impacts. And, as I am sure the courts eventually will hold, it is being done in violation of the Wilderness Act and the other laws of the United States.

But we should not have to wait for the courts to rule this action illegal. This administration has tried to go too far before, and Congress has stopped it. Congress has prevented the administration from leasing Outer Continental Shelf lands off the coast of California, where the environmental values clearly outweigh the energy values. Congress has prevented the administration from opening up our wilderness areas to oil and gas drilling. Now Congress should act to stop the giveaway of St. Matthew Island, which may be the worst abuse yet by the Department of the Interior under this administration.

Although the giveaway of St. Matthew Island is the most egregious example of the Department of the Interior's efforts to get rid of national wildlife refuge lands, it is far from the only example.

The Department is similarly in the final stages of negotiating another land exchange to turn over to another Alaska native regional corporation all of Middleton Island, another unit of the Alaska Maritime National Wildlife Refuge. Middleton Island is the breeding ground for hundreds of thousands of sea birds and thousands of sea lions and other marine mammals.

The Department has proposed an exchange with the Commonwealth of Virginia—an exchange which the State does not even seem to want—to give the State government a corridor to build a road through the Back Bay National Wildlife Refuge, largely for the convenience of people driving to North Carolina's Outer Banks. But Congress has said this area should be managed for the primary purpose of protecting its wildlife—which include one of the few nesting pairs of bald eagles in the Eastern United States—not for the convenience of tourists.

The Department of the Interior offered to give to the State of Texas the Federal lands on Matagorda Island, which are part of the Aransas National Wildlife Refuge and include critical habitat for the endangered whooping crane. In the face of the public outcry over this proposed giveaway, the Department negotiated with the State government an agreement for combined Federal/State management of the island. Legislation to ratify this agreement is now proceeding through both Houses of Congress—but the Department says the legislation is not needed, claiming that it has the authority on its own to turn over to a State government the responsibility of managing a national wildlife refuge.

The Department has said it is considering using this claimed authority to similarly turn over to the Kansas State government the management of Flint Hills National Wildlife Refuge, simply to reduce the Department's expenses. But this 18,500 acre is part of the habitat area for the largest remaining population of greater prairie chickens and in recent years has experienced a spectacular increase in bald eagle numbers. Ten years ago the eagle was an occasional visitor to the

refuge, with 10 to 30 sightings reported every year. But this year a total of 133 bald eagles have been reported.

The Secretary of the Interior tried to assign to the U.S. Geological Survey, instead of the Fish and Wildlife Service, the authority to manage the Arctic National Wildlife Refuge in Alaska, the crown jewel of our national wildlife refuge system, despite the clear statutory mandate in the National Wildlife Refuge Administration Act that refuges "shall be administered by the Secretary through the U.S. Fish and Wildlife Service." That effort of the Secretary was blocked by the U.S. district court in Alaska, which held in Trustees for Alaska against Watt that the Secretary cannot ignore such a clear congressional directive.

The other things this administration has considered doing to our wildlife refuges include trading away part of the Havasu National Wildlife Refuge in Arizona for the construction of a country club and marina, and leasing part of the Hawaiian National Wildlife Refuge as a commercial fishing base.

Mr. President, it is time for this to stop. Our national wildlife refuges should remain just that: national wildlife refuges. That is the simple purpose of the bill we are introducing today, the National Wildlife Refuge System Administration Act Amendments of 1983. Our legislation would allow the Department of the Interior to dispose of lands in a national wildlife refuge only if the lands are not part of the National Wilderness System, the National Wild and Scenic Rivers System, or the National Trails Systems, and are not under study for possible inclusion in those systems; if the Secretary determines, after notice and an opportunity for a public hearing, that the lands are no longer needed for the purposes for which Congress created the national wildlife refuge system; and if the Secretary gives Congress 30 days notice of the proposed conveyance. Our bill also would clarify that the Secretary is to manage national wildlife refuges, through the Fish and Wildlife Service, unless Congress determines otherwise on a case-by-case basis—as, for example, has been proposed with respect to Matagorda Island in Texas.

I urge Congress to act on this legislation speedily—while we still have national wildlife refuges to retain.

I ask unanimous consent to have the text of our bill printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 1232

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "National Wildlife Refuge System Administration Act Amendments of 1983".

SEC. 2. The National Wildlife Refuge System Administration Act (Public Law 89-669), as amended, is amended—

(a) in section 4(a)(1), as amended (16 U.S.C. 668dd(a)(1))—

(1) by inserting "and managed" after "administered"; and

(2) by striking the period at the end of the first sentence and "With" in the second sentence and inserting in lieu thereof a comma and the following: "unless otherwise specified by an Act of Congress enacted after May 6, 1983, except that with";

(b) in section 4(a)(2), as amended (16 U.S.C. 668dd(a)(2)), by striking "(except" and all that follows through the end of paragraph (A) and inserting in lieu thereof the following: "except as provided in subsection (b)(4) and unless—

"(A) the Migratory Bird Conservation Commission approves the determination of the Secretary under subsection (b)(4)(A)(ii) that the lands to be conveyed are no longer needed for the purposes for which the System was established; and";

(c) in section 4(a)(3), as amended (16 U.S.C. 668dd(a)(3)), by striking clauses (ii) and (iii) and inserting in lieu thereof the following:

"(ii) the disposal, pursuant to the terms of any cooperative agreement referred to in subparagraph (B) of this paragraph, of any lands within any such area which were included in the System pursuant to that cooperative agreement; or

"(iii) the sale, exchange, or interchange of any lands within any such area under subsection (b)(4).."; and

(d) in section 4(b), as amended (16 U.S.C. 668dd(b))—

(1) by striking "and" at the end of paragraph (2);

(2) in paragraph (3) by inserting "(including, but only as provided in paragraph (4), lands within the System)" after "jurisdiction";

(3) in paragraph (3) by striking the period at the end thereof and inserting in lieu thereof a semicolon and "and"; and

(4) by inserting at the end thereof a new paragraph as follows:

"(4) to sell, exchange, or interchange by quitclaim deed all right, title, and interest of the United States in and to lands or interests in lands included in the System, and to accept as consideration for the lands sold, exchanged, or interchanged other lands, interest in lands, or cash payment, or any combination of such forms of consideration, which, in the case of conveyance by sale or exchange, is at least equal in value or, in the case of conveyance by interchange, is of approximately equal value, to the lands being conveyed by the Secretary, but only if—

"(A)(i) the lands to be conveyed are not components of the National Wilderness Preservation System, the National Wild and Scenic Rivers System, or the National Trails System and are not under study for possible inclusion in any such System;

"(ii) the Secretary determines, after notice and an opportunity for a hearing, the lands to be conveyed are no longer needed for the purposes for which the System was established; and

"(iii) the Secretary has provided thirty days notice of the proposed sale, exchange, or interchange to the Congressional delegation of the State or States in which the lands to be conveyed are located and to the Senate Committee on Environment and Public Works and to the House of Representatives Committee on Merchant Marine and Fisheries; or

"(B) the sale, exchange, or interchange is authorized by an Act of Congress enacted after May 6, 1983.

The only lands and interests in lands in the System that may be exchanged under section 1302(h) of the Alaska National Interest Lands Conservation Act of 1980 (16 U.S.C. 3192(h)) are those lands and interests in lands described in this subsection. This subsection shall not be construed as authorizing the Secretary to convey, transfer, assign, or relinquish his authority and responsibility to administer and manage through the United States Fish and Wildlife Service lands within the System for which the United States retains title.".●

By Mr. PRYOR (for himself, Mr. HEINZ, Mr. RIEGLE, and Mr. PELL):

S. 1233. A bill to prohibit the drugging or numbing of racehorses and related practices, and to amend title 18, United States Code, to prohibit certain activities conducted in interstate or foreign commerce relating to such practices; to the Committee on the Judiciary.

PROHIBITION OF DRUGGING OR NUMBING OF RACEHORSES

● Mr. PRYOR. Mr. President, today I am reintroducing legislation to establish Federal minimum standards to prohibit the drugging or numbing of race horses.

This bill was the subject of hearings before the Criminal Justice Subcommittee of the Judiciary Committee during the last Congress. Based on the testimony presented at those hearings, I am convinced that the misuse of drugs in horse racing is a serious national problem in search of a solution. The use of potent, illegal drugs—often obtained in other countries—has harmed the integrity of racing. The misuse of legitimate drugs to keep lame horses on the track despite their infirmities risks the health and life of horses and jockeys.

Nearly all of the elements of the racing industry want to end abusive drugging practices. Many want a return to a regimen of nothing more than hay, oats, and water. Yet, despite this desire, the industry's efforts to unify the patchwork quilt of State regulation, and to improve State-level detection and enforcement capabilities, remain incomplete.

The legislation I introduce today provides a solution to this problem that nevertheless respects the strong interest each State has in the regulation of its racing industry. The bill would authorize the establishment of minimum Federal standards to regulate the use of drugs in race horses, and would create an effective detection and enforcement program. States whose drug-regulation laws and programs met or exceeded the Federal standards would be exempt from the bill's provisions. Enforcement of the bill would be delayed for 2 years so that the States would have an oppor-

tunity to bring their laws into conformance with the Federal standards. Only if a State failed to act would the Federal Government step in.

Horse racing is a huge interstate business. Horses and jockeys travel from State to State to compete. In fact, horses may be trained in one State and raced in as many as 30. As a result, there is a compelling need for drugging rules and enforcement to be uniform throughout the Nation.

The National Association of State Racing Commissioners has recognized that need, as have many other elements of the industry. Regrettably, their efforts have not been able to bring about uniformity. The modest purpose of this legislation is to achieve that goal by creating a Federal framework in which those States that are committed to ending drugging abuses can act.

The horse that runs on an injured limb; the jockey who risks his life riding an unsound mount; the racing fan whose sport is compromised by drug misuse; all deserve the protection that this legislation would help to provide.

Mr. President, I ask unanimous consent that the text of this bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 1233

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

DEFINITIONS

SECTION 1. As used in this Act—

(1) the term "Administrator" means the Administrator of the Drug Enforcement Administration, Department of Justice;

(2) the term "drugging," when used with respect to a horse entered in a horserace, means administering to a racehorse of any substance, foreign to the natural horse, prior to the start of a horserace;

(3) the term "numbing," when used with respect to a horse entered in a horserace, means the applying of ice, dry ice, a cold pack, or a chemical or mechanical freezing device to the limbs of a racehorse within ten hours before the start of such horserace, or a surgical or other procedure, which was, at any time, performed in which the nerves of such horse were severed, destroyed, or removed;

(4) the term "horserace" means any race of equine animals in any State in which parimutuel betting on the outcome of such race is permitted in such State;

(5) the term "entered," when used with respect to a horserace, means that a horse has been registered with the racing secretary or other authorized racing official as a participant in a specified race, and not withdrawn prior to presentation of the horse for inspection and testing pursuant to section 6(a).

(6) the term "State" means any of the several States, the District of Columbia, the Commonwealth of Puerto Rico, the Commonwealth of Northern Mariana Islands, the Virgin Islands, Guam, American Samoa, and the Trust Territory of the Pacific Islands.

FINDINGS

SEC. 2. The Congress finds that—

(1) the practice of drugging or numbing a racehorse prior to a horserace—

(A) corrupts the integrity of the sport of horseracing and promotes criminal fraud in such sport,

(B) misleads the wagering public and those desiring to purchase such horse as to the condition of such horse,

(C) poses an unreasonable risk of serious injury or death to the rider of such horse and to the rider of other horses competing in the same race, and

(D) is cruel and inhumane to the horse so drugged or numbed;

(2) the practice of drugging or numbing a racehorse adversely affects and burdens interstate commerce; and

(3) criminal penalties and other sanctions are necessary in order to prevent and eliminate such practices.

PROHIBITED CONDUCT

SEC. 3. The following conduct is prohibited:

(1) the entering of a horse in a horserace by the trainer or owner of such horse if such trainer or owner knows or if by the exercise of reasonable care such trainer or owner should know that such horse is drugged or numbed;

(2) the drugging or numbing of a racehorse with knowledge or with reason to believe that such horse will compete in a horserace while so drugged or numbed: *Provided*, That the Administrator may by regulation establish permissible trace levels of substances foreign to the natural horse that he determines to be innocuous;

(3) the willful failure by the operator of a horseracing facility to disqualify a horse from competing in a horserace if such operator has, in accordance with section 6(a) of this Act, been notified that such horse is drugged or numbed, or was not properly made available for tests or inspections as required under such section; and

(4) the willful failure by the operator of a horseracing facility to prohibit a horse from racing if such operator has, in accordance with section 5(f) of this Act, been notified that such horse has been suspended from racing.

PENALTIES AND ENFORCEMENT POWERS

SEC. 4. (a) CRIMINAL PENALTIES.—(1)(A) Except as provided in subparagraph (B) of this paragraph, any person who violates any provision of section 4 of this Act shall, upon conviction thereof, be fined not more than $10,000, or imprisoned for not more than one year, or both.

(B) Any person who violates section 4 of this Act and who has been previously convicted for a violation of such section shall be fined not more than $25,000, or imprisoned for not more than three years, or both, upon conviction.

(2)(A) Whoever forcibly assaults, resists, opposes, impedes, intimidates, or interferes with a person while such person is engaged in or on account of the performance by such person of any official duties delegated to such person under this Act shall be fined not more than $25,000, or imprisoned not more than three years, or both.

(B) Whoever, in the commission of any of the acts referred to in subparagraph (A) of this paragraph, uses, or threatens to use a deadly or dangerous weapon shall be fined not more than $50,000, or imprisoned not more than ten years, or both.

(C) Whoever kills a person while such person is engaged in or on account of the performance by such person of any official duties of such person under this Act shall be punished as provided in sections 1111 and 1112 of title 18 of the United States Code.

(3) Whoever knowingly makes, or causes to be made, a false entry or statement in a report or account required to be made under this Act; knowingly fails to make full, true, and correct entries in such records; removes any such documentary evidence out of the jurisdiction of the United States; mutilates, alters, or by any other means falsifies any such documentary evidence; or refuses to submit any documentary evidence to the Administrator for inspection and copying shall be guilty of an offense against the United States, and upon conviction thereof shall be fined not more than $25,000, or imprisoned for not more than three years, or both.

(b) DISQUALIFICATIONS OF OFFENDERS.—(1) Except as provided in paragraph (2) of this subsection, any person who violates any provision of this Act shall, upon conviction thereof, by order of the Administrator, be disqualified from entering a horse in a horserace, operating a horseracing facility, or performing for gain any service rendered in connection with horseracing, for a period not to exceed one year.

(2) Any person who violates any provision of this Act and who has been previously convicted for a violation of such Act shall, by order of the Administrator, be disqualified from entering a horse in a horserace, operating a horseracing facility, or performing for gain any service rendered in connection with horseracing, for a period not to exceed five years.

(c) CIVIL PENALTIES; REVIEW AND ENFORCEMENT.—(1)(A) Any person who knowingly violates an order of disqualification issued under subsection (b) of this section shall be liable to the United States for a civil penalty of not more than $15,000 for each such violation.

(B) The operator of a horseracing facility which knowingly allows a person to enter a horse in a horserace or perform for gain any service rendered in connection with horseracing in violation of an order of disqualification entered under subsection (b) of this section shall be liable to the United States for a civil penalty of not more than $15,000 for each such violation.

(2) No civil penalty shall be assessed against any person under paragraph (1) of this subsection unless such person is given notice and an opportunity for a hearing before the Administrator with respect to such violation. The amount of any such civil penalty shall be assessed by the Administrator by written order. In determining the amount of such penalty, the Administrator shall take into account all factors relevant to such determination, including the nature, circumstances, extent, and gravity of the prohibited conduct, and, with respect to the person found to have engaged in such conduct, the degree of culpability, any history of prior offenses, ability to pay, effect on ability to continue to do business, and such other matters as justice may require.

(3) Any person as to whom a civil penalty is assessed under paragraph (1) of this subsection may obtain review in the court of appeals of the United States for the circuit in which such person resides or has his place of business or in the United States Court of Appeals for the District of Columbia by filing a notice of appeal in such court within thirty days after the date of such order and by simultaneously sending a copy of such notice by certified mail to the Ad-

ministrator. The Administrator shall promptly file in such court a certified copy of the record upon which such violation was found and such penalty assessed, as provided under section 2112 of title 28 of the United States Code. The findings of the Administrator shall be set aside if found to be unsupported by substantial evidence.

(4) If a person fails to pay an assessment of a civil penalty after it has become a final and unappealable order, or, if an appeal is taken, after the appropriate court of appeals has entered final judgment in favor of the Administrator, the Administrator shall refer the matter to the Attorney General, who shall recover the amount assessed in any appropriate district court of the United States. In such recovery action, the validity and appropriateness of the final order imposing the civil penalty shall not be subject to review.

(d) SUSPENSION OF HORSE FROM RACING.—(1) Any racehorse found to have been drugged or numbed in violation of this Act shall, subject to paragraph (2) of this subsection, be suspended from competing in any horserace for a period of six months for the first infraction, and for a period of not less than twelve months for each subsequent infraction.

(2) No racehorse shall be suspended under paragraph (1) of this subsection unless the owner of such horse is given notice and an opportunity for a hearing before the Administrator within two weeks after the date on which the infraction referred to in such paragraph is discovered. The appeal procedure set forth in subsection (c)(3) of this section shall apply with respect to any suspension order made in a hearing conducted under this paragraph.

(e) NOTIFICATION OF SUSPENSIONS AND DISQUALIFICATIONS.—Notification of all suspensions and disqualifications under this section shall be transmitted to the operator of each horseracing facility in accordance with such procedures as the Administrator shall by regulation prescribe.

(f) MODIFICATION OF PENALTIES.—The Administrator may, in his discretion, compromise, modify, or remit, with or without conditions, any civil penalty, disqualification, or suspension assessed under this subsection.

(g) PRODUCTION OF WITNESSES, BOOKS, PAPERS, AND DOCUMENTS; DEPOSITIONS; FEES; JURISDICTION.—(1) The Administrator may require by subpena the attendance and testimony of witnesses or the production of books, papers, or other documentary evidence relating to any matter under investigation or the subject of a proceeding under this Act. Witnesses summoned before the Administrator shall be paid the same fees and mileage as are paid witnesses in the courts of the United States.

(2) The attendance of witnesses and the production of books, papers, and documents, may be required at any designated place from any place in the United States. In case of refusal to obey a subpena served upon a person under this Act, the Administrator, or any party to a proceeding held before the Administrator under this Act, may petition the district court of the United States for the district in which such person is found, resides, or transacts business, to issue an order requiring such person to comply with such subpena.

(3) The Administrator may order testimony to be taken by deposition under oath in any proceeding or investigation pending before him, at any stage or such proceeding or investigation. A deposition may be taken before any person designated by the Administrator who has power to administer oaths. The Administrator may require the production of relevant books, papers, or other documentary evidence at the taking of such a deposition.

(4) Witnesses whose depositions are taken and the persons taking them shall be entitled to the same fees as are paid for like services in the courts of the United States.

(5) The United States district courts, the District Court of Guam, the District Court of the Virgin Islands, the highest court of American Samoa, and the United States courts of the other territories are vested with jurisdiction specifically to enforce, and to prevent and restrain violations of this Act, and shall have jurisdiction in all other kinds of cases arising under this Act.

(h) DETENTION OF HORSES; SEIZURE AND CONDEMNATION OF EQUIPMENT.—(1) A person appointed under section 6 of this Act may detain (for a period not to exceed twenty-four hours) for examination, testing, or the taking of evidence, any horse at a horserace which is drugged or numbed, or which such veterinary doctor, based upon the results of an inspection, test, or other procedure conducted under such section, has probable cause to believe is drugged or numbed. Any horse which is detained subject to this paragraph shall not, during such detention, be moved from the place where such horse is so detained except as authorized by such veterinary doctor.

(2) Any equipment, device, paraphernalia, or substance used in violation of any provision of this Act or any regulation issued thereunder, or which contributed to the drugging or numbing of any horse at or prior to any horserace, shall be liable to be proceeded against by process of libel for the seizure and condemnation of such equipment, device, paraphernalia, or substance, in any United States district court within the jurisdiction in which such equipment, device, paraphernalia, or substance is found. Such proceedings shall conform as nearly as possible to proceedings in rem in admiralty.

INSPECTIONS, TESTS, AND RECORDS

SEC. 5. (a) APPOINTMENT OF PERSONNEL.—For purposes of detecting violations of this Act, the Administrator shall appoint qualified veterinary doctors, biochemists, and such other personnel as the Administrator considers necessary. Such veterinary doctors, biochemists, and other personnel shall, in accordance with such procedures as the Administrator shall by regulation prescribe—

(1) analyze the blood sample which shall be taken from each horse entered in a horserace no sooner than six hours and no later than four hours before the start of such horserace to determine if such horse has been drugged;

(2) examine each horse entered in a horserace within one hour before the start of such horserace to determine if such horse has been numbed;

(3) analyze samples of urine and blood which shall be taken immediately after a horserace from horses that competed in such race, to determine if such horses have been drugged;

(4) perform such other similar tests and inspections as the Administrator considers necessary to carry out this Act;

(5) store blood and urine samples in a frozen state or in any other appropriate manner so that they may be preserved for future analysis.

The identity of any racehorse determined under this subsection to be drugged or numbed shall, in accordance with such procedures as the Administrator shall by regulation prescribe, be reported to the operator of the horseracing facility, the Administrator, and the appropriate United States attorney. The identity of any racehorse not made available, in accordance with such regulations as the Administrator shall prescribe, for any test or inspection required under this subsection shall likewise be reported to such operator.

(b) TESTING FACILITIES.—(1) The operator of a horseracing facility shall, in accordance with such regulations as the Administrator shall prescribe, provide the Administrator with adequate space and facilities in order that the inspections, tests, and other procedures described in subsection (a) of this section may be performed. Access to such space and facilities shall be restricted in accordance with such regulations as the Administrator shall prescribe.

(2) Any horseracing facility which fails to comply with paragraph (1) of this subsection shall, by order of the Administrator, be disqualified from holding horseraces while such facility remains in noncompliance with such paragraph. The operator of a horseracing facility which violates such an order shall be liable to the United States for a civil penalty of not less than $10,000, and not more than $250,000 for each day of such noncompliance.

(3) The provisions of sections 5 (c) and (f) of this Act, relating to the assessment, review, collection, and compromise, modification, or remission of a civil penalty apply with respect to civil penalties under this subsection.

(c) RECORDKEEPING AND REPORTING REQUIREMENTS; AVAILABILITY OF RECORDS.—The operator of any horseracing facility shall establish and maintain such records, make such reports, and provide such information as the Administrator may by regulation reasonably require for the purpose of implementing this Act or to determine compliance with this Act. Upon request of an officer or employee duly designated by the Administrator, such operator shall permit entry at all reasonable times for the inspection and copying (on or off the premises) of records required to be maintained under this subsection.

APPROPRIATE USE OF EMPLOYEES OF DRUG ENFORCEMENT ADMINISTRATION AND OF CONSENTING STATES; RESEARCH STUDIES

SEC. 6. (a) The Administrator, in carrying out this Act, shall utilize, to the maximum extent practicable, the existing personnel and facilities of the Drug Enforcement Administration, Department of Justice. The Administrator is further authorized to utilize the officers and employees of any State, with its consent, and with or without reimbursement, to assist him in carrying out the provisions of this Act.

(b) The Administrator shall conduct research studies to develop methods and techniques to identify drugging and numbing practices. The Administrator may contract for such studies with universities, schools of veterinary medicine or other institutions or individuals having special expertise in the detection of drugging and numbing.

STATE EXEMPTIONS

SEC. 7. At the request of the chief executive of any State, the Administrator shall exempt that State from the operation of this Act if he finds that the State has enacted and put into operation a comparable program to prohibit the drugging and numbing of racehorses. In determining whether the State program is comparable,

the Administrator shall examine the practices prohibited by State law, the inspections and tests required, and the penalties imposed. The Administrator shall review the operations of each exempted State's program on an annual basis and shall revoke the exemption if the program fails to meet the objectives of this Act. The assessment provided for in section 11 of this Act shall not be levied in any exempted State.

REPORTS TO CONGRESS

SEC. 8. On or before the expiration of eighteen calendar months following July 1, 1980, and every twenty-four calendar months thereafter, the Administrator shall submit to Congress a report upon the matters covered by this Act, including enforcement and other actions taken thereunder, together with such recommendations for legislative and other action as the Administrator deems appropriate.

AUTHORIZATION OF APPROPRIATION AND FEES

SEC. 9. There are authorized to be appropriated for the first two fiscal years beginning after the date of enactment of this Act such sums as are necessary to carry out this Act not to exceed $5,000,000 for the development of a Federal enforcement program. For each fiscal year thereafter the Administrator may, in order to meet the costs necessary to carry out this Act, assess a daily fee for each racing day upon the operation of every horseracing facility subject to the provisions of this Act. Such fees may vary to take into account the size of the facility, and shall be assessed and collected in accordance with such procedures as the Administrator shall by regulation prescribe. No funds shall be collected nor shall any be spent to carry out the purposes of this Act for any fiscal year beginning more than ten years after the date of the enactment of this Act.

AMENDMENT TO TITLE 18 OF THE UNITED STATES CODE

SEC. 10. Section 1952(b) of title 18, United States Code, relating to interstate and foreign travel or transportation in aid of racketeering enterprise, is amended by inserting immediately before the period, "or any act committed in violation of section 3 of the Act entitled 'An Act to prohibit the drugging or numbing of racehorses and related practices, and to amend title 18, United States Code, to prohibit certain activities conducted in interstate or foreign commerce relating to such practices', effective on the first day of the first fiscal year beginning more than two fiscal years after the date of enactment of such Act".

EFFECTIVE DATE

SEC. 11. The prohibitions in this Act including section 10 shall become effective and enforceable on the first day of the first fiscal year beginning more than two fiscal years after the date of enactment of this Act in order to allow the States to develop programs qualifying for State exemptions under section 7 of this Act.

By Mr. BOSCHWITZ (for himself, Mr. SYMMS, Mr. LAXALT, Mr. DECONCINI, Mr. RANDOLPH, Mr. GORTON, Mr. NUNN, Mr. BOREN, Mr. DIXON, Mr. HELMS, Mr. SASSER, Mr. GLENN, Mr. DURENBERGER, Mr. FORD, Mr. RUDMAN, Mr. INOUYE, Mr. MITCHELL, Mr. PRYOR, Mr. EAST, Mr. CHILES, Mr. MATTINGLY, Mr. COCHRAN, Mr. MOYNIHAN, Mr. BUMPERS, and Mr. THURMOND):

S.J. Res. 97. Joint resolution to authorize the erection of a memorial on public grounds in the District of Columbia, or its environs, in honor and commemoration of members of the Armed Forces of the United States and the allied forces who served in the Korean war; to the Committee on Rules and Administration.

KOREAN WAR MEMORIAL

● Mr. BOSCHWITZ. Mr. President, today I am introducing a resolution to authorize the erection of a memorial to honor those brave men and women who served in the Armed Forces in the Korean war.

The United States joined with 16 Allied Nations 30 years ago to protect the freedom of South Korea from Communist aggression. Nearly 6 million Americans fought in Korea—fighting for the democratic freedoms this country cherishes. 100,000 Americans were wounded in the fighting and 54,000 were killed. Their sacrifice deserves recognition.

Today over 5.7 million Korean war veterans are living in the United States, but their dedication to protecting freedom has largely been ignored. If the television show M.A.S.H. had not been on the air—a favorate of mine I must admit—most people in the United States would probably have forgotten our successful efforts to preserve South Korea's sovereignty.

My legislation seeks to correct this lack of recognition by authorizing the erection of a Korean war memorial on public grounds in the District of Columbia or its environs.

A committee has already been formed to raise the funds necessary to construct such a memorial. Former President Gerald R. Ford, Mrs. Douglas MacArthur, Gen. Matthew Ridgeway, Senator PAUL LAXALT, Rev. Theodore Hesberg, and Speaker of the House TIP O'NEILL are, among others, members of the memorial's national sponsoring committee.

I wish to emphasize that the memorial will be built without the use of public funds. The Secretary of the Interior, the National Commission on Fine Arts, and the National Capitol Planning Commisison will select the site and approve the design. Maintenance will be provided by the Department of the Interior or the government of the District of Columbia, depending on the location of the memorial. But funds to build the memorial will come solely from private sources.

I hope the Senate takes this opportunity to honor those who served so well in the Korean war. I urge my colleagues to join with me in supporting this resolution in recognition of the Korean war veteran.●

ADDITIONAL COSPONSORS

S. 113

At the request of Mr. ABDNOR, the name of the Senator from Kentucky (Mr. HUDDLESTON) was added as a cosponsor of S. 113, a bill to amend the Internal Revenue Code of 1954 to repeal the highway-use tax on heavy trucks and to increase the tax on diesel fuel used in heavy trucks.

S. 790

At the request of Mr. STEVENS, the name of the Senator from Washington (Mr. GORTON) was added as a cosponsor of S. 790, a bill to amend the Commodity Credit Corporation Charter Act and section 32 of the act of August 24, 1935, to include fish and fish products within the meaning of agricultural commodities.

S. 869

At the request of Mr. HEINZ, the name of the Senator from Illinois (Mr. DIXON) was added as a cosponsor of S. 869, a bill to amend the the Export-Import Bank Act of 1945.

S. 911

At the request of Mr. CHILES, the name of the Senator from Oregon (Mr. HATFIELD) was added as a cosponsor of S. 911, a bill to establish a Commission to make recommendations for changes in the role of nonparty multicandidate political action committees in the financing of campaigns of candidates for Federal office.

S. 1004

At the request of Mr. D'AMATO, the name of the Senator from Montana (Mr. MELCHER) was added as a cosponsor of S. 1004, a bill to amend the Federal employees health benefits plan provisions of chapter 89, title 5, United States Code to assure adequate mental health benefit levels and otherwise limit benefit reductions.

S. 1043

At the request of Mr. D'AMATO, the name of the Senator from North Dakota (Mr. ANDREWS) was added as a cosponsor of S. 1043, a bill to amend the Internal Revenue Code of 1954 to provide tax incentives for small business.

S. 1093

At the request of Mr. DODD, the name of the Senator from Florida (Mr. CHILES) was added as a cosponsor of S. 1093, a bill to provide for research on the evaluation and assessment of education in mathematics and sciences.

S. 1113

At the request of Mr. D'AMATO, the name of the Senator from Kentucky (Mr. HUDDLESTON) was added as a cosponsor of S. 1113, a bill to amend the Internal Revenue Code of 1954 to provide that tax-exempt interest shall not be taken into account in determining the amount of social security benefits to be taxed.

S. 1159

At the request of Mr. HATFIELD, the names of the Senator from Ohio (Mr. METZENBAUM), and the Senator from Nebraska (Mr. EXON) were added as cosponsors of S. 1159, a bill to amend the Export Administration Act of 1979 to extend the provisions relating to the export of domestically produced crude oil.

SENATE JOINT RESOLUTION 77

At the request of Mr. DOLE, the name of the Senator from Oklahoma (Mr. NICKLES) was added as a cosponsor of Senate Joint Resolution 77, a joint resolution designating "National Animal Agriculture Week."

SENATE JOINT RESOLUTION 83

At the request of Mr. HEINZ, the names of the Senator from North Carolina (Mr. HELMS), the Senator from Illinois (Mr. DIXON), the Senator from South Carolina (Mr. THURMOND), and the Senator from West Virginia (Mr. BYRD) were added as cosponsors of Senate Joint Resolution 83, a bill to recognize Senior Center Week during Senior Citizen Month as proclaimed by the President.

SENATE JOINT RESOLUTION 94

At the request of Mr. MATTINGLY, the name of the Senator from Iowa (Mr. GRASSLEY) was added as a cosponsor of Senate Joint Resolution 94, a joint resolution to authorize and request the President to designate May 8, 1983 to June 19, 1983, as "Family Reunion Month."

SENATE CONCURRENT RESOLUTION 21

At the request of Mr. COHEN, the names of the Senator from Vermont (Mr. STAFFORD), the Senator from Ohio (Mr. METZENBAUM), the Senator from Michigan (Mr. RIEGLE), the Senator from Massachusetts (Mr. TSONGAS), and the Senator from Arizona (Mr. DECONCINI) were added as cosponsors of Senate Concurrent Resolution 21, a concurrent resolution expressing the sense of the Congress respecting the administration of title X of the Public Health Service Act.

SENATE RESOLUTION 72

At the request of Mr. HEINZ, the name of the Senator from Oklahoma (Mr. NICKLES) was added as a cosponsor of Senate Resolution 72, a resolution to assure Israel's security, to oppose advance arms sales to Jordan, and to further peace in the Middle East.

SENATE RESOLUTION 133

At the request of Mr. MOYNIHAN, the name of the Senator from Colorado (Mr. HART) was added as a cosponsor of Senate Resolution 133, a resolution to express the sense of the Senate in support of "Solidarity Sunday."

SENATE CONCURRENT RESOLUTION 32—RAISING THE AGE FOR DRINKING AND PURCHASING ALCOHOL

Mr. SPECTER (for himself, Mr. BURDICK, Mr. PRYOR, Mr. DOLE, and Mr. DANFORTH) submitted the following concurrent resolution; which was referred to the Committee on the Judiciary:

S. CON. RES. 32

Whereas of the 25,000 persons who die each year in drunk driving accidents, 5,000 are teenagers and almost 35 percent are between the ages of 16 and 24;

Whereas almost 60 percent of fatally injured teenage drivers had alcohol in their blood;

Whereas life expectancy in America has improved over the past 75 years for every age group, except 15-to 24-year-olds, and the leading single cause of death for this age group is drunk driving;

Whereas available data shows a direct correlation between minimum drinking age and alcohol-related accidents in the 18-to 21-year-old group;

Whereas numerous empirical investigations have shown significant increases in motor vehicle crash involvement among young drivers after reductions in the drinking age;

Whereas as a result of this emerging research, a number of States in recent years raised the drinking age; and

Whereas the National Transportation Safety Board has urged that the legal minimum age for drinking and purchasing alcohol be raised to 21 years nationwide in an effort to cut the highway death toll from drunken driving: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That it is the sense of the Congress that the age for drinking and purchasing all alcoholic beverages should be raised to 21 years in those 34 States and the District of Columbia where the drinking age is now less than 21 years.

Mr. SPECTER. Mr. President, I rise today to reintroduce a sense-of-the-Congress resolution concerning the legal minimum age for drinking and purchasing alcohol. This resolution was introduced at the end of the last Congress. The essence of this resolution expresses the sense of the Congress that the legal age for drinking should be raised to the age of 21 in those 34 States and the District of Columbia where the drinking age is now less than 21. This resolution follows the recommendation of the National Transportation Safety Board, which has urged that the minimum age for drinking and purchase of liquor be raised uniformly in the United States to 21 years.

The underlying facts are overwhelming. Of the 25,000 persons who die each year in drunk-driving accidents, some 5,000 are teenagers. Of the fatally injured teenagers in automobile accidents, some 60 percent of those have alcohol in their blood. In the course of the past 75 years, the life expectancy in the United States had increased for every group except one age bracket, and that is in the 15- to 24-year-old category. The leading single cause of death in this group was drunk driving.

The legal age for drinking had generally been 21 until a series of State laws were changed in the 1970's to reduce that age in accordance with general efforts to give full legal rights to those 18 and above. In light of the empirical evidence which we have, there is good reason at this time to reverse that trend and make the legal age 21, as it had been for so long in the past.

It is my view that it would be most appropriate for the U.S. Senate to enact this resolution to express our sense and join with the House of Representatives in urging that the States which have jurisdiction over this issue raise the legal age for drinking and purchase of alcohol to 21 years of age.

SENATE RESOLUTION 134—REFERRING THE BILL S. 1229 TO THE COURT OF CLAIMS

Mr. COHEN submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 134

Resolved, That S. 1229 entitled "A bill for the relief of Richard C. Rianhard of Bar Harbor, Maine" now pending in the Senate, together with all the accompanying papers, is referred to the chief judge of the United States Claims Court. The chief judge shall proceed according to the provisions of sections 1492 and 2509 of title 28, United States Code, and report back to the Senate, at the earliest practicable date, giving such findings of fact and conclusions that are sufficient to inform the Congress of the nature and character of the demand as a legal or equitable claim against the United States or a gratuity, and the amount, if any, legally or equitably due from the United States to the claimant.

SENATE RESOLUTION 135—RELATIVE TO THE WILLIAMSBURG SUMMIT

Mr. PERCY (for himself, Mr. DOMENICI, Mr. BRADLEY, Mr. HEINZ, Mr. DIXON, Mr. DANFORTH, Mr. DODD, Mr. CHAFEE, Mr. LEVIN, and Mr. MATTINGLY) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 135

Whereas the continuing misalinement of major currencies with the United States dollar is a principal factor in undermining United States trade competitiveness and in depressing the United States economy over the past 2 years; and

Whereas the consequence has been the loss of many hundreds of thousands of jobs, severe dislocation in many areas of the United States economy, and the generation of protectionist pressures; and

Whereas persisting disparities in interest rate levels between the United States and other key currency countries have contributed heavily to these ongoing exchange rate misalinements; and

Whereas both these maladjustments result in major part from inadequate coordi-

nation and harmonization of general economic policies among the United States and other key currency countries; and

Whereas European and Japanese officials have indicated a desire to discuss remedies for these problems; and

Whereas the forthcoming Williamsburg Summit conference at the end of May will bring together the leaders of key currency countries: Now, therefore, be it

Resolved, That it is the sense of the Senate that: First, the President should arrange to have included among the highest priority themes of the Williamsburg Summit to seek a consensus among the participants on the need to improve the coordination of economic policies among Summit countries, aimed at reducing disparities in economic policies, interest rates, and exchange rates between the major industrial nations; at stemming current dangerous protectionist pressures; and at hastening a healthy and sustained recovery of industrial economies and of international trade.

Second, such consensus should include announcement of a mechanism or procedure for such consultation on a close and continuing basis so long as important protectionist pressure and increased governmental intervention in international trade remains a danger to the world trade system; and

Third, such consensus should also include provision for an early meeting of Summit country Ministers of Finance and the United States Secretary of the Treasury to consider steps to achieve better alinement between the interest rates and major currencies and to make public the objectives of such steps; and

Fourth, the President should arrange, in conjunction with the Williamsburg Summit, bilateral discussions with the Prime Minister of Japan to initiate special efforts to bring about consensus and joint action to achieve the earliest possible further realinement of the yen and dollar exchange rates.

Mr. PERCY. Mr. President, I am submitting today a resolution on a matter of great importance for the United States and for our major trading partners among both industrial and developing nations.

At stake are hundreds of thousands of American jobs, billions of dollars of U.S. exports, and the rescue of the world economy from a perilous overhang of excessive indebtedness and protective trade measures. In effect, this resolution asks the President to seek agreement by the leading nations to coordinate economic policies so as to remedy misalinement of interest and exchange rates and to hasten a healthy recovery of the world economy. Otherwise we face a real danger that the international economic system may come crashing down in a tide of payment deficits, unpaid debts, and defensive trade measures.

At a hearing held by the Foreign Relations Committee last month, we heard compelling statements of the critical importance of this issue. C. Fred Bergsten, of the International Economic Institute, stated before the committee that, "The continuing substantial misalinement of the dollar exchange rate, particularly vis-a-vis the yen, remains the most critical trade and international economic problem currently facing the United States."

He pointed out that the decline in net U.S. exports resulting from dollar overvaluation in 1981–82 accounted for over two-thirds of the decline in U.S. gross national product during that period.

Lee Morgan, chairman of the Caterpillar Tractor Co., speaking on behalf of the Business Roundtable, emphasized that exchange rates are not properly reflecting trade competitiveness and that this is "influencing protectionist sentiments that are growing in the world."

The importance the business community ascribes to this issue is well illustrated by the letter I received from Alexander Trowbridge, president of the National Association of Manufacturers, which states:

As you know, NAM represents 80% to 85% of U.S. manufacturing output. The exchange rate misalinement with the yen is the number one issue on the minds of corporate leaders who must compete head-to-head with Japan in this market, third country markets, or for a share of the Japanese market.

NAM strongly supports you and the Foreign Relations Committee approach in addressing the exchange rate issue with Japan in the manner you propose.

Mr. President, I ask unanimous consent that the letter from NAM President Trowbridge be included in the RECORD at this point.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

NATIONAL ASSOCIATION OF MANUFACTURERS,
Washington, D.C., May 4, 1983.

Hon. CHARLES H. PERCY,
Chairman, Senate Foreign Relations Committee, Senate Dirksen Office Building, Washington, D.C.

DEAR SENATOR PERCY: Your proposed sense-of-the-Congress resolution that the United States Government should raise the exchange rate issue in the context of the yen-dollar misalignment at the Williamsburg summit is a very constructive initiative. NAM has raised this issue with the Administration in pre-summit discussions but has found the Administration pre-occupied with "proving" that exchange intervention never works.

As you know, NAM represents about 80 percent to 85 percent of U.S. manufacturing output. The exchange rate misalignment with the yen is the number one issue on the minds of corporate leaders who must compete head-to-head with Japan in this market, third country markets, or for a share of the Japanese market.

We find the formulation of your resolution—relating macro-economic policies, interest rates policies and exchange rate policies among the summit countries—as a sound way of approaching the exchange rate issue. The specific follow-up approach with Japan thus becomes a logical step within an appropriate international framework, including a role for the International Monetary Fund.

NAM strongly supports you and the Foreign Relations Committee approach in addressing the exchange rate issue with Japan in the manner you propose. Your leadership is appreciated.

Sincerely,

A.B. TROWBRIDGE,
President.

Mr. PERCY. Mr. President, a Summit understanding, such as this resolution proposes, is not an empty gesture nor wishful thinking, because we see abundant signs that European and Japanese officials are deeply concerned and would like to explore such an understanding. For the United States to respond positively, or better still, to lead, will send the right signal to partners looking for cooperative solutions.

This resolution comes to the floor with an impressive array of support which has come forward in just 3 days since I first offered if for cosponsorship. Joining me in submitting it to the Senate are my distinguished colleagues from both sides of the isle, including Senators BRADLEY, CHAFEE, DANFORTH, DODD, DOMENICI, DIXON, HEINZ, LEVIN, and MATTINGLY. In addition, we have seen a rapid tide of support from the private sector in the same brief period, including the Business Roundtable, Emergency Committee for American Trade, President's Export Council, Motor Vehicle Manufacturers Association, the Machine Tool Builders' Association and the National Association of Manufacturers.

I call upon all of my colleagues to give this resolution your earliest and utmost attention so that we may signal clearly to all the leaders of the Summit countries the importance of resolving this critical world problem.

AMENDMENTS SUBMITTED

CONGRESSIONAL BUDGET RESOLUTION

DOMENICI AMENDMENT NO. 1239

Mr. DOMENICI (for himself, Mr. RUDMAN, Mr. DURENBERGER, and Mr. ABDNOR) proposed an amendment to the concurrent resolution (S. Con. Res. 27) revising and replacing the congressional budget for the U.S. Government for the fiscal year 1983, and setting forth the congressional budget for the U.S. Government for the fiscal years 1984, 1985, and 1986; as follows:

In lieu of the language proposed to be inserted, insert the following:

On page 3, beginning with line 10, strike out through line 23 on page 16 and insert in lieu thereof the following:

(2) The appropriate levels of total new budget authority are as follows:

Fiscal year 1983: $875,925,000,000.

Fiscal year 1984: $910,100,000,000.

Fiscal year 1985: $982,575,000,000.

Fiscal year 1986: $1,048,900,000,000.

(3) The appropriate levels of total budget outlays are as follows:

Fiscal year 1983: $807,325,000,000.

Fiscal year 1984: $850,000,000,000.
Fiscal year 1985: $910,675,000,000.
Fiscal year 1986: $964,400,000,000.

(4) The amounts of the deficits in the budget which are appropriate in the light of economic conditions and all other relevant factors are as follows:

Fiscal year 1983: $204,000,000,000.
Fiscal year 1984: $163,500,000,000.
Fiscal year 1985: $147,400,000,000.
Fiscal year 1986: $133,600,000,000.

(5) The appropriate levels of the public debt are as follows:

Fiscal year 1983: $1,383,900,000,000.
Fiscal year 1984: $1,591,300,000,000.
Fiscal year 1985: $1,789,400,000,000.

Fiscal year 1986: $1,980,600,000,000, and the amounts by which the temporary statutory limits) on such debt should be accordingly increased are as follows:

Fiscal year 1983: $93,700,000,000.
Fiscal year 1984: $207,400,000,000.
Fiscal year 1985: $198,100,000,000.
Fiscal year 1986: $191,200,000,000.

(6) The appropriate levels of total Federal credit activity for the fiscal years beginning on October 1, 1982, October 1, 1983, October 1, 1984, and October 1, 1985, are as follows:

Fiscal year 1983:
(A) New direct loan obligations, $55,400,000,000.
(B) New loan guarantee commitments, $94,500,000,000.

Fiscal year 1984:
(A) New direct loan obligations, $48,200,000,000.
(B) New loan guarantee commitments, $94,500,000,000.

Fiscal year 1985:
(A) New direct loan obligations, $48,100,000,000.
(B) New loan guarantee commitments, $97,400,000,000.

Fiscal year 1986:
(A) New direct loan obligations, $40,700,000,000.
(B) New loan guarantee commitments, $101,000,000,000.

(b) The Congress hereby determines and declares the appropriate levels of budget authority and budget outlays, and the appropriate levels of new direct loan obligations and new loan guarantee commitments for fiscal years 1983 through 1986 for each major functional category are:

(1) National Defense (050):

Fiscal year 1983:
(A) New budget authority, $244,100,000,000.
(B) Outlays, $214,300,000,000.
(C) New direct loan obligations, $0.
(D) New loan guarantee commitments, $0.

Fiscal year 1984:
(A) New budget authority, $267,000,000,000.
(B) Outlays, $241,500,000,000.
(C) New direct loan obligations, $0.
(D) New loan guarantee commitments, $0.

Fiscal year 1985:
(A) New budget authority, $299,500,000,000.
(B) Outlays, $270,700,000,000.
(C) New direct loan obligations, $0.
(D) New loan guarantee commitments, $0.

Fiscal year 1986:
(A) New budget authority, $334,800,000,000.
(B) Outlays, $300,000,000,000.
(C) New direct loan obligations, $0.
(D) New loan guarantee commitments, $0.

(2) International Affairs (150):

Fiscal year 1983:
(A) New budget authority, $24,900,000,000.
(B) Outlays, $11,500,000,000.
(C) New direct loan obligations, $11,700,000,000.
(D) New loan guarantee commitments, $9,200,000,000.

Fiscal year 1984:
(A) New budget authority, $18,200,000,000.
(B) Outlays, $12,700,000,000.
(C) New direct loan obligations, $11,200,000,000.
(D) New loan guarantee commitments, $10,300,000,000.

Fiscal year 1985:
(A) New budget authority, $16,500,000,000.
(B) Outlays, $12,800,000,000.
(C) New direct loan obligations, $11,500,000,000.
(D) New loan guarantee commitments, $10,300,000,000.

Fiscal year 1986:
(A) New budget authority, $15,900,000,000.
(B) Outlays, $12,800,000,000.
(C) New direct loan obligations, $11,600,000,000.
(D) New loan guarantee commitments, $10,300,000,000.

(3) General Science, Space, and Technology (250):

Fiscal year 1983:
(A) New budget authority, $7,900,000,000.
(B) Outlays, $7,700,000,000.
(C) New direct loan obligations, $200,000,000.
(D) New loan guarantee commitments, $0.

Fiscal year 1984:
(A) New budget authority, $8,500,000,000.
(B) Outlays, $8,200,000,000.
(C) New direct loan obligations, $37,000,000.
(D) New loan guarantee commitments, $0.

Fiscal year 1985:
(A) New budget authority, $8,500,000,000.
(B) Outlays, $8,500,000,000.
(C) New direct loan obligations, $0.
(D) New loan guarantee commitments, $0.

Fiscal year 1986:
(A) New budget authority, $8,400,000,000.
(B) Outlays, $8,400,000,000.
(C) New direct loan obligations, $0.
(D) New loan guarantee commitments, $0.

(4) Energy (270):

Fiscal year 1983:
(A) New budget authority, $4,000,000,000.
(B) Outlays, $4,600,000,000.
(C) New direct loan obligations, $13,100,000,000.
(D) New loan guarantee commitments, $200,000,000.

Fiscal year 1984:
(A) New budget authority, $3,900,000,000.
(B) Outlays, $4,100,000,000.
(C) New direct loan obligations, $13,900,000,000.
(D) New loan guarantee commitments, $200,000,000.

Fiscal year 1985:
(A) New budget authority, $3,600,000,000.
(B) Outlays, $2,900,000,000.
(C) New direct loan obligations, $14,300,000,000.
(D) New loan guarantee commitments, $0.

Fiscal year 1986:
(A) New budget authority, $3,200,000,000.
(B) Outlays, $2,700,000,000.
(C) New direct loan obligations, $14,400,000,000.
(D) New loan guarantee commitments, $0.

(5) Natural Resources and Environment (300):

Fiscal year 1983:
(A) New budget authority, $12,500,000,000.
(B) Outlays, $12,800,000,000.
(C) New direct loan obligations, $100,000,000.
(D) New loan guarantee commitments, $0.

Fiscal year 1984:
(A) New budget authority, $12,000,000,000.
(B) Outlays, $12,500,000,000.
(C) New direct loan obligations, $27,000,000.
(D) New loan guarantee commitments, $0.

Fiscal year 1985:
(A) New budget authority, $12,200,000,000.
(B) Outlays, $12,000,000,000.
(C) New direct loan obligations, $27,000,000.
(D) New loan guarantee commitments, $0.

Fiscal year 1986:
(A) New budget authority, $12,500,000,000.
(B) Outlays, $12,200,000,000.
(C) New direct loan obligations, $27,000,000.
(D) New loan guarantee commitments, $0.

(6) Agriculture (350):

Fiscal year 1983:
(A) New budget authority, $24,200,000,000.
(B) Outlays, $24,000,000,000.
(C) New direct loan obligations, $18,600,000,000.
(D) New loan guarantee commitments, $5,500,000,000.

Fiscal year 1984:
(A) New budget authority, $11,600,000,000.
(B) Outlays, $11,400,000,000.
(C) New direct loan obligations, $12,100,000,000.
(D) New loan guarantee commitments, $3,800,000,000.

Fiscal year 1985:
(A) New budget authority, $14,000,000,000.
(B) Outlays, $12,300,000,000.
(C) New direct loan obligations, $11,700,000,000.
(D) New loan guarantee commitments, $3,800,000,000.

Fiscal year 1986:
(A) New budget authority, $13,200,000,000.
(B) Outlays, $13,100,000,000.
(C) New direct loan obligations, $12,200,000,000.
(D) New loan guarantee commitments, $3,800,000,000.

(7) Commerce and Housing Credit (370):

Fiscal year 1983:
(A) New budget authority, $5,200,000,000.
(B) Outlays, $2,700,000,000.
(C) New direct loan obligations, $6,500,000,000.
(D) New loan guarantee commitments, $48,700,000,000.

Fiscal year 1984:
(A) New budget authority, $5,900,000,000.
(B) Outlays, $1,000,000,000.
(C) New direct loan obligations, $6,400,000,000.
(D) New loan guarantee commitments, $48,700,000,000.

Fiscal year 1985:
(A) New budget authority, $6,500,000,000.
(B) Outlays, $0.
(C) New direct loan obligations, $6,300,000,000.
(D) New loan guarantee commitments, $48,700,000,000.

Fiscal year 1986:
(A) New budget authority, $6,500,000,000.
(B) Outlays, −$300,000,000.
(C) New direct loan obligations, $6,300,000,000.
(D) New loan guarantee commitments, $48,700,000,000.

(8) Transportation (400):

Fiscal year 1983:
(A) New budget authority, $26,800,000,000.
(B) Outlays, $22,100,000,000.
(C) New direct loan obligations, $200,000,000.
(D) New loan guarantee commitments, $1,100,000,000.

Fiscal year 1984:
(A) New budget authority, $27,700,000,000.
(B) Outlays, $25,900,000,000.
(C) New direct loan obligations, $100,000,000.
(D) New loan guarantee commitments, $600,000,000.
Fiscal year 1985:
(A) New budget authority, $28,400,000,000.
(B) Outlays, $26,900,000,000.
(C) New direct loan obligations, $100,000,000.
(D) New loan guarantee commitments, $400,000,000.
Fiscal year 1986:
(A) New budget authority, $29,200,000,000.
(B) Outlays, $27,800,000,000.
(C) New direct loan obligations, $100,000,000.
(D) New loan guarantee commitments, $300,000,000.
(9) Community and Regional Development (450):
Fiscal year 1983:
(A) New budget authority, $8,300,000,000.
(B) Outlays, $7,900,000,000.
(C) New direct loan obligations, $2,100,000,000.
(D) New loan guarantee commitments, $500,000,000.
Fiscal year 1984:
(A) New budget authority, $6,600,000,000.
(B) Outlays, $8,100,000,000.
(C) New direct loan obligations, $1,700,000,000.
(D) New loan guarantee commitments, $300,000,000.
Fiscal year 1985:
(A) New budget authority, $7,100,000,000.
(B) Outlays, $8,200,000,000.
(C) New direct loan obligations, $1,800,000,000.
(D) New loan guarantee commitments, $300,000,000.
Fiscal year 1986:
(A) New budget authority, $7,100,000,000.
(B) Outlays, $77,600,000,000.
(C) New direct loan obligations, $1,800,000,000.
(D) New loan guarantee commitments, $400,000,000.
(10) Education, Training, Employment, and Social Services (500):
Fiscal year 1983:
(A) New budget authority, $28,000,000,000.
(B) Outlays, $26,800,000,000.
(C) New direct loan obligations, $600,000,000.
(D) New loan guarantee commitments, $6,500,000,000.
Fiscal year 1984:
(A) New budget authority, $31,200,000,000.
(B) Outlays, $27,200,000,000.
(C) New direct loan obligations, $700,000,000.
(D) New loan guarantee commitments, $6,600,000,000.
Fiscal year 1985:
(A) New budget authority, $27,900,000,000.
(B) Outlays, $27,800,000,000.
(C) New direct loan obligations, $700,000,000.
(D) New loan guarantee commitments, $6,600,000,000.
Fiscal year 1986:
(A) New budget authority, $27,900,000,000.
(B) Outlays, $27,800,000,000.
(C) New direct loan obligations, $800,000,000.
(D) New loan guarantee commitments, $6,600,000,000.

HOLLINGS AMENDMENT NO. 1240

Mr. HOLLINGS (for himself, Mr. BRADLEY, Mr. BOSCHWITZ, Mr. D'AMATO, Mr. PELL, Mr. BIDEN, Mr. BINGAMAN, Mr. MELCHER, Mr. EXON, Mr. FORD, Mr. RANDOLPH, Mr. BYRD, Mr. SARBANES, Mr. RIEGLE, Mr. HUDDLESTON, and Mr. STAFFORD) proposed an amendment to the concurrent resolution (S. Con. Res. 27), supra; as follows:

On page 3, line 13, strike the number and insert "$910,700,000,000".
On page 3, line 14, strike the number and insert "$983,175,000,000".
On page 3, line 15, strike the number and insert "$1,049,500,000".
On page 3, line 19, strike the number and insert "$850,050,000,000".
On page 3, line 20, strike the number and insert "$911,275,000,000".
On page 3, line 21, strike the number and insert "$965,000,000,000".
On page 4, line 1, strike the number and insert "$163,550,000,000".
On page 4, line 2, strike the number and insert "$148,000,000,000".
On page 4, line 3, strike the number and insert "$134,200,000,000".
On page 4, line 7, strike the number and insert "$1,591,350,000,000".
On page 4, line 8, strike the number and insert "$1,790,000,000,000".
On page 4, line 9, strike the number and insert "$1,980,200,000,000".
On page 4, line 14, strike the number and insert "$207,450,000,000".
On page 4, line 15, strike the number and insert "$198,700,000,000".
On page 4, line 16, strike the number and insert "$191,800,000,000".
On page 16, line 4, strike the number and insert "$31,800,000,000".
On page 16, line 5, strike the number and insert "$27,250,000".
On page 16, line 11, strike the number and insert "$28,500,000,000".
On page 16, line 12, strike the number and insert "$28,400,000,000".
On page 16, line 18, strike the number and insert "$28,500,000,000".
On page 16, line 19, strike the number and insert "$28,300,000,000".

BRADLEY AMENDMENT NO. 1241

Mr. BRADLEY (for himself, Mr. HOLLINGS, Mr. SARBANES, and Mr. MITCHELL) proposed an amendment to the concurrent resolution (S. Con. Res. 27), supra; as follows:

At the end of the concurrent resolution add the following:

SEC. 7. It is the sense of the Congress that—

(1) world economic recovery is being retarded by high United States interest rates and by inconsistent macroeconomomic policies among the major developed countries; and

(2) in order to restore economic growth and full employment at the earliest possible date, the President and the Secretary of Treasury, in consultation with their counterparts in the other major industrial countries at the Williamsburg Economic Summit and in followup deliberations, should pursue a coordinated economic expansion to ensure a worldwide economic recovery.

CHILES AMENDMENT NO. 1242

Mr. CHILES (for Mr. JACKSON and Mr. NUNN) proposed an amendment to the concurrent resolution (S. Con. Res. 27), supra; as follows:

On page 3, increase the figure on line 13 by $6,300,000,000.
On page 3, increase the figure on line 14 by $5,700,000,000.
On page 3, increase the figure on line 15 by $3,000,000,000.
On page 3, increase the figure on line 19 by $1,900,000,000.
On page 3, decrease the figure on line 20 by $200,000,000.
On page 3, decrease the figure on line 21 by $1,500,000,000.
On page 4, increase the figure on line 2 by $1,900,000,000.
On page 4, decrease the figure on line 3 by $200,000,000.
On page 4, decrease the figure on line 6 by $1,500,000,000.
On page 4, increase the figure on line 7 by $1,900,000,000.
On page 4, decrease the figure on line 8 by $1,700,000,000.
On page 4, increase the figure on line 9 by $200,000,000.
On page 4, increase the figure on line 14 by $1,900,000,000.
On page 4, decrease the figure on line 15 by $200,000,000.
On page 4, decrease the figure on line 16 by $1,500,000,000.
On page 6, increase the figure on line 5 by $6,200,000,000.
On page 6, increase the figure on line 6 by $1,800,000,000.
On page 6, increase the figure on line 11 by $5,600,000,000.
On page 6, decrease the figure on line 12 by $300,000,000.
On page 6, increase the figure on line 17 by $2,900,000,000.
On page 6, decrease the figure on line 18 by $1,600,000,000.

DOMENICI AMENDMENT NO. 1243

Mr. DOMENICI (for himself and Mr. BAKER) proposed an amendment to the concurrent resolution (S. Con. Res. 27), supra; as follows:

On page 1, strike all after the resolving clause and insert the following:

That the Congress hereby determines and declares that the concurrent resolution on the budget for fiscal year 1983 is hereby revised, the first concurrent resolution on the budget for fiscal year 1984 is hereby established, and the appropriate budgetary levels for fiscal year 1985 are hereby set forth:

(a) The following budgetary levels are appropriate for the fiscal years beginning on October 1, 1982, October 1, 1983, and October 1, 1984:

(1) The recommended levels of Federal revenues are as follows:
Fiscal year 1983: $603,100,000,000.
Fiscal year 1984: $658,000,000,000.
Fiscal year 1985: $729,200,000,000.

and the amounts by which the aggregate levels of Federal revenues should be changed are as follows:
Fiscal year 1983: −$100,000,000.
Fiscal year 1984: +$2,600,000,000.
Fiscal year 1985: +$5,700,000,000.

and the amounts for Federal Insurance Contributions Act revenues for hospital in-

surance within the recommended levels of Federal revenues are as follows:
Fiscal year 1983: $35,900,000,000.
Fiscal year 1984: $39,700,000,000.
Fiscal year 1985: $44,200,000,000.
and the amounts for Federal Insurance Contributions Act revenues and other revenues pursuant to Public Law 98-21 for old age, survivors, and disability insurance within the recommended levels of Federal revenues are as follows:
Fiscal year 1983: $148,500,000,000.
Fiscal year 1984: $166,500,000,000.
Fiscal year 1985: $187,700,000,000.
(2) The appropriate levels of total new budget authority are as follows:
Fiscal year 1983: $876,200,000,000.
Fiscal year 1984: $918,000,000,000.
Fiscal year 1985: $990,300,000,000.
(3) The appropriate levels of total budget outlays are as follows:
Fiscal year 1983: $807,100,000,000.
Fiscal year 1984: $850,400,000,000.
Fiscal year 1985: $915,500,000,000.
(4) The amounts of the deficits in the budget which are appropriate in the light of econoic conditions and all other relevant factors are as follows:
Fiscal year 1983: $204,000,000,000.
Fiscal year 1984: $192,400,000,000.
Fiscal year 1985: $186,300,000,000.
(5) The appropriate levels of the public debt are as follows:
Fiscal year 1983: $1,383,900,000,000.
Fiscal year 1984: $1,620,200,000,000.
Fiscal year 1985: $1,857,200,000,000.
and the amounts by which the temporary statutory limits on such debt should be accordingly increased are as follows:
Fiscal year 1983: $93,700,000,000.
Fiscal year 1984: $236,300,000,000.
Fiscal year 1985: $237,000,000,000.
(6) The appropriate levels of total Federal credit activity for the fiscal years beginning on October 1, 1982, October 1, 1983, October 1, 1984, and October 1, 1985, are as follows:
Fiscal year 1983:
(A) New direct loan obligations, $55,400,000,000.
(B) New loan guarantee commitments, $94,500,000,000.
Fiscal year 1984:
(A) New direct loan obligations, $48,200,000,000.
(B) New loan guarantee commitments, $94,500,000,000.
Fiscal year 1985:
(A) New direct loan obligations, $48,100,000,000.
(B) New loan guarantee commitments, $97,400,000,000.
(b) The Congress hereby determines and declares the appropriate levels of budget authority and budget outlays, and the appropriate levels of new direct loan obligations and new loan guarantee commitments for fiscal years 1983 through 1986 for each major functional category are:
(1) National Defense (050):
Fiscal year 1983:
(A) New budget authority, $244,600,000,000.
(B) Outlays, $214,300,000,000.
(C) New direct loan obligations, $0.
(D) New loan guarantee commitments, $0.
Fiscal year 1984:
(A) New budget authority, $275,000,000,000.
(B) Outlays, $241,800,000,000.
(C) New direct loan obligations, $0.
(D) New loan guarantee commitments, $0.
Fiscal year 1985:
(A) New budget authority, $304,300,000,000.
(B) Outlays, $272,600,000,000.
(C) New direct loan obligations, $0.
(D) New loan guarantee commitments, $0.
(2) International Affairs (150):
Fiscal year 1983:
(A) New budget authority, $24,900,000,000.
(B) Outlays, $11,500,000,000.
(C) New direct loan obligations, $11,700,000,000.
(D) New loan guarantee commitments, $9,200,000,000.
Fiscal year 1984:
(A) New budget authority, $18,200,000,000.
(B) Outlays, $12,700,000,000.
(C) New direct loan obligations, $11,200,000,000.
(D) New loan guarantee commitments, $10,300,000,000.
Fiscal year 1985:
(A) New budget authority, $16,500,000,000.
(B) Outlays, $12,800,000,000.
(C) New direct loan obligations, $11,500,000,000.
(D) New loan guarantee commitments, $10,300,000,000.
(3) General Science, Space, and Technology (250):
Fiscal year 1983:
(A) New budget authority, $7,900,000,000.
(B) Outlays, $7,700,000,000.
(C) New direct loan obligations, $200,000,000.
(D) New loan guarantee commitments, $0.
Fiscal year 1984:
(A) New budget authority, $8,500,000,000.
(B) Outlays, $8,200,000,000.
(C) New direct loan obligations, $37,000,000.
(D) New loan guarantee commitments, $0.
Fiscal year 1985:
(A) New budget authority, $8,500,000,000.
(B) Outlays, $8,500,000,000.
(C) New direct loan obligations, $0.
(D) New loan guarantee commitments, $0.
(4) Energy (270):
Fiscal year 1983:
(A) New budget authority, $4,000,000,000.
(B) Outlays, $4,600,000,000.
(C) New direct loan obligations, $13,100,000,000.
(D) New loan guarantee commitments, $200,000,000.
Fiscal year 1984:
(A) New budget authority, $3,900,000,000.
(B) Outlays, $4,100,000,000.
(C) New direct loan obligations, $13,900,000,000.
(D) New loan guarantee commitments, $200,000,000.
Fiscal year 1985:
(A) New budget authority, $3,600,000,000.
(B) Outlays, $2,900,000,000.
(C) New direct loan obligations, $14,300,000,000.
(D) New loan guarantee commitments, $0.
(5) Natural Resources and Environment (300):
Fiscal year 1983:
(A) New budget authority, $12,500,000,000.
(B) Outlays, $12,800,000,000.
(C) New direct loan obligations, $100,000,000.
(D) New loan guarantee commitments, $0.
Fiscal year 1984:
(A) New budget authority, $12,000,000,000.
(B) Outlays, $12,500,000,000.
(C) New direct loan obligations, $27,000,000.
(D) New loan guarantee commitments, $0.
Fiscal year 1985:
(A) New budget authority, $12,200,000,000.
(B) Outlays, $12,600,000,000.
(C) New direct loan obligations, $27,000,000.
(D) New loan guarantee commitments, $0.
(6) Agriculture (350):
Fiscal year 1983:
(A) New budget authority, $24,200,000,000.
(B) Outlays, $24,000,000,000.
(C) New direct loan obligations, $18,600,000,000.
(D) New loan guarantee commitments, $5,500,000,000.
Fiscal year 1984:
(A) New budget authority, $11,600,000,000.
(B) Outlays, $11,400,000,000.
(C) New direct loan obligations, $12,100,000,000.
(D) New loan guarantee commitments, $3,800,000,000.
Fiscal year 1985:
(A) New budget authority, $14,000,000,000.
(B) Outlays, $12,300,000,000.
(C) New direct loan obligations, $11,700,000,000.
(D) New loan guarantee commitments, $3,800,000,000.
(7) Commerce and Housing Credit (370):
Fiscal year 1983:
(A) New budget authority, $5,200,000,000.
(B) Outlays, $2,700,000,000.
(C) New direct loan obligations, $6,500,000,000.
(D) New loan guarantee commitments, $48,700,000,000.
Fiscal year 1984:
(A) New budget authority, $5,900,000,000.
(B) Outlays, $1,800,000,000.
(C) New direct loan obligations, $6,400,000,000.
(D) New loan guarantee commitments, $48,700,000,000.
Fiscal year 1985:
(A) New budget authority, $6,500,000,000.
(B) Outlays, $0.
(C) New direct loan obligations, $6,300,000,000.
(D) New loan guarantee commitments, $48,700,000,000.
(8) Transportation (400):
Fiscal year 1983:
(A) New budget authority, $26,800,000,000.
(B) Outlays, $22,100,000,000.
(C) New direct loan obligations, $200,000,000.
(D) New loan guarantee commitments, $1,100,000,000.
Fiscal year 1984:
(A) New budget authority, $27,700,000,000.
(B) Outlays, $25,900,000,000.
(C) New direct loan obligations, $100,000,000.
(D) New loan guarantee commitments, $600,000,000.
Fiscal year 1985:
(A) New budget authority, $28,400,000,000.
(B) Outlays, $26,900,000,000.
(C) New direct loan obligations, $100,000,000.
(D) New loan guarantee commitments, $400,000,000.
(9) Community and Regional Development (450):
Fiscal year 1983:
(A) New budget authority, $8,300,000,000.
(B) Outlays, $7,900,000,000.
(C) New direct loan obligations, $2,100,000,000.
(D) New loan guarantee commitments, $500,000,000.
Fiscal year 1984:
(A) New budget authority, $6,600,000,000.
(B) Outlays, $8,100,000,000.
(C) New direct loan obligations, $1,700,000,000.
(D) New loan guarantee commitments, $300,000,000.
Fiscal year 1985:

(A) New budget authority, $7,100,000,000.
(B) Outlays, $8,200,000,000.
(C) New direct loan obligations, $1,800,000,000.
(D) New loan guarantee commitments, $300,000,000.
(10) Education, Training, Employment, and Social Services (500):
Fiscal year 1983:
(A) New budget authority, $28,000,000,000.
(B) Outlays, $26,800,000,000.
(C) New direct loan obligations, $600,000,000.
(D) New loan guarantee commitments, $6,500,000,000.
Fiscal year 1984:
(A) New budget authority, $30,800,000,000.
(B) Outlays, $27,000,000,000.
(C) New direct loan obligations, $700,000,000.
(D) New loan guarantee commitments, $6,600,000,000.
Fiscal year 1985:
(A) New budget authority, $27,500,000,000.
(B) Outlays, $27,400,000,000.
(C) New direct loan obligations, $700,000,000.
(D) New loan guarantee commitments, $6,600,000,000.
(11) Health (550):
Fiscal year 1983:
(A) New budget authority, $25,100,000,000.
(B) Outlays, $29,600,000,000.
(C) New direct loan obligations, $47,000,000.
(D) New loan guarantee commitments, $200,000,000.
Fiscal year 1984:
(A) New budget authority, $31,800,000,000.
(B) Outlays, $31,800,000,000.
(C) New Direct loan obligations, $29,000,000.
(D) New loan guarantee commitments, $300,000,000.
Fiscal year 1985:
(A) New budget authority, $35,000,000,000.
(B) Outlays, $34,500,000,000.
(C) New direct loan obligations, $28,000,000.
(D) New loan guarantee commitments, $300,000,000.
(12) Medical Insurance (570):
Fiscal year 1983:
(A) New budget authority, $46,100,000,000.
(B) Outlays, $53,100,000,000.
(C) New direct loan obligations, $0.
(D) New loan guarantee commitments, $0.
Fiscal year 1984:
(A) New budget authority, $61,400,000,000.
(B) Outlays, $60,300,000,000.
(C) New direct loan obligations, $0.
(D) New loan guarantee commitments, $0.
Fiscal year 1985:
(A) New budget authority, $69,400,000,000.
(B) Outlays, $68,300,000,000.
(C) New direct loan obligations, $0.
(D) New loan guarantee commitments, $0.
(13) Income Security (600):
Fiscal year 1983:
(A) New budget authority, $121,700,000,000.
(B) Outlays, $110,200,000,000.
(C) New direct loan obligations, $1,000,000,000.
(D) New loan guarantee commitments, $14,600,000,000.
Fiscal year 1984:
(A) New budget authority, $126,000,000,000.
(B) Outlays, $104,100,000,000.
(C) New direct loan obligations, $1,000,000,000.
(D) New loan guarantee commitments, $14,700,000,000.
Fiscal year 1985:
(A) New budget authority, $127,500,000,000.
(B) Outlays, $105,500,000,000.
(C) New direct loan obligations, $800,000,000.
(D) New loan guarantee commitments, $16,500,000,000.
(14) Social Security (650):
Fiscal year 1983:
(A) New budget authority, $184,100,000,000.
(B) Outlays, $167,600,000,000.
(C) New direct loan obligations, $0.
(D) New loan guarantee commitments, $0.
Fiscal year 1984:
(A) New budget authority, $174,900,000,000.
(B) Outlays, $177,100,000,000.
(C) New direct loan obligations, $0.
(D) New loan guarantee commitments, $0.
Fiscal year 1985:
(A) New budget authority, $194,700,000,000.
(B) Outlays, $188,400,000,000.
(C) New direct loan obligations, $0.
(D) New loan guarantee commitments, $0.
(15) Veterans Benefits and Services (700):
Fiscal year 1983:
(A) New budget authority, $25,200,000,000.
(B) Outlays, $24,500,000,000.
(C) New direct loan obligations, $1,000,000,000.
(D) New loan guarantee commitments, $8,000,000,000.
Fiscal year 1984:
(A) New budget authority, $25,700,000,000.
(B) Outlays, $25,700,000,000.
(C) New direct loan obligations, $800,000,000.
(D) New loan guarantee commitments, $9,000,000,000.
Fiscal year 1985:
(A) New budget authority, $26,800,000,000.
(B) Outlays, $26,400,000,000.
(C) New direct loan obligations, $600,000,000.
(D) New loan guarantee commitments, $10,500,000,000.
(16) Administration of Justice (750):
Fiscal year 1983:
(A) New budget authority, $5,200,000,000.
(B) Outlays, $5,100,000,000.
(C) New direct loan obligations, $0.
(D) New loan guarantee commitments, $0.
Fiscal year 1984:
(A) New budget authority, $6,000,000,000.
(B) Outlays, $6,000,000,000.
(C) New direct loan obligations, $0.
(D) New loan guarantee commitments, $0.
Fiscal year 1985:
(A) New budget authority, $5,800,000,000.
(B) Outlays, $5,900,000,000.
(C) New direct loan obligations, $0.
(D) New loan guarantee commitments, $0.
(17) General Government (800):
Fiscal year 1983:
(A) New budget authority, $5,600,000,000.
(B) Outlays, $5,700,000,000.
(C) New direct loan obligations, $0.
(D) New loan guarantee commitments, $0.
Fiscal year 1984:
(A) New budget authority, $5,700,000,000.
(B) Outlays, $5,700,000,000.
(C) New direct loan obligations, $0.
(D) New loan guarantee commitments, $0.
Fiscal year 1985:
(A) New budget authority, $6,000,000,000.
(B) Outlays, $5,800,000,000.
(C) New direct loan obligations, $0.
(D) New loan guarantee commitments, $0.
(18) General Purpose Fiscal Assistance (850):
Fiscal year 1983:
(A) New budget authority, $6,400,000,000.
(B) Outlays, $6,400,000,000.
(C) New direct loan obligations, $300,000,000.
(D) New loan guarantee commitments, $0.
Fiscal year 1984:
(A) New budget authority, $7,100,000,000.
(B) Outlays, $7,000,000,000.
(C) New direct loan obligations, $300,000,000.
(D) New loan guarantee commitments, $0.
Fiscal year 1985:
(A) New budget authority, $7,200,000,000.
(B) Outlays, $7,100,000,000.
(C) New direct loan obligations, $300,000,000.
(D) New loan guarantee commitments, $0.
(19) Net Interest (900):
Fiscal year 1983:
(A) New budget authority, $87,600,000,000.
(B) Outlays, $87,600,000,000.
(C) New direct loan obligations, $0.
(D) New loan guarantee commitments, $0.
Fiscal year 1984:
(A) New budget authority, $96,500,000,000.
(B) Outlays, $96,500,000,000.
(C) New direct loan obligations, $0.
(D) New loan guarantee commitments, $0.
Fiscal year 1985:
(A) New budget authority, $106,100,000,000.
(B) Outlays, $106,100,000,000.
(C) New direct loan obligations, $0.
(D) New loan guarantee commitments, $0.
(20) Allowances (920):
Fiscal year 1983:
(A) New budget authority, $800,000,000.
(B) Outlays, $900,000,000.
(C) New direct loan obligations, $0.
(D) New loan guarantee commitments, $0.
Fiscal year 1984:
(A) New budget authority, $600,000,000.
(B) Outlays, $600,000,000.
(C) New direct loan obligations, $0.
(D) New loan guarantee commitments, $0.
Fiscal year 1985:
(A) New budget authority, $1,900,000,000.
(B) Outlays, $2,000,000,000.
(C) New direct loan obligations, $0.
(D) New loan guarantee commitments, $0.
(21) Undistributed Offsetting Receipts (950):
Fiscal year 1983:
(A) New budget authority, −$18,000,000,000.
(B) Outlays, −$18,000,000,000.
(C) New direct loan obligations, $0.
(D) New loan guarantee commitments, $0.
Fiscal year 1984:
(A) New budget authority, −$17,900,000,000.
(B) Outlays, −$17,900,000,000.
(C) New direct loan obligations, $0.
(D) New loan guarantee commitments, $0.
Fiscal year 1985:
(A) New budget authority, −$18,700,000,000.
(B) Outlays, −$18,700,000,000.
(C) New direct loan obligations, $0.
(D) New loan guarantee commitments, $0.

RECONCILIATION

SEC. 2. (a) Not later than June 6, 1983, the Senate committees named in subsections (b) through (f) of this section shall submit their recommendations to the Senate Committee on the Budget and not later than June 6, 1983, the House committees named in subsections (g) through (l) of this section shall submit their recommendations to the House Committee on the Budget. After receiving those recommendations, the Committees on the Budget shall report to the House and Senate a reconciliation bill or

resolution or both carrying out all such recommendations without any substantive revision.

SENATE COMMITTEES

(b) The Senate Committee on Agriculture, Nutrition, and Forestry shall report changes in laws within the jurisdiction of that committee, (A) to require reductions in appropriations for programs authorized by that committee so as to achieve savings in budget authority and outlays, or (B) which provide spending authority as defined in section 401(c)(2)(C) of Public Law 93-344, sufficient to reduce budget authority and outlays, or (C) any combination thereof, as follows: $1,243,000,000 in budget authority and $1,243,000,000 in outlays in fiscal year 1984; and $1,332,000,000 in budget authority and $1,332,000,000 in outlays in fiscal year 1985.

(c)(1) The Senate Committee on Finance shall report changes in laws within the jurisdiction of that committee which provide spending authority as defined in section 401(c)(2)(C) of Public Law 93-344, sufficient to reduce outlays by $856,000,000 in fiscal year 1984; and to reduce outlays by $2,024,000,000 in fiscal year 1985.

(2) The Senate Committee on Finance shall report changes in laws within the jurisdiction of that committee sufficient to increase revenues as follows: $2,600,000,000 in fiscal year 1984; and $5,700,000,000 in fiscal year 1985.

(d) The Senate Committee on Governmental Affairs shall report changes in laws within the jurisdiction of that committee which provide spending authority as defined in section 401(c)(2)(C) of Public Law 93-344, sufficient to reduce budget authority by $258,000,000 and outlays by $534,000,000 in fiscal year 1984; and to reduce budget authority by $368,000,000 and outlays by $834,000,000 in fiscal year 1985.

(e) The Senate Committee on Small Business shall report changes in laws within the jurisdiction of that committee to require reductions in appropriations for programs authorized by that committee so as to achieve savings in budget authority and outlays as follows: $139,000,000 in budget authority and $287,000,000 in outlays in fiscal year 1984; and $555,000,000 in budget authority and $466,000,000 in outlays in fiscal year 1985.

(f) The Senate Committee on Veterans' Affairs shall report changes in laws within the jurisdiction of that committee which provide spending authority as defined in section 401(c)(2)(C) of Public Law 93-344, sufficient to reduce budget authority by $202,000,000 and outlays by $201,000,000 in fiscal year 1984; and to reduce budget authority by $177,000,000 and outlays by $115,000,000 in fiscal year 1988.

HOUSE COMMITTEES

(g) The House Committee on Agriculture shall report changes in laws within the jurisdiction of that committee, (A) to require reductions in appropriations for programs authorized by that committee so as to achieve savings in budget authority and outlays, or (B) which provide spending authority as defined in section 401(c)(2)(C) of Public Law 93-344, sufficient to reduce budget authority and outlays, or (C) any combination thereof, as follows: $1,243,000,000 in budget authority and $1,243,000,000 in outlays in fiscal year 1984; and $1,332,000,000 in budget authority and $1,332,000,000 in outlays in fiscal year 1985.

(h) The House Committee on Energy and Commerce shall report changes in laws within the jurisdiction of that committee which provide spending authority as defined in section 401(c)(2)(C) of Public Law 93-344, sufficient to reduce outlays by $816,000,000 in fiscal year 1984; and to reduce outlays by $1,538,000,000 in fiscal year 1985.

(i) The House Committee on Post Office and Civil Service shall report changes in laws within the jurisdiction of that committee which provide spending authority as defined in section 401(c)(2)(C) of Public Law 93-344, sufficient to reduce budget authority by $258,000,000 and outlays by $534,000,000 in fiscal year 1984; and to reduce budget authority by $368,000,000 and outlays by $834,000,000 in fiscal year 1985.

(j) The House Committee on Small Business shall report changes in laws within the jurisdiction of that committee to require reductions in appropriations for programs authorized by that committee so as to achieve savings in budget authority and outlays as follows: $139,000,000 in budget authority and $287,000,000 in outlays in fiscal year 1984; and $555,000,000 in budget authority and $466,000,000 in outlays in fiscal year 1985.

(k) The House Committee on Veterans' Affairs shall report changes in laws within the jurisdiction of that committee which provide spending authority as defined in section 401(c)(2)(C) of Public Law 93-344, sufficient to reduce budget authority by $202,000,000 and outlays by $201,000,000 in fiscal year 1984; and to reduce budget authority by $117,000,000 and outlays by $115,000,000 in fiscal year 1985.

(l)(1) The House Committee on Ways and Means shall report changes in laws within the jurisdiction of that committee which provide spending authority as defined in section 401(c)(2)(C) of Public Law 93-344, sufficient to reduce outlays by $849,000,000 in fiscal year 1984; and to reduce outlays by $1,481,000,000 in fiscal year 1985.

(2) The House Committee on Ways and Means shall report changes in laws within the jurisdiction of that committee sufficient to increase revenues as follows: $2,600,000,000 in fiscal year 1984; and $5,700,000,000 in fiscal year 1985.

DEFICIT REDUCTION PATH

SEC. 3. It is the sense of the Congress that further deficit reduction actions will be necessary in Fiscal Years 1986-88 in order to insure a long-lasting economic recovery. While one Congress cannot bind another, the Congress recognizes that the President has recommended Fiscal Year 1986-88 revenue increases and spending restraint that would yield a predictable path of declining deficits. The Congress endorses actions of this magnitude if the deficits exceed 2.5 percent of the Gross National Product of the Nation. The President estimates that such actions would yield deficits in the range of $144.6 billion in Fiscal Year 1986, $136.6 billion in Fiscal Year 1987, and $102.4 billion in Fiscal Year 1988. The Congess further recognizes that if the economic recovery approximates the typical post-World War II economic recovery, deficits will be more on the order of $110 billion in Fiscal Year 1986, $90 billion in Fiscal Year 1987, and $60 billion in Fiscal Year 1988. The Congress realizes the extreme uncertainty involved in any out-year forecasts of the economy and that deficit, unemployment, and inflation predictions three years hence may be wrong. In light of these uncertainties, the Congress believes it unwise to take actions now that may exacerbate economic problems in the future.

MISCELLANEOUS PROVISIONS

SEC. 4. It shall not be in order in either the House of Representatives or the Senate to consider any bill or resolution, or amendment thereto, providing—

(1) new budget authority for fiscal year 1984; or

(2) new spending authority described in section 401(c)(2)(C) of the Budget Act first effective in fiscal year 1984,

within the jurisdiction of any of its committees unless and until such committee makes the allocations or subdivisions required by section 302(b) of the Budget Act, in connection with the most recently agreed to concurrent resolution on the budget.

SEC. 5. It is the sense of the Congress that the President and the Congress, through the appropriations process, should limit the on-budget new direct loan obligations of the Federal Government to an amount not to exceed $37,600,000,000 in fiscal year 1983 and $29,300,000,000 in fiscal year 1984; off-budget new direct loan obligations to an amount not to exceed $17,800,000,000 in fiscal year 1983 and $18,900,000,000 in fiscal year 1984; and new loan guarantee commitments to an amount not to exceed $94,500,000,000 in fiscal year 1983 and $94,500,000,000 in fiscal year 1984. It is further the sense of the Congress that the President and the Congress should limit total Federal Financing Bank origination of direct loans guaranteed by other Federal agencies to $16,200,000,000 in fiscal year 1983 and $17,300,000,000 in fiscal year 1984, and Federal Financing Bank purchases of certificates of beneficial ownership from Federal agencies to $11,500,000,000 in fiscal year 1983 and $13,200,000,000 in fiscal year 1984. It is further the sense of the Congress that direct borrowing transactions of Federal agencies should be, to the maximum extent possible, restricted to the Federal Financing Bank.

SEC. 6. (a) The joint explanatory statement accompanying the conference report on this resolution shall include an estimated allocation, based upon the first section of this resolution as recommended in such conference report, of the appropriate levels of total new direct loan obligations and new loan guarantee commitments for fiscal year 1983 and fiscal year 1984, among each committee of the House of Representatives and the Senate which has jurisdiction over bills and resolutions providing such new obligations and commitments.

(b) As soon as practicable after this resolution is agreed to, every committee of each House, after consulting with the committee or committees of the other House to which all or part of the allocation has been made, shall subdivide among its subcommittees the allocation of new direct loan obligations and new loan guarantee commitments for fiscal year 1983 and fiscal year 1984, allocated to it in the joint explanatory statement accompanying the conference report on this resolution.

SEC. 7. It is the sense of the Congress that the budgets of Federal agencies initiating Federal Financing Bank purchases of certificates of beneficial ownership and originations of guaranteed loans should include the budget authority and outlays resulting from the transactions. The Congress recommends that the committees with jurisdiction over the Federal Financing Bank Act of 1978 consider expeditiously legislation to require that the budgetary impact of such Federal Financing Bank transactions be included in

the budgets of the initiating agencies beginning with the fiscal year 1985 budget.

NOTICES OF HEARINGS

SUBCOMMITTEE ON SECURITIES

Mr. D'AMATO. Mr. President, the Subcommittee on Securities will hold hearings on May 25, 1983, at 9:30 a.m. and on May 26, 1983, at 9:30 a.m., in room SD-538 of the Dirksen Senate Office Building to discuss S. 1174, the Public Utility Holding Company Act amendments of 1983.

For further information, contact Neil Levin of the Senate Banking Committee at 224-1561.

ADDITIONAL STATEMENTS

MOTHER OF THE YEAR

● Mr. DENTON. Mr. President, I would like to call the attention of my colleagues to an article which appeared in Wednesday's Washington Post, entitled "Paying Tribute to Old Style Mothering." The article calls attention to the outstanding service that one particular "stay at home" mother of three sons, Mrs. Sadie Biggs of Northeast Washington, has contributed to her family and to her community. Mrs. Biggs will receive a Mother of the Year Award at the annual Mother's Day Prayer Breakfast that is sponsored by the D.C. Federation of Civic Associations.

Mrs. Biggs has performed more heroic service than most of us will ever perform—she has dedicated her life to rearing her sons and to lending a helping hand to those in her community who need her help. She does not ask for a salary; she gives out love and neighborly assistance without regard to cost or reward.

Mr. President, I believe the D.C. Federation of Civic Associations is performing an invaluable service. Its members are recognizing those ladies who are among the most unrecognized heroes in our land—mothers.

I ask that the Post article be printed in the RECORD.

The article follows:

[From the Washington Post, May 4, 1983]

PAYING TRIBUTE TO OLD STYLE MOTHERING

(By Anne Chase)

Not long ago, stay-at-home mothers like Sadie Biggs were more the rule than the exception. They volunteered at the neighborhood school, served punch to the Cub Scouts and cheered for the Little League teams. Today, such mothers are becoming a rarity.

Biggs, mother of three sons, who has lived for 24 years in the Riggs neighborhood of Northeast Washington, often finds herself alone in the old-fashioned mothering and civic activities that occupy much of her time. She and her husband, Norwood, sometimes are the only spectators at football games sponsored by the Lamond-Riggs Athletic Association, and she is one of the few citizen association members who makes time to hand out fliers for the Lamond-Riggs Citizens Association's monthly meeting.

On Sunday, Biggs, 46, will be honored for her devotion to her children and her community, along with more than 50 other women at the annual Mother's Day Prayer Breakfast, sponsored by the D.C. Federation of Civic Associations.

Over breakfast at the Capitol Hilton, each member organization of the federation will award a plaque to its chosen mother of the year. The federation itself will give an award to the citywide mother of the year. This year, the award will go to Carole Clarke, a D.C. Public School teacher and wife of City Council chairman David A. Clarke.

The prayer breakfast was organized 10 years ago by Benjamin Alexander, now president of the University of the District of Columbia, to honor traditional mothers, according to Gladys Scott Roberts, the chairman of this year's celebration.

"When we select a mother, we look at her work as a mother, as a wife and as a neighbor," Roberts said.

Biggs was chosen by the 17-member executive committee of the Lamond-Riggs Citizens Association, of which she is corresponding secretary. She and her husband, both natives of Durham, N.C., have been involved with the organization since they moved to the Riggs neighborhood, between Riggs Road and North Capitol Street NE, in 1959.

Sitting in her small living room among her plants and athletic trophies and diplomas awarded to her three sons, Biggs said she joined the association out of a desire to maintain the neighborhood "as a place where I wanted to live. I felt I should work with the community and try to get people involved."

And work she has. Her friends and fellow civic activists rattle off a long list of projects for which Biggs has stuffed envelopes, made telephone calls and written letters over the years, starting with the now legendary North Central Freeway fight in the 1960s.

"She and her husband are among the first people I call when I get ready to do a project," said community activist and one-time mayoral candidate Dorothy Maultsby. "Sadie is very supportive and diligent in working against anything that would be a detriment to the community."

During her long tenure in the association, Biggs has never turned down a request to help out, according to neighbors.

"We have trouble getting people to deliver fliers. Sadie never says no," said her friend, Catherine Castellano, a member of Advisory Neighborhood Commission 4B. "She's always ready to do the little, menial jobs. She's capable of being a professional, but it's not beneath her to to anything."

Biggs is equally willing to pitch in when it comes to athletics. All three Biggs sons played football with the Lamond-Riggs Athletic Association, and both parents have been fans and supporters since 1970 when Norwood Jr., their oldest son, joined the team.

"We thank the Lord for Mr. and Mrs. Biggs," said Oliver (Ollie) Thompson, a former coach with the athletic association. "Every ball game I have, I'll always see Mr. and Mrs. Biggs in their little chairs on the sidelines, bringing juice for the kids. Sometimes the only parents who come are Mr. and Mrs. Biggs.

The Biggses dig into their pockets to help team members pay their fees, and they drive the players to the games. And Sadie Biggs is always ready to bake pies or to organize a potluck dinner for the program, Thompson said.

Unlike some parents who wind down their involvement with children's sports and schools as their children grow older, they have remained enthusiastic. Sadie Biggs enjoys watching the Lamond-Riggs team members play football and then talking over the plays with them.

Until her youngest son, Derek, 15, graduated, Biggs was a daily volunteer at La-Salle Elementary School, where she worked in the office and was a teachers' aide. Her husband was president of the PTA, and she served on the executive committee for years.

The Biggs family puts a strong emphasis on education. Norwood Jr., 24, graduated two years ago from North Carolina A&T State University with a degree in business administration and now works for North Carolina Mutual Insurance Co. Kelwin, 21, is a sophomore at the same school studying for a degree in computer programming. Derek is a ninth grader at Rabaut Junior High School.

In 1959, when Norwood Jr., was born, most women stayed home with their children. But even then, Biggs said, quitting her job meant a financial sacrifice for her family. "When we bought the house, we'd only been married two years. Norwood was a little toddler and we had a house with nothing in it," she said.

Biggs said staying home was "an adjustment for me. But I just felt like it was too important. The kids only have one time, their formative years. But it's been rough. Now with college tuition, we're still sacrificing."

Biggs was forced to slow down by two operations that put her in the hospital for three weeks in February. Now, although she says she must relax, she is back passing out fliers. Her latest concern is a delay in the opening of the Lamond-Riggs library, for which she and her husband helped lobby for 12 years.

"I just feel that the children really need a library. We had a bookmobile, but they took that away from us," she said.

Occasionally, Biggs said, she becomes discouraged with the lack of results in community work and with the reluctance of younger men and women in the community to join in.

"I'll say, 'Oh, I'm just going to give up because I can't see any progress.' But then I say, 'It's the place where I live. It's my community'."●

THE FAIR HOUSING ACT OF 1983

● Mr. BOSCHWITZ. Mr. President, I express my support for the 1983 Fair Housing Act introduced yesterday by Senators KENNEDY and MATHIAS. I am proud to join more than 30 of my colleagues in cosponsoring this important legislation.

There is a pressing need to seek more effective remedies for victims of housing discrimination and, in particular, to expedite the time-consuming and expensive process of court action. The current law is clearly inadequate and ineffective if we are serious about protecting all Americans from discrimination in the purchase, rental, and fi-

nancing of housing. Legislation must be enacted to address this problem and insure protection of the rights guaranteed under the Civil Rights Act of 1968.

Although I believe that the current remedies available to victims of housing discrimination are not adequate, I have serious reservations about the administrative hearing process provision of the bill. Perhaps because of my business experience, I am very hesitant to create another bureaucratic arm of government.

Our present court system is certainly not without its flaws. However, I believe that our efforts could be directed at improving our current system.

In other agencies ALJ's are used because of the expertise necessary to understand the technical nature of the cases. However, that technical expertise is not required in discrimination cases. I am not sure what the best solution is, but I will work with my colleagues as this bill makes its way through the legislative process to see the best possible system is enacted; one that is both equitable and efficient.

As a refugee from a country where discrimination ultimately led to genocide, I strongly feel the Government must protect its citizens from discrimination.●

SOVIET SUPPRESSION OF HUMAN RIGHTS

● Mr. QUAYLE. Mr. President, it is an honor today to speak on behalf of the 1983 Congressional Call to Conscience Vigil to bring attention to the plight of Soviet Jewry. This effort is of great importance in making known the continuous repression the Soviet Government is perpetrating on its Jewish citizens.

In this day and age when the TV media and the newspapers are continuously bombarding the viewers and readers with oftentimes sensational stories about human rights violations that are occurring in our Southern Hemisphere and elsewhere, one does not often enough hear about the blatant suppression and violations of the most basic human rights of Soviet Jews.

Within these Halls there have been numerous actions undertaken to call attention to the plight of the Soviet Jews, which is just one of the festering sores which complicate relations between the United States and the Soviet Union.

Senate Concurrent Resolution 11, introduced by the junior Senator from Maine and of which I am a cosponsor, states it best when it calls on the Soviet Union to:

> Fulfill its obligations undertaken in the Helsinki Final Act, the Universal Declaration of Human Rights and other international agreements relating to human rights, by pursuing a more humane emigration policy and ceasing harassment of Jews and others seeking to leave.

Since 1970, about 260,000 Jews have been able to emigrate from the Soviet Union. But in February of this year, only 125 Jews were allowed to leave. This is less than left on an average day during the peak year of 1979. In 1982, 2,692 Soviet Jews were granted permission to emigrate as compared to 51,320 in 1979. Within the Soviet Union, to be Jewish means to be subject to constant abuse and harassment. One is not allowed to study Hebrew and practicing one's religion or cultural traditions oftentimes leads to threats, intimidation, or even jail.

Many of us in this country just do not know how fortunate we are. We take for granted the ability to congregate in houses of worship, to travel freely here or abroad, or even picking up the phone to call a family relative who happens to live elsewhere.

This Sunday is Mother's Day. Yet in Indianapolis, Ind., I know of at least one mother who will not be able to be reunited with, or even hear from, her son, Alexander, and his family who are in Russia. I am talking about Mrs. Lev Pevzner, who along with her husband were two of the fortunate ones to be allowed to emigrate from the Soviet Union.

They came to the United States in 1979 from Leningrad to join their daughter, Mrs. Liudmila Alexandrov, and her husband, who had been allowed to emigrate in 1978. The elder Pevzners had to leave Alexander and his family behind.

The younger Pevzner family first tried to emigrate in March 1979. At the time they applied they were told their application must be filed simultaneously with Mr. Pevzner's parents. They did this, but then only the older Pevzners were granted permission to come to the United States.

Since the first attempt in August 1979, Alexander and his family have attempted to emigrate six times. The Government continues to justify their denial on the grounds that he served in the military for 2 years. But, this was over 10 years ago.

The case of Alexander Pevzner and his family is similar to thousands of others in the Soviet Union. They, like others, just want to leave the confines of a country which discriminate against them and cause them nothing but pain and persecution.

Changes in the Soviet Union's emigratory policy may only come about if enough universal pressure is consistently kept on them to ease restrictions. Yet even then, changes may not occur. But, the possibility of failure cannot deter us.

Those of us in the public sector and in the private sector must continue to speak out on the issue of human rights violations within the Soviet Union. We must continue to draw attention to the infinitesimal numbers that are being allowed to leave, and we must never stop until their rights are restored to them.

I pledge today to continue my efforts to help the Pevzner family and those like them. I also urge my colleagues to do the same.●

DR. LEROY E. HAY—TEACHER OF THE YEAR

● Mr. DODD. Mr. President, I applaud Dr. Leroy E. Hay, of Vernon, Conn., for having been named the 1983 National Teacher of the Year during the organization's 32d annual program. Dr. Hay, a veteran teacher of 17 years, is currently teaching English and futuristics in Manchester High School.

Dr. Hay—"Lee" to his friends and "Doc" to his students—was selected from over 1 million American teachers. He was first selected as the Connecticut State Teacher of the Year. This annual award is presented to dedicated, professional individuals with an outstanding record in teaching and counseling. The National Teacher of the Year program is sponsored by the Council of State School Officers, the Encyclopedia Britannica, and Good Housekeeping magazine.

Although Dr. Hay is chairman of the English department of Manchester High, he has also traveled widely throughout Connecticut speaking on futurism, and more precisely, on the future of education.

According to Dr. Hay, society's increasing demands for new technologies will continue to make new and stringent demands on the Nation's education systems to keep in step with the technological changes.

In addition, the role of the computer will become so important to the average citizen that by 1990 virtually every home will be equipped with a private telecommunications system which is linked with schools.

There is danger, however, according to Dr. Hay, of overemphasizing technology, science, and mathematics in schools and dehumanizing public education. Nor suprisingly, he is a staunch advocate of promoting emphasis on the arts, humanities, and English.

Dr. Hay believes that students have a greater tendency to excel when they know parents and teachers have high expectations of them. For example, Dr. Hay has a reputation among students of Manchester for being a tough English teacher. Nevertheless, his classes are well attended and students are always quick to sing his praises for the excellent instruction received during classes.

Dr. Hay has a unique approach to teaching. He is a strong believer that students will be adequately prepared

to deal with the frustrations and challenges of life when they are taught how to think, learn, and make sound decisions. Education, according to Dr. Hay, should be question-oriented, not answer-oriented.

In addition to his scholastic activities, Dr. Hay is currently an editor of Forefacts, a secondary school publication on the future, a member of the World Future Society, is working to obtain a grant for the community for arts enrichment, and is an activist in collective bargaining for teachers.

Dr. Hay was presented with a Golden Apple—symbolic of excellence in teaching—by the First Lady during ceremonies at the White House. He will be the guest speaker at educational conferences, seminars, and conventions throughout the year as a representative of what is the very best in a vital national resource—America's teachers.●

SOLUTIONS TO THE INTERNATIONAL DILEMMA

● Mr. HUMPHREY. Mr. President, in discussions of an appropriate strategy for alleviating the indebtedness of the Third World, two schools of thought are clearly distinguishable. In today's edition of the Washington Times, columnist Steven K. Beckner presents the final installment of a three-part series on this issue, in which the divergent approaches are clearly outlined.

In essence, Mr. President, one school of thought holds that the burden will be eased only if multilateral institutions—particularly the International Monetary Fund—and private lenders will make new resources available to troubled borrowers. It is argued that additional levels of these so-called bridge loans are necessary to ease a temporary liquidity strain on the part of LDC's.

In the view of this Senator, such a solution will never in fact attain its objective. The circumstances leading up to the current situation have clearly demonstrated that every time we extend the bridge, the shore for which we are aiming recedes further and further. Providing additional resources to the LDC's simply for the purpose of meeting interest payments on their tremendous block of debt is an economically unsound approach, which serves only to postpone the day of reckoning which must be faced if this problem is ever truly to be solved.

It is the second school of thought to which I hope the majority of my colleagues will be compelled by reason to adhere. This approach rejects a policy which encourages further debt extension and recognizes that a genuine resolution of the problem will come only through the adoption of more rational economic policies on the part of the Third World and the promotion of a sustained recovery in the industrialized world. An $8.4 billion shoring up of the IMF—an institution which, as the Beckner article notes, already has vast resources at its disposal—runs contrary to this approach.

I ask that the article appear in the RECORD.

The article follows:

[From the Washington Times, May 6, 1983]

WEST PRESSES EFFORTS TO HALT "TIME BOMB" OF THIRD WORLD DEBT

(By Steven K. Beckner)

Convinced that a Third World debt bomb threatens to devastate the international banking system and the global economy, Western governments are trying to defuse it.

The industrial countries' current strategy relies primarily on resource transfers to the Less Developed Countries (LDCs)—an approach influenced heavily by the Brandt Commission, a group of present and former government officials led by Willy Brandt, ex-chancellor of West Germany and chairman of its Social Democratic Party.

In a February manifesto, the commission warned that Third World financial woes threaten to plunge the planet into "a depression comparable only to the crisis of half a century ago." It recommended a concerted reflation of the world economy, a massive transfusion of aid to developing countries and expansion of the International Monetary Fund.

Not only should the IMF's capital base be doubled, but it should act as the world's central bank with an expansionary global monetary policy, the commission contends. As a step in this direction, the report says, the IMF should allocate annually up to 12 billion Special Drawing Rights—its basket currency creation.

The commission also recommends expanded long-term, concessionary lending by the World Bank to supplement the IMF's short-term balance of payments loans. It encourages Western central banks, in cooperation with international agencies, to provide bridge loans and to coordinate continued commercial bank lending.

The Brandt Commission theme, which closely resembles the Third World's agenda, has been echoed repeatedly. Washington's Institute for International Economics has call on the IMF to lend on a substantial scale and to undertake a "resumption of SDR allocations." The institute, headed by former Assistant Treasury Secretary C. Fred Bergsten, suggests "a sharp increase in the structural adjustment lending of the World Bank" and urges commercial banks to "increase their net lending to developing countries by some 5-10 percent overall over the next 12 months." Much of this program already is being carried out. In February, the United States and other nations voted a 47.5 percent increase in their quota contributions to the IMF (to about $99 billion) and approved a tripling of a special fund, the General Agreements to Borrow.

An SDR allocation could be in the works. Unlike IMF quotas, which are pledges of currency that the 146 member nations make to the fund, SDRs are monetary units which the IMF creates and distributes to its members. To date, 21.4 billion SDRs, worth about $23.5 billion, have been created.

Third World leaders have long clammored for large new allocations of SDRs, which they could exchange for hard currencies or borrow against to pay their debts. In the past, this has been opposed as an inflationary increase in world liquidity. But in the present mood, some amount of SDR allocations is likely to be approved. An 85 percent majority on the IMF board of governors is required, so the United States with its 19.52 percent voting share can veto any allocation.

A knowledgeable IMF official said there is no plan for an SDR allocation, adding the question is under constant review and has considerable support from a lot of quarters. The source said the IMF's research department is preparing a study for presentation at the IMF's annual meeting in September.

Meanwhile, the capital of the World Bank is being doubled to an estimated $85 billion to $90 billion by 1986. Last week, bank President A. W. Clausen, former president of the Bank of America, endorsed a further $40 billion ordinary capital increase in 1986, and suggested a $20 billion selective capital boost to tide the agency over until then. Negotiations also are underway to raise the funding of the International Development Association, a soft loan affiliate of the World Bank.

The U.S. Treasury and Federal Reserve together with foreign central banks last fall provided more than $6 billion in short-term credits to Brazil and Mexico while they were negotiating loan packages with the IMF and commercial banks.

Finance ministers from the developing countries meeting in Washington last week asserted in a communique that these efforts are inadequate.

But another school of thought holds that the debt bomb doesn't have as much megatonnage as many fear and that, in any case, the best way of disarming it is not a barrage of aid dollars. This school maintains that the developing countries themselves are largely responsible for their economic predicament.

There is a growing recognition that the LDCs must adjust their economic policies. "The longer countries postpone adjustment, the greater the deterioriation in their economic situation becomes and, hence, the more difficult it is to turn their external payments position around," said IMF Managing Director Jacques de Larosiere in a March speech.

Central to the IMF's role are its loan conditions, which typically ask debtor countries to curtail excessive monetary expansion and budget deficits, set their currency exchange rates at realistic levels and avoid uneconomic price and interest rate policies. Proponents of heightened aid charge that the IMF is too restrictive and promote a shift toward more unconditional and concessionary financing by the World Bank and regional development banks.

Others assert that even the relatively conservative IMF is unworthy of increased suport. "The IMF already has substantial unused financial resources and the power to create and raise additional billions of dollars," writes Robert E. Weintraub, senior economist of the Joint Economic Committee in a newly published study. With 100 million ounces of gold, $8 billion in cash, as well as its power to borrow and create new SDRs, the IMF "has a formidable package of 'last-resort' financial resources and powers," he argues.

Looking at the other elements of a five-point program enunciated by Treasury Secretary Donald T. Regan, Weintraub observes that central banks already have ample powers to extend emergency credits and warns that "policies to promote economic growth" could promote inflation. And

he decries Regan's exhortation to banks to keep lending abroad. "Doubtless banks would feel more secure lending to LDCs if their governments see the IMF as an elastic conduit for helping debtor nations," he observes. "However, continued lending could lead to a magnification of the same imprudent lending practices that helped create the present debt crisis."

Weintraub's proposed solutions include "resumption of economic growth by the United States and other developed countries." But he emphasized they "must be careful to prevent new inflationary surges from accompanying or closely following their recoveries and the corollary growth of developing nations' exports."

Secondly, Weintraub says debtor nations must act to "increase their exports and the investment of foreigners in their plant and equipment, decrease their imports and constrain their consumption." To do this they must "allow their exchange rates to float downward or devalue them realistically." For their part, the United States and other industrialized countries must avoid protectionist measures.

The idea of encouraging investment is beginning to take root in the Third World camp, although those countries frequently have discouraged foreign capital. Mauricio Herman, chief of the Inter-American Development Bank's Development Division, recently suggested creation of development equity—securities that would reduce LDCs' interest costs and shift some of the risks to investors in the developed countries.

Noting that the relative importance of direct investment in Latin America has declined from 25 to 17 percent of total external financing, the Peruvian said, "This increased leveraging means that interest rates must be paid regard less of the return of the investment financed by these funds." By contrast, with investment, "Dividends paid—and remitted abroad—depend on the yield of the investment."

In town recently, Pakistan's minister for planning and development, Mahbubul Haq, said his country is dismantling administrative controls in an effort to unleash private enterprise. He said Pakistan is inviting American investors to help develop its energy and agricultural resources.

Under the auspices of the liberal Brookings Institution, a group of former government officials from the United States, France, Germany and Japan issued a statement observing, "Under most circumstances, the best way to transfer resources and skills to developing countries is through private investment. The developing countries can contribute to its continuation by policies which create a congenial climate."

The final element in solving the debt dilemma is a "willingness of bank creditors to reschedule maturing loans and extend additional credits," according to Weintraub, but he stresses that banks "cannot and should not be pushed or tempted" to do so.

Stretching out loan payments, extending new credits, renegotiating interest rates and stipulating economic policy changes "is the alternative to default," Weintraub says. "Rescheduling produces basic benefits for both banks and debtors. Banks do not have to write down problem loans. Debtor nations avoid the onus of default."

Massive, coordinated repudiation of the Third World's $265 billion in commercial bank debts is extremely unlikely, Weintraub concludes, but even if it happens, federal bank regulators can defuse the debt bomb by allowing the affected banks time to write down the defaulted loans to zero.●

CARGO PREFERENCE AND AGRICULTURE

● Mr. QUAYLE. Mr. President, American agriculture stands today at a crossroad. After 3 years of falling prices and farm income, the PIK program has given renewed hope to American farmers. We should recognize, however, that the PIK program offers only a temporary solution to a larger problem of balancing supply and demand for the bountiful products of American agriculture. In order to achieve long-term balance, we need to work very hard on stimulating demand for our abundant and vital farm products.

Mr. President, it has become increasingly clear that continuation of cargo preference requirements on agricultural exports that benefit from some Federal assistance or credit can only harm the prospects for increasing demand for American agricultural goods. In my home State of Indiana, almost 40 percent of our acreage is devoted to production for the export markets. In order to protect and expand existing markets, we need to allow our producers to be competitive with increasingly active and successful foreign producers. It is only by removing the impediments to a fully competitive position in foreign trade that we can kindle the kind of growth and price strength needed for a healthy farm economy.

I had hoped by this time that we would have taken a small step toward removing the cargo preference requirement for exports assisted under the new and commercially oriented blended credit and export PIK programs. Senators HELMS, BOSCHWITZ, and BOREN have shown foresight and leadership in addressing this issue in S. 822. While awaiting final Senate action on S. 822, I wanted to urge support for the cargo preference exemption contained in this bill.

I do not want to belabor this issue, because its merits seem relatively unambiguous to me. I would simply like to highlight a few of the more important reasons for pursuing quick action to relieve the burden posed by cargo preference requirements on the commercially oriented programs initiated by USDA.

First, I believe that those of us in Congress, and in the entire Federal Government, often tend to confuse issues when it seems convenient or self-serving to do so. Cargo preference on agricultural exports under the blending credit and export PIK programs offers a clear and compelling case against such confusion.

What we are trying to do with these relatively new export promotion programs is to stimulate sales of surplus U.S. commodities and develop or protect export markets traditionally served by U.S. exporters. We are trying to accomplish these modest goals at a time of crisis in the farm economy and, coincidentally, of severe Federal budget austerity.

The proponents of cargo preference argue that the secondary goal of protecting the U.S. merchant marine and promoting development of a U.S.-flag fleet with military cargo potential should also be included among the goals of these export stimulus programs.

This is all well and good as long as the diverse goals are compatible. Unfortunately, they are not. The costs of cargo preference significantly impair the success of the export stimulus program. Some have even contended that the benefits of blended credit are more than offset by the cargo preference differential. It is abundantly clear, in any case, that the total quantity of grain and other commodities sold under these programs will be substantially reduced by the costs of cargo preference.

Additionally, the benefits to the national defense of the cargo preference requirement on sales of bulk commodities are limited at best. The evidence available to me indicates:

One, that vessels carrying bulk agricultural commodities are of limited military use;

Two, that preference programs do not promote construction of a U.S. fleet that is modern, well-equipped, and capable of serving as a military auxiliary.

The larger question raised by these observations is simply: would it not be better to separate the conflicting purposes of the cargo preference and export stimulus programs. The admittedly scarce Federal dollar would be more efficiently spent to stimulate exports of agricultural commodities if it were not siphoned off to pay the high cost of shipping them on U.S.-flag vessels. On the other hand, we would do much better in realizing the goal of military readiness if we were to be more direct in promoting or even subsidizing the types of vessels truly needed to move military cargo in real-life situations. This is not the proper time to address this issue in more depth, but I would strongly suggest that our goals for both agricultural and national defense would be better met by separating these two issues.

I have an additional concern that is somewhat parochial, but altogether relevant. My concern about the impact of existing cargo preference laws on the agricultural community is concurrently bound to my interest in the shipping activity, or relative lack thereof, throughout the Great Lakes. The fact that only one U.S.-flag operator ships through in the Lakes greatly diminishes the efficiency benefits that the Lakes' ports might seek to gain from cargo preference restrictions. The Lakes can only compete for half of the Public Law 480 cargo that is ex-

ported from the United States, in spite of the fact that a substantial majority of those shipments originate in the Lakes region and are likely to find their lowest landed cost of shipment through the Lakes.

For example, in 1982, 56 percent of all the agricultural commodities transported by the U.S.-flag fleet were shipped under Public Law 480 cargo preference requirements. The Maritime Administration estimates that the total subsidy to the U.S. merchant marine for Public Law 480 shipments exceeded $150 million. Of that subsidy, USDA absorbed $97.7 million. A $150 million subsidy represents the value of roughly 900,000 metric tons of flour that are produced but not sold in the United States.

In summary, the Midwest loses in two respects from the cargo preference requirements. First, the total amount of cargo shipped abroad under the food for peace program is reduced by almost 15 percent. Second, since U.S.-flag ships cannot for the most part operate in the Great Lakes, shipping costs are increased and local revenues to Great Lakes ports are lost.

A final point I would like to emphasize is that the issue we are addressing today is not a frontal assault on the "maritime subsidy" as some would like us to believe. Rather it is a limited initiative designed to make recent agricultural export stimulus programs more efficient.

As many of my colleagues have already pointed out in great detail, we must find effective ways of reviving the farm economy in this country. We have seen 3 years of falling farm income, which has had a tremendous impact on the entire economy. We cannot have a full and vigorous economic recovery unless the farm economy turns around, and this can only be fully realized when demand, both domestic and foreign, picks up. The Federal Government and the American farmer simply cannot afford either to store or to "set-aside" its way to prosperity. Production control without demand-stimulus programs can only be of short-term value.

So, Mr. President, I urge all of my colleagues to support the Agriculture Committee in its effort to offer efficient and cost-effective programs to stimulate the demand side of the equation. I need not remind my colleagues either of the cost of supply-management programs or of the aggressive subsidy programs by other countries which have undercut our traditional markets. The Boschwitz amendment is a modest attempt to move in the right direction, but both U.S. farmers and the U.S. economy would receive a big lift from this modest but effective measure. I urge prompt passage of the Boschwitz amendment to S. 822, or to other appropriate vehicles.●

HIGH-TECH: LEAVING HOME

● Mr. COHEN. Mr. President, for the past week the Washington Post has run an indepth and thought-provoking series of articles entitled "High-Tech: Leaving home." These articles, written by Dan Morgan, examine the increasing pace of technology in the United States and in Japan, our chief technological rival.

The series raises many questions over the extent to which the United States should share, either directly or indirectly, technological innovations with Japan. It describes, for example, how the movement of technology by various means, such as through the formation of joint ventures with foreign firms, the publication of technological data—or even the theft of trade secrets through industrial espionage—can shift the delicate balance of economic power away from the United States.

In examining these issues, the series asks whether past policies of both American Government and business have helped the technological capacity of foreign countries while hurting our own, and whether "America is destined to relive the economic decline of Great Britain, another nation with a proud history of invention and technological innovation."

Recently, many bills which are aimed at improving America's technological expertise have been introduced in both the Senate and the House of Representatives. These proposals seek to encourage industrial innovation so that we can compete more effectively in the world market. This series adds another perspective to the problems facing the United States as it adjusts to the information age and serves the important function of making the Government, business, and the public more aware of the value of advanced technology—whether it takes the form of computer chips, genetic seed breeding research, or robotics in heavy industry—as a crucial asset to America's economy and future.

I submit the series of articles from the Washington Post for the RECORD.

The articles follow:

[From the Washington Post, May 1, 1983]

HIGH-TECH: LEAVING HOME—LOANED SCIENCE RETURNS AS COMPETITION

(By Dan Morgan)

In the 1950s and '60s, inventor George Devol took out several dozen patents for what he called his "programmed article handling device." He felt sure that American industry would be revolutionized by his ideas.

The patents were soon acquired by a struggling young company called Unimation, anxious to cash in on the new technology that seemed certain to sweep the country.

But U.S. companies showed little interest in Unimation's products, and in 1968 the company in desperation made a deal with Kawasaki Heavy Industries, allowing the Japanese firm to use its know-how.

Devol's "programmed article handling device" is known today as a robot. And today, Japan leads the world in the manufacture and use of industrial robots.

Now, Kawasaki and other Japanese companies sell robots to America's industrial giants, which are belatedly acknowledging the merit in Devol's ideas. Kawasaki robots, based on technology acquired from Unimation, will work on automobiles that will soon start rolling off Nissan Motors' first U.S. assembly plant in Tennessee.

"We're handing it to the Japanese on a platter," said Devol, now 71. "I just can't understand America."

Stories such as that, repeated across a wide spectrum of U.S. industry, raise deeply troubling questions about the nation's ability to compete in the demanding business conditions of the Information Age.

The United States developed the first computer-controlled robots, the transistor, the integrated circuit, the video cassette recorder, the communications laser, fiber-optic cable, gene splicing and the software that enables computers to design, test and manufacture products.

Yet good ideas percolating out of research laboratories and machine shops have not guaranteed the health of American industry. Japanese companies are ahead of or equal to the United States in several of the businesses that grew out of those innovations.

Is something fundamentally wrong with U.S. management? Are foreigners "ripping off" precious American technology? Has the country sold its ideas without giving enough thought to the impact on its future industrial competitiveness? Is America destined to relive the economic decline of Great Britain, another nation with a proud history of invention and technological innovation? Can an open, unplanned society that tolerates a high degree of economic confusion survive the challenge of societies operating on the principle of consensus and clear national objectives?

This series examines these questions in the light of the technology trade with Japan, America's principal economic rival. The ever increasing pace of technological advances and the way both nations use the new discoveries play a controlling role in the rise of some industries and demise of others.

Movement of technology from one country to another, through sale of a patent, purloining of a trade secret, the visit of a student, publication of a technical paper, establishment of a joint business venture or acquisition of a foreign company can influence the balance of economic power between countries in the 1980s as surely as the petroleum trade did in the 1970s.

It can sound the death knell of an industry, and cost American jobs, as it has in parts of the steel industry hit by imports of Japanese and South Korean steel manufactured with the newest continuous-casting processes.

For industrial countries, technology is a particularly precious asset, a trust for the future, that can help offset the competitive advantages that lower wages and less expensive social programs give some other nations.

As the United States shifts slowly from a manufacturing to an "information" economy, emerging high-technology industries offer one hope for generating new wealth and new jobs requiring skills greater than those available in overseas labor forces.

While high-technology industries in themselves will not generate enough jobs to solve the U.S. unemployment problems, application of a wide range of technologies to dozens of industries at least holds out the hope for a more productive, competitive and growing U.S. economy.

Ironically, American technology has played an enormous role in the emergence of the Japan now challenging the United States for economic supremacy.

Lacking natural resources and excess manpower, Japanese industry has prospered by a near-fanatical emphasis on maximum exploitation of advanced technology.

Between 1950 and 1980, Japanese companies acquired almost all of the world's available advanced technology by signing at least 30,000 licensing or technical agreements with western companies, mainly American. The price paid by Japan in royalties and fees has been about $10 billion, less than one-fifth of what is spent in the United States for research and developement in one year.

EXPORTS PROVIDE INDUSTRIAL BASE

U.S. licenses and advanced equipment have provided the base for numerous Japanese high-technology industries.

One example: U.S. computer graphics systems and electron-beam etching devices were used by Japan to produce 64,000-bit computer memory chips ahead of American chip makers.

Another example: The Pentagon-backed sale of dozens of sophisticated U.S. aerospace technologies to Japan under a joint weapons-production program is helping to create an advanced Japanese aircraft industry.

This massive transfer of technology, in the interest of strengthening a military ally, is upgrading the capability of Japan's expanding commercial aircraft industry to compete against Boeing and McDonnell Douglas by the year 2000.

"Japan is doing to us what we did in Europe after World War II," said Jacob Rabinow, consultant to the National Bureau of Standards and holder of 218 U.S. patents. "They are taking our science and making products out of it."

However, few who operate out of the "engine rooms" of advanced industries think that it would be desirable, or even possible, for America to put a sudden lock on its trade secrets.

"The horse is out of the barn," an aerospace executive said.

The web of transpacific business relationships that has grown over the years is much denser than most Americans probably realize. General Motors-Toyota, IBM-Matsushita, General Motors-Fanuc, General Electric-C. Itoh. These are just a few of the hundreds of joint ventures, partnerships or technical tie-ups now in place. Untangling this web would be almost unthinkable now.

Moreover, the United States no longer enjoys a technology monoploy in this relationship. Japanese steel companies, for example, are selling U.S. companies their processes for continuous casting and cold rolling, and Sumitomo Metals Industries is helping U.S. Steel build the first U.S. mill capable of turning out 48-inch, Arctic-grade pipe.

JAPAN SEEKS BREAKTHROUGHS

One of the most far-reaching comparisons of U.S. and Japanese technology, conducted last year by Japan's Society of Science, Technology and Economics, concluded that Japan was inferior to the United States in 56 key technologies but superior in 51. The survey examined 43 products in 37 industrial fields and compared the degree of automation, methods for testing product quality and design techniques.

Between 1970 and 1979, the five largest Japanese computer chip companies filed for almost as many U.S. patents (1,200) as the five largest U.S. firms (1,500).

If the United States is having trouble with Japanese competition when U.S. science and technology remain superior, some ask, what will the situation be later in the decade when Japan's concerted effort to create its own breakthroughs in the "knowledge intensive" industries begins to bear fruit?

Japan is not the world's only technologically advanced country. French aviation expertise, British computer software, Swedish robotics and Soviet missilery are impressive. But Japan is emerging as the strongest challenger in the 1980s.

Tokyo's Ministry of International Trade and Industry (MITI), the superagency that guided the successful export drive in automobiles and consumer electronics in the 1970s, has put together consortiums of Japanese companies and banks to develop computers that think like humans, "intelligent" robots, a supercomputer 1,000 times more powerful than anything sold by IBM, an electric car, fuel-efficient ceramic engines, carbon dioxide lasers and a new generation of computer software.

Few U.S. industrialists underestimate the seriousness of this effort.

Recent American visitors to Japan, for example have been impressed with efforts under way there to develop a new generation of powerful computers, capable of functioning at very high speed and emulating some of the flexibility and creativity inherent in human thinking.

"If these projects are successful, which appears likely, advanced economic and military research in the United States may become dependent on access to supercomputers of [Japanese] manufacture," concluded three computer scientists from Los Alamos National Laboratory in a report published in Science magazine last December.

For Americans who grew up in a postwar world in which the United States seemed to hold a virtual monopoly on technological advances, those statistics often seem bewildering. The United States has 124 Nobel Prizes in physics, chemistry and medicine to Japan's four, and American scientists are hard pressed to name a single Japanese innovation that has truly changed the world.

But Japan exports about $5 billion more in high-technology products to the United States than it imports. While the U.S. share of world trade in high-tech products and technical information declined from 31 percent in 1962 to 21 percent in 1979, the Japanese share rose from 5 percent to 14 percent.

To some extent, the government reaction to this has focused on a need to formulate policies that would safeguard U.S. technological advantages. James C. Abeggien and Thomas M. Hout of the Boston Consulting Group in Tokyo have called sale of civilian technology to Japan at bargain prices "a disaster" and "the biggest fire sale in history."

"With the benefit of hindsight, it is now apparent that many U.S. firms overestimated the permanence of their technological supremacy and underestimated the 'boomerang effect' of their technology licenses," Washington trade attorney Carl J. Green said.

Companies explain their licensing of technology to Japan by saying that Japan's protectionist policies have often barred them from selling U.S.-made products there. Moreover, they suggest, royalties are often pure profit and help recoup past research costs. The $517,000 received by Unimation in royalty payments from Kawasaki in 1980 amounted to half of the company's net earnings.

However, such royalty payments often seem small compared with the benefits to Japan. RCA, Industralists note ruefully, still is receiving royalties for licensing color-television processes to Japanese companies, which compete aggressively with RCA.

At the same time that the issue of technology safeguards is being raised, there is equal concern that the United States not overlook its own well-documented industrial shortcomings.

"The problem in this country isn't innovation. We innovate like hell. The problem is that our developed industries don't adapt and adjust rapidly enough," said Prof. Leslie Eric Cross, acting director of the materials research laboratory at Pennsylvania State University.

In a report on Japan written in 1981, Washington consultants Harald B. Malmgren and Jack Baranson criticized U.S. industry for being too quick to move factories abroad to take advantage of low wage rates, "rather than redesigning and reengineering production techniques to meet Japanese competition."

Robert B. Reich, of the Kennedy School of Government at Harvard University, criticized government research policies "subject to sudden changes in national security needs and prevailing policies."

Inventor Jacob Rabinow is critical of U.S. corporate managers, a breed that he said suffers from "technological illiteracy."

"They're bankers and lawyers. . . . They'd rather sell a company than straighten it out," he said.

For all the concern about the failures of U.S. business, U.S. policy-makers stress the need for a sense of perspective. "Japan is not yet a technological giant," Undersecretary of Commerce Lionel H. Olmer said.

The race between U.S. and Japanese robotics companies shows why it may be risky to jump to conclusions about the demise of U.S. industries.

THE UNITED STATES AS UNDERDOG

The United States is undoubtedly the underdog. Japan, with about 150 robotics companies, is on the verge of a major export push that will put new pressures on the United States. Although it now exports only about 5 percent of the robots it manufactures, Japan wants to increase that to 20 percent by the mid-1980s.

This strong Japanese position is in some respects a natural outgrowth of Japan's earlier concerns about manpower shortages, rather than a farsighted commitment to technological advances.

By 1972, these concerns had given rise to the Japan Industrial Robot Association (JIRA), formed with the backing of MITI. JIRA published papers, circulated technical information and raised the consciousness of Japanese businessmen about robots.

In 1980, an MITI-sponsored consortium comprised of 24 robot manufacturers and 10 insurance companies was set up to buy robots and lease them to Japanese manufacturing companies on a trial basis. This was a major boon because plant managers no

longer bore all of the risk of introducing an untried and relatively expensive technology.

By contrast, the U.S. automobile industry, the largest potential market for fledgling robot companies in the mid-1960s, faced no such problems. Fear of labor union opposition, rather than potential manpower shortages, was the auto makers' dominant concern. General Motors, Ford and Chrysler were then in the position of having almost no serious competition that might have whetted their interest in radical productivity gains.

The major asset of U.S. robot companies in the new competitive situation is quintessentially American: superior technology.

While Japan has excelled at the mechanical engineering required for mass production of high-quality robot arms, gears and sensors, U.S. companies maintain that they are ahead in the increasingly important field of producing software programs that "teach" robots to perform tasks.

Automatix, a three-year-old company located in Billerica, Mass., amid one of the nation's fastest growing high-tech clusters a few miles from Rte. 128, is an example of a company gambling on technology to beat back the Japanese challenge.

Tucked away in the Massachusetts woods, Automatix exudes the hustle and bustle typical of small "start-up" companies founded by entrepreneurs eager to ride the expected boom in lasers, microwave communications, microelectronics, home computers, robotics and other Information Age industries.

In a workshop where gangly robot arms hang limply, half a dozen young men stare intently into a tangle of wires protruding from the open back of a computer. A guide explains that the men are "smart guys from MIT" who might be up all night trying to improve a program that guides the path of a robot arm along the line where two pieces of metal come together to be welded.

In a nearby room, a visitor is invited to try his skill at "teaching" a robot. Using a hand-held controller to make the robot arm move up, down, sideways and forward, the visitor moves the device into position while a computer records the trajectory to within eight-thousandths of an inch and memorizes it for future use.

Automatix started with excellent credentials and technical assets.

Its chairman, Philip Villers, had proved his entrepreneurial abilities as cofounder of Computervision, an aggressive computer graphics firm that had experience in Japan in the 1970s. Vice President Victor Scheinman helped design the "Stanford Arm" while working at the Stanford Artificial Intelligence Laboratory.

And Automatix had acquired a valuable piece of software from the Stanford Research Institute: algorithms used to give robots a primitive sense of sight, a step toward more versatile machines.

Automatix' major problem at the outset was lack of a robot for arc welding, the "niche" where Automatix wanted to make its mark. Its solution was to turn to a Japanese company, Hitachi.

Hitachi had just the robot the new U.S. company wanted, while Automatix had something Hitachi needed: a foot inside the U.S. market.

The deal struck by Automatix was to import Hitachi robots and outfit them with Automatix controls and software. As Vice President Michael J. Cronin said, it was a sort of devil's pact with few illusions on either side.

The Japanese strategy was clear to Cronin.

"Everybody [in the United States] would get to know the Hitachi robots and they would then come in and cut the price by a factor of two," he said. "They fully expected to take the whole market away from us by the end of 1982. We knew we had a year or two before Hitachi steamrollered in here. It was a chess game."

Right on schedule, Cronin said, Hitachi began an export drive midway through last year, placing glossy advertisements in magazines and sending Hitachi salesmen to Automatix customers. But by then, Cronin said, Automatix was ready to spring a "bear trap" of its own.

"We couldn't produce cheaper robots than they could, but we could advance the state of the art and redefine the market," he said. By late last year, Automatix was offering many new features in connection with the Hitachi robots it was selling.

Most important, the Automatix robot could be "taught" quickly "off line," meaning that small companies could program the robots for new tasks without shutting down production lines for hours. Building on the SRI algorithms, Automatix also offered a "vision system"—television cameras that are the working robot's "eyes" and allow it to make minor adjustments of its movements.

Cronin believes the strategy has worked. Chevrolet is using this Autovision II system to inspect truck front ends as they come off assembly lines, and Seiko in Japan uses it to inspect digital watches. Automatix has sold about 60 arc-welding robots at about $75,000 each to U.S. customers such as General Motors. He estimated that Hitachi has sold fewer than 10.

In essence, Cronin said, Automatix is taking a leaf out of the Japanese book by obtaining a "base technology"—the Hitachi robot—and "running like hell with it."

Soon enough, he added, Automatix intends to attack Japan."

"I promised Hitachi I'd come back and try to sell 'em one of their own robots. We may not win over there, but we'll learn a lot. I'd rather get my bruises in Tokyo Bay than in Boston Harbor . . . ," he said.

"We're gambling that robotics is still in an revolutionary stage that will lead to robots developing eyes, ears and maybe even brains. We're looking way ahead and inviting companies to move with us down the technology road . . . .

"If we lose, it will be because we got fat and sloppy, because we worried about profit-to-equity ratios and mergers. . . . If we lose, it will be because we lost our stomach for battle."

(Contributing to this series were Tokyo bureau chief Tracy Dahlby, who conducted interviews in Japan, and Hobart Rowen, senior economics writer. Staff researcher Carin Pratt assisted with the reporting and research.)

WHO'S WINNING THE TECHNOLOGY RACE—JAPAN VERSUS UNITED STATES

	United States	Japan
Optical communications:		
Glass telephone lines	[1]	[1]
Lasers, light sources		X
Receivers	[1]	[1]
Computer chips:		
Memories		X
Microprocessors	X	
Computers:		
High speed systems	X	
Software	X	
Computer aided design and manufacturing (CAD/CAM)	X	
Genetic engineering:		
Gene splicing	X	
Fermentation processes		X
Industrial robots:		
Motors and arms		X
Controls and software	X	
Fine ceramics:		
Engines		X
Electrical components		X
Commercial aerospace:		
Engines	X	
Avionics	X	
Fuselage design	X	
Communications satellites	X	
Steel:		
High temperature blasting		X
Specialty steelmaking		X

[1] Equal.

Symbol: X indicates leader in field.

Sources: Office of Technology Assessment; Joint Economic Committee; Cabinet Council on Commerce and Trade; Japanese Society of Science, Technology and Economics; Industry Sources.

INDUSTRIAL ROBOTS

	Japan	United States
Production in units	3,200	1,269
Production in value (in millions of dollars)	180	100
Installed operating units	11,250	4,370

Source: Paul Aron, "Robots Revisited: One Year Later."

WHAT U.S. PIONEERS, OTHER NATIONS PERFECT

When the U.S. Postal Service asked for bids several years ago on $500 million in optical character readers to sort mail, it received an enthusiastic response, from foreign companies.

Of six proposals, all came from overseas firms, including two from Nippon Electric and Toshiba of Japan. The companies offered the latest in high-technology postal equipment capable of reading the zip code on letters, checking it for accuracy and marking each envelope with a bar code for sorting and routing.

There was a "lack of interest" on the part of U.S. companies which "just didn't have any machines that we wanted," said Assistant Postmaster General James French.

What was surprising was that much of the early work on optical character readers had been done in the United States.

Such examples of foreign companies capitalizing on technologies pioneered in the United States are far from rare:

Although the transistor was invented at Bell Laboratories in 1947 by Nobel laureates William Shockley, John Bardeen and W. H. Brattain, Japan's Sony first sold transistor radios in this country in 1956.

A U.S. company, Ampex, introduced the first videotape recorder, the Quad, in 1956. But Sony engineers, working feverishly to improve on early U.S. designs, preempted the American consumer market in videocassette recorders with the Betamax in 1975.

RCA and Philips pioneered the technology for color television. But by 1969, Sony's Trinitron picture tube and Hitachi's solid-state color receiver had put the Japanese ahead.

In 1969, RCA invented complementary metal oxide silicon (CMOS), a process for making microchips that use very little power. Some microelectronics specialists say

Japan is now even with or ahead of the United States in such technology.

In the case of the foreign optical character reading equipment, the Postal Service resorted to "Buy America" tactics to make sure that U.S. companies got a piece of the new high-technology business. It agreed to buy the equipment, but only if it were made in the United States, and suggested that the foreigners acquire American "partners."

The contract was awarded to two U.S. companies, Burroughs and Pitney Bowes, which teamed with Nippon Electric and Italy's Elsag to make the character readers. The other companies dropped out.

"We went a little beyond 'Buy America'. . . . I suppose we did what Japan sometimes has done," French said. "But we're part of this country, and its economic health and well-being are important to us."

—DAN MORGAN

PROLOG—TRAVELS OF A COMPUTER CODE

The travels of Prolog, a computer language used in the esoteric field of artificial intelligence, suggest the speed with which ideas and new technologies are carried across international borders by the scientific community.

Prolog was born in the sunny Mediterranean city of Marseilles. It was moved to the colder climes of Scotland, carried across the Atlantic and settled for a while in California. Today, it has found a warm welcome, and probably a permanent home, in Japan.

The Prolog language was written in 1971 by Alain Colmerauer, a French computer scientist at the artificial intelligence unit of the University of Marseilles. He is said to have been inspired about Prolog in part by Robert Kowalski, an American then working at the University of Edinburgh. Kowalski had been looking into using new kinds of logic to program computers to perform some of the complex interpretive tasks that human beings are capable of. The ideas meshed with the work of Colmerauer, who had been testing ways of having machines parse sentences, a first step in havng computers translate languages.

In 1974, a Kowalski associate, David Warren, visited Colmerauer and took Prolog back to the University of Edinburgh. There he shared the concept with Harry Barrow, an American computer scientist.

In 1977, Barrow brought Prolog to the United States, introducing the language to colleagues at the artificial intelligence center at Stanford Research Institute in Menlo Park, Calif.

A year later, Prolog made a new convert in Japanese computer scientist Koichi Furukawa, who was spending a year at SRI.

"He played with Prolog at the end of his stay and like it," recalled Daniel Sagalowicz, the center's assistant director. When Furukawa returned to Japan's Electro Technical Laboratory, he explained it to his boss, Kazuhiro Fuchi.

At ETL, Prolog created an immediate stir. While another language, LISP, has won wider acceptance in the United States, Prolog seemed to be the language that Japanese computer scientists had been seeking.

When Fuchi was made technical director of Japan's prestigious Fifth Generation Computer project, which is leading Japanese efforts to equal or surpass the United States in high-speed and high-powered computers, he took Prolog with him.

—DAN MORGAN.

[From the Washington Post, May 2, 1983]

HIGH-TECH: LEAVING HOME—BATTLING TO INNOVATE AND EMULATE: INTEL VS. NIPPON ELECTRIC

(By Dan Morgan)

Peering into a microscope at a greatly magnified computer chip one day last August, Peter Stoll of Intel Corp. saw something startlingly familiar. In one of the tiny cells, two transistors were disconnected from the rest of the chip, and dangled uselessly in their bed of silicon.

Stoll, 33, a chip designer, recognized the defect as a small, last-minute repair job he had performed on Intel's 8086 microprocessor several years earlier. It had worked, correcting the minor flaw in the chip's logic, and the 8086 went on to become ephenomenally successful as the "brain" in a wide range of business computers, robots and industrial machinery.

But what startled Stoll was that the chip under the microscope was not Intel's. It was a product of Nippon Electric Co. (NEC) of Tokyo. Stoll concluded that he was looking at a Japanese copy so perfect that it even repeated the small imperfection in the original chip.

Intrigue of that kind in the $13 billion-a-year global market for computer chips has led to U.S. accusations of unfair Japanese practices, ranging from copying to protectionism. Critics of Japan say that its efforts to gain supremacy in computer chips, perhaps the single most important technology of the Information Age, are typical of the methods employed by "Japan Inc."

"We're at war, no doubt about it," said a computer scientist from a large U.S. research laboratory. "If I had money in 'Silicon Valley,' I'd get it out . . . It's just like any other war zone."

U.S. politicians are in a mood to strike back.

Democratic Reps. Don Edwards and Norman Y. Mineta, from California's so-called Silicon Valley area, have introduced a bill to give copyright protection to chip designs. They say the measure is needed to stop "private firms" from "flooding markets with copied designs that undersell the innovating firms."

But some trade specialists caution that there is a Japanese side to this story. For one thing, U.S. companies are holding their own in the competition.

Japan, whose share of the U.S. chip market is well under 10 percent, has made inroads in some kinds of chips, such as memories, that store information. But the United States is dominant in microprocessors, the "computers on a chip" that serve as brains for computers and controls in dishwashers, jet aircraft, missiles, industrial robots, telephone systems, traffic lights and hundred of other products.

Many experts insist that Japan's progress is not attributable to copying.

"The basis for the Japanese taking an ever larger share of the [chip] market is not transfer of American technology," said a patent attorney for a large U.S. company. "It's Japanese management, equipment and a degree of cooperation between firms that's prohibited in this country."

Even the issues in the Intel-Nippon Electric dispute about alleged copying of the 8086 microprocessor become fuzzier on closer inspection. Intel contended that NEC wrongfully copied the chip's microcode, the set of internal instructions laid out as a pattern of transistors on the chip's memory. Intel counsel Roger Borovoy said the microcode was copyrighted and could not be used without Intel's permission.

Officials from NEC's U.S. sales company acknowledged that the microcode on their chip is identical to that on Intel's including the flaw engraved onto the original.

"If you're not 100 percent identical, you're dead. If you take the fatal flaw out, it wouldn't be compatible. We have chosen to be as close to the original as possible," said NEC's David Millet, who is in charge of nationwide marketing of microprocessors.

But NEC officials in Japan and the United States deny that the company did anything wrong, contending that they had a right to produce their own version of the chip under a 1976 agreement allowing both companies to use the other's patents.

NEC officials in this country say the question of whether the microcode can be copyrighted has never been decided in court, and Intel agrees. And they say that NEC even sent Intel a 1979 announcement of the NEC version of the 8086.

The story of the NEC-Intel dispute is representative of the suspicion, tension and, often, grudging admiration that characterize the competition between the two countries. It begins with the markedly different cultures and societies from which the two have emerged.

THE ROOTS OF COMPETITION

Compared with the 84-year-old NEC, Intel is an upstart company, an example of American boldness and nerve that began with a few dozen employes in Santa Clara, Calif., in 1968 and grew into a business with 19,000 employes worldwide.

Intel's stock in trade has been innovation. Since it was founded, the company has spewed out firsts, including the first microprocessor in 1973. A founder, Robert Noyce, is one of the inventors of the integrated circuit, which became a basic component of modern electronics.

Intel is also a sort of corporate melting pot that, like the nation itself, has drawn its brain power from all over the world. Its current president came to America as a refugee from Hungary in 1957; a senior vice president was born in Hungary, and an Israeli, an Italian and a Japanese are credited with helping to develop several new Intel products.

NEC has succeeded in typical Japanese fashion: through dogged determination, aggressive marketing and initial reliance on U.S. technology, including that of Intel.

From the outset, NEC had financial and structural advantages over Intel. While Intel makes more than 80 percent of its income from the sale of chips, NEC is a conglomerate that produces computers, electrical equipment and other products. Chips account for less than 20 percent of its revenue, so a temporary decline in that business can be offset by gains in other products.

As a member of the influential Sumitomo industrial group, NEC could draw on the financial resources of the Sumitomo Bank and on the marketing connections of the Sumitomo trading company. But Intel has depended for its financing on the vagaries of the U.S. stock market and bank loans. For most of the last 10 years, Intel has had to borrow money at much higher interest rates than NEC.

Until the early 1970s, NEC was no match for American chip makers. The U.S. computer chip industry was expanding rapidly, thanks in part to heavy government spending on chips for the Apollo man-on-the-

moon space program and the Minuteman intercontinental ballistic missile.

In 1973, computer scientists in Itel's laboratory scored a major breakthrough with invention of the first microprocessor. This was a watershed not only for Intel, but also in the history of the information industry.

Until then, chips generally had performed only a single task, such as adding, subtracting, multiplying or dividing. Combining those tasks required wiring together several chips on a bulky board. But a single microprocessor chip could perform all those functions. This meant, for example, that one computing chip could run a pocket calculator, shut off a microwave oven, analyze blood or control traffic signals.

It was possible for general-purpose microprocessing chips to replace more expensive, customized ones previously needed by industry. As microprocessors became more sophisticated, they increasingly began to do jobs that previously had required large, cumbersome computers.

NEC claims to have developed an early microprocessor on its own at about the same time as Intel. This chip, the uCom 4, could handle simple tasks such as operating a pocket calculator. But Japanese officials acknowledge that they have had trouble keeping up with U.S. advances in microprocessors. To do so, Japanese companies have repeatedly relied on U.S. patents and "reverse engineering."

Industry representatives make a distinction between reverse engineering, a generally legitimate practice in which one company's designs are used as a model by another company's engineers, and copying, in which imprints of circuitry are taken by using photographic and lithographic techniques.

In the late 1970s, for example, NEC produced a version of Intel's 8080 microprocessor, the first chip complex enough to handle word-processing programs. A new generation of microprocessors was making possible the era of small, compact personal computers, and Intel was again in the lead.

Tomihiro Matsumara, NEC's senior vice president for research, acknowledged in an interview that NEC attempted to make and sell its own comparable chip, "but we did not succeed." So, he said, NEC engineers analyzed the 8080, then laid out their own "completely different" version, using NEC manufacturing techniques.

Roger Borovoy, Intel's general counsel until he left the company last month, said Intel had no objection because NEC had used the 8080 only as a model and not "copied" it.

Japan, he acknowledged, was becoming an innovator in chips in its own right. Between 1974 and 1977, the government had poured at least $300 million into a research consortium that included NEC and five other companies. "They had come a long way with their own development. They'd attained a status of their own," Borovoy recalled.

Evidence of NEC's progress came in April, 1976, when Intel and NEC signed an agreement that enabled each company to use the other's patents. In the next several years, Intel was to utilize several NEC patents for specialized types of chips.

By the late 1970s, NEC, Hitachi, Fujitsu and Toshiba were grabbing significant shares of the world market in memory chips, devices that store information but do not perform the complex tasks of microprocessors. But these companies still had problems with the far more complex microprocessors.

In 1978, a year before NEC completed its version of the 8080, Intel introduced a much more advanced microprocessor, the 8086. It crammed 30,000 transistors onto a quarter-inch-square piece of silicon, producing as much computing power as some 1960s' computers that filled rooms. The 8086 could handle not only word processing but also complex mathematics, and it and comparable microprocessors are being used in most sophisticated personal and business computers, such as IMB's popular personal model.

NEC's representatives recognized that the 8086 gave the United States a decisive edge in silicon brain power. In 1978 they approached Intel about supplying technical aid to produce the 8086 in return for a percentage of the money NEC would get from selling the 8086 in Japan.

But this time, Intel turned NEC down. NEC, in the midst of a U.S. expansion program, was preparing to enter the international chip market in a big way. It had just purchased a California computer memory company called Electronic Arrays and was planning a second California facility for making memories and logic circuits.

"We weren't anxious to help our competitor," an Intel official said.

Instead, Intel made a deal with NEC's Japanese rival, Fujitsu. Thwarted, NEC decided to go ahead with a version of the 8086 without special help from Intel.

NEC's Matsumara acknowledged that the resulting chip is "interchangeable" with the Intel version, but he strongly denies that it was "copied." Similarly, Robert Hinckley, an attorney for NEC in San Francisco, contends that NEC had a right to reverse-engineer the chip because of the patent cross-licensing agreement of April, 1976.

NEC officials said it was no secret that they would produce the 8086. Electronic News reported it and, NEC officials said, they sent a copy of their announcement to Intel and received no protests.

NEC, however, had several problems.

For one thing, the Japanese company apparently had difficulties reproducing a version of the Intel device without American help. It was not until 1980, two years after Intel's 8086 appeared, that NEC's comparable chip was sold in the United States.

There was also the problem of Intel's copyright on the chip's microcode, a sort of brain within a brain. It is the part of the microprocessor that takes electronic commands from a keyboard and tells the rest of the chip's parts what to do with the commands and in what sequence.

Like a video-game cartridge, the microcode is a computer program that has been written by a programmer and then is built into the chip. In a Pac Man videogame, the microcode tells the Pac Man what to do. In a microprocessor, the microcode tells a computer what to do. Although the microcode appears in the 8086 as hardware—a pattern of 10,752 tiny transistors—Intel maintains that it is not a mere piece of electrical circuitry but is "intellectual property" covered by copyright law.

Copyrighting the microcode had seemed to Borovoy a way to protect the company's intellectual effort from infringement. Borovoy said his "knees wouldn't shake" at bringing a lawsuit against a company that copied Intel's microcode.

But Hinckley, NEC's San Francisco attorney, said no cases have been adjudicated establishing any company's copyright claim on such material.

"Copyright is designed to protect works of authorship—artistic works—and we don't think microcode qualifies," he maintained.

Whatever the merits of their respective cases, NEC and Intel reached a settlement on the 8086 in March after several months of negotiations and without litigation. Borovoy, who said he could not discuss details of the settlement, said the agreement would save hundreds of thousands of dollars in court costs.

THE BATTLE FOR MARKET SHARE

But the dispute over the 8086 is seen at Intel as only one chapter in what will undoubtedly be a continuing battle.

"The Japanese see themselves locked in a warlike struggle, determined singlemindedly to reach their objectives by any means, regardless of the impact on the U.S. . . . It's going to be a very, very bloody battle out there," Intel's Noyce said.

He argued that Japanese tactics have denied American companies the fruits of their innovation, profits that enable them to pour money into creating new technical breakthroughs needed to maintain the U.S. lead.

U.S. studies have accumulated a mass of evidence buttressing Noyce's contention that the Japanese government has shielded local chip companies from U.S. competition while they prepared for an onslaught on traditional U.S. markets. U.S. companies have never been able to capture more than 20 percent of the Japanese chip market even when their technological lead was overwhelming.

Before 1978, only Texas Instruments was permitted to establish a wholly owned manufacturing subsidiary in Japan, and even TI had to share some of its patents with Japanese companies to secure that concession.

Few deny that the Japanese challenge is serious. Japan is running a $250 million trade surplus with the United States in chips. And NEC and Hitachi ranked just behind Motorola and Texas Instruments as world leaders in sales last year.

A detailed study issued in February, 1982, by the congressional Joint Economic Committee warned that the main casualties of the relentless Japanese export drive could be small, innovative Silicon Valley companies. With them out of the running, it warned, Japan would be in a position to beat the United States in innovation.

Some industrial experts say the United States should keep its sense of perspective as it responds to Japan's challenge.

Robert B. Reich of the Kennedy School of Government at Harvard University said Japanese chip companies made headway after 1975 primarily because they plunged ahead while U.S. companies, hard hit by the recession, "stood still."

U.S. companies have recently regained some of their lost share of the world market in memory chips and still have an impressive lead in microprocessors. In typical U.S. fashion, Intel is on the verge of marketing an even more advanced microprocessor, the 80386, which the company claims will be far ahead of anything produced in Japan.

Intel has also announced that it will soon sell the first magnetic, bubble-type memory capable of storing 4 million bits of information, the equivalent of 240 typewritten pages.

"Despite trade barriers and protection and copying, we're still winning, although that's no guarantee for the future," said Bob Derby, who ran Intel's marketing operations in Japan.

That, free traders say, should be a warning to those in Congress who want to wield the big stick of government retaliation in the computer chip battles with Japan.

(Contributing to this series were Tokyo bureau chief Tracy Dahlby, who conducted interviews in Japan, and Hobart Rowen, senior economics writer. Staff researcher Carin Pratt assisted with the reporting and research.)

CHIPS: A GLOSSARY OF TERMS

Silicon: the hard, gray, lightweight material from which chips are made. Wafers of silicon are "doped" with impurities in selected places to change electrical properties and affect the path of the current. Lithography is used to imprint tiny wires, or circuits, on a chip's silicon layers.

Transistor: an electrical switch in a chip that can be turned on and off in a controlled way to store or process data.

Integrated circuit: a combination of transistors. The latest generation contains as many as 100,000.

Memory: a chip that stores information.

Microprocessor: a chip that performs some of the same tasks as a computer; the "brain," or control in hundreds of pieces of equipment, from car engines to computers.

Microcode: a software program that is the permanent set of instructions on a microprocessor chip.

Bit: A single "on" or "off" signal, a single piece of electronic code. It takes several bits together to represent one letter, punctuation mark or numeral.

[From the Washington Post, May 3, 1983]

HIGH-TECH LEAVING HOME—IN LASER ADVANCES, AN ORIENT EXPRESS

(By Dan Morgan)

In 1970, a team of scientists at Bell Laboratories successfully tested a tiny laser the size of a grain of sand that made possible a new era of "optical" communications.

Although the device was primitive by today's standards, it was the predecessor of lasers that can be turned on and off tens of millions of times a second to transmit telephone conversations, messages and other information in the form of light waves pulsing through extremely pure glass fiber cable.

"It was the first time I ever saw champagne brought into Bell Laboratories," recalled Bell physicist Morton Panish, one of two scientists credited with the invention.

Now, 13 years later, the U.S. companies that make lasers have less to celebrate.

When Bell Telephone began looking around in 1980 for lasers to go with the first light-wave cable under the Atlantic Ocean, to be installed later in this decade, it turned to Hitachi of Japan.

"Hitachi appeared to have potentially the most reliable laser in the world," Jack Sipress, director of Bell's undersea systems laboratory, said. "We have had no reason to doubt the wisdom of that."

The story of how a Japanese company got a beat on the Bell System's manufacturing subsidiary, Western Electric, and on RCA, Exxon, Hewlett-Packard and Xerox—all of which had access to Bell's patents and were working on lasers in the 1970s—raises questions about U.S. industry's ability to take advantage of technologies being developed in its own back yard.

"The United States is an underdeveloped country when it comes to getting useful, proven technologies transferred to business and industry," said John A. Alic, who has specialized in studying U.S. industrial policy at Congress' Office of Technology Assessment.

The reasons for this vary from industry to industry. Computerchip companies slowed product development in the mid-1970s due to sliding demand during recession, and some of the country's innovative genetic engineering companies are having trouble raising capital. But a more general problem appears to be the shortsightedness of large, established U.S. companies.

"The fact is the U.S. has tire marks all over its back when it comes to getting the products out," a Bell scientist said. "When you come right down to it, nobody sat down as early as [Hitachi] did and said, 'We're going to do this.'"

Japanese officials said there is nothing magical about their success.

"American industry has the frontier spirit, and big Japanese enterprises don't, so we think we should guide [Japanese firms] to develop the technology," said a representative of the Ministry of International Trade and Industry (MITI) in Tokyo.

In the early 1970s, MITI joined Japan's public phone company, Nippon Telephone and Telegraph, and several private companies to begin experimental research on fibers, lasers, video cameras and other optical devices. Most of the money was supplied by private industry, with an eye to winning at least half of a worldwide market in optical communications equipment projected at $8 billion by 1990.

The effort was aided by Japanese scientists strategically placed in U.S. research laboratories where work on lasers and optical fibers was proceeding and by U.S. patents and processes for which Japan has paid little.

The economic stakes in the optical communications race are staggering in size, although other high-technology communications systems such as microwave and satellite also hold promise.

But microwave use congests air-wave frequencies and telephone communications by satellite can suffer from distortion because of the distances involved.

These restrictions do not apply to optical communications. Thus, the world is on the verge of a major change that will continue well past the year 2000 as optical systems carry increasingly larger amounts of information over smaller, cheaper lines than the current electromechanical systems. The first such line has just been installed between Washington and New York.

A half-inch-thick glass fiber cable can carry 46,368 simultaneous conversations, the same amount as a four-inch copper coaxial cable. Installation of optical cables should be considerably easier in overcrowded urban systems.

In addition to long-distance communications, lasers and optical recorders capable of storing tens of millions of bits of information will become standard in offices, computers, video-disc equipment and broadcasting.

BELL LABS, SOVIET INSTITUTE PIONEER LASERS

Optical communications also will be useful to the military services because there are no effective methods of intercepting signals transmitted as light waves.

In a light-wave system, a voice is converted into an electrical impulse, as it is in a standard telephone system. This signal is scanned by a digital encoder at a central office and converted into a stream of "ons" and "offs."

The laser light source is then activated and transmits "ons" as a pulse of light and "offs" as the absence of one. Booster stations amplify the light signal every few miles.

Undisputed pioneers in developing laser-light sources for such systems were Bell Laboratories and the Ioffe Institute in Leningrad. But until 1970, researchers were plagued by several problems.

In one, lasers became overheated as beam-generating current passed through them and could only function continuously in super-cold liquid nitrogen, which made them unsuitable for commercial telephone systems. In another, the intense light could not be confined and tended to leak.

Bell's solution brought together the worlds of telecommunications and microelectronics. It involved using gallium aluminum arsenide to make a laser similar to a computer chip. This laser required very little power and could run at room temperature without overheating.

Details of the experiment were published in mid-1970 in the Applied Physics Letter of the American Physical Society. Bell officials recalled that the article, by Bell tradition, revealed somewhat more than other companies tend to publish about their technical achievements.

Because of its position as research arm of American Telephone & Telegraph (AT&T), a government-approved monopoly, Bell in 1956 signed a consent decree agreeing to make its patents available to other companies. Partly because of that agreement, openness became something of a tradition at Bell Laboratories.

The publication, which appeared at almost the same time that Soviet physicist Zhores Alferov of the Ioffe Institute was publishing his results, triggered widespread interest in the future of lasers as a communications medium. It also tied in with efforts under way at Bell and Corning Glass Works to develop a process for making glass fibers to carry the laser light signals.

"Once we and the Soviets had published, everybody filed in to do research," inventor Morton Panish recalled.

In retrospect, however, representatives of Bell and other companies acknowledged that the record of American companies in following up on this breakthrough was less than scintillating.

IN LASER ADVANCES, AN ORIENT EXPRESS

One U.S. company that saw early commercial promise in the new technolgy was Hewlett-Packard. In the mid-1970's it hired several people from Bell Laboratory's laser division and put them to work with a laboratory staff at Palo Alto, Calif.

One of them, C. J. Hwang, has mixed memories of the Hewlett-Packard work. The company, he said, "developed a whole laser program from scratch. But when the time came to go into production, they went back and forth and finally decided not to make the product because they couldn't generate positive cash flow within a year."

Hwang left soon after that to start his own company, General Optronics, which sells lasers to International Telephone & Telegraph (ITT), General Telephone & Electronics Corp. (GTE), Siemens in West Germany and SAT in France. General Optronics lasers are being used in France's Biarritz project, which involves use of fiber-optics communications to transmit television, telephone and picture-phone services to 1,500 houses.

Hewlett-Packard spokesman Robert Bouzon said holding off production was a "market decision." At the time, he said, it did not appear that there would be a profitable market for the lasers until 1985 to 1987.

"Why produce a product without a market? If you can get the state-of-the-art product from Japan, you get it," he said. Hewlett-Packard, he said, is continuing research on laser products.

To some, Hewlett-Packard's hesitation is reminiscent of developments in the U.S. consumer electronics industry in the 1960s and 1970s. An analysis of that period by William J. Abenathy and Richard S. Rosenbloom of the Harvard University Business School concluded that U.S. and Japanese managements took a very different approach to marketing, which had much to do with the final, disappointing outcome for the United States.

"American managers tend to rely on market research and 'objective' analysis to identify latent market opportunities, whereas [Japanese] firms like Sony took risks on novel products and set out to develop the market," they wrote.

In 1977, Exxon attempted an ill-fated foray into the laser world.

Through its venture capital arm, Exxon Enterprises, it bought a small Elmsford, N.Y., firm called Optical Information Systems (OIS) and began attracting a wide range of talent. Physicists were hired from Bell and RCA, and even a Soviet emigre physicist joined the project.

But within 24 months, Exxon was trying to sell the company, and many of the top scientists drawn to it were drifting away.

Exxon Enterprises spokesman Darcie Bundy said that although OIS was promising Exxon Enterprises was "sharpening its focus on certain other major companies, and OIS did not have the degree of necessary interdependency" with those companies.

Bundy did not say, however, why reaching that conclusion took Exxon almost two years, during which a substantial research effort had been launched.

Critics of Exxon's role have said privately that such in-and-out plunges by industrial giants is a waste of resources that hardly strengthens American economic competitiveness.

In December, 1981, Exxon finally found a buyer for its unwanted acquisition: the U.S. subsidiary of Japan's Mitsubishi Chemical Corp., which took a very different view of OIS's potential.

According to James M. Campanozzi, the reconstituted OIS's vice president for marketing, the Japanese company believes that lasers will have widely varied applications in office information systems, recording and broadcasting, as well as communications.

While Exxon had stressed research, he said, Mitsubishi "takes a more commercial view. We want to move into the systems area . . . into product lines for video, voice and data communication."

At RCA, early work on lasers focused on military rather than commercial applications. RCA's scientists were busy developing lasers that could pick out military targets and function as fuses in missiles.

Such work has given RCA a potential niche in President Reagan's planned new "Star Wars" system of electronic and lasser anti-ballistic missile shields.

This emphasis is defended by Michael Ettenberg, head of RCA's optoelectronic devices and systems. "Military contracts kept us alive," he said. "There was not a significant commercial market for 15 years, and most business until the last couple of years was military in nature."

Asked why the Japanese had not been hindered by the same lack of a commercial market, Ettenberg put part of the blame on the U.S. recession in the late 1970s, and added: "The U.S. doesn't invest in the future as much as the Japanese."

RCA's history at least raises questions about the heavy military emphasis in much U.S. research and development. Robert Reich of Harvard University's Kennedy School of Government acknowledges that the Pentagon has stimulated research activities but "not always in the direction of commercial success."

U.S. experts also acknowledge that U.S. companies had reason to be skittish. For one thing, producing lasers proved to be extremely complex and costly. Even today, one of the tiny light sources costs $2,000 or more.

Also, rapid advances in processes for producing pure glass fiber cables to transmit the laser light kept changing requirements for the lasers late in the 1970s. While lasers producing light-wave lengths of 0.8 microns were in favor in the early stages of fiber-optical cable development, wave lengths of 1.3 microns appeared to work better with the purer fibers developed in the late 1970s. A micron is 1 millionth of a meter in length.

Yet those obstacles did not keep Hitachi, again with help from Japanese scientists who had worked at Bell, from having a 1.3-micron laser ready by 1980.

Within a year after the initial Bell paper was published, according to Bell physicist Panish, "the Japanese were reproducing our results and in several years were doing their own research."

One asset was the network of Japanese scientists with first-hand experience in the U.S. research effort. Izuo Hayashi, who heads a government-industry effort in optical communications in Japan, was working at Bell when the first successful laser was assembled in 1970 and is credited, along with Panish, as one of its co-inventors.

One of Hayashi's mentors in Japan was another Bell alumnus, Michiyuki Uenohara, now a managing director of Nippon Electric. The roster of light-wave specialists at Japanese companies is studded with scientists who studied or worked at U.S. research facilities.

However, a Hitachi official, who asked not to be identified, credited the company's success primarily to the "free flow of information" among the 2,000 engineers at the firm's research laboratory on the outskirts of Tokyo.

"Anyone who wants to consult colleagues or form a discussion group on a new idea can immediately pinpoint people and exchange information. This contrasts with the United States where engineers tend to feel technologies they've developed are their own personal property and are likely to keep [blueprints] locked away . . . ," he said.

HITACHI GETS CREDIT FOR LASER INITIATIVE

"At Hitachi, these things are not the assets of each individual or each team but of the whole company. . . . The researchers who were working on this [communications laser] field felt keenly that the product was something that had to be developed," he said.

Laser experts give Hitachi full credit for initiative.

"The Japanese have taken the open technology from the United States and have done a rapid, government-funded development to the point where they are in production and we are having a hell of a time keeping up," said Kenneth Nill, vice president of Lasertron, a small Massachusetts laser company founded in 1981 by three scientists from Lincoln Laboratories. "They are fine-tuning, producing faster and more reliable stuff."

In the United States "there is always a missing connection between the laboratory and production," General Optronics President Hwang said. "It's basically an organizational problem, not that we can't compete with the Japanese."

Bell officials respond that the United States is still far from being out of the laser race. Western Electric produces the 0.8-micron lasers used in the first light-wave telephone link between Washington and New York City and it is gearing up to turn out 1.3-micron devices at a plant in Reading, Pa.

Several weeks ago, Bell also announced the successful test of a "secret weapon" in the communications laser battle. Called a "cleved coupled cavity (C-cubed) laser," it has transmitted 420 million bits of information over an 80-mile-long fiber-optic line without error.

"It's an extremely significant development," Bell patent attorney George Indig said. "We may have made the breakthrough. It appears to be the most practical way to transmit light waves error-free."

The "C-cubed" machine is a pair of tiny lasers that operate in tandem on a chip to emit a light wave on a single frequency. The advantage of the single frequency is that receivers do not have to unscramble various lightwave signals emitted by different parts of the light spectrum, as they do in the case of light from other existing lasers.

"We're very excited," Indig said.

However, Bell officials note that the development essentially is a conceptual one that others can follow. The manufacturing technology is not radically different from the one in which Hitachi now seems to lead.

"It doesn't mean that the Japanese won't exploit this idea and turn out these lasers before we do," Indig said.

(Staff writers Tracy Dahlby in Tokyo and Hobart Rowen in Washington conducted interviews for this series. Staff researcher Carin Pratt contributed to the report.)

THE GLASS MAKERS' STANDOFF

Turning glass into gold is a trick that Corning Glass Works has been performing for 131 years, but now there is another group of corporate alchemists on the block by the name of Furukawa, Sumitomo and Fujikura.

Those three companies are determined to gain a major share of the biggest new glass market since the invention of the light bulb: superpure Fiberglas communications cable, annual sales of which are projected to reach billions of dollars by 1990.

This has given rise to a battle of tactics pitting Corning against its Japanese rivals. Technology is at the root of the conflict.

Although Corning developed the first process for making the ultrapure glass fiber needed to transmit laser light waves, it has been thwarted in efforts to sell the fiber to Japan. At the same time, Corning has refused to license them to use Corning's patents to make fiber for sale here and has made known that any company selling fiber in this country must obtain a license or face a patent infringement suit.

The Corning process, called chemical vapor deposition (CVD), was invented in 1970. Heated gases were put into a chemical reaction with a revolving cylinder of quartz. This produced sooty deposits that were heated and drawn out from an extruder like

strands of warm taffy. The hair-thin strands of glass then were coated, cooled and wound on reels.

In 1974, Bell Laboratories announced a modified version of the Corning process. "There's no question that Bell publishing the details helped everybody all over the world," a Corning executive was to say later. While Corning was carefully guarding its invention, Bell licensed its patents widely.

This appears to have undercut Corning's efforts to preserve its technical lead. Furukawa and Fujikura, which are among the companies that have broad patent licenses from Bell, soon began using the Bell process. Bell officials estimate that half of the fiber being produced in Japan is made with it.

Meanwhile, Corning's efforts to sell its own glass fiber in Japan were thwarted.

When Corning attempted in the mid-1970s to sell its fiber to Nippon Telephone and Telegraph, Japan's public phone company, NTT advised Corning that it purchased communications equipment only from Japanese firms. NTT also refused to buy from a Japanese-American joint venture proposed by Corning.

Finally, in December, 1977, Corning licensed Furukawa to use its patents but only to make fiber for sale in Japan.

By this time, however, Sumitomo was ready with a process of its own. This development, industry sources said, was aimed at "getting Japan out from under the Corning patents."

Sumitomo was subsequently granted a U.S. patent for its invention, and Corning patent specialists acknowleged that it uses different manufacturing procedures than does Corning. However, Corning officials maintained that the Sumitomo process relies on knowhow developed by Corning in the 1970s in that it also uses the same materials and lays down a sooty deposit on the outside of a quartz rod.

Corning recently filed suit against Canada Wire and Cable, which bought fiber from Sumitomo, claiming that the imported fiber infringed on Corning's patents.

Japanese companies are also fighting Corning at home.

Corning's license agreements in Japan call for Japanese companies that use the invention to pay royalties to Corning. But one Corning official said, "I'm not aware of any royalties being paid." Although one Japanese patent has been issued to Corning, Japanese companies are challenging Corning's applications for several other patents.

Bell has had problems, too. Seven Japanese companies, including Furukawa and Fujikura, are opposing Bell's 8-year-old application for a Japanese patent.

In 1981, American Telephone & Telegraph was jolted when four of seven bids to install optical-transmission systems between New York City and Cambridge, Mass., came from Japanese companies. The low bidder was Fujitsu, but it was rejected in favor of Western Electric, the manufacturing arm of the Bell System and an AT&T subsidiary.

Corning executives plainly are in a mood to fight for what they view as their rightful share of a potentially huge worldwide market.

"The Japanese will target and protect until they no longer need to," Corning chairman James R. Houghton said. "Once they've driven out the competitors, they raise prices like everybody else. But we're fighting them on the patents. We're going to go down the cost curve with them and come out on top."—Dan Morgan

[From the Washington Post, May 4, 1983]

HIGH-TECH: LEAVING HOME—IS IT SHARING KNOW-HOW OR SELLING THE STORE?

(By Dan Morgan)

Some of the U.S. aircraft industry's most precious technologies are processes for using a new generation of strong, lightweight plastics to replace metal in airplane bodies.

But in 1980, the Defense Department turned aside Air Force concerns and decided to let Mitsubishi Heavy Industries learn some of the secrets for using materials in the speed brakes of F15 fighter-bombers being built by Mitsubishi in Japan.

The Navy and Air Force also have argued that computer software for the AIM9L Sidewinder missile carried by the F15 is too sensitive to share even with allies, because of the impact on U.S. security if Soviet spies obtained it.

But Defense authorized Raytheon to transfer AIM9L production data to Mitsubishi and a German-led consortium in Europe.

In the mid-1970s, NASA spent tens of millions of dollars developing the Quiet Short Haul Research Aircraft, an experimental plane that cycled its jet exhaust back across its wings for extra lift.

According to the White House Office of Science and Technology Policy, Japanese companies acquired NASA's public papers on the plane, including a Boeing report that was to be restricted to U.S. agencies. They used the papers to produce their own experimental, short-take-off plane.

Those incidents, all of which have enhanced the technical capability of an already expanding Japanese aircraft industry, are at the heart of a spreading controversy in Washington about whether the United States has given away information vital to its security and commercial competitiveness.

Under fire are liberal policies on sharing technology, during the Carter administration, which justified them by citing a need to help Japan attain its defense commitments.

In a study published in March 1982, the General Accounting Office said that the Carter administration's agreement of June 20, 1978, to allow Japan to build 100 U.S.-designed F15s for its Air Self Defense Force "supported Japan's strategy to develop a world-class aircraft industry."

A preliminary draft of a report by the president's Cabinet Council on Commerce and Trade contended that "[military] coproduction has had an adverse commercial effect for the United States in a number of cases."

One U.S. official put it far more bluntly:

"We've been using the crown jewels of technology to get a country, Japan, to defend itself even though that should be in its interest, and in the process we've undermined our own industrial base and taken work away from our own defense contractors. We've taken the view that turning the spigot of technology on to accommodate our allies was a price worth paying. It's been a dangerous and irrational policy."

GENEROSITY BEGETS COMPETITION

Japanese government officials and businessmen readily acknowledge using U.S. military co-production deals to help thrust Japan into the big leagues of the global commercial-aircraft industry, which has "significant technical influence on other industries," as one Japanese government report noted.

In the F15 case, the Air Self Defense Force is paying civilian defense contractors $1.8 billion more to acquire manufacturing processes and components needed to build 100 of the planes than it would have cost the Japenese military to buy them "off the shelf" in the United States.

Conflicting presures and views inside and outside the U.S. government are propelled by concerns beyond the monetary costs of a weapons system.

Diverse interests in the F15 case include the foreign policy and strategic goals of the State and Defense departments, defense contractors' desires to sell aircraft in Japan, the armed services' fears that critical technology could leak to the Soviet Union, Commerce Department fears about strengthening foreign commercial competitors and the U.S. special trade representative's doubts that this country is receiving enough technology in return.

"It gets very tricky," said Roger Winblade, manager of NASA's subsonic aircraft office. "Other countries have extensive research activities. If we were to be too heavy-handed in limiting what others could have, we could hurt ourselves. Technology is so international today that trying to compartmentalize it is very difficult. It's a very delicate balance."

In a sense, the conflicts inherent in controlling the flow of U.S. technology abroad are built into the confusing maze of scattered and often seemingly contradictory regulations and laws.

NASA's charter, for example, requires the agency "to provide for the widest practicable and appropriate dissemination of information concerning its activities," including large amounts of aerospace research and development useful to other countries.

The Commerce Department's National Technical Information Service annually distributes about 80,000 papers containing results of federally financed research. The service is available to foreign countries, including those in eastern Europe, and was available to the Soviet Union until February, 1980, when President Carter canceled the subscription in retaliation for the invasion of Afghanistan.

Commerce maintains a lengthy "commodity control list," composed of sensitive products and processes that could be used for either military or civilian purposes.

Under the law, companies exporting these products to some non-communist nations need a validated license in which they stipulate that equipment or production data will not be diverted to the Soviet Union.

The requirement excludes goods shipped to Canada, whch has at least 13 communist-owned but Canadian-chartered companies, some of which may be acquiring U.S. defense-related technology, according to a report of the White House science adviser.

U.S. LISTS "CRITICAL" TECHNOLOGIES

The Export Administration Act of 1978 tried to clarify this issue by requiring the executive branch to draft a list of "military critical" technologies. This exercise has proved far more complex than was foreseen, because it affects hundreds of companies.

The Pentagon's first attempt to draw up such a list in 1980 became a 700-page document that was highly classified on grounds that the list could provide a mountain of useful information to the Soviets. A National Academy of Science panel said it needed "drastic streamlining."

However, one of the most glaring technology "leaks" is acknowledged by Reagan administration officials to be the Pentagon's previous desire to provide large amounts of

technology to allies as an inducement to purchase U.S. weapons.

In return for buying a U.S. weapons system, foreign countries have been authorized by the Pentagon to build part of the system. That often involved acquiring from U.S. defense contractors the technical knowledge to produce very sophisticated equipment, including missiles and aircraft.

In 1975, the Ford administration signed an agreement with Great Britain waiving traditional "buy-national" requirements. Under the Carter program, such agreements were signed with other NATO allies to create "rationalization, standardization and interoperability" (RSI) of NATO equipment.

On June 29, 1978, Jean A. Caffiaux of the Electronic Institute Association warned a House Armed Services subcommittee that military co-production understandings being "secretly negotiated" by the Pentagon "may have the effect of committing U.S. industry to deals that are unwise, unfair and could require the surrender of technology to foreign competitors without adequate compensation or safeguards."

Former associates decribe William J. Perry, then Undersecretary of Defense for research and engineering, as a fervent advocate of sharing technology to promote the "inter-operability" of allied military equipment. On Nov. 10, 1978, for example, he wrote a memo complaining that the program lacked "full effectiveness" because of the "inability of [foreign] countries to gain access to . . . technical data relating to acquisition programs."

On March 5, 1980, a Defense Department directive advised that Pentagon agencies "shall encourage the transfer of technology" to allies and should "foster an early mutual exchange of technological and other information with NATO allies to promote the development and adoption of standardized or inter-operable weapons systems."

"The Defense Department was put in a position of fearing to defend critical technology," a Pentagon source said.

One side effect of these Carter administration policies toward NATO was to encourage an aggressive Japanese push for some of the same access that Europeans were getting.

Perry, now with the San Francisco venture capital investment company of Hambrecht & Quist, declined to be interviewed for this series. The Pentagon has denied, on national security grounds, repeated requests by The Washington Post over a four-month period to examine the Japan-U.S. F15 agreement, the report of the Military Information Disclosure Policy Committee that evaluated Japan's ability to keep top technology secrets, or any other documents connected with the deal.

Privately, however, The Post was told that a major reason for the denial was concern that such information could embarrass the Japanese government, which is facing domestic criticism for its planned arms buildup.

F15 PROGRAM CAUSED TENSION

From the beginning, the F15 program aroused sensitivities on both sides of the Pacific.

Soon after the June, 1978, "memorandum of understanding," Air Force specialists at the Pentagon and Wright-Patterson Field in Dayton, Ohio, drew up an extremely detailed list of technologies considered too sensitive to be transferred to Japan because of the danger to U.S. security if they fell into Soviet hands.

Nicknamed the "negative list," it was obtained somehow by officials at Japan's Ministry of Defense, according to V Garber, who worked for Perry as director of international programs.

Garber said the list apparently was passed to the Japanese by someone at the Defense Security Assistance Agency. In any case, he said, when he and Perry traveled to Japan in late 1978 they were greeted with "indignant demands" that restricted F15 technologies be released. Japanese officials argued forcefully that without these technologies it would be difficult for them to make repairs, Garber said.

Garber, now at NATO headquarters in Brussels, said in a telephone interview that it was "most unfortunate" that the Japanese obtained the detailed list. But once they acquired it, it was deemed necessary to soothe ruffled feelings.

"I told the Air Force what the Japanese demands were and asked them to review the list now that we had a more unhappy situation vis a vis Japan," he said.

Garber denies that "Perry or I overrode the Air Force," but Air Force sources remember this as a time of extreme pressure from Perry, Garber and the Japanese.

"The RSI banner was waving, and the bugles were blowing," one Air Force officer said later.

FIRMS CLEARED FOR LICENSING

Air Force sources are also critical of the failure by Perry and Garber to establish a ceiling on what amount of the plane could be built by Japanese companies, thus departing from procedure followed in the European F-16 co-production program. According to McDonnell Douglas work done in Japan accounts for more than half of the value of the Japanese F15s.

The absence of a ceiling cleared the way for a massive flow of military technology to Japan.

Virtually every big name in U.S defense contracting was cleared after 1977 to license designs and manufacturing processes to Japanese companies in connection with military co-production. They included United Technologies, Honeywell, TRW, Rockwell, Texas Instruments, Goodyear Aerospace, Litten, Teledyne, General Electric, Itek, Motorola, Raytheon and Sperry.

Although the Air Force prevailed in opposing release of such highly sensitive technologies as design criteria for the gyroaccelerometer in the inertial navigation system—adaptable, the Air Force said, to ballistic missiles—it failed in trying to keep some of McDonnell Douglas's composite materials know-how out of the hands of Mitsubishi, the F15 program's prime contractor.

"Composite materials," a family of strong plastics that includes Fiberglas, kevlar and carbon-graphite fibers, have begun to revolutionize the aircraft industry.

Although aircraft designers still are learning how to exploit these materials, they soon are expected to extend the range of planes and missiles, add thousands of hours to the flying life of jet fighter-bombers, make possible exotic new airplanes and helicopter designs, save fuel and resist radar detection.

Although only about 3 percent of the weight of Boeing's new jetliners is made of composites, the company estimates that this could rise to a "minimum" of 65 percent by the year 2000.

Japanese companies are considered the leading producers of these materials, but U.S. aircraft companies are ahead in the critical technology: knowledge of the properties, bonding techniques and applications.

"The materials are common to the industry," a Boeing executive said. "It's how you use them that makes the difference."

According to military sources, the Japanese military was adamant about obtaining McDonnell Douglas' designs and procedures for building the F15 speed brake out of carbon composites. The Air Force, citing the company's "highly perishable" lead, was opposed. So strong was the Air Force's opposition that it was not until early 1981, more than two years after the F15 deal was approved, that the government finaliy authorized release of the technology.

Japanese executives acknowledge that this technology has been valuable to Japan's commercial aircraft industry. In an interview with The Wall Street Journal published last Nov. 26, Mitsubishi Heavy's chief engineer, Akira Ikeda, said his company's F15 work was teaching it "many things" about composites useful in future airliners.

Ikeda also noted that wing-bolting techniques and rubber fuel tanks on his company's Diamond One business jet, now being sold in the United States, were developed as a result of previous military coproduction projects.

SECURITY RAISED CONCERNS

The Air Force's concern about the security implications of the F15 deal increased in late 1978, when Koku Journal, a Japanese aviation magazine, published a 200-page special edition on the F15 that included dozens of color photographs, charts and diagrams. The publication sparked a brief investigation by the Air Force's Office of Special Investigations, which concluded that the information had come from "technical orders" furnished by McDonnell Douglas and the Commerce Department.

The difficulty of separating military and civilian programs is evident at Japan's main aircraft works in Nagoya, where civilian and military programs proceed side by side. A Nagoya-based aircraft consortium that includes the F15 prime contractor, Mitsubishi, is at work on a major commercial project, building fuselage parts for Boeing's new 767 jetliner.

Public and private officials involved in the F15 program nevertheless question whether any unduly sensitive technologies were in fact transferred to Japan in the pressure of the moment.

Garber, who recalls the differences of view with the Air Force over releasing composites, says that in retrospect he does not believe the decision to share the know-how was "really regrettable—it wasn't the latest technology."

McDonnell Douglas spokesman Timothy J. Beecher said the company was on the sidelines for the decision on composites.

"It was between the two governments," he said. "But we think it's valid to ask the people who made the decisions whether countries involved could not have obtained those technologies elsewhere."

By the time the carbon fiber technology was released to Mitsubishi, be noted, the commercial aircraft consortium in Nagoya was making landing gear and wing edges for the Boeing 767 out of composites and using procedures supplied by Boeing.

A Boeing official acknowledged that, under the commercial program, the Japanese are using Boeing specifications and design information for the plastic composite

kevlar but not for carbon fibers, considered more advanced.

"The Japanese would have loved to have had all our fancy computer programs on how we put wings together," said H. O. Withington, Boeing's vice president for engineering. "But we guarded that pretty carefully. As far as giving away the store, I don't think we've ever given anything that wasn't available to anybody who wants to take the trouble to do it."

IMPACT OF CO-PRODUCTION STUDIED

Under the Reagan administration, concern about U.S. technology losses has increased dramatically. The impact of co-production programs is being studied by NASA, the Treasury Department, the Defense Science Board, the president's Cabinet Council on Commerce and Trade and the White House Office of Science and Technology.

Some aircraft specialists suggest that the debate over U.S. technical aid to Japan's airframe industry may be overtaken by developments that have made more technology sharing inevitable in the global aircraft business. It now seems likely that a Japanese consortium will become a full partner later in this decade with either Boeing, McDonnell Douglas or Europe's Airbus in building the next-generation jetliner, a fuel-efficient 150-seater.

Despite the massive flow of military technology to Japan, the U.S. government has not gained assurances from the Japanese government that specific technologies will be released to U.S. defense contractors in return.

Japanese officials have pointed out that Japanese law prohibits export of defense equipment—a broad category that could include many processes and materials if the Japanese wanted it to.

But Stephen Piper of the special trade representative's office says Japan "should not hide behind a weapons export ban . . . If we tried, we could identify basic Japanese technologies which are basic to us."

(Staff writers Tracy Dahlby in Tokyo and Hobart Rowen in Washington conducted interviews for this series. Staff researcher Carin Pratt contributed to the report.)

[From the Washington Post, May 5, 1983]

HIGH-TECH: LEAVING HOME—U.S. SELLS "CROWN JEWELS" OF KNOWLEDGE

(By Dan Morgan)

During the last decade, dozens of Japanese companies have bought some of the most powerful tools created by American technology: software programs revolutionizing the way industry uses computers.

Companies such as Yokogawa Electric, Fujitsu, Fuji Heavy Industries and Mitsubishi have U.S.-developed "source codes" for new computer systems used to design, test and manufacture computer chips, automobiles and aircraft.

Source codes are programs that tell computers what to do. Written in languages that humans can understand, they reveal the logic and mathematics underlying the systems. One computer company executive calls them "the crown jewels of American technology."

Some Americans say they see nothing amiss in the fact that U.S. companies have sold this knowledge to Japan. A world in which the flow of ideas and knowledge is restricted would be one of slow growth and costlier products, they say.

"You can talk about limiting the flow of technology, the flow of knowledge. But it's hard to dam up knowledge in a society like the United States," Assistant Secretary of Commerce Clyde Prestowitz said.

The United States has won its standing in the world by throwing open its research laboratories, universities and corporations to foreigners. About 300,000 foreign students, eight times as many as in 1954, are enrolled in U.S. colleges and universities. Ninety-one Japanese were graduate students at the Massachusetts Institute of Technology last fall, and more than 100 are working at the National Institutes of Health.

This openness has contributed enormously to U.S. prosperity. But Japan's acquisition of such crucial technologies as U.S. software data still makes some people uneasy. Computer software is one of America's main technological assets, and one of the few technological domains in which the United States still enjoys a commanding lead over Japan.

"When push comes to shove, America had better keep its software capabilities," said William O. Baker, retired president of Bell Laboratories, America's largest private research facility. "Software is going to be the principal means of technology transfer in the '80s. It's our ace in the hole. Software can give competitors the ability to leapfrog us."

Software programs written for the latest generation of computer-aided design and manufacturing (CAD/CAM) systems have revolutionized the role of computers in industry, moving them from the financial and accounting departments into the front line of design, engineering and production.

With the present line of computer graphics systems, a draftsman can display his drawings in three dimensions on a television screen, reshape them in a fraction of a second, insert additional pieces from a "menu" stored in the computer's memory, measure the length of lines, turn the product to inspect it from every angle and test it for strength and durability—all before a single blueprint has been drawn on paper.

Computer companies are working on ways to link the draftsman's electronic work board with the factory floor, by having the same computer control the path of cutting tools or the movement of assembly-line robots.

"It's the highest industry, I think, because it's seminal," a computer executive said. "There isn't a Fortune 1000 company that hasn't made a major commitment to this technology. There are more damn people doing designs and engineering on computers now than there are accountants cracking numbers."

Today, engineers are cutting thousands of man hours off the time required to design or redesign airplanes, integrated circuits, nuclear weapons and toys, among other products. Boeing, for example, designed 30 percent of its 747 aircraft and 40 percent of its new 757 on computers.

Underlying new CAD/CAM systems are millions of lines of programs, often requiring teams of people working thousands of hours. Some inside the growing CAD industry are concerned that Japanese companies, skillfully exploiting stiff competition among the growing number of U.S. CAD companies, have gained threshold knowledge of this technology, as well as ready access to the tool itself.

"I am concerned about how much they're learning from us," said William D. Beeby, who recently retired as Boeing's director of engineering computer systems.

Japanese computer-chip companies used U.S. CAD systems to design memory chips that put them ahead of their U.S. competitors in the late 1970s, and a consortium of Japanese aircraft companies is using U.S. CAD systems to help them become major players in the commercial airliner business.

TRANSFER TAKES PLACE GRADUALLY

Transfer of this technology to Japan has occurred over several years. For instance:

In 1974, a Bedford, Mass., company called Computervision began distributing its Computer Automated Design Drafting System-3, or CADDS-3, through a Tokyo distributor with access to the CADDS-3 source code. CADDS-3 displayed three-dimensional pictures and was considered by some the most advanced system of the time.

It was subsequently purchased by dozens of Japanese companies, including Mitsubishi, Toyota, Nissan Motors and Sanyo. According to a Computervision executive, customers could obtain the CADDS-3 source code by signing a written pledge not to divulge it.

In December, 1978, Lockheed licensed Fuji Heavy Industries, one of the major Japanese aircraft companies, to use Lockheed's "Cadam" computer design system. The license agreement gave Fuji access to the Cadam source code.

In 1979, Gerber Scientific Systems Technology of Hartford, Conn., signed an agreement with Yokogawa Electric Co., giving the Japanese company all of the source codes and technical data for its CAD system, as well as exclusive manufacturing rights in Japan, Singapore and South Korea.

The path of CAD from the minds of American computer scientists to Japanese companies is an example of how knowledge spreads in today's international economy.

Some of the initial work on computer graphics was done in the early 1960s by Ivan Sutherland, who, as an MIT graduate student, developed concepts for programming computers to portray a draftsman's lines, circles and shapes.

His program, called "Sketch Pad," was ahead of its time. Computers functioned too slowly and lacked storage capacity to handle complex programs required in such graphic display.

By the late 1960s, however, hardware developments that gave the industry better disc drives and display terminals created new opportunities for using computers in the production end of business.

Many credit a maverick genius, Patrick J. Hanratty, with developing the first true commercial CAD software programs.

Hanratty got his first taste of computers at a two-week training program in 1955. After three days, he recalled, "I felt I had learned all I could and had ideas my instructor didn't seem to have about how to talk to computers."

Over the next 17 years, he left his mark as a writer of software at General Motors Research Laboratory, McDonnell Douglas and finally at his own company, MCS, often putting in 80- to 100-hour work weeks.

Bits and pieces of his work can be found in the software programs of most CAD companies.

In 1971, soon after starting MCS, Hanratty and his associates produced "Adam," a software program that was to have widespread influence. "Adam really opened some eyes," Boeing's Beeby recalled.

Adam could create three-dimensional pictures, print out blueprints and drawings of what was displayed on the computer screen and create a tape that controlled tools to

cut and fabricate shapes on the screen. In the next several years, MCS licensed Adam to companies developing and selling their own CAD/CAM systems: Gerber Systems, Computervision and United Computing.

Hanratty's easygoing licensing procedure involved in litigation with clients who complained that they alone had exclusive rights to Adam. The litigation eventually was dropped, but the licensing resulted in rapid spread of ideas underlying Hanratty's conceptual breakthroughs. Ultimately, Computervision, Gerber and McDonnell Douglas (which acquired United Computing) licensed CAD/CAM systems to Japanese firms. [See accompanying chart]

Today, Hanratty sells his newest creation, the ANVIL 4000 CAD/CAM system, to about 20 Japanese companies, and has adapted its control console to the Japanese Kanji alphabet. Japanese computer scientists troop to MCS headquarters in Irvine, Calif., to be trained.

Hanratty said he provides customers with source codes but is not concerned that Japan will use this information to narrow the American lead in software. All of his clients, he said, "enter into a stringent legal contract not to divulge it without MCS' permission."

In any case, he said, "our code is so mammoth that you couldn't duplicate it . . . . It takes two or three years for our own people to develop an understanding of it, and they are the cream of the electronics industry. I think it would be close to impossible for anybody to understand the full span of Anvil 4000 today."

Others are more uneasy.

Japan is trying to overcome its software shortcomings by educating more computer scientists, encouraging small, American-style "software factories" and emphasizing the need to do better.

Some U.S. companies are concerned enough about transfer of proprietary knowledge that they refuse to provide Japanese firms with source codes. Calma, Applicon and Intergraph, three leading U.S. CAD/CAM companies, provide only "object code," a computer program virtually indecipherable by humans.

Object code is created when source code comprehensible to computer programmers is translated into a stream of "ons" and "offs" stored on a tape or disc and sensible only to a machine.

Some in the industry have questioned Gerber's sale of its entire "IDS" CAD/CAM system to Yokogawa Electric in 1979. The sale included not only source codes but also other technical information. Gerber received a $1 million initial payment, a promise of a percentage of net sales and pretax profits and a guarantee of a second $1 million within five years. But some in the industry say Gerber gave up to much for too little.

Computervision turned down Yokogawa's request for a similar deal.

"It opened up a whole bunch of technology to them and gave them freedom to use it that nobody else had," said John Hurd, Computervision's vice president for industrial marketing. "We didn't want to give up the family jewels."

Of the Gerber deal, another former Computervision executive, Michael J. Cronin, said: "They were giving away the keys to the kingdom."

Some in the computer industry also questioned Lockheed's licensing Dec. 14, 1978, of source code for its Cadam graphics systems to Fuji Heavy Industry.

Cadam had been developed by Lockheed over several years to increase its aircraft productivity. But when Lockheed's air-production problems mounted in the 1970s, special high-technology divisions were counted on to generate profits.

Lockheed eventually sold the Cadam system throughout the world, including to competitors such as Dassault in France, one of the leading companies in the European Airbus consortium. Japanese customers eventually included Fuji, Hitachi, Kawasaki, Mitsubishi and Nippon Steel.

Although Mitsubishi and Kawasaki did not receive the Cadam source code, Fuji had it from late 1978, Fuji was a member, with Mitsubishi and Kawasaki, in a consortium that forms the nucleus of Japan's budding aircraft industry.

Explaining the 1978 decision, a spokesman for Lockheed's computer graphics subsidiary said: "Lockheed is not one company. [This subsidiary] sells software. What we did was not tied to the strategic position of the [Lockheed] corporation. We were just doing our thing."

LOCKHEED REVERSES POLICY

The spokesman said that, if the Japanese had not obtained Cadam, they could have obtained other non-American systems, such as Britain's Medusa or France's Catia. "It was just a matter of time before they would have gotten it from somebody else," the spokesman said.

Nevertheless, on Jan. 1, 1982, Lockheed announced that it would no longer provide source code with the systems it sold or licensed.

Cadam, meanwhile, has proved useful to Japan's commercial aircraft effort. It was used, for example, in Japanese work on parts of Boeing's 767 commercial airliner built under a co-production arrangement.

"We turned over the drawings to the Japanese, they digitized the geometry and put it on their Cadam system," said Marvin Wehrman, director of Boeing's computer programs. The Japanese completed their part of the design work using Cadam, Wehrman said, and the results dovetailed perfectly with Boeing's.

The cooperation worked well but raised several questions.

As required by Boeing's contract with the Japanese consortium, Wehrman said, the Japanese returned the drawings after completing the work. But, he said, they retained the electronic tapes that activated CAD pictures of parts of the Boeing plane.

Beeby, now retired from Boeing, said Japanese engineers expressed keen interest in Boeing's CAD programs.

"After the engineers left, their top management came back and looked at the system," Beeby recalled. "They were a major subcontractor. We couldn't very well shut them off."

Some, including Computervision's Hurd, even question whether the United States is very far ahead. "I find tough competition in Japan," he said.

In typical Japanese fashion, Japanese companies have begun to penetrate a few, selected parts of the market.

Typical of the new breed of entrepeneurial, American-style CAD companies making their debut in Japan is Zuken, founded by Makoto Kaneko, 38, a computer expert. Sales increased from $450,000 in 1978 to $10 million in 1982, mainly on CAD systems for designing electronics systems and computers.

Marketing director Akihiko Mizukami sees a bright future. Computers soon will be required to design computers, and Zuken is preparing for that day, he said.

(Staff writers Tracy Dahlby in Tokyo and Hobart Rowen in Washington conducted interviews for this series. Staff researcher Carin Pratt contributed to the report.)

MADE IN AMERICA, SOLD IN JAPAN

Even before he had seen a recent article about himself in Venture Capital Journal, John B. Henry, president of Crop Genetics International in Dorsey, Md., began receiving telephone calls from Japanese businessmen interested in a possible joint venture in Southeast Asia.

Such offers are extremely tempting for small, innovative U.S. genetic engineering companies working on new products and medicines ranging from the laboratory-produced sugar cane seed of Crop Genetics to the interferons of Biogen and Genentech.

With many of these products still several years from the marketplace, pioneering U.S. genetic engineering firms need money to continue research and testing. Japanese companies are providing plenty of it in return for technology, exclusive marketing rights for future products and other concessions.

Why Japanese companies, rather than U.S. financial centers or pharmaceutical firms, are putting up the money and positioning themselves for the profits is a riddle that provides insights into pressures driving the technology trade between the two countries.

In the late 1970s, adventurous U.S. and foreign investors poured money into new companies formed by scientists who had been working on the recombinant DNA (gene splicing) technology at such centers as Harvard, Massachusetts Institute of Technology, Stanford, the National Institutes of Health and the University of California at Berkeley and San Francisco.

There was great excitement about new laboratory-produced microbes that might increase crop yields, provide inexpensive new sources of energy and, most important, form a new family of drugs against hitherto resistant viruses and other diseases.

Now, however, investors have grown more cautious.

"A couple of years ago, any university professor with credentials could generate a seven-figure investment," said Thomas D. Kiley, vice president and general counsel of Genentech in South San Francisco. "Now investors are becoming more sophisticated."

In the U.S. system, Kiley said, running up too much debt by borrowing from banks is considered bad business. Even if banks agree to loan money, he said, rising debt drives down the price of stock, creates financial worries and makes it difficult to attract investors or qualified executives.

The way out, he said, is to do research for other companies for a fee or sell them technology in return for commissions from sale of products made with those technologies. "The trick is to do that without selling your birthright," Kiley said.

Making deals with larger U.S. pharmaceutical companies is extremely risky because it often can mean relinquishing the U.S. market to those companies when products are ready for the marketplace. Many biotechnology companies are cutting deals with Japanese firms instead.

For example, Genentech signed agreements with Toray Industries and Daiichi Seiyaku giving them exclusive rights to buy one type of interferon, gamma, for sale in

Japan. The Japanese companies pay Genentech while the U.S. firm continues its research, but Genentech retains control of technical processes for making the interferon, which scientists hope will be used to fight cancer and viruses.

However, Genentech could be forced to give Toray and Daiichi the technology if the Food and Drug Administration does not approve gamma for use in the United States. In that case, the product could not be exported, and Genentech has agreed to provide the gene splicing and process technology to the Japanese companies.

Other U.S. companies have made even broader concessions to the Japanese.

In 1981, for example, Genex of Rockville agreed with Green Cross Corp. of Osaka to perform research aimed at developing a microbe strain that can produce human serum albumin (HSA) in a laboratory.

Hospitals now use HSA to treat shock and a condition called hypoproteinemia, a protein deficiency in the blood. Because HSA is prepared from human donors' blood, it is expensive and sometimes scarce. Laboratory development of HSA using recombinant DNA technology could enable Genex to tap into a market worth $600 million a year.

However, Genex agreed to give Green Cross an exclusive worldwide license to "make, use and sell" all of the HSA eventually produced under the contract.

That Japan's efforts to acquire U.S. molecular biology technology are anything but haphazard is evident from the fact that Tokyo's Ministry of International Trade and Industry has picked 14 companies to lead a research effort. More than 100 Japanese companies and research institutes are spending about $217 million a year on research in biotechnology.

"America has unequaled capacity to develop and apply science, but our companies are competing with well-financed [foreign] corporations acting in partnership with their governments. . . . U.S. government, business and labor are running uphill," Genentech President Robert A. Swanson said.—Dan Morgan

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[From the Washington Post, May 6, 1983]

HIGH-TECH: LEAVING HOME—FOR INDUSTRIAL HEALTH, FIRST, A SELF-EXAMINATION

(By Dan Morgan)

In laboratory at Genentech, the south San Francisco genetic engineering company, bearded biologists in white gowns hover over trays of purple-colored cultures of interferon that someday may fight human viruses from colds to herpes.

Across the country, in Short Hills, N.J., Martin Lepselter of Bell Laboratory's advanced micro-electronics division proudly displays a snapshot of something that looks like a row of fences across a sandy desert. Actually, the picture shows parts of an electronic circuit narrower than a human hair, etched by an X-ray machine on a tiny silicon chip.

Reassuring as those glimpses of the nation's high-technology resources may be, they are not an automatic guarantee of America's economic future. As examples used in this series show, innovations produced in U.S. laboratories frequently have resulted in products made in Japan.

This phenomenon has evoked an angry reaction from U.S. politicians and the public.

Protectionist sentiment is running high on Capitol Hill, and Congress has taken up one of the most restrictive pieces of legislation since World War II: the "domestic content bill," which would require that foreign automobiles sold here include an arbitrarily established percentage of U.S. components.

The Reagan administration opposes the measure but has taken a tough approach in negotiations with Japan aimed at breaking down Japanese barriers to U.S. trade and investment.

"The time has come to act . . . We're already 10 years too late," said William C. Norris, the outspoken chairman of Control Data Corp., who has suggested "kicking out" all Japanese working in U.S. research facilities as a warning shot across Tokyo's bow.

Such suggestions are indicative of a mood of rising anger at Japan. Whether the steps contemplated so far will change the Japanese-American technological equation is moot.

Trade restrictions certainly would invite retaliation not only from Japan but also perhaps from countries such as France, where U.S. companies fare well. Moreover, in today's interconnected global economy, technology has become increasingly internationalized. Ideas travel with jet speed across borders, not only from America to Japan but also in return. Science is universal.

What distinguishes economies today often is not who is first with the technology but who first uses it effectively.

This is more than a technical problem. It involves organization, availability of capital and such subtle factors as motivation, determination and national will. These are not easily quantified or readily fitted into theories of "scientific management" that have prevailed in the United States since the 1950s.

Japanese companies already are shifting their strategies in anticipation of more antagonistic U.S. policies, forming joint ventures with U.S. companies and investing in U.S. industry.

But for the United States to think in terms of retaliation alone, warned Robert B. Reich of Harvard University's Kennedy School of Government, would be to miss an unprecedented opportunity for national self-examination. This is a process that he and other experts say must take place before American industry can return to full health.

The problem, as Reich sees it, is that politicians and their policies are lagging far behind changes reshaping the world economy.

As this series has suggested, the fragmented U.S. business community has often sold technology to Japan too cheaply and with too little consideration of its long-range impact on U.S. competitiveness. Washington has contributed to the problem by aggressively promoting sale of U.S. technology abroad as part of weapons co-production programs.

By contrast, Japan controls export of technologies developed with government support and is tightening copyright laws on computer software as Japanese industry improves its skills in this area.

But in talks with more than 150 businessmen, government officials, scientists, researchers and economists, many other explanations for flagging U.S. competitiveness were given. Prominent among them:

The U.S. research and development effort, the world's second largest after that of the Soviet Union, has suffered from its emphasis on defense. Half of all research and development dollars spent in America are from the federal government, and more than half of those are defense-related.

While much of the Defense Department's support for research on computers, microelectronics, lasers and aerospace has potential commerical spinoffs, the U.S. government lacks effective procedures for getting it quickly into commercial channels.

By contrast, Japan's New Technology Development Agency provides financial assistance to private firms to help them convert work done at government laboratories into products.

Big corporations and government alike tend to overemphasize research on basic science and underemphasize research on less exotic but important technologies. One example cited was robotics.

U.S. research stresses vision systems but, according to one senior executive, American robots are in urgent need of improved ability to grip objects, a mundane but crucial part of a robot's work. Although the payoff presumably would be enormous, no company has found a way to reduce drastically the time required to wash and dry clothing by machine.

In Japan, government-supported research and development often goes to less exotic "medium-tech" projects with immediate commercial potential. In the United States, "nobody wants to do the routine stuff," said Rustom Roy, a fellow at the Brookings Institution.

JAPAN HELPS WITH TRADITION OF COOPERATION

The federal government is "spending more but getting less" for its research dollars, according to S. J. Buchsbaum, Bell Labs' executive vice president for research. The more than 700 government research laboratories are "diffused" and lack well-defined goals. Materials research, which "underlies everything," is especially splintered, he said.

The United States does not pay enough attention to foreign technological developments. Only 20 percent of Japanese technical publications are translated into English, according to John A. Alic of Congress' Office of Technology Assessment.

"The [cooperative] Japanese system stands in stark contrast to the adversary relationship that typically prevails between U.S. industry and government," according to Washington consultants Harald B. Malmgren and Jack Baranson.

Robert M. Price, president of Control Data, said the most important difference between the two countries is "development of a Japanese tradition of cooperation in developing and exploiting base technolgies."

U.S. antitrust laws are ambiguous and outdated. Japan helps establish research cartels while seeing to it that companies compete vigorously in marketing products resulting from the research. But U.S. industrialists said U.S. antitrust laws make forming such research consortiums here risky.

Unlike Tokyo, Washington lacks "anti-cyclical" policies to keep emerging industries growing and developing during recessions. As a result, Japanese companies have been able to exploit periods of slack business activity to catch up with U.S. competitors squeezed for capital and customers during these periods.

With some notable exceptions, such as IBM, Texas Instruments and American Telephone & Telegraph, managements of large U.S. corporations pose major stumbling blocks to the exploitation of new technologies.

Prof. Leslie Eric Cross, acting director of the materials research laboratory at Pennsylvania State University, noted that large U.S. corporations often leave development of new technologies to smaller companies

"to which they can dictate terms." Large Japanese companies, however, are "technology driven," and take the lead in new areas.

"Takeover fever" and "paper entrepreneurialism" distract U.S. management from production problems, RCA announced in 1979 that it lacked the $200 million needed to develop an American video recorder, the fastest selling appliance of the decade. But in the same year it spent $1.2 billion to acquire a finance company.

Large U.S. corporations, which depend on the stock market to raise much of their capital, are much more concerned with impressing potential investors with short-term profits than are Japanese firms, which tend to borrow from banks with which they have close and longstanding associations.

The net result is that Japanese companies feel freer to spend capital on long-range goals, including development of new products.

U.S. corporate managements are more removed from the production process than are their Japanese counterparts. Until recently, Ford Motor Co. had five more layers of management between the factory floor and chairman of the board than Toyota had.

U.S. management has devoted fewer of its research and development efforts to quality control than has Japan, and Japanese quality has consistently been superior to that of America.

The U.S. public education system has fallen far behind Japan, West Germany and the Soviet Union in math and science preparation. Half of the engineering graduate students in the United States are foreigners because Americans either are not applying or are not qualified.

The American Association for the Advancement of Science has said that "far too many students . . . lack motivation to study science and mathematics" because of "boring" teaching and a school climate "unfavorable to the pursuit of excellence."

Whether all or some of these reasons can explain Japan's successes in its technology race with the United States, they suggest the myriad factors that influence it.

Much has been made of the government-industry cooperation that foreigners nickname "Japan Inc.," and there is no doubt that the Japanese government has made a difference.

Current government-backed efforts involving tax breaks, research funding and pooling of research information and other subsidies are underway in genetic engineering, automated manufacturing, superspeed computers, optical communication and measurement, manganese nodule exploitation and subsea oil exploration.

An example of how the Japanese government nudges an emerging industry forward was its establishment of Nihon Aeroplane Manufacturing Co., a special corporation. Government and private firms invested in NAMCO, but the government bore the main financial risk. NAMCO developed the 64-seat YS11 civilian plane, not a great success, but the work helped companies acquire experience.

Subsequently, Japan set up the Civil Transport Development Corp., a consortium of three large aircraft companies established to coordinate Japan's work in building part of Boeing's new 767 jetliner. However, at that point direct government financial support was reduced because the companies were deemed strong enough to shoulder more of the financial risk.

Meanwhile, Japan's Ministry of International Trade and Industry (MITI) has sponsored another consortium to enable the nation to be a 50-50 partner with Britain's Rolls-Royce in construction of a new turbo engine for the next generation of international airliner, the 150-seater.

Several experts warn against placing too much importance on the government role in Japan's success. The U.S. government pumps far more money into the American scientific and industrial community for research and development than does Japan. The Tokyo government supplies only 30 percent of the total of such funds in Japan, while Washington supplies more than 50 percent in this country.

Japan's success also clearly owes much to the ingenuity, determination and flexibility of private industry.

William J. Abernathy and Richard S. Rosenbloom of the Harvard Business School, who studied the way Japan captured the U.S. video recorder market, cited "the element of persistence" in Japanese companies.

Betamax, they noted, was the fourth generation of video recorder developed by Sony and the first that succeeded with U.S. consumers. With no assurance of success, Matsushita established an entire department of 1,200 employees to develop a video recorder for the commercial marketplace.

Little things, rather than big, often make a crucial difference, according to Americans who have studied Japanese industry.

Toyota and other auto makers save warehouse space and cash by using a "just-in-time" delivery system for components. Parts arrive only when they are ready to be installed, sometimes with less than an hour to spare. Working with tiny inventories, the auto makers can adjust quickly to ups and downs of demand.

In at least one key technological area, auto design methods, the United States is superior to Japan, according to a detailed comparison published last August by Japan's Society of Science, Technology and Economics.

While Congress' Office of Technology Assessment does not discount the importance of Japan's lower wage rates in the auto makers' success, it said recently that another key element was the Japanese refusal "to quit the American market when their first offerings proved unappealing; they persisted and steadily improved their sales."

U.S. businessmen speak almost with awe of the speed with which Japanese companies master new technologies and make high-quality products.

"Every time they do something, they do it better [than the last time]," said former Boeing vice president William Beeby, who worked on development of the Boeing 767, parts of which are manufactured in Japan. "The quality coming back [from Japan] is better. We saw that."

"The Japanese have been organized to tap the pool of science in this country," said Dan Burg of Carnegie-Mellon university. "They send teams hear, and it's done in an organized fashion. They'll send post-doctoral students to spend time at our locations, but its rare for U.S. students to go to a Japanese university."

Whether the United States should, or could, respond to the Japanese challenge by adopting some of Japan's methods is an open question among politicians, industrialists and economic experts.

The Office of Technology Assessment has described the fragmented U.S. industrial policy as a "potential strength."

"Our pluralistic system, which is responsible for so much of the ad hoc character of U.S. policies toward industry, creates an environment where flexible and innovative responses are sometimes possible," the OTA said.

Nevertheless, there is a growing sense in industry and academia that government needs to provide more consistent direction.

WASHINGTON HINDERS WITH STOP-AND-GO POLICIES

An example of Washington's stop-and-go tendencies are Reagan administration proposals to curtail energy research just as it has made progress after the 1973-74 oil-price scare.

"Science isn't run on a six-month basis," Brookings' Roy said. "You have to wait 10 years for results."

While the Japanese ministry has announced a seven-year, $140 million research effort involving 10 private companies to develop "intelligent" robots capable of assembling dozens of different products, including an entire automobile, the U.S. government's main robotics research program, at Wright-Patterson Air Force Base in Dayton, is geared primarily to making defense contractors more efficient.

"U.S. industrial policy is a mess," a congressional aide said. "It doesn't add up. It's little bits and pieces. The political element is always dominant here. The kind of political system we have just isn't conducive to coherent policies."

There are, however, some signs of change. The Reagan administration has given other indications of its readiness to consider new approaches.

In a highly significant move, the Justice Department's Antitrust Division has allowed 10 competing U.S. computer companies to establish a joint research company, Microelectronics and Computer Technology Corp. No Japanese companies are members, and Japanese firms seeking access to MCC's technologies must deal with the consortium, not a single company.

Some have described this project as "America Inc."

In 1981, Congress passed the research and development tax credit, enabling companies to accelerate their depreciation on R&D equipment. It is credited with spurring a dramatic increase in the amount invested in new, "high-tech" ventures, from $58 million in 1978 to $1.7 billion in 1982. And California, under then-Gov. Edmund G. (Jerry) Brown Jr., established the first Commission on Industrial Innovation to recommend state policies that would help "high-tech" industries.

These steps have the advantage of not requiring a political confrontation with Japan. For, in the heat of the present, it is easy to forget that Japan is actually a great American success story.

It has reached its position of near technological parity through American aid, open market and technical prowess. Now, Japan is forcing the United States to take stock of its own economic performance and is becoming a teacher to its own postwar teacher.

But, as Undersecretary of Commerce Lionel H. Olmer has said, "Japan is not yet a technological giant."

The United States is still bigger and richer. Japan's labor productivity, the measure of the man-hours required to turn out products of a certain value and indirectly a measure of technological prowess, still lags behind that of the United States, although the difference is narrowing and Japan is an equal or ahead in some key industries such as automobiles.

The $15 billion spent by Japan annually on civilian research and development is only half the amount spent by the United States. The Japanese government's annual spending for research on supercomputers is less than that of IBM.

Japan's vaunted system of national planning is not infallible. It has made serious miscalculations, such as promoting growth of an aluminum industry now on the brink of bankruptcy.

Some even think that Japan's success in international trade may be exposing its companies to forces that will weaken its society's traditional discipline and unity of purpose that has characterized Japanese industry.

"The rapid evolution of Japan's economy toward the creation of a 'knowledge intensive' society carries with it enormous potential opportunities," Olmer said, ". . . The technological race does not need to be a zero sum game. Both sides can win, and the results will be of enormous benefit to all."

(Staff writers Tracy Dahlby in Tokyo and Hobart Rowen in Washington conducted interviews for this series. Staff researcher Carin Pratt contributed to the report.)●

PROGRAM

Mr. BAKER. Mr. President, on Monday next, the Senate will convene at noon. After the recognition of the two leaders under the standing order, there will be a period for the transaction of routine morning business as previously ordered. At the expiration of the time provided for the transaction of routine morning business, the Senate will resume consideration of the budget resolution, which is Senate Concurrent Resolution 27. At that time, Mr. President, I assume that the Nunn amendment will be the pending question before the Senate, although at the time we left this measure this afternoon the Domenici substitute was pending.

I say that because it is my understanding that the two managers of the bill want to dispose of the Nunn amendment before they proceed with the debate and disposition of the Domenici substitute. In any event, no provision has yet been made for that.

I make these remarks only to forewarn Senators of the problem and configuration of events when we resume consideration of this measure on Monday.

Mr. BYRD. Mr. President, if the majority leader will yield, his statement is in accordance with my understanding. It would be my hope that we could proceed with the Nunn amendment.

Mr. BAKER. I thank the Senator.

Mr. President, under the order previously entered, any votes that are ordered on Monday will be stacked to occur on Tuesday at a time certain.

Mr. President, on Monday, depending on the progress we make in the disposition of amendments and depending on how many votes we have scheduled, the leadership on this side will make a further announcement about the schedule of the Senate next week. I do expect, however, that next week will be a busy week. We have to complete the budget resolution and then proceed with the immigration bill in sequence, which has already been ordered, and perhaps then go to the Ruckelshaus nomination, if there is time. That will indeed give us a full schedule.

ADJOURNMENT UNTIL MONDAY, MAY 9, 1983

Mr. BAKER. Mr. President, I have nothing further to ask the Senate to consider today. I inquire of the minority leader if he has anything further.

Mr. BYRD. I thank the distinguished majority leader. There is nothing on this side of the aisle that I know about that needs to be done today.

Mr. BAKER. I thank the Senator.

In view of that, Mr. President, I move, in accordance with the order previously entered, that the Senate stand in adjournment until 12 noon on Monday next.

The motion was agreed to, and the Senate, at 3:06 p.m., adjourned until Monday, May 9, 1983, at 12 noon.

CONFIRMATIONS

Executive nominations confirmed by the Senate May 6, 1983:

DEPARTMENT OF ENERGY

Theodore J. Garrish, of Virginia, to be General Counsel of the Department of Energy.

The above nomination was approved subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

U.S. POSTAL SERVICE

John Lathrop Ryan, of Indiana, to be a Governor of the U.S. Postal Service for the remainder of the term expiring December 8, 1989.

SMALL BUSINESS ADMINISTRATION

Mary F. Wieseman, of Maryland, to be Inspector General, Small Business Administration.

MERIT SYSTEMS PROTECTION BOARD

Maria Lucia Johnson, of Alaska, to be a member of the Merit Systems Protection Board for the term of 7 years expiring March 1, 1990.

HOUSE OF REPRESENTATIVES—*Monday, May 9, 1983*

The House met at 12 o'clock noon.

The Chaplain, Rev. James David Ford, D.D., offered the following prayer:

O God of Justice and God of Peace, look with favor upon Your creation and the people who turn to You in prayer. May not the turmoil of the world lead to catastrophe nor the pain of individuals lead to despair, but may Your mighty power transcend our problems and may Your gracious love heal our wounds. Help us to realize that no problem is too great for You, O God, but through the nurture of Your spirit, our lives may know Your peace that passes all understanding. Amen.

THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Sparrow, one of its clerks, announced that the Senate had passed without amendment a joint resolution of the House of the following title:

H.J. Res. 219. Joint resolution declaring the support of the U.S. Government for efforts of the U.S. Soccer Federation to bring the World Cup to the United States in 1986, designating the Secretary of Commerce as the official representative of the U.S. Government to the Federation Internationale de Football Association, and for other purposes.

The message also announced that the Senate had passed a bill and joint resolutions of the following titles, in which the concurrence of the House is requested:

S. 287. An act to establish the Harry S Truman National Historic Site in the State of Missouri, and for other purposes;

S.J. Res. 67. Joint resolution to designate the week of September 25, 1983, through October 1, 1983, as "National Respiratory Therapy Week"; and

S.J. Res. 94. Joint resolution to authorize and request the President to designate May 8, 1983, to June 19, 1983, as "Family Reunion Month."

The message also announced that the Vice President, pursuant to the provisions of sections 1928(a)-1928(d) of title 22 of the United States Code, as amended, appointed Mr. ROTH, Mr. DENTON, Mr. MATTINGLY, Mr. MURKOWSKI, Mr. RUDMAN, Mr. SPECTER, Mr. EAGLETON, Mr. BENTSEN, Mr. MELCHER, Mr. DECONCINI, and Mr. DIXON, as members of the Senate Delegation to the North Atlantic Assembly Spring Meeting to be held in Copenhagen, Denmark, June 9-13, 1983.

The message also announced that the Vice President, pursuant to the provisions of Executive Order 12131, signed by the President on May 4, 1979, appointed Mr. BOSCHWITZ to the President's Export Council.

THE SAN DIEGO LIGHT RAIL TROLLEY PROJECT

(Mr. BATES asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BATES. Mr. Speaker, the San Diego Light Rail Trolley project has now been in operation for 20 months. Fare box recovery for trolley operations during the last quarter of 1982 was about 90 percent, resulting in an average fare box figure of 82 percent over the life of the system. This is remarkable. No other transit system in our Nation comes this close to self-sufficiency. In fact, the national trend is that fare box recovery rates are now declining below 50 percent almost everywhere.

In 1981, the San Diego Metropolitan Transit Development Board (MTDB) began its light rail transit service on time and under its construction budget. The cost of the south corridor project was about $5 million per mile. Ridership on the trolley line was about 10,300 passengers per day last year, except during the peak months of July and August when 14,000 passengers rode the system each day. These are not passengers who were robbed from the bus system. The trolley was established to ease overcrowding on buses and highways along the corridor. There is no doubt that the San Diego system is the best example of light rail technology in our Nation. It is practical, low cost, and efficient.

The MTDB is now ready to begin construction along its east corridor to serve the communities of El Cajon, La Mesa, and Lemon Grove. Present travel along this corridor is on heavily congested highways which carry approximately 270,000 vehicle trips per day. A light rail transit extension along this corridor is badly needed and can be constructed for less than $100 million, again at approximately $5 million per mile. There is enthusiastic community support for the development of this project. Local matching support funds for Federal financing are available and the MTDB already owns the entire right-of-way for this project.

I would hope that the Appropriations Committee and my colleagues would seriously consider the record of proven experience for extremely cost-efficient projects such as this when decisions are made for funding transit projects as authorized by the gas tax revenues in Public Law 97-424. In these days of scarce resources, we must be constantly alert to the highest potential for success in investing our country's tax dollars.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. Pursuant to the provisions of clause 5 of rule I, the Chair announces that he will postpone further proceedings today on each motion to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote is objected to under clause 4 of rule XV.

Such rollcall votes, if postponed, will be taken after debate has been concluded on all motions to suspend the rules.

CONGRESSIONAL AWARD ACT

Mr. MURPHY. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2357) to provide for an increase in the number of members of the Congressional Award Board, and for other purposes, as amended.

The Clerk read as follows:

H.R. 2357

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) subsection (a) of section 4 of the Congressional Award Act (Public Law 96-114; 2 U.S.C. 803(a)) is amended—

(1) by striking out "seventeen" in the matter preceding the colon in paragraph (1) and inserting in lieu thereof "thirty-three";

(2) by striking out "Four" in clauses (A), (B), (C), and (D) of paragraph (1) and inserting in lieu thereof "Eight"; and

(3) by striking out "or the Committee for the Establishment and Promotion of the Congressional Award" in paragraph (2).

(b) Subsection (b) of section 4 of such Act (2 U.S.C. 803(b)) is amended—

(1) by striking out "Appointed" at the beginning of such subsection and inserting in lieu thereof "Except as provided in paragraph (2), appointed";

(2) by inserting at the end thereof the following new paragraph:

"(2) Individuals appointed to the Board after March 31, 1983, shall serve for terms of two years."; and

(3) by inserting "(1)" after "(b)", and by redesignating paragraphs (1), (2), and (3) as

subparagraphs (A), (B), and (C), respectively.

SEC. 2. Notwithstanding the provisions of section 4 of the Congressional Award Act (2 U.S.C. 803), relating to the terms of individuals appointed to the Congressional Award Board, the sixteen additional members to be appointed to the Board pursuant to the amendments made by the first section of this Act shall be appointed for terms as follows:

(1) Six members shall be appointed for terms of two years.

(2) Five members shall be appointed for terms of four years.

(3) Five members shall be appointed for terms of six years.

Thereafter such members shall be appointed for terms of two years.

The SPEAKER. Is a second demanded?

Mr. ERLENBORN. Mr. Speaker, I demand a second.

The SPEAKER. Without objection, a second will be considered as ordered.

There was no objection.

The SPEAKER. The gentleman from Pennsylvania (Mr. MURPHY) will be recognized for 20 minutes, and the gentleman from Illinois (Mr. ERLENBORN) will be recognized for 20 minutes.

The Chair recognizes the gentleman from Pennsylvania (Mr. MURPHY).

Mr. MURPHY. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, H.R. 2357, introduced by Congressman BOB MICHEL on March 24, provides for an increase in the number of members of the Congressional Award Board. An identical bill, S. 957, introduced by Senator BYRD of West Virginia, passed the full Senate unanimously by voice vote on March 24.

The Congressional Award Act, Public Law 96-114, developed by my distinguished colleague, PAUL SIMON, was enacted on November 16, 1979. Mr. SIMON's work on this bipartisan legislation has made it possible for young adults throughout our country to be recognized for their initiative and achievement in the areas of public service, personal development, and physical fitness.

The act establishes a Congressional Award Board to administer a congressional award program where young adults between the ages of 14 and 23 may receive a Congressional Medal for participation in voluntary activities by satisfying the standards of achievement established by the Board. H.R. 2357, the legislation before us today, would increase the number of members serving on the Board from 17 to 33. Board members, who are selected from the majority and minority leadership of the U.S. House of Representatives and the U.S. Senate, are leaders in business and community affairs throughout the country. The Board is privately funded and may seek funds only from sources other than the Federal Government. An increase in the size of the Board would further promote the program by encouraging more highly visible national recognition for youth who contribute to the betterment of their community through voluntarism and public service.

I strongly urge my colleagues to support this amendment before us today.

Mr. ERLENBORN. Mr. Speaker, I yield 3 minutes to the distinguished Republican leader, the gentleman from Illinois (Mr. MICHEL).

Mr. MICHEL. Mr. Speaker, let me first of all express appreciation to the committee for expediting action on this bill.

It is a noncontroversial measure which simply increases the size of the Congressional Award Board from 17 to 33 members. An identical bill passed the Senate on March 24.

The Congressional Award Act was passed in the 96th Congress. It seeks to establish an award system which recognizes young people for meritorious service and outstanding achievement. One might compare it in some respects to the YMCA and scouting programs.

To date, we have had only one program in operation under the act, a pilot program in Minnesota. The Minnesota delegation has been very supportive of the pilot program, and I understand it was worked out quite well.

The Congressional Award Board feels that the program is now ready to be extended on a nationwide basis, and the purpose of expanding the size of the board is thus to generate a broader spectrum of support, both geographically, programmatically, and with respect to funding.

I understand that the Board hopes to have congressional award programs in 20 congressional districts by the end of the year. A Congressional Award Council would be established in each district, with the Member of Congress serving as honorary chairman.

The council will set up the program in its district, establishing procedures by which young people can apply to participate in the program and be nominated for outstanding achievement. Both gold and bronze awards will be granted, with the ultimate goal being some 300 awards per district.

I believe this will prove to be a worthy program, and expanding the size of the Board will help us to broaden support and get it off the ground. There will be no cost to the Government. I urge support for the bill.

Mr. ERLENBORN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, you will recall we established the Congressional Award in the 96th Congress to recognize the initiative, achievement, and voluntary public service of young Americans through the awarding of special medals. Paying tribute to these young men and women in this way encourages them to use their time in a positive and productive way and should inspire other young people to follow the splendid example they set. The medal is earned after successful completion, within certain time limits, of an individualized, noncompetitive program in such areas as public service, physical and expedition fitness, or approved personal interest. The goals are to provide voluntary service to others and to the community, to develop personal interests, social, and employment skills—through apprenticeship programs, for example—and to improve personal health, fitness, and leadership skills.

The program is conducted under the auspices of a national board of directors appointed by the joint congressional leadership. By law, no Federal subsidies are permitted. This is a registered, tax-exempt charitable organization funded solely by private and corporate donations.

Mr. Speaker, what we seek to do here today by passage of H.R. 2357 is increase the size of the Congressional Awards Board from 17 to 34 members and change the term of service to 2 years. The bill was introduced by my esteemed colleague from Illinois, Mr. MICHEL, and has bipartisan support. An identical measure was approved by the other body in March.

At the present time, Board members are serving staggered 2-, 4-, and 6-year terms. The 16 additional, newly appointed members would serve staggered terms, but subsequent appointments would be for a term of 2 years. The Board members are appointed by the joint leadership of the Congress, as I have already said.

To date, the program has operated only in Minnesota. That State was selected to develop a 2-year pilot program prior to its expansion on a national basis. A number of our colleagues from Minnesota have been involved in the congressional award program and have praised its success.

The hope now is to interest other parts of the country in the program. The increase in Board membership is considered necessary to broaden representation for fundraising purposes, as well as to reach out to persons already working with young people to assist in development of this program. Passage of H.R. 2357 should help in obtaining broad private sector funding and support for the congressional awards.

I favor the bill and believe it provides for young people a good means of demonstrating and furthering the basic values of work, self-discipline, and voluntary services.

● Mr. WEBER. Mr. Speaker, it is a pleasure to speak on behalf of this bill and also the congressional awards program associated with it. I was privileged to be the first Member of Congress to present a congressional award.

That presentation took place at the Minnesota State Capitol in St. Paul on September 25, 1982. I was fortunate enough to be able to present 5 bronze and 7 silver awards to 12 young constituents from Willmar, Minn.

I strongly believe that awards such as these are needed to recognize the commitment of our youth to personal excellence and outstanding citizenship. The congressional award offers young men and women, and those who work with them, an opportunity to have their accomplishments property recognized here in Washington and in their own local communities.

The congressional awards program is especially significant because it offers this recognition, and highlights these accomplishments, at a time when young people are at a crossroads in their lives. The road they choose to travel can shape their futures, and our Nation's.

That we are considering this legislation shortly after the publication of the report of the National Commission on Excellence in Education is, I think, signficant. The congressional awards program offers young people a tangible reward for working both to help others, and to help themselves.

The congressional awards program seeks to impress upon our young men and women the importance of self-discipline, initiative, character, voluntarism and public service. At this time when many Americans have questioned the quality of today's youth, I believe these are important qualities to instill in the leaders of tomorrow, for their own good and for the good of our country.

I want to share with you an experience I had some time ago in conjunction with this program, an experience that filled me with enthusiasm for the awards program and for what program can do for America's youth.

I spoke at the Willmar Junior High School about this program. Normally, a junior high school age group is not noted for its attentiveness. But to my surprise, this group of young men and women was attentive, enthusiastic and respectful. They were genuinely interested in this program. There was not a hint of cynicism or apathy to be found in that room that day, and I was proud to be among those young people.

Today, we hear it said that there are no suitable role models for our young people, and that somehow today's youth lacks the dedication and drive and determination that typified earlier generations.

I do not buy that for a minute.

Today's youth is as capable and concerned and committed as any generation that preceded them. And where are the role models for today's young people? Right at the next desk in school, or in the same Boy Scout troop, or in the choir at church.

The congressional awards program reaffirms our confidence in the youth of today, but is also challenges them to do better, to give more of themselves, and to urge their friends to do the same.

As Members of Congress, we often hear about matters we do not deal with to the satisfaction of voters. Today, you will have an opportunity to support a program that will affect many lives in the years ahead. Each person touched by this awards program will be enriched as a result, be they the young people recognized for their community activities, the recipients of the services provided by those young people, or the adults who supervise the program.

Give our youth the tools they need to excel.

Support this program which operates strictly without Federal funds.

Let us truly be leaders in expanding this partnership between Congress, the private sector, and the American people.

Above all, allow our young people—and our Nation—to develop and grow to the full potential that we know they both have.

Thank you, Mr. Speaker.●

● Mr. STANGELAND. Mr. Speaker, today we are discussing the expansion of the congressional award program, which is just completing its first year in the pilot State of Minnesota. The congressional award program was sanctioned by Congress last year.

It is a program which challenges our young people to test their own limits. Young men and women who accept this challenge set their own goals in: Community service, physical fitness, exploration and expedition, and personal interests.

At the end of their self-test period, their accomplishments are measured against their original goals. By testing and improving themselves, these young people are improving America.

The program also involves the rest of the community. Teachers, ministers, business leaders, adult sponsors—the entire community gets wrapped up in this program.

However, the congressional award program does not involve Federal dollars. The entire program is run on the volunteer efforts of the community and the contributions of sponsors.

I have seen the congressional award at work. Bemidji, Minn., volunteered to be the first pilot community in my district to sponsor the program.

Fifty-four students applied for the program last year. They set personal goals, so that they could compete against themselves, instead of each other.

The adults in Bemidji have also been enthusiastic, actively supporting the participants.

During the past year, the young people have learned what it takes to set and meet high personal goals. Because the standards are rigorous, not everyone can complete the program. Only 40 of the original 54 students are still on this tough schedule. But other students are signing up for next year.

In March, I met the first two winners of the bronze medal, which represents the first level of achievement. Bryan Vold and Amy Crompton have both said that they will continue their efforts for higher personal achievement and the silver medal.

The volunteer efforts of the adults in Bemidji have also been positive. A renewed sense of community has been created by supporting the young people who are meeting their own goals.

Bemidji State University has recognized the contributions that the congressional award is making in shaping and improving our students. The university is considering making the congressional award part of its internship program to earn credits.

I cannot speak highly enough of the positive effects of the congressional award on a participating community. Everyone benefits.

As we consider the expansion of the congressional award today, I can speak in the warmest words about the people who make this possible. Political and economic differences are bridged when we see how good it is to help young men and women to structure their efforts and meet goals which serve the community and strengthen their bodies and their interests.

I urge my colleagues to support the congressional award program and to encourage the communities in their own districts to volunteer for the program.

Thank you.●

GENERAL LEAVE

Mr. ERLENBORN. Mr. Speaker, I ask unanimous consent that all Members may have 3 legislative days in which to extend their remarks on the bill under consideration.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. ERLENBORN. Mr. Speaker, having no further requests for time, I yield back the balance of my time.

Mr. MURPHY. Mr. Speaker, I have no further requests for time. I yield back the balance of my time.

The SPEAKER. The question is on the motion offered by the gentleman from Pennsylvania (Mr. MURPHY) that the House suspend the rules and pass the bill, H.R. 2357, as amended.

The question was taken.

Mr. McDONALD. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER. Pursuant to clause 5 of rule I, and the Chair's prior an-

nouncement, further proceedings on this motion will be postponed.

CONTRACT SERVICES FOR DRUG DEPENDENT FEDERAL OFFENDERS AUTHORIZATION ACT OF 1983

Mr. HUGHES. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2173) to amend the Contract Services for Drug Dependent Federal Offenders Act of 1978 to authorize additional appropriations to carry out such act.

The Clerk read as follows:

H.R. 2173

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Contract Services for Drug Dependent Federal Offenders Authorization Act of 1983".

SEC. 2. Section 4(a) of the Contract Services for Drug Dependent Federal Offenders Act of 1978 (18 U.S.C. 4255 note) is amended—

(1) by striking out "1981; and" and inserting in lieu thereof "1981;", and

(2) by inserting before the period at the end thereof the following: "; $5,000,000 for the fiscal year ending September 30, 1984; $5,500,000 for the fiscal year ending September 30, 1985; and $6,000,000 for the fiscal year ending September 30, 1986.".

The SPEAKER. Pursuant to the rule, a second is not required on this motion.

The gentleman from New Jersey (Mr. HUGHES) will be recognized for 20 minutes, and the gentleman from Michigan (Mr. SAWYER) will be recognized for 20 minutes.

The Chair recognizes the gentleman from New Jersey (Mr. HUGHES).

Mr. HUGHES. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, H.R. 2173 has been reported by the Committee on the Judiciary to reauthorize for a period of 3 years, the program that provides drug abuse treatment and monitoring for drug abusing Federal offenders.

The bill reauthorizes the program at a level of $5 million for fiscal year 1984, $5.5 million for fiscal year 1985, $6 million for 1986.

This program is administered by the Probation Division of the Administrative Office of the U.S. Courts. First, it provides for a mechanism to examine all convicted Federal offenders who are released on parole, or sentenced to probation, to determine if they are drug users. Then it provides for the drug abuse treatment that is appropriate for their particular problem. Finally, it insures that all persons in treatment are monitored to guarantee that they stay off drugs during the drug treatment. If the defendant slips and returns to the use of drugs, the court is notified and the person is either charged as a parole or probation violator and returned to prison, or the judge or parole commission might modify the terms and conditions of the release and treatment.

Currently, there are about 4,600 persons under the supervision of the division of probation who are being treated for drug abuse. Each person in the program, which usually lasts a year, is given a urinalysis test for drug use about 54 times during the year they are in treatment.

This type of program has a very positive effect in reducing crime. Dr. John Ball of Temple University Medical School testified before the Crime Subcommittee about the careers of drug addicts and the tremendous amount of crime they commit. Most significant was his conclusion that an addict, when treated, commits 84 percent fewer crimes.

Drug treatment should be seen as a method for deterring crime. The addict who is no longer dependent on drugs is much less likely to prey on society. This is one program of the Federal Government that is directly reducing the amount of crime committed.

The proposed authorization is sound. It is based on an estimate, by the Administrative Office of the U.S. Courts of the impact of the revised prosecutorial policies of the Department of Justice focusing on violent crime and offenses that are frequently committed by drug dependent offenders. The Administrative Office estimates that they will be treating 5,300 persons in 1984, 5,600 in 1985, and 5,800 in 1986.

This is a modest and noncontroversial program. It has a direct, positive impact on one of the major causes of crime in the streets, that of drug abuse. I urge the House to pass this bill to continue this valuable anticrime program.

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Mr. Speaker, I reserve the balance of my time.

Mr. SAWYER. Mr. Speaker, I yield myself such time as I may use.

Mr. Speaker, contract services for drug-dependent offenders were first authorized by Congress in 1966 for drug-dependent Federal offenders after their release to the community either upon parole or after conviction. In 1972, this drug aftercare program was extended to all offenders with drug dependence problems. The authority for the supervisory care for persons treated under the act and authority to make treatment contracts now rests with the Administrative Office of the U.S. Courts.

Under this program, every person being treated for drug dependency under the supervision of the Division of Probation is monitored by urinalysis surveillance. If a person is discovered to be using drugs, the court is notified and the treatment and conditions of release can be quickly modified. An offender remains in the treatment program until four conditions are met:

First. Twelve months of abstinence from drugs demonstrated by urine surveillance.

Second. No criminal violations for 12 months.

Third. Assumption of social and economic responsibilities to the best of his or her ability.

Fourth. No association with persons involved in trafficking or use of drugs.

The Administrative Office of the U.S. Courts used the projected number of persons in the treatment program for each year and estimated the cost of the urinalysis and provision of treatment to arrive at the sums used in this authorization. The fiscal year 1982 authorization was $3.75 million. The authorization for 1983 was $4 million. The proposed authorization for 1984 is $5 million, for 1985 is $5.5 million and for 1986 is $6 million.

This is a cost savings program. Drug users commit 86 percent less crime when not associated with drugs. In addition, those in the program participate at an annual cost of $1,300, which is highly cost efficient when compared to incarceration at an annual rate of $25,000.

Join us in support of H.R. 2173.

The administration has no objection to the enactment of this bill. May I just state that historically this bill passed in the last Congress during the lameduck session and passed the other body also, but became the involuntary carrier of an omnibus crime bill when it was sent back because of one of those other attached bills, and it became the subject of a pocket veto which was in no way aimed at this bill, but by its association with some of the Senate amendments.

I reserve the balance of my time.

● Mr. RODINO. Mr. Speaker, H.R. 2173, the Contract Services for Drug Dependent Federal Offenders Authorization Act of 1983 reauthorizes for fiscal years 1984, 1985, and 1986 the existing program, which provides drug treatment for Federal convicts who are on probation or parole. The program monitors all of the participants by frequent and regular urinalysis to assure that they are not using drugs. The program plays a significant role in reducing crime because a major study of the criminal patterns of drug addicts found that when they are in treatment, they commit 84 percent fewer crimes.

This program addresses one of the major problems of our correctional system. After a person has served a prison sentence where there are extensive programs, including drug-abuse detection and treatment, when the defendant returns home there is often inadequate support and supervision. The need for such supervision is espe-

cially acute for those addicted to drugs. If they return to the same neighborhoods where they got into trouble in the first place, the probability is high that without close supervision and assistance, they will go back to using drugs again. The extensive counseling and frequent urinalysis testing of this program provides the support that helps keep a lot of these former addicts from returning to drugs and the life of crime.

This bill is modeled on H.R. 3963, which passed the House and Senate overwhelmingly in the last Congress but was vetoed for unrelated reasons. The bill authorizes $5 million for 1984, $5.5 million for 1985, and $6 million for 1986.

The bill has the support of the administration; it is part of the administration's budget, and has the support of the judicial branch which administers the program.

I urge the passage of this bill.●

Mr. HUGHES. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. SAWYER. Mr. Speaker, I yield 1 minute to the gentleman from Wisconsin (Mr. SENSENBRENNER).

Mr. SENSENBRENNER. Mr. Speaker, at first blush, it may appear inappropriate for the Federal Government to be authorizing upwards of $6 million a year for a special drug-addicts program. The contract services for drug dependents, which are provided for in H.R. 2173, however, comprise an extremely cost-effective program.

Drug addicts, and those criminals with a record of drug dependency are released on probation with the special probation conditions of the aftercare program. This program enables the probation officer to track the participant's drug use while on parole.

The cost savings are impressive. It costs approximately $1,300 per participant in this program. This is a substantial cost savings when compared to the average $25,000 cost of incarcerating an individual for 1 year. There are societal savings as well. It is estimated that drug dependents commit seven times as many crimes as nondrug users. By keeping parolees off drugs, the aftercare program helps reduce crime.

Mr. SAWYER. Mr. Speaker, I yield 2 minutes to the gentleman from New York (Mr. FISH).

Mr. FISH. Mr. Speaker, the Drug Dependent Federal Offenders Authorization Act before us today is a small, noncontroversial, and highly beneficial bill. The bill will provide funding for the drug aftercare program, which is now administered by the Administrative Office of the U.S. Courts. The Administrative Office has done such a fine job of carrying out the requirements of the program that they have stayed consistently within the program budget. The Administrative Office is to be commended for their excellent work in the drug-aftercare program.

This program places parolees, with a history of drug abuse in a special program. Drug aftercare, which is contracted to private organizations, is incorporated into the regular probation program for these persons.

Counseling and urinalysis are used to help the drug abuser on probation to avoid reuse of drugs on release from prison.

The program benefits society in two ways. First, when an addict is treated, his criminality is reduced by an average of 34 percent. Thus, H.R. 2173 will help reduce drug-related crime. Second, the alternative to the aftercare program is incarceration, with an annual cost of $25,000. The aftercare program, costing an average of $1,300 per participant, provides a substantial cost savings to the State and Federal prison system.

I urge your support for H.R. 2173, the aftercare program.

Mr. SAWYER. Mr. Speaker, I yield 1 minute to the gentleman from Florida (Mr. SHAW).

Mr. SHAW. Mr. Speaker, I urge your support for the aftercare program, through which the administrative office of the U.S. courts contracts for certain services for drug-dependent offenders. This program generated no controversy at the subcommittee, full committee, or full House level during the 97th Congress. Unfortunately, it became the vehicle for more controversial matters and became the subject of a Presidential veto. Hopefully, we can move this bill quickly in the 98th Congress, and achieve less flamboyant, but more successful, results.

Current Federal law establishes special sentencing procedures and supervisory aftercare treatment for drug-dependent offenders. In addition, narcotics addicts released on probation are eligible for such supervision. The primary services provided are counseling and periodic urinalysis to determine if offenders are using narcotics.

Since October 1982, this program has been funded through a continuing appropriation with an expired authorization. I commend the gentleman from New Jersey for moving swiftly in the 98th Congress to remedy this situation. In the absence of the treatment and supervision this bill would provide, the alternative is costly incarceration. I believe H.R. 2173 is the preferable route, and I am pleased to join Chairman HUGHES in urging the adoption of the aftercare reauthorization legislation.

Mr. SAWYER. Mr. Speaker, I, too, want to congratulate the chairman of the subcommittee, the gentleman from New Jersey (Mr. HUGHES).

This is just one of the number of bills he has moved out of that subcommittee and onto the floor, even at his early stage of Congress. I congratulate him.

I join the chairman in urging all of my colleagues to support H.R. 2173, which as far as I know has no opposition and did not in the last Congress.

The SPEAKER pro tempore (Mr. MOAKLEY). The question is on the motion offered by the gentleman from New Jersey (Mr. HUGHES) that the House suspend the rules and pass the bill, H.R. 2173.

The question was taken.

Mr. McDONALD. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to the provisions of clause 5, rule I, and the Chair's prior announcement, further proceedings on this motion will be postponed.

GENERAL LEAVE

Mr. HUGHES. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and to include therein extraneous material on the bill just considered.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

FEDERAL ANTI-TAMPERING ACT

Mr. HUGHES. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2174) to amend title 18 of the United States Code to prohibit certain tampering with consumer products, as amended.

The Clerk read as follows:

H.R. 2174

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Federal Anti-Tampering Act".

SEC. 2. Chapter 65 of title 18 of the United States Code is amended by adding at the end the following new section: "§ 1365. Tampering with consumer products

"(a) Whoever, with reckless disregard for the risk that another person will be placed in danger of death or bodily injury and under circumstances manifesting extreme indifference to such risk, knowingly tampers or attempts to tamper with a covered product or the labeling or container of such covered product, if that product affects interstate or foreign commerce, shall be punished as is provided in subsection (b) of this section.

"(b) The punishment for an offense under subsection (a) of this section is—

"(1) in the case of an attempt, a fine of not more than $25,000, or imprisonment for not more than ten years, or both;

"(2) in the case that the death of any individual is caused, a fine of not more than $100,000, or imprisonment for any term of years or for life, or both;

"(3) in the case that serious bodily injury to any individual is caused, a fine of not more than $100,000, or imprisonment for not more than twenty years, or both; and

"(4) in any other case, a fine of not more than $50,000, or imprisonment for not more than ten years, or both.

"(c)(1) Whoever knowingly communicates false information about conduct that, if it occurred, would violate subsection (a) of this section, shall be fined not more than $25,000 or imprisoned for not more than five years, or both.

"(2) As used in paragraph (1) of this subsection, the term 'communicates false information' means communicates information that is false and that the communicator knows is false, under circumstances in which the information may reasonably be expected to be believed.

"(d) Whoever knowingly threatens, under circumstances in which the threat may reasonably be expected to be believed, that conduct that, if it occurred, would violate subsection (a) of this section will occur, shall be fined not more than $25,000 or imprisoned for not more than five years, or both.

"(e) Whoever is a party to a conspiracy of two or more persons to commit an offense under subsection (a) of this section, if any of the parties intentionally engages in any conduct in furtherance of such offense, shall be punished by a fine of not more than $25,000, or imprisonment for not more than ten years, or both.

"(f) In addition to any other agency which has authority to investigate violations of this section, the Food and Drug Administration and the Department of Agriculture, respectively, have authority to investigate violations of this section involving a covered product that is regulated by a provision of law such Administration or Department, as the case may be, administers.

"(g) As used in this section—

"(1) the term 'covered product' means any article, product, or commodity which is customarily produced or distributed for household or personal care consumption by individuals and which is designed to be consumed or expended in the course of such consumption, and such term includes any 'food', 'drug', 'device', or 'cosmetic', as those terms are respectively defined in section 201 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 321);

"(2) the term 'labeling' has the meaning given such term in section 201(m) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 321(m));

"(3) the term 'serious bodily injury' means bodily injury which involves—

"(A) a substantial risk of death;

"(B) extreme physical pain;

"(C) protracted and obvious disfigurement; or

"(D) protracted loss or impairment of the function of a bodily member, organ, or mental faculty; and

"(4) the term 'bodily injury' means—

"(A) a cut, abrasion, bruise, burn, or disfigurement;

"(B) physical pain;

"(C) illness;

"(D) impairment of the function of a bodily member, organ, or mental faculty; or

"(E) any other injury to the body, no matter how temporary."

SEC. 3. The table of sections at the beginning of chapter 65 of title 18 of the United States Code is amended by adding at the end the following new item:

"1365. Tampering with consumer products.".

The SPEAKER pro tempore. Is a second demanded?

Mr. SAWYER. Mr. Speaker, I demand a second.

The SPEAKER pro tempore. Without objection, a second will be considered as ordered.

There was no objection.

The SPEAKER pro tempore. The gentleman from New Jersey (Mr. HUGHES) will be recognized for 20 minutes, and the gentleman from Michigan (Mr. SAWYER) will be recognized for 20 minutes.

The Chair recognizes the gentleman from New Jersey (Mr. HUGHES).

Mr. HUGHES. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I am pleased to be able to bring this important bill to the floor today. H.R. 2174 is a response to the tragic deaths of seven people in the Chicago area last fall, when a nationally known and used painkiller was laced with cyanide and sold to unsuspecting consumers. Those deaths were followed by a wave of copycat tamperings, and false claims of tamperings, across the country. The incidents had a marked effect on consumer confidence in all over-the-counter drugs and food products sold on the open shelves. They also caused the manufacturers and distributors of those products enormous financial losses from recalls, repackaging, and loss of business.

The industries affected by these incidents responded quickly, candidly, and in the public interest. In particular, Johnson & Johnson, the manufacturer of the painkiller involved in the Chicago area deaths, should be singled out for its forthright and effective actions following those deaths.

It is now time for Congress to act. The Federal interest in this area is clear: The effect on consumer confidence is nationwide, and a tampering at the manufacturing stage in one State can cause injuries in another State, where the products are ultimately sold.

It is also clear that Federal jurisdiction should be limited to those cases where there is such a nationwide effect. H.R. 2174 does just that. It makes the tampering with certain consumer products a Federal crime, but only in those cases where there is an effect on interstate or foreign commerce. When that effect on commerce ends, so should Federal intervention. At that point, such matters are more appropriately handled by State and local authorities.

H.R. 2174 also covers only consumer products—those most likely to be tampered with, and those where the risk to human safety is the greatest. It covers only those tamperings where there is a risk to human safety. Lesser penalties are provided elsewhere in the United States Code for a tampering that does not pose a risk to human safety.

H.R. 2174 covers not only the actual tampering, but also threats and conspiracies to tamper with consumer products, and it punishes such conduct in a manner commensurate with the harm caused. If, for example, the tampering causes death, it is punishable by a maximum of life in prison and a $100,000 fine. Where no injury at all is caused, the maximum penalty is 10 years in prison and a $50,000 fine.

H.R. 2174 also punishes defendants whose primary intent is to damage the business reputation of, for instance, the manufacturer or distributor of a particular product—but only where the defendant's conduct poses a risk of harm to another. As I have already stated, where there is no such risk, there are appropriate penalties for such conduct elsewhere in the laws of the United States.

This legislation has been carefully crafted to provide for Federal intervention in only the most clearly appropriate situations. The need for such intervention in these situations is especially urgent in light of the tragic deaths in Chicago last year, and the continuing risk to consumer safety and confidence as a result of such incidents.

I do not believe that there is any controversy about the substance of H.R. 2174. I think we can all agree that it is a necessary piece of legislation—one that should be acted on without delay.

I urge you to vote to suspend the rules and pass H.R. 2174.

□ 1230

I think we can all agree it is a necessary piece of legislation, one that should be acted on without undue delay.

I want to at this time commend the ranking minority member, the gentleman from Michigan, HAROLD S. SAWYER for his great work on this particular bill.

We in fact worked on it in the closing days of the lameduck session of the Congress. It found its way in part into the omnibus crime bill which ultimately was vetoed by the President for reasons other than this particular bill, I might say any bill that came out of the Subcommittee on Crime. I urge my colleagues to support this bill, H.R. 2174, it is a good piece of legislation.

Mr. SAWYER. Mr. Speaker, again I call attention that this is yet another useful and necessary bill coming from the Subcommittee on Crime of the Committee on the Judiciary. This subcommittee is chaired by the gentleman from New Jersey and has been operating at full speed during the few months of this Congress as it did during the last Congress, when it turned out some 12 very essential bills.

Mr. Speaker, our Nation needs legislation to protect innocent and unsuspecting consumers from the malicious, coldblooded acts of individuals who

tamper with products prior to consumer purchase. I am proud to present H.R. 2174 to this body for consideration. This legislation is necessitated by the recognition that the Federal Antitampering Act is necessary to the protection of our constituents.

The individual or group of individuals who placed cyanide-filled Tylenol capsules on store shelves with total disregard for human life caused several random deaths in the Chicago area. In the wake of this tragedy, manufacturers were forced to recall products at great expense, and copycats have been inspired to continue the tampering trend in a variety of gruesome ways. A new angle, the "false scare," has developed. For example, in my own State of Michigan, the Hygrade Food Co. initiated a financially burdensome recall of thousands of hot dogs after it was falsely and maliciously claimed that razor blades and tacks had been inserted into the meat.

In the aftermath of the tampering scare, consumers now play "Russian roulette" with their own safety every time they purchase the very products necessary to their own well-being. This might be expected in a good horror movie, but it cannot be tolerated in American society.

The criminal act of tampering with consumer products dictates the swift and forceful involvement of the Federal Government. The Food and Drug Administration has reacted quickly to protect consumers by setting antitampering packaging standards. The Johnson & Johnson Co., itself a victim of the Tylenol tampering, has done a swift and outstanding job of packaging its Tylenol capsules in containers with three separate antitampering protection. This private sector compliance is only just beginning.

Nationwide investigation and the swift enforcement of strict Federal penalties must also be used to deter the act of tampering. This is the purpose of the Federal Antitampering Act, which creates a new offense in title 38 of the United States Code. Under this proposal, it would be illegal to tamper or attempt to adulterate a broad range of consumer products affecting interstate commerce. This proposal also would make it illegal to disseminate false information concerning the tampering of a product, and to threaten, or conspire, to tamper. The penalties for these offenses include a maximum prison sentence of 20 years and a fine of $100,000. Where personal injury or death results, a maximum penalty of life imprisonment is provided.

I commend the gentleman from New Jersey for addressing the need for antitampering legislation in such a prompt manner, and I look forward to working in support of H.R. 2174 as the House and Senate develop the Federal Antitampering Act. Your support for H.R. 2174 is important to the Federal response to this awful crime.

While I am one of the first to recognize that the basic type of violent crime involved is properly within the jurisdiction of States, when we are dealing with an interstate product, with national dissemination as was the case in Tylenol and is the case in most interstate products that are moving, one State cannot adequately cope with this problem. The States need the facilities and help of the Federal Government and this act will provide that. I reserve the balance of my time.

● Mr. RODINO. Mr. Speaker, I am pleased to speak in support of H.R. 2174, the Federal Antitampering Act. H.R. 2174 is a bill that protects the consumers of this country. It prohibits the tampering with consumer products and provides stiff penalties for those who commit such acts. Ever since the tragic deaths of seven people in Chicago last fall from a painkiller laced with cyanide, consumers in this country have had legitimate concerns about buying over-the-counter drugs and food products sold on open shelves. This concern has had nationwide effects on consumer confidence and on sales of these products. Because of these nationwide effects, Federal intervention is appropriate and necessary. We recognize that Federal intervention must always be carefully limited to those situations that are of particular Federal concern, and where the State and local authorities are in need of Federal assistance. The hearings held by the Subcommittee on Crime proved that this is one of those situations where Federal intervention is appropriate.

H.R. 2174 is similar to the antitampering bill that was passed overwhelmingly by the House in the 97th Congress but, along with several other anticrime provisions, was unfortunately vetoed by the President in January. Since that time, the bill has been modified and improved. I believe it is the best possible legislation and will serve its purpose well; to protect the consumers of this country, and to punish those who would tamper with the products on which all of us, as consumers, rely in our everyday lives.

I strongly urge your support of H.R. 2174.●

Mr. SAWYER. Mr. Speaker, I yield 2 minutes to the gentleman from New York (Mr. FISH), the ranking Republican on the full Committee on the Judiciary.

Mr. FISH. I thank the gentleman.

Again my compliments to the gentleman from Michigan (Mr. SAWYER) and the gentleman from New Jersey (Mr. HUGHES) for bringing these measures to us early in this session.

Mr. Speaker, how anyone could imagine the mind that poisons pain relievers, thereby killing unknown victims at random, is beyond me. This criminal mind is deserving of our swiftest criminal enforcement. All consumers are harmed by tamperings, threats to tamper, and false claims that tamperings have occurred. News of such an event has little to offer in addressing consumer fears. Businesses are severely harmed when loss of consumer confidence undermines years of successful marketing and consumer orientation.

Our society cannot expect consumers to know when a purchased product has been the subject of a tampering. Indeed, locating the tampered product prior to injury seems virtually impossible. A Federal criminal penalty and swift enforcement is designed to deter this horrible activity.

I introduced an antitampering bill in the 98th Congress which, along with other proposals, has been perfected by the Subcommittee on Crime. This legislation, H.R. 2174, is complete in its attempt to address the act of tampering. As an original cosponsor of H.R. 2174, I urge your support for this all important Federal Antitampering Act.

Mr. SAWYER. Mr. Speaker, I yield 2 minutes to the gentleman from Florida (Mr. SHAW), a valuable and very active member of the subcommittee.

Mr. SHAW. Mr. Speaker, I thank the gentleman from Michigan for yielding.

Mr. Speaker, the Federal Antitampering Act will close a serious loophole in our Federal Criminal Code. Until recently, such a law would have seemed unnecessary, for whom of us could have foreseen the horrible Chicago area deaths caused by the random poisoning of a common pain reliever. The act of poisoning products to appear on store shelves, without regard to the identity of the victim, demonstrates a grotesque criminal mind.

As if this one incident was not enough, all consumers were suddenly the victims of copycat tamperings, threats to tamper, and false claims that tamperings have occurred. These types of crimes must not go unpunished. Swift and effective Federal law enforcement is necessary. Federal investigation is required to adequately address the national scope of the problem. Often, the product will be made and shipped through several different States before purchased by the consumer. One lone State cannot be expected to trace the tampering through the chain of distribution. With Federal investigation, Federal enforcement follows, and this bill contains stiff penalties.

Tampering is unacceptable in our society and should be swiftly punished. When a threat, a false scare, or a tampering victim appears on the evening news, the entire Nation is held hostage. Businesses lose millions in revenue and consumer confidence. Consumers lose confidence in any store

purchase. H.R. 2174 will punish the inexcusable acts which lead to these costly results.

I urge passage of the bill.

Mr. SAWYER. Mr. Speaker, I yield 1 minute to the gentleman from Wisconsin (Mr. SENSENBRENNER), a very important member of the subcommittee.

Mr. SENSENBRENNER. Mr. Speaker, I thank the gentleman from Michigan (Mr. SAWYER) for yielding and I would like to commend him and the gentleman from New Jersey (Mr. HUGHES) and the gentleman from Florida (Mr. SHAW) for very succinct and accurate statements on why we must move to plug this loophole that currently exists in the Federal Criminal Code.

However, there is one additional reason that has not been stated why this bill ought to pass and pass promptly.

Under the current law, the FBI can only get involved in investigating drug tampering or adulteration cases if an extortion threat has been posed, because extortion is a violation of the Federal Criminal Code. The sick mind who poisons or adulterates foods or drugs but does not accompany that with an extortion threat to try and get money into his own pocket, under the present law has not committed a Federal crime and, consequently, the FBI is not able to get involved in tracking down this very despicable and criminal activity. So, by plugging this loophole and creating a Federal crime in this respect, we will get Federal law enforcement in the investigative end sooner on, hopefully to get people indicted and prosecuted and sent to jail later on in the criminal procedure.

So, I hope this bill passes.

Mr. SAWYER. Mr. Speaker, I have no further requests for time. I yield back the balance of my time, and I urge support of the bill, H.R. 2174.

● Mr. LONG of Louisiana. Mr. Speaker, I rise in support of H.R. 2174, the Federal Antitampering Act. This legislation is essential to restore public confidence in the safety of products sold in the Nation's markets.

It represents the response of Congress to the sense of outrage and revulsion that swept the Nation after the "Tylenol murders" which claimed seven lives in Chicago last year. The poisonings inaugurated a new and coldblooded type of crime, one that struck its victims in an appallingly random way. The Tylenol killings were, in effect, an act of terrorism aimed at society as a whole, rather than at specific persons, groups, or institutions.

The bill before the House of Representatives today would make tampering with over-the-counter drugs, food, cosmetics, and other consumer items a Federal offense. It would also elevate tampering from its present status as a misdemeanor to that of a felony, with appropriately harsher penalties.

Thus, Mr. Speaker, this legislation creates a powerful deterrent against product tampering and brings the full weight and power of the National Government down on perpetrators of this terrible crime.

It imposes severe criminal penalties, ranging from 10 years to life in prison and large fines, on anyone convicted of tampering with any item intended for household or personal use. Moreover, the bill provides stiff penalties for the "copycat" crimes that popped up around the country in the wake of the Chicago murders.

In several States, false claims of tampering created the unsettling illusion of an epidemic of poisonings. The hoaxes took several forms, including making claims for damages for a fake injury, attempting to extort money from product manufacturers and efforts to injure a business by forcing the Government to issue product recalls. In any event, the rash of poisoning scares, scattered throughout the country, underscored the national scope of the problem and brought public demand for Government action.

Mr. Speaker, this antitampering legislation fits perfectly within the larger framework of an anticrime program developed under the auspices of the House Democratic Caucus. As caucus chairman, I can tell you that we worked hard to build a consensus among Members around a legislative program to strengthen law enforcement at the local, State, and Federal levels. I believe it is important that we take a hardnosed and pragmatic approach toward combating crime and protecting our citizens.

This is the first of several bills which will be considered throughout the year in the area of crime prevention. It is imperative, in my view, that we enact some of the more important procedural changes in the Federal criminal justice system, including bail reform, alleviating prison congestion, sentencing reform, higher fines for white-collar crime, and clearer guidelines for Federal prosecutors.

We must also escalate the war on crime by a vigorous program of assistance to States and localities, particularly in the areas of white-collar and organized crime, sting operations against burglary and fencing, arson investigation, career criminal identification, and prosecution and witness and juror protection.

And just as the Federal Government provides emergency help in times of natural disaster, I believe we should establish ways of helping localities cope with local crime calamities such as the child murders in Atlanta and the drug-related crimes in Florida.

Mr. Speaker, passage of the antitampering legislation before us today will signal the beginning of a renewed Federal commitment to a broad-scale assault on serious crime. I urge my colleagues to join me in supporting this important bill. I would also hope that the House of Representatives will act favorably upon the anticrime initiatives which come to the floor in the next few months.

The American people are rightly outraged by the extent to which the fear of crime has invaded their lives. They demand action to control crime, and we must use all the resources at our command—Federal, State, and local—to combat the current wave of lawlessness. At stake is the fundamental question of our ability to govern ourselves effectively within the constraints properly imposed by our democratic institutions.●

● Mr. GLICKMAN. Mr. Speaker, I rise in support of H.R. 2174, the Federal Antitampering Act. This legislation deals with a problem which has faded from the headlines, but which clearly needs to be addressed. The Tylenol murders created not only a terrible trauma for the families of the victims, but also raised concerns that "copycat" crimes, as they were dubbed, might lead to contamination of a whole range of consumer products. Consumers were understandably afraid that they might be victimized.

Then we encountered the problem of allegations that products had been contaminated when they in fact had not been. Here, in the Washington area, that happened with an eyewash product. The result was that unfounded concerns were raised about a safe product, and the manufacturer had to bear a loss that should never have occurred.

Clearly, these are problems of interstate commerce that can only adequately be addressed at the Federal level. The legislation drafted by the Judiciary Subcommittee on Crime and approved by the full Judiciary Committee seeks to deal with this problem. It has strong bipartisan support, and I encourage all of my colleagues to give it their favorable vote.●

● Mrs. COLLINS. Mr. Speaker, as the author of antitampering legislation, H.R. 778, which states my commitment to consumers as well as manufacturers, I support the need to make it a Federal crime to knowingly tamper with consumer products which result in injury or death to the purchaser of such products.

In all honesty, however, I strongly feel two vital provisions are missing from H.R. 2174, a measure which has been brought to the House floor today under suspension of the rules and not subject to amendment. Those pieces are: Language which addresses the damage done to the reputation of manufacturers, wholesalers, retailers, and so forth, as the result of malicious tampering, and the imposition of

stronger sentences in order to deter product tampering.

Who in these hallowed Halls of Congress can forget picking up the newspaper last year and reading about the deaths of several people in Chicago who died from cyanide poisoning after taking extra-strength Tylenol capsules? Who can forget about the copycat tamperings which followed days after the tragic events of September 30, 1982? Products were adulterated in an effort to harm people, to damage a business reputation and, in some cases, simply for the perverse pleasure of wreaking havoc with a nation of consumers and manufacturers. Those crimes, inspired by the Chicago incidents, succeeded in gripping the American people with the fear that their over-the-counter drugs might be poisonous.

My colleagues would certainly agree that consumers have the right to purchase products without apprehension or fear that they may be playing a very deadly game of Russian roulette. Similarly, members of the business community have the right to do business without fear that their products or reputations will be damaged. Some manufacturers have had to recall massive numbers of items which had been tampered with. Others are absorbing the cost of recalling their products at the drop of a hoax.

So, while I am pleased with the speed with which the House is considering Federal legislation to outlaw product tampering and the fact that the legislation before us is stronger than what we passed in the 97th Congress, I am sorry that during the subcommittee deliberation, language was not approved which would deter anyone from damaging a business reputation. It should be noted, however, that after presenting testimony before the Judiciary Subcommittee on Crime in support of my legislation, the subcommittee ultimately marked up this bill which, first, provides three different types of punishment focusing on people conveying false information, second, broadens the scope of products and third, makes it a crime to tamper with the labels or containers of covered products.

Inasmuch as this bill is the closest we could come to addressing concerns echoed by the business community, I urge my colleagues to support it and to thereby provide a mechanism to deter such madness in the future.●

The SPEAKER pro tempore. The question is on the motion of the gentleman from New Jersey (Mr. HUGHES) that the House suspend the rules and pass the bill, H.R. 2174, as amended.

The question was taken.

Mr. McDONALD. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to the provisions of clause 5, rule I, and the Chair's prior announcement, further proceedings on this motion will be postponed.

GENERAL LEAVE

Mr. HUGHES. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the bill just considered.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

FOUNDATION FOR THE ADVANCEMENT OF MILITARY MEDICINE ACT OF 1983

Mr. MONTGOMERY. Mr. Speaker, I move to suspend the rules and pass the Senate bill (S. 653) to amend title 10, United States Code, to establish a Foundation for the Advancement of Military Medicine, and for other purposes, as amended.

The Clerk read as follows:

S. 653

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Foundation for the Advancement of Military Medicine Act of 1983".

SEC. 2. (a) Chapter 7 of title 10, United States Code, is amended by adding at the end thereof the following new section:

"§ 178. Foundation for the Advancement of Military Medicine

"(a) There is authorized to be established a nonprofit corporation to be known as the Foundation for the Advancement of Military Medicine (hereinafter in this section referred to as the 'Foundation') which shall not for any purpose be an agency or instrumentality of the United States Government. The Foundation shall be subject to the provisions of this section and, to the extent not inconsistent with this section, the Corporations and Associations Articles of the State of Maryland.

"(b) It shall be the purpose of the Foundation (1) to carry out medical research and education projects under cooperative arrangements with the Uniformed Services University of the Health Sciences, (2) to serve as a focus for the interchange between military and civilian medical personnel, and (3) to encourage the participation of the medical, dental, nursing, veterinary, and other biomedical sciences in the work of the Foundation for the mutual benefit of military and civilian medicine.

"(c)(1) The Foundation shall have a Council of Directors (hereinafter in this section referred to as the 'Council') composed of—

"(A) the Chairmen and ranking minority members of the Committees on Armed Services of the Senate and the House of Representatives (or their designees from the membership of such committees), who shall be ex officio members,

"(B) the Dean of the Uniformed Services University of the Health Sciences, who shall be an ex officio member, and

"(C) four members appointed by the ex officio members of the Council designated in classes (A) and (B).

"(2) The term of office of each member of the Council appointed under clause (C) of paragraph (1) shall be four years, except that—

"(A) Any person appointed to fill a vacancy occurring before the expiration of the term for which his predecessor was appointed shall be appointed for the remainder of such term; and

"(B) the terms of office of members first taking office shall expire, as designated by the ex officio members of the Council at the time of the appointment, two at the end of two years and two at the end of four years.

"(3) The Council shall elect a chairman from among its members.

"(d)(1) The Foundation shall have an Executive Director who shall be appointed by the Council and shall serve at the pleasure of the Council. The Executive Director shall be responsible for the day-to-day operations of the Foundation and shall have such specific duties and responsibilities as the Council shall prescribe.

"(2) The rate of compensation of the Executive Director shall be fixed by the Council.

"(e) The initial members of the Council shall serve as incorporators and take whatever actions as are necessary to establish under the Corporations and Associations Articles of the State of Maryland the corporation authorized by subsection (a).

"(f) Any vacancy in the Council shall not affect its powers, but shall be filled in the same manner in which the original designation or appointment was made.

"(g) In order to carry out the purposes of this section, the Foundation is authorized to—

"(1) enter into contracts with the Uniformed Services University of the Health Sciences for the purpose of carrying out cooperative enterprises in medical research, medical consultation, and medical education, including contracts for provision of such personnel and services as may be necessary to carry out such cooperative enterprises;

"(2) enter into contracts with public and private organizations for the writing, editing, printing, and publishing of books and other material;

"(3) take such action as may be necessary to obtain patents and licenses for devices and procedures developed by the Foundation and its employees;

"(4) accept, hold, administer, invest, and spend any gift, devise, or bequest of real or personal property made to the Foundation;

"(5) enter into contracts with individuals, public or private organizations, professional societies, and government agencies for the purpose of carrying out the functions of the Foundation;

"(6) enter into such other contracts, leases, cooperative agreements, and other transactions as the Executive Director considers appropriate to conduct the activities of the Foundation; and

"(7) charge such fees for professional services furnished by the Foundation as the Executive Director determines reasonable and appropriate.

"(h) A person who is a full-time or part-time employee of the Foundation may not be an employee (full-time or part-time) of the Federal Government.

"(i) The Council shall transmit to the President annually, and at such other times as the Council considers desirable, a report on the operations, activities, and accomplishments of the Foundation.".

(b) The table of sections at the beginning of chapter 7 of such title is amended by adding at the end thereof the following new item:

"178. Foundation for the Advancement of Military Medicine.".

SEC. 3. Section 2113 of title 10, United States Code, is amended by adding at the end thereof the following new subsection:

"(j)(1) The Board also is authorized—

"(A) to enter into contracts with the Foundation for the Advancement of Military Medicine established under section 178 of this title, or with any other nonprofit entity, for the purpose of carrying out cooperative enterprises in medical research, medical consultation, and medical education;

"(B) subject to paragraph (2), to make available to the Foundation for the Advancement of Military Medicine, on such terms and conditions as the Board determines appropriate, such space, facilities, equipment, and support services within the University as the Board considers necessary to accomplish cooperative enterprises undertaken by such foundation and the University;

"(C) subject to paragraph (2), to enter into contracts with the Foundation for the Advancement of Military Medicine under which the Board may furnish the services of such professional, technical, or clerical personnel as may be necessary to fulfill cooperative enterprises undertaken by such foundation and the University;

"(D) to accept, hold, administer, invest, and spend any gift, devise, or bequest of personal property made to the University, including any gift, devise, or bequest for the support of an academic chair, teaching, research, or demonstration project;

"(E) subject to paragraph (2), to enter into agreements with the Foundation for the Advancement of Military Medicine, or with any other nonprofit entity, under which scientists or other personnel of the Foundation or other entity may be utilized by the University for the purpose of enhancing the activities of the University in education, research, and technological applications of knowledge; and

"(F) to accept the voluntary services of guest scholars and other persons.

"(2) The authority of the Board under clauses (B), (C), and (E) of paragraph (1) may be exercised only if—

"(A) before the Board enters into any arrangement under which any space, facility, equipment, or support service is made available under clause (B) of such paragraph, before the Board enters into any contract under clause (C) of such paragraph, or before the Board enters into any agreement under clause (E) of such paragraph, it notifies the Committees on Armed Services of the Senate and the House of Representatives in writing of the proposed arrangement, contract, or agreement, as the case may be, the terms and conditions thereof, and, in the case of a proposed agreement under clause (E) of paragraph (1), any appointments proposed to be made under the authority of paragraph (4) in connection with the agreement, and

"(B) a period of fifteen days has elapsed following the date on which the notice is received by such committees.

"(3) The Board may not enter into any contract with the Foundation for the Advancement of Military Medicine, or with any other entity, if the contract would obligate the University to make outlays in advance of the enactment of budget authority for such outlays.

"(4) Scientists or other medical personnel utilized by the University under an agreement described in clause (E) of paragraph (1) may be appointed to any position within the University and may be permitted to perform such duties within the University as the Board may approve.

"(5) A person who provides voluntary services under the authority of clause (F) of paragraph (1) shall be considered to be an employee of the Federal Government for the purposes of chapter 81 of title 5, relating to compensation for work-related injuries, and to be an employee of the Federal Government for the purposes of chapter 171 of title 28, relating to tort claims. Such a person who is not otherwise employed by the Federal Government shall not be considered to be a Federal employee for any other purpose by reason of the provision of such services.".

The SPEAKER pro tempore. Is a second demanded?

Mr. HILLIS. Mr. Speaker, I demand a second.

The SPEAKER pro tempore. Without objection, a second will be considered as ordered.

The gentleman from Mississippi (Mr. MONTGOMERY) will be recognized for 20 minutes, and the gentleman from Indiana (Mr. HILLIS) will be recognized for 20 minutes.

The Chair recognizes the gentleman from Mississippi (Mr. MONTGOMERY).

Mr. MONTGOMERY. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I am pleased to bring before the House S. 653, to establish the Foundation for the Advancement of Military Medicine, which would support the activities of the Uniformed Services University of the Health Sciences. This measure, recently approved by the Senate, has received unanimous, bipartisan support in the Senate and in the House Armed Services Committee. I have sponsored an identical bill, as has our colleague, the gentleman from New York (Mr. STRATTON).

The Foundation would be a nonprofit, charitable corporation that would receive gifts, grants, and legacies on behalf of the University. Under present law, there is only limited authority for the University to accept private donations.

The Uniformed Services University of the Health Sciences was established by Congress in 1972 to train medical officers for the uniformed services and to provide programs in continuing medical education for military members of the health professions.

Graduates must fulfill an active duty service obligation of at least 7 years following intership and residency. The University's primary objective is to provide comprehensive, high quality education for students motivated to medical careers with uniformed services.

With the grants and bequests received, the Foundation for the Advancement of Military Medicine would provide support to the University for academic chairs, teaching, and research projects. This would enhance the University's capability to attract top quality faculty.

The Foundation is patterned after the American Registry of Pathology established by Congress in 1976 to support the Armed Forces Institute of Pathology.

I am calling this bill before the House in amended form. The two amendments are technical in nature and do not alter the thrust of the Senate-passed bill. To insure continued congressional oversight of the Foundation's activities, the Senate bill provides for a Council of Directors to be composed of the chairman and ranking minority member of the House and Senate Armed Services Committees, the dean of the University, and four additional members.

The first amendment to the bill would permit the chairman and ranking minority member of each committee, if they so desired, to designate another member of their committee to serve on the Council in their stead. This designation would be made at the discretion of the designator.

The second amendment would simply clarify the intent of the bill. S. 653 provides that a person who is a full-time or part-time employee of the Foundation may not be an employee of the Federal Government. Further, S. 653 states that no part of the compensation paid to an employee of the Foundation may be paid from Federal funds.

This second restriction could present a problem should the Foundation receive a Federal research grant, from the National Institutes of Health, for example. Therefore, the second restriction has been eliminated from the bill. The bar on a Foundation employee also being an employee of the Federal Government remains intact.

Mr. Speaker, S. 653 is a very worthwhile piece of legislation that will assist the Uniformed Services University of the Health Sciences in turning out the highest quality military doctors. This bill involves no expense to the Government, and I urge my colleagues' wholehearted support.

□ 1245

Mr. HILLIS. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I want to join with the gentleman from Mississippi (Mr. MONTGOMERY), with whom I serve on the Subcommittee on Military Personnel and Compensation, in urging House approval of S. 653, to establish the Foundation for the Advancement of Military Medicine.

The Uniformed Services University of the Health Sciences was established by Congress to provide a reliable source of physicians for the Nation's

Armed Forces—physicians who would have a substantial military service commitment in return for their medical education. The Congress can take pride in the outstanding job the University is doing in turning out first-rate doctors who are also first-rate military officers.

The Foundation will assist the University by receiving donations, grants, and bequests that can in turn be used to enrich the university teaching and research programs. It is my understanding that there are already several potential donors, one of whom wants to endow an academic chair at the university.

Several members of the Senate Armed Services Committee have asked that we make every effort to expedite action on S. 653; in view of the noncontroversial nature of the legislation, we are bringing it to the floor under suspension of rules today.

I urge my colleagues to support the passage of S. 653.

Mr. Speaker, I have no further requests for time.

Mr. MONTGOMERY. Mr. Speaker, I yield 1 minute to the gentleman from New York (Mr. STRATTON), who is a coauthor of the House bill.

Mr. STRATTON. Mr. Speaker, I want to express my strong support for this legislation which passed unanimously, as I understand it, in the Senate.

Essentially what it is designed to do is to provide for the Uniformed Services University of the Health Sciences, popularly known as the military medical school out at Bethesda, the same opportunities that are provided to other major medical institutions, namely, the opportunity to have teaching chairs endowed in honor of particular individuals, and to provide for special research grants that can be carried on in connection with the current research undertakings of the university without having that financing coming from the Federal Government.

This is what is done in the outstanding medical schools of the country, and I think it would be most appropriate and therefore strongly support the legislation of the gentleman from Mississippi and urge its adoption.

Mr. MONTGOMERY. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Mississippi (Mr. MONTGOMERY) that the House suspend the rules and pass the Senate bill, S. 653, as amended.

The question was taken.

Mr. McDONALD. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to the provisions of clause 5, rule I, and the Chair's prior announcement, further proceedings on this motion will be postponed.

GENERAL LEAVE

Mr. MONTGOMERY. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the Senate bill, S. 653, just considered.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Debate has been concluded on all motions to suspend the rules.

Pursuant to the provisions of clause 5, rule I, the Chair will now put the question on each motion on which further proceedings were postponed in the order in which that motion was entertained.

Votes will be taken in the following order: H.R. 2357, H.R. 2173, H.R. 2174, and S. 653, all by the yeas and nays.

The Chair will reduce to 5 minutes the time for any electronic votes after the first such vote in this series.

CONGRESSIONAL AWARD ACT

The SPEAKER pro tempore. The pending business is the question of suspending the rules and passing the bill, H.R. 2357, as amended.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Pennsylvania (Mr. MURPHY) that the House suspend the rules and pass the bill, H.R. 2357, as amended, on which the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 275, nays 2, not voting 155, as follows:

[Roll No. 90]

YEAS—275

Ackerman	Broyhill	Dixon
Albosta	Bryant	Donnelly
Anderson	Burton	Dorgan
Andrews (TX)	Carney	Downey
Archer	Carper	Dreier
Badham	Carr	Duncan
Barnard	Chandler	Durbin
Bateman	Chappie	Dwyer
Bates	Clay	Dymally
Bedell	Clinger	Dyson
Beilenson	Coleman (MO)	Edgar
Bennett	Collins	Edwards (CA)
Bereuter	Conable	English
Bethune	Cooper	Erlenborn
Bliley	Corcoran	Evans (IA)
Boggs	Coughlin	Evans (IL)
Boland	Courter	Fascell
Boner	Coyne	Fazio
Borski	D'Amours	Fiedler
Boxer	Dannemeyer	Fish
Breaux	Davis	Flippo
Britt	Dellums	Florio
Brooks	Derrick	Foley
Broomfield	DeWine	Ford (TN)
Brown (CA)	Dickinson	Forsythe
Brown (CO)	Dicks	Fowler
Frank	Lowry (WA)	Sawyer
Franklin	Lujan	Scheuer
Frenzel	Luken	Schneider
Frost	Lungren	Schumer
Fuqua	Mack	Seiberling
Gaydos	Markey	Sensenbrenner
Gejdenson	Marriott	Shannon
Gekas	Martin (IL)	Sharp
Gephardt	Martin (NC)	Shaw
Gibbons	Matsui	Shelby
Glickman	Mavroules	Shumway
Gonzalez	McCandless	Sikorski
Gore	McCloskey	Siljander
Gradison	McDade	Sisisky
Green	McDonald	Skeen
Gunderson	McEwen	Skelton
Hall (IN)	McKinney	Slattery
Hall, Sam	McNulty	Smith (FL)
Hamilton	Michel	Smith (NE)
Hammerschmidt	Mineta	Smith (NJ)
Hance	Minish	Smith, Robert
Hansen (ID)	Mitchell	Snowe
Hartnett	Moakley	Solarz
Hawkins	Molinari	Spence
Hertel	Montgomery	Spratt
Hightower	Moody	St Germain
Hiler	Moore	Stark
Hillis	Moorhead	Stratton
Holt	Morrison (CT)	Stump
Hopkins	Morrison (WA)	Sundquist
Horton	Murphy	Swift
Hubbard	Murtha	Tauke
Hughes	Myers	Tauzin
Hutto	Natcher	Thomas (CA)
Hyde	Neal	Thomas (GA)
Ireland	Nichols	Torricelli
Jenkins	Nielson	Towns
Jones (NC)	Oakar	Traxler
Jones (OK)	Oberstar	Udall
Jones (TN)	Obey	Valentine
Kaptur	Olin	Vander Jagt
Kasich	Ortiz	Vandergriff
Kastenmeier	Ottinger	Vento
Kazen	Packard	Volkmer
Kemp	Patman	Vucanovich
Kennelly	Pease	Walgren
Kildee	Penny	Walker
Kindness	Perkins	Weber
Kostmayer	Petri	Weiss
Kramer	Price	Wheat
LaFalce	Pritchard	Whitehurst
Lagomarsino	Rahall	Whittaker
Lantos	Ratchford	Whitten
Leach	Ray	Winn
Lent	Regula	Wirth
Levin	Richardson	Wise
Levitas	Robinson	Wolf
Lewis (CA)	Roe	Wolpe
Lewis (FL)	Roemer	Wright
Lipinski	Rogers	Wylie
Livingston	Rose	Yatron
Lloyd	Rostenkowski	Young (AK)
Loeffler	Roth	Young (FL)
Long (LA)	Roukema	Zablocki
Lott	Rowland	Zschau
Lowery (CA)	Russo	

NAYS—2

Schroeder	Williams (MT)

NOT VOTING—155

Addabbo	Clarke	Fields
Akaka	Coats	Foglietta
Alexander	Coelho	Ford (MI)
Andrews (NC)	Coleman (TX)	Garcia
Annunzio	Conte	Gilman
Anthony	Conyers	Gingrich
Applegate	Craig	Goodling
Aspin	Crane, Daniel	Gramm
AuCoin	Crane, Philip	Gray
Barnes	Crockett	Gregg
Bartlett	Daniel	Guarini
Berman	Daschle	Hall (OH)
Bevill	Daub	Hall, Ralph
Biaggi	de la Garza	Hansen (UT)
Bilirakis	Dingell	Harkin
Boehlert	Dowdy	Harrison
Bonior	Early	Hatcher
Bonker	Eckart	Hefner
Bosco	Edwards (AL)	Heftel
Boucher	Edwards (OK)	Howard
Byron	Emerson	Hoyer
Campbell	Erdreich	Huckaby
Chappell	Feighan	Hunter
Cheney	Ferraro	Jacobs

Jeffords	Mollohan	Schaefer
Johnson	Mrazek	Schulze
Kogovsek	Nelson	Shuster
Kolter	Nowak	Simon
Latta	O'Brien	Smith (IA)
Leath	Owens	Smith, Denny
Lehman (CA)	Oxley	Snyder
Lehman (FL)	Panetta	Solomon
Leland	Parris	Staggers
Levine	Pashayan	Stangeland
Long (MD)	Patterson	Stenholm
Lundine	Paul	Stokes
MacKay	Pepper	Studds
Madigan	Pickle	Synar
Marlenee	Porter	Tallon
Martin (NY)	Pursell	Taylor
Martinez	Quillen	Torres
Mazzoli	Rangel	Watkins
McCain	Reid	Waxman
McCollum	Ridge	Weaver
McCurdy	Rinaldo	Whitley
McGrath	Ritter	Williams (OH)
McHugh	Roberts	Wilson
McKernan	Rodino	Wortley
Mica	Roybal	Wyden
Mikulski	Rudd	Yates
Miller (CA)	Sabo	Young (MO)
Miller (OH)	Savage	

□ 1300

Mr. LAGOMARSINO changed his vote from "nay" to "yea."

So (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Mr. MURPHY. Mr. Speaker, I ask unanimous consent that the Committee on Education and Labor be discharged from further consideration of the Senate bill (S. 957) to provide for an increase in the number of members of the Congressional Award Board, and for other purposes, and ask for its immediate consideration.

The Clerk read the title of the Senate bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

The Clerk read the Senate bill, as follows:

S. 957

Be in enacted by the Senate and House of Representatives of United States of America in Congress assembled, That (a) subsection (a) of section 4 of the Congressional Award Act (Public Law 96-114; 2 U.S.C. 803 (a)) is amended—

(1) by striking out "seventeen" in the matter preceding the colon in paragraph (1) and inserting in lieu thereof "thirty-three";

(2) by striking out "Four" in clauses (A), (B), (C), and (D) of paragraph (1) and inserting in lieu thereof "Eight"; and

(3) by striking out "or the Committee for the Establishment and Promotion of the Congressional Award" in paragraph (2).

(b) Subsection (b) of section 4 of such Act (2 U.S.C. 803 (b)) is amended—

(1) by striking out "appointed" at the beginning of such subsection and inserting in lieu thereof "Except as provided in paragraph (2), appointed"; and

(2) by inserting at the end therof the following new paragraph:

"(2) Individuals appointed to the Board after March 31, 1983, shall serve for terms of two years.".

SEC. 2. Notwithstanding the provisions of section 4 of the Congressional Award Act (2 U.S.C. 803), relating to the terms of individuals appointed to the Congressional Award Board, the sixteen additional members to be appointed to the Board pursuant to the amendments made by the first section of this Act shall be appointed for terms as follows:

(1) Six members shall be appointed for terms of two years.

(2) Five members shall be appointed for terms of four years.

(3) Five members shall be appointed for terms of six years.

Thereafter such members shall be appointed for terms of two years.

MOTION OFFERED BY MR. MURPHY

Mr. MURPHY. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. MURPHY moves to strike out all after the enacting clause of the Senate bill, S. 957, and to insert in lieu thereof the provisions of the bill, H.R. 2357, as passed.

The motion was agreed to.

The Senate bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

A similar House bill (H.R. 2357) was laid on the table.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to the provisions of clause 5, rule I, the Chair announces that he will reduce to a minimum of 5 minutes the period of time within which a vote by electronic device will be taken on all the additional motions to suspend the rules on which the Chair has postponed further proceedings.

CONTRACT SERVICES FOR DRUG DEPENDENT FEDERAL OFFENDERS AUTHORIZATION ACT OF 1983

The SPEAKER pro tempore. The pending business is the question of suspending the rules and passing the bill, H.R. 2173.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New Jersey (Mr. HUGHES) that the House suspend the rules and pass the bill, H.R. 2173, on which the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 275, nays 8, not voting 149, as follows:

[Roll No. 91]

YEAS—275

Ackerman	Beilenson	Britt
Akaka	Bennett	Brooks
Albosta	Bereuter	Broomfield
Anderson	Bethune	Brown (CA)
Andrews (TX)	Bliley	Broyhill
Archer	Boggs	Bryant
Badham	Boland	Burton
Barnard	Boner	Carney
Bateman	Borski	Carper
Bates	Boxer	Carr
Bedell	Breaux	Chandler
Chappie	Jones (TN)	Regula
Clay	Kaptur	Richardson
Clinger	Kasich	Ritter
Coleman (MO)	Kastenmeier	Robinson
Collins	Kazen	Roe
Conable	Kemp	Roemer
Cooper	Kennelly	Rogers
Corcoran	Kildee	Rose
Coughlin	Kindness	Rostenkowski
Courter	Kostmayer	Roth
Coyne	Kramer	Roukema
D'Amours	LaFalce	Rowland
Davis	Lagomarsino	Russo
Dellums	Lantos	Sawyer
Derrick	Leach	Scheuer
DeWine	Lent	Schneider
Dickinson	Levin	Schroeder
Dicks	Levitas	Schumer
Dixon	Lewis (CA)	Seiberling
Donnelly	Lewis (FL)	Sensenbrenner
Dorgan	Lipinski	Shannon
Downey	Livingston	Sharp
Duncan	Lloyd	Shaw
Durbin	Loeffler	Shelby
Dwyer	Long (LA)	Shumway
Dymally	Lott	Sikorski
Dyson	Lowery (CA)	Siljander
Edgar	Lowry (WA)	Sisisky
Edwards (CA)	Lujan	Skeen
English	Luken	Skelton
Erlenborn	Lungren	Slattery
Evans (IA)	Mack	Smith (FL)
Evans (IL)	Markey	Smith (NE)
Fascell	Marriott	Smith (NJ)
Fazio	Martin (IL)	Smith, Robert
Fiedler	Martin (NC)	Snowe
Fish	Matsui	Solarz
Flippo	Mavroules	Spence
Florio	McCandless	Spratt
Foley	McCloskey	St Germain
Ford (TN)	McDade	Stark
Forsythe	McEwen	Stratton
Fowler	McKinney	Sundquist
Frank	Michel	Swift
Franklin	Mineta	Tauke
Frenzel	Minish	Tauzin
Frost	Mitchell	Thomas (CA)
Fuqua	Moakley	Thomas (GA)
Gaydos	Molinari	Torricelli
Gejdenson	Montgomery	Towns
Gephardt	Moody	Traxler
Gibbons	Moore	Udall
Glickman	Moorhead	Valentine
Gonzalez	Morrison (CT)	Vander Jagt
Gore	Morrison (WA)	Vandergriff
Gradison	Murphy	Vento
Green	Murtha	Volkmer
Gunderson	Myers	Vucanovich
Hall (IN)	Natcher	Walgren
Hall, Sam	Neal	Walker
Hamilton	Nichols	Weber
Hammerschmidt	Nielson	Weiss
Hance	Nowak	Wheat
Hansen (ID)	Oakar	Whitehurst
Harrison	Oberstar	Whittaker
Hawkins	Obey	Whitten
Hertel	Olin	Williams (MT)
Hightower	Ortiz	Winn
Hiler	Ottinger	Wirth
Hillis	Packard	Wise
Holt	Patman	Wolf
Hopkins	Pease	Wolpe
Horton	Penny	Wright
Hubbard	Perkins	Wylie
Hughes	Petri	Yates
Hutto	Porter	Yatron
Hyde	Price	Young (AK)
Ireland	Pritchard	Young (FL)
Jenkins	Rahall	Zablocki
Jones (NC)	Ratchford	Zschau
Jones (OK)	Ray	

NAYS—8

Brown (CO)	Gekas	Paul
Dannemeyer	Hartnett	Stump
Dreier	McDonald	

NOT VOTING—149

Addabbo	AuCoin	Boehlert
Alexander	Barnes	Bonior
Andrews (NC)	Bartlett	Bonker
Annunzio	Berman	Bosco
Anthony	Bevill	Boucher
Applegate	Biaggi	Byron
Aspin	Bilirakis	Campbell

Chappell
Cheney
Clarke
Coats
Coelho
Coleman (TX)
Conte
Conyers
Craig
Crane, Daniel
Crane, Philip
Crockett
Daniel
Daschle
Daub
de la Garza
Dingell
Dowdy
Early
Eckart
Edwards (AL)
Edwards (OK)
Emerson
Erdreich
Feighan
Ferraro
Fields
Foglietta
Ford (MI)
Garcia
Gilman
Gingrich
Goodling
Gramm
Gray
Gregg
Guarini
Hall (OH)
Hall, Ralph
Hansen (UT)
Harkin
Hatcher
Hefner
Heftel
Howard
Hoyer
Huckaby
Hunter
Jacobs
Jeffords
Johnson
Kogovsek
Kolter
Latta
Leath
Lehman (CA)
Lehman (FL)
Leland
Levine
Long (MD)
Lundine
MacKay
Madigan
Marlenee
Martin (NY)
Martinez
Mazzoli
McCain
McCollum
McCurdy
McGrath
McHugh
McKernan
McNulty
Mica
Mikulski
Miller (CA)
Miller (OH)
Mollohan
Mrazek
Nelson
O'Brien
Owens
Oxley
Panetta
Parris
Pashayan
Patterson
Pepper
Pickle
Pursell
Quillen
Rangel
Reid
Ridge
Rinaldo
Roberts
Rodino
Roybal
Rudd
Sabo
Savage
Schaefer
Schulze
Shuster
Simon
Smith (IA)
Smith, Denny
Snyder
Solomon
Staggers
Stangeland
Stenholm
Stokes
Studds
Synar
Tallon
Taylor
Torres
Watkins
Waxman
Weaver
Whitley
Williams (OH)
Wilson
Wortley
Wyden
Young (MO)

□ 1315

So (two-thirds having voted in favor there) the rules were suspended and the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

FEDERAL ANTITAMPERING ACT

The SPEAKER pro tempore. The pending business is the question of suspending the rules and passing the bill, H.R. 2174, as amended.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New Jersey (Mr. HUGHES) that the House suspend the rules and pass the bill, H.R. 2174, as amended, on which the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 292, nays 0, not voting 140, as follows:

[Roll No. 92]

YEAS—292

Ackerman
Akaka
Albosta
Anderson
Andrews (TX)
Archer
Badham
Barnard
Bateman
Bates
Bedell
Beilenson
Bennett
Bereuter
Bethune
Bevill
Bliley
Boggs
Boland
Boner
Borski
Boxer
Breaux
Britt
Brooks
Broomfield
Brown (CA)
Brown (CO)
Broyhill
Bryant
Burton
Carney
Carper
Carr
Chandler
Chappie
Clay
Clinger
Coleman (MO)
Collins
Conable
Cooper
Corcoran
Coughlin
Courter
Coyne
D'Amours
Dannemeyer
Daschle
Davis
Dellums
Derrick
DeWine
Dickinson
Dicks
Dixon
Donnelly
Dorgan
Downey
Dreier
Duncan
Durbin
Dwyer
Dymally
Dyson
Eckart
Edgar
Edwards (CA)
English
Erlenborn
Evans (IA)
Evans (IL)
Fascell
Fazio
Fiedler
Fish
Flippo
Florio
Foley
Ford (TN)
Forsythe
Fowler
Frank
Franklin
Frenzel
Frost
Fuqua
Garcia
Gaydos
Gejdenson
Gekas
Gephardt
Gibbons
Glickman
Gonzalez
Gore
Gradison
Green
Guarini
Gunderson
Hall (IN)
Hall, Sam
Hamilton
Hammerschmidt
Hance
Hansen (ID)
Harrison
Hartnett
Hawkins
Hertel
Hightower
Hiler
Hillis
Holt
Hopkins
Horton
Hubbard
Hughes
Hunter
Hutto
Hyde
Ireland
Jenkins
Jones (NC)
Jones (OK)
Jones (TN)
Kaptur
Kasich
Kastenmeier
Kazen
Kemp
Kennelly
Kildee
Kindness
Kostmayer
Kramer
LaFalce
Lagomarsino
Lantos
Leach
Lent
Levin
Levine
Levitas
Lewis (CA)
Lewis (FL)
Lipinski
Livingston
Lloyd
Loeffler
Long (LA)
Lott
Lowery (CA)
Lowry (WA)
Lujan
Luken
Lungren
Mack
Markey
Marriott
Martin (IL)
Martin (NC)
Matsui
Mavroules
McCandless
McCloskey
McDade
McDonald
McEwen
McKinney
McNulty
Michel
Mineta
Minish
Mitchell
Moakley
Molinari
Montgomery
Moody
Moore
Moorhead
Morrison (CT)
Morrison (WA)
Murphy
Murtha
Myers
Natcher
Neal
Nichols
Nielson
Nowak
Oakar
Oberstar
Obey
Olin
Ortiz
Ottinger
Packard
Patman
Paul
Pease
Penny
Perkins
Petri
Porter
Price
Rahall
Ratchford
Ray
Regula
Rinaldo
Ritter
Robinson
Roe
Roemer
Rogers
Rose
Rostenkowski
Roth
Roukema
Rowland
Russo
Sawyer
Scheuer
Schneider
Schroeder
Schumer
Seiberling
Sensenbrenner
Shannon
Sharp
Shaw
Shelby
Shumway
Sikorski
Siljander
Simon
Sisisky
Skeen
Skelton
Slattery
Smith (FL)
Smith (NE)
Smith (NJ)
Smith, Robert
Snowe
Solarz
Spence
Spratt
St Germain
Stark
Stratton
Stump
Sundquist
Swift
Tauke
Tauzin
Thomas (CA)
Thomas (GA)
Torricelli
Towns
Traxler
Udall
Valentine
Vander Jagt
Vandergriff
Vento
Volkmer
Vucanovich
Walgren
Walker
Weber
Weiss
Wheat
Whitehurst
Whitley
Whittaker
Whitten
Williams (MT)
Winn
Wirth
Wise
Wolf
Wolpe
Wright
Wylie
Yates
Yatron
Young (AK)
Young (FL)
Zablocki
Zschau

NOT VOTING—140

Addabbo
Alexander
Andrews (NC)
Annunzio
Anthony
Applegate
Aspin
AuCoin
Barnes
Bartlett
Berman
Biaggi
Bilirakis
Boehlert
Bonior
Bonker
Bosco
Boucher
Byron
Campbell
Chappell
Cheney
Clarke
Coats
Coelho
Coleman (TX)
Conte
Conyers
Craig
Crane, Daniel
Crane, Philip
Crockett
Daniel
Daub
de la Garza
Dingell
Dowdy
Early
Edwards (AL)
Edwards (OK)
Emerson
Erdreich
Feighan
Ferraro
Fields
Foglietta
Ford (MI)
Gilman
Gingrich
Goodling
Gramm
Gray
Gregg
Hall (OH)
Hall, Ralph
Hansen (UT)
Harkin
Hatcher
Hefner
Heftel
Howard
Hoyer
Huckaby
Jacobs
Jeffords
Johnson
Kogovsek
Kolter
Latta
Leath
Lehman (CA)
Lehman (FL)
Leland
Long (MD)
Lundine
MacKay
Madigan
Marlenee
Martin (NY)
Martinez
Mazzoli
McCain
McCollum
McCurdy
McGrath
McHugh
McKernan
Mica
Mikulski
Miller (CA)
Miller (OH)
Mollohan
Mrazek
Nelson
O'Brien
Owens
Oxley
Panetta
Parris
Pashayan
Patterson
Pepper
Pickle
Pritchard
Pursell
Quillen
Rangel
Reid
Richardson
Ridge
Roberts
Rodino
Roybal
Rudd
Sabo
Savage
Schaefer
Schulze
Shuster
Smith (IA)
Smith, Denny
Snyder
Solomon
Staggers
Stangeland
Stenholm
Stokes
Studds
Synar
Tallon
Taylor
Torres
Watkins
Waxman
Weaver
Williams (OH)
Wilson
Wortley
Wyden
Young (MO)

The Clerk announced the following pairs:

On this vote:

Mr. Addabbo and Mr. Pepper for, with Mr. Conyers against.

Mr. Erdreich and Mr. Feighan for, with Mr. Crockett against.

So (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

The result of the vote was announced as above recorded.

The title of the bill was amended so as to read: "A bill to amend title 18 of the United States Code to prohibit certain tampering with consumer products, and for other purposes."

A motion to reconsider was laid on the table.

FOUNDATION FOR THE ADVANCEMENT OF MILITARY MEDICINE ACT OF 1983

The SPEAKER pro tempore. The pending business is the question of suspending the rules and passing the Senate bill, S. 653, as amended.

The Clerk read the title of the Senate bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Mississippi (Mr. MONTGOMERY) that the House suspend the rules and pass the Senate bill, S. 653, as amended, on which the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 295, nays 0, not voting 137, as follows:

[Roll No. 93]

YEAS—295

Ackerman
Akaka
Albosta
Anderson
Andrews (TX)
Archer
Badham
Barnard
Barnes
Bates
Bedell
Beilenson

Bennett	Hansen (ID)	Penny
Bereuter	Harrison	Perkins
Bethune	Hartnett	Petri
Bevill	Hertel	Porter
Bliley	Hightower	Price
Boggs	Hiler	Pritchard
Boland	Hillis	Rahall
Boner	Holt	Ratchford
Bonker	Hopkins	Ray
Borski	Horton	Regula
Boucher	Hubbard	Richardson
Boxer	Hughes	Rinaldo
Breaux	Hunter	Ritter
Britt	Hutto	Robinson
Brooks	Hyde	Roe
Broomfield	Ireland	Roemer
Brown (CA)	Jenkins	Rogers
Brown (CO)	Jones (NC)	Rose
Broyhill	Jones (OK)	Rostenkowski
Bryant	Jones (TN)	Roth
Burton	Kaptur	Roukema
Carney	Kasich	Rowland
Carper	Kastenmeier	Russo
Carr	Kazen	Sawyer
Chandler	Kemp	Scheuer
Chappie	Kennelly	Schneider
Clay	Kildee	Schroeder
Clinger	Kindness	Schumer
Coleman (MO)	Kostmayer	Seiberling
Collins	Kramer	Sensenbrenner
Conable	LaFalce	Shannon
Cooper	Lagomarsino	Sharp
Corcoran	Lantos	Shaw
Coughlin	Leach	Shelby
Courter	Lent	Shumway
Coyne	Levin	Sikorski
D'Amours	Levine	Siljander
Dannemeyer	Levitas	Simon
Daschle	Lewis (CA)	Sisisky
Davis	Lewis (FL)	Skeen
Dellums	Lipinski	Skelton
Derrick	Livingston	Slattery
DeWine	Lloyd	Smith (FL)
Dickinson	Loeffler	Smith (NE)
Dicks	Long (LA)	Smith (NJ)
Dixon	Lott	Smith, Robert
Donnelly	Lowery (CA)	Snowe
Dorgan	Lowry (WA)	Solarz
Downey	Lujan	Spence
Dreier	Luken	Spratt
Duncan	Lungren	St Germain
Durbin	Mack	Stark
Dwyer	Markey	Stratton
Dymally	Marriott	Stump
Dyson	Martin (IL)	Sundquist
Eckart	Martin (NC)	Swift
Edgar	Matsui	Tauke
Edwards (CA)	Mavroules	Tauzin
English	McCandless	Thomas (CA)
Erlenborn	McCloskey	Thomas (GA)
Evans (IA)	McDade	Torricelli
Evans (IL)	McDonald	Towns
Fascell	McEwen	Traxler
Fazio	McKinney	Udall
Fiedler	McNulty	Valentine
Fish	Michel	Vander Jagt
Flippo	Mineta	Vandergriff
Florio	Minish	Vento
Foley	Mitchell	Volkmer
Ford (TN)	Moakley	Vucanovich
Forsythe	Molinari	Walgren
Fowler	Montgomery	Walker
Frank	Moody	Weber
Franklin	Moore	Weiss
Frenzel	Moorhead	Wheat
Frost	Morrison (CT)	Whitehurst
Fuqua	Morrison (WA)	Whitley
Garcia	Murphy	Whittaker
Gaydos	Murtha	Whitten
Gejdenson	Myers	Williams (MT)
Gekas	Natcher	Winn
Gephardt	Neal	Wirth
Gibbons	Nichols	Wise
Glickman	Nielson	Wolf
Gonzalez	Nowak	Wolpe
Gore	Oakar	Wright
Gradison	Oberstar	Wylie
Green	Obey	Yates
Guarini	Olin	Yatron
Gunderson	Ortiz	Young (AK)
Hall (IN)	Ottinger	Young (FL)
Hall, Sam	Packard	Zablocki
Hamilton	Patman	Zschau
Hammerschmidt	Paul	
Hance	Pease	

NOT VOTING—137

Addabbo	Gingrich	Nelson
Alexander	Goodling	O'Brien
Andrews (NC)	Gramm	Owens
Annunzio	Gray	Oxley
Anthony	Gregg	Panetta
Applegate	Hall (OH)	Parris
Aspin	Hall, Ralph	Pashayan
AuCoin	Hansen (UT)	Patterson
Bartlett	Harkin	Pepper
Bateman	Hatcher	Pickle
Berman	Hawkins	Pursell
Biaggi	Hefner	Quillen
Bilirakis	Heftel	Rangel
Boehlert	Howard	Reid
Bonior	Hoyer	Ridge
Bosco	Huckaby	Roberts
Byron	Jacobs	Rodino
Campbell	Jeffords	Roybal
Chappell	Johnson	Rudd
Cheney	Kogovsek	Sabo
Clarke	Kolter	Savage
Coats	Latta	Schaefer
Coelho	Leath	Schulze
Coleman (TX)	Lehman (CA)	Shuster
Conte	Lehman (FL)	Smith (IA)
Conyers	Leland	Smith, Denny
Craig	Long (MD)	Snyder
Crane, Daniel	Lundine	Solomon
Crane, Philip	MacKay	Staggers
Crockett	Madigan	Stangeland
Daniel	Marlenee	Stenholm
Daub	Martin (NY)	Stokes
de la Garza	Martinez	Studds
Dingell	Mazzoli	Synar
Dowdy	McCain	Tallon
Early	McCollum	Taylor
Edwards (AL)	McCurdy	Torres
Edwards (OK)	McGrath	Watkins
Emerson	McHugh	Waxman
Erdreich	McKernan	Weaver
Feighan	Mica	Williams (OH)
Ferraro	Mikulski	Wilson
Fields	Miller (CA)	Wortley
Foglietta	Miller (OH)	Wyden
Ford (MI)	Mollohan	Young (MO)
Gilman	Mrazek	

□ 1330

So (two-thirds having voted in favor thereof) the rules were suspended and the Senate bill, as amended, was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERMISSION FOR COMMITTEE ON FOREIGN AFFAIRS TO SIT TODAY AND FOR THE REMAINDER OF THE WEEK DURING 5-MINUTE RULE

Mr. ZABLOCKI. Mr. Speaker, I ask unanimous consent that the Committee on Foreign Affairs be permitted to sit and mark up authorizing legislation this afternoon and during the remainder of this week when the House will be in session under the 5-minute rule.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

PROVIDING FOR CONSIDERATION OF H.R. 2175, JUSTICE ASSISTANCE ACT OF 1983

Mr. LONG of Louisiana. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 184 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 184

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 1(b) of rule XXIII, declare the House resolved into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 2175) to amend the Omnibus Crime Control and Safe Streets Act of 1968, and for other purposes, and the first reading of the bill shall be dispensed with. After general debate, which shall be confined to the bill and shall continue not to exceed one hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on the Judiciary, the bill shall be considered for amendment under the five-minute rule. It shall be in order to consider the amendment in the nature of a substitute recommended by the Committee on the Judiciary now printed in the bill as an original bill for the purpose of amendment under the five-minute rule, said substitute shall be considered for amendment by titles instead of by sections, and each title shall be considered as having been read, and all points of order against said substitute for failure to comply with the provisions of clause 5, rule XXI are hereby waived. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the committee amendment in the nature of a substitute. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

The SPEAKER pro tempore. The gentleman from Louisiana (Mr. LONG) is recognized for 1 hour.

Mr. LONG of Louisiana. Mr. Speaker, I yield the usual 30 minutes, for purposes of debate only, to the distinguished gentleman from Mississippi (Mr. LOTT), and pending that, I yield myself such time as I may consume.

Mr. LONG of Louisiana. Mr. Speaker, House Resolution 184 is a simple open rule providing for the consideration of H.R. 2175, the Justice Assistance Act of 1983. This bill restructures Federal programs of financial assistance aimed at combating crime and provides new authority for appropriations for these programs.

The bill provides new authority in the amount of $170 million annually for the Office of Justice Assistance for fiscal years 1983 through 1986; $25 million annually for the National Institute of Justice for fiscal year 1983 through 1986; $25 million annually for Bureau of Justice Statistics for fiscal years 1983 through 1986; such sums as may be necessary for the public safety officers' death benefits program, and $20 million for fiscal years 1984 through 1986 for emergency financial assistance to State and local governments experiencing critical crime situations.

The rule provides waivers of points of order permitting consideration of H.R. 2175. The first reading of the bill will be dispensed with. The rule makes in order the amendment in the nature of a substitute reported by the Committee on the Judiciary as an original bill for the purposes of amendment. The legislation will be read for amendment by title, with each title considered as read.

The rule waives clause 5, rule XXI, prohibiting appropriations in a legislative bill. The waiver is necessary because, on pages 15 and 19, the bill allows funds allocated for the new Office of Justice Assistance to be made available for any fiscal year. Conceivably since funds are already appropriated for fiscal year 1983, and the bill could be enacted prior to the end of the fiscal year, funds already appropriated could be used for this purpose. Thus technically, they would become appropriations.

The rule also provides that at the conclusion of the consideration of the bill for amendment, the committee shall rise and report the bill with amendments to the House with such amendments as may have been adopted, and that any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the committee amendment in the nature of a substitute. At the conclusion of all consideration, one motion to recommit with or without instructions will be in order.

Mr. Speaker, the bill which this resolution would bring forward for debate is a most important one. It renews the effort to reauthorize Federal justice assistance to the States and localities. The legislation will create a new Office of Justice Assistance within the Department of Justice to replace the former Law Enforcement Assistance Administration.

While we are all aware that there were some questionable uses of LEAA funds in the past, the legislation before us today is carefully crafted to preserve the best programs LEAA had to offer while insuring that past abuses will not recur. Under the program, grants will be made to qualifying State and local agencies in order to fund certain criminal justice programs of proven success. In order to insure that the State or local agency is committed to the program, a 50-percent match is required. In addition, the legislation provides funds for States or localities facing criminal justice emergencies such as that faced by the city of Atlanta last year.

Last year, after a 2-year hiatus in the Federal effort, a bipartisan consensus emerged that there may have to be some modest Federal role in criminal justice research and assistance. It became clear that State and local resources often are inadequate to fund experimental anticrime programs. And in these times of budget austerity, many States and localities are not only eliminating innovative programs that may reduce crime, but are cutting back on the basic protections afforded our citizens as well.

This cannot continue. Our people are becoming increasingly concerned with the alarming growth in the crime rate in recent years and we must respond immediately with new and reasoned solutions. H.R. 2175, by providing Federal funds to States and localities that want to begin innovative anticrime programs, is an important beginning to that effort.

It is in this context that I would like to express my particular pleasure in seeing the House of Representatives again take the lead on this important piece of legislation. The House has passed similar legislation twice before. Although we hear so much about the crime initiative being developed in the other body, my experience in the last Congress and again today with the consideration of two crime bills—the antitampering bill and the drug dependent offender program—as well as debate on this one, is that the House has truly provided leadership on the crime issue. Much of the credit is due to the devoted work of my friend and colleague from New Jersey, with whom I have had the pleasure of working on a crime task force over the past few years. I look forward to our consideration of other important measures developed by Mr. HUGHES and his subcommittee in the coming months.

Mr. Speaker, I know of no controversy on this rule. I urge my colleagues to approve the rule so that we may proceed to the consideration of this more important legislation.

□ 1340

Mr. LOTT. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, this rule provides for consideration of H.R. 2175, the Justice Assistance Act of 1983. The resolution provides for an open rule with 1 hour of general debate, which should give all Members the opportunity to work their will on this legislation.

After general debate, the bill is open to amendment under the 5-minute rule. One amendment has been made in order. It is an amendment in the nature of a substitute recommended by the Judiciary Committee, which shall be considered as an original bill for the purpose of amendment. The substitute will be considered for amendment by titles instead of by sections. The rule also waives clause 5 of rule 21 for the substitute. This is necessary because the substitute would be subject to a point of order as a legislative bill containing an appropriation. The rule provides for no other motion except for one motion to recommit with or without instructions.

Mr. Speaker, I have no objections to this rule, but I do have questions about the bill itself. I am quite concerned about the level of funding. Are we not, as usual, throwing money at a problem and hoping it will go away? This bill authorizes $100 million more for the justice assistance program than the administration requested. The first budget resolution passed by this body has severely limited funds to be used for the adminstration of justice. The first budget resolution also anticipates funding for the Legal Services Corporation. I am concerned that funding for some of these programs will necessitate a decrease in funding for Federal law enforcement. Now is not the time to cut funding to these agencies and weaken their effectiveness.

Mr. Speaker, I have no further requests for time.

Mr. LONG of Louisiana. Mr. Speaker, I have no further requests for time, and I move the previous question on the resolution.

The previous question was ordered.

The SPEAKER pro tempore (Mr. MURTHA). The question is on the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. SENSENBRENNER. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 267, nays 32, not voting 133, as follows:

[Roll No. 94]

YEAS—267

Ackerman	Carr	Evans (IL)
Akaka	Chandler	Fascell
Albosta	Clay	Fazio
Anderson	Clinger	Fiedler
Andrews (TX)	Coleman (MO)	Fish
Barnard	Collins	Flippo
Barnes	Cooper	Florio
Bateman	Coughlin	Foley
Bates	Courter	Ford (MI)
Bedell	Daschle	Ford (TN)
Beilenson	Davis	Fowler
Bennett	de la Garza	Frank
Bereuter	Dellums	Franklin
Bethune	Derrick	Frenzel
Bevill	Dicks	Frost
Bliley	Donnelly	Fuqua
Boggs	Dorgan	Garcia
Boner	Downey	Gaydos
Bonker	Duncan	Gejdenson
Borski	Durbin	Gephardt
Boucher	Dwyer	Gibbons
Boxer	Dymally	Glickman
Breaux	Dyson	Gonzalez
Britt	Eckart	Gradison
Brooks	Edgar	Green
Broomfield	Edwards (AL)	Guarini
Brown (CA)	Edwards (CA)	Gunderson
Bryant	English	Hall (IN)
Burton	Erdreich	Hall, Ralph
Carney	Erlenborn	Hall, Sam
Carper	Evans (IA)	Hamilton

Hance	McNulty	Shannon
Harrison	Michel	Sharp
Hertel	Mineta	Shaw
Hightower	Minish	Shelby
Hiler	Mitchell	Sikorski
Hillis	Moakley	Siljander
Holt	Molinari	Sisisky
Horton	Mollohan	Skeen
Hoyer	Montgomery	Slattery
Hughes	Moody	Smith (FL)
Hunter	Moore	Smith (NE)
Hutto	Morrison (CT)	Smith (NJ)
Hyde	Morrison (WA)	Smith, Robert
Ireland	Murphy	Snowe
Jones (NC)	Murtha	Solarz
Jones (OK)	Natcher	Spence
Jones (TN)	Neal	Spratt
Kaptur	Nichols	St Germain
Kasich	Nielson	Stangeland
Kastenmeier	Nowak	Stratton
Kazen	O'Brien	Sundquist
Kemp	Oakar	Swift
Kennelly	Oberstar	Tauke
Kildee	Obey	Thomas (CA)
Kindness	Olin	Thomas (GA)
Kostmayer	Ortiz	Torricelli
Kramer	Ottinger	Towns
LaFalce	Packard	Traxler
Lagomarsino	Patman	Udall
Lantos	Pease	Valentine
Leach	Penny	Vander Jagt
Levin	Perkins	Vandergriff
Levine	Petri	Vento
Levitas	Porter	Volkmer
Lewis (CA)	Price	Vucanovich
Lewis (FL)	Pritchard	Walgren
Lipinski	Rahall	Walker
Livingston	Ratchford	Waxman
Lloyd	Ray	Weber
Loeffler	Regula	Weiss
Long (LA)	Richardson	Wheat
Long (MD)	Rinaldo	Whitehurst
Lott	Ritter	Whitley
Lowery (CA)	Robinson	Whittaker
Lowry (WA)	Roe	Whitten
Lujan	Rose	Williams (MT)
Luken	Rostenkowski	Williams (OH)
Lundine	Roth	Winn
Lungren	Roukema	Wirth
Markey	Rowland	Wise
Marriott	Russo	Wolf
Martinez	Sabo	Wolpe
Matsui	Sawyer	Wright
Mavroules	Scheuer	Wylie
McCloskey	Schneider	Yates
McDade	Schroeder	Yatron
McEwen	Schumer	Zablocki
McKinney	Seiberling	Zschau

NAYS—32

Archer	Gekas	Moorhead
Badham	Hammerschmidt	Myers
Brown (CO)	Hansen (ID)	Paul
Chappie	Hartnett	Roemer
Cheney	Hopkins	Rogers
Conable	Hubbard	Sensenbrenner
Corcoran	Lent	Shumway
Dannemeyer	Mack	Stump
DeWine	Martin (NC)	Tauzin
Dickinson	McCandless	Young (AK)
Dreier	McDonald	

NOT VOTING—133

Addabbo	Coelho	Forsythe
Alexander	Coleman (TX)	Gilman
Andrews (NC)	Conte	Gingrich
Annunzio	Conyers	Goodling
Anthony	Coyne	Gore
Applegate	Craig	Gramm
Aspin	Crane, Daniel	Gray
AuCoin	Crane, Philip	Gregg
Bartlett	Crockett	Hall (OH)
Berman	D'Amours	Hansen (UT)
Biaggi	Daniel	Harkin
Bilirakis	Daub	Hatcher
Boehlert	Dingell	Hawkins
Boland	Dixon	Hefner
Bonior	Dowdy	Heftel
Bosco	Early	Howard
Broyhill	Edwards (OK)	Huckaby
Byron	Emerson	Jacobs
Campbell	Feighan	Jeffords
Chappell	Ferraro	Jenkins
Clarke	Fields	Johnson
Coats	Foglietta	Kogovsek
Kolter	Nelson	Skelton
Latta	Owens	Smith (IA)
Leath	Oxley	Smith, Denny
Lehman (CA)	Panetta	Snyder
Lehman (FL)	Parris	Solomon
Leland	Pashayan	Staggers
MacKay	Patterson	Stark
Madigan	Pepper	Stenholm
Marlenee	Pickle	Stokes
Martin (IL)	Pursell	Studds
Martin (NY)	Quillen	Synar
Mazzoli	Rangel	Tallon
McCain	Reid	Taylor
McCollum	Ridge	Torres
McCurdy	Roberts	Watkins
McGrath	Rodino	Weaver
McHugh	Roybal	Wilson
McKernan	Rudd	Wortley
Mica	Savage	Wyden
Mikulski	Schaefer	Young (FL)
Miller (CA)	Schulze	Young (MO)
Miller (OH)	Shuster	
Mrazek	Simon	

□ 1400

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

TRIBUTE TO THE LATE HONORABLE E. ROSS ADAIR

(Mr. MYERS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MYERS. Mr. Speaker, it is with sadness that I announce the passing of a former Member, E. Ross Adair last Saturday in Fort Wayne.

Ross was elected to Congress in 1951 and served until 1971; during that period of time he served as the ranking minority Member of the House Committee on Foreign Affairs. After leaving the House, E. Ross Adair served as our Ambassador to Ethiopia. His funeral will be tomorrow afternoon in Fort Wayne. He leaves his wife, Marian, whom many of you remember and two children. We all will miss Ross.

JUSTICE ASSISTANCE ACT OF 1983

The SPEAKER pro tempore. Pursuant to House Resolution 184 and rule XXIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the consideration of the bill, H.R. 2175.

The Chair designates the gentleman from Louisiana, Mr. ROEMER, as Chairman of the Committee of the Whole, and requests the gentleman from Illinois, Mr. DURBIN, to assume the chair temporarily.

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 2175) to amend the Omnibus Crime Control and Safe Streets Act of 1968, and for other purposes, with Mr. DURBIN (Chairman pro tempore) in the chair.

The Clerk read the title of the bill.

The CHAIRMAN pro tempore. Pursuant to the rule, the first reading of the bill is dispensed with.

Under the rule, the gentleman from New Jersey (Mr. HUGHES) will be recognized for 30 minutes, and the gentleman from Michigan (Mr. SAWYER) will be recognized for 30 minutes.

The Chair recognizes the gentleman from New Jersey (Mr. HUGHES).

Mr. HUGHES. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, recently, much has been said about our need for a "war against crime." Unfortunately for all of us, there can be no "total victory" in this "war" and indeed very few battles have been won recently. In these battles, the Federal Government's direct role is very limited both by custom and the Constitution.

It only investigates and prosecutes about 5 percent of the total criminal justice workload, despite a dramatic increase in activity involving drugs, interstate and organized crime in the last 30 years. The Federal Government can, however, assist the State and local law enforcement communities in providing leadership by funding model programs and in this way give them added tools in their difficult task.

It is in this latter aspect which we bring the Justice Assistance Act of 1983 (H.R. 2175) before the House today. This bill is the product of extensive consideration by the Subcommittee on Crime, including 10 hearings in the 96th Congress, 5 in the 97th, and 3 this year. In this thorough endeavor, I would like, at this time, to single out in particular and to give special credit to my colleague, HAL SAWYER, the ranking minority republican member of the subcommittee, a prosecutor himself who has been instrumental in the fashioning of this bill in a manner which indeed is indicative of the bipartisan approach that has produced H.R. 2175. As a result, H.R. 2175, as amended, was approved by a voice vote by the Committee on the Judiciary on April 6, 1983.

The substance of this bill is essentially the same as H.R. 4481 which passed the House by a large bipartisan vote (287-73) in the 97th Congress. Unfortunately, it, among a number of other fine bills, fell victim to the "pocket veto" by the President in the "anti-crime" package (H.R. 3963) early this year, for reasons unrelated to this bill.

Thus, we are forced to again consider this much needed legislation which has the virtual unanimous support of State and local law enforcement agencies. We are, I am happy to say, a step ahead of last Congress in that the President has proposed funds for this

program in his 1984 budget (the fiscal year 1983 budget did not) and so I am optimistic regarding the signing of this bill this year.

The major feature of the Justice Assistance Act of 1983 is a formula grant program for aid to State and local criminal justice agencies. Unlike the old LEAA program which it replaces, this bill does not authorize massive amounts of Federal funding. Under this bill, a very modest formula grant pool of about $130 million (80 percent of the total) will be distributed to the States on the basis of population and crime rate. The bill would abolish the redtape and excessive bureaucracy built into LEAA and replace LEAA with a lean and scaled-down operation that would not impose excessive requirements on State and local recipients. State planning agencies and councils are no longer required, and a much narrower range for the grants is provided.

Unlike LEAA, the Federal money is not "free" money so to speak requiring no real commitment from the recipient. The legislation includes a requirement that the States provide a 50-percent cash match before they receive any Federal funds under the block grant program.

The proposed Office of Justice Assistance (OJA) which would administer the program would have limited discretion under the bill, with each State getting a minimum amount of $250,000 if the authorized level is appropriated, the remainder to be distributed one-half on the basis of population and one-half based on the number of index crimes in the State.

The Justice Assistance Act of 1983 provides specified categories of criminal justice programs which can be funded under this block grant program. The programmatic areas generally reflect those projects that have a proven record of effectiveness. The permissible categories include community and police anticrime programs; sting operations; arson programs; white-collar crime, and organized crime programs; career criminal programs; victim/witness programs; alternatives to pretrial detention; prison industry projects; programs to alleviate jail overcrowding; training for criminal justice personnel; treatment alternatives to street crime; operational information systems; programs for serious offenses committed by juveniles; and demonstration programs.

These program categories were chosen because they have been positively evaluated and have the support of the law enforcement community as documented in our hearings.

□ 1410

In addition to the formula grant programs, 20 percent of the funds are reserved for discretionary grants at the Federal level. Under this bill, we recognize that in order to supplement the block grant approach, it is necessary to allocate money for these others needs. First, education or training for criminal justice personnel. Second, for technical assistance. Third, programs of the type which are fundable at the State level, but which are national or multistate in scope. And fourth, demonstration programs.

H.R. 2175 also provides for the first time the availability of emergency grants to States and units of local government experiencing criminal justice crisis conditions.

A recent example of the need for such law enforcement assistance similar to Federal assistance in natural disasters, such as hurricanes and mud slides, and tornado damage, such as we have seen recently, is the 1980–81 investigation of the Atlanta child murders. When President Reagan determined that Federal funds should be made available to help Atlanta in the cost of the investigations where they requested it, he had to order the use of HUD money for this criminal investigation since there were no law enforcement assistance funds available and the request bounced around for about 2 months before there was a response.

This bill provides for a formalized method to respond to crime emergencies or epidemics. The Attorney General must respond to a jurisdiction within 10 days of the request.

The bill, as I have indicated, represents a very modest but a bipartisan effort to define a strong but limited Federal role in the fight against crime and I believe it is a very worthwhile bill.

One of the things it does in addition in reference to the discretionary grants is it does provide some 20 percent for discretionary money. We now have research coming out of the National Institute of Justice and other nonprofit organizations, but we really have no way to test the ideas and the new research in the marketplace.

This legislation will provide a vehicle for us to actually test the research coming out of NIJ and other agencies so that we will in fact be able to add to the success stories of this bill.

I urge my colleagues to support what I think is a very important step for the Federal Government to take in providing leadership in this most important area.

Mr. SAM B. HALL, JR. Mr. Chairman, will the gentleman yield?

Mr. HUGHES. I yield to the gentleman from Texas.

Mr. SAM B. HALL, JR. I thank the gentleman for yielding.

I would like also to congratulate the gentleman from New Jersey and the gentleman from Michigan for the tremendous work they have done on this bill. I think it is a good bill. I think it certainly should be passed.

I would like to ask the gentleman from New Jersey a question. Existing passthrough language provides no specific guidelines to the States on how the block grant funds should be distributed at the substate level. What considerations does the gentleman envision a State taking into account in distributing a local passthrough of funds at the local level?

Mr. HUGHES. I thank the gentleman for raising the question because it is an important question.

During the hearing process a lot of concerns were directed to us from rural areas in particular. We find that in many areas of the country sometimes the urban areas dominate in the State legislatures and it is our intent by requiring an automatic passthrough that every jurisdiction have equal opportunity, rural jurisdictions, urban areas, suburban areas, have equal opportunities to participate in this block grant program.

In fact, one of the things that is permissible under this bill is for smaller communities to ban together and apply in combination for one of the fundable categories. It is our intent that local jurisdictions have an equal opportunity to participate, whether they be rural in nature, urban in nature, or suburban in nature.

Mr. SAM B. HALL, JR. I thank the gentleman.

Mr. HUGHES. Mr. Chairman, I reserve the balance of my time.

Mr. SAWYER. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I am very pleased to be able to support H.R. 2175 and without being overly repetitious on it I again call attention to the fact that this is yet another essential crime bill brought out by the subcommittee chaired by the gentleman from New Jersey (Mr. HUGHES) and has full bipartisan support.

I may say that in the last Congress the administration had included nothing in the budget for AJA and at the request of the gentleman from New Jersey (Mr. HUGHES), I accompanied him down to the west wing of the White House and with his eloquency we persuaded the staff of the President to reconsider the matter and agree to support such a bill and I notice this year there has been a carryover and they have included some $90 million in the budget for it.

I cannot overestimate the importance of Federal help to the local authorities. We talked on the Federal level about fighting crime and in particular violent crime.

Well, I suppose not many people realize that the Federal Government and the whole Federal law enforcement has less than a 10-percent jurisdiction over crime in general and probably as little as 2 or 3 percent over the

amount of violent crime. Ninety percent of all crime in law enforcement jurisdiction rests with the States and the localities and probably 97 percent of that over violent crime, which is the thing that probably concerns us all most.

And as the gentleman from New Jersey has been kind of wont to say in some of our hearings that his area in New Jersey has yet to lose their first citizen to the Soviets, although we are devoting great funds to protect them against the Soviets and yet in his district virtually every day or every week, people are being lost to criminals.

While I have some feeling about the restriction of size of government and have come to the conclusion over the years that the government, particularly the Federal Government, has involved itself in many things that if left to the dictum of Lincoln are things that people should and are able to do for themselves the government should let them do for themselves. Crime and law enforcement, just like national defense, is not one of those things. We cannot have forces of self-enforcers running around the country and we need government to do it. And the only way the Federal Government can participate really meaningfully in the fight against street crime and violent crime is by adding some assistance financially and some leadership and backup facilities to the local authorities who are really in the front line and in the trenches on that battle.

We had a program called LEAA or Law Enforcement Assistance Administration, which fell into disrepute. What happened is what happens to many well-intentioned programs, it got too big, too far fetched, too widespread, too out of focus, to where it was spending as much as a billion dollars a year, was riddled with committees, ended up buying a lot of hardware for local police agencies that did not have to put up any local money and buying new hotdog radio systems, as they are known in the prosecutorial trade, and ultimately met the fate of all those kinds of programs and was disbanded, dismantled, and cut out.

Now we are starting reassessing the good things that came out of that program. And some good things did. The Members have all heard of the Sting operations where people with stolen goods were apprehended. That was a product of LEAA. They started it and it has been carried out very successfully.

The career criminal program where we identified career criminals. And those of my colleagues familiar with law enforcement will know that something like 80 or 90 percent of the crime is committed by a handful of repeater recidivistic individuals who repeat their criminal conduct and are what is known in the trade as career criminals. And it developed a program where those were identified and prioritized in their treatment prosecutorially and given special attention on sentencing and other treatment by judges to take them off the street and keep them off the street for the protection of the other individuals.

Then the promise program which is a program where prosecutorial offices were brought up into the modern age, the local ones were, where they can use computers and computer control of their dockets to expedite and handle burgeoning dockets beyond what would have been the capacity of their personnel, and the same thing with courtrooms and witnesses.

Now that is what this bill intends to reenact and puts back in a much more modest way. We are talking maybe $170 million as opposed to the billion dollar program. We are abolishing a lot of these committees. We are getting down to not this hocus-pocus kind of program where some more machinery and equipment and better pistols or something of that type, we are singling out those programs that were proven good and proven effective and cost-effective in LEAA and thereby encouraging other communities to try those programs that we know will work and have been proven to work in the field and to say, "Look, this is not going to be free money. If you feel you need this program you are going to have to with local money go 50–50 on the cost. And if you will do that, we will make it attractive by going 50 percent."

□ 1420

We have left some room for some innovative programs, for those programs which, with good counseling and advice, the Federal Bureau of Justice Assistance and the statistical branch, research branches, which are within this and the Department of Justice, have decided, after research, are good programs, we provided some money to try them out in the field, to see if they are as good as they look, and on a modest basis.

So this program, I would say, really deserves very much the support. And, as the gentleman from New Jersey had stated, when we were confronted with a national emergency, really, in a locality, but national in scope, Atlanta, the Atlanta murders, where this thing became totally beyond the ability of the local forces to cope with it, the Federal forces were finally, at the direction of the President, injected into it, but really with no funds, and they had to use housing and urban development funds, HUD money, to pay for it, because they had nothing in the Federal budget from which they could draw.

And this, among other things, creates a modest reserve of $20 million that can be held in reserve. And when we are confronted with a crime emergency, just as we do when we are confronted with a weather emergency or a landslide emergency or a flood emergency, we do have a fund that can be used for that purpose when we need to inject the Federal authorities.

Now, I am very pleased to note that this is a 3-year authorization we are requesting. And, interestingly, it is only at $187 million a year—we do not go up—which sort of indicates that the majority party or the other side of the aisle recognizes that we have brought inflation to heel and that we do not need any more now to hedge inflation in our bills. So I am just delighted to get that concession from the majority and to join very enthusiastically with really the great leadership in this field provided by Chairman HUGHES and I support this bill wholeheartedly and feel that it will really do some good in getting out on the front lines on this fight against violent crime.

Mr. HUGHES. Mr. Chairman, I yield 2 minutes to the gentleman from Florida (Mr. SMITH), a distinguished member of the Subcommittee on Crime.

Mr. SMITH of Florida. I thank the gentleman for yielding.

Mr. Chairman, I am very much in favor of this bill. the subcommittee unanimously adopted it with the provisions that it has in it. As the former chairman of the Criminal Justice Committee of the Legislature of the State of Florida, I was very, very much involved in the way the provisions that the old LEAA bill was structured and the way that Florida benefited tremendously from the introduction of dollars that the Federal Government to the State level, to the local communities, from the Law Enforcement Assistance Administration. Those programs were invaluable in helping to fight crime at the State and local level. The programs that were developed under the old LEAA were invaluable and even today continue to remain invaluable as tools that are effective in fighting crime and in fighting organized crime and fighting street crime and making inroads on all of those areas that are weak and deficient in the whole spectrum of the criminal justice system.

This bill picks up the torch that was dropped when the LEAA went to the point where there was no longer any money in the funding system. This bill starts again that cooperation, that partnership, between the State, the local, and the Federal Governments in fighting crime, which is probably today one of the most major issues. It was in the past and it continues to be the focal point where local communities gather. And when they gather, they protest the rise of crime in the streets, the rise of crime in their homes, the rise of crime in their communities. The lawlessness that they

perceive around the United States can only be effectively fought by a forging of cooperation at all levels of government, from the Federal Government on down.

The new Justice Assistance Act of 1983 and for the 3 years thereafter is an important tool in combating what many people in the United States wish to see combated, and that is the incidence of crime. Criminality, the court system, the various types of jail programs are all involved in this bill, and I for one would like very much to see this passed, to go on line and to help the States go back to where they were when the LEAA was funded.

Mr. Chairman, I commend not only the committee, but certainly the gentleman from New Jersey (Mr. HUGHES), the capable chairman of the subcommittee, for having the foresight not only to file this bill but to see it through the House and, ultimately, to victory.

● Mr. RODINO. Mr. Chairman, we all know that the people of this country are fed up with crime and the fear of crime. Approximately 30 percent of all American households have been touched by crime. Many of us in this House have been the victims of crime. This is why I can speak out and strongly support H.R. 2175, a bill that does something about crime, that is aimed at stopping crime in its tracks, and I hope, reducing its stranglehold on this country.

H.R. 2175 recognizes that the Federal Government has a role to play in reducing and controlling crime. It recognizes that this role is necessarily limited, because the States and localities have the primary responsibility for fighting crime. But the Federal Government cannot abdicate its responsibility to help fight crime, even when it might not have jurisdiction to prosecute such conduct. The Federal Government must recognize that crime is a national problem and that national solutions are in order. The Federal Government can contribute to finding these solutions by helping to train State and local law enforcement officers, by conducting research into the causes of crime and how it can be stopped, and by providing funds to those on the front lines—the States and localities who fight crime.

The Law Enforcement Assistance Administration was intended to fulfill these functions—and more. We know now that that program was perhaps too ambitious, and occasionally infringed too much on the discretion of the States and localities. The Federal Government should provide support, but it should not arbitrarily dictate a single crime fighting plan to the States and localities.

H.R. 2175 has taken heed of the failures of LEAA. The Subcommittee on Crime studied carefully LEAA's successes and failures. Through this process we have culled certain programs that accomplished what they were supposed to—they were successful in reducing crime. H.R. 2175 has taken these programs, that have been proven successfull by independent observers, and has provided limited Federal funding for them on a matching basis. That funding level is necessarily limited by the realities of our economic situation, and by the realization that the States and localities must bear a major responsibility in this area.

H.R. 2175 also recognizes that the Federal Government cannot dictate terms to the States and localities. They must have greater discretion to decide what areas should be pursued in the search for solutions to the crime problem. They must have full authority to administer and run crime fighting programs. H.R. 2175, therefore, provides the States and localities with funds, but requires the States to match these funds, and eventually to shoulder the entire responsibility for programs that are worthy of continuing.

The programs that the Federal Government should fund, because they have been proven successful, are outlined in this carefully fashioned bill. It would be hard to argue that any of them is not worthwhile. How can we say "no" to programs to assist victims of and witnesses to crimes?

While H.R. 2175 lists specific programs which the Federal Government will fund, it does not close the door to other projects that the States and localities might in the future deem worthwhile or that have been proven by research to be worthy of implementation. The bill provides for funding for new and innovative projects that address critical crime issues.

H.R. 2175 also recognizes that situations may arise that States or localities are simply unable to handle by themselves. Federal assistance and expertise may be imperative. The two most salient examples of such unfortunate situations are the series of child murders in Atlanta, and the continuing plague of drugs and drug-related crime in south Florida. State and local law enforcement capacity in those places has been taxed beyond belief. The Federal Government must recognize its responsibility where State and local authorities have exhausted their resources to deal with the problem. Especially when Federal policies or the lack thereof may have caused the crisis. H.R. 2175, therefore, authorizes the Attorney General of the United States to coordinate Federal, State, and local response to a crime emergency, and provides the necessary funds to carry out the fight to counter that emergency.

H.R. 2175 recognizes that outmoded and overwhelming bureaucracy is not the answer to the crime problem. It streamlines the funding process, and funds only those programs that have been proven successful.

This bill is endorsed by major law enforcement and prosecutorial organizations, by citizens groups, by State and local government officials, and by criminal justice professionals. The subcommittee received favorable comments on the bill from elected officials at every level of government. They each recognize that it is imperative that governments on all levels join together to fight crime—that the crime problem is a problem that confronts us on a State, and local, and national level.

I urge you to support the fight against crime by casting your vote in favor of H.R. 2175.●

● Mr. SISISKY. Mr. Chairman, local crime fighting efforts are the first line of defense in protecting our people and our communities from the crimes which are most frequently committed. It may surprise some that Federal law enforcement officials only have jurisdiction over only 5 percent of all criminal activity. The burden then falls on State and local resources to control crime and make our towns and cities safe.

The Federal Government, in response to escalating crime rates, first provided assistance for local crime fighting efforts in 1965. It was then that the Law Enforcement Assistance Administration was created to meet this urgent need. LEAA produced many impressive programs and innovations, although the program did suffer from administrative problems.

The bill which we consider now does not attempt to revive the LEAA. Rather, it does what the Congress ought to be doing more often. It takes what we learned about the successes and the failures of a Federal program and uses it effectively. This bill sets goals which are managing and achievable. It trims and streamlines the administrative requirements which strangle many good, well-intentioned programs.

Law enforcement block grants created by this bill will provide direct financial assistance to States so that the States can decide for themselves where help is most needed. However, to insure that only proven local activities will be funded, States will be required to provide up to 50 percent in matching funds for particular programs.

Only anticrime programs in specific areas are eligible under this program. Again, relying on what we have learned from past LEAA efforts, the sponsors of this bill have selected only those programs which work and work well. Premier among these are these programs; community police anticrime programs, victim witness and juror assistance; career criminal identification

and prosecution; and antiburglary operations. I support an amendment which also added programs which help prevent crimes against elderly people, who are so often victimized.

Another portion of this bill provides for emergency assistance to localities which are experiencing an unusual crime situation. An example which comes to mind is the tragic series of murders of young children in Atlanta 2 years ago. Crime emergencies can create the same kind of crisis and strain on local resources that a natural emergency such as a hurricane or flood can. Federal resources will now be available to assist in those crisis situations.

Finally, and importantly, this legislation will authorize funding to provide a stipend to families of State and local police and firefighting personnel who are killed in the line of duty. Often when tragedy claims the life of an officer or firefighter in the line of duty, that person's family often suffers severe financial consequences in addition to the more obvious loss to the family. This financial assistance will help those families and I am proud to support this provision in the bill.

No one is arguing that this legislation will win the war on crime for us. But no one can deny that it will provide help wher it is most needed. Our State and local law enforcement officials do a tremendous job with a limited amount of resources. This bill will help them do an even better job in making the homes and businesses and streets of our country safer and more secure.

It is for all of those reasons that I have joined my colleagues in supporting this valuable piece of legislation.●

Mr. HUGHES. Mr. Chairman, I yield 2 minutes to the gentleman from Tennessee (Mr. BONER).

Mr. BONER of Tennessee. I thank the gentleman for yielding.

Mr. Chairman, I wish to take the floor for the purpose of having a colloquy between myself and the gentleman from New Jersey (Mr. HUGHES).

First of all, I rise in support of this bill, as I believe this legislation is meritorious.

I would like to ask the following questions, if I may:

First of all, does the bill include for the first time "fireman" in the definition of "public safety officer"?

Mr. HUGHES. If the gentleman will yield, first of all, I want to thank the gentleman for his support of the legislation and respond by saying that "fireman" has been included, and this is not the first time that "fireman" has been included by definition.

Mr. BONER of Tennessee. Emergency medical technicians, individuals who are employed by municipal governments, oftentimes are not classified as a "fireman," but would be hired under the fire department in many cases. Would they fall under the bill's definition of "public safety officer"?

Mr. HUGHES. If in fact they are not a fireman or classified as a fireman, they would not be covered under the terms of the bill.

Mr. BONER of Tennessee. Rescue squad employees, these would many times be volunteers. Are they included in the bill's definition of "public safety officer"?

Mr. HUGHES. By definition, rescue squad employees would not be included in the definition of a "fireman," although they do provide a vital public service, particularly volunteers, but volunteers and nonvolunteers. As the gentleman may know, a provision to include rescue squad employees was dropped in conference in a previous Congress, so they would not be included within the definition of "fireman."

Mr. BONER of Tennessee. I thank the gentleman.

Mr. SAWYER. Mr. Chairman, I yield 3 minutes to the gentleman from Wisconsin (Mr. SENSENBRENNER), a member of the Subcommittee.

Mr. SENSENBRENNER. Mr. Chairman, as you and my other colleagues may recall, I have not been a strong supporter of the LEAA program. The LEAA experience should have taught us that throwing money at the problem of crime will not solve the problem. In 12 years, the Law Enforcement Assistance Administration expended over $7 billion, yet it had no appreciable impact on the crime rate. It would be unreasonable to expect better performance of the Office of Justice Assistance created by this bill.

The Justice Assistance Act before us today authorizes approximately $100 million more than the Justice Assistance funding in the President's budget proposal, but this is not my greatest concern. The Democratic budget recently adopted by the House, funds the Legal Services Corporation for fiscal year 1984 at $296 million out of existing law enforcement funding. We cannot afford the Legal Services Corporation, let alone the increase for the Office of Justice Assistance under this budget plan. As it currently stands, the Office of Justice Assistance must be funded out of the already scaled down DEA, FBI, and prison system. It seems clear to me that this is exactly the type of anticrime legislation that the criminal element prays for.

If this body is really serious about reducing crime, then it should engage in two types of legislation. First, it should amend the Federal law to make it a more effective weapon against the criminal element. Second, it should work to streamline Federal law enforcement resources. Stripping existing law enforcement agencies, like the DEA and FBI, to fund block grants for so-called innovative local programs is not the solution.

Late in the 97th Congress, the Reagan administration reversed its stance in opposition to the LEAA program. The President now endorses the Justice Assistance Act, but this support is conditioned on the adoption of a highly improved Federal structure, which replaces the current bureaucratic maze with a streamlined program under the direction of a new Assistant Attorney General. If this structure became part of the Justice Assistance Act, I would find the program streamlined, more cost effective, and much more palatable. But it is not, and this bill as it stands should be defeated.

□ 1430

Mr. SAWYER. Mr. Chairman, having no further requests for time, I yield back the balance of my time.

Mr. HUGHES. Mr. Chairman, how much time do I have remaining on this side?

The CHAIRMAN pro tempore. The gentleman from New Jersey (Mr. HUGHES) has 18 minutes remaining.

Mr. HUGHES. Mr. Chairman, I yield 4 minutes to the gentleman from Arizona (Mr. MCNULTY).

Mr. MCNULTY. Mr. Chairman, the Justice Assistance Act of 1983 is one that I fully support as a timely and appropriate step by the Federal Government to play a proper role in national efforts to suppress crime.

In the past, Federal efforts to assist State and local governments were unwisely oversold to the public, and all of this contributed to a widespread disappointment in the performance of the LEAA. Under our Constitution, though, local and State law enforcement officials have got to play the leading role in reducing crime, and the fact is that for the vast majority of this crime, the sheriffs and chiefs of police are the guys on the firing line.

Still, the Federal Government has a unique responsibility and power to play a meaningful role. Through legislation, we can direct the encouragement of creative programs that are solidly based on research findings, and we can insist that that research be carried forward. We can encourage the demonstration of workable programs across jurisdictional boundaries, and prove through these means that programs that work well in one location may, in fact, work well in another as well.

This, the Justice Assistance Act of 1983, would do. Certain programs are recognized in this legislation for block grant support and they have proven to be sufficiently fertile grounds for us to place Federal seed dollars in them.

Let me start with the community and neighborhood programs which are based on the good premise that active community participation can be coupled with intelligent police practices to

reduce crime. Examples where that has been proven true are Hartford, Conn., and Tucson, Ariz.

A program of intensive and integrated services for juveniles who commit serious offenses will be helped by this legislation.

Disrupting illegal commerce in stolen property and goods, the so-called sting operations, are an effective means of combating illicit commerce and their soaring profits. Southeastern Arizona has a special crime control problem stemming from the fact that the area is defined by its international boundary with Mexico. Smuggling is a chronic problem. Federal and State officials do maintain surveillance to the best of their ability, but it is inescapable that tempted by the lucrative profit margins in international smuggling, criminals will be attracted to that activity. Sting operations are an effective law enforcement tool.

These are but 3 of the 15 program areas for block grant funds under this law.

The people of America rightly expect lawmakers to respond to their concerns with the ever present and often rising crime problem. I am sorry the administration allowed a similar bill to die through a pocket veto last year, but by its prompt action now, this Congress can limit the damage to a 6-month delay, provided we act promptly.

It is time for the body to pass this legislation, and I am encouraged in my belief that it will do so.

Mr. HUGHES. Mr. Chairman, will the gentleman yield?

Mr. McNULTY. I will, indeed, yield to the gentleman from New Jersey.

Mr. HUGHES. I thank the gentleman for yielding.

Mr. Chairman, I just want to commend the gentleman from Arizona for making a very fine statement. I think he really has caught the tenor of what this committee endeavored to do in committee in crafting a bill that would be targeted to borrow the success stories from LEAA that would, however, provide the Federal leadership that the gentleman envisions that we should be providing for local law enforcement agencies.

I just want to thank the gentleman for making a very fine statement.

Mr. McNULTY. It was my pleasure.

Mr. HUGHES. Mr. Chairman, I yield 3 minutes to the gentleman from Puerto Rico (Mr. CORRADA).

(Mr. CORRADA asked and was given permission to revise and extend his remarks.)

Mr. SAWYER. Mr. Chairman, I wonder if, at this time, I could just for the moment recapture the time that I yielded back until I see how this debate proceeds? May I do that?

The CHAIRMAN pro tempore. The gentleman from Michigan (Mr. SAWYER) may recapture his time. Does the gentleman prefer to do so before the statement by the gentleman from Puerto Rico (Mr. CORRADA)?

Mr. SAWYER. No, Mr. Chairman, I do not want to use it right now. I just would like to recapture the time.

Mr. CORRADA. I thank the chairman of the subcommittee for yielding this time to me.

Mr. Chairman, I rise in strong support of H.R. 2175, a bill devised to help States and localities in their war against the increasing menace of crime in our Nation.

The bill calls for the creation of an Office of Justice Assistance (OJA), based in the Justice Department, to substitute the now defunct Law Enforcement Assistance Administration. The OJA would administer a grant program with an authorization of $170 million per year for 4 years providing 50 percent matching funds for some kinds of State and local anticrime efforts and a 75- to 25-percent match for innovative programs. Eighty percent of the grant funds woud be distributed based on population and index crimes. The balance would fund a discretionary program with no match requirement for training and technical assistance, for national and regional initiatives and for emergency law enforcement assistance.

Mr. Chairman, we can do no less than support this crime fighting bill. Notwithstanding my personal view that this bill does not go far enough to aid State and local governments in a meaningful way, I believe it is a positive step toward forging a new sorely needed partnership between the States and the Federal Government in the area of criminal justice.

The alarming increase in all types of crime which is sweeping our Nation demands our careful consideration of new initiatives and forceful commitments. This plague threatens to destory our peace. It is ironic that criminals freely roam the streets of our Nation while honest and decent people fear for their lives and personal property even while staying at home. Crime will continue to be on the increase until we decide to face efficiently the challenge and put more resources at the disposal of the States.

Puerto Rico, for instance, started a crusade against crime a few years ago. With the help of LEAA's funding and increased layouts for crime prevention, Puerto Rico which in 1973 was ranked 8th in the Nation in violent crime, dropped to 11th place in 1975 and to 22d in 1979. Nevertheless, we are far from safeguarding our streets. Criminal elements frighten our citizens on a day-to-day basis to an unbearable degree.

The administration has recently embarked in its own initiative against organized crime and drug trafficking by establishing 12 new task forces across the Nation similar to the one in Florida. Time is ripe to place additional resources at the disposal of the States to overwhelm these vicious acts.

The Justice Assistance Act unfortunately failed to become law during the last Congress notwithstanding the modest sum of moneys requested. We cannot sacrifice another year of bloodshed and unjustified suffering by our people in exchange of a few dollars savings.

The time to act on behalf of our past and future victims of crimes is long overdue. Let us not eternize this agony: Let us free our Nation from crime so that our children can enjoy the America and Puerto Rico our ancestors enjoyed.

Mr. SAWYER. Mr. Chairman, I yield myself 1 minute just for the purpose of correcting in part, or in a sense, an observation made by the gentleman from Arizona (Mr. McNULTY).

Mr. Chairman, I would not want the record to carry the implication that the administration, after having in the last Congress substantially agreed to a Justice Assistance Act, deliberately subjected it to a pocket veto. The way that worked out was that one of the relatively uncontroversial bills that we passed today; namely, the aftercare bill, was sent over the Senate where it was easily passed also, as was justice assistance, and then the Senate, under their rules of procedure, which are much different than ours, in effect tacked onto that little bill what amounted to a whole omnibus crime bill, including many acts, some of which we had never seen here in the House, and one of which the administration had very strong objection to, a Drug Coordinator Act, which we began calling a drug czar bill, which was just 1 of maybe 8 or 10 bills all put together in one.

Unfortunately, justice assistance was one part of that major bill. Of course, under the Presidential veto powers, there are no line-item vetoes; one must veto an entire bill or not at all. The Justice Department apparently found that one so-called crime czar bill that was part of that big package sufficiently objectionable that it lost the entire package. So there was no real reneging on justice assistance. It was merely an innocent victim of another veto.

□ 1440

Mr. HUGHES. Mr. Chairman, I yield myself 2 minutes.

Mr. Chairman, I just wish to express my support for what the distinguished gentleman from Michigan (Mr. SAWYER) has indicated. The reason that this bill went down the drain is that it was tacked on with the fairly controversial drug czar provision, and it had nothing to do with the substance of this legislation.

I also want to respond just briefly to a couple of suggestions made by our colleague, the gentleman from Wisconsin (Mr. SENSENBRENNER) who suggested that he would find the bill much more palatable if in fact the structure of the National Institute of Justice and the Bureau of Justice Statistics were different than what he finds in the bill. I might say that my colleague, the gentleman from Wisconsin, opposed the bill in concept in the last Congress when it did not have those provisions in it. My colleague has opposed the concept, and I suspect that he would not support the bill even if it did not carry NIJ and BJS authorizations in this Congress. I understand that, and I respect it. We just have a difference of opinion.

It just seems to me, however, that it is an important initiative. If Members believe that there is a role for the Federal Government in providing new techniques and demonstration programs, then they would support this bill.

It is interesting that there is no initiative of which I am aware anywhere in the country that would provide for this type of an innovative approach to solving our prime problems throughout the country. Most local jurisdictions are up to their eyeballs in the crime problem, and they are unwilling to try new things. A lot of folks have heard about career criminals and sting operations. They have seen sting operations in the movies and on television. However, surprisingly, these programs are still not institutionalized. There are still many jurisdictions around the country that do not use these old LEAA programs, and the beauty of this program is that we are trying to encourage law enforcement agencies throughout the country to try programs that have been successful.

The second part of it, which does not exist anywhere else in this country, is to provide moneys for demonstration programs to try to take the research coming out of the National Institute of Justice and try those new ideas in the marketplace. We have got to stay abreast of the changes that are taking place in this country in the crime area as well as any other area, and without this type of program there is no such initiative.

If we would ask any law enforcement agency in the country what the No. 1 program that the Federal Government has would be that they are supporting, I would venture to say that they would say it is the Justice Assistance Act. They are solidly behind this bill. the National District Attorneys Association, the National Association of Attorneys General, the International Chiefs of Police, and any other law enforcement agency that we talk to supports this initiative because they view this as really the only hope they have of putting in place crime-fighting initiatives that will help them at the local level.

Mr. Chairman, I urge my colleagues, for that reason, to support this bill. As my distinguished colleague, the gentleman from Michigan (Mr. SAWYER), has indicated, it has the support of the administration. It is bipartisan in nature, and it is a tightly written bill.

Mr. SAWYER. Mr. Chairman, will the gentleman yield?

Mr. HUGHES. I am happy to yield to the gentleman from Michigan.

Mr. SAWYER. Mr. Chairman, I might just say, consistent with the observation that the gentleman has made, that when we get State and local prosecutorial and law enforcement authorities strongly supporting this bill, we have to recognize that those are the front-line soldiers. It is not the Federal law enforcement agencies which handle more of the crimes of a white collar nature—and that is only maybe 10 percent of all crime—but these are 97 percent of the crime-fighting agencies, where the crime fighting is going on, and it is exactly these State and local people who are strongly supporting this bill and urging its passage.

Sitting here on the Federal level, I think we have got to pay double attention to the foot soldiers who are out there facing these violent criminals everyday, and they need all the help they can get.

Mr. HUGHES. I thank the gentleman, and I quite agree with him.

I do not know who in the world would be opposed to doing for the law enforcement what we do for communities that suffer the effects of mudslides and tornadoes. We already have a mechanism to respond at the Federal level to an area of the country that has a problem with a tornado that does a lot of damage. Who would oppose a piece of legislation that says, "Let's do the same thing in a crime emergency"?

That is what this bill does in title II. It provides a mechanism for the Federal Government to respond to epidemics like the Atlanta child murders where the Federal Government does have a role to play. President Reagan scrounged around for about 2 months before he finally found enough money so we could respond. It is disgraceful that we do not have that kind of a program.

Mr. SAWYER. Mr. Chairman, will the gentleman yield further?

Mr. HUGHES. I yield to the gentleman from Michigan.

Mr. SAWYER. Mr. Chairman, the gentleman mentioned the Atlanta situation, but there was another interesting thing that developed in our subcommittee hearings. When the Mount St. Helens eruption or explosion occurred, it disabled local and State law enforcement vehicles over an area of many hundred square miles. It totally disabled them so they were unable to respond to law enforcement efforts. Fire engines and everything else were tied up, and it created as much a law enforcement emergency as mudslides or volcanoes or other things we could mention.

Those are the kinds of things, too, where we would now have a fund from which to come in and provide some emergency Federal assistance to the law enforcement aspects of some of those problems.

Mr. HUGHES. Mr. Chairman, the gentleman from Michigan (Mr. SAWYER) is absolutely correct, and I thank him for his contribution.

Mr. SAWYER. Mr. Chairman, I yield back the balance of my time, having no further requests for time.

Mr. HUGHES. Mr. Chairman, I have no further requests for time, and I yield back the balance of my time.

The CHAIRMAN pro tempore. Pursuant to the rule, the committee amendment in the nature of a substitute recommended by the Committee on the Judiciary now printed in the reported bill shall be considered as an original bill for the purpose of amendment, and each title shall be considered as having been read.

The Clerk will designate title I.

The text of title I of the bill is as follows:

H.R. 2175

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

TITLE I—AMENDMENTS TO OMNIBUS CRIME CONTROL AND SAFE STREETS ACT OF 1968

SHORT TITLE

SEC. 101. This Act may be cited as the "Justice Assistance Act of 1983".

DECLARATION AND PURPOSE

SEC. 102. (a) Title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3701-2799) is amended in the matter preceding part A by striking out the declaration and purpose.

(b) The table of contents of title I of the Omnibus Crime Control and Safe Streets Act of 1968 is amended by striking out "Declaration and purpose.".

OFFICE OF JUSTICE ASSISTANCE

SEC. 103. (a) Part A of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3711-3713) is amended in the heading to such part by striking out "LAW ENFORCEMENT ASSISTANCE ADMINISTRATION" and inserting in lieu thereof "OFFICE OF JUSTICE ASSISTANCE".

(b) Section 101 of part A of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3711) is amended to read as follows:

"ESTABLISHMENT OF OFFICE OF JUSTICE ASSISTANCE

"SEC. 101. There is hereby established within the Department of Justice under the general authority of the Attorney General an Office of Justice Assistance (hereinafter referred to as the "Office"). The Office shall be under the direction of a Director, who shall be appointed by the President, by

and with the advice and consent of the Senate, and such other Deputy Directors as may be designated by the Director. The Director shall have final authority over all grants, cooperative agreements, and contracts awarded by the Office.".

(c) Section 102 of part A of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3712) is amended to read as follows:

"DUTIES AND FUNCTIONS OF DIRECTOR

"SEC. 102. The Director shall—

"(1) provide funds to eligible States pursuant to part D;

"(2) establish national priorities for programs in accordance with part E, inform States, units of local government, and private nonprofit organizations of such priorities, and award and allocate funds and technical assistance to such organizations according to the criteria and on the terms and conditions determined by the Director to be consistent with part E;

"(3) publish and disseminate information on the condition and progress of the criminal justice system;

"(4) establish and carry on a specific and continuing program of cooperation with the States and units of local government designed to encourage and promote consultation and coordination concerning decisions made by the Office affecting State and local criminal justice priorities;

"(5) cooperate with and render technical assistance to States, units of local government, and other public and private organizations or international agencies involved in criminal justice activities;

"(6) cooperate with and render technical assistance to States, units of local government, and other public and private organizations or agencies involved in victim-witness assistance activities and the postarrest identification and prosecution of career criminals;

"(7) provide funds and technical assistance to eligible jurisdictions under this title for the development of operational information and telecommunications systems;

"(8) exercise the powers and functions set out in part G; and

"(9) exercise such other powers and functions as may be vested in the Director pursuant to this title.".

(d) Part A of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3711-3713) is amended by striking out section 103.

NATIONAL INSTITUTE OF JUSTICE

SEC. 104. (a) Section 202 of part B of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3722) is amended—

(1) in subsection (c)—

(A) in paragraph (2)(A) by striking out ", including programs authorized by section 103 of this title", and

(B) in paragraph (10)—

(i) by striking out "national priority grants under part E and", and

(ii) by striking out "part F" and inserting in lieu thereof "part E", and

(2) in subsection (d)(5) by striking out "part H" and inserting in lieu thereof "part G".

(b) Section 204(a) of part B of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3724(a)) is amended by striking out "The Administrator of the Law Enforcement Assistance Administration, the Administrator of the Office of Juvenile Justice and Delinquency Prevention," and inserting in lieu thereof "The Director of the Office of Justice Assistance,".

BUREAU OF JUSTICE STATISTICS

SEC. 105. Section 304(a) of part C of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3734(a)) is amended by striking out "The Administrator of the Law Enforcement Assistance Administration, the Administrator of the Office of Juvenile Justice and Delinquency Prevention," and inserting in lieu thereof "The Director of the Office of Justice Assistance,".

FORMULA GRANTS

SEC. 106. (a) Sections 401, 402, 403, 404, and 405 of part D of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3741-3745) are amended to read as follows:

"DESCRIPTION OF PROGRAM

"SEC. 401. (a) It is the purpose of this part to assist States and units of local government in carrying out specific programs which offer a high probability of improving the functioning of the criminal justice system. The Office is authorized to make grants under this part to States for the purpose of—

"(1) providing community and neighborhood programs that enable citizens and police to undertake initiatives to prevent and control neighborhood crime;

"(2) disrupting illicit commerce in stolen goods and property;

"(3) combating arson;

"(4) effectively investigating and bringing to trial white-collar crime, organized crime, public corruption crimes, and fraud against the Government;

"(5) identifying and processing within the criminal justice system persons (including juvenile offenders) with a history of serious criminal conduct;

"(6) developing and implementing programs which provide assistance to jurors and witnesses, and assistance (other than compensation) to victims of crimes;

"(7) providing alternatives to pretrial detention, jail, and prison for persons who pose no danger to the community;

"(8) providing programs which identify and meet the needs of drug-dependent offenders;

"(9) providing programs which alleviate prison and jail overcrowding and programs which identify existing State and Federal buildings suitable for prison use;

"(10) providing training, management, and technical assistance to criminal justice personnel and determining appropriate prosecutorial and judicial personnel needs;

"(11) providing prison industry projects designed to place inmates in a realistic working and training environment in which they will be enabled to acquire marketable skills and to make financial payments for restitution to their victims, for support of their own families, and for support of themselves in the institution;

"(12) providing for operational information systems which improve the effectiveness of criminal justice agencies;

"(13) providing programs of the same types as programs described in section 501(4) which the Director establishes, under section 503(a), as discretionary programs for financial assistance under part E and which have not been certified under paragraph (14);

"(14) providing programs of the same types as programs for which financial assistance was provided under paragraph (13) or section 501(4) and which were certified by the Director, primarily on the basis of any available objective, empirical, or statistical information or evaluation, as having proved a success; and

"(15) providing programs which address the problem of serious offenses committed by juveniles.

"(b)(1) For any fiscal year ending September 30, 1983, the Federal portion of any grant made under this part shall be 50 per centum of the cost of programs and projects specified in the application for such grant, except that—

"(A) in the case of funds distributed for a program or project described in subsection (a)(13), of the Federal portion shall be 75 per centum of such cost; and

"(B) in the case of funds distributed to an Indian tribe which performs law enforcement functions (as determined by the Secretary of the Interior) for any program or project described in subsection (a), the Federal portion shall be 100 per centum of such cost.

"(2) The non-Federal portion of the cost of such program or project shall be in cash.

"(c) No funds may be given under this title to a grant recipient for a program or project for which funds have been given under this title for 4 years (in the aggregate), including any period occurring before the effective date of this subsection.

"ELIGIBILITY

"SEC. 402. The Office is authorized to make financial assistance under this part available to a State to enable it to carry out all or a substantial part of a program or project submitted and approved in accordance with the provisions of this part.

"APPLICATIONS

"SEC. 403. (a) No grant may be made by the Office to a State, or by a State to an eligible recipient pursuant to part D, unless the application for such grant sets forth criminal justice programs covering a two-year period which meet the objectives of section 401 of this title, designates which objective specified in section 401(a) each such program is intended to achieve, and identifies the State agency or unit of local government which will implement each such program. This application must be amended annually if new programs are to be added to the application or if the programs contained in the original application are not implemented. The application must include—

"(1) an assurance that following the first fiscal year covered by an application and each fiscal year thereafter, the application shall submit to the Office or to the State, as the case may be—

"(A) a performance report concerning the activities carried out pursuant to this title; and

"(B) an assessment by the applicant of the impact of those activities on the objectives of this title and the needs and objectives identified in the applicant's statement;

"(2) a certification that Federal funds made available under this title will not be used to supplant State or local funds, but will be used to increase the amounts of such funds that would, in the absence of Federal funds, be made available for criminal justice activities;

"(3) an assurance that fund accounting, auditing, monitoring, and such evaluation procedures as may be necessary to keep such records as the Office shall prescribe shall be provided to assure fiscal control, proper management, and efficient disbursement of funds received under this title;

"(4) an assurance that the applicant shall maintain such data and information and submit such reports in such form, at such times, and containing such data and information as the Office may reasonably require to administer other provisions of this title;

"(5) a certification that its programs meet all the requirements of this section, that all the information contained in the application is correct, that there has been appropriate coordination with affected agencies, and that the applicant will comply with all provisions of this title and all other applicable Federal laws (such certification shall be made in a form acceptable to the Office and shall be executed by the chief executive or other officer of the applicant qualified under regulations promulgated by the Office); and

"(6) if the applicant is a State, an assurance that not more than 10 per centum of the aggregate amount of funds received by a State under this part for a fiscal year will be distributed for programs and projects designated as intended to achieve the objective specified in section 401(a)(13).

"(b) The chief executive officer of a State shall submit the State application described in subsection (a), and any amendment to such application, to the State legislature while in session, or to a body designated to act in behalf of the State legislature if the State legislature is not then in session, for review. For purposes of section 404, such application or amendment shall be deemed to be reviewed if the State legislature or such body does not review such application or amendment within the ninety-day period beginning on the day it is so submitted.

"REVIEW OF APPLICATIONS

"SEC. 404. (a) The Office shall provide financial assistance to each State applicant under this part to carry out the programs or projects submitted by such applicant upon determining that—

"(1) the application or amendment thereof is consistent with the requirements of this title;

"(2) the application or amendment thereof was made public prior to submission to the Office and an opportunity to comment thereon was provided to citizens and neighborhood and community groups;

"(3) prior to the approval of the application or amendment thereof the Office has made an affirmative finding in writing that the program or project is likely to contribute effectively to the achievement of the objectives of section 401 of this title; and

"(4) prior to the approval of the application or amendment thereof the Office has made an affirmative finding in writing that the program or project has been reviewed in accordance with section 403(b).

Each application or amendment made and submitted for approval to the Office pursuant to section 403 of this title shall be deemed approved, in whole or in part, by the Office within ninety days after first received unless the Office informs the applicant of specific reasons for disapproval or the application or amendment has not been reviewed in accordance with section 403(b).

"(b) The Office shall suspend funding for an approved application in whole or in part if such application contains a program or project which has failed to conform to the requirements or statutory objectives of this Act as evidenced by—

"(1) the annual performance reports submitted to the Office by the applicant pursuant to section 701(b) of this title;

"(2) failure of the applicant to submit annual performance reports pursuant to section 403 of this title;

"(3) evaluations conducted pursuant to section 701(b); and

"(4) evaluations and other information provided by the National Institute of Justice.

The Office may make appropriate adjustments in the amounts of grants in accordance with its findings pursuant to this subsection.

"(c) Grant funds awarded under part D shall not be used for—

"(1) the purchase of equipment or hardware, or the payment of personnel costs, unless the cost of such purchases and payments is incurred as an incidental and necessary part of a program under section 401(a);

"(2) programs which have as their primary purpose general salary payments for employees or classes of employees within an eligible jurisdiction, except for the compensation of personnel for time engaged in conducting or undergoing training programs or the compensation of personnel engaged in research, development, demonstration, or short-term programs;

"(3) construction projects; or

"(4) programs or projects which, based upon evaluations by the National Institute of Justice, Office of Justice Assistance, Bureau of Justice Statistics, State or local agencies, and other public or private organizations, have been demonstrated to offer a low probability of improving the functioning of the criminal justice system. Such programs must be formally identified by a notice in the Federal Register after opportunity for comment.

"(d) The Office shall not finally disapprove any application submitted to the Director under this part, or any amendments thereof, without first affording the applicant reasonable notice and opportunity for a hearing and appeal pursuant to section 702 of this title.

"ALLOCATION AND DISTRIBUTION OF FUNDS

"SEC. 405. (a) Of the total amount appropriated for this part and part E in any fiscal year, 80 per centum shall be set aside for this part and allocated to States as follows:

"(1) One-fourth of 1 per centum of the amount set aside for this part, but not to exceed $250,000, shall be allocated to each of the participating States.

"(2)(A) Of 50 per centum of any funds remaining after the allocation under paragraph (1) is made, there shall be allocated to each State an amount which bears the same ratio to the amount of remaining funds described in this subparagraph as the population of such State bears to the population of all the States.

"(B) Of 50 per centum of any funds remaining after the allocation under paragraph (1) is made, there shall be allocated to each State an amount which bears the same ratio to the amount of remaining funds described in this subparagraph as the number of part I offenses, in the uniform crime reports, reported to the Federal Bureau of Investigation by such State in the preceding fiscal year bears to the aggregate number of part I offenses, in the uniform crime reports, reported to the Federal Bureau of Investigation in such preceding fiscal year by all the States.

"(b)(1) Each State which receives funds under subsection (a) in a fiscal year shall distribute among units of local government, or combinations of units of local government, in such State for the purposes specified in section 401(a) that portion of such funds which bears the same ratio to the aggregate amount of such funds as the amount of funds expended by all units of local government for law enforcement in the preceding fiscal year bears to the aggregate amount of funds expended by the State and all units of local government in such State for law enforcement in such preceding fiscal year.

"(2) Any funds not distributed to units of local government under paragraph (1) shall be available for expenditure by the State involved.

"(3) For purposes of determining the distribution of funds under paragraph (1), the most accurate and complete data available for the fiscal year involved shall be used. If data for such fiscal year are not available, then the most accurate and complete data available for the most recent fiscal year preceding such fiscal year shall be used.

"(c) No funds allocated to a State under subsection (a) or received by a State for distribution under subsection (b) may be distributed by the Director or by the State involved for any program other than a program contained in an approved application.

"(d) If the Office determines, on the basis of information available to it during any fiscal year, that a portion of the funds allocated to a State for that fiscal year will not be required or that a State will be unable to qualify or receive funds under this part, then such portion shall be reallocated to the other participating States.".

(b) Part D of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3741-3745) is amended by adding at the end thereof the following new section:

"STATE OFFICE

"SEC. 406. (a) Each participating State shall establish or designate by statute a State office for purposes of—

"(1) preparing an application to obtain funds under this part; and

"(2) administering funds received from the Office of Justice Assistance and its predecessor agency, including receipt, review, processing, monitoring, progress and financial report review, technical assistance, grant adjustments, accounting, auditing, and fund disbursements.

"(b) An office or agency performing other functions within the executive branch of a State may be designated to carry out the functions specified in subsection (a).".

NATIONAL PRIORITY GRANTS

SEC. 107. Title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3701 et seq.) is amended by striking out part E.

DISCRETIONARY GRANTS

SEC. 108. (a) Sections 601, 602, and 603 of part F of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3761-3762) are amended to read as follows:

"PURPOSE

"SEC. 501. The purpose of this part is to provide additional Federal financial assistance to States, units of local government, combinations of such units, and private nonprofit organizations for purposes of—

"(1) undertaking educational and training programs for criminal justice personnel;

"(2) providing technical assistance to States and local units of governments;

"(3) undertaking projects which are national or multi-State in scope and which address the purposes specified in section 401; and

"(4) providing financial assistance to States and units of local government for demonstration programs which, in view of previous research or experience, are likely to be a success in more than one jurisdiction and are not likely to be funded with moneys from other sources.

"PERCENTAGE OF APPROPRIATION FOR DISCRETIONARY GRANT PROGRAM

"SEC. 502. Of the total amount appropriated for part D and this part in any fiscal year, 20 per centum shall be reserved and set aside for this part in a special discretionary fund for use by the Office in carrying out the purposes specified in section 501. Grants under this part may be made for amounts up to 100 per centum of the costs of the programs or projects contained in the approved application.

"PROCEDURE FOR ESTABLISHING DISCRETIONARY PROGRAMS

"SEC. 503. (a) The Director of the Office of Justice Assistance shall periodically establish discretionary programs and projects for financial assistance under this part. Such programs and projects shall be considered priorities for a period of time not to exceed three years from the time of such determination.

"(b) Such Director shall annually request the National Institute of Justice, the Bureau of Justice Statistics, the Office of Justice Assistance, State and local governments, and other appropriate public and private agencies to suggest discretionary programs and projects. Such Director shall then, pursuant to regulations, annually publish the proposed priorities pursuant to this part and invite and encourage public comment concerning such priorities. Priorities shall not be established or modified until such Director has provided at least sixty-days advance notice for such public comment and such Director shall encourage and invite recommendations and opinion concerning such priorities from appropriate agencies and officials of State and units of local government. After considering any comments submitted during such period of time and after consultation with appropriate agencies and officials of State and units of local government, such Director shall determine whether existing established priorities should be modified. Such Director shall publish in the Federal Register the priorities established pursuant to this part, as amended by the Justice Assistance Act of 1983, prior to the beginning of fiscal year 1984 and each fiscal year thereafter for which appropriations will be available to carry out the program".

(b) Section 604 of part F of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3764) is amended by striking out "Administration" each place it appears and inserting in lieu thereof "Office".

(c) Section 605 of part F of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C 3765) is amended to read as follows:

"CRITERIA FOR AWARD

"SEC. 505. The Office shall, in its discretion and according to the criteria and on the terms and conditions it determines consistent with this part, provide financial assistance to those programs or projects which most clearly satisfy the priorities established under section 503. In providing such assistance pursuant to this part, the Office shall consider whether certain segments and components of the criminal justice system have received a disproportionate allocation of financial aid and assistance pursuant to other parts of this title, and, if such a finding is made, shall assure the funding of such other segments and components of the criminal justice system as to correct inequities resulting from such disproportionate allocations. In distributing funds under this part among the States, the Office shall assure that the problems and needs of all of the States are taken into account and shall fund some programs and projects responsive to each State.".

(d) Section 606 of part F of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C 3766) is amended to read as follows:

"PERIOD FOR AWARD

"SEC. 506. The Office may provide financial aid and assistance to programs or projects under this part for a period not to exceed three years. Grants made pursuant to this part may be extended or renewed by the Office for an additional period of up to two years if—

"(1) an evaluation of the program or project indicates that it has been effective in achieving the stated goals or offers the potential for improving the functioning of the criminal justice system; and

"(2) the State, unit of local government, or combination thereof and private nonprofit organizations within which the program or project has been conducted agree to provide at least one-half of the total cost of such program or project from any source of funds, including Federal grants, available to the eligible jurisdiction.".

(e) The heading for part F of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3761-3766) is amended by striking out "Part F" and inserting in lieu thereof "Part E".

(f) Part E of title I, as so redesignated, of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3761-3766) is amended by redesignating section 604 as section 504.

TRAINING AND MANPOWER DEVELOPMENT

SEC. 109. (a) Part G of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3771-3775) is amended—

(1) by striking out sections 701, 702, and 703,

(2) in section 705 by striking out "Administration" each place it appears and inserting in lieu thereof "Office", and

(3) by redesignating sections 704 and 705 as sections 601 and 602, respectively.

(b) The heading for part G of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3771-3775) is amended by striking out "PART G" and inserting in lieu thereof "PART F".

ADMINISTRATIVE PROVISIONS

SEC. 110. (a) Part H of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3781 et seq.) is amended by striking out section 801.

(b) Sections 802 and 803 of part H of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3782) are amended to read as follows:

"CONSULTATION; ESTABLISHMENT OF RULES AND REGULATIONS

"SEC. 701. (a) The Office of Justice Assistance, the Office of Juvenile Justice and Delinquency Prevention, the Bureau of Justice Statistics, and the National Institute of Justice are authorized, after appropriate consultation with representatives of States and units of local government, to establish such rules, regulations, and procedures as are necessary to the exercise of their functions, and as are consistent with the stated purpose of this title.

"(b) The Office of Justice Assistance shall, after consultation with the National Institute of Justice, the Bureau of Justice Statistics, the Office of Juvenile Justice and Delinquency Prevention, State and local governments, and the appropriate public and private agencies, establish such rules and regulations as are necessary to assure the continuing evaluation of selected programs or projects conducted pursuant to parts D and E, in order to determine—

"(1) whether such programs or projects have achieved the performance goals stated in the original application, are of proven effectiveness, have a record of proven success, or offer a high probability of improving the criminal justice system;

"(2) whether such programs or projects have contributed or are likely to contribute to the improvement of the criminal justice system and the reduction and prevention of crime;

"(3) their cost in relation to their effectiveness in achieving stated goals;

"(4) their impact on communities and participants; and

"(5) their implication for related programs.

In conducting evaluations described in this subsection, the Office of Justice Assistance shall, when practical, compare the effectiveness of programs conducted by similar applicants and different applicants. The Office of Justice Assistance shall also require applicants under part D to submit an annual performance report concerning activities carried out pursuant to part D together with an assessment by the applicant of the effectiveness of those activities in achieving the objectives of section 401 of this title and the relationships of those activities to the needs and objectives specified by the applicant in the application submitted pursuant to section 403 of this title. The Office shall suspend funding for an approved application under part D if an applicant fails to submit such an annual performance report.

"(c) The procedures established to implement the provisions of this title shall minimize paperwork and prevent needless duplication and unnecessary delays in award and expenditure of funds at all levels of government.

"NOTICE AND HEARING ON DENIAL OR TERMINATION OF GRANT

"SEC 702. (a) Whenever, after reasonable notice and opportunity for a hearing on the record in accordance with section 554 of title 5, United States Code, the National Institute of Justice, the Bureau of Justice Statistics, the Office of Juvenile Justice and Delinquency Prevention, or the Office of Justice Assistance finds that a recipient of their respective assistance under this title has failed to comply substantially with any provision of this title, any regulations or guidelines promulgated under this title, or any application submitted in accordance with the provisions of this title, or the provisions of any other applicable Federal Act, they, until satisfied that there is not longer any such failure to comply, shall—

"(1) terminate payments to the recipient under this title;

"(2) reduce payments to the recipient under this title by an amount equal to the amount of such payments which were not expended in accordance with this title; or

"(3) limit the availability of payments under this title to programs, projects, or ac-

tivities not affected by such failure to comply.

"(b) If a State grant application filed under part D or any grant application filed under any other part of this title has been rejected or a State applicant under part D or an applicant under any other part of this title has been denied a grant or has had a grant, or any portion of a grant, discontinued, terminated, or has been given a grant in a lesser amount that such applicant believes appropriate under the provisions of this title, the National Institute of Justice, the Bureau of Justice Statistics, the Office of Juvenile Justice and Delinquency Prevention, or the Office of Justice Assistance, as appropriate, shall notify the applicant or grantee of its action and set forth the reason for the action taken. Whenever such an applicant or grantee requests a hearing, the National Institute of Justice, the Bureau of Justice Statistics, the Office of Juvenile Justice and Delinquency Prevention, the Office of Justice Assistance, or any authorized officer thereof, is authorized and directed to hold such hearings or investigations, including hearings on the record in accordance with section 554 of title 5, United States Code, at such times and places as necessary, following appropriate and adequate notice to such applicant. The findings of fact and determinations made with respect thereto shall be final and conclusive, except as otherwise provided herein.

"(c) If such recipient is dissatisfied with the findings and determinations of the Office of Justice Assistance, the Bureau of Justice Statistics, the Office of Juvenile Justice and Delinquency Prevention, or the National Institute of Justice, following notice and hearing provided for in subsection (a), a request may be made for rehearing, under such regulations and procedures as such Office, Bureau, or Institute, as the case may be, may establish, and such recipient shall be afforded an opportunity to present such additional information as may be deemed appropriate and pertinent to the matter involved.".

(c) Section 804 of part H of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3784) is amended by striking out "Law Enforcement Assistance Administration" and inserting in lieu thereof "Office of Justice Assistance".

(d) Section 805 of part H of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3785) is amended—

(1) by striking out "Office of Justice Assistance, Research, and Statistics, the Law Enforcement Assistance Administration," each place it appears and inserting in lieu thereof "Office of Justice Assistance,",

(2) by inserting "the Office of Juvenile Justice and Delinquency Prevention," before "or the National Institute of Justice" each place it appears,

(3) in subsection (a) by striking out "section 803, 804, or 815(c)(2)(G)" and inserting in lieu thereof "section 702, 703, or 712(c)(2)(G)", and

(4) in subsection (b) by inserting "the Office of Juvenile Justice and Delinquency Prevention" before "or the Bureau of Justice Statistics".

(e) Section 806 of part H of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3786) is amended to read as follows:

"DELEGATION OF FUNCTIONS

"SEC. 705. The Attorney General, the National Institute of Justice, the Bureau of Justice Statistics, the Office of Juvenile Justice and Delinquency Prevention, and the Office of Justice Assistance may delegate to any of their respective officers or employees such functions under this title as they deem appropriate.".

(f) Section 807 of part H of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3787) is amended—

(1) by striking out "Office of Justice Assistance, Research, and Statistics,", and

(2) by striking out ", and the Law Enforcement Assistance Administration" and inserting in lieu thereof "the Office of Juvenile Justice and Delinquency Prevention, and the Office of Justice Assistance".

(g) Sections 810 and 811 of part H of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3788-3789) are each amended—

(1) by striking out "Office of Justice Assistance, Research, and Statistics," each place it appears,

(2) by striking out ", and the Law Enforcement Assistance Administration" and inserting in lieu thereof "the Office of Juvenile Justice and Delinquency Prevention, and the Office of Justice Assistance".

(h) Section 812 of part H of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3789a) is amended by striking out "Director of the Office of Justice Assistance, Research, and Statistics, the Administrator of the Law Enforcement Assistance Administration," and inserting in lieu thereof "Director of the Office of Justice Assistance, the Administrator of the Office of Juvenile Justice and Delinquency Prevention,".

(i) Section 813 of part H of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3789b) is amended in subsections (a) and (b)—

(1) by striking out "Office of Justice Assistance, Research, and Statistics" each place it appears and inserting in lieu thereof "Office of Juvenile Justice and Delinquency Prevention", and

(2) by striking out "Law Enforcement Assistance Administration" and inserting in lieu thereof "Office of Justice Assistance".

(j) Section 814 of part H of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3789c) is amended—

(1) in subsections (a) and (b)—

(A) by striking out "Office of Justice Assistance, Research, and Statistics," each place it appears and inserting in lieu thereof "Office of Juvenile Justice and Delinquency Prevention,", and

(B) by striking out "Law Enforcement Assistance Administration" each place it appears and inserting in lieu thereof "Office of Juvenile Assistance", and

(2) by amending subsection (c) to read as follows:

"(c) The limitation specified in the joint resolution entitled 'Joint resolution to prohibit expenditure of any moneys for housing, feeding, or transporting conventions or meetings', approved February 2, 1935 (31 U.S.C. 551), shall not apply with respect to the use of funds appropriated to carry out this title.".

(k) Section 815 of part H of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3789d) is amended—

(1) by striking out "Office of Justice Assistance, Research, and Statistics" each place it appears and inserting in lieu thereof "Office of Juvenile Justice and Delinquency Prevention, the National Institute of Justice, the Bureau of Justice Statistics, and the Office of Justice Assistance", and

(2) in subsection (b) by striking out "or the Law Enforcement Assistance Administration" and inserting in lieu thereof "the Office of Juvenile Justice and Delinquency Prevention, or the Office of Justice Assistance".

(l) Section 816 of part H of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3789e) is amended to read as follows:

"REPORT TO PRESIDENT AND CONGRESS

"SEC. 816. Not later than April 1 of each year, the Director of the Office of Justice Assistance, the Director of the Bureau of Justice Statistics, and the Director of the National Institute of Justice shall each submit a report to the President and to the Speaker of the House of Representatives and the President of the Senate, on their activities under this title during the fiscal year next preceding such date.".

(m) Section 817 of part H of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3789f) is amended—

(1) by striking out "Office of Justice Assistance, Research, and Statistics" each place it appears and inserting in lieu thereof "Office of Juvenile Justice and Delinquency Prevention, the National Institute of Justice, the Bureau of Justice Statistics, and the Office of Justice Assistance",

(2) in subsection (d) by striking out "section 815(c)" each place it appears and inserting in lieu thereof "section 712(c)", and

(3) in subsection (f)—

(A) by striking out "Law Enforcement Assistance Administration" and inserting in lieu thereof "Office of Justice Assistance", and

(B) by striking out "Administrator" each place it appears and inserting in lieu thereof "Director".

(n) Section 818 of part H of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3789g) is amended by striking out "Office of Justice Assistance, Research, and Statistics" each place it appears and inserting in lieu thereof "Office of Juvenile Justice and Delinquency Prevention, the National Institute of Justice, the Bureau of Justice Statistics, and the Office of Justice Assistance together".

(o) Section 819 of part H of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3789h) is amended—

(1) by striking out "Office of Justice Assistance, Research, and Statistics," and inserting in lieu thereof "Office of Juvenile Justice and Delinquency Prevention,", and

(2) by striking out "Law Enforcement Assistance Administration" and inserting in lieu thereof "Office of Justice Assistance".

(p) Section 820 of part H of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3789i) is amended—

(1) by striking out subsection (a), and

(2) in subsection (b) by striking out "(b)".

(q) Section 823 of part H of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3789l) is amended by striking out "Administration" and inserting in lieu thereof "Office".

(r) Part H of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3781-3789o) is amended by striking out section 826.

(s) The heading for part H of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3781-3789o) is amended by striking out "Part H" and inserting in lieu thereof "Part G".

(t) Part G, as so redesignated, of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3781-3789o) is amended by redesignating sections 804, 805,

807, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, and 827 as sections 703, 704, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, and 723, respectively.

(u) Part G, as so redesignated, of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3781-3789o) is amended by striking out sections 808 and 809.

(v) Part G, as so redesignated, of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3781-3789o) is amended by adding at the end thereof the following new section.

"STAFF SUPPORT; COORDINATION OF ACTIVITIES

"SEC. 724. The Office of Justice Assistance may directly provide staff support to, and assist in coordinating the activities of, the National Institute of Justice, the Bureau of Justice Statistics, and the Office of Juvenile Justice and Delinquency Prevention.".

DEFINITIONS

SEC. 111. (a) Section 901 of part I of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3791) is amended by striking out "Administration" each place it appears and inserting in lieu thereof "Office".

(b) Section 901(a) of part I of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3791(a)) is amended—

(1) in paragraph (4)—

(A) by inserting "renovation, repairs, remodeling," after "acquisition,", and

(B) by striking out ", but does not include renovation, repairs, or remodeling",

(2) by striking out paragraphs (7), (8), and (13), and

(3) by redesignating paragraphs (9), (10), (11), (12), (14), (15), (16), (17), (18), (19), (20), and (21) as paragraphs (7), (8), (9), (10), (11), (12), (13), (14), (15), (16), (17), and (18), respectively.

(c) The heading for part I of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3791) is amended by striking out "PART I" and inserting in lieu thereof "PART H".

(d) Part H, as so redesignated, of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3791) is amended by redesignating section 901 as section 801.

FUNDING

SEC. 112. (a) Section 1001 of part J of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3793) is amended to read as follows:

"AUTHORIZATION OF APPROPRIATIONS

"SEC. 901. (a) There are authorized to be appropriated to carry out the functions of the Bureau of Justice Statistics $25,000,000 for the fiscal year 1983; $25,000,000 for the fiscal year 1984; $25,000,000 for the fiscal year 1985; and $25,000,000 for the fiscal year 1986. There are authorized to be appropriated to carry out the functions of the National Institute of Justice $25,000,000 for the fiscal year 1983; $25,000,000 for the fiscal year 1984; $25,000,000 for the fiscal year 1985; and $25,000,000 for the fiscal year 1986. There are authorized to be appropriated for parts D, E, and G, and for the purposes of carrying out the remaining functions of the Office of Justice Assistance, other than parts F and K, $170,000,000 for the fiscal year ending 1983; $170,000,000 for the fiscal year 1984; $170,000,000 for the fiscal year 1985; and $170,000,000 for the fiscal year 1986. Funds appropriated for any fiscal year may remain available for obligation until expended. There is authorized to be appropriated in each fiscal year such sums as may be necessary to carry out the purposes of part K.

"(b) Notwithstanding any other provision of law, no funds appropriated under this section for parts D and E of this title may be transferred or reprogramed for carrying out any activity which is not authorized under such parts.".

(b) Part J of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3793-3793b) is amended by striking out sections 1002 and 1003.

(c) The heading for part J of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3793-3793b) is amended by striking out "PART J" and inserting in lieu thereof "PART I".

(d) Part I, as so redesignated, of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3793-3793b) is amended by redesignating section 1001 as section 901.

CRIMINAL PENALTIES

SEC. 113. (a) Section 1101 of part K of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3795) is amended by striking out "Law Enforcement Assistance Administration" and inserting in lieu thereof "Office of Justice Assistance".

(b) Section 1103 of part K of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3795-3795b) is amended by striking out "Law Enforcement Assistance Administration" and inserting in lieu thereof "Office of Justice Assistance".

(c) The heading for part K of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3795-3795b) is amended by striking out "PART K" and inserting in lieu thereof "PART J".

(d) Part J, as so redesignated, of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3795-3795b) is amended by redesignating sections 1101, 1102, and 1103 as sections 1001, 1002, and 1003, respectively.

PUBLIC SAFETY OFFICERS' DEATH BENEFITS

SEC. 114. (a) Sections 1201 and 1204 of part L of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3797-3797c) are amended by striking out "Administration" each place it appears and inserting in lieu thereof "Office".

(b) The heading for part L of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3797-3797c) is amended by striking out "PART L" and inserting in lieu thereof "PART K".

(c) Part K, as so redesignated, of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3797-3797c) is amended by redesignating sections 1201, 1202, 1203, and 1204 as sections 1101, 1102, 1103, and 1104, respectively.

TRANSITION

SEC. 115. (a) Section 1301 of part M of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3799) is amended—

(1) in subsection (a)—

(A) by inserting "(1)" after "(a)", and

(B) by adding at the end thereof the following new paragraph:

"(2) All orders, determinations, rules, regulations, and instructions issued under this title which are in effect on the date of the enactment of the Justice Assistance Act of 1983 shall continue in effect according to their terms until modified, terminated, superseded, set aside, or revoked by the President, the Attorney General, the Director of the Bureau of Justice Statistics, the Director of the National Institute of Justice, the Administrator of the Office of Juvenile Justice and Delinquency Prevention, or the Director of the Office of Justice Assistance with respect to their functions under this title or by operation of law.",

(2) by striking out subsection (j), and

(3) by redesignating subsection (k) as subsection (j).

(b) The heading for part M of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3799) is amended by striking out "PART M" and inserting in lieu thereof "PART L".

(c) Part L, as so redesignated, of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3799) is amended by redesignating section 1301 as section 1201.

TABLE OF CONTENTS

SEC. 116. The table of contents of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3701-3799) is amended—

(1) by amending the item relating to part A to read as follows:

"PART A—OFFICE OF JUSTICE ASSISTANCE".

(2) by striking out the item relating to section 103,

(3) by adding at the end of the items relating to part D the following new item:

"Sec. 406. State office.".

and

(4) by amending the items relating to parts E, F, G, H, I, J, K, L, and M, to read as follows:

"PART E—DISCRETIONARY GRANTS

"Sec. 501. Purpose.
"Sec. 502. Percentage of appropriation for discretionary grant program.
"Sec. 503. Procedure for establishing discretionary programs.
"Sec. 504. Application requirements.
"Sec. 505. Criteria for award.
"Sec. 506. Period for award.

"PART F—TRAINING AND MANPOWER DEVELOPMENT

"Sec. 601. Federal Bureau of Investigation training of State and local criminal justice personnel.
"Sec. 602. Criminal justice education program.

"PART G—ADMINISTRATION PROVISIONS

"Sec. 701. Consultation; establishment of rules and regulations.
"Sec. 702. Notice and hearing on denial or termination of grant.
"Sec. 703. Finality of determinations.
"Sec. 704. Appellate court review.
"Sec. 705. Delegation of functions.
"Sec. 706. Subpena power; authority to hold hearings.
"Sec. 707. Employment of hearing officers.
"Sec. 708. Authority to use available services.
"Sec. 709. Consultation with other Federal, State, and local officials.
"Sec. 710. Reimbursement authority.
"Sec. 711. Services of experts and consultants; advisory committees.
"Sec. 712. Prohibition of Federal control over State and local criminal justice agencies.
"Sec. 713. Report to President and Congress.
"Sec. 714. Recordkeeping requirement.
"Sec. 715. Confidentiality of information.
"Sec. 716. Authority to accept voluntary services.

"Sec. 717. Administration of juvenile delinquency programs.
"Sec. 718. Prohibition of land acquisition.
"Sec. 719. Prohibition on use of CIA services.
"Sec. 720. Indian liability waiver.
"Sec. 721. District of Columbia matching fund source.
"Sec. 722. Limitation on civil justice matters.
"Sec. 723. Prison industry enhancement.
"Sec. 724. Staff support; coordination of activities.
"PART H—DEFINITIONS
"Sec. 801. Definitions.
"PART I—FUNDING
"Sec. 901. Authorization of appropriations.
"PART J—CRIMINAL PENALTIES
"Sec. 1001. Misuse of Federal assistance.
"Sec. 1002. Falsification or concealment of facts.
"Sec. 1003. Conspiracy to commit offense against United States.
"PART K—PUBLIC SAFETY OFFICERS' DEATH BENEFITS
"Sec. 1101. Payments.
"Sec. 1102. Limitations.
"Sec. 1103. Definitions.
"Sec. 1104. Administrative provisions.
"PART L—TRANSITION—EFFECTIVE DATE—REPEALER
"Sec. 1201. Continuation of rules, authorities, and proceedings.".

FUNDING OF PROGRAMS RECENTLY COMMENCED

SEC. 117. During the period beginning on April 1, 1983, and ending 1 year after the date of the enactment of this Act, funds expended by a State or local government to carry out a new program or project of a type described in section 401(a) of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3741(a)) for which assistance is requested under part D of such Act may be included, for purposes of determining such assistance, as part of the non-Federal portion of the cost of such program or project.

REFERENCES IN OTHER LAWS

SEC. 118. (a) Any reference to the Law Enforcement Assistance Administration, or to the Administrator of the Law Enforcement Assistance Administration, in any law other than this Act and the Omnibus Crime Control and Safe Streets Act of 1968, applicable to activities, functions, powers, and duties that after the date of the enactment of this Act are carried out by the Office of Justice Assistance shall be deemed to be a reference to the Office of Justice Assistance, or to the Director of the Office of Justice Assistance, as the case may be.

(b) Any reference to the Office of Justice Assistance, Research, and Statistics, or to the Director of the Office of Justice Assistance, Research, and Statistics, in any law other than this Act and the Omnibus Crime Control and Safe Streets Act of 1968, applicable to activities, functions, powers, and duties that after the date of the enactment of this Act are carried out by the Office of Justice Assistance, the Bureau of Justice Statistics, the National Institute of Justice, or the Office of Juvenile Justice Delinquency Prevention shall be deemed to be a reference to the Office of Justice Assistance, the Bureau of Justice Statistics, National Institute of Justice, or Office of Juvenile Justice Delinquency Prevention, or to the Director of the Office of Justice Assistance, the Director of the Bureau of Justice Statistics, the Director of the National Institute of Justice, or the Administrator of the Office of Juvenile Justice and Delinquency Prevention, as the case may be.

TECHNICAL AMENDMENTS TO OTHER LAWS

SEC. 119. (a) Section 5314 of title 5, United States Code is amended by striking out "Director, Office of Justice Assistance, Research, and Statistics.".

(b) Section 5315 of title 5, United States Code, is amended—

(1) by striking out "Administrator of Law Enforcement Assistance.", and

(2) by adding at the end thereof the following new item:

"Director, Office of Justice Assistance.".

(c) Section 305 of the Department of Education Organization Act (20 U.S.C. 3445) is amended—

(1) by striking out "Law Enforcement Assistance Administration" and inserting in lieu thereof "Office of Justice Assistance", and

(2) by striking out "section 406" and inserting in lieu thereof "section 602".

OFFENSES INVOLVING PRISON-MADE GOODS

SEC. 120. Section 1761(c) of title 18, United States Code, is amended—

(1) by striking out "seven" and inserting in lieu thereof "twenty", and

(2) by striking out "Administrator of the Law Enforcement Assistance Administration" and inserting in lieu thereof "Director of the Office of Justice Assistance".

Mr. HUGHES. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker, having resumed the chair, Mr. DURBIN, Chairman pro tempore of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 2175) to amend the Omnibus Crime Control and Safe Streets Act of 1968, and for other purposes, had come to no resolution thereon.

THAT CRUMBLING INFRASTRUCTURE

(Mr. CLINGER asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. CLINGER. Mr. Speaker, even though a recent study by the Congressional Budget Office shows that government on all levels should spend $11 billion more each year to repair our roads and water and sewer systems, Congress has refused to bring pork barrel practices under control.

Mr. Speaker, what Congress needs is a systematic approach for allocating our limited resources for public works investments. This week, the House Public Works and Transportation Committee will mark up legislation which will make it possible to rank the cost effectiveness of our capital investments by creating a capital budget.

The legislation, called the Federal Capital Investment Act of 1983, requires an inventory of all public works facilities to determine their condition and the cost of maintaining them. The idea is that Congress would then use the information to set capital investment priorities as part of budget deliberations.

Mr. Speaker, with your permission, I request that an editorial in today's issue of the Washington Post entitled "That Crumbling Infrastructure" be reprinted in the RECORD for the benefit of our colleagues. And I urge my colleagues to support the legislation when it comes before the full House.

[From the Washington Post, May 9, 1983]

THAT CRUMBLING INFRASTRUCTURE

Ever since policy experts drew attention a couple of years ago to the dilapidated state of many public facilities, proposals for repairing what came to be called the nation's infrastructure have abounded. So extreme was the deterioration said to be that trillions of dollars would be needed to put highways, sewers, transit systems and other public works in decent condition. Two recent studies, however, suggest that the situation is more manageable than had been supposed. That's the good news. The bad news is that dealing with it will probably require a far more disciplined approach to public works financing than Congress is likely to accept.

A survey of 809 cities by the National League of Cities and the Conference of Mayors found that almost all face sizable repair jobs, but that the cost of urgent repairs was relatively modest and that local resources could cover much of it. The Congressional Budget Office similarly found that—despite the $5.5 billion added last year to annual highway spending and the $4 billion voted in the recent public works "jobs" bill—all levels of government needed to step up capital spending by about $11 billion a year. But, the study observed, most of the spending shortfall could be met by better allocation of current federal dollars.

The CBO criticized current federal public works policy for overemphasizing construction of new facilities, for channeling dollars to projects of local interest but low national priority, and for encouraging states and localities to neglect needed repair and replacement of existing facilities. Most essential public works systems are already in place, and emphasis in federal spending should now shift from new construction to repair. The federal government also needs to find a better way to expend its resources on truly national concerns while giving states and localities more flexibility in addressing their widely varying public works needs.

To get Congress to plan public works expenditures more sensibly, Reps. Bill Clinger and Bob Edgar have been pushing the idea of requiring the administration to prepare an inventory of the nation's capital assets and to make annual assessments of the most-needed improvements and repairs. The administration wisely opposes the idea of a separate "capital budget," on the ground that this would be an invitation to run up still larger federal deficits. But it has warmed somewhat to the idea of compelling Congress to consider the long-term implications of its public works spending decisions.

All this sensible advice, however, is likely to fall on deaf ears in Congress. As long as congressmen judge their worth to their constituents by the imposing public works they cause to be constructed in their districts—never mind the future cost of maintaining them—the poor old infrastructure is likely

to keep crumbling while the repair bills steadily mount.

□ 1450

AID TO GREECE AND TURKEY

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California (Mr. BADHAM) is recognized for 15 minutes.

● Mr. BADHAM. Mr. Speaker, recently I and other members of the Armed Services Committee returned from a trip to the Mideast, where we had the opportunity to visit Turkey and Greece as well as Beirut, Crete, and the Naples headquarters of NATO. Since returning to the United States I have noted that both the newspapers and the CONGRESSIONAL RECORD have included a number of articles and statements against the administration's request for military and economic assistance to Turkey. We have here a vivid test of the ability of the United States above parochial concerns, ethnic passions, and the penny-wise and pound-foolish attitudes frequently brought to the subject of foreign aid.

There is no place, across the entire range of foreign aid recipients, where the United States will receive more cost-effective returns than from the investment of our foreign aid dollars in Turkey. In this case, moreover, dollars devoted—lent, not given, for the most part—to the modernization of Turkey's Armed Forces are in some ways more effectively spent than dollars for the modernization of America's own Armed Forces. This is simply because Turkey is there, where the threat is, with a large pool of trained military manpower, and we are not.

Surely the importance of a militarily strong and politically stable Turkey and Greece cannot be misunderstood by any Member here. The briefest glance at a map makes the case immediately. Turkey is a country located at the threshold of a most critical region, at the juncture of NATO's southern flank and the turbulent Middle East. From time immemorial this region has been a prime target for sustained pressure and penetration by those who have ruled in Moscow. Current events remind us that Soviet objectives for the region are, if anything, more ambitious than those of the tsars before them: From Afghanistan to the Soviet fleet in the Mediterranean we see evidence of a constant Soviet effort to expand power and influence in the region at the expense of the West and of the independence of the people who live there. Sometimes the Soviets make headway; sometimes they have lost ground. They have never had a free ride and easy access to the region. One of the reasons for this is the obstacle presented by a Turkey firmly allied with the West in NATO and oriented toward the West in her attitudes.

This whole region, including Turkey and Greece, need protection by the United States and the rest of the NATO alliance. Do not be misled by the temporary drop in oil prices. The oil is still there and vital to the future of the industrial world. Israel is still there and the delicate processes of building peace between Israel and her neighbors require insulation from unrestricted Soviet meddling. The southern flank of NATO, the Turkish straits, the vital links of the eastern Mediterranean Sea are still there and the United States remains committed by treaty and law to send American forces to defend them if need be. Elsewhere in the foreign aid budget and in our defense budget we are spending billions of dollars to back these interests and commitments. It is no exaggeration to say that we stand to waste all this other spending if we do not do at least the bare minimum to help Turkey modernize her military establishment on a sustained basis. This is all the administration is asking for. Turkey's Armed Forces are in dangerously poor shape, despite the best efforts of good soldiers to do the most with what they have been able to get. As a result of decades-long hand-me-down status and the U.S. arms embargo of the mid-1970's, Turkey still has a military establishment with Korean war vintage equipment. The size and quality of Soviet forces for operating against Turkey—Soviet air, land, and naval forces—have been steadily increasing. When the East-West balance of forces worldwide is far from satisfactory to us it is simply an intolerable risk to leave Turkey in a seriously deficient military state. It is like leaving an open gasoline can next to your furnace in the basement. Who would run such a risk?

Throughout hearings and debate on aid to Turkey and to its neighbor Greece, heated statements have been made as to how deserving one country is and how undeserving of American support the other supposedly is. Many of these statements arise from passions and resentments that have their causes way back in history and have migrated to our shores. This case is not unique in our foreign affairs. This body wrestles constantly with the effects of such feelings among its constituents. The Congress cannot allow itself to be just a sounding board for regional and ethnic feelings, especially when it considers foreign and national security policy issues. In any case, the record shows very clearly that, notwithstanding energetic claims to the contrary, our Turkish ally in NATO is a deserving recipient of American support. Turkey is a loyal ally who has supported us and fought with us in the postwar era. We have never questioned her NATO commitment. In proportion to her national wealth, she shoulders the largest defense burden in the alliance. She has struggled effectively to overcome the results of economic destabilization, and of political destabilization through terrorism, fomented by her northern neighbors, that threatened to destroy any prospects for democracy in that country. Hard though it may be for some people to accept this, Turkey's military leaders are genuinely committed to the cause of developing a modern, civilized, democratic, and Western-oriented society in Turkey; they are not the power-hungry defenders of rich oligarchies we find elsewhere. Moreover, Turkey's leaders have shown themselves willing to negotiate fair and reasonable solutions to local problems that arouse hot tempers on the other side of Aegean Sea. We do not have many Turkish constituents in our districts; but we ought not forget that Turkey's political leaders do. We would be very fortunate indeed if our allies behaved with the good sense and patience that Turkey shows toward us.

But the bottom line remains as I stated at the beginning: Support for the Turkish aid appropriation is support for our national interest, for the security of the United States, for the strengthening of our vital role as the leader of an alliance of free nations, and for the enhancement of stability in a dangerous part of a dangerous world.

Robert W. Komer, U.S. Ambassador to Turkey during 1968-69, published an article in the April 5, 1983, Wall Street Journal that addressed this issue, and even recommended a solution to some of the problems we must face in this area. I recommend that all Members take the time to read it.

[From the Wall Street Journal, Apr. 5, 1983]

AID TO GREECE AND TURKEY: THE 70-PERCENT SOLUTION

(By Robert W. Komer)

Since the end of World War II, American policy has recognized the strategic importance of Turkey as the southeast flank of NATO and a barrier to Soviet naval egress from the Black Sea. Americans have also been impressed with Turkey's steadiness in standing up to the U.S.S.R. and its willingness to maintain strong defensive forces. Hence Turkey was one of the first recipients of postwar U.S. military aid, even before the founding of NATO. More recently, eastern Turkey's strategic position on the flank of any Soviet attempt to capitalize on the chaos in Iran to threaten Western access to vital Persian Gulf oil has further enhanced its strategic value.

Increasingly, however, our strategic interest in helping Turkey has become mortgaged to the deteriorating relations between Turkey and its Western neighbor, Greece. Though Greece and Turkey are NATO allies, and share a common concern over the only visible threat to their external security, their relationship has increasingly been marred by bilateral disputes, especially over Cyprus, which in turn has affected congressional willingness to meet Turkish aid needs. Indeed, Congress imposed a four-year

embargo on any military aid to Turkey (1974–78), which led to a serious weakening of Turkey's already obsolescent forces, highly dependent on the U.S. (and Germany) for modern equipment. In short, at the very time when U.S. interest in keeping Turkey strong had grown as a result of the chaos in Iran and the Soviet invasion of Afghanistan, Greece's success in highlighting its own fears of Turkey has had a damping effect on U.S. willingness to aid Turkey.

The irony is that Athen's current paranoia over the "threat" of Turkish attack finds no echo in Ankara. While I will no doubt be accused of being pro-Turkish for saying so, Ankara sees absolutely no percentage in hostility toward Greece. Nor have I ever found a professional in the State Department, Pentagon or CIA who took this threat seriously. Turkey needs Greece's nearby Aegean Islands like it needs a hole in the head. Just look at the deployment pattern of Turkish forces—the vast bulk of them facing Bulgaria to the north and the U.S.S.R. to the east. Very few are aligned against Greece.

Instead Ankara worries primarily about the Soviet satellite military buildup on its borders, the Iranian revolution on its vulnerable eastern flank, the Iran-Iraq war and Syria's increasing dependence on Soviet arms. All this suggests that Ankara means it when it claims that it wants a return to the Ataturk-Venizelos era of good relations with its Greek ally. Otherwise Turkey would be practically surrounded by hostile or unstable states.

But Greece has shrewdly managed to make the level of U.S. military aid to Turkey hostage to maintenance of a 7-to-10 aid ratio between the two countries, arguing that this method of keeping aid to Greece at nearly comparable levels is essential to prevent a Turkish attack. Neither the Pentagon nor State Department has ever seen any strategic sense in this ratio, which operates in fact to reduce aid to Turkey, while Greece's stronger economy permits more arms purchases elsewhere. But successive administrations have been compelled to accept it as Congress's price for providing Turkey even modest military aid.

Almost unnoticed by the press, the latest act in this long-lived drama is taking place on Capitol Hill. The current debate between the administration and Congress is ostensibly over whether telling Greece in advance how much military aid it will get will enhance the prospects of the new base agreement under negotiation or whether holding up our final offer until *after* we get a satisfactory agreement will give us greater leverage. Underlying this, however, is another attempt on the Hill to get more aid for Greece by tying it via the 7-to-10 ratio to the Turkish aid level.

Strengthening Greece militarily is just as much in the U.S. interest as strengthening Turkey. Both are essential to credible deterrence/defense of NATO's vulnerable southeast flank. But Turkey's needs are much greater than Greece's, especially now that Ankara and Washington want to strengthen deterrence on Turkey's distant Caucasus frontier (1,000 miles from Greece) to help protect Persian Gulf oil.

The 7-to-10 ratio is absurd, and a waste of the U.S. taxpayers' money. It is a classic example of special interest politics cutting across U.S. strategic interests. Contrary to the synthetic issue of a Turkish threat to Greece whipped up by some Greek politicians, military air to Turkey in fact helps defend Greece (and vice versa.)

But another confrontation between Congress and the executive would serve nobody, least of all Turkey, which would almost surely end up getting less than otherwise. Therefore let me suggest a one-time compromise. Why doesn't Congress approve seven-tenths as much in fiscal 1984 military-sales credits for Greece as for Turkey, provided that a satisfactory base agreement is reached, but simultaneously repudiate allegiance to a 7-to-10 ratio and direct the Pentagon to base further aid requests solely on respective needs? Turkey should also get such aid on distinctly easier terms, given its lesser ability to pay. U.S. aid policy should promote Greek-Turkish rapprochement, not serve as a device for rehashing divisive bilateral issues at the expense of our clear strategic interest in helping meet the needs of both countries.●

WHY IS THERE A HOUSING EMERGENCY?

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Mr. GONZALEZ) is recognized for 30 minutes.

● Mr. GONZALEZ. Mr. Speaker, tomorrow the House will consider the Emergency Housing Assistance Act, H.R. 1983. There may be some who will ask what the emergency is and others who will claim that there is no problem. But there is a housing emergency, and I will explain why.

Two years ago, long-term unemployment in this country affected perhaps 2 million people. Today, there are 4½ million people who have been out of work for at least 15 weeks. Two years ago, maybe one out of every eight unemployed people had been looking for work for as long as 6 months. Today one out of four—a full 25 percent—of the unemployed have been looking for work 6 months or better. Almost none of the unemployed are people who quit work; in fact, the quit rate has decreased enormously in these last 2 years—and there could be no surer sign than that of how difficult the times are.

Translated into the ability to pay mortgages, these statistics tell us that there is a housing emergency. But long-term unemployment is not the only reason there is an emergency; the rate of foreclosures has increased by leaps and bounds. Last year there were as many home foreclosures as there were in the worst year of the Great Depression. The indicators this year are even worse. Why? because with the consistent and persistent long-term unemployment we have had in these last 2 years, more and more people have run out of savings, run out of ways to keep the wolf from the door, run out of ways to ask the bankers to show forbearance.

Despite this overwhelming evidence, there may be some who still claim that there is no problem. They may say that the long-term unemployed are just teenagers who do not own homes. That is not the case. Since 1981 the unemployment rate for male workers over age 20 has increased by 50 percent, and it has increased by 100 percent over the experience of 1979. Traditionally it is adult males who have the lowest rate of unemployment in this country, but today more than 10 percent of all such workers are out of work.

But nationwide statistics are only a mask that covers the real hardship. Nationwide unemployment may be at 10 percent, but in town after town, city after city, one-fourth or one-fifth of the people may be out of work. In a town like Pueblo, Colo., there are 3,000 steelworkers laid off. In the copper mines, in the iron mines, in the auto towns—everywhere that you look, the people who have worked in this Nation's most basic and vital industries are suffering monstrous levels of unemployment. These are people who by and large have never been laid off, never quit, never expected to be laid off, and certainly never expected to see their whole towns shut down, but it has happened; sometimes by slow degrees and sometimes with devastating speed, but it has happened.

Less than 70 percent of this Nation's industrial capacity is in use today. Farmers have seen a parity loss of 20 percent in the past 2 years. Bankruptcy is on the rise. Long-term unemployment is not shrinking—it is growing. Forty percent of the people who are looking for work today have been out of work for at least 3½ months; a quarter of the unemployed have been looking for work better than 6 months. And I emphasize, long-term unemployment is growing, not going down.

There is only so long that a family can go with curtailed or totally lost income. There is only so far that people can stretch, and that is why we are now seeing a rise in mortgage foreclosures, an increase in business bankruptcies. No one, not even the most adamant opponent of H.R. 1983, denies that there is a problem. No one, not even the most hardened ideologue, claims that we are about to see an end to massive unemployment, let alone the monstrous growth of long-term unemployment. What are we to do?

Should we sit idly by and watch people lose their homes, their savings, and their hopes? I say no. Not when we know that 50 years ago the Nation faced similar problems and came up with a workable solution. Not when today we have a workable solution in the form of H.R. 1983.

The debate on H.R. 1983 will perhaps sound complex, but the issue boils down to one simple conflict: The claim that mortgage foreclosures can be prevented without any action except an exhortation to bankers, a request that they be merciful. That is the central issue: Does it take real fi-

nancial help to solve a real financial problem? I say that it does, and that is what H.R. 1983 provides: Real financial assistance to people who face real financial problems through no fault of their own. Real help to people who need real help to keep their homes.

The Emergency Housing Assistance Act is a loan program. If a homeowner is facing foreclosure, and if that homeowner has gotten into a financial bind because of an involuntary loss of income, that person may be eligible for assistance. To qualify for a loan, under the terms of the bill and a substitute that I will offer tomorrow, the applicant must demonstrate real need; there will be a stringent limitation on the assets a person can have and still qualify for a loan. Further, the applicant must show that every effort has been made to work out an arrangement with the lender, and no loan can be made available for any property that is extravagant or luxurious—the mortgage must be within FHA limits, and cannot include luxurious amenities.

Once the borrower has demonstrated his real need, and once it is clear that there is no other recourse but an emergency loan, then an applicant can qualify for help.

The Secretary of Housing and Urban Development receives the application and decides the case within 45 days. If the Secretary approves an emergency loan, the applicant gets enough money to bring the mortgage current. In addition to that, enough is provided to keep that mortgage current until there has been reasonable time for the homeowner to get back on his financial feet. During that period of assistance, the borrower must commit no less than 38 percent of his adjusted income to mortgage payments.

The loan that is advanced by the Secretary is secured by a lien on the property. In addition, the loan carries interest of 10 percent or the current Treasury rate, whichever is least. Finally, the person aided by this program must begin a prompt repayment program, as soon as this is financially feasible.

This is a tough program. It is designed for people who have done all that they can, and people who continue to do all that they can, to keep up mortgage payments. It is for people who have done everything except seek the shelter of bankruptcy, and it is an alternative to bankruptcy. It is a program that recognizes the economic realities of today: Massive long-term unemployment that creates wholly unexpected, overwhelming burdens for people who are and have been, and who will continue to be, dependable, responsible, and hard-working citizens. Emergency housing assistance will not be available for deadbeats or for the well-off; it will be for those who need it and must have it.

Opponents of this bill will claim that there does not have to be any loan program at all. They are saying that all we need do is enact an exhortation requesting forbearance by lenders. But real financial problems can only be solved with real financial help.

The tragic fact is that if interest rates decline and make it easier to sell housing, forclosure rates will increase, because bankers will find it much easier to recover their money through foreclosure. This is a true, gigantic irony—that if homes become easier to sell, they will also be more likely to suffer foreclosure. In a market where homes are hard to sell, bankers have little to gain from foreclosure. Those who argue against this bill ignore the fact that every sign—from unemployment rates to interest trends—shows that foreclosure is not only a problem today, but it is likely to become a greater problem tomorrow.

There are those who claim that banks are anxious to avoid foreclosure action, and perhaps they are. But in the areas where the bank are in the worst shape, and in the worst position to forbear, exhortations to be nice will not be enough; the lenders have financial problems. It is not just borrowers who need real money for real problems; it is lenders who need real money for their real problems.

The Emergency Housing Assistance Act offers realistic help to a burgeoning national need. From one end of this great land to the other, there are people anxiously wondering if this is the day the sheriff will knock on the door, if this is the day the end arrives, if this is the day all hope finally comes to an end. Tomorrow the House has a choice: We can vote for real help, in the form of H.R. 1983 and the Gonzalez substitute thereto; or we can vote for a cruel and empty joke, offered by the minority in the form of the Wylie amendment. I ask you to examine your conscience, and when the time comes, reject the Wylie substitute and its empty gesture; and vote for the Gonzalez language, which provides real assistance and real hope to people who need it, deserve it, and who cannot survive without it.●

MORAL CLARITY IN THE NUCLEAR AGE

(Mr. WEBER asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

● Mr. WEBER. Mr. Speaker, Michael Novak, a Catholic theologian and resident scholar at the American Enterprise Institute, has written an excellent letter on the issue of nuclear arms. This letter is particularly important for all of us to read since we are in the process of voting on the nuclear freeze resolution.

Professor Novak's letter has appeared in National Review and is the feature in the March edition of Catholicism in Crisis, a monthly journal of lay Catholic opinion published by the Jacques Maritain Center at Notre Dame.

I would commend this polemic work to my colleagues. It deserves much thought and reflection.

MORAL CLARITY IN THE NUCLEAR AGE—A LETTER FROM CATHOLIC CLERGY AND LAITY

(In January, 1982 at the first meeting of the American Catholic Committee (now the American Catholic Conference), a small group of laity, clergy and religious concerned about Catholic morality in a nuclear age decided that, all things considered, it would be better to construct a positive document than merely to criticize other points of view. To their credit, the first draft of the pastoral letter of the U.S. bishops had already requested such dialogue, public discussion, and open debate. To meet this request, the following document was drafted, redrafted and eventually submitted to more than 200 persons for critique and comment. The third draft, including countless corrections and suggestions, follows.)

INTRODUCTORY

1. Although in recent times, as in earlier times, there has been a tendency to use the expression "the Church" to mean chiefly its ordained leaders, the clergy, the Church in fact consists of the entire people of God, including those laymen and laywomen who participate in "the saving mission of the Church." As the Second Vatican Council puts it:

"Every layman should openly reveal to [his pastors] his needs and desires with that freedom and confidence which befits a son of God and a brother in Christ. An individual layman, by reason of the knowledge, competence, or outstanding ability which he may enjoy, is permitted and sometimes even obliged to express his opinion on things which concern the good of the Church. When occasions arise, let this be done through the agencies set up by the Church for this purpose. Let it always be done in truth, in courage, and in prudence, with reverence and charity toward those who by reason of their sacred office represent the person of Christ." (*Lumen Gentium #37.*)

2. In recent years, many laymen, laywomen and clergy have awaited the early drafts of a pastoral letter from the U.S. bishops on morality in nuclear matters. Both the first and second drafts which have appeared have awakened many questions. Rather than merely react to flawed portions of the two early drafts—with which many bishops are not yet satisfied—it seemed wiser to attempt a constructive statement of our own reasoned moral views. The task is immensely difficult. No more than our bishops do we expect complete unanimity. Emulating their example, we are moved by our responsibilities to the Gospel of Jesus Christ and to our vocations as Christians in the world. We hope that this constructive act will be useful to our bishops, and we make it public in accord with their express desire that the complex issue involved be treated to extensive and reasoned debate.

3. For nearly the whole of our adult lifetimes, since the first use of atomic power, and since the passing of its secrets into the hands of the U.S.S.R., we have all of us lived under the shadow of new and terrible

weapons. Descriptions of the horrible devastation which might be wrought upon the entire world through these weapons have been set before the public not only in scientific testimony but also in popular novels and movies. For more than thirty years, a primary moral imperative placed upon governments and peoples has been to assure that these weapons shall never be unjustly used.

4. The technology upon which these weapons are based is sufficiently simple that its secrets have now become dispersed throughout the world. Knowledge is good in itself; so is human liberty; we can scarely wish that these secrets had never been learned. Moreover, it is virtually impossible that, once discovered, they can wholly be repressed or permanently banished from this earth. The moral imperative that they never be unjustly used, therefore, will retain its full force for the foreseeable future.

5. Yet it must immediately be observed that such weapons have two quite different uses. The most obvious use is through their explosion in warfare. The more subtle use is through intimidation, since powers which possess them exercise over others who do not a threat beside which conventional armed defenses pale. While the use of nuclear weapons in the first sense is most to be guarded against, use in the second sense also constitutes a grave danger to justice, liberty, and peace. The moral imperative mentioned above applies to both uses.

6. More than once in our lifetime, superior nuclear force has obliged weaker nations either to surrender (Japan) or to abandon projects in which they were engaged (USSR in Cuba) or otherwise to moderate their intentions and actions. The possession of nuclear weapons seems also to have moderated actions which might in other times have led to confrontation by force of conventional arms. In this sense, while nuclear weapons constitute a grave threat to justice, liberty, and peace, their possession has also had pacific effects.

7. From biblical times, the human race has often been warned that God might will or permit its destruction. When Cain slew Abel, he prefigured the possibility of a threat to all the progeny of Adam and Eve, including himself, for by the same passion he might have slain not only his brother but also his parents and finally himself. In the story of Noah, the Bible instructs us in an image of the destruction of the whole world by flood, and warns us of God's threat to destroy all the world by fire. Sodom, Gomorrah, and other cities were utterly destroyed in vivid biblical warning, as was the Temple of Jerusalem. To live under threat of flood, fire, glacier, plague, pestilence, war and destruction is not novel for an imagination attuned to biblical history. The destruction of Carthage, the levelling of the glories of Greece and Rome, and the coming night of barbarism inspired St. Augustine to oppose secular millenarianism and a false sense of catastrophe, as he penned *The City of God.* The ruin of civilization is not a theme new to our time, nor is the theme of the destruction of all things living. Since Jewish and Christian conscience has long been steeled by contemplation of the fragility of this world and the overpowering sovereignty of God, our generation should not separate itself too dramatically from all others. The prophecies in the Book of Revelation exceed even the horrors of the twentieth century.

8. In fulfilling the moral imperative to prevent unjust uses of nuclear weapons, therefore, Christian citizens must exercise clear and sustained thought. Any flight of reason into panic must be quietly resisted, and every flight into illusion curbed. Both for good and for ill, the "mobilization of the masses" has frequently characterized life in this century. Neither slogans nor cold fear is a suitable substitute for prudent judgment. Questions of this magnitude cannot be left to experts, governmental or ecclesiastical, but must be prayerfully and lucidly reflected upon by all citizens. Only a broadly supported, carefully reasoned public policy, sustained over decades, meets the imperative laid upon all of us. Strong majorities must grasp and nourish such a policy.

9. For this reason, we Catholic citizens welcome the effort of the National Conference of Catholic Bishops in the United States, and the bishops of various Conferences in Europe and elsewhere, to draft pastoral letters on nuclear arms. The bishops have a right and duty to express the truth of the Gospels entrusted to them and to restate the Catholic tradition for our time. On these matters, they, and only they, in their vocation as teachers, have full authority with respect to the Gospels and the Catholic Faith.

10. According to the teaching of Jacques Maritain and Etienne Gilson, there are three spheres of Gospel teaching in human life.[1] The first concerns the life of the spirit, human life in the light of eternity. The second concerns those areas of the social order on which the Gospels and Catholic teaching directly impinge and in which they are necessarily enmeshed—such areas as are addressed in the social encyclicals of the Popes, for example. The third concerns the area of worldly interpretation of social reality and fact, tactical and strategic judgment oriented to results in the concrete world of history, choice among various permissible means, practical detail and, in general, questions of prudential judgment.

11. While in all three spheres, every member of the Church may have important witness to contribute, there is an ordinary differentiation of functions and authority. In the first of these spheres, the teaching of the bishops is clear and supreme when in conformity with that of the Holy Father and the whole college of bishops. In the second, the teaching of the bishops and popes is necessary and fruitful, although more engaged with matters fraught with ambiguity and danger of error. In the third, the focus of Catholic teaching normally passes from the hands of the bishops and popes to the concrete moral reasoning of individual Catholics responsible for fulfilling their vocations in the world. This is because in the world of contingency and action, Church leaders cannot summarize all concrete possibilities, but must enunciate religious ideals and moral principles and demand that lay persons apply them to concrete situations prudently and prayerfully. In this third sphere, the God of the Last Judgment will not be satisfied by a claim that a Christian followed the general authority of his bishop or of anyone else; each will be judged by what he or she did in the light of his or her own concrete moral reasoning in particular cases. From such personal responsibility, there will be no escape in the encompassing light of Judgment.

12. It is in this third sphere that we associate ourselves in the task of Christian moral reasoning, reflecting on the realities of nuclear weapons in our time. We are conscious of the presence of God. It is His judgment we fear. "The fear of the Lord is the beginning of wisdom." *(Proverbs 9:10).* Being faithful to the teachings of the Gospel and of the Catholic tradition, including the recent teachings of the Second Vatican Council, the Popes, and the Bishops, we propose to deal as clearly and as conscientiously as we can with the prudential matters of the third sphere. We speak for no others but ourselves. The matters with which we wrestle are, in the nature of the case, full of ambiguity, complex in their chains of reasoning, dependent upon difficult judgments of fact at every step. Other Christians of good will are certain to make quite different judgments at any ten or twelve places in the argument. So it always is in complex judgments of fact. We are certain only that we have tried to be faithful to biblical realism: both to the Gospels and the Catholic tradition, and to a realistic assessment of matters of fact and rational principle. We welcome argument, since it is by argument that we have arrived where we are, and by argument that we hope to learn. Among ourselves, we also have differences. Nonetheless, we have found it possible to offer what follows as a public and moral policy which we as Catholics support.

PART I—PEACE IN THE WORLD TODAY: CATHOLIC PERSPECTIVES

13. The Catholic tradition on war and peace is long and complex: it reaches from the Old Testament and from the beginning of the New, from the slaughter of the innocents at the birth of Christ to the baptism of the Roman centurion, from the practice of the early Church to recent statements by Pope John Paul II. Its development cannot be sketched in a straight line. It seldom gives a simple answer to complex questions. It speaks through many voices. It has produced multiple forms of religious witness.

14. We rely upon *The Pastoral Constitution on the Church in the Modern World and on The Decree on the Apostolate of the Laity* of Vatican II as the most authoritative recent statements on the question on nuclear weapons and on the role of the laity. We note that *The Pastoral Constitution* carefully differentiated in its own teaching between those elements "of permanent value" and others of "only a transitory one." It said that future "interpreters must bear in mind . . . the changeable circumstances which the subject matter, by its very nature, involves."[2] In this spirit, we are mindful of the indispensable, central role of accurate discrimination and sound prudential judgment.

15. We note also that Vatican II did not speak of nuclear weapons as such, but of "scientific weapons."[3] We understand this more general concept to be essential, since developments in rocketry, computers, and explosives since 1945 have given even "conventional" weapons awesome destructive power at great distances and with amazing accuracy. Because of their power, many of the novel "conventional" weapons seem to fall under the same moral strictures as do nuclear weapons, in terms of proportionality and discrimination in targeting. Indeed, the larger "conventional" weapons now exceed in their destructive power the smaller nuclear weapons. If one cannot distinguish between such weapons on the scale of sheer physical power, nonetheless, the divide between conventional and nuclear explosives is a critical boundary.

16. The *Pastoral Constitution* bids us to read the "signs of the times." We note three

[1] Footnotes at end of article.

vital factors, in particular. The first is recorded in the *Pastoral Constitution* itself:

"Insofar as men are sinful, the threat of war hangs over them, and hang over them it will until the return of Christ . . . In spite of the fact that recent wars have wrought physical and moral havoc on our world, conflicts still produce their devastating effect day by day somewhere in the world." [4]

The second comes from that Constitution's definition of peace:

"This peace cannot be obtained on earth unless personal values are safeguarded and men freely and trustingly share with one another the riches of their inner spirits and their talents." [5]

This is not the peace of totalitarianism. It is the peace of liberty and justice. The third vital factor is that considerations of the need to avoid nuclear war ". . . compel us to undertake an evaluation of war with an entirely new attitude." [6]

It is a moral imperative to deter not only nuclear war but all war. Yet the very act of nuclear deterrence has its own novel characteristics, involving new ways of thinking about intention, threat, use, means and ends, and lesser evils. "An entirely new attitude" is required on some of these matters.

17. At the center of the Catholic teaching on war and peace is, first, the sovereignty of God and, second, the dignity of the human person. The perennial sinfulness of humans makes the threat of war perennial; the longing of humans to be true to the image of God within them makes perennial the longing for peace. Directly to take innocent human life is a prerogative only of sovereign God, the Author of life. To defend the dignity of human life is both the motive force of peace and the just cause of war. When an unjust aggressor injures human dignity, to stand aside is a form of complicity and collusion. To resist an unjust aggressor with proportionate means is demanded by justice. Thus, human dignity is the cause both of just peace and of just war. As there are wars which are unjust, so also there is peace which is unjust.

18. It is sometimes held that there are on these questions plural traditions in the Catholic church, one addressed to Catholics and another addressed to the pluralistic public, one evangelical and the other based on natural law, one committed to pacifism and the other committed to the tradition of just war reasoning. But there is not one teaching for initiates, another for the uninitiated; not one teaching for the perfect, another for the imperfect. In the matter of celibacy and marriage there may be two vocations in the church, yet one vision of a common faith. So in matters of war and peace there is more than one vocation, yet one common teaching about justice in war and in peace. One common set of precepts, many different counsels; one life of charity, many different vocations; this is our vision.

A. Peace and the kingdom

19. Although God has always promised his people peace and rest, the paradoxical nature of these promises is ever present in the Bible. "Not as the world gives do I give peace," Jesus says. *(John 14:27).* Again: "I have come to bring not peace but the sword." *(Matthew 10:34).* And, admonishing Peter in Gethsemane, Jesus says: "Put your sword back into its place; for all those who take up the sword shall perish by the sword. Do you think that I cannot appeal to my Father, and he will at once send me more than twelve legions of angels? But how then should the scriptures be fulfilled, that it must be so?" *(Matthew 26:52-54).*

20. In the Old Testament, God is often portrayed as One who leads his people into battle, whose power helps them to prevail, who avenges wrongs done to them by their enemies. Paradoxically, Gideon says "God is peace," and the blessing of the Lord on Israel includes this, that "the Lord lift up his countenance and give you peace." *(Numbers 6:23-27).* Ezekiel speaks for Yahweh: "I will make a covenant of peace with them; it shall be an everlasting covenant with them. . . ." *(Ezekiel 37:26).* Yet as sin persists, so does war. False prophets "heal the wound of the people lightly." *(Jeremiah 6:14; Ezekiel 13:16)* Peace would have come, had humans not persisted in sin: "Oh! that you had hearkened to my commandments! Then your peace would have been like a river, and your righteousness like the waves of the sea." *(Isaiah 48:18).* Only in the time of full righteousness and no more sin, the people "shall bend their swords into plowshares, and their spears into pruning hooks; nation shall not lift up sword against nation, neither shall they learn war any more." *(Isaiah 2:4).*

21. Although Jesus came as the Prince of Peace, inaugurating a kingdom of peace, He was a man of sorrows, bloodily slain on the cross. He called His disciples to share in self-sacrifice. His vision of this world was no vision of the easy triumph of justice and light. On the contrary, the vision of Jesus is a divisive force in history, dividing even families, a two-edged sword which "pierces to the division of soul and spirit, of joints and marrow, and discerns the thoughts and intentions of the heart." *(Hebrews 4:12).* It will divide believer from infidel. It will trouble individuals, like the rich young man *(Matthew 19:16-26),* and in time divide the nations. In this world Jesus does not promise peace. When Jesus speaks of peace, it is not as the absence of war between nations, or as an end to terror and lies, but, rather, as a form of knowing and being in union with God *(John 17:3),* a "peace which the world cannot give." *(John 14:27).* It is worth noting that no one in the New Testament thinks of telling the Roman centurions to give up their military careers—neither Jesus *(Matthew 8:5-13),* nor John the Baptist *(Luke 3:14),* nor St. Paul *(Acts 22:25).*

22. In being condemned to a cruel death *(Galatians 3:13),* Jesus did not defend himself against unjust treatment and assaults upon his human dignity. He followed here not his will, but His Father's, offering a redemptive sacrifice for all. His gentleness under torment, his non-violence, and his forgiveness of his killers have led some to choose in imitation of Him non-violence as a way of life, both in their persons and in public policy. We recognize this choice, but believe it to be a misreading both of the Scripture and of virtually the entire Catholic tradition. We sharply distinguish between pacifism as a personal commitment, implicating only a person who is not a public figure responsible for the lives of others, and pacifism as a public policy, compromising many who are not pacifists and endangering the very possibility of pacifism itself. It is not justice if the human race as a whole or in part is heaped with indignities, spat upon, publicly humiliated, and destroyed, as Jesus was. It is not moral to permit the human race so to endure the injustice of the passion and death of Christ. Many classic arguments against pacifism as a Christian vocation have been offered in Christian history. Closest to our own time, the arguments of Reinhold Niebuhr and C. S. Lewis may be cited. While following closely the paradoxical language of the Scriptures and the Catholic tradition, and choosing against pacifism for ourselves, we honor the liberty of others to choose differently, and in particular the calling of the clergy not to take up arms.

B. Kingdom and history

23. With Pope John II we hold:

"Christian optimism based on the glorious cross of Christ and the outpouring of the Holy Spirit is no excuse for self-deception. For Christians, peace on earth is always a challenge because of the presence of sin in man's heart.

"Although Christians put all their best energies into preventing war or stopping it, they do not deceive themselves about their ability to cause peace to triumph, nor about the effect of their efforts to this end. They therefore concern themselves with all human initiatives in favor of peace and very often take part in them. But they regard them with realism and humility. One could almost say that they relativize them in two senses: They relate them both to the self-deception of humanity and to God's saving plan." [7]

24. History is open; therefore, one must always say that "Peace is possible." On the other hand, we heed Pope John Paul II, who observes "that in this world a totally and permanently peaceful human society is unfortunately a utopia, and that ideologies that hold up that prospect as easily attainable are based on hopes that cannot be realized, whatever the reason behind them." [8]

25. History is full of ambiguities, contingencies, and complex patterns of fact. No two people perceive world affairs in identical fashion. Interpretations even of the simplest events radically diverge. In this respect, we cherish the wisdom of the *Pastoral Constitution:*

"Very often their Christian vision will suggest a certain solution in some given situation. Yet it happens rather frequently, and legitimately so, that some of the faithful, with no less sincerity, will see the problem quite differently. Now if one or the other of the proposed solutions is too easily associated with the message of the Gospel, they ought to remember that in those cases no one is permitted to identify the authority of the church exclusively with his own opinion. Let them, then, try to guide each other by sincere dialogue in a spirit of mutual charity and with anxious interest above all in the common good." [9]

C. The moral choices for the kingdom

26. From some early Christians through Dorothy Day and Martin Luther King, Jr., some Christians—joining others like Leo Tolstoy, Mahatma Gandhi, and Norman Thomas—have held that any use of military force is immoral. Yet we observe that military and police power has been necessary from time immemorial to preserve civilized societies—and pacifists themselves—against unjust aggression and brutal violation of rights. As a set of practical methods, nonviolent techniques have preeminence for non-pacifists as well as pacifists. They are, after all, the stuff of diplomacy and statecraft, within which adversaries observe civil discourse and amenities of many sorts. Although a full discussion of these issues would take us too far afield, we observe that there are important distinctions to be made between force and violence, between non-violence and pacifism, and between the power and the authority of the state. For example, non-pacifists prefer non-violence to violence, respect for legitimate authority to

naked state power, and legitimate uses of force to violent acts. Deterrence itself is a form of non-violence, a legitimate use of force, based upon legitimate authority.

27. While some Christian communities, such as the Mennonites, the Quakers and the Church of the Brethren, make the refusal of military service an obligation for their members, the Catholic church has not done so—indeed, has afforded many arguments, biblical and theological, moral, and political, against pacifism. In this world of sin and threat of war, for every pacifist who refuses to take up arms, some other citizen, who would also prefer to live in peace, must take his place. Nonetheless, in the full liberty of an open church, nonviolent witness through a conscientious refusal of military service has been honored in the Catholic tradition. Recognizing this liberty of conscience, we nonetheless argue against the pacifist option, as did C. S. Lewis:

"Only liberal societies tolerate Pacifists. In the liberal society, the number of Pacifists will either be large enough to cripple the state as a belligerent, or not. If not, you have done nothing. If it is large enough, then you have handed over the state which does tolerate Pacifists to its totalitarian neighbour who does not. Pacifism of this kind is taking the straight road to a world in which there will be no Pacifists." [10]

Thus widespread pacifism in churches and universities during the 1930s helped convince Hitler and the Japanese that the West lacked the resolve to defend itself, and encouraged them to launch World War II.

28. The pacifist refuses to restrain with proportionate force an aggressor who is injuring the innocent. By contrast, St. Augustine understood the command of love to demand a just defense of the innocent. This is because St. Augustine understood that the world of history is in part evil, and that action to restrain evil is an essential component of justice. While some Christians stress the fact that the "New Kingdom" has already come with Jesus, others, like Augustine, stress the continuing power of sin and the complex texture of social ambiguity. War, for example, may arise from human sinfulness, but it may also afford a tragic remedy for sin in political society. (It was in this spirit that we observed above that the possession of nuclear weapons has had both threatening and moderating effects during the past twenty-five years.) Moreover, if love demands the defense of others (such that a failure to defend them can be a sin), both love and justice also command self-defense. Peace is sometimes unjust; war is sometimes morally imperative. In clarifying such paradoxes, the traditional just war teaching has stood the tests of time. Many who claim to reject it do, nonetheless, invoke its criteria; as, for example, in judging nuclear weapons immoral (for lack of proportionality and lack of discrimination), in defending wars of liberation like those against Somoza and the Shah, and in opposing the U.S. presence in South Vietnam.

29. The essence of just war theory lies in the conviction that wars are wrong and to be avoided, except under quite stringent conditions. These are seven in number: (1) Only a *competent authority* may declare a war for the common good and in the interests of the public order. (2) It must be inspired by a *just cause:* such as to defend against agression, to protect innocent life and human rights from real and certain injury and to resist tyranny. (3) A *right intention* must guide the purpose, means, conduct, and aims of war in the light of the "just cause." Violence may be chosen only (4) *as a last resort*, when all peaceful methods of negotiation have failed, and (5) with *probability of success*—so that irrational resort to force is not mandated in the name of justice. The nature of the war itself must manifest (6) *proportionality:* the damage to be inflicted and the cost incurred must not constitute a greater evil than the evil to be avoided. (7) *Just means* which are *both discriminate* and *proportional* must be employed. This means that: (a) *discrimination* between combatants and civilians, while not easy to observe under modern conditions, must be maintained in every act of war; (b) the *proportionality* of each act of war derives from its indirect, collateral, and long-term effects. It will be noted that common sense criticism of wars and the conduct of wars usually fall under one of these headings.

30. There are some gaps in just war theory today, since new conditions have raised new questions. Among these may be mentioned the following: (a) Does any band of idealists or cynics that takes up arms in the name of a "just cause" constitute a competent authority to launch a just war? (b) Under what circumstances, if any, are acts of terrorism (that is, violent acts directed at persons, property, or public order), for whatever motives, whether revolutionary or absurdist or other, justified? (c) Considering the current literature of instruction in the conduct of guerrilla warfare, the training of terrorists, and the techniques of espionage and subversion, what light can be shed by "just war theory" on existing practices in wide-spread underground wars? (d) According to just war theory, is a "cold war" of espionage and counter-espionage to be preferred to a "hot war" of conventional conflict, as a means of self-defense; and, if so, according to what standards of behavior? (e) Under the "paradoxes of deterrence" (to be discussed below), does the traditional teaching on "intention" have to be refined and stated more precisely? (f) If it may be concluded that a particular totalitarian regime is evil in a special way—as was the case with National Socialism under Adolf Hitler, at least from the time of the death camps in 1941—do other nations accrue moral responsibilities, in the name of justice, for what happens *within* those regimes? What responsibility have citizens of one nation to be keepers of the human rights of those of another? These are only a few of the unanswered questions of our day.

PART II—WAR AND PEACE TODAY

31. Because of the unparalleled power of nuclear weapons, it is easy to be deflected from reasoned discourse. When one has listened to eminent scientists and physicians detail the horrors of the worst imaginable case of nuclear destruction, one is driven to recall the lessons of Christian faith about the precariousness of all human life, the approaching end of history, the perennial wickedness and obdurateness of the human race, and the total sovereignty of God. Nuclear weapons have changed our world but have not altered the fundamentals of the Jewish-Christian vision. In the biblical era, only about 50 million human beings, widely separated from each other, lived on earth. Under ancient conditions of communications, those who lived in a village, a town, a region, or even a country believed they knew "the whole world," and did not know they inhabited a tiny planet spinning in space. For them, the destruction of their whole world could descend in one violent sacking, pillage, and leveling—as, more than once, the heads of infants in Israel were dashed against stones; and as Moscow, Kiev, Warsaw fell to Mongol invaders in horrors still not forgotten. Images of horrible plague and destruction often arose in medieval times. Not even our fears are as novel as we think. This is the context in which Pope John Paul II said at Hiroshima: "In the past it was possible to destroy a village, a town, a region, even a country. Now it is the whole planet that has come under threat." [11] Today, nuclear weapons add new dimensions of scale and time, through prolonged radioactivity. These new possibilities made two questions most insistent: Can nuclear war be prevented? If so, which strategies and tactics, and which principles of human behavior, are most likely to succeed in preventing it? The first question involves a principle: we must seek to prevent nuclear war. The second, while also involving principles, is ultimately a question for prudential judgment.

A. The new moment

32. There is a widespread, well-organized, and well-financed "peace movement" in several free countries today, particularly in those about to make decisions for their future defense against superior nuclear forces now arrayed against them: West Germany, the Netherlands, Denmark, Belgium and the United Kingdom. (France is militarily independent of NATO and has its own deterrent; its "peace movement" is far less visible.) There is also a well-organized "peace movement" in many cities in the U.S. Some find the public discussion here and abroad "unprecedented in its scope and depth." Democratic societies entrust such matters to public discussion; that is one reason they are worth defending. Democracy itself depends upon the civility, reasonableness, and wisdom of the discussion.

33. Political peace has always been precarious, as when statesmen imply fragility in such phrases as "the balance of power." An overall balance of power, always shifting, does not *guarantee* peace. Yet experience has shown that the capacity to retaliate in kind has prevented some weapons systems from being used, even when peace is breached—witness chemical weapons in World War II. But deterrence has never been wisely thought of as a "safe and stable" system, except by comparison with other proposed alternatives. Today a spiritual sea change does threaten deterrence. Since 1945, the 400 million persons of the North Atlantic Alliance have enjoyed liberty and prosperity unparalleled in human history. Changes in material conditions also unleashed new possibilities for spiritual fulfillment. This great transformation in life has been sudden and profound. Children can scarcely know the almost wholly different conditions under which their parents entered upon life during the Depression and war-time. The horrors and deprivations of forty years ago are unknown to a majority of those now living. Consequently unrealistic and utopian expectations find fertile soil. Deterrence is sometimes judged against ideals, not against recent history. There is a danger that history may once again repeat itself, not only in Europe but elsewhere. Preserving peace and defending justice are political tasks, and politics, while always ambiguous and imperfect, is the instrument of natural law for the protection of the weak and the innocent. Constitutional law, democratic procedures and political processes are far from perfect, but they are noble in their dependence upon civil discourse,

persuasion, and realistic judgment about the less than perfect.

34. To be sure, it is tragic that so much treasure has had to be spent on arms since 1945. The post-war world might have been different. Moreover, if one compares the crude atomic bomb of 1945 and its primitive delivery system with the weaponry thirty-seven years later to be found in the arsenals of the U.S. and the U.S.S.R., one sees that the "arms race" means not only treasure spent but conditions transformed. This is true even though the total money spent on nuclear weapons and their technology has been a very small fraction of U.S. economic resources. Expenditures on the research and production of nuclear weapons by the United States since 1945 have been estimated to be less than $400 billion, about $12 billion per year. In fiscal year 1983, U.S. expenditures on nuclear weapons constitute nine percent of the military budget, 2.9 percent of the entire federal budget, and about 0.6 percent of GNP.[12] Compared to conventional arms, nuclear arms are vastly less expensive.

35. Under the terms of the treaties ending World War II, the United States has chiefly been charged with the defense, not simply of its own interests, but of Western Europe and Japan, as well. After the war, all Western nations virtually disarmed. Even in a face of a massive Soviet build-up since 1965—the most massive in peacetime history—the defense budget of 1981 for G.N.P., was for Belgium, 3.3; Britain, 5.4; Canada, 1.7; Denmark, 2.5; France 4.1; Germany 4.3; Greece, 5.7; Italy, 2.5; Japan, 0.9; Luxembourg, 1.2; Netherlands, 3.4; Norway, 3.3; Portugal, 3.8; Spain, 1.9; Turkey, 4.5; U.S., 6.1.[13] (It is estimated that the Soviet Union spends, for its military alone, not counting the military KGB, between 11-12 percent.)[14] These considerations suggest two conclusions. First, the percentage of national resources spent on arms by Western allies is low. Second, the percentage of national resources spent on nuclear arms, in the case of the U.S., is ten times lower. Thus, when in 1976, the Holy See condemned the arms race as a danger, an act of agression against the poor, and a folly which does not provide the security it promises, the Holy See could not reasonably be interpreted as asking the Western allies to spend much less than they are. The reason for poverty in the world is not adequate defense. Furthermore, efforts to supplant reliance on nuclear weaponry with reliance on conventional weaponry are bound to raise military costs dramatically, since conventional weapons are far more expensive.

36. While we cannot speak for the "arms race" of Third World countries or in the Soviet Union, we do note that the percentage of world gross economic product being spent on arms has declined during every year since 1967. In 1978, the last year for which figures are available, the world spent 5.4 percent of its gross economic product on arms, down from 6.7 percent a decade earlier. In 1978, this amounted to $480 billion.[15] Since virtually all nations of the world are welfare states to some degree or another, it must be noted that government expenditures alone for health and welfare, not counting expenditures by private citizens on their own behalf, amounted to several times more than military expenditures. In the United States, for example, the percentage of the *federal* budget spent on health and welfare programs of various sorts during 1982 was 51 percent, and on the defense budget 26 percent.[16] This does not include human services provided by state and local governments and by private agencies of every sort. Since the United States bears the free world's heaviest defense burden, comparisons of percentages of human services expenditures to military expenditures in West Germany, the United Kingdom, and other nations are even more favorable. In the free nations, moneys from all sources spent on health, education, welfare and other human purposes exceed moneys spent on weapons by a factor of about 20 to 1.

37. It is, nonetheless, true that lower spending on defense would be advantageous to all. Since government spending which creates deficits has implications for inflation and unemployment, every reduction in pressure on government budgets may have creative effects throughout the economy. For many reasons, we favor the minimum amount of defense spending consistent with moral obligations to defend the innocent with just means. We recognize that moral means may be more costly than less moral means, as conventional deterrence may be more expensive than nuclear deterrence, but we accept this as the price of moral behavior.

38. To say "no" to nuclear war is both a necessary and a complex task, especially since *saying* "no" doesn't make it so. It is also a task full of paradox, and demands new ways of thinking. It is a task demanding perseverance from one generation to another. It is a task exquisitely dependent upon cool-headedness and the force of reason, a task made difficult by outbursts of passion, hyperbole, flagrant accusation, and misleading assertion. In denouncing the relations between the United States and U.S.S.R. for being based upon a balance of nuclear power, some critics fail to imagine the consequences of losing a war to tyrannical powers. Some also fail to imagine the consequences of attempting a balance of conventional power. First, the history of modern Europe is not reassuring about balances of conventional power. Second, world leaders do not seem by their behavior to fear conventional wars, of which there have been more than 67 since World War II, as they fear nuclear conflict. Third, currently the conventional military arms of the Soviet union sufficiently outnumber those of Western Europe as to create an imbalance, whose rectification would require immediate, sustained and heavy military expenses by western nations. A political leader seeking to solicit those expenses from voters might not be successful, and might not win support from the churches, universities, and the press. In short, an alternative to the nuclear balance is easier to talk about than to realize. Further, it is one sided to speak of "psychological damage" done to ordinary people, especially the young, by the nuclear balance without comparing it to the "psychological damage" which would be caused by heavier taxes and conscription for conventional forces, on the one hand, and by intimidation under "Finlandization," on the other hand.

Appeasement, too, causes "psychological damage." It is also extreme to contrast the "billions readily spent for destructive instruments"—seventeen billion dollars were spent in the U.S. in 1982 on strategic forces[17]—with "pitched battles" being waged in the U.S. Congress "about a fraction of this amount for the homeless, the hungry, and the helpless." Moneys allocated by Congress for housing assistance, food stamps, medicaid, medicare and other forms of welfare vastly exceed moneys allocated for nuclear arms. Although one might wish that cuts in spending on nuclear weapons would go to the homeless, the hungry, and the helpless, the second draft of the Pastoral Letter of the U.S. Catholic Bishops (November 1982) prudently observes: "Rejection of some forms of nuclear deterrence might therefore require a willingness to pay higher costs to develop conventional forces. Leaders and peoples of other nations might also have to accept higher cost for their own defense if the United States government were to withdraw any threat to use nuclear weapons first."[18]. Saying no to nuclear weapons may, therefore, impose a greater burden on the poor than at present.

B. Religious leadership and public debate

39. Religious leaders who wish to influence public policy by influencing public opinion owe a special debt to democratic states, and incur an obligation to defend them against those who would destroy them. *"Rulers must be supported and enlightened by a public opinion that encourages them or, where necessary, expresses disapproval," Pope John Paul II says,* thus preferring societies in which the public may express disapproval of their leader.[19] Is it just to defend such societies with nuclear weapons? Some would "build a barrier against the concept of nuclear war." But a parchment barrier will not prevent nuclear war. As even God's commandments have frequently been disobeyed, so also a nuclear war may be waged by sinful men. Since this possibility cannot be excluded, it does not seem wrong for the potential victims of nuclear war to give some thought to "surviving" it. Is it a necessary assumption that any one use of any one type of nuclear weapon will result almost at once in the explosion of every nuclear weapon? History is full of surprises and sudden turns. What seems most probable often does not occur. Prudent leaders must, therefore, consider other possible eventualities.

40. It is possible that one step into nuclear warfare will escalate outside human control to total expenditure of every nuclear weapon. But this is not the only possibility. Moral reflection requires the moralist to face other eventualites. Today, these possibilities are shaped by two great concrete realities: the actual nature of the Soviet Union and the actual nature of the United States and other Western democracies. The problem of saying "no" to nuclear war is not abstract; it is concretely directed most of all to Moscow, to Washington, and European capitals. Actual decisions about existing and forthcoming nuclear weapons are made by real persons in specific political and geographic locations. Moral thinking about nuclear war must be concrete, as well as abstract.

C. The concrete moral context

41. In deciding ethical questions in political matters it is wise procedure to seek first a clear grasp of realities, interests and powers. This attained, one then wisely asks: "What ought we to do?" and appeals to all one's resources of vision and principle. Virtually all arguments about the prevention of nuclear war hinge on judgments concerning the nature of the Soviet Union and its nuclear forces. In 1968, the U.S. had a larger number of nuclear warheads, a greater total throwweight, and a larger and more varied number of delivery systems, than did the Soviet Union. In an effort to promote arms control, Defense Secretary McNamara froze the strategic bomber fleet at 600 aircraft, froze the number of land-based missiles at 1,054, and froze the maximum number of

nuclear submarines at 41. Subsequently, by 1982 the total throwweight of U.S. nuclear arsenals has been reduced by more than one-half, and warheads have been reduced in number and in size.[20] Emphasis has been placed upon smaller, more accurate warheads, in order to meet just war criteria of proportionality and discrimination, and in order to avoid entrapment in a strategy of Mutual Assured Destruction. (We ourselves judge that this shift away from MAD is morally correct despite the fact that MAD affords conceptual simplicity and lower costs.) Since 1968, no new delivery system for the U.S. land-based missiles has been built, no new bomber has been built, and both the ICBM missiles (1,052) and the B-52's (315) are entering obsolescence.

Since 1968, by contrast, the Soviets have developed the number, power, variety and accuracy of their delivery systems and warheads. As Secretary Harold Brown said: "When we build, they build. When we stop building, they build." The U.S. did try a freeze, for fourteen years. The trend lines of Soviet forces kept mounting, while those of U.S. forces either fell or rose more slowly or have now become subject to public pressure for a freeze. The Soviets have now developed a strategic triad with nuclear weapons on aircraft and in submarines. Their land-based missiles outnumber ours by a third, and are more modern, larger, and more powerful.[21] Although some critics of U.S. policy fear that the U.S. may by 1990 develop a "first strike" capability against Soviet land-based missiles—an intention denied by U.S. officials—the Soviets already possess such a capability.[22] Their land-based missiles are sufficient in number and power to deliver at least two warheads on each of the 1,052 American silos, while still retaining a large number of warheads and delivery systems for a second strike. If it is wrong for the U.S. to have a first stike capability, it would seem to be wrong to acquiesce in the Soviets having one.

42. Some citizens are inclined to stress the possibilities of negotiation, agreement, neighborly coexistence, and perhaps even ultimate friendship with the Soviets. Pointing out that now friendly nations like Germany and Japan were not long ago our foes, they correctly say that in world affairs there are no permanent enemies. They believe that taking risks, making first steps, and launching initiatives will draw the Soviet leaders into amicable, or at least non-hostile, relations. Since the days of Lenin, the Soviets have supported frequent "peace offensives." Surely, some citizens conclude, peace is better than war, agreement better than conflict, amity better than struggle. Much depends on how cynical Soviet leaders are. If their purpose is the eventual destruction of democratic societies, feigned friendship may suit them now. On the other hand, if they intend to become a nation like other nations, committed to live and to let live, respectful mutuality may be possible. Among these and other possibilities, how would we judge the purposes and character of the leadership of the Soviet Union? That is the factual question on which subsequent ethical judgment turns. Naivete in this judgment, on the one hand, or excessive cynicism, on the other, would undercut moral correctness in later judgments. For it is not moral to place trust in a liar, nor is it moral, from erroneous hardness of heart, to refuse trust. Judgment about the leadership of the Soviet Union must be carefully developed, beginning with their own view of themselves and their strategies for war, or else further moral judgment is flawed. This is another instance of the crucial role played by prudence.

43. In assessing the purposes and character of the Soviet leaders, it is crucial to observe three facts. First, the number of relevant decisionmakers is very small (fourteen in the Politburo), and their means of attaining power and of holding power are far from regular, systematic, open, and under public control. Much jockeying goes on; there have been many murders, executions, disappearances, and obliterations from the historical record ("non-persons") among them. Second, the ideology of Marxism-Leninism which legitimates their role in history, their authority, and their morality operates as a check upon their behavior. Even for those who do not believe this ideology in their hearts, ideological deviation may swiftly become a source of vulnerability to their positions and their lives. Third, the culture of centuries of Russian experience, including xenophobia and a sense of inferiority, affects their understanding of the role of the Russian people in history. Observers properly debate what comparative weights to assign to each of these three characteristics: organizational struggle; the ideology of Marxism-Leninism; and Russian experience and culture. All three factors bear on the Soviet sense of security and historical destiny. All three must be soberly considered. Whether one entertains prospects of friendship or coexistence or struggle with such leaders is much affected by such assessment. How one weighs the moral value of Soviet words and deeds is also affected by one's judgment about their cultural world. Words spoken and deeds done have full significance only in such contexts. How to interpret their significance within one's own context is quite a different matter.

44. The record of arms control negotiations during the past hundred years has been, for the most part, a record of deception on the part of the cynically ambitious and of self-deception on the part of those who thought peace might be bought cheap.[23] The record of negotiations of other nations with the Soviet Union on non-aggression and non-interference pacts, and concerning treaties on chemical and biological warfare, and the like, has always required unusual amounts of vigilance against betrayal. Marxist-Leninist ideology rejects "bourgeois formalism," including promises and signed agreements; Soviet practice in observing treaties, while sometimes good, is selective. Furthermore, to demand on-the-ground verifiability of Soviet arms is to demand a sweeping change within the structure of Soviet society. Despite all this, negotiations are both necessary and useful. But signed agreements by Soviet leaders cannot be understood by prudent persons as deterrents to any course of action Soviet leaders choose to take when they choose to take it. Parchment barriers have seldom restrained players of Realpolitik.

45. In 1968, defense Secretary McNamara judged that U.S. strategic forces were both superior to Soviet forces and at a point of sufficiency for the deterrence of any possible Soviet attack. For this reason, he instituted the freeze mentioned above. Secretary McNamara's judgment was that the Soviets would build up their forces until they reached parity. By 1972, with the signing of Salt I, leaders on both sides claimed that parity had been reached. Since 1974, the Soviets have added two new generations of delivery systems and warheads, with others in development. This includes missiles of unprecedent size and throwweight for the strategic services, and large, swift missiles for the European theater, as well.[24] In a sense, the nuclear initiative has passed into Soviet hands.

46. As for the United States, military budgets in constant 1972 dollars remained relatively level from 1962-1982, and expenditures for nuclear weapons as a percentage of the military budget and in constant 1972 dollars have also remained remarkably level.[25] From 1968 until 1976, virtually every presidential campaign and many congressional campaigns were conducted on the pledge to cut military spending. As a proportion of GNP, military spending went from 9 percent in 1960 to 5 percent in 1980. As a proportion of the federal budget, military spending during the same period went from 44 percent to 23 percent. Beginning under President Carter, then raised again under President Reagan, the military budget (in actual outlays) has now been slated to rise, in real terms, at 7 percent per year, reaching about 6.3 percent of GNP and 32.4 percent of the projected federal budget for 1984. Unlike other nations, the United States is charged not solely with its own defense but with that of Western Europe and Japan. It is estimated that the maintenance of 303,000 troops in Europe costs the defense budget $133 billion yearly, compared to the expenditure (in 1981) of $16.7 billion on all nuclear forces together.[26] U.S. strategic bombers, under the McNamara freeze, have been reduced from 600 to 315. The number of land-based ICBMs remain at 1,052. The number of nuclear submarines remains at 31, of which only half are on station at any one time. Military hardware inexorably becomes obsolete and less reliable with age. Even without expanding capacity, the replacement of weapons systems every ten or fifteen years is required. Such hardware, therefore, has a time factor: a preponderance (almost two-thirds) of U.S. delivery systems are older than ten years, while a preponderance (more than two-thirds) of the Soviet delivery systems are less than six year old.[27] Technology, of course, does not stand still, so new generations of weapons have new potential. For U.S. forces, such changes have been generally in the direction of greater accuracy and smaller warheads, subject to control of greater precision.

47. U.S. military strategy is defensive in configuration. This fact is clearest in conventional weaponry. Neither U.S. nor NATO forces are equipped for offensive use, not in numbers of tanks, nor in numbers of fighters, bombers, or support vehicles. No attempt has been made to match Soviet forces on the Western front tank for tank, artillery piece for artillery piece, aircraft for aircraft. To equalize the numbers of U.S. forces with Soviet forces in Western Europe would require raising the number of NATO fighter planes and interceptors from 3,100 to the 8,600 in the Warsaw Pact forces. To equalize tanks would require raising the northern NATO number of 10,500 to the Warsaw Pact number of 27,300. The Soviet all-ocean navy now numbers 2,429 ships, the U.S. Navy 514.[28] The task of equalizing all forces is not necessary for two reasons. First, the NATO configuration is defensive, the Soviet offensive. Second, U.S. forces are believed still to hold a technological edge, which however, has diminished over the years.

48. It has long been recognized that democracies are inferior to dictatorships in their capacities to mobilize armies during

peacetime. Free voters are reluctant to bear expenses not widely seen to be essential; they discern many social needs of greater moment and value. Free economies seem to thrive on production for peace rather than for military purposes, as the Japanese, West German, and other economies demonstrate. The ideology of the West does not require the destruction of socialism, but the ideology of Marxism-Leninism does teach a law of history according to which socialism must replace capitalism. A part of this law is encapsulated in "The Brezhnev Doctrine" that nations, once socialist, may never be permitted to return to an earlier stage in history. Such cultural and political discrepancies are also part of the present reality.

D. The imperative of deterrence

49. It is not necessary to decide the argument whether Soviet forces, nuclear and conventional, are now superior to U.S. forces, whether in Europe or worldwide. Forces superior in number are not necessarily superior in other respects. More important for forces committed to defense is the simpler question of sufficiency for deterrence of aggression. Superiority is not essential. Sufficiency is. Moreover, sufficiency to deter aggression is a moral imperative of the right to self-defense and the duty to defend the innocent from unjust aggression. This includes the defense of good citizens living now under totalitarian regimes who, as Solzhenitsyn reminds us, would be left by our failure without any hope whatever.

50. This is the concrete context within which the moral standing of doctrines of deterrence arises. The overriding moral imperative is to deter the use of nuclear weapons, both their explosive use and their political use to intimidate the free. To fulfill this imperative, prolonged social sacrifices and resoluteness of public will are indispensable. To weaken this will is immoral, since a public unwilling to meet these sacrifices fails in its moral duty. That duty is purely defensive.

51. Some hold that it is not enough to deter aggression. One must also attempt to bring about changes in the potential aggressor, especially by appeals to self-interest in avoiding mutual destruction, by negotiations, by cultural exchanges, by trade, and, in a word, by peaceful and friendly pursuits. With these arguments we are in full accord, when and insofar as the potential aggressor shows himself by deeds to be a mutual partner. Adolf Hitler, however, both betrayed and was betrayed by Joseph Stalin. Not all states seek relations of mutuality. In affairs of state, Aristotle once observed, one must be satisfied with a tincture of virtue. Reinhold Niebuhr in *Moral Man and Immoral Society* showed with several reasons why this is so. Just conduct can, however, be morally demanded of states, and exacted by the force of arms.

52. An adequate morality of conduct between states, therefore, must take account of the varying moral conduct of different states, including outlaw states whose only moral law is their own aggrandizement. Such states have appeared, and do appear, in history. Knowledge about how such states act is pivotal.

53. In this context, moral clarity in a nuclear age raises exceedingly difficult questions. A major complexity is this. The possession of Soviet nuclear arms on the borders of the West has political uses far beyond material considerations like potential physical destruction; this point has been well stressed by German Catholics. Since nuclear weapons have a political as well as an explosive use, deterrence of both uses demands a sufficiency of threat. The only known path to this sufficiency is a corresponding threat of destruction to a potential aggressor's industrial base or else of its warmaking capacity. The first alternative is called "countervalue," the second "counterforce." The moral problem posed by countevalue strategies is that they hold non-combatants in urban areas hostage. The moral problem posed by counterforce strategies is that they awaken possibilities of a hair-trigger response to perceived threats. The countervalue strategies require much less accuracy, fewer warheads and delivery systems, and much less expenditure. The counterforce strategies require far greater technological sophistication, numbers, precision, and prior intelligence. It must be said that both strategies make one sad, except by comparison with the only current alternative. That alternative is to fail in the duty of defending the innocent, by having no deterrent at all. Such a dilemma, like the Fall, ought not to have existed, but when it does exist, actions to prevent evil are not bad but good. On its face, it would seem that countervalue strategies are less to be approved, by the just war criteria of proportionality and indiscriminate taking of innocent life. Countervalue strategies give rise to the terror of Mutual Assured Destruction. On the other hand, some support them because they seem to afford less risk of miscalculation and cost less money. Furthermore, some regimes are such that they do not shrink from using Western principles to confound Western strategies, deliberately emplacing offensive weaponry amidst civilian targets.

54. It is clear that the complexities of nuclear deterrence change the meaning of "intention" and "threat" as these words are usually used in moral discourse. Those who intend to prevent the use of nuclear weapons by maintaining a system of deterrence in readiness for use do *intend* to use such weapons, but only in order *not* to use them, and do *threaten* to use them, but only in order to *deter* their use. That this is not mere rationalization is shown by the fact that several generations of nuclear weapons systems have become obsolete and been retired, without ever having been used. These are considered the successful and moral systems. In the same way, deterrence is judged to be successful insofar as nuclear was does not occur.

55. That a human system like deterrence is not infallible, is not foolproof, and does not convey full safety and security, goes without saying. In the world of contingent matters of fact, no system is. That one might devoutly wish for some other alternative also goes without saying. Contemplation of the horror of a breakdown in deterrence, through either the outbreak of nuclear hostilities or the intimidation of innocent peoples leads some to seek a way out of this dilemma by putting the best possible face upon the enemy to be deterred. But this is to deny the premise from which the dilemma arises in the first place. Were the Soviet Union a benign nation, even a nation like Japan and Germany, a nation like others, the need for deterrence would by now have much diminished or disappeared. The U.S. has no deterrent in place against any other power. The reality of the Soviet Union is the linchpin of the dilemma.

56. But the moral dilemma remains. No choice before U.S. leaders is wholly satisfactory. To abandon deterrence is to neglect the duty to defend the innocent, to preserve the Constitution and the Republic, and to keep safe the very idea of political liberty. No President by his oath of office can so act, nor can a moral people.

57. We must, then, confront anew the moral hazards of deterrance. The fundamental moral principle at stake is to make the moral choice which occasions the fewest evil consequences. To abandon deterrence occasions the greatest evil, for it entails endangering that liberty which is more precious than life itself. Free societies are an indispensable social condition of free moral life and the preservation of human rights. That is why for the signers of the Declaration of Independence (and for millions before and since) liberty is worth the pledge of life, fortune, and sacred honor. Insofar as deterrence succeeds, no evil is committed and the worst evils—whether of destruction under nuclear war or of abandoning the duty to preserve liberty—are avoided. It is the fundamental moral intention of those who embrace deterrence that it should succeed in preventing these worse evils. Those who say that deterrence may fail are, of course, correct. But they do not, and cannot, show that the abandonment of deterrence will succeed either in preventing nuclear devastation or in preserving liberty. Their claim to a superior morality is, therefore, flawed in a fundamental respect.

58. An example may illustrate this. Had Japan had the capacity in 1945 to strike Sacramento and Portland as Hiroshima and Nagasaki were struck, one may doubt that President Truman would have ordered the flight of Enola Gay. In that case, a bloody amphibious assault on the Japanese mainland may have had to ensue, with far greater devastation and loss of life than actually occurred. Two points arise from this illustration. Without justifying the decision of President Truman, the first highlights the uses of deterrence from the point of view of the Japanese. The second highlights the awful destructive force even of modern conventional warfare. It was perhaps for this reason that the Second Vatican Council spoke of "modern scientific weapons" rather than explicitly of nuclear weapons.

59. Some find the moral flaw in deterrence in the choice of an evil means to attain a good end, calling this "consequentialism." They admit that the end of preventing nuclear war is good. But they hold it evil actually to intend to use any deterrent force lacking proportionality and moral discrimination in order to attain this end. This formulation contains, we judge, two flaws. First, the appropriate moral principle is not the relation of means to ends but the choice of a moral act which prevent greater evil. Clearly, it is a more moral choice and occasions lesser evil to hold a deterrent intention than it is to allow nuclear attack. Second, the nature of the intention in deterrence is different from intention in ordinary moral action. There is a paradox in its nature, such that the word intention is clearly being used equivocally.

It is true that on entering the arena of public policy and prudential judgment, moral actors who make public policy are bound primarily by the ethic of consequences rather than by the ethic of intentions. ("The road to hell is paved with good intentions.") Further, existing alternatives in a world of sin often present policy makers no alternative that is purely good, and oblige moral actors to choose the course that occasions the least evils. Nonetheless, the quality of moral intentions deserves moral scrutiny. Alas, the world "intention"

(like "threat") has many meanings. Since many moral issues cluster here, some detail is necessary.

In the carrying of a firearm, (a) a policeman, (b) a burglar, and (c) a murderer each has a different intention with respect to using the firearm. The policeman intends deterrence but no actual use unless governed by justice and the disciplines of his profession; the burglar intends only a threatening and conditioned use, outside justice; the murderer intends not a conditional but a willful use. These three are only a few of the many senses of "intention" and "threat". The intention in deterrence, for example, is analogous to case (a), not to (b), and certainly not to (c). In nuclear matters, we would further distinguish between a fundamental, secondary, and architectonic intention. Each of these must also be treated in turn.

The fundamental moral intention in nuclear deterrence is never to have to use the deterrent force. That this is in fact so is shown by the honorable discharge of military officers, after their term of duty expires, who have succeeded in their fundamental intention. Besides this fundamental intention, however deterrence requires by its nature a secondary intention. For the physical, material weapon is by itself no deterrent without the engagement of intellect and will on the part of the entire public which called it into being. It is also no deterrent if it fails to meet and to halt the will, intellect, and social organization of the particular opposing regime. A people which would be judged incapable of willing to use the deterrent would tempt an adversary to call its bluff. Thus, a secondary intention cannot be separated from deterrence. Without that secondary intention, distinct from the fundamental intention, a deterrent is no longer a deterrent but only an inert weapon backed up by a public lie.

60. As a counter to this, some might argue that the Soviet Union could never be sure whether a weapon held in readiness were backed by the secondary intention to use it. Given Soviet ideology about the perfidy of capitalist powers, however, Soviet leaders would be obliged to assume the worst. Arguing the casuistry of truth-telling may indeed permit leaders of one nation to allow the leaders of another, who have no title to know the truth, to be self-deceived. But probes and tests of real intentions cannot be ruled out. In nuclear matters, such uncertainty willfully created would seem to constitute immoral behavior.

61. The word intention has yet a third sense, beyond the two subjective intentions we have so far discussed. The Catholic moral tradition holds that human acts have objective intentionality apart from subjective dispositions. In order to construct and to maintain a nuclear deterrent force, a democratic society must generate a complex, highly rational, socially organized, objective intentionality. Citizens through their representatives vote funds for it; research and production are organized, elaborate systems of communication and command are maintained. The architectonic of objective political intention suffuses the entire process. This already is a sustained intention of a crucial sort. To be sure, many individuals must also be committed to their tasks to suffuse this objective intentionality with appropriate subjective dispositions. The latter are indispensable. But a society which possesses a deterrent also has an organized objective intention. In the case of the United States, individuals add to this objective intention subjective intentions which are both fundamental—that the deterrent succeed in never being used—and secondary—that the deterrent be held in readiness for use. To say that a nation may possess a deterrent but may not intend to use it is fulfilled by the fundamental intention but not by the objective intention and the secondary intention. To condemn the latter is to frustrate the former and to invite a host of greater evils.

62. Moral clarity in a nuclear age requires that governments not willfully allow cetain kinds of miscalculation to arise in the minds of other governments. While not every capability or intention or option needs to be—or should be—revealed, a basic and clear set of understandings is necessary. This requirement rules out bellicose threats as it rules out mere bluff. Public statements about nuclear policy must, therefore, be unambiguous and reasoned, restrained and understated. Leaders have sometimes erred in this matter. Communications links between adversaries should be swift, clear, unthreatening, and unambiguous, especially during times of stress. The record of the last thirty-seven years shows that this is difficult but possible.

63. A dilemma arises when some say that countervalue strategies are immoral in substance but preferable on grounds of economy and sufficiency; but that counterforce strategies, more moral in substance, are immoral because more dangerous. A similar dilemma arises when some say that making nuclear weapons smaller and more precise, so as to approximate the force of larger conventional weapons, thus reducing the moral problem of proportionality and indiscrimination, makes the use of nuclear weapons more thinkable and so should be avoided. If the use of both sorts of nuclear weapons is to be deterred, total reliance on one alone is likely to enlarge the options and temptations of an aggressor.

64. Similarly, some critics condemn the attainment by the U.S. of a "first strike" capability, while ignoring the fact that the Soviets already have, or very shortly will have, this capacity with respect to U.S. land-based delivery systems. By "first strike" capability is meant the capacity to destroy the opponent's delivery systems before they can be called into use. This the United States does not have, and has no plans to attain. The one-hundred MX missiles requested by Presidents Reagan and Carter (who requested 200) cannot possibly wipe out all Soviet land-based missiles. Since two warheads on each silo are believed to be required, the 1,398 Soviet land-based delivery systems cannot be threatened by the MX, for it would be suicide to strike some without destroying all. Meanwhile the existing 1,052 American silos *are* vulnerable to the Multiple-warheads of a fraction of the Soviet missile force. Since U.S. B-52s are not likely to penetrate Soviet defenses, a "first strike" by the Soviets may leave only submarine-launched missiles under U.S. command. To launch these would guarantee a second strike on U.S. cities. Given these capacities, the Soviets could, even without a first strike, hold U.S. forces immobilized and in checkmate, freeing Soviet conventional forces from restraint. Nuclear weapons do not have to be fired in order to exact surrender.

65. The reasons why the U.S. maintains a strategic triad—land-based, airborne, and submarine-borne delivery systems—are two: first to reduce the temptation of a simple "first strike" and, second, to prevent the President of the United States from facing only a single option, the command to destroy Soviet cities. Such an option would be suicidal for American cities. No president can be fairly placed in that position.

66. In short, given the nature of the Soviet leadership, its ideology, and its political culture, and recognizing the configuration of its own nuclear forces, we see no completely satisfactory position: neither abandonment of the deterrent, nor a deterrent strategy based upon counterforce, nor a deterrent based upon countervalue. Among these, we judge the best of the ambiguous but morally good options to reside in a combination of counterforce and countervalue deterrence. We uphold the fundamental intention of deterrence that no nuclear weapon ever be used. We uphold the secondary intention of being ready to use the deterrent within the narrowest feasible limits, as indispensable to making deterrence work. We reject the policy of national bluff which permits possession but does not permit its essential secondary intention. We discern no other way to defend the Constitution of the United States, to protect its institutions of liberty, and to prevent the most awful aggression against innocent peoples here and elsewhere. It would hardly be better for us if some other people bore this burden, but in any case there is none who can lift it from us. In due course, the Soviet Union may learn to prefer ways of peace aboard and ways of liberty at home—in which case, peace among nations may be possible. For this we labor and pray.

E. CONVENTIONAL WAR AND NUCLEAR WAR

67. Even should the spectre of nuclear war be lifted at last from the human race, we recognize the horrors of modern conventional warfare. The power and terrible accuracy of rocket-driven conventional arms, launched at great distances, became visible during the last days of World War II. These horrors have been magnified since, as exhibited in the Falkland Islands and elsewhere. In World War I, 15 million civilians died. In World War II, 51 million civilians died. In some 67 conventional wars since that time, millions of other civilians have died. It cannot be thought that an end to nuclear deterrence will necessarily usher in an era without war. Insofar as war springs from evil in the human heart, insofar as that evil is ineradicable except by the grace of God, and insofar as human beings can, and do, resist God's grace, we do not expect that war will ever be wholly eliminated from human history. Nonetheless, the dream of a world without war abides. Institutions of liberties and rights, peaceful competition and cooperative labors, and the conversion of every human heart are devoutly to be labored for. They cannot be said to have yet been attained. Like Christ, we see ahead the cross: Not our will, but Thine be done.

68. Distinguished strategists have argued that an end to nuclear deterrence raises the probabilities of conventional war on the part of the Soviet Union. This is because of the great superiority of Soviet conventional forces, wherever they should choose to mass them, on the Central German Plain or on the northern borders of the Middle East.[29] However this may be, we hold it to be a good worth sacrificing for to raise the capabilities of NATO forces in Europe and the Middle East to a level sufficient to deter any Soviet temptation to aggression. The editors of The Economist have worked out a study of the as-yet unmet requirements of such sufficiency. They hold that this goal is

costly, but attainable.[30] Economically, at least, it is feasible; whether political will for the sacrifices entailed is available is questionable. Still, the present weakness of NATO on the German plain now makes recurrence to defense with tactical nuclear weapons a necessary part of NATO strategy. To supplant this reliance on tactical nuclear weapons with a sufficient conventional deterrent seems to us both morally good and morally required. Even so, prudence requires that the nuclear deterrent must be held in reserve. Certainly, it will have to be so until the current imbalance in conventional forces is redressed. We urge speedy and generous cooperation to this end, even though welfare states naturally prefer to evade heavier expenditures except for social programs.

69. It has not been sufficiently recognized, in the U.S. and in Europe, that the people of the United States have made themselves hostage to an outbreak of war in Europe. Should such a war arise, and should a terrified Europe demand that tactical nuclear weapons be called into play (when, for example, Soviet troops had made a breakthrough across half of Germany), further nuclear escalation could not be ruled out, in which the Soviets would threaten the United States with nuclear destruction. To protect themselves from this possibility, the people of the United States might someday seek disengagement from the European theater. But this step, too, would have fateful consequences not only for Europe and the United States but for humankind. In this context, the cry for "No First Use" of tactical or other nuclear weapons has for some much appeal. Heeding such a cry, the United States might at first save itself. It is not likely to have done so for long. Until an adequate conventional deterrent is in place in Europe, we hold a pledge of "no first use" to be divisive and destabilizing. Perhaps most clearly among our differences, this conviction differentiates our judgment from that of the bishops' second draft. Since NATO forces are not designed for offensive use, the question arises only in the case of Soviet aggression. Deterrence of that aggression is the first moral imperative. When NATO conventional forces are able to present a sufficient deterrent without recourse to nuclear weapons, such a pledge would be in effect whether stated or not.

PART III—FACING THE FUTURE

70. We do not consider the present situation of nuclear deterrence ideal; we consider it a moral choice involving the lesser evil. When we look to the future, we see both creative possibilities and even greater dangers. The greatest danger is spiritual. Democratic peoples find protracted danger and sacrifice more onerous by far than do the leaders of totalitarian states. The latter benefit by military mobilization; the former find it a threat to democracy itself. Again, successful deterrence buries the evidence that brought it into play to begin with, and a free people must take up the argument ever anew. Thus, hope for peace nourishes illusions in a democratic people, eternal vigilance being the price of liberty most difficult to pay. That is why today broad popular discussion, argument and consensus are indispensable to the preservation of liberty. The military strategy of the United States and its allies depends upon popular understanding and popular support.

71. In this respect, every citizen might well wish that our lives were not burdened, as they are, by sacrifices for defense. Many cannot help wishing that nuclear dangers might simply vanish. Indeed, much time and energy is well spent trying to imagine prudent steps to diminish the present danger.

72. Many citizens have hoped that a mutually verifiable nuclear freeze by both the U.S. and the U.S.S.R. would offer surcease. We judge that the hope that the Soviets will consent to on-site verification is remote. We recognize that verification by technical means such as satellite observation and electronic monitoring is subject to deception and disinformation. Moreover, there are four reasons for believing that a freeze now would be destabilizing. First, the Soviet nuclear force already holds two destabilizing advantages, both in its "first strike" capacity concerning the U.S. land-based Minutemen and and in its targeting of European capitals with SS-20s. Similarly, the trend lines of new Soviet developments are up, whereas the process of strengthening U.S. and NATO deterrent forces is appropriately democratic and slow. Second, a freeze at present levels does not at all diminish the present danger; it freezes it in place. This danger includes the rapidly approaching obsolescence of U.S. delivery systems and the relative youth of Soviet systems. Third, we note that a "verifiable" freeze—including a freeze upon nuclear research and development (which can go on inside buildings anywhere)—would require a massive regimen of verification beyond anything remotely sustainable at present. Finally, Soviet officials have begun offering schemes of reduction, below levels envisaged by a mere freeze. For these reasons, we judge that a negotiated freeze may well be inferior to negotiated reductions, and thus cannot be insisted on by moralists. Such concrete judgment must finally be resolved democratically, by duly constituted governments amid reasoned public debate, in which good people disagree.

73. Since the Soviets have several forms of superiority at present—not necessarily in every respect, but in some important ones—it is obviously difficult for Soviet leaders to surrender advantages they have amassed through great sacrifices on the part of their peoples. On the other hand, Soviet leaders have reason to fear the greater inventiveness of free societies. If American and NATO resolve were now to falter, Soviet leaders would have reason to continue their present successful strategy. If, on the contrary, they must face the fact that the U.S. and NATO are determined to maintain deterrence through new inventions, they may conclude that they must alter their course. The linchpin of preventing war is Soviet will. Soviet intentions, strategies, weapons development and procurement follow from Soviet will. At the present moment, we judge that negotiations for reductions in both strategic and theater nuclear weapons coincide with real interests on both sides. Such negotiations, however fragile and risky, as history shows, have a reasonable prospect of success, provided that the Soviets perceive greater risks in the determination of Western nations to rectify the current imbalance. Such an opportunity must be pursued, despite the sorry record of arms negotiations in the past. Caution is required since negotiations for the sake of negotiations may occasion greater evils. Criteria distinguishing moral from less than moral negotiations are required. Many of our current difficulties arise out of judgments made by American negotiators in the past. The current emphasis on large offensive land-based missiles, for example, and on offensive rather than defensive weapons, arose from past negotiations.[31] Nonetheless, a change in Soviet will, through negotiations if possible, is to be pursued with determination.

74. The question of defensive weapons raises further technological possibilities in the future. It is not our role to recommend particular weapons systems, but it is important to recall that technology does not stand still and that the future is not determined. Future developments in satellite detection systems, matched with non-nuclear satellite weapons, could enable defenders to destroy ballistic weapons shortly after takeoff. Long-range ballistic missiles would, therefore, be rendered obsolete. Some experts hold that current technology affords just such a defensive possibility now, others believe this will not be feasible until well into the future, when laser weapons are available. In any case, this is a non-nuclear defense. As a deterrent system, it does not rely on counterforce or countervalue but on non-nuclear defensive instruments. Not only does its moral character seem to be superior, but its implementation would seem to remove the threat of land-based missile systems. While it is not our role here to pass judgment for or against this or other particular systems, we do wish to note that the present situation may one day be lifted from the human race. The human race is neither static nor foredoomed.

75. For most of its history, the human race did not live under nuclear threat; there is nothing inevitable or necessary about the continuance of that threat. Efforts to remove it must be sound, prudent, and wise, lest they result in a deterioration of the present situation into something even worse. But eventually to life such a threat is surely within the reach of sustained moral efforts. It is the vocation of Christians and Jews not only to reflect on the world but to change it, bringing it closer to the outlines of the Kingdom promised in both the Old and the New Testaments. It is the vocation of American citizens, civilian and military, called by the Seal of the United States to evoke *Novus Ordo Seclorum*, a new order of liberty and justice for all, to extend the boundaries of liberty and justice by peaceful means, through the consent of the governed. Although not without failures and flaws, the purpose of the United States foreign and military policy since World War II has been to defend and to extend such liberties, on which alone true peace can rest. We cherish the hope that even our adversaries will one day experience liberty for all their peoples, and join with us in the cooperative task of bringing all peoples on earth to a fuller measure of human development, in peace, liberty, and justice for all humankind, fulfilling thereby the will of God on earth. It is in seeking to follow His Will that we have, to the best of our ability, formulated these arguments for the respectful consideration of our fellow Catholics, our fellow citizens, and all persons of good will throughout the world. May God favor this purpose. Though His ways be dark His constancy abides forever.

NOTES

[1] See Maritain, Appendix, "The Structure of Action," *Integral Humanism*, trans. Joseph W. Evans (New York: Scribner's, 1968), pp. 291-308. Addressing the Society of Jesus on February 27, 1982, John Paul II said: "As I said on 2 July 1980 in Rio de Janeiro, priestly service 'if it is really to be faithful to itself, is essentially and *par excellence* spiritual. This must be even more emphasized in our times against the many tendencies to secularize the priest's work by reducing it to a purely philan-

thropic function. He is not a medical doctor, a social worker, a politician, or a trade unionist. In certain cases, no doubt, the priest can help, but in a supplementary fashion—as in the past priests have done so with remarkable success. Today, however, these services are admirably rendered by other members of society, whilst our service is always more precisely and specifically spiritual.' " (*Allocution of Pope John Paul II to Jesuit Provincial Superiors.*) In his follow up Letter of March 25, 1982 to the entire Society of Jesus, Father Paolo Dezza applied the prescriptions of the Holy Father, while speaking of the recommendations presented by Pope Paul VI: "The second recommendation was not to confuse roles proper to priests with those proper to lay people. In the economic, social and political fields, the role of the priest is to educate toward justice and social commitment, and to encourage lay people to carry out their duties fully without replacing them in these. The priest's role is to indicate Christian principles concerning economic, social and political life; to denounce injustice, to exhort people to work with the improvement or reform of institutions, to 'expound the social doctrine of the Church, not so much as to find solutions for concrete social and political problems, which is the task of lay people, but to help them reflect on the principles which should guide the search for such solutions.' "

[2] Walter M. Abbott, S.J., ed., *The Documents of Vatican II* (New York: America Press, 1966), fn. 2, p. 199.

[3] Ibid., pp. 293-94.

[4] Ibid., p. 291.

[5] Ibid., p. 290.

[6] Ibid., p. 293.

[7] John Paul II, "World Day of Peace Message 1982," #12, *Origins* 11 (1982), p. 478.

[8] Ibid.

[9] See *Documents of Vatican II*, p. 244.

[10] C. S. Lewis, "Why I Am Not a Pacifist," in the *The Weight of Glory*, rev. ed. (New York: Macmillan, 1980), p. 44.

[11] John Paul II, "Address to Scientists and Scholars," #4, *Origins* 10 (1982), p. 621.

[12] See *Budget of the United States Government: Fiscal Year 1983* (Washington, D.C.: Office of Management and Budget, 1982), pp. 3-33; and Caspar W. Weinberger, *Annual Report to Congress, Fiscal Year 1983*, pp. I-4, A-9.

[13] *The Military Balance 1982-83* (London: International Institute for Strategic Studies, 1982), pp. 124-25.

[14] Ibid., pp. 12-13. Note that the Soviet GNP is lower than that of the U.S.; but its costs, not least in salaries to military and military industries, are much lower.

[15] U. S. Bureau of the Census, *The Statistical Abstract of the United States: 1981* (Washington, D.C.: U. S. Government Printing Office, 1981), p. 359.

[16] See *Budget of the United States Government: Fiscal Year 1983*, pp. 3-34; and "Welfare need and Welfare Spending," *Backgrounder #219* (Washington, D.C.: The Heritage Foundation, 1982).

[17] Caspar W. Weinberger, *Annual Report to Congress, Fiscal Year 1983*, p. A-9.

[18] *The Challenge of Peace: God's Promise and Our Response* (Washington, D.C.: United States Catholic Conference, 1982), p. 70.

[19] Quoted in ibid., p. 38.

[20] "It is often stated or assumed that the quantity of nuclear weapons possessed by the United States has steadily increased and that we now possess more nuclear weapons than ever. This is not so." Fact Sheet No. 227-82, Office of Assistant Secretary of Defense (Public Affairs), June 1, 1982. Although the exact number of nuclear warheads is classified, a careful student can deduce that, while the number of strategic warheads has remained relatively steady, the number of tactical warheads has declined, resulting in an overall reduction in the totality of the U. S. stockpile since 1965.

[21] The Soviet ICBM force currently numbers 1,398 missiles, compared to 1,049 for the U.S., and possesses greater aggregate throw-weight than the U.S. missile force. The latest generation of Soviet missiles are more accurate than their American counterparts, and the smallest Soviet MIRVd warheads are almost twice as large as the largest U.S. MIRVd warheads. See *The Military Balance 1982-83*, pp. 112-113; and Committee on the Present danger, *Has America Become Number 2?* (Washington, D.C., 1982), p. 16.

[22] Admiral Thomas Hayward, the Chief of Naval Operations, testified before the Senate Armed Services Committee in 1979: "With respect to essential equivalence it is my view that without any question the Soviets will have a first-strike capability over the next few years. If that is not a loss of essential equivalence, I do not know what is . . . ." *Military Implications of the Treaty on the Limitation of Strategic Arms and Protocol Thereto*, Hearings, Senate Armed Services Committee, Part I, p. 177.

[23] After chronicling the various unsuccessful efforts at arms control in this century, historian Barbara Tuchman says: "I have engaged in this long and dreary survey in order to show that control of war in the form of disarmament or limitation of arms has been a fruitless effort." Part of the reason why this is the case is suggested by the following observation by Salvador de Madariaga, chairman of the League of Nations Disarmament Commission and Disarmament Conference, in 1973, which Tuchman quotes: "The trouble with disarmament was (and still is) that the problem of war is tackled upside down and at the wrong end . . . . Nations don't distrust each other because they are armed; they are armed because they distrust each other. And therefore to want disarmament before a minimum of common agreement on fundamentals is as absured as to want people to go undressed in winter." Barbara W. Tuchman, "The Alternative to Arms Control," *New York Times Magazine*, April 18, 1982, pp. 93. 98. See also theodore Draper, "How Not to Think About Nuclear War," *New York Review of Books*, SMALL July 15, 1982, pp. 35-43. "Once different weapons and even different weapons systems must be evaluated and balanced off against each other, negotiations inevitably degenerate into endlessly futile haggling sessions, brought to a close only by agreement on a crazy quilt of trade-offs and loopholes. Negotiations of this sort become more important for the mere consolation that the deadly antagonists are negotiating than for anything the negotiations may bring forth . . . . Short of abolishing all nuclear weapons forever and everywhere, deterrence is all we have" (p. 42).

[24] Modernization of the Soviet ICBM force has focused on the SS-17, SS-18, and SS-19 missiles; during the last decade, over half of Soviet silos have been rebuilt to house these weapons. See Department of Defense, *Soviet Military Power* (Washington, D.C.: U.S. Government Printing Office, 1981), p. 24. Of particular concern is the giant SS-18, which carries a payload large enough and accurate enough to threaten U.S. ICBMs in their silos. The SS-18, of which 308 have been deployed, dwarfs the proposed MX: it is 120 feet high, 10 feet in diameter, has a throw-weight of 16,000 pounds, and can carry up to 10 warheads. By comparison, the MX, which cannot be deployed before 1986, is 72 feet in length, about 8 feet in diameter, possesses a throw-weight of about 8,000 pounds, and can carry 6-10 warheads. The SS-19 is comparable in these respects to the MX. See *The Military Balance 1982-83*, p. 113 and Michael B. Donley, ed., *The Salt Handbook* (Washington, D.C.: The Heritage Foundation, 1979), pp. 62, 75. The Committee on the Present Danger notes that "in only the last five years, the number of deployed Soviet IRBM (Intermediate Range Ballistic Missile) warheads targeted on NATO—Europe and Asia—has more than doubled." *Has America Become No. 2?*, p. 21. The principal threat is the Soviet SS-20: "The SS-20, with three MIRVs per missile and significant improvements in survivability, mobility, responsiveness, and accuracy, is a far more capable weapon than the older SS-4 and SS-5 missiles . . . . [it] can cover the entire European theatre and provide significant coverage of other areas." Organization of the Joint Chiefs of Staff, *United States Military Posture for FY 1983*, p. 27.

[25] Charles Mohr, "Drop in U.S. Arms Spurs Debate on Military Policy," *New York Times*, October 24, 1982, p. 56. For spending on nuclear forces as a percentage of the military budget for 1962-1982, see Kevin N. Lewis, *The Economics of SALT Revisited* SMALL (Santa Monica, Calif.: Rand Corp., 1979), p. 10, and Caspar W. Weinberger, *Annual Report to Congress, Fiscal Year 1983*, p. A-1.

[26] For the number of U.S. military personnel in NATO, see *Defense/81*, Special Almanac Issue (September 1981): 22. The cost of the U.S. commitment to NATO is given in the remarks of Senator Ted Stevens on the continuing appropriations legislation for fiscal year 1983. See U.S. Congress, Senate, *Congressional Record*, 97th Cong., 2d. sess., December 16, 1982, 149, pt. 3: S15138. The budget figure for nuclear forces includes both those over which the Department of Defense has jurisdiction and those which the Department of Energy supervises, and covers all personnel, operation and maintenance, and warhead procurement costs, strategic as well as tactical/theater.

[27] See *The Military Balance 1982-83*, pp. 112-113, 140; and *Soviet Military Power*, pp. 55-56. The data supplied by these sources indicates that about 62 percent of U.S. strategic warheads are on systems with an initial operational capability prior to 1972, whereas 70 percent of Soviet strategic warheads are on systems initially deployed since 1977.

[28] *The Military Balance 1982-83*, pp. 132-33. For figures on the U.S. Navy see *Annual Report to Congress, Fiscal Year 1983*, p. III-20. For the Soviet Navy, see *Soviet Military Power*, p. 40. Both sets of figures include attack submarines, major surface combat vessels and minor surface combatants (corvettes, patrol craft, minesweepers, amphibious ships, and support craft). The U.S. figure as given in the *Report to Congress* does not include ballistic missile submarines; the Soviet figure does. Adding this figure (31) to the U.S. count gives 545 ships.

[29] See the analysis by Edward N. Luttwak, "How to Think About Nuclear War," *Commentary* 74 (August 1982): 21-28.

[30] "Without the Bomb," *The Economist* (July 31, 1982): 11-12.

[31] See Derek Leebaert, letter to the Editor, *New York Times*, April 18, 1982.●

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. DAUB (at the request of Mr. MICHEL), for today, on account of official business.

Mr. FORD of Michigan (at the request of Mr. WRIGHT), for today, on account of a death in the family.

Mr. COLEMAN of Texas (at the request of Mr. WRIGHT), for today, on account of official business.

Ms. MIKULSKI (at the request of Mr. WRIGHT), for today, on account of official business.

Mr. HEFTEL (at the request of Mr. WRIGHT), for an indefinite period, on account of medical reasons.

Mr. EMERSON (at the requests of Mr. MICHEL), for today, on account of inspecting flood damage in the Eighth Congressional District, Missouri.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. BATEMAN) to revise and extend their remarks and include extraneous material:)

Mr. WALKER, for 15 minutes, today.

Mr. BADHAM, for 15 minutes, today.

(The following Members (at the request of Mr. CORRADA) to revise and extend their remarks and include extraneous material:)

Mr. ANNUNZIO, for 5 minutes, today.

Mr. GONZALEZ, for 30 minutes, today.

Mr. MACKAY, for 5 minutes, today.

Ms. FERRARO, for 60 minutes, on May 11.

Mr. MITCHELL, for 60 minutes, on May 10.

Mr. LUNDINE, for 60 minutes, on May 12.

Mr. RICHARDSON, for 60 minutes, on May 13.

Mr. GARCIA, for 30 minutes, on May 12.

EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

Mr. WEBER, and to include extraneous matter, notwithstanding the fact that it exceeds two pages of the RECORD and is estimated by the Public Printer to cost $4,226.25.

(The following Members (at the request of Mr. BATEMAN) and to include extraneous matter:)

Mr. LEWIS of Florida.
Mr. GINGRICH.
Mrs. MARTIN of Illinois.
Mr. DENNY SMITH.
Mr. BROOMFIELD.
Mr. ERLENBORN.
Mr. KEMP.
Mr. LEWIS of California in three instances.
Mr. GILMAN.
Mr. WEBER.
Mr. GREEN.
Mr. MARRIOTT.

(The following Members (at the request of Mr. CORRADA) and to include extraneous matter:)

Mr. TRAXLER in two instances.
Mr. HOYER.
Mr. RODINO.
Mr. LANTOS.
Mr. SKELTON.
Mr. WAXMAN.
Mr. ANDERSON in 10 instances.
Mr. GONZALEZ in 10 instances.
Mr. FAUNTROY.
Mr. WYDEN.
Mr. GARCIA.
Mr. DERRICK.
Mr. TORRICELLI.
Mr. MARKEY.
Mr. HUBBARD.
Mrs. COLLINS.
Mr. BROWN of California in 10 instances.
Mr. ANNUNZIO in six instances.
Mr. JONES of Tennessee in 10 instances.
Mr. BONER of Tennessee in five instances.

SENATE BILL AND JOINT RESOLUTIONS REFERRED

A bill and joint resolutions of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 287. An act to establish the Harry S Truman National Historic Site in the State of Missouri, and for other purposes; to the Committee on Interior and Insular Affairs.

S.J. Res. 67. Joint resolution to designate the week of September 25, 1983, through October 1, 1983, as "National Respiratory Therapy Week"; to the Committee on Post Office and Civil Service.

S.J. Res. 94. Joint resolution to authorize and request the President to designate May 8, 1983, to June 19, 1983, as "Family Reunion Month"; to the Committee on Post Office and Civil Service.

ENROLLED JOINT RESOLUTION SIGNED

Mr. HAWKINS, from the Committee on House Administration, reported that that committee had examined and found truly enrolled a joint resolution of the House of the following title, which was thereupon signed by the Speaker:

H.J. Res. 219. Joint resolution declaring the support of the U.S. Government for efforts of the U.S. Soccer Federation to bring the World Cup to the United States in 1986, designating the Secretary of Commerce as the official representative of the U.S. Government of the Federation Internationale de Football Association, and for other purposes.

ADJOURNMENT

Mr. CORRADA. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 2 o'clock and 50 minutes p.m.), the House adjourned until tomorrow, Tuesday, May 10, 1983, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1086. A letter from the Acting Comptroller General of the United States, transmitting a special message on deferral of budget authority for the strategic petroleum reserve petroleum account, pursuant to section 1015(a) of Public Law 93-344; to the Committee on Appropriations.

1087. A letter from the General Counsel of the Department of Defense, transmitting a draft of proposed legislation to amend chapter 157 of title 10, United States Code, to authorize the Secretary of Defense to provide transportation for next of kin of certain persons who are unaccounted for, to attend annual national meetings sponsored by the National League of Families of American Prisoners and Missing in Southeast Asia; to the Committee on Armed Services.

1088. A letter from the Secretary of Energy, transmitting notice of a delay in the submission of the national energy policy plan, pursuant to title VIII of the Department of Energy Organization Act; to the Committee on Energy and Commerce.

1089. A letter from the Secretary of Health and Human Services, transmitting the 1982 annual report of compliance with the Consumer-Patient Radiation Health and Safety Act of 1981, pursuant to section 981(d) of Public Law 97-35; to the Committee on Energy and Commerce.

1090. A letter from the Chairman, Council of the District of Columbia, transmitting D.C. Act 5-29, "D.C. Revenue Act of 1983," pursuant to section 602(c) of Public Law 93-198; to the Committee on the District of Columbia.

1091. A letter from the Chairman, District of Columbia, transmitting D.C. Act 5-25, "D.C. Retirement Board First Regulations Adoption Act of 1983," pursuant to section 602(c) of Public Law 93-198; to the Committee on the District of Columbia.

1092. A letter from the Chairman, Council of the District of Columbia, transmitting D.C. Act 5-26, "Medicare Supplement Insurance Act of 1983," pursuant to section 602(c) of Public Law 93-198; to the Committee on the District of Columbia.

1093. A letter from the Chairman, Council of the District of Columbia, transmitting D.C. Act 5-27, "Advisory Neighborhood Commission Boundaries Act of 1983," pursuant to section 602(c) of Public Law 93-198; to the Committee on the District of Columbia.

1094. A letter from the Secretary of the Interior, transmitting the annual report covering calendar year 1982 on the implementation of the Alaska Native Claims Settlement Act, pursuant to section 23 of the act; to the Committee on Interior and Insular Affairs.

1095. A letter from the Acting Assistant Secretary of the Interior (Indian Affairs), transmitting a proposed plan for the use and distribution of the judgment funds awarded to the Seneca-Cayuga Tribe of Oklahoma et al. by the Indian Claims Commission in dockets 341-A and 341-B, pursuant to section 2(a) and 4 of Public Law 93-134; to the Committee on Interior and Insular Affairs.

1096. A letter from the Chairman, International Trade Commission, transmitting a draft of proposed legislation to provide authorization of appropriations for the U.S. International Trade Commission for fiscal year 1985; to the Committee on Ways and Means.

1097. A letter from the Deputy Secretary of the Treasury, transmitting a draft of proposed legislation to require that customs duties determined to be due upon a liquidation or reliquidation are due upon that date, and for the other purposes; to the Committee on Ways and Means.

1098. A letter from the Deputy Secretary of the Treasury, transmitting a draft of proposed legislation to implement the Customs Convention on Containers, 1972; to the Committee on Ways and Means.

1099. A letter from the Administrator, Food and Nutrition Service, transmitting a revision to the projected cost savings of draft legislation, "The Child Nutrition Amendments of 1983," submitted on April 21, 1983; jointly, to the Committees on Agriculture and Education and Labor.

1100. A letter from the Director, Office of Management and Budget, transmitting a draft of proposed legislation to omit cost-of-living adjustments in certain Federal retirement and disability programs for a specified period of time, and for other purposes; jointly, to the Committees on Post Office and Civil Service, Armed Services, and Foreign Affairs.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. HUGHES: Committee on the Judiciary. H.R. 2174. A bill to amend title 18 of the United States Code to prohibit certain tampering with consumer products; with amendments (Rept. No. 98-93). Referring to the Committee of the Whole House on the State of the Union.

Mr. FUQUA: Committee on Science and Technology. H.R. 2514. A bill to enhance the transfer of technical information to industry, business, and the general public by amending the act of September 9, 1950 (15 U.S.C. 1151 et seq.), to establish a technical information clearinghouse fund, and for other purposes (Rept. No. 98-94, Pt. I). Ordered to be printed.

Mr. FUQUA: Committee on Science and Technology. H.R. 2513. A bill to authorize appropriations to the Secretary of Commerce for the programs of the National Bureau of Standards for fiscal year 1984, and for other purposes; with amendments (Rept. No. 98-95). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 5 of rule X and clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. WAXMAN:

H.R. 2934. A bill to amend the Public Health Service Act to extend through fiscal year 1985 the health planning authority under that act and to repeal that authority September 30, 1986, and for other purposes; to the Committee on Energy and Commerce.

By Mr. SHELBY (for himself, Mr. MADIGAN, and Mr. BROYHILL):

H.R. 2935: A bill to amend the Public Health Service Act to replace title XV of such act with a block grant to States for health planning; to the Committee on Energy and Commerce.

By Mr. APPLEGATE (for himself, Mr. MONTGOMERY, Mr. HAMMERSCHMIDT, Mr. SAM B. HALL, JR., Mr. MCEWEN, Mr. DASCHLE, Mr. WYLIE, Mr. MARTINEZ, Mr. DENNY SMITH, Mr. LEATH of Texas, Mr. BURTON, Mr. SHELBY, Mr. MICA, Mr. DOWDY of Mississippi, Mr. HILLIS, Mr. EDWARDS of California, Mr. SOLOMON, Mr. EDGAR, Mr. SMITH of New Jersey, Mr. EVANS of Illinois, Mr. SUNDQUIST, Ms. KAPTUR, Mr. BILIRAKIS, Mr. HARRISON, Mrs. JOHNSON, Mr. MOLLOHAN, Mr. ROWLAND, Mr. RICHARDSON, Mr. HEFNER, Mr. JENKINS, Mr. SPENCE, and Mr. ROGERS):

H.R. 2936. A bill to amend title 38, United States Code, to increase the authorized number of members of the Board of Veterans' Appeals in the Veterans' Administration, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. APPLEGATE (for himself, Mr. MONTGOMERY, Mr. HAMMERSCHMIDT, Mr. SAM B. HALL, JR., Mr. MCEWEN, Mr. DASCHLE, Mr. WYLIE, Mr. MARTINEZ, Mr. DENNY SMITH, Mr. LEATH of Texas, Mr. BURTON, Mr. SHELBY, Mr. MICA, Mr. DOWDY of Mississippi, Mr. HILLIS, Mr. EDWARDS of California, Mr. SMITH of New Jersey, Mr. EDGAR, Mr. SUNDQUIST, Mr. EVANS of Illinois, Mr. BILIRAKIS, Ms. KAPTUR, Mrs. JOHNSON, Mr. HARRISON, Mr. MOLLOHAN, Mr. ROWLAND, Mr. RICHARDSON, Mr. HEFNER, Mr. JENKINS, Mr. SPENCE, and Mr. ROGERS).

H.R. 2937. A bill to amend title 38, United States Code, to increase the rates of disability compensation for disabled veterans, to increase the rates of dependency and indemnity compensation for surviving spouses and children, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. DONNELLY:

H.R. 2938. A bill to amend the Internal Revenue Code of 1954 to provide a tax credit for tuition and fees for elementary and secondary education; to the Committee on Ways and Means.

By Mr. DOWNEY of New York:

H.R. 2939. A bill to expand the eligibility of handicapped and other institutionalized individuals for training provided under the Job Training Partnership Act; to the Committee on Education and Labor.

By Mr. ERLENBORN (for himself, Mr. PACKARD, and Mr. NIELSON of Utah):

H.R. 2940. A bill to consolidate existing Federal vocational and adult education programs, to simplify requirements for States and other recipients participating in Federal vocational and adult education programs, and to authorize certain State and national programs for the development of vocational skills and basic skills in the work force that will improve productivity and economic growth, and for other purposes; to the Committee on Education and Labor.

By Mr. GARCIA (for himself, Mr. ROE, Mr. STOKES, Mr. CORRADA, Mr. BROWN of California, Mr. TOWNS, Mr. TORRES, Mr. CROCKETT, Mr. HERTEL of Michigan, Mr. MITCHELL, and Mr. ACKERMAN):

H.R. 2941. A bill to amend the Internal Revenue Code of 1954 to provide a refundable income tax credit for expenses incurred by an employer in providing remedial education to employees; to the Committee on Ways and Means.

By Mr. GEKAS:

H.R. 2942. A bill to provide for a verdict of guilty but mentally ill in the Federal courts; to the Committee on the Judiciary.

By Mr. KOGOVSEK:

H.R. 2943. A bill to authorize appropriations for grants to the Washington Workshop Foundation; to the Committee on Education and Labor.

By Mr. LEHMAN of Florida:

H.R. 2944. A bill to amend the Controlled Substances Act to provide penalties for persons who obtain or attempt to obtain narcotics or other controlled substances from a retail pharmacy by force and violence, and for other purposes; to the Committee on Energy and Commerce.

By Mr. MCNULTY (for himself, Mr. OBERSTAR, Mr. WILLIAMS of Montana, and Mr. WEAVER):

H.R. 2945. A bill to prohibit the Export-Import Bank of the United States from financing the establishment or enhancement of the capacity of a foreign country to produce certain commodities in competition with, or similar to, U.S.-produced commodities; to the Committee on Banking, Finance and Urban Affairs.

H.R. 2946. A bill to amend the Foreign Assistance Act of 1961 to prohibit the furnishing of assistance to establish or enhance the capacity of a foreign country to produce certain commodities in competition with, or similar to, U.S.-produced commodities, and for other purposes; jointly, to the Committees on Foreign Affairs and Banking, Finance and Urban Affairs.

By Mr. PEASE:

H.R. 2947. A bill to provide for the temporary suspension of duty on the importation of fluorspar; to the Committee on Ways and Means.

By Mr. SHELBY (for himself, Mr. MONTGOMERY, Mr. SMITH of New Jersey, Mr. APPLEGATE, Mr. SUNDQUIST, Mr. MOLLOHAN, Mr. BILIRAKIS, Mr. MICA, Mr. RICHARDSON, Mr. SOLOMON, Mr. EDWARDS of California, Mr. EDGAR, Mr. SAM B. HALL, JR., Mr. DASCHLE, Mr. MARTINEZ, Mr. EVANS of Illinois, Ms. KAPTUR, Mr. PENNY, Mr. ROWLAND, Mr. HEFNER, and Mr. JENKINS):

H.R. 2948. A bill to amend title 38, United States Code, to authorize the Administrator of Veterans' Affairs to provide mortgage assistance to veterans with loans guaranteed by the Veterans' Administration in order to avoid foreclosure of such loans and for other purposes; to the Committee on Veterans' Affairs.

By Mrs. SMITH of Nebraska:

H.R. 2949. A bill to exclude agricultural commodities from certain requirements that such agricultural commodities be transported on privately owned U.S.-flag commercial vessels and vessels of the United States; to the Committee on Merchant Marine and Fisheries.

By Mr. SOLOMON:

H.R. 2950. A bill to amend the Military Selective Service Act to enhance enforcement of the registration requirement under that act; jointly, to the Committees on Armed Services and Education and Labor.

By Mr. TAUKE (for himself, Mr. LEACH of Iowa, Mrs. MARTIN of Illinois, Mr. EVANS of Iowa, Mr. DURBIN, and Mr. EVANS of Illinois):

H.R. 2951. A bill to restrict the authority of the Chief of Engineers to terminate certain leases on the upper Mississippi River; to the Committee on Public Works and Transportation.

By Mr. WIRTH:

H.R. 2952. A bill to authorize appropriations for the Federal Communications Commission for fiscal years 1984 and 1985; to the Committee on Energy and Commerce.

H.R. 2953. A bill to authorize supplemental appropriations for public broadcasting; to the Committee on Energy and Commerce.

By Mr. WON PAT (for himself, Mr. LAGOMARSINO, Mr. DE LUGO, Mr. CORRADA, Mr. KILDEE, and Mr. SUNIA):

H.R. 2954. A bill to establish an Insular Areas Commission on Federal Laws to study the application of the laws of the United States to Guam, the Virgin Islands, and American Samoa; to the Committee on Interior and Insular Affairs.

H.R. 2955. A bill to facilitate economic development in the territories of the United States through the mobilization of private capital and skills and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. WYDEN:

H.R. 2956. A bill to permit group health care payors to provide for alternative rates with providers of health care; to the Committee on Energy and Commerce.

By Mrs. MARTIN of Illinois:

H.J. Res. 262. Joint resolution to clarify and reaffirm that it is the basic policy of the Government of the United States to rely on the competitive private enterprise system to provide needed goods and services; to the Committee on Government Operations.

By Mr. ALBOSTA:

H. Res. 186. Resolution expressing the sense of the House of Representatives with respect to American workers being taxed on a portion of their employer-paid health insurance benefits; to the Committee on Ways and Means.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

113. By the SPEAKER: Memorial of the General Assembly of the State of Indiana, relative to election returns; to the Committee on Energy and Commerce.

114. Also, memorial of the Legislature of the State of Maine, relative to acid precipitation; to the Committee on Energy and Commerce.

115. Also, memorial of the House of Representatives of the Marianas Commonwealth, relative to a freeze in nuclear arms; to the Committee on Foreign Affairs.

ADDITIONAL SPONSORS

Under clause 4 of rule XXII, sponsors were added to public bills and resolutions as follows:

H.R. 42: Mr. CORCORAN.

H.R. 81: Mr. CONYERS.

H.R. 82: Mr. CONYERS.

H.R. 178: Mr. CHAPPELL and Mr. SHUMWAY.

H.R. 887: Mr. SHUMWAY.

H.R. 924: Mr. SIMON and Mr. NEAL.

H.R. 1010: Mr. VANDERGRIFF.

H.R. 1039: Mr. HERTEL of Michigan, Mr. LANTOS, Mr. MITCHELL, Mr. NEAL, Ms. OAKAR, Mr. SCHEUER, Mr. SOLARZ, Mr. YATRON, and Mr. YOUNG of Alaska.

H.R. 1049: Mr. RUSSO.

H.R. 1077: Mr. KRAMER, Mr. KOGOVSEK, and Mr. STENHOLM.

H.R. 1176: Mr. CHENEY, Mr. COATS, Mr. SIMON, Mr. WAXMAN, Mr. LEVINE of California, Mr. HANSEN of Utah, Mr. ARCHER, Mr. ANDREWS of Texas, Mr. MCKERNAN, Mr. DEWINE, Mr. MCCOLLUM, and Mr. WYLIE.

H.R. 1244: Mr. HOWARD, Mr. APPLEGATE, Mr. BORSKI, Mr. BOSCO, Mr. CLARKE, Mrs. HALL of Indiana, Mr. KOLTER, Mr. TOWNS, and Mr. WISE.

H.R. 1493: Mr. ALBOSTA, Mrs. BYRON, Mr. CAMPBELL, Mr. DANIEL B. CRANE, Mr. DAVIS, Mr. DICKINSON, Mr. FRANKLIN, Mr. GRAMM, Mr. HAMMERSCHMIDT, Mr. HUBBARD, Mr. KRAMER, Mr. LEATH of Texas, Mr. MORRISON of Washington, Mr. NIELSON of Utah, Mr. PACKARD, Mr. PAUL, Mr. ROGERS, Mr. SHUMWAY, Mr. SNYDER, Mrs. VUCANOVICH, Mr. WILLIAMS of Ohio, Mr. WILSON, and Mr. HILER.

H.R. 1497: Mr. MCCLOSKEY.

H.R. 1604: Mr. LIVINGSTON.

H.R. 1624: Mr. HORTON and Mr. MARTIN of North Carolina.

H.R. 1752: Mr. RANGEL, Ms. FERRARO, Mr. DOWNEY of New York, and Mr. ACKERMAN.

H.R. 1883: Mr. FORD of Michigan.

H.R. 1976: Mr. SCHEUER, Mr. ROTH, Mr. ECKART, Mr. SAWYER, Mr. JACOBS, Mr. OWENS, Mr. KILDEE, Mr. CHAPPIE, Mr. MRAZEK, Mr. MCKINNEY, Mr. FEIGHAN, Mr. DANNEMEYER, Mr. SENSENBRENNER, Mr. NIELSON of Utah, Mr. LAFALCE, Ms. SNOWE, Mr. CONYERS, Mr. LUNGREN, Mr. EDGAR, Mr. HALL of Ohio, Mr. BEREUTER, Mr. CARPER, and Mr. MARRIOTT.

H.R. 2053: Mr. CLARKE and Mr. HORTON.

H.R. 2099: Mr. MITCHELL, Mr. MORRISON of Connecticut, Mr. MORRISON of Washington, and Mrs. HOLT.

H.R. 2100: Mr. MORRISON of Connecticut, Mr. OWENS, Mr. CLINGER, and Mr. FORD of Tennessee.

H.R. 2118: Mr. FUQUA.

H.R. 2174: Mr. GEKAS, Mr. CAMPBELL, Mr. PEASE, Mr. PORTER, and Mr. MONTGOMERY.

H.R. 2183: Mr. MCGRATH, Ms. KAPTUR, Mr. TOWNS, Mr. FAZIO, Mr. MITCHELL, Mr. CLINGER, Mr. HERTEL of Michigan, and Mr. SIMON.

H.R. 2191: Mr. YATRON, Mr. NEAL, Mr. EDGAR, Mr. FOGLIETTA, Mr. MITCHELL, Mr. WOLPE, Mr. WIRTH, Mr. TAUKE, and Mr. TORRICELLI.

H.R. 2193: Mr. GEKAS.

H.R. 2204: Mr. RANGEL, Mr. CROCKETT, Ms. FERRARO, Mr. MORRISON of Connecticut, Mr. HERTEL of Michigan, Mr. WORTLEY, and Mr. SIMON.

H.R. 2250: Mr. LOWERY of California, Mr. LEWIS of California, Mr. PORTER, Mr. MCCANDLESS, and Mr. MARKEY.

H.R. 2372: Mr. OWENS, Mr. ANDERSON, and Mr. BATEMAN.

H.R. 2483: Mr. MOAKLEY, Mr. FORD of Tennessee, Mr. WORTLEY, Mr. MCKINNEY, Mr. STOKES, Mr. SUNIA, Mr. SMITH of New Jersey, and Mr. FLORIO.

H.R. 2490: Mr. RUSSO, Mr. PURSELL, Mr. EVANS of Illinois, Mr. GARCIA, Mr. KOSTMAYER, and Mr. WISE.

H.R. 2564: Mr. BEVILL, Mr. GLICKMAN, Mr. LOWERY of California, and Mr. LAGOMARSINO.

H.R. 2568: Mr. ROE, Mr. BROWN of Colorado, Mr. SIMON, Mr. SMITH of New Jersey, Mr. OBERSTAR, Mr. FEIGHAN, Mr. FRANK, Mr. MARKEY, Mr. HORTON, Mr. CORRADA, Mr. SOLARZ, Mr. SCHUMER, and Mr. ACKERMAN.

H.R. 2601: Mr. SENSENBRENNER, Mr. KASICH, Mr. SUNIA, Mr. HALL of Ohio, and Mr. LAGOMARSINO.

H.R. 2701: Mr. ROE, Mr. LEHMAN of Florida, Mr. SAM B. HALL, JR., Mr. MURTHA, Mr. WON PAT, Mr. RODINO, Mr. FAUNTROY, Mr. FORSYTHE, Mr. FASCELL, Mr. ADDABBO, Mr. DWYER of New Jersey, Mr. GAYDOS, Mr. HUGHES, Mr. BOSCO, Mr. MITCHELL, Mr. BONIOR of Michigan, Mr. CROCKETT, Mr. BEILENSON, Mr. EDGAR, Mr. SABO, Mrs. BOXER, Mr. HORTON, Mr. MORRISON of Connecticut, Mr. RATCHFORD, Mr. HERTEL of Michigan, Mr. SIMON, and Mr. SENSENBRENNER.

H.R. 2721: Mr. RICHARDSON, Mr. LENT, Mr. RITTER, Mr. JEFFORDS, and Mr. PATTERSON.

H.R. 2732: Mr. COATS, Mr. WEBER, Mr. DANIEL, Mr. BLILEY, Mr. HILER, Mr. WYLIE, Mr. FRENZEL, Mr. BURTON, and Mr. GEKAS.

H.R. 2759: Mr. LOWERY of California, Mr. JACOBS, Mr. KINDNESS, Mr. DE LA GARZA, Mr. FORSYTHE, Mr. WILSON, Mr. JENKINS, Mr. MACK, and Mr. HUTTO.

H.J. Res. 153: Mr. OWENS and Mr. FRANK.

H.J. Res. 207: Mr. MCKINNEY, Mr. HOYER, Mr. O'BRIEN, Mr. COUGHLIN, and Mr. COYNE.

H.J. Res. 215: Mr. TAUKE.

H.J. Res. 226: Mr. FASCELL, Mr. TOWNS, Mr. LEHMAN of Florida, Mr. BERMAN, Mr. FUQUA, Mr. GREEN, Mr. O'BRIEN, Mr. BOUCHER, Mr. RAHALL, Mr. VANDER JAGT, Mr. GONZALEZ, Mr. GUARINI, Mr. KASICH, Ms. FERRARO, Mr. MATSUI, Mr. MOAKLEY, Mr. FAZIO, Mr. DANIEL, Mr. SIMON, Mr. WIRTH, Mr. SUNIA, Ms. OAKAR, Mr. PRITCHARD, Mr. MINISH, Mr. WON PAT, Mr. BONIOR of Michigan, Ms. MIKULSKI, Mr. RATCHFORD, Mr. CLAY, Mr. SHELBY, Mr. DUNCAN, Mr. NELSON of Florida, Mr. RANGEL, Mr. HANCE, Mr. WYDEN, Mr. DE LA GARZA, Mr. HAWKINS, Mr. CHANDLER, Mr. TAUZIN, Mr. BEVILL, Mr. VANDERGRIFF, Mr. HAMMERSCHMIDT, Mr. JONES of North Carolina, Mr. DOWNEY of New York, Mr. ROE, Mr. RICHARDSON, Mr. FAUNTROY, Mr. CORRADA, Mr. KOLTER, Mr. CHAPPIE, Mr. HOWARD, Mr. DWYER of New Jersey, Mr. STUMP, Mr. FISH, Mr. BARNES, Mr. ADDABBO, Mr. ACKERMAN, Mr. WAXMAN, Mr. LELAND, Mr. WALGREN, Mr. STOKES, Mr. SKELTON, Mr. APPLEGATE, Ms. KAPTUR, Mr. BIAGGI, Mr. MADIGAN, Mr. LIPINSKI, Mr. RODINO, Mr. CLARKE, Mr. ANDREWS of North Carolina, Mr. SOLARZ, Mr. SCHEUER, Mr. ROSE, Mr. ARCHER, Mr. PRICE, Mr. LAGOMARSINO, Mr. LONG of Maryland, Mr. FORD of Tennessee, Mr. BROYHILL, Mr. WINN, Mrs. HOLT, Mr. GRADISON, Mr. IRELAND, Mr. HARTNETT, Mr. HERTEL of Michigan, Mr. CORCORAN, Mr. KASTENMEIER, Mr. SKEEN, Mr. ST GERMAIN, Mr. LOWRY of Washington, Mr. PRICE, Mr. KEMP, Mr. FLIPPO, Mr. ORTIZ, Mr. SMITH of New Jersey, Mr. BRITT, Mr. HUGHES, Mr. BORSKI, Mr. DOWDY of Mississippi, Mr. SABO, Mr. LANTOS, Mr. LEWIS of Florida, Mr. ANDERSON, Mr. FAZIO, Mr. TRAXLER, Mr. NICHOLS, and Mr. SWIFT.

H. Res. 159: Mr. CLAY, Mr. PEASE, Mr. DIXON, Mr. FORD of Michigan, Mr. OBEY, Mr. FAZIO, Mr. GARCIA, Mr. LEVINE of California, and Mr. FAUNTROY.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

86. By the SPEAKER: Petition of Virginia Beach City Council, Virginia Beach, Va., relative to longshoremen's and harbor workers' compensation; to the Committee on Education and Labor.

87. Also, petition of William B. Hoyt, assemblyman, State of New York, relative to gas prices; to the Committee on Energy and Commerce.

AMENDMENTS

Under clause 6 of rule XXIII, proposed amendments were submitted as follows:

H.R. 1983

By Mr. SAVAGE:

—Page 8, line 7, strike out "insured" and all that follows through "or" on line 8.

SENATE—*Monday, May 9, 1983*

The Senate met at 12 noon and was called to order by the President pro tempore (Mr. THURMOND).

PRAYER

The Chaplain, the Reverend Richard C. Halverson, D.D., offered the following prayer:

Let us pray.

O God, Thou art my God, early will I seek Thee. My soul thirsteth for Thee, my soul longeth for Thee in a dry and thirsty land . . . to see Thy power and Thy glory.—Psalm 63: 1, 2.

God of Light and Life and Love, receive our worship. Thou dost not need our worship, for Thou art perfect and complete and infinitely self-sufficient. But we need to worship, our true humanness demands it. We do not add to Thee by our worship, but we diminish ourselves when we do not. Worthy art Thou to receive glory and honor, adoration and praise. Let Thy power and Thy glory be manifest in us. In the name of Him in whom dwells all power in Heaven and on Earth. Amen.

RECOGNITION OF THE ACTING MAJORITY LEADER

The PRESIDENT pro tempore. The acting majority leader is recognized.

ORDER OF PROCEDURE

Mr. TOWER. Mr. President, it is my understanding that, under the previous order, the reading of the Journal has been dispensed with, no resolution shall come over under the rule, the call of the calendar has been dispensed with, and the morning hour has been deemed expired. Is that correct?

The PRESIDENT pro tempore. The Senator is correct.

Mr. TOWER. Mr. President, I am prepared to reserve my time for now and defer to the distinguished minority leader.

Mr. BYRD. I thank the distinguished Senator.

RECOGNITION OF THE MINORITY LEADER

The PRESIDENT pro tempore. The minority leader is recognized.

NUCLEAR FREEZE RESOLUTION

Mr. BYRD. Mr. President, I do not believe that the agreement prevented the operation of rule XIV with respect to a resolution which was introduced.

The PRESIDENT pro tempore. The Senator is correct.

Mr. BYRD. I therefore ask that the resolution be read the second time.

The PRESIDENT pro tempore. The clerk will read the resolution.

The assistant legislative clerk read as follows:

A House joint resolution (H.J. Res. 13), calling for a mutual and verifiable freeze on and reduction in nuclear weapons.

Mr. BYRD. I ask unanimous consent that further proceedings in connection with this measure be stopped at this point.

The PRESIDENT pro tempore. Objection having been heard to further proceedings, the bill will go on the calendar.

Mr. BYRD. Mr. President, I ask unanimous consent that I may be permitted to reserve my time.

The PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. TOWER. Mr. President, I suggest the absence of a quorum.

The PRESIDENT pro tempore. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. TOWER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. GORTON). Without objection, it is so ordered.

ROUTINE MORNING BUSINESS

Mr. TOWER. Mr. President, I ask unanimous consent that the Senate turn to the immediate consideration of routine morning business for not to exceed 30 minutes, with time allotted to Senators not to exceed 5 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Mississippi is recognized.

A TRIBUTE TO GOV. JOHN BELL WILLIAMS

Mr. COCHRAN. Mr. President, the State of Mississippi and our Nation suffered a severe loss earlier this year when former Governor and Congressman John Bell Williams passed away. He was my friend.

When he was elected to serve in the House of Representatives he was only 26 years old. For 21 years he faithfully and enthusiastically represented the citizens of his district.

In 1967, he was elected Governor of our State and served during his 4-year term with distinction.

In his years of retirement from public service, his interest in politics and government continued. He was always available for counsel and advice for those who sought it. I was one who did, and I benefited greatly from it.

Recently, a friend of ours, Guy N. Rogers, wrote a heartwarming reminiscence that was published in the Clarion-Ledger of Jackson, Miss. I know his many friends in the Congress would appreciate getting to read it. I ask unanimous consent that it be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

LATE GOVERNOR WARMLY REMEMBERED

(By Guy N. Rogers)

Reading recent comments on how history would judge the late John Bell Williams' public service as longtime congressman and as governor of Mississippi, I felt that as a close friend I must pass on some of my impressions of him during many years of association.

However, I will leave the chronicling of his public service to historians. I will deal instead with his personal qualities and the private side of this warm-hearted individual as he was known to his friends.

During his funeral service and while looking at his pallbearers, my mind wandered back to the many times that all of us whom he referred to as the "Raymond Road Mafia" would gather at his home for a "called" meeting. It also occurred to me for the first time that although we were all within his select group of friends that each of us was a "special friend" who could share with him his many special interests.

Since most of his life had been in politics, he had Brad Dye, Charlie Griffin, John McLaurin, Jimmy Morrow and Woodrow Matthews to milk this subject for all it was worth.

An even closer love was Raymond and Hinds Junior College. He could reminisce for hours about the good old days with Lockett Peyton, Miller Dent, Giles Crisler and many others. He could share his love for flying with A.F. Summer, now deceased, and David "Booga Bottom" Harris. Doug Gunter and Billy Fulgham were his law partners and both served on his staff while he was governor. He loved to listen to Rex Armistead tell about all of the "old thieves" he had known during all of his years in law enforcement. The "Mize Boys," Johnny and Bob, would make him laugh until he cried with some of their wild stories.

Although I fished and golfed with him—and ate my share of Coleman's Bar-B-Q's with him on trips—our close relationship grew out of his love of music. Sonny Hill was also heavy in the music bit with us. He was the pro while J.B. and I were strictly amateurs.

My favorite story about John Bell and his music goes back to his governorship when a group of people were picketing around the Governor's Mansion. Some had scaled the fence and were sitting on it. Judge Summer, the attorney general, told me the governor had called and wanted me to come to the mansion as quickly as possible. I grabbed some arrest warrants and tore out to the

mansion where I was ushered into his office by a security guard.

I said, "Governor, I have the arrest warrants." He gave me a very quizzical look and said, "You have what? I didn't call you down here for that—I went to Barnette's (Music Co.) and bought some trumpet duets and I thought we would try them out."

He had a music stand set up, and he played the trumpet Harry James had given him and I played one that belonged to his son Kelly. We played for nearly an hour.

When I got ready to leave, I said "Governor, do you want us to arrest those people sitting on the fence." He said, "Naw, they aren't bothering anyone and they have a right to disagree with anything I have said or done. And besides, I want all of those who criticized the building of the fence to see what a fine perch it makes for the birds who feel compelled to demonstrate."

When I got back to the office A.F. asked me what happened and when I told him he broke into a big grin and said, "That's John Bell and I should have known."

We called him "Governor," "Coach," "Guv," and many other names of endearment. He was the kindest, most gentle, compassionate and lovable human being I have ever known. I truly believe that he was incapable of entertaining a mean or ugly thought about his fellow man.

He was intensely loyal to his friends and this loyalty was returned to him tenfold. He was also no name-dropper, even though he car-pooled with three other freshmen congressmen who each later became president of the United States. The secretaries in our law firm would nearly drop the phone when a call would come in saying, "This is the White House calling for Gov. John Bell Williams." The president would then chat and laugh with him just as old friends do.

This is all over now but the memories linger on. I would give anything in the world to have my telephone ring and hear that unmistakable voice say, "Hello there podnah—the Crossgates Chapter of the Raymond Road Mafia is meeting tonight and your attendance is required—that is, if Frieda will let you out to mix and mingle with this terrible bunch. The agenda calls for eating, drinking and some powerful lying."

Or, "Podnah, you had better tune in WKKE—Helen O'Connell is singing Green Eyes."

I doubt if we will ever meet as a group again because we have lost our Godfather. None of our lives will ever be the same again.

Mr. COCHRAN. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. PROXMIRE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BYRD. Mr. President, I ask to be recognized in morning business without the time being charged against my reserved time.

The PRESIDING OFFICER. Without objection, it is so ordered.

SENATOR PROXMIRE'S 10,000TH VOTE

Mr. BYRD. Mr. President, I take the floor at this time to call to the attention of the Senate that the distinguished Senator from Wisconsin (Mr. PROXMIRE) has joined the 10,000-vote club. On the last rollcall vote that occurred on May, 6 which was last Friday, rollcall vote No. 79, Mr. PROXMIRE cast his 10,000th rollcall vote.

There are not many Senators who have ever cast 10,000 votes. Senator JACKSON is nearing 11,000, but he was in the House 10 years before he came to the Senate in 1959, I believe it was.

Mr. TOWER. Scoop came in 1953.

Mr. BYRD. That is right; he came to the Senate in 1953, the year that I came to the House of Representatives, and he had been previously a Member of the House for 10 years, so he is within close range of the 11,000 rollcall vote mark. But the Senator from Wisconsin not only has cast 10,000 rollcall votes, he has cast 8,300—give or take a little—consecutive rollcall votes without missing a vote. That is a record for this body. There are some Members of the House who have remarkable voting records which cover a number of years without having missed a rollcall vote. Senator PROXMIRE is the champ in that regard in the Senate with, roughly, 8,300 rollcall votes without missing a vote. This demonstrates great dedication, perseverance, and purpose.

By taking the floor today, I call attention to the fact that he has now cast 10,000 rollcall votes. I do not know whether he was even aware of that on Friday on rollcall No. 79. He probably was.

I yield the floor.

Mr. PROXMIRE. Mr. President, I thank my good friend. He knows much more about my record than I do. As I have said before, the country might be better off if I had missed them all.

Mr. President, I understand we are in morning business?

Mr. BYRD. There have been a few occasions when, as the leader on this side, I have wished the Senator from Wisconsin would take a walk. But he is not the kind who will take a walk.

Mr. PROXMIRE. I thank the leader for being so gracious and generous in his remarks.

WHY BRITISH AND FRENCH NUCLEAR WEAPONS SHOULD NOT BE PART OF UNITED STATES-SOVIET INTERMEDIATE MISSILE CONTROLS

Mr. PROXMIRE. Mr. President, a prime stumbling block in securing agreement between the United States and the Soviet Union on limiting intermediate nuclear missiles in Europe has been the issue of what to do about the Soviet insistence that we count the missiles of the French and English. England is part of NATO. France is not. But France has coordinated its military defense with NATO. So why should we not agree to count the French-English nuclear power along with any additions the United States decides to deploy as the basis for seeking equality with the U.S.S.R.?

In yesterday's Washington Post, Lawrence Eagleburger, the Under Secretary of State for Political Affairs, answers this question in some detail. Eagleburger offers four principal reasons why the Soviet position is wrong and we would be wise to reject it. Here they are:

First. Each nuclear power—the United States, the U.S.S.R., China, Britain, and France—is a member of the UN Security Council with the power of veto. Each has maintained the unilateral independent means of self-defense and specified the desire not to have their forces taken into account in any bilateral negotiations between the United States and the U.S.S.R.;

Second. Both the French and the British have relatively feeble nuclear forces, compared to the Soviet Union, and provide no protection for nonnuclear European/NATO countries who must look to the United States for nuclear deterrence;

Third. The Soviet Union now has an overwhelming nuclear preponderance in Europe, which negotiations aimed at achieving any degree of equality must recognize. Eagleburger makes this point. But the Harvard Nuclear Study Group, in a book just released, makes it with even more force.

The Harvard University group shows a Warsaw Pact versus NATO preponderance in Europe of 3.2 to 1 in launchers and 4.6 to 1 in warheads. Mr. President, I ask unanimous consent that a table from "Living with Nuclear Weapons," by the Harvard Nuclear Study Group, be printed at this point in the RECORD.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

TABLE I.—WARSAW PACT—NATO NUCLEAR WEAPONS IN EUROPE (RANGES GREATER THAN 1,000 MILES)

Type	Launchers	War-heads/ bombs
Warsaw Pact:		
SS-20	345	1,035
SS-5	16	16
SS-4	275	275
Missiles	636	1,326
Backfire	100	400
Badger	310	620
Blinder	125	250
Bombers	535	1,270
Total	1,171	2,596
NATO:		
Polaris A-3 (UK)	64	64
M-20 (France)	80	80
SSBS S-2 (France)	18	18
Missiles	162	162
Vulcan B-2	48	96
F-111 E/F	156	312
Bombers	204	408
Total	366	570

TABLE I.—WARSAW PACT—NATO NUCLEAR WEAPONS IN EUROPE (RANGES GREATER THAN 1,000 MILES)—Continued

Type	Launchers	Warheads/bombs
Warsaw Pact/NATO ratio:	3.2:1	4.6:1

Source: "The Military Balance, 1982–83" (International Institute for Strategic Studies, 1982). The figure for SS–20s has been updated to November 1, 1982. The 60 U.S. FB–111A bombers based in the U.S. but designated for deployment to Europe in a crisis have not been included. The 400 warheads in the U.S. strategic forces assigned to NATO have not been included here, since they are counted in SALT/START and the corresponding Soviet assignment is unknown. However, French forces have been included.

Mr. PROXMIRE. Mr. President, finally, Eagleburger points out in his article that the Soviet attempt to obtain compensation in past agreements for the French and British nuclear weapons is nothing new. They have tried to obtain such a consideration in the past. And this country has always resisted such Soviet efforts. And yet the Soviet Union, in spite of the United States objection with respect to including the French and English missiles, has entered into agreements.

Mr. President, I ask unanimous consent that the Eagleburger article to which I have referred be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Washington Post, May 8, 1983]

THE ARMS TALKS IN EUROPE

(By Lawrence S. Eagleburger)

WHY WE DON'T COUNT THE FRENCH AND BRITISH MISSILES

A fundamental element of the Soviet position in the negotiations on intermediate-range nuclear forces (INF) is that the nuclear systems of Britian and France must be "taken into account," in effect, by their inclusion under a ceiling on U.S. forces. Both the NATO allies, whose security rests on a strong U.S. nuclear deterrent tied inseparably to the defense of Europe, and the United States have rejected this Soviet claim.

The Soviet demand to address these forces in bilateral negotiations is procedurally inappropriate and substantively without merit. Britain and France are sovereign countries, over whose forces the United States has no control. The Soviet demand to include British and French forces is groundless on military terms, would divide the NATO alliance and undercut the U.S. strategic guarantee to Europe. Its effect has been to slow progress in the negotiations.

In pressing their claim on British and French forces, spokesmen for the Soviet Union emphasize the principle of "equality and equal security" as being basic to their approach to arms control. They assert that in applying the principle of "equality and equal security" in the context of the INF negotiations, they must "take account" of British and French forces in assessing their own security. Therefore, they maintain they are justified in demanding unequal forces between the United States and the U.S.S.R.; specifically, they propose that the number of British and French "medium-range nuclear systems" be subtracted from the ceiling they propose be set for U.S. systems.

In practice, however, the Soviet Union does not follow its principle of "equality and equal security." It does not apply that principle evenhandedly to the security of the United States and its allies, but one-sidedly to the security of the Soviet Union. The result is to produce inequality and unequal security. The Soviet spokesmen, in describing this principle, have stressed that in applying it all factors affecting Soviet security must be taken into account, including not only the manifold military factors but also geographic and other considerations. When asked what they mean by "other considerations," they respond that these include "political" considerations.

The INF negotiations involve issues central to security in Europe—that is, on the one side, the security of the territory of the NATO allies in Europe and, on the other, the security of the territory of the members of the Warsaw Pact, including the Soviet Union, in Europe. Let us begin by examining, as the Soviet spokesmen say one should, the full range of factors bearing upon "equal security."

With respect to geography, the territory of the NATO countries in Europe is small compared to that of the Warsaw Pact states in Europe—some 925,000 square miles on the NATO side to about 2.5 million square miles on the Warsaw Pact side. The depth of front is a few hundred kilometers on the NATO side; on the Warsaw Pact side, it can be measured in thousands. Moreover, the Soviet Union has direct access to NATO Europe unimpeded by natural barriers. It can move its forces up to Western Europe over secure interior lines of communication. In contrast, forces in the United States are separated from Europe by 5,000 kilometers of ocean. Thus, in the context of "equal security," geography favors the Soviet Union.

The political asymmetries between NATO and the Warsaw Pact are striking. The NATO Alliance is a voluntary alliance. The Brezhnev doctrine makes it clear that the Warsaw Pact is quite a different character. The Warsaw Pact operates under central direction, tight coordination and strict discipline. Such rigid conformity would be inconsistent with the nature of the NATO alliance and with the characters of its member states. Those states have freely elected parliaments responsive to public opinion informed by an independent press and vigorously expressed. Anyone in Moscow need only read the Western press to be confident that no NATO country can acquire arms beyond those its people consider the minimum necessary for collective defense against aggression and that no one them, alone or in concert, would consider initiating an attack on the Soviet Union or any of its associated states.

It is not possible for anyone in the West to have similar confidence that he truly understands what is going on in the inner decisionmaking circles in Moscow. None of us in the West would embrace the political system of the Warsaw Pact countries. Nevertheless, such a system is efficient in terms of building and directing military forces and dictating a unified strategy and fully coordinated tactics, both military and political. Thus, in the context of "equal security," political asymmetries favor the U.S.S.R. and the Warsaw Pact, not the United States and NATO.

In assessing the military factors, it is appropriate to begin with those bearing most immediately on the INF negotiations and then proceed to those more generally affecting the security balance in Europe. It was the deployment of SS20 missiles by the Soviet Union in 1977 that brought about NATO's 1979 decision to respond to the deployment with its own deployment of U.S. Pershing II and groundlaunched cruise missiles in Europe. NATO's determination to proceed with deployments brought the Soviets to accept the U.S. offer to seek an arms control solution to the INF problem.

The only systems that both the United States and the U.S.S.R. agree should be limited in an INF agreement are groundlaunched nuclear missile systems of intermediate range. The current imbalance between the United States and the U.S.S.R. in longer-range INF missile systems is not in dispute. The Soviets have approximately 600 such systems with 1,300 warheads, of which approximately 500 with 1,000 warheads are in or on the fringes of Europe. The United States has none.

If we then proceed to those systems that one side asserts should be limited on an INF agreement and the other side believes should not be limited, we are brought to consider nuclear-capable aircraft in Europe. The Soviets propose counting only such aircraft as have a combat radius greater than 1,000 kilometers, though they exclude a number of their own aircraft with a combat radius more than 1,000 kilometers, while including some U.S. aircraft with a combat radius of less than 1,000 kilometers.

However, in the context of "equal security," all aircraft capable of hitting the territory of the NATO or the Warsaw Pact countries in Europe should be counted. On this basis, and using counting rules developed in previous arms control agreements, the U.S.S.R. has 6,300 such aircraft in Europe; the United States has 400. To take account of the fact that most of the Soviet planes used for training and those in storage are in Europe while the comparable U.S. planes are in the United States, it is appropriate to refer to a NATO study that compares NATO and Warsaw Pact aircraft on the basis of counting only those assigned to combat squadrons manned by trained crews and believed assigned nuclear roles. On this basis, the balance is 2,500 such aircraft on the Warsaw Pact side as opposed to about 800 on the NATO side.

We are now brought to systems that neither side proposes should be limited in an INF agreement, but that the U.S.S.R. asserts must be taken account of by subtraction from the Soviet-proposed ceiling for U.S. INF systems. These are the British and French nuclear systems—both missile systems and nuclear-capable aircraft. The bulk of these are submarine-based missile systems. Their characteristics are identical to those of the U.S. and U.S.S.R. SLBMs, which both the United States and U.S.S.R. agree should be classed as being "strategic" systems. They are not "intermediate range" systems.

Even the Soviet spokesmen, in arguing for the proposition that British and French systems be taken into account, base their case on the assertion that the U.S.S.R. must take them into account in assessing its security in the context of "equal security," not on the basis of the balance in systems to be limited in an INF agreement.

By the same logic, the United States and the other members of NATO would be entitled to take into account the full range of factors that bear on their security in Europe.

In addition to the geographic and political factors already discussed, there are other military factors: the conventional military balance in Europe, the balance in chemical warfare weapons, the balance in nuclear

weapons of shorter range than those under discussion in INF and those of inter-continental range—those under discussion in the START negotiations.

There can be little doubt that the conventional balance in Europe favors the Warsaw Pact. All the major indicators of relative combat strength favor the Warsaw Pact, including the numbers of combat divisions and of planes, tanks, artillery tubes and other major categories of military equipment.

The balance in chemical weapons is entirely one-sided in favor of the Warsaw Pact.

The balance in tactical nuclear systems also favors the Warsaw Pact. NATO has a tenuous advantage in the number of artillery tubes capable of firing nuclear shells, but NATO tactical missile systems are outnumbered and outranged by Soviet systems having a range of 120 to 300 kilometers.

In the START negotiations, it is the U.S. hope and anticipation that the sides will eventually be able to agree on substantial reductions to equality in the most significant measures of capability. At the present time, however, it is evident that in most of the indices of effectiveness, the balance in systems of intercontinental range does not favor the United States.

In summation of this part of the analysis, there is no basis whatever for the Soviet assertion that they are entitled to compensation for British and French nuclear systems in the context of the full range of factors bearing on "equal security."

On the other hand, there are very strong reasons why British and French systems should not only be limited in a bilateral agreement between the United States and the U.S.S.R., but why their systems should not be "taken into account" in an INF agreement.

Along with the United States, the U.S.S.R. and China, Britain and France constitute the five members of the U.N. Security Council with the power of veto. They historically have taken an independent view of their national security and have maintained the unilateral military means, as do the United States and the U.S.S.R., to protect this independence. They have both declared that they do not wish their nuclear forces to be limited or to be "taken into account" in bilateral negotiations between the United States and the U.S.S.R.

They consider their nuclear forces to constitute the minimum nuclear deterrent necessary to protect their own national interests. The non-nuclear NATO countries cannot count on the relatively small U.K. or French nuclear forces to provide adequate deterrence of aggression or the threat of aggression against their territory; they must look to the nuclear forces of the United States for that measure of deterrence.

In past bilateral arms control agreements, the U.S.S.R. has attempted to obtain compensation for U.K. and French systems, and the United States has firmly resisted such attempts. The U.S.S.R. has nevertheless found it possible to enter into such agreements.

The Soviet public-relations campaign on this issue is based on suggesting that Western spokesmen have said what they have not said, and then demonstrating that this is untrue. Soviet Spokesmen loudly assert that British and French nuclear systems exist, as though someone had denied that fact. They assert that Britain and France are members of NATO as though that were a great discovery. They assert that British and French forces are "aimed at them," as though any other nation constituted a security threat to NATO. None of these facts is in dispute; the point is these facts are overwhelmed by a series of much more significant facts, such as the geographic, political and military asymmetries outlined above. The United States is fully aware of the advantages these asymmetries confer on the Soviet Union. However, we have not proposed to take them into account by unequal limits between the United States and U.S.S.R.

The essence of the Soviet position is that the only country whose security really counts is the U.S.S.R. If it is secure, then all other countries or parties in its orbit are secure. It asserts the unilateral right to security because of the uniqueness of its socializing mission; it is carrying out a mission allotted to it by history; it is entitled to forces equal to or superior to the aggregate of those of all other states combined since all other states are potential objectors to its hegemony. The Soviet claim is thus a claim for absolute security. The obverse of absolute security for the U.S.S.R. is absolute insecurity for all other nations in the world.

Mr. TOWER. Mr. President, will the Senator yield, on my time?

Mr. PROXMIRE. I am happy to yield to the Senator from Texas.

Mr. TOWER. Mr. President, I commend the Senator from Wisconsin for putting the Eagleburger article in the RECORD. I think it is a very closely reasoned case.

The Soviets, themselves, have tended in the past to acknowledge the French and British systems as strategic systems because they have brought them up in strategic arms negotiations.

In fact, they are designed only as a deterrent to attacks against French or British soil, not attacks against NATO as such, just as our Minuteman system—and perhaps ultimately some MX—is designed to protect the continental United States against attack.

So they should not be considered in the NATO context. I think the Eagleburger article is well worth reading by everyone. I commend the Senator from Wisconsin for putting it in the RECORD, and I hope my colleagues will read it.

Mr. PROXMIRE. I thank my friend, the distinguished chairman of the Armed Services Committee.

He is right: In fact, in West Germany, which is the most logical place for the Soviets to initiate an attack, and in any attack against Italy, obviously the French and English missiles would be of no avail.

THE LIFTING OF MARTIAL LAW—AN ILLUSION OF PROGRESS

Mr. PROXMIRE. Mr. President, on December 13, 1981, the military government in Poland imposed a state of martial law—an action that resulted in the wholesale violation of the most basic rights of Polish citizens. At least 10,000 people were jailed without charges or trial. Thousands more were formally arrested and detained for exercising fundamental rights.

One year later, on December 21, 1982, amid much fanfare, the Polish Government announced the "suspension" of martial law. However, a recent report by the lawyers Committee for International Human Rights indicates this action has resulted in little meaningful improvement. In fact, this move established some of the primary elements of martial law as permanent features of the Polish legal system. Already, this new statutory regime has been used to incarcerate large numbers of people for exercising basic rights.

During martial law, isolation centers for prisoners frequently operated without the most elemental respect for human dignity. Despite subzero winter temperatures, few detention cells had heat, and often their windows were broken, allowing snow to blow in and ice to form on the floor. It was not uncommon for one 8- by 10-foot cell to house 10 to 20 prisoners who were allowed only one bath or shower a week. The unsanitary conditions, contributed to the spreading of epidemic influenza and other diseases. Medical care was said to be inadequate or nonexistent.

This pattern of degrading treatment remains a source of worldwide concern for the safety and health of the 1,500 to 5,000 Poles who remain imprisoned after arrest or conviction under martial law and the thousands who reportedly have been sent to military forced-labor camps.

Mr. President, for over 200 years the United States has endorsed human rights throughout the world. We have consistently spoken out against violations such as those occurring in Poland. Our strong stance has proven to be very effective in many cases. It has also been a major factor in achieving our Nation's status as a world leader. However, if we desire to remain a highly credible and influential Nation in advocating international human rights, we must continue to demonstrate our commitment to this goal at every possible opportunity. The Genocide Treaty is one such opportunity.

Mr. President, the right of people to exist is the most basic human right. The Genocide Treaty is designed to help preserve this right. Therefore, I urge my colleagues to continue their strong support of human rights by quickly ratifying the Genocide Convention.

NATIONAL NURSE RECOGNITION DAY

Mr. MATSUNAGA. Mr. President, I rise as a cosponsor of Senate Joint Resolution 66 designating May 6, 1983,

National Nurse Recognition Day, to send my heartiest congratulations to the members of the nursing profession throughout the Nation.

National Nurse Recognition Day is a fitting tribute to the women and men whose high standards of excellence, untiring dedication, unique capacity for compassion, and self-sacrifice in behalf of others mark them apart. As members of the single, largest health care group in the country, nurses possess pivotal responsibilities that represent the all-important link in this country's medical care system.

It is with particular pleasure that I extend my warmest aloha to Hawaii's 13,000 active licensed nurses, who can be rightfully proud of the immeasurable contributions they have made toward the betterment of the delivery of health care in the Aloha State.

Like nurses everywhere, they must fight hard to preserve the traditional image of a nurse as a nurturing and caring professional, while at the same time, they assume a seemingly untraditional stance to demand compensation comparable to that of other professionals, as is their rightful due.

As health care costs continue to rise, the acceptance of independent nurse practitioners gains ground because more and more Americans recognize that primary care provided by these nurses is less costly while more and more physicians who initially opposed the idea have come to recognize that nurse practitioners can relieve them of routine health responsibilities.

Since 1974, I have introduced legislation to provide for the compensation of nurse practitioners under medicare and medicaid and have cosponsored a similar measure in the 98th Congress.

Mr. President, as a member of the Senate Finance Committee and the Senate Labor and Human Resources Committee, I keenly feel that it is important that we lawmakers especially be sensitive to the need of the nursing profession.

I must confess, Mr. President, that in pushing for this legislation I am exhibiting a deeply felt partiality to the nursing profession, a partiality which has its origins in my own experience as a patient in an Army evacuation hospital in Italy during World War II. While confined there, their treatment of me and my wounds inspired me to verse. I have with me one of my poems dedicated to wartime nurses, which—with your indulgence, Mr. President—I would like to recite for the RECORD, in undying appreciation of their selfless services in war and peace:

Untouched by worldly human greed,
With sacrifice of self her creed,
Her light of mercy warmly shines
Throughout a world of battle-lines.

"You will get well; you must get well,"
Her words the pain of wounds dispell,
And courage give to spirits crushed,
Awake designs for living, hushed.

And when all human efforts fail,
She looks to Florence Nightingale,
And turns to God, in heart, to pray.
With Him to plead for Death's delay.

"Please, God, don't let him die; he's young.
His song of life is still unsung.
Then, there's his wife, in hope, serene,
With child to him unheard, unseen."

Her hands, her heart, her mind, her all
Devoted to profession's call,
She drowns the woes of life; her own
In tears to others never shown.

Those lines were penned on November 20, 1943, nearly 40 years ago, Mr. President, when I was recuperating in an Army hospital in Italy. The ardor and admiration which those field nurses of World War II inspired in me has not dimmed one bit with the years. It has only convinced me that we cannot accept their selfless dedication as something inspirational without giving back to them their due in economic terms. Otherwise, we are only putting them on a pedestal with prose while depreciating their worth in the job market.

Mr. President, in behalf of the people of Hawaii, permit me by this means to express my gratitude for the fine work and professionalism maintained by the nurses of our Nation. National Nurse Recognition Day, no doubt, will focus special attention on the nursing profession and the individuals whose services touch us all.

Mr. DOMENICI. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. DOMENICI. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

APPOINTMENTS BY THE VICE PRESIDENT

The PRESIDING OFFICER. The Chair, on behalf of the Vice President, pursuant to 22 U.S.C. 1928(a)-1928(d), as amended, appoints the following Senators as members of the Senate delegation to the North Atlantic Assembly spring meeting to be held in Copenhagen, Denmark, June 9-13, 1983: the Senator from Utah (Mr. HATCH) and the Senator from Maryland (Mr. SARBANES).

The Chair, on behalf of the Vice President, pursuant to 22 U.S.C 276(d)-276(g), as amended, appoints the Senator from Alabama (Mr. HEFLIN) as a member of the Senate delegation to the Canada-United States Interparliamentary Group during the first session of the 98th Congress to be held in Kenora, Canada, on June 16-20, 1983.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Is there further morning business? If not, morning business is closed.

FIRST CONCURRENT BUDGET RESOLUTION—FISCAL YEAR 1984

The PRESIDING OFFICER. Under the previous order, the clerk will report the pending business.

The assistant legislative clerk read as follows:

A Senate concurrent resolution (S. Con. Res. 27) revising the congressional budget for the U.S. Government for the fiscal year 1983 and setting forth the congressional budget for the U.S. Government for the fiscal years 1984, 1985, and 1986.

The Senate resumed consideration of the concurrent resolution.

AMENDMENT NO. 1242

Mr. DOMENICI. Mr. President, I discussed the present situation with the distinguished Senator from Florida (Mr. CHILES) and it is my understanding that at around 1 p.m. the distinguished senior Senator from Washington (Mr. JACKSON) and the distinguished senior Senator from Georgia (Mr. NUNN), the proponents of the amendment at the desk, temporarily set aside, will be here to discuss their amendment.

Since there is nothing else that we are aware of that is pending, I suggest the absence of a quorum and ask that it be charged equally to both sides. I so ask unanimous consent to do that.

The PRESIDING OFFICER. Is there objection?

MINORITY LEADER'S RESERVED TIME YIELDED BACK

Mr. BYRD. Mr. President, reserving the right to object—and there is no such thing as reserving the right to object to call for a quorum—I want to yield back the 10 minutes which were reserved to me under the standing order.

The PRESIDING OFFICER. The time is yielded back.

The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. DOMENICI. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. COCHRAN). Without objection, it is so ordered.

Mr. DOMENICI. Mr. President, I ask unanimous consent that the Nunn-Jackson and Domenici amendments be temporarily set aside so that I can offer a perfecting amendment to the Hollings amendment to clarify some mathematical inconsistencies.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

AMENDMENT NO. 1245

(Purpose: Technical amendment to make corrections in amendment No. 1240 as adopted by the Senate)

Mr. DOMENICI. Mr. President, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from New Mexico (Mr. DOMENICI), for Mr. HOLLINGS, proposes amendment numbered 1245.

Mr. DOMENICI. Mr. President, I ask unanimous consent that further reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

On page 4, line 8, delete the number and insert in lieu thereof "$1,790,050,000,000".

On page 4, line 9, delete the number and insert in lieu thereof "$1,981,850,000,000".

On page 16, line 19, delete the number and insert in lieu thereof "$28,400,000,000".

Mr. DOMENICI. Mr. President, this is a technical amendment that I offer in behalf of Senator HOLLINGS. This technical amendment is to clear up some numerical errors in the Hollings amendment as adopted by the Senate on Friday. It has been cleared on both sides.

I now yield to the Senator from Florida.

Mr. CHILES. Mr. President, the distinguished chairman is correct. Both sides have looked at this amendment. It is necessary to conform the amendment and to make further amendments, if adopted, would require us to have these corrections made.

The PRESIDING OFFICER. Is all time yielded back?

Mr. CHILES. I yield back the remainder of my time.

Mr. DOMENICI. I yield back the remainder of my time.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment (No. 1245) was agreed to.

Mr. DOMENICI. Mr. President, I move to reconsider the vote by which the amendment was agreed to.

Mr. CHILES. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. JACKSON. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. JACKSON. Is the Nunn-Jackson amendment now pending?

The PRESIDING OFFICER. The Domenici substitute is now pending.

Mr. JACKSON. Is the Nunn-Jackson amendment to the Domenici substitute——

The PRESIDING OFFICER. It is an amendment to the bill and was temporarily laid aside.

Mr. JACKSON. Was it temporarily laid aside?

The PRESIDING OFFICER. The Senator is correct.

Mr. JACKSON. So that the amendment, then, is pending?

The PRESIDING OFFICER. It would take unanimous consent or a call for regular order to make it pending.

Mr. JACKSON. I ask unanimous consent that it be made the pending business.

Mr. DOMENICI. Mr. President, reserving the right to object, and I do not intend to object, in order to debate, which is what I understand the distinguished Senator wants to do——

Mr. JACKSON. That is correct.

Mr. DOMENICI. The amendment to which he refers is at the desk. I do not think we have to set anything aside to debate it.

If the Senator wants to set the Domenici amendment aside temporarily, it is all right with me. But I do not think we have to. In terms of the Senator debating, he can have time on his amendment, can he not?

The PRESIDING OFFICER. Not unless it is pending.

Mr. DOMENICI. I have no objection.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Washington.

AMENDMENT NO. 1242, AS MODIFIED

Mr. JACKSON. Mr. President, I send a substitute to the desk for the Nunn-Jackson amendment, which is purely technical. I think my good friend from New Mexico will agree with that.

The PRESIDING OFFICER. Is there any objection to the modification of the amendment? Without objection, the amendment is so modified.

The amendment (No. 1242), as modified, is as follows:

On page 3, increase the figure on line 13 by $6,300,000,000.

On page 3, increase the figure on line 14 by $5,900,000,000.

On page 3, increase the figure on line 15 by $3,700,000,000.

On page 3, increase the figure on line 19 by $1,800,000,000.

On page 3, increase the figure on line 20 by $4,700,000,000.

On page 3, increase the figure on line 21 by $8,300,000,000.

On page 4, increase the figure on line 1 by $1,800,000,000.

On page 4, increase the figure on line 2 by $4,700,000,000.

On page 4, increase the figure on line 3 by $8,300,000,000.

On page 4, increase the figure on line 7 by $1,800,000,000.

On page 4, increase the figure on line 8 by $6,500,000,000.

On page 4, increase the figure on line 9 by $14,800,000,000.

On page 4, increase the figure on line 14 by $1,800,000,000.

On page 4, increase the figure on line 15 by $4,700,000,000.

On page 4, increase the figure on line 16 by $8,300,000,000.

On page 6, increase the figure on line 5 by $6,200,000,000.

On page 6, increase the figure on line 6 by $1,700,000,000.

On page 6, increase the figure on line 11 by $5,600,000,000.

On page 6, increase the figure on line 12 by $4,400,000,000.

On page 6, increase the figure on line 17 by $2,900,000,000.

On page 6, increase the figure on line 18 by $7,500,000,000.

On page 25, increase the figure on line 11 by $100,000,000.

On page 25, increase the figure on line 12 by $100,000,000.

On page 25, increase the figure on line 17 by $300,000,000.

On page 25, increase the figure on line 18 by $300,000,000.

On page 25, increase the figure on line 23 by $800,000,000.

On page 25, increase the figure on line 24 by $800,000,000.

Mr. JACKSON. Mr. President, the various alternatives on national defense funding discussed in the context of this budget resolution debate reflect an array of judgments about the appropriate sums to be devoted to our national security posture over the next 3 fiscal years. The judgments offered and the debates conducted have been serious and substantive. The central question—what we must spend to insure a strong and deterring national security posture in a tense and uncertain world—is a most serious and substantive one. The amendment now before you reflects the considered appraisal of myself and my distinguished colleague from Georgia of how that question should be answered. The ultimate goal of the amendment is to channel national defense funding over the next 3 fiscal years toward levels which are needed, yet affordable, predictable and sustainable. In the long term, achieving this goal will help maintain a sound and vital national defense establishment.

Mr. President, this amendment would provide for real growth of 6.5 percent in budget authority for the national defense function in fiscal year 1984; this growth would be over the baseline, $244.1 billion, used in the Budget Committee's reported resolution. Under the amendment, real growth in fiscal year 1985 would be 5.5 percent; real growth in fiscal year 1986 would be 5 percent. The amendment also assumes a 4 percent across-the-board military and civilian pay raise starting April 1, 1984—which is also assumed by the Domenici package introduced last week. Under the Nunn/Jackson amendment, the pay and inflation assumptions in the final 2 years of the resolution period are consistent with those of the Dominici package. I ask unanimous consent that

a table comparing the amendment with the President's request, the Budget Committee resolution and the Dominici alternative be included in the RECORD at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit No. 1.)

Mr. JACKSON. I believe that attaining a level of national defense funding which supports and preserves a healthy defense posture and is affordable, predictable and sustainable is an aim common to the proponents of all the various defense funding alternatives. The Nunn/Jackson amendment would bring national defense funding down to a 5 percent real growth level, but do so more gradually than either the Budget Committee resolution, which goes to 5 percent real growth in fiscal year 1984, or the Domenici alternative, which goes from 7.5 percent real growth in fiscal year 1984 to 5 percent real growth in fiscal year 1985. The President is seeking more than 10 percent real growth in fiscal year 1984 and a similar level in fiscal year 1985. But sudden downward adjustments in planned defense funding interfere with effective and efficient management of defense programs. To avoid this type of disruption our amendment would reduce real growth in fiscal year 1984 from the estimated fiscal year 1983 real-growth level of 7 to 6.5 percent, and provide a smoother glide path down to a 5 percent real growth level by fiscal year 1986.

Under this more gradual transition, our defense funding adjustments would make less of a contribution to easing the Federal deficit during the resolution period than the Budget Committee's proposal. In terms of outlays, its effect would be about the same as the Domenici proposal. In my judgment, this less steep approach is necessary to allow defense planning to adjust efficiently to a lower but more sustainable level. Without the time to adjust, we could generate inefficiencies which would further erode the purchasing power of the defense dollars we spend.

Whatever adjustments to the President's fiscal year 1984 request ultimately are deemed appropriate, we must avoid those which force the readiness accounts to bear a disproportionate share of the burden. This is a pitfall to which we have fallen prey in the past; indeed, the readiness status of our forces finally is approaching what it ought to be.

To avoid its slipping again, we must be sure that the ratio between reductions in budget authority and reductions in outlays from the President's request, especially in fiscal year 1984, will permit continued balance between the readiness of U.S. forces and future investment. Too small a ratio, which appears, in at least fiscal year 1984, to be a characteristic of both the Domenici proposal—1.6 to 1—and the House Resolution—1.6 to 1—will inevitably focus reductions on the fast-spending pay and readiness accounts. It is almost impossible to achieve targeted outlay reductions by paring the prescribed level of budget authority in the slower spending accounts; for examples, procurement. The Nunn/Jackson amendment would avoid this pitfall by consciously setting a ratio, 3.0 to 1, between reductions in budget authority and reductions in outlays for fiscal year 1984. Similarly, for fiscal year 1985 and fiscal year 1986, the Nunn/Jackson ratios have been set consciously to avoid incentives on the part of defense planners to rob readiness in order to pay for new weapons.

Mr. President, effective management of national defense, and indeed the overall Federal budget, over the next 3 years and beyond, demands that adjustments in defense funding now be forward looking; we cannot be myopic, but must structure modifications to the President's proposals now which will void restricting budget adjustment flexibility in future years. A low budget-authority-to-outlay ratio like the Domenici proposal—which forces modifications to the quick spend-out accounts in fiscal year 1984—will mean two things in terms of spending adjustments in the out years.

First, with few budget authority adjustments in slower spending accounts; for example, procurement in fiscal year 1984, most of the impact of fiscal year 1984 adjustments will occur immediately. By contrast, a more balanced approach to budget authority reductions would permit adjustments made in slower spending accounts now to bear fruit as savings in later years.

Second, with few budget authority adjustments in slower spending accounts; for example procurement, decisions on investment programs become locked in. Thus, when spending reductions are sought in future years, we increasingly will be required to slash readiness accounts or forgo truly needed investments to pay for decisions we made in prior years.

The amendment offered by myself and my distinguished colleague from Georgia seeks to avoid these evils by maintaining a sensible ratio between reductions in budget authority and outlays as defense funding is channeled toward at a lower real growth rate over the next 3 fiscal years.

Mr. President, this amendment would reduce the President's request by some $66 billion in budge authority and some $36 billion in outlays over the 3-year period of the budget resolution. This is roughly the same reduction in outlays as the Domenici proposal, but is between $7 billion more of a reduction in budget authority. The latter difference reflects the higher ratios I described earlier.

In the final analysis, the amendment is intended to move national defense funding toward a sustainable growth level in a realistic period of time, avoiding undesirable disruptions of the more sudden reductions embodied in the Budget Committee resolution and the Domenici proposal. But let me observe that I have said toward a sustainable growth level. It may very well be that something less than 5 percent real growth in budget authority—perhaps our NATO target of 3 percent real growth—should be the ultimate goal of this process. The President's request itself would drop down to real growth levels of less than 4 percent in fiscal year 1987 and fiscal year 1988. By that time, national defense funding will have started to digest the large infusion of dollars needed to make up for a period of relative inattentiveness. The base on which any future real growth would be built will be very substantial.

Whatever the decision in the year's beyond those covered by this resolution, the stream of funding should allow for all major programs that the country needs to maintain a modern, ready, and sustainable force. That task may be achievable with a further gradual decline in budget authority real growth to 4 percent in fiscal year 1987 and 3 percent in fiscal year 1988. Decisions this far into the future need not be made in the context of this resolution. But I raise these points as food for thought as we begin to look beyond the next 3 years.

Mr. President, the amendment offered by myself and my distinguished colleague from Georgia attempts to accommodate the recognized need for levels of national defense funding which are more predictable and sustainable. The amendment is not a panacea for all the questions which have been raised in this debate. However, in my judgment it is the preferred, more balanced course of action, and I strongly urge my colleagues to support it when it comes to a vote tomorrow.

I thank the Chair.

EXHIBIT NO. 1.—FUNCTION 050: NATIONAL DEFENSE

[In billions of dollars]

	Fiscal year 1984	Fiscal year 1985	Fiscal year 1986	3-yr total
President's January request:				
BA	280.5	330.0	364.8	975.3
BO	245.3	285.3	323.0	853.6
Real growth in budget authority (percent)	10.8	10.7	5.2	
Senate Budget Committee:				
BA	267.0	299.5	334.8	901.3
BO	241.5	270.7	300.0	812.2
Difference from President's req				
BA	−13.5	−30.5	−30.0	−74.0
BO	−3.8	−14.6	−23.0	−41.4
Real growth in budget authority (percent)	5	5	5	

EXHIBIT NO. 1.—FUNCTION 050: NATIONAL DEFENSE—Continued

[In billions of dollars]

	Fiscal year 1984	Fiscal year 1985	Fiscal year 1986	3-yr total
Nunn/Jackson Proposal:				
BA	271.9	302.4	334.6	908.9
BO	242.5	272.7	302.5	817.7
Difference from				
BA	−8.6	−27.6	−30.2	−66.4
President's req				
BO	−2.8	−12.6	−20.5	−35.9
Difference from				
BA	+4.9	+2.9	−.2	+7.6
Senate Budget Committee				
BO	+1.0	+2.0	+2.5	+5.5
Difference from Domenici proposal:				
BA	−3.1	−1.9	−2.1	−7.1
BO	+.7	+.1	−1.3	−.5
Real growth in budget authority (percent)	6.5	5.5	5	
Domenici Proposal:				
BA	275.0	304.3	336.7	916.0
BO	241.8	272.6	303.8	818.2
Difference from				
BA	−5.5	−25.7	−28.1	−59.3
President's req				
BO	−3.5	−12.7	−19.2	−35.4
Real Growth in budget authority (percent)	7.5	5	5	
House-passed resolution:				
BA	263.8	290.4	317.5	871.7
BO	235.4	256.3	284.3	776.0
Difference from				
BA	−16.7	−39.6	−47.3	−103.6
President's req				
BO	−9.9	−29.0	−38.7	−77.6
Real growth in budget authority (percent)	2.3	4.4	3.7	

Mr. JACKSON. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. NUNN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. NUNN. Mr. President, the Jackson-Nunn amendment to the defense spending levels contained in the Budget Committee resolution, which Senator JACKSON has just spoken to, is designed to:

First, provide for defense spending levels that are predictable, affordable, and sustainable over the long term;

Second, provide for a balance between budget authority and outlays to protect the emphasis on the readiness of our current forces.

This amendment moves us toward these two key goals in the following fashion:

First, by incorporating a modest real growth pattern over the 3-year budget resolution period starting in fiscal year 1984 with approximately 6½-percent real growth, followed by approximately 5½-percent real growth in 1985 fiscal year, and 5 percent in fiscal year 1986.

Second, by insuring that the crucial readiness accounts will be protected by maintaining a ratio between budget authority and outlay reductions—of approximately 3½ to 1—which is higher than either the Budget Committee mark or the Domenici substitute.

Mr. President, before going into a more detailed explanation, I shall outline some of the broad rationale. In my judgment, it is important to take more than just a 1- or 2-year view of defense spending. The cyclical ups and downs in defense spending in the last 10 to 12 years have, in large part, prevented an effective planning and budgeting process which is essential to insuring that defense spending results in real growth in military capability. We need to instill some stability in the defense spending pattern so that there is some predictability over the long term as to what levels or resources the Defense Department can reasonably expect to be available. Obviously these levels must be such that they provide for the needed improvements in our defense capability. From strictly a numerical standpoint, based on the changes in the last 10 years and our own legitimate security needs, the levels of defense spending suggested by the Reagan administration are probably justified for the most part.

However, it is clear that these heavily front-loaded budgets do not permit efficient spending or at least do not encourage efficient and effective spending and are not sustainable over the timeframe given the administration's planned budget deficit levels, considering the overall budget. Improving our military capability can best be accomplished with more moderate real growth patterns than the enactment of large increases for 1 or 2 years followed by successive reductions which fluctuate from year to year. In both the first instance and the second instance there is little analytical basis for the Pentagon to develop budget priorities and to provide the necessary link between our military strategy and our budget resources.

For this reason, Senator JACKSON and I are offering an amendment which provides a moderate real growth for the 3-year period addressed by the budget resolution, approximately 6½ percent in fiscal year 1984, approximately 5½ percent in fiscal year 1985, and 5 percent approximately in fiscal year 1986.

Compared to the Domenici plan, which I understand we will vote on tomorrow or Wednesday, our amendment provides for a better transition from the current real-growth expenditures of over 10 percent down to the 5-percent real-growth levels established in both the Budget Committee and Dominici plan for fiscal year 1985 and fiscal year 1986.

Compared to the Domenici plan, our amendment provides for greater budget authority reductions in fiscal year 1984, that is in this year we will reduce budget authority more than Senator DOMENICI would, but we also insure that readiness is protected by providing for more outlay spending in this fiscal year. Over the 3 years, our amendment establishes a ratio of reductions between budget authority and outlays so that readiness is preserved in the outyears and so that we do not build up a sizable amount of prior-year obligations due to a heavy emphasis on budget authority in procurement accounts.

Mr. President, I guess one way to summarize this is the Jackson-Nunn amendment would provide less of a credit-card approach. We will recognize reality in terms of outlays, what actually has to be spent in cash this year, this fiscal year, but we are giving less of a credit card for future years thereby insuring that we will have the defense budget under control and thereby also assuring that the Defense Department will be able to plan rationally for critical programs.

We do want to permit modernization. We also want to avoid getting down the road in 2 or 3 years and having Congress and the administration then have to severely cut the outlays because of previous charges on budget authority which we will be doing this year and next.

Mr. President, Senator JACKSON and I will have a modification of our amendment and we will be introducing that modification in the next few minutes.

Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. NUNN. Mr. President, it is my understanding that modification is in order.

The PRESIDING OFFICER. The author of the amendment has the right to modify his amendment.

Mr. NUNN. We will be sending a modification to the desk in the next few minutes.

Mr. President, I ask unanimous consent that the quorum call be charged equally, and I suggest the absence of a quorum.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. CHILES. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CHILES. Mr. President, I yield such time off the bill to the Senator from New York as he may need.

The PRESIDING OFFICER. The Senator from New York.

DOMENICI-BAKER AMENDMENT NO. 1243

Mr. MOYNIHAN. I thank my good friend, the distinguished ranking member.

Mr. President, over the weekend it has been possible to make some calculations about the impact which the Domenici-Baker substitute proposal would have on the credit markets of the Nation.

I am one of those Senators who is blessed with a staff of first-rate econometricians, and we have come up with a set of calculations that truly ought to alarm this body.

I can state in sum—and I see the Senator from Florida might want to know this, hear it directly—under the proposed substitute measure of the chairman (Mr. DOMENICI), in 1983, 65 percent of all the investment capital in the Nation's capital markets will be absorbed by the Federal Government—65 percent of all available investment. In 1984, 57 percent of all available capital, in 1985, 51 percent of all available capital. There has never in the history of the United States been a sustained period in which anything approaching these levels of capital displacement and crowding out have taken place.

The Federal participation rate in domestic credit markets over the last quarter century has averaged 20 percent. In 1981, it reached 25 percent. Now it is moving toward 38 percent and the resolution before us would have it move to 65 percent.

Mr. President, this is economic madness. Can you imagine the bellowing we would be hearing from the other side of the aisle if a Democratic administration proposed to have the Federal budget and the Federal Government take up 65 percent of the available credit in the United States and do so without even suggesting there was something out of order? I do not think in the Soviet Union the Politburo gets hold of 65 percent of the available investment capital in the country. It would be a state economy indeed to do more than that.

As we go from 65 percent, then to 57 percent, then to 51 percent, of total credit raised, where will we find the money, the capital for the reindustrialization of the United States of which we hear so much? How will the interest rates come down to make such capital available for the private sector?

What has happened? What has happened, Mr. President, is that there has been a total failure of policy. Not since the days of Smoot-Hawley has elemental precaution with respect to the role of government in the economy been so completely abandoned. And you have the ruins of that policy in these statistics.

I repeat that for the last quarter of a century the Federal Government has used some 20 percent of the available investment capital in a given year. This began to rise, in 1981, to 25 percent. In fiscal 1982, it jumped dramatically to 38 percent. It is now up toward 50 percent, and the budget before us calls for a series of fiscal years in which the Federal Government will take up, first, 65 percent of available credit, next 57 percent of available credit, and next 51 percent of available credit. There has never been such an event in American economic history.

And I say, Mr. President, that this data is new. It has been developed by us over the weekend. It is based upon the CBO calculations in every respect. And, I offer it not just for the difficulty or the disaster—and I hope I do not use such words casually—that this resolution prepares us for, but to contrast it with the resolution that the Budget Committee passed.

The Senate budget resolution, I grant, begins at a high level, but that level goes down very steadily and the downward curve is pronounced and real and available to the financial analysts whose concern these matters are. There is no such equivalent in the Domenici-Baker resolution. The economic quackery of the past 2 years has brought us to the point where the Federal Government is now going to have to borrow, beginning next year, two-thirds of the available new capital for investment in this country.

How are you going to run an ecomomy in which the Federal Government, just to pay its debts, takes up two-thirds, 65 percent of available capital? There is silence on the opposite side of the aisle. I should hope there might be some reflection as well as embarrassment connected with that silence.

Mr. President, I rise only that I might call to the attention of my colleagues a series of troubling calculations with respect to the substitute resolution offered by the distinguished Senator from New Mexico (Mr. DOMENICI) that, in turn, give force to an equally troubling set of conclusions.

Having studied the particulars of the Baker-Domenici substitute to the Senate Budget Committee's resolution, I feel bound to report that the substitute, if enacted by Congress, would result in an unprecedented period of sustained Government intrusion into the Nation's financial markets. More precisely, the substitute resolution proposed by the majority would perpetuate, for as long as we can now determine, a situation in which over half of all the available investment capital in the Nation's financial markets is absorbed by the Federal Government.

As a percentage of the total funds raised in domestic credit markets, Federal participation—which is to say borrowing for the Federal deficit, federally guaranteed loans and other Federal borrowing not included in the budget deficit—will remain at staggering levels under the Baker-Domenici substitute. The percentages under the substitute are these:

Fiscal year 1983, 65 percent; fiscal year 1984, 57 percent, and fiscal year 1985, 51 percent.

By way of contrast, I would note that over the past quarter century the Federal participation rate in domestic credit markets averaged 20 percent. In fiscal year 1981 it reached 25 percent—a fourth of all credit was absorbed by the Federal Government. The following year, fiscal year 1982—the first reflecting the full scope of the administration's economic program—Federal participation in the credit markets jumped dramatically to 38 percent, the highest rate in a quarter century and probably the highest rate in our Nation's history, though the statistical series in question, produced by the Federal Reserve Board, extends back only as far as 1955.

Now these rates will rise to even higher levels, and will be sustained over time in a manner that has no equivalent in our history.

It is not difficult to imagine the consequences. The administration says that we have entered a period of recovery. They do not generally report what it is that we are recovering from, as it is the worst recession of the postwar era; a recession evolving entirely from a mistaken set of economic theories adopted by the administration as it came to office in 1981. The administration's notion that huge tax cuts could generate revenue to finance a massive defense buildup was one of the worst economic assumptions in the history of our Nation. The administration's fiscal program, coupled with the tightest monetary policy and highest real interest rates in our history, produced the recession. And the recovery the administration now proclaims is the slowest, most tepid recovery from any recession of the postwar era.

If the Baker-Domenici substitute is put in place, the prospect of a sustained recovery—however sluggish—will shrink. Private capital demand has been so depressed by the recession, that the escalating demands of Federal borrowing have not been much noticed. But if we are entering a recovery, as the administration says, what will happen to those seeking loans for corporate expansion, homes and automobiles as they compete with a government that will lay claim to over half of all available credit? They will surely be crowded out of the market. Interest rates will climb once more: Unprecedented Federal borrowing will mean unprecedented competition for the scarce remaining credit available to consumers and businesses.

We should be clear: The Baker-Domenici substitute is a formula for dis-

aster as certain as the Laffer Curve. In the latter, "increased revenues from decreased taxes would be used to rebuild our defense capabilities," as the President put it when campaigning for office in 1980. The Baker-Domenici substitute promises only that "decreased deficits from make-shift taxes will be used to restore confidence in the financial markets." It will not happen. Just as the financial markets reacted with uncertainty to the large revenue losses projected in the President's 1981 tax cut, they will react with uncertainty to the prospect of "contingency taxes" suggested by the "sense of Congress" language in the Baker-Domenici substitute.

The deficit projections under the Baker-Domenici substitute are astounding. They would double the current national debt in but 5 years, adding another $1 trillion to the deficit. To offset these deficits, the Baker-Domenici substitute proposes a vague "sense of Congress" resolution in support of future deficit-reducing actions that are unspecified, though we are to understand that a series of "contingency taxes" will be put into place.

These "contingency taxes" are a double threat to the Nation's capital markets. They impose a high degree of uncertainty into the financial calculations of any enterprise. Neither corporations nor individuals will be able to engage in tax planning or long-range investment strategies.

Persons will respond to these contingency taxes, especially if they are designed to be temporary, by drawing down savings rather than reducing consumption. The pool of capital available for all financing, Federal and private, will therefore shrink by about the same amount as the temporary tax shrinks the deficit. We can say this will be the case because it happened once before, when Congress imposed a temporary surcharge on income taxes in 1968.

The combination of uncertainty over future taxes, large (almost unimaginable) deficits, and uncertainty about monetary policy will leave economic policy in disarray if the Baker-Domenici substitute is adopted. It will spell the end of recovery as interest rates climb, deficits grow, and the Federal Government absorbs half the credit that might otherwise go to mortgages, loans and capital formation.

The essence of this substitute is both profound and dispiriting: it says that despite record deficits, despite the prospect of unprecedented Government intrusion into the financial markets, and despite the recent failures of economic policymaking, we will take no remedial action because we cannot predict the future. That is, of all events, an admission of failure at the task of governing. The Republican majority in the Senate, in concert with a Republican administration, is hereby confessing that it cannot manage economic policy. It cannot produce a realistic budget. It cannot govern.

And I hope it is not unbecoming to suggest that there have been and still are, alternatives. Last March, I noted that this Nation's economic policy will not be rational nor sensible until we recognize that there must be better coordination between fiscal and monetary policies. And we did indeed include the first statement by Congress ever on monetary policy in the budget resolution approved last year.

Again this year, I proposed with the senior Senator from Colorado (Mr. HART) on March 2, that Congress adopt language in this year's budget resolution that would achieve a more proper mix of fiscal and monetary policies by targeting a national economic program on economic growth.

And, in closing, I should note that the Senate Budget Committee's resolution—unlike the Baker-Domenici substitute—reflects a path of declining deficits and declining Federal participation in credit transactions. Under the committee resolution, Federal participation in the credit markets will decline to 32 percent by fiscal year 1988—that is, below its level of 1982. In fiscal year 1985, the last year covered by the Baker-Domenici substitute, Federal participation under the committee resolution would be 16 percent below the level suggested by the substitute.

In short, the only "recovery resolution" pending before the Senate is the Senate Budget Committee's version. It is far less than perfect. But it is the only option available to the Senate if the Nation is to have a recovery from the worst recession of our time.

Mr. President, I ask unanimous consent that materials relating to the presentation I have just made be printed at this point in the RECORD.

There being no objection the material was ordered to be printed in the RECORD, as follows:

FEDERAL PARTICIPATION IN THE NATION'S FINANCIAL MARKETS

[Dollars in billions]

	1983	1984	1985
Estimates of the effect of the Baker/Domenici substitute:			
Total funds raised in U.S. credit markets	$431	$471	$515
Federal borrowing from public (on-budget deficit)	$204	$192	$186
Off-budget borrowing	$28	$31	$29
Federally guaranteed borrowing	$47	$47	$49
Federal participation rate (percent)	65	57	51

[Dollars in billions]

	1983	1984	1985	1986	1987	1988
Estimates of the effect of the Senate Budget Committee resolution:						
Total funds raised in U.S. credit markets	$431	$471	$515	$558	$600	$645
Federal borrowing from public (on-budget)	$204	$163	$147	$133	$135	$124
Off-budget borrowing	$28	$31	$29	$27	$28	$28
Federally guaranteed borrowing	$47	$47	$49	$51	$52	$53
Federal participation rate (percent)	65	51	44	38	36	32
Estimates of the effect of the CBO baseline:						
Total funds raised in U.S. credit markets	$431	$471	$515	$558	$600	$645
Federal borrowing from public (on-budget and off-budget deficit)	$215	$212	$224	$241	$260	$267
Federally guaranteed borrowing	$44	$45	$48	$51	$53	$56
Federal participation rate (percent)	60	55	53	52	52	50

TABLE 1.—BORROWING UNDER FEDERAL AUSPICES: ABSORPTION OF DOMESTIC CREDIT MARKET FUNDS

[Fiscal years; in billions of dollars]

	5-year averages—					1980	1981	1982
	1955–59	1960–64	1965–69	1970–74	1975–79			
Total funds raised in domestic credit markets [1]	$35.5	$50.8	$80.6	$148.7	$307.8	$366.4	$427.2	$408.7
Federal borrowing	$2.1	$4.5	$6.4	$13.0	$56.8	$70.5	$79.3	$135.0
Net guaranteed loans	$4.0	$4.3	$5.1	$13.9	$13.6	$31.6	$28.0	$20.9
Net Government-sponsored enterprise borrowing	$0.4	$0.7	$1.0	$5.0	$12.6	$21.4	$34.8	$43.8
Total funds raised under Federal auspices	$6.5	$9.5	$12.4	$31.9	$83.0	$123.5	$142.1	$199.7
Federal absorption rates (percent)	18	19	15	21	27	34	33	49
Federal absorption rates without Government-sponsored enterprises (percent) [2]	17	17	14	18	23	28	25	38

[1] Funds raised by non-financial sectors, excluding equities.

[2] Government sponsored enterprises are privately owned, but federally chartered corporations. These organizations include the Federal National Mortgage Association (FNMA), the Student Loan Marketing Association (SLMA), the Federal Home Loan Bank System and the Farm Credit System. These organizations are generally included in analyses of Federal Government participation in the nation's credit markets, even though they are quasi-private corporations.

Source: Federal Reserve Bulletin Flow of Fund accounts, adjusted during 1965–69 for consistency with budget concepts.

From: 1984 Budget, "Additional Details" volume, p. 122 Office of Management and Budget, Executive Office of the President.

HOW THE ESTIMATES WERE DERIVED FOR CALCULATING TOTAL CREDIT RAISED IN DOMESTIC CREDIT MARKETS

The Federal Reserve Board maintains a data base for analyzing financial market activity called the Flow of Funds. We took their figure for total credit raised on a fiscal year basis for 1982 ($408.7 billion) and used CBO economic assumptions to derive estimates for fiscal years 1983-1988. The calculations are as follows:

[Dollars in billions]

	CBO assumption for percent change for nominal GNP	Prior year credit raised	Current year credit raised
Fiscal year:			
1983	5.4	$408.7	$431
1984	9.4	431.0	471
1985	9.2	471.0	515
1986	8.4	515.0	558
1987	7.6	558.0	600
1988	7.5	600.0	645

All information on off-budget borrowing (borrowing not included in the budget deficit by the Federal Government) and borrowing for Federally guaranteed loans from the "Report of the Committee on the budget of the United States for the First Concurrent Resolution on the Budget, FY 1984", pages 141 and 142.

Estimates for borrowing for guaranteed loans assume that only one-half of the total commitments for guaranteed loans are used in each fiscal year. Therefore, we have reduced the guaranteed loan estimates contained in the Committee Report on pages 141 by half.

Mr. DOMENICI. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. DURENBERGER). The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

(During the quorum call Mr. PRESSLER assumed the chair.)

Mr. CHILES. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CHILES. Mr. President, I yield time off the bill to the distinguished Senator from Hawaii.

Mr. MATSUNAGA. Mr. President, I ask unanimous consent that I may be able to proceed as if in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

(Mr. MATSUNAGA'S remarks are printed earlier in today's RECORD under routine morning business.)

Mr. GORTON. Mr. President, I suggest the absence of a quorum.

Mr. JOHNSTON. Will the Senator withhold that?

Mr. GORTON. I withhold.

Mr. JOHNSTON. Mr. President, I yield 2 minutes to the Senator from Georgia (Mr. NUNN).

AMENDMENT NO. 1242, AS MODIFIED FURTHER

Mr. NUNN. Mr. President, Senator JACKSON and myself introduced an amendment a couple of hours ago relating to defense. We would like to send a further modification to the desk.

Mr. President, I do send a further modification to the desk in behalf of Senator JACKSON and myself.

The PRESIDING OFFICER. Without objection, the amendment is modified further.

The amendment, as modified further, is as follows:

On page 3, increase the figure on line 13 by $4,900,000,000.

On page 3, increase the figure on line 14 by $2,900,000,000.

On page 3, decrease the figure on line 15 by $200,000,000.

On page 3, increase the figure on line 19 by $1,000,000,000.

On page 3, increase the figure on line 20 by $2,000,000,000.

On page 3, increase the figure on line 21 by $2,500,000,000.

On page 4, increase the figure on line 1 by $1,000,000,000.

On page 4, increase the figure on line 2 by $2,200,000,000.

On page 4, increase the figure on line 3 by $2,900,000,000.

On page 4, increase the figure on line 7 by $1,000,000,000.

On page 4, increase the figure on line 8 by $3,200,000,000.

On page 4, increase the figure on line 9 by $6,100,000,000.

On page 4, increase the figure on line 14 by $1,000,000,000.

On page 4, increase the figure on line 15 by $2,200,000,000.

On page 4, increase the figure on line 16 by $2,900,000,000.

On page 6, increase the figure on line 5 by $4,900,000,000.

On page 6, increase the figure on line 6 by $1,000,000,000.

On page 6, increase the figure on line 11 by $2,900,000,000.

On page 6, increase the figure on line 12 by $2,000,000,000.

On page 6, decrease the figure on line 17 by $200,000,000.

On page 6, increase the figure on line 18 by $2,500,000,000.

On page 25, increase the figure on line 17 by $200,000,000.

On page 25, increase the figure on line 18 by $200,000,000.

On page 25, increase the figure on line 23 by $400,000,000.

On page 25, increase the figure on line 24 by $400,000,000.

Mr. NUNN. Mr. President, this modification will provide in the Jackson-Nunn amendment a real growth in budget authority for fiscal year 1984 of 6.5 percent, a real growth in budget authority in fiscal year 1985 of 5.5 percent, and a real growth in fiscal year 1986 of 5 percent.

This will add to the current pending resolution that came out of the Budget Committee, but will be somewhat less than the Domenici substitute. The key here, Mr. President, is not the numbers as much as it is the relationship between budget authority and outlays.

It would be our strong view that the Domenici proposal that we will be voting on later in the week has an inordinately unrealistic relationship between budget authority and outlays. I believe the ratio is approximately 1.6 percent in terms of reduction.

The PRESIDING OFFICER. All time has expired.

Mr. NUNN. I ask unanimous consent to proceed for 2 more minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. NUNN. The Jackson-Nunn amendment would provide for approximately a 3-percent ratio between reductions when measuring the reductions in budget authority and the reductions in outlays. The Domenici substitute will have about a 1.6 relationship between budget authority and outlays.

To try to put a very complicated and complex matter in its simplest terms, what it means is that we are cutting down on the credit card represented by budget authority; we are keeping the cash outlays approximately the same as in the Domenici proposal, but what this will do is to require us to take some realistic steps now in terms of reducing budget authority so that in the outlays, that is, next year, the year after and the year after, we will have the defense budget under control in the sense that we will be able to make those outlays as projected in both ours and in the Domenici resolution rather than dream.

If you keep sending out charges on the credit card, when it comes time to pay them in terms of outlays in the outyear, then you have to pay the bill. So the driving force in defense spending is budget authority. To pretend that you can continue to have very large budget authority in proportion to outlays is simply to ignore the reality of the defense procurement process. So we are trying, by this amendment and its modification, to create the proper relationship between budget authority and outlays to raise the numbers of both compared to the Budget Committee resolution, but to be somewhat less in budget authority than the Domenici substitute.

We hope our colleagues will study this closely so when we vote on it tomorrow, we will all be better acquainted and have an opportunity to better understand the defense budget authority and outlay categories.

Mr. JACKSON. Mr. President, I ask for the yeas and nays on the Nunn-Jackson amendment, which was previously introduced.

The PRESIDING OFFICER. Is there a sufficient second? There is a sufficient second.

The yeas and nays were ordered.

THE REPUBLICAN SUBSTITUTE BUDGET

Mr. JOHNSTON. Mr. President, I am almost as shocked by the results embraced in this package as I was by the deficits for 1983 and beyond implicitly accepted in the administration's fiscal year 1984 budget proposals which were submitted in February.

To put this proposal in perspective, consider this: Three years ago, in February 1980, President Carter's fiscal year 1981 budget projected a $15.8 billion deficit. That deficit was received with such alarm that the Carter administration, only 2 months later, was forced to revamp its proposal and submit a new budget trimming spending in both fiscal year 1980 and fiscal year 1981. Congress acted responsibly to the then-shocking projection of a $16 billion deficit, instead of a balance, by increasing the level of spending reductions recommended by President Carter and adopting for the first time reconciliation instructions to reduce spending by $6 billion as part of the first concurrent resolution for fiscal year 1981 in May 1980. Although it took far more time than many of us wished, Congress continued to work to reduce burgeoning spending estimates. That July, Congress approved over $3 billion in rescissions from fiscal year 1980 appropriations bills and, in December, passed the omnibus reconciliation bill, with over $8 billion in further deficit reductions.

Even these bold and unprecedented steps to control deficits proved insufficient in the face of unexpected, sharp oil price hikes by OPEC in June and raging inflation. Recognizing this, in early 1981, President Reagan and Congress faced the rising fiscal year 1981 deficit problem squarely, approving in June over a half billion dollars in fiscal year 1981 rescissions and, a month later, adopted through the omnibus reconciliation bill cuts in the fiscal year 1982 budget totaling over $35 billion.

Now, in the face of a deficit greater than $200 billion in fiscal year 1983, almost 3½ times greater than the huge $57 billion deficit we faced in fiscal year 1981, we are being asked to postpone major deficit-reducing actions until next year or the year thereafter. Imagine postponing action in the face of these changes:

[By fiscal years; in billions of dollars]

Reagan's 1981 deficit projection:	
1983	−22.0
1984	+.5
1985	+6.9
1986	+29.9
May 1983 CBO deficit: Projection of Republican substitute:	
1983	−204.0
1984	−192.0
1985	−186.0
1986	−196.0

Imagine postponing action in the face of these changes: Instead of a $22 billion deficit in 1983, as projected by the President in his 1981 deficit projection—instead of that $22 billion deficit, we have $204 billion in deficits, according to the CBO reestimation of the Republican substitute.

Instead of a $0.5 billion surplus in fiscal year 1984, the substitute projects a $192 billion deficit.

Similarly, in 1985, the Reagan projection was $6.9 billion in surplus; instead, they now project a $186 billion deficit. Instead of a $29.9 billion surplus in fiscal year 1986, CBO projects a deficit of $196 billion in 1986.

Imagine being asked to postpone major additional actions on entitlements and revenues while adding $17 billion in fiscal year 1984 and fiscal year 1985 alone for defense. Such a proposal, at best, would have been laughable 3 years ago.

In testimony before the Senate Budget Committee earlier this year, witness after witness from every part of the political spectrum emphasized the necessity of decisive actions this year to reduce future deficits. On February 24, FRB Chairman Paul Volcker warned, "The most obvious obstacle to sustained recovery is the prospect of huge Federal deficits even as the economy expands." Surely, deficits in the $180 to $220 billion range still meet the definition of "huge."

As Volcker further noted:

There may be a danger that numbers in the $200 billion plus range have been cited so frequently as make them seem almost comfortable and familiar. No matter how readily $200 billion slips off the tongue, the hard fact remains that deficits of this magnitude would preempt an unprecedented share of our net savings, keep "real" interest rates high, and divert funds from the investment and the housing we need and want.

Not only are deficits of this size, which hover at 5 percent of GNP for the foreseeable future, moving us, as the Bipartisan Budget Group of former Cabinet Secretaries puts it, into risky and dangerous "uncharted fiscal territory," but such huge deficits left unfettered are also putting the prospects for a sustained recovery this year in jeopardy. Even the President's own Council of Economic Advisers in their annual report released on February 2, 1983, warned that:

The prospect of large budget deficits in the second half of this decade may also have an adverse effect on the prospects for recovery in 1983. Clear evidence of the willingness of the administration and the Congress to reduce Federal budget deficits substantially in the second half of the 1980's can play an important part in insuring a healthy and balanced economic recovery in the more immediate future.

That is, aside from the "crowding out" risk these deficits pose for private investment in the future when the recovery is well underway, deficits of the size now contemplated pose a more immediate threat: Sending interest rates soaring.

Dr. Jack Carlson, chief economist for the National Association of Realtors, noted:

The strong increase in residential investment and automobile sales have combined with falling world oil prices to improve the prospect of noninflationary economic recovery. However, enormous Federal budget deficits for the foreseeable future will keep real interest rates high by historical standards and dampen recovery to only about two-thirds the average recovery of the last 30 years.

CBO Director Alice Rivlin, in testimony before the Budget Committee on February 15, also warned us that:

Substantial reductions in the deficit over the entire projection period 1984–88 are needed if a balanced recovery is to be sustained and the low-investment scenario avoided. This points to the need for a multiyear plan that is devised and legislated this year. Prompt action must be taken both to insure an orderly reduction in out-year deficits and to reduce the uncertainty about future fiscal policy.

In my view, the sense of the Congress language contained in section 3 of the Republican substitute which proposes vague, unspecified savings in fiscal years 1986–88 if deficits stay above 2.5 percent of GNP, will have no more credibility with the financial markets than did the "magic asterisk" savings proposed in 1981 for the fiscal year 1984 budgets.

We all remember the magic asterisks added to these budgets with unspecified savings, none of which ever materialized and none of which ever had any credibility.

In fact, it was in part because of the unspecified, vague nature of the deficit reductions in the outyears that the Senate Budget Committee on April 6, 1981, scuttled the first version of the fiscal year 1982 budget resolution by a bipartisan 8 to 12 vote. Only after a savings package was specified to put us back on the path to a balanced budget was the vote reversed, 3 weeks later, and the fiscal year 1982 resolution reported to the floor.

Unfortunately, however, that package consisted primarily of management savings, savings to eliminate waste, fraud, and abuse and other savings which never materialized. The tough decisions about additional deficit reductions were postponed then. And as a result, that fragile $22 billion fiscal year 1983 deficit and the balanced budget for fiscal year 1984 have instead blossomed into the current $200 billion deficits. Postponing again the addition of a specific and concrete plan for the 1984–88 period will only exacerbate our current crisis. In my view, there is no reason for anyone in the financial markets to find any real hope that action will be taken next year, an election year, or the year thereafter to bring deficits substantially down below $200 billion.

I can only conclude that this substitute will set the stage for rapid in-

creases in real interest rates now, which will slow the growth momentum we are counting on and set the stage for a monumental crowding out of private investment next year, or for another clash between fiscal and monetary policy with further fears of monetizing the debt which could set off a new round of double digit inflation. The Bipartisan Budget Group issued warnings earlier this year about the dangerous effect long-term deficit projections, such as those contained in this substitute, could have for our economy. That group concludes, as I do, that unprecedented levels of real long-term interest rates "are clearly related not simply to the collision between tight money policy and loose fiscal policy but to the market's uncertainty and concern about the Government's long-term budget policy." This substitute gives us the worst of both worlds and will only set the stage for further deterioration in the living standards of all Americans.

The micro aspects of the proposal also give me grave cause for concern. As compared to the committee reported resolution, interest costs alone under this substitute would increase $42 billion over 5 year, or by over $460 for each taxpayer in this country between now and 1988. In fiscal year 1984 and fiscal year 1985, over $17 billion in budget authority and $6 billion in outlays would be added to the committee recommendations just for defense. The 5 year total addition would amount to over $58 billion in budget authority and over $47 billion in outlays. And that is if, and only if, the 7½ percent real growth in fiscal year 1984 for defense is limited to 5 percent real growth in future years. Altogether, this substitute would add over $300 billion to the 5 year, $700 billion deficit approved by the committee, bringing the 1983-88 addition to the debt to over $1 trillion. If adopted unchanged, this substitute would by 1988 more than double the level of the public debt we balked at in 1981, from $1 trillion to well over $2½ trillion. This would more than double the burden of debt for each family of four in the United States to almost $44,000, a legacy which will only erode the future standard of living for our children and our grandchildren.

Last week, I with some of my colleagues, Senator NUNN, Senator EXON, Senator BOREN, and others, offered a substitute budget to reduce the deficits contained in the committee-reported resolution by over $125 billion and from the baseline by over $550 billion by fiscal year 1988. Savings in interest payments alone under this plan, because of lower deficits, were projected at over $50 billion from the baseline. This, I firmly believe, is the proper direction. The direction proposed in this substitute is just the opposite: Adding $306 billion more in deficits by 1988 than did the committee.

Under this substitute, deficits would be reduced from 6.4 percent of GNP in 1983 only slightly, to 4.6 percent in 1988, or by only 1.8 percent in 5 years. This would leave deficits at almost double the average in 1975-79, another recovery period. Moreover, the level of debt held by the public would likely grow close to 50 percent of GNP by 1988, hardly giving us an atmosphere conducive to private investment. Our plan, in contrast, would have reduced deficits to less than 1.2 percent of GNP under baseline economics, resulting in a balance shortly thereafter and would have halted dramatically the growth rate of debt held by the public as a percent of GNP, creating the stage for more private investment and improved productivity. If we do not want to mortgage the economic future of our children, and leave them a legacy of lowered standards of living, steps such as those I outlined must be taken now, by specific and concrete action.

Mr. President, I urge the Senate to reject this substitute and work seriously to reduce the deficits we are facing now. If experience is any guide, postponing action until next year or later will only make our job more unpalatable, more difficult, and ultimately more painful.

I cannot help but say, Mr. President, that the same group of Senators who proposed the balanced budget substitute which I just described proposed such a substitute last year. The steps that were necessary last year, though difficult, were much easier than those which we proposed this year. The same thing will be true next year if we again propose a balanced budget substitute; the budget will balance later in numbers of years and the steps to be taken will be more difficult then than now. Of course it is difficult to cut rates of increase in the different budget categories. Everyone wants an increase. No one wants to have his rate of increase restrained, whether it is national defense, entitlements, highways, or in any other kind of Government spending program. But unless we get those rates of increase under control and unless we do it now, things are going to get much more difficult, mortgaging the future of our children, the future of our Nation, the American economic way of life, the American dream, if you will.

I hope the Senate will deal seriously with the matter of high budget deficits and go in exactly and precisely the opposite direction as is represented by the Republican substitute.

Mr. GORTON addressed the Chair.

The PRESIDING OFFICER. The yeas the nays having been ordered on the Nunn amendment, and the time having expired, the amendment will be voted on tomorrow at 2 o'clock.

The question recurs on the Domenici substitute.

The Senator from Washington.

Mr. GORTON. I yield myself such time from the bill as I may use.

Mr. President, I wish to speak very briefly on the Jackson-Nunn amendment and also briefly on the presentation just made by my friend from Louisiana, Senator JOHNSTON. I emphasize, in both respects, that I speak for myself and not the chairman of the Budget Committee.

In connection with the Jackson-Nunn amendment, against which I intend to vote tomorrow, I should like to point out for the RECORD, as I did to my dear friend and colleague the senior Senator from Washington, that despite the fact that we are of opposite parties, this will mark the first time in my 2½ years as a Member of the U.S. Senate in which we have actually spoken or debated on opposite sides of an issue.

Having made that statement, I need to add to it that perhaps, as measured against the Domenici amendment, which is before us at the present time, it represents a constructive step.

As the Senator from Georgia pointed out, it also certainly creates a relationship between budget authority and outlays which is more realistic and promises more restraint in future years than does the 7.5-percent budget authority increase for fiscal year 1984, which is contained in the budget authority amendment itself.

Nevertheless, I must of necessity point out that the proposal by the Senators from Washington and Georgia is not set forth as an amendment to the Domenici amendment. It is an amendment to the budget resolution which was reported to the Senate by the Budget Committee. In that respect, it is of course an increase, an increase of more than 1 percent per year; and it is a continuation, in my view, of the percentage game which has occupied too much of our time in the debate over national defense.

While, for shorthand purposes, the report of the Budget Committee is listed as a 5-percent real increase in the budget for national defense for fiscal year 1984, it is in fact a decision on the part of the committee, made on policy grounds, asking for certain features in the national defense budget for fiscal year 1984. It comes closer, over the period covered by the budget resolution, to being a 5.3-percent increase, but it nonetheless is policy related.

One of those policies—but only one of them—is the necessity that the budget for national defense reflects the same kind of discipline which is being imposed by this resolution on other spending programs, the problems in connection with which were

eloquently stated by the Senator from Louisiana in his last statement.

It may be that before we finish this debate, we will in fact increase the increased rate for national defense; but I suspect that it will be only for tactical purposes, for purposes of a conference with the House of Representatives, which I am firmly convinced recommended much too small a budget for our national defense and military structure.

I remain convinced, however, that the appropriate eventual figure is that included in the resolution before us at the present time, and therefore I am constrained to vote against the Jackson-Nunn amendment.

Moving to a different and even larger subject, the Senator from Louisiana eloquently and accurately has outlined both the history of budget deficits and the difficulties of dealing with them.

He pointed out, most trenchantly, in my view, that a process leading to a balanced budget which was difficult last year became more difficult this year and will be even more difficult a year from now, when we next debate this proposition.

Perhaps that increasing difficulty is best reflected by the proposition that 1 year ago, his proposal received 23 votes on the floor of the U.S. Senate, and last Thursday, it received 13. As I was one of those 13, I know that the Senator from Louisiana joins me in saying that it was a rather lonely group. In fact, what it showed more graphically than anything else was that the middle ground in these budget debates is overwhelmed by the extremes.

Many Members, a great majority of the Members, on his side of the aisle voted against his proposal because it cuts to deeply, from their point of view, into numerous spending programs, almost across the board. Many Members on this side of the aisle voted against his proposal because they felt that it included his tax numbers and increases in revenues and taxation which were far greater than they were willing to accept.

I must confess that I joined them in that respect. I felt that those numbers were too great, that they represented too large an increase in taxation. Nevertheless, I felt that, could we get the whole package, the Nation would be better off with both those reductions in spending and those increases in revenues and the corresponding reduction in budget deficits.

The debate and the vote on that proposition last week, however, probably showed better than anything else the number of Members of this body who regard budget deficits as the most important element in a budget debate.

We get a great deal of lipservice to the proposition that budget deficits should be lower, but we find that almost every Member has priorities higher and more significant than those deficits.

I disagree, however, with the conclusion of the Senator from Louisiana—the conclusion that we should defeat the Domenici amendment which is before us at the present time. I believe that that defeat, in effect, would lead to a worse situation and not a better one. If we were eventually to end up with no budget resolution at all, I suspect—as a matter of fact, I would expect—that there would be little, if any, discipline on the spending process. Without reconciliation, few, if any, entitlement programs would be changed and reformed at all. I also tend to believe that no significant action would be taken with respect to revenues, either, under those circumstances.

The Senator from Louisiana well knows that, privately at least, almost certainly a majority of the Members, even on his side, believe that the requests for new revenues of $30 billion in 1984 and $45 billion in 1985, which are a part of this budget resolution, not only are unattainable, but also might well have a negative impact on the economy.

As a result, rather reluctantly, I have come to the conclusion that the proposal of the Senator from New Mexico, which is before us now, is perhaps the best we can do. It at least recognizes the need for additional revenues. I wish it were recognized more eloquently and more firmly.

I may say in passing that a final resolution resulting from a conference with the House will do exactly that. This proposal does recognize the need for greater discipline in the spending process that we are likely to get simply by moving from this point into an appropriations bill.

So, while I voted, with some degree of enthusiasm and some reservations, for the proposal made last Thursday by the Senator from Louisiana, it did receive only 13 votes; and it seems to me that it is now appropriate for us to go forward with a resolution which can go to conference with the House of Representatives and can result in a budget which at least begins to move in the direction of spending and revenues on which the Senator from Louisiana and I agree.

Mr. JOHNSTON. Mr. President, I yield myself such time on the bill as I may use.

I thank the distinguished Senator from Washington for his kind comments on the amendment for which he voted, and indeed he also joined with me and others in our amendment of last year which would have balanced the budget.

I must say that the budget process has been somewhat of a disappointment in its failure to deliver on its ability to restrain budget deficits.

The theory was supposed to have been that by dealing with the whole budget at one time and in one resolution, you could avoid being nibbled to death by individual increases, that looking at the whole budget in a macroeconomic way, you could bring it all down, and indeed that was the theory behind our amendment of last week, that things which you could not do looked at individually, such as restraining the rate of increase of entitlements, taken by itself and not in relationship to other restraints of spending, would have been unacceptable, not only to the Senate as a whole but to me and to those of us who offered the amendment.

But the idea was if we could present a balanced budget with equitable and fair restraints of spending in all categories, it could be bought, it could be accepted by the Senate.

Alas, as the distinguished Senator from Washington pointed out, there were only 13 brave souls who joined onto that. Last year, if I recall correctly, there were only 21 or 23, whatever it is, not very many, although I must say last year we got a great many Senators who said, "Well, you are heading in the right direction, but for an election year I would be for you, I am almost persuaded," all of those almost words that could almost lead one to believe that we very nearly passed that piece of legislation.

Here we are standing in the ashes of that balanced budget amendment, and we find indeed that we are going in exactly the opposite direction. There is not one single category of spending in the so-called Domenici substitute which is lower or equal to those that we had in our amendment, and in every single category they seem to take the higher figures, higher in national defense, up from 5 percent to 7½ percent, which is a gigantic increase.

There is no restraint at all in entitlements. There simply is the explanation, "Well, it cannot be done." There is virtually nothing put in on revenues.

My friend from Washington says, "Well, you know, you cannot pass $30 billion in additional revenues."

Who says we cannot pass $30 billion in additional revenues? It is but for the threat of veto of the President, and it seems to me that the President may be turned around if Congress reacts unfavorably to these huge deficits. It seems to me, the only problem standing between us and suspending the third year of the tax cut is the threat of veto by the President which, of course, is a substantial threat, but it would take very few votes on the Republican side of the aisle to join with many of us on this side of the aisle who although we are very strongly for tax cuts—in fact, we are for no taxes,—who wants to be for taxes when you

can be for no taxes and for lower taxes? Of course, this is wonderful.

But in the face of a $204 billion deficit, it seems to me to be cutting taxes in that kind of atmosphere is foolish in the ultimate.

I just think that there are enough Senators and enough Members of the House of Representatives who recognize the folly of that action, that is, cutting taxes in the midst of a $200-plus billion deficit, that it could be done.

Indeed, when we get to the conference committee, I would at least hope that some middle figure can be adopted, although this business of bargaining chips, you must say, Mr. President, whether it is in nuclear arms or in budget matters, seems to be leading the country in the wrong direction. We seem to be building the MX not because we need additional warheads, not because it contributes to American security, but because somehow it is supposed to scare the Russians so we can get a better arms control deal and so it is that we add much additional spending in the budget resolution or at least we are being urged to do so by the so-called Domenici substitute, more money for taxes or should I say less savings in taxes, more spending in national defense, a lot more, so that we will somehow have these bargaining chips when we go to the conference committee.

There is not a single bargaining chip in that Domenici substitute on the low side. There is nothing in there that is going to somehow give us an advantage to bargain for lower budget deficits but simply to bargain them up.

So, Mr. President, if that is the theory, and I guess it is, of the Domenici substitute, I say it is going in the wrong direction.

Mr. GORTON. Mr. President, will the Senator yield?

Mr. JOHNSTON. I yield.

Mr. GORTON. I do not think the Senator really would follow through with that last statement that the Domenici proposal is almost billions of dollars lower and thus resulting in lower deficits in domestic spending than is the House budget with which we will be conferenced; is that not the case?

Mr. JOHNSTON. The Domenici substitute is the same as the Budget Committee proposition so in that sense I say the Domenici substitute did not go down at all. It simply accepted one area of spending as proffered by the Senate Budget Committee and everything else it increased; most categories were increased.

Mr. GORTON. The Senator is correct, when we compare it with what was reported by the Senate Budget Committee but, of course, it is much lower than the House of Representatives is.

Mr. JOHNSTON. Yes; it is, and it should be. It is not as low as I would have it, not as low as the amendment that the Senator from Washington and I voted for that only got 13 votes. Unrealistic, perhaps, but, Mr. President, I think it all depends on how you look at this economy.

I think the Domenici substitute looks at the economy from the standpoint of the fact that the budget deficits are maybe uncomfortably large or maybe a little bit embarrassing, maybe a little bit inconsistent with Republican rhetoric, but really at the bottom there is nothing to worry about, no cause for alarm. We have had budget deficits before, and we can get by with them by pretending we do not like them and pretending we are going to blame them on someone else and maybe blame it on Democratic Congresses in the past who richly deserve some of the credit for big deficits. No none disputes that.

But if you look at it as I look at it, Mr. President, that this is a real mortgage on the economic future of the country, that it will abort this economic recovery before it gets underway, that it will surely bring higher interest rates, a new round of stagflation, recession, high unemployment, and all that that brings, then the Domenici substitute is totally unacceptable.

The thing that is curious to me, and I must say it is really curious not just out here to speak, but I mean it is inside, deeply curious, is how he ever expects to get a majority on the Republican side of the aisle to vote for that. How can deficits of that size be bought? I do not understand it, Mr. President. I mean I have heard the distingished Senator from Washington who I must admit in a brilliant statement the other morning on public radio put the best face possible on a very difficult case. How anyone really can believe that, believe it is OK, as Paul Volcker said the other day, the fact that these deficits have been around now for enough months and in large enough size as to almost become comfortable and familiar, and the fact that you can trip $200 billion off the end of the tongue in a facile way does not make them any less frightening, any less difficult for the country.

I do fear that Paul Volcker is right, that is, that these huge deficits have been around now for enough months that even Ronald Reagan is not afraid of them any more. Indeed he appears to be embracing them almost eagerly, as he asks us to increase defense spending and to keep taxes ever decreasing.

Mr. President, there is an article in Business Week of May 16, 1983, by William B. Franklin, chief outlook editor, which I think would be constructive to put in the RECORD at this point for the edification of my colleagues and public on this subject of the size of deficits. I ask unanimous consent that this article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

BUSINESS OUTLOOK: THE FEDERAL DEBT STILL HAS THE RECOVERY ON A SHORT LEASH

BUSINESS OPTIMISM IS ON THE RISE, YET PLANS FOR CAPITAL SPENDING ARE DOWN

(By William B. Franklin, Chief Outlook Editor)

The data now appearing show that the second quarter will bring a modest improvement over the first three months of 1983. The leading indicators for March rose a strong 1.5%. This, together with an uninterrupted seven-month gain, means that the recovery is still in train.

But the upswing hasn't picked up speed, as the recent strong advances in the Commerce Dept.'s composite index might suggest.

Consumers are still holding back. And capital spending, after adjustment for inflation, will be off this year for the second year in a row.

The major hurdle to recovery remains rapidly growing federal debt, which limits a decline in interest rates. Rapid disinflation has curbed the growth of government revenues, but it hasn't reduced prospective government spending.

Budget outlays have risen above earlier estimates as new spending programs are initiated, and older programs are not being cut back.

As long as the modest pace of the recovery keeps private credit demand in check, however, the Treasury has more room to operate in the credit markets—and rates can ease downward.

The first $6.5 billion chunk of the Treasury's recent $15 billion financing package brought the lowest average yield on three-year notes in nearly three years. However, improvement in key long-term rates remains slow.

Despite the hard-core problems of federal debt and stubbornly high interest rates, the leading indicators are quite positive. The 1.5% increase in March follows a gain of 1.4% in February and a smashing 3.2% in January.

The pluses still outnumber the minuses. In March, of the 11 available foreshadowing indicators, seven were up and four were down.

The major contributors to the advance in the Commerce Dept.'s composite index of leading indicators was a considerable acceleration insensitive commodity prices, a sharp increase in the number of companies reporting slower deliveries of goods, and an increase in the factory workweek.

Also on the plus side, indicators were up for new business formations, contracts and orders for new plant and equipment (adjusted for inflation), stock market prices, and the inflation-adjusted money supply.

On the negative side were an increase in initial claims for unemployment insurance, fewer new orders for consumer goods and materials (adjusted for inflation), a slight reduction in homebuilding permits, and a decline in consumer and business borrowing.

The index of coincident indicators—those that track the current path of the economy—advanced 0.7% in March, more than making up for the 0.5% decline in February, but less than the 1.3% gain in January.

Business optimism is improving. Dun & Bradstreet's quarterly survey of almost 1,500 business executives shows that the index of their optimism about sales for the second quarter jumped 18 points, to 55, after rising slightly in the previous quarter.

There has also been a sharp advance in the number of companies expecting increasing profits. Richard D. Rippe, economist for Dean Witter Reynolds Inc., notes that as a result of the 1981 Accelerated Cost Recovery System (ACRS), depreciation allowances are up substantially, which improves the quality of profits.

By his estimates, the ACRS reduced tax liabilities in the first quarter by $10 billion to $11 billion.

But the improved picture for sales, profits, and cash flow is still having little effect on expansion plans.

The spring survey by the Economics Dept. of McGraw-Hill Publications Co. indicates that business plans to spend $312.2 billion for new plant and equipment in 1983. That is a decline of 1.3 percent from 1982, and allowing for an expected 5.6 percent price increase, real outlays would fall 6.5 percent. Moreover, the implied quarterly pattern that fits in with this survey is for little, if any, real growth in capital spending until the fourth quarter.

However, as the McGraw-Hill economists speculate, the price assumption may well prove too high. If so, real growth for the year may do somewhat better than the numbers indicate.

THE SOARING DOLLAR REMAINS A DRAG ON THE ECONOMY

One very serious drag on business is the adverse trade balance. The merchandise trade deficit in March was $3.6 billion: Exports were $16.8 billion, while imports rose to $20.4 billion.

Exports, hobbled by the soaring dollar, are the major problem. Although they rose 2.6 percent in March, mainly because of a 32 percent jump in commercial aircraft exports, they remained 9.3 percent below March of last year.

Compared with the average level of other currencies, the U.S. dollar rose an unprecedented 45 percent from mid-1980 to the end of 1982.

Since November it has backed down only 3 percent. This has kept U.S. goods more expensive at a time when other countries are tightening their belts.

Falling oil prices and production, in particular, curbed demand for U.S. goods in the oil-producing countries. U.S. exports to OPEC tumbled 10 percent in March, after falling 6 percent in February.

Other less developed countries are finding it difficult to borrow to finance imports. U.S. exports to Mexico, for example, plunged 17 percent in March.

On the other hand, U.S. imports remain strong, in part because the highpowered dollar makes the price of foreign goods more attractive. U.S. imports rose 2.4 percent in March, despite the beneficial effect of lower oil prices.

In particular, chemical imports in March were 18 percent ahead of a year ago. Buyers are importing more than they used to, partly because foreign-made chemicals cost 10 percent to 30 percent less than U.S. products.

The competitive pressure on other import-sensitive industries was also evident in March—and it will continue through the year. Textile imports rose 7 percent in the month, while steel imports jumped 10 percent.

HOUSING COULD FIZZLE IF INTEREST RATES STAY HIGH

The construction industry is still buoying the recovery—but not at the heady rates of earlier in the year.

The value of new construction projects declined 2 percent in March, to an annual rate of $245.4 billion, seasonally adjusted. Construction spending fell 3 percent in February, although it had jumped 7 percent in January.

The weakness since January has been concentrated in nonresidential building and public construction. In particular, spending for commercial and industrial buildings declined 3 percent in March; the value of public construction dropped 7 percent.

But residential construction, over one-third of total spending, rose in both March and February and now stands 40 percent ahead of last year.

Further gains are in the cards. The Dodge index of construction contracts rose 10 percent in March, to 131 (1977=100), according to the F. W. Dodge Div. of McGraw-Hill Information System Co.

Homebuilding and public works provided the March strength. But underutilized capacity inhibited contracting for business-related buildings.

Homebuilding must be supported by home buying—and continued declines in mortgage rates are necessary for that. In March, however, the effective rate on the purchase of new homes stopped falling. The rate rose for the first time in the past nine months, to 13.51 percent, from 13.16 percent in February.

Moreover, new-home sales backed down for the second consecutive month in March, to a seasonally adjusted annual rate of 577,000.

Currently, new-home sales are running well below the level necessary to support the recently strong level of housing starts. So it's likely that, without further declines in interest rates, the housing rebound will fizzle.

Mr. GORTON. Mr. President, I yield myself such time from the bill as may be necessary.

The PRESIDING OFFICER (Mr. ABDNOR). The Senator from Washington.

Mr. GORTON. My friend from Louisiana has, to my delight, retained his curiosity. He is curious as to how those of us who support the substitute proposed by the Senator from New Mexico can look with such equanimity on these very, very large budget deficits.

I must say the Senator from Washington is also curious, and he is curious at what theory there is that says that we can tax our way out of a recession, that $30 billion more in taxes beginning on July 1 will somehow or another result in greater economic growth than would otherwise be the case. I suppose those two complementary curiosities are at the heart of the problem which we face at the present time.

The maximum in the way of taxation proposed by the Senator from Louisiana next year would reduce the budget deficit by perhaps one-sixth or one-seventh from slightly under $200 billion to perhaps slightly under $170 billion. All of the pressures on interest rates and so on from high deficits would remain. Nothing would be changed except for higher taxation.

Most of us on both sides have believed the appropriate time to use increases in taxation for appropriate and proper economic purposes is to restrain an economy which is growing too rapidly to be sustained and thus to restrain a return to inflation. Yet it seems to me, as it does to the Senator from New Mexico, who is my Budget Committee chairman, that it would be a serious error at this point to have very significant increases in taxation especially when they would in any event represent such a small proportion of budget deficits. We come far closer to agreement as to the necessity for such increases when the recovery has actually taken hold, and if there is appropriate criticism of some of the proposal on this side of the aisle, it is that you do not even include the recognition which the President made himself of the necessity for such revenue increases at a time of high recovery and high growth, at a time of approximately 2 or 3 years from now. I expect just such proposals are likely to come out of any conference with the House of Representatives.

But I may say at the present time it is something of a paradox I believe for the Senator from Louisiana to say that tax increases are appropriate even when we are only modestly restraining spending. It was one thing to vote for a $15 billion tax increase, as I did along with the Senator from Louisiana, in return for at least that amount of spending restraint over and above what is proposed by the Budget Committee. It was quite another to vote for a budget resolution itself which includes $30 billion in new taxes without anything like a comparable restraint in spending.

Mr. JOHNSTON. Mr. President, if the Senator will yield, I do not propose a tax increase. I propose suspending the third year of the tax cut which has not yet gone into effect. I recognize some would call this a tax increase because of bracket creep but it is not a tax increase; it is merely suspending that in the face of these record deficits.

What is the paradox and how is it that I would justify suspending a third year of the tax cut in the midst of a recession? Well, it depends, I think, Mr. President, on what you regard as the greatest obstacle to sustained recovery or the greatest threat to the recovery. Whether it is, on the one hand, the lack of demand, the lack of incentive in the economy or whether it is, on the other hand, the fear of higher interest rates returning. I would say it is the latter, Mr. President. It is real interest rates that are the concern right now, real interest

rates which continue to be at not historically high records but very unusually high rates compared to real interest rates in our economy, particularly in long-term interest rates. Inflation is down, I guess, below 4 percent now, and yet long-term mortgage money is still in excess of 12 percent or higher—I am advised it is 11.5—and that is still a long-term real interest rate of some 7-plus percent, which is many times, which is several times, higher than it has been by traditional rates.

Why is that? Simply because the money managers who set the markets in long-term interest rates and indeed in short-term interest rates fear the return of high interest rates because of the size of these deficits. That is economic theory which has been preached by virtually all economists from all persuasions, from all political parties, whether liberal or conservative. They all recognize that is the phenomenon and that is the reason for it. So it just depends on what your greatest fear is.

In my view, if we showed a resolve to get these deficits down to manageable amounts, perhaps not as far as the distinguished Senator from Washington and I were willing to go with a balanced budget by 1988 under a high-growth situation as proposed in our amendment but just to bring them down to manageable amounts, I believe the market would be reassured, I believe real interest rates would come down to more traditional levels, and I believe we may set the scene for another boomtime as we did in the 1960's. I think it is entirely possible to have that kind of sustained boom, provided we get the economy out from under the weight, the overwhelming weight, of $200 billion deficits for as far as the eye can see.

So reducing a $204 billion deficit by a modest $30 billion in 1 year by suspending a tax cut may not seem to be a large reduction to the distinguished Senator from Washington, although I might add that it is larger than the savings contemplated by the President's budget deficits and by the Domenici deficit over a period of years, over the period of the 5 years, it is larger than the cumulative savings, I believe, over that period of time; nevertheless, it is certainly large enough to show the resolve of the Congress in striking out in a brandnew direction, at least brandnew in terms of recent years, in restraining the growth of these Federal deficits.

Mr. President, I suggest the absence of a quorum, equally divided.

The PRESIDING OFFICER. On whose time?

Mr. JOHNSTON. Equally divided.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. JOHNSTON. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. JOHNSTON. Mr. President, I ask unanimous consent that it may be in order for the distinguished Senator from Arkansas (Mr. PRYOR) to introduce and discuss two amendments for a period not to exceed 10 minutes and that the Domenici and Nunn-Jackson amendments be laid aside for that period of 10 minutes.

The PRESIDING OFFICER. Are there objections?

Mr. PRYOR. Mr. President, before the distinguished Senator makes that request, may I ask him if he would modify that only slightly to ask for 10 minutes per amendment? I have two amendments.

Mr. JOHNSTON. Mr. President, I modify that request to the extent of 10 minutes per amendment.

Mr. GORTON. Mr. President, that is fine, but this side should have an equal amount on each of the amendments.

Mr. PRYOR. I did not hear the Senator's statement.

Mr. GORTON. This side should have an equal time on each of the amendments.

Mr. PRYOR. I certainly have no problem with that.

Mr. JOHNSTON. Mr. President, I withhold that request for just a minute.

Mr. President, I withdraw the unanimous-consent request and ask unanimous consent, instead, that we temporarily lay aside the Domenici amendment and the Nunn-Jackson amendment in order for the distinguished Senator from Arkansas to introduce and discuss his first amendment, at the conclusion of which, unless we make another unanimous-consent request, we will return to the present amendment.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Louisiana? If not, it is so ordered.

Mr. PRYOR. Mr. President, I deeply appreciate both managers of the bill allowing me this opportunity.

AMENDMENT NO. 1246

(Purpose: To cut funds for nuclear warhead production)

Mr. PRYOR. Mr. President, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will state the amendment.

The assistant legislative clerk read as follows:

The Senator from Arkansas (Mr. PRYOR) proposes an amendment numbered 1246.

Mr. PRYOR. Mr. President, I ask unanimous consent that further reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

On page 3, decrease the figure on line 13 by $2,000,000,000.

On page 3, decrease the figure on line 14 by $3,400,000,000.

On page 3, decrease the figure on line 15 by $3,600,000,000.

On page 3, decrease the figure on line 19 by $1,000,000,000.

On page 3, decrease the figure on line 20 by $2,500,000,000.

On page 3, decrease the figure on line 21 by $3,400,000,000.

On page 4, decrease the figure on line 1 by $1,000,000,000.

On page 4, decrease the figure on line 2 by $2,500,000,000.

On page 4, decrease the figure on line 3 by $3,400,000,000.

On page 4, decrease the figure on line 7 by $1,000,000,000.

On page 4, decrease the figure on line 8 by $3,500,000,000.

On page 4, decrease the figure on line 9 by $6,900,000,000.

On page 4, decrease the figure on line 14 by $1,000,000,000.

On page 4, decrease the figure on line 15 by $2,500,000,000.

On page 4, decrease the figure on line 16 by $3,400,000,000.

On page 6, decrease the figure on line 5 by $2,000,000,000.

On page 6, decrease the figure on line 6 by $1,000,000,000.

On page 6, decrease the figure on line 11 by $3,200,000,000.

On page 6, decrease the figure on line 12 by $2,300,000,000.

On page 6, decrease the figure on line 17 by $3,200,000,000.

On page 6, decrease the figure on line 18 by $3,000,000,000.

On page 25, decrease the figure on line 17 by $200,000,000.

On page 25, decrease the figure on line 18 by $200,000,000.

On page 25, decrease the figure on line 23 by $400,000,000.

On page 25, decrease the figure on line 24 by $400,000,000.

Mr. PRYOR. Mr. President, the amendment I am offering this afternoon will freeze the funding for the nuclear weapons at the fiscal year 1982 level and will save around $2 billion.

It does not eliminate funding for new nucler warheads but serves only to slow their rate of alarming growth.

It would not take money from the Defense Department—the cuts are from the nuclear energy defense programs which are run by the Department of Energy.

It does not cut the Pentagon budget. It cuts only the Department of Energy budget.

Mr. President, I would like to take a few moments to talk about the dramatic escalation of our nuclear stockpile. I am deeply concerned about the alarming growth in this area of funding and the priority it has been given. What is at issue here is not whether we have or do not have nuclear warheads. We have lived for almost four

decades under the "umbrella of nuclear terror." It has become a way of life for all of us. What is at issue here, however, is the incredible number of nuclear warheads that will comprise our future stockpile.

Let us look at some simple facts:

First. Between 1955 and 1965 over 30,000 nuclear warheads entered our stockpile.

Second. Nuclear weapons range in size from nuclear land mines which weigh about 150 pounds to multimegaton bombs that weigh more than 8,000 pounds.

Third. Six types of nuclear warheads are in production today. Sixteen different ones are presently in research and development.

Fourth. On May 1, I had the opportunity to take a look at a B-52 at Blytheville Air Force Base in Arkansas. I talked with the crew and as we were standing under the aircraft in the bomb-bay doors, I was told that each B-52 carries in that small area, about the size of the back of a pick-up truck, more destructive power than all the bombs that were dropped in the Second World War. It was an eerie feeling to be standing there and looking at such a small space and to be thinking about all the power that it could hold.

Fifth. Ruth Leger Sivard has been publishing "World Military and Social Expenditures" since 1974. She started this endeavor the year after she left the job as Chief of the Economics Division of the U.S. Arms Control and Disarmament Agency. She points out that the world's stockpile of nuclear weapons is equivalent to 16,000 million tons of TNT. In World War II, we expended 3 million tons of TNT and killed 40 to 50 million people. Another alarming statistic is that world public expenditures average $19,300 per soldier and yet for the school-age child the average is only about $380.

Sixth. About 23,000 new nuclear warheads are planned for construction during the next 10 years and an additional 14,000 are identified in current research and development programs throughout the mid-1990's.

Seventh. Our new warhead production rates will be twice what our production rates were in the 1970's. Soon, we will be producing about 2,000 new warheads per month.

Eighth. By the mid-1990's we will have over 32,000 warheads if none are retired from our present stockpile.

Ninth. To meet the requirements of increased warhead production, we have initiated a number of programs to increase the supply of plutonium and tritium from a rate of 3,000 pounds per year of plutonium to a rate of almost 9,000 pounds per year.

Thus, we are planning to have in the neighborhood of somewhere between 26,000 and 32,000 warheads in as many as 22 different varieties. Now, 32,000 does not sound like a big number. We all probably know of several towns in our home States that have a population of around 32,000. If we decided to set off one nuclear device once each minute, it would take us almost 22 days to explode 32,000 warheads. If we were to set one off each hour, it would take us almost 4 years to deplete our nuclear stockpile.

I have given some basic facts about the number of warheads. Now let us talk about funding.

First of all, back in 1975 the annual budget for the actual production of nuclear weapons was a mere $1.2 billion. By 1980, it had doubled to $2.4 billion. By fiscal year 1983 it had doubled again to over $5 billion. And by fiscal year 1987 it is due to hit the $8 billion mark. So, looking at these figures a little more closely, we come up with some interesting observations:

First. From fiscal year 1975 to fiscal year 1987, a period of 12 years, the funding for nuclear weapons will increase by 638 percent.

Second. Between fiscal year 1975 and fiscal year 1987, the nuclear weapons funding will have doubled three times over. We are into a geometric progression that staggers the mind.

Third. From fiscal year 1980 to fiscal year 1987, a period of 7 years, we are looking at a 231-percent increase in funding for nuclear weapons. Has any other program in all of Government escalated so rapidly? Mr. President, I think not.

Enough of these facts and figures. Let us talk about what they mean.

First of all, there are going to be some of my colleagues, I imagine, who will argue that we need to modernize our "aging" nuclear warhead force, that we need more efficient and "cleaner ways" to destroy our potential adversaries.

Let me respond.

First. Nuclear weapons are not like submarines or bombers or missiles. They are not operated every day like the systems that would deliver these warheads.

Second. Thus, their aging process is not as acute as the delivery systems which we are in the process of modernizing.

Third. When it comes to nuclear war, there is no "clean" way to destroy your opponent. What disturbs me about the different kinds of warheads that we are going to build is that I think it might reflect a dangerous kind of mentality, a mentality which drives itself to think of every conceivable way to use a nuclear weapon. This kind of thinking is, to put it simply, insane. Sometimes I think we all must have a genetic deficiency if we continue to escalate this madness.

We seem to fall back on the question of, "How much is enough?" How many warheads do we need? Again, some basic facts:

First. A mere 400 megatons of nuclear warheads will obliterate both the United States and the Soviet Union, and we have 16,000 megatons.

Second. There are probably 400 or 500 targets in the Soviet Union, depending on how much of their industrial base and civilian population one wants to obliterate. So, if we have 32,000 warheads, what would our kill ratio be? If you apply simple arithmetic to this, you come up with this very interesting fact: With 32,000 warheads we may ultimately possess, we could destroy the Soviet Union almost 50 times over.

This is not like the catch phrases of "window of vulnerability" or "escalation control." We all know that we would not be controlling the escalation if we destroyed the Soviet Union or any potential adversary 50 times over. This would simply be obliteration. And when you think of our other potential adversaries we might even be able to destroy some of them 10,000 times over.

With these facts and figures, we all ought to be able to sleep a little easier, knowing that we have such a high rate of overkill, knowing what our nuclear supremacy really is.

But I find that in my own personal life, it is becoming more and more difficult to get a good night's sleep knowing of these planned renovations to our nuclear warhead stockpile. They often reveal only thoughts of nuclear terror and dreams of nuclear annihilation.

It is easy for all of us to deal with the mere addition of 10,000 to 12,000 warheads to our existing 26,000-warhead stockpile. We are so used to dealing with billions and billions. What is a mere 12,000?

We think that we are on our way to becoming a Nation rich in defenses. I believe that there are certain segments of our national defense that need to be modernized, but to allow our nuclear warhead stockpile to escalate in size and variety to the proposed level of 32,000 warheads is nothing less than a total affront to human dignity and the human race. It is simply unconscionable, ludicrous, and unthinkable.

Where is our conscience today? I guess we can go through each day, knowing that our present educational system is in shambles; knowing that young people today are going out into the world with less education than their parents. But we accept this. We claim to have our national priorities in proper perspective. We claim to "see the light," and that we are going to do better.

I heard on CBS Evening News a few days ago that over 25 percent of American children under the age of 5 are now living below the poverty level. That is around $7,700 per year.

I guess we can all sleep well tonight. For we are a strong nation, a proud nation. But we are losing our sense of national priorities. We are losing this perspective because of issues like the amount of growth and escalation in our nuclear weapons stockpile.

We are putting the building of nuclear warheads before the building of our children's minds.

We are putting the building of bombs before our basic needs.

Mr. President, this amendment is not going to stop the nuclear arms race. It is not going to amount to a nuclear freeze. It will amount to a rollback of what we are expending, approximately, in the level of fiscal year of 1982 and would save some $2 billion that we could possibly even apply to the deficit or to other human needs and concerns.

Mr. President, I strongly support this amendment. I hope it will be adopted by my colleagues.

At this time, Mr. President, I ask for the yeas and nays on this amendment.

The PRESIDING OFFICER. Is there a sufficient second? There is a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. Who yields time?

Mr. DOMENICI addressed the Chair.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. DOMENICI. Mr. President, as I understand it, the other two amendments, the Nunn-Jackson amendment and the Domenici amendment, have been temporarily laid aside and the distinguished Senator has offered his amendment which is now before the Senate.

The PRESIDING OFFICER. The Senator is correct.

Mr. DOMENICI. Mr. President, let me say to my friend, the proponent of this amendment, that he knows I hold him in the highest esteem, and I do. Frankly, this budget resolution is not the place to debate a nuclear freeze. I think he knows that. Basically, the Senate should know that what this amendment does, regardless of what the Senator says it does, is to take the defense function of the budget and reduce that function's targets by $2 billion in budget authority and $1 billion in outlays for the year 1984, $3.2 billion in budget authority and $2.3 billion in outlays in 1985; and $3.2 billion in budget authority and $3 billion in outlays in 1986.

The reason I make the point is that this portion of the defense function goes to the Energy and Water Subcommittee on Appropriations under a crosswalk; then they use the money crosswalked into their jurisdiction for all of the programs within their jurisdiction. If this, instead of being $1 billion in outlays and $2 billion in budget authority, were a half billion dollars, it would have the same result. It goes to this subcommittee and they have to appropriate, they are left with that much less money available in the crosswalk process for use in all of those programs.

Having said that, the budget amending process on the floor of the U.S. Senate has evolved into a forum where issues are debated. Senators come to the floor and bring an add-on of $2 billion and talk about a new program they have in mind, when everyone understands clearly—and I am sure my good friend, the proponent of the amendment, understands—that that really does not mean anything. It just means that we are either adding to or subtracting from the function of Government—in this case that goes to the Appropriations Committee for use by them in funding all of the programs, ongoing and otherwise, within their jurisdiction.

I do not choose to use a lot of time debating the propriety of the Senator's assumptions because I really think that, ultimately, on issues of this type with this many dollars being taken out of a function of Government that is already tight—and every year they have a very difficult time coming in within the numbers that are allocated by crosswalk—I think the compelling majority of this body is going to understand clearly that that is what this is. It is not a nuclear-freeze amendment, it is to cut $2 billion in budget authority and $1 billion in outlays from the defense function of this Government, which happened, among many things, to contain some money for nuclear weapons, nuclear armament, and the like.

Having said that, Mr. President, there are some Senators far more versed than I in whose jurisdiction this issue lies. I certainly do not want to use a lot of my time in the event they choose to make their points on the floor, but I also indicate to my good friend (Mr. PRYOR) that it is my understanding of the parliamentary situation that, while this vote will be stacked and he has the yeas and nays ordered, there is nothing in the order to this point that precludes a motion to table when the time comes in the process tomorrow, or whenever it is, for a vote on his amendment.

I shall not do that tonight because I do not want to restrain the debate. We would have to yield back our time. I shall not do that tonight even when the debate is finished, when our hour is up. I do want the Senator to understand that is my understanding, and I shall ask the Parliamentarian and ask the Chair if my understanding is correct.

The PRESIDING OFFICER. The Senator is correct.

Mr. DOMENICI. I yield the floor, Mr. President, and reserve the remainder of my time.

The PRESIDING OFFICER. Who yields time?

Mr. PRYOR. Mr. President, if a response is in order to our distinguished chairman, I would like to say to my very good friend from New Mexico, the chairman of the Budget Committee, as someone who has to attempt to reconcile all these millions and billions of budget authority and outlays, frankly, I do not see how one human being can understand all of this. I compliment the distinguished chairman of the Budget Committee. I think he probably has as good an understanding of the process as anyone, perhaps more than anyone in this body. He is a gentleman in every way.

I would like to take issue, Mr. President, with just one or two things the distinguished chairman commented on. That is, by saying that the budget resolution, and I think I am quoting him almost exactly, is not the place to debate a nuclear freeze—first, this is not a nuclear-freeze resolution. This is simply an amendment that would take us back to the fiscal year 1982 expenditure of dollars that we were using then to produce nuclear weapons and nuclear warheads. It is not a nuclear freeze. It is not something where we are unilaterally disarming ourselves. It is not an amendment which is going to put us in any more danger of the Soviets than we are already are.

I also would like to say that if the distinguished chairman can point to any part of the budget process that is going to be rising from 1980 to 1987 at the rate of a 231-percent increase, I would like him to do so. Perhaps there are some programs that are growing in that order of magnitude and escalating at that rate and with that degree of intensity. If there are any other programs growing like that, then I am not aware of them. I do not think we are escalating any program faster in percentages than we are the development and production of nuclear warheads.

Mr. DOMENICI. Mr. President, I say to my good friend on my time, I do not know offhand of any that are so projected, but I could tell my friend that if the CCC program continued from now to 1987 as it did in the last 3 years, it would far exceed in percentage increase what the Senator is describing.

Mr. PRYOR. Mr. President, I would like to say I have attempted in every way that I can to accommodate the chairman of the Budget Committee to find dollars to accommodate the chairman of the Budget Committee to find dollars to operate the programs like the CCC program, which is a constructive program that is going to leave behind something of this generation and our civilization to be remembered for. Here is an opportunity to pick up $2 billion in savings. If the chairman

so wants to, he can make the recommendation at the proper levels, I am sure, to find not only the CCC program but also many other programs of government in the coming years.

Mr. DOMENICI. Mr. President, I yield myself 5 minutes.

I say to my good friend that while he did not choose to call this a nuclear freeze, I did, because obviously, his assumption is that in the energy function of government, where most of the research and development and other aspects of the nuclear armament business happens to find itself—perhaps that is a surprise to some Members here on the floor.

Dramatically, if we freeze at this year's level, which is effectively what the Senator is asking be done if his amendment passes and if his assumptions are binding on the committee, it is more of a freeze in the real sense than some of the rhetoric of resolutions that are around calling for it. I did not want him to think that I used the words lightly; I used them kind of literally, since I was assuming that what he wanted to happen with his amendment would indeed be a freeze.

Again, I am not sure we shall use the whole hour that we have in opposition, but I hope Senator PRYOR understands that I have called a couple of Senators in whose jurisdiction this is, including Senator MCCLURE, who chairs the Appropriations Subcommittee for this function, to see if they want to come to the floor to debate. I shall reserve whatever time I have left of the hour to see what response they want to make.

Mr. PRYOR. Mr. President, let me respond to the distinguished chairman of the Committee on the Budget by saying until the other Members get to the floor who may want to speak on this amendment, may I inquire of the chairman, if there are no other amendments to be brought up at this time until they arrive, I have yet another amendment that I would like to present and lay down, assuming a vote tomorrow. Would that be an appropriate thing to do in this time?

Mr. DOMENICI. Mr. President, how much time does the Senator from New Mexico have in opposition?

The PRESIDING OFFICER. The Senator from New Mexico has 52 minutes.

Mr. DOMENICI. How much time has the proponent?

The PRESIDING OFFICER. He has 44 minutes remaining.

Mr. DOMENICI. If the Senator will give me just a few minutes, I shall check. In the meantime, I shall charge the time to myself in opposition by suggesting the absence of a quorum and charging the time to me.

I do that, Mr. President.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. DOMENICI. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DOMENICI. Mr. President, I ask unanimous consent that the Domenici substitute and the pending Pryor amendment be temporarily laid aside and that all provisions of the Budget Act regarding floor consideration of the aforementioned amendment shall remain in full force and effect.

The PRESIDING OFFICER. Is there objection? Hearing none it is so ordered.

AMENDMENT NO. 1247

(Purpose: To reduce funds for security assistance programs.)

Mr. PRYOR. Mr. President, I do appreciate the distinguished Senator from New Mexico, also the chairman of the Budget Committee, yielding to me at this time. I do have an amendment, Mr. President, that I send to the desk at this time.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Arkansas (Mr. PRYOR) proposes an amendment numbered 1247.

Mr. PRYOR. Mr. President, I ask unanimous consent that further reading of the amendment be dispensed with.

The PRESIDING OFFICER. is there objection? Hearing none, it is so ordered.

The amendment is as follows:

On page 3, decrease the figure on line 13 by $880,000,000.

On page 3, decrease the figure on line 14 by $880,000,000.

On page 3, decrease the figure on line 15 by $880,000,000.

On page 3, decrease the figure on line 19 by $180,000,000.

On page 3, decrease the figure on line 20 by $590,000,000.

On page 3, decrease the figure on line 21 by $760,000,000.

On page 4, decrease the figure on line 1 by $180,000,000.

On page 4, decrease the figure on line 2 by $590,000,000.

On page 4, decrease the figure on line 3 by $760,000,000.

On page 4, decrease the figure on line 7 by $180,000,000.

On page 4, decrease the figure on line 8 by $770,000,000.

On page 4, decrease the figure on line 9 by $1,530,000,000.

On page 4, decrease the figure on line 14 by $180,000,000.

On page 4, decrease the figure on line 15 by $590,000,000.

On page 4, decrease the figure on line 16 by $760,000,000.

On page 7, decrease the figure on line 6 by $880,000,000.

On page 7, decrease the figure on line 7 by $180,000,000.

On page 7, decrease the figure on line 13 by $880,000,000.

On page 7, decrease the figure on line 14 by $590,000,000.

On page 7, decrease the figure on line 20 by $880,000,000.

On page 7, decrease the figure on line 21 by $760,000,000.

Mr. PRYOR. Mr. President, this amendment relates to the foreign sales of weapons. My amendment is pretty simple. It is intended to slow down the escalation of U.S. arms sales and other military assistance to foreign countries by reducing funding for function 150 by $880 million in budget authority for fiscal year 1984.

Although we cannot target specific military assistance categories in this budget resolution, we need to go on record to protest the arms merchant mentality that we have acquired in recent years.

In its first year this administration more than doubled the previous year's arms sales. Approval of this amendment, Mr. President, will be a guide to our colleagues on the Foreign Relations and Appropriations Committees as they consider security assistance legislation this year.

This amendment is not aimed at any particular country or region. It simply seeks an overall reduction in our emphasis on military aid.

This amendment would reduce funding for such programs as the Economic Support Fund, International Military Education and Training, Foreign Military Sales Credits, and Military Assistance Programs.

To understand, Mr. President, the need for this sort of amendment that I am bringing before the Senate this afternoon, we need to stand back for a moment and take a look at the frightening growth of the worldwide arms trade.

In the decade from 1965 to 1975 we saw a quadrupling of worldwide arms sales. Since that time arms sales have increased geometrically, and in all likelihood will continue to do so. Arms sales and gifts worldwide, official and unofficial, may amount to the staggering figure of some $200 billion, about the same as transfers of food.

Unfortunately, most of the increase in arms sales and gifts has gone to Third World countries. In 1975, for example, $8 billion in weapons were delivered to the Third World. By 1980, just 5 short years later, that figure had grown to $18.3 billion, a 130 percent increase, with an additional $41 billion in contracts for future delivery. By contrast, total economic aid to these countries is only about $20 billion.

Mr. President, arms purchases by the less developed countries are now increasing at a rate of 25 percent each year, and I am talking about sophisticated arms. I am not talking about castoff tanks or rifles or anything of that sort.

Mr. President, the question that I ask the Senate today is what is the U.S. exact role in this escalation? Let us examine it for a moment. When President Reagan took office—and Mr. President, I would like to say this speech is bipartisan, I am not taking on President Reagan on this issue, all Presidents have been guilty in some respect of escalating this arms race—but when President Reagan took office he made it very clear that one of the centerpieces of his foreign policy would be military assistance. Well, that is one promise that the President has kept. In his first year in office President Reagan sold an all-time high of $21.5 billion in U.S. arms. That total more than doubles the total from the previous year. I think it is important to remind ourselves that this increase has been undertaken at the same time as administration cuts in education, small business assistance, Farmers Home Lending and a number of other domestic spending programs. I am talking about priorities, Mr. President.

The United States supplies 45 percent of all arms aid to the less developed countries. In 1982 the United States reached a record high in arms transfer agreements with the Third World at $15.3 billion. The Soviets ranked second with $10.2 billion.

The policy implication of these sales should be very clear to all of us:

Arms sales to a given region may create an imbalance of strength that leads to an open conflict.

Arms sales lead to a spiraling build-up of both sides to the dispute until the sheer availability of weapons leads to open war. At this moment many potential conflicts are brewing: Gabon-the Congo, Somalia-Kenya, South Africa-Botswana, Lesotho-Swaziland, Guatemala-Belize, Venezuela-Colombia, Venezuela-Guyana, India-Pakistan, and on and on. The United States supplies arms to most, if not all, of these countries.

Now that we are freely selling state-of-the-art weapons to Third World nations, we run the risk of disseminating sensitive weapons technology that is best kept for our own use;

In times of shifting alliances, our own weapons can come back to haunt us, as Britain's did during the Falklands war.

U.S. technicians are being drawn to weapons manufacturers and to recipient nations, dangerously decreasing the supply of competent technicians in our own armed services;

U.S. aid is being diverted from long-term development assistance. Last year, for example, the ratio of military to development assistance was 57 to 43 percent.

Finally, too much of our military aid has gone to governments that do not come close to meeting American standards of human rights and self-determination. I refer to such leaders as Mobutu in Zaire, Duvalier in Haiti, Somoza in Nicaragua, and a variety of other Third World potentates with Swiss bank accounts and starving countrymen.

I believe the American people are today embarrassed by our military support for these sorts of governments and I believe, Mr. President, our people want it to stop.

My amendment does not stop all of this aid, it simply slows it down. It does not even address the question of off-budget military sales guarantees, although the Senate should be very aware that this credit account has a strong fiscal impact as well as a strong imprint on our foreign policy. The budget this year includes $5.4 billion for foreign military sales guarantees, and that is a figure that should not be ignored.

The chairman of the Senate Foreign Relations Committee, Senator PERCY, and the ranking minority member, Senator PELL, have both suggested in the past, to the best of my knowledge, to the Budget Committee chairman that the two committees should look into the possibility of placing the foreign military sales guarantee program totally in the budget and on the budget in future years.

Our liability exposure under this program may end up dwarfing the present IMF controversy. According to the General Accounting Office, 13 nations are now unable to make interest payments due this year. Some of these debts are being rescheduled, but the administration is asking for $950 million of this debt to be forgiven in fiscal year 1983. That is a polite way of saying that we are making a gift of nearly $1 billion in weapons.

Potential taxpayer liability of the Pakistan F-16 sale alone could amount to $1.1 billion. And what is the administration's response? A request for another $50 million this year for Pakistan.

In addition, I am certain we can expect a supplemental request later this year to restore the revolving fund that supplies guarantees on weapons sales.

Mr. President, how can we look at the rest of the world with a straight face and boast of our food for peace program, when half of our international assistance goes for the tools of war?

I only wish that our Government were half as aggressive in promoting agricultural exports as it is in pushing arms sales. We have some of the best salesmen in the world selling arms. Frankly, I think we have some of the sorriest selling agricultural commodities on our farms.

Maybe we ought to let the Pentagon run our wheat program, our rice program, or soybean program. Maybe we ought to transfer Public Law 480 over to the Defense Department and get some of those same people who are selling arms and weapons to sell the crops that our farmers produce.

I realize that we cannot "line item" this military aid out of the budget. But I think we need to cut this $880 million out of the budget now and go on record here today on at least two major points:

The first point is to express our concern over the emphasis which is being put on weapons sales as a foreign policy tool; and, two, to guide our colleagues on the Foreign Relations and Appropriations Committees when the time comes for them to deal with security assistance legislation or arms sales to other countries.

As I have said before, this amendment does not target any particular country or region. It is up to those two committees—Appropriations and Foreign Relations—to decide where our security interests really lie and direct aid to those areas. But I hope we will reduce our arms sales to a lower level and show a much greater selectivity in choosing recipients.

We are the leading arms merchant of the world. That is not a label I like to see attached to this country. This amendment is the first step toward reversing the dangerous path and the escalation that we have seen and that we are seeing today in sales of our arms to foreign countries.

I know full well that some of the Members of this body may well come to this floor—maybe this afternoon and maybe tomorrow—and say, "Well, the budget resolution is not the place to conduct a debate on military assistance to other countries." Well, when you get down to it, Mr. President, there are only three opportunities that we have in this body, other than being on one of the committees—I am not on Foreign Relations and I am not on appropriations—but we really have basically three chances to look at this particular issue from the budget angle: First is the budget resolution, which we are considering today. Second is the authorization bill, which will be coming in the next several weeks. Finally, it would come in the appropriations bill later in the year.

What has happened in the past, Mr. President, is our appropriation bill and our authorization bill come up and sort of run together in something called a continuing resolution. Suddenly we find ourselves 2 or 3 or 4 days before Christmas debating foreign policy, debating appropriations, debating defense, and debating domestic programs, when we actually have only moments to debate those subjects before final disposition is made.

The other reason that I raised this issue, Mr. President, on the budget resolution is pretty simple: because it is an important issue; it is a critical

issue. I, as one Senator, would like to take every opportunity that is available to me to raise this issue with my colleagues and to ask for their consideration of what we should do in the field of arms sales to foreign countries.

We also need to consider the main purposes of a budget resolution. First is to set overall spending and revenue and deficit levels. Second, within broad guidelines, is to set priorities among competing categories of spending. This is exactly what I am attempting to do with this amendment. It is meant to give guidance to our colleagues on the authorization and the appropriation committees to once again go back and look and find out for certain if the sales of these weapons to foreign countries are actually justified. We must have an examination and a thorough examination of this issue. And I bring this amendment at this time to the floor of this Senate for that purpose.

Mr. President, on this amendment, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second? There is not a sufficient second.

Mr. PRYOR. Mr. President, I wonder if the Presiding Officer would recount. I believe some more of my colleagues have walked into the Chamber.

The PRESIDING OFFICER. Is there a sufficient second? There is a sufficient second.

The yeas and nays were ordered.

Mr. PRYOR. I thank the Chair.

Mr. President, I have no additional comments to make in this area at this time.

I yield to the distinguished chairman of the Budget Committee.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. DOMENICI. Is the Senator finished?

Mr. PRYOR. Yes.

Mr. DOMENICI. I will take only a few moments and then yield to Senator PERCY.

Once again, Mr. President, while I commend the distinguished Senator for his position as to what he would like this amendment to do, I do not happen to agree. As chairman of the Budget Committee, I would just tell the Senate what could really happen if the amendment prevails and then just leave the issue up to the Senate.

I do not have to repeat the basic argument that I made on the last Pryor amendment, when the distinguished Senator made certain assumptions with reference to the expenditure of funds for nuclear preparedness. In that amendment, he assumed that by taking a certain amount of money out of the defense function we would be freezing future nuclear-armament expenditures at this year's level. I give a similar argument here.

The distinguished Senator, in this particular amendment, is doing nothing more or nothing less than taking $0.9 billion in budget authority and $0.2 billion in outlays from our recommendation for 1984 and then estimating an additional $0.9 billion in budget authority and $0.6 billion in outlays for 1985 and estimating another $0.9 billion in budget authority and $0.8 billion in outlays in 1986 to be taken out of the function called international affairs.

In its truest sense and in its most realistic sense, that is what the amendment does. So Senators should be voting on the following issue. Do they want the Senate Budget Committee's mark for function 150, International Affairs, reduced by those amounts or not?

The distinguished Senator who proposes the reduction would suggest that the United States is spending in this function more than he would like for security assistance and for military transfers. I would remind the Senate, according to our best estimates, security assistance is split evenly, half for military assistance and half for nonmilitary assistance. Security assistance is made available to a number of friendly nations for various purposes. Some of this foreign aid is helpful to the recipient countries almost exclusively; in others, most of them, there is mutual benefit in that the funds help those countries and, at the same time, help us through purchases of American goods and services, especially agricultural and other commodities.

There is no way that voting on his amendment, to reduce this function by almost $1 billion in budget authority in fiscal 1984, enables one to stand on the floor and say that the amendment will reduce the transfer of military armaments. As the Senator said, many arms sales are not even on-budget. Our reports suggests doing just that, putting them on-budget.

The Pryor amendment would basically reduce the function, tighten it, so that the appropriators will have to make tough decisions as to how they are going to allocate the money among the various overseas programs, military and nonmilitary assistance.

It seems to me that while the Senator might think this money will come out of military sales, which he is convinced are too high, I would remind the Senate that it could just as easily come out of assistance that we give to Israel. It could just as easily come out of critical assistance that we provide to Egypt, Turkey, or Jamaica. These security assistance funds are mostly balance-of-payments support that is desperately needed by our friends and allies. What about the World Bank, no favorite of this Senator, or the United Nations?

Likewise, friendly countries such as Kenya, Egypt, Oman, Portugal, where we have base access facilities for American forces would be hurt. I will remind the Senate that the money for those purposes comes out of this particular International Affairs function. So does money for the Eximbank and Radio Free Europe.

I would hope those who want to study this overnight would look at the budget resolution and the explanation of this function and decide whether or not they really want to take this much money out of the International Affairs function. This amendment would leave up to the appropriators to decide what they are going to cut from the many programs, both nonmilitary assistance and military assistance; by tomorrow afternoon, each Member should decide whether they think we can cut so much this year, when we are making some significant progress in the Middle East and elsewhere. Again, the basic issue is not arms sales, it is whether to take almost $1 billion out of this function or not.

I would be pleased to yield to my good friend, the chairman of the Foreign Relations Committee. I would say to my good friend, Senator PRYOR, we do not intend to use much additional time tonight. I will talk to the leadership as to when we are ready to go out. I will then advise as to how much longer we can debate the issue and the Senator can proceed at that point.

Mr. PERCY. I thank the distinguished chairman of the committee. This is the first time that I can publicly state that I know what he is going through. When the committee reported out the first format in 1974, we never anticipated we would be, at this stage in our deliberations, as locked in as we are. But I commend the tenacity and the great purpose that our distinguished chairman has. I will certainly support him in his effort to oppose the amendment introduced by our distinguished colleague from Arkansas, for whom we have a great regard and a high respect.

Certainly, I have no problem in agreeing with the concern he has expressed about arms sales. We did peak in arms sales in 1982 and I assume that total arms sales will be reduced in 1983.

I can also agree that FMS guarantees must go on budget. I concur with that. They ought to be on budget. We will continue to pursue efforts to bring them on budget.

But the amendment before the Senate by the distinguished Senator from Arkansas really does not affect either one of these. It affects grant military aid and the economic support fund. It affects the security, therefore, of the United States of America. When he talks about arms sales and the economic support fund, in a sense, really, if I could say so, it is mixing apples and oranges, and we have to

really narrow it down now to what we are talking about.

Let me talk about one of the areas of greatest concern to the past administration and to this administration, and, really, to the entire free world. I am talking about the action that was taken by the Soviet Union in moving brutally into Afghanistan and subjecting that country to military occupation by a foreign power. The Soviet Union has occupied that country and has subordinated it to its will. The Soviet Union is now within 300 miles of the Strait of Hormuz and the Persian Gulf.

When I was in Moscow in November 1980, I made it unmistakably clear to Secretary General Brezhnev, Ustinov, the Joint Chiefs of Staff, and Foreign Minister Gromyko that the concern of the world was not only for the people of Afghanistan, but also for the entire security of the free world. As Clark Clifford, on behalf of President Carter once said, this could mean war, if anyone moved in to interfere with the movement of oil out of the Middle East to the free world. It would decimate the economy of Japan; it would cripple Western Europe. It would severely injure the United States of America, both our economy and our security.

Therefore, we began at that time, under a Democractic administration and carried on under a Republican administration, the creation of a rapid deployment force to protect and provide protection for that vital resource absolutely essential to the free world.

We have spent billions of dollars on that effort.

We need bases in that area. We cannot rely on bases that are remote bases. We need bases in that area. The nations of Kenya, Oman, and Somalia have worked with us in providing access to military facilities.

We do not pay rental for these base facilities overseas. This was not an easy decision for any one of those countries to come to because there are forces in that area, powerful forces, working politically to prevent them from going ahead with this program.

I have seen the base being built in Oman, and we know the value of that facility to be able to provide protection for the most vital raw material on which our economy and our national security depend.

The Senator's amendment would cripple our ability to provide the aid levels necessary for Kenya, Oman, and Somalia to continue this kind of effort, just as it would interfere with the cooperation we are providing to Turkey, Portugal, Egypt, and the Philippines.

I would like to ask my distinguished colleague a few questions.

Is it not true that, for instance, the amendment would cut the request of the administration for grant military aid to Turkey from $230 million to $57 million? Turkey is an important NATO ally on the vulnerable southern flank and it is in desperate economic shape. Is that not the effect this amendment would mandate?

Mr. PRYOR. Let me respond to my friend, the distinguished chairman of the Committee on Foreign Relations, a Member of this body that I have the greatest respect for. I also have great respect for his committee.

I would like to respond by saying that, in my remarks in offering and supporting the amendment, I said that I did not want in any way to have this amendment target any particular country or region of the world. What this amendment does is simply take roughly 5 percent of function 150 and ask the Foreign Relations Committee, which the distinguished Senator chairs, and the Appropriations Committee simply to go back, take another look, and see if we cannot find $880 million in savings for fiscal year 1984.

It is a simple amendment. It is not an Earth-shaking amendment. It is not an amendment, in this Senator's opinion, that is going to damage our national defense in any way. Nor should it in any way cripple the allies that we have that the distinguished Senator referred to.

So, Mr. President, in answer to the Senator's question, I agree with him that we owe a great debt to some of those countries he mentioned. They are strong allies of ours, there is no question there. I am just hopeful that the Committee on Foreign Relations and the Committee on Appropriations can go back, take another look and see what we can do about a program that is escalating beyond our comprehension.

Mr. PERCY. Mr. President, I wish to say to my distinguished colleague that I simply have to make the assumption that he has already made, that the cuts would have to come out of security assistance. I do not see any place else they can come from.

I would like to remind my distinguished colleague that the Committee on Foreign Relations and the chairman and ranking minority member took this position 2 years ago, that there were places we could cut. We did cut $900 million out of our programs. The administration objected at the time, but later, when they saw the kind of budget condition we faced, they concurred, and that is exactly the figure we ended up with.

The problem now is that we are facing a new set of circumstances. We are facing a whole new ball game when, after cutting $900 million out 2 years before, we now go back and say let us cut even further.

I can only come to the conclusion that, with respect to Turkey, which is in a much worse condition today and the need is much greater, to ask us to cut the request of the administration all the way from $230 million, which has been requested, back to $57 million, which was the figure that was in fiscal 1983, is an impossible task. We have already cut, the committee has already cut this to $110 million. That is a figure that is already unacceptable to the administration.

Let us take the question of Portugal. This amendment would cut both MAP and ESF for Portugal. I only ask my distinguished colleague how we could possibly do that with Portugal today, struggling as they are. How could we possibly cut them that deep?

Let us take the case of Pakistan. Economic support funds in the amount of $125 million would be cut out by the pending amendment. I only ask my distinguished colleague if he has ever been in Pakistan.

Mr. PRYOR. I have not been in Pakistan.

Mr. PERCY. I would ask him to try to picture what Pakistan's situation is today, trying to absorb nearly 3 million refugees who have fled out of Afghanistan, women and children. Freedom fighters who have come out sneak back into the country to try to protect their country. But they have 3 million refugees in Pakistan from Afghanistan. To cut them $125 million in economic support funds, when there are so many programs that we are working on with Pakistan, to cause them to see our way in some of those things—this would truly undercut the President. It would give the feeling to these countries abroad that the President is powerless to negotiate. They cannot wait until we act.

Many times, they have made representations based on the best advice that we can give them that we would stand behind the economic assistance program of that kind.

Mr. PRYOR. Mr. President, may I respectfully respond at this time?

Mr. PERCY. Yes, I shall yield for a question or a brief comment. We do have to get out, I understand, at 6 o'clock. We are just about reaching the end of our line on debate tonight.

Mr. PRYOR. I was not going to respond, but I think the distinguished chairman is under some misapprehension about what this amendment proposes.

It does make a reduction in function 150. But within this function, it could affect any of the military assistance programs. That is, the grants, which allow foreign governments to buy U.S. military equipment or foreign military sales credits, forgiven loans and loan guarantees, which allow them to buy U.S. military equipment and training.

The cut could also be taken from the international military education and training program or the economic support fund, grants and loans to our allies to free up their own budget so

they can use their own money for military expenditures.

By my calculations, my amendment would leave the chairman and his committee and the Appropriations Committee roughly $3.6 or $3.7 billion to divide up any way they see fit. That is what my amendment does. It forces a greater selectivity with some of these programs and a second look. That is all my amendment does.

Mr. PERCY. If the Senator from Arkansas would just take into account one thing, the funds that he is saying we can cut from do not exist, because the FMS guaranty program he mentioned is off budget. We do not have that available to cut if it is not on-budget. So the assumptions the Senator is going on are absolutely incorrect. We do not have that leeway from which we could cut.

Let me ask the Senator this question: The Senate Foreign Relations Committee has added $100 million grant military assistance and $125 million in economic aid to last year's level for Israel. For Egypt, the Senator's amendment would mean a reduction from the request of $250 million in grant military aid. That is where we would have to take it from. Does the Senator intend to do this?

If this amendment were adopted, those are the areas we would have to go after. For that reason, I would vigorously oppose the amendment.

Mr. PRYOR. Mr. President, it would be up to the distinguished chairman of the Foreign Relations Committee, members of the committee, and members of the Appropriations Committee, to come back at the proper time with these recommendations.

This amendment in no way—in no way—takes dollars for specific countries away from them. It forces our two committees, the authorizing committee and the Appropriations Committee, to take another look at the totality of this program.

Finally, I say to the distinguished chairman, when I talk about what the committee still has to work with, I am referring to the entire on-budget security assistance package. We all recognize that this represents only one-half of the total security request, which includes off-budget loan guarantees. We know that and we understand it. All I am doing is taking about 5 percent from function 150, in rough terms, about $880 million in authority, and limiting the number of dollars that we can commit to that authority.

Mr. PERCY. Mr. President, I shall take just 1 additional minute, because the floor manager wishes to wind up this debate now.

With a cut the size of the pending amendment, we would have no choice but to make the cuts the size of which I have indicated affecting Israel, affecting Egypt, affecting Pakistan, certainly affecting Turkey, Portugal, and Sudan, and the cases I have mentioned involved so deeply in our Rapid Deployment Forces—Oman, Somalia, and Kenya. There is no alternative to that.

I only ask my distinguished colleague, when we look at the responsibility we have for supporting the Camp David process, what would it do to that process to a country like Egypt, cut off now from the resources it used to have in the Arab world, relying upon our good faith to help them and make up for the fact that they do not have available to them any funds that they had before—what would happen to them?

What would happen to the peace process if this amount was cut from Israel? What would happen to the peace process and the rapid deployment forces if we simply could not man and complete those bases that we have undertaken?

I simply hope that this amendment would be defeated. I feel very, very strongly about it. There is no alternative for a cut of this size other than to cut the kind of programs that I have tried to outline.

Mr. PRYOR. I should like to close by saying I respectfully disagree with the interpretation of the distinguished chairman as to what my amendment does. I have enjoyed listening to his remarks.

I might ask the distinguished chairman of the Budget Committee if possible there would be a little further discussion on this tomorrow. I would like to reserve the remainder of my time.

Mr. PERCY. I suggest, Mr. President, that the distinguished Senator and our staff get together right now, if we can, because it is a factual question that we are trying to settle. I would hope that we could settle it so that the Senate would have the facts on which to judge the case.

The PRESIDING OFFICER (Mrs. KASSEBAUM). The Senator from New Mexico is recognized.

Mr. DOMENICI. I understand that the distinguished acting majority leader seeks to be recognized. It is my understanding—and I might put this in the nature of a parliamentary inquiry—that since we have not yielded back our time on the pending amendment, when the Senate returns to the resolution tomorrow, so long as it does so before the hour of 2 p.m., will not the second Pryor amendment, the one that we are presently debating, be the pending business?

The PRESIDING OFFICER. The Senator is correct.

Mr. DOMENICI. I thank the Chair. I yield to the distinguished acting majority leader.

ROUTINE MORNING BUSINESS

Mr. TOWER. Madam President, I ask unanimous consent that the Senate proceed to the consideration of routine morning business for a period not to exceed 15 minutes, with statements made therein not to exceed 3 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. TOWER. Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. TOWER. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

FEDERAL ANTITAMPERING ACT

Mr. TOWER. Madam President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 109, S. 216, a bill to amend title 18.

Mr. BYRD. Madam President, reserving the right to object—and I will not object—has the budget matter been laid aside?

The PRESIDING OFFICER. We are now in morning business.

Mr. BYRD. I thank the Chair.

I have no objection.

The PRESIDING OFFICER. The bill will be stated by title.

The assistant legislative clerk read as follows:

A bill (S. 216) to amend title 18, United States Code, to combat, deter, and punish individuals who adulterate or otherwise tamper with food, drug, cosmetic, and other products with intent to cause personal injury, death, or other harm.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on the Judiciary with an amendment to strike out all after the enacting clause, and insert the following:

That this Act may be cited as the "Federal Anti-Tampering Act".

SEC. 2. Chapter 65 of title 18 of the United States Code is amended by adding at the end thereof the following new section:

"§ 1365. Tampering with household products

"(a) Whoever, with intent to kill, injure or otherwise endanger the health or safety of any person or to cause significant damage or injury to the business of an individual, partnership, corporation, association, or other business entity, tampers with and thereby taints, or tampers with and thereby renders materially false or misleading the labeling of, or container for, any household product which is in, is intended to be in, or continues to affect interstate or foreign commerce, or attempts, threatens, or conspires to do so, shall—

"(1) be imprisoned for not more than ten years or fined not more than $20,000, or both;

"(2) if serious bodily injury results, be imprisoned for not more than twenty years or fined not more than $50,000 or both; and

"(3) if death results, be imprisoned for any term of years or for life or fined not more than $100,000, or both.

"(b)(1) Whoever imparts or conveys false information, knowing the information to be false, concerning an act or attempted act which, if true, would constitute a violation of subsection (a) shall be imprisoned for not more than one year or fined not more than $10,000, or both.

"(2) Whoever willfully and maliciously imparts or conveys false information, knowing the information to be false, concerning an act or attempted act which, if true, would constitute a violation of subsection (a) shall be imprisoned for not more than five years or fined not more than $25,000, or both.

"(c) A violation of this section may be investigated by the Federal Bureau of Investigation and by any other Federal agency which has investigative jurisdiction over such violation under title 21 of the United States Code.

"(d) A person has the intent required for an offense under this section if the person knows or has reason to know that the normal and usual consequence of the actual, attempted, planned, or threatened tampering would be to kill, injure, or otherwise endanger the health or safety of any person or to cause significant damage or injury to the business of an individual, partnership, corporation, association, or other business entity.

"(e) As used in this section—

"(1) the term 'household product' means—

"(A) any food, drug, device, or cosmetic; or

"(B) any article, product, or commodity of any kind or class which is customarily produced or distributed for sale through retail sales agencies or instrumentalities for consumption by individuals, or use by individuals for purposes of personal care or in the performance of services ordinarily rendered within the household, and which usually is consumed or expended in the course of such consumption or use;

"(2) the term 'food' has the definition given such term in section 201(f) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 321(f)) and also includes 'meat food product' as such term is defined in section 2(j) of the Federal Meat Inspection Act (21 U.S.C. 601(j)), 'poultry' as such term is defined in section 4(e) of the Poultry Products Inspection Act (21 U.S.C. 453(e)), 'poultry product' as such term is defined in section 4(e) of the Poultry Products Inspection Act (21 U.S.C. 453(f)), 'egg product' as such term is defined in section 4(f), of the Egg Products Inspection Act (21 U.S.C. 1033(f)), and 'egg' as such term is defined in section 4(g) of the Egg Products Inspection Act (21 U.S.C. 1033(g));

"(3) the term 'drug' has the definition given such term in section 201(g)(1) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 321(g)(1));

"(4) the term 'device' has the definition given such term in section 201(h) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 321(h));

"(5) the term 'cosmetic' has the definition given such term in section 201(i) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 321(i));

"(6) the term 'labeling' has the definition given such term in section 201(m) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 321(m)); and

"(7) the term 'serious bodily injury' means bodily injury to a person which involves—

"(A) a substantial risk of death;

"(B) extreme physical pain;

"(C) protracted and obvious disfigurement; or

"(D) protected loss or impairment of the function of a bodily member, organ, or mental faculty.".

SEC. 3. The table of sections at the beginning of chapter 65 of title 18 of the United States Code is amended by adding at the end thereof the following new item:

"1365. Tampering with household products.".

Mr. THURMOND. Madam President, I am extremely pleased to bring S. 216, the Federal Anti-Tampering Act, to the floor today. Enactment of this bill must be one of the highest priorities of the 98th Congress. Early in the Congress, I expressed my resolve to send this crucial legislation to the President's desk as soon as it was humanly possible. I am happy that the Committee on the Judiciary and this body have made such considerable progress toward that goal already.

We have regrettably witnessed a series of recent events which have seriously undermined public confidence in the safety of consumer products and sent chills through respected manufacturers all over the country.

In a well-publicized incident in Chicago, several persons died after taking Tylenol capsules filled with cyanide. The manufacturer, a subsidiary of Johnson & Johnson, utimately recalled 31 million bottles of that pain reliever from retailers, wholesalers, and the public. They estimate that the total cost of warning the public, recalling the product, testing, and destroying suspected capsules was $100 million.

A wave of "copycat" crimes was reported after that crisis. In a hearing which I chaired on March 4 of this year, the Judiciary Committee received testimony indicating that there have been reported incidents involving oral hygiene products contaminated with acid, over-the-counter drugs laced with rat poison, and beverages mixed with insecticides.

Next to the Tylenol incident, the most devastating situation occurred with respect to "Ball Park" hot dogs manufactured by a Michigan firm. Following a consumer complaint that a razor blade had been found in a hot dog, the company voluntarily recalled 350,000 pounds of their product and spent a frantic weekend putting packages of hot dogs through metal detectors. Although the initial complainant ultimately confessed that she had put the razor blade into the hot dog herself, that false claim cost the company approximately $1 million in recall expenses and lost profits. By contrast, its annual profit is only $8 million.

Clearly, then, these vexatious tampering crimes can cause devastating losses for innocent citizens and business people. In response, in the 97th Congress, I introduced, and this body passed, Federal legislation aimed at deterring this reprehensible conduct. The other body failed to pass a separate bill, and a crime package which contained a limited tampering provision was vetoed by the President because of concerns over other parts of the bill. In this Congress, at the earliest opportunity, I introduced S. 216, which was identical to the bill which we passed last year. I am pleased to have 58 of my colleagues as cosponsors.

On March 4, I chaired a hearing during which we received testimony from the Department of Justice and representatives of several affected industries. Based on the testimony that we received, I successfully offered an amendment to S. 216 when the committee considered it on April 12. As it was reported by the committee, without objection, the Federal Anti-Tampering Act creates new felony offenses in title 18 of the United States Code, punishable by strong penalties. Specifically, it would make it an offense to tamper with a consumer product, or its label or container, with intent to cause injury or death to another person or significant damage to a business, or with reason to know that such harm would be the usual result. In addition, it would make it a Federal offense to knowingly convey false information concerning a tampering offense.

Under existing provisions in the Food and Drug Act, the penalties for tampering do not provide a sufficient deterrent to this dangerous sort of activity. For this reason, the bill reported by the committee contains penalties based upon the harm that results. They range from 10 years of imprisonment and a $20,000 fine, to life imprisonment and a $100,000 fine, where death results. The hoax offenses are patterned after similar offenses relating to aircraft hijacking, which have been highly successful in deterring that type of activity.

The committee amendment retained the provision in the original bill which covers tampering with intent to damage a business. I believe, as did the committee, that it is important for Federal tampering legislation to cover that situation. Malicious tampering aimed at causing significant harm to an innocent business is clearly criminal conduct.

Madam President, S. 216 attempts to balance the need for Federal involvement in some tampering crimes, without unnecessary intervention into cases more appropriately left to the State and local governments. With the help of the Justice Department and representatives of affected industries, we have created a bill which achieves an appropriate balance, while providing a strong deterrent to these reprehensible crimes. I urge my colleagues

to support S. 216, as it was reported by the Committee on the Judiciary.

AMENDMENT NO. 1250

(Purpose: To correct an inequity in the case of certain patents)

Mr. THURMOND. Madam President, I send to the desk an amendment on behalf of the distinguished Senator from North Carolina (Mr. EAST), Mr. HOLLINGS, and myself.

The PRESIDING OFFICER. The amendment will be stated.

The assistant legislative clerk read as follows:

The Senator from South Carolina (Mr. THURMOND), for himself, Mr. EAST, and Mr. HOLLINGS, proposes an amendment numbered 1250.

Mr. THURMOND. Madam President, I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

At the end of the Committee amendment add the following section:

SEC. 4. (a) The following new section shall be added to title 35 of the United States Code:

"§ 155A. Patent Term Restoration

"(a) Notwithstanding the provisions of section 154, the term of each of the following patents shall be extended in accordance with this section:

"(1) Any patent which encompasses within its scope a composition of matter which is a new drug product, if during the regulatory review of the product by the Federal Food and Drug Administration—

"(A) the Federal Food and Drug Administration notified the patentee, by letter dated February 20, 1976, that such product's new drug application was not approvable under section 505(b)(1) of the Federal Food, Drug and Cosmetic Act;

"(B) in 1977 the patentee submitted to the Federal Food and Drug Administration the results of a health effects test to evaluate the carcinogenic potential of such product;

"(C) the Federal Food and Drug Administration approved, by letter dated December 18, 1979, the new drug application for such product; and

"(D) the Federal Food and Drug Administration approved, by letter dated May 26, 1981, a supplementary application covering the facility for the production of such product; and

"(2) Any patent which encompasses within its scope a process for using the composition of matter described in paragraph (1).

"(b) The term of any patent described in subsection (a) shall be extended for a period equal to the period beginning February 20, 1976, and ending May 26, 1981 and such patent shall have the effect as if originally issued with such extended term.

"(c) The patentee of any patent described in subsection (a) shall, within ninety days after the date of enactment of this section, notify the Commissioner of Patents and Trademarks of the number of any patent so extended. On receipt of such notice, the Commissioner shall confirm such extension by placing a notice thereof in the official file of such patent and publishing an appropriate notice of such extension in the Official Gazette of the Patent and Trademark Office.".

(b) The analysis for Chapter 14 of such title 35 is amended by adding at the end thereof the following:

"155A. Patent term restoration.".

Mr. THURMOND. Madam President, I am pleased to join Senator EAST and Senator HOLLINGS in offering this amendment designed to provide redress to a health care company harmed by an agency of the Federal Government. This is a noncontroversial provision which passed the other body in the 97th Congress and enjoys bipartisan support in this body.

Madam President, the details of this unfortunate episode have been outlined by the distinguished Senator from North Carolina, and I will not repeat them. In sum, because of an egregiously long approval process demanded by the Food and Drug Administration, only a small part of the 17-year patent term to which the company was entitled was effectively available to them. This amendment would restore to the patent life of the affected product only that time caused by the unfair FDA delay. As such, it would provide relief similar to that provided in a similar case in the orphan drug bill during the 97th Congress.

Madam President, I hope the Committee on the Judiciary will promptly report more comprehensive patent term restoration legislation. Hearings have already been scheduled for later this month. However, in the interim, I believe we should provide immediate relief in this case.

● Mr. EAST. Madam President today, Senator THURMOND, Senator HOLLINGS, and I are proposing an amendment designed to remedy a particularly egregious hardship caused to a health care company by an agency of the Federal Government. I submit that it is a noncontroversial amendment which passed the House of Representatives unanimously during the last Congress. In my judgment, it also would have passed the Senate unanimously had it come to a vote. Unfortunately, the bill was attached to highly controversial legislation during the rush of the special session last Congress, and consequently no vote occurred.

The facts are these. About 20 years ago, research scientists discovered a new life-sustaining anesthetic called Forane. The company that discovered Forane extensively tested the anesthetic, both on animals and, later, on humans. The product was patented in October 1970. As my colleagues are aware, our patent laws give the inventor of a product 17 years of exclusive use. The intent behind the law was to grant the inventor the exclusive marketing of the product for that period of time. In the case of Forane, the inventor was only permitted less than 7 years of exclusive marketing. This is because the approval process for Forane took more than 10 years, and less than 7 years of effective patent coverage remained rather than the 17 year intended by Congress.

This regulatory delay began with a claim by a single doctor that inhalation agents have carcinogenic potential. Subsequently the FDA repudiated that doctor's study; found it to be deficient; so stated publicly in the Federal Register; and finally allowed Forane to be marketed in May 1981 (more than 10 years after the patent was issued).

The amendment I introduce today would restore to the company only that portion of the patent term lost during this delay. It would not restore to the company any time involved in routine animal and human testing. In short, this bill would restore life to the patent term for the period of time beginning with the date the FDA held up the new drug application on the basis of the deficient study (Feb. 20, 1976) until the date the FDA approved the company's application covering the facility for the production of the product (May 26, 1981), a period of 5 years and 3 months.

To my knowledge, there has been only one other situation analogous to this and the unfairness of that situation was corrected by an amendment to the orphan drug bill which was passed during the last session of the Congress. Fairness and equity demand that this hardship situation be treated in a similar manner.

I encourage my colleagues to support this amendment and respectfully urge its speedy approval.●

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment (No. 1250) was agreed to.

Mr. THURMOND. Madam President, I move to reconsider the vote by which the amendment was agreed to.

Mr. TOWER. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The Senator from Arkansas.

Mr. PRYOR. Madam President, I assume that we have just adopted the amendment offered by the Senator from North Carolina (Mr. EAST).

Mr. THURMOND. Yes.

AMENDMENT NO. 1251

(Purpose: To provide that certain conduct is punishable under this act)

Mr. PRYOR. Madam President, I send an amendment to the desk.

The PRESIDING OFFICER. The amendment will be stated.

The assistant legislative clerk read as follows:

The Senator from Arkansas (Mr. PRYOR) proposes an amendment numbered 1251.

Mr. PRYOR. Madam President, I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

On page 5, following line 25, insert the following:

(3) Whoever willfully and maliciously imparts or conveys false information, knowing the information to be false that a household product as described in subsection (a) is or has been tainted shall be imprisoned for not more than one year or fined not more than $10,000 or both.

Mr. PRYOR. Madam President, I believe this amendment has been accepted by the distinguished chairman of the Judiciary Committee.

Mr. THURMOND. Madam President, we are willing to accept the amendment of the distinguished Senator from Arkansas.

Mr. PRYOR. I thank the chairman.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment (No. 1251) was agreed to.

Mr. THURMOND. Madam President, I move to reconsider the vote by which the amendment was agreed to.

Mr. TOWER. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. BYRD. Madam President, I commend the chairman of the Judiciary Committee (Mr. THURMOND) and the ranking member (Mr. BIDEN) for the leadership they have shown with respect to this subject. I was pleased to join with them and many of our colleagues once again in the sponsorship of this extremely important piece of legislation, the Federal Anti-Tampering Act. And I am pleased to urge its swift enactment today.

The people of this country have had their fill of those individuals who would seek to take the law into their own hands to attempt to satisfy some so-called grievance, whether real or imagined. Whether we are talking about those who would threaten to blow up our Nation's memorials to achieve "instant unilateral disarmament," or others who would poison our citizens for other predilections, this madness must stop.

This bill, which is similar to the legislation that I cosponsored last year, will make future drug tampering like the Tylenol case, a Federal crime. Not only will the full weight of the Federal criminal justice system be brought to bear if future outrages of this kind occur, but also the massive resources of our Government including those of the FBI, will be immediately called into action should such a situation arise again.

Madam President, my preference would have been to require the death penalty for these kinds of cases, but I realize that as the result of recent Supreme Court decisions, our Federal death penalty laws will have to be substantially rewritten. That effort is already underway, and I look forward to seeing to it that those efforts may reach fruition during this session of the Congress. I do agree with many of my colleagues, however, that the drug-tampering problem must be addressed immediately, and I therefore heartily endorse this legislation which would criminalize this type of outrageous conduct as soon as possible.

Mr. THURMOND. Madam President, I ask for a third reading.

The PRESIDING OFFICER. The bill is open to further amendment. If there be no further amendment to be proposed, the question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading and was read the third time.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall it pass?

The bill (S. 216) was passed, as follows:

S. 216

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Federal Anti-Tampering Act".

SEC. 2. Chapter 65 of title 18 of the United States Code is amended by adding at the end thereof the following new section:

"§ 1365. Tampering with household products

"(a) Whoever, with intent to kill, injure or otherwise endanger the health or safety of any person or to cause significant damage or injury to the business of an individual, partnership, corporation, association, or other business entity, tampers with and thereby taints, or tampers with and thereby renders materially false or misleading the labeling of, or container for, any household product which is in, is intended to be in, or continues to affect interstate or foreign commerce, or attempts, threatens, or conspires to do so, shall—

"(1) be imprisoned for not more than ten years or fined not more than $20,000, or both;

"(2) if serious bodily injury results, be imprisoned for not more than twenty years or fined not more than $50,000 or both; and

"(3) if death results, be imprisoned for any term of years or for life or fined not more than $100,000 or both.

"(b)(1) Whoever imparts or conveys false information, knowing the information to be false, concerning an act or attempted act which, if true, would constitute a violation of subsection (a) shall be imprisoned for not more than one year or fined not more $10,000, or both.

"(2) Whoever willfully and maliciously imparts or conveys false information, knowing the information to be false, concerning an act or attempted act which, if true, would constitute a violation of subsection (a) shall be imprisoned for not more than five years or fined not more than $25,000, or both.

"(3) Whoever willfully and maliciously imparts or conveys false information, knowing the information to be false that a household product as described in subsection(a) is or has been tainted shall be imprisoned for not more than one year or fined not more than $10,000 or both.

"(c) A violation of this section may be investigated by the Federal Bureau of Investigation and by any other Federal agency which has investigative jurisdiction over such violation under title 21 of the United States Code.

"(d) A person has the intent required for an offense under this section if the person knows or has reason to know that the normal and usual consequence of the actual, attempted, planned, or threatened tampering would be to kill, injure, or otherwise endanger the health or safety of any person or to cause significant damage or injury to the business of an individual, partnership, corporation, association, or other business entity.

"(e) As used in this section—

"(1) the term 'household product' means—

"(A) any food, drug, device, or cosmetic; or

"(B) any article, product, or commodity of any kind or class which is customarily produced or distributed for sale through retail sales agencies or instrumentalities for consumption by individuals, or use by individuals for purposes of personal care or in the performance of services ordinarily rendered within the household, and which usually is consumed or expended in the course of such consumption or use;

"(2) the term 'food' has the definition given such term in section 201(f) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 321(f)) and also includes 'meat food product' as such term is defined in section 2(j) of the Federal Meat Inspection Act (21 U.S.C. 601(j)), 'poultry' as such term is defined in section 4(e) of the Poultry Products Inspection Act (21 U.S.C. 453(e)), 'poultry product' as such term is defined in section 4(e) of the Poultry Products Inspection Act (21 U.S.C. 453(f)), 'egg product' as such term is defined in section 4(f), of the Egg Products Inspection Act (21 U.S.C. 1033(f)), and 'egg' as such term is defined in section 4(g) of the Egg Products Inspection Act (21 U.S.C. 1033(g));

"(3) the term 'drug' has the definition given such term in section 201(g)(1) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 321(g)(1));

"(4) the term 'device' has the definition given such term in section 201(h) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 321(h));

"(5) the term 'cosmetic' has the definition given such term in section 201(i) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 321(i));

"(6) the term 'labeling' has the definition given such term in section 201(m) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 321(m)); and

"(7) the term 'serious bodily injury' means bodily injury to a person which involves—

"(A) a substantial risk of death;

"(B) extreme physical pain;

"(C) protracted and obvious disfigurement; or

"(D) protracted loss or impairment of the function of a bodily member, organ, or mental faculty.".

SEC. 3. The table of sections at the beginning of chapter 65 of title 18 of the United States Code is amended by adding at the end thereof the following new item:

"1365. Tampering with household products.".

"SEC. 4. (a) The following new section shall be added to title 35 of the United States Code:

"§ 155A. Patent Term Restoration

"(a) Notwithstanding the provisions of section 154, the term of each of the following patents shall be extended in accordance with this section:

"(1) Any patent which encompasses within its scope a composition of matter which is a new drug product, if during the regulatory review of the product by the Federal Food and Drug Administration—

"(A) the Federal Food and Drug Administration notified the patentee, by letter dated February 20, 1976, that such product's new drug application was not approvable under section 505 (b) (1) of the Federal Food, Drug and Cosmetic Act;

"(B) in 1977 the patentee submitted to the Federal Food and Drug Administration the results of a health effects test to evaluate the carcinogenic potential of such product;

"(C) the Federal Food and Drug Administration approved, by letter dated December 18, 1979, the new drug application for such product; and

"(D) the Federal Food and Drug Administration approved, by letter dated May 26, 1981, a supplementary application convering the facility for the production of such product; and

"(2) Any patent which encompasses within its scope a process for using the composition of matter described in paragraph (1).

"(b) The term of any patent described in subsection (a) shall be extended for a period equal to the period beginning February 20, 1976, and ending May 26, 1981 and such patent shall have the effect as if originally issued with such extended term.

"(c) The patentee of any patent described in subsection (a) shall, within ninety days after the date of enactment of this section, notify the Commissioner of Patents and Trademarks of the number of any patent so extended. On receipt of such notice, the Commissioner shall confirm such extension by placing a notice thereof in the official file of such patent and publishing an appropriate notice of such extension in the Official Gazette of the Patent and Trademark Office.".

"(b) The analysis of Chapter 14 of such title 35 is amended by adding at the end thereof the following:

"155A. Patent term restoration.".

The title was amended so as to read: "A bill to amend title 18, United States Code, to combat, deter, and punish individuals who tamper with household products with intent to cause personal injury, death, or other harm, and for other purposes.".

Mr. THURMOND. Madam President, I move to reconsider the vote by which the bill was passed.

Mr. TOWER. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

DR. CLEMMIE EMBLY WEBBER OF ORANGEBURG, S.C., NATIONAL MOTHER OF THE YEAR

Mr. THURMOND. Madam President, yesterday our country observed an important day honoring some very special people—mothers. All across America, mothers were honored for their unselfish devotion to their children and for the strength and unity they preserve in families.

There is perhaps no greater satisfaction for a mother than to hear her family say, "Thank you," and to know that her devotion and efforts, her tears and joys; are not forgotten.

Though mothers are set apart on Mother's Day, there is one particular mother to whom I want to call special attention, Dr. Clemmie Embly Webber of Orangeburg, S.C., who was recently named the 1983 Mother of the Year by the American Mothers Committee.

Earlier this year, I had the pleasure of paying tribute to Dr. Webber for becoming the 1983 South Carolina Mother of the Year, and now I take even greater pride in honoring her for this highly commendable achievement.

To fully understand the magnitude of this distinction, one need only examine the credentials of the organization which sponsors the Mother of the Year competition, the American Mothers, Inc. The purpose of American Mothers, Inc., is to develop and strengthen the moral and spiritual foundations of the family and home. Established in 1933 as part of the Golden Rule Foundation, this nonprofit and interfaith organization conducts the annual search for the State and National Mother of the Year. Of course, numerous other groups sponsor similar contests, but this nearly 50-year-old event is recognized nationwide as the most prestigious of all mother of the year competitions.

After reviewing the life and accomplishments of Dr. Webber, it comes as no surprise that she was chosen for the national honor. As a wife, mother, grandmother, educator, church and civic activist, she is the embodiment of an ideal mother. Dr. Webber exemplifies those personal characteristics and skills which make her worthy to represent mothers, and her contributions to the quality of life within her family and community are very evident. Her influence has touched and enriched the lives of many, and the fruits of her labor are now appropriately recognized through her selection as Mother of the Year.

President Reagan even took time out of his demanding schedule to call Dr. Webber in Orangeburg on Mother's Day to offer his congratulations. The President expressed well the invaluable role mothers play in society when he stated in his Mother's Day proclamation:

> To our mothers we owe our highest esteem, for it is from their gift of life that the flow of events begins that shapes our destiny. . . . The quality and scope of their activities, as well as their overriding concern for the well-being of their families and our country, inspires and strengthens us as individuals and as a Nation.

I am confident that the President praised Dr. Webber for the fine example she has set for all mothers. Truly, the words of his proclamation accurately describe the qualities of Dr. Clemmie Embly Webber.

Madam President, I know the Senate joins me in congratulating Dr. Webber on becoming the 1983 National Mother of the Year. In order to share more about this outstanding individual, I ask unanimous consent that articles from the Columbia, S.C., State and Record newspapers be included in the RECORD at the conclusion of my remarks.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the Columbia (S.C.) Record Apr. 27, 1983]

HIGH HONOR

The American Mothers Committee has done Clemmie Emily Webber of Orangeburg and her fellow South Carolinians honor by choosing her the National Mother of the Year.

Mrs. Webber's life and career are a noble testament to not only motherhood but to high human achievement in intellectual as well as emotional terms.

A dedicated, full-time mother and homemaker as a young wife, she raised three children who, through her example, made their own positive imprints on their environment. One became a superior court judge in the District of Columbia, another a doctor of pathology and a third a public administrator and law student.

As her children grew older, Mrs. Webber went back to school, earning master's and a doctoral degree in chemistry. As Dr. Webber she taught for a number of years at South Carolina State College, working closely with pre-medical students.

Since her retirement from the State College faculty, she has been active on a variety of educational projects and on the Orangeburg County Council on Aging.

Dr. Webber—mother, grandmother and educator—is richly deserving of the tribute recently paid her. We congratulate her.

[From the State, Apr. 24, 1983]

MOTHER OF YEAR FROM SOUTH CAROLINA WINS NATIONAL PRIZE

The S.C. Mother of the Year, Clemmie Embly Webber of Orangeburg, was named National Mother of the Year Friday night at ceremonies in New York.

She competed with others from around the country for the honor, given by the American Mothers Committee.

A native of St. Matthews and a former professor at S.C. State College in Orangeburg, Mrs. Webber, a mother of three, was honored earlier this month as state Mother of the Year with a plaque presented by Gov. Dick Riley.

She holds a doctorate in science education.

[From the State, May 9, 1983]

TELEPHONE CALLS, NEWSPAPER ADS MARK MOTHER'S DAY

Clemmie Webber of Orangeburg was nothing short of flabbergasted to receive a call from President Reagan on Saturday night.

The president's call to Mrs. Webber, who recently was named National Mother of the Year, was just one of millions made to mothers all over the country this weekend.

And while many Americans called their mothers, others decided to communicate Mother's Day greetings through classified advertisements in their local newspapers.

Reagan chose the next best thing to being there, but he had a little trouble reaching his party.

Mrs. Webber, a mother of three who recently retired from a long and varied teaching career, said Sunday that the president first tried to call her at home. When he got no answer, he called the Orangeburg County Sheriff's Department in an effort to locate her.

"This being a small town, I guess they didn't have too much trouble," Mrs. Webber said. She and her husband, Paul, were attending the annual alumni banquet at South Carolina State College.

A sheriff's deputy ushered her out of the banquet room and gave her a number to call at the White House. So Mrs. Webber set out to call the president from a pay phone at the student center.

"It was really kind of funny," she said. "It took three operators before I got one who didn't think it was just a prank."

When she finally did get the president, "We had a delightful chat," Mrs. Webber said. The call was mostly small talk, and Reagan congratulated her on her selection as National Mother of the Year, she said.

While other American moms' phone calls might not have been as exciting as Mrs. Webber's, they certainly conveyed messages that were no less heartfelt.

WORLD CUP SOCCER

Mr. MOYNIHAN. Madam President, I am aware that a group of distinguished Americans from the United States Soccer Federation has been trying to arrange for the United States to play host to the 1986 World Cup. Indeed, an organizing committee has been formed, with President Reagan as honorary chairman, former Secretary of State Henry Kissinger as chairman, and a number of distinguised Americans from the worlds of sport, government, and business, including the chief executives of Ford, Pepsico, R. J. Reynolds, and Norton Simon.

We in the Congress have also made clear our complete support for that effort. The House on May 3 passed unanimously a resolution stating its support; the Senate on May 6 did so as well. I enthusiastically support this effort.

It is for this reason that I was particularly concerned to learn of remarks made recently by Mr. Joao Havelange, the president of the Federation Internationale de Football Association, or FIFA, the world governing body for soccer, about this American effort to host the World Cup. Mr. Havelange has suggested that sporting and financial interests in the United States States do not support soccer or our efforts to have the World Cup tournament played here, and that there are not adequate facilities in the United States to play world class soccer.

Mr. Havelange is dead wrong. Our efforts to host the World Cup in 1986 are supported not only by the directors of the U.S. Soccer Federation, but a broad-based group of government and corporate leaders. Indeed, these people have met every requirement established by FIFA for hosts of the World Cup. Moreover, they have demonstrated that first class facilities do exist in this country.

Of greater importance, soccer is an immensely popular sport in the United States. There are over 4 million young people playing soccer in the United States today, and the number is expanding rapidly. Soccer is played today in over 5,000 secondary schools and 520 American colleges and universities. A professional soccer league exists with wide support in a number of cities.

Indeed, a National Soccer Hall of Fame has been proposed to be established in Oneonta, N.Y., near my home. Senators from other parts of the country may not be aware that two of America's consistently finest collegiate soccer teams are resident in Oneonta: those of Hartwick College and the Oneonta campus of the State University of New York. This reflects the degree of support and enthusiasm for soccer in the middle part of New York State, where many of us hope the hall of fame will soon be established.

I think that having the World Cup played here in the United States in 1986 would boost immeasurably the popularity of soccer in this country, and thus enhance in time the quality of the game played worldwide.

It is sad, therefore, that FIFA has so far refused to send an inspection team to the United States so that we might demonstrate our unique capability to host the cup. The United States is entitled to a fair shake from FIFA in its deliberations as to who should host the 1986 World Cup. The kind of statements made by Mr. Havelange do not help that process at all.

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Saunders, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session, the Acting President pro tempore laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The nominations received today are printed in the end of the Senate proceedings.)

MESSAGES FROM THE HOUSE

At 12:11 p.m., a message from the House of Representatives delivered by Mr. Gregory, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 1190. An act to provide emergency credit assistance to farmers, and for other purposes.

The message also announced that the Speaker has appointed Mr. ZABLOCKI, Chairman, Mr. ROSE, Vice Chairman, and Mr. WHITEHURST, vice Mr. BURTON of California, Chairman, deceased, Mr. HAMILTON, Vice Chairman, and Mr. PRITCHARD, resigned, as additional members of the U.S. Group of the North Atlantic Assembly.

ENROLLED BILL SIGNED

At 3:03 p.m., a message from the House of Representatives delivered by Mr. Berry, one of its reading clerks, announced that the Speaker has signed the following enrolled joint resolution:

H.J. Res. 219. A joint resolution declaring the support of the U.S. Government for efforts of the U.S. Soccer Federation to bring the World Cup to the United States in 1986, designating the Secretary of Commerce as the official representative of the U.S. Government of the Federation Internationale de Football Association, and for other purposes.

The enrolled joint resolution was subsequently signed by the President pro tempore (Mr. THURMOND).

MEASURES PLACED ON THE CALENDAR

The following joint resolution was read the second time and placed on the calendar:

H.J. Res. 13. A joint resolution calling for a mutual and verifiable freeze on and reduction in nuclear weapons.

The following bill was read twice and placed on the calendar:

H.R. 1190. An act to provide emergency credit assistance to farmers, and for other purposes.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, which were referred as indicated:

EC-1015. A communication from the Assistant Secretary of the Interior for Territorial and International Affairs, transmitting, pursuant to law, a copy of the deficit elimination plan for the Government of Guam; to the Committee on Energy and Natural Resources.

EC-1016. A communication from the Secretary of Commerce, transmitting a draft of proposed legislation providing for termination of Federal management and control of the Pribilof Islands; to the Committee on Energy and Natural Resources.

EC-1017. A communication from the Director of the Minerals Management Service, Department of the Interior, transmitting, pursuant to law, a report on refunds of excess royalty payments to Amoco Production Co., Shell Oil Co., and the Superior Oil Co.; to the Committee on Energy and Natural Resources.

EC-1018. A communication from the Assistant Secretary of the Interior, transmitting, pursuant to law, the fiscal 1982 report on Outer Continental Shelf Lease Sales and Evaluation of Alternative Bidding Systems; to the Committee on Energy and Natural Resources.

EC-1019. A communication from the Chairman of the U.S. International Trade Commission, transmitting, pursuant to law, the 33d quarterly report on Trade Between the U.S. and Nonmarket Economy Countries; to the Committee on Finance.

EC-1020. A communication from the Deputy U.S. Trade Representative, transmitting, pursuant to law, the biannual report on the operation and effect of the International Sugar Agreement; to the Committee on Finance.

EC-1021. A communication from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting, pursuant to law, international agreements, other than treaties, entered into by the United States within the previous 60 days; to the Committee on Foreign Relations.

EC-1022. A communication from the Acting Secretary of the U.S. Postal Rate Commission, transmitting, pursuant to law, notice of a request by the Postal Service for a proposed decision by the Commission on proposed changes in rates of postage and classifications for electronic computer originated mail; to the Committee on Governmental Affairs.

EC-1023. A communication from the Chairman of the Federal Home Loan Bank Board, transmitting, pursuant to law, the Board's 1982 Government in the Sunshine report; to the Committee on Governmental Affairs.

EC-1024. A communication from the Chairman and Members of the Personnel Appeals Board, transmitting, pursuant to law, the annual report of the Board for October 1, 1981, through December 31, 1982; to the Committee on Governmental Affairs.

EC-1025. A communication from the General Counsel of the Legal Services Corporation, transmitting, pursuant to law, the report of the Corporation's compliance with the Freedom of Information Act for the period of January 7, 1982, through December 31, 1982; to the Committee on the Judiciary.

EC-1026. A communication from the Commissioner of the Immigration and Naturalization Service, transmitting, pursuant to law, copies of orders suspending deportation as well as a list of persons involved; to the Committee on the Judiciary.

EC-1027. A communication from the Chairman of the National Commission on Libraries and Information Science, transmitting, pursuant to law, the Commission's report for fiscal year 1982; to the Committee on Labor and Human Resources.

EC-1028. A communication from the Comptroller General, transmitting a report on the analysis of migration characteristics of children served under the Migrant Education Program; to the Committee on Labor and Human Resources.

EC-1029. A communication from the Secretary of Education, transmitting, pursuant to law, the annual report of the Women's Educational Equity Act Program for fiscal year 1982; to the Committee on Labor and Human Resources.

EC-1030. A communication from the Secretary of Education, transmitting, pursuant to law, a copy of final regulations regarding aid to the bilingual education training projects program; to the Committee on Labor and Human Resources.

EC-1031. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, the National Cancer Institute Director's report for fiscal year 1982 and the annual plan for fiscal years 1984-88 for the national cancer program; to the Committee on Labor and Human Resources.

EC-1032. A communication from the Secretary of the Interior, transmitting, pursuant to law, a report covering actions taken by the Department during calendar year 1982 regarding the Alaska Native Claims Settlement Act; to the Committee on Energy and Natural Resources.

EC-1033. A communication from the Deputy Secretary of the Treasury, transmitting a draft bill to require that customs duties determined to be due upon a liquidation or reliquidation are due upon that date, and for other purposes; to the Committee on Finance.

EC-1034. A communication from the Deputy Secretary of the Treasury, transmitting a draft bill to implement the Customs Convention on Containers, 1972; to the Committee on Finance.

EC-1035. A communication from the District of Columbia Auditor transmitting, pursuant to law, a report entitled "Annual Audit of the Washington Convention Center Fund"; to the Committee on Governmental Affairs.

EC-1036. A communication from the Acting Assistant Secretary for Indian Affairs of the Department of the Interior, transmitting, pursuant to law, a proposed plan for the use and distribution of the judgment funds awarded to the Seneca-Cayuga Tribe of Oklahoma et al. in dockets 341-A and 341-B and to the Cayuga Nation of Indians in docket 343 by the Indian Claims Commission; to the Select Committee on Indian Affairs.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. PACKWOOD, from the Committee on Commerce, Science, and Transportation, without amendment:

S. 925: A bill to make certain technical corrections in the Atlantic Salmon Convention Act of 1982 (Rept. No. 98-78).

By Mr. PACKWOOD, from the Committee on Commerce, Science, and Transportation, with amendments:

S. 1117: A bill to amend the Rail Passenger Service Act to authorize additional appropriations for the National Railroad Passenger Corporation, and for other purposes (Rept. No. 98-79).

By Mr. PACKWOOD, from the Committee on Commerce, Science, and Transportation, without amendment:

S. 1099: A bill to consolidate and authorize certain marine fishery programs and functions of the National Oceanic and Atmospheric Administration under the Department of Commerce (Rept. No. 98-80).

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second time by unanimous consent, and referred as indicated:

By Mr. WILSON (for Mr. GORTON (for himself and Mr. JACKSON)):

S. 1234. A bill to clear certain impediments to the licensing of the vessel Norden for employment in the coastwise trade; to the Committee on Commerce, Science, and Transportation.

By Mr. THURMOND (by request):

S. 1235. A bill authorizing appropriations to the Executive Director, U.S. Holocaust Memorial Council, for services necessary to perform the functions of the U.S. Holocaust Memorial Council; to the Committee on the Judiciary.

By Mrs. HAWKINS:

S. 1236. A bill to amend the Controlled Substances Act, and for other purposes; to the Committee on the Judiciary.

By Mr. BAKER (for Mr. SYMMS (for himself and Mr. MCCLURE)):

S. 1237. A bill to amend the Internal Revenue Code of 1954 to clarify the definition of geothermal energy, and for other purposes; to the Committee on Finance.

By Mr. HOLLINGS (for himself and Mr. PELL):

S. 1238. A bill to encourage and promote the continued leadership of the United States in ocean policy, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. WEICKER:

S. 1239. A bill to provide for the development and implementation of programs for children and youth camp safety; to the Committee on Labor and Human Resources.

By Mr. GRASSLEY (for himself, Mr. THURMOND, Mr. DECONCINI, Mr. HEFLIN, Mr. JEPSEN, Mr. KASTEN, Mr. RANDOLPH, Mr. DOMENICI, Mr. HUDDLESTON, Mr. WARNER, Mr. DOLE, and Mr. DENTON):

S. 1240. A bill to strengthen law enforcement in the areas of child exploitation and pornography and to increase the criminal penalties in such areas, and for other purposes; to the Committee on the Judiciary.

By Mr. MELCHER (for himself, Mr. INOUYE, Mr. BAUCUS, and Mr. BURDICK):

S. 1241. A bill to provide for an Indian housing program for construction and financing for Indians, and for other purposes; to the Select Committee on Indian Affairs.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. WILSON (for Mr. GORTON (for himself and Mr. JACKSON)):

S. 1234. A bill to clear certain impediments to the licensing of the vessel *Norden* for employment in the coastwise trade; to the Committee on Commerce, Science, and Transportation.

SAILING VESSEL NORDEN

● Mr. GORTON. Mr. President, the bill I am introducing today would grant coastwise privileges to the sailing vessel *Norden*. This vessel is one of the last links between true old world sailing ships and the more modern

water craft of today. Built and designed in 1919 by the renowned naval architect, J. Ring Anderson, the *Norden* plied the North Sea for some 40 years before retiring from her trade as a cod fishing vessel and brought to the United States in the 1970's.

This vessel has been a part of the Northwest sailing scene since 1977, and has been a significant participant in wooden boat festivals and maritime activities. This bill would allow the vessel to be chartered, and thereby give the owners a little more ability to maintain the historic value of the vessel.

Mr. President, I ask unanimous consent that the bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 1234

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, notwithstanding the provision of section 27 of the Merchant Marine Act of 1920 (46 U.S.C. 883), or any other provisions of law to the contrary, the Secretary of the department in which the United States Coast Guard is operating shall cause the vessel *Norden* (official number 584767) to be documented as a vessel of the United States, upon compliance with the usual requirements, with the privilege of engaging in the coastwise trade so long as such vessel is owned by a citizen of the United States.●

By Mr. THURMOND (by request):

S. 1235. A bill authorizing appropriations to the Executive Director, U.S. Holocaust Memorial Council, for services necessary to perform the functions of the U.S. Holocaust Memorial Council; to the Committee on the Judiciary.

U.S. HOLOCAUST MEMORIAL COUNCIL

Mr. THURMOND. Mr. President, last month, Washington was host to the American Gathering of Jewish Holocaust Survivors as this Nation observed the Days of Remembrance. This is a time set aside annually to reflect on the horrors of the Nazi concentration camps and the millions who suffered there. It is appropriate that the United States commemorate this event since the liberating American armies played the major role in bringing these atrocities to light. As a soldier in the First U.S. Army in World War II, I was present when the Buchenwald concentration camp near Weimar was liberated and know firsthand of the horrors that occurred in these camps. Further, America has become the homeland for many of the few survivors and they and their descendants now form an integral part of our society.

Public Law 96-388 created the U.S. Holocaust Memorial Council as a permanent organization under the Department of the Interior and rendered it eligible for private funding. While the council is to continue to plan the yearly observance, a further, and perhaps more important, change is the establishment of a museum with a concomitant educational program dedicated to the victims of the Holocaust. This memorial will serve as a graphic reminder of both the capacity of man for cruelty to his fellow man and of the necessity of maintaining and, indeed, strengthening our democratic values and system of government.

The bill that I am introducing today at the request of the Reagan administration, would amend the United States Holocaust Memorial Council Act to authorize appropriations for fiscal year 1984.

The requested authorization would enable the council to carry out its responsibilities through September 1984 as provided in the President's budget. The amended authorization is necessary to the operation of the living memorial museum, continued observance and expansion of the Days of Remembrance, as well as the preservation and development of research and documentation of the Holocaust.

I ask unanimous consent that a copy of the bill and the letter of transmittal be printed in the CONGRESSIONAL RECORD following my remarks.

There being no objection, the material was ordered to be printed in the RECORD, as follows;

S. 1235

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 8 of the Holocaust Memorial Council Act (Public Law 96-388, as amended, 36 U.S.C. 1408) is amended as follows: After "1983", strike out the colon and insert in lieu thereof, ", and $1,953,000 for the Fiscal Year 1984:".

U.S. HOLOCAUST MEMORIAL COUNCIL,
February 9, 1983.

Hon. GEORGE BUSH,
President of the Senate, Washington, D.C.

DEAR MR. PRESIDENT: Enclosed is a draft bill, "Authorizing appropriations to the Executive Director of the United States Holocaust Memorial Council for services necessary to perform the functions of the United States Holocaust Memorial Council."

We recommend that the bill be referred to the appropriate committee for consideration, and that it be enacted.

Public Law 96-388, October 7, 1980 (94 Stat. 1547), provided for the establishment of the United States Holocaust Memorial Council to provide appropriate ways for the Nation to commemorate Days of Remembrance, plan, construct, and oversee the operation of a permanent living memorial museum to the victims of the Holocaust, and develop a plan for carrying out the recommendations of the President's Commission on the Holocaust. Section 8 of Public Law 96-388 authorized $722,000 for Fiscal Year 1981; $800,000 for Fiscal Year 1982; and $850,000 for Fiscal Year 1983, to carry out the purposes of this Act.

The enclosed draft bill would amend the appropriation authorization in Section 8 of the United States Holocaust Memorial Council Act (Public Law 96-388, as amended; 36 U.S.C. 1408) to authorize an appropriation of $1,953,000 for Fiscal Year 1984.

Such an authorization and appropriation would enable the Council to carry out its responsibilities through September 30, 1984, as provided in the President's 1984 budget. The amended authorization is necessary to the operation of the living memorial museum, continued observance and expansion of Days of Remembrance as well as the preservation and development of research and documentation of the Holocaust.

The Council has made measurable progress in carrying out its mandated responsibilities since its inception in 1981. It is anticipated that the requested increased funding level in 1984 will allow each of its functions to be fully operational.

A similar letter is being sent to The Honorable Thomas P. O'Neill, Jr., Speaker of the House of Representatives.

Sincerely,

SEYMOUR SIEGEL,
Executive Director.

By Mr. BAKER (for Mr. SYMMS (for himself and Mr. MCCLURE)):

S. 1237. A bill to amend the Internal Revenue Code of 1954 to clarify the definition of geothermal energy, and for other purposes; to the Committee on Finance.

GEOTHERMAL ENERGY

● Mr. SYMMS. Mr. President, I am introducing legislation today with my colleague from Idaho, Senator MCCLURE, to promote the development of low temperature geothermal resources throughout the United States.

The legislation that I am introducing clarifies the definition of "geothermal energy" within the Internal Revenue Code of 1954. In so doing, it eliminates an arbitrary temperature "threshold" imposed by the Internal Revenue Service. The bill also insures that the business and residential energy tax credits will apply to energy systems that are supplied primarily, but not exclusively, by geothermal energy.

The legislation is necessary because the IRS has written unreasonably restrictive regulations to implement the geothermal provisions of the Energy Tax Act of 1978 Public Law 95-618).

The IRS regulations state, for example, that "equipment that uses energy from a geothermal deposit is eligible (for the business energy credit) only if uses geothermal energy exclusively."

In addition, the regulations state that only water 122° F. (50° C.) or hotter qualifies as a "geothermal deposit." This means that any space heating or ground water heat pump equipment using geothermal water colder than 122° F. cannot qualify for either the residential or business energy credit.

A third example of how the IRS regulations limit the application of the renewable energy tax incentives is the case of a company building an innovative electrical generating plant which

will use geothermal energy and waste food. Under the regulation, the owners of the powerplant can take the geothermal credit on the equipment extracting or distributing the geothermal fluids and the biomass credit on the equipment used in burning the wood. However, those components of the powerplant which use energy from both geothermal and biomass sources cannot qualify for either credit.

As these examples illustrate, the geothermal tax credit regulations developed by the IRS do not conform with the intent of Congress in enacting the Energy Tax Act.

The Energy Tax Act of 1979 (Public Law 95-618) provides a residential energy tax credit for certain energy conserving and renewable energy source expenditures made in connection with a taxpayer's principal residence. The credit applies to expenditures on energy-conserving items such as insulation and storm windows, as well as to investments in solar, wind, and geothermal energy property, categorized as renewable energy source property. In this latter case, the act provided that a credit may be claimed for 30 percent of the first $2,000 of expenditures and 20 percent of the next $8,000 of expenditures up to a maximum credit of $2,200 for expenditures made after April 19, 1977, and before January 1, 1986. Subsequently, the Crude Oil Windfall Profit Tax Act of 1980 (Public Law 96-223) expanded the renewable energy credit to 40 percent of $10,000 in expenditures to a maximum credit of $4,000 for expenditures made after December 31, 1979, and before January 1, 1986.

The Energy Tax Act of 1978 also provided for a 10-percent tax credit for investment in solar, wind and geothermal energy equipment used by businesses. The geothermal energy tax credit was increased to 15 percent and extended through the end of 1985 by the Crude Oil Windfall Profit Tax Act of 1980.

For tax purposes, the Energy Tax Act of 1978 defined geothermal energy in the following way:

* * * the term "geothermal deposit" means a geothermal reservoir consisting of natural heat which is stored in rocks or in an aqueous liquid or vapor (whether or not under pressure).

The law set no temperature requirement in its definition of geothermal energy. In fact, the Senate Finance Committee report described that the purpose of the legislation was to "induce consumers of oil and gas to conserve energy and convert to alternative energy sources."

It is clear that the overly restrictive definition of "geothermal property" adopted by the IRS has substantially lessened the incentives for homeowners or businessmen to convert to geothermal energy use. Thus, the regulations do not fully comply with the legislative intent of the 1978 act.

As a member of the Senate Finance Committee's Subcommittee on Energy and Agricultural Taxation, I believe that the Federal energy tax laws should be fairly administered. That is why I am introducing this legislation. I believe it will make the existing geothermal tax credits more evenly available. That, in turn, should measurably speed up the development of America's low temperature geothermal resources.

Mr. President, I ask unanimous consent that a fact sheet explaining the need for this legislation and outlining its main provisions, and the text of the bill be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

GEOTHERMAL TAX LEGISLATION

BACKGROUND AND NEED

In its report on the Energy Tax Act of 1978 (Public Law 95-618), the Senate Finance Committee stated that the purposes of the legislation were to "induce consumers of oil and gas to conserve energy and convert to alternative energy sources." To meet this goal, the Energy Tax Act provided major tax incentives for the production of energy from such resources as geothermal, solar, wind, and biomass. These incentives—mostly in the form of tax credits, deductions, and allowances—have generated unprecedented interest in developing alternative energy projects.

However, regulations issued in 1981 by the Internal Revenue Service have drastically limited the application of the alternative energy incentives enacted in 1978 and reaffirmed and expanded by the Crude Oil Windfall Profits Tax Act of 1980 (Public Law 96-223). With regard to geothermal energy, four specific limitations imposed by the IRS appear to run contrary to Congressional intent:

Only water of a temperature of 122°F (50°C) or greater is considered "geothermal energy," even though the Energy Tax Act itself contains no temperature threshold. As a result, homeowners or businesses with water cooler than 122°F cannot qualify for the residential or business energy investment credits.[1]

A homeowner who installs a geothermal system to heat his residence cannot qualify for the residential energy credit unless 100 percent of the energy in the system is supplied by geothermal sources. Geothermal energy systems often include peaking equipment fueled by oil, gas, or coal. This peaking equipment typically provides less than 20 percent of the total annual energy load, since it is only used on the coldest days of the year. But, such peaking equipment would disqualify the system.

A business that installs geothermal equipment cannot qualify for the energy investment credit if the geothermal fluids are mixed with energy from another source. Geothermal resources may not, in some instances, be hot enough to fully satisfy an industrial process heat requirement. However, by adding a few degrees to the heat supplied from the geothermal source, it will often be possible to displace a large fraction of the conventional fuel consumed in the plant. Under the IRS limitation, if a geothermal system requires even a minimal addition of non-geothermal heat, then the entire system becomes ineligible for the energy tax credit.

A company building an electric powerplant using geothermal and energy from another alternative energy resource, such as biomass, can take the geothermal credit on the equipment run solely on geothermal energy and the biomass credit on the equipment fueled exclusively by wood. But, those components of the plant using both geothermal and biomass energy cannot qualify for either credit.

[1] The residential credit is 40 percent of the first $10,000 of qualifying expenditures and the business credit for qualifying equipment is 15 percent.

S. 1237

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

(a) CLARIFICATION OF DEFINITION OF GEOTHERMAL ENERGY. Paragraph (3) of section 613(e) of the Internal Revenue Code of 1954 (defining geothermal deposit) is amended to read as follows:

"(3) GEOTHERMAL ENERGY DEFINED.—For purposes of paragraph (1), the term 'geothermal energy' means the natural heat of the earth (at any temperature) which is stored in rocks, an aqueous liquid or vapor (whether or not under pressure), or any other medium. A geothermal well shall in no case be treated as a gas well for purposes of this section or section 613A, and this section shall not apply to any geothermal property which is located outside the United States or its possessions.".

(b) CLARIFICATION OF APPLICATION OF BUSINESS CREDIT AND RESIDENTIAL CREDIT TO GEOTHERMAL PROPERTY.—

(1) Subparagraph (D) of section 44C(c)(7) of such Code is amended by adding at the end thereof the following: "In the case of a system which uses both geothermal energy and an energy source not eligible for the credit under this section, all of the equipment comprising the system shall be eligible for the credit if, on a British thermal unit (Btu) basis, geothermal energy provides more than 80 percent of the energy in a typical year for which the system is designed. If less than 80 percent of the energy is supplied by geothermal energy, the credit shall apply to those portions of the system which produce, distribute, transfer, extract, or use energy which is more than 50 percent supplied by geothermal energy (on an annual Btu basis).".

(2) Paragraph (3) of section 48 (1) of such Code is amended by adding at the end thereof the following new subparagraph:

"(D) application of credit under section 46 to equipment which uses both geothermal energy and another energy source.—

(i) In the case of a system which uses both geothermal energy and an energy source not eligible for the credit under Section 46, all of the equipment comprising the system shall be eligible for the credit for Solar, Wind, or Geothermal Property under section 46(a)(2)(C) if, on a British thermal unit (Btu) basis, geothermal energy provides more than 80 prcent of the energy in a typical year for which the system is designed. If less than 80 percent of the energy is supplied by geothermal energy, the credit shall apply to those portions of the system which produce, distribute, transfer, extract, or use energy which is more than 50 percent supplied by geothermal energy (on an annual Btu basis).

(ii) In the case of a system which used both geothermal energy and another energy source eligible for the credit under section 46 (such as biomass, solar, wind, ocean thermal, or hydroelectric), all of the equipment comprising the system (up to, but not including the electrical transmission stage in the case of an electrical generation facility) shall be eligible for the credit for solar, wind, or geothermal property under section 46(a)(2)(C) if, on a Btu basis, more than 80 percent of the energy in a typical year for which the system is designed, is supplied by geothermal energy, or any of the other forms of energy eligible for the credit under section 46, or any combination thereof (hereinafter referred to in this subparagraph as 'qualified sources'). If less than 80 percent of the energy is supplied by qualified sources, the credit shall apply to those portions of the system which produce, distribute, transfer, extract, or use energy which is more than 50 percent supplied by such qualified sources (on an annual Btu basis).".

(c) CONFORMING AMENDMENT.

(1) Clause (ii) of section 44C(c)(2)(B) of such Code is amended by striking "any geothermal deposit" and inserting in lieu thereof "geothermal energy".

(2) Clause (i) of section 44C(c)(5)(A) of such Code is amended by striking out "energy derived from the geothermal deposits" and inserting in lieu thereof "geothermal energy".

(3) Clause (viii) of section 48(1)(3)(A) of such Code is amended by striking out "energy derived from a geothermal deposit" and inserting in lieu thereof "geothermal energy".

(4) Clause (ii) of section 57(a)(11)(D) of such Code is amended to read as follows:

"(ii) all geothermal properties.".

(5) Subsection (c) of section 263 of such Code is amended by striking out "any geothermal deposit" and inserting in lieu thereof "geothermal energy".

(6) Subparagraph (E) of section 465(c)(1) of such Code is amended by striking out "geothermal deposits" and inserting in lieu thereof "geothermal energy".

(7) Paragraph (1) of section 613(c) of such Code is amended by strking out "geothermal deposit" and inserting in lieu thereof "geothermal well".

(8) Subsection (e) of section 613 of such Code is amended—

(A) by striking out "deposits" each place it appears in paragraph (1) and inserting in lieu thereof "properties", and

(B) by striking out "DEPOSITS" in the subsection heading and inserting in lieu thereof "PROPERTIES".

(9) Subsection (b) of section 614 of such Code is amended—

(A) by striking out "geothermal deposits" in the text and inserting in lieu thereof "geothermal wells", and

(B) by striking out "GEOTHERMAL DEPOSITS" in the subsection heading and inserting in lieu thereof "GEOTHERMAL WELLS".

(10) Paragraph (1) of section 614(c) of such Code is amended by striking out "oil and gas wells and geothermal deposits" each place it appears and inserting in lieu thereof "oil, gas, and geothermal wells".●

By Mr. HOLLINGS (for himself and Mr. PELL):

S. 1238. A bill to encourage and promote the continued leadership of the United States in ocean policy, and for other purposes; to the Committee on Commerce, Science, and Transportation.

NATIONAL OCEAN POLICY COMMISSION ACT OF 1983

● Mr. HOLLINGS. Mr. President, today I am introducing a bill to create a blue-ribbon panel whose purpose is to develop a comprehensive set of recommendations for U.S. ocean policy, based on an evaluation of our current international and domestic ocean interests. This panel would be known as the National Ocean Policy Commission. It is patterned on the highly successful Stratton Commission of the mid-1960's which generated many of the ideas and recommendations that underlie our present-day network of ocean law and policy. I am honored to be joined on this bill by the distinguished senior Senator from Rhode Island, Senator PELL, who has been a loyal and vigorous defender of this Nation's ocean interests throughout his career in National Government.

The Stratton Commission, formally named the Commission on Marine Science, Engineering, and Resources, was established by legislation enacted a few months before my first days in the Senate. I watched the work of that Commission for the next 2 years, and was impressed by the teamwork, esprit de corps, and inspiration of its members and staff. The recommendations in the Commission's landmark report, "Our Nation and the Sea," led to the creation of a lead civilian ocean agency (NOAA), the Coastal Zone Management Act, the estuarine sanctuaries program, the ocean dumping research program, expanded sea grant marine advisory services, and a variety of atmospheric programs like the world weather watch.

Much has transpired since the Stratton Commission published its report in January 1969. Only a few months ago did we see a treaty emerge from the exhausting and exhaustive Third United Nations Conference on the Law of the Sea. That event marked the beginning of a period when our Nation will have to determine how to proceed while much of the world works toward the implementation of a treaty that we have not signed. The Coast Guard is faced with the dilemma of how to make the most effective use of dwindling resources in light of such major new commitments as fisheries law enforcement, drug interdiction, and marine environmental protection. These were responsibilities that the Coast Guard, winding down its involvement in Vietnam, would have had difficulty predicting in 1969.

At the time of the Stratton Commission, there was an awareness of the national value of programs that employed Federal funds to bring our many levels of government together on issues. This is the spirit of the coastal zone management and sea grant college programs. The coastal zone program was not even in existence in 1969 and sea grant was just getting started. Now some 26 coastal States have coastal zone management systems. And a collaborative network of universities, industry, and State and local governments has been forged through sea grant matching funds, for the advancement of the marine economy and education and research in fields of marine expertise. In 1983 we face great budgetary pressures and the administration has suggested that the States and private sector can keep these worthwhile activities going without Federal help.

A National Ocean Policy Commission will present us with an opportunity to gain the insights of thoughtful, dedicated individuals into the direction ocean policy should take amid these rapidly changing circumstances.

The Commission can take a look at U.S. international ocean policy, insulated from the political controversy surrounding the President's decision not to sign the Law of the Sea Treaty. It will also be able to make a fresh evaluation of the appropriate function and location of the National Oceanic and Atmospheric Administration within the executive branch. Such an evaluation is especially important since the President's decision to seek creation of a Department of Trade has been silent on plans for NOAA if the reorganization is accomplished. Furthermore, the Commission can recommend the proper balance of responsibilities among Federal, State, local, and private interests—an essential task before a fair, reasoned judgment can be made on how much of our ocean programs should be borne by the States.

In this bill we seek to establish a body whose members are knowledgeable and experienced in ocean policy matters and come from diverse backgrounds with consumer and environmental groups, marine industries, and the academic community. In addition, we would have gubernatorial and congressional advisers to insure that the Commission makes its recommendations with an understanding of the political context.

In the foreword to "Our Nation and the Sea" the Stratton Commission made the following closing statement:

The Commission harbors no illusions that it has provided final answers to the multitude of questions that relate to the future of the seas. Indeed, the legislation of 1966 itself was envisaged by the Congress only as a first step, and we recognize that no report, no program, can be valid for all time. But we earnestly hope that the work of this Commission will lead to constructive action and a major advance for our Nation and the Sea.

This is a modest statement by a group that succeeded in producing a genuine blueprint for action. I would hope that the commission contemplat-

ed by this bill will produce recommendations as effective in making further advances for our Nation and the sea.●

● Mr. PELL. Mr. President, today it is with great pleasure that I join the distinguished Senator from South Carolina, Senator HOLLINGS, in introducing legislation to create a new U.S. Ocean Commission—a Commission to be charged with analyzing, reviewing, and formulating policy recommendations concerning our myriad domestic and international oceans interests. It is my hope that with the creation of this Commission, U.S. oceans policy will be removed from the political morass into which it has fallen.

I need not reiterate at length, at this time, my well-known views on the ill-conceived decisions by the President to reject the Law of the Sea Treaty, finally negotiated after years of effort and compromise; and to go ahead, precipitously in my view, to establish an exclusive economic zone (EEZ) within 200 miles of our shores. However, I will say that the price the President has paid for all the rankling over these decisions, both in and outside of the administration, has been the creation of an environment in which sound and well-informed policy formulation has become exceedingly difficult, if not imposible. This has led to a vacuum in U.S. oceans policy, as it relates to international affairs. In addition, U.S. oceans policy has suffered domestically from lack of leadership from the administration with regard to the promotion of the wise use and compatible development of our marine resources.

In order to remove such an important subject from this charged environment, Senator HOLLINGS and I are today proposing the establishment of an Ocean Commission. The proposed Commission will be made up of 15 members to be chosen from Federal agencies, academia, industry, and public interest groups involved in various ocean uses. Several Members from the House and Senate as well as eight gubernatorial representatives representing various regions will also serve as advisers to the Commission. The President will select the non-Federal Government members of the Commission from two bipartisan lists of individuals representing oceans experts and interested parties submitted to him by the Speaker of the House, and the Senate majority leader. The Commission will be broadly charged with reviewing current laws, regulations, and policies which effect U.S. oceans interests, and making recommendations to the Congress and the President on a comprehensive national oceans policy that encompasses international and domestic considerations and reflects our overall national interest. The Commission will cease to function after the 2-year schedule provided in the bill, following the submission of a written report on its findings and recommendations. The costs to the taxpayer will be modest, and the potential benefits of a carefully framed oceans policy immense.

As you probably are aware Mr. President, this is not the first time Congress has created an oceans commission to review, analyze, and make recommendations concerning U.S. oceans policy. In 1966, pursuant to the Marine Resources and Engineering Development Act, the U.S. Commission on Marine Science, Engineering, and Resources was established. This Commission which came to be known as the Stratton Commission, after its distinguished Chairman, Julius A. Stratton of the Ford Foundation, labored for 2 years, and in that time very successfully fulfilled its mandate to investigate and make recommendations on a vast array of marine problems.

The comprehensive final report of the Stratton Commission provided an in-depth examination of both current and long-term developments with respect to the future management and development of the living and nonliving resources of the oceans; with respect the necessity and possible methods for protection the marine environment; and with respect to the national security and the economic imperative for promoting the advancement of marine science and technology. Further, the Commission recognized the need for a new international legal/political framework if the United States is to successfully explore and exploit the riches of the oceans beyond our territorial waters. Last but by no means least, the Commission recommended that an independent agency be created to act as the umbrella organization to rationalize our policy formulation with respect to the vast and often conflicting issues and overlapping jurisdictions which have come to characterize oceans matters. I am speaking of the creation of the very successful National Oceanic and Atmospheric Administration (NOAA).

As you can see, the very fruitful work of the Stratton Commission of the 1960's provided an ambitious agenda for U.S. policymakers to pursue in the 1970's. It is my hope that after the 2-year period of deliberations by our newly proposed Commission, it will prove as successful as the Stratton Commission in developing an ambitious, comprehensive, and well-balanced agenda for the 1980's and 1990's. I cannot stress too strongly how important it is that the United States adopt and pursue such an agenda. Perhaps the words of the Stratton Commission express it best:

How fully and wisely the United States uses the sea in the decades ahead will affect profoundly its security, its economy, its ability to meet increasing demands for food and raw materials, its position and influence in the world community, and the quality of the environment in which its people live.●

By Mr. WEICKER:

S. 1239. A bill to provide for the development and implementation of programs for children and youth camp safety; to the Committee on Labor and Human Resources.

CHILDREN AND YOUTH CAMP SAFETY ACT

● Mr. WEICKER. Mr. President, today I am pleased to introduce the Children and Youth Camp Safety Act. For well over a decade my former colleague from Connecticut, Senator Ribicoff, and I have worked to provide protection for youngsters who attend our Nation's summer camps. We have pointed out that while 8 to 10 million boys and girls attend 10,000 summer camps each year, only 10 States have any type of agency responsible for monitoring camp conditions and operations. We have urged this body to pass legislation that establishes a Federal role in aiding States to develop camp health and safety standards. Unfortunately, no affirmative steps have yet been taken.

It is hard to believe, but most States make no effort to safeguard our millions of camping youngsters by requiring that any minimum safety standards be met. Each summer we see the results: drownings, accidental shootings, blindings, and disabling injuries. To an alarming extent, these are the results of poorly trained camp staffs, many of whom are juveniles themselves, and dilapidated facilities that are somehow thought adequate for camping youngsters under the guise of roughing it.

In March of 1978 my constituent, Mitch Kurman of Westport, Conn., appeared before the Senate Subcommittee on Child and Human Development and forcefully presented the case for Federal camp safety legislation. Mitch lost his own son in a tragic camping accident in Maine and he has devoted many years to documenting camp accidents and unsafe camp conditions throughout the United States. He has aroused the conscience of many Americans and I commend him for his tireless efforts on behalf of meaningful camp safety standards.

States are well aware of the problem. Yet the protection necessary to safeguard the health and well-being of our Nation's youth has not yet materialized. In an effort to prevent future deaths or accidents, this bill would provide for Federal financial and technical aid to States to encourage them to develop programs for implementing youth camp safety standards. Furthermore, this measure would insure that States and youth camps are not overburdened by necessary Federal regulations. It would essentially direct any Federal standard promulgated by the Office of Youth Camp Safety to the

Congress for its approval within 60 days.

Now, let us work expeditiously, Mr. President, to see that in this session of Congress prompt and favorable action will be taken to alleviate this persistent problem of camp accidents. Early passage will mean one less summer of disability or death due to preventable camping accidents.

Mr. President, I ask unanimous consent that the text of the bill be printed at this point in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 1239

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Children and Youth Camp Safety Act".

STATEMENT OF PURPOSE

SEC. 2. (a) It is the purpose of this Act to protect and safeguard the health and well-being of the youth of the Nation attending day camps, residential camps, short-term group camps, travel camps, trip camps, primitive or outpost camps, and Federal recreational youth camps, by providing for establishment of Federal standards for safe operation of youth camps, to provide Federal financial and technical assistance to the States in order to encourage them to develop programs and plans for implementing safety standards for youth camps, and to provide for the Federal implementation of safety standards for youth camps in States which do not implement such standards and for Federal recreational youth camps, thereby providing assurance to parents and interested citizens that youth camps and Federal recreational youth camps meet minimum safety standards.

(b) In order to protect and safeguard adequately the health and well-being of the children and youth of the Nation attending camps, it is the purpose of this Act that youth camp safety standards be applicable to intrastate as well as interstate youth camp operators.

CONGRESSIONAL INTENT REGARDING STATE INVOLVEMENT

SEC. 3. It is the intent of Congress that the States assume responsibility for the development and enforcement of effective youth camp safety standards. The Secretary shall provide, in addition to financial and technical assistance, consultative services necessary to assist in the development and implementation of State youth camp safety standards.

DEFINITIONS

SEC. 4. For purposes of this Act:

(1) The term "youth camp" means any residential camp, day camp, short-term group camp, troop camp, travel camp, trip camp, primitive or outpost camp, or Federal recreational youth camp located on private or public land, which—

(A) is conducted as a youth camp for the same ten or more campers under eighteen years of age;

(B) may include activities promoted or advertised as something other than a youth camp, but offers youth camp activities;

(C) may include any site or facility primarily designed for other purposes, such as, but not limited to, any school, playground, resort, or wilderness area; and

(D) may include any site or facility advertised as a camp for youth regardless of activities offered.

(2) The term "youth camp activities" includes, but is not limited to, such waterfront activities as swimming, diving, boating, lifesaving, canoeing, sailing, and skindiving; such other activities as archery, riflery, horseback riding, hiking, and mountain climbing, and other sports and athletics; and campcraft and nature study activities, under the auspices of a youth camp operator. The term does not include—

(A) the activities of a family and its guests carried out as a purely social activity;

(B) regularly scheduled meetings of voluntary organizations such as the Girl Scouts or Boy Scouts that do not involve camping experience;

(C) regularly scheduled athletic events that do not involve camping experience;

(D) bona fide extracurricular activities conducted under the auspices of the schools;

(E) learning experiences in the arts and drama or conferences of forums; and

(F) activities carried on in private homes.

(3) The term "permanent campsite" means a campground which is continuously or periodically used for camping purposes for a portion of a day by a youth camp operator, which may or may not include temporary or permanent structures and installed facilities.

(4) The term "residential camp" means a youth camp operating on a permanent campsite for four or more consecutive twenty-four-hour days.

(5) The term "day camp" means a youth camp operated on a permanent campsite for all or part of the day but less than twenty-four hours a day and which is conducted for at least five days during a two-week period, but does not include—

(A) swimming facilities operated by a public agency or by a private organization on a membership basis, except where that private organization utilizes such facilities as part of a youth camp;

(B) a day care center except where the center operates a day camp; or

(C) playgrounds and other recreational facilities provided for neighborhood use by local public agencies.

(6) The term "troop camp" means a youth camp which provides youth camp activities conducted for not less than twenty-four hours a day for organized groups of campers sponsored by a voluntary organization serving children and youth.

(7) The term "short-term group camp" means an organized camping activity of more than twenty-four but less than a ninety-six-hour period for groups, clubs, and troops of campers sponsored by an organization or person.

(8) The term "travel camp" means a youth camp which provides youth camp activities conducted for not less than twenty-four hours a day and which uses motorized transportation to move campers as a group from one site to another over a period of two or more days.

(9) The term "trip camp" means a youth camp which provides youth camp activities conducted for not less than twenty-four hours a day which moves campers under their own power or by a transportation mode permitting individual guidance of a vehicle or animal from one site to another.

(10) The term "primitive or outpost camp" means a portion of the permanent camp premises or other site, under the control of the youth camp operator at which the basic needs for camp operation, such as places of abode, water supply systems, and permanent toilet and cooking facilities are not usually provided.

(11) The term "Federal recreation camp" means a camp or campground which is operated by, or under contract with, a Federal agency to provide opportunities for recreational camping to campers.

(12) The term "camper" means any child under eighteen years of age, who is attending a youth camp or engaged in youth camp activities.

(13) The term "youth camp operator" means any private or public agency, organization, or person, and any individual, who operates, owns, or controls, a youth camp, whether such camp is operated for profit or not for profit.

(14) The term "youth camp staff" means any person or persons employed by a youth camp operator, whether for compensation or not, to supervise, direct, or control youth camp activities.

(15) The term "youth camp director" means the individual on the premises of any youth camp who has the primary responsibility for the administration of program operations and supportive services for such youth camp and for the supervision of the youth camp staff of such camp.

(16) The term "youth camp safety standards" means criteria issued by the Secretary designed to provide to each camper safe and healthful conditions, facilities, and equipment which are free from hazards that are causing, or are likely to cause, death, serious illness, or serious physical harm, including adequate supervision to prevent injury or accident, and safety instruction by properly qualified personnel, wherever or however such camp activities are conducted and with due consideration to the type of camp involved and to conditions existing in nature. The criteria shall address areas including—but not limited to—personnel qualifications for director and staff; ratio of staff to campers; sanitation and public health; personal health, first aid and medical services; food handling, mass feeding and cleanliness; water supply and waste disposal; water safety, including use of lakes and rivers, swimming and boating equipment and practices; firearms safety; vehicle condition and operation; building and site design; equipment; and condition and density of use.

(17) The term "Secretary" means the Secretary of Health and Human Services.

(18) The term "State" includes each of the several States, the District of Columbia, the Commonwealth of Puerto Rico, American Samoa, Guam, the Virgin Islands, and the Trust Territories of the Pacific.

(19) The term "serious violation" means any violation in a youth camp if there is substantial probability that death or serious physical harm could result, unless the operator did not, and could not, with the exercise of reasonable diligence know of the presence of the violation.

(20) The term "consultative services" means (A) advice on the interpretation or applicability of the general duty under section 5, of the general duty under State law required by section 8(b)(2), or of youth camp safety standards, and (B) advice on the most effective methods of complying with such duties and such standards.

(21) The term "Director" means the Director of Youth Camp Safety established under section 6.

(22) The term "special population" means a group of physically or mentally handicapped youth.

GENERAL DUTY

SEC. 5. Each youth camp operator shall provide to each camper—

(1) safe and healthful conditions, facilities, and equipment which are free from recognized hazards which cause, or are likely to cause, death, serious illness, or serious physical harm, and

(2) adequate and qualified instruction and supervision of youth camp activities at all times, wherever or however such youth camp activities are conducted and with due consideration existing in nature.

DIRECTOR OF YOUTH CAMP SAFETY

SEC. 6. (a) There is established in the office of the Secretary an Office of Youth Camp Safety which shall be headed by a Director of Youth Camp Safety. In the performance of his functions under this Act, the Director shall be directly responsible to the Secretary.

(b) The Director shall be appointed by the Secretary and have experience in the field of the operation of youth camps. The position of the Director shall be in the competitive service under section 2102 of title 5, United States Code.

(c) The Director shall prepare and submit a report to the President and to the Congress, on or before January 1 of each year, on the activities carried out under this Act, including the statistics submitted to and compiled by the Director under section 11(c). Such report shall include the certification required under section 8(d).

PROMULGATION OF YOUTH CAMP SAFETY STANDARDS

SEC. 7. (a) The Director shall develop, with the approval of the Secretary, and shall by rule, promulgate, modify, or revoke youth camp safety standards. In developing such standards, the Director shall consult with the Federal Advisory Council on Youth Camp Safety established under section 15, with State officials, and with representatives of appropriate public and private organizations, and shall consider existing State regulations and standards, and standards developed by private organizations which are applicable to youth camp safety, and shall make such suitable distinctions in such standards as are necessary and appropriate in order to recognize the differences in conditions and operations among residential camps, day camps, short-term group camps, travel camps, trip camps, primitive or outpost camps, Federal recreational youth camps and camps serving special populations. The Director shall promulgate the standards required by this section within one year after the effective day of this Act. Such standards shall take effect in each State at the completion of the first regular legislative session of such State which begins after the date on which such standards are promulgated.

(b) Notwithstanding any other provision of law, the Director shall, before promulgating any standard under subsection (a), or any rule or regulation under any other provision of this Act, transmit such proposed standard, rule, or regulation to each House of the Congress. No such proposed standard, rule, or regulation may take effect if either House of the Congress adopts a resolution, within sixty legislative days of continuous session of the Congress after such proposed standard, rule, or regulation is transmitted by the Director, which disapproves such proposed standard, rule, or regulation. Any such resolution shall void the proposed standard, rule, or regulation involved. The failure of either House of the Congress to adopt any such resolution shall not be considered to be an expression by the Congress that the standard, rule, or regulation involved is within the scope of authority delegated to the Director by this Act.

STATE JURISDICTION AND STATE PLANS

SEC. 8. (a) During the two-year period after the initial promulgation of Federal standards and annually thereafter any State which, at any time, desires to assume responsibility for development and enforcement of comprehensive youth camp safety standards applicable to youth camps in the State (other than Federal recreational youth camps operated by a Federal agency) shall submit a State plan for the development of such standards and their enforcement.

(b) The Director shall approve a plan submitted by a State under subsection (a), or any modification thereof, if the Director determines that such plan—

(1) designates a State agency as the agency responsible for administering the plan throughout the State,

(2) provides that each youth camp operator has the same general duty under State law as is provided under section 5,

(3) provides, after consultation with youth camp operators and other interested parties in that State, for adoption and enforcement of comprehensive youth camp safety standards which standards (and the enforcement of such standards) are or will be at least as effective in providing safe operation of youth camps in the State as the standards promulgated under section 7, and provides that where penalties are not employed as a method of enforcement of such standards, a system of licensing and loss of license is in effect which is at least as effective as penalties,

(4) provides for the enforcement of the standards developed under paragraph (3) in all youth camps in the State which are operated by the State or its political subdivisions,

(5) provides a procedure under which the State agency may—

(A) petition the appropriate State court to seek injunctive relief, which shall have a priority hearing on the docket of such court, to restrain any condition or practice in a youth camp or a place where camp activities are conducted where a danger exists which would reasonably be expected to cause death or immediate serious physical harm; or

(B) eliminate the imminence of such danger through the enforcement procedures otherwise provided by State law or regulation, which is at least as effective as that provided in section 13,

(6) provides for a procedure for the issuance of variances from standards developed under paragraph (3) upon application by a youth camp operator showing extraordinary circumstances or undue hardship, on terms and conditions at least as effective as that provided in section 14,

(7) provides for consultative services to youth camps in the State with respect to the general duty and comprehensive youth camp safety standards under such State plan,

(8) provides for an inspection of each such youth camp at least once a year during a period that camp is in operation,

(9) provides for a State youth camp advisory committee, to advise the State agency on the general policy involved in inspection and licensing procedures under the State plan, which committee shall include among its members representatives of other State agencies concerned with camping or programs related thereto; persons representative of professional or civic or other public or nonprofit private agencies, organizations, or groups concerned with organized camping; and members of the general public having a special interest in youth camps,

(10) provides for a right of entry and inspection of all such youth camps which is at least as effective as that provided in section 11,

(11) contains satisfactory assurances that such State agency has or will have the legal authority and qualified personnel necessary for the enforcement of such standards,

(12) gives satisfactory assurances that such State will devote adequate funds to the administration and enforcement of such standards,

(13) provides that such State will coordinate the inspection efforts of such State agency so that undue burdens are not placed on camp operators with multiple inspections,

(14) provides that such State agency will make such reports in such form and containing such information as the Director may reasonably require,

(15) provides assurances that State funds will be available to meet the portions of the cost of carrying out the plan which are not met by Federal funds, and

(16) provides such fiscal control and fund accounting procedures as may be necessary to assure proper disbursement of and accounting of funds received under this Act.

(c) The Director shall approve any State plan which meets the requirements of subsection (b), but shall not finally disapprove any such plan, or any modification thereof, without affording the State agency reasonable notice and an opportunity for a hearing.

(d)(1) The Director shall review annually each of the State plans which he has approved, and the enforcement thereof, and shall certify that each such plan is administered so as to comply with the provisions of such plan and any assurances contained therein, and report such certification to the Congress in the annual report required under section 6(c).

(2) Whenever the Director finds, after affording due notice and opportunity for a hearing, that in the administration of the State plan there is a failure to comply substantially with any provision of the State plan (or any assurance contained therein), and such failure would result in the failure to meet the standards developed by the Director under section 7, he shall (A) notify the State agency of his withdrawal of approval of such plan and upon receipt of such notice such plan shall cease to be in effect, but the State may retain jurisdiction in any case commenced before the withdrawal of the plan in order to enforce standards under the plan whenever the issues involved do not relate to the reasons for the withdrawal of the plan; and (B) shall notify such State agency that no further payments will be made to the State under this Act (or in his discretion, that further payments to the State will be limited to programs or portions of the State plan not affected by such failure), until he is satisfied that there will no longer be any failure to comply. Until he is so satisfied, no further payments may be made to such State under this Act (or payment shall be limited to programs or portions of the State plan not affected by such failure). Any such failure of a State to comply with any provision of the State plan shall not in any way impede any youth

camp therein pending action by the Secretary under this section.

(e) The State may obtain a review of a decision of the Director withdrawing approval of or rejecting its plan by the United States court of appeals for the circuit in which the State is located by filing in such court within thirty days following receipt of notice of such decision a petition to modify or set aside in whole or in part the action of the Director. A copy of such petition shall forthwith be served upon the Director and thereupon the Director shall certify and file in the court the record upon which the decision complained of was issued as provided in section 2112 of title 28, United States Code. Unless the court finds that the Director's decision in rejecting a proposed State plan or withdrawing his approval of such plan is not supported by substantial evidence the court shall affirm the Director's decision. The judgment of the court shall be subject to review by the Supreme Court of the United States as provided in section 1254 of title 28, United States Code.

(f)(1) The Secretary, at the request of the Director, is authorized to make personnel from the Department of Health and Human Services who have the necessary expertise, available to States to assist in developing State plans, and in training State inspectors and other personnel associated with youth camps. The Director may call upon the expertise of organized camping groups for such assistance to Federal and State personnel.

(2) The Secretary, at the request of the Director, shall provide technical assistance and consultative services necessary to assist in the development and implementation of the plan.

GRANTS TO STATES

SEC. 9. (a) The Director shall make grants to the States—

(1) for the development of State youth camp safety plans in accordance with section 8;

(2) to carry out plans approved under section 8;

(3) to assist with plan initiation and training costs; and

(4) for the early operation and improvement of youth camp safety programs.

Any grant made under this section shall be based upon objective criteria which shall be established under regulations promulgated by the Secretary in order to insure equitable distribution. No such grant may exceed 80 per centum of the cost of developing and carrying out the State plan.

(b) Payments under this section may be made in installments and in advance or by way of reimbursement with necessary adjustments on account of underpayments or overpayments.

CONSULTATIVE SERVICES AND ENFORCEMENT

SEC. 10. (a) Upon the request of any youth camp operator or director, or during any inspection under section 11(a), the Director shall provide consultative services to youth camps in States which do not have in effect a State plan approved under section 8. No citations shall be issued nor shall any civil penalties (except penalties for repeated violations under section 12(b)) be proposed by the Director upon any inspection or visit at which consultative services are rendered, but if, during such inspection or visit, an apparent serious violation of the duty imposed by section 5, of any standard, rule, or order provided pursuant to section 7, or of any regulations prescribed pursuant to this Act is discovered, the Director shall issue a written notice to the youth camp operator describing with particularity the nature of the violation, and the action which must be taken within a reasonable period of time specified by the Director for the abatement of the violation. Where a youth camp operator fails to comply with the abatement instructions within the prescribed period, a citation may be issued as provided in subsection (b) or a civil penalty under section 12 may be assessed. Nothing in this subsection shall affect in any manner any provision of this Act the purpose of which is to eliminate imminent dangers.

(b) The Director shall issue regulations and procedures providing for citations to youth camp operators in States which do not have in effect a State plan approved under section 8 for any violation of the duty imposed by section 5, of any standard, rule or order promulgated pursuant to section 7, or of any regulations prescribed pursuant to this Act. Each citation shall fix a reasonable time for abatement of the violation. The Director may prescribe procedures for the issuance of a notice in lieu of a citation with respect to minor violations which have no direct or immediate or serious relationship to safety or health.

(c) The Director shall afford an opportunity for a hearing in accordance with section 554 of title 5, United States Code, to any youth camp operator issued a citation under procedures promulgated pursuant to subsection (b) or subject to penalties under section 12, or under any other procedure applying enforcement by the Director under this Act. Any youth camp operator adversely affected by the decision of the Director after such hearing may obtain a review of such decision in the United States court of appeals for the circuit in which the youth camp in question is located or in which the youth camp has its principal office by filing in such court within thirty days following receipt of notice of such decision a petition to modify or set aside in whole or in part such decision. A copy of the petition shall forthwith be served upon the Director, and thereupon the Director shall certify and file in the court the record upon which the decision complained of was issued as provided in section 2112 of title 28, United States Code. Such decision, if supported by substantial evidence, shall be affirmed by the court. The judgment of the court shall be subject to review by the Supreme Court of the United States, as provided in section 1254 of title 28, United States Code.

INSPECTIONS, INVESTIGATIONS, AND RECORDS

SEC. 11. (a) In order to carry out his duties under this Act, the Director may enter and inspect any youth camp and its records in States which do not have in effect a State plan approved under section 8, may question employees privately, and may investigate facts, conditions, practices, or matters to the extent he deems it necessary or appropriate. The Director shall inspect each such youth camp at least once a year during the period the camp is in operation.

(b) In making his inspections and investigations under this Act the Director may require the attendance and testimony of witnesses and the production of evidence under oath. Witnesses shall be paid the same fees and mileage that are paid witnesses in the courts of the United States. In case of a contumacy, failure, or refusal of any person to obey such an order, any district court of the United States, or the United States courts of any territory or possession, within the jurisdiction of which such person is found, or resides, or transacts business, upon the application by the Secretary, shall have jurisdiction to issue to such person an order requiring such person to appear to produce evidence if, as, and when so ordered, and to give testimony relating to the matter under investigation or in question, and any failure to obey such order of the court may be punished by said court as a contempt thereof.

(c) To determine the areas in which safety standards are necessary and to aid in promulgating meaningful regulations, camps subject to the provisions of this Act shall be required to report annually, on the date prescribed by the Director, all accidents resulting in death, injury, and serious illness, other than minor injuries which require only first aid treatment, and which do not require the services of a physician, or involve loss of consciousness, restriction of activity or motion, or premature termination of the camper's term at the camp. Camps operating solely within a State which have in effect a State plan approved under section 8 shall file their reports directly with that State, and the State shall promptly forward such reports on to the Director. All other camps shall file their reports directly with the Director. The Director shall compile the statistics reported and include summaries thereof in his annual report required under section 6(c).

(d) Any information obtained by the Director, or his authorized representative, under this Act shall be obtained with a minimum burden upon the youth camp operator and with full protection of the rights of youth camp staff members. Unnecessary duplication of efforts in obtaining information shall be reduced to the maximum extent feasible.

(e) A representative of the youth camp staff director and a representative authorized by the youth camp staff shall be given an opportunity to accompany the Director or his authorized representative during the inspection. Where there is no authorized youth camp staff representative, the Director shall consult with a reasonable number of youth camp staff members concerning the matters of health and safety.

PENALTIES

SEC. 12. (a) Any youth camp operator who fails to correct a violation for which a citation has been issued under section 10(b) or for which a notice has been issued under section 10(a) within the period permitted for its correction may be assessed a civil penalty of not more than $500 for each day during which such failure or violation continues, until the camp closes in its normal course of business.

(b) Any youth camp operator who willfully or repeatedly violates the requirements of section 5, or any standard, rule, or order promulgated pursuant to section 7, or of any regulations prescribed pursuant to this Act may be assessed a civil penalty of up to $1,000 for each day during which such violation continues, until the camp closes in its normal course of business.

(c) Civil penalties assessed under this Act shall be paid to the Director for deposit into the Treasury of the United States and shall accrue to the United States and may be recovered in a civil action in the name of the United States brought in the United States district court for the district in which the violation is alleged to have occurred or in which the operator has his principal office.

PROCEDURES TO COUNTERACT IMMINENT DANGERS

SEC. 13. (a) The United States district courts shall have jurisdiction, upon petition

of the Director, to restrain any conditions or practices in any youth camp, or in any place where camp activities are conducted in States which do not have in effect a State plan approved under section 8, which are such that a danger exists which could reasonably be expected to cause death or immediate serious physical harm or before the imminence of such danger can be eliminated through the enforcement procedures otherwise provided by this Act. Any order issued under this section may require such steps to be taken as may be necessary to avoid, correct, or remove such imminent danger and prohibit the presence of any individual in locations or under conditions where such imminent danger exists except individuals whose presence is necessary to avoid, correct, or remove such imminent danger.

(b) Upon the filing of any such petition, the district court shall have jurisdiction to grant such injunctive relief or temporary restraining order pending the outcome of an enforcement proceeding pursuant to this Act.

(c) Whenever and as soon as an inspector concludes that conditions or practices described in subsection (a) exist in any campsite or place of camp activity, he shall inform parents or guardians, camp owners, and camp supervisory personnel and shall assure that all affected campers are so informed of the danger and that he is recommending to the Director that relief be sought.

VARIANCES

SEC. 14. The Director, in States which do not have in effect a State plan approved under section 8, upon application by a youth camp operator showing extraordinary circumstances or undue hardship, and upon the determination by a field inspector, after inspection of the affected premises and facilities, that the conditions, practices, or activities proposed to be used are as safe and healthful as those which would prevail if the youth camp operator complied with the standard, may exempt such camp or activity from specific requirements of this Act, but the terms of such exemption shall require appropriate notice thereof to parents or other relatives of affected campers. Such notice shall be given at least annually. Nothing in this Act shall allow the operation of a substandard camp.

FEDERAL ADVISORY COUNCIL ON YOUTH CAMP SAFETY

SEC. 15. (a) The Secretary shall establish in the Department of Health and Human Services a Federal Advisory Council on Youth Camp Safety to advise and consult on policy matters relating to youth camp safety, particularly the promulgation of youth camp safety standards. The Council shall consist of the Director, who shall be chairman, and sixteen members appointed by the Secretary, without regard to the civil service laws, from persons who are specially qualified by experience and competence to render such service, of which there shall be—

(1) one member each from the Department of the Interior, the Department of Health and Human Services, the Department of Agriculture and the Department of Labor;

(2) eight members from appropriate associations representing organized camping;

(3) three members from the general public who have a special interest in youth camps; and

(4) one member from a private nonprofit organization operating a camp for special populations.

(b) The Director may appoint such special advisory and technical experts and consultants as may be necessary in carrying out the functions of the Council.

(c) Members of the Advisory Council, while serving on business of the Advisory Council, shall receive compensation at a rate to be fixed by the Director but not exceeding $100 per day; including traveltime; and while so serving away from their homes or regular places of business, they may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by section 5703 of title 5, United States Code, for persons in the Government service employed intermittently.

ADMINISTRATION AND AUDIT

SEC. 16. (a) The Director is authorized to request directly from any department or agency of the Federal Government information, suggestions, estimates, and statistics needed to carry out his functions under this Act; and such department or agency is authorized to furnish such information, suggestions, estimates, and statistics directly to the Director.

(b) The Director shall prepare and submit to the President for transmittal to the Congress at least once in each fiscal year a comprehensive and detailed report on the administration of this Act.

(c) The Director and the Comptroller General of the United States, or any of their duly authorized representatives, shall have access for the purpose of audit and examination to any books, documents, papers, and records of States receiving assistance under this Act.

NONINTERFERENCE

SEC. 17. (a) Nothing in this Act or regulations issued hereunder shall authorize the Director, a State agency, or any official acting under this Act, to prescribe, determine, or influence the curriculum, admissions policy, program, or ministry of any youth camp.

(b) Nothing in this Act or regulations issued hereunder shall be construed to control, limit, or interfere with either the religious affiliation of any camp, camper, or camp staff member, or the free exercise of religion of any youth camp which is operated by a church, association, or convention of churches, or their agencies.

(c) Nothing in this Act or regulations issued hereunder shall authorize the Director, a State agency, or any official acting under this Act, to require or authorize medical treatment for a person who objects (or, in the case of a child, whose parent or guardian objects) thereto on religious grounds; nor shall examination or immunization of such person be authorized or required except during an epidemic or threat of an epidemic of a contagious disease.

AUTHORIZATION

SEC. 18. There are authorized to be appropriated $7,500,000 for the fiscal year 1984, and for each of the four succeeding fiscal years, to carry out the provisions of this Act.

EFFECT ON EXISTING LAWS

SEC. 19. (a) Nothing in this Act shall be construed to supersede or to enlarge or diminish or affect in any other manner the common law or statutory rights, duties, or liabilities of youth camp operators and campers under any law with respect to injuries, diseases, or death of campers arising out of, or in the course of, participation in youth camp activities covered by this Act.

(b) Notwithstanding the provisions of this Act, no State law which provides youth camp health and safety standards equal to or superior to standards promulgated under the provisions of this Act shall be superseded by the provisions of this Act.

By Mr. GRASSLEY (for himself, Mr. THURMOND, Mr. DECONCINI, Mr. HEFLIN, Mr. JEPSEN, Mr. KASTEN, Mr. RANDOLPH, Mr. DOMENICI, Mr. HUDDLESTON, Mr. WARNER, Mr. DENTON, and Mr. DOLE):

S. 1240. A bill to strengthen law enforcement in the areas of child exploitation and pornography and to increase the criminal penalties in such areas, and for other purposes; to the Committee on the Judiciary.

LEGISLATION TO BAN CHILD PORNOGRAPHY

● Mr. GRASSLEY. Mr. President, I am introducing legislation, together with Senator STROM THURMOND, Senator JEREMIAH DENTON, Senator HEFLIN, Senator DOLE, and Senators DECONCINI, JEPSEN, KASTEN, RANDOLPH, DOMENICI, HUDDLESTON, and WARNER, in recognition of the Supreme Court's decision in the case of *New York* v. *Ferber*, ——— U.S. ———, 102 S.Ct. 3348 (1982). In that decision, the U.S. Supreme Court unanimously held that Federal and State governments may act to outlaw distribution of all child pornography, not simply that which is technically obscene. I note for the record that the legislation I introduce today is nearly identical to an amendment that was passed last October to the Violent Crime and Drug Enforcement Act of 1982.

Current Federal law prohibits the use of children in pornographic depictions only if the materials meet the difficult and confusing standard of legal obscenity. Last July, the Supreme Court decided that where our children are involved, the regulation of pornography need not comport with the legal definition of obscenity. Hence, this amendment would remove the requirement of legal obscenity from child pornography statutes. This ultimately makes it easier to prosecute offenders and protect our children.

In Ferber, the Court held that the obscenity standard developed in Miller against California, does not apply to a photographic or other depiction of children actually engaging in sexually explicit conduct. Abandoning the Miller standard of child pornography was predicated upon the Court's recognition that a State has a compelling interest in protecting the physical and psychological well-being of minors. The Court held that child pornography constitutes a category of material—like obscenity—which is outside the protection of the first amendment.

Specifically, in addition to eliminating the requirement that child pornography statutes comport with the technical definition of obscenity, I am removing the commerical-purpose limitation of this provision. Utilization of

the applicable statute, 18 U.S.C. 2252, by enforcement officers has been limited by the fact that the statute covers the distribution of child pornography materials only for commercial purposes.

However, many of the individuals who distribute materials covered by the statute do so by trade or exchange without any commercial purpose. It 18 U.S.C. 2252 is to be rendered more useful as a prosecutorial vehicle, the words "for the purpose of sale or distribution for sale" should be deleted from subsections (a)(1) and (a)(2), and the words "for sale" should be deleted from subsection (a)(2) following the words "knowingly sells or distributes." Additionally, we are striking the "pecuniary profit" provision from section 2253 of title 18, section 3.

A critical feature of any new legislation must be the recognition that only through effective economic deterrents can the business of child pornography be effectively suppressed. Imposition of significantly higher fines is a crucial element of any campaign against networks of child pornography and it is for that reason that this legislation provides for considerably higher fines.

Finally, this legislation will raise the age limit from its current status of 16 to the age of 18 for children to be protected by the act. In an arena like that of child pornography traffic, which is riddled with seduction, coercion and blackmail, children should be protected through their normal minority. Such a change would hardly be radical when 17 States currently define "children" in this context as persons under 18.

No discussion of this amendment would be complete without noting how harmful the use of children in pornographic materials is to the physiological, emotional, and mental health of the child. It should be noted that because the child's actions are reduced to a recording, there is a permanent record of the child's participation and the harm to the child is intensified by circulation.

According to one study by the Academy of Child Psychiatry, sexually exploited children are unable to develop healthy affectionate relationships in later life, have sexual dysfunctions, and tend to become sexual abusers as adults. Another report by the Illinois Legislative Investigatory Commission emphasizes that sexual molestation by adults is often involved in the production of child sexual performances. Justiced O'Connor, in her concurring opinion, summed up the motive behind the decision when she wrote that:

A 12-year-old child photographed while masturbating surely suffers the same psychological harm whether the community labels the photograph "edifying" or "tasteless". The audience's appreciation of the depiction is simply irrelevant to New York's asserted interest in protecting children from psychological, emotional, and mental harm.

Mr. President, at stake is the emotional and physical health of minors. We must protect our children. I urge all of my colleagues to support this legislation.

I ask unanimous consent that this bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows;

S. 1240

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Child Protection Act of 1983.".

SEC. 2. (a) Section 2252 of title 18, United States Code, is amended—

(1) in subsection (a)(1) by striking out ", for the purpose of sale or distribution for sale, any obscene" and inserting in lieu thereof "any";

(2) in subsection (a)(1)(B) by striking out "such visual or print medium depicts such conduct; or" and inserting in lieu thereof "such visual or print medium visually depicts such conduct or such visual or print medium is obscene and depicts such conduct; or";

(3) in subsection (a)(2) by striking out "for the purpose of sale or distribution for sale, or knowingly sells or distributes for sale, any obscene" and inserting in lieu thereof "; sells, or distributes any"; and

(4) in subsection (a)(2)(B) by striking out "such visual or print medium depicts such conduct;" and inserting in lieu thereof "such visual or print medium visually depicts such conduct or such visual or print medium is obscene and depicts such conduct;".

(b) Subsection (b) of section 2252 of such title is amended to read as follows:

"(b) Any individual who violates this section shall be fined not more than $250,000, or imprisoned not more than 20 years, or both. If such individual has a prior conviction under this section, such individual shall, in addition to the fine provided in the preceding sentence, be imprisoned not less than four years nor more than thirty. Any organization which violates this section shall be fined not more than $500,000.".

(c) Section 2253(1) of such title is amended by striking out "sixteen" and inserting in lieu thereof "eighteen".

(d) Section 2253(3) of such title is amended by striking out ", for pecuniary profit".●

By Mr. MELCHER.

S. 1241. A bill to provide for an Indian housing program for construction and financing of housing for Indians, and for other purposes; to the Select Committee on Indian Affairs.

INDIAN HOUSING ACT OF 1983

● Mr. MELCHER. Mr. President, I ask unanimous consent that my bill cited as the "Indian Housing Act of 1983" be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows;

S. 1241

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Indian Housing Act of 1983".

FINDINGS AND POLICY

SEC. 2. (a) The Congress finds, based upon the Federal Government's historical and special legal relationship with, and resulting responsibility to, American Indian people that—

(1) the goal of decent, safe, and sanitary housing has not been realized for many Indian families and elderly residing on Indian reservations and in Indian communities;

(2) nearly 40 per centum of all Indian housing is in substandard condition as compared with a national figure of 12 per centum;

(3) this situation is of grave concern; and

(4) special efforts are needed to mobilize public and private resources for the realization of this goal.

(b) It is declared to be the policy of the United States to provide grants, financing, and loan guarantees to assist Indians in obtaining decent, safe, and sanitary housing.

DEFINITIONS

SEC. 3. For the purpose of this Act, the term—

(1) "adjusted family income" means gross family income less $1,000 for each member of the household, plus a further deduction of $3,400 or the amount of itemized deductions from the family's current Federal income tax return, whichever is higher;

(2) "amortization payment" means that payment which would be the equivalent of the level monthly amount needed to amortize the capital cost of a house over the term of a housing assistance contract for twenty-five years at the Federal Housing Administration mortgage rate in effect on the date of the execution of a project agreement;

(3) "family" means one or more persons maintaining a household. The tribal housing agency shall determine which adult members of a family will be required to execute a housing assistance contract;

(4) "housing assistance contract" means the executed agreement between the tribal housing agency and an eligible family which specifies the terms, conditions, rights, and responsibilities of the parties;

(5) "Indian" means a person who is a member of an Indian tribe or who is an Indian as defined in section 19 of the Act of June 18, 1934 (48 Stat. 988; 25 U.S.C. 479);

(6) "mortgage" means a mortgage, deed of trust, or any other instrument establishing a lien on real property;

(7) "project" means the entire undertaking to provide housing under a project agreement, including the minimum number of housing units to be developed or rehabilitated with funds allocated under such agreement;

(8) "Secretary" means the Secretary of the Interior; and

(9) "standard housing" means a dwelling in a condition which is decent, safe, and sanitary so that it at least meets the following minimums—

(i) general construction conforms to applicable standards for the region;

(ii) the heating system has the capacity to maintain a minimum temperature of sixty-five degrees Fahrenheit in the dwelling during the coldest weather in the region. It must be safe to operate and maintain and deliver a uniform distribution of heat. Applicable tribal heating codes are to be followed or, if there are no applicable tribal

codes, county, State, or national codes shall be used as a guide;

(iii) the plumbing system includes a properly installed system of piping. Fixtures consist of a kitchen sink and a partitional bathroom with lavatory, toilet, and bath or shower. The water supply, plumbing, and sewage disposal systems meet applicable tribal codes, or if there are no applicable tribal codes, the minimum standards of the Indian Health Service, county, or State, whichever is applicable;

(iv) the electrical system includes wiring and equipment properly installed to safely supply electrical energy for adequate lighting and for operation of appliances and meets applicable tribal codes. If there are no applicable tribal codes, county, State, or national codes shall be used as a guide; and

(v) family size per dwelling is not less than—

(I) five hundred and seventy square feet for a family of up to four members;

(II) eight hundred and fifty square feet for a family of five to seven members; and

(III) one thousand and twenty square feet for a family of eight or more members;

except that the Secretary, upon the request of a tribe or tribal housing agency, may, in appropriate circumstances, waive the minimum size standards established by this subparagraph;

(10) "tribal housing agency" means that entity or administrative unit of the tribal government which has been designated or established by the tribe to administer housing programs under this Act;

(11) "tribe" means any Indian tribe, band, nation, or other organized group or community, including any Alaska Native village or regional or village corporation as defined or established pursuant to the Alaska Native Claims Settlement Act (86 Stat. 688) which is recognized as eligible for the special programs and services provided by the Bureau of Indian Affairs to Indians because of their status as Indians; and

(12) "trust land" means land title to which is held by the United States for the benefit of an Indian or Indian tribe or title to which is held by an Indian or Indian tribe subject to a restriction against alienation imposed by the United States.

TITLE I—INDIAN HOUSING IMPROVEMENT PROGRAM

BASIC AUTHORITY

SEC. 101. (a) There is hereby established an Indian housing improvement program for the purpose of making grants or providing assistance to preserve existing housing, make repairs, and construct or acquire standard housing for Indians.

(b) The Secretary is authorized, upon application of an Indian tribe or individual, to make grants or provide assistance to assist Indian families who are not eligible for housing assistance under titles II and III of this Act because of low income or extremely isolated circumstances.

(c) The Secretary shall assure that grants or assistance provided under this title shall be consistent with plans and priorities established by tribes and shall, upon the request of the appropriate tribe or tribal housing agency, make such grants or assistance available through agreements with the tribe or tribal housing agency. In the absence of such an agreement, the Secretary may—

(1) make, with appropriate safeguards, direct grants to individual Indians;

(2) contract with private construction firms pursuant to standard Federal contracting procedures, except that the Act of April 30, 1908 (35 Stat. 71; 25 U.S.C. 47), as amended, shall apply unless the concerned tribe requests, through formal action, that the applicability of the Act be waived on a specific procurement action; or

(3) have repairs or new construction performed directly by the Bureau of Indian Affairs.

(d) With respect to assistance provided under agreements entered into pursuant to subsection (c) of this section, a tribe or tribal housing agency, in its discretion, may require an assisted family to make a monthly payment not to exceed the administrative charge established for such tribe or tribal housing agency pursuant to section 210 of this Act or, if no such amount has been approved, an amount satisfactory to the Secretary. Receipts from such payments shall be used solely for housing-related activities of such tribe.

ELIGIBLE ACTIVITIES

SEC. 102. (a) Grants or assistance may be provided under this title to—

(1) finance minor repairs and additions to existing substandard housing to improve safety and sanitary conditions until such time as standard housing assistance can be made available to such family;

(2) finance major repair, renovations, or enlargement of existing dwellings that are structurally sound, but deteriorated, and which can be economically placed in standard condition; and

(3) finance the construction or acquisition of new standard housing where severe need is demonstrated and it is established that there is no reasonable prospect that standard housing can be financed from other sources.

(b) Appropriate insurance shall be required on housing constructed, acquired, or improved under subsection (a) (2) or (3) of this section, unless waived by the Secretary.

RESERVATION OF INTEREST

SEC. 103. (a) Where a house constructed, acquired, or repaired pursuant to section 102(a) (2) or (3) of this title is located on trust land, the Secretary shall not approve the sale or lease of individual trust land or lease of tribal trust land, as the case may be, unless the provisions of section 104 of this title have been met.

(b) Where a house constructed, acquired, or repaired pursuant to section 102(a) (2) or (3) of this title is located on fee land, the Secretary shall insure that a lien upon such land is recorded under appropriate State law, noting the encumbrance imposed by section 104 of this title.

SALE OF PROPERTY

SEC. 104. Any house constructed, acquired, or repaired pursuant to section 102(a) (2) or (3) of this title may be sold, except that the sale price shall not be less than the value of the assistance provided pursuant to section 102 reduced 5 per centum per year for twenty years. The amount of the minimum sale price shall be reimbursed to the United States and shall be credited to the appropriation authorized by section 105 of this title. Any amount in excess of such minimum sale price shall be the property of the assisted Indian family. Where such house is located on tribal trust land, the tribe shall have the right of first refusal on the sale of such house.

AUTHORIZATION

SEC. 105. There are authorized to be appropriated for the purpose of this title not to exceed $30,000,000 in fiscal year 1984, not to exceed $40,000,000 in fiscal years 1985 and 1986, and not to exceed $50,000,000 in fiscal year 1987.

TITLE II—INDIAN HOUSING FINANCE FUND

ESTABLISHMENT

SEC. 201. There is established an Indian housing finance fund (hereinafter referred to as the "fund") for the purpose of providing financing to Indian tribes for the construction, acquisition, or rehabilitation of standard housing for Indian families who are unable to obtain financing from other sources on reasonable terms and conditions and who are not eligible for assistance under title III of this Act, but who can meet the minimum monthly payment required by this title.

TRIBAL HOUSING PLAN

SEC. 202. As a prerequisite for eligibility for financing from the fund, a tribe must prepare and submit to the Secretary for approval a tribal housing plan. Such plan, at a minimum, shall include an inventory of existing housing; an assessment of housing needs; a proposed tribal administrative structure to implement a housing program; an assessment of the tribe's capacity to administer such program; and a projection of how the tribe intends to meet its housing needs over a multiyear period.

APPLICATIONS

SEC. 203. (a) Applications for financing from the fund shall be submitted to the Secretary and shall specify the number of housing units to be developed and methods of production and development; shall include preliminary drawings and specifications; and shall otherwise be consistent with the approved tribal housing plan.

(b) Applications for funding shall be evaluated and approved, subject to the availability of appropriations, based upon, but not limited to, the following criteria—

(1) a priority for those tribes which have not received financing from the fund in prior fiscal years;

(2) a determination of the administrative, management, and accounting capability of the tribe to implement the proposed housing project;

(3) a determination of the percentage of tribal housing units in a substandard condition;

(4) the housing needs of such tribes as contained in the biennial housing inventory required by section 405 of this Act; and

(5) a determination by the Secretary that there is a reasonable prospect of repayment.

(c) The application shall include a tribal ordinance or other evidence of action of the governing body of the tribe designating or establishing a tribal housing agency (hereinafter referred to as the "agency") which shall be responsible for implementing the project agreement.

(d) Nothing herein shall preclude the submission and approval of multitribal applications and the Secretary shall encourage, but shall not require, multitribal applications to achieve economy of scale in housing projects.

PROJECT AGREEMENT

SEC. 204. Upon approval of an application, the Secretary and the agency shall enter into a project agreement which shall specify the amount of funds to be made available, the minimum number of housing units to be developed with such funds, the production method, and such other terms and condi-

tions as may be reasonable and consistent with the provisions of this title.

ADMINISTRATIVE AND FUNDING PROVISIONS

SEC. 205. (a) The project agreement shall set forth the administrative and judicial authorities, forums, procedures, remedies, and sanctions that the tribe or tribal housing agency will employ to insure collections of monthly payments and the deposit of residual receipts as required by section 211 of this title. It shall also contain a provision that the tribe specifically agree that—

(1) it shall require any Indian family executing a housing assistance contract to authorize the Secretary, on his own motion or at the request of the agency, to attach unobligated trust funds of the adult members of such family for a failure to meet the obligations incurred in such contract; and

(2) its unobligated tribal trust funds may be subject to attachment for failure to meet the requirements of section 211 only as provided in subsection (b) of this section.

Notwithstanding any other provision of law, Indian trust funds shall be subject to attachment as provided in this section. Funds attached under this section shall be paid into the fund as residual receipts.

(b) Tribal trust funds shall be subject to attachment only when (1) its tribal housing agency has failed to meet the financial obligations imposed under section 211 of this title; (2) the Secretary has reasonably exhausted all other available remedies to satisfy the default; and (3) the Secretary has made a specific finding that the tribe has not acted in good faith in carrying out the undertaking as required in subsection (a) of this section.

(c) Prior to the attachment of any trust funds as provided in this section, the Secretary shall provide the tribe or Indian family, as the case may be, with written notice of his intent. Within sixty days of such notice, the tribe or Indian family shall be entitled to (1) pay the amount in default; (2) negotiate a repayment schedule satisfactory to the Secretary; or (3) institute such administrative appeals or judicial actions as may otherwise be authorized.

(d) The Secretary may not refuse assistance under this title on the basis that a tribe or Indian family has no trust funds to their credit.

DISBURSEMENTS

SEC. 206. (a) An initial disbursement may be made from the fund, under a project agreement, to cover costs incurred by the agency for preliminary planning and administration. The initial disbursement shall not exceed $50,000 or 3 per centum of the total funding of the project, whichever is greater. Further disbursements under the project agreement shall be made by the Secretary to the contractor or developer based upon the percentage of completion of the project as specified in the project agreement and as determined pursuant to the plans and specifications approved under section 207 of this title. Percentage of completion of a project shall be certified jointly by the agency and a person designated by the Secretary who shall have no financial or tribal interest in the project.

(b) A jointly conducted final inspection and certification of completion of the project shall be made by the designee of the Secretary, the agency, the contractor, or developer, and, where appropriate, the Indian Health Service.

(c) All moneys disbursed from the fund shall be maintained by the agency in an account separate from all other funds of the tribe or the agency and shall be accounted for as provided in the project agreement.

(d) All housing units provided for in the project agreement shall be placed under construction or acquisition contracts within one year of the execution of the project agreement, except that, where the Secretary determines that the inability of the agency to place units under contract is due to circumstances beyond the control of the agency, he may extend the period for an additional ninety days. Funds for units not placed under contract within such time shall be returned to the fund or such amount shall be deducted from approved allocations from the fund for such tribe in subsequent years.

SUBMISSION OF FINAL PLANS AND SPECIFICATIONS

SEC. 207. Within one hundred and twenty days of the initial disbursement of funds as provided in section 206, the agency shall submit to the Secretary the final plans and specifications for housing units to be developed under the project agreement. Such plans and specifications shall include a phased construction schedule necessary to facilitate periodic disbursements from the fund as provided in section 206. The Secretary shall approve such plans and specifications if they meet the standard housing criteria as defined in section 3(9) of this Act and are otherwise consistent with the project agreement. The Secretary shall encourage the development of plans and specifications that reasonably promote the conservation and efficient use of energy in housing constructed under the project agreement.

SITE ACQUISITION

SEC. 208. (a) Prior to the construction or acquisition of any housing units under a project agreement, the agency shall secure either a fee title to, or a lease of, such lands as may be necessary for the construction or acquisition of such units.

(b) Where the housing site is upon tribal or individual trust land, the agency shall secure, without cost to itself, a twenty-five year lease with option to renew for not to exceed an additional twenty-five years. Where the housing site is on fee land, the agency shall require, without cost to itself, the transfer of the fee title to such lands.

(c) Where the Secretary determines that no suitable lands are available to the tribe for construction of housing, he may authorize the use of project funds to purchase land for the tribe. Such land purchase cost shall be a part of the total project cost.

HOUSING ASSISTANCE CONTRACT PROVISIONS

SEC. 209. (a) An eligible Indian family shall make application for housing assistance to the agency. Upon approval of the application by the agency, the family and the agency shall enter into a housing assistance contract (hereinafter referred to as the "contract") in which the agency shall agree to construct or acquire a standard housing unit or rehabilitate an existing house to standard condition for such family upon lands to be provided by the family or the tribe.

(b) The family shall agree in such contract that it shall—

(1) at no cost to the agency, lease or transfer its trust or fee lands on which such housing is to be built, if required by the agency;

(2) make monthly payments to the agency in the amount of 20 per centum of the adjusted family income, except that (A) the adjusted family income shall be reviewed at least biennially during the twenty-five year period of the contract and the monthly payment shall be adjusted upward or downward as indicated, except that upward adjustments in any one year may not exceed 50 per centum of the prior payment, and (B) such monthly payment shall be not more than the amortization payment and not less than the minimum payment established in section 210 of this title;

(3) accept responsibility for all utilities and maintenance; and

(4) subject the trust funds of its adult members to attachment as provided in section 205 of this title.

(c) Where the housing site is located on the trust or fee lands of the family which has fully met its obligations under the housing assistance contract, at the end of twenty-five years, the land will revert to its former status and the agency will transfer full ownership of the house to the family. Where the housing site is located on tribal lands and the family has fully met its obligations under the housing assistance contract, the lands will revert to their former status and the agency will transfer ownership of the house to the family, except that the tribe may not deny the family the continued use of the landsite unless the Secretary, the tribe, and the family negotiate for the tribal purchase of the house for an amount not less than the fair market value of such house.

MINIMUM PAYMENT

SEC. 210. The project agreement shall provide for a minimum monthly payment to be made by families receiving assistance under this title. Such minimum monthly payment shall be composed of—

(1) an administrative charge which shall be in an amount deemed sufficient by the Secretary to enable the agency to perform the administrative functions required by this Act;

(2) a premium for insurance; and

(3) an amount deemed reasonable by the Secretary as a contingency reserve for maintenance. Such amounts shall be deposited by the agency into an interest-bearing account as a reserve for maintenance which may be used, principal and interest, as provided in section 214 of this title.

The minimum payment shall be reviewed annually and may, subject to the approval of the Secretary, be adjusted upward or downward as warranted.

RESIDUAL RECEIPTS

SEC. 211. (a) The project agreement shall require the agency to establish an account for residual receipts. Residual receipts shall be the amount of the monthly payments collected by the agency less the minimum payment to be retained by the agency as provided in section 209.

(b) Residual receipts shall be deposited by the agency in the fund annually on a fiscal year basis. The agency shall, on a quarterly basis, certify to the Secretary the collection and deposit of the required monthly payments in the agency's residual receipt account. Initial residual receipts due the fund are those that are the result of monthly payments established by the agency and which have been certified by an independent audit or agreed to by the Secretary in the project agreement. Thereafter, residual receipts due to the fund shall be in accordance with amounts established by an annual independent audit of the adjusted family incomes of the participating families.

(c) Residual receipts due the fund from an agency shall not fall below 90 per centum of the amount due based upon an amount established by the annual independent audit as required by subsection (b). Within ten days after a determination of a default by an agency in its annual payment of residual receipts to the fund or a failure to make a quarterly certification of collection and deposit of receipts in its residual receipts account, the Secretary shall notify the tribe and the agency in writing of such determination. The tribe or the agency shall have thirty days within which to satisfy the default. Upon a failure of the tribe or agency to do so, the Secretary may—

(1) declare such tribe to be ineligible for further housing assistance from the fund;

(2) take any other action to satisfy the default as may be otherwise authorized by law; or

(3) attach tribal or appropriate individual trust funds as provided and authorized in section 205 of this title, except that the Secretary may exercise this authority only after all other reasonable action has been exhausted.

MONITORING AND INSPECTION

SEC. 212. (a) The agency shall be responsible for the implementation of monitoring and construction inspection procedures necessary to assure the Secretary of satisfactory quality control and fund utilization, including compliance with the minimum housing standards and the approved drawings and specifications of a project. When the Secretary determines that the monitoring and inspection procedures are not adequate, he shall initiate action to assure implementation of such procedures by the agency as a requirement for continuation of the project.

(b) The technical staff of the Indian Health Service within the Department of Health and Human Services shall, in the course of fulfilling its existing responsibilities in providing sanitation facilities to Indian housing, be responsible for the surveillance of the construction, inspection, and monitoring procedures of the agency. The Indian Health Service shall provide recommendations to the agency and the Secretary as to the adequacy of the construction inspection procedures of the agency to assure compliance with the minimum housing standards and the approved plans and specifications.

BONDING REQUIREMENTS

SEC. 213. (a) Tribal and agency officials and employees who are responsible for the receipt and disbursement of funds under this title shall be bonded in amounts satisfactory to the Secretary. No such disbursement shall be made until a bond satisfactory to the Secretary is obtained.

(b) The agency shall require performance bonds from its contractors except for those projects where settlement is on the basis of turnkey construction.

(c) The agency shall also require irrevocable letters of credit, mechanics' and workmen's lien bonds and warranty maintenance bonds or cash equivalents from its contractors in amounts satisfactory to the Secretary.

MAINTENANCE AND UTILITIES

SEC. 214. Maintenance and cost of utilities for the house shall be the responsibility of the participating family. Upon the failure of a family to perform adequate maintenance to the extent necessary to prevent health hazards or preserve the capital value of the unit, the agency shall use the reserve for maintenance established by section 210 of this title to correct any deficiencies. At the end of the contract period, the amount remaining in the maintenance reserve account to the credit of the family, excluding any accrued interest, shall become the property of the family.

AWARD OF CONTRACTS

SEC. 215. All contracts under this title shall be awarded in accordance with procedures satisfactory to the Secretary and shall result in the judicious use of Federal funds. Section 7(b) of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450e) shall apply to all contracts, subcontracts, and employment opportunities supported by funding under this title, except that a tribe may, by formal action of its governing body, waive the applicability of section 7(b) in specific cases.

SALE OF HOUSING

SEC. 216. A family may, subject to the approval of the Secretary and the agency, sell or purchase a house constructed, acquired, or rehabilitated with funds under a project agreement. The minimum sale or purchase price of the house shall be the amount of the principal remaining on the amortization schedule for such house, except that, where a family has a deficit in its reserve for maintenance account, such minimum sale or purchase price shall be increased by that amount. The minimum sale or purchase price shall be reimbursed to the fund and any amount in excess of the minimum sale price shall be the property of the family.

ASSIGNMENTS

SEC. 217. (a) The contractual interest of a family in housing constructed, acquired, or rehabilitated with moneys provided from the fund may be inherited or assigned if the heirs, devisees, or assignees agree to assume the responsibilities and obligations under the original contract, and if any assignee of such interest is otherwise eligible for assistance under this title.

(b) Abandoned houses shall revert to the agency and shall be available to another eligible family under a new housing assistance contract.

DOWNPAYMENT ASSISTANCE

SEC. 218. Tribal housing agencies may use funds made available under a project agreement, if the agreement so provides, to assist Indian families in making a downpayment, including closing costs, on standard housing to be financed through other sources of credit. The family shall be obligated to repay such amount, with or without interest, over a period of not to exceed ten years. Exclusive of closing costs, assistance provided under this section shall not be in excess of 10 per centum of the purchase price of the house.

CREDIT ELSEWHERE

SEC. 219. If an agency, in establishing the adjusted family income of an applicant family, determines that the income of such family is sufficient to support the payment of a reasonable economic rent, the agency shall require such family to provide evidence that at least two lending institutions in the area making home mortgage loans have rejected loan applications submitted by such family before the family is eligible for housing assistance under this title.

RENTAL HOUSING

SEC. 220. Funds made available under this title may, as provided in a project agreement, be used to construct rental housing, except that—

(1) the tribe shall require monthly rental payments from eligible Indian families as determined by section 209 except that the maximum monthly payment shall be an amount agreed upon by the Secretary and the agency;

(2) a minimum monthly rental payment shall be established as provided in section 210 and the tribe shall be responsible for the payment of residual receipts as provided in section 211;

(3) the tribe shall be responsible for the payment of utilities and maintenance costs; and

(4) all other appropriate provisions of this title shall be applicable to such rental housing projects.

AUTHORIZATION

SEC. 221. There are authorized to be appropriated for the purpose of carrying out the provisions of this title $100,000,000 in fiscal year 1984; $200,000,000 in fiscal year 1985; and for fiscal years 1986 and 1987, such sums as may be necessary which, when added to the total residual receipts and other deposits paid into the fund during the preceding fiscal year, will restore the balance in the fund to $250,000,000 at the beginning of each fiscal year.

TITLE III—INDIAN HOUSING LOAN GUARANTEE FUND

ESTABLISHMENT OF FUND

SEC. 301. In order to provide access to sources of private financing for Indian families who otherwise would not be eligible for housing credit because of Federal laws restricting mortgage or other encumbrance of trust land, there is established an Indian housing loan guarantee fund (hereinafter referred to as the "guarantee fund") which shall be available as provided in section 311 of this title.

GUARANTEE AUTHORITY

SEC. 302. The Secretary is authorized to guarantee not to exceed 100 per centum of the unpaid principal and interest due on any loan made to an Indian for the acquisition or construction of a standard house on trust land. Such loans may be secured by any collateral authorized by law.

INTEREST RATE

SEC. 303. Loans guaranteed pursuant to this title shall bear interest (exclusive of premium charges for guarantee and service charges, if any) at a rate agreed upon by the borrower and the lender and determined by the Secretary to be reasonable, but which is not more than that being charged in the area by lenders for home mortgage loans without a guarantee or insurance by a Federal agency or instrumentality.

PREMIUM CHARGES

SEC. 304. The Secretary shall fix such premium charges for the guarantee of loans as are in his judgment adequate to cover expenses and probable losses, and shall deposit receipts for such charges in the guarantee fund.

APPLICATION

SEC. 305. The application for a loan to be guaranteed hereunder shall be submitted to the Secretary for prior approval. Upon approval, the Secretary shall issue a certificate as evidence of the guarantee. Such certificate shall be issued only when the Secretary determines there is a reasonable prospect of repayment.

SALE OR ASSIGNMENT OF LOANS

SEC. 306. Any loan guaranteed hereunder, including the security given therefore, may be sold or assigned by the lender to any financial institution subject to examination

and supervision by an agency of the United States or of any State or the District of Columbia.

LIMITATIONS ON LOANS

SEC. 307. Any loans guaranteed hereunder shall be restricted to those made by a financial institution subject to examination and supervision by an agency of the United States, a State, or the District of Columbia and shall meet the following requirements:

(1) the maturity of any loan guaranteed hereunder shall not exceed thirty-three years;

(2) loans guaranteed hereunder may be made by any lender satisfactory to the Secretary except loans insured or guaranteed by an agency or instrumentality of the Federal Government or made by an organization of Indians from funds borrowed from the United States shall not be eligible for guarantee hereunder;

(3) the liability under the guarantee shall decrease or increase pro rata with any decrease or increase in the unpaid portion of the obligation pursuant to the provisions of the loan agreement; and

(4) any loan made by any national bank or Federal savings and loan association or savings bank, or by any insurance company authorized to do business in the District of Columbia, at least 20 per centum of which is guaranteed hereunder, may be made without regard to the limitations and restrictions of any other Federal statute with respect to (A) ratio of amount of loan to value of property; (B) requirement of mortgage or other security; (C) maturity of loans; (D) priority of lien; or (E) percentage of assets which may be invested in real estate loans.

REGULATORY AUTHORITY

SEC. 308. Whenever the Secretary finds that any lender or holder of a guarantee certificate fails to maintain adequate accounting records or to demonstrate proper ability to service adequately loans guaranteed or to exercise proper credit judgment, or has willfully or negligently engaged in practices otherwise detrimental to the interests of a borrower or the United States, the Secretary may refuse, either temporarily or permanently, to guarantee any further loans made by such lender or holder, and may bar such lender or holder from acquiring additional loans guaranteed hereunder. The Secretary shall not refuse to pay a valid guarantee on loans previously made in good faith.

DEFAULT PROCEEDINGS

SEC. 309. (a) In the event of a default on a loan guaranteed hereunder, the lender holding the guarantee certificate must notify the Secretary of the default in writing and may thereupon proceed under either of the following methods for obtaining payment under the guarantee—

(1) the lender may initiate foreclosure proceedings in a court of competent jurisdiction after providing prior written notice of such action to the Secretary and upon a final order authorizing foreclosure by such a court and upon submission to the Secretary of a claim for payment under the guarantee, the Secretary shall pay to such holder the full pro rata portion of the amount guaranteed plus reasonable fees and expenses as approved by the Secretary and the Secretary shall be subrogated to the rights of the holder of the guarantee and receive an assignment of the obligation and security; or

(2) without seeking a judicial foreclosure or in the event that a foreclosure proceeding initiated by or on behalf of the lender as authorized under paragraph (1) above continues for a period in excess of one year, the lender may submit a claim for payment under the guarantee, except that the Secretary shall only pay to such holder for a loss on any one loan an amount equal to 95 per centum of the pro rata portion of the amount guaranteed, and the Secretary shall be subrogated to the rights of the holder of the guarantee and receive an assignment of the obligation and security.

(b) Upon receipt from the lender of a notice of default, the Secretary may, in his sole discretion, accept assignment of such loan if such action is determined by the Secretary to be in the best interest of the United States and shall thereupon pay to the holder the pro rata portion of the amount guaranteed and shall be subrogated to the rights of the holder of the guarantee and receive an assignment of the obligation and security.

(c) Before any reimbursement is made under subsection (a), all reasonable collection efforts shall have been exhausted by the lender. Upon reimbursement, in whole or in part, to the lender, the note or judgment evidencing the debt shall be assigned to the United States and the lender shall have no further claim against the borrower or the United States. The Secretary shall then take such further collection actions as may be warranted.

CONCLUSIVENESS

SEC. 310. Any evidence of guarantee issued by the Secretary shall be conclusive evidence of the eligibility of the loan for guarantee under the provisions of this title and the amount of such guarantee. Such evidence shall be incontestable in the hands of the bearer and the full faith and credit of the United States is pledged to the payment of all amounts agreed to be paid by the Secretary as security for such obligations. Nothing in this section shall preclude the Secretary from establishing, as against the original lender, defenses based on fraud or material misrepresentation or bar him from establishing by regulations in force on the date of such issuance or disbursement, whichever is earlier, partial defenses to the amount payable on the guarantee.

USE OF GUARANTEE FUND

SEC. 311. (a) There is hereby established an Indian housing guarantee fund which shall be available to the Secretary as a revolving fund without fiscal year limitation for carrying out the provisions of this title. The guaranteed loan program under this title shall be operated separately from the Indian housing finance fund established under title II of this Act and no funds designated for one program may be transferred to the other program. There are authorized to be appropriated $2,500,000 in fiscal year 1984, $3,000,000 in fiscal year 1985, and $3,500,000 in fiscal years 1986 and 1987.

(b) The Secretary may use the guarantee fund for the purpose of fulfilling the obligations with respect to loans guaranteed under this title, but the aggregate outstanding principal amount guaranteed by the Secretary shall be limited to $400,000,000 or such lesser amount as may be provided in appropriations Acts.

(c) All funds, claims, notes, mortgages, contracts, and property acquired by the Secretary under this section, and all collections and proceeds therefrom, shall constitute assets of the guarantee fund. All liabilities and obligations of such assets shall be liabilities and obligations of the guarantee fund. The Secretary is authorized to make agreements with respect to servicing loans acquired or guaranteed under this title and to purchase such guaranteed loans on such terms and conditions as the Secretary may prescribe.

(d) The Secretary may utilize the guarantee fund to pay taxes, insurance, prior liens, expenses necessary to make fiscal adjustments in connection with the application and transmittal of collections, and other expenses and advances to protect the Secretary for loans which are guaranteed under this title or held by the Secretary, to acquire such security property at foreclosure sales or otherwise, and to pay administrative expenses.

TITLE IV—MISCELLANEOUS PROVISIONS

OFFICE OF INDIAN HOUSING PROGRAMS

SEC. 401. (a) The Secretary shall establish in the Bureau of Indian Affairs an Office of Indian Housing Programs which shall be vested with the primary responsibility for administering the programs established by this Act. The Office of Indian Housing Programs shall be under the supervision of a Director of Indian Housing Programs who shall be under the immediate supervision of the Assistant Secretary of the Interior for Indian Affairs.

(b) The authority to approve applications as provided in section 203, execute project agreements as provided in section 204, approve loan guarantees under title III, and to allocate and assign personnel of the Office of Indian Housing Programs within the administrative structure of the Bureau of Indian Affairs shall not be delegated below the Office of the Director of Indian Housing Programs.

(c) Funds appropriated under authorization of this Act shall include employee costs and other administrative expenses of the Office of Indian Housing Programs. Annual appropriation requests for the Office of Indian Housing Programs shall specify the number of employees by location, employee costs, and related administrative expenses. Funds made available for such purposes shall not be available for any other purposes.

TECHNICAL ASSISTANCE

SEC. 402. (a) The Secretary is authorized to provide technical assistance to Indian tribes to assist them in developing tribal housing plans, preparing and submitting applications for financing, and implementing housing programs funded under this Act.

(b) The Secretary shall provide for the establishment of a training program to develop an understanding by the participating families of the respective roles and responsibilities of the tribal housing agency, the Federal Government, and the participants under titles I and II. Such program shall include basic home maintenance training for participating families.

(c) Not to exceed 1 per centum of the funds appropriated under the authority of titles I and II may be used to provide the technical assistance and training authorized by this section.

INDIAN HEALTH SERVICE

SEC. 403. The Indian Health Service in the Department of Health and Human Services shall be responsible for the provision of water and sanitation facilities for houses constructed, acquired, or rehabilitated with assistance provided under this Act. The Secretary shall coordinate with the Secretary of Health and Human Services with respect to such responsibilities and activities and

shall ensure that planning and budgeting for necessary roads and sanitation facilities shall be done in conjunction with planning and budgeting for new housing to be constructed with funds appropriated pursuant to this Act.

SITE IMPROVEMENTS

SEC. 404. (a) Funds appropriated under titles I and II may be used to provide site improvements, streets and driveways within multiunit housing projects. Such streets shall be built to the usual standards of the Bureau of Indian Affairs and, where appropriate, shall thereafter be maintained by the Bureau of Indian Affairs under existing road programs and authorities.

(b) All-weather access roads to multiunit projects constructed under this Act shall continue to be provided by the Secretary through existing road programs and authorizations.

HOUSING INVENTORY

SEC. 405. The Secretary shall conduct a biennial housing inventory of current Indian housing needs and conditions to be used as a basis for determining housing assistance needs for the purposes of sections 202 and 203 of this Act. The Secretary shall submit a copy of such inventory to the Congress.

RULEMAKING

SEC. 406. The Secretary shall promulgate such rules and regulations as are necessary to carry out the provisions of this Act.

RELATION TO OTHER PROGRAMS

SEC. 407. Housing assistance provided under this Act shall not exclude Indians from being eligible for other federally assisted housing programs.

SEC. 408. As a condition for any financial assistance under (titles I and II of) this Act, the Secretary shall require that all contractors and subcontractors employed in connection with any project for which funds have been provided under (titles I and II of) this Act shall comply with the provisions of the Act approved March 3, 1931 (40 U.S.C. 276a–5, known as the Davis-Bacon Act). With respect to construction, alteration, or repair work to which the Act of March 3, 1921, is applicable under this section, the Secretary of Labor shall have the authority and functions set forth in the Reorganization Plan Numbered 14 of 1950 (15 F.R. 3176; 64 Stat. 1267) and section 2 of the Act approved June 13, 1934 (40 U.S.C. 276c).●

ADDITIONAL COSPONSORS

S. 24

At the request of Mr. HUDDLESTON the name of the Senator from Maine (Mr. MITCHELL) was added as a cosponsor of S. 24, a bill to provide emergency credit assistance to farmers, and for other purposes.

S. 217

At the request of Mr. THURMOND, the name of the Senator from Alaska (Mr. STEVENS) was added as a cosponsor of S. 217, a bill to reform procedures for collateral review of criminal judgments, and for other purposes.

S. 237

At the request of Mr. WALLOP, the names of the Senator from Kentucky (Mr. HUDDLESTON) and the Senator from Pennsylvania (Mr. HEINZ) were added as cosponsors of S. 237, a bill to amend the Internal Revenue Code of 1954 to provide for the establishment of reserves for mining land reclamation and for the deduction of amounts added to such reserves.

S. 505

At the request of Mr. MATTINGLY, the name of the Senator from New Hampshire (Mr. HUMPHREY) was added as a cosponsor of S. 505, a bill to designate the Federal building to be constructed in Savannah, Ga., as the "Juliette Gordon Low Federal Building."

S. 553

At the request of Mr. HART, the name of the Senator from Arkansas (Mr. PRYOR) was added as a cosponsor of S. 553, a bill to authorize a national program of improving the quality of education.

S. 602

At the request of Mrs. HAWKINS, the names of the Senator from Georgia (Mr. NUNN) and the Senator from Wisconsin (Mr. KASTEN) were added as cosponsors of S. 602, a bill to provide for the broadcasting of accurate information to the people of Cuba, and for other purposes.

S. 663

At the request of Mr. ARMSTRONG, the name of the Senator from New Hampshire (Mr. HUMPHREY) was added as a cosponsor of S. 663, a bill to prohibit the payment of certain agriculture incentives to persons who produce certain agricultural commodities on highly erodible land.

S. 788

At the request of Mr. QUAYLE, the name of the Senator from Rhode Island (Mr. PELL) was added as a cosponsor of S. 788, a bill to amend the Agricultural Act of 1949 to reduce the loan rates for the 1983 through 1985 crops of sugarcane and sugar beets.

S. 832

At the request of Mr. D'AMATO, his name was added as a cosponsor of S. 832, a bill to amend the Age Discrimination in Employment Act of 1967 to remove the maximum age limitation applicable to employees who are protected under such act, and for other purposes.

S. 891

At the request of Mr. CHAFEE, the name of the Senator from New Hampshire (Mr. HUMPHREY) was added as a cosponsor of S. 891, a bill to develop additional procedures for Federal land sales.

S. 994

At the request of Mr. PRYOR, the names of the Senator from Michigan (Mr. RIEGLE), the Senator from Maryland (Mr. SARBANES), and the Senator from Massachusetts (Mr. TSONGAS) were added as cosponsors of S. 994, a bill to prohibit the production of lethal binary chemical munitions by the United States and to call on the President to continue and intensify recently begun efforts in the Committee on Disarmament with the Government of the Union of Soviet Socialist Republics and other countries to achieve an agreement establishing a mutual, verifiable ban on the production and stockpiling of chemical weapons.

S. 997

At the request of Mr. EXON, the name of the Senator from Nebraska (Mr. ZORINSKY) was added as a cosponsor of S. 997, a bill to authorize and direct the Secretary of the Interior to engage in a special study of the potential for ground water recharge in the High Plains States, and for other purposes.

S. 1050

At the request of Mr. BYRD, the name of the Senator from Arkansas (Mr. PRYOR) was added as a cosponsor of S. 1050, a bill to amend the Arms Export Control Act to provide increased control by the Congress over the making of arms sales.

S. 1051

At the request of Mr. TOWER, the name of the Senator from Florida (Mrs. HAWKINS) was added as a cosponsor of S. 1051, a bill to amend the Internal Revenue Code of 1954 to allow certain prepayments of principal and interest to be treated as contributions to an individual retirement account, to allow amounts to be withdrawn from such account to purchase a principal residence, and for other purposes.

S. 1065

At the request of Mr. EXON, the name of the Senator from Nebraska (Mr. ZORINSKY) was added as a cosponsor of S. 1065, a bill to authorize continued Federal and State cooperative efforts to study the depleting water resources of the States of the high plains, and for other purposes.

S. 1113

At the request of Mr. D'AMATO, the names of the Senator from Alaska (Mr. STEVENS), the Senator from Florida (Mrs. HAWKINS), and the Senator from North Carolina (Mr. EAST) were added as cosponsors of S. 1113, a bill to amend the Internal Revenue Code of 1954 to provide that tax-exempt interest shall not be taken into account in determining the amount of social security benefits to be taxed.

S. 1144

At the request of Mr. HEINZ, the name of the Senator from New Jersey (Mr. BRADLEY) was added as a cosponsor of S. 1144, a bill to suspend periodic reviews of disability beneficiaries having mental impairments pending regulatory reform of the disability determination process.

S. 1170

At the request of Mr. PRYOR, the name of the Senator from Alabama

(Mr. HEFLIN) was added as a cosponsor of S. 1170, a bill to establish a Director of Operational Testing and Evaluation in the Department of Defense, and for other purposes.

S. 1200

At the request of Mr. TRIBLE, the name of the Senator from North Carolina (Mr. HELMS) was added as a cosponsor of S. 1200, a bill entitled the "National Right To Work Bill."

SENATE JOINT RESOLUTION 94

At the request of Mr. MATTINGLY, the name of the Senator from New Jersey (Mr. LAUTENBERG) was added as a cosponsor of Senate Joint Resolution 94, a joint resolution to authorize and request the President to designate May 8, 1983, to June 19, 1983, as "Family Reunion Month."

SENATE JOINT RESOLUTION 97

At the request of Mr. BOSCHWITZ, the names of the Senator from Utah (Mr. GARN) and the Senator from North Dakota (Mr. ANDREWS) were added as cosponsors of Senate Joint Resolution 97, a joint resolution to authorize the erection of a memorial on public grounds in the District of Columbia, or its environs, in honor and commemoration of members of the Armed Forces of the United States and the allied forces who served in the Korean war.

SENATE RESOLUTION 52

At the request of Mr. CHAFEE, the name of the Senator from New Hampshire (Mr. HUMPHREY) was added as a cosponsor of Senate Resolution 52, a resolution expressing the Senate's opposition to an imposition of a fee on domestic and imported crude oil and refined products.

SENATE RESOLUTION 95

At the request of Mr. PERCY, the names of the Senator from South Carolina (Mr. HOLLINGS), the Senator from Wyoming (Mr. WALLOP), and the Senator from Wyoming (Mr. SIMPSON) were added as cosponsors of Senate Resolution 95, a resolution to express the sense of the Senate that the President should initiate negotiations on a new long-term agreement on agricultural trade with the Soviet Union.

SENATE RESOLUTION 119

At the request of Mr. D'AMATO, the name of the Senator from Missouri (Mr. DANFORTH) was added as a cosponsor of Senate Resolution 119, a resolution expressing the sense of the Senate that the United States should proceed with the sale and delivery of F-16 aircraft to Israel.

SENATE RESOLUTION 122

At the request of Mr. MOYNIHAN, the names of the Senator from West Virginia (Mr. RANDOLPH), the Senator from Pennsylvania (Mr. SPECTER), the Senator from Kentucky (Mr. HUDDLESTON), the Senator from West Virginia (Mr. BYRD), and the Senator from Tennessee (Mr. SASSER) were added as cosponsors of Senate Resolution 122, a resolution expressing the sense of the Senate that the President should reduce imports of apparel so that imported apparel comprises no more than 25 percent of the American apparel market.

SENATE RESOLUTION 126

At the request of Mr. WALLOP, the names of the Senator from Illinois (Mr. PERCY), the Senator from Iowa (Mr. JEPSEN), the Senator from Alabama (Mr. HEFLIN), and the Senator from Michigan (Mr. RIEGLE) were added as cosponsors of Senate Resolution 126, a resolution to express the sense of the Senate that the changes in the Federal estate tax laws made by the Economic Recovery Tax Act of 1981 should not be modified.

AMENDMENTS SUBMITTED

IMMIGRATION REFORM AND CONTROL ACT

HAWKINS AMENDMENT NO. 1244

Mrs. HAWKINS submitted an amendment intended to be proposed by her to the bill (S. 529) to revise and reform the Immigration and Nationality Act, and for other purposes, as follows:

At the appropriate place in the bill add:

SEC. . There are authorized to be appropriated to an immigration emergency revolving fund, to be established in the Treasury, $35,000,000, to be used to provide for an increase in border patrol or other enforcement activities of the Service and for reimbursement of State and localities in providing assistance to the Attorney General in meeting an immigration emergency, except that no amounts may be withdrawn from such funds with respect to an emergency unless the President has determined that the immigration emergency exists and has certified such fact to the Judiciary Committees of the House of Representatives and of the Senate.

FIRST CONCURRENT BUDGET RESOLUTION—FISCAL YEAR 1984

HOLLINGS AMENDMENT NO. 1245

Mr. DOMENICI (for Mr. HOLLINGS) proposed an amendment to the concurrent resolution (S. Con. Res. 27) revising and replacing the congressional budget for the U.S. Government for the fiscal year 1983, and setting forth the congressional budget for the U.S. Government for the fiscal years 1984, 1985, and 1986, as follows:

On page 4, line 8, delete the number and insert in lieu thereof "$1,790,050,000."

On page 4, line 9, delete the number and insert in lieu thereof "$1,981,850,000,000."

On page 16, line 19, delete the number and insert in lieu thereof "$28,400,000,000."

PRYOR AMENDMENTS NOS. 1246 AND 1247

Mr. PRYOR proposed two amendments to the concurrent resolution, Senate Concurrent Resolution 27, supra, as follows:

AMENDMENT NO. 1246

On page 3, decrease the figure on line 13 by $2,000,000,000.

On page 3, decrease the figure on line 14 by $3,400,000,000.

On page 3, decrease the figure on line 15 by $3,600,000,000.

On page 3, decrease the figure on line 19 by $1,000,000,000.

On page 3, decrease the figure on line 20 by $2,500,000,000.

On page 3, decrease the figure on line 21 by $3,400,000,000.

On page 4, decrease the figure on line 1 by $1,000,000,000.

On page 4, decrease the figure on line 2 by $2,500,000,000.

On page 4, decrease the figure on line 3 by $3,400,000,000.

On page 4, decrease the figure on line 7 by $1,000,000,000.

On page 4, decrease the figure on line 8 by $3,500,000,000.

On page 4, decrease the figure on line 9 by $6,900,000,000.

On page 4, decrease the figure on line 14 by $1,000,000,000.

On page 4, decrease the figure on line 15 by $2,500,000,000.

On page 4, decrease the figure on line 16 by $3,400,000,000.

On page 6, decrease the figure on line 5 by $2,000,000,000.

On page 6, decrease the figure on line 6 by $1,000,000,000.

On page 6, decrease the figure on line 11 by $3,200,000,000.

On page 6, decrease the figure on line 12 by $2,300,000,000.

On page 6, decrease the figure on line 17 by $3,200,000,000.

On page 6, decrease the figure on line 18 by $3,000,000,000.

On page 25, decrease the figure on line 17 by $200,000,000.

On page 25, decrease the figure on line 18 by $200,000,000.

On page 25, decrease the figure on line 23 by $400,000,000.

On page 25, decrease the figure on line 24 by $400,000,000.

AMENDMENT NO. 1247

On page 3, decrease the figure on line 13 by $880,000,000.

On page 3, decrease the figure on line 14 by $880,000,000.

On page 3, decrease the figure on line 15 by $880,000,000.

On page 3, decrease the figure on line 19 by $180,000,000.

On page 3, decrease the figure on line 20 by $590,000,000.

On page 3, decrease the figure on line 21 by $760,000,000.

On page 4, decrease the figure on line 1 by $180,000,000.

On page 4, decrease the figure on line 2 by $590,000,000.

On page 4, decrease the figure on line 3 by $760,000,000.

On page 4, decrease the figure on line 7 by $180,000,000.

On page 4, decrease the figure on line 8 by $770,000,000.

On page 4, decrease the figure on line 9 by $1,530,000,000.

On page 4, decrease the figure on line 14 by $180,000,000.

On page 4, decrease the figure on line 15 by $590,000,000.

On page 4, decrease the figure on line 16 by $760,000,000.

On page 7, decrease the figure on line 6 by $880,000,000.

On page 7, decrease the figure on line 7 by $180,000,000.

On page 7, decrease the figure on line 13 by $880,000,000.

On page 7, decrease the figure on line 14 by $590,000,000.

On page 7, decrease the figure on line 20 by $880,000,000.

On page 7, decrease the figure on line 21 by $760,000,000.

HABEAS CORPUS FEDERALISM ACT OF 1983

EAST AMENDMENTS NOS. 1248 AND 1249

(Referred to the Committee on the Judiciary.)

Mr. EAST submitted two amendments intended to be proposed by him to the bill (S. 52) to combat violent and major crime by establishing a Federal offense for continuing a career of robberies or burglaries while armed and providing a mandatory sentence of life imprisonment, as follows:

AMENDMENT No. 1248

"SEC. . This Title may be cited as the "Habeas Corpus Federalism Act of 1983.

"SEC. 131. Section 2254(a) of title 28, United States Code, is amended to read as follows:

"(a) The Supreme Court, a Justice thereof, a circuit judge, or a district court shall entertain an application for a writ of habeas corpus on behalf of a person in custody pursuant to a judgment of a State court only on a ground which presents a substantial Federal constitutional question, and then only if—

"(1) it was not previously raised and determined,

"(2) there has been no fair and adequate opportunity to raise it and have it determined, and

"(3) it cannot thereafter be raised and determined in a proceeding in the State court, by an order or judgment subject to review by the Supreme Court of the United States on a writ of certiorari.".

SEC. 132. Section 636(b)(1)(B) of title 28, United States Code, is amended to read as follows:

"(B) a judge may also designate a magistrate to conduct hearings, including evidentiary hearings, except evidentiary hearings in cases brought pursuant to section 2254 of this title, and to submit to a judge of the court proposed findings of fact and recommendations for the disposition, by such judge, of any motion excepted in subparagraph (A), of applications for post trial relief made by individuals convicted of criminal offenses and of prisoner petitions challenging conditions of confinement.".

AMENDMENT No. 1249

Add the following new section at the end of the bill:

SEC. . (a) This section may be cited as the "Marihuana Cultivation on Federal Lands Crime Act of 1982".

(b) Chapter 91 of title 18 of the United States Code is amended by adding at the end thereof the following:

"§ 1864. Prohibition against growing marihuana on Federal lands; penalties

"It shall be unlawful for any person knowingly or intentionally to plant, grow or cultivate marihuana on Federal lands unless specifically authorized by another provision of Federal law. Any person who violates this section shall be sentenced to a term of imprisonment of not less than one year and not more than fifteen years, and a fine of not less $10,000 and not more than $15,000,000. Any person who, having previously been convicted of a violation of this section, again violates this section, shall be sentenced to a term of imprisonment of not less than ten years and not more than thirty years and a fine of not less than $100,000 or not more than $30,000,000.".

(c) The section analysis of chapter 91 of title 18 of the United States Code is amended by inserting at the end of thereof the following item:

"1864. Prohibition against growing marihuana on Federal lands; penalties.".

FEDERAL ANTITAMPERING ACT

EAST AMENDMENT NO. 1250

Mr. THURMOND (for Mr. EAST) (for himself, Mr. THURMOND, and Mr. HOLLINGS) proposed an amendment to the bill (S. 216) to amend title 18, United States Code, to combat, deter, and punish individuals who adulterate or otherwise tamper with food, drug, cosmetic, and other products with intent to cause personal injury, death, or other harm, as follows:

At the end of the committee amendment add the following new section:

SEC. 4. (a) The following new section shall be added to title 35 of the United States Code:

"§ 155A. Patent Term Restoration

"(a) Notwithstanding the provisions of section 154, the term of each of the following patents shall be extended in accordance with this section:

"(1) Any patent which encompasses within its scope a composition of matter which is a new drug product, if during the regulatory review of the product by the Federal Food and Drug Administration—

"(A) the Federal Food and Drug Administration notified the patentee, by letter dated February 20, 1976, that such product's new drug application was not approvable under section 505(b)(1) of the Federal Food, Drug, and Cosmetic Act;

"(B) in 1977 the patentee submitted to the Federal Food and Drug Administration the results of a health effects test to evaluate the carcinogenic potential of such product;

(C) the Federal Food and Drug Administration approved, by letter dated December 18, 1979, the new drug application for such product; and

"(D) the Federal Food and Drug Administration approved, by letter dated May 26, 1981, a supplementary application covering the facility for the production of such product; and

"(2) Any patent which encompasses within its scope a process for using the composition of matter described in paragraph (1).

"(b) The term of any patent described in subsection (a) shall be extended for a period equal to the period beginning February 20, 1976, and ending May 26, 1981 and such patent shall have the effect as if originally issued with such extended term.

"(c) The patentee of any patent described in subsection (a) shall, within ninety days after the date of enactment of this section, notify the Commissioner of Patents and Trademarks of the number of any patent so extended. On receipt of such notice, the Commissioner shall confirm such extension by placing a notice thereof in the official file of such patent and publishing an appropriate notice of such extension in the Official Gazette of the Patent and Trademark Office.".

(b) The analysis for Chapter 14 of such title 35 is amended by adding at the end thereof the following:

"155A. Patent term restoration.".

PRYOR AMENDMENT NO. 1251

Mr. PRYOR proposed an amendment to the bill, S. 216, supra, as follows:

On page 5, following line 25, insert the following:

(3) Whoever willfully and maliciously imparts or conveys false information, knowing the information to be false that a household product as described in subsection (a) is or has been tainted shall be imprisoned for not more than one year or fined not more than $10,000 or both.

NOTICES OF HEARINGS

SELECT COMMITTEE ON INDIAN AFFAIRS

Mr. ANDREWS. Mr. President, I would like to announce for the information of the public that the Select Committee on Indian Affairs will hold a business meeting on Thursday, May 12, 1983, to mark up S. 856, to provide for an Indian housing program for construction and financing of housing for Indians, and for other purposes.

The meeting will be held in S-224, Capitol, and will begin at 10 a.m. For further information, please contact Mike Mahsetky at 224-2251.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON FOREIGN RELATIONS

Mr. TOWER. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Tuesday, May 10, at 10 a.m., to mark up the foreign aid legislation.

The PRESIDING OFFICER. Without objection, it is so ordered.

SMALL BUSINESS COMMITTEE

Mr. TOWER. Mr. President, I ask unanimous consent that the Small Business Committee be authorized to meet during the session of the Senate on Wednesday, May 11, to hold a hearing on S. 1022, a bill to amend section

8(a) of the Small Business Administration Act.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON PATENTS, COPYRIGHTS, AND TRADEMARKS

Mr. TOWER. Mr. President, I ask unanimous consent that the Subcommittee on Patents, Copyrights and Trademarks, of the Committee on the Judiciary, be authorized to meet during the session of the Senate on Thursday, May 12, at 2:30 p.m., to hold a hearing to consider computerized criminal history.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADDITIONAL STATEMENTS

THE HIGHWAY BEAUTIFICATION ACT

● Mr. STAFFORD. Mr. President, the original purpose of the Highway Beautification Act was a commendable one—to preserve the scenic beauty of this country for the motoring public. Changes over the years have undermined the original purposes of this act until it has become a vehicle for the protection of the industry it was charged with regulating.

Dr. Charles Floyd, a professor in the Department of Real Estate and Legal Studies at the University of Georgia, has followed the Highway Beautification Act since it was first passed. Dr. Floyd is a recognized expert on this subject. He has coauthored a book on highway beautification, published a number of articles, and served as a member of the National Advisory Committee on Outdoor Advertising and Motorists Information.

Dr. Floyd has written two articles which I want to bring to the attention of my distinguished colleagues. The first article, "Requiem for the Highway Beautification Act" documents the history of the act and what has gone wrong in its implementation. The second article, "Should Billboards Be Subject to Road User Fees?" outlines an innovative approach and offers a persuasive argument for treating billboards as a use of the road. All other users of the highway pay certain user fees for that privilege—why should not billboards do the same?

I ask that the two articles by Dr. Floyd be printed in the RECORD.

[From the APA Journal, Autumn 1982]

REQUIEM FOR THE HIGHWAY BEAUTIFICATION ACT

(By Charles F. Floyd)

The Highway Beautification Act is a failure. Passed with much fanfare in 1965, the act was supposed to result in the removal of existing billboard clutter from our rural roadsides and the prevention of its future spread.[1] It has accomplished neither objective.

An earlier article in this journal detailed the history of the beautification program and enumerated some of the reasons for the act's lack of success (Floyd 1979a). Those who read that sad tale of environmental regulatory failure may have gained some solace from the sentiment that "Well—at least it can't get any worse." You were wrong! In the past several years the act has been almost totally transformed into a sign industry dominated program that is actually enriching and subsidizing the industry it was meant to regulate, and is serving as a protective umbrella to shield the industry from state and local governments that desire to effectively control billboard blight. Indeed, legislative proposals to repeal the act have led to the ironic situation in which environmental organizations that originally fought for the passage of the act have been supporting its repeal, while the billboard industry has become the act's vigorous champion.

THE HIGHWAY BEAUTIFICATION ACT

The Highway Beautification Act made billboard control mandatory in all states along the federally funded interstate and primary systems (most U.S.-numbered routes). States not complying with the act's provisions could lose 10 percent of their federal highway funds. The seeds of failure were already planted in the act, however—particularly in the provision permitting new billboards in any area zoned commercial or industrial, and in the requirement that cash compensation be paid for the removal of any nonconforming sign. The first provision has meant that new signboards have gone up in areas where they are totally inharmonious, while the second has meant that very few signs have actually been removed under the act. On the contrary, denying the states and local governments the traditional right to remove nonconforming signs under their police powers after a reasonable amortization period has prevented many communities from forcing the removal of unsightly nonconforming billboards.

CONTROL OF NEW SIGNS

The Highway Beautification Act has been very ineffective in controlling the erection of billboards along rural roadsides. New signs were supposed to be erected only in areas of commercial or industrial use and were made subject to size, spacing, and lighting criteria. Unfortunately for the stated objectives of the act, the Secretary of Transportation was not allowed to set any national standards, but was to enter into agreements with the states based on customary use. "Customary use" was defined in a rather curious way.

SIZE AND SPACING STANDARDS

The federal government first proposed a maximum size of 400 square feet for new signs but later changed this to 650 square feet, even though a national inventory showed that size to be larger than all but 1.85 percent of existing billboards (U.S. Congress, House 1967, p. 961). Finally, the Federal Highway Administration developed a model agreement in cooperation with the Outdoor Advertising Association of America which was adopted by thirty-two states (Brennan 1979). The model agreement set a maximum size limitation of 1200 square feet, equal to the floor area of a medium-sized three bedroom house and approximately twice the size of the largest billboards normally erected along the interstate system. George McInturff, who served as chief negotiator of the agreements as head of the Scenic Enhancement Division of the Federal Highway Administration and who now is employed by the Outdoor Advertising Association of America as an environmental consultant, later testified:

"That size limit is the outer limit of what is used by the industry in major urban areas within the United States. . . . I doubt greatly that more than one sign out of 2,000 now erected, or erected since those controls were established, even approaches that 1,200 square feet."[2]

"Customary spacing" in the guidelines, and in most of the states, was defined as every five hundred feet on the interstate system, and every one hundred feet on the primary system within municipalities. Under the spacing requirements it is possible to have 10.5 billboard sites per mile on each side of the road along an interstate highway, a total of 21 sites on both sides. Since two faces are permitted at each site, 42 billboards per mile are allowed along any portion of the interstate system that is zoned commercial or industrial. On the primary system the comparable figures are 35 sites and 70 faces per mile. Within municipalities the allowable sites reach the somewhat absurd level of 106 per mile with 212 possible sign faces. If each of these signs were of the maximum allowable size (1200 square feet per site), the total area of the sign faces would be equal to approximately three football fields for each mile of roadway (Brennan 1979). It is obvious, therefore, that the size and spacing requirements do not serve as any effective control of new billboards.

COMMERCIAL AND INDUSTRIAL ZONES

Since the size and spacing requirements contained in most of the agreements amount to virtually no control of outdoor advertising, the designation of commercial and industrial areas becomes all important. Unfortunately, local zoning authorities often do not place great importance on providing an uncluttered view for the interstate motorist. The real or imagined benefits to be derived for local businesses through billboard advertising usually assume a much greater priority. In practice, many local communities, and particularly rural counties, have attempted to circumvent the Highway Beautification Act by zoning long stretches of rural highways as commercial and industrial areas. The absence of any requirement that such areas actually contain commercial or industrial land uses, and the acceptance by the Federal Highway Administration of such "phony" zoning makes this provision perhaps the largest loophole in the entire Highway Beautification Act.

"PHONY" COMMERCIAL AND INDUSTRIAL ZONING

Until recently, the Federal Highway Administration took the position that zoning created primarily to permit new outdoor advertising structures would not be recognized for purposes of the Highway Beautification Act (U.S. Department of Transportation 1975). This position was upheld in South Dakota, whose legislature had zoned virtually all land bordering federal numbered highways in the state as commercial. The court noted, for example, that billboards would have been permitted on all but four miles of the over four hundred miles of I-90 in South Dakota, and concluded: "Congress never intended to subvert the Act's stated

Footnotes at end of article.

purpose to arbitrary actions taken by the individual state legislatures." [3]

Despite this favorable ruling from the courts, a clear legislative history rejecting phony zoning to permit new billboards (Floyd and Shedd 1979, pp. 84-86), and the opinion of their own Chief Counsel supporting this position (Federal Highway Administration 1976), the Federal Highway Administration (FHWA) has almost never sought to enforce the law against phony zoning in recent years no matter how flagrant the abuse.

For example, following the earlier court decision against the state, several South Dakota counties zoned long strips of rural land along federal highways as commercial. Lyman County, with a declining population of approximately four thousand and slightly over two hundred people employed in wholesale and retail trade, zoned twenty-nine of fifty-two miles of I-90 for commercial use in bands three hundred feet wide on each side of the road. Some of these strips extended more than three miles from any access to the highway at an interchange. The Town of Lyman, which had a population of approximately fifty and not even a single commercial enterprise, zoned four miles of I-90 as commercial (Fifth District Planning and Development Commission 1976).

A field investigation by the FHWA revealed that Lyman County had no comprehensive plan—requirement by state law before any permanent zoning ordinance can be adopted. County officials were unable to even find the zoning maps during the visit, but finally located them several months later. Despite the FHWA official's conclusions that "there is no obvious justification for the designation of such large commercial districts based upon existing or projected needs" and "the only justification [offered by county officials] for the [zoning] change was that the billboard people wanted it," the Federal Highway Administration has refused to take any action to correct this obvious abuse of the beautification act.[4]

Deming, New Mexico, a community with a 1970 population of about 8,300, zoned 35 square miles of its extraterritorial area in 1978. The new zoning included 3,342 acres as industrial and 3,065 acres as commercial, most of the latter being in narrow strips on both sides of I-10 and other federally funded highways in the area. The FHWA Division Administrator observed that:

"Most of the land zoned commercial is vacant and apparently being used for grazing and farming. It is difficult to envision the type of expanison Deming would have to undergo to actually have such a large commercial area under development in the foreseeable future. There is little doubt that these commercially zoned areas would become lined with billboards long before they were commercially developed." [5]

Despite these findings and his own conclusions that "this zoning action and ensuing erection of billboards along the Interstate appear contrary to the Highway Beautification Act," the Associate Federal Highway Administrator for Right-of-Way and Environment acquiesed to this blatant example of phony zoning.[6]

Clark County, Nevada (Las Vegas) reclassified its H-2 (General Highway Frontage District)—which permitted commercial uses only upon issuance of a conditional use permit—as a commercial zone in 1976. The county also expanded the zone to extend 660 feet on each side of the centerline of 137 miles of I-15 and US-95. Not only did this enable the state to permit a number of existing non-conforming signs, if fully utilized it could have resulted in the potential erection of 11,568 new signs.[7] This was a little blatant even for the Federal Highway Administration, and they requested that the state rescind their recognition of the zone as commercial for purposes of permitting new billboards, an action that was finally accomplished following a determination by the Nevada Supreme Court that the extensive use of the H-2 zone violated the intent of the beautification act.[8] Despite this ruling, Clark County has continued to rezone rural areas as commercial to permit billboards. For example, one parcel located approximately one-half mile from any existing commercial use was zoned commercial to permit "a one space parking lot" and a billboard.[9]

Following the construction of I-95, the Town of Hardeeville, South Carolina passed a zoning ordinance in 1977 (Town of Hardeeville 1977). Under this ordinance several areas along I-95 were zoned as commercial which had no potential for commercial development—except for billboards. One parcel had no public access except through a park; two had no public access at all. Two parcels were zoned "Traveler Commercial" even though they were located approximately two miles from any interchange with I-95; one of these had no public access. The ordinance also permitted one hundred foot spacing for billboards, a violation of South Carolina's outdoor advertising control agreement with the Secretary of Transportation.

An inspection conducted in early 1981 by a Federal Highway Administration review team found that the Hardeeville zoning was not accomplished in accordance with the South Carolina Code. They concluded:

"The zoning of these five areas does not stand the test of reasonableness. Each is either poorly served by public access or has none at all. None are directly (physically) supported by compatible adjacent land uses. None are commercially developed, other than with outdoor advertising devices." [10]

Despite these findings, the Federal Highway Administration has refused to take any action regarding either the Hardeeville phony zoning or the violation of the spacing requirements.[11] In fact, the FHWA has recently taken the position that monitoring of local zoning "will be limited to assuring that a comprehensive plan was adopted pursuant to State codes." [12]

UNZONED COMMERCIAL AND INDUSTRIAL AREAS

The designation of "unzoned commercial and industrial areas" is another huge loophole permitting billboards along predominantly rural roadsides. The original idea was that this designation would encompass areas that were easily recognizable to the average motorist as genuine commercial and industrial areas, but which were located in jurisdictions which lacked comprehensive zoning. It hasn't quite turned out that way. The draft agreement that was proposed in 1966 would have defined such areas as two industrial or commercial activities located within a radius of three hundred feet, and this concept was even endorsed by the Outdoor Advertising Association of America (U.S. Congress, Senate 1965). In the final agreements, however, the unzoned commercial or industrial area was defined in most states as eight hundred feet each side of only one such activity (Floyd and Shedd 1979, pp. 99-104). In practice, even the most obscure commercial or industrial use will often serve to permit several new signs.

Consider, for example, the three billboards in photo 3 on I-85 in a rural residential area of South Carolina. If one looks carefully through the supports of the nearest sign he can see a small auto repair service located on the nearby secondary road. This obscure business serves to designate this area as an "unzoned commercial area," despite the fact that South Carolina's agreement with the Secretary states that such a classification is not permitted in an area that is primarily residential in character. The FHWA's recent review agreed with this assessment, but the agency refused to take any corrective action.[13]

[Photos not printed in the RECORD.]

Of course, if an advertiser cannot find some existing obscure commercial or industrial use, one can be created. The billboards in photo 4, and another just off to the right, are located on I-95 in South Carolina. Below the McDonald's sign is a small building with a painted sign across the back wall proclaiming the structure to be the "McDonald's District Office and Warehouse Facility."

No matter how obscure, at least these buildings can be seen from the roadway. Often, however, qualifying activities are not even visible, at least not in the normally accepted sense of the word. Consider, for example, the Rodeway Inn billboard (photo 6) located next to a residence on I-40 near Asheville, North Carolina. Photograph 5 looks slightly left of the sign toward a residential area. The arrow points out Parkway Auto Service, a small establishment located about seven hundred feet from the road behind eight homes.

The three signs shown in photograph 7 are located nearby in another area which appears to consist entirely of agricultural and residential land uses. Ah—but you have not looked carefully enough. Nestled under those trees. past the grazing cows and peaceful homes, is a small knitting plant located over eight hundred feet from the roadway (photo 8).

Although it is doubtful that 1 out of 100,000 motorists unfamilar with the area could locate these "commerical and industrial" activities, they were used by the North Carolina Department of Transportation to justify permitting these billboards on a newly constructed interstate highway. Here again, the Federal Highway Administration refused to take any corrective action, contending that the signs "were erected in accordance with State and Federal regulations." [14]

REMOVAL OF NONCONFORMING SIGNS

Communities have traditionally eliminated nonconforming signs through amortization under the police power (Floyd and Shedd 1979, Chapter 4; Williams 1974-1975, Chap. 116; and Floyd 1982a). Despite the fact that twenty-two states were already removing nonconforming billboards under the earlier Bonus Act through their use of the police power, the 1965 Act required the payment of cash compensation to both the sign owner and owner of the land on which the sign was located.[15] Congress justified this change in policy on the basis that controls were being extended to the primary system where outdoor advertising was long established. There is considerable evidence, however, that the Congress did not fully understand the implication of this action. For example, during the debate Senator Muskie emphasized that "under the bill all that can be compensated for is whatever remains of the leaseholds or the unamortized values, so

that if, in fact, the billboard has been completely amortized or the leasehold has expired, no compenstion will be paid under the bill." [16] This, of course, is an almost exact description of the amortization principle which was being outlawed by the act.

This triumph for the billboard lobby was made very clear in 1972 when the Secretary of Transportation made a determination that Vermont's policy of not paying cash compensation for the removal of nonconforming billboards did not consititute "effective control" under the meaning of the Highway Beautification Act. The state challenged this mandatory compensation provision on the basis that (1) such action was not authorized under a proper construction of the act, and (2) the provision violated the Tenth Amendment to the U.S. Constitution. The court ruled against Vermont, and the state was forced to pay cash compensation.[17]

Subsequent experience has proven that the Congress' belief that the value of nonconforming signs would generally decrease over time was not justified. To the contrary, the average compensation paid for the signboards has continually risen, even though the outdoor advertising industry has generally depreciated billboards over a period of eight years or less for tax purposes. Lenient regulations regarding repair and refurbishment have allowed the sign companies to continually rebuild and repair the nonconforming signs and, in effect, to give them eternal life. Combined with unrealistically high sign appraisals, this has resulted in a continual increase in sign removal costs. A General Accounting Office report estimated future increases at 6 percent annually (Controller General of the United States 1978). Experience has shown that this estimate is much too low, with the actual average cost of signs acquired under the program rising almost 13 percent annually between fiscal years 1976 and 1980.

Congress made compensation mandatory for the removal of nonconforming signs, and declared in a 1968 amendment that no signs are required to be removed unless the federal share of compensation is available, but has since failed to appropriate the funds necessary to complete the program within any reasonable time. The first sign removed under the beautification program was acquired in May 1971, nearly a year after the "final compliance date" of July 1, 1970, that was originally set in the act for the removal of all nonconforming signs. Since 1971 approximately 107,000 nonconforming signs have been removed under the act at a cost in excess of $150 million. Over 133,000 nonconforming billboards remain, along with approximately 54,000 illegal signs.[18]

Although according to the Federal Highway Administration approximately 46 percent of the noncomforming signs have been removed, this figure gives a totally false impression regarding the status of the acquisition program. Most of the billboards removed have been small and obsolete signs of little value. Most of the larger and more valuable signs remain.

Public projects are normally planned so as to maximize the benefit-to-cost ratio; the billboard removal program has been designed to minimize the benefit-to-cost ratio. In 1976 Congress directed that the first priority for removal be signs voluntarily offered by the billboard companies, while other nonconforming signs along heavily traveled rural highways be the last removed. The result of this strategy is that the very limited funds appropriated for highway beautification have been dissipated with little benefit except to the outdoor advertising firms.

Furthermore, the FHWA has ruled that beautification funds can be used to remove signs that were being acquired to make way for new construction. In other words, the meager monies available for beautification have been used to remove signs that would have otherwise been acquired with construction funds. In some states over half of the beautification monies have been utilized in this way—to no benefit to the stated purposes of the Highway Beautification Act.

The FHWA recently estimated that completion of the beautification program would require an additional expenditure of approximately $995 million in 1980 dollars. With a 7 percent rate of inflation the estimated cost to complete the program in ten years would be $1.3 billion; a twenty year program was estimated to cost $1.9 billion. At a more realistic inflation rate of 13 percent, the comparable figures were $1.8 billion and $3.7 billion.[19] Even these estimates are too low, however, since they are based on an average cost of $1808 per sign, less than recent acquisition costs and far less than required for the more valuable signs to be acquired.

For fiscal year 1981 the Congress appropriated $8.5 million for the sign program. Of this amount, $7.7 million was required for payments contractually obligated under the Bonus Act, leaving only $800,000 for sign removal. The fiscal 1982 appropriation allocated only $500,000 for the beautification program, approximately $7.2 million less than required just for bonus payments.[20] If one makes the totally unrealistic and totally incorrect favorable assumptions that (1) the entire $500,000 could be used to acquire nonconforming signs, (2) the Federal Highway Administration's estimates of the cost to complete the program are correct, and (3) there will be no further inflation, then this level of appropriations would fund the removal of all the currently nonconforming signs in slightly less than two thousand years.

The 1982 Department of Transportation appropriations act also contained a rather obscure clause that was added in the conference committee by Senator Andrews of North Dakota: "notwithstanding any other provision of law, any determination as to whether any outdoor advertising sign, display, or device is or has been lawfully erected under State law or is entitled to compensation shall not be affected by any waiver of compensation." [21]

This provision appears to have had major benefits for one sign company. The state of North Dakota issued conditional sign permits after the passage of the 1965 Beautification Act in which the applicant waived the right to compensation if the law was subsequently changed to make the sign nonconforming. The Newman Sign Company received 141 of these conditional permits. After the state passed a law complying with the act in 1972, it sought to remove the signs as specified in these conditional permits. Newman and other sign companies challenged the state's action, but the North Dakota Supreme Court upheld the state, as did the U.S. Supreme Court.[22] Even so, the signs will now remain, as acknowledged by Secretary of Transportation Drew Lewis in a letter to Senator Andrews.[23] The cost to the taxpayers of making these illegal signs subject to compensation was far in excess of the entire appropriation for beautification in the appropriations act. Of course, with no money to remove the signs, they undoubtedly will remain, providing a windfall profit to their owners.

THE 1978 AMENDMENTS

In response to lobbying from the outdoor advertising industry, the act was amended in 1978 to require that compensation be paid whenever a nonconforming sign is removed under any state or local land use control, environmental, or zoning law.[24] Previously, compensation was required only where signs were removed because of the act; it was not required where signs were removed because they were nonconforming under other state conservation or environmental laws, or under local comprehensive zoning ordinances. The amendment represents an unprecedented limitation on local zoning authorities and a victory by the industry in its long-standing campaign to deny state and local governments the traditional right to remove nonconforming signs through the use of the police power.

This triumph of the billboard lobby, which has added an estimated 38,000 signs and $259 million to the cost of the removal program,[25] was made even more costly to the taxpayers when the Federal Highway Administrator succumbed to industry pressure and ruled that the amendment would apply to signs that were still in litigation even though they had already been removed by the effective date of the amendment (Arieff 1979). Even more significantly, the amendment has been used by the outdoor advertising industry as the basis for passage of laws in many states requiring the payment of compensation for any off-premise sign wherever located. Thus, the beautification act has been used as a vehicle to block local billboard removal programs, long one of the outdoor advertising industry's most cherished objectives.

For example, in 1977 New York's highest court ruled that the state could require the removal of approximately one hundred billboards in their Catskill Park without the payment of cash compensation after a six-and-a-half-year amortization period.[26] Following the passage of the 1978 amendment and the subsequent ruling by the Federal Highway Administrator requiring payment even where property rights had already been extinguished under law, the state was forced to allow the signs to remain under the threat of a loss of 10 percent of their federal aid highway funds (Signs of the Times 1980).

Seattle passed a sign control ordinance in 1968 which provided for the removal of nonconforming signs without cash compensation after the expiration of a ten year amortization period. Among these nonconforming signs were several located adjacent to the Alaska Skyway. In 1977 the city notified the billboard company that the signs were in violation of the ordinance and would have to be removed. The Supreme Court of Washington ruled that the billboard company must remove the signs and that it would be an unconstitutional gift of public funds for the city or state to pay cash compensation.[27] Even so, upon the request of the Outdoor Advertising Association of America the Federal Highway Administrator sent an official warning letter to the state, notifying them that penalty proceedings would be initiated within forty-five days unless they violated the order of their own Supreme Court and paid compensation for the signs in question. This is the only warning letter that has ever been sent to a state solely for operational deficiencies. A copy of the warning

letter was also sent to the outdoor advertising industry's attorney thanking him "for your interest in the Highway Beautification Program." [28]

A somewhat similar situation ocurred in San Diego. The California Supreme court, after upholding an ordinance completely banning billboards within San Diego and requiring their removal after an amortization period, modified their opinion to require cash compensation for signs on federally funded highways as a result of the 1978 amendment.[29] This case also provided a major test for the right of communities to control or prohibit billboards. The U.S. Supreme Court struck down the San Diego ordinance on the grounds that it too severely limited non-commercial speech. However, the court overwhelmingly upheld the right of a city to enact a total ban on commeracial billboards.[30]

VEGETATION DESTRUCTION

Perhaps the ultimate perversion of the beautification law has been as justification for the destruction of vegetation located on the right of way in front of billboards. Illegal tree cutting, euphemistically called vegetation control by the sign industry, has long been a serious problem in many states. Under the urgings of the outdoor advertising industry, the Federal Highway Administration "solved" the problem by legalizing this illegal activity, allowing the companies to cut trees and other vegetation owned by the public under the guise of maintenance.[31] This legalized vandalism is now being permitted in a number of states, despite favorable court decisions which clearly establish that billboard owners have no inherent right to be seen from the roadway.[32]

What follows is an example of how this policy has worked in actual practice. The South Carolina Department of Highways justified the issuance of a permit for the Dairy Queen sign in photo 9 on the basis that a small business was located close to the highway off a nearby secondary road. The building was not readily visible from the roadway as a business, particularly since it was hidden by a grove of hardwood trees. Even so, after the permit was issued, over one hundred trees on the right of way were destroyed under a "vegetation maintenance" agreement in order to clear the site for the billboard.[33]

THE STAFFORD REPEAL BILLS

Many felt the 1978 amendments were the "last straw" in the perversion of the Highway Beautification Act. Among these was Senator Robert T. Stafford of Vermont, long one of the strongest supporters of billboard control. Referring to the act as the "Billboard Retention and Relief Act of 1965," Senator Stafford introduced a bill, The Federal Highway Beautification Assistance Act of 1979, that would have made the program voluntary with the states—including the payment of cash compensation for non-conforming signs.[34] In explaining his reasons for introducing the bill to repeal the mandatory features of the original act, Senator Stafford explained:

"I believe that more productive anti-billboard battles can and will take place at State and local levels, once Federal obstacles are removed. Where there is strong sentiment to preserve a State's natural beauty, strong measures will be taken. Where no such sentiment exits, roadsides will, as at present, remain ugly. But we will not be spending taxpayers money to keep them that way.[35]

The hearings of the Stafford bill produced some quite ironic testimony to those unfamilar with the history of the federal beautification program. Generally, state highway officials, local government officials, and environmental groups supported repeal, while the existing act received staunch support from the billboard industry (U.S. Congress, Senate 1979a). The bill failed in committee by a 6-6 vote when two of its co-sponsors, Senators Howard H. Baker and Pete V. Domenici, "took a walk" under billboard industry pressure and failed to vote on the measure (U.S. Congress, Senate 1979b).

In 1981 Senator Stafford, then Chairman of the Senate Committee on Environment and Public Works, offered another bill, the Billboard Deregulation Act of 1981.[36] This bill, which proposed to simply repeal the 1965 act, was again strongly opposed by the outdoor advertising industry, and it quietly died without a hearing or a committee vote.

The outdoor advertising industry offered their own deregulation bill as part of the Surface Transportation Assistance Act of 1982.[37] Among other things, the bill would:

1. Change the purpose of the act from one of protecting scenic beauty to one of preserving "communications through the outdoor medium,"

2. Destroy any effective federal regulation over the erection of new billboards,

3. Abolish the traditional use of the police power to remove nonconforming billboards in all states and local areas, and

4. Require that cash compensation be paid "upon the removal or *upon the substantial impairment of the customary use or maintenance*" of a billboard, which means that all trees on the public right-of-way blocking a clear view of billboards would have to be cut down unless the state or local community paid for the billboard (emphasis added).

This proposal would constitute perhaps the ultimate in perversion of environmental regulation; the only purpose of the regulation would then be to protect the regulated industry from effective regulation.

At this writing the bill's disposition is still at issue.

THE NATIONAL ADVISORY COMMITTEE

The Secretary of Transportation appointed a twenty-four member National Advisory Committee on Outdoor Advertising and Motorist Information in 1980 whose task was to examine the highway beautification program and make recommendations for administrative and legislative changes. The committee was very evenly divided between pro-scenic beauty and pro-billboard groups. The faction composed of representatives from the outdoor advertising industry, tourist related groups, and public officials sympathetic to the outdoor industry position sought changes that would have further perverted the act. For example, this group recommended that:

1. Removal of nonconforming signs be made optional with the states—but payment of compensation remain mandatory,

2. Up to two "directional" billboards per mile be permitted in rural areas, regardless of zoning or actual land use,

3. Each state be required to adopt a policy of permitting sign companies to cut trees on the right of way in front of billboards, and

4. There be no review of local "phony" zoning actions to permit billboards, or any requirement that new billboards be located in areas of actual commercial or industrial use (FHWA 1981b).

Members of the committee who desired an effective beautification program made a number of recommendations for administrative and legislative changes. These included:

1. Using the available beautification funds to achieve the maximum aesthetic improvement by ending the practices of (1) removing the signs first that have been voluntarily offered by their owners, and (2) allowing beautification funds to be used to acquire signs for right of way projects;

2. Leving a user tax on billboards to generate the funds needed to pay cash compensation for the removal of nonconforming signs;

3. Restricting new sign permits to sites in commercial or industrially zoned areas that are also located within three hundred feet of an actual commercial or industrial structure which is clearly identifiable as such from the traveled roadway;

4. Changing the definition of an "unzoned commerical or industrial area" to require two or more commerical businesses located within four hundred feet of each other; and

5. Reducing the scope of the program by (1) deregulating highways in urban areas, and (2) deregulating most of the primary system.

THE HIGHWAY BEAUTIFICATION ACT: ASSESSMENT AND POLICY ALTERNATIVES

The Highway Beautification Act has been a failure in meeting its original objective of protecting scenic beauty along rural roadsides. Perhaps the most convincing proof of this contention has been provided by the outdoor advertising industry itself. The industry has been pleased with the program. The president of the Outdoor Advertising Association of America testified that the industry spent over a quarter of a million dollars defending the act in hearings that were held by the Federal Highway Administration during 1979 (FHWA 1979c); they vigorously fought Senator Stafford's attempts at repeal; and the only members of the National Advisory Committee who were in favor of continuing the program without major legislative revisions were those associated with the outdoor advertising industry.[38]

In view of the ineffectiveness of the current program, what are the policy alternatives? The first is to admit that the noble experiment has failed and return the responsibility for the program to the state and local governments as Senator Stafford proposed. Although repeal is certainly an admission of failure, many feel that it would be far preferable to the current travesty. Repeal would undoubtedly mean more signboards in those states that care little for their scenic beauty, but it would also remove restrictions on state and local governments that genuinely desire to control billboard blight. Ironically, therefore, complete repeal of the Highway Beautification Act offers at least some hope for achievement of the original aims of the highway beautification program.

The other alternative would be to make extensive administrative and legislative changes in the act to enable it to be effective. The dismal record of the Federal Highway Administration in enforcing the act offers little encouragement for the initiation of effective administrative changes in the near future.[39] To the contrary, the recent direction has been toward *no* federal enforcement of the act.

It is also clear that a reduction in the legislative scope of the program offers the only reasonable hope for continuation of a national highway beautification act. Essential elements of such a program would be an immediate imposition of a moratorium on new billboards along federal highways in rural areas, exemption of larger urban areas, and

imposition of a user tax on all billboards subject to the beautification act to fund implementation and enforcement of the program.

The reduced scope would make the act more manageable and concentrate efforts in rural areas where they can be more effective. By and large, cities over 25,000 and urban counties now have in place effective local programs of billboard control that are actually hindered by the current act, and exemption would enable their own programs to be more effective. The imposition of the user fee would provide the funds necessary to remove nonconforming billboards and to provide enforcement (Floyd 1982a).

The Highway Beautification Act was one of the first major pieces of national environmental legislation. It may also be the first to be completely converted into legislation that does nothing but protect the supposedly regulated industry. With most environmental organizations having abandoned the act to the outdoor advertising industry, its future appears bleak—unless scenic beauty again becomes a priority objective of those who are concerned about the environment.

FOOTNOTES

[1] 23 U.S.C. Sec. 131.

[2] Testimony given before a public hearing to consider a challenge to the constitutionality of the State College Borough, Pennsylvania, Sign Ordinance 883 (March 13, 1978).

[3] *State of South Dakota* v. *Volpe*, 353 F. Supp. 335 (D.S.D. 1973). Later penalty proceedings against South Dakota were upheld in *State of S.D.* v. *Adams*, 506 F. Supp. 50 (D.S.D. 1980) and *State of S.D.* v. *Adams*, 506 F. Supp. 60 (D.S.D. 1980).

[4] FHWA Field Trip Report By R. W. Moeller, Chief, Junkyard and Outdoor Advertising Branch, June 19, 1980.

[5] FHWA, Memorandum concerning, Deming, Extraterritorial Zoning by John F. MacAllister, Division Administrator, June 7, 1979.

[6] FHWA. Letter from Joseph M. O'Connor to L. P. Lamm, Executive Director, February 27, 1981.

[7] FHWA, Junkyard and Outdoor Advertising Branch, Map and Notations, 1980.

[8] *Alper* v. *State*, Nev., 621 P.2d 492 (Nev. 1980).

[9] FHWA, Memorandum concerning Rezoning in Clark County by Conway C. Barlow, Division Right-of-Way Officer, February 26, 1980; and State of Nevada Department of Highways, Memorandum concerning Clark County Zoning Actions by Eldridge T. Porch, Chief Right-of-Way Agent, December 5, 1979.

[10] FHWA, Highway Beautification Program Fact Finding Inspection, South Carolina, January 26-February 6, 1981.

[11] Letter from Mr. Rex C. Leathers, Regional Federal Highway Administrator, September 9, 1981, and letter from Mr. R. A. Barnhart, Federal Highway Administrator, October 26, 1981, both to the author.

[12] Letter from Mr. Rex C. Leathers, Regional Federal Highway Administrator, January 7, 1982, to the author.

[13] Letter from Mr. R. A. Barnhart, Federal Highway Administrator, October 26, 1981, to the author.

[14] Letter from Mr. Rex C. Leathers, Regional Federal Highway Administrator, January 7, 1982, to the author.

[15] The Bonus Act of 1958 encouraged states to develop billboard control measures for interstate highways consistent with national standards by offering a federal-aid highway bonus payment in the amount of one-half of one percent of the cost of interstate construction projects. The act prohibited most off-premise signs along the interstate system outside cities and provided some control of on-premise signs. Twenty-five states passed enabling acts and entered into bonus agreements before the expiration of the program in 1965 (Floyd and Shedd 1979, Chapter 5).

[16] U.S. Congress, Senate, Congressional Record, 89th Congress, 1st Session, 1965, Vol. 111, p. 23872.

[17] *State of Vermont* v. *Brinegar*, 379 F. Supp. 606 (D. Vt. 1974).

[18] FHWA, Annual Statistical Progress Report: Highway Beautification Program, September 30, 1981. Unpublished report.

[19] FHWA, Projected Outdoor Advertising Control Program Completion Cost, July 1980. Unpublished report.

[20] Public Law 97-102, December 23, 1981.

[21] Ibid.

[22] *Newman Signs, Inc.* v. *Hjelle*, 268 N.W.2d741(N.D. 1978); appeal dismissed 99 S.Ct. 1205 (1979).

[23] Letter from Secretary of Transportation Drew Lewis to Senator Mark Andrews, January 27, 1982.

[24] 23 U.S.C. Sec. 131(g).

[25] FHWA, Projected Outdoor Advertising Control Program Completion Cost, July 1980.

[26] *Modjeska Sign Co.* v. *Berle*, 373 N.E.2d 255 (N.Y. 1977).

[27] *Ackerley Comm. Inc.* v. *City of Seattle*, 602 P.2d 1177 (Wash. 1979).

[28] FHWA, Letter from John S. Hassell, Jr., Federal Highway Administrator, to Eric M. Rubin, Oct. 1, 1980. Documents relating to this amazing episode were obtained by the author under a Freedom of Information Act request.

[29] *Metromedia, Inc.* v. *City of San Diego*, 610 P.2d 407 (Cal. 1979).

[30] *Metromedia, Inc.* v. *City of San Diego*, 101 S.Ct. 2882 (1981). For a more complete discussion see Charles F. Floyd (1982b).

[31] FHWA, Memo from J. M. O'Connor, Assoc. Administrator for Right-of-Way and Environment, on Vegetation Clearance Within Federal-Aid Highway Rights-of-way—Outdoor Advertising Control, March 15, 1977.

[32] For example, see *Outdoor Advertising Ass'n of Tenn.* v. *Shaw*, 598 S.W.2d 783 (Tenn. 1980).

[33] See note 10.

[34] U.S. Congress, Senate, S. 344, 96th Cong., 2d sess., 1979.

[35] U.S. Congress, Senate, Congressional Record, 96th Congress, 1st Session, 1979, Vol. 125, pp. 1924-1925.

[36] U.S. Congress, Senate, S. 1548, 97th Cong., 1st sess., 1981.

[37] U.S. Congress, House, H.R. 6211, 97th Cong., 2d sess., 1982.

[38] FHWA, Transcript of Meeting of the National Advisory Committee on Outdoor Advertising and Motorist Information: Subcommittee on Legislative Changes, February 5-6, 1981.

[39] In March 1982 the Sierra Club filed suit against the Federal Highway Administration seeking an injunction to require enforcement of the Highway Beautification Act in South Carolina (Civil Action File No. C82-556A in the Northern District of Georgia, Atlanta Division). If successful, this action could force greatly increased administration effectiveness of the act.

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Should Billboards Be Subject to Road User Fees?

(By Charles F. Floyd)

Road user fees are a well established concept in the United States, with almost $23 billion being collected by federal, state, and local governmental units for this purpose in 1979.[1] One major type of road user, however, has escaped road user fees. This is the off-premise highway billboard, a type of advertising that derives its value solely from the public's investment in roads and highways. This article examines a possible basis for a road user fee on these signs, suggests a rationale for the imposition of the road user fee, and suggests ways it can be implemented.

THE NATURE OF THE OUTDOOR ADVERTISING BUSINESS

In order to understand billboards as a direct use of the road it is first necessary to understand the nature of the outdoor advertising business. Billboards, more properly referred to as off-premise outdoor advertising signs, must be distinguished from on-premise signs. The on-premise sign is an integral part of the business it identifies and serves to index the business environment, that is, to inform people where they can find various goods and services. The off-premise advertising sign, on the other hand, is designed to use the roadside environment to advertise a good or service found at some other location.

Off-premise signs can be subdivided in several different categories. Some billboards provide directional information to motorists while others feature product advertising. Product advertising is of many types, with cigarette and liquor manufacturers being the largest advertisers.[2] Directional signs are located primarily in rural areas and on urban highways with large volumes of long-distance travelers, while billboards featuring product advertising are located primarily in urban areas.

Off-premise signs can also be subdivided into standardized and nonstandardized industry. The latter consists primarily of advertiser-owned billboards giving information regarding tourist and other highway related services. These nonstandardized signs come in a great variety of sizes, but are generally smaller than those erected by the "standardized" industry. The firms comprising the standardized industry own outdoor advertising structures and lease space to advertisers. They employ two basic types of signs, the poster panel and the painted bulletin. The poster panel is designed for the posting of paper "bills"—hence the name "billboards" that is now commonly applied to all off-premise outdoor advertising signs. The standardized poster panel is 300 square feet in size, although the industry also uses a smaller poster panel of 72 square feet, appropriately called a "junior" panel. The second type of standardized industry sign is the painted bulletin usually measuring 14 feet by 48 feet (672 square feet), but sometimes ranging to 2,500 square feet or even larger.[3]

BILLBOARDS AS A DIRECT USE OF THE ROAD

Although off-premise outdoor advertising signs are located on private property, they clearly derive their value solely from their direct use of the road. The only "use" of a billboard occurs where the reflected image meets the eye—on the road; no good or service is provided at the location of the sign. As an official of the Outdoor Advertising Association of America testified: "The Outdoor Advertising Association members do not sell signs; they sell circulation."[4] The sign companies do nothing to create this "circulation;" it comes from the public's investment in roads and highways.

View from the Courts

The courts have long recognized that billboards represent a use of the roads rather than a use of private property. This doctrine was first held over 60 years ago in the case of *Churchill and Tait* v. *Rafferty.*[5]

"The success of billboard advertising depends not so much upon the use of private property as it does upon the use of the channels of travel used by the general public. Suppose that the owner of private property, who so vigorously objects to the restriction of this form of advertising, should require the advertiser to paste his posters upon the billboards so that they would fact the interior of the property instead of the exterior. Billboard advertising would die a natural death if this were done, and its real dependency not upon the unrestricted use of private property but upon the unrestricted use of the public highways is at once apparent. Ostensibly located on private property, the real and sole value of the billboard is its proximity to the public thoroughfares. Hence, we conceive that the regulation of billboards and their restriction is not so much a regulation of private property as it is a regulation of the use of the streets and other public thoroughfares."

this view has been reaffirmed many times in the intervening years, including the classic case *General Outdoor Advertising Company* v. *Department of Public Works.*[6]

"Outdoor advertising signs) constitute a franchise upon the public highways. . . (The billboard interests) are not asserting a natural right. . . They are seizing for private benefit an opportunity created for quite a different purpose by the expenditure of public monies."

In a recent case, *Modjeska Sign Studios, Inc.* v. *Berle,* the court stated.[7]

"Billboards and advertising signs are of little value and small use unless great highways bring the traveling public within view of them, and their enhanced value when they are seen by a large number of people was created by the State in the construction of the roads and not by the signs' owners."

Sign Industry Pricing Practices

Lease rates for off-premise outdoor advertising signs reflect this dependence on public streets and highways. For example, one large outdoor advertising company priced its 672 square foot painted signs in Chicago at $1,960 per month in 1981. These signs are "rotated" to a different location every 60 days and the company guaranteed an average monthly "circulation" of 1,236,000, or approximately 41,200 daily.[8] The same company offered the same size sign in the New York market for $2,700 monthly, while in San Antonio it was offered for $900 monthly. The differences in price were accounted for mostly by differences in circulation, that is, by the number of people travelling by the sign on public roads.

Another major company now prices their signs solely on the basis of traffic volumes, charging $1 per thousand monthly circulation for the 672 square foot painted bulletin.[9] The circulation figures are derived from traffic counts gathered by state and local governments.

Direct or Indirect Uses of the Roadways

Billboard owners and users usually contend that billboards benefit from the roads in the same fashion as do all highway-oriented businesses such as motels, restaurants, and gas stations—or even as businesses in general. This argument completely ignores the difference between direct and indirect uses of the roads.

Many types of businesses gain advantages from their close proximity to major highway, and particularly from nearness to important roadway junctions or interchanges. These considerations are a major factor in locational decisions—either because firms depend on motorists for their clientele or because they need easy access to roads for the transportation of goods. While quite important to many firms, these benefits are still indirectly derived and are almost impossible to measure with any degree of accuracy. The highway billboard, on the other hand, benefits directly and solely from its use of the roadway, and in direct relationship to the volume of traffic on the road. The outdoor advertising industry itself recognizes this direct relationship in its pricing policies.

THE NEED FOR A ROAD USER FEE ON BILLBOARDS

A national road user fee on billboards could provide a highway beautification fund to landscape roadsides, install and maintain motorist information systems, and to acquire billboards that are nonconforming under the Highway Beautification Act. Such a tax appears to hold the only hope for ever completing this removal program.

The Highway Beautification Act

Passed with much fanfare in 1965, the Highway Beautification Act was supposed to result in the removal of existing billboard clutter from rural roadsides and the prevention of its future spread.[10] It has accomplished neither objective.

Control of New Signs: The Act has been very ineffective in controlling the erection of new billboards along the Nation's rural roadsides. New signs were supposed to be erected only in areas of commercial or industrial use and were made subject to size, spacing and lighting criteria. Unfortunately for the stated objectives of the Act, the Secretary of Transportation was not allowed to set any national standards for size and spacing, but was to enter into agreements with the states based on "customary use." This has been defined in a rather curious way.

The Bureau of Public Roads first proposed a maximum size of 400 square feet for new signs, but later changed this to 650 square feet even though a national inventory showed that size larger than all but 1.85 percent of existing billboards.[11] Finally, the Federal Highway Administration developed a "model agreement" in cooperation with the Outdoor Advertising Association of America that was adopted by 32 states.[12] The "model agreement" set a maximum size limitation of 1,200 square feet, equal to the floor area of a medium-sized three bedroom house and approximately twice the size of the largest billboards normally erected along the Interstate system. The chief negotiator of the agreements and head of the Scenic Enhancement Division of the Federal Highway Administration, and who now is employed by the Outdoor Advertising Association of America as an "environmental consultant," later testified.[13]

"That size limit is the outer limit of what is used by the industry in major urban areas within the United States. . . . I doubt great-

Footnotes at end of article.

ly that more than one sign out of 2,000 now erected, or erected since those controls were established, even approaches that 1,200 square feet limit."

"Customary spacing" in the guidelines, and in most of the states, was defined as every 500 feet on the Interstate system, and every 300 feet on the primary system outside of municipalities, and every 100 feet on the primary system within municipalities. Under the spacing criteria it is possible to have 10.5 billboard sites per mile on each side of the road along an Interstate highway, a total of 21 sites on both sides. Since two faces are permitted at each site, 42 billboards per mile are allowed along any portion of the Interstate system that is zoned commercial or industrial. On the primary system the comparable figures are 35 sites and 70 faces per mile. Within municipalities the allowable sites reach the somewhat absurd level of 106 per mile with 212 possible sign faces. If each of these signs were of the maximum allowable size (1,200 square feet per site), the total area of the sign faces would be equal to approximately three football fields for each mile of roadway.[14] To contend that the size and spacing requirements serve as any effective control of signboards is obviously absurd.

Since the size and spacing requirements contained in most of the agreements amount to virtually no control of outdoor advertising, the designation of commercial and industrial areas becomes all important. Unfortunately, local zoning authorities often do not place great importance on providing an uncluttered view for the Interstate motorist. The real or imagined benefits to be derived for local business through billboard advertising usually assume a greater priority. In practice, therefore, many local communities, and particularly rural counties, have attempted to circumvent the Highway Beautification Act by zoning long stretches of rural highways as commercial and industrial areas. The absence of any requirement that such areas actually contain commercial or industrial land uses, and the acceptance by the Federal Highway Administration of such zoning makes this provision perhaps the largest loophole in the entire Highway Beautification Act.[15]

The designation of "unzoned commercial and industrial areas" is another huge loophole permitting billboards along predominantly rural roadsides. The original idea was that this designation would encompass areas that were easily recognizable to the average motorist as genuine commercial and industrial areas, but that were located in jurisdictions lacking comprehensive zoning. It has not turned out that way. A draft agreement proposed in 1966 would have defined such areas as two industrial or commercial activities located within a radius of 300 feet, and this concept was even endorsed by the Outdoor Advertising Association of America.[16] In the final agreements, however, the unzoned commercial or industrial area was usually defined as 800 feet each side of only one such activity.[17] In practice, even the most obscure commercial or industrial use will often serve to permit several new signs.

Removal of Nonconforming Signs: Communities have traditionally eliminated nonconforming signs through amortization under their police powers, that is, their powers of regulation.[18] Despite the fact that 22 states were already removing nonconforming billboards under the earlier Bonus Law through their use of the police power, the 1965 Act required payment of cash compensation to both the sign owner and owner of the land on which the sign was located. Congress justified this change in policy on the basis that controls were being extended to the primary system where outdoor advertising was long established. There is also considerable evidence, however, that the Congress did not fully understand the implication of this action. For example, during the debate Senator Muskie emphasized that:[19]

"Under the bill all that can be compensated for is whatever remains of the leaseholds or the unamortized values, so that if, in fact, the billboard has been completely amortized or the leasehold has expired, no compensation will be paid under the bill."

This, of course, is an exact description of the amortization principle that was being outlawed by the Act.

Subsequent experience has proven that Congress's belief that the value of nonconforming signs would generally decrease over time was not justified. To the contrary, the average compensation paid for the signboards has continually risen, even though the outdoor advertising industry has generally depreciated billboards over a period of 8 years or less for tax purposes. Lenient regulations regarding repair and refurbishment have allowed sign companies to continually rebuild and repair nonconforming signs and, in effect, perpetuate their life. Combined with unrealistically high sign appraisals, this has resulted in a continual increase in sign removal costs. A General Accounting Office report estimated future increases at 6 percent annually.[20] Experience has shown that this estimate is much too low, with the actual average costs of signs acquired under the program rising almost 13 percent annually between fiscal years 1976 and 1980.[21]

Congress made compensation mandatory for the removal of nonconforming signs, declared in a 1968 amendment that no signs are required to be removed unless the federal share of compensation is available, but has since failed to appropriate the funds necessary to complete the program within any reasonable time. The first sign removed under the beautification program was acquired in May 1971, nearly a year after the "final compliance date" of July 1, 1970, that was originally set in the Act for the removal of *all* nonconforming signs. Since 1971, approximately 107,000 nonconforming signs have been removed under the Act at a cost in excess of $150 million. Over 133,000 nonconforming billboards remain, along with approximately 54,000 illegal signs.[22]

Although according to the Federal Highway Administration, approximately 46 percent of the nonconforming signs have been removed, this figure gives a false impression regarding the status of the acquisition program. Most of the billboards removed have been small and obsolete signs of little value. Most of the larger and more valuable signs remain.

Public projects are normally planned so as to *maximize* the benefit-to-cost ratio; the billboard removal program *minimizes* the benefit-to-cost ratio. In 1976 Congress directed that the first priority for removal be signs voluntarily offered by the billboard companies, while other nonconforming signs along heavily traveled rural highways be the last removed. This strategy has resulted in the very limited funds that have been appropriated for highway beautification being dissipated to little benefit except to the outdoor advertising firms.

Furthermore, the Federal Highway Administration has ruled that beautification funds can be used to remove signs that are being acquired to make way for new construction. In other words, the meager monies available for beautification have been used to remove signs that would have otherwise been acquired with construction funds. In some states, over half of the "beautification" monies have been used in this way.

The FHWA recently estimated that completion of the beautification program would require an additional expenditure of approximately $995 million in 1980 dollars. With a 7 percent rate of inflation, the estimated cost to complete the program in 10 years would be $1.3 billion; a 20 year program was estimated to cost $1.9 billion. At a more realistic inflation rate of 13 percent, the comparable figures were $1.8 billion and $3.7 billion.[23] Even these estimates are too low, however, since they are based on an average cost of $1,808 per sign, less than recent acquisition costs and far less than required for the more valuable signs still to be acquired.

For fiscal year 1981 Congress appropriated $8.5 million for the sign program. Of this amount, $7.7 million was required for payments contractually obligated under the Bonus Act, leaving only $800,000 for sign removal. The F.Y. 1982 appropriation allocated only $500,000 for the beautification program, approximately $7.2 million less than required just for bonus payments. If the unrealistic and incorrect favorable assumptions are made that (1) the entire $500,000 could be used to acquire nonconforming signs, (2) the Federal Highway Administration's estimates of the cost to complete the program are correct, and (3) there will be no further inflation—in other words, make the most favorable possible assumptions—then this level of appropriations would fund the removal of all the currently nonconforming signs in slightly less than 2,000 years.

Even if the scope of the highway beautification program were significantly reduced by deregulating urban areas and much of the primary system, the cost of removing nonconforming billboards would still be far greater than the funds that Congress is likely to appropriate for this purpose. An alternative source of funding must be developed, therfore, if the program is ever to be completed. A road user fee on billboards can provide this financing source. Alternatively, or perhaps in conjunction with the national beautification program, state and local road user fees on billboards could provide a new source of revenue for these governmental units.[24]

IMPLEMENTATION

Unlike many proposed user fees or taxes, a road user fee on billboards would be relatively easy to implement. Almost all states issue billboard permits as part of their highway beautification programs, and this permitting system could easily be expanded to encompass all signs covered by the user fee. The fee itself would be based on the same two elements that the outdoor advertising industry uses to price their sign leases, (1) size of the sign, and (2) average daily traffic on the road by which the sign is located. Both data elements are quite easy to obtain. The size of signs can be determined from sign permits or simple measurement. Traffic data are collected regularly by state and local governments and are usually readily available for streets and highways on which billboards are likely to be located.

To see how this fee might be implemented, suppose a user fee is enacted equal to approximately 10 percent of gross revenues

where the standard painted bulletin of 672 square feet leases of $1 per 1,000 circulation daily. This means that the sign would lease for $365 annually ($0.543 per square foot) times the average daily traffic. Thus, a tax of $0.0543 per square foot per 1,000 average daily traffic (ADT) would constitute a tax of approximately 10 percent of gross revenue. Suppose further that this sign were located on a freeway with an ADT of 50,000. Under these assumptions the sign would lease for $18,250 annually and the road user fee would be calculated as follows:

(size of sign) × (ADT in 1000s) × (5.43¢) = (672) × (50) × (5.43¢) = $1,825.

For a second example, suppose that a standard poster panel of 300 square feet were located on a city street carrying 20,000 vehicles per day. If the lease rate was the same as above, the road user fee on this sign would be $326, calculated as follows:

(300) × (20) × (5.43¢) = $326.

TABLE I—NUMBER OF BILLBOARDS ON INTERSTATE AND PRIMARY SYSTEMS, NATIONWIDE TOTALS—1980

[Thousands]

	Total	Interstate	Primary
Conforming	209.6	32.5	177.1
Nonconforming	143.7	34.3	109.4
Total	353.3	66.8	286.5

Source: Federal Highway Administration, Nationwide Summary, Outdoor Advertising Controls—National Reassessment Data, September 1980.

TABLE II—ESTIMATED ANNUAL REVENUES FROM ROAD USER FEE

[Millions]

	Total	Interstate	Primary
Conforming	$66.3	$35.3	$31.0
Nonconforming	31.8	22.3	9.5
Total	98.1	57.6	40.5

A fee based on a percentage of gross lease revenues has some appeal, but would be much harder to implement than a fixed rate. The fixed rate eliminates the necessity for gathering sales data and also eliminates the problem of setting rates for advertiser-owned signs.

Estimation of Expected Revenues

It is not possible to accurately estimate potential revenues from a national user fee on billboards with currently available data. A rough estimate can be made from data gathered by the FHWA during their recent reassessment of the highway beautification program. These data, shown in Table I, indicate there were approximately 209.6 thousand conforming billboards on the Interstate and primary systems in 1980, along with 143.7 thousand nonconforming signs.

In order to make any estimate of potential revenues from the billboard user fee it is necessary to make assumptions regarding the size of these signs and the average daily traffic for the roads on which they are located. Assume the average conforming sign on the Interstate system is 500 square feet in size, and the average size on the primary system is 400 square feet. For noncomforming signs the comparable assumed sizes are 300 and 200 square feet. Further, assume that Interstate highways on which these signs are located carry an average of 40,000 vehicles per day and comparable primary highways 8,000.[25] Using these assumptions and the "example" rate of $0.0543 annually per square foot per 1,000 ADT, the estimated annual revenues from the user fee, as shown in Table II, total $98.1 million.

These estimates involve somewhat heroic assumptions based on inadequate data, but are still probably of reasonable accuracy. The $0.0543 rate used in making the estimate is an example and not a recommended rate. A user fee in the range of $0.05 and $0.10 per square foot per 1,000 ADT would probably represent a 10 to 13 percent tax on gross revenues from the billboards.

SUMMARY

Off premise outdoor advertising signs (billboards) derive their economic value solely from their direct use of the public streets and highways. They are also the major direct users of the road that have escaped road user fees. A road user fee on billboards based on size of sign and average daily traffic on the road along which the billboard is located would be relatively easy to administer, and such a fee could generate the monies necessary to fund the highway beautification program. Alternatively, the user fee could be used for other transportation or general governmental purposes.

(Charles F. Floyd is professor of real estate and urban development in the Department of Real Estate and Legal Studies at the University of Georgia. He recently served as a member of the National Advisory Committee on Outdoor Advertising and Motorist Information.)

FOOTNOTES

[1] U.S. Department of Transportation, "Highway Statistics" 1979, p. 39.

[2] In urban areas these firms sometimes account for a very large portion of the revenues of outdoor advertising firms. For example, an official of Foster and Kleiser in Chicago reported that approximately 60 percent of their volume comes from cigarette and liquor advertising.

[3] As an example, in 1980 Foster and Kleiser offered to lease a 6,000 square foot sign located alongside the approaches to the San Francisco-Oakland Bay Bridge for $7,000 monthly.

[4] Testimony given by Mr. George F. McInturff before a public hearing to consider a challenge to the constitutionality of the State College Borough, Pennsylvania, Sign Ordinance 888, March 13, 1978.

[5] *Churchill and Tait* v. *Rafferty*, 32 Philippine Rpts. 580, 609 (Phil. Isl. Sup. Ct. 1915), app. dismissed 248 U.S. 591 (1918).

[6] *General Adverstising Co., Inc.* v. *Department of Public Works*, 289 Mass. 149, 198 N.E. 799, 813 (Mass. Sup. Jud. Ct. 1935) app. dismissed 296 U.S. 542 (1935) and 297 U.S. 725 (1936). Two other landmark cases were: *Kelbro, Inc.* v. *Myrick*, 113 Vt. 64, 30 A.2d 527 (1943); and *New York State Thruway Authority* v. *Ashley Motor Court*, 176, N.E.2d 566 (New York Court of Appeals, 1961).

[7] *Modjeska Sign Studios, Inc.* v. *Berle*, 402 N.Y.S.2d 359, 373 N.E.2d 255 (N.Y. Ct. of App. 1977).

[8] Foster and Kleiser, "Foster and Kleiser 1981 Bulletin" Rates.

[9] "Signs of the Times," November 1979, pp. 40-42, 45.

[10] 23 U.S.C. Sec. 131.

[11] U.S. Cong., House, "Hearings on H.R. 7797," 90th Cong., 1st Sess. 1967, p. 961.

[12] Commission on Highway Beautification, "Staff Papers," June 1974.

[13] From testimony of George McInturff given before a public hearing to consider a challenge to the constitutionality of the State College Borough, Pennsylvania, Sign Ordinance 888 (March 13, 1978).

[14] Bruce Brennan, "Outdoor Advertising Control Under the Highway Beautification Act of 1965: A Review of State Statutory and Case Law." Transportation Research Board, NCHRP Project 20-6, Study No. 54, March 1979.

[15] For examples of "phony zoning" and misuse of the unzoned commercial area, see Charles F. Floyd, "Requiem for the Highway Beautification Act," "Journal of the American Planning Association," forthcoming.

[16] U.S. Cong., Senate, 1965, "Hearings Before the Subcommittee on Public Roads of the Senate Committee on Public Works: Hearings on S. 2084 and S. 2259," 89th Cong., 1st Sess.

[17] Charles F. Floyd and Peter J. Shedd, "Highway Beautification: The Environmental Movement's Greatest Failure," Boulder: Westview Press, 1979.

[18] Norman Williams, Jr., "American Land Planning Law," Chicago: Callaghan & Company, 5 Volumes, 1974-1975.

[19] Cong. Rec. 111, 23872 (1965).

[20] Controller General of the United States, General Accounting Office, Obstacles to "Billboard Removal," 1978.

[21] Federal Highway Administration, "Annual Statistical Progress Reports," 1977-1981.

[22] Federal Highway Administration, "Annual Statistical Progress Report: Highway Beautification Program," September 30, 1981.

[23] Federal Highway Administration, "Projected Outdoor Advertising Control Program Completion Cost," July 1980.

[24] State and local governments collect permit fees and property taxes on billboards, but these sources do not provide significant revenues.

[25] The roads on which billboards are located generally carry higher than average traffic volumes.●

THE SOVIET-CUBAN MILITARY THREAT TO THE SOUTH

● Mr. EAST. Mr. President, the continuing controversy over our policy of support for the elected Government of El Salvador against the Communist terrorists armed and trained by Cuba and the Soviet Union and controlled by Nicaragua has a dimension that is of direct importance to the United States. That dimension does not concern the security of Central America, as vital as that is to our own borders and security, but rather the safety of our own, mainland cities within the United States itself.

The Communist war for Central America and the Caribbean region is clearly related to the Soviet and Cuban designs against the United States. Once the Communists have toppled our neighbors to the South, they will be in a position for direct action against North America under an umbrella of a nuclear threat by proxy.

In today's Washington Times, Virginia Prewett, one of America's most experienced and knowledgeable journalists and Latin American experts, discusses the growing Soviet military presence in Cuba and the adjacent regions—Grenada, Suriname, Guyana, and Nicaragua. Miss Prewett demonstrates that the supply of advanced military weapons systems to Cuba presents an almost insuperable threat to the United States itself, due to the lack of time available to our own defense systems to protect against a surprise attack from Cuba or neighboring areas.

Mr. President, the threat in Central America has now gone beyond our humane concern for the free peoples of El Salvador and the victims of Communist tyranny in Nicaragua. Those concerns are legitimate, but the threat now and in the future will be our own cities and peoples. Regardless of whether the Cubans and their Soviet masters actually use the advance weapons systems being introduced in the Caribbean, their very presence in

the region will serve to intimidate our policymakers and the American people and to induce in us the fear and spirit of appeasement that now weakens our allies in Western Europe.

Mr. President, I commend Virginia Prewett's column to my colleagues, and I ask that it be printed in the CONGRESSIONAL RECORD.

The column follows:

[From the Washington Times, Mar. 6, 1983]

THE SOVIET-CUBAN MILITARY THREAT TO THE SOUTH

(By Virginia Prewett)

As if to underline recent Soviet threats to "surprise" the United States in its own New World neighborhood. Moscow, is sending Castro four new submarines, tripling his present fleet of two, according to authoritative leaks. U.S. Senate sources recently confirmed that Castro will also get other major offensive weapons—four 5,100 mile TU-95 Bear reconnaissance/bomber jets.

Both gifts dramatically increase Cuba's arsenal of offensive Soviet-made Weapons, all of which violate the 1962 Kennedy-Khrushchev agreement binding Russia never to send Castro offensive weapons.

Castro already has MiG-23s that can be modified to carry the Kitchen missile, which has a nuclear warhead 10 times more powerful than the Hiroshima bomb and which can reach a target up to 480 miles away at about 3,000 miles an hour. But the MiG-23's combat loaded radius is only 240 miles, and this does not make it an impressive chip in Moscow's game of nuclear threat. Nevertheless, even without the kitchen, MiG-23s are offensive weapons and with the two Foxtrot attack submarines already given to Castro grossly violate the Kennedy-Khrushchev agreement.

But if TU-95s duly appear in the New World with Castro's colors, or if the submarines on the way are missile subs—say Echo IIs—then the U.S. mainland will be in unprecedented jeopardy.

A TU-95 or an Echo II can easily be equipped in Cuba with weapons with 800-kiloton nuclear warheads, each four times as powerful as the Kitchen and 40 times as destructive as the Hiroshima bomb. Either the plane or the sub can launch its missile from a position so close to a U.S. target that our defenders would have no time to knock it down. Jimmy Carter, for "economy," had our last quick-acting close-in defense system, which was in Florida, dismantled in 1978 and 1979.

U.S. defense against Russia's very-long-range or intercontinental ballistic missiles depend on our stated policy of answering a Russian nuclear attack with a shower of our own ICBMs on their population. We reinforce this stand-off with systems to spot, identify, attack and destroy their ICBMs on their long journey toward our cities.

But a TU-95 in Cuba fitted overnight with the deadly, if short-range (385-mile), Kangaroo missile, or an Echo II sub surreptitiously loaded at its Cuban base with Shaddock missiles with the same warhead, can slip into a position to incinerate a U.S. city before our interceptors can scramble, confirm the firing of a missile, and catch it and knock it down.

It takes five minutes for the scramble alone. The Kangaroo can travel 175 miles from its launching point in that time. A TU-95 can easily carry a Kangaroo from Cuba to menace Washington, D.C., or any seaboard city from Galveston to Eastport, Maine.

But let's concede a slim chance that our interceptors might get lucky once. Suppose a TU-95 with its Kangaroo missile threatens Norfolk, Charleston or Boston, but by a miracle both plane and missile get knocked down. Then an Echo II sub with its Shaddock, as powerful as the Kangaroo but with more range—540 miles—can pop its nuke to destroy Key West in less than five minutes, slide back into its "hardened" man-made cave at Cienfuegos, Cuba—and celebrate.

If the United States then blasts Cuba, a Cuban Kangaroo-bearing TU-95 fortuitiously visiting friendly Nicaragua or on a "show-and-tell" visit to Mexico City, can divert to the Rio Grande, launch its missile to level Galveston, and flee south. The United States certainly would not knock it down preventively over Mexican territory.

The preceding is the essence of the "five-minute threat" against us to retain the edge in menace or psychological terror in Western Europe that Russia has gained by aiming intermediate-range ballistic missiles at Europe. Moscow is trying to browbeat us and our population into not supplying our Western European allies with IRBMs and cruise missiles to balance the Soviet threats. Our allies have asked for and Reagan has promised to deploy the answering missiles this year.

A central fact in this chess game of threat is that Moscow can send TU-95s or Echo IIs to visit Cuba, as it often has, and then turn them over to Castro with a penstroke. (Six TU-95s are making back-to-back visits to Cuba this year.) Castro can paint his emblem on the offensive bombers overnight, while fitters rig the big planes to deliver Kangaroos, and order already-trained Cubans to arm shaddock missiles on the subs. And at dawn, many U.S. cities will face a nuclear threat against which we have no defense.

Neglect of our New World defense for 20 years by both Democrats and Republicans, plus tolerance of Moscow's military buildups in Cuba, have in practical terms deprived us of an advantage our population has enjoyed above all major nations: invulnerability to major attacks from enemies nearby.

The Soviets and Castro are ringing the United States on the south just as the Soviets and the Warsaw Pact satellite nations have ringed Western Europe on the east. In Cuba alone, the Soviet-Cuban axis has built 10 major military airbases and four significant naval installations.

One underground airbase near Havana is "hardened," as are underwater submarine pens at Cienfuegos. "Hardened" means protected by layers of reinforced concrete so thick that it would take a nuclear "pulse"—barrage—to neutralize the facility.

And the Soviet-Cuban axis has built or is building 26 military bases in Nicaragua, improving two ports and three big airstrips there for military use. On Grenada, Cubans are completing two airstrips side by side—one long, the other short—while militarizing a shipping haven.

In early 1982, this writer saw aerial photos of 10 military-type airstrips being built in the wilds of backland Guyana, Venezuela's leftist neighbor. Hemisphere intelligence services have confirmed their construction.

Thus, since 1959, when Castro took power, "Little Cuba," as Moscow's ally, has penetrated the New World with at least 58 new military installations in four nearby nations, all of which today reinforce overt Soviet military threats against our population.

And as Deputy Assistant Secretary of Defense Nestor Sanchez said in a recent speech, Castro also has projected his military aid and other assistance into "Libya, Iraq, South Yemen, Angola, Ethiopia, the Congo, Mozambique and Vietnam, among others."●

THE MYTH OF SMOOT-HAWLEY

● Mr. HEINZ. Mr. President, every time someone in the administration or the Congress gives a speech about a more aggressive trade policy or the need to confront our trading partners with their subsidies, barriers to imports and other unfair practices, others, often in the academic community or in the Congress immediately react with speeches on the return of Smoot-Hawley and the dark days of blatant protectionism. "Smoot-Hawley," for those uninitiated in this arcane field, is the Tariff Act of 1930 (Public Law 71-361) which among other things imposed significant increases on a large number of items in the Tariff Schedules. The act has also been, for a number of years, the basis of our countervailing duty law and a number of other provisions relating to unfair trade practices, a fact that tends to be ignored when people talk about the evils of Smoot-Hawley.

A return to Smoot-Hawley, of course, is intended to mean a return to depression, unemployment, poverty, misery, and even war, all of which, apparently were directly caused by this awful piece of legislation. Smoot-Hawley has thus become a code word for protectionism, and in turn a code word for depression and major economic disaster. Those who sometimes wonder at the ability of Congress to change the country's direction through legislation must marvel at the sea change in our economy apparently wrought by this single bill in 1930.

Historians and economists, who usually view these things objectively, realize that the truth is a good deal more complicated, that the causes of the depression were far deeper, and that the link between high tariffs and economic disaster is much more tenuous than is implied by this simplistic linkage. Now, however, someone has dared to explode this myth publicly through an economic analysis of the actual tariff increases in the act and their effects in the early years of the depression. The study points out that the increases in question affected only 231 million dollars' worth of products in the second half of 1930, significantly less than 1 percent of world trade; that in 1930-32 duty-free imports into the United States dropped at virtually the same percentage rate as dutiable imports; and that a 13.5 percent drop in GNP in 1930 can hardly be blamed on a single piece of legislation that was not even enacted until midyear.

This, of course, is not to suggest that high tariffs are good or that Smoot-Hawley was a wise piece of legislation. It was not. But it was also clearly not responsible for all the ills of the 1930's that are habitually blamed on it by those who fancy themselves defenders of free trade. While I believe this study does have some policy implications, which I may want to discuss at some future time, one of the most useful things it may do is help us all clean up our rhetoric and reflect a more sophisticated—and accurate—view of economic history.

Mr. President, I ask that the study, by Don Bedell of Bedell Associates, be printed in the RECORD.

The study follows:

BEDELL ASSOCIATES,
Palm Desert, Calif., April 1983.

TARIFFS MISCAST AS VILLAIN IN BEARING BLAME FOR GREAT DEPRESSION—SMOOT/HAWLEY EXONERATED

(By Donald W. Bedell)

SMOOT/HAWLEY, DEPRESSION AND WORLD REVOLUTION

It has recently become fashionable for media reporters, editorial writers here and abroad, economists, Members of Congress, members of foreign governments, UN organizations and a wide variety of scholars to express the conviction that the United States, by the single act of causing the Tariff Act of 1930 to become law (Public Law 361 of the 71st Congress) plunged the world into an eonomic depression, may well have prolonged it, led to Hitler and World War II.

Smoot/Hawley lifted import tariffs into the U.S. for a cross section of products beginning mid-year 1930, or more than 8 months following the 1929 financial collapse. Many observers are tempted simply to repeat "free trade" economic doctrine by claiming that this relatively insignificant statute contained an inherent trigger mechanism which upset a neatly functioning world trading system based squarely on the theory of comparative economics, and which propelled the world into a cataclysm of unmeasurable proportions.

We believe that sound policy development in international trade must be based solidly on facts as opposed to suspicions, political or national bias, or "off-the-cuff" impressions 50 to 60 years later of how certain events may have occurred.

When pertinent economic, statistical and trade data are carefully examined will they show, on the basis of preponderance of fact, that passage of the Act did in fact trigger or prolong the Great Depression of the Thirties, that it had nothing to do with the Great Depression, or that it represented a minor response of a desperate nation to a giant world-wide economic collapse already underway?

It should be recalled that by the time Smoot/Hawley was passed 6 months had elapsed of 1930 and 8 months had gone by since the economic collapse in October, 1929. Manufacturing plants were already absorbing losses, agriculture surpluses began to accumulate, the spectre of homes being foreclosed appeared, and unemployment showed ominous signs of a precipitous rise.

The country was stunned, as was the rest of the world. All nations sought very elusive solutions. Even by 1932, and the Roosevelt election, improvisation and experiment described government response and the technique of the New Deal, in the words of Arthur Schlesinger, Jr. in a New York Times article on April 10, 1983. President Roosevelt himself is quoted in the article as saying in the 1932 campaign, "It is common sense to take a method and try it. If it fails, admit it frankly and try another. But above all, try something."

The facts are that, rightly or wrongly, there were no major Roosevelt Administration initiatives regarding foreign trade until well into his Administration; thus clearly suggesting that initiatives in that sector were not thought to be any more important than the Hoover Administration thought them. However, when all the numbers are examined we believe neither President Hoover nor President Roosevelt can be faulted for placing international trade's role in world economy near the end of a long list of sectors of the economy that had caused chaos and suffering and therefore needed major corrective legislation.

How important was international trade to the U.S.? How important was U.S. trade to its partners in the Twenties and Thirties?

In 1919, 66 percent of U.S. imports were duty free, or $2.9 Billion of a total of $4.3 Billion. Exports amounted to $5.2 Billion in that year making a total trade number of $9.6 Billion or about 14 percent of the world's total. See Chart I below.

CHART I.—U.S. GROSS NATIONAL PRODUCT, 1929–33

[Dollar amounts in billions]

	1929	1930	1931	1932	1933
GNP	$103.4	$89.5	$76.3	$56.8	$55.4
U.S. international trade	$9.6	$6.8	$4.5	$2.9	$3.2
U.S. international trade percent of GNP	9.3	7.6	5.9	5.1	[1] 5.6

[1] Series U., Department of Commerce of the United States, Bureau of Economic Analysis.

Using the numbers in that same Chart I it can be seen that U.S. imports amounted to $4.3 Billion or just slightly above 12 percent of total world trade. When account is taken of the fact that only 33 percent, or $1.5 Billion, of U.S. imports was in the Dutiable category, the entire impact of Smoot/Hawley has to be focused on the $1.5 Billion number which is barely 1.5 percent of U.S. GNP and 4 percent of world imports.

What was the impact? In dollars Dutiable imports fell by $462 Million, or from $1.5 Billion to $1.0 Billion, during 1930. It's difficult to determine how much of that small number occurred in the second half of 1930 but the probability is that it was less than 50 percent. In any case, the total impact of Smoot/Hawley in 1930 was limited to a "damage" number of $231 Million; spread over several hundred products and several hundred countries!

A further analysis of imports into the U.S. discloses that all European countries accounted for 30 percent or $1.3 Billion in 1929 divided as follows: U.K. at $330 Million or 7½ percent, France at $171 Million or 3.9 percent, Germany at $255 Million or 5.9 percent, and some 15 other nations accounting for $578 Million or 13.1 percent for an average of 1 percent.

These numbers suggest that U.S. imports were spread broadly over a great array of products and countries, so that any tariff action would by definition have only a quite modest impact in any given year or could be projected to have any important cumulative effect.

This same phenomenon is apparent for Asian countries which accounted for 29 percent of U.S. imports divided as follows: China at 3.8 percent, Japan at $432 Million and 9.8 percent, and with some 20 other countries sharing in 15 percent or less than 1 percent on average.

Australia's share was 1.3 percent and all African countries sold 2.5 percent of U.S. imports.

Western Hemisphere countries provided some 37 percent of U.S. imports with Canada at 11.4 percent, Cuba at 4.7 percent, Mexico at 2.7 percent, Brazil at 4.7 percent and all others accounting for 13.3 percent or about 1 percent each.

The conclusion appears inescapable on the basis of these numbers; a potential adverse impact of $231 Million spread over the great array of imported products which were Dutiable in 1929 could not realistically have had any measurable impact on America's trading partners.

Meanwhile, the Gross National Product (GNP) in the United States had dropped an unprecedented 13.5 percent in 1930 alone, from $103.4 Billion in 1929 to $89 Billion by the end of 1930. It is unrealistic to expect that a shift in U.S. international imports of just 0.2 percent of U.S. GNP in 1930 for example ($231 Million on $14.4 Billion) could be viewed as establishing a "precedent" for America's trading partners to follow, or represented a "model" to follow.

Even more to the point an impact of just 0.2 percent could not reasonably be expected to have any measurable effect on the economic health of America's trading partners.

Note should be taken of the claim by those who repeat the Smoot/Hawley "villain" theory that it set off a "chain" reaction around the world. While there is some evidence that certain of America's trading partners retaliated against the U.S. there can be no reliance placed on the assertion that those same trading partners retaliated against each other by way of showing anger and frustration with the U.S. Self-interest alone would dictate otherwise, common sense would intercede on the side of avoidance of "shooting oneself in the foot," and the facts disclose that world trade declined by 18 percent by the end of 1930 while U.S. trade declined by some 10 percent more or 28 percent. U.S. foreign trade continued to decline by 10 percent more through 1931, or 53 percent versus 43 percent for world-wide trade, but U.S. share of world trade declined by only 18 percent from 14 percent to 11.3 percent by the end of 1931.

Reference was made earlier to the Duty Free category of U.S. imports. What is especially significant about those import numbers is the fact that they dropped in dollars by an almost identical percentage as did Dutiable goods through 1931 and beyond: Duty Free imports declined by 29 percent in 1930 versus 27 percent for Dutiable goods, and by the end of 1931 the numbers were 52 percent versus 51 percent respectively.

The only rational explanation for this phenomenon is that Americans were buying less and prices were falling. No basis exists for any claim that Smoot/Hawley had a distinctively devastating effect on imports beyond and separate from the economic impact of the economic collapse in 1929.

Based on the numbers examined so far, Smoot/Hawley is clearly a mis-cast villain. Further, the numbers suggest the clear possibility that when compared to the enormity of the developing international economic crisis Smoot/Hawley had only a minimal impact and and international trade was a victim of the Great Depression.

This possibility will become clear when the course of the Gross National Product (GNP) during 1929–1933 is examined and when price behaviour world-wide is reviewed, and when particular Tariff Schedules of Manufacturers outline in the legislation are analyzed.

Before getting to that point another curious aspect of the "villain" theory is worthy of note. Without careful recollection it is tempting to view a period of our history some 50–60 years ago in terms of our present world. Such a superficial view not only makes no contribution to constructive policy-making. It overlooks several vital considerations which characterized the Twenties and Thirties:

1. The international trading system of the Twenties bears no relation to the interdependent world of the Eighties commercially, industrially and financially in size or complexity.

2. No effective international organization existed, similar to the General Agreement for Tariffs and Trade (GATT) for example for resolution of disputes. There were no trade "leaders" among the world's nations in part because most mercantile nations felt more comfortable without dispute settlement bodies.

3. Except for a few critical products foreign trade was not generally viewed in the "economy-critical" context as currently in the U.S. As indicated earlier neither President Hoover nor President Roosevelt viewed foreign trade as crucial to the economy in general or recovery in particular.

4. U.S. foreign trade was relatively an amorphous phenomenon quite unlike the highly structured system of the Eighties; characterized largely then by "caveat emptor" and a broadly laissez-faire philosophy generally unacceptable presently.

These characteristics, together with the fact that 66 percent of U.S. imports were Duty Free in 1929 and beyond, placed overall international trade for Americans in the Twenties and Thirties on a very low level of priority especially against the backdrop of world-wide depression. Americans in the Twenties and Thirties could no more visualize the world of the Eighties than we in the Eighties can legitimately hold them responsible for failure by viewing their world in other than the most pragmatic and realistic way given those circumstances.

For those Americans then, and for us now, the numbers remain the same. On the basis of sheer order of magnitude of the numbers illustrated so far, the "villian" theory often attributed to Smoot/Hawley is an incorrect reading of history and a misunderstanding of the basic and incontrovertible law of cause and effect.

It should also now be recalled that, despite heroic efforts by U.S. policy-makers its GNP continued to slump year-by-year and reached a total of just $55.4 billion in 1933 for a total decline from 1929 levels of 46 percent. The financial collapse of October, 1929 had indeed left its mark.

By 1933 the 1929 collapse had prompted formation in the U.S. of the Reconstruction Finance Corporation, Federal Home Loan Bank Board, brought in a Democrat President with a program to take control of banking, provide credit to property owners and corporations in financial difficulties, relief to farmers, regulation a stimulation of business, new labor laws and social security legislation.[2]

[2] Beard, Charles and Mary, New Basic History of the United States.

So concerned were American citizens about domestic economic affairs, including the Roosevelt Administration and the Congress, that scant attention was paid to the solitary figure of Secretary of State Cordell Hull. He, alone among the Cabinet, was conviced that international trade had material relevance to lifting the country back from depression. His efforts to liberalize trade in general and to find markets abroad for U.S. products in particular from among representatives of economically stricken Europe, Asia and Latin America were abruptly ended by the President and the 1933 London Economic Conference collapsed without result.

The Secretary did manage to make modest contributions to eventual trade recovery through the Most Favored Nation (MFN) concept. But it would be left for the United States at the end of World War II to undertake an economic and political role of leadership in the world; a role which in the Twenties and Thirties Americans in and out of government felt no need to assume, and did not assume. Evidence that conditions in the trade world would have been better, or even different, had the U.S. attempted some leadership role can not responsibly be assembled. Changing the course of past history has always been less fruitful than applying perceptively history's lessons.

The most frequently used members thrown out about Smoot/Hawley's impact by those who believe in the "villain" theory are those which clearly establish that U.S. dollar decline in foreign trade plummeted by 66 percent by the end of 1933 from 1929 levels, $9.6 billion to $3.2 billion annually.

Much is made of the co-incidence that world-wide trade also sank about 66 percent for the period. Chart II summarizes the numbers.

CHART II.—UNITED STATES AND WORLD TRADE, 1929–33

[In billions of U.S. dollars]

	1929	1930	1931	1932	1933
United States:					
Exports	5.2	3.8	2.4	1.6	1.7
Imports	4.4	3.0	2.1	1.3	1.5
Worldwide:					
Exports	33.0	26.5	18.9	12.9	11.7
Imports	35.6	29.1	20.8	14.0	[a] 12.5

[a] Series U. Department of Commerce of the United States, League of Nations, and International Monetary Fund.

The inference is that since Smoot/Hawley was the first "protectionist" legislation of the Twenties, and the end of 1933 saw an equal drop in trade that Smoot/Hawley must have caused it. Even the data already presented suggest the relative irrelevance of the tariff-raising Act on a strictly trade numbers basis. When we examine the role of a world wide price decline in the trade figures for almost every product made or commodity grown the "villain" Smoot/Hawley's impact will not be measurable.

It may be relevant to note here that the world's trading "system" paid as little attention to America's revival of foreign trade beginning in 1934 as it did to American trade policy in the early Thirties. From 1934 through 1939 U.S. foreign trade rose in dollars by 80% compared to world-wide growth of 15%. Imports grew by 68% and exports climbed by a stunning 93%. U.S. GNP by 1939 had developed to $91 Billion, to within 88% of its 1929 level.

Perhaps this suggests that America's trading partners were more vulnerable to an economic collapse and thus much less resilient than was the U.S. In any case the international trade decline beginning as a result of the 1929 economic collapse, and the subsequent return by the U.S. beginning in 1934 appear clearly to have been wholly unrelated to Smoot/Hawley.

As we begin to analyze certain specific Schedules appearing in the Tariff Act of 1930 it should be noted that sharp erosion of prices world-wide caused dollar volumes in trade statistics to drop rather more than unit volume thus emphasizing the decline value. In addition, it must be remembered that as the Great Depression wore on, people simply bought less of everything increasing further price pressure downward. All this wholly apart from Smoot/Hawley.

When considering specific Schedules, No. 5 which includes Sugar, Molasses, and Manufactures Of, maple sugar cane, sirups, adonite, dulcite, galactose, inulin, lactose and sugar candy. Between 1929 and 1933 import volume into the U.S. declined by about 40% in dollars. In price on a world basis producers suffered a stunning 60% drop. Volume of sugar imports declined by only 42% into the U.S. in tons. All these changes lend no credibility to the "villain" theory unless one assumes, erroneously, that the world price of sugar was so delicately balanced that a 28% drop in sugar imports by tons into the U.S. in 1930 destroyed the price structure and that the decline was caused by tariffs and not at least shared by decreased purchases by consumers in the U.S. and around the world.

Schedule 4 describes Wood and Manufactures Of, timber hewn, maple, brier root, cedar from Spain, wood veneer, hubs for wheels, casks, boxes, reed and rattan, toothpicks, porch furniture, blinds and clothespins among a great variety of product categories. Dollar imports into the U.S. slipped by 52% from 1929 to 1933. By applying our own GNP as a reasonable index of prices both at home and overseas, unit volume decreased only 6% since GNP had dropped by 46% in 1933. The world-wide price decline did not help profitability of wood product makers, but to tie that modest decline in volume to a law affecting only 6½% of U.S. imports in 1929 puts great stress on credibility, in terms of harm done to any one country or group of countries.

Schedule 9, Cotton Manufactures, a decline of 54% in dollars is registered for the period, against a drop of 46% in price as reflected in the GNP number. On the assumption that U.S. GNP constituted a rough comparison to world prices, and the fact that U.S. imports of these products was infinitesimal. Smoot/Hawley was irrelevant. Further, the price of raw cotton in the world plunged 50% from 1929 to 1933. U.S. growers had to suffer the consequences of that low price but the price itself was set by world market prices, and was totally unaffected by any tariff action by the U.S.

Schedule 12 deals with Silk Manufactures, a category which decreased by some 60% in dollars. While the decrease amounted to 14% more than the GNP drop, volume of product remained nearly the same during the period. Assigning responsibility to Smoot/Hawley for this very large decrease in price beginning in 1930 stretches credibility beyond the breaking point.

Several additional examples of price behaviour are relevant.

One is Schedule 2 products which include brick and tile. Another is Schedule 3 iron and steel products. One outstanding casualty of the financial collapse in October, 1929 was the Gross Private Investment number. From $16.2 Billion annually in 1929 by 1933

it has fallen by 91% to just $1.4 Billion. No tariff policy, in all candor, could have so devastated an industry as did the economic collapse of 1929. For all intents and purposes construction came to a halt and markets for glass, brick and steel products with it.

Another example of price degradation world-wide completely unrelated to tariff policy is Petroleum products. By 1933 these products had decreased in world price by 82% but Smoot/Hawley had no Petroleum Schedule. The world market place set the price.

Another example of price erosion in world market is contained in the history of exported cotton goods from the United States. Between 1929 and 1933 the volume of exported goods actually increased by 13.5% while the dollar value dropped 48%. This result was wholly unrelated to the tariff policy of any country.

While these examples do not include all Schedules of Smoot/Hawley they clearly suggest that overwhelming economic and financial forces were at work affecting supply and demand and hence on prices of all products and commodities and that these forces simply obscured and measurable impact the Tariff Act of 1930 might possibly have had under conditions of several years earlier.

To assert otherwise puts on those proponents of the Smoot/Hawley "villian" theory a formidable challenge to explain the following questions:

1. What was the nature of the "trigger" mechanism in the Act that set off the alleged domino phenomenon in 1930 that began or prolonged the Great Depression when implementation of the Act did not begin until mid-year?

2. In what ways was the size and nature of U.S. foreign trade in 1929 so significant and critical to the world economy's health that a less than 4% swing in U.S. imports could be termed a crushing and devastating blow?

3. On the basis of what economic theory can the Act be said to have caused a GNP drop of an astounding drop of 13.5% in 1930 when the Act was only passed in mid-1930? Did the entire decline take place in the second half of 1930? Did world-wide trade begin its decline of some $13 Billion only in the second half of 1930?

3. Does the fact that duty free imports into the U.S. dropped in 1930 and 1931 and in 1932 at the same percentage rate as dutiable imports support the view that Smoot/Hawley was the cause of the decline in U.S. imports?

4. Is the fact that world-wide trade declined less rapidly than did U.S. foreign trade prove the assertion that American trading partners retaliated against each other as well as against the U.S. because and subsequently held the U.S. accountable for starting an international trade war?

5. Was the international trading system of the Twenties so delicately balanced that a single hastily drawn tariff increase bill affecting just $231 Million of dutiable products in the second half of 1930 began a chain reaction that scuttled the entire system? Percentage-wise $231 Million is but 0.65% of all of 1929 world-wide trade and just half that of world-wide imports:

The preponderance of history and facts of economic life in the international area make an affirmative response by the "villain" proponents an intolerable burden.

It must be said that the U.S. does offer a tempting target for Americans who incessantly cry "mea culpa" over all the world's problems, and for many among our trading partners to explain their problems in terms of perceived American inability to solve those problems.

In the world of the Eighties U.S. has indeed very serious and perhaps grave responsibility to assume leadership in international trade and finance, and in politics as well.

On the record, the United States has met that challenge beginning shortly after World War II.

The U.S. role in structuring the United Nations, the General Agreement on Tariffs and Trade (GATT), the International Monetary Fund, the Bretton Woods and Dumbarton Oaks Conferences on monetary policy, the World Bank and various Regional Development Banks, for example, is a record unparalleled in the history of mankind.

But in the Twenties and Thirties there was no acknowledged leader in international affairs. On the contrary, evidence abounds that most nations preferred the centuries-old patterns of international trade which emphasized pure competition free from interference by any effective international supervisory body such as GATT.

Even in the Eighties examples abound of trading nations succumbing to nationalistic tendencies and ignoring signed trade agreements. Yet the United States continues as the bulwark in trade liberalization proposals within the GATT. It does so not because it could not defend itself against any kind of retaliation in a worst case scenario but because no other nation is strong enough to support them successfully without the United States.

The basic rules of GATT are primarily for all those countries who can't protect themselves in the world of the Eighties and beyond without rule of conduct and discipline.

The attempt to assign responsibility to the U.S. in the Thirties for passing the Smoot/Hawley tariff act and thus set off a chain reaction of international depression and war is, on the basis of a preponderance of fact, a serious mis-reading of history, a repeal of the basic concept of cause and effect and a disregard for the principle of proportion of numbers.

It may constitute a fascinating theory for political mischief-making but it is a cruel hoax on all those responsible for developing new and imaginative measures designed to liberalize international trade.

Such constructive development and growth is severely impeded by perpetuating what is no more than a symbolic economic myth.

Nothing is less worthwhile than attempting to re-write history, not learning from it. Nothing is more worthwhile than making careful and perceptive and objective analysis in the hope that it may lead to an improved and liberalized international trading system.●

THE THIRD WORLD DEBT

Mr. EAST. Mr. President, as the Congress of the United States is drawing closer to the date when we will decide whether to increase our support for the IMF by $8½ billion, I believe that we need to keep the facts of the situation in mind. There is an article in the Washington Times of May 6, 1983, that provides an excellent outline of the matter. It describes the explosive growth of the debt of the Third World nations, the efforts of those who demand that the West compound the problem by handing over more of our wealth to those less developed countries that have proven to be incapable of managing their economies, and the smooth arguments of the banking industry that all will be well if we will only put our trust in the industry that all will be well if we will only put our trust in the experts who got us into this mess. The article then proceeds to refute this sophistry by explaining some facts that many have ignored. The IMF is sitting on a pile of gold that is worth more than the total proposed increase in contributions, the problems of those LDC's that are in trouble is due to socialism and fiscal irresponsibility, and the Western banks that are overextended must take their chances in the marketplace.

Mr. President, I ask that the article entitled "West presses efforts to halt 'time bomb' of Third World debt" be printed in the Record following my comments.

WEST PRESSES EFFORTS TO HALT "TIME BOMB" OF THIRD WORLD DEBT

(By Steven K. Beckner)

Convinced that a Third World debt bomb threatens to devastate the international banking system and the global economy, Western governments are trying to defuse it.

The industrial countries' current strategy relies primarily on resource transfers to the Less Developed Countries (LDCs)—an approach influenced heavily by the Brandt Commission, a group of present and former government officials led by Willy Brandt, ex-chancellor of West Germany and chairman of its Social Democratic Party.

In a February manifesto, the commission warned that Third World financial woes threaten to plunge the planet into "a depression comparable only to the crisis of half a century ago." It recommended a concerted reflation of the world economy, a massive transfusion of aid to developing countries and expansion of the International Monetary Fund.

Not only should the IMF's capital base be doubled, but it should act as the world's central bank with an expansionary global monetary policy, the commission contends. As a step in this direction, the report says, the IMF should allocate annually up to 12 billion Special Drawing Rights—its basket currency creation.

The commission also recommends expanded long-term, concessionary lending by the World Bank to supplement the IMF's short-term balance of payments loans. It encourages Western central banks, in cooperation with international agencies, to provide bridge loans and to coordinate continued commercial bank lending.

The Brandt Commission theme, which closely resembles the Third World's agenda, has been echoed repeatedly. Washington's Institute for International Economics has called on the IMF to lend on a substantial scale and to undertake a "resumption of SDR allocations." The institute, headed by former Assistant Treasury Secretary C. Fred Bergsten, suggests "a sharp increase in the structual adjustment leading of the World Bank" and urges commercial banks to "increase their net lending to developing countries by some 5-10 percent overall over

the past 12 months." Much of this program already is being carried out. In February, the United States and other nations voted a 47.5 percent increase in their quota contributions to the IMF (to about $99 billion) and approved a tripling of a special fund, the General Agreements to Borrow.

An SDR allocation could be in the works. Unlike IMF quotas, which are pledges of currenty that the 146 members nations make to the fund, SDRs are monetary units which the IMF creates and distributes to its members. To date, 21.4 billion SDRs, worth about $23.5 billion, have been created.

Third World leaders have long clammored for large new allocations of SDRs, which they could exchange for hard currencies or borrow against to pay their debts. In the past, this has been opposed as an inflationary increase in world liquidity. But in the present mood, some amount of SDR allocations is likely to be approved. An 85 percent majority on the IMF board of governors is required, so the United States with its 19.52 percent voting shares can veto any allocation.

A knowlegeable IMF official said there is no plan for an SDR allocation, adding the question is under constant review and has considerable support from a lot of quarters. The sourse said the IMF's research department is preparing a study for presentation at the IMF's annual meeting in September.

Meanwhile, the capital of the World Bank is being doubled to an estimated $85 billion to $90 billion by 1986. Last week, bank President A. W. Clausen, former president of the Bank of America, endorsed a further $40 billion ordinary capital increase in 1986, and suggested a $20 billion selective capital boost to tide the agency over until then. Negotiations also are underway to raise the funding of the International Development Association, a soft loan affiliate of the World Bank.

The U.S. Treasury and Federal Reserve together with foreign central banks last fall provided more than $6 billion in short-term credits to Brazil and Mexico while they were negotiation loan packages with the IMF and commercial banks.

Finance ministers from the developing countries meeting in Washington last week asserted in a communique that these efforts are inadequate.

But another school of thought holds that the debt bomb doesn't have as much megatonnage as many fear and that, in any case, the best way of disarming it is not a barrage of aid dollars. This school maintains that the developing countries themselves are largely responsible for their economic predicament.

There is a growing recognition that the LDCs must adjust their economic policies. "The longer countries postpone adjustment, the greater the deterioriation in their economic situation becomes and, hence, the more difficult it is to turn their external payments position around," said IMF Managing Director Jacques de Larosiere in a March speech.

Central to the IMF's role are its loan conditions, which typically ask debtor countries to curtail excessive monetary expansion and budget deficits, set their currency exchange rates at realistic levels and avoid uneconomic price and interest rate policies. Proponents of heightened aid charge that the IMF is too restrictive and promote a shift toward more unconditional and concessionary financing by the World Bank and regional development banks.

Others assert that even the relatively conservative IMF is unworthy of increased support. "The IMF already has substantial unused financial resources and the power to create and raise additional billions of dollars," writes Robert E. Weintraub, senior economist for the Joint Economic Committee in a newly published study. With 100 million ounces of gold, $8 billion in cash, as well as its power to borrow and create new SDRs, the IMF "has a formidable package of 'last-resort' financial resources and powers," he argues.

Looking at the other elements of a five-point program enunciated by Treasury Secretary Donald T. Regan, Weintraub observes that central banks already have ample powers to extend emergency credits and warns that "policies to promote economic growth" could promote inflation. And he decries Regan's exhortation to banks to keep lending abroad. "Doubtless banks would feel more secure lending to LDCs if their governments see the IMF as an elastic conduit for helping debtor nations," he observes. "However, continued lending could lead to a magnification of the same imprudent lending practices that helped create the present debt crisis."

Weintraub's proposed solutions include "resumption of economic growth by the United States and other developed countries." But he emphasizes they "must be careful to prevent new inflationary surges from accompanying or closely following their recoveries and the corollary growth of developing nations' exports."

Secondly, Weintraub says debtor nations must act to "increase their exports and the investment of foreigners in their plant and equipment, decrease their imports and constrain their consumption." To do this they must "allow their exchange rates to float downward or devalue them realistically." For their part, the United States and other industrialized countries must avoid protectionist measures.

The idea of encouraging investment is beginning to take root in the Third World camp, although those countries frequently have discouraged foreign capital. Mauricio Herman, chief of the Inter-American Development Bank's Development Division, recently suggested creation of development equity—securities that would reduce LDCs' interest costs and shift some of the risks to investors in the developed countries.

Noting that the relative importance of direct investment in Latin America has declined from 25 to 17 percent of total external financing, the Peruvian said, "This increased leveraging means that interest rates must be paid regardless of the return on the investment financed by these funds." By contrast, with investment, "Dividends paid—and remitted abroad—depend on the yield of the investment."

In town recently, Pakistan's minister for planning and development, Mahbubul Haq, said his country is dismantling administrative controls in an effort to unleash private enterprise. He said Pakistan is inviting American investors to help develop its energy and agricultural resources.

Under the auspices of the liberal Brookings Institution, a group of former government officials from the United States, France, Germany and Japan issued a statement observing, "Under most circumstances, the best way to transfer resources and skills to developing countries is through private investment. The developing countries can contribute to its continuation by policies which create a congenial climate."

The final element in solving the debt dilemma is a "willingness of bank creditors to reschedule maturing loans and extend additional credits," according to Weintraub, but he stresses that banks "cannot and should not be pushed or tempted" to do so.

Stretching out loan payments, extending new credits, renegotiating interest rates and stipulating economic policy changes "is the alternative to default," Weintraub says. "Rescheduling produces basic benefits for both banks and debtors. Banks do not have to write down problem loans. Debtor nations avoid the onus of default."

Massive, coordinated repudiation of the Third World's $265 billion in commercial bank debts is extremely unlikely, Weintraub concludes, but even if it happens, federal bank regulators can defuse the debt bomb by allowing the affected banks time to write down the defaulted loans to zero.●

ROSS ADAIR, A DISTINGUISHED HOOSIER AND GREAT AMERICAN

● Mr. QUAYLE. Mr. President, it is with a deep sense of personal loss that I rise today to pay tribute to former Congressman E. Ross Adair who died Saturday, May 7, in Fort Wayne.

Ross Adair served the people of Indiana for 20 years as Congressman from the Fourth Congressional District from 1950 to 1970. He became one of the articulate leaders on the House Committee on Foreign Affairs, and was ranking Republican member of the committee when he left the Congress. He also served on the Veterans' Affairs Committee and continued his interest in veterans activities even after he left Congress.

Even though he was defeated in 1970 after a close election and redistricting, Ross continued to serve our country as Ambassador to Ethiopia from 1971 until 1974. Upon resigning as Ambassador, he returned to Fort Wayne where he practiced law.

I was fortunate to count Ross Adair as a good friend and mentor. He was always available to provide valuable counsel when I first came to the House of Representatives as Fourth District Congressman in 1977.

He was helpful to me in serving the people of the Fourth District because he had long demonstrated his concerns and expertise in working for what was good for Indiana and our Nation.

I shall always remember the friendly visits we had about the work of the Congress in Indiana and in Washington whenever he would stop by.

Marilyn and I join with our colleagues from Indiana, as well as those colleagues in both bodies, who had the honor and pleasure to know Ross Adair. He has left a lasting and distinguished mark of service to Indiana and to America. Our heartfelt sympathy goes out to his beloved and talented wife, Marian, and to his son, Steve, and daughter, Caroline.

Daniel Webster stated: "Whatever makes men good Christians, makes them good citizens."

Ross Adair was such a man—a good Christian and a good citizen.●

NEW YORK'S CONVERSION TO GAAP

● Mr. D'AMATO. Mr. President, I would like to draw your attention to a major effort in New York State to impose fiscal discipline on the State's budgetary process. New York State has converted its accounting techniques to conform with generally accepted accounting principles (GAAP). The use of GAAP is the unquestioned norm in the private sector, but is often shunned by State and local government. The use of GAAP brings a sense of order to the State's financial operations. More importantly, the public is presented with a more accurate portrayal of how its tax dollars are spent. Of course, efforts such as this would improve efficiency in government operations, lead to the highest bond ratings available, and thus reduce the burden on the taxpayer.

The conversion to GAAP in New York State was accomplished through the dedication and hard work of my close personal friend, Mr. Edward V. Regan, comptroller of the State of New York. His efforts have greatly improved the State's budgeting process. It is my hope that State and local government around the Nation will emulate New York State's action.

Mr. President, I ask that a speech by Mr. Regan before the National Association of Comptrollers on New York's conversion to GAAP be included in the RECORD.

The speech follows:

REMARKS BY HON. EDWARD V. REGAN

I've been asked to speak this morning on New York State's conversion to Generally Accepted Accounting Principles.

I have no quarrel with that Assignment, for a large part of my life during the past four years has been dedicated to precisely that conversion. But the time, and the effort involved, have been worth it. For with GAAP we have given our state a modern basis for accurate, comprehensive and progressive management of its fiscal affairs.

Well, you might ask, if GAAP is that good, why doesn't everybody use it? Or, closer to home, why did it take New York so long to convert to GAAP?

My one-line answer to the first question is that outside of government, just about every organization does use GAAP. It will take me longer to explain why New York State didn't adopt it earlier, but I'll begin with another terse answer:

New York was late coming to GAAP because most of the politicians in New York didn't want GAAP. Permit me to explain why:

New York State has led the nation in many respects. It has long been—among other things—the communications, financial, publishing and theatrical capital of the country.

New York politicians also led America in several forms of creative accounting—some of them still practice in governments around the country.

One of them is the rollover. For decades, the Governors and legislators of New York routinely slipped the fiscal year's expenses into the new fiscal year's budget. Aid to local school districts was the principal object of the rollover technique.

For with education aid, the State could award the schools their assistance in the current fiscal year ending on March 31. But the cost would not be recorded until the following year.

What that meant to our politicans was that in election years, they could vote for generous increases in public school funding, thus gathering the support of teachers unions and other education groups for the fall elections. But the tax consequences of the politicans' generosity could be ignored until almost a year later—when a new budget had to finance the augmented school aid through higher taxes, or at the expense of other State activities.

Higher taxes followed the increased aid, but short memories of the voters allowed the process to be repeated year after year. As a result, New York State will float 4 billion dollars in short-term notes this spring. By far the largest portion of the borrowed money is designated for education aid that has been rolled over from one fiscal year to the next.

Another handy device for State officials was the ability to juggle New York State Income Tax refunds. Since our fiscal year ends and begins in the same period that the State income tax returns are due, it provides a shining opportunity for politicians to play games with the refund checks.

For if we want to reduce a potential year-end surplus, we can pay the refunds to the fullest extent possible before our fiscal year ends on March 31st. But if we want to reduce a potential deficit, we can delay the bulk of the refunds until after March, when a new fiscal year is in effect.

For example, New York State has paid out as little as $4 million or as much as $516 million in refunds before April 1. That is a $512 million spread—and a forceful indication of how much a given year's financial statements can be altered by manipulating the income tax refunds.

By converting to GAAP, we have not been able to eliminate all of the fiscal gimmicks that have been practiced in New York State for so long. But we have been able to minimize them—or at least make it more difficult for them to escape public attention.

For as we record revenues as earned and liabilities as they are incurred, we impose a healthy realism on state finances. We spotlight rollovers. And we call attention to revenue maneuvers involving tax refund payments.

Before getting into a fuller description of the benefits that GAAP has brought to our financial system, I want to take a few minutes to tell you how we came to convert to GAAP in the first place:

The conversion was set in motion by my distinguished predecessor as New York State Comptroller, the late Arthur Levitt. Mister Levitt had endosed the adoption of GAAP for several years, and when I succeeded him in 1979, I continued that support.

We began by issuing GAAP prototype financial statements, and in fact presented the '81 fiscal year financial statements on an official GAAP basis. Working with our staff, members of the legislature pushed through a "GAAP bill" that actually was a major financial reform bill. It was designed to modernize the system of budgeting, accounting and financial reporting that had been in effect in our state for a half-century.

Certainly, by way of background, the time for fiscal reform was long overdue;

The operating budget in New York State was $10 billion in 1971 and has grown to some $18 billion for fiscal 1984.

The number of state-funded programs has grown in the same time period from about 250 to more than 1,000.

The processing demands in the State Comptroller's Office grew from 1.6 million vendor vouchers and 2.4 million checks in 1971 to 2.5 million vendor vouchers and 3 million checks 10 years later.

Clearly, the time was right for the State to modernize its financial accounting and reporting systems from a system resembling a household checkbook—filled with six and 10 digit entries—to a system that had been tried and proved in all of the largest businesses in American and many of the smaller ones.

We knew the need. So did the financial community. In 1980, Standard and Poor's announced they expected all financial statements presented to S and P for a bond sale rating request to be prepared in accordance with Generally Accepted Accounting Principles.

S and P said the lack of GAAP financial reporting would be noted in its review, and could lead to a downgrading of the State's credit rating.

In addition to bringing fiscal discipline to our financial structure, we sought several other advances from GAAP. Among them were the production of general purpose financial statements . . . more timely and accurate interim reports . . . management reports on both organizational and programmatic lines.

Here's how we pursued those objectives.

The first thing we did was to select the consultant we thought could do the best job. We told the consultants we interviewed that we wanted the conversion to be completed within 15 months. Some consultants said that deadline was impossible. Others simply dropped out of the running. We eventually selected Arthur Andersen and Company for the job.

I hope you won't repeat this to anyone connected with Arthur Andersen, but we knew the 15 months deadline was unrealistic. But we bet the job could be accomplished within that time frame, and we won. GAAP went into effect in New York State Government on April 1, 1982.

To meet that deadline, however, we spend more than 25 thousand works days of efforts. We had 150 people working on the project, about 90 of them from Arthur Andersen, and the remainder from my own staff.

At the peak of our efforts, we were working two 12-hour shifts, five and six days a week. The consultants said they were used to this, but our own people got so involved in the conversion that they worked just as long as the consultants.

We also devoted more than 1,500 work days to training some 8,300 users of the system—all the way from the Governor and his cabinet to data entry operators and account clerks. We issued about 4,000 pages of new procedures.

It was not all smooth sailing in converting to GAAP. So I want to summarize some of the difficulties we encountered:

One: The entity question gave us the most trouble. A major barrier to quick and easy decision-making on this question was the scope and complexity of New York State government. We have as many as 47 public authorities, for example, each with its own funding and programs. Our eventual decision was to include almost all of the authorities in the State's financial statements. In other respects, however, the entity issue presents continuing questions of definitions.

Two: It took some time to develop a rule governing the handling of revenues that are due the State, but are either wholly or in part uncollectible. Should they be accrued, or not? On what basis? We eventually decided to accrue them if they are—and I quote—"measurable and available."

Three: A major problem in accruing liabilities is presented by the huge Medicaid program. As you know, Medicaid accounting involves not only a patient, but often a physician, a pharmacist, a clinic and possibly a hospital. All of the bills for a patient may not even be submitted until well after the audit period. How do we establish that liability? To which reporting period do we attribute it? At what point do we separate one reporting period from another? And is one policy suitable for all of the millions of vouchers processed under Medicaid each year?

Four: Fixed Asset Accounting. It's a monumental job, but it's one we're working on. Obviously, the larger the State, the more complex the job. If you have found any method of accomplishing this task efficiently and economically, I'd certainly like to hear about it in the discussion period.

Five: It costs plenty.

As most of you have already discovered, GAAP may save you State money on a permanent basis, but getting GAAP in place does not come cheap.

We estimate that in the 15 months of conversion, the cost of installing GAAP in our State was about $10 million. That includes both new computer technology, and the payment of the consultant's contract.

Even at that cost, we consider it a bargain.

During the panel discussion that follows, Kevin O'Donoghue of my office and Mel Bergstein of Arthur Andersen will describe our experiences in this and other areas in greater detail.

Having reviewed the problems with GAAP, I now want to discuss the benefits. As I just indicated, one of the principal benefits we will derive from GAAP is that it can save money and in our case that involves the credit ratings on our notes and bonds.

As many of you know, our bonds were downgraded by Standard and Poors last December. That took place despite GAAP, for it was almost exclusively based on the difficulty the Executive and Legislative branches of our government were having in agreeing to a budget. Rating services don't like to have unbalanced budgets hanging fire after a new fiscal year begins, and I don't much blame them.

But with GAAP firmly in place, I believe we have the kind of accounting and reporting system that will give an entirely accurate and candid portrayal of the State's financial condition, and thus present our best case for a high credit rating.

The importance of a single notch in a credit rating is not to be underestimated in a large State. As I mentioned, this Spring I will sell about $4 billion in short term securities.

Let's say that discipline derived from a GAAP based FMS eventually will improve our credit standing so that we can sell those notes at an interest rate of 5.5 percent rather than 5.8 percent. The savings in the interest New York State would have to pay would be about 10 million. That is enough to pay the entire cost of switching to GAAP.

We are also pleased with our GAAP conversion for several other reasons, among them:

1. GAAP gives us an Accounting and Financial Reporting System that can provide timely and accurate information, not only to officials of State Government, but to the financial community and taxpayers throughout the State.

With GAAP, we can generate truly meaningful annual financial reports within a few months after the close of our fiscal year. We have better asset and liability controls. We can produce periodic financial reports and fund management statements without major upheavals in our routines.

2. GAAP is sufficiently flexible to accommodate new and changing requirements as government becomes more sophisticated. To keep all involved personnel up to date, we have printed an accounting manual that describes such matters as accrual policies, and closing procedures. It is updated regularly.

3. When GAAP went into force on April 1st, we established an executive and legislative budgetary reporting system, capable of providing timely and accurate revenue and expenditure information when it is most needed.

4. As part of the GAAP conversion, we are implementing an in-depth management information system that by mid-summer can report on projects cutting across agency and department lines. For the system to give us a better analysis of program results, cooperation from the agencies is of course essential. Our terminal network has increased our capacity by 60 percent, and now enables us to procees both vendor claims and payments through an automated system.

5. One of the first beneficiaries of GAAP—perhaps you had the same experience in your own states—has been our own office. The GAAP experience has enabled the Comptroller's Office to improve its systems processing capabilities, as well as accounting procedures and policies.

We are getting information faster, and we now have far better access to other agencies whose financial results effect our records and statements. We have improved our own internal accounting skills.

Finally, we are preparing our audit staff for a major role in the independent audit of State Government scheduled to get underway in our next fiscal year.

Although many States have converted to GAAP, few have subjected themselves to an independent audit. We're doing it for the first time in New York Stste, and I'm anxious to see both how it operates, and what the results will be. The assistance that GAAP reporting can give this audit is not to be underestimated. If I had the time, I would describe more fully what the audit will cover, who is doing it, and what it will cost.

But now it's time for me to wrap up my report.

In summary, let me say that our experience has been that converting to GAAP is difficult. It will take a long time to implement it unless you set firm deadlines at the start.

We found that we needed to train personnel on an ongoing basis to handle GAAP. We needed to integrate our system with other departments and agencies of the State. And finally, we had to overcome fears and sometimes resentments of the new system to obtain the cooperation needed for a successful transition.

For us, adopting GAAP has been a key step in restoring the chain of responsibility between spending and taxing. For GAAP can require that any new spending program announcement carry with it a full recording of the tax consequences—in other words, a statement of where the money is going to come from.

GAAP further provides the public, the press, and other monitors of government activity with the facts they need to judge the merits of what their government is doing. By shedding the light of modern accounting on the activities of government, I think we are preventing a substantial amount of unwise and unnecessary gevernment spending.

My final word is that once we made the conversion to GAAP, we've never considered going back. Our experience has been that comparing GAAP to cash basis accounting is like comparing a modern word processor to a manual typewriter.

Once you get the hang of it, you'll forget all about the old way.

Thank you.●

ROY ROGERS AND THE SPECIAL OLYMPICS

● Mr. WILSON. Mr. President, today I wish to enter into the record an all-too-brief recognition of a very special American, Mr. Roy Rogers.

Just as the space age E. T. captured the imagination of moviegoers and Americans of all ages this year, so did a down-to-earth and equally lovable Roy Rogers some 45 years ago and he, along with his wonderful leading lady, Dale Evans, have continued to do so year after year, in the movies, on records, on stage, on any number of forms of entertainment.

Unlike so many of our modern day fad heros, who come and go on center-stage like fast-moving comets, Roy Rogers has had the staying power that is maintained because of the love his audiences hold for him.

His secret, Mr. President?

The answer is rather simple, really. Because Roy Rogers has not been a taker, Roy Rogers has been a giver.

Let me recite just a few of the remarkable accomplishments of this giving, loving man who truly is not just a screen hero but a hero in real life.

With Dale, he has been honored by the Freedoms Foundation of Valley Forge for humanitarian contributions to America and received an honorary doctor of humanics from Bethany College in West Virginia.

In 1980, the Rogers' were named co-chairmen of the National Committee for Prevention of Child Abuse. They received the Humanitarian Award from the National Film Society, the USO Liberty Bell Award, the Kiwanis Decency Award, the National Amvets

Auxiliary Award for their many appearances for American veterans of foreign wars.

The Rogers family is well known for their adoption of orphans and for more than 6,000 charitable appearances. They are the only show business couple to receive a national citation from the American Legion.

In my own home State, Roy and Dale have served as grand marshals for the world famous Rose Parade. And just 2 years ago they came to the Nation's Capital, right here along these hallowed Halls, to serve as grand marshals for the National Cherry Blossom Festival Parade.

I could go on, too long, for this august body to tell you about the multitude of accomplishments of this singing cowboy who has found a lasting, grateful spot in the hearts of grateful Americans.

I will just leave you with this final citation, Mr. President, because it tells you and my colleagues and this country about yet another happy trail Roy Rogers has embarked on for America and some very special American kids.

Roy will be in Washington on Monday and Tuesday (9-10) on behalf of the Special Olympics chapters of the District of Columbia, Maryland, and Virginia. He will be participating in a very unique project, a partnership between an enlightened business and a wonderful charity. It is called "Special Sundaes for Special Kids." All of the restaurants that today carry the Roy Rogers name will for the entire month of May be raising funds through the donation of a portion of ice cream sundae sales for the Special Olympics.

The Special Olympics are very special. It provides a year-round sports program for the physically or mentally handicapped child. It helps finance an international summer games for Special Olympics in Baton Rouge, La., during July.

These are extraordinary children. These are extraordinary games. This is an extraordinary promotion being put together by an extraordinary human being.

Roy and Dale are very special people, very special Americans. I applaud their commitments, dedication, and their willingness and ability to share their bounty with those less fortunate.

The Roy Rogers message is an important message to all Americans, one we can learn from, one we must emulate, one we can hold up as a shining example of what we all could give and contribute.

I urge our support for Roy and Dale and the very beautiful cause for which they fight.●

PROPOSAL TO INCORPORATE THE SMALL BUSINESS COMMITTEE INTO THE BANKING, HOUSING AND URBAN AFFAIRS COMMITTEE

● Mr. D'AMATO. Mr. President, during this week in which we pay a well justified tribute to the contribution of small business, I am distressed that a recent study has recommended that the Committee on Small Business be dissolved.

As you know, the study on Senate procedure by former Senators James B. Pearson and Abraham A. Ribicoff has been submitted to the Committee on Rules and Administration. I commend these gentlemen on the fine recommendations they made to better the Senate in the areas of agenda, debate, and the budget process. I do take issue, however, with their proposal to disband the Committee on Small Business and incorporate it into the Committee on Banking, Housing and Urban Affairs.

Big businesses, which constitute only a small percentage of total U.S. business establishments, get the press, the representation and the legislation they need to operate successfully. Small businesses are not as fortunate. They are overlooked, underrepresented, and underrated. Small businesses look to the Small Business Committee to champion their causes in Congress. If this committee were to be dissolved, millions of businessmen would be cheated of the representation to which they were entitled.

Numerous statistics show that small businesses are the commercial backbone of this country. Over 99 percent of all businesses employ fewer than 500 people; almost 85 percent fewer than 20 people. Small firms generate innovation at a rate 2½ times faster per employee than large corporations. More than half of the private work force is involved with small business.

Since its elevation from a select committee at the start of the 97th Congress, the Senate standing Committee on Small Business has been an effective voice for the small business community under the able leadership of my distinguished colleague from Connecticut, LOWELL WEICKER. During the 97th Congress, the Committee initiated and guided to eventual enactment several pieces of legislation important to small business. The Delinquency Payments Act, the Small Business Innovation Development Act, and an amendment to the Small Business Patent Procedure Acts exemplify these achievements; each represented major gains for small business.

The problems of small businesses, however, are greater now than ever before. The recession has had a devastating effect on them. The responsibility of the Small Business Committee is to prove the leadership necessary to find solutions to the economic difficulties of the Nation's small businesses. This is essential if these businesses are going to help lead our country out of the recession.

Another important duty of this committee is its oversight of the Small Business Administration (SBA). The Small Business Committee must watch the SBA to determine if they are sufficiently representing the view of the small businessman, if they are enforcing legislation properly, and if they are using the taxpayer's money efficiently and expeditiously.

If the Committee on Small Business were to be incorporated into the Committee in Banking, Housing and Urban Affairs, an effective advocate of small business would be silenced. Senators Pearson and Ribicoff have made excellent suggestions to improve the legislative capacity of the Senate, but I strongly believe they were misguided in recommending the end of the Small Business Committee.

I urge my colleagues not to forget that during the last Congress we made the Small Business Committee a standing committee; I urge my colleagues not to forget the multitudes of small businesses in their own States; and I urge my colleagues not to forget the needs of the small businessman.●

CUTBACK IN APPAREL IMPORT QUOTAS

● Mr. SASSER. Mr. President, I am today joining in sponsoring Senate Resolution 122, which calls for a cutback in import quotas for apparel.

For anyone who is and has been concerned about the quantity and quality of the products Americans wear, the reasons for Senate Resolution 122 are obvious.

The American economy, in a state of siege for the past several years, has made the American apparel manufacturer and worker especially vulnerable to imports.

Jobs have been lost. Imports have increased. And the conforting assurances that the product you are buying is authentic—and American—is becoming less and less apparent.

Specifically, consider the following.

Employment in the American apparel industry stood at 1.6 million 25 years ago. Today it stands at 950,000, a 40-percent drop.

Unemployment in the industry currently runs at 12 percent, well above the nationwide unemployment rate of 10.2 percent.

Last week, the American Textile Manufacturers Association released some more astounding figures. Based on the data for the first quarter of 1983, apparel imports could be 1 billion square yards above the level for 1982, an 18-percent increase.

In my home State of Tennessee, graphic evidence of the impact of bal-

looning apparel imports came in the form of a plea to me from the makers of Weather Tamer jackets.

Weather Tamer is the only child's jacket manufacturer left in the United States and it employs some 700 people in Columbia and Lewisburg, Tenn.

"Unless imports are cut back to some degree," the president of Weather Tamer tells me, "there will be another 700 people in Tennessee without jobs."

It is unfortunate that the apparel industry in Tennessee and across the Nation is suffering in such fashion at the very time the spirit of buy American is strong in American public opinion.

According to the American Textile Manufacturers Institute, a 1981 survey showed that two-thirds of those interviewed would rather buy U.S.-made apparel than apparel made overseas, and over 70 percent rated U.S.-made apparel either equal to or superior to foreign-made goods.

Senate Resolution 122 calls for sensible levels of apparel imports, levels that will give the industry in America some much-needed breathing room, levels that will allow our industry to improve its standing during any economic recovery that might take place in the next several years, and one that will allow the American people to do what most of them really want to do when it comes to apparel—buy American.

The letter and article is as follows:

WEATHER TAMER, INC.,
Chicago Ill., April 25, 1983.

Hon. JIM SASSER,
U.S. Senate, Washington, D.C.

DEAR SENATOR SASSER: The attached copy of an article which appeared in Women's Wear Daily on April 5th is self-explanatory.

We have factories in Columbia, Tennessee and Lewisburg, Tennessee, employing approximately 700 people. We are the only children's jacket manufacturer left in the United States, and the future of our existence is highly questionable. Unless imports are cut back to some degree, there will be another 700 people in Tennessee without jobs.

I want to call your attention to a bill, SR 122, being introduced in the Senate by Senator Moynihan, asking for a cut-back in import quotas. It is important to the American way of life and the protection of American jobs that we do something about this run-away import situation. I am not asking for high tariffs nor am I asking to eliminate imports; however, there must be some moderation, and I am asking you to support and help this bill pass the Senate.

Thanking you for your consideration, I am

Very truly yours,

AVERS WEXLER,
President.

[From Women's Wear Daily, Tuesday, Apr. 5, 1983]

TEXTILE-APPAREL TRADE ERODES 36.5 PERCENT IN FEBRUARY TO $651.9 MILLION DEFICIT

WASHINGTON (FNS)—The nation's trade balance in textiles and apparel deteriorated sharply in February, registering a deficit of $651,900,000, 36.5 percent larger than in the same month last year, the American Textile Manufacturers Institute reported Monday.

Sparked by substantial increases in imports and export declines, the setback hit both industries with major impact. In apparel, last February's deficit of $506,600,000 jumped 18.2 percent to $598,900,000; in the textile area, a modest $29,100,000 surplus was turned into a deficit of $53 million.

Basing its estimates on preliminary government data, ATMI calculated that the textile-apparel trade deficit in the first two months of this year leaped 31.5 percent over January to February 1982, from $1,073,200,000 to $1,410,900,000.

During the two-month period, the red-ink balance in apparel items climbed 23.6 percent, from $1,056,600,000 to $1,306,300,000 while the deficit for textiles skyrocketed 530.1 percent, from $16,600,000 to $104,600,000.

A statistical breakdown between imports and exports during February echoed a trend that dominated the trade scene through most of last year.

During the month, imports of apparel rose 12 percent from February 1982, from $592,400,000 to $663,700,000. Imports of textile mill products were up 7.3 percent, from $214,700,000 to $230,400,000.

By contrast, exports of apparel in February plunged 24.5 percent compared with February last year, from $85,800,000 to $64,800,000. Exports in the textile segment fell an even steeper 27.2 percent, from $2,43,800,000 to $177,400,000.

Cumulatively, apparel imports in January to February amounted to $1,432,200,000, up 18 percent from the same 1982 period. Imports of textiles rose marginally, from $480,600,000 to $483,000,000. In the export market, both industry segments were casualties: Textile exports in the two-month period declined 18.5 percent to $378,400,000; apparel exports in the same period were off 19.9 percent, to $125,900,000.●

END MANDATORY RETIREMENT

● Mr. D'AMATO. Mr. President, I am very pleased today to join as a cosponsor of S. 832, a bill which would put an end to mandatory retirement in this Nation.

The Age Discrimination in Employment Act, enacted in 1967, prohibits discrimination in employment because of age in such matters as hiring, job retention, compensation, and other terms and conditions of employment. Originally, this act protected workers aged 40 to 65. In 1978, the ADEA was amended to eliminate mandatory retirement for nearly all Federal workers and to increase to 70 the age at which non-Federal workers could be forcibly retired. Mr. President, it is high time that the Congress do the responsible thing and remove the upper age limit of 70.

There are many reasons to put an end to mandatory retirement. Presently there are 1.2 million Americans over the age of 70 in our work force. These individuals are productive citizens who contribute greatly to our society. It simply makes no sense to force these people to retire if they desire to keep on working.

Increasing the labor force participation rates of older Americans would have a beneficial effect on the economy, social security and Government revenues. The demographics of this Nation are such that in the not too distant future this Nation will need these older citizens in the labor force. Moreover, figures from the Social Security Administration reveal that the savings to the social security trust fund from prohibiting mandatory retirement will be $700 million in the year 2000 and $4 billion in the year 2020.

This bill therefore provides a simple manner of reducing the strain on this vital trust fund from which social security benefits are paid.

Mr. President, the benefits will be great to those workers over 70 who, after passage of this measure, will be given the opportunity to continue working. Many of these citizens have financial obligations and are not able to retire on a fixed income. Many simply feel a sense of accomplishment and an improved sense of well-being, both mental and physical, from putting in a day's work. Whatever the reason, they certainly should not be deprived of the choice to work.

Public opinion in this country clearly is behind the move to end mandatory retirement. A recent Harris poll found that by a 9-to-1 margin, Americans feel that "nobody should be forced to retire because of age." Similarly, 9 out 10 employers believe that older workers perform as well on the job as younger workers.

Some have expressed a concern that this measure would negatively impact the youth, minorities, and women in the work force. A recent Department of Labor study found abolishing mandatory retirement would have no measurable adverse impact on women, minority, or youths with respect to the issue of youth employment, the fact is that older workers do not compete for the same jobs as younger workers.

Mr. President, the month of May has historically been proclaimed "Older Americans Month." Just 2 days ago the Senate passed a resolution, Senate Joint Resolution 83, which proclaimed the second week in May as "Senior Center Week" which would recognize the hard work which the over 8,000 senior citizen centers do thoughout the Nation. As the Congress recognizes this month, I urge it to pass S. 832 and put a total end to discrimination based on age.

The passage of this bill will send an important message to the American public which is that an individual is to be judged on ability, not age. In closing, Mr. President, I might only mention that some of our greatest Americans made important contributions to society when they were over age 70. At age 81, Benjamin Franklin forged the

compromise which led to the adoption of the U.S. Constitution. At age 80, George Burns won his first Academy Award. I urge the Senate to expeditiously act on this important measure.●

CHILE AND THE IMF

● Mr. HUMPHREY. Mr. President, today's edition of the New York Times reports that the Government of Chile is unable to meet the repayment conditions of its most recent loan from the International Monetary Fund, and that more lending from private sources will be sought in an attempt to overcome this hurdle.

Mr. President, this isolated episode is a reflection of the broader problems facing less developed nations as they attempt to manage their excessive external indebtedness and of the helpless position in which the IMF can find itself when its widely touted "austerity programs" do not achieve their objectives. Despite the extension of $858 million in IMF assistance this year—$318 million of which was approved without conditions—Chile will still need to ask private bankers to reschedule payments on outstanding borrowings and to extend new credit.

This is precisely the mechanism through which the IMF perpetuates the myth that these bad loans will some day become good ones, and that the only way to deal with the skyrocketing debt of troubled borrowers is to lend them still more money. I reject both of these claims, Mr. President, and I sincerely hope that the majority of my colleagues will do the same when we are asked to approve an additional $8.4 billion contribution to the IMF.

Throwing good money after bad, which the Third World and the IMF are pressuring the banks to do in ever-increasing proportions, will serve only to worsen an already staggering debt burden and to restrict the availability of funds to creditworthy borrowers, who could productively employ this credit in furtherance of the economic recovery which must lie at the heart of a true solution to the Third World debt burden.

I ask that the article appear in the RECORD.

I.M.F. EASING CHILE LOAN

WASHINGTON, May 8.—Chile, suffering from a deep recession, has failed to meet terms of a loan set by the International Monetary Fund in January and easier terms are being arranged, according to financial sources.

Chile's problems in meeting the I.M.F. terms are causing concern among private bankers who have been asked to extend further credit to the debt-laden Latin American country.

Chile's foreign debt, which resulted mainly from its heavily indebted private sector is estimated at $18 billion to $22 billion.

The I.M.F. loaned Chile about $540 million in January on easier terms than banks would give, but imposed several conditions. Those conditions included that Chile hold down loans within the country, increase its reserves and cut its budget deficit.

The fund loaned Chile another $318 million without conditions.

Financial sources, who asked not be be quoted by name, said Chile failed to meet the targets set by the I.M.F. for March 31. Under those circumstances, the funds normally would not pay out the next installment of its loan, due to be disbursed this month. Spokesmen for the I.M.F. refused to say whether the May installment would be paid or not. Sources said the question was not yet decided.

Chile, after negotiations with its bank advisory committee, has decided to ask private bankers for $1.3 billion in new loans and a stretchout of $2.1 billion in principal payments due this year and next.●

MILITARY AVOIDANCE

● Mr. GOLDWATER. Mr. President, the May 1983 issue of the Aircraft Owners and Pilots Association magazine, AOPA Pilot, contained an article concerning flight safety which I consider important enough to ask that it be inserted in the RECORD in its entirety following my remarks.

The article to which I refer, "Military Avoidance," by Mr. J. Jefferson Miller, described the substantial growth of air traffic in the United States as well as the potential involvment with all general aviation aircraft with military aircraft. As some of you know, we have struggled in the last few months with the prospect of a new airport at Apache Junction, Ariz., located in close proximity to the traffic pattern for Williams Air Force Base, Ariz. The Arizona airspace, particularly in the Phoenix vicinity, has become heavily saturated with air traffic of all types.

Commerical air carriers to Phoenix have increased in proportion to the population increase in the Phoneix metropolitan area. In addition, the general aviation community in Arizona has continued to expand for a variety of reasons. I would be remiss if I did not mention that one of the principal reasons is our very excellent flying weather. Unfortunately, this has its drawbacks.

Williams Air Force Base, located near Chandler, Ariz., is one of the Air Force's premium training locations. Not only do they enjoy excellent flying weather through the year, but they have also achieved, over the years, a substantial capacity for numbers of pilots that can be trained.

Air traffic congestion will be a problem in other areas of the country as well and, for that very reason, I commend to the reading of my colleagues the article which follows my remarks.

In an attempt to alleviate some of the air traffic congestion, the military services, in conjunction with the Federal Aviation Administration, have developed a variety of military areas which are designed to separate air traffic congestion. This article clearly describes these areas and the potential uses of the areas. It is important, particularly to the general aviation community, that these various military training areas and routes not only be understood but, and more importantly, be known by location.

The days when general aviation aircraft could navigate by simply following a road map designed for the automobile owner are, if not gone, few and far between. Throughout most of the populated areas of this Nation, air traffic is intense. It is my forecast that general and commercial aviation will continue to grow. Although military traffic may not increase, I do not expect it to diminish in the next decade. All of us must work together if we are to achieve reasonable safety goals with regard to air traffic all over this country. Again, I suggest that my colleagues read the article, "Military Avoidance" and I would further suggest that you distribute this article to aviation interests in your States. Mr. President, I ask that the article, "Military Avoidance" from the May 1983 issue of AOPA Pilot magazine be printed in the RECORD.

The article follows:

[From the AOPA Pilot, May 1983]

MILITARY AVOIDANCE

(By J. Jefferson Miller)

The Beechcraft Baron pilot had strayed off Amber Route 3, an overwater route from the Bahamas to Norfolk, Virginia, and may have been concerned about the heavy rainshowers through which he was flying. But one thing he probably was not worried about way out over the ocean was a midair collision.

He should have been. The Baron had shown up on North American Air Defense Command (Norad) radar screens as an unknown target. Two McDonnell Douglas F4Cs were scrambled to identify it. Before they reached the target, the Baron pilot contacted Washington Center and identified himself. The fighters continued to close, however, until the lead airplane collided with the Baron, sending it into the sea with the loss of all aboard. The F4 returned safely to Seymour Johnson Air Force Base in North Carolina with a damaged left wing. According to a preliminary report by the National Transportation Safety Board, the fighters were instructed to break off the intercept "at about the moment of the midair."

"The Baron pilot's big mistake," said an official from the Federal Aviation Administration's Southern Region, "was that he didn't activate his flight plan with Nassau radio. If he had, ATC would have known he was coming and there would have been no intercept."

For the past 12 years, such collisions have occurred at the rate of about one a year, accounting for about three percent of all midair accidents. The chances of being downed by the military, therefore, are slight. However, the risk increases considerably when pilots unwittingly or negligently fly into areas with substantial high-speed

military traffic, or, as in the case of the Baron pilot, one does not carefully adhere to procedures for entering an air defense identificaiton zone (ADIZ).

About two percent of the airspace above the continental United States is designated "special-use airspace," not all of which has been assigned to the military. (Special-use airspace is defined by the FAA as airspace wherein certain activities must be confined, or wherein aircraft not participating in the activities are subject to certain restrictions.) Additionally, much of the airspace over coastal waters is devoted to military training. Military traffic, however, does not confine itself entirely to these areas. Aircraft ranging from T-37 jet trainers to B-52 bombers practice navigation and low-level flying along military training routes (MTRs), which crisscross the country. In some of these areas and along the MTRs, military aircraft are permitted to exceed the 250-knot speed restriction they otherwise must obey below 10,000 feet. The speed restriction is waived for certain aircraft, such as an F-106 heavily laden with fuel and ordinance, because they do not handle well at speeds below 250 knots.

Special-use airspace can bedevil the general aviation pilot when a big chunk of it lies across his route of flight. But not all such areas should be considered impenetrable barriers to navigation. The following list defines the types of special-use airspace and the rules to fly by when considering a flight through one.

Restricted areas: These contain hazardous activity, such as artillery firing, aerial gunnery and guided missiles. Flight in a restricted area is not permitted without the permission of the using or controlling agency. Many restricted areas are joint-use airspace, meaning that civil aircraft are permitted into an area when it is not "hot" (in use by the military). To find out the status of a restricted area, call or radio a flight service station within 100 miles of the area. Also, air traffic control will know the status of a restricted area. If an IFR flight plan sends you on a dogleg around a restricted area, you may be able to cut the corner if the area is cold. Temporary restricted areas established for large-scale military exercises lasting no longer than two weeks may not be shown on a chart, but will be published in notices to airmen. Hours of use for restricted areas are listed in a table on sectional charts.

Military operations areas: MOAs are used by the military for training activities that include primary jet training, aerial combat maneuvering (dogfighting) and airdrops. The military long has used certain sections of the country's airspace for training purposes, but it was not until 1974 that the FAA started to depict MOAs on aeronautical charts in an effort to apprise pilots of the potential danger of flying in these areas.

MOAs used by the Air Force's Air Training Command (mainly found in Texas and the Southwest) may be divided into 20 different practice areas, and at certain times each of these divisions may be in use by an aircraft. Desert MOA, north of Nellis Air Force Base in Nevada, is used for large-scale air combat exercises that resemble a busy day during World War III.

Some southwestern cities, such as Phoenix, appear on sectional charts to be almost entirely surrounded by MOAs. However, many airways are outside the boundaries of the MOAs. Airways that run through MOAs must be available for IFR traffic more than half the time. Also, most MOAs do not extend all the way to the ground and are not in use all of the time. In the Phoenix area, the Williams 4 MOA extends from 14,000 feet up to but not including 18,000 feet, and the Sells 1 MOA extends from 10,000 feet up to but not including 18,000 feet. This information does not always appear inside the MOA on the sectional, but can be found in a table along the top of the chart.

The military provides nearby flight service stations with information on any planned activity in a MOA 24 hours in advance. Air traffic control also can provide information to VFR traffic on the status of a MOA and will authorize an IFR flight to pass through if it can guarantee traffic separation. An aircraft flying on an IFR flight plan to an airport with an instrument approach inside a MOA will be permitted into the area. However, there may be a delay while ATC clears the airspace of conflicting traffic.

Prohibited areas: These areas are not necessarily designated for military use. According to the Airman's Information Manual, they are established for "security or other reasons associated with the national welfare." Prohibited areas include the airspace over the White House, Camp David, the Reagan ranch in California, Jimmy Carter's home in Plains, Georgia, and a nuclear warhead assembly plant located in Amarillo, Texas. Aircraft are not permitted in prohibited areas at any time.

Alert areas: Some alert areas are used by the military for pilot training conducted at speeds less than 250 knots. Other alert areas, particularly in Florida, are used by various aeronautical institutes for training. Still others are used by aircraft manufacturers for test flying. Alert area 381 stretching along the Gulf of Mexico from Houston to New Orleans was established to alert pilots to the large amount of helicopter traffic flying between offshore oil rigs and the coast. Flight service stations do not receive reports about activities in alert areas, and since all pilot training in alert areas is conducted under visual flight rules, neither does air traffic control. There are no restrictions to flight in alert areas.

Warning areas: The same sorts of activities that occur in restricted areas take place in warning areas, which lie exclusively over water beyond the three-mile international limit. There are no restrictions to flight in warning areas because the FAA has no authority in airspace over international waters. However, air traffic control will not allow an IFR flight to fly an airway through a warning area unless the controller can provide separation. Flight service stations are not aware of the activity in warning areas. VFR aircraft should exercise extreme caution when flying into one.

Air Defense Identification Zone: ADIZs are not special-use airspace; they are boundary areas along our borders that are under constant radar surveillance. Originally established to scan the skies for enemy attack, coastal and border radars these days are more concerned with identifying and tracking drug smugglers. The distance at which a target will be picked up depends upon how far coastal and border radars can "see" and the altitude of the incoming aircraft. The first radar contact usually is made within the outer ADIZ line, which extends up to 200 miles off the coast.

Norad computers store flight plans for aircraft expected to cross into ADIZ. If an aircraft enters the ADIZ and is within its "correlation circle," it will be identified as friendly. To be within the correlation circle, an aircraft must be within 20 nautical miles of its expected flight path and five minutes of its expected time enroute. If an aircraft is not in correlation, it is put in a "pending status." When an aircraft is pending, Norad will take two minutes to identify it as friendly, hostile or unknown. Military controllers use a hot line to FAA centers in order to identify pending targets. If the aircraft cannot be identified within two minutes, the order to scramble is given. It takes two to three minutes for fighter pilots to climb into their aircraft, complete their preflight and take off. They can be on top of the unknown target within minutes after that.

The best way to avoid becoming an unknown target is to file a flight plan, open it after takeoff and stay in contact with air traffic control.

Military training routes: MTRs also are not considered by the FAA to be special-use airspace, although some specialized activities take place along them. MTRs are represented on sectional charts by faint gray lines and by light brown lines on the National Oceanic and Atmospheric Administration's IFR charts. Jeppesen IFR charts do not show MRTs. In recent years, the military has placed increasing importance on low-level flying proficiency to enable pilots to avoid detection by enemy radar and destruction by surface-to-air missiles. MTRs are flown mostly below 10,000 feet, with much of the flying being done at about 400 knots as close to the surface as possible, often at just a few hundred feet. There are 500 MTRs in the continental United States. Some are instrument routes (IRs), flown on IFR flight plans, and others are visual routes (VRs).

The greatest concentration of MTRs is in the Southwest between Tucson and Las Vegas—an area referred to by military pilots as the "spaghetti bowl" because of the great tangle of routes on the training charts. Many of the B-52 simulated bombing runs take place at the Strategic Training Range Complex, which encompasses most of Wyoming and great chunks of Idaho and Montana.

MTRs are located over sparsely populated areas all around the country, but often run through airspace that can have substantial general aviation traffic, such as desert areas just a few miles north of Phoenix. For a better idea of the MTRs in the part of the country in which you intend to fly, stop in at a flight service station and ask to see the area's AP/1B (commonly referred to in the military as the "green demon"). It is the chart military pilots use in planning their training flights. The green demon is revised every 56 days, so it contains information on MTRs that is more current than the information on sectional charts. Training routes on the green demon are shown in red (IRs) and blue (VRs) and give the altitude range at which each segment may be flown.

In addition to knowing where one is likely to encounter military traffic, a couple of common sense rules will help general aviation pilots avoid conflicts with military aircraft. First, always refer to a chart before a flight. A sightseeing flight around Martha's Vineyard that begins and ends at the island's main airport may not require a chart for navigation. But in neglecting the chart, one would fail to notice the restricted area just off the western tip of the island. Similarly, one must scrutinize the Phoenix sectional carefully to realize that flight is pro-

hibited between 2,000 feet and 5,500 feet msl east of the Buckeye VOR on Victor 16. Those altitudes are used by military jets on approach to Luke Air Force Base.

Second, one should stay alert for military traffic in terminal airspace. In many parts of the country, military and civil airports are located near each other, and in some cases, military and civil aircraft share the same airport. A high-speed jet fighter can pose more danger to slower moving general aviation aircraft in a busy terminal area than during a low-level run out over the desert. Of the 13 collisions between military and general aviation aircraft since 1970, five occurred just after one of the aircraft involved has taken off or was preparing to land. Four others occurred while one aircraft was climbing to cruise or descending.

Above all, heed a lesson drummed into all fighter pilots: "Keep your head on swivel!"●

U.S. SMALL BUSINESS WEEK

● Mr. D'AMATO. Mr. President, I am proud to support the resolution introduced by the Senator from Connecticut, Mr. WEICKER, declaring the week of May 8 to 14, 1983, as "U.S. Small Business Week" (S. Res. 132). This resolution reminds us of the integral role small business plays in the smooth functioning of the Nation's economy. The Fortune 1,000 companies receive more media attention than the small business sector, but the facts belie this coverage.

Over 99.6 percent of the more than 4.9 million business establishments in the United States employ fewer than 500 people; approximately 84 percent of these businesses hire fewer than 20 workers. In total, more than three out of every four workers are involved in small enterprises. These statistics change little from one business cycle to the next.

My point is that the small business sector is not accorded the central role in the media or the political process that it deserves. In a nutshell, the health of the Nation depends a great deal on the strength of small establishments. However, it is this segment of our economy that has the most difficulty acquiring the needed financial and physical resources to remain viable. As a result, new ideas do not become reality. Conversely a major corporation whose creditworthiness may be deteriorating has a much easier time raising capital because the banks cannot afford a major default. This situation strikes me as tragic.

Despite formidable obstacles, small firms generate innovations at a rate 2½ times faster per employee than large corporations. Once presented with a new idea, the small business can generally market the concept in less than 12 months. Large firms on average require over 1 year to market similar innovations.

With greater inherent efficiency small establishments generally fared better during 1982 than the economy as a whole. This success, in part, resulted from the prevalence of small businesses in industries that were least affected by the economic downturn. For instance, in 1982, large corporations accounted for 90 percent of the employment losses in the mining and manufacturing industries. In general, capital intensive businesses suffered more than service related industries where small firms dominate.

This is not to say that mere proximity to healthy segments of the economy is what protected small business in 1982. Time and again, there existed a direct correlation between business failure and debt structure. The firms that were overladen with debt lost financial flexibility and ultimately perished. In the manufacturing sector, as an example, firms with 1 to 19 employees maintained an average debt to equity ratio of between 36 percent and 65 percent while large firms averaged a 90 percent debt to equity ratio. Almost without exception, on an industry-by-industry basis, large firms maintained more debt than small businesses. Consequently, large companies were forced to reduce employment more frequently because of a lack of financial flexibility.

In short, the efficiency of small business helped absorb the negative impact of the recession on earnings. However, last year was a difficult year for all businesses and small firms shared in the suffering. In 1982, over 99 percent of all bankruptcies filed were by small businesses. In absolute figures, small business bankruptcies increased 38 percent on a year-to-year comparison. High nominal and real interest rates squeezed cash flow and damaged sales. Ultimately as banks absorbed loan losses, new loans for otherwise healthy small firms became more scarce. The cost of trade credit rose to higher levels than nominal sales growth further depleting cash flow. Many small firms could not operate with the pincer of falling sales and higher financing costs. Filing under chapter 11 of the Bankruptcy Code was the end result.

For a small establishment, chapter 11 means destruction not comfortable reorganization. Creditors claim the assets of the small business in default leaving nothing for the proprietors. This is a sad event for the individual or family that has spent a lifetime of hardwork and savings building a small enterprise. The luxury of a lengthy reorganization is rarely an option.

Commemorating U.S. Small Business Week should be more than a symbolic gesture. I have portrayed for you the state of small business as we begin to enter a period of economic recovery. All businesses have suffered during the past recession and small business has shared this burden. My contention is that small enterprises are best prepared to quickly capitalize in an expanding business climate, especially as interest rates continue to move downward. Small firms carry less debt than large businesses, and thus, will be better able to expand capital investment. The Fortune 1,000 companies, though, will continue a lengthy period of debt liquidation. Small firms will more quickly capitalize on new innovations since their overall financial health is stronger.

The small business community is poised to take advantage of the burgeoning recovery. This is the sector of the economy that is most likely to exhibit employment gains in the near term. Of course, since almost 75 percent of the private work force is involved in businesses with fewer than 500 people, it is logical that attention should be paid to improving employment in this sector.

Mr. President, what I am proposing is that U.S. Small Business Week be a kickoff to a concerted Federal Government effort to abet the small business recovery. I will continue to sponsor legislation designed to encourage capital formation in small business. This will primarily be accomplished through tax incentives. I believe that initial Treasury losses will give way to tremendous dividends later because the tax base will be expanded. I implore all my colleagues to support U.S. Small Business Week and the cause of small business in general. In this way, jobs creation will be effectuated and sustained recovery will be in the offing.●

AMERICAN DEFENSE EDUCATION ACT

● Mr. HART. Mr. President, the National Commission on Educational Excellence has issued its report entitled "A Nation at Risk: The Imperative for Educational Reform."

The Commission warned:

> The educational foundations of our society are presently eroded by a rising tide of mediocrity that threatens our very future as a nation and as a people. What was unimaginable a generation ago has begun to occur—others are matching and surpassing our educational attainments.

The members go on to say:

> We have even squandered the gains in student achievement made in the wake of the Sputnik challenge.

This discouraging and troubling report is bad news but not surprising. We have known for years that we have ignored critical education needs. There is no Sputnik to symbolize the challenges we face, but the successes of our competitors demonstrate our national neglect. We live in a nation whose economy is being transformed, a world grown more interdependent every day. This time of challenge demands a national commitment. Investment in education is vital—for our economic security and for our national security.

Unfortunately, this administration's response has been inadequate. This administration has defaulted on its obligation to public education. It is pursuing policies which will rob our children of the future they deserve. It considers education a luxury rather than a necessity. A misuse of public funds rather than a good investment.

The responsibility for our children's education is a shared one that rests on families and our communities. But it also requires strong and positive leadership from the Government.

We must restore funding for education programs which this administration has cut by about 10 percent since 1980. We must strengthen not abolish the Department of Education, the very symbol of our commitment to education. And, we must modernize our education system.

Only a modern education system can prepare our children for the world they will inherit. They must leave school not only literate in the traditional sense—they must be scientifically and technically literate as well. Unless they have these skills, they will not be able to lead productive and rewarding lives in tomorrow's economy.

In February I reintroduced the American Defense Education Act which can help meet this important need. The ADEA provides that local school districts develop and implement programs in elementary and secondary schools to improve instruction and student achievement in mathematics, science, foreign languages, communication skills, and technology.

It also encourages institutions of higher education to coordinate efforts with local school districts for the training and retraining of teachers through workshops, summer institutes and in-service training.

Last, the ADEA authorizes funds through the National Institute of Education to support development of effective teaching and learning techniques in math, science, and these other vital subjects.

Mr. President, the ADEA establishes an incentive program which is necessary to give needed Federal impetus to enable our country to meet the demands placed on our educational system by the technological changes taking place. I ask that the full text of S. 553, the American Defense Education Act be reprinted in the RECORD.

S. 553

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, this Act may be cited as the "American Defense Education Act".

FINDINGS AND PURPOSES

SEC. 2. (a) The Congress finds that—

(1) it is in the national interest that local systems of elementary and secondary education, under local control, be maintained and operated in all of the States which provide a high quality of education and which strive toward excellence in achievement by all students;

(2) even though the States and local communities have, and should retain, control over, and primary responsibility for, elementary and secondary education, the Federal Government has an interest in providing assistance to local educational agencies for programs which are important to our national defense and our national economy; and

(3) in order to increase the productivity of the Nation's economy and ensure an adequate number of high school graduates qualified to serve in the Nation's defense, it is necessary to improve the quality of instruction and levels of achievement in mathematics, the sciences, foreign languages communication skills, and technology, and to improve guidance and counseling.

(b) It is therefore the purpose of this Act—

(1) to authorize a national program of incentives which would assist local educational agencies in improving the quality of instruction in the schools of the United States in the fields of mathematics, the sciences, the communication skills, foreign languages, and technology, and in improving guidance and counseling;

(2) to provide that all local educational agencies be eligible to participate in that program;

(3) to provide that, in carrying out this program, the policies of the United States regarding equality of educational opportunity be reaffirmed and renewed; and

(4) to provide for a sustained program of research in order to develop knowledge and information resources on the improvement of teaching and learning in mathematics, the sciences, foreign languages, and communications.

TITLE I—ELEMENTARY AND SECONDARY EDUCATION PROGRAMS

LOCAL PROGRAMS TO IMPROVE EDUCATION

SEC. 101. (a) Any local educational agency in any State which desires to participate in the national program to improve education shall develop and carry out a program for the improvement of instruction and student achievement. Such program shall include—

(1) an assessment of instruction and student achievement in the school district of such agency; and

(2) specific plans for improving instruction and achievement in mathematics, the sciences, the communication skills, foreign languages, and technology, and for improving guidance and counseling in such schools.

(b) Each local educational agency which develops a local program pursuant to subsection (a) shall—

(1) as part of the assessment carried out pursuant to clause (1) of subsection (a), determine specific educational problems in the school district of such agency and develop a means of addressing those problems through expanded, improved, or new educational methods or practices;

(2) establish local, specific, objectively measurable goals which are to be achieved through the program developed pursuant to subsection (a) and establish or select a local procedure for measuring, at least annually, the extent to which such goals are being achieved;

(3) develop such programs through a procedure which involves the active public participation of the administrators, teachers, parents, business and industry, and representatives from the community as a whole;

(4) provide for inservice training of teachers as a means of improving the quality of instruction; and

(5) make available to the public a written statement which describes—

(A) the assessment carried out pursuant to clause (1) of subsection (a),

(B) the educational problems determined pursuant to clause (1) of this subsection,

(C) the overall program developed and carried out under this section, and

(D) the goals and procedures required by clauses (2) and (3) of this subsection.

PAYMENTS

SEC. 102. (a) Each local educational agency which establishes a program to improve education under section 101 shall be eligible for a basic payment for each fiscal year during which it conducts such program. The amount of such basic payment shall be equal to 2 per centum of the payment rate established under subsection (c), multiplied by the number of children in average daily attendance in the school district of the local educational agency.

(b) Each local educational agency which conducts a program to improve education under section 101 during any fiscal year and demonstrates that the program substantially achieves the goals established for such year pursuant to clause (2) of section 101(b) shall, in addition to the payment for which it is eligible under subsection (a) for the succeeding fiscal year, be eligible for an incentive payment equal to 2 per centum of the payment rate established under subsection (c) for such succeeding fiscal year, multiplied by the number of children in average daily attendance in the school district of the local educational agency.

(c)(1) The payment rate for any local educational agency in any State for any fiscal year shall be equal to the average per pupil expenditure for that State, except that the payment rate for any local educational agency shall not be less than the average per pupil expenditure in the United States.

(2) For the purposes of paragraph (1), the term "average per pupil expenditure" in a State, or in the United States, shall be the aggregate current expenditures, during the second fiscal year preceding the fiscal year for which the computation is made (or if satisfactory data for that year are not available at the time of computation, then during the most recent preceding fiscal year for which satisfactory data are available), of all local educational agencies in the State, or in the United States (which for the purposes of this subsection means the fifty States, and the District of Columbia), as the case may be, plus any direct current expenditures by the State for operation of such agencies (without regard to the source of funds from which either of such expenditures are made), divided by the aggregate number of children in average daily attendance to whom such agencies provided free public education during such preceding year.

(3) For the purposes of paragraph (2), the term "current expenditures" means expenditures for free public education, including expenditures for administration, instruction, attendance and health services, pupil transportation services, operation and maintenance of plant, fixed charges, and net expenditures to cover deficits for food services and student body activities, but not including expenditures for community services, capital outlay, and debt service.

(d)(1) Notwithstanding any other provision of this section, the amount which may

be appropriated for a fiscal year for payments under this section may not exceed the product of—

(A) the total number of children in average daily attendance in the schools of all the local educational agencies in the States, multiplied by

(B)(i) $50 for fiscal year 1985, or

(ii) $100 for each of the two succeeding fiscal years.

(2) If the total amount appropriated in accordance with paragraph (1) is less than the sum of the amounts for which all local educational agencies are eligible under this section, the amount paid to each local educational agency shall be ratably reduced to the extent necessary to bring such payments within the limits of the amount so appropriated. If additional funds become available for making payments under this section for that year, such reduced amounts shall be increased on the same basis that they were reduced.

APPLICATIONS FOR PAYMENTS

SEC. 103. (a) Each local educational agency which desires to receive the payment for which it is eligible for any fiscal year under section 102(a) shall notify the Secretary of its intention to establish a program under section 101 and, at such time and in such form and manner as the Secretary may require, submit an application therefor. Such application shall contain assurances that—

(1) the local educational agency has developed and is carrying out a local program meeting the requirements of section 101;

(2) the local educational agency will maintain a level of per pupil expenditures during that fiscal year which is at least equal to that maintained during the preceding fiscal year;

(3) adequate procedures for public participation in the development of the local program have been established and used and that such procedures include provisions for filing complaints concerning the operation of the local program and the resolution of problems arising from such complaints.

(4) the local educational agency has established a local program of inservice training for teachers in the schools of such agency, which program shall provide an adequate level of training for all teachers in need thereof and shall be operated under that supervision of the teachers in such schools; and

(5) the local educational education agency will not exclude an individual from participation in, deny an individual the benefits of, or subject an individual to discrimination under, a program or activity because of race, color, national origin, religion, or sex.

(b) Each local educational agency which desires to receive the payments for which it is eligible for any fiscal year under section 102(b) shall include in its application under subsection (a) for the succeeding year such evidence as may be necessary to show that it has met the requirements of section 102(b) for that year.

(c) The Secretary shall approve each application submitted for any fiscal year which meets the requirements of subsection (a) or subsection (b), as the case may be.

TITLE II—TEACHER TRAINING AND POSTSECONDARY PROGRAMS

TEACHER TRAINING INITIATIVES

SEC. 201. (a) The Secretary is authorized to establish a program of grants to institutions of higher education for the purpose of encouraging coordination between such institutions and local educational agencies in the improvement of science and mathematics education. No grant to any such institution for any fiscal year shall exceed $200,000. In making such grants, the Secretary shall ensure an equitable geographic distribution of the funds available therefor. Proposals for such grants shall be evaluated through a peer review process, including practitioners from the elementary, secondary, and postsecondary education communities. Such proposals shall be developed by the recipient institution in collaboration with one or more public schools or school districts and other appropriate agencies or councils.

(b) In making grants under this section, the Secretary shall give priority to those proposals which include any of the following activities:

(1) summer institutes and workshops and a parallel program of in-service education, conducted by higher education institutions to provide practicing teachers and supervisors with up-to-date science and mathematics information and pedagogical concepts;

(2) projects to enhance the capacity of institutions of higher education to meet the professional needs of both new and practicing teachers, including faculty development activities; and

(3) support for exemplary State, local, and institutional efforts to attract, retain, and motivate teachers to pursue careers in precollege mathematics and science education, as well as identification of exemplary teacher training projects, and the dissemination of information about these projects.

(c) For the purposes of this section, the term "institution of higher education" has the meaning given such term by section 1201(a) of the Higher Education Act of 1965.

(d) There are authorized to be appropriated to carry out this section $25,000,000 for fiscal year 1985, $30,000,000 for fiscal year 1986, and $20,000,000 for fiscal year 1987.

TITLE III—RESEARCH TO IMPROVE INSTRUCTION

EDUCATIONAL RESEARCH PROGRAM

SEC. 301. (a) The Secretary shall administer through the National Institute of Education, in consultation with appropriate Federal agencies, a program to support research and development into effective education in mathematics, the sciences, foreign languages, and technology. Research projects and programs supported by this section shall include one or more of the following:

(1) research on teaching and learning in mathematics, science, foreign languages, and the instructional uses of information technologies;

(2) the application of such research to the improvement of instructional materials and teacher training programs;

(3) research on the effects of secondary school organization and operation on student learning in mathematics, science, foreign languages, and technology;

(4) student achievement in advanced academic skills needed for work and further learning, including computer and technological literacy; and

(5) analysis of local and institutional policies enhancing or inhibiting the recruitment, retention, and instructional improvement in mathematics and science teachers.

(b) There are authorized to be appropriated in the Department of Education and made available to the National Institute of Education to carry out this section $15,000,000 for fiscal year 1985, $20,000,000 for fiscal year 1986, and $25,000,000 for fiscal year 1987.

TITLE IV—GENERAL PROVISIONS

ADMINISTRATION

SEC. 401. (a) The Secretary of Education shall be responsible for the administration of the program authorized by this Act.

(b) The Secretary shall pay to each local educational agency which has an application approved under section 103 for any fiscal year the amount for which that agency is eligible for that fiscal year.

DEFINITIONS

SEC. 402. For the purposes of this Act—

(1) the term "local educational agency" means a public board of education or other public authority legally constituted within a State for either administrative control or direction of, or to perform a service function for, public, elementary or secondary schools in a city, county, township, school district, or other political subdivision of a State, or such combination of school districts or counties as are recognized in a State as an administrative agency for its public elementary and secondary schools;

(2) the term "State" means a State, the Distict of Columbia, Puerto Rico, Guam, American Samoa, the Northern Marianas, the Trust Territory of the Pacific Islands, or the Virgin Islands; and

(3) the term "Secretary" means the Secretary of Education.

JOINT SURVEY AND REPORT BY THE SECRETARIES OF DEFENSE AND EDUCATION

SEC. 403. (a) The Secretary of Education shall conduct a survey of the levels of academic achievement of eighteen-year-old persons in the United States each year beginning in 1984 and continuing for the succeeding three years in order to determine the extent to which the need for qualified personnel in the Armed Services can be satisfied without remedial education. Furthermore, the Secretary of Defense shall conduct a study projecting the personnel training needs of the Armed Forces for the next four years. The Secretary of Education shall prepare in conjunction with the Secretary of Defense and local educational agencies an analysis of educational needs of the Department of Defense to assist in efficient personnel development.

(b) Not later than October 1 of each year during which the surveys are being conducted pursuant to subsection (a), the Secretary of Defense and the Secretary of Education shall submit a joint report of their findings from such survey to the Congress. Such report shall include—

(1) a statement of findings by the two Secretaries with respect to the results of such survey;

(2) an estimate of the number of persons surveyed who qualify for entry into the Armed Aervices without remedial education and the number who do not qualify by reason of failure in academic achievement;

(3) a statement regarding the extent of which the estimated number of qualified persons meets the estimated personnel needs of the Armed Services; and

(4) recommendations for improving the quality of instruction in secondary schools with a view toward raising levels of academic achievement among eighteen-year-old persons.●

BIPARTISAN COMMISSION FOR DEFENSE

● Mr. GOLDWATER. Mr. President, in a speech on May 7, 1983, before the

American business press, I announced that I am urging President Reagan to create a Bipartisan Commission for Defense so that we can unite America toward common goals. I ask that the following speech be printed in the RECORD.

The speech follows:

ADDRESS BEFORE THE AMERICAN BUSINESS PRESS ON MAY 7, 1983

We Americans have always had an extraordinary capacity for rising together to deal with crises, whether domestic or foreign. There are some who mark the history of this Nation by disasters—wars, scandals, assassinations, and economic upheavals. I prefer to look at American history in terms of how the people in this remarkable republic have managed, time and again, to face problems head on and solve them.

Well, we are facing some problems today that are fundamental in deciding our future and in preserving liberty in this Nation. These are not direct challenges, like wars and depressions. But they are just as important to our survival as a free society.

You know, Americans sometimes get the notion that liberty is a God-given state of affairs to which citizens of the United States are automatically entitled. But liberty is a privilege. We have a definite duty to work diligently and continuously to maintain our freedom.

Our liberty depends in part on our ability to devise coherent strategies for our economic system and for the defense of our country. We need a guiding vision, a basic set of principles, that will generate sustained, bipartisan support from a majority of the American people.

We've got to make some decisions about two areas of public policy and we've got to make them soon. We need to arrive at some national consensus on how we are going to cope with the reality of a welfare state. And we need to develop a clear strategy—indeed, a grand strategy—for our national defense. This strategy must be realistic and must be presented to the American people in terms so clear as to command their attention and win their approval.

Let us turn our attention first to the domestic front. Let us recognize, first of all, that the welfare state is here to stay. As a lifelong conservative, this is not an easy thing to say.

We have always believed that the best that Government can do was to insure equality of opportunity to the extent it could do so without infringing on personal liberty. Then, the conservative doctrine has held, Government should stay out of the way.

I have said in the past that the only absolutely legitimate functions of Government are maintaining national security and domestic order, and administering the national currency. The political system should not dominate the social or economic aspects of society.

For most of our history, our system thrived with little Goverment involvement in the day-to-day lives of the people. If someone had a problem, he or she would turn to members of the family, the local church, someone in the neighborhood, or other familiar faces. When they were sick, they got hot soup and tender care from mama. When they grew old, their families would provide for them.

Private institutions were the backbone of our society. Listen to what Tocqueville wrote about this country: "I have often seen Americans make really great sacrifices for the common good, and I have noticed a hundred cases in which, when help was needed, they hardly ever failed to give each other trusty support. The free institutions of the United States and the political rights enjoyed there provide a thousand continual reminders to every citizen that he lives in society."

But the sense of self-dependence on which this country was built has been eroding for nearly 50 years, since the advent of the New Deal. This process has accelerated since the late 1960's. The welfare state has taken root.

There is no gain in trying to dispute the principle of Government support. What we need to do now—all of us, not just conservatives—is to recognize that our resources are finite and that we need a long-term strategy to cope with the realities of the welfare state.

How can we, as a society, meet the needs of those who depend on Government assistance without making the majority of our people dependent? And how can we accomplish this without having revolt by taxpayers? How can we preserve incentives for self-help and for the continuing strength of private institutions? How can we cope with the fact that we are now a service society rather than a productive society?

These are questions we need to answer in the next few years. And we need to come to a better understanding of just what the welfare state is.

It is not just a matter of taking care of the poorest or most handicapped among us. In fact, most Federal social spending goes to programs designed to help predominantly middle-class people.

Did you know, for example, that one year's increase in social security costs more than all of the food stamps program, and much of the basic welfare program, aid to families with dependent children, combined?

The four major programs with middle-class clientele—social security, medicare, unemployment, and Federal employee pensions and disability—accounted for $251.4 billion in fiscal year 1982. In contrast, the programs designed for poverty-level recipients—food stamps, child nutrition, medicaid, aid to families with dependent children, and housing subsidies—totaled $49.6 billion, about one-fifth of the other total.

So the constituencies behind an ever-expanding Government social service system are formidable. It is no longer just the inner-city or rural poor who turn first to Government for aid. We have middle-class families who are quite self-sufficient in most ways who place their parents in Government nursing homes and believe they have no financial responsibility for their care.

And as the society grows older, the cost of social security and medicare will continue to escalate, even with the recent reforms.

How many people really try immediately to find new employment when they lose their jobs? Aren't many people content to take their time and "collect" for awhile?

I don't mean to imply that everyone who uses these programs is abusing them. I use these examples only to illustrate a basic change in the prevailing state of mind among many Americans concerning the welfare state. Because these middle-class people have contributed to the social security or unemployment pool, or because they have paid taxes through the years, they consider these benefits to be fair returns on previous contributions. Because the poor have been supported by welfare programs for so long, they consider it a fundamental right to receive further Government support.

But as the number of recipients grows, the number of those supporting the system dwindles. When social security began, there were 11 people paying into the system for each recipient. Now there are about three people paying for each recipient.

Before this ratio, and that of other social programs, deteriorates any further, we need to develop a strategy for allocating the resources to be channeled through our social service system in the future.

While there is no way to back off from a welfare state, and it would not really be possible anyway, there must be a national consensus on exactly how much of a role Government should play in the lives of our people. And we need to figure out a way to fulfill that commitment without risking our liberty.

This risk was pointed out by one observer from another era: "And thus the frame of democracy was dissolved, and gave place to the rule of violence and force. For when once the people are accustomed to be fed without any cost or labour, and to derive all of the means of their subsistence from the wealth of our citizens . . . then commences the government of the multitude: Who run together in tumultuous assemblies and are hurried into every kind of violence . . . till, being reduced at last to a state of savage anarchy, they once more find a master and a monarch, and submit themselves to arbitrary sway."

This was Polybius, a Greek historian in the second century before Christ. We can't dismiss the possibility that the history we recounted can be repeated.

We are fortunate in the United States to have alternatives to an ever-expanding welfare state. We have a strong tradition of private sector involvement in the public good.

They don't have that in many of the European welfare states. Take France, for instance: Following the French Revolution of 1789, there was a period during which nearly all the private associations and local institutions throughout France were systematically abolished by those in power. These were seen as bastions of the old feudal system.

In their place, the French established departments of the central government. All of the societal structures between the individuals and the central government were wiped away. This was repeated in many countries. In these societies today, there is no alternative to government intervention. Where there is need, they have only one recourse—government assistance.

We, in this country, were lucky enough to escape this phenomenon. Throughout our history, private associations and institutions played a vital role in community life. Local and State governments retained a high degree of authority, providing layers of protection for the rights of our citizens.

There's been a lot of debate during the past 2 years about whether "private sector initiatives" can take the place of Government social programs. The consensus has been that they can't. But I would submit that this question misses the main point: That the private sector in this country is a healthy one with a long and glorious tradition.

Maybe it can't replace Government, but it can provide a great deal of help in controlling the growth of the welfare state and avoiding a condition under which a majority

of our people depend on a minority of taxpayers for their primary support.

We need to decide now whether we will continue to expand the welfare state with no clear idea of how to pay for it. We need to give thorough and realistic considerations to how we are going to shape Government's role in the future. And we need to work out a system that will protect future generations from the loss of liberty that's bound to accompany a loss of self-determination.

It was Thomas Paine who told our forefathers that "What we obtain too cheap, we esteem too lightly." For too many Americans, the unalienable rights of life, liberty, and the pursuit of happiness have come too cheap and been esteemed too lightly.

We've got to find a way to provide a vision of America that will inspire our people to work for themselves and thereby to work for American ideals like freedom and justice.

I don't know whether it should be done by our political leadership or by a mechanism outside Government, but we need to start making plans soon.

This brings me to the second major decision we face: The need for a military strategy that will insure our national security and still marshal the support of a majority of the American people.

Let us be clear about one thing: There is no more essential welfare program than an effective national defense.

We in the United States are blessed with enormous military resources, but this does not guarantee our national security. The sheer magnitude of global instability creates danger to U.S. interests in many areas of the world. And we must cope with the steady, unrelenting growth of Soviet military power.

We need a grand strategy and we need it now. It must be coherent. It must be realistic. It must be sufficient to deter our enemies and protect our friends. And it must be understood by the American people and have their support.

The understanding and support of the people is crucial. We are an intelligent people. We will listen to reason. Surely there is a way to make the public aware of the importance of a strong national defense. Surely if we can agree on a military strategy that will secure our national defense, one that illustrates the need for increased military spending, it will gain the support of the majority.

Too often debates on the budget come down to one party saying that an entire welfare program can be funded with the cost of one nuclear submarine, or one B-1 bomber. What a short-sighted view. This is similar to the mother who neglects getting medical care for her child because she wants to use that money for food or clothing. Regardless whether the food or clothing is necessary, they are not going to do the child much good if he becomes seriously ill. They will do no good if he dies.

Defense spending should not be a budget item that's debated alongside school lunches or food stamps. Each should be debated on its own merits. Let us remember, after all, that we are not even in the position of the mother who must choose between food and medical care. We are a rich society. We are growing richer all the time. We spend billions on sporting events, video games, and other diversions.

Our total output devoted to nondefense uses last year was 25 percent higher than it was 10 years ago. Private consumption was almost 30 percent higher. Defense spending in recent years has been lower as a percentage of Federal spending than at any time in the past three decades. While our defense expenditures totaled 5.6 percent of our gross national product in 1981, Soviet defense expenditures were more than 15 percent of GNP.

The evidence is overwhelming that we can afford all the defense we need. Why then do so many believe that we need so little?

This is generally attributed to the cynicism resulting from the Vietnam experience. There seems to be a feeling that if we have too much military capability, we will be more apt to use it. This has been mixed in recent years with growing concern over nuclear weapons, particularly the idea that a limited nuclear war might be waged in Europe under certain circumstances. Added to this is the fear raised by the spread of nuclear weapons and technology to many unstable or unfriendly countries.

But all of this does not explain the utter lack of regard by Americans for the dangers facing us around the globe.

The number one danger, of course, is presented by the Soviet Union. Taken by itself, the massive buildup in both nuclear and conventional arms over the past decade is frightening enough. The Soviet leadership has chosen to squeeze the people to undertake this buildup. They have forsaken domestic programs for military might, major investment in research and production over the past decade, which have been accomplished with relatively low labor costs, have enabled the Soviets to assemble the largest military force of modern times.

Making this even more dangerous is the fact that U.S. forces had deteriorated rapidly during the mid-1970's.

Since 1974, the Soviet Union has produced 2,000 intercontinental ballistic missiles to our 350; 54,000 tanks and other armored vehicles to our 11,000; 6,000 tactical combat aircraft to our 3,000; 85 surface warships compared to our 72; and 61 attack submarines to our 27.

While there has been improvement in recent years, we still find ourselves at a disadvantage in some areas, particularly in some aspects of conventional readiness. Another danger is that the Soviets control major portions of the world's supply of strategic minerals, such as manganese, platinum group metals, and cobalt. Much of the rest is in southern Africa or other unstable regions.

This situation becomes an outright emergency when one looks at the recent activities of the Soviets and their puppets around the world. With the help of the Cubans, Nicaraguans, and Libyans, they are trying to take control of Central America, a region of enormous strategic importance to the United States. Their adventurism in Poland and Afghanistan is well documented. With the Vietnamese, they have created havoc in Southeast Asia. And they are creeping slowly back into the Middle East, while maintaining a stranglehold in Angola with Cuban assistance.

The build-up by the Soviets has been accompanied by a hugh expansion of military capabilities throughout the Third World, particularly Soviet-controlled countries. Soviet influence is almost totally based on military assistance. Rarely does Soviet aid include non-military assistance. Rarely does Soviet aid include non-military materials. I might add, however, that this has begun to backfire, as evidenced by the softer line taken in the most recent meeting of nonaligned nations. They recognize that friends of the U.S. get some guns and a lot of butter. Friends of the Soviets get a lot of guns and no butter.

But this does not lessen the Soviet threat for now. Nor does it reduce the dangers posed by the likes of Libya, Vietnam, or Nicaragua.

For many years, military strategy was based on the premise that we could fight "two-and-a-half wars." That is, that we could handle two fronts at one time and still deal with a minor flareup elsewhere. As defense spending was reduced in the early 1970's, our strategy was shifted to that of "one-and-a-half-wars." The idea was that we would depend more heavily on intelligence and communications to allow us to spot potential threats.

Our strategy now seems to be based on the possibility of many fronts, and our aim is to be able to deal with many potential threats swiftly. Now, as always, the basic premise of our strategy is that it is defensive, that we would not instigate a war.

But our grand strategy needs to be more clearly defined and it needs support from a much broader constituency. The problems in the present situation are all too clear from the results in the Republican-controlled Senate Budget Committee, which defied a Republican President and cut his defense request in half. Clearly, even a very informed and well-intentioned group has not been convinced that the current strategy is well defined and sound. I'm not sure most of them even know what it is.

In the heated partisan atmosphere now dominating Washington, and the promise of even more partisan posturing in the coming election year, we need a mechanism outside the system to deal with this vital point.

We used just such a mechanism to resolve the deadlock over social security: a bipartisan commission that reports directly to the President and develops practical options that are designed to appeal to a majority in Congress.

I am tonight urging President Reagan to name such a commission to develop a grand military strategy both for the immediate future and for the long run. This group should include all available former high-ranking military commanders, distinguished military scholars, and a few key policymakers from each party. This body should not be dominated by any one school of thought or any one ideological strain.

They should suggest both an overall design and specific strategies for outbreaks in various parts of the world.

As a member of the Armed Services Committee and chairman of the Intelligence Committee, I have had many an occasion to speak with members of the Joint Chiefs of Staff and other military experts. It's hard to find one who doesn't feel we are naked, when it comes to military strategy. The need for a clear vision of our national defense needs has never been greater. Let's try to get all Americans going in the same direction when it comes to national defense. We need to do more than just point the way. We need to assure them that somebody knows what we'll find when we get there.

Thank you.●

MISSOURI K.I.D.S.

● Mr. DANFORTH. Mr. President, Missouri K.I.D.S. provides counseling, equipment, and home modifications to student athletes who suffer catastrophic injuries while playing their

sports. Certainly, increasing national awareness of these injuries and efforts to reduce their incidence is vital.

The objective of K.I.D.S.—Missourians who Kare for Injured and Disabled Students—is to provide help and support to young people striving to cope with serious injury. On March 11 and 12, thousands of students from more than 50 secondary schools in St. Louis City, St. Louis County, St. Charles County, and Jefferson County joined forces to raise more than $25,000 for K.I.D.S. The Gateway District of the Missouri Association of Student Councils sponsored the fundraising drive as its principal community service project.

It is an honor to recognize the wonderful sense of purpose and service demonstrated by so many young Missourians.●

ORDER FOR RECESS UNTIL 10 A.M. TOMORROW

Mr. TOWER. Madam President, I ask unanimous consent that when the Senate completes its business today, it stand in recess until 10 a.m. on Tuesday, May 10, 1983.

The PRESIDING OFFICER (Mrs. KASSEBAUM). Without objection, it is so ordered.

PROGRAM FOR TUESDAY

ORDER FOR ROUTINE MORNING BUSINESS TOMORROW

Mr. TOWER. Madam President, I ask unanimous consent that on tomorrow, following the recognition of the two leaders under the standing order, there be a period for the transaction of routine morning business, not to exceed 10:30 a.m., with statements therein limited to 5 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER FOR RESUMPTION OF CONSIDERATION OF SENATE CONCURRENT RESOLUTION 27, THE BUDGET RESOLUTION

Mr. TOWER. Madam President, further, I ask unanimous consent that at no later than 10:30 a.m. the Senate resume the unfinished business, Senate Concurrent Resolution 27, the budget resolution.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER FOR RECESS BETWEEN 12 NOON AND 2 P.M. ON TOMORROW

Mr. TOWER. Madam President, finally I ask unanimous consent that the Senate stand in recess between the hour of 12 noon and 2 p.m. on tomorrow.

The PRESIDING OFFICER. Without objection, it is so ordered.

VOTE SEQUENCE TOMORROW

Mr. TOWER. Madam President, I believe that all bases have been touched and all principal parties concur that at the hour of 2 p.m. tomorrow there will be three rollcall votes in sequence with 5 minutes of debate to be equally divided between each vote.

Has that been agreed to?

The PRESIDING OFFICER. Under the previous order that has been agreed to.

Mr. BYRD. That has been covered under a previous order.

Mr. TOWER. I think that was covered under a previous order. I think what was not covered was the number of votes to be had.

So, there will be three rollcall votes beginning at 2 p.m.

Mr. PRYOR. Madam President, will the distinguished acting majority leader yield?

Mr. TOWER. I yield.

Mr. PRYOR. What are those three votes? Do we have that list handy?

Mr. TOWER. The three votes on which we have the yeas and nays ordered are the Pryor amendment No. 1, the Pryor amendment No. 2, and the Nunn-Jackson amendment.

May I suggest to my friend from Arkansas we will return to the consideration of the resolution at 10:30 a.m., and do not go into recess until 12 noon. There will be an hour-and-a-half for debate prior to the time we reconvene after recess at 2 p.m. at which time the votes are stacked.

It is my understanding that on the Pryor amendment No. 1 there are 66 minutes remaining and under the Pryor amendment No. 2 there are 80 minutes remaining.

Obviously, 1½ hours will not accommodate all of that time which means that in a fortunate way the time could be reduced in that timeframe. That is my understanding.

Mr. PRYOR. I wish to say to both the distinguished acting majority leader and the minority leader that I have no intention of taking all that time for all those amendments. I assume most of the time on those amendments will be taken perhaps in answering questions from collegues on the floor in trying to explain the points. As far as making a speech about or in behalf of those two amendments, I have already made the speeches.

Mr. TOWER. The first vote will be on the Nunn-Jackson amendment, and there is provision that there will be 5 minutes intervening between the other votes that are stacked in that post-2 p.m. period. So there is a short period for debate.

RECESS UNTIL 10 A.M. TOMORROW

Mr. TOWER. Madam President, I ask unanimous consent that the Senate now stand in recess pursuant to the previous order.

There being no objection, the Senate, at 6:22 p.m., recessed until 10 a.m., Tuesday, May 10, 1983.

NOMINATIONS

Executive nominations received by the Senate May 9, 1983:

DEPARTMENT OF STATE

Richard B. Stone, of the District of Columbia, to be Ambassador at Large.

DEPARTMENT OF JUSTICE

D. Lowell Jensen, of Virginia, to be Associate Attorney General, vice Rudolph Giuliani.

DEPARTMENT OF LABOR

Ford Barney Ford, of California, to be Under Secretary of Labor, vice Malcolm R. Lovell, Jr., resigned.

INTERSTATE COMMERCE COMMISSION

Jane E. M. Holt, of the District of Columbia, to be a member of the Interstate Commerce Commission for a term expiring December 31, 1985, vice Reginald E. Gilliam, Jr., resigned.

FARM CREDIT ADMINISTRATION

Paul I. Enns, of California, to be a member of the Federal Farm Credit Board, Farm Credit Administration, for a term expiring March 31, 1989, vice Edgar C. Rutherford, term expired.

IN THE AIR FORCE

The following-named officer under the provisions of title 10, United States Code, section 601, to be assigned to a position of importance and responsibility designated by the President under title 10, United States Code, section 601:

To be lieutenant general

Maj. Gen. Herman O. Thomason, xxx-xx-x... xxx-... FR, U.S. Air Force.

EXTENSIONS OF REMARKS

VOCATIONAL EDUCATION CONSOLIDATION

HON. JOHN N. ERLENBORN

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, May 9, 1983

● Mr. ERLENBORN. Mr. Speaker, today, along with two of my colleagues, I am introducing the administration's bill to consolidate existing Federal programs for vocational and adult education into a single, modified block grant to the States. As Senator HATCH noted when he introduced this legislation (S. 1039) in the other body, this bill can be considered a modified block grant:

Because while it consolidates the funding of two separate programs into a single authorization, complete discretion as to how much money will go into these programs is not left entirely with the States as would be the case were this legislation to be a block grant in the true sense of the term.

In addition, the adult education component still maintains its basic identity as an adult literacy program rather than a skill development or job-training program. The bill would, however, consolidate the administration of, and advisory boards for, vocational education and adult education at the national, State, and local levels.

Except for changes in style and format the only major difference between this bill and the one that Senator HATCH introduced is that my bill applies section 431 of the General Education Provisions Act—providing for the right of congressional review and disapproval of Education Department regulations—to this new program.

As our colleagues must know, the current vocational and adult education laws and regulations have been characterized as extremely complicated, intrustive, and burdensome to State and local officials. The bill I am introducing today would vastly simplify the current laws while sharpening the Federal focus on such priorities as economic development and adult retraining. The provision in this bill for economic development and skilled work force training is in keeping with the needs and trends of the 1980's and is designed, I feel, to compliment the Job Training Partnership Act signed into law last October by President Reagan.

I think the legislation also provides an appropriate balance between specificity and flexibility. While the bill earmarks funds for certain national priorities such as programs for the handicapped, it also permits States the discretion to shift 22 percent of the funds among the targeted State programs—economic development and skilled work force training; strengthening State and local systems of vocational education; and adult basic education.

While I laud the administration for coming forward with such a creative, positive, and serious proposal which vastly improves on the version proposed to the last Congress, I do have several concerns which I feel should be addressed during the hearings on this legislation. For example, certain of the proposed conforming amendments made to the Job Training Partnership Act (JTPA) may have the unintended effect of hampering rather than facilitating the coordination of all training programs through the statewide coordinating mechanism established under JTPA. This aspect of the bill will have to be thoroughly reviewed by the House Education and Labor Committee.

Another example of a legitimate concern is, I feel, the dangerous precedent of placing vocational education State advisory councils at the mercy of the very State education agencies they are designed to monitor and evaluate. One can easily envision how such an advisory council would lose its independence if its funding were to depend solely on a decision by the State education agency.

I will also be interested in hearing from witnesses representing organizations and individuals currently protected by the series of earmarked funding provisions in the Vocational Education Act. My question is whether we can ever reconcile the need for reasonable legislative flexibility with the demand for specifically designating funds for certain Federal priorities.

I look forward to prompt and fruitful hearings on this bill. It is a serious proposal and one that is worthy of careful consideration by the Education and Labor Committee as it grapples with the task of stengthening vocational and adult education so that they can play an enhanced role in the economic revitalization of the United States.

A section-by-section analysis of the bill follows:

VOCATIONAL AND ADULT EDUCATION CONSOLIDATION ACT SECTION-BY-SECTION ANALYSIS

PART A—GENERAL PURPOSES

Section 101 establishes the purpose of the Act as the authorization of State and national programs which will promote economic development by addressing the needs of youth and adults in all communities for vocational education, strengthening State and local systems of vocational education, enhancing equal opportunities in vocational education for all students, overcoming sex stereotyping and sex bias in vocational education, addressing the national need of employers for a skilled and literate workforce, addressing the training needs of displaced workers, assisting adults to acquire basic skills needed to function in society, and assisting adults to continue their education to at least the level of completion of secondary school. An additional intention is that States participating in programs under the Act be afforded broad discretionary authority in planning, developing, administering, and operating these programs.

Section 102 authorizes for this Act such sums as are necessary for fiscal years 1984 through 1988. It further provides for expenditure of funds appropriated under the Smith-Hughes Act.

Section 103 authorizes the Secretary to set aside, for National Programs, up to 5 percent of the funds appropriated under the Act. Any funds set aside will be available for obligation and expenditure without regard to the fiscal year for which they are appropriated.

Section 104 prescribes a method for allotting funds to the States. Funds are to be allotted on the basis of population and number of unemployed persons in three age cohorts and inverse per capita income. No State may receive less than $100,000. (If funds are not available to satisfy this requirement, allotments to States shall be reduced proportionately.)

Section 105 describes the requirement of a Proposed Use Report that a State must submit to the Secretary in order to participate in programs funded under Part B. The report must designate a single State agency that is responsible for the administration or supervision of the administration of Part B programs. It will describe the goals the State will seek to achieve, the characteristics of the individuals to be served, how the Federal funds will be used, how the funds will be distributed within the State, and the anticipated results. It will further describe how the State will provide vocational education students with access to basic skills instruction, how equal opportunity in vocational education will be enhanced for all students, how the State will address sex stereotyping and sex bias in vocational education, and how the State job training coordinating councils and private industry councils or other private sector representatives will be involved in planning and carrying out vocational programs. The report will include assurances regarding proper administration, fiscal control, fund accounting, submission of reports, participation of private school students, and meeting the basic education needs of adults. Finally, the report will contain an assessment of programs and projects supported during the most recently completed program year. Prior to submission, the report will be made public in the State.

Section 106 provides for State audit of activities funded under Part B.

● This "bullet" symbol identifies statements or insertions which are not spoken by the Member on the floor.

Section 107 requires that the Secretary submit an annual report to Congress on the status of vocational and adult education in the Nation.

Section 108 establishes a National Advisory Council on Vocational and Adult Education, with members appointed by the President.

Section 109 makes certain sections of the General Education Provisions Act applicable to programs conducted under this Act.

PART B—STATE PROGRAMS

Section 120 states that the Secretary shall make grants to the States (in accordance with Section 104) for establishing, expanding, and improving vocational education programs and for supporting adult education programs. A State may set aside that portion of the grant required for State administration. Of the remainder, at least 30 percent must be used for programs and projects under Subpart 1 (Economic Development and Skilled Workforce Training), at least 30 percent for programs and projects under Subpart 2 (Strengthening State and Local Systems of Vocational Education), and at least 13 percent for programs and projects under Subpart 3 (Adult Basic Education). Funds under this part may be used to pay for up to half of the administrative expenses at the local level. Funds may be used to pay for State or local advisory councils, but not for stipends or construction.

Section 121 provides that States may use funds under this part directly or to make grants or enter into contracts with other eligible recipients for the purpose of carrying out programs and projects under Part B.

Section 122 states the purpose of Subpart 1 as supporting Economic Development and Skilled Workforce Training programs and projects. Training conducted under this Subpart must correspond to specific State or local economic needs or plans.

Section 123 describes the types of activities that may be funded under Subpart 1, including retraining persons whose jobs have been lost or jeopardized by technological or economic change; training for skilled occupations needed to revitalize business and industries that are essential to State or local economic well-being; training for skilled occupations which are needed to attract the entry of new businesses into a State or community; related research, curriculum development, and instructor training; and training in entrepreneurship. In conducting these activities, recipients shall give careful consideration to the needs of persons who have lost their jobs or whose jobs are jeopardized by technological or economic change.

Section 124 states the purpose of Subpart 2 as supporting programs, projects, services, and activities for Strengthening State and Local Systems of Vocational Edcucation.

Section 125 requires each State, in using its Subpart 2 funds, to set aside at least 15 percent for the special needs of the handicapped and to give careful consideration to the needs of the disadvantaged and the limited-English-proficient. Allowable expenditures under this subpart include joint programs with business, industry, and labor; support services (except for stipends) for homemakers and single heads of households; programs designed to reduce sex stereotyping and sex bias in vocational education; cooperative and work-study programs; remedial instruction in basic skills; acquisition or replacement of equipment; consumer and homemaking education; and student organizations.

Section 126 states the purpose of Subpart 3 as supporting programs, projects, services, and activities in Adult Basic Education.

Section 127 describes the types of activities that may be supported under Subpart 3. These include programs for the institutionalized such as persons who are incarcerated or confined to treatment facilities, programs for adults in rural or urban areas with high rates of unemployment, and high school equivalency programs. States are to give particular consideration to the special needs of immigrants and other limited-English-proficient adults.

PART C—NATIONAL PROGRAMS

Section 130 authorizes and requires the Secretary to use funds reserved under Section 103(a) to support any or all activities authorized by sections 131, 132, 133, and 134.

Section 131 authorizes the Secretary to conduct research, develop programs, collect and disseminate information, and develop State and local leadership in vocational and adult education. The Secretary is also authorized to support a National Center for Research in Vocational and Adult education.

Section 132 authorizes the Secretary to make contracts, grants and cooperative agreements with Indian tribes and organizations for vocational and adult education programs and projects consistent with tribal economic development plans.

Section 133 authorizes support of the National Occupational Information Coordinating Committee established under the Job Training Partnership Act.

Section 134 authorizes activities of Program Improvement for Meeting National Skilled Workforce Needs. These may include exemplary job-training programs for persons who have lost their jobs or whose jobs are jeopardized by technological or economic change; demonstration programs designed to reduce sex stereotyping and sex bias in vocational education; model or demonstration training programs; collaborative programs, including employment and training programs, with business, industry, and labor and with other agencies of the Federal government; programs designed to expand the use of volunteers in providing vocational and adult education; activities in the areas of rural vocational and adult education and rural family education; and special training programs and projects designed to address critical shortages of skilled workers which the Nation requires.

PART D—DEFINITIONS

Section 140 provides definitions for a number of terms used in the Act.

PART E—CONFORMING AMENDMENTS REPEALS; EFFECTIVE DATE

Section 150 would make a number of conforming amendments to the Job Training Partnership Act.

Section 151 repeals the Adult Education Act (except Section 316) and the Vocational Education Act. The effective date of this Act is July 1, 1984.●

PERSONAL EXPLANATION

HON. DAN MARRIOTT

OF UTAH

IN THE HOUSE OF REPRESENTATIVES

Monday, May 9, 1983

● Mr. MARRIOTT. Mr. Speaker, I was unable to be present on the floor of the House of Representatives on Thursday, April 28, 1983, for roll call Nos. 72 and 74. Had I been present I would have voted "yea" on House Joint Resolution 13, calling for a mutual and verifiable freeze on and reductions in nuclear weapons; AuCoin's preferential motion, roll call No. 72; and "yea" on the amendment to call for the maintenance of essential equivalence in overall nuclear capabilities both now and in the future, roll call No. 74.●

THE SMALL BUSINESS PARTICIPATION ACT OF 1983

HON. LYNN MARTIN

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, May 9, 1983

● Mrs. MARTIN of Illinois. Mr. Speaker, the year 1982 was a trying year for small business. Statistics clearly indicate the effects of the recent recession. On a brighter note, however, 1982 was a legislatively good year for small business concerns. While some battles were lost, others were decided more favorably for entrepreneurs. Included within this legislative scorecard are:

The Small Business Innovation and Development Act of 1982—channels $45 million worth of Federal research and development to small hi-tech firms in fiscal year 1983 and about 10 times that amount through fiscal year 1987;

The Export Trading Company Act—enables small and medium sized firms to better compete in foreign markets;

The Prompt Payment Act—requires the Federal Government to pay its bills on time or face interest penalties, particularly helping small firms which do business with the Federal Government;

Tax Code reform for subchapter S corporations—makes it easier for new, small corporations to take advantage of limited personal liability for corporate debts while being subject to individual income tax.

The legislative wish list for small business concerns, nonetheless, continues in this session of Congress. I, for one, am well aware that the role of small business in economic recovery is too important to brush aside these concerns.

The national significance of small business is best understood in its function as an employer and as a producer: 14 million small and independent businesses employ 58 percent of all private sector jobs and support 100 million people; 97 percent of all businesses are small businesses; over 80 percent of new jobs created in the private sector are from small business; small firms produce 2.5 times as many innovations as large firms relative to the number

of people employed and they bring these products to market almost a year ahead of their larger counterpart.

The role of small business is just as important to Illinois' economy. Its contribution to Illinois mirrors that nationwide: Illinois ranks fourth among the top 10 States which together account for 55 percent of all U.S. business establishments; 99.4 percent of Illinois' businesses are small establishments; Illinois' 200,000 plus small businesses employ 83 percent of the State's work force; Illinois ranks first in agricultural exports and third in agricultural and manufacturing exports combined, a marketing avenue important to small business.

The voice of small business has been heard clearly both on the State and national levels. It, therefore, is fitting that the week of May 8 through May 14 be designated "Small Business Week." Even more appropriate is its slogan: "There's no business like small business." I proudly join in the song of small business.

In honor of the contribution of private enterprise to the economy, particularly small business, today I introduced the Small Business Participation Act of 1983. My legislation will reaffirm and strengthen the Federal Government's commitment to private enterprise through the purchase of goods and services.

For too long the Federal Government has assumed and retained functions that can be handled more efficiently by the private sector. While Federal procurement policy has supported reliance on the private sector for needed goods and services, Government practices time and time again have done otherwise. The Small Business Participation Act of 1983 will provide the now-lacking legislative mandate needed for a consistent and uniform effort.

At a time when small business is struggling, it is ludicrous for our Government to compete for the very business so important to small business. In fact, a 1980 Small Business Administration citizen task force stated that the biggest threat to small business in Government procurement was competition by the Government itself.

It is simply nonsensical not to efficiently utilize private enterprise. The Congressional Budget Office has estimated that a contracting out policy by the Federal Government could save $335 million in the first year and over $800 million in later years. An example of proven savings, ironically, is the U.S. Army which shifted 61 operations to private enterprise from 1979 to 1981, resulting in savings of $312.4 million. Had these operations been performed in-house, the cost to the taxpayer would have been 50 percent more. Not only can similar efforts save millions, they also create much needed tax revenue for all levels of government. For instance, a firm which employs 200 persons and grosses $10 million annually would return $1.17 million in taxes each year to the three government levels if its services were contracted by the Federal Government.

The time has come to question whether or not the 11,000 various commercial and industrial type functions performed by the Federal Government can be provided more effectively by the private sector. The time has come to strengthen our commitment to private enterprise and channel the estimated $2 billion in annual contract activity to the private sector. The time has come to halt inefficient Government activity and get a better value for our tax dollar.

I am confident the Small Business Participation Act of 1983 can go far in securing the proper role of private enterprise in the Government's use of goods and services. Following is the text of my private enterprise legislation:

H.J. RES. 262

To clarify and reaffirm that it is the basic policy of the Government of the United States to rely on the competitive private enterprise system to provide needed goods and services

Whereas it is the function of Government to establish Federal policies and manage Federal programs established by or pursuant to law;

Whereas it is the function of private enterprise system, which is the primary source of national economic strength, to provide goods and services needed in that endeavor;

Whereas optimum efficiency, economy, and productivity can be achieved if the Government relies on competitive procurements from private enterprise for its needed goods and services;

Whereas small business is a key element in the private enterprise system and should be heavily relied on for providing goods and services to the Government; and

Whereas in a democratic free enterprise system, the Government should not compete with its citizens: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That it is the general policy of the Government of the United States to rely on competitive private enterprise to supply the products and services it needs whenever competitive industry prices for such products and services are available. These policies shall be administered by the Director, Office of Management and Budget in coordination with the Administrator, Office of Federal Procurement Policy, and the Administrator, Small Business Administration.

SEC. 2. This resolution may be cited as the "Small Business Participation Act of 1983".●

PERSONAL EXPLANATION

HON. BEN ERDREICH

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 9, 1983

● Mr. ERDREICH. Mr. Speaker, on May 9, 1983, during the initial votes taken by the House, I was en route from my district. Unfortunately, due to a meeting scheduled this morning in Birmingham, Ala., I was unable to cast a vote on four bills. Had I not been detained on district business I would have cast my votes as follows: "aye" for H.R. 2357, H.R. 2173, and S. 653.●

NUCLEAR WEAPONS FREEZE

HON. HENRY A. WAXMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 9, 1983

● Mr. WAXMAN. Mr. Speaker, illness forced me to be absent from the House on Wednesday, May 4, and thus I regrettably missed voting on House Joint Resolution 13, calling for a mutual and verifiable freeze on and reductions in nuclear weapons.

As a cosponsor of House Joint Resolution 13 this year, as well as a sponsor of the similar resolution in the last Congress, I would, of course, have voted for it had I been present and would have continued to vote against any amendments aimed at weakening the resolution.

The adoption of this resolution by the House may well come to be regarded as an epochal decision, Mr. Speaker. It tells the executive branch—as well as our friends and foes in other nations—that this House wants an end to the nuclear arms race and the elimination of the threat nuclear weapons pose to our existence.

Despite the significance of the vote, however, much more needs to be done both by us in the House and by the dedicated men and women throughout the United States who campaigned for House Joint Resolution 13.

We must recognize that the military spending recommendations by this administration greatly exceed what is necessary to protect our security. As Members of the House, we have opportunities to reduce those programs and we should do so. I hope, too, that the great numbers of Americans who campaigned for the freeze resolution will campaign equally hard for military spending reductions.

And, Mr. Speaker, we also must come to grips with the fact that our world becomes ever more dangerous the longer that American leaders and Soviet leaders fail to find common ground.

Not too many years ago, the Soviet Union and the United States were in a period of détente. We had arrived at many agreements and it appeared as though we would arrive at many more. There were exchanges at a cultural and political level, there was increasing trade and there were strong indications, exemplified by growing numbers of emigrants from the U.S.S.R., that some of the internal restraints by Soviet authorities were being eased.

Détente collapsed in December 1979 when Soviet troops marched into Afghanistan and we responded with a series of measures, including a decision to forgo ratification of the SALT II Treaty. Since the advent of the Reagan administration relations between the United States and the U.S.S.R. have worsened.

It is now time, Mr. Speaker, for this administration to stop its strident characterizations of the Government of the U.S.S.R. as evil incarnate. Instead, it must begin serious negotiations on a variety of issues and recognize that in order for the world to survive and prosper, the two most powerful nations in history must learn to exist peacefully and constructively with each other.●

NEWARK IS THE GOSPEL MUSIC CAPITAL OF NEW JERSEY

HON. PETER W. RODINO, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, May 9, 1983

● Mr. RODINO. Mr. Speaker, it is with great pride that I recognize my home city of Newark as the gospel music capital of New Jersey. Tomorrow, May 10, Mayor Kenneth Gibson will issue this proclamation, and will also designate the week of June 14 to 21 as "Gospel Music Week."

As many of us are aware, gospel music represents the first truly American form of music. The orginal spirituals created by the slaves were a combination of African and European musical styles together with an originality that can only be called American. In addition, they incorporated symbolic lyrics as expressions of hope and a better day. Those beautiful songs have lasted and have been given new meaning throughout our history.

The city of Newark has been one of the great leaders in the promotion, study, and appreciation of gospel music. I would especially like to recognize Prof. Albert J. Lewis of Newark, who is the president and founder of the World Gospel Music Association. Professor Lewis has worked tirelessly to bring the joy of gospel music to the citizens of Newark and to the rest of the world. He is to be commended for his outstanding efforts in fostering worldwide appreciation of gospel music.

As we celebrate this event it is good to reflect on those wonderful spirituals and the symbols of freedom and hope that are so beautifully expressed.●

TRIBUTE TO ELIJAH ROGERS

HON. WALTER E. FAUNTROY

OF THE DISTRICT OF COLUMBIA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 9, 1983

● Mr. FAUNTROY. Mr. Speaker, on May 13, the many friends of Elijah "Baby" Rogers will gather to honor and roast his 4 years of service as city administrator of the District of Columbia. He will be leaving public service on May 27.

Mr. Rogers, a native of Orlando, Fla., attended elementary and secondary schools in Orlando, Fla., Thereafter, he acquired a B.A. degree from South Carolina State College, Orangeburg, S.C. Mr. Rogers has earned a master's degree in social work and a master of arts degree with concentration in urban administration, both from Howard University.

Mr. Rogers was appointed city administrator of the District of Columbia on December 29, 1978. Since July 1976, Mr. Rogers served as city manager for the city of Berkeley, Calif., and was responsible for the supervision of 16 departments and preparation of the city's annual budget.

Mr. Rogers came to Berkeley in July 1974 as assistant city manager. Prior to coming to Berkeley, Mr. Rogers served as assistant city manager for administration and assistant to the city manager for general administration for the city of Richmond, Va. Prior to serving as Richmond's assistant to the city manager in January 1972, Mr. Rogers was chief of staff, city manager's office, Bowie, Md. Mr. Rogers served with the National Urban League as a field representative and assistant director of Federal progams. Mr. Rogers has also served as consultant to several national organizations. He is an author of several articles in the field of public administration.

Since his appointment as city administrator of the District of Columbia, Mr. Rogers has been recognized for his outstanding performance in managing on-going District finances and for bringing order to the formerly chaotic accounting records and practices of one of our Nation's major cities. In fiscal 1981, for example, his insistence upon stringent financial management made an added $68 million available for reducing an accumulated $377 million deficit to $309 million. This achievement is even more remarkable when one considers the difficult control systems and to constant vigilance in the fiscal arena has produced impressive benefits for District of Columbia citizens and taxpayers alike.

Mr. Rogers is a member of the International City Management Association and recently served as chairperson of the Alameda City-County Management Association. He was the recipient of the 1979 distinguished alumnus award at South Carolina State College, Orangeburg, S.C. He also received the 1981 community services award from Howard University School of Social Work. He served as chairperson of the International City Management Association's Minority Executive Placement Board of 1974–79, and is vice chairman of the Metropolitan Washington Council of Governments. Mr. Rogers also serves on the Board of Public Executive Institutes, Inc., Washington, D.C.

The citizens of the District of Columbia have been served well by Mr. Rogers. He will continue, however, to advise the mayor. Mr. Speaker, in a period of criticism of public servants, Mr. Rogers is another outstanding example of a committed and competent government employee. He will surely be missed.●

HAPPY BIRTHDAY, HENRY GONZALEZ

HON. BRUCE A. MORRISON

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 3, 1983

● Mr. MORRISON of Connecticut. Mr. Speaker, I am happy today to have the opportunity to wish the gentleman from Texas, the Honorable HENRY GONZALEZ, a happy birthday and to congratulate him for his many years of dedicated work.

Although the rewards of this office are great, few of our fellow citizens understand the many sacrifices that Members of Congress must make in carrying out their obligations. The gentleman has been making those sacrifices for the sake of the people of his district, the State of Texas, and this great country for more than two decades now and for that we all owe him our gratitude.

During his tenure, the gentleman from Texas has been a champion of minorities and the poor. He has fought for a decent standard of living for all and, in doing so, has made the American dream a reality for many of our fellow citizens. As chairman and longtime member of the Subcommittee on Housing and Urban Affairs, the gentleman has been a tireless leader and advocate for progressive policies designed to fulfill our goal of providing that all Americans have access to safe, decent, and affordable living accommodations.

Last, I want to thank the gentleman from Texas for the tremendous

amount of assistance and guidance that he has given me as a freshman Member of the House on its Housing Subcommittee. I have enjoyed working with him over the past 4 months and very much look forward to working with him in the future.

Happy birthday, HENRY.●

TRIBUTE TO FREDERICK C. HAMMER

HON. BOB TRAXLER

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, May 9, 1983

● Mr. TRAXLER. Mr. Speaker, I rise today to pay special tribute to a remarkable man who resides in my district, Mr. Frederick C. Hammer. Mr. Hammer is a native of Upland, Nebr., but since his move to Saginaw, Mich., in 1950, he has risen to a stature within our community of which few people can boast.

Today, as Fred Hammer prepares to retire as director of Public Relations for Central Foundry Division of General Motors, he is respected as our innovator in the profession of public relations and a champion of the free enterprise system.

Fred Hammer began his career in 1937 as a reporter and editor of the Tuscola County Pioneer Times in Vassar, Mich. He moved in 1941 to the position of staff correspondent and bureau chief for Booth Newspapers in Bay City and Saginaw, Mich. Shortly thereafter, Fred joined the U.S. Army Air Force and served over 2½ years in North Africa, India, Burma, and China. He received the Bronze Star for military service during World War II.

Upon his return from active duty in 1945, Hammer joined the Standard Products Co. in St. Clair, Mich. In 1950, he moved to Central Foundry Division as an employment interviewer in the Saginaw Malleable Iron Plant. Promotions followed, giving Fred the opportunity to hone his skills as suggestion plan supervisor, assistant supervisor of employment, and employee relations supervisor. He was transferred to Central Foundry Division offices and named director of public relations in 1957.

In the years that I have known Fred, he has always been a "can do man." He has asserted his effective and aggressive leadership not only in America's industrial realm, but in civic matters as well.

Fred Hammer's accomplishments are impressive and many. He has been the driving force behind Central Foundry's successful public relations and communications activities. He has been a champion of truth and objectivity when dealing with the media, and strives to give reporters the "straight story." Fred is also a strong advocate of keeping the employee well informed. He took on the added responsibilities of internal communications at Central Foundry in 1972, believing that employees who are treated respectfully and told the facts of the business are keys to improved productivity and quality. In this same vein, Fred implemented at CFD an economic information program—unique throughout all General Motors—designed to give all employees valuable and much needed instruction in the basic principles of business and our free enterprise system.

Fred is also active in many professional and civic organizations. He is an accredited member of the Public Relations Society of America and a member of the American Foundrymen's Society. Fred is past director of the Saginaw County Chamber of Commerce and a member of the Saginaw Manufacturers Association and the Saginaw Valley Press Club.

Mr. Speaker, having heard this list of outstanding contributions and accomplishments, I am sure that you and the members of this distinguished body will agree that Fred Hammer will be sorely missed when he retires as director of Public Relations of Central Foundry Division. I know that all those with whom he worked, and all who worked for him, will miss his leadership.

Fred Hammer is a truly outstanding man and a special friend. As his Congressman, I am proud to have this opportunity to pay him this special tribute. On behalf of the Saginaw community, I wish to extend our heartiest thanks and every best wish to Fred Hammer and his family on his retirement.●

MISS HAZEL

HON. BILL CHAPPELL, JR.

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 9, 1983

● Mr. CHAPPELL. Mr. Speaker, we frequently gather together to offer salutatory remarks regarding individuals of note from all parts of the Nation and, in fact, the world.

However, for those of our colleagues who have worked in the Rayburn House Office Building, and found time to break bread together in the basement-level cafeteria, I am certain that we have, of late, missed a familiar hearty voice and kind spirit behind the service counter in that gathering place.

It is, of course, to Hazel Smith, the genial, courteous, and affable serving person and friend of many of us, who has left. Hazel has retired to her residence at 701 K Street NE., No. 302, here in Washington, D.C. 20002.

Not one of us who has ever had occasion to begin our workday with breakfast in the Rayburn Cafeteria could possibly have escaped the genuine laughter and sincerity of Hazel Smith. Hazel is an American among Americans. She is the epitome of the spirit that constitutes the goodness of this country.

I know, in this instance, that I speak for several hundred of my fellow colleagues in the Congress of the United States of America, when I say: "Well done, Hazel. May your retirement, which you so richly deserve, be one of happiness and joy. May you have many, many years ahead in which to enjoy the fruits of the labor which you accomplished with such diligence and with loving attention. You have served us well, Hazel Smith, and we of the Congress of the United States, salute you."

Be it therefore resolved that Hazel Smith, known to those of us who revere her as our "Miss Hazel" be declared this day and date and heretofore to be an honorary member of the Fourth Congressional District of Florida with all rights and privileges accruing thereto.●

TRIBUTE TO LEWIS E. BEANE

HON. CARROLL HUBBARD, JR.

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Monday, May 9, 1983

● Mr. HUBBARD. Mr. Speaker, I speak today in tribute to and recognition of a longtime friend of mine and constituent, Lewis E. Beane, of Central City, Ky., who died on April 1 in Greenville, Ky., at the age of 54.

Beane, a native of Muhlenberg County, was president and chairman of the board of First Federal Savings & Loan Association of Central City. Beginning as a teller, he worked his way up from managing officer to president and chairman of the board during his 20-year career at First Federal, Central City.

During his rise at First Federal, Beane was instrumental in the continuing growth of the institution. Its assets reached to more than $100 million shortly before his death.

Beane served on the Kentucky Savings & Loan League's board of directors from 1973 to 1977 and was elected president of the statewide Savings & Loan Association in 1977. From 1978 to 1981, Beane was elected to the 13-member board of directors of the National Savings & Loan Foundation. Indeed, he was proudly recognized by the peers of his profession.

A U.S. Army veteran whose service to his country included the Korean war, Beane was a member of the First Baptist Church of Central City and a

great contributor to his local community.

Survivors include two daughters, Debbie Beane of Owensboro, Ky., and Mrs. Diane Strangi of Little Rock, Arkansas; his mother, Mrs. Elizabeth Beane, of Central City; and two brothers, Ronald Beane and Robert Beane, both of Central City.

I extend my sympathy to the survivors and friends of this outstanding Kentuckian who was truly an inspiration to those of us who knew and respected him.●

EMPLOYERS' HEALTH BENEFIT PLAN SHOULD REMAIN TAX EXEMPT

HON. DONALD JOSEPH ALBOSTA

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, May 9, 1983

● Mr. ALBOSTA. Mr. Speaker, I rise today to introduce a House resolution which will express the sense of the House of Representatives that employee health benefit plans should remain tax exempt.

For the first time in history, we need a resolution like this becuase for the first time in history an administration has introduced legislation to tax employer-paid health insurance benefits. The administration claims taxing health benefits will slow escalating health care costs and increase revenues to reduce the Federal deficit. I contend that in both cases these objectives will not be achieved.

It is clear that taxing health benefits will not solve our health care cost containment problems. A recent Congressional Budget Office report shows this type of tax would be ineffective as a means of slowing the rising cost of hospital care. And as for raising revenues, cost-shifting and restructuring of benefit plans will prevent the projected revenues from being realized.

What this proposal will really do is add another tax to the already overburdened working American family. This tax does not encourage individuals to become more cost conscious. It only serves to attack the health coverage and preventive services such as dental care that working families need and depend upon. It discriminates and penalizes those who need health care the most—the older worker and those in hazardous, high-risk occupations. These people can least afford a higher tax because they are already paying high health insurance premiums.

Clearly, it is the millions of American workers who will be the real losers if we allow the administration to have its way. Not only will they be paying more taxes which, in my State of Michigan, could be devastating, but these workers will be losing essential health care services.

I encourage my colleagues in the House to join me and the joint coalition of over 20 business, labor, and health organizations in supporting this resolution opposing the taxation of health insurance benefits.●

THE FEDERAL ANTITAMPERING ACT

HON. WILLIAM O. LIPINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, May 9, 1983

● Mr. LIPINSKI. Mr. Speaker, I would like to take a moment to express my extremely strong support for the Federal Antitampering Act. Before last fall, it was inconceivable that someone could commit so terrible a crime as the poisoning of pain relievers. But it is a sad fact that someone could, indeed, perform such an act. I am delighted to see that the Government is taking some action to prevent similar tragedies in the future.

While there may be some question about the need for Federal involvement in this area of crime, the impact of the Tylenol case on Chicago, and consumers across the Nation mandates Federal action. I can speak firsthand of the trauma that Chicago suffered, and of the fear that swept the city. Not only would people not trust Tylenol, but people began to fear taking any commercially prepared product that could not be tested first. A great American city was seized with the fear that a secret killer was preparing to murder again, randomly and anonymously.

Following the Tylenol case, there was a rash of copy-cat crimes relating to product tampering. Some of the crimes were real, although most were false, but they all made an anxious nation hold its breath waiting for the next poisoned product to be revealed.

One of the most important roles that the Government performs is that of assuring consumers that the products that they purchase in stores are safe for consumption. Through no fault of anyone except a person with a twisted mind that confidence was eroded last fall.

The cooperative efforts of the Government and the manufacturers have given the American public the security of having the highest quality foods and drugs in the world. I am glad to say that with the Federal Antitampering Act, the Government has moved decisively to see that things will remain that way.●

TAX CREDITS FOR REMEDIAL EDUCATION

HON. ROBERT GARCIA

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, May 9, 1983

● Mr. GARCIA. Mr. Speaker, today, along with 10 of our colleagues, I am introducing legislation to provide tax credits for employers who provide remedial education for their employees. The importance of this legislation to employability and productivity is significant if we consider:

One adult in five does not possess the functional competency to get along in this society; 57 million Americans do not have skills adequate to perform basic tasks.

Of the 54.3 million persons 16 and over in 1970 who were not enrolled in school and who had less than a high education, 75 percent earned less than $5,000 a year.

The proportion of persons on public assistance who completed fewer than 6 years of school is more than double those with 6 to 8 years and almost four times those with 9 to 11 years of school.

Those whose schooling stopped before the eighth grade have lifetime earnings about one-third of those with graduate study.

Without remedial education, these people, even if they are lucky enough to be in the work force, will continue to be a drag on productivity and the economy. The costs of educational services for adults rises in proportion to the degree of disadvantage of those served.

Most persons in our society who lack sufficient reading and writing skills to function effectively are poor people and racial and ethnic minorities. They are found in city ghettos and doing hard physical labor on unmechanized farms.

A major shift in national education policy is needed to serve the educational needs of disadvantaged adults. To meet this need, I am introducing this bill to provide employers a refundable tax credit for remedial education for new and existing employees. The tax credit would be for 50 percent of wages while learning and 50 percent of the costs of learning.

Contrary to popular belief, high tech jobs are not the fastest growing occupational group. According to the Bureau of Labor Statistics, service occupations—firefighters, janitors, cosmetologists, bartenders, et cetera—make up the fastest growing occupational group. Remedial education for the structurally unemployed will provide entry level positions in these occupations.

By making the tax credit refundable, small businesses which are not making

a profit—as most do not—can provide jobs. Of the 15 million businesses in the country, 99 percent are small businesses. In 1976, 80 percent of new jobs were provided by firms having 100 employees or less. Almost 66 percent of the new jobs were provided by businesses with fewer than 20 employees.

The problem is employability and productivity. All the job training programs in the world will do no good if people cannot learn. Similarly, businesses are not going to invest capital in human resources incapable of advancement. With this incentive we can encourage the investment in human capital to make our great country competitive and strong again.●

TRIBUTE TO THE HONORABLE HENRY B. GONZALEZ

HON. PETER W. RODINO, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 3, 1983

● Mr. RODINO. Mr. Speaker, it gives me great pleasure to join with my colleagues in the House today to honor my longtime friend and colleague, HENRY GONZALEZ, on the occasion of the 30th anniversary of his first election to public office as well as in the celebration of his 67th birthday.

In his 30 years in public office HENRY has dedicated himself to work for the rights of the poor, the elderly, low-income families, small business people, and minorities.

As chairman of the Subcommittee on Housing and Community Development of the House Banking and Urban Affairs Committee, HENRY has fought hard to provide decent public housing and homeowners assistance for low- and middle-income families. His insight and commitment were instrumental in achieving United States participation in international development institutions such as the Inter-American Bank and the International Monetary Fund, among others. His work with the Hispanic Caucus is evidence of HENRY's commitment to work for the interests of the underprivileged and members of minority groups.

It is an honor and a pleasure to know and work with HENRY GONZALEZ. Congratulations and happy birthday, HENRY.●

WHERE DOES THE FUTURE OF FREE TV LIE?

HON. EDWARD J. MARKEY

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Monday, May 9, 1983

● Mr. MARKEY. Mr. Speaker, today I join many of my colleagues as a cosponsor of H.R. 2250, Mr. WAXMAN's bill to prevent the Federal Communications Commission from repealing the financial interest and syndication rules.

The rules, in place since 1970, have had nothing less than a revolutionary impact on the television broadcasting industry. Since their imposition we have seen an impressive increase in the number of independent television stations and the audience they reach, as well as the development of a made-for-syndication programing market. As a result, the diversity of programing available to the public on "free TV" has been expanded, while innovation and creativity in the production community have been encouraged.

These gains have been a boon to the American public. Yet even with these important changes in the industry, the program purchase market is not yet a competitive one. It remains primarily an oligopsony; a market where three firms control the gateway to reaching over 85 percent of the Nation's TV viewers. These market powers have come to us asking that we leave the FCC unfettered in its crusade to deregulate the program purchase and ownership business. Now, I have long advocated competition in the telecommunications industry—but I have also stood behind one central principle, one central concept in the deregulatory process: in considering regulatory reform, the FCC should not deregulate at a pace faster than real competition is growing in the area. By lifting the financial interest and syndication rules, the FCC would be doing just that; it would be opening the nascently competitive free TV programing market to the power and influence of those who could come to dominate that market.

Mr. Speaker, I am concerned about the arguments that the opponents of H.R. 2250 are raising. Principally, they tell us that the future of free, advertiser-supported television is at stake in this debate. They tell us that if we do not repeal the rules, the networks will find themselves lagging desperately behind the new technologies in revenues available to purchase programing, and the public will suffer. If this was the case—if repeal of the rules would foster a healthy free TV industry—the position I take today would be a very different one.

Yet this is not where the future of free TV lies.

If the rules are repealed, and the networks get the hundreds of millions of dollars in additional revenues they are asking for, what assurance does the public have that these moneys will be used to nurture the free TV production business? Or will CBS use their new millions to buy more cable systems, ABC to program its overnight pay-TV system, and NBC to produce more videodiscs for sale? The networks as corporations cannot be destroyed by the new technologies; they are the new technologies. The networks as networks may face changes at the hands of these entertainment innovations, but the revenues they receive as corporations from repeal will do little to mitigate the consequences of these bigger technological forces. Instead, they may well be used to fuel the fires which drive the networks toward the new technologies.

In the end, I have concluded that the future of free TV lies with this course, not the networks. By encouraging a healthy and independent production community, we provide needed support to those who will be creating the programs for the medium. By encouraging the development of independent television stations and syndication networks, we secure the future of an important outlet which brings these programs to millions of homes on free TV. The future of free TV lies with those who would bring "M*A*S*H" and other similiar programs to our sets not with network executives who—in one official's words—are made "uneasy" by this distribution.

Mr. Speaker, the financial interest and syndication rules have worked to serve the public and free TV over the past decade. That is why I am happy to join today as a cosponsor of H.R. 2250.●

CONCILIATION AND CONFRONTATION OVER NATIONAL SURVIVAL

HON. NEWT GINGRICH

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 9, 1983

● Mr. GINGRICH. Mr. Speaker, two aspects of our national survival are being closely examined by the House and by the American public. The funding of our own military, and the level of commitment we are willing to make to defending freedom in this hemisphere, are both timely and important to our Nation's security.

As both a fiscal conservative and as a lover of freedom, I look for a balance which protects freedom while keeping our borders and our treasury intact. It is for that reason that I consider myself a cheap hawk. And with some fundamental reforms in the way we go about preserving peace, the United States can have a stronger military and a manageable Federal budget. We must seek those reforms.

But, at the same time, I am fully committed to doing whatever is necessary to protect freedom in Central America. The external dangers to freedom for our allies in that region must be met, and the failed liberal policies of the past must not hamstring us

from making the commitment needed to win.

I want my colleagues to read the following column which articulates those concerns and offers interesting solutions.

The article follows:

[From the Wall Street Journal, Apr. 28, 1983]

REAGAN MUST FIGHT CONGRESS ON CENTRAL AMERICA

(By Morton M. Kondracke)

(Mr. Kondracke is executive editor of the New Republic.)

Sometimes a president ought to conciliate in order to build a national consensus for his policies and sometimes he has to confront. I think President Reagan is missing an opportunity for conciliation on defense policy, but I'm afraid that a confrontation of sorts was the only way for him to go on Central America.

Actually, a national consensus is forming on how much to spend on defense, only President Reagan and his defense secretary aren't part of it. From the bipartisan appeal group headed by six former cabinet officers to the Center for National Policy to the Senate Republican leadership to the White House staff, there is an agreement that the U.S. should increase defense spending 5 percent to 7 percent per year over the next several years.

President Reagan and Secretary Weinberger are holding out for 10 percent. On the other side, House Democrats have voted for an increase nominally put at 4 percent, but estimated by some analysis to be just 2 percent.

A congressional compromise may come out at 5 percent or 6 percent, but that guarantees nothing about future budgets. If Congress votes defense cuts next year or the year after, the big-ticket weapons authorized last year will go forward, and savings will be sought once again by cutting training, maintenance and personnel, which need new money the most.

So as part of whatever deal he works out on the fiscal 1984 budget, the President ought to do as he did when Social Security and the MX missile were caught in a lethal political crossfire—appoint a bipartisan commission to draw up a long-term defense program that will survive the 1984 election.

The commission ought to be charged with studying not just how much to spend, but what to spend it on. It's widely agreed that the Weinberger strategy of preparing to fight simultaneous wars all over the world is unrealistic. The commission ought to look into returning to John F. Kennedy's "two-and-a-half war" doctrine, Sen. Sam Nunn's proposal of a strategy to attack Soviet military communication and transportation lines (rather than Soviet forces directly) and other alternatives.

The commission also ought to study the much-criticized defense procurement system, proposals to reform the top military command structure, allegations that U.S. weapons are over-technologized and recommendations that the U.S. switch from "static war" to "mobile war" doctrine. It also ought to draw up a believable assessment of the Soviet threat and recommend fair and realistic burden-sharing arrangements for America's allies.

With Sen. Howard Baker retiring from office and having little to do while preparing for the 1988 presidential race, I nominate him for chairman.

Commissions and conciliation won't work, however, with Central American policy. The President doesn't need to confront his opponents in the sense of blaming them or threatening them, but his views on the threat and the means of meeting it are so different from those of his liberal adversaries that only an intellectual and political squaring-off seems likely to resolve the dispute.

Whatever the effect of the President's speech last night, a speech did need to be delivered.

As a liberal, I hope Mr. Reagan succeeds in winning military aid increases for El Salvador and defeats efforts in Congress to cut off assistance to anti-Sandinista guerrillas in Nicaragua.

Opponents of U.S. efforts in Central America say they are trying to avoid "another Vietnam," but it is precisely the example of Vietnam which suggests that Mr. Reagan's policy is basically right. Eight years ago President Ford appealed to Congress for $700 million to save South Vietnam from collapse. It was just money, but it was refused.

We liberals cannot avert our eyes from what ensued: three million murders in Cambodia, total deprivation of human rights in Vietnam (and corruption at least as bad as in President Thieu's time) and a falling of dominoes. North Vietnam has taken over South Vietnam, Laos and Cambodia; now it is shelling Thailand.

It's now known—the legendary Gen. Vo Nguyen Giap revealed it on French television—that North Vietnam began planning to take over Indochina as early as 1959, long before American troops arrived on the scene and supposedly disrupted the region's history.

We are under warning about Central America now. The Sandinistas in Nicaragua openly proclaim that they are part of a "revolution without frontiers." In 1980, the late Salvadoran communist chief Cayetano Carpio asserted that "the revolutionary process in Central America is a single process. The triumphs of one are the triumphs of the other. Guatemala will have its hour. Honduras its. Costa Rica, too, will have its hour of glory. The first note was heard in Nicaragua."

Liberals should note the designs on democratic Costa Rica, a country without an army—and also note Costa Rica's recent expulsion of Nicaraguan diplomats identified by a terrorist as having furnished him bombs and money. Costa Rican officials have complained about armed incursions from Nicaragua, too.

Central America is more ethnically homogeneous than Indochina, so the dominoes there may fall faster.

And Central America is close to our borders. If many American communities objected to the arrival of Vietnamese refugees and if Florida became divided over the arrival of 125,000 Cubans in 1980, we might well quake at the consequences here if hundreds of thousands of Central Americans begin streaming toward the U.S.

If Mexico, too, becomes unstable, the numbers could be in the millions, resulting in an internal security-civil liberties nightmare, not to mention job competition and ethnic frictions. To defend a hostile southern border and a threatened Panama Canal and U.S. coastline would swell the defense budget, at a cost to domestic programs.

President Reagan is asking for only money for Central America, and it's worth spending to avoid the necessity of some day sending in U.S. troops. Direct American involvement didn't work 10,000 miles away in Vietnam, but it has worked before in Central America and is an option in the future if money fails.

Opponents of the Reagan policy object that our money is being spent the wrong way—that negotiation, economic development, human rights and reform are our only hope and that financing military solutions will fail as in Vietnam.

The opponents are right to the extent that the U.S. cannot succeed if its only policy is military, but Mr. Reagan is correct in saying that there can be no reform or democracy in Central America without U.S. military aid. There is also little hope of persuading Nicaragua to stop spreading communist revolution unless the U.S. aids groups applying pressure on the Sandinistas.

The possibility exists of building a national consensus around a policy that combines military aid, regional negotiations and internal reform, but such a consensus cannot form unless President Reagan wins his fight in Congress.

If he loses, and if Central America goes communist, it will be liberal values that lose the most.●

TRIBUTE TO THE JEFFERSON CITY CANTORIUM

HON. IKE SKELTON

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Monday, May 9, 1983

● Mr. SKELTON. Mr. Speaker, I ask my colleagues to join me in praising the Jefferson City Cantorium, who are presently in Cork, Ireland, at the 30th International Choral and Folk Dance Festival. There they will be competing with highly renowned choirs from all over the world, including West Germany, Poland, Belgium, and Italy. The Cantorium has performed many spectacular performances here in the United States, including performances with such groups as the Kansas City Philharmonic, the St. Louis Symphony, and the Collegium Musicum of the University of Missouri.

I wish the members of the Jefferson City Cantorium good luck in their competition, and I am glad that they are having the chance to be good will ambassadors from the United States. I add the praise of the House of Representatives to that of the Missouri House and Senate for their fine achievements in the past here in America, as well as their success abroad.●

A GREAT LADY IS HONORED

HON. BILL CHAPPELL, JR.

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 9, 1983

● Mr. CHAPPELL. Mr. Speaker, I wish at this time to place into the

CONGRESSIONAL RECORD the saga of a wonderful constituent, a woman who has won the love and respect of all who have had the opportunity to feel the warmth and gentle consideration of her sincere interest in her fellow Americans.

Recently this marvelous 80-years-young lady was honored by one of the leading media in our Fourth Congressional District of Florida, the News and Observer of New Smyrna Beach, Fla.

I would like to further honor this great lady by having that news feature read into the CONGRESSIONAL RECORD at this time.

The article follows:

[From the News & Observer, Apr. 27, 1983]

NEVER TOO BUSY TO DO FOR OTHERS

(By Ed Ray)

Give to the world the best you have and the best will come back to you."

No one lives and teaches that philosophy better than Florence W. Settle, widow of the long-time New Smyrna Beach funeral director.

Mrs. Settle was honored last Wednesday night by the Turnbull Grange for her long and outstanding community service at a ceremony at Odd Fellows Hall. First recipient of the award in 1978 was Mrs. Allen C. (Dorothy) Winters. Mrs. William B. (Margaret) Hughes, T.C. Wilder, Jr., Joe Hintzen and Arthur Vos won the Grange distinction in the succeeding years.

Wilder says Mrs. Settle has been an inspiration to him ever since he was a boy. He knew her in Sunday School and delivered papers to her home. When he was graduated from New Smyrna Beach High School, Wilder became a trainee in the Settle Funeral Home and later became a partner in Settle-Wilder. When Mr. Settle retired, Wilder bought the firm, operated it until three years ago when he sold to Walter Johnson and went into semi-retirement.

"Mrs. Settle is a wonderful, kind, devout woman and has always thought of the welfare of others instead of her own," said Wilder. "She has worked hard all her life, but found time for service to others and the community, which owes her much."

In discussing her distinctive and varied lifestyle, Mrs. Settle said during an interview at her four-bedroom home at 318 Palmetto (corner of Palmetto and Lytle where the overpass going west begins):

"My first loves within the scope of my community activities have been my church, my volunteer work at Fish Memorial Hospital and my serving the sick and shut-ins."

Eighty years old last Nov. 15, Mrs. Settle shows no signs of slowing down her pace. The writer managed to visit with her for an hour late one day after she had made six calls at homes where people needed help.

Mrs. Settle and her identical twin sister, Florence Hans of South Daytona, were born on a farm near Lewisburg, Ky., daughters of Mr. and Mrs. George W. Wheeler. The Wheelers had four other daughters and one son.

The twins had to do all sorts of farm chores, but their hardest work came during two years of World War I when they had to replace hired help who went off to war.

"I learned to work as a child," said the charming, healthy and humorous Mrs. Settle. "My mother was one of the volunteers in our country community who went into homes when friends died and helped prepare bodies for burial. She took Florence and me with her many times and we learned what had to be done to bodies for burial. Our community hardly knew what a funeral home was. When my husband began his funeral home services here, I was no stranger to death. Because I learned in my teenage days to model with clay, I took the job as cosmetician (hair and face) for bodies awaiting burial."

Although she helped her husband in other funeral home work, and often sang solos at funeral services, Mrs. Settle's main job was as a teacher. Before moving to New Smyrna Beach in 1927 after her July 3 marriage to Mr. Settle in Jacksonville, Mrs. Settle attended Bethel Woman's College in Hopkinsville, Ky., and Western Kentucky Teachers' College at Bowling Green. She taught school in Kentucky for four years.

How did she become a New Smyrna Beach resident? She answered:

"My first trip to Florida was by train in December, 1924. My aunt, Sarah E. Wheeler, lived in Lakeland and she arranged for my visit for two weeks. I met my husband-to-be there. Willis was working at what is now Southeast Bank. I did not see him after my Lakeland visit until April, 1927, when he traveled to Louisville, Ky., to be with me while I attended Kentucky Educational Association's convention. He asked me to marry him and in May of 1927, I made plans to terminate Kentucky teaching. Willis and I met in Jacksonville and were married in the Methodist District parsonage there July 3, 1927."

The ceremony, she said, "was the beginning of a very busy and rewarding life for both of us."

Mr. Settle became interested in the funeral home business after discussing it with people at the Robinson-Tarver Home. He decided shortly after his marriage to go to the Cincinnati School of Embalming and two years later was licensed. He and Mrs. Settle decided to open a funeral home here. While traveling to purchase furnishings for the home, the Settles learned that a Kentucky bank which held their savings went broke.

"That was a blow, but we had good credit and we started the funeral home," Mrs. Settle said.

The Settles brought the first ambulance service to New Smyrna Beach after they opened the funeral home in 1931.

"Another of my jobs," said Mrs. Settle, "was to drive an ambulance in emergencies. I drove to bring in plane crash victims, many auto crash victims and others in accidents at home and elsewhere.

"The most nerve-wracking drive I had came when I had to substitute for a driver who was out when a call came for a pregnant woman at Oak Hill to be driven to Halifax Hospital.

"I didn't break the speed laws, but I knew I had to get the woman to the hospital because her labor pains had begun. When I finally drove to the Halifax emergency room entrance, I barely had won the battle to prevent childbirth in the ambulance. The child was born shortly after the mother got to the hospital."

The Settles continued their ambulance service until 1958.

"I taught private kindergarten for 10 years and, to make extra money, often baked and sold cookies," Mrs. Settle said.

From 1940 through 1949 she was a fourth and first grade teacher at Faulkner Street School. From 1957 to 1971 she was a first grade and kindergarten teacher at Oak Hill School, where she was president of the P.T.A. for the 1964-65 term. She served on the Volusia County Continuing of Education as well as the Volusia County Purchasing Committee. She retired from teaching in 1971. She still is a member of the Volusia County Educational Association, National Education Association and Rho Chapter-Delta Kappa Gamma Society International. She won another teaching degree attending classes part-time at Stetson in DeLand.

"My years of service in the First United Methodist Church have been most rewarding," said Mrs. Settle. "Willis and I had little money, but we gave the first pledge toward building the present church and we struggled to earn the money to pay it off. My husband never charged set fees for funeral services. He would study the financial situation of each bereaved family and charge accordingly. We never tried to get rich. We lived in an apartment above the funeral home until 1957 when we purchased and remodeled my present home."

Mrs. Settle taught Sunday School and sang in the church choir for 25 years. She was Sunday School superintendent for 10 years and was an active member of the administrative board for many years and presently is a member with honorary status. She has served 11 terms as president of the Wesleyan Service Guild, now known as Circle 6 of the United Methodist Women.

"The building or our present church sanctuary was a rich experience with my Lord," Mrs. Settle said. "Without Him, we could not have done it,"

Civic work never was neglected by Mrs. Settle. She was president of the New Smyrna Woman's Club for three years—1935-37. She served as Worthy Matron of the New Smyrna Chapter No. 3, Order of the Eastern Star. She was president of Elks Ladies B.P.O.E. 1557 in 1946. She was elected Regent of the Jane Sheldon Chapter, Daughters of the American Revolution in 1955-56-57. A charter member and president of Fish Memorial Hospital Auxiliary for 27 months (1954-57), she worked in the Auxiliary sewing department after retiring as a teacher.

No one observed the building of the Highway 44 overpass at U.S. 1 more constantly than Mrs. Settle. She has a hard hat with her name painted on it, given by the building superintendent for the construction company. The Department of Transportation took 12 feet off her property in order to build a passage under the overpass from Lytle to U.S. 1.

"It was a sad day when overpass construction men uprooted those beautiful palms on Lytle and took them to Disneyworld," Mrs. Settle said. "Because of so many people migrating to Florida, our state road department is desperately trying to provide roads and modes of transportation for inland people to get to and from our beach.

"This made it hard for those of us who have been caught in the way. I miss the beautiful two-way street which was Lytle with trees and flower beds in the middle from the railroad to Riverside Drive. The overpass has been called many things, but I call it Settle Hill because it separated me from my home and the Settle-Wilder Funeral Home."

Mrs. Settle can see and hear hundreds of cars pass close by her Florida room windows every day, but after looking at a condominium for sale, she decided she would stay on Palmetto Street and hire someone to live

with and take care of her should the need arise.

Mrs. Settle has white burglar bars, a burglar alarm system and "Police Care" to protect her. Under the "Police Care" system, participants call a police number between 8 and 12 each morning to say whether they are all right. If they don't call by noon, a police officer will check the residents of participants.

Mrs. Settle is an accomplished cook and it is from her kitchen many meals are prepared for shut-ins. She likes parties and recently prepared food for 40 in the "Police Care" program plus a number of police personnel.

She also cans and preserves food from her garden, once abundant but now limited. In her "orchard" are 13 fruit trees, two grapefruit, one fig, one lemon, one peach, one plum, one tangerine and one calomondin. "I give away most fruit I don't preserve," she said. She had a long fight with the road department about a pear tree which engineers wanted to remove for the overpass. She won her argument to save it, but concrete surrounding it caused it to die.

Mrs. Settle feels a helicopter landing area near Fish Hospital is an immediate city need. "We also need an entrance to the beach via Florida Shores and Edgewater, a high rise bridge of the convenience of boat passage at Riverside and Lytle and four-laning the South Causeway and Third Avenue to the ocean," she said in discussing the city's needs. She came here when only a few hundred persons were residents.

New Smyrna Beach churches, she said, "are doing a beautiful job for our Lord. Much love and care are being shown for spiritual guidance and well-being of the people they serve. If you don't have this feeling about our city, get right with God and keep your communication lines open. He is always ready to answer—just call Him and try Him out."●

A TRIBUTE TO SAUL AND SHIRLEY TURTELTAUB

HON. TOM LANTOS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 9, 1983

● Mr. LANTOS. Mr. Speaker, I want to take this opportunity to pay tribute today to Saul and Shirley Turteltaub, two people who have contributed much to their community in California, much to the happiness of the American people and much to the well-being of all people of good will.

Saul and Shirley have devoted countless hours of their time and effort to philanthropic and humanitarian causes. They are outstanding citizens in every sense of the word. Each has been a leader in a vast array of community organizations, from the United Jewish Welfare Fund, in which Saul plays a major role, to the Exceptional Children's Foundation, in which Shirley is a prominent figure.

But perhaps the most impressive characteristic of these two outstanding friends is that they have brought thousands of hours of joy to millions of people throughout the country for the last 20 years.

Saul Turteltaub is a major force in American television, in the best sense of what the medium has to offer us. When one thinks of some of the most honored, respected, and appreciated programs on television, it is truly remarkable how often Saul Turteltaub's name comes up in connection with them.

Saul began his career writing for Shari Lewis. Miss Lewis and her puppets helped to raise an entire generation of postwar children and set a level for children's programing that is still the envy of the industry.

We in Washington are particularly acute when politics are satirized. While performers and commentators come and go, one of Saul's efforts stands alone as perhaps the most excellent example of political satire. I am referring to a television show, "That Was the Week That Was." TW3, as it was called, is one of the brightest spots in television history. Saul was a writer on that show, working with a cast that included David Frost and Alan Alda.

Go down the list of performers with whom Saul has worked through the years, as writer, as producer, or in both capacities, and you will find names like Jackie Gleason, Carol Burnett, Redd Foxx, Marlo Thomas, and Mickey Rooney, to name just a few.

Mr. Speaker, it has been my pleasure to honor this giant of the entertainment industry, to pay tribute to two people who represent the best this country has to offer. We wish both Saul and Shirley Turteltaub health, success, and happiness in the future. Few people have been able to shape the attitudes of this country in such a positive sense as have Saul and Shirley Turteltaub, and we should be grateful for their presence and their good works.●

H.R. 2934—HEALTH PLANNING AMENDMENTS OF 1983

HON. HENRY A. WAXMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 9, 1983

● Mr. WAXMAN. Mr. Speaker, today I am pleased to introduce H.R. 2934, the Health Planning Amendments of 1983. This bill revises and extends through 1985 the authority for Federal support of State and local health planning agencies.

H.R. 2934 follows extensive work and compromise by the Subcommittee on Health and the Environment over the past year. The bill is virtually identical to the provisions of title II of H.R. 6458 which was passed by the House by unanimous consent last December.

H.R. 2934 is reasonable and balanced. On one hand, it maintains Federal support for State and local health planning agencies while on the other it gives States new flexibility in operating their planning programs.

The Federal Government has supported State and local health planning activities for more than 30 years. This support continues to be necessary because health planning agencies are vital to our efforts to restrain unnecessary, inflationary expansion of hospitals and other health facilities. The Federal Government, more than any other third-party payor, bears the costs of excessive hospital construction because medicare and medicaid now pay over 35 percent of hospital costs. To insure that Federal support for health planning activities continues, H.R. 2934 authorizes appropriations of "such sums as may be necessary" in fiscal years 1984 and 1985.

At the same time, H.R. 2934 includes two major provisions which will provide the States new flexibility to streamline their certificate-of-need (CON) review systems. First, the threshold for CON project review is increased from $600,000 to $1,000,000. This increase follows an increase from $200,000 in 1981. With this higher threshold, a large number of projects, about 70 percent, that would have been subject to review in 1980 may be exempt from the review process. Second, the States are given the authority to specify the role of HSA's in the review of CON applications. This change will allow States to tailor the CON process to their particular circumstances.

In addition to these major provisions, the bill also incorporates into the Public Health Service Act, on a permanent basis, a number of policies included in the 1983 continuing resolution.

There was broad agreement last December that the provisions of H.R. 2934 were a good health planning compromise. Representatives of health planning organizations, health insurers, employers, as well as hospitals, all expressed support for the provisions of this bill at that time. I believe that this approach remains a good compromise for 1983.

This is a particularly appropriate compromise, because under this bill the Congress will again consider health planning legislation in 1985. This timing is consistent with the provisions of the recently enacted social security reform bill, which provides for congressional consideration of hospital capital policies during 1985 following a report from the Department of Health and Human Services in October of 1984. This 1985 reconsideration will precede the implementation of new capital policies for medicare on October 1, 1986.

The Subcommittee on Health and the Environment held hearings on

health planning last Friday, May 6. I hope that health planning extension legislation can now be reported from the Committee on Energy and Commerce and adopted by the House in the near future.

SECTION-BY-SECTION ANALYSIS, HEALTH PLANNING AMENDMENTS OF 1983, H.R. 2934

Section 1. Provides that the short title of the bill is the "Health Planning Amendments of 1983." Specifies that the provisions of the bill amend the Public Health Service Act.

Section 2. Amends Section 1512(b)(2) (A) and (B) to reduce required Health Systems Agency staff from the lesser of five overall or one per hundred thousand residents of the area to the lesser of three overall or one per three hundred thousand residents of the area. This section codifies a policy currently in effect under the provisions of the Continuing Resolution for 1983.

Section 3. Amends subsection 1513(f) and 1523(a)(4) to provide that HSAs shall review and make recommendations concerning certificates-of-need in the manner, and to the extent, provided by systems established by State Agencies. Such State Systems shall provide that all applications of the same or similar type must be reviewed in the same manner.

Section 4. Amends Section 1515 regarding designation of Health Systems Agencies:

Amends paragraph (b)(2) to remove the 36 month limit on the period during which HSAs may be conditionally designated.

Revises paragraph (b)(3) and subparagraph (c)(1)(B) regarding the termination of conditionally designated HSAs to require the same procedures as are currently required for the termination of fully designated agencies.

Amends subparagraph (c)(3)(B) to remove the 12 month limit on the period during which HSAs which have previously been fully designated may be conditionally designated.

Amends subsection (d) to permit the same entity to be redesignated as an HSA. Current law only allows the designation of another entity.

Section 5. Amends Section 1516 by deleting paragraph (c)(2) which permits the Secretary to reduce the funds provided to HSAs. This provision will assure that grants to HSAs will continue to be made in the same manner as in previous years.

Section 6. Amends Section 1521 with regard to the designation of State Health Planning and Development Agencies:

Deletes the provisions of subparagraph (b)(2)(B) which require conditionally designated State agencies to progressively increase their functions.

Revises subparagraphs (2)(C) and (3)(B) of subsection (b) regarding the termination of conditionally designated State agencies to require the same procedures as are currently required for termination of fully designated agencies.

Amends subparagraph (b)(4)(B) to remove the 12 month limit on the period during which State agencies which have previously been fully designated may be conditionally designated.

Amends subparagraph (b)(2)(B) and deletes subsection (d) to extend the period that State agencies may be conditionally designated until October 1, 1986.

Provides that States shall not be required to have a fully designated agency or be subject to the penalty of a loss of funds under the Public Health Service Act until October 1, 1986.

Section 7. Amends Section 1526(a)(6) to require State agencies to review the appropriateness of currently offered institutional health services only to the extent such review is feasible. Current law provides that State agencies must conduct such reviews.

Section 8. Amends Section 1531 to increase the value of the projects which State Certificate-of-Need programs must review. The value of capital expenditures is increased to $1,000,000 from $600,000; the annual operating cost of institutional health services is increased to $500,000 from $250,000; and the value of major medical equipment is increased to $500,000 from $400,000.

Section 9. Amends Section 1536 to allow States which have previously elected to operate health planning systems under Section 1536 to expedite the reestablishment of health service areas and to require the Secretary to redesignate HSAs in such areas. Amends Section 935 of Public Law 97-25 to allow HSA funds to continue to be provided to States which operated Section 1536 programs in 1981.

Section 10. Authorizes $42,000,000 for grants to HSAs, $21,400,000 for grants to States and $1,500,000 for grants and contracts for Centers for Health Planning for fiscal year 1983. Authorizes such sums as may be necessary for fiscal years 1984 and 1985.

Section 11. Repeals Title XV as of October 1, 1986.●

TERROR IN EL SALVADOR

HON. BARBARA BOXER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 9, 1983

● Mrs. BOXER. Mr. Speaker, two of my constituents, Dr. Milton Estes and Tom Steel, have recently visited El Salvador. They have brought to my attention two articles that speak directly to the terrible tragedies that are occurring with frequency. I would like to share them with my colleagues.

[From the Modesto (Calif.) Bee, Feb. 22, 1983]

TERROR IN EL SALVADOR

There is no ambiguity about the provisions of the law covering United States military assistance to the government of El Salvador.

It says El Salvador cannot receive U.S. military aid or buy U.S. weapons unless the president reports to Congress every six months that the Salvadoran government is respecting the rights of its citizens and is making progress toward land reform and political reform.

On January 21, one day after a report by international observer groups declared the human rights situation in El Salvador is worse than ever, President Reagan certified that the terms of the foreign aid law were being met and that El Salvador should continue receiving U.S. military aid.

One week after that certification, Modesto attorney Nancy C. Smith visited the beleaguered country as an international observer under the auspices of a coalition of East Bay churches.

In her eight-day stay at a United Nations-run refugee camp for Salvadoran refugees, she found no evidence of improvement in the human rights situation in El Salvador.

On the contrary, her graphic report which appeared on the Viewpoints page in Sunday's *Bee*, was a horror-filled recounting of the killing, brutality and oppression inflicted by the Salvadoran army on its own people.

From every refugee she talked to came a story of indiscriminate killing and violence—of women and children raped and killed, of peasants shot from aircraft as they worked in the fields, of old people burned alive in their homes as the army moves to a scorched earth policy, laying waste to entire villages.

Throughout her interviews, Smith said, the terrorized refugees sounded one refrain: "They (the army and death squads) killed children, old people, and pregnant women."

The recurring willingness of the Reagan administration to arm this continuing reign of terror, this war of termination against the peasants—as Smith says the Salvadoran soldiers themselves refer to it—offers no hope of opening the eyes of those who will not look.

Even Congress, which is responsible for the human rights certification law, is showing signs of frustration after two years of sustained debate about El Salvador.

Rep. Gerry E. Studds, D-Mass., who has led the effort to halt military aid to El Salvador, recently said he has concluded that it is "essentially futile" to try to challenge U.S. policy. Congress will not vote to cut off aid to El Salvador, he said, and unless it does the administration will continue on its course of bolstering the current regime.

What, then, can be done? With an administration that cannot see and a Congress that will not act, it is obvious that the people of this country must take the lead.

During her stay in the camp, Smith found that the presence of international observers offered protection to the refugees from the brutal zeal of the army, a shield that does not go unappreciated. The refugees have a saying among them, Smith said: "First we thank God, and then, after God, we thank the internationals."

For the sake of those terror-stricken survivors we can support and enlarge the international observer programs, programs that will return to us more Nancy Smiths to shake us into awareness of our complicity in this continuing wave of death and destruction.

"If Americans understood the poverty and misery," Smith said, "if they could hear the heart-rending stories of brutality and repression, I believe they would demand an end to United States military aid to El Salvador."

The American people need to begin voicing that demand in a popular crescendo now before it is too late.

[From the Pacific Sun, Mar. 18-24, 1983]

VIEW OF EL SALVADOR

"They killed my husband and child," the woman said. "My husband was coming from the fields when the soldiers came. They did not talk to him, nothing. They just shot him and my child. I have four other children and I came here with them."

The woman is a refugee from El Salvador now living in a United Nations camp in Honduras. She was talking to Dr. Milton Estes, a Mill Valley M.D. He and two attorneys from the Bay Area went to Honduras to discover the truth about what is going on in Central

America, and the truth will make your hair stand on end.

"We heard the same stories over and over and over again," says Estes, who traveled to the camp under the auspices of Concern, a hunger relief group based in Los Angeles. Every refugee Estes met had malaria; most suffered from malnutrition. All of them, including the children, had witnessed unspeakable events: an uncle beheaded, a sister raped than hacked to pieces, fetuses ripped from women's bellies and fed to pigs. The soldiers' excuse was that the peasants were guerrilla sympathizers.

In fact, as culled from the refugees themselves, the peasants are largely apolitical. "They are illiterate, salt-of-the-earth folks," Estes says. The free elections and land reform programs of the late seventies were called "lies." People were afraid to go into the villages to vote for fear of being killed; at the polling places, soldiers stood armed to make sure their candidate got the vote. As for the land, the prices remained out of reach of most peasants and often soldiers would burn the crops and livestock anyway. Families were starving and had to leave their homeland.

Estes brought crayons and paper and asked the children to draw pictures of their lives. I remember getting that same assignment in school; I drew pretty little houses with flowers out front and smoke curling out of the chimney. These kids drew twin-blade helicopters dropping bombs on people. These were not images they saw on TV.

The stories Estes collected from the camps are particularly significant now that Reagan has asked for an additional $110 million (at press time) in arms aid for El Salvador; $26 million has already been authorized this year. this is madness not only from a humanitarian perspective but from a logical one.

Military aid is supposed to help combat guerrilla forces. Government soldiers, with money, equipment and advice from the U.S., are given free reign to terrorize the people, kill their families and burn their homes. Guerrilla forces, by the accounts of the refugees, sometimes serve as the protectors of the people against the military's violence and display humane treatment of their prisoners. Sometimes when a child's family is wiped out by soldiers, she will adopt the guerrillas as her new family. In effect, U.S. military aid is making the guerrillas stonger and more popular.

Estes plans to present slide shows of the people in the camps, and perhaps make a film using the stories he collected there. In the meantime he urges you and me to pick up a pen and write to senators and representatives to say no, we do not want to send $110 million of our tax dollars to support the clear violation of human rights in El Salvador. Anyone interested in refugee camp visitor programs can write Dr. Estes at 333 Miller Avenue, Mill Valley, (Calif.) 94941.●

NATIONAL SMALL BUSINESS WEEK

HON. WM. S. BROOMFIELD

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, May 9, 1983

● Mr. BROOMFIELD. Mr. Speaker, President Reagan has declared this week to be "Small Business Week" and I think it would be appropriate at this time to submit to my colleagues' attention an article about the contributions made by our Nation's small businesses. This article appeared recently in "First Monday." I think at this time it would be well if we reflected upon what we as a Congress have done to alleviate the burdens upon small business and what we can do in the future to stimulate this most productive segment of the private sector.

The article follows:

"MOTHERHOOD OF INVENTION"—AND JOBS

What do ice cream cones and zippers have in common?

If you guessed both are examples of American small business ingenuity, you are right. But, if you don't rate a double-dip cone a significant invention, consider then the following technological contributions made by American independent inventors and small firms: air conditioners, airplanes, the CAT scanner, the artificial heart valve, the high capacity computer, xeroxography, telephones, phonographs and polaroid photography.

When it comes to developing and creating new technology, American small businesses have been in the forefront of these advances. These firms produced most of the country's new products, new processes, new industries.

More importantly, American small enterprises create more than 70 percent of all new jobs, and today, more than 50 million people work in small businesses—that is half of America's workforce. Not only do American small business owners keep half of this country at work, they have also provided most of this country's important inventions and innovations over the years. For example:

Of the 149 inventions in the aluminum industry, major producers accounted for only one in seven;

Of the major 13 innovations in the American steel industry, four originated in Europe, seven were developed by independent American firms and none were produced by the leading steel companies in the nation;

Of the seven important inventions in the refining and cracking of petroleum, all were made by independent inventors; and,

Nearly every energy-related device of this century was invented by American small businesses.

Given this track record, why is America slipping from its position of prominence among the technological leaders of the world? Why do American businesses—large and small—seem to be losing their lead over competition from Western Europe, Japan and even several Third World countries?

Ronald Reagan believes part of the blame can be traced to the federal government. Instead of boosting the efforts of American small businesses, the federal government often stifled incentive and productivity through burdensome regulations. Despite their importance to this country's economy and workforce, American small businesses were bypassed by Uncle Sam when it came to handing out federal funds for research and development grants.

The once creative and unrestricted environment of small business became bogged down with red tape and lack of capital. No more.

President Reagan is determined to reverse America's declining technical superiority. Reagan told the country in his State of the Union Address: "This administration is committed to keeping America the technological leader of the world now and into the 21st century."

When he was first elected to office, President Reagan took swift action to aid American small business. Important legislation included:

The President's three year tax cut provided help to millions of small, unincorporated firms;

Regulatory burden was relieved through administration reform of federal red tape;

The Prompt Payment Act told Uncle Sam to pay his bills on time, to the principal benefit of small businesses;

Tax barriers to the formation and investment in small firms were reduced;

Reforms in the estate tax laws made it easier for small business owners to build and maintain their businesses; and,

The Export Trading Company Act will help small firms compete in foreign markets on an equal basis with their competitors in other countries.

President Reagan also directed all federal agencies to increase federal purchases from small firms and he supported the Small Business Innovation Research Act. This legislation orders the 10 major federal agencies—those with the largest research and development budgets—to direct more contracts to small high-tech firms—the very companies that have been in the vanguard of American technology.

The Small Business Administration (SBA), which oversees and monitors this program, estimates that in 1987, small high-tech firms will receive nearly $500 million in federal funds as a result of this legislation.

When the President signed the act last July, he said, "Small business is a tonic for what ails the country. By passing and signing this act, we are showing our resolve to unleash this most innovative sector."

Lucky for Americans that some inventors ignored the federal government's prior habit of inhibiting ingenuity. In 1904, two young businessmen from Ohio approached the government with the idea they thought could prove highly successful. Federal officials told the two entrepreneurs that before they spent a cent on their project, "The device must be brought to a state of practical operation without expense to the U.S. government."

Discouraged, but not defeated, Orville and Wilbur Wright simply invented the first flying machine without help from Uncle Sam.

It is this same spirit that Ronald Reagan wants to encourage, not squelch, through federal support of American innovation. The President does not want to see, for lack of a federal dollar an idea fail to get off the ground.●

BUDGET SQUEEZE THREATENS AMERICA'S BROADCAST PROGRAMS

HON. JACK F. KEMP

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, May 9, 1983

● Mr. KEMP. Mr. Speaker, in terms of cost effectiveness and national security value, America's international broadcasting program is one of our

best foreign policy investments in recent decades. As the London Economist has noted, "perhaps the single most brilliant act of American foreign policy since World War II" was the creation of Radio Free Europe and Radio Liberty. Their intrepid coverage of East European internal affairs has been vital in achieving a high degree of audience identification that overwhelms the Soviet's futile attempt to control and obstruct ideas and information in their official news reports.

Under its director, Ken Tomlinson, the Voice of America is basing its programing philosophy on the premise that the freedom of man, and other timeless principles of democracy, constitute the true reflection of American "ideology." Consequently, the Voice is offering its millions of listeners a broad range of views and prompt, uncensored, information.

Yet, as the following Wall Street Journal editorial notes, Radio Free Europe, Radio Liberty and the Voice of America are all coming under the budgetary guns in Washington, with their modest request for modernization funds threatened in the Senate. With the Soviet Union spending four times what we do to broadcast and jam international radio shows, I strongly believe we should support this prudent request. I commend this lucid editorial to my colleagues and hope they will continue their support for this vital democratic program.

The editorial follows:

[From the Wall Street Journal, May 4, 1983]

THE BIG SQUEEZE

Remember the presidential campaign of 1980, and the turning point we thought it marked in the conduct of our foreign policy? Remember how we were going to rebuild our defenses, become more assertive, beef up our international radio operations so they could do a stronger job in the battle of ideas? Well, it turns out that things didn't change so much at the radios after all. We had hirings, firings, planning for new initiatives—and this year, just as in years past, the bottom line is that the Voice of America is plaintively begging for more money.

The Voice is the one of the U.S. radios charged with, among other things, presenting straight news to listeners around the world. When the Reaganites arrived, some old hands screamed that a shrine of objective journalism was about to be turned into a propaganda machine.

But these ideological wars did not continue for long. The Voice got a permanent director, Kenneth Tomlinson, and the general atmosphere calmed down. The agency has been having an effect in the cultural wars and the real ones: Just last week the government of Poland actually filed an official protest complaining that VOA and Radio Free Europe were destabilizing Poland's political arrangements. If this is true, it is not an achievement to sneeze at.

All these efforts, though, have been running smack into one massive fact: The Voice of America is falling apart. Without question. Beyond the slightest debate. For one thing, it lacks certain personnel that any world-wide journalistic organization would have to call essential. Its Rome bureau was closed as an economy move during the Carter administration, days before the election of Pope John Paul II. Almost all its foreign language services are clearly understaffed. This means it cannot match the broadcasting hours put out by the Taiwanese government, let alone the U.S.S.R.

Even more fundamentally, the Voice's physical plant is going to pieces. Almost all its transmitters are more than 15 years old, a third are at least 30 years of age and some broadcasting to the Soviet Union and Eastern Europe comes out of transmitters built approximately around World War II. They are held together with the technical equivalent of baling wire and further limit the amount that the U.S. can broadcast.

The Voice now has before Congress two money requests for beginning the necessary fix-up. One is a $22 million supplemental request for the fiscal 1983 budget; it now sits before a dubious House Appropriations Committee. The other is the fiscal 1984 budget request.

The '84 request has gone for authorization to the Senate Foreign Relations Committee, as part of the budget request for the whole U.S. Information Agency of which the Voice is a part. What the Foreign Relations Committee has done to this request is to adopt an amendment by Sen. Edward Zorinsky cutting $65 million from the USIA budget. Then at the request of Sen. Claiborne Pell and others the committe tied up large chunks of money for specific purposes: one chunk for exchange programs, another to give to the private organizations that are slated to run the new Project Democracy.

What all this means is that for practical purposes the money for the Voice's modernization is gone.

It doesn't look as if anyone on the Foreign Relations Committee really had it in for the Voice. Indeed, the U.S. Senate periodically rings with mellow rhetorical tributes to the fine work the agency is doing. What seems to have happened is that some of the committee members wanted to take a general shot at USIA, and the Voice got caught in the squeeze.

The action can still be corrected. But it's already given us quite a snapshot of the way we conduct our legislative affairs in general and our foreign policy in particular. Our senators are awfully fond of talking about big ideas—about whether or not to get the MX missile, about moving the country lock, stock and blast furnace into the high-tech age. But when it comes to carrying out a policy that is indubitably beneficial and just needs a little attention to detail, they are a bust.

If there is one thing about which there is a consensus among those attentive to policy, it is that our radios do much for us in the world and can do more. You would think that this feeling would translate into some concrete beneficence. But no, when the chips are down, the Voice falls victim to the same slushiness that pervades most of our legislative activity.

Congress should reverse itself on this one, and show that it can walk and chew its policy gum at the same time.●

MX: FOUR FALLACIES

HON. BILL GREEN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, May 9, 1983

● Mr. GREEN. Mr. Speaker, Shortly the Congress will again vote on the MX missile. Before the Pentagon can spend $560 million appropriated for fiscal year 1983 for MX basing research and conduct an MX flight test, both the House and the Senate must approve the administration's proposal to base 100 MX missiles in Minuteman II silos in Wyoming.

I believe, this recommendation must be vetoed by the House. The article that follows, "MX: Four Fallacies," prepared by the Union of Concerned Scientists, outlines the flawed reasoning behind arguments favoring the MX missiles. The article rightfully concludes the current U.S. deterrent force is adequate, that the MX is a destabilizing first strike force inconsistent with U.S. deterrence policy, that building MX to threaten the Soviet Union with a strategic response in a conventional war is terribly risky, and that MX deployment will not force the Soviets to bargain on arms control and may result in escalation of Soviet deployments.

I commend "MX: Four Fallacies" to my colleagues' attention.

[From the Union of Concerned Scientists Fact Sheet]

MX: FOUR FALLACIES

The Reagan Administration and the Scowcroft Commission have recommended the development of the MX missile system for the following reasons:

The United States needs to build the MX to preserve the effectiveness of its nuclear deterrent.

The MX is necessary to give us the capability to threaten Soviet hard targets.

The MX is essential to deter the threat of conventional attacks on the alliance by the Soviet Union.

The MX is necessary to demonstrate U.S. resolve and to pressure the Soviet Union into reaching arms control agreements with the United States.

The Union of Concerned Scientists does not concur with these justifications for proceeding with the MX. Our reasons are outlined below in response to each of the four points.

(1) The U.S. Needs to Build the MX to Preserve the Effectiveness of Its Nuclear Deterrent.

Commission arguments: Our forces are older than those of the Soviets. The U.S.S.R. is also ahead in numbers of ICBMs, and is gaining in submarines. U.S. modernization of our ICBM force is therefore necessary. It is also needed to maintain the credibility of the triad.

UCS response: In fact, U.S. and Soviet forces are of roughly comparable age. Our strategic bomber force is newer than the Soviet equivalent; the B-52s were deployed after the Soviet Bears and Bisons. Our bombers have also been modernized more extensively; new equipment includes the

same offensive avionics package scheduled to be included on the B-1B.

Our ICBM missiles are older, but the warheads are about the same age as those on Soviet ICBMs. Three hundred of the Minuteman III missiles have recently been retrofitted with 900 of the new, more accurate MK-12A warheads. The Soviets have a marginal advantage in current warheads on their ICBMs, but they also have the serious liability of concentrating more than 70 percent of their strategic warheads on potentially vulnerable land-based ICBMs.

There is no evidence to support the contention that the Soviets are gaining in submarine technology. Our submarines are older, but our missiles are considerably more modern than those of the Soviets. For example, within the last four years, the U.S. has deployed over 200 new Trident I missiles with more than 1700 warheads. These missiles are newer than virtually all of the missiles in the Soviet submarine force. In addition, U.S. submarine improvements and ASW development are proceeding. U.S. technological sophistication has traditionally been far superior to that of the Soviet Union. Indeed, Secretary of the Navy John Lehman testified in March that U.S. submarines would "remain largely invulnerable throughout this century." He also said that submarines were becoming less, rather than more, vulnerable.

The Scowcroft Commission itself has acknowledged that the Soviets cannot effectively undertake a simultaneous attack on U.S. submarine ports, bomber bases, and ICBMs. The Commission concludes that ICBM vulnerability is not a critical issue for the present, and that each leg of the triad is reinforced by the capabilities of the triad as a whole. In short, the Scowcroft Commission has fully repudiated the Administration's "window of vulnerability" argument, overturning what was previously the principal justification for proceeding with MX deployment.

The U.S. triad is formidable. It is immensely powerful, and will retain for decades a great capacity for retaliation in the event of an attack on it. Its deterrent value is more than adequate for the foreseeable future.

(2) The MX Is Necessary to Give the U.S. the Capability to Threaten Soviet Hard Targets.

Commission arguments: The Soviets have a prompt hard target kill capability, and we do not. We need a prompt hard target kill capability, and can gain it with the MX.

UCS response: MX missiles in Minuteman silos can add to U.S. capabilities only if we plan to use them in a first strike against the Soviet Union. The Soviets will not launch a first strike unless they believe they can destroy U.S. missiles in the silos. MX does not alter that Soviet calculation; it simply places more valuable targets in the silos. The Commission report states that "there is considerable merit in moving toward an ICBM force structure in which potential targets are of comparatively low value—missiles containing only one warhead." The proposed deployment of MX flatly contradicts that proposal.

The Commission report does not adequatley defend the necessity for a time-urgent response—that is, the prompt hard target kill potential offered by the MX. If MX is intended for a second-strike response, it is not needed: there will be a limited number of hardened targets against which we need to respond. After all, the Soviet missile silos will largely be empty. Once the Soviets have launched an attack on the U.S., those missiles that remain in Soviet silos will probably be in "launch-on-warning" status, ready to be released as incoming U.S. missiles are detected.

Furthermore, the U.S. hardly needs additional capacity to strike Soviet hard targets. It now has increasing numbers of cruise missiles as well as a powerful bomber force. These second-strike weapons are already adequate for attacking important hard targets remaining after a Soviet attack. The U.S. can also respond without directly attacking Soviet cities, by destroying industrial and soft military facilities not located near population enters. Such a response would not require MX.

(3) MX Is Essential to Deter the Threat of Conventional Attacks on the Alliance by the Soviet Union.

Commission arguments: The U.S. needs the MX to convince the Soviets that a Soviet conventional attack risks a strategic nuclear response by the U.S. MX is essential to this response because of its "promptness" and "controllability."

UCS response: Initiating the use of nuclear weapons in response to a conventional attack would be dangerous and suicidal, particularly if strategic nuclear weapons are used. There is no basis for the presumption that nuclear war can confidently be limited, or confined to a finite number of exchanges short of escalation to all-out nuclear war. Limiting tactical nuclear war on the battlefield of Europe or elsewhere is difficult enough to believe; controlling nuclear war waged with ICBMs is inconceivable. The very feature of MX capability that the Scowcroft group finds so attractive—promptness—virtually guarantees that any use of the MX will quickly escalate to an uncontrolled exchange, and bring about the total destruction of the U.S.S.R. and the United States. We would lose far more than we would gain.

(4) The MX Is Necessary to Demonstrate U.S. Resolve and Pressure the Soviet Union into Reaching Arms Control Agreements with the United States.

Commission argument: Cancelling the MX would signify to the Soviets that we do not have the will essential for deterrence. Abandoning MX would reduce the likelihood of reaching a stabilizing arms control agreement with the Soviets.

UCS response: Lacking a military justification for building MX, the Commission has resorted to a political argument. A key conclusion of the Scowcroft report is that we must deploy the MX to demonstrate U.S. resolve. If we do not, the Soviets will doubt our "national will and cohesion." But the United States already has a secure, powerful, and redundant deterrent force. The Soviets know this. Rejection of the MX would demonstrate that we ourselves are confident in the strength of our deterrent. It would also signify to the Soviets and the rest of the world that we are serious about arms control.

Second, there is little hope that MX deployment would pressure the Soviets to negotiate, as expected by the Scowcroft Commission. The Soviets are more likely to respond to MX deployment by augmenting and improving both their defensive and offensive weapons. Thus, instead of inducing the Soviets to negotiate on arms control, MX deployment could provoke a counter buildup by the Soviets, which would quicken the pace of the already vigorous nuclear arms race.

ADDITIONAL CONSEQUENCES OF THE MX

The decision to deploy MX in Minuteman silos risks three major consequences. The first is that U.S. ICBMs will be placed on a greater alert status at crucial times, in order to avoid having them destroyed in their silos. This alert status—"launch-on-warning"—in itself could precipitate the event we are seeking to avoid. Given the sensitive nature of the U.S. warning system and its frequent false alarms, launch-on-warning would be an extremely dangerous posture.

A second possible consequence is that the President will soon argue that we must protect the MX, because superhardening the silos is not feasible in the near term. A ballistic missile defense (BMD) will be the obvious candidate to provide such protection. Yet even the Scowcroft Commission admits that the best fixed point defense BMD systems would violate the 1972 ABM treaty.

A third consequence is violation of the SALT II treaty, which the President has pledged to observe.

The flight testing and deployment of two new missiles will violate SALT constraints, as will the construction of new, superhardened ICBM silos. The Commission response is that SALT will have expired by the time the second new ICBM is deployed. Until the Reagan Administration came to office, the assumption underlying arms control negotiations was that constraints would become more rigorous over time, not less. President Reagan plans systems that violate the SALT II treaty, even while claiming to observe the treaty.

CONCLUSIONS

In conclusion, several factors are worth repeating:

Minuteman "vulnerability" is a political, rather than a military, problem. A perceived weakness—the fictitious window of vulnerability—sparked development of the MX. Now that it is clear that the weakness does not exist, we do not need the system.

MX is a first-strike weapon. The U.S. does not need the prompt hard target kill potentially provided by the MX. MX deployment is not consistent with U.S. deterrence goals.

Deployment of the MX as an instrument of U.S. first-use policy risks escalation to all-out nuclear war.

Building the MX to "coerce" the Soviets to negotiate is likely to fail. The more likely Soviet response is to improve their strategic force to counter any new capabilities that the MX might provide the U.S.●

PREFERRED PROVIDER HEALTH CARE ACT OF 1983

HON. RON WYDEN

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Monday, May 9, 1983

● Mr. WYDEN. Mr. Speaker, I am today introducing the Preferred Provider Health Care Act of 1983. It is my belief that this legislation will promote competition in the health care financing marketplace and stimulate a variety of initiatives throughout the United States that will moderate skyrocketing health care costs.

For more than two decades, health-care spending in the United States has risen dramatically, and current and

projected levels of spending for health are expected to continue soaring.

Congress has repeatedly considered ways to slow these rapid increases in health care costs and particularly their impact on public health care financing programs, such as medicare and medicaid.

Our immediate attention has focused on some of the financial problems of Government-sponsored programs, because of their enormous impact on the budget. But, until we begin to devote some attention to systemwide changes in the American health care financing system, we will still not have addressed the underlying causes of increasing health care costs—in either the public or private sectors.

In the last few years, we have recognized that major reforms in the design of our public programs are necessary to slow the rates of growth in the costs of providing needed services to the elderly, disabled and poor of America under medicare and medicaid. We have learned that to effectively serve the elderly and the poor, we must show a new concern for costs.

In 1981, for example, we authorized the States to make needed changes in the designs of their federally aided medicaid programs in order to develop cost-effective controls over spending for health services. Personally, I worked very hard for the prospective payment legislation that the President just signed, because I have long felt that major changes were needed in the way we pay for hospital care under the medicare program.

The purpose of these actions, Mr. Speaker, has been to provide new incentives to those who deliver services under these publicly financed programs to constrain what are now virtually uncontrolled levels of spending. In both instances, we are beginning to acknowledge that the Government simply must become a smarter, more efficient purchaser of health services on behalf of those served by these taxpayer-financed programs.

However, Mr. Speaker, the same cost pressures that compelled Congress to take steps to control spending under medicare and medicaid are also forcing the private sector to reconsider some of the traditional ways in which health care is financed.

The costs of private health benefit programs—those usually provided for Americans through their places of work—are also very much out of control. Employer costs for health benefit plans covering their workers and dependents are rising dramatically; labor has seen potential wage increases melt away in the form of higher and higher fringe benefit costs for health benefits; and, individual workers and their families are very much aware of the economic destruction that any serious illness can bring to working Americans.

Various efforts are being undertaken across the country to attempt to deal with these exploding health care expenses and their economic impact on business, labor, and individuals. Some of these efforts focus on the injection of more competitive pressures in the health care financing marketplace. Numerous opportunities are developing in communities throughout the country, as buyers and sellers of health care services recognize that an intolerable situation of ever-rising health spending simply cannot be allowed to continue.

One of the more innovative cost containment initiatives developing on the local level is the preferred provider arrangement.

"Preferred provider arrangement" is a term used to describe an alternative health care financing system in which services of some specified list of providers—hospitals, doctors, and so forth—are offered to insurers or to employers at predetermined rates. Individual providers of services enter into a contractual agreement to provide necessary care in exchange for prompt payment on the basis on negotiated, and usually discounted, fees.

Consumers who participate in the preferred provider arrangement are completely free to obtain their health care from whomever or wherever they choose. However, if they elect to receive such care from those on the list of preferred providers, they will receive some type of financial advantage that they do not receive if the care is supplied by providers who do not participate in the preferred provider arrangement.

These financial advantages usually take the form of a waiver or reduction in deductible coinsurance payments, or sometimes increased benefits. Such arrangements are being sponsored variously throughout the country by medical group practices, hospitals, union trust plans, insurance companies, Blue Cross and Blue Shield plans, and by some associations of independent physicians. Organizations offering such arrangements are often called preferred provider organizations, or PPO's.

Many who have followed the development of PPO's believe that such arrangements offer a major opportunity for moderating rising health care costs by promoting sensible, fair competition among the providers of services and by encouraging provider groups—especially physicians—to adopt or to agree to effective utilization and resource monitoring programs as a means of controlling expenditures.

There are important advantages for the consumers who specifically: First, receive the financial advantages that flow from using the providers on the preferred list, but second, are in no way locked in to specific providers of care. Because of the negotiated arrangements, consumers using such providers generally know in advance which services will be paid for and that such amounts, if obtained from a preferred provider, will be accepted—except for any explicitly defined cost sharing—as payment in full.

There are also important advantages for hospitals, physicians, and other suppliers of services who become preferred providers, including a guaranteed and stable source of patients and prompt and full payment that helps to assure steady cash flow.

The intention of my bill is not to dictate to local communities the form that these preferred provider arrangements may take, or the conditions under which they may be established. I believe it would be a serious mistake for Congress to consider any legislation that narrows, in any way, the range of innovative, competitive financing arrangements that are beginning to emerge in this area.

The purpose of my legislation, rather, is to override some of the impediments that I believe exist in some States which retard competitive innovation in the health care financing field, and which act as barriers to, or have some chilling effect on, the development of competitive alternatives in the health care marketplace.

Whether preferred provider arrangements can be incorporated into a third-party payment program—and particularly into the insured plans offered by health insurers and into some Blue Cross and Blue Shield plans—depends upon a particular State's laws and regulations governing health insurance. Sometimes, State statutes work to prevent the offering of competitive alternatives to employers and workers or the negotiation of contracts that would promote effective expenditure control programs as part of health care financing arrangements.

For example, the nondiscrimination insurance laws on the statute books of some States work to prohibit insurers from varying the amounts of payment made among providers of services—an essential part of preferred provider arrangements. Some freedom of choice laws may prohibit insurers from influencing a covered patient's choice of physician or other provider.

The bill I am introducing today will insure that these laws do not stifle competition that could benefit the purchasers and consumers of health care services. My legislation will insure that consumers who chose designated providers who are cost effective, or who are willing to participate in cost-effective programs, are not penalized through unfair regulation.

Under the Preferred Provider Health Care Act of 1983, no provision

of State insurance or other law or regulation would be allowed to prevent one or more group health plan payors; for example, health insurance, Blue Cross/Blue Shield plans, multiemployer trusts, and so forth, from negotiating and entering into contracts for alternative rates of payment with, or determining alternative rates of payment for, providers of health services.

States could not prevent the offering of the benefits of such alternative rates to beneficiaries who elected to receive care from preferred providers of health services.

Furthermore, with the explicit agreement of group policyholders, and subject to the terms of any applicable collective bargaining agreement, no State law or regulation could prevent payors from limiting payments under a health policy to services secured by plan beneficiaries from providers of services charging such alternative rates.

This legislation also makes it a matter of explicit Federal policy that such arrangements will not constitute a violation of State laws or regulations which prohibit discrimination among beneficiaries of the same class in the matter of payments under a preferred provider arrangement. The override of these State barriers under the bill would not apply to any State law which relates to cost-effective arrangements, including limitations on the use of providers, under either the medicaid program or, if applicable, under medicare.

PPO's have the potential to be a major force in health care cost containment. They represent one of the few initiatives that seem to effectively incorporate doctors into cost-containment strategies. They can serve to give our consumers another health care choice—and by stimulating fair, effective competition, could produce beneficial results for our health-care system as a whole.

As such, the legislation I offer today will not solve all the problems of our health-care system, but it is a step toward a goal all Americans can support: Quality, affordable medical care.

H.R. 2956

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Preferred Provider Health Care Act of 1983".

SEC. 2. (a) No requirement of any State insurance or other law or regulation shall apply so as to prevent one or more group health plan payors—

(1) from negotiating or entering into contracts for alternative rates of payment with, or determining alternative rates of payment for, providers of health care services and offering the benefit of such alternative rates to group health plan beneficiaries who select such providers, or

(2) with the agreement of group policyholders and subject to the terms of any applicable collective bargaining agreement, from limiting payments under a policy to services secured by group health plan beneficiaries from providers of health care services charging alternative rates.

(b) The payment with respect to group health plan beneficiaries by a group health plan payor of alternative rates of payment under subsection (a) shall not constitute a violation of any State law or regulation which prohibits discrimination among beneficiaries of the same class in the matter of payments by a payor described in subsection (c)(2).

(c) For purposes of this section:

(1) The term "group health plan" has the meaning given such term in section 162(i)(2) of the Internal Revenue Code of 1954 and does not include a State plan approved under title XIX of the Social Security Act or an insurance program under part A or part B of title XVIII of such Act.

(2) The term "group health plan payor" means any health insurer, hospital and medical service corporation, health maintenance corporation, self-insured employer, multiemployer trust, labor organization, or any other entity which provides for making payment for medical care (as defined in section 213(d) of the Internal Revenue Code of 1954) under a group health plan.

(3) The term "State" includes the District of Columbia.

SEC. 3. This Act shall take effect on January 1, 1984.●

TRIBUTE TO RONALD CALTAGIRONE

HON. ROBERT G. TORRICELLI

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, May 9, 1983

● Mr. TORRICELLI. Mr. Speaker, I rise today to pay tribute to Ronald Caltagirone of Emerson, N.J., a brave young sailor who recently died in service to his country.

On May 1, 1983, a U.S. Navy C131-F aircaft carrying 15 passengers crashed en route to Guantanamo Bay, Cuba. Immediately after take off the plane's left engine caught fire and the pilot attempted to make an emergency landing. The pilot's gallant efforts failed and the plane crashed only 125 yards from the runway in the St. Johns River near Jacksonville, Fla.

Among those found dead was A1c. Ronald Caltagirone. Ronald, only 21 years old, was a graduate of Emerson High School in 1980. Six months after graduation Ronald made the choice to dedicate himself to the service of his country by joining the Navy. At a time when serving our country is not always the most popular choice, Ronald is to be admired for having the determination and self-confidence to put his country first. I applaud his courage and devotion to the Armed Forces of the United States. It is young men like Ronald who continue to set fine examples of bravery and valor for our country. Ronald's selflessness to country and dedication to duty serves as a symbol of our country's character and spirit. As President Harry S. Truman once said:

The strength of this Republic lies in the fact that so many millions of men and women recognize clearly that they must serve their country before they serve themselves.

That sense of national duty is what Ronald represents.

I stand today in tribute to Ronald Caltagirone's selfless dedication to country. His parents Nicholas and Gabriel and his sister Denise Pfeiffer can be proud of Ronald. Emerson, N.J., was blessed to have as rare an individual as Ronald among its residents.

He will be sorely missed by his family, his friends, his community, his country, and all who knew him.●

A TRIBUTE TO A DISTINGUISHED EDUCATOR

HON. BOB CARR

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, May 9, 1983

● Mr. CARR. Mr. Speaker, it is with great pleasure that I rise today to honor Mr. Keith Geiger, president of the Michigan Education Association, as he marks his seventh anniversary in office.

Keith Geiger's career in education has been as productive as it has been diverse. His teaching background in the schools of Livonia, Mich., is in mathematics and science; but he has also expanded his pursuits into the areas of politics, theater, philanthropy, and equal rights. He has shown a high level of devotion to his community by serving on such panels as the Lansing Area Advisory Board of the Arthritis Foundation, the board of directors of the Michigan Project on Equal Education Rights, and the recreation commission in my hometown of East Lansing.

During his 7 years at the MEA, he has both demanded excellence in education, and worked to assure that educational issues are in the forefront of the political agendas on the State and national level. He has been an energetic and enthusiastic advocate for teachers, parents, and students, taking risks and meeting challenges as opportunities for innovation and creativity. His time has been solidly invested in our children, and thus in the future of the State of Michigan.

Keith's continuing pursuit of his own education, as he works to receive his doctorate at the University of Michigan, is still further evidence of his commitment to scholarship and high academic standards. He is a fine example to all of us, and especially to the young people in our State's school system who will greatly benefit from his guidance and leadership.

Mr. Speaker, I ask that my colleagues in the U.S. Congress join me in saluting Keith Geiger, a truly distin-

guished educator and leader. On his seventh anniversary, he has reason to be proud of all he has accomplished.

THE PRICE AND SUPPLY OF NATURAL GAS

HON. BUTLER DERRICK

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 9, 1983

● Mr. DERRICK. Mr. Speaker, Members of this body are currently faced with a difficult decision concerning the regulation, or deregulation, of natural gas. It is a difficult issue because the price and supply of natural gas have a significant effect on the well-being of our constituents, and because the relationship between the price and supply of gas and a program of regulation is both complex and the subject of disagreement. In this situation I believe we are all well served by thoughtful analyses of the likely effects of deregulation. I offer here to my colleagues the summary and conclusions section of such a thoughtful analysis: A study prepared by the South Carolina Energy Research and Development Center at Clemson University, "An Assessment of the Economic Impact of Natural Gas Prices and Deregulation Upon the South Carolina Economy." I do not necessarily agree with all of the study's conclusions, but I certainly believe it contributes to an understanding of the current natural gas situation in the Nation in general, and in South Carolina in particular. I will be happy to provide a copy of the full study to any of my colleagues who would like one.

SUMMARY AND CONCLUSIONS

Included in this report is a semi-quantitative assessment of the impact of rising natural gas prices on South Carolina industry. The methodology included: (a) an estimate of industry dependence (both direct and indirect) on natural gas inputs from 1985 to 1995, (b) an estimate of direct natural gas costs per dollar of sales for major industry groups for 1985, 1990, and 1995, (c) estimates of employment multipliers for each industry group in South Carolina, and (d) the use of an established energy/economic model of South Carolina industry.

The conclusions we draw from our analysis are:

1. Supply is significantly more important to South Carolina industry than is cost. This is due to the low quantities of natural gas used (per $ of output) by our industries. Only under the extreme case of a 1985 price for natural gas of $9/MCF is there potential for a large number of industries and a large number of employees to be affected to the extent of increasing selling prices of goods to 10 percent above current levels. However, it is cautioned that selected industrial sectors could be wiped out at significantly lower levels. e.g. some textiles, since they operate on profit margins of less than 10 percent. However, if major competitors (e.g., the textile industry in other southeastern states) are faced with similar natural gas price increases, then South Carolina industry will not suffer vis-a-vis their United States competitors. However, a N.C. firm on a deep cushion pipeline would have an unfair competitive advantage compared to a S.C. firm on a shallow cushion supplier.

2. As indicated in (1) above, at levels less than the 10 percent cost of production increase there are a few sectors in South Carolina that are very sensitive to natural gas price increases and are likely to be adversely affected by competitors that have access to deep cushion gas. Sectors that are most likely to suffer significant reduction in profit margins and markets are Stone, Clay and Glass products (Sector 38), Furniture and Fixtures (Sector 30) and Finishing Plants—Cotton and Synthetics (Sic 2261-2262). Sectors 38 and 30 are very heavy users of natural gas per dollar of sales and thus will suffer accordingly from rapid rises in natural gas prices relative to their competitors if these competitors are on deep cushion pipelines. Within these sectors, Fiberglass, Brick-Structural Tile, Upholstered Furniture, Ready Mix concrete, and Concrete Block Products are most vulnerable.

The textile finishing plants use considerably less natural gas per dollar of sales than firms in Sectors 38 and 30. However, they are significant employers in South Carolina and also low profit per dollar of output sectors. Unless the locally oriented subsectors of Stone, Clay and Glass (Sector 38), textile finishers generally face stiff competition from other domestic sources. For example, Ready-Mix Concrete manufacturers tend to operate in local markets where all producers are likely to be faced with the same natural gas price increases whereas S.C. textiles must compete with Texas textiles, etc.

Textile finishing plants that are currently considered to be marginally profitable may succumb to natural gas price increases that erode profit margins despite the estimate of no more than a $.01 drop in textile sector profits per dollar of sales by 1995 because this sector tends to be a low profit per dollar of sales sector (approximately $.046/per dollar of sales). Even a $.01 drop in profits per dollar of sales may represent a 15 percent to 25 percent reduction in profit margin. If competing plants (perhaps operated by the same firm) are able to avoid this erosion of profit margin through purchase of low cost natural gas on a deep cushion pipeline in another state, then the South Carolina plant is clearly in jeopardy. Unfortunately, multiplier effects of closing of textile plants are also relatively large in South Carolina.

3. Agriculture is most likely to be affected by rising natural gas prices via the increased cost of ammonia fertilizer. The impact of rising ammonia fertilizer prices has been analyzed by Gardner. He concludes:

"In summary, the effects of deregulation versus current natural gas price regulation on the Farm and Food sector are significant but far less than those often caused by weather or international events. Consumer and farmer costs together do not exceed more than one percent of the value of farm production."

4. Under projected effects of the NGPA of 1978, individual firms located on low cushion pipelines with competitors on high cushion pipelines will suffer loss in profit margin or market share. Industries that are likely to encounter this problem (i.e., have significant competitors on other pipelines) and that employ more than 1,000 people in South Carolina are in descending order:

1. Upholstered Household Furniture, SIC 2512, Sector 30.

2. Pressed and Blown Glass Products, SIC 3229, Sector 38.

3. Finishing Plants, Cotton, SIC 2261, Sector 25.

4. Finishing Plants, Synthetics, SIC 2262, Sector 25.

5. Plastics Materials, SIC 2821, Sector 34.

6. Industrial Organic Chemicals, SIC 2818, Sector 33.

7. Plastics Products, NEC, SIC 3079, Sector 36.

8. Boiler Shop Products, SIC 3443, Sector 40.

9. Organic Fibers, Noncellulosic, SIC 2824, Sector 34.

10. Ball and Roller Bearings, SIC 3562, Sector 41.

These 10 industries meet these criteria: 1. Employing more than 1,000 people in South Carolina; 2. Had a natural gas use coefficient of $4/$1000 of output or greater; and 3. Are likely to have significant competition from outside South Carolina where competitors may be on high cushion pipelines.

5. Of the 10 industries listed in (4), we considered the employment effects of a plant shutdown by using employment multipliers for the affected sector:

EMPLOYMENT PER MILLION DOLLARS OF SALES

Sector	Direct plant	All	Multiplier
25 Fabrics, textiles	35	125	3.5
30 Furniture	48	112	2.3
33 Chemicals	15	47	3.1
34 Plastics	21	43	2.0
36 Rubber	25	62	2.4
38 Glass, stone, clay products	33	83	2.5
40 Fabricated metals	27	62	2.3
41 Machinery, nonelectrical	26	65	2.5

The largest multiplier effects would be in Sector 25 because of the well developed textile industrial complex in South Carolina. Thus, marginal textile finishing plants that shut down would most severely affect employment in South Carolina. Fortunately, Sectors 38 and 30, which are the most sensitive of all South Carolina sectors to gas price increase, have a relatively small, though not insignificant, multiplier effect. The multiplier shows the total job change for every direct change in jobs in industries in this sector. For example, if a blown glass products plant with 1,000 employees were to shut down, about 2,500 total jobs would be eliminated. The cummulative effect of shutdowns of these significant gas users would be the loss of in excess of 130,000 South Carolina jobs.

6. Recommendations were formed that favored deregulation of natural gas to a limited degree with strict provisions attached to attempt to alleviate the attendant disruptions of a shift to a total free market concept. (See page 63 for an expanded statement).●

AIDS: A NATIONAL CONCERN

HON. STENY H. HOYER

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 3, 1983

● Mr. HOYER. Mr. Speaker, we are faced today with a national public health crisis not known in this country since the days when polio struck thousands of our citizens. I speak of a dis-

ease for which we have no known cure, a disease which has a 40 percent mortality rate. The number of new, reported cases of this disease has doubled every 6 months since the first cases were diagnosed 1½ years ago. This sudden surge is all the more frightening when we note that the incubation period is 2 years and this may only be the beginning.

I speak of the epidemic that has come to be called AIDS or acquired immune deficiency syndrome. It is a disorder for which presently there exists no proven mode of prevention or treatment, yet it strikes at the very center of the body's primary system for staving off disease. As a result, victims of AIDS often succumb to a rare form of cancer called Kaposi's sarcoma and a more common protozoan infection of the lungs called pneumocystis carinii pneumonia. They are also left vulnerable to scores of other ailments which weaken and threaten the body. As of April 21, the total number of cases in the United States reached 1,352, with 512 dead. Citizens in 36 States and 16 foreign countries have been effected; there are already 85 cases outside the United States.

This is fast becoming a significant and growing health problem for which, at this point, we have no solution. Perhaps because the largest at-risk group is gay or bisexual men, public attention, until recently, has been negligible Government response has been slow. The second largest at-risk group is comprised of individuals who share needles for the injection of drugs. These two groups account for more than 86 percent of the total number of cases reported in the United States, and, often vocal concerns over the disease are coupled with critical judgments of the lifestyles of those who comprise the largest segments of victims. Unfortunately and tragically, this has reinforced the feelings of isolation, anxiety and loneliness that accompany the disease.

For not only are the victims of AIDS facing a 40-percent mortality rate, they are also confronted with an unsympathetic public, which merely adds to the complex psychological problems and devastating financial burdens they suffer.

Recently, AIDS has been reported in hemophiliacs, in children of parents with AIDS, and in some patients who have received blood transfusions. In fact, we do not even yet know the potential impact this disease will have on the public.

In discussions in the Appropriations Subcommittee on Labor, Health and Human Services, and Education, of which I am a member, representatives including the Director of the National Institute for Health, the Director of the National Institute of Allergy and Infectious Diseases and the National Cancer Institute reported on the steps they are taking to confront this health problem. They reported that while they have a few leads on how to prevent and treat the diseases, they had not even yet determined the causes. NIH has allocated $9 million in fiscal year 1983 and over $12 million in fiscal year 1984 for further research. In addition, the Center for Disease Control plans on spending $5 million for more applied epidemiological studies and outpatient research in their efforts to combat AIDS.

Mr. Speaker, the severity of the disease and the swiftness with which it has spread requires our immediate attention. Medical research into the causes and treatment of AIDS must be immediately intensified. National resources must be concentrated on the attack and a concerted effort on the part of our local communities is needed to provide support services for its victims.

It is imperative that we recognize AIDS as a national health problem and respond accordingly; with increased awareness, with sympathy and understanding for its victims, and with a real intent to find the means to support needed medical research.●

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate on February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place, and purpose of the meetings, when scheduled, and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Any changes in committee scheduling will be indicated by placement of an asterisk to the left of the name of the unit conducting such meetings.

Meetings scheduled for Tuesday, May 10, 1983, may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

May 11

9:00 a.m.
Armed Services
Military Construction Subcommittee
Closed business meeting, to mark up certain provisions of S. 720, authorizing funds for fiscal year 1984 for military construction programs of the Department of Defense.
SR-22209

9:30 a.m.
*Commerce, Science, and Transportation
Communications Subcommittee
To continue hearings on S. 999, proposed International Telecommunications Act.
SR-253

Labor and Human Resources
Business meeting, to consider pending calendar business.
SD-430

10:00 a.m.
Agriculture, Nutrition, and Forestry
To hold hearings on the nomination of Daniel G. Amstutz, of New York, to be Under Secretary of Agriculture for International Affairs and Commodity Programs.
SR-328A

Energy and Natural Resources
Business meeting, to consider pending calendar business.
SD-366

Foreign Relations
To hold hearings on the arms control and foreign policy implications of the Scowcroft Commission Report.
SD-419

Governmental Affairs
To resume hearings on S. 121, to establish a U.S. Department of Trade as an executive department of the Federal Government.
SD-342

Governmental Affairs
Governmental Efficiency and the District of Columbia Subcommittee
To hold hearings on the District of Columbia school system's career oriented curriculum.
SD-124

Judiciary
Criminal Law Subcommittee
To resume hearings on S. 829, to strengthen law enforcement in the area of violent crime and drug trafficking.
SD-226

Veterans' Affairs
Business meeting, to mark up S. 992 and S. 1033, bills to provide emergency job training and employment programs for veterans.
SR-418

11:00 a.m.
Armed Services
Sea Power and Force Projection Subcommittee
Closed business meeting, to mark up certain provisions of S. 675, authorizing funds for fiscal year 1984 for military programs of the Department of Defense.
SR-222

2:00 p.m.
Appropriations
Foreign Operations Subcommittee
To hold hearings to review Syrian assistance pipeline.
S-126, Capitol

Armed Services
Preparedness Subcommittee
Closed business meeting, to mark up certain provisions of S. 675, authorizing funds for fiscal year 1984 for military programs of the Department of Defense.
SR-222

Small Business
To hold hearings on S. 1022, to insure that Indian tribal businesses are treated as minority enterprises by the Small Business Administration.
SR-428A

MAY 12

9:00 a.m.
Commerce, Science, and Transportation
To hold hearings on the nomination of Robert Setrakian, of California, to be a Federal Maritime Commissioner.
SR-253

9:30 a.m.
Commerce, Science, and Transportation
Merchant Marine Subcommittee
National Ocean Policy Study Subcommittee
To hold joint hearings on S. 254, to provide for inclusion of capital construction funds for fishery processing facilities.
SR-253

*Judiciary
Juvenile Justice Subcommittee
To hold hearings on certain tragedies involving children.
SD-226

Labor and Human Resources
To resume hearings on S. 772, to establish an Interagency Committee on Smoking and Health to coordinate Federal and private activities to educate the public about the health hazards of smoking.
SD-430

Rules and Administration
Business meeting, to mark up Senate Resolution 66, to establish regulations needed to implement television and radio coverage of proceedings of the U.S. Senate, S. 840, to authorize funds for fiscal years 1984-86 for the National Museum Act, S. 929, to remove the authorization ceiling on Barro Colorado Island in the Republic of Panama for expenses related to preserving and conserving its natural features for research purposes, S. 930, to authorize the purchase of land by the Smithsonian Institution in Arizona for the permanent headquarters of the Fred Lawrence Whipple Observatory, Senate Concurrent Resolution 7, to authorize the Senate to acquire and display in the U.S. Capitol a bust of the late Senator Carl Hayden, and H.R. 2621, authorizing funds for the FEC.
SR-301

Small Business
Business meeting, to consider pending calendar business.
SR-428A

10:00 a.m.
Appropriations
HUD-Independent Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1984 for the Department of Housing and Urban Development.
SD-124

Armed Services
Manpower and Personnel Subcommittee
Closed business meeting, to mark up certain provisions of S. 675, authorizing funds for fiscal year 1984 for military programs of the Department of Defense, and S. 989, proposed Omnibus Military Personnel Act.
SR-232A

Environment and Public Works
Business meeting, to consider pending calendar business.
SD-406

Foreign Relations
Business meeting, to consider pending calendar business.
SD-419

Governmental Affairs
To continue hearings on S. 121, to establish a U.S. Department of Trade as an executive department of the Federal Government.
SD-342

Select on Indian Affairs
Business meeting, to mark up S. 856, authorizing funds for fiscal years 1984 through 1987 for Indian housing programs.
S-224, Capitol

1:30 p.m.
Armed Services
Strategic and Theater Nuclear Forces Subcommittee
Closed business meeting, to mark up certain provisions of S. 675, authorizing funds for fiscal year 1984 for military programs of the Department of Defense, S. 1106, authorizing funds for the fiscal year ending September 30, 1983, for national security programs of the Department of Energy, and S. 1107, authorizing funds for fiscal years 1984 and 1985, for national security programs of the Department of Energy.
SR-222

2:00 p.m.
*Appropriations
Interior and Related Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1984 for territorial affairs.
SD-124

Governmental Affairs
To hold hearings on the nomination of David H. Martin, of Maryland, to be Director of the Office of Government Ethics.
SD-342

2:30 p.m.
*Judiciary
Patents, Copyrights and Trademarks Subcommittee
To hold hearings to examine the computerization of criminal history records.
SD-226

3:00 p.m.
Governmental Affairs
Intergovernmental Relations Subcommittee
To hold hearings on proposed legislation to transfer authority for the Catalogue of Federal Domestic Assistance from the Office of Management and Budget to the General Services Administration.
SD-342

MAY 13

9:30 a.m.
Finance
Taxation and Debt Management Subcommittee
To hold hearings on S. 137, to permit the continued issuance of mortgage revenue bonds after December 31, 1983, and S. 1061, to revise certain IRS provisions relating to the tax treatment of bonds guaranteed by certain Federal agencies.
SD-215

Labor and Human Resources
Business meeting, to mark up S. 772, to establish an Interagency Committee on Smoking and Health to coordinate Federal and private activities to educate the public about the health hazards of smoking, S. 1129, to authorize funds through fiscal year 1986 for programs under the Domestic Volunteer Service Act (VISTA/ACTION), and to allow volunteers to be locally recruited and assigned to projects in order to alleviate poverty and poverty-related human problems, and S. 564, to establish the U.S. Academy of Peace.
SD-430

10:00 a.m.
Energy and Natural Resources
Business meeting, to consider pending calendar business.
SD-366

MAY 16

9:30 a.m.
Finance
Health Subcommittee
To hold hearings on the administration's budget proposals for fiscal year 1984 to revise beneficiary cost-sharing requirements under the medicare and medicaid programs.
SD-215

10:00 a.m.
Commerce, Science, and Transportation
Surface Transportation Subcommittee
To resume hearings to examine the effects of coal slurry pipelines on the rail industry, shippers, and consumers.
SR-253

Labor and Human Resources
Aging Subcommittee
To hold hearings to discuss the progress made in the treatment of Alzheimer's disease.
SD-430

MAY 17

9:30 a.m.
Energy and Natural Resources
Public Lands and Reserved Water Subcommittee
To hold hearings on S. 285, to designate certain lands in New Mexico as the Bisti Badlands Wilderness, S. 626, to designate certain lands in Arizona as the Aravaipa Canyon Wilderness, S. 862, revising certain provisions of the Omitted Lands Act of 1962 with respect to omitted lands along the Snake River in Idaho, and S. 1042, to convey certain lands in Lane County, Oreg.
SD-366

Rules and Administration
To hold hearings on S. 85, to provide for public financing of U.S. Senate general election campaigns, S. 151, to limit contributions to U.S. Senate campaigns by certain multicandidate political committees, S. 732, to increase individual and party participation, to provide for the adjustment of contribution limits, and to allow candidates to control expenditures made on their behalf, S. 810, to provide for certain adjustments in campaign contribution limits, and other pending legislation.
SR-301

10:00 a.m.
Judiciary
Business meeting, to consider pending calendar business.
SD-226

10:30 a.m.
Select on Intelligence
Closed briefing on intelligence matters.
S-407, Capitol

2:00 p.m.
Environment and Public Works
Water Resources Subcommittee
To hold hearings on proposals to provide for the operation, maintenance,

and construction of national waterways including S. 196, S. 207, S. 433, S. 455, S. 456, S. 635, S. 674, S. 812, S. 850, S. 878, S. 912, S. 987, S. 1028, S. 1073, S. 1075, S. 1112, and S. 1131.
SD-406

Foreign Relations
To hold hearings on the nomination of David F. Emery, of Maine, to be Deputy Director of the U.S. Arms Control and Disarmament Agency.
SD-419

Governmental Affairs
To hold hearings on the nomination of Stephen F. Eilperin, to be an associate judge of the Superior Court of the District of Columbia.
SD-342

MAY 18

9:30 a.m.
Governmental Affairs
Governmental Efficiency and the District of Columbia Subcommittee
To resume hearings on the status of emergency preparedness in the Washington, D.C., metropolitan area.
SD-562

Labor and Human Resources
To hold oversight hearings on activities of the Equal Employment Opportunity Commission.
SD-430

10:00 a.m.
Judiciary
Criminal Law Subcommittee
To resume hearings on S. 829, to strengthen law enforcement in the area of violent crime and drug trafficking.
SD-226

Veterans' Affairs
To hold oversight hearings to review adverse health effects from exposure to agent orange, and other related matters.
SD-628

2:00 p.m.
Judiciary
To hold hearings on pending nominations.
SD-226

Veterans' Affairs
To continue oversight hearings to review adverse health effects from exposure to agent orange, and other related matters.
SD-628

MAY 19

9:30 a.m.
Commerce, Science, and Transportation
To resume hearings on S. 372, to promote interstate commerce by prohibiting discrimination in the writing and selling of insurance contracts.
SR-253

Governmental Affairs
To resume oversight hearings on the management policies of the Department of Defense, focusing on the implementation of cost accounting standards.
SD-342

Judiciary
Criminal Law Subcommittee
To continue hearings on S. 829, to strengthen law enforcement in the area of violent crime and drug trafficking.
SD-226

*Judiciary
Patents, Copyrights and Trademarks Subcommittee
To hold hearings on S. 1201, to provide copyright protection for the semiconductor chip industry.
SD-562

Joint Economic
To hold hearings to review the administration's future position on farm policy.
SD-124

9:45 a.m.
Labor and Human Resources
To hold hearings on health care cost.
SD-430

10:00 a.m.
Environment and Public Works
Environmental Pollution Subcommittee
To hold hearings on S. 696, to provide for the ratification of the memorandum of agreement between the U.S. Department of the Interior and the State of Texas for the management of the Matagorda Island State Park and wildlife management area a unit of the national wildlife refuge system in Calhoun County, Tex.
SD-406

Foreign Relations
Arms Control, Oceans, International Operations, and Environment Subcommittee
To hold hearings to examine the growing trend within various international organizations to produce draft international guidelines and regulations which restrict or impede U.S. exports.
SD-419

Judiciary
Courts Subcommittee
To hold hearings to discuss bankruptcy matters relating to the Manville Corp. in Denver, Colo.
SR-418

10:30 a.m.
Energy and Natural Resources
To hold oversight hearings on the geopolitics of strategic and critical minerals.
SD-366

2:00 p.m.
Judiciary
Immigration and Refugee Policy Subcommittee
To consult with administration officials on the midyear refugee numbers.
SD-226

MAY 20

9:30 a.m.
Finance
Oversight of the Internal Revenue Service Subcommittee
To hold hearings on efforts to reduce taxpayer burdens.
SD-215

10:00 a.m.
Judiciary
To resume oversight hearings on organized crime in the United States.
SD-226

*Judiciary
Constitution Subcommittee
To hold hearings on the constitutionality of private lobbying with public funds.
SD-628

MAY 23

9:30 a.m.
Judiciary
Criminal Law Subcommittee
To resume hearings on S. 829, to strengthen law enforcement in the area of violent crime and drug trafficking.
SD-562

10:00 a.m.
Appropriations
HUD-Independent Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1984 for certain programs under the subcommittee's jurisdiction.
SD-124

Judiciary
To resume hearings on S. 610, to encourage college student-athletes to complete their undergraduate education before becoming professional athletes.
SD-226

1:30 p.m.
Finance
Energy and Agricultural Taxation Subcommittee
To hold hearings on S. 237, to allow surface mine operators to establish a reserve for mining and reclamation costs and to deduct additions to such reserve, and S. 1006, to repeal the 15-percent reduction in percentage depletion for iron ore and coal.
SD-215

2:00 p.m.
Judiciary
*Patents, Copyrights and Trademarks Subcommittee
To hold hearings on patent term restoration.
SD-226

MAY 24

9:30 a.m.
Labor and Human Resources
Labor Subcommittee
To hold oversight hearings on the Employee Retirement Income Security Act (ERISA).
SD-430

10:00 a.m.
Appropriations
HUD-Independent Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1984 for certain programs under the subcommittee's jurisdiction.
SD-124

Governmental Affairs
Permanent Subcommittee on Investigations
To resume hearings to investigate the use of offshore banks, trusts, and companies to facilitate criminal activity in the United States.
SD-342

Judiciary
Business meeting, to consider pending calendar business.
SD-226

MAY 25

9:00 a.m.
Office of Technology Assessment
To meet to consider pending Board matters.
EF-100, Capitol

9:30 a.m.
Judiciary
Juvenile Justice Subcommittee
To hold hearings on the problem of parental kidnaping.
SD-226

Labor and Human Resources
To continue hearings on health care cost.
SD-430

10:00 a.m.
Governmental Affairs
Permanent Subcommittee on Investigations
To continue hearings to investigate the use of offshore banks, trusts, and companies to facilitate criminal activity in the United States.
SD-342

Governmental Affairs
Energy, Nuclear Proliferation, and Government Processes Subcommittee
To hold oversight hearings to review Federal debt collection policy.
Room to be announced

Select on Intelligence
To hold closed hearings on intelligence matters.
S-407, Capitol

Joint Economic
Agriculture and Transportation Subcommittee
To hold hearings to review farm policy in the post-PIK era.
SD-124

10:30 a.m.
Judiciary
Separation of Powers Subcommittee
To resume hearings to explore certain Federal court procedures relating to the exclusionary rule, habeas corpus, and related matters.
SD-628

2:00 p.m.
Judiciary
To hold hearings on pending nominations.
SD-226

MAY 26

9:30 a.m.
Banking, Housing, and Urban Affairs
Securities Subcommittee
To hold hearings on S. 1174, proposed Public Utility Holding Company Act Amendments.
SD-538

Judiciary
*Constitution Subcommittee
To hold hearings on S.J. Res. 10, proposing an amendment to the Constitution of the United States relative to equal rights for women and men, and on related measures.
SD-628

10:00 a.m.
Judiciary
Administrative Practice and Procedure Subcommittee
To hold hearings on title XIII, relating to Federal Tort Claims Act amendments, of S. 829, proposed Comprehensive Crime Control Act.
SD-226

Joint Economic
Agriculture and Transportation Subcommittee
To hold hearings to review the future direction in farm policy.
SD-124

2:00 p.m.
Judiciary
To hold hearings on plea bargaining matters.
SD-226

MAY 27

9:00 a.m.
Finance
Taxation and Debt Management Subcommittee
To hold hearings on miscellaneous tax measures, including S. 654, S. 738, S. 1147, S. 1194, and S. 1195.
SD-215

9:30 a.m.
Judiciary
*Constitution Subcommittee
To hold hearings on S. 81 and S. 141, bills to revise current law relating to civil actions for the deprivation of rights.
SD-562

10:00 a.m.
Judiciary
Separation of Powers Subcommittee
To resume hearings to explore certain Federal court procedures relating to the exclusionary rule, habeas corpus, and related matters.
SD-226

JUNE 6

9:30 a.m.
*Labor and Human Resources
Labor Subcommittee
To hold hearings on the proposed Single-Employer Pension Plan Termination Insurance Improvements Act.
SD-430

JUNE 7

10:00 a.m.
Judiciary
Business meeting, to consider pending calendar business.
SD-226

JUNE 8

9:30 a.m.
Labor and Human Resources
To hold hearings on food safety.
SD-430

10:00 a.m.
Judiciary
To hold hearings on S. 915, proposed Taxpayer Antitrust Enforcement Act.
SD-226

Veterans Affairs
To hold hearings on proposed legislation providing for certain veterans' compensation.
SR-418

JUNE 9

9:30 a.m.
Labor and Human Resources
To continue hearings on food safety.
SD-430

JUNE 10

9:30 a.m.
Labor and Human Resources
To continue hearings on food safety.
SD-430

10:30 a.m.
Judiciary
Separation of Powers Subcommittee
To resume hearings to explore certain Federal court procedures relating to the exclusionary rule, habeas corpus, and related matters.
SD-226

JUNE 13

9:30 a.m.
Finance
To hold hearings to examine the tax structure applicable to property and casualty insurance companies.
SD-215

Labor and Human Resources
To hold hearings on home health care services.
SD-430

JUNE 14

9:30 a.m.
Labor and Human Resources
Labor Subcommittee
To hold hearings on proposed legislation revising certain provisions of the Labor-Management Reporting and Disclosure Act (Landrum-Griffin Act).
SD-430

10:00 a.m.
Commerce, Science, and Transportation
Aviation Subcommittee
To hold oversight hearings on airline deregulation.
SR-253

JUNE 15

9:30 a.m.
Judiciary
Patents, Copyrights and Trademarks Subcommittee
To resume oversight hearings on activities of the Patent and Trademark Office, Department of Commerce.
SD-226

Labor and Human Resources
Business meeting, to consider pending calendar business.
SD-430

10:00 a.m.
Commerce, Science, and Transportation
Aviation Subcommittee
To continue oversight hearings on airline deregulation.
SR-253

Labor and Human Resources
Education, Arts, and Humanities Subcommittee
To hold hearings on the proposed Alien Education Assistance Act.
SD-430

Veterans' Affairs
To hold oversight hearings to review certain health care and other services provided Vietnam veterans.
SR-418

2:00 p.m.
Judiciary
To hold hearings on pending nominations.
SD-226

JUNE 16

9:30 a.m.
Judiciary
Juvenile Justice Subcommittee
To hold hearings on the deinstitutionalization of certain status offenders.
SD-226

Labor and Human Resources
Labor Subcommittee
To resume hearings on proposed legislation revising certain provisions of the Labor-Management Reporting and Disclosure Act (Landrum-Griffin Act).
SD-430

JUNE 20

9:30 a.m.
Finance
To hold hearings on S. 19 and S. 888, bills to revise current Federal pension law with respect to the rights and benefits of working and nonworking women.
SD-215

10:00 a.m.
Judiciary
Immigration and Refugee Policy Subcommittee
To hold hearings on proposed authorizations for refugee programs.
SD-226

JUNE 21

9:30 a.m.
Finance
To continue hearings on S. 19 and S. 888, bills to revise current Federal pension law with respect to the rights and benefits of working and nonworking women.
SD-215

JUNE 22

9:30 a.m.
Judiciary
*Patents, Copyrights and Trademarks Subcommittee
To hold hearings on S. 737, proposed Joint Research and Development Ventures Act.
SD-226
Labor and Human Resources
Business meeting, to consider pending calendar business.
SD-430

10:00 a.m.
Labor and Human Resources
Family and Human Services Subcommittee
To resume oversight hearings on the breakdown of the traditional family unit, focusing on causes and remedies.
SD-430
Veterans' Affairs
To hold oversight hearings on certain care services for veterans.
SR-418

2:00 p.m.
Judiciary
To hold hearings on pending nominations.
SD-226

JUNE 23

10:00 a.m.
Labor and Human Resources
Family and Human Services Subcommittee
To continue oversight hearings on the breakdown of the traditional family unit, focusing on the role of Federal policy.
SD-430

JUNE 27

10:00 a.m.
Judiciary
Immigration and Refugee Policy Subcommittee
To resume hearings on proposed authorizations for refugee programs.
SD-226

JUNE 28

9:30 a.m.
Labor and Human Resources
Labor Subcommittee
To hold hearings on S. 1173, proposed Federal Mine Safety and Health Amendments.
SD-430

JUNE 29

9:30 a.m.
Judiciary
Patents, Copyrights and Trademarks Subcommittee
To hold hearings on Federal Government patent policy.
SD-226

10:00 a.m.
Veterans' Affairs
Business meeting, to consider proposed legislation providing for certain veterans' compensation.
SR-418

JUNE 30

9:30 a.m.
Judiciary
Juvenile Justice Subcommittee
To hold hearings on juvenile offenders of serious and violent crimes.
SD-226

10:00 a.m.
Judiciary
Administrative Practice and Procedure Subcommittee
To hold oversight hearings on activities of the Office of Administrative Law Judges, Department of Agriculture.
SD-562

JULY 6

9:30 a.m.
Labor and Human Resources
Business meeting, to consider pending calendar business.
SD-430

JULY 13

9:30 a.m.
Labor and Human Resources
Business meeting, to consider pending calendar business.
SD-430

JULY 20

9:30 a.m.
Labor and Human Resources
Business meeting, to consider pending calendar business.
SD-430

JULY 27

9:30 a.m.
Labor and Human Resources
Business meeting, to consider pending calendar business.
SD-430

SEPTEMBER 20

11:00 a.m.
Veterans Affairs
To hold hearings to receive legislative recommendations for fiscal year 1984 from the American Legion.
SR-325

CANCELLATIONS

MAY 11

10:00 a.m.
Commerce, Science, and Transportation
Surface Transportation Subcommittee
To hold hearings on oil pipeline deregulation.
SR-253

2:00 p.m.
Judiciary
To hold hearings on pending nominations.
SD-226

MAY 13

10:00 a.m.
Labor and Human Resources
To hold hearings to examine fire safety matters.
SD-430

MAY 20

9:30 a.m.
Labor and Human Resources
To hold hearings on the effects of chemotherapy in the treatment of cancer.
SD-430

HOUSE OF REPRESENTATIVES—*Tuesday, May 10, 1983*

The House met at 12 o'clock noon.

The Reverend Robert M. Raabe, United Lutheran Church, Lincoln, Nebr., offered the following prayer:

Almighty God, we acknowledge Your faithfulness and admit our dependence upon You. Since we are leaders in a complex world, make us compassionate enough to give priority to humanitarian concerns and strong enough so we need not become oppressors.

May there be peace where there is discord. May justice never be subject to partisan interests or the welfare of Your people captive to private advantage.

Bring our private morality and our public positions into harmony with Your will, reminding us that promises do not alleviate suffering nor do resolutions help the neglected, unless performance accompanies what we have said.

May the challenges of our time inspire us to be Your faithful servants of humankind.

In Your name we pray. Amen.

THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

Mr. HUNTER. Mr. Speaker, pursuant to clause 1, rule I, I demand a vote on agreeing to the Speaker's approval of the Journal.

The SPEAKER. The question is on the Chair's approval of the Journal.

The question was taken; and the Speaker announced that the ayes appeared to have it.

Mr. HUNTER. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 368, nays 22, answered "present" 1, not voting 41, as follows:

[Roll No. 95]

YEAS—368

Ackerman	Andrews (NC)	Badham
Addabbo	Andrews (TX)	Barnard
Akaka	Annunzio	Barnes
Albosta	Archer	Bartlett
Anderson	Aspin	Bateman
Bedell	Ferraro	Lewis (FL)
Beilenson	Fiedler	Lipinski
Bennett	Fields	Livingston
Bereuter	Fish	Lloyd
Berman	Flippo	Loeffler
Bethune	Foglietta	Long (LA)
Bevill	Foley	Long (MD)
Biaggi	Ford (MI)	Lott
Bilirakis	Ford (TN)	Lowery (CA)
Bliley	Fowler	Lowry (WA)
Boehlert	Frank	Lujan
Boggs	Franklin	Luken
Boland	Frenzel	Lundine
Boner	Frost	Lungren
Bonker	Fuqua	Mack
Borski	Garcia	Madigan
Bosco	Gaydos	Markey
Boucher	Gekas	Marriott
Boxer	Gephardt	Martin (IL)
Breaux	Gibbons	Martin (NC)
Britt	Gilman	Matsui
Brooks	Gingrich	Mazzoli
Broomfield	Glickman	McCain
Brown (CA)	Gonzalez	McCandless
Brown (CO)	Gore	McCloskey
Broyhill	Gradison	McCurdy
Bryant	Green	McDade
Burton	Gregg	McDonald
Byron	Guarini	McEwen
Campbell	Gunderson	McGrath
Carney	Hall (IN)	McKernan
Carper	Hall (OH)	McKinney
Carr	Hall, Ralph	McNulty
Chandler	Hall, Sam	Mica
Chappell	Hamilton	Mikulski
Chappie	Hammerschmidt	Miller (CA)
Cheney	Hance	Mineta
Clarke	Hansen (UT)	Minish
Clinger	Harrison	Moakley
Coelho	Hartnett	Molinari
Coleman (MO)	Hatcher	Mollohan
Coleman (TX)	Hawkins	Montgomery
Collins	Hefner	Moody
Conable	Hertel	Moore
Conte	Hightower	Moorhead
Cooper	Hillis	Morrison (CT)
Corcoran	Holt	Morrison (WA)
Courter	Hopkins	Mrazek
Coyne	Horton	Murphy
Crane, Daniel	Howard	Murtha
Crane, Philip	Hoyer	Myers
Crockett	Hubbard	Natcher
D'Amours	Hughes	Neal
Daniel	Hunter	Nelson
Dannemeyer	Hutto	Nichols
Daschle	Hyde	Nielson
Davis	Ireland	Nowak
de la Garza	Jenkins	O'Brien
Dellums	Johnson	Oakar
Derrick	Jones (OK)	Obey
DeWine	Jones (TN)	Olin
Dicks	Kaptur	Oxley
Dixon	Kasich	Packard
Donnelly	Kastenmeier	Panetta
Dorgan	Kazen	Parris
Dowdy	Kemp	Patman
Downey	Kennelly	Paul
Dreier	Kildee	Pease
Duncan	Kindness	Penny
Dwyer	Kolter	Pepper
Dymally	Kostmayer	Perkins
Dyson	Kramer	Petri
Early	LaFalce	Porter
Eckart	Lagomarsino	Price
Edgar	Lantos	Pritchard
Edwards (AL)	Latta	Pursell
Edwards (CA)	Leach	Quillen
Edwards (OK)	Leath	Rahall
English	Lehman (FL)	Rangel
Erdreich	Leland	Ratchford
Erlenborn	Lent	Ray
Evans (IL)	Levin	Regula
Fascell	Levine	Reid
Fazio	Levitas	Richardson
Feighan	Lewis (CA)	Ridge
Rinaldo	Skelton	Vander Jagt
Ritter	Slattery	Vento
Roberts	Smith (FL)	Volkmer
Robinson	Smith (IA)	Vucanovich
Rodino	Smith (NE)	Walgren
Roe	Smith (NJ)	Watkins
Rogers	Smith, Denny	Waxman
Rose	Snowe	Weaver
Rostenkowski	Snyder	Weber
Roth	Solarz	Weiss
Roukema	Spence	Wheat
Rowland	St Germain	Whitehurst
Roybal	Staggers	Whitley
Rudd	Stangeland	Whittaker
Russo	Stark	Whitten
Sawyer	Stenholm	Williams (OH)
Schaefer	Stokes	Wilson
Schneider	Stratton	Winn
Schulze	Studds	Wirth
Schumer	Stump	Wise
Seiberling	Sundquist	Wolf
Sensenbrenner	Swift	Wolpe
Shannon	Synar	Wortley
Sharp	Tauke	Wright
Shaw	Tauzin	Wyden
Shelby	Thomas (CA)	Wylie
Shumway	Thomas (GA)	Yates
Shuster	Torres	Yatron
Sikorski	Torricelli	Young (FL)
Siljander	Towns	Young (MO)
Simon	Traxler	Zablocki
Sisisky	Udall	Zschau
Skeen	Valentine	

NAYS—22

AuCoin	Gejdenson	Patterson
Clay	Goodling	Roemer
Daub	Harkin	Sabo
Dickinson	Hiler	Schroeder
Durbin	Jacobs	Walker
Emerson	Lehman (CA)	Young (AK)
Evans (IA)	McCollum	
Forsythe	Miller (OH)	

ANSWERED "PRESENT"—1

Oberstar

NOT VOTING—41

Alexander	Heftel	Ottinger
Anthony	Huckaby	Owens
Applegate	Jeffords	Pashayan
Bates	Jones (NC)	Pickle
Bonior	Kogovsek	Savage
Coats	MacKay	Scheuer
Conyers	Marlenee	Smith, Robert
Coughlin	Martin (NY)	Solomon
Craig	Martinez	Spratt
Dingell	Mavroules	Tallon
Florio	McHugh	Taylor
Gramm	Michel	Vandergriff
Gray	Mitchell	Williams (MT)
Hansen (ID)	Ortiz	

□ 1215

So the Journal was approved.

The result of the vote was announced as above recorded.

REV. ROBERT M. RAABE

(Mr. BEREUTER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BEREUTER. Mr. Speaker, it is my pleasure to welcome to the floor of the House of Representatives our guest chaplain, the Reverend Robert Raabe, pastor of the United Lutheran Church of Lincoln, Nebr.

Pastor Raabe was graduated from Concordia College in St. Paul, Minn., and Concordia Seminary in St. Louis, Mo. He has served congregations for 30 years in the States of Illinois, Ohio, Texas, and Nebraska.

Twenty of his 30 years have been spent in the ministry establishing new congregations.

Pastor Raabe is married and has four children, one of whom graduated from American University last week. He has a distinguished record in his church and community and I am very pleased to introduce him to my colleagues today.

HOUR OF MEETING ON WEDNESDAY, MAY 11, 1983

Mr. WRIGHT. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet at 12 o'clock noon tomorrow, Wednesday, May 11, 1983.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

Mr. GREGG. Mr. Speaker, reserving the right to object, I wonder if the majority leader could explain to us the reason behind this request.

Mr. WRIGHT. Will the gentleman yield?

Mr. GREGG. I am happy to yield.

Mr. WRIGHT. I will be glad to explain to the gentleman.

The business for today will be to complete the Justice Assistance Act. We expect to conclude that today. Then, tomorrow, of course, we would return to the Mortgage Assistance Act.

We feel that it would be important that we begin at noon so that we could have a chance of concluding that tomorrow in order that we may conclude our entire schedule of business this week and not go over until the following week.

We are approaching that time of year when we are going to have a lot of legislation coming out of committees and onto the floor.

Mr. GREGG. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

Mr. WYLIE. Mr. Speaker, reserving the right to object, could the gentleman enlighten me as to why H.R. 1983 was removed from the calendar today?

Mr. WRIGHT. Mr. Speaker, will the gentleman yield?

Mr. WYLIE. I yield to the gentleman.

Mr. WRIGHT. It was thought that we could continue with the Justice Assistance Act today and conclude it. The manager of the bill desiring to do that, the gentleman from New Jersey (Mr. HUGHES) is ready to conclude the Justice Assistance Act. We thought it important that we move to a conclusion of that act today and then come in at noon tomorrow so that we would have all day tomorrow, if necessary, on the other bill, the mortgage assistance bill, the one in which the gentleman is interested.

Mr. WYLIE. There was some mention about going to the Rules Committee, but that did not refer to H.R. 1983?

Mr. WRIGHT. I am not aware of any plan to go to the Rules Committee. It is my understanding that all of us on both sides of the aisle are willing to proceed with the orderly consideration of that bill, and that is why we felt it useful to come in at 12.

I am not aware of any plan to delay consideration. Rather, I think we want to move ahead and expedite consideration, and I think that is what is desired on the gentleman's side.

Mr. WYLIE. I thank the gentleman. That is my desire. And I withdraw my reservation of objection.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 2307, AMENDING TRIBALLY CONTROLLED COMMUNITY COLLEGE ASSISTANCE ACT OF 1978

Mr. MOAKLEY, from the Committee on Rules, submitted a privileged report (Rept. No. 98-96) on the resolution (H. Res. 187) providing for consideration of the bill (H.R. 2307) to amend the Tribally Controlled Community College Assistance Act of 1978, and for other purposes, which was referred to the House Calendar and ordered to be printed.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 2513, NATIONAL BUREAU OF STANDARDS AUTHORIZATION ACT FOR FISCAL YEAR 1984

Mr. MOAKLEY, from the Committee on Rules, submitted a privileged report (Rept. No. 98-97) on the resolution (H. Res. 188) providing for consideration of the bill (H.R. 2513) to authorize appropriations to the Secretary of Commerce for the programs of the National Bureau of Standards for fiscal year 1984, and for other purposes, which was referred to the House Calendar and ordered to be printed.

PERMISSION FOR SUBCOMMITTEE ON MILITARY INSTALLATIONS AND FACILITIES OF THE COMMITTEE ON ARMED SERVICES TO SIT TODAY DURING 5-MINUTE RULE

Mr. DELLUMS. Mr. Speaker, I ask unanimous consent that the Subcommittee on Military Installations and Facilities of the Committee on Armed Services be permitted to mark up the military construction and family housing authorization bill for fiscal year 1984 this afternoon as the House meets under the 5-minute rule.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

PERSONAL EXPLANATION

(Mr. GILMAN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GILMAN. Mr. Speaker, I was en route to the floor of the House yesterday, having been detained in New York City earlier, and missed the votes taken. Had I been present I would have voted:

Rollcall No. 90, H.R. 2357, Congressional Award Act, "aye."

Rollcall No. 91, H.R. 2173, Contract Services for Drug Dependent Federal Offenders, "aye."

Rollcall No. 92, H.R. 2174, Federal Antitampering Act, "aye."

Rollcall No. 93, S. 653, Establish Foundation for Advancement of Military Medicine, "aye."

Rollcall No. 94, House Resolution 184, the rule providing for consideration of H.R. 2175, Justice Assistance Act, "aye."

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 1405

Mr. EDGAR. Mr. Speaker, I ask unanimous consent that my name be removed from the list of cosponsors of H.R. 1405.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

□ 1230

THE WORLD NEEDS A STRONG AMERICAN ECONOMY

(Mr. VALENTINE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. VALENTINE. Mr. Speaker, since the end of World War II, the United States has been the world's greatest philanthropist. We have never forgotten the less fortunate nations, to whom we have given $170 billion in foreign aid.

However, the 98th Congress faces a pressing responsibility. Eleven million Americans are unemployed, more than at any time since the Great Depression.

Even so, we will spend no less than $10.8 billion for foreign aid in 1983—over twice as much as we spend for revenue sharing to our cities, towns, and counties. Foreign aid is one of the few programs the administration chooses to increase each year. But, we simply cannot afford to continue give-away programs of such magnitude at a time when so many Americans lack so much.

The world may want an American Santa Claus, but the world needs a strong American economy to stabilize the world economy. We should hold foreign aid down to reasonable proportions and help our own people first.

MEDICARE AND FOOD STAMP PROGRAMS HAVE INCREASED AMERICAN LONGEVITY

(Mr. ALEXANDER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ALEXANDER. Mr. Speaker, last night the President addressed a fundraising dinner in Ohio where he stated that the poverty programs of the sixties caused harm to America's poor instead of helping the poor.

Today I talked with a former county judge who served during the era of the fifties and sixties during which I asked about the plight of the rural elderly poor during that era. He responded that in yesteryear, when the elderly poor could no longer work, they simply crawled into a corner and died of malnutrition.

Mr. President, it was the medicare program and the food stamp program that improved health care and nutrition in America which increased the longevity of the American people for the following decade by a greater number of years than ever before in history.

Mr. President, to ignore the human progress achieved by our great Nation is to deny America well-deserved praise.

HONOR ROLL OF HOUSE PAGES

(Mr. MOAKLEY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MOAKLEY. Mr. Speaker, all of us in the House are well aware from daily observation of the important services provided us by the pages who perform their duties with efficiency, dedication, and cheerfulness. In addition to their full work day, the pages spend long hours beyond our view at their rigorous studies. From 6 in the morning when school begins until late at night when homework is finally done our pages fulfill the obligations of a full college preparatory program.

In spite of the heavy demands placed on their time and energy, these exceptional young men and women not only bring distinction to themselves and the House through their work, but also by achieving high honors for their academic efforts. As chairman of the Democratic Personnel Committee I take special pride which I know is shared by my colleagues in congratulating the pages on their success. It is a pleasure to include the following list of page school honor students in the RECORD:

HONOR ROLL

FIRST HONORS

Seniors: Christine Beeby and Kelly Schaben.

SECOND HONORS

Seniors: Allison Abbate, Glenn Ault, Eugenie Bauman, Reuven Carlyle, Kelly Carter, Martha Connell, Charles Doucot, Keith Hood, Brendan Kemp, Daryl King, Albert Kroon, Robert Lavin, Jeanette Mack, and Marya Mogk.

Juniors: Dana DiCarlo, Gary Fredo, Kelly Kennedy, Karen Matyas, James Paffhausen, Diane Pascal, Leya Prussin, and Ira Robinson.

LET SMALL BUSINESS BE HEARD—CALL A WHITE HOUSE CONFERENCE

(Mr. BEDELL asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BEDELL. Mr. Speaker, this week is dedicated as a tribute to America's small business community. We all know that small business supplies most of our employment and productivity-improving innovations. I also think we can all agree that small business is the lifeblood of not only our economy, but of our entire society. In every community throughout America, small business people blend together to weave the fabric that keeps our Nation warm and alive. Small business is truly America's past, present, and future.

The past few years have been particularly tough for small business. Business bankruptcies have been running at a rate that is reminiscent of the Great Depression. Governmental policies in the areas of procurement, antitrust enforcement, taxation, regulation, and export assistance have been adopted and applied against the best interests of the small business community. Capital for small companies remains scarce and expensive. In the past decade small business has seen its share of gross national product erode and, for the first time in history, dip below the share of GNP held by big business.

I challenge this administration to call another White House Conference on Small Business as a follow up to the very successful White House Conference held by President Carter in 1980. Let us give small business a chance to be heard.

LEGISLATION TO PERMIT ELDERLY RESIDENTS OF FEDERALLY SUBSIDIZED HOUSING TO OWN PETS

(Mr. BIAGGI asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BIAGGI. Mr. Speaker, the week of May 8–14 has been designated National Pet Week, and I would like to take this opportunity to call my colleagues' attention to not only the 55 million pet owners in our Nation, but also to H.R. 1373, a bill I have introduced which would allow elderly and disabled residents of federally subsidized housing to own and keep pets.

As the ranking New York member of the House Select Committee on Aging, I have a special interest in seeing this legislation pass. Studies has shown that pets can be beneficial to the physical and mental health of their owners, and their mere presence can be therapeutic to the millions of elderly and disabled citizens in our country. In our research on the committee we have come across far too many examples of elderly persons being sent to institutions simply because of a lack of companionship. In some instances, this isolation and loneliness which can contribute to poor health can be alleviated by allowing pet ownership.

H.R. 1373 is clearly not a bill without responsibilities. Section 3 of the bill states that any animal which poses a threat to health or safety of the other occupants or other persons in the community may be removed by the landlord or owner. Perhaps a better description of my intent is that H.R. 1373 seeks to bring together the responsible pet owners and the reasonable landlord.

Recently, the distinguished Senator from Wisconsin, WILLIAM PROXMIRE, introduced an identical bill which has since been attached to the Housing and Community Development Act of 1983, S. 644. It is my hope that when S. 644 and H.R. 1 go to conference, elderly and disabled pet owners across the country may enjoy the right to own pets and to know the happiness that only a pet can bring.

THE SANDINISTA LEADERSHIP

(Mr. RITTER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. RITTER. Mr. Speaker, as the debate over Nicaragua's role in Central America continues, there are characteristics of the Sandinista leadership

that I would like to share with my colleagues.

Commandante Humberto Ortega, the Minister of Defense, member of the ruling Directorate of Nine, and a powerful ally of Fidel Castro, on August 25, 1981, spoke to the Sandinista military and I quote:

> Marxism-Leninism is the scientific doctrine which guides our revolution, the instrument of analysis of our vanguard to understand the historical process and to create the revolution. . . . Without Sandinismo we cannot be Marxist-Leninists and Sandinismo without Marxism-Leninism cannot be revolutionary, and because of that they are indissolubly united and because of that our moral strength is Sandinismo, our political strength is Sandinismo and our doctrine is that of Marxism-Leninism.

This, from the commander of the army, the man with the guns.

A telling indication of the feelings of the new regime in Nicaragua is embodied in the Sandinista National Anthem, third verse:

> Los Yanquis, Los Enemigos de la Humanidad.
> The Yankees, the enemies of mankind.

My colleagues, the Sandinista national anthem is not referring to a baseball team, it refers to you. It does not differentiate between party, between liberal or conservative.

It calls the people of the United States of America the enemies of mankind.

This situation demands a genuine bipartisan approach on behalf of all Americans.

I invite my colleagues to attend the bipartisan meeting with Ambassador Jeane Kirkpatrick at 12 o'clock, this Thursday, May 12, in the Rayburn Building, room 2261.

THE DAYLIGHT SAVINGS TIME FOLLIES TAX

(Mrs. SMITH of Nebraska asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. SMITH of Nebraska, Mr. Speaker, we are engaged in the daylight saving time follies again. No sooner do we get into a 6-month's schedule of starting thc working day earlier so that there will be more daylight hours after work, than the Sun worshippers start advocating an extension of daylight saving time.

The next act in the follies is now on stage. Legislation is advancing in both the House and Senate to authorize at least an additional month of daylight saving time. This is an extension we do not need. Everyone should know that daylight saving time causes problems on the farm where we work with animals whose biological time clocks can not spring foward or fall back according to legislative mandate.

The animals can be fed or milked earlier, that is true, but the people who do the feeding and the milking and all of the tending that goes with these chores are adversely affected. To make a go of farming these days, many farmers have to hold a second job. Daylight saving time does not help them when they have to start earlier to do chores that cannot be done in the extra daylight they have when they get home.

In the farming area I represent, we would be content with less daylight saving time, not more. We would just as soon have daylight saving time run from Memorial Day to Labor Day. We try to live with the 6-month period we have now, but we would be happier with less.

There are arguments about energy savings and safety factors on both sides of the issue, so they are just about a wash. We have to think about the people and how they are affected. More daylight saving time may be great for the urban sprawl, but it does not exactly help all of those engaged in the Nation's No. 1 industry of providing food and fiber for the millions here and abroad.

I say ring down the curtain on the daylight saving time follies. If we can not shorten the period, let us leave it alone. No extensions please.

THE YEAR OF THE BAILOUT

(Mr. BETHUNE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BETHUNE. Mr. Speaker, have you noticed the great number of bailouts that are coming through this Congress? Chrysler Corp., which got one of the all-time big bailouts, is back again wanting us to sweeten up the bailout for them by another $200 million.

The big forests products corporations are here asking for $2 billion by releasing some timber contracts that they made with the Government.

The Defense Industrial Base Revitalization Act is a billion and a half for those hard-pressed, defense-related industries who cannot seem to make it on the great amount being spent on national defense.

The IMF bailout, the granddaddy of them all, is $8.5 billion for those big banks who made improvident loans all around the world.

The housing bailout for those people who cannot pay their house payments will be here on the floor tomorrow.

This is, I think, the year of the bailout, in spite of the fact that Federal lending and credit assistance programs are now growing faster than spending programs. Here we go, continuing on down that same road. These bailouts are a match for the improvident things we have done in the past, like the Alaska Natural Gas Pipeline Act.

My question is this and it is a pretty simple one: After we get through bailing out all of these people, the big banks, the big corporations, and foreign countries at the expense of the American taxpayer, who bails out the hard-pressed American taxpayer?

CONTINUED SUPPORT RECOMMENDED FOR TITLE IX OF THE EDUCATION AMENDMENTS OF 1972

(Mr. McKERNAN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. McKERNAN. Mr. Speaker, today the gentlewoman from Rhode Island will be introducing a resolution expressing continued support for title IX of the Education Amendments of 1972. I rise as a cosponsor of this legislation, to join with my colleagues in reaffirming our commitment to equality in education for women and girls. I commend the gentlewoman from Rhode Island for her abiding efforts in this matter, and I welcome the opportunity to support her legislation.

The key section of title IX reads as follows:

> No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving Federal assistance.

The brief language of the law prohibits sex discrimination in education programs receiving Federal funds. Due in large part to this law, gains have been made in many areas of education, including vocational and higher education institution admissions, financial aid, campus health services, employment and athletics. Similarly, gains have been made at each level of education. Finally, and perhaps most important, equal access in education is tantamount to achieving equal opportunity in the job market. With women still earning only a fraction of the dollars received by their male counterparts, the need persists for our commitment to title IX to remain strong. Thanks to title IX many more women and girls are able to prepare for a broader range of jobs which offer both a professional challenge and a competitive salary.

The success of title IX is proven; it is our responsibility and intention to provide a reminder of Congress continued interest in, and support for, title IX: that it is the sense of the House of Representatives that the title IX statute be applied comprehensively, equally, and without crippling amendment or alteration, until gender discrimination throughout our education system is eliminated. I urge the support of my colleagues for this important resolution.

□ 1245

GOOD ECONOMIC NEWS

(Mr. WALKER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WALKER. Mr. Speaker, a few moments ago on the floor we heard a discussion of small business that can be best described as coming from the gloom-and-doom school of political economics. There was a discussion of the problems in small business without discussing the fact that there had been an unprecedented entrepreneurial explosion in this country over the last 2 years, with more businesses being formed than during any similar period in our history.

That particular discussion was kind of unique, though, because we are not hearing very much discussion on the economy from the Democrats these days. Why? Because the economy is recovering. Reaganomics and supply-side economics is working, and there is no better example of the fact that it is working than in the employment area. While we still have unemployment statistics which are much too high, the fact is that we now have more people at work, as of the April statistics, more people working in this country than were working during the last year of the Carter administration. Almost 4 million more Americans are working today than were working during that last year of the Carter administration.

Not only that, but there is evidence that we are going to have even better news in the near future. The index used by the Labor Department to measure the percentage of firms that increased employment during the last month was up. It was up dramatically, by 72 percent. That is an index that, just a little while ago, stood at 39, and the 72 percent index right now is the highest point since 1977.

There is good news, good economic news, right before us, Mr. Speaker.

PERMISSION FOR COMMITTEE ON THE JUDICIARY TO SIT ON WEDNESDAY AND THURSDAY, MAY 11 AND 12, 1983, DURING 5-MINUTE RULE

Mr. HUGHES. Mr. Speaker, I ask unanimous consent that the Committee on the Judiciary be permitted to sit while the House is reading for amendment on Wednesday, May 11, 1983, and Thursday, May 12, 1983.

The SPEAKER pro tempore (Mr. MOAKLEY). Is there objection to the request of the gentleman from New Jersey?

There was no objection.

JUSTICE ASSISTANCE ACT OF 1983

The SPEAKER pro tempore. Pursuant to House Resolution 184 and rule XXIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the further consideration of the bill, H.R. 2175.

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H.R. 2175) to amend the Omnibus Crime Control and Safe Streets Act of 1968, and for other purposes, with Mr. ROMER in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. When the committee rose on Monday, May 10, 1983, title I was open for amendment at any point.

Are there any amendments to title I?

AMENDMENT OFFERED BY MR. HUGHES

Mr. HUGHES. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. HUGHES: Page 8, line 24, insert "after" after "ending".

Page 31, line 18, strike out "Juvenile" and insert in lieu thereof "Justice".

Page 34, after line 23, insert the following new subsection:

(r) Section 827(c) of part H of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (18 U.S.C. 1761 note) is amended—

(1) by striking out "this section" and inserting in lieu thereof "section 1761 of title 18, United States Code, and of the first section of the Act of June 30, 1936 (49 Stat. 2036; 41 U.S.C. 35), commonly known as the Walsh-Healey Act,", and

(2) by inserting ", as amended from time to time," after "goods".

Page 35, line 1, strike out "(r)" and insert in lieu thereof "(s)".

Page 35, line 4, strike out "(s)" and insert in lieu thereof "(t)".

Page 35, line 8, strike out "(t)" and insert in lieu thereof "(u)".

Page 35, line 15, strike out "(u)" and insert in lieu thereof "(v)".

Page 35, line 19, strike out "(v)" and insert in lieu thereof "(w)".

Mr. HUGHES (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. HUGHES. Mr. Chairman, I will be very brief. This is, essentially, a technical and conforming amendment which has been cleared with the minority.

The first part deals with a printing error in the bill as reported from the full committee; the second is a spelling error in the bill as reported; and the third involves conforming amendments.

Mr. Chairman, I urge my colleagues to support the technical amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New Jersey (Mr. HUGHES).

The amendment was agreed to.

Mr. FISH. Mr. Chairman, I move to strike the last word.

Mr. Chairman, as a cosponsor of H.R. 2175 and an advocate of Federal action to strengthen the capacity of State and local governments to reduce crime, I fully endorse the concepts embodied in H.R. 2175. And I praise Mr. SAWYER and Mr. HUGHES for bringing this bill to the floor.

Equally important as the reauthorization of worthwhile anticrime efforts is the organization structure within Justice which will administer these programs. In this respect H.R. 2175 is flawed as reported. The bill falls short of translating its basic concepts into the best possible management structure to focus Federal resources on major crime problems.

Although it is not reflected in the report filed by the committee, I stated during our deliberations that several of my colleagues and I have serious reservations concerning the fragmented organizational structure specified in the bill and the redtape and costly duplication of effort it would foster. In short, the organizational structure set out in H.R. 2175 is needlessly cumbersome and inefficient.

I believe the record should show that many of us who endorse the basic idea of targeted Federal assistance to State and local criminal justice agencies, and who will vote for passage of H.R. 2175, are convinced that further improvement in the bill can and should be made. There is wide and general agreement that the justice assistance program should be modest in scope, emphasizing programs of demonstrated effectiveness, stripped of unnecessary redtape, and managed at the Federal level with maximum efficiency. H.R. 2175 as written will not permit that.

Our fear is that after spending $8 billion on LEAA and witnessing its flaws, we are asked to repeat its mistakes. H.R. 2175's administration structure tracks too closely the design for billion-dollar programs.

It does not provide for a "lean and scaled-down operation" as the report claims. Instead, it would produce four separate, semiautonomous agencies, each headed by a Presidentially appointed director, two separate advisory boards and a total of six separate annual reports.

Instead of a consolidated management structure with a single Assistant Attorney General responsible to the Attorney General and answerable to the Congress, H.R. 2175 would produce four agencies, with four financial management and budget units,

four sets of guidelines and regulations, and four personnel operations.

Instead of linking together the products of research and statistical analysis with the funds going to State and local law enforcement, H.R. 2175 insures their isolation and provides no mechanism for coordination. The committee report acknowledges that "The Federal Government is in the best position to form the bridge between basic research in criminal justice and program implementation." Nevertheless, H.R. 2175 places a wall of separation, instead of a bridge, between research and program implementation.

It is interesting to note that the committee report emphasizes its "commitment to the current structure" of research, statistics, and financial assistance programs. In fact, however, H.R. 2175 significantly changes the present structure by eliminating the coordination and centralized staff support mechanism—which is the Office of Justice Assistance, Research, and Statistics (OJARS). Current law provides that OJARS "shall directly provide staff support to, and coordinate the activities of" NIJ and BJS. In its place, H.R. 2175 merely says that the new OJA "may" provide that function and, at the same time, it grants to each unit independent administrative authority. It is also interesting to observe that those identified by the report as having recommended independence for NIJ and BJS are, for the most part, among the major beneficiaries of grants and contracts from those organizations.

Instead of a consolidated advisory body to examine and make recommendations to the Department of Justice concerning the totality of State and local criminal justice, H.R. 2175 maintains two separate advisory boards for research and statistics, and provides for no advisory role at all in the financial assistance program.

I find it difficult to understand the committee's insistence on dictating the internal management structure for the Justice assistance program. The rationale seems to be a desire for independence on the part of these agencies yet the Congress has not specified how the Civil or Criminal Divisions of the Department of Justice should be organized. Certainly, the discretion exercised by the litigating divisions of the Department is as critical and sensitive as that entrusted to the assistance programs—perhaps more so.

The Department of Justice fears that the organizational structure of H.R. 2175 will increase the cost of the program by $2 to $3 million over the DOJ proposal.

Aside from the structural issue, I fully support H.R. 2175.

Mr. HUGHES. Mr. Chairman, will the gentleman yield?

Mr. FISH. I yield to the gentleman from New Jersey.

Mr. HUGHES. I thank the gentleman for yielding.

Mr. Chairman, I think the gentleman has made an important statement. As the gentleman well knows, we changed the structure in 1979, as part of the Justice System Improvement Act. At that time we gave a certain amount of independence but flexibility to particularly the Bureau of Justice Statistics and the National Institute of Justice.

All of the witnesses who appeared before our subcommittee, including distinguished experts in criminal justice, ex-heads of NIJ and users of BJS service, all testified that the existing structure, which is the result of the 1979 reforms, is the best possible structure. Others who have written to the subcommittee advocating current structure include the American Bar Association, Council of Professional Associations on Federal Statistics, Judge Harold Tyler, former Deputy Attorney General, a distinguished member of the Department for a number of years. They all advocated maintaining the present structure.

The CHAIRMAN. The time of the gentleman from New York (Mr. FISH) has expired.

(By unanimous consent, Mr. FISH was allowed to proceed for 2 additional minutes.)

Mr. HUGHES. If the gentleman will yield further, the gentleman is correct; we will have, I think, an opportunity to do some streamlining. As the gentleman knows, the other body has similar legislation moving through that incorporates, basically, the approach taken by the Justice Department.

For instance, both the ranking minority member and myself have grave questions as to whether we need all these advisory committee members, and whether we could not in fact attempt to assimilate all of the duties into one advisory council.

There is some question as to whether or not we need all of the redtape that is involved, all of the annual reports that are required and which often end up collecting dust.

So I think that there are a number of areas where we can work in conference to try to achieve the goals that I know the gentleman from New York seeks and I can represent to him that I seek also.

Mr. FISH. Mr. Chairman, I am very encouraged to hear the chairman's remarks. I wanted to make a record here. I do not intend to offer an amendment to conform to the Senate version, but that will be before us, as the gentleman said, in conference. I do think that, particularly in the bodies the gentleman mentioned, the National Institute of Justice and the BJS, the research and statistical work can be far better coordinated with the program activities under this very worthwhile piece of legislation.

Mr. HUGHES. If the gentleman will yield further, I just want to say that I want to commend the gentleman, as the ranking Republican member of the full Judiciary Committee. The gentleman has been very actively supportive of not just this piece of legislation but every crime bill that we have moved out of the subcommittee, both in the last term of Congress and in this one, and I look forward to working with the gentleman to achieve the very best possible anticrime initiatives.

Mr. FISH. I thank the gentleman.

AMENDMENT OFFERED BY MR. GLICKMAN

Mr. GLICKMAN. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. GLICKMAN: On page 45, add the following after line 23:

"COOPERATION IN SECURING ACCESS TO HUMAN ORGANS FOR TRANSPLANT PURPOSES

"SEC. 121. It is the sense of the Congress that, in connection with assistance provided under this Act, law enforcement officials and personnel should be made aware of the critical shortage of human organs available for life-sustaining medical transplant operations and be fully advised of the means by which they can be of potential assistance toward alleviating that shortage when, in the course of their responsibilities, they are involved in activities resulting in fatalities."

Mr. GLICKMAN (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Kansas?

There was no objection.

Mr. GLICKMAN. Mr. Chairman, I believe it is safe to say that this sense of the Congress language is noncontroversial. At the same time, I think it sends an important message to law enforcement officials which we can all embrace.

The Science and Technology Subcommittee on Oversight has held a number of well publicized hearings recently highlighting problems that currently exist in helping secure donated organs in instances where transplants are badly needed to save lives. One point that came up in those hearings and then has been confirmed from my own State of Kansas is that one link in the process that could stand strengthening is that initial one: making sure that the option of organ donation is considered at the painful time when a death occurs.

Law enforcement officials, unfortunately, often find themselves in situations where deaths have occurred, especially accidental deaths. Those situations are ones where organs are not in any way damaged by disease and are, therefore, potentially useful for transplant purposes. Hence, my amendment would indicate that the

Congress feels that law enforcement officials should be aware of the shortage of human organs for life sustaining transplants and should be informed of means by which they can be of possible assistance when they are involved in cases resulting in fatalities.

I would hope that this expression would encourage local law enforcement officials to promote awareness of the shortage of human organs for transplants and ways they can help alleviate it. It can readily build on the policies of many States including organ donor notifications on their driver's licenses.

Mr. HUGHES. Mr. Chairman, will the gentleman yield?

Mr. GLICKMAN. I yield to the gentleman from New Jersey.

Mr. HUGHES. Mr. Chairman, I want to commend the gentleman. I talked with the ranking minority member of the Subcommittee on Crime about this amendment. What it would do, if I understand it correctly, is to create a sense of the Congress that law enforcement officials should be sensitized to the need to quickly identify potential donors of vital organs. We see no problem with the amendment.

Mr. SAWYER. Mr. Chairman, will the gentleman yield?

Mr. GLICKMAN. I yield to the gentleman from Michigan.

Mr. SAWYER. Mr. Chairman, we accept the amendment.

Mr. GLICKMAN. I thank the gentleman.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Kansas (Mr. GLICKMAN).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. WALKER

Mr. WALKER. Mr. Chairman, I offer an amendment.

The clerk read as follows:

Amendment offered by Mr. WALKER: Page 8, line 21, strike out "and".

Page 8, line 23, strike out the period and insert in lieu thereof "; and".

Page 8, after line 23, insert the following new paragraph:

"(16) providing programs which address the increase in the incidence of offenses committed against the elderly, and which address the stress and fear among the elderly caused by such offenses.".

Mr. WALKER (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. WALKER. Mr. Chairman, I think that the amendment that I am offering is fairly self-explanatory. What it does is, it puts an additional section into the functions that can be considered under these programs and adds a function to help fight the crimes that are being committed against the elderly in this country. Crime against the elderly is increasing at frightening rates at the present time. It is increasing in most categories of crime, but particularly in violent crime.

Let me cite a few examples. But first, so that there can be no distortion resulting from population increases, we must remember that the number of elderly has increased by 17.9 percent since 1973, while the general population has increased by 7.3 percent.

Since 1979—and that is the figure I am going to be using most in my statistics—the number of elderly has increased by 2.2 percent, while the general population has increased by 2.3 percent.

Since 1979, violent crime against the elderly has increased by 18.7 percent, while only increasing by 11 percent for the general population. In other words, in that period of time since 1979, that most recent period of time, there was a very, very substantial increase of crimes directed against the elderly in our society.

Since 1979, the increase of aggravated assaults against the elderly has escalated dramatically, by 23 percent, while the increase for the general population was approximately one-quarter of that, 6.6 percent.

In the category of forcible rape, among the elderly there has been an increase of 189 percent since 1979.

There are a lot of other figures, but they all say the same thing. In the most recent time period, crime against the elderly has become a very, very considerable problem, and they have reasons to be fearful.

There is one other thing that I think we also ought to address as we talk about crime against the elderly, and that is the fact that many of them have become virtual shut-ins because of their fear of crime. They have found themselves locked in their homes, fearful of what is going on about them in the streets.

□ 1300

I think it is entirely appropriate, as we pass a bill of this type, a bill which addresses State and community needs in crime, that we should focus on one particular element of that; namely, the crimes being committed against some of the most vulnerable of our citizens, the elderly.

Mr. Chairman, I would also point out that the kinds of things that I am talking about here are demonstrated in some polling data that was released recently. The Gallup poll has indicated that three-quarters of the elderly limit their activities or their lifestyle in some way to avoid crime. A recent Pennsylvania State University study indicated that 88 percent of the elderly had modified their lives in some way to avoid being victimized by crime, and two-thirds claimed that the fear of crime seriously inhibited their use of senior citizen parks and centers around the country.

I was particularly reminded of this by a New York Times article during Crime Victims Week which was held in April, describing the experiences of a number of couples who were participating in a White House ceremony. One couple, Lilly and Harold Tuthill, a couple from St. Louis, talked about the fact that they had been beaten by three robbers last year. The New York Times article indicated that they fractured Mrs. Tuthill's skull, cut her face with an iron bar, and he was held at gunpoint and was forced to watch this assault.

They were asked what they thought about the concept of capital punishment. Mrs. Tuthill said, "I am all for it." "I am not," said her husband. "I do not believe in taking a life."

"You did not go through what I did," Mrs. Tuthill told him.

There are millions of stories like that around the country of elderly citizens who have been victimized by crime.

We should, in this particular bill at this time, say that this is one of those areas that we want addressed, and we want it addressed in a meaningful kind of way.

So I would ask, Mr. Chairman, the adoption of my amendment.

Mr. HUGHES. Mr. Chairman, the gentleman from Pennsylvania deals with a segment of the population that obviously is preyed upon probably as much as any other segment of the community by those who are bent on crime. During the time that I have been chairman of the Subcommittee on Crime, we have had a series of hearings on crime in general, and we have learned that the fear of crime on the part of the elderly, in fact, runs way ahead of the actual rate of crime in neighborhoods.

Originally I did not have that perception, but apparently all the data we have seen bears out that premise. What the gentleman is doing is, in effect, offering a whole new section, section (16), which would structure the bill in a general way while we have attempted in the committee to be very specific. What we have done is taken those success stories in LEAA such as career criminal, neighborhood programs, and put them in a block grant program that can be replicated in other areas. What we are attempting to do is set up specific categories of successful programs that would borrow from the successful old LEAA program.

What the gentleman attempts to do, on the contrary, is put a section in the bill that deals just with the elderly which is contrary to the basic structure of the bill. In effect, what he would do, I would think, may be to limit the bill. I fear his amendment

might weaken other sections of the bill which would permit programs for the elderly.

For instance, in section 401(a)(1) of the bill, a local jursdiction, a law enforcement agency, could very well indeed apply for a matching grant for a program directed at attacks upon the elderly in a neighborhood. That is already provided for under that section of the bill.

Under 401(a)(6) of the legislation, we could very easily have a fundable program for the elderly because it deals with developing and implementing programs which provide assistance to jurors and witnesses and assistance to victims of crime. This is an area where a local jurisdiction could very easily develop a program that would address itself to crimes against the elderly or for that matter for the handicapped, or any other group that happens to be a specific problem in the community.

Mr. Chairman, I might say to my colleague that a program that would address crimes against the elderly, could also very easily be funded under 401(a)(13) and 401(a)(14), which are both, again, demonstration programs.

I would also say to my colleague from Pennsylvania that a program dealing with crime against the elderly, could be funded if a local law enforcement agency, applied under the discretionary grant program, 501(4).

I think the gentleman has really offered an amendment that might be perceived as somewhat restrictive. What we have attempted to do is, to address the problems of the elderly and other potential victims in a series of specific program categories that have otherwise been viewed as credible programs. These specific programs have been tested and proven to be very successful in all parts of the country and for all the potential victims.

So I frankly think that the gentleman's amendment is already incorporated basically within about six sections of the bill, and for that reason, I just feel that the gentleman's amendment is unnecessary.

Mr. SAWYER. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I concur with the observations of the gentleman from New Jersey. The gentleman from Pennsylvania is approaching the categories in the opposite way that the bill does. We have approached it with crime programs aimed at specific types of crimes and specific methods of combating crime, as opposed to the group for whom it is supposed to benefit in that all of the categories are supposed to be for the benefit of everybody.

I think the facts show that the elderly are not a particular target of crime. As a matter of fact, the incidence of crimes against the elderly is considerably lower than crimes against young people, and definitely lower than crimes against minorities, who are the prime targets of crime numerically because of the neighborhood situations, and whatnot.

So I think if we were going to go that route, we would have to specify a program for crimes against the elderly, crimes against the handicapped, crimes against the young, crimes against minorities, and so forth. We have done it the other way and specified types of anticriminal programs that will equally benefit all of these groups, plus a discretionary innovative area that could be tailored on special programs for any of those groups, including the elderly.

While I agree that subjectively, as the gentleman stated, the fear of crime among the elderly is extraordinarily high, we are very aware of that, we knew that in our hearings, and all of the experts bolstered that. However, the fear does not necessarily reflect the fact of the incidence of crime, and perhaps it is the fear that lets the incidence be as low as it is. But I just think it destroys the symmetry of the bill and that actually the purposes which are laudable enough fit well within the categories we have used, including a wide-open one on innovative programs.

Mr. HUGHES. Mr. Chairman, will the gentleman yield?

Mr. SAWYER. I yield to the gentleman from New Jersey.

Mr. HUGHES. I thank the gentleman for yielding.

Mr. Chairman, it just occurred to me there is another point to be made, because the gentleman is absolutely right. What we have done is, we have attempted to use tools that have been developed and proven to be successful. Most of the other categories, other than the ones I have mentioned, also could be used for crimes against the elderly.

For instance, career criminal and sting operations could very well be set up in areas where there is a high incidence of crime against the elderly. So the gentleman is absolutely correct. Many of the tools that we have provided in different sections of this bill under the 15 or so categories are already adaptable for crimes against the elderly and other groups within a community, depending upon what local law enforcement feels is essential to address the crime problem in that area.

Mr. SAWYER. It is just a question of approaching it from different categories. We, in effect, said here is a hammer we provide, here is a saw we provide, here are nails we provide, and so on, and the gentleman wants one where we can build a house. It is just approaching it from the opposite direction.

But I think all of these categories fit crimes against the elderly very definitely, as well as against minorities, handicapped, and youth, and everyone else.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Pennsylvania (Mr. WALKER).

The question was taken; and the Chairman announced that the noes appeared to have it.

Mr. WALKER. Mr. Chairman, I demand a recorded vote, and pending that, I make the point of order that a quorum is not present.

The CHAIRMAN. Evidently a quorum is not present.

The Chair announces that pursuant to clause 2, rule XXIII, he will vacate proceedings under the call when a quorum of the Committee appears.

Members will record their presence by electronic device.

The call was taken by electronic device.

□ 1315

The CHAIRMAN. A quorum of the Committee of the Whole has not appeared.

The Chair announces that a regular quorum call will now commence.

Members who have not already responded under the noticed quorum call will have a minimum of 15 minutes to record their presence.

Pursuant to the provisions of clause 2, rule XXIII, the Chair announces that he will reduce to a minimum of 5 minutes the period of time within which a vote by electronic device, if ordered, will be taken on the pending question following the quorum call. Members will record their presence by electronic device.

The call was taken by electronic device.

The following Members responded to their names:

[Roll No. 96]

Ackerman	Borski	Crane, Daniel
Addabbo	Bosco	Crane, Philip
Akaka	Boucher	Crockett
Albosta	Boxer	D'Amours
Alexander	Breaux	Daniel
Anderson	Britt	Dannemeyer
Andrews (NC)	Brooks	Daschle
Andrews (TX)	Broomfield	Daub
Annunzio	Brown (CA)	Davis
Anthony	Brown (CO)	de la Garza
Applegate	Broyhill	Dellums
Aspin	Bryant	Derrick
AuCoin	Burton	DeWine
Badham	Byron	Dickinson
Barnard	Campbell	Dicks
Barnes	Carney	Dingell
Bartlett	Carper	Dixon
Bateman	Carr	Donnelly
Bates	Chandler	Dorgan
Bedell	Chappie	Dowdy
Beilenson	Cheney	Downey
Bennett	Clarke	Dreier
Bereuter	Clinger	Duncan
Berman	Coelho	Durbin
Bethune	Coleman (MO)	Dwyer
Bevill	Coleman (TX)	Dymally
Biaggi	Collins	Dyson
Bilirakis	Conable	Early
Bliley	Conte	Eckart
Boggs	Cooper	Edgar
Boland	Corcoran	Edwards (AL)
Boner	Coughlin	Edwards (CA)
Bonior	Courter	Edwards (OK)
Bonker	Coyne	Emerson

English
Erdreich
Erlenborn
Evans (IA)
Evans (IL)
Fascell
Fazio
Feighan
Ferraro
Fiedler
Fields
Flippo
Florio
Foglietta
Foley
Ford (MI)
Ford (TN)
Fowler
Frank
Franklin
Frenzel
Fuqua
Garcia
Gaydos
Gejdenson
Gekas
Gephardt
Gilman
Gingrich
Glickman
Gonzalez
Goodling
Gore
Gradison
Gramm
Green
Gregg
Guarini
Gunderson
Hall (IN)
Hall (OH)
Hall, Ralph
Hall, Sam
Hamilton
Hammerschmidt
Hance
Hansen (UT)
Harkin
Harrison
Hartnett
Hatcher
Hawkins
Hefner
Hertel
Hightower
Hiler
Hillis
Holt
Hopkins
Horton
Howard
Hoyer
Hubbard
Hughes
Hunter
Hutto
Hyde
Jacobs
Jeffords
Jenkins
Johnson
Jones (NC)
Jones (OK)
Jones (TN)
Kaptur
Kasich
Kastenmeier
Kazen
Kennelly
Kildee
Kindness
Kogovsek
Kolter
Kostmayer
Kramer
LaFalce
Lagomarsino
Lantos
Latta
Leach
Leath
Lehman (CA)
Lehman (FL)
Leland
Lent
Levin
Levine
Levitas
Lewis (CA)
Lewis (FL)
Lipinski
Livingston
Lloyd
Loeffler
Long (LA)
Long (MD)
Lott
Lowery (CA)
Lowry (WA)
Lujan
Luken
Lundine
Lungren
Mack
MacKay
Madigan
Markey
Marriott
Martin (IL)
Martin (NC)
Matsui
McCandless
McCloskey
McCollum
McCurdy
McEwen
McGrath
McHugh
McKernan
McNulty
Mica
Mikulski
Miller (CA)
Miller (OH)
Mineta
Minish
Moakley
Molinari
Mollohan
Montgomery
Moody
Moore
Moorhead
Morrison (CT)
Morrison (WA)
Mrazek
Murphy
Murtha
Myers
Natcher
Neal
Nelson
Nichols
Nielson
Nowak
O'Brien
Oakar
Oberstar
Obey
Olin
Ortiz
Ottinger
Owens
Oxley
Packard
Panetta
Parris
Pashayan
Patman
Patterson
Paul
Pease
Penny
Pepper
Perkins
Petri
Pickle
Porter
Price
Pritchard
Pursell
Quillen
Rahall
Rangel
Ratchford
Ray
Regula
Reid
Richardson
Ridge
Rinaldo
Ritter
Roberts
Robinson
Rodino
Roe
Roemer
Rogers
Rose
Rostenkowski
Roth
Roukema
Rowland
Roybal
Rudd
Russo
Sabo
Sawyer
Schaefer
Scheuer
Schneider
Schulze
Schumer
Seiberling
Sensenbrenner
Shannon
Sharp
Shaw
Shelby
Shumway
Shuster
Sikorski
Siljander
Simon
Sisisky
Skeen
Skelton
Slattery
Smith (FL)
Smith (IA)
Smith (NE)
Smith (NJ)
Smith, Denny
Snowe
Snyder
Solarz
Solomon
Spence
Spratt
St Germain
Staggers
Stenholm
Stokes
Stratton
Studds
Stump
Sundquist
Swift
Synar
Tauke
Thomas (CA)
Thomas (GA)
Torres
Torricelli
Traxler
Valentine
Vander Jagt
Vandergriff
Vento
Volkmer
Vucanovich
Walgren
Walker
Watkins
Waxman
Weaver
Weber
Weiss
Wheat
Whitehurst
Whitley
Whittaker
Whitten
Williams (MT)
Williams (OH)
Wilson
Winn
Wirth
Wise
Wolf
Wolpe
Wortley
Wright
Wyden
Wylie
Yates
Yatron
Young (AK)
Young (FL)
Young (MO)
Zablocki
Zschau

□ 1330

The CHAIRMAN. Three hundred ninety-four Members have answered to their names, a quorum is present, and the Committee will resume its business.

RECORDED VOTE

The CHAIRMAN. The pending business is the demand of the gentleman from Pennsylvania (Mr. WALKER) for a recorded vote.

A recorded vote was ordered.

The CHAIRMAN. The Chair will advise the Members that this will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 401, noes 5, not voting 26, as follows:

[Roll No. 97]

AYES—401

Ackerman
Addabbo
Akaka
Albosta
Alexander
Anderson
Andrews (NC)
Andrews (TX)
Annunzio
Anthony
Applegate
Archer
Aspin
AuCoin
Badham
Barnard
Barnes
Bartlett
Bateman
Bates
Bedell
Beilenson
Bennett
Bereuter
Berman
Bethune
Bevill
Biaggi
Bilirakis
Bliley
Boehlert
Boggs
Boland
Boner
Bonior
Bonker
Borski
Bosco
Boucher
Boxer
Breaux
Britt
Brooks
Broomfield
Brown (CA)
Brown (CO)
Broyhill
Bryant
Burton
Byron
Campbell
Carney
Carper
Carr
Chandler
Chappie
Cheney
Clay
Clinger
Coelho
Coleman (MO)
Coleman (TX)
Collins
Conable
Conte
Cooper
Corcoran
Coughlin
Courter
Coyne
Crane, Daniel
Crane, Philip
Crockett
D'Amours
Daniel
Daschle
Daub
Davis
de la Garza
Dellums
Derrick
DeWine
Dickinson
Dicks
Dingell
Donnelly
Dorgan
Dowdy
Downey
Dreier
Duncan
Durbin
Dwyer
Dymally
Dyson
Early
Eckart
Edgar
Edwards (AL)
Edwards (CA)
Edwards (OK)
Emerson
English
Erdreich
Erlenborn
Evans (IA)
Evans (IL)
Fascell
Fazio
Feighan
Ferraro
Fiedler
Fields
Flippo
Florio
Foglietta
Foley
Ford (MI)
Ford (TN)
Fowler
Frank
Franklin
Frenzel
Frost
Fuqua
Garcia
Gejdenson
Gekas
Gephardt
Gibbons
Gilman
Gingrich
Glickman
Goodling
Gore
Gradison
Gramm
Green
Gregg
Guarini
Gunderson
Hall (IN)
Hall (OH)
Hall, Ralph
Hall, Sam
Hamilton
Hammerschmidt
Hance
Hansen (UT)
Harkin
Harrison
Hartnett
Hatcher
Hawkins
Hefner
Hertel
Hightower
Hiler
Hillis
Holt
Hopkins
Horton
Howard
Hoyer
Hubbard
Hughes
Hunter
Hutto
Hyde
Ireland
Jacobs
Jeffords
Jenkins
Johnson
Jones (NC)
Jones (OK)
Jones (TN)
Kaptur
Kasich
Kastenmeier
Kazen
Kennelly
Kildee
Kindness
Kogovsek
Kolter
Kostmayer
Kramer
LaFalce
Lagomarsino
Lantos
Latta
Leach
Leath
Lehman (CA)
Lehman (FL)
Leland
Lent
Levin
Levine
Levitas
Lewis (CA)
Lewis (FL)
Lipinski
Livingston
Lloyd
Loeffler
Long (LA)
Long (MD)
Lott
Lowery (CA)
Lowry (WA)
Lujan
Luken
Lundine
Lungren
Mack
MacKay
Madigan
Markey
Marriott
Martin (IL)
Martin (NC)
Matsui
Mazzoli
McCandless
McCloskey
McCollum
McCurdy
McDonald
McEwen
McGrath
McHugh
McKernan
McNulty
Mica
Miller (CA)
Miller (OH)
Mineta
Minish
Moakley
Molinari
Mollohan
Montgomery
Moody
Moore
Moorhead
Morrison (CT)
Morrison (WA)
Mrazek
Murphy
Murtha
Myers
Natcher
Neal
Nelson
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Nielson
Nowak
O'Brien
Oakar
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Packard
Panetta
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Patterson
Paul
Pease
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Perkins
Petri
Pickle
Porter
Price
Pritchard
Pursell
Quillen
Rahall
Rangel
Ratchford
Ray
Regula
Reid
Richardson
Ridge
Rinaldo
Ritter
Roberts
Robinson
Rodino
Roe
Roemer
Rogers
Rose
Rostenkowski
Roth
Roukema
Rowland
Roybal
Rudd
Russo
Sabo
Savage
Sawyer
Schaefer
Scheuer
Schneider
Schroeder
Schulze
Schumer
Seiberling
Sensenbrenner
Shannon
Sharp
Shaw
Shelby
Shumway
Shuster
Sikorski
Siljander
Simon
Sisisky
Skeen
Skelton
Slattery
Smith (FL)
Smith (IA)
Smith (NE)
Smith (NJ)
Smith, Denny
Snowe
Snyder
Solarz
Solomon
Spence
Spratt
St Germain
Staggers
Stark
Stenholm
Stokes
Stratton
Studds
Stump
Sundquist
Swift
Synar
Tallon
Tauke
Thomas (CA)
Thomas (GA)
Torres
Torricelli
Traxler
Udall
Valentine
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Vento
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Watkins
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Weaver
Weber
Weiss
Wheat
Whitehurst
Whitley
Whittaker
Whitten
Williams (MT)
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Wilson
Winn
Wirth
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Wolf
Wolpe
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Wright
Wyden
Wylie
Yates
Yatron
Young (AK)
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Young (MO)
Zablocki
Zschau

NOES—5

Clarke
Gaydos
Gonzalez
Mikulski
Mitchell

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Coats
Conyers
Craig
Dannemeyer
Dixon
Fish
Forsythe
Gray
Hansen (ID)
Heftel
Huckaby
Kemp
Marlenee
Martin (NY)
Martinez
Mavroules
McCain
McDade
McKinney
Michel
Smith, Robert
Stangeland
Tauzin
Taylor
Towns

□ 1340

Mr. VANDERGRIFF changed his vote from "no" to "aye."

So the amendment was agreed to.

The result of the vote was announced as above recorded.

Mr. SIMON. Mr. Chairman, I move to strike the last word.

Mr. Chairman, we have just voted on an amendment that deals with the elderly.

I happen to have in my district a gentleman who is 85 years old, who retired as a rural mail carrier, and since that time has built up the fourth largest travel agency in the United States out in a rural area of southern Illinois.

But he has come up with an idea on crime and getting people to phone in information and to receive secret awards without having their names involved that has resulted in a dramatic reduction in crime in this rural area. It is the kind of approach that can be funded under this bill. It is the kind of thing that I think my colleagues from around the country ought to be taking a look at.

I am going to insert in the RECORD more details about this program started by a man named Wayman Presley. I think 85-year-old Wayman Presley has an idea on crime that we ought to be taking a look at around the country.

Mr. Chairman, I rise for the purpose of discussing one particular local government program which could be funded through the block grant or discretionary Federal funding aspect of the Justice Assistance Act, which has proven effective.

That program is a community crime watch program. Wayman Presley of Makanda, Ill., initiated a community crime watch program in the rural area in which I happen to live. Within 6 weeks after the program began, five criminals were caught. In the nearly 2 years of the program's existence, the community has had only one crime committed, the robbery of an aluminum ladder which was later returned.

In Makanda, anyone having knowledge about a crime can call a designated phone number. The callers are told they may disguise their voices if they wish. The caller is given a secret code number and a telephone number to call back for update information on the reported crime. When the criminal is apprehended and convicted or when stolen property is recovered, a reward is paid to the person with the corresponding secret code number. In Makanda, the reward money is left in a secret, designated place for the informant.

Similar programs exist in a few communities across the Nation. These local programs can be adapted to the needs of the community. The reward might be paid when the criminal is apprehended and indicted rather than upon conviction. The reward payment might be paid through the local postmaster who would give a person who shows the code number and a designated fictitious name an envelope containing the reward which is marked to the attention of that name and number. Any number of variations are possible.

The important aspect to remember is that people do care about their communities and are willing and anxious to see an end to crime in their neighborhoods. Many people, however, fear reprisal or prefer to remain anonymous or do not want to become publically involved in trials. Providing individuals a way of tipping police anonymously, allows concerned citizens to participate in an effective, safe way in curbing crime in their communities.

We can all learn and benefit from programs like Wayman Presley's in Makanda, Ill. I urge my colleagues to inform the communities they represent of the success community crime watch programs have in curbing crime. This bill could fund such programs across the Nation. I urge my colleagues to use the example of Makanda and Wayman Presley.

AMENDMENT OFFERED BY MR. KINDNESS

Mr. KINDNESS. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. KINDNESS: Page 45, after line 23, insert the following:

(b) Section 1761 of title 18, United States Code, is amended by adding at the end thereof the following new subsection:

"(d) Notwithstanding any law to the contrary, materials produced by convict labor may be used in the construction of any highways or portion of highways located on Federal-aid systems, as described in section 103 of title 23, United States Code.".

Mr. KINDNESS (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Ohio?

There was no objection.

□ 1350

Mr. HUGHES. Mr. Chairman, will the gentleman yield?

Mr. KINDNESS. I yield to the gentleman from New Jersey (Mr. HUGHES), the chairman of the subcommittee.

Mr. HUGHES. I thank the gentleman for yielding.

Mr. Chairman, I think the gentleman's amendment is a fine amendment and we are prepared on this side of the aisle to accept it.

Mr. SAWYER. Mr. Chairman, will the gentleman yield?

Mr. KINDNESS. I yield to the gentleman from Michigan.

Mr. SAWYER. I thank the gentleman for yielding.

Mr. Chairman, I concur with the chairman and congratulate the gentleman. I think it is a very good and worthwhile amendment. And this side of the aisle will accept the amendment.

Mr. KINDNESS. Mr. Chairman, I thank both of the gentlemen who have previously spoken.

The amendment is to clarify a point that is extremely important I think to the survival of prison industries in 37 States. Many of us represent States that have these industries operating successfully and it is very necessary that we do not interfere with the functioning of those State prison industry systems which may indeed be part of an important future in penal reform throughout our country.

I would ask support of the amendment and yield back the balance of my time.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Ohio (Mr. KINDNESS).

The amendment was agreed to.

Mr. BIAGGI. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I do not expect to take the 5 minutes. I am rising for the purpose of engaging in a colloquy with the chairman, the gentleman from New Jersey (Mr. HUGHES).

I would like to ask the chairman. Under title II of the bill where funds would be provided to localities for emergency financial assistance experiencing critical law enforcement problems, I wish to inquire of the chairman whether funds under this section could go to a unit of local government such as the city of New York for costs associated with providing protection to Federal buildings and property within its boundaries. I have been advised by city officials that security costs have increased in the past year due to increased acts of criminal violence such as the New Year's Eve bombing of a Federal building where three police officers were maimed. Would these security costs be included as an eligible area for consideration under this section of the legislation?

Mr. HUGHES. Mr. Chairman, will the gentleman yield?

Mr. BIAGGI. I yield to the gentleman from New Jersey.

Mr. HUGHES. I thank the gentleman for yielding.

First, I want to say to the gentleman that I think that the Federal Government should be responsible for the costs of providing security to Federal courthouses and other Federal buildings. But title II of the bill was crafted to respond to crime emergencies, a crisis that is beyond the ability of a community to handle. Such as the Atlanta child murders, where, as the gentleman knows, the request by Atlanta for Federal assistance bounced around for 2 months because we had no formalized way of responding and no money. In fact, the President had to tap a HUD fund to provide the moneys for Atlanta.

It is that type of a crime emergency, an epidemic, that title II is crafted to handle.

Mr. BIAGGI. If the gentleman will respond to another question.

If we had a situation where we had a series of bombings, repeated bombings, of Federal buildings, of Federal property, would the city of New York then become eligible?

Mr. HUGHES. In my judgment where we had a series of bombings and such incidents were beyond the capability of the city of New York to handle and help was requested, title II funding would be available for that purpose. In that instance you would have an epidemic or crime problem beyond the admitted capability of a law enforcement agency to handle.

Mr. BIAGGI. I thank the gentleman.

Mr. ALBOSTA. Mr. Chairman, I move to strike the last word.

Mr. Chairman, crime continues to be a serious problem in our country. In my own State of Michigan last year, 1 out of every 15 residents was the victim of a major crime. The economic recession has so strained budgets that many localities are desperate just to find funds to maintain basic crime protection service. They are not financially capable of initiating programs which would make their jobs easier, such as crime prevention and improvement of present programs. Clearly there is a crying need to aid State and local governments in their fight against crime.

One of the major problems in combating crime is that of career criminals: Recent studies have shown that just 3 months after release from a long term conviction, 45 percent of those released have again been arrested. The programs eligible for block grant assistance under H.R. 2175 will help reduce career criminals' incentive to return to crime. Programs to provide treatment for drug-dependent offenders so that they can kick their habit and not turn to crime to support their addiction, to counsel juvenile offenders so that they do not establish a lifelong pattern of crime, and to develop prison industry programs so that prisoners can learn skills to gain employment when released rather than return to crime, will reduce the number of habitual criminals. Also included in H.R. 2175 is a program to identify career criminals. H.R. 2175 will be money well spent, because it is an investment in the future to reduce the large percentage of crime committed by career criminals.

I want to add that I have introduced H.R. 1869, the Crime Control and Victims Compensation Act, to deal with the serious problem of career criminals. H.R. 2175 is a necessary start in rehabilitating prisoners early on, but we also need strong action to deter those who continue to commit crimes. My bill would make the thrice-conviction of certain crimes a Federal offense, and would impose a mandatory sentence of 20 years in prison with no parole. Such strict and certain sentencing will deter criminals. Additionally, H.R. 1869 requires that these career criminals work, with their pay going for their keep, for compensation to their victims, and for family support. H.R. 1869 is needed to follow up the initiatives included in H.R. 2175.

In conclusion, I strongly support H.R. 2175 for the desperately needed assistance it will provide to States and localities in fighting crime, and for the important first step it takes in dealing with the serious problem of career criminals. I urge my colleagues to favorably consider H.R. 2175.

Mr. PEPPER. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I want to commend in the warmest way the distinguished chairman of this subcommittee, the gentleman from New Jersey (Mr. HUGHES) and his committee for bringing out this bill with respect to crime.

But there is one other element that I wish to commend to the consideration of this committee. We mentioned the matter to the distinguished chairman and ranking minority member of the Rules Committee the other day and they are very sympathetic.

The idea is to try to find some way to diminish if not to stop school dropouts.

□ 1400

I had the privilege of being chairman of the Crime Committee of this House, a select committee, for 4 years, and we conducted many hearings and made many inquiries about the subject of crime. Fifty percent of the arrests for crime are of people under 18 years of age. Therefore, they are generally in the juvenile category. Yet 9 out of 10 of the juveniles who are arrested for serious crime are school dropouts. So you can see how relevant the school dropout is to the juveniles who commit serious crime.

I do not know what all of the answers are and how is the best way to deal with the school dropout; but I do know I had some testimony one time before Judge Orlando, who was the juvenile judge of Broward County, the county from which some of our Members come. Judge Orlando said that he took 10 juveniles, 10 boys, who had a bad record, and he put them into a program giving them training in maritime matters. The training period was for a year. At the end of 11 months, not a single one of those boys had dropped out. One of them had gotten a job in Orlando, Fla., at about $5,000 a year and the other nine expected to finish the course in another month after he talked to us. He said, "I am sure that, had they not been engaged in a program like that, many of those boys, if not all of them, would have been engaged in the commission of serious crime."

So I know we need all of these things, we need more police, we need the best of equipment, we need civilian cooperation, and all that; but I believe that we could reduce crime 25 percent if we could find some way seriously to diminish the number of young people who drop out of school.

I know the distinguished chairman is sympathetic, and I just hope the gentleman's distinguished committee can find some way be which we can try out, at least in some demonstration project if we cannot cover the whole country in such a program, such a suggestion as that.

Mr. HUGHES. Mr. Chairman, will the gentleman yield?

Mr. PEPPER. I yield to the gentleman from New Jersey.

Mr. HUGHES. Mr. Chairman, I think the gentleman is absolutely correct. I do not think there is any question but that all of the data shows that a significant amount of crime, well over 50 percent in many categories, is committed by people between 14 and 22 years of age, particularly in that category from about 14 to about 18.

From my own experience in law enforcement, I found that there was an inordinate amount of crime that was borne out of just basic idleness on the part of young people. If you look at the structure of unemployment today, particularly among minority youth, in many inner city areas the unemployment rate is up around 50 percent. Idleness breeds crime. Much of that idleness is directly connected to the school dropout problem.

I know my colleague, the gentleman from Michigan (Mr. SAWYER), a former distinguished prosecutor, is working, himself, on a project that would address that particular problem. And we share the concern of the gentleman from Florida. Even though we do not have direct jurisdiction over education and training programs, I am satisfied that what the gentleman is promoting is an essential ingredient of any crime prevention program for this country.

The CHAIRMAN. The time of the gentleman from Florida (Mr. PEPPER) has expired.

(On request of Mr. HUGHES and by unanimous consent, Mr. PEPPER was allowed to proceed for 1 additional minute.)

Mr. HUGHES. If the gentleman will yield further, the gentleman from Florida may have seen an editorial in the Post, which reflected upon a study just done of a 1981 program that was a work-study program for school dropouts, and the gentleman may remember that in that particular program one of the requirements was that the youngster go back to school as a condition precedent to getting a job. We had a dramatic increase not only in

the number of dropouts who went back to school but a significant percentage who actually found full-time employment.

So, I think the gentleman is on the right track. It may very well be that we can have a joint hearing on that subject with the Education and Labor Subcommittee. I did not mean to suggest that I could speak for the gentleman from Michigan, because he himself is very much involved in this, and he can certainly speak for his own program.

Mr. SAWYER. If the gentleman will yield, in that regard, the gentleman does speak for me on it. I agree with the gentleman.

Mr. PEPPER. Mr. Chairman, I thank both gentlemen very much.

● Mr. FEIGHAN. Mr. Chairman, I am pleased to rise in support of H.R. 2175, the Justice Assistance Act of which I am a cosponsor. I commend the distinguished chairman of the Subcommittee on Crime, Mr. HUGHES—a subcommittee on which I am proud to serve—and commend him for his direction, and for his longstanding and diligent efforts in the area of law enforcement.

As a State legislator, and now, as a congressional representative of an urban district, I have long been concerned about the problem of crime—especially in our cities. As a member of the Subcommittee on Crime I have, in the past few months, gained an even broader and deeper perspective on the magnitude of the crime problem we are facing in this country today and, I have gained a greater appreciation for the role that all levels of government play in law enforcement efforts.

Crime is not something that affects only one area of the country or one group of people. Virtually everyone is a potential victim. Nobody, no matter who they are or where they live is completely safe from crime. Women, the elderly, and young children are especially vulnerable.

Anyone who has ever listened to crime victims speak of their experiences is made instantly and painfully aware of how violently crime impacts upon not only their lives, but the lives of their families and friends as well. All across the country, people have been afraid—but they are starting to fight back.

In Greater Cleveland, more than 25 neighborhood groups have formed for the purpose of self-help against crime.

Last month, some of these groups came together to discuss the crime problem. One of the findings that came out of this hearing was that the resources currently available to local agencies and to local police departments are woefully inadequate to deal effectively with the problem. In Greater Cleveland, as in other urban areas, citizens and public officials are working hand-in-hand to deal with this problem that everyone knows will not go away by itself—but they need help.

It is a fact that virtually all violent crime that affects the public is under the jurisdiction of State and local law enforcement authorities. However, Reaganomics have forced many local governments to cut many of their programs. H.R. 2175, the Justice Assistance Act, provides a crucial shot in the arm to these State and local authorities for crime control efforts.

H.R. 2175 provides a much more focused approach to funding local law enforcement than we have seen in the past. Of the $170 million in law enforcement grants that will be provided under the bill, each State will be assured at least $250,000, with the remainder of the funds to be distributed to States on the basis of the crime rate and on population. Funding will be targeted to specific programs that have proven effective in the past. The bill also requires a 50-percent State contribution to prevent the funding of ineffective, wasteful projects.

The Justice Assistance Act will also help to reestablish a partnership between Federal, State, and local government in the area of law enforcement, without placing unduly restrictive Federal limits on State and local officials, allowing them to focus on anticrime activities and programs that will best serve the needs of their specific localities and citizens.

The Federal Government has a responsibility to assist State and local authorities as they seek effective responses to the war on crime. We, in Congress, have the responsibility to provide them with adequate resources to do this.

While the Justice Assistance Act is not a panacea for the problem of crime in this country, I am convinced that it will help to foster constructive cooperation and serve as a link between Federal, State, and local law enforcement efforts.

Our constituents are calling for our help to end crime. I believe that today, we have the opportunity to show them that we are committed to combating crime by supporting the legislation we have before us today—the Justice Assistance Act.

As a member of the Subcommittee on Crime, I look forward to participating in continued efforts in the area of law enforcement under the leadership of our distinguished chairman, BILL HUGHES, and I urge my colleagues to support H.R. 2175 in the bipartisan manner it deserves.●

The CHAIRMAN. Are there further amendments to title I?

If not, the Clerk will designate title II.

The text of title II of H.R. 2175 reads as follows:

TITLE II—EMERGENCY FEDERAL LAW ENFORCEMENT ASSISTANCE

APPLICATION

SEC. 201. (a) In the event that a crime problem of serious and epidemic proportions exists throughout a State or a part of a State, a State (on behalf of itself or another appropriate unit of government) may submit an application under this section for Federal law enforcement assistance.

(b) An application for assistance under this section shall be submitted in writing by the chief executive officer of a State to the Attorney General, in a form prescribed by rules issued by the Attorney General. The Attorney General shall, after consultation with the Director of the Office of Justice Assistance and appropriate members of the Federal law enforcement community, approve or disapprove such application not later than ten days after receiving such application.

(c) Federal law enforcement assistance may be provided if such assistance is necessary to provide an adequate response to a crime problem described in subsection (a). In determining whether to approve or disapprove an application for assistance under this section, the Attorney General shall consider—

(1) The nature and extent of the crime problem throughout a State or in any part of a State,

(2) the emergency or extraordinary circumstances which produced the problem,

(3) the availability of State and local criminal justice resources to resolve the problem,

(4) the cost associated with the increased Federal presence,

(5) the need to avoid unnecessary Federal involvement and intervention in matters primarily of State and local concern, and

(6) any assistance which the State or other appropriate unit of government has received, or could receive, under any provision of title I of the Omnibus Crime Control and Safe Streets Act of 1968.

DEFINITIONS

SEC. 202. For purposes of this title—

(1) the term "Federal law enforcement assistance" means funds, equipment, training, intelligence information, and personnel,

(2) the term "Federal law enforcement community" means the heads of the following departments or agencies:

(A) the Federal Bureau of Investigation,

(B) the Drug Enforcement Administration,

(C) the Criminal Division of the Department of Justice,

(D) the Internal Revenue Service,

(E) the Customs Service,

(F) the Immigration and Naturalization Service,

(G) the United States Marshals Service,

(H) the National Park Service,

(I) the United States Postal Service,

(J) the Secret Service,

(K) the Coast Guard,

(L) the Bureau of Alcohol, Tobacco, and Firearms, and

(M) other Federal agencies with specific statutory authority to investigate violations of Federal criminal laws, and

(3) the term "State" means any State of the United States, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, American Samoa, the Trust Territory of the Pacific Islands, or the Commonwealth of the Northern Mariana Islands.

LIMITATION ON AUTHORITY

SEC. 203. (a) Nothing in this title authorizes the use of Federal law enforcement personnel to investigate violations of criminal law other than violations with respect to which investigation is authorized by other provisions of law.

(b) Nothing in this title shall be construed to authorize the Attorney General or the Federal law enforcement community to exercise any direction, supervision, or control over any police force or other criminal justice agency or an applicant for Federal law enforcement assistance.

(c) Nothing in this title shall be construed to authorize the Attorney General or the Federal law enforcement community—

(1) to condition the availability or amount of Federal law enforcement assistance upon the adoption by an applicant for such assistance of, or

(2) to deny or discontinue such assistance upon the failure of such applicant to adopt, a percentage ratio, quota system, or other program to achieve racial balance in any criminal justice agency of such applicant.

(d) No funds provided under this title may be used to supplant State or local funds that would otherwise be made available for such purposes.

(e) Nothing in this title shall be construed to limit any authority to provide emergency assistance otherwise provided by law.

PROHIBITION OF DISCRIMINATION

SEC. 204. (a) No person in any State shall, on the ground of race, color, religion, national origin, or sex, be excluded from participation in, be denied the benefits of, be subjected to discrimination under, or be denied employment in connection with any activity for which Federal law enforcement assistance is provided under this title.

(b) Paragraph (3) and paragraph (4) of section 712(c) of part G of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (as so redesignated by section 110 of this Act) shall apply with respect to a violation of subsection (a), except that the terms "this section" and "paragraph (1)", as such terms appear in such paragraphs, shall be deemed to be references to subsection (a) of this section, and a reference to the Office of Juvenile Justice and Delinquency Prevention, the National Institute of Justice, the Bureau of Justice Statistics, and the Office of Justice Assistance in such paragraphs shall be deemed to be a reference to the Attorney General.

CONFIDENTIALITY OF INFORMATION

SEC. 205. Section 715 of part G of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (as so redesignated by section 110 of this Act) shall apply with respect to—

(1) information furnished under this title,

(2) criminal history information collected, stored, or disseminated with the support of Federal law enforcement assistance provided under this title, and

(3) criminal intelligence systems operating with the support of Federal law enforcement assistance provided under this title,

except that the terms "this title" and "this section", as such terms appear in such section 715, shall be deemed to be references to this title and this section, respectively, of this Act, and a reference to the Office of Juvenile Justice and Delinquency Prevention, the National Institute of Justice, the Bureau of Justice Statistics, and the Office of Justice Assistance in such section 715 shall be deemed to be a reference to the Attorney General.

PROHIBITION OF LAND ACQUISITION

SEC. 206. No funds provided under this title shall be used for land acquisition.

REPAYMENT

SEC. 207. (a) If Federal law enforcement assistance provided under this title is used by the recipient of such assistance in violation of section 204 or for any purpose other than the purpose for which it is provided, then such recipient shall promptly repay to the Attorney General an amount equal to the value of such assistance.

(b) The Attorney General may bring a civil action in an appropriate United States district court to recover any amount required to be repaid under subsection (a).

RECORDKEEPING REQUIREMENT

SEC. 208. (a) Each recipient of Federal law enforcement assistance provided under this title shall keep such records as the Attorney General may prescribe to facilitate an effective audit.

(b) The Attorney General and the Comptroller General of the United States shall have access, for the purpose of audit and examination, to any books, documents, and records of recipients of Federal law enforcement assistance provided under this title which, in the opinion of the Attorney General or the Comptroller General, are related to the receipt or use of such assistance.

REPORT TO CONGRESS

SEC. 209. Not later than April 1 of each year, the Attorney General shall submit to the President, to the Speaker of the House of Representatives, and to the President of the Senate a report describing Federal law enforcement assistance provided under this title during the calendar year preceding the date such report is made.

OFFICE OF JUSTICE ASSISTANCE

SEC. 210. The Director of the Office of Justice Assistance may assist the Attorney General in providing Federal law enforcement assistance under this title and in coordinating the activities authorized under this title.

LIMITATION ON CIVIL JUSTICE MATTERS

SEC. 211. Federal law enforcement assistance provided under this title may not be used with respect to civil justice matters except to the extent that such civil justice matters bear directly and substantially upon criminal justice matters or are inextricably intertwined with criminal justice matters.

ISSUANCE OF RULES

SEC. 212. The Attorney General, after consultation with appropriate members of the law enforcement community and with State and local officials, shall issue rules to carry out this title.

AUTHORIZATION OF APPROPRIATIONS

SEC. 213. (a) There is authorized to be appropriated $20,000,000 for each fiscal year ending after September 30, 1983, to provide under this title Federal law enforcement assistance in the form of funds.

(b) There are authorized to be appropriated for each fiscal year ending after September 30, 1983, such sums as may be necessary to provide under this title Federal law enforcement assistance other than funds.

The CHAIRMAN. Are there any amendments to title II?

If not, the question is on the committee amendment in the nature of a substitute, as amended.

The committee amendment in the nature of a substitute, as amended, was agreed to.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker pro tempore. (Mr. WRIGHT) having assumed the chair, Mr. ROEMER, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 2175) to amend the Omnibus Crime Control and Safe Streets Act of 1968, and for other purposes, pursuant to House Resolution 184, he reported the bill back to the House with an amendment adopted by the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment to the committee amendment in the nature of a substitute adopted by the Committee of the Whole?

If not, the question is on the amendment.

The amendment was agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on the passage of the bill.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. HUGHES. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The vote was taken by electronic device, and there were—yeas 399, nays 16, not voting 17, as follows:

[Roll No. 98]

YEAS—399

Ackerman	Boucher	Daschle
Addabbo	Boxer	Daub
Akaka	Breaux	Davis
Albosta	Britt	de la Garza
Alexander	Brooks	Dellums
Anderson	Broomfield	Derrick
Andrews (NC)	Brown (CA)	DeWine
Andrews (TX)	Broyhill	Dickinson
Annunzio	Bryant	Dicks
Anthony	Burton	Dingell
Applegate	Byron	Dixon
Archer	Campbell	Donnelly
Aspin	Carney	Dowdy
AuCoin	Carper	Downey
Badham	Carr	Duncan
Barnes	Chandler	Durbin
Bateman	Chappell	Dwyer
Bates	Chappie	Dymally
Bedell	Clarke	Dyson
Beilenson	Clay	Early
Bennett	Clinger	Eckart
Bereuter	Coelho	Edgar
Berman	Coleman (MO)	Edwards (AL)
Bevill	Coleman (TX)	Edwards (CA)
Biaggi	Collins	Edwards (OK)
Bilirakis	Conable	Emerson
Bliley	Conte	English
Boehlert	Cooper	Erdreich
Boggs	Corcoran	Erlenborn
Boland	Coughlin	Evans (IA)
Boner	Courter	Evans (IL)
Bonior	Coyne	Fascell
Bonker	Crockett	Fazio
Borski	D'Amours	Feighan
Bosco	Daniel	Ferraro

Fiedler	Long (LA)	Rose
Fields	Long (MD)	Rostenkowski
Fish	Lowery (CA)	Roth
Flippo	Lowry (WA)	Roukema
Florio	Lujan	Rowland
Foglietta	Luken	Roybal
Ford (MI)	Lundine	Rudd
Ford (TN)	Lungren	Russo
Forsythe	Mack	Sabo
Fowler	MacKay	Savage
Frank	Madigan	Sawyer
Franklin	Markey	Schaefer
Frost	Marriott	Scheuer
Fuqua	Martin (IL)	Schneider
Garcia	Martin (NC)	Schroeder
Gejdenson	Matsui	Schulze
Gekas	Mavroules	Schumer
Gephardt	Mazzoli	Seiberling
Gibbons	McCain	Shannon
Gilman	McCandless	Sharp
Gingrich	McCloskey	Shaw
Glickman	McCollum	Shelby
Gonzalez	McCurdy	Shuster
Goodling	McDade	Sikorski
Gore	McEwen	Siljander
Gradison	McGrath	Simon
Green	McHugh	Sisisky
Gregg	McKernan	Skeen
Guarini	McKinney	Skelton
Gunderson	McNulty	Slattery
Hall (IN)	Mica	Smith (FL)
Hall (OH)	Mikulski	Smith (IA)
Hall, Ralph	Miller (CA)	Smith (NE)
Hall, Sam	Miller (OH)	Smith (NJ)
Hamilton	Mineta	Smith, Denny
Hammerschmidt	Minish	Snowe
Hance	Mitchell	Snyder
Hansen (UT)	Moakley	Solarz
Harkin	Molinari	Solomon
Harrison	Mollohan	Spence
Hartnett	Montgomery	Spratt
Hatcher	Moody	St Germain
Hawkins	Moore	Staggers
Hefner	Moorhead	Stangeland
Hertel	Morrison (CT)	Stark
Hightower	Morrison (WA)	Stenholm
Hiler	Mrazek	Stokes
Hillis	Murphy	Stratton
Holt	Murtha	Studds
Hopkins	Myers	Sundquist
Horton	Natcher	Swift
Howard	Neal	Synar
Hoyer	Nelson	Tallon
Hubbard	Nichols	Tauke
Huckaby	Nielson	Tauzin
Hughes	Nowak	Thomas (CA)
Hunter	O'Brien	Thomas (GA)
Hutto	Oakar	Torres
Hyde	Oberstar	Torricelli
Ireland	Obey	Towns
Jacobs	Olin	Traxler
Jeffords	Ortiz	Udall
Jenkins	Ottinger	Valentine
Johnson	Owens	Vander Jagt
Jones (NC)	Oxley	Vandergriff
Jones (OK)	Packard	Vento
Jones (TN)	Panetta	Volkmer
Kaptur	Parris	Walgren
Kasich	Pashayan	Walker
Kastenmeier	Patman	Watkins
Kazen	Patterson	Waxman
Kemp	Pease	Weaver
Kennelly	Penny	Weber
Kildee	Pepper	Weiss
Kindness	Perkins	Wheat
Kogovsek	Petri	Whitehurst
Kolter	Pickle	Whitley
Kostmayer	Porter	Whittaker
Kramer	Price	Whitten
LaFalce	Pritchard	Williams (MT)
Lagomarsino	Pursell	Williams (OH)
Lantos	Quillen	Wilson
Latta	Rahall	Winn
Leach	Rangel	Wirth
Leath	Ratchford	Wise
Lehman (CA)	Ray	Wolf
Lehman (FL)	Regula	Wolpe
Leland	Reid	Wortley
Lent	Richardson	Wright
Levin	Ridge	Wyden
Levine	Rinaldo	Wylie
Levitas	Ritter	Yates
Lewis (CA)	Roberts	Yatron
Lewis (FL)	Robinson	Young (AK)
Lipinski	Rodino	Young (FL)
Livingston	Roe	Young (MO)
Lloyd	Roemer	Zablocki
Loeffler	Rogers	Zschau

NAYS—16

Bartlett	Dorgan	Sensenbrenner
Brown (CO)	Dreier	Shumway
Cheney	Frenzel	Stump
Crane, Daniel	Gramm	Vucanovich
Crane, Philip	McDonald	
Dannemeyer	Paul	

NOT VOTING—17

Barnard	Gaydos	Martin (NY)
Bethune	Gray	Martinez
Coats	Hansen (ID)	Michel
Conyers	Heftel	Smith, Robert
Craig	Lott	Taylor
Foley	Marlenee	

□ 1420

Mr. CHENEY and Mr. GRAMM changed their votes from "yea" to "nay."

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

AUTHORIZING THE CLERK TO MAKE CORRECTIONS IN ENGROSSMENT OF H.R. 2175, JUSTICE ASSISTANCE ACT OF 1983

Mr. HUGHES. Mr. Speaker, I ask unanimous consent that in the engrossment of the bill (H.R. 2175) to amend the Omnibus Crime Control and Safe Streets Act of 1968, and for other purposes, the Clerk shall have the authority to correct references, punctuation, and spellings in the legislation.

The SPEAKER pro tempore (Mr. BROWN of California). Is there objection to the request of the gentleman from New Jersey?

There was no objection.

GENERAL LEAVE

Mr. HUGHES. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks, and include extraneous matter, on the bill just passed.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

PROVIDING FOR CONSIDERATION OF H.R. 2066, NATIONAL SCIENCE FOUNDATION AUTHORIZATION ACT FOR FISCAL YEAR 1984

Mr. DERRICK. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 183 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 183

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 1(b) of rule XXIII, declare the House resolved into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 2066) to authorize appropriations to the National Science Foundation for fiscal years 1984 and 1985, and the first reading of the bill shall be dispensed with. After general debate, which shall be confined to the bill and shall continue not to exceed one hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Science and Technology, the bill shall be considered for amendment under the five-minute rule. It shall be in order to consider the amendment in the nature of a substitute recommended by the Committee on Science and Technology now printed in the bill as an original bill for the purpose of amendment under the five-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole House to the bill or to the committee amendment in the nature of a substitute. The previous question shall be considered as ordered on the bill and amendments thereto to fiscal passage without intervening motion except one motion to recommit with or without instructions.

The SPEAKER pro tempore. The gentleman from South Carolina (Mr. DERRICK) is recognized for 1 hour.

Mr. DERRICK. Mr. Speaker, I yield the customary 30 minutes, for purposes of debate only, to the gentleman from Tennessee (Mr. QUILLEN), and pending that I yield myself such time as I may consume.

Mr. Speaker, House Resolution 183 provides for consideration of H.R. 2066, the National Science Foundation authorizations for fiscal years 1984 and 1985. House Resolution 183 is an open rule providing 1 hour of general debate. It also makes in order a Committee on Science and Technology amendment in the nature of a substitute which shall be considered as an original bill for the purposes of amendment. Finally, House Resolution 183 provides for one motion to recommit with or without instructions.

Mr. Speaker, H.R. 2066 authorizes appropriations of nearly $1.35 billion for the National Science Foundation in fiscal year 1984. This is a prudent investment in the future of this country. We are all increasingly aware that we are part of an intensely competitive, quickly changing, global economy. In this situation a failure to keep up with technological and managerial advances can quickly doom a country to second-class status and a lowered standard of living.

Of course, the Government cannot bear the full responsibility for maintaining our technological edge. Our Nation's industries must continue to devote considerable resources to their own research and development programs, but there is no substitute for Government support for basic research which benefits all of our industries and all of our citizens. The National Science Foundation, which

serves as a major conduit for Government funds for basic research in the natural, behavioral, social, economic, and information sciences, deserves our continued support.

Mr. Speaker, House Resolution 183 provides for full and open consideration of this legislation that is so important for the future of the Nation. I urge adoption of this rule.

□ 1430

Mr. QUILLEN. Mr. Speaker, I yield myself such time as I may use.

Mr. Speaker, I know of no controversy over the National Science Foundation authorization. I think debate of the measure on the floor will reveal that the Foundation has made some freakish grants. I hope these grants can be cut out, saving taxpayers' dollars.

I have no objection to the rule, Mr. Speaker. The rule itself has been ably explained. I am anxious to get the House to debate the measure.

Mr. Speaker, I have no requests for time, and I reserve the balance of my time.

Mr. DERRICK. Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The SPEAKER pro tempore. The question is on the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. QUILLEN. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 408, nays 1, not voting 23, as follows:

[Roll No. 99]

YEAS—408

Ackerman	Bliley	Cheney
Addabbo	Boehlert	Clarke
Akaka	Boggs	Clay
Albosta	Boland	Clinger
Alexander	Boner	Coelho
Anderson	Bonior	Coleman (MO)
Andrews (NC)	Bonker	Coleman (TX)
Andrews (TX)	Borski	Collins
Annunzio	Bosco	Conable
Anthony	Boucher	Conte
Applegate	Boxer	Conyers
Archer	Breaux	Cooper
Aspin	Britt	Corcoran
AuCoin	Brooks	Coughlin
Badham	Broomfield	Courter
Barnard	Brown (CA)	Coyne
Barnes	Brown (CO)	Crane, Daniel
Bartlett	Broyhill	Crane, Philip
Bateman	Bryant	Crockett
Bates	Burton	D'Amours
Bedell	Byron	Daniel
Beilenson	Campbell	Dannemeyer
Bennett	Carney	Daschle
Bereuter	Carper	Daub
Berman	Carr	Davis
Bevill	Chandler	de la Garza
Biaggi	Chappell	Dellums
Bilirakis	Chappie	Derrick
DeWine	Kaptur	Panetta
Dickinson	Kasich	Parris
Dicks	Kastenmeier	Pashayan
Dixon	Kazen	Patman
Donnelly	Kemp	Patterson
Dorgan	Kennelly	Paul
Dowdy	Kildee	Pease
Downey	Kindness	Penny
Duncan	Kogovsek	Pepper
Durbin	Kolter	Perkins
Dwyer	Kostmayer	Petri
Dymally	Kramer	Pickle
Dyson	LaFalce	Porter
Early	Lagomarsino	Price
Eckart	Lantos	Pritchard
Edgar	Latta	Pursell
Edwards (AL)	Leach	Quillen
Edwards (CA)	Leath	Rahall
Edwards (OK)	Lehman (CA)	Rangel
Emerson	Lehman (FL)	Ratchford
English	Leland	Ray
Erdreich	Lent	Regula
Erlenborn	Levin	Reid
Evans (IA)	Levine	Richardson
Evans (IL)	Levitas	Ridge
Fascell	Lewis (CA)	Rinaldo
Fazio	Lewis (FL)	Ritter
Feighan	Lipinski	Roberts
Ferraro	Livingston	Robinson
Fiedler	Lloyd	Rodino
Fields	Loeffler	Roe
Fish	Long (LA)	Roemer
Flippo	Long (MD)	Rogers
Florio	Lowery (CA)	Rose
Foglietta	Lowry (WA)	Rostenkowski
Foley	Lujan	Roth
Ford (MI)	Luken	Roukema
Ford (TN)	Lundine	Rowland
Fowler	Lungren	Roybal
Frank	Mack	Rudd
Franklin	MacKay	Russo
Frenzel	Madigan	Sabo
Frost	Markey	Schaefer
Fuqua	Marriott	Scheuer
Garcia	Martin (IL)	Schneider
Gejdenson	Martin (NC)	Schroeder
Gekas	Matsui	Schulze
Gephardt	Mavroules	Schumer
Gibbons	Mazzoli	Seiberling
Gilman	McCain	Sensenbrenner
Gingrich	McCandless	Shannon
Glickman	McCloskey	Sharp
Gonzalez	McCollum	Shaw
Goodling	McCurdy	Shelby
Gore	McDade	Shumway
Gradison	McEwen	Shuster
Gramm	McGrath	Sikorski
Green	McHugh	Siljander
Gregg	McKernan	Simon
Guarini	McKinney	Sisisky
Gunderson	Mica	Skeen
Hall (IN)	Mikulski	Skelton
Hall (OH)	Miller (CA)	Slattery
Hall, Ralph	Miller (OH)	Smith (FL)
Hall, Sam	Mineta	Smith (IA)
Hamilton	Minish	Smith (NE)
Hammerschmidt	Mitchell	Smith (NJ)
Hance	Moakley	Smith, Denny
Hansen (UT)	Molinari	Snowe
Harkin	Mollohan	Snyder
Harrison	Montgomery	Solarz
Hartnett	Moody	Solomon
Hatcher	Moore	Spence
Hertel	Moorhead	Spratt
Hightower	Morrison (CT)	St Germain
Hiler	Morrison (WA)	Staggers
Hillis	Mrazek	Stangeland
Holt	Murphy	Stark
Hopkins	Murtha	Stenholm
Horton	Myers	Stokes
Howard	Natcher	Stratton
Hoyer	Neal	Studds
Hubbard	Nelson	Stump
Huckaby	Nichols	Sundquist
Hughes	Nielson	Swift
Hunter	Nowak	Synar
Hutto	O'Brien	Tallon
Hyde	Oakar	Tauke
Ireland	Oberstar	Tauzin
Jacobs	Obey	Thomas (CA)
Jeffords	Olin	Thomas (GA)
Jenkins	Ortiz	Torres
Johnson	Ottinger	Torricelli
Jones (NC)	Owens	Towns
Jones (OK)	Oxley	Traxler
Jones (TN)	Packard	Udall
Valentine	Weiss	Wolpe
Vander Jagt	Wheat	Wortley
Vandergriff	Whitehurst	Wright
Vento	Whitley	Wyden
Volkmer	Whittaker	Wylie
Vucanovich	Whitten	Yates
Walgren	Williams (OH)	Yatron
Walker	Wilson	Young (AK)
Watkins	Winn	Young (FL)
Waxman	Wirth	Young (MO)
Weaver	Wise	Zablocki
Weber	Wolf	Zschau

NAYS—1

McDonald

NOT VOTING—23

Bethune	Hansen (ID)	McNulty
Coats	Hawkins	Michel
Craig	Hefner	Savage
Dingell	Heftel	Sawyer
Dreier	Lott	Smith, Robert
Forsythe	Marlenee	Taylor
Gaydos	Martin (NY)	Williams (MT)
Gray	Martinez	

□ 1440

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PROVIDING FOR CONSIDERATION OF H.R. 2587, DEPARTMENT OF ENERGY CIVILIAN RESEARCH AND DEVELOPMENT AUTHORIZATION ACT FOR FISCAL YEAR 1984

Mr. MOAKLEY. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 185 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 185

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 1(b) of rule XXIII, declare the House resolved into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 2587) to authorize appropriations to the Department of Energy for civilian research and development programs for the fiscal year 1984, and the first reading of the bill shall be dispensed with. After general debate, which shall be confined to the bill and shall continue not to exceed two hours, to be equally divided and controlled by the Chairman and ranking minority member of the Committee on Science and Technology, the bill shall be considered for amendment under the five-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

□ 1450

The SPEAKER pro tempore. The gentleman from Massachusetts (Mr. MOAKLEY) is recognized for 1 hour.

Mr. MOAKLEY. Mr. Speaker, I yield the customary 30 minutes to the gentleman from Tennessee (Mr. QUILLEN).

Pending that, I yield myself such time as I may consume.

Mr. Speaker, House Resolution 185 is a straightforward open rule providing for the consideration of the bill, H.R. 2587, to authorize appropriations to the Department of Energy for civilian research and development programs for the fiscal year 1984.

The rule provides 2 hours of general debate to be equally divided and controlled by the chairman and the ranking minority member of the Committee on Science and Technology. There are no waivers of points of order and upon conclusion of consideration of the bill, one motion to recommit would be in order.

Mr. Speaker, although there is some controversy over the funding level in the bill, I am aware of no opposition to the rule. This is a completely open rule and any Member would have the opportunity of offering any germane amendments.

H.R. 2587 authorizes approximately $3.29 billion for civilian research and development programs in the Department of Energy. The authorization level represents an increase of $557.8 million over the administration's fiscal year 1984 request and an increase of $318.8 million above the amount appropriated for fiscal year 1983. Chairman FUQUA has indicated that the increased authorization represents the committee's endorsement of the President's requested increases in the magnetic fusion, uranium enrichment research and development, supporting research and general science programs.

Mr. Speaker, there is substantial controversy over a committee amendment that would prohibit further funding of construction and development on the Clinch River breeder reactor project until Congress enacts special legislation providing an alternative financing scheme for the program. The bill provides that in the absence of enactment of a private sector cost-sharing proposal by the end of the current fiscal year, funding for the Clinch River breeder reactor will expire on September 30, 1983.

Mr. Speaker, the Science Committee has been confronted with many extremely difficult decisions in the development of the civilian R&D programs for fiscal year 1984.

The committee's 15 Republican members filed minority views in opposition to the bill on the basis of its level of funding. Their concerns can be addressed during the amendment process.

Mr. Speaker, this legislation is vital to the development of our energy future. Under this rule, adequate time is provided for fair and open debate. I urge adoption of this rule so that the House can move forward to the consideration of this most important legislation.

Mr. Speaker, I reserve the balance of my time and yield to the gentleman from Tennessee, for the purpose of debate only.

Mr. QUILLEN. Mr. Speaker, I yield myself such time as I may consume.

The Department of Energy authorization for civilian research and development needs to be discussed on the floor of the House.

This is a good rule and I hope when the measure is debated the amendment of the gentleman from California (Mr. BROWN) will be taken out of the bill because it hamstrings the further development of the Clinch River breeder reactor project.

I think this is a very good demonstration project and this amendment to clamp down, to stifle or kill it should be eliminated.

There will be a vote on it after it is discussed on the floor of the House.

Mr. Speaker, I urge the adoption of the rule. I have no requests for time but I reserve the balance of my time.

Mr. MOAKLEY. Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The SPEAKER pro tempore. The question is on the resolution.

The question was taken and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. CAMPBELL. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The vote was taken by electronic device and there were—yeas 409, nays 2, not voting 21, as follows:

[Roll No. 100]

YEAS—409

Ackerman	Breaux	Daschle	Fish	Lowery (CA)	Roybal
Addabbo	Britt	Daub	Flippo	Lowry (WA)	Rudd
Akaka	Brooks	Davis	Florio	Lujan	Russo
Albosta	Broomfield	de la Garza	Foglietta	Luken	Sabo
Alexander	Brown (CA)	Dellums	Foley	Lundine	Sawyer
Anderson	Brown (CO)	Derrick	Ford (MI)	Lungren	Schaefer
Andrews (NC)	Broyhill	DeWine	Ford (TN)	Mack	Scheuer
Andrews (TX)	Bryant	Dickinson	Fowler	MacKay	Schneider
Annunzio	Burton	Dicks	Frank	Madigan	Schroeder
Anthony	Byron	Dingell	Franklin	Markey	Schulze
Applegate	Campbell	Dixon	Frenzel	Marriott	Schumer
Archer	Carney	Donnelly	Frost	Martin (IL)	Seiberling
Aspin	Carper	Dorgan	Fuqua	Matsui	Sensenbrenner
AuCoin	Carr	Dowdy	Garcia	Mavroules	Shannon
Badham	Chandler	Downey	Gejdenson	Mazzoli	Sharp
Barnard	Chappell	Dreier	Gekas	McCain	Shaw
Barnes	Chappie	Duncan	Gephardt	McCandless	Shelby
Bartlett	Cheney	Durbin	Gibbons	McCloskey	Shumway
Bateman	Clarke	Dwyer	Gilman	McCollum	Shuster
Bates	Clay	Dymally	Gingrich	McCurdy	Sikorski
Bedell	Clinger	Dyson	Glickman	McEwen	Siljander
Beilenson	Coelho	Early	Gonzalez	McGrath	Simon
Bennett	Coleman (MO)	Eckart	Goodling	McHugh	Sisisky
Bereuter	Coleman (TX)	Edgar	Gore	McKernan	Skeen
Berman	Collins	Edwards (AL)	Gradison	McKinney	Skelton
Bevill	Conable	Edwards (CA)	Gramm	McNulty	Slattery
Biaggi	Conte	Edwards (OK)	Green	Mica	Smith (FL)
Bilirakis	Conyers	Emerson	Gregg	Mikulski	Smith (IA)
Bliley	Cooper	English	Guarini	Miller (CA)	Smith (NE)
Boehlert	Corcoran	Erdreich	Gunderson	Miller (OH)	Smith (NJ)
Boggs	Coughlin	Erlenborn	Hall (IN)	Mineta	Smith, Denny
Boland	Courter	Evans (IA)	Hall (OH)	Minish	Snowe
Boner	Coyne	Evans (IL)	Hall, Ralph	Mitchell	Snyder
Bonior	Crane, Daniel	Fascell	Hall, Sam	Moakley	Solarz
Bonker	Crane, Philip	Fazio	Hamilton	Molinari	Solomon
Borski	Crockett	Feighan	Hammerschmidt	Mollohan	Spence
Bosco	D'Amours	Ferraro	Hance	Montgomery	Spratt
Boucher	Daniel	Fiedler	Harkin	Moody	St Germain
Boxer	Dannemeyer	Fields	Harrison	Moore	Staggers
			Hartnett	Moorhead	Stangeland
			Hatcher	Morrison (CT)	Stark
			Hawkins	Morrison (WA)	Stenholm
			Hertel	Mrazek	Stokes
			Hightower	Murphy	Stratton
			Hiler	Murtha	Studds
			Hillis	Myers	Stump
			Holt	Natcher	Sundquist
			Hopkins	Neal	Swift
			Horton	Nelson	Synar
			Howard	Nichols	Tallon
			Hoyer	Nielson	Tauke
			Hubbard	Nowak	Tauzin
			Huckaby	O'Brien	Thomas (CA)
			Hughes	Oakar	Thomas (GA)
			Hunter	Oberstar	Torres
			Hutto	Obey	Torricelli
			Hyde	Olin	Towns
			Ireland	Ortiz	Traxler
			Jacobs	Ottinger	Udall
			Jeffords	Oxley	Valentine
			Jenkins	Packard	Vander Jagt
			Johnson	Panetta	Vandergriff
			Jones (NC)	Pashayan	Vento
			Jones (OK)	Patman	Volkmer
			Jones (TN)	Patterson	Vucanovich
			Kaptur	Paul	Walgren
			Kasich	Pease	Walker
			Kastenmeier	Penny	Watkins
			Kazen	Pepper	Waxman
			Kemp	Perkins	Weaver
			Kennelly	Petri	Weber
			Kildee	Pickle	Weiss
			Kindness	Porter	Wheat
			Kogovsek	Price	Whitehurst
			Kolter	Pritchard	Whitley
			Kostmayer	Pursell	Whittaker
			Kramer	Quillen	Whitten
			LaFalce	Rahall	Williams (MT)
			Lagomarsino	Rangel	Williams (OH)
			Lantos	Ratchford	Wilson
			Latta	Ray	Winn
			Leach	Regula	Wirth
			Leath	Reid	Wise
			Lehman (CA)	Richardson	Wolf
			Lehman (FL)	Ridge	Wolpe
			Leland	Rinaldo	Wortley
			Lent	Ritter	Wright
			Levin	Roberts	Wyden
			Levine	Robinson	Wylie
			Levitas	Rodino	Yates
			Lewis (FL)	Roe	Yatron
			Lipinski	Roemer	Young (AK)
			Livingston	Rogers	Young (FL)
			Lloyd	Rose	Young (MO)
			Loeffler	Rostenkowski	Zablocki
			Long (LA)	Roth	Zschau
			Long (MD)	Roukema	
			Lott	Rowland	

NAYS—2

Lewis (CA) McDonald

NOT VOTING—21

Bethune	Hansen (UT)	McDade
Coats	Hefner	Michel
Craig	Heftel	Owens
Forsythe	Marlenee	Parris
Gaydos	Martin (NC)	Savage
Gray	Martin (NY)	Smith, Robert
Hansen (ID)	Martinez	Taylor

□ 1510

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

ESTABLISHING THE HARRY S. TRUMAN NATIONAL HISTORIC SITE IN THE STATE OF MISSOURI

Mr. SEIBERLING. Madam Speaker, I ask unanimous consent that the Committee on Interior and Insular Affairs be discharged from further consideration of the Senate bill (S. 287) to establish the Harry S. Truman National Historic Site in the State of Missouri, and for other purposes, and ask for its immediate consideration.

The Clerk read the title of the Senate bill.

The SPEAKER pro tempore (Ms. KAPTUR). Is there objection to the request of the gentleman from Ohio?

Mrs. VUCANOVICH. Reserving the right to object, Madam Speaker, I do so for the purpose of asking the gentleman from Ohio for a brief explanation of the bill.

Mr. SEIBERLING. Madam Speaker, if the gentlewoman will yield, this bill is substantially the same as a provision of the omnibus parks bill establishing the Harry S. Truman National Historic Site that passed the House earlier this year, and this will simply clear this portion of the bill for the House.

Mrs. VUCANOVICH. Madam Speaker, I thank the gentleman for his explanation, I support this legislation, and I urge its approval.

Madam Speaker, I withdraw my reservation of objection.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

The Clerk read the Senate bill, as follows:

S. 287

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in order to preserve and interpret for the inspiration and benefit of present and future generations the former home of Harry S Truman, thirty-third President of the United States, the Secretary of the Interior (hereinafter referred to as the "Secretary") is authorized to acquire by donation, purchase with donated or appropriated funds, transfer from another Federal agency, or otherwise, the residence and real property known as 219 North Delaware Street in the city of Independence, Missouri, as passed to Bess Wallace Truman upon the death of her husband. The Secretary may also acquire, by any of the above means, fixtures, and personal property for use in connection with the residence.

SEC. 2. The property acquired pursuant to subsection (a) is designated as the Harry S Truman Historic Site and shall be administered by the Secretary in accordance with the provisions of law generally applicable to units of the national park system, including the Act entitled "An Act to establish a National Park Service, and for other purposes", approved August 25, 1916 (39 Stat. 535; 16 U.S.C. 1-4), and the Act of August 21, 1935 (49 Stat. 666; 16 U.S.C. 461-467). The Secretary is further authorized, in the administration of the site, to make available certain portions thereof for the use of Margaret Truman Daniel subject to reasonable terms and conditions which he may impose.

SEC. 3. There is authorized to be appropriated such sums as may be necessary to carry out the provisions of this Act.

The SPEAKER pro tempore. The gentleman from Ohio (Mr. SEIBERLING) is recognized for 1 hour.

Mr. SEIBERLING. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, S. 287 would establish the Harry S Truman National Historic Site in Missouri. It is virtually identical to legislation authored by our colleague from Missouri, Mr. SKELTON, which passed the House twice—during the 97th Congress and again earlier this year as part of H.R. 1213. That was a bill that included several important matters relating to our public lands and national parks.

H.R. 1213 has been scheduled for consideration by the Senate Energy and National Resources Committee, and I have received assurances that it will be acted upon by that committee in the near future.

Meanwhile, this week, however, May 8 marked President Truman's 99th birthday anniversary. The passage of this bill coincides with efforts, also spearheaded by the gentleman from Missouri (Mr. SKELTON), to celebrate the Truman Centennial next year. The plans for the centennial are being announced this week.

Indeed, I would like to emphasize that we would probably not be here today considering this legislation had it not been for the prompt action last year of the gentleman from Missouri (Mr. SKELTON).

When President Truman's wife Bess died in October 1982, her will provided that their home in Independence, Mo., would be donated to the United States, under the direction of the Archivist of the United States. However, the Archivist does not have the Federal responsibility of administering national historic sites, a function that is carried out by the National Park Service. The property was in limbo, with only minimal protection, threatened by possible vandalism, theft, or fire.

Because of the urgent need to protect this important property, our colleague, Mr. SKELTON, requested the Secretary of the Interior to exercise his authority to designate and administer President Truman's home as a national historic site. The Department refused, and Mr. SKELTON quickly introduced legislation to establish the historic site. Mr. SKELTON's bill passed the House on December 13, 1982, but the Senate failed to act on it before the end of the session.

Fortunately, on December 8, 1982, the day after our hearing on Mr. SKELTON's bill, the Secretary of the Interior signed a secretarial order designating the home as a national historic site. In addition, the Interior Appropriations Act for fiscal 1983 earmarked $160,000 for the National Park Service to operate, maintain, and protect the site. Authorizing legislation is essential, however, to assure the long-term protection of this historic site.

This year, Mr. SKELTON reintroduced the legislation, H.R. 1304, which was subsequently incorporated into the bill H.R. 1213. The only difference in S. 287 from the House-passed version is the elimination of reference to a tract of adjacent property which had been owned by President Truman and left to his wife, who subsequently transferred it to one of their relatives. The Senate bill would not include this property in the historic site. We agree that it is not essential to include it, since we believe the Secretary has authority under existing law to acquire the property if that were ever necessary. We do expect, however, that the Park Service will consider the future use of this property in developing its management plans for the site to insure that it remains compatible with the history and integrity of the area.

Before closing, I would also like to thank several staff members who worked hard on this legislation, including Loretta Neumann and Clay Peters of the Interior Committee staff and Toni Arnett of Mr. SKELTON's staff.

Madam Speaker, I urge all Members to support this legislation.

Mr. SKELTON. Madam Speaker, will the gentleman yield?

Mr. SEIBERLING. I yield to the gentleman from Missouri.

Mr. SKELTON. I thank the gentleman for yielding.

Madam Speaker, I first wish to commend the subcommittee chairman, the gentleman from Ohio (Mr. SEIBERLING), for his very dedicated attention to this legislation and on behalf of all of the citizens of Missouri for his assistance in getting this bill passed.

As the gentleman from Ohio did point out, this bill was introduced last year. We had some difficulty with the Secretary of the Interior. Fortunately, he did finally see his way clear to assist and to take the property over. We passed legislation last year and

sent it to the Senate. No action was taken. Earlier this year, we passed legislation and sent it to the Senate, and now they send us back their own legislation, which is companion legislation to the bill which we sent.

I especially want to pay tribute to the other members of the Missouri delegation, and particularly the gentleman from Kansas City who also represents, as a result of redistricting, the Truman home itself, Mr. ALAN WHEAT, for their encouragement and assistance through these many weeks of trying to get this historic site preserved for all time.

□ 1520

I would like to say, Madam Speaker, that the 100th birthday of President Truman will be upon us 1 year from this month, and we will announce tomorrow the plans for the centennial celebration of the Harry S. Truman birthday.

This bill itself is a fitting beginning to commemorate the memory, commemorate the lovely wife, and the life of this gentleman from Missouri who epitomized all the fine and great things that we stand for in this Nation.

Again, I thank this body for their assistance in passing this legislation, so finally and at last it can be sent to the President for his signature, and again I thank the committee, and again, the chairman, Mr. SEIBERLING.

Mr. SEIBERLING. Madam Speaker, I would just like to add my commendations again to the gentleman from Missouri for his leadership in this matter.

I had the pleasure over the weekend to be in the State of Missouri and float the Eleven Point River, which is a wild and scenic river, and visit the proposed Irish Wilderness. I must say it was a real thrill to know that I was also there on the birthday of our great President Harry S. Truman, and I think this is a most fitting time to be acting on this bill. I thank the gentleman for his remarks.

Madam Speaker, I yield such time as he may consume to the gentleman from Missouri (Mr. WHEAT).

Mr. WHEAT. I thank the gentleman for the opportunity to comment on this legislation, first to commend Senator EAGLETON for his sponsorship of S. 287, and also to congratulate and to commend the gentleman from Missouri (Mr. SKELTON) for his twice successful sponsorship of legislation in this House of Representatives to have the National Park Service maintain and preserve the Truman home. I know it has been a difficult fight for him because there are still those in the administration, even though Mr. Truman has been gone for more than a decade, who fight against having his home maintained for the benefit of the people of the United States.

It is especially appropriate that this is the year that the National Park Service begin to maintain the Truman home, since this is the 100th year of the anniversary of the birth of Harry S. Truman. The home that we are referring to is one that he and his wife, Bess, lived in from the time of their marriage in 1919 until President Truman's death in 1972 and the death of our esteemed First Lady in 1982. At that time, she left the home, the carriage house, and the grounds to the people of the United States.

It is also appropriate because there are several communities within the Fifth District that are now doing their utmost to honor the memory of Harry and Bess Truman.

The city of Independence presented the 10th annual Harry S. Truman Public Service Award to Mrs. Coretta Scott King last weekend on the steps of the Truman Library. Mrs. King is indeed a worthy recipient of the award, that is bestowed to an outstanding public servant that typifies the dedication, industry, ability, honesty, and integrity of President Truman. She joins a distinguished list of recipients of the award, that includes President Jimmy Carter, Senator Hubert Humphrey, Clark Clifford and W. Averell Harriman, among others.

In Grandview, thousands of residents participated in the city's annual celebration to honor President Truman last week. In coordination with the festival, the Truman Farm Home Restoration Committee also started its fundraising efforts to help finance the restoration of the boyhood home of our 33d President. The fundraising committee, under the direction of Rev. Bob Johnson, the pastor of the Grandview Assembly Church, is planning a major fundraiser later this summer to insure the beautiful restoration of the home. The committee is well on its way to reaching its fundraising goal of $100,000 to make sure a memorial to President Truman is adequately maintained. I support the committee's efforts and believe this legislation would greatly help their efforts.

Madam Speaker, I hope that you and the rest of the Members of this House of Representatives will join us today in passing this legislation to honor President Harry S. Truman and make sure that his legacy for the people of the United States is maintained and preserved.

Mr. SEIBERLING. Madam Speaker, I have no further requests for time, and I yield back the balance of my time.

GENERAL LEAVE

Mr. SEIBERLING. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on the Senate bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

The Senate bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

PERMISSION FOR COMMITTEE ON INTERIOR AND INSULAR AFFAIRS TO FILE SUNDRY REPORTS

Mr. SEIBERLING. Madam Speaker, I ask unanimous consent that the Committee on Interior and Insular Affairs may have until 5 p.m. today to file reports on:

H.R. 2520, the NRC authorization bill;

H.R. 9, the Florida Wilderness bill;

H.R. 2477, the Sipsey Wilderness bill; and

H.R. 2465, the earthquake hazards authorization bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

GENERAL LEAVE

Mr. KOLTER. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and to include therein extraneous material on the subject of the special order today by the gentleman from Maryland (Mr. MITCHELL).

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

HANDGUNS AND THE NRA—THE SPEECH REAGAN DID NOT DELIVER

(Mr. SEIBERLING asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. SEIBERLING. Mr. Speaker, President Reagan, addressing the NRA convention on May 6, again pledged his continued opposition to any effort to get control of the epidemic of handguns and handgun deaths that afflict our country. Of course, he is free to disregard the lesson of his own close brush with death following the assassination attempt by John Hinckley. He is less free, however, to disregard the 11,000 murders a year and the 11,000 suicides and accidental deaths caused by handguns in this country.

He is also not free to ignore the thousands of people injured and maimed for life each year by hand-

guns, including his own press secretary, James Brady. James Brady is still paralyzed and may never be the same physically again.

A fine young man on the staff of one of our colleagues from Ohio will be confined to a wheelchair for the rest of his life because 2 years ago two other young men in Washington shot him in the back for no apparent reason, after robbing him on the street.

President Reagan said in his speech that he would never deprive Americans of the right to protect their families. What connection he makes between that and the ownership of handguns is left to the imagination. The ownership of handguns did not protect James Brady. It did not protect our colleague's young staffer. It did not protect my son from being held up at gunpoint at the door of my house in Washington earlier this year by two teenagers pointing a gun at him and demanding his wallet. One of the teenagers remarked that it was a good thing that there was some money in the wallet or "We would have to burn you." These are the terrifying realities that the opponents of handgun control shy away from.

On Thursday, May 5, Washington Post columnist Richard Cohen devoted his column to an imaginary speech that President Reagan did not deliver to the NRA. Mr. Cohen, in his "speech," points out that even a total ban on handguns would not eliminate them immediately, but it would eliminate most of them eventually. This conclusion is supported by police authorities and criminologists all over the country. Perhaps some day we will get a President and a Congress that have the courage to take their advice.

The complete text of Richard Cohen's article follows these remarks:

HANDGUNS

(The following is the text of a speech President Reagan will not deliver to the National Rifle Association meeting tomorrow in Phoenix:)

Good afternoon. It is an honor to be here today. As you know, I have been a long-time supporter of the National Rifle Association, supporting you as you have supported me, but I think we have come now to a parting of the ways. Maybe you can understand. Your cause nearly killed me.

My concern is handguns. As you know, a certified psychotic named John Hinckley, Jr. took a gun and tried to kill me. He had been under psychiatric treatment, yet he had no trouble buying a gun, taking it across the country and taking a shot at me.

No one asked him why he wanted to buy a gun. No one insisted on a license, on a cooling-off period, on a check of some sort to see why in the world he wanted a handgun. After all, you don't hunt animals with a handgun. Only people. It turned out Hinckley was hunting me. No one is to blame for that. But he took a shot at me. You have to share the blame for that.

Let me go on. Obviously, Hinckley was not successful. I was wounded and recovered, but others were not so fortunate. I am referring here, of course, to James Brady. He is the White House press secretary, but he is that in name only. He was seriously wounded in that assassination attempt and it is not clear yet whether he will ever be the same physically again.

The last time I saw Brady, I wanted to cry. He was sitting on the dais at some Washington event, his wife next to him, a big grin of his wide face. I hardly knew the man when I named him my press secretary, but I know him now. There is a sweetness in Brady that comes through in the smile but the truth is that his life is not sweet. He is still partially paralyzed. There are lots of medical reasons for that, but one reason is that you people in the National Rifle Association have fought all attempts to regulate the sale or ownership of handguns.

This sounds a bit harsh, I know. But I have thought it over and I just have to blame you for Brady—for all the Bradys. I have to blame you for Bradys who are not famous, who go out into the street and get shot by some kid who hasn't the slightest appreciation of either his own or anyone else's life. I blame you for every dumb domestic fight in which someone reaches for a handgun. I blame you for helping to turn the cities into metropolises of fear. I blame you for Robert Kennedy and George Moscone and John Lennon.

I blame you for 37 million gun-owning households—half the households in the country. I blame you for more than 11,000 murders a year and another 11,000 suicides or accidents. I blame you for the defeat of efforts to control this epidemic of hand-gun ownership, for the lobbying you do in Congress and for your misinterpretation of the constitutional right to bear arms—originally meant as a way of ensuring that there would be a militia. No militia uses Saturday night specials.

Now I'm going to tell you something. I know that if you banned handguns tomorrow, there would still be handgun killings. There are too many guns out there for any law to make a difference right at the beginning. And I know that the last people to turn in their guns would be the criminal element. But I know, too, that such a law would be a start. There will always be guns, just like there will always be illegal narcotics, but I do what I can to control drugs and keep damage to a minimum. I think we can do the same for guns. At least we could try.

The truth is that neither Nancy nor I can figure out why you NRA types are so crazy about handguns. You can't really hunt with them and if you want to target-shoot, fine—get a license. The only thing handguns are really good for is killing. This is why I thought that in the name of Jim Brady and all the other victims of handguns, I would come here today to say that I will now support a bill to restrict the ownership of handguns.

I have learned something the hard way. You people are right. Guns don't kill people.

Sometimes they just leave them maimed for life.

NATIONAL SMALL BUSINESS WEEK

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Maryland (Mr. MITCHELL) is recognized for 60 minutes.

● Mr. MITCHELL. Madam Speaker, across the Nation this week there will be gatherings of individuals and coalitions of small business associations that represent the interests of this country's small business sector. They meet to recognize and reaffirm the validity of a nationwide, and indeed, a Government-wide, commitment to small business.

Indeed, these delegates and the population at large are seeing and will come to see, the devastating efforts of the monetary and tax policies favoring big business and the military-industrial complex of this Nation. It is no secret that such policies are wrecking havoc across the board on basic and traditional support systems dependent upon reasonable levels of Government subsistence—be there a Republican or Democratic administration in the White House.

The week's proclamation—"There's No Business Like Small Business"—becomes more than a catchy slogan; for it must say to this Nation and to this administration that this country must not and cannot "stay the course," with current policies of this administration—as reflected in and administered through policies and programs of the Small Business Administration.

These policies are burdensome and shortsighted. They are regressive and reactionary. They ignore and fuel the flames of this country's economic holocaust, engendering even more small business failures—as reflected in the over 500 applications for bankruptcy filed every week and the weekly small business shutdowns of 10 times that number.

Friends and colleagues, this is anathema to this country's well-being. It is inimical to the interests of all of us, regardless of party affiliation.

If we accomplish anything this week, here in our annual spring gathering, let it be that we make this administration see what the many small business delegations and advocacy groups see; what my colleagues and I see from our vantage point of leadership in the House Committee on Small Business, that small business in this country must be viewed as being in a state of national disaster. Small business in America must be viewed and recognized as a national disaster that is giving impetus to far-reaching social and economic crises that have weakened and that continue to weaken binding threads in the fabric of this Nation. Small business in America in 1983 is a national disaster that is breeding joblessness, nonproductivity, and for too many citizens, namely nonwhites, hopeless alienation from the mainstream of economic independence.

As difficult as it may be to fathom, let us look at some specific actions taken by this administration in what has become no less than its attack on small business. I believe an objective

and reasoned examination of program cutbacks, policy reversals, and restrictive monetary policies combined with massive tax cuts and increased military spending—will disclose a formula for disaster that is already reduced to its most basic and elemental state.

First let us look at the manner in which this administration has used its budgetary authority to address the national crisis of small business failures and joblessness. This administration continues to make loans at the same low level of the last 2 years despite the new post-World War II record of business failures this year—4,315 in the first 7 weeks alone. This represents a total of over three times the 1,246 failures for the same period in 1980 and over 1,000 more than 3,067 failures in 1982. More businesses failed in the first 25 months of this administration than in the previous 5 years.

It is clear that the current economic climate is not favorable for small business owners, even though small business firms account for two-thirds of new job opportunities in the Nation. Despite these foreboding statistics, the administration continues a policy of severe reductions in loans—both direct and guaranteed loans by approximately 50 percent from 1981 levels. This represents costly neglect that we can measure and gage by insensitivity and inaction.

My friends and colleagues, I remind you that we are witnessing such insensitivity and inaction at a time when joblessness—a byproduct of business failures—hovers at nearly 17 million or 15 percent of the civilian labor force.

To this insensitivity and inaction, the House Small Business Committee and its six subcommittees have responded with hearings and legislative proposals intended to reverse the anti-small-business policies of this administration—policies that exacerbate and, indeed, serve to impede recovery from our worst recession in over 41 years.

This administration's belief that the Federal Government should not intervene in private credit markets is both misguided and menacing to the well-being of small business in this country and to economic recovery.

Our response will be a continuing fight for strong enforcement of recent legislative initiatives such as the Small Business Innovation Development of 1982. As you know, this measure required Federal agencies with a research and development budget of $100 million or more to create a small business innovation research program whereby larger portions of their research and development budgets will go to small businesses.

I see relief in the Prompt Payment Act, passed by the 97th Congress, whereby interest penalties will be charged to Federal agencies that are late in their payments to small businesses. Surely, we cannot endorse a policy to exempt the Federal Government from basic policies of soundness and integrity in business practices. I daresay it would be difficult to document the innumerable failures of small businesses that are attributable to inadequate cash flow caused by late payment for services rendered.

Looking ahead, let me say that we hope to report out of committee by the end of May an omnibus bill that will amend the Small Business Act and offer improved assistance to small businesses that are tottering in the wake of sustained decline to both physical and nonphysical circumstances. The bill will address aid to such firms that are immobilized by floods and other natural disasters and will seek new assistance levels for firms suffering from a negative impact of currency fluctuations, such as the Peso devaluation that has hurt small businesses along the United States-Mexico border. Many small businesses in this area have endured severe economic crises. This measure would reinstate the old, pre-1981 SBA nonphysical disaster loan program and make it specifically applicable to economic dislocation arising from foreign currency devaluation.

The far-reaching effects of these seemingly regional disasters render them crises of national consequence. They require no less than a national response.

As a part of this omnibus package, I introduced a measure to give small and minority business the chance to lead the Nation's economic recovery by creating jobs and offering opportunities for training of new employees. The implications for the black and Hispanic unemployment level are clear. This level is at its highest since 1941.

These measures respond to the unsound policies of an administration that has courted big business interests at the expense of a loss of over 45,000 small businesses in its first 25 months in office. This represents the largest number of small business failure in 5 years.

This week's many activities must give constant attention to reversal of unsound policies of this administration and meaningful representation of small business views and interests in the decision and policymaking process of this and future administrations.

In closing, I salute this year's small business winners, those business owners who have, indeed, demonstrated that in the face of adversity there is still hope for a rebirth of a strong business community.

A special salute goes out to Melvin Bilal, Maryland's small business winner. Mr. Bilal is proprietor of the Howard Security Service in Baltimore. He is an attorney and former military policeman. Mr. Bilal formed his company in 1973. He now employs over 500 people and projects sales of over $5 million in 1983.●

● Mr. McDADE. Madam Speaker, I applaud the President for proclaiming this week Small Business Week. As our country salutes the small business owners of America, I think the theme is most appropriate because it is true—"There's No Business Like Small Business." There are, of course, a number of reasons why there is no business like small business:

The enterprises that are included in the group we call small businesses are most of the businesses in the country—95 percent in fact.

Most of the jobs in the country are in small business establishments. Almost 55 percent of all jobs are in businesses with less than 100 employees. And most of us got our first job in a small business.

But the fact that is by far the most important is this: Small business plays an essential role in our economy in producing and marketing new products and in creating new jobs.

If we are determined to reinvigorate our economy—and we are—we are going to have to depend in large part on small business to get the job done.

It has been small business over the last 10 years that has produced 70 percent of all new jobs. Although it employs a larger total number of workers, of course, big business has only created 1 percent of new jobs in the same period.

Small business also represents many of the traditional values which we hold dear. It provides the opportunity for entrepreneurship and economic self-determination which are unique to our society. Personal service, merchant accountability to customers, and community involvement are hallmarks of small business. With these attributes, small businesses make much more than an economic contribution to the communities in which they are located.

Small businesses are the innovators in our country. It was small business that discovered the CAT-scan, xerography, air-conditioning, the ballpoint pen, the Polaroid camera, and the list goes on—even the franchising of hamburgers originated in a small business.

Congress has been very concerned about the economic impact small businesses have on our economy and has been moving to make the business climate better for the entrepreneur upon whom a great portion of our national well-being depends.

In the last few years, Congress has acted upon a number of bills that will make real improvements for small business owners:

Regulatory Flexibility Act: Requires that Federal agencies implement a two-tier set of regulations so that the regulations are less onerous for small business.

Equal Access to Justice Act: A law that guarantees that if a small business person fights Uncle Sam in court and wins, the Government pays the attorney fees and court costs. This year we will be reauthorizing the Act and intend to have the IRS included.

Small Business Innovation Act: This was a very difficult fight last Congress. The legislation mandates that Federal agencies target a certain amount of their research and development money to small businesses.

Paperwork Reduction Act: We must reauthorize the act this year and in doing so remind Federal agencies of the impact of paperwork on small business—in terms of both money and time.

Tax Relief: We will preserve the third year tax cut which is so important to small businesses who file tax returns as sole proprietors.

Congress must continue in its efforts to help small business. We must continue to be sensitive to the special problems of small business and to assure fair competition for them in the marketplace. It is in the best interest of our Nation for small businesses to continue to grow and prosper in our economy so that they may create the jobs we need.●

● Mr. RUSSO. Madam Speaker, this week is Small Business Week. I am pleased to have the opportunity to salute our small business men and women for their contributions.

The 4 years I served on the Small Business Committee proved educational for me. There were not only the legislative specifics that enhanced my understanding of the odds the small entrepreneur may face, but the tenacity and courage and just plain good sense that characterized so many people in small business I met during those days. It taught me an important lesson about one of the factors that, literally, makes America great. What is more the American story than people who possess these characteristics—and go on to start a country, build the West from the ground up, advance a civilization?

The cornerstone of our economic system is the small business. Sprinkled across the land, the individual small business provides services for the hometown and provides jobs as well. As a whole, these businesses give this economy its substance and strength. And day to day the people running these businesses live the American dream—individual men and women can make a difference, can shape their own destiny. Those that have chosen the challenging task of maintaining their own business demonstrate the kind of optimism that keeps us growing.

There are easier ways to make a living. But ease is not what the small business men and women are about. They are about the hard work required to be successful in any endeavor. Their success benefits us all. I applaud them and thank them, and join with my colleagues in paying them the tribute they richly deserve during this Small Business Week.●

● Mr. ANDERSON. Madam Speaker, more than 97 percent of our Nation's enterprises may be classified as small businesses. Therefore, I believe it is only fitting that, as the President has proclaimed this week as "National Small Business Week," we should recommit ourselves to assisting wherever prudently practicable those men and women who comprise America's small business community.

I am today especially fearful that, unless the Congress and the President take concerted measures to bring the budget deficit under control, those "idea generators" and "risk takers" of our Nation will become an endangered species. Of course in referring to "idea generators" and "risk takers," I am referring to small businesses.

Last year, 66,000 businesses filed for bankruptcy under chapters 7, 11, or 13 of the Bankruptcy Reform Act of 1978. This marks a 38-percent increase in bankruptcy filings over the previous year. And, although small businesses appear to be weathering the current recession with a bit more ballast than larger firms, a recent Presidential report, "The State of Small Business," readily concedes that "* * * Nineteen eighty-two was not an easy year for the American economy" and that "small business earnings were down."

Madam Speaker, it is the small business sector of our economy which we are looking toward to pull America out of the current recession. However, if we cannot put together a budget that reduces the deficit—which surpassed $129 billion in just the first 6 months of this fiscal year—interest rates will continue to prohibit any realization of our hopes for a strong and sustained economic recovery. It is my hope that, in recognition of the leading role which is expected of the small business community, we will take responsible measures to reduce both the budget deficit and interest rates.●

● Mr. COUGHLIN. Madam Speaker, President Ronald Reagan has proclaimed the week of May 8, 1983, as National Small Business Week as a tribute to the millions of Americans who are part of the small business community throughout our Nation.

Small business, as is so often correctly pointed out, is the backbone of our free enterprise system. Ninety-five percent of all businesses are, in fact, firms with fewer than 100 employees, accounting for almost 55 percent of all jobs. Recent studies have shown that small businesses are the growth and innovation centers of our economy: two out of every three new jobs created are in small firms which also produce two to three times as many innovations per employee as larger businesses. In the last 10 years, small businesses have created 69 percent of all new jobs.

This record of performance, growth, and innovation is one of which the hard-working small businessmen and women of our Nation can be justifiably proud. We must continue our legislative efforts to make sure that small businesses are given a fair shake in the marketplace, that they receive an appropriate share of Federal contracts, that they are provided with permanent relief from excessive Government regulation, and that tax policy encourages small businesses to fulfill their vital role in our economic system.

The Small Business Administration is sponsoring a number of activities this week to focus on small business concerns and to honor the 1983 State Small Business Persons of the Year and the 1983 Small Business Advocates of the Year. My congratulations go to all the honorees.●

● Mr. DE LA GARZA. Madam Speaker, during Small Business Week, it is a privilege to honor the owners of small businesses. They are the people who take full responsibility for all their actions, bear the lumps and get the rewards when there are any. We owe a great debt to their initiative, courage, and commitment. This year in particular I commend the many members of the small business community for their endurance and steadfastness during a troubled economic period.

Small businesses play a vital role in the economic health of our country. Small businesses provide about half the country's total employment (about 50 million people) according to the Small Business Administration, and small firms with under 500 employees accounted for 60 percent of the new jobs created between 1979–81. It is also interesting to note that SBA studies show that during the 10-year period from 1970 to 1980 there has been a shift in our economy toward more self-employment.

Through the years, small businesses have generated the ideas and borne the risk for many important inventions that have had a major impact on changing lifestyles in the United States and throughout the world. They have been responsible for the development of the aerosol can, the airplane and helicopter, the cotton picker, the heart valve and pacemaker, the personal computer, Polaroid camera, safety razor, vacuum tube, and zipper, to mention only a few innovations.

While we are on the topic of Small Business Week, I want to compliment the people who make the Small Business Administration function. The staff in the Harlingen District SBA office, probably the best SBA office in the country, has provided outstanding

service to small businesses through the years. In particular, this past year, their dedication, commitment, and responsiveness to the needs of border businesses so adversely affected by the peso problems have resulted in an extremely effective peso pack program in the Rio Grande Valley.

This year, I take special pleasure in celebrating Small Business Week because the Texas 1983 Small Business Person of the Year, Phyllis Griggs, comes from McAllen, Tex., in my district. The owner of Mister Donut franchises in McAllen, Mission, and Edinburg, Mrs. Griggs has developed and expanded her business from a very small base in 1973 to several units with sales totaling $1.4 million in 1982. She has given her popular shops local flavor by introducing Mexican pastries and by sponsoring numerous fiestas and other special events. I am very pleased her business acumen, dedication, and hard work are being recognized and honored.

Phyllis Griggs represents the best in the American entrepreneur. I salute her and the many other small business owners. With their initiative, enterprise, and independence, small business persons in the United States have shown the rest of the world how successful a society can be when the individual has the right and ability to pursue his or her own dream.●

● Mrs. SMITH of Nebraska. Madam Speaker, I am honored to join my colleagues today in recognition of National Small Business Week. Of all the days and weeks we manage to set aside to commemorate one thing or another, I feel none is any more significant than the week we pay tribute to the Nation's small business community.

As it was for all sectors of the economy, the past year was a very difficult time for small business and many tough challenges still loom ahead. But as documented in the President's report on the "State of Small Business," the Nation's small businessmen and women mustered their spirit and determination and weathered the storm better than their big industry counterparts. And now as we are turning toward economic recovery, small business will be leading the way with new jobs and new ideas, further proving what we are taking time to recognize today—that small business is the foundation of the economy. No other sector is as dynamic, competitive, innovative, or better exemplifies American free enterprise.

I want to express my special appreciation to the small businesses of Nebraska, 65,000 of which are farm and ranch operations, but still small businesses and deserving of our tribute today. I also have the privilege of recognizing a particular Nebraska businessman, Mr. Owen W. Berthelsen, who has been named a 1983 Small Business Person of the Year. Mr. Berthelsen is the president of Century Manufacturing Co., which makes its home in Aurora, Nebr., in my district.

Mr. Berthelsen is an outstanding example of American small business ingenuity, determination, and hard work. Twenty years ago he had a new idea for a birthing chair, challenged longstanding practices of the medical profession, and set up production in the barn behind the house. Today that idea accounts for over $2 million in sales, the barn has been replaced by over 90,000 square feet of production and warehouse facilities, and Century Manufacturing has 85 employees and a worldwide market for innovative, unique patient-care products, which generated over $16 million in gross sales last year. There is no doubt that Mr. Berthelsen has earned and richly deserves our recognition for his business achievements and his contributions to his community.

National Small Business Week should not only be an opportunity to salute Mr. Berthelsen and his small-business colleagues across the country, but it should also be a time for us in Congress to reaffirm our commitment to small business. All of our statistics, our words of appreciation and praise, and the well-earned "pat on the backs" today will be meaningless unless we send small business something more than rhetoric in the coming months. We must control Federal spending and reduce the deficit, and we need to renew our efforts for meaningful reforms in Federal regulations and taxes that we began in the 97th Congress. If we give small business the opportunity to grow and prosper without cumbersome, needless Federal regulations, without a stifling tax burden, and without having to compete with Uncle Sam at every turn for credit, these hard-working businessmen and women will answer with jobs, with new products and technologies, with increased productivity, and with a signal that we are ready to compete again as No. 1 in the world marketplace.

America needs small business, and small business needs Congress to put forth sound fiscal policies that will be conducive to small business formation and growth. Our efforts are the important first step in creating a better business atmosphere and toward removing some of the traditional barriers to small business success. Let us make our tribute today truly worthwhile and pledge our support to small business.●

● Mr. MAZZOLI. Madam Speaker, I join with my colleagues in honoring our Nation's small businesses today.

Most people do not realize that approximately 97 percent of all businesses in the United States are classified as small and these small businesses produce about 48 percent of the Nation's business gross national product and about 43 percent of the U.S. total economy.

Small businesses are the job creators: Over 86 percent of new jobs are created by small businesses. They are also the innovators: They account for over 50 percent of all scientific and industrial innovations and do so, generally, with more efficiency than larger businesses.

Small businesses—and the hard-working entrepreneurs behind them—are truly the backbone of the Nation's economy. It is fitting that we should set aside this week to honor the industriousness, independence, and productivity of our small-businessmen and women who have helped make our Nation great.●

● Mr. IRELAND. Madam Speaker, as we celebrate Small Business Week our Nation faces several severe problems. Unemployment is approaching record levels. This year's budget deficit may approach $200 billion. All too often in recent years we here in Washington have engaged in problem management rather than problem solving. This must end. We must address our economic problems and soon.

There is a segment of our populace that can help and help now—that is small business. Small business is a combination of social values, a pattern of civic life, a free society, and a healthy competitive community. It is the small-business person who is the foundation of his or her hometown's growth and development.

While we tend to give small business a lot of lipservice, other countries are ahead of us in helping small business. Belgium and Canada have Cabinet-level ministers for small business. France has designated financial institutions which may pay up to 90 percent of an invoice owed small business by the Government. West Germany permits capital assistance to small businesses. What other countries have done we can do, too, and better, and we must.

Our Government in recent decades has tended to view Americans as employees and consumers rather than as entrepreneurs and producers, a philosophy of collectivism at the expense of individualism. As a result, there are two fundamental imbalances in postwar economic policy—a kind of double tilt that, largely through inadvertence, has permitted the climate for small, independent ventures to deteriorate badly.

One is a tilt favoring the Nation's largest corporations. The Tax Code, accounting principles, credit policies, procurement practices, export incentives, even business-school programs have all evolved over the years to support big business.

The other is a tilt toward managing the demand side of the economic equation to the neglect of the supply side—

alternately whetting and suppressing the appetite to consume rather than quickening the adrenalin to produce.

It is time to recognize that small business is the Nation's chief job producer and our major innovator. Every time we pass a piece of legislation we must from now on ask ourselves—how will this affect small business? Many legislative initiatives will come our way—on taxes, on exports, on procurement, et cetera. Each and every time we must assess the small business impact. It is my intention to follow major legislation and speak out when I believe small business is not being acknowledged. In addition, from time to time I plan to address this House on specific issues and the small business implications. You will again and again hear my creed. It is a simple one but a meaningful one for the years ahead—if America will save small business, small business will save America.●

● Mr. LIPINSKI. Madam Speaker, I am honored to join my esteemed colleagues PARREN J. MITCHELL and JOSEPH MCDADE in this special order commemorating small businesses across the United States.

In my work in politics over the years, I have become acquainted with the problems that small businessmen face and the benefits that they enjoy. Certainly the problems for the proprietor are many: High interest rates, economic fluctuation, taxes, and overhead. Almost all small businesses are community oriented and all participate in charities and community drives. But local businesses have only a limited amount of money to donate to local causes, and there are always local concerns asking for help. And we cannot forget the issue of crime. Although our local police departments are doing their best to stem the tide of crime against property, every small business owner must go to sleep at night with the fear that criminals will make off with his business in the dark of night.

Yet there are many advantages that small business owners enjoy. Perhaps the best thing about owning your own business is that it is yours. The freedom that comes from the responsibility and control that one has when he owns his own business make all of the problems pale by comparison. Every small businessman is a vital part of his community, and while the responsibility for his business' downturns are solely his, so is the responsibility for his business' success.

Many of the economic experts say that America's economy is in trouble because our multinational corporations cannot compete with those of other countries. They say that the United States will go under because Ford cannot compete with Honda. There may be some truth in that, but it certainly is not the whole truth. To see the strength of industrial America you can go to the industrial parks, but to see the might of American spirit and enterprise, just take a drive down Main Street. There you see businesses of every shape and form selling commodities to fill modern America's every need. These businesses are the heart and soul of America, and they are something in which we can all take pride.

All that we have heard recently is how many businesses have gone under in these tough times, but I find it more interesting to note how many small concerns have managed to stay in business. These businesses are competing against the neighbor down the street, cheap foreign imports, tight credit, and a general reluctance on the part of the public to buy any products. To be able to stay afloat with problems like these is a vivid depiction of the depth of American commitment and strength of the businessman's character. The economic health of our country will improve, and the small businessman across the land will emerge stronger than ever.

Multinational conglomerates did not start out that way. Sears, Roebuck, Exxon, and Xerox all started out as small concerns. Apple Computers is an example of a two-man firm using American know-how and determination to grow into an international business. The small businesses across the country are living, breathing proof that the American Dream is still with us.●

● Mr. NOWAK. Madam Speaker, with the designation of May 8 through 14 as U.S. Small Business Week, I would like to emphasize the important role smaller firms play in fostering prosperity and economic opportunity for our citizens.

Nevertheless, our Nation is currently in the depths of the worst economic downturn since the Great Depression. Previous postwar recessions have lasted an average of 11 months each. This one has lasted approximately 22 months. The civilian jobless rate hovered around 10.2 percent of the work force in April.

Businesses have been hit hard by the current recession. According to Dun & Bradstreet statistics, business failures totaled in excess of 25,300 in 1982. This amounts to a 50-percent increase over 1981, which is the year the economic downturn began. More dishearteningly, virtually all of these business failures are smaller firms.

I am concerned that our unemployment problem will continue to fester. Businesses that have been hit hard by the current recession will probably continue to be cautious about hiring the unemployed. In addition to the swell in our unemployment rolls resulting directly from the protracted recession, there is another economic factor which is contributing significantly to the current high jobless rate.

Our Nation is presently undergoing major structural changes involving economic deterioriation of many older urban areas and a rapid decline in the prosperity of some of our basic industries. The resultant effect is an increasing number of displaced American workers who may no longer be able to match their present skills with those needed to fill existing and future job opportunities. For example, a recent New York Times article indicates that iron and steel employment which reached a peak of 952,000 in 1957 plunged to 630,000 in 1982 and is expected to continue this negative pattern through this century. Further, the auto production statistics claim that after a high of 1.02 million workers in 1978, the industry's job level dropped to 716,000 last year. Although there have been many propositions as to the underlying factors contributing to this dilemma, including increased automation and decreased export trading, the critical problem which we must address is how best can we return these workers to productive employment? Since small business is recognized as a major source of new jobs, it necessarily follows that we can develop job opportunities by encouraging small business growth and expansion.

Therefore, in recognition of the vital role of small business in the job generation process and in response to the long-term deterioration of many of the Nation's older urban centers, I recently introduced a comprehensive package of economic initiatives to distressed areas, The Enterprise Development and Urban Revitalization Act. This measure is designed to develop an awareness in Congress that tax and regulatory relief alone will not provide the impetus to revitalize our older urban areas and to propose a viable plan which combines several components that will actually encourage small business to locate and expand in these areas. The ultimate goal of this program is to return the millions of American unemployed workers, especially those displaced through no fault of their own, to their former position of pride and responsibility as productive elements of the economy.

In addition, since this is U.S. Small Business Week, it seems particularly appropriate to discuss briefly one of the most significant problems facing the small business community, capital formation.

The small business community has traditionally experienced difficulty in obtaining debt and equity capital. For instance, small firms, as a general rule, are unable to utilize the bond and commercial paper markets and, therefore, must rely on commercial bank credit to meet their financing needs. However, many small- and medium-sized banks argued during the debates

over deregulation that massive deregulation could lead to the obliteration of local community based banks through acquisition and mergers. These banks contend that such a proposal eliminates a major source of financing for farmers, small business, and certain local investors. Pursuant to this potential problem, I believe that it is essential to the small business capital formation process that we continue to monitor the impact of bank deregulation on small business lending.

Specifically, in the area of enhancing small business capital formation, I would like to bring to the attention of the Congress and the administration, my new proposal entitled (H.R. 2543) "The Small Business Capital Formation Tax Act". This initiative provides us with one of the best ways for reversing the current recessionary trends in the economy. H.R. 2543 provides small business with a secure and adequate financing source to meet its working capital and investment needs. Moreover, it insures that small companies have a way of reducing the high cost of external financing and it provides them with a means of generating more cash internally.

The provisions of the Small Business Capital Formation Tax Act are generally as follows:

1. CORPORATE RATE AND BRACKET ADJUSTMENT

Corporate tax brackets are widened and corresponding tax rates reduced. The highest corporate rate would apply to corporate taxable income over $200,000 as contrasted with $100,000 at present.

2. CAPITAL GAINS REDUCTION FOR INDIVIDUALS

If an individual makes an equity-type investment in a small business and holds that investment for more than 5 years, the maximum effective capital gains rate is reduced from 20 percent to 10 percent.

3. CORPORATE CAPITAL GAINS RATE

If a corporation makes an equity investment in a small business, the maximum effective capital gains rate for that firm is reduced from 28 percent to 20 percent.

4. CASH METHOD OF ACCOUNTING AND INVENTORY TAX REFORM

Permit businesses with less than $1.5 million in gross receipts to use the cash method as opposed to the accrual method of accounting.

5. CAPITAL GAINS ROLLOVER PROVISION

Taxpayer receives a 10-percent investment tax credit for a qualified small business investment (QSBI).

If the taxpayer sells his QSBI and reinvests the proceeds in another QSBI, he may defer the capital gains tax otherwise due on the sale.

In conjunction with U.S. Small Business Week, I would also like to urge Congress to develop a comprehensive export strategy. Increased exporting could have a dramatic impact on the Nation's work force. This is significant in light of the fact that small business creates approximately 80 percent of all the net new jobs in the United States. Further, a comprehensive export strategy will be utilizing an important avenue for broadening the country's economic base. This would provide our cities with a hedge against general downturns in the economy and with a means of increasing business opportunities for other domestic industries and suppliers.

As chairman of the Subcommittee on Tax, Access to Equity Capital and Business Opportunities, I conducted on April 14, 1983, an investigatory hearing regarding the administration's recent proposal to replace the existing domestic international sales corporation (DISC) tax incentive. Moreover, viable tax incentives should be considered as an important element of any comprehensive export initiative. My subcommittee will closely monitor the administration's drive to replace the DISC incentive. Whatever provisions are ultimately adopted, they should not be unduly complex for smaller firms.

In closing, let us view U.S. Small Business Week as a reminder that small business, our Nation's greatest job creator and innovator, has long been and should remain the backbone of a healthy and prosperous national economy.●

● Mr. DAUB. Madam Speaker, we in the Congress often acknowledge the importance of the role small business plays in our country. Each Member of this body regularly makes the point that the new jobs that are created in this country are almost all the product of increased small business hiring. It would seem then that the health of small business should be the prime concern of a Congress intent on helping Americans find jobs.

The problem is that what helps small business the most is what Congress likes to do least. What is more important than anything else is an economy free of inflation, interest rates that are affordable, and a healthy buying power possessed by the potential customers. This requires that we in the Congress avoid deficits and other inflationary measures. It means that we cannot spend billions of dollars that we do not have, forcing the treasury to borrow and limiting the capital available to small business. If we want to help small business, if we want to be viewed as friends of small business, then we must control the dangerous spending and taxing practices of this body.

In the past I have said on this occasion that we are frustrated by the fact that small business is difficult for Congress to address. Unlike other constituencies that the Congress can target a spending program for, the small business community is too large and too diverse to make a dent in. The activities of the Small Business Administration affect only 1 percent or less of the Nation's businesses directly.

There is no question that the small business community knows what it needs. No small business, no matter how new or old, is likely to mention Federal intervention in the marketplace, low-interest Federal loans for its competitors, or other schemes designed to place one enterprise at an advantage over another.

What each small business wants is for us to do our job. More than anything else they seek the optimism and prosperity that would come from an economy that is well managed. Madam Speaker, each day millions of small business men and women must match their expenses with their revenue. If they are lucky then there is a little left over that represents their profit. Often that profit translated into a salary would provide them an income below the minimum wage laws. They work hours that would not be tolerated if they were someone else's employee. These people face hardships, difficult decisions such as whether to hire or fire an employee are daily occurences; but they understand that such things are necessary to succeed in this world and meet the challenges the real world offers.

We in Congress should learn from their example. We should be willing to make the hard decisions that might make us unpopular with someone, we should be willing to make the kind of decisions about what we can and cannot afford. The small business does everyday and because they do we in the Government have a source of revenue that allows us to provide for the national defense, provide a system of justice in this country, and help those who are unable to help themselves. These things we owe the people who paid for them, not the politicians who often take credit for them.

I hope that each Member of Congress today takes occasion to stop and think about what small business means to this country. It is clearly the goose that lays the golden egg and when we undertake policies that threaten that goose we threaten as well the means by which we provide everything that flows from the Government. When we spend a dollar let us remember where that dollar came from and make sure that our economy will continue to make those dollars possible.●

● Mr. CORRADA. Madam Speaker, I am honored to join in this tribute today in which we commemorate the Small Business Week and honor the States small business persons and advocates of the year.

Small businesses are the cornerstone of our Nation's free enterprise system. Their growth and development is critical to our economic stability. Approxi-

mately 98 percent of all businesses in the United States can be considered small. They are responsible for the creation of more than half of the nongovernmental jobs, and according to the National Science Foundation and Commerce Department reports small businesses are 24 times more innovative per research and development dollar than large firms.

Small business owners are among the most dynamic and innovative leaders of the business community. Their eagerness and desire for success, and their creativity and determination has made our Nation a place of opportunities and prosperity.

One example of tenacity, hard work, and desire to succeed is Mr. Sergio Luna, chosen as Puerto Rico's small business person for 1983. Mr. Luna worked on his father's farm during Puerto Rico's long depression years. Gradually, by going to night school, he was able to complete a bachelor's degree in business administration.

In 1957, Mr. Luna joined Superior Paints Corp. There he served as general manager in manufacturing, product development, marketing and accounting until 1976. The company's sales increased in that period to $10 million annually, making it Puerto Rico's largest paint manufacturer. In 1976, Sergio Luna went on his own, forming Luna Paints Corp. with four employees. Luna Paints has become the third most important marketer of paints in Puerto Rico, controlling about 10 percent of the market. Fiscal year 1982 sales surpassed $2.5 million.

I want to congratulate Mr. Luna as well as all the 1983 State small business persons of the year and urge my colleagues to join in this tribute.●

● Mr. CONTE. Madam Speaker, thank you for granting us this special order to salute small business. I would also like to recognize the chairman of the Small Business Committee, Mr. MITCHELL of Maryland, and my dear friend and colleague from Pennsylvania, Mr. MCDADE, for the fine leadership they have provided the committee and all of us.

This year, small business deserves a special salute. Our country is just now starting to climb out of the worst recession since the Great Depression of the 1930's. From June 1981 through the end of 1982, this country lost 2.7 million jobs. But the sectors of the economy that are composed mainly of small business actually increased the number of people they employed. According to the President's 1982 "Report on Small Business," the finance, insurance, and real estate jobs increased by 65,000 and the services sector picked up 528,000 new jobs. Even though business bankruptcies totaled 65,807 in 1982, there were 560,000 new incorporations. This total is just under the 1981 record of 580,600. These numbers are the "proof in the pudding" that small business was a very important buffer during the recession. Without small business, the unemployment situation would have been much worse.

Many of you are familiar with the litany of statistics which suggest the importance of small business to the economy. Ninety-five percent of the firms in operation in the United States have fewer than 20 employees. Small business accounts for more than 50 percent of the private sector employment. Small business generates 60 percent to 70 percent of all new private sector jobs. Small business is the source of 40 percent of the gross national product. Small business is responsible for half of all the innovations and new technologies in this country. I could go on and on.

The point I would like to make is this. Small business owners are representative of the American dream. In this land of opportunity, they have discovered situations which can make them successful. They have utilized all their skills and talents in that situation. During the working day, they display qualities that make America great—creativity, hard work, and a determination to succeed, They have a sense of pride in their accomplishments and they are greatly respected by many of us.

My involvement with the small business community during my 25 years in Congress has been very rewarding. The change in your importance in the economy is reflected in the change in your status in Washington. When I first joined Congress, small business was just an infant. The Small Business Administration was only 5 years old. The House of Representatives had a Select Committee on Small Business.

Today, to borrow a popular advertising slogan, "You've come a long way, baby." Both the House and the Senate have Small Business Committees. Last year I was a cosponsor of a bill, the Small Business Innovation and Research Act which requires 10 Federal agencies to devote a certain portion of their R&D budgets to small businesses. The views of small business interest groups are not only listened to but solicited on various issues.

The future holds even more promise for small business. The SBA, through its Office of Advocacy, is becoming more and more vocal about Federal policies which will benefit small business. There are serious discussions taking place to include a small business representative on the Council of Economic Advisers and the Federal Reserve Board.

I am very happy I have been able to help small business develop into such a powerful position in the economy and in Washington. I am very anxious to be involved with small business in the future. I salute small business for your past accomplishments and wish them the best of luck in the future.●

● Mr. MARRIOTT. Madam Speaker, the President of the United States has designated the week of May 8, 1983, as "National Small Business Week." During the observance of this week, it is important that we reaffirm our commitment to a vital force in America's economy—the small business men and women of our country.

Before I discuss the state of small business in general, I want to take this opportunity to recognize one individual in my State of Utah, Mr. Steven J. Uresk of Roosevelt, Utah, who has been singled out as Utah's small business person of the year. Since 1964, awards have been presented to small business owners whose personal achievements and contributions best exemplify America's entrepreneurial spirit. Steven J. Uresk has demonstrated this spirit.

Expanding oil businesses had created a need for more printing facilities in Utah's Uintah Basin in 1979. Steven Uresk left his job with a Roosevelt printing firm to open his own one-man shop in a two-room building. With only $8,500 borrowed from a local bank, Steve purchased paper supplies and remodeled the space to include a darkroom, a pressroom, a paste-up desk, and an office. Business was good from the first day the shop opened. Within its first 2 years, the operation twice outgrew its facilities, and at the end of the third year, Steve opened a second printing shop in neighboring Vernal, Utah. The company now employs eight and is equipped with high-quality printing equipment, including a Heidelberg GTO press, the only one of its kind in the area. Steve Uresk continues to assess market potential in the Uintah Basin. Recently, the company ventured into the publishing business, and plans are now underway for further expansion in this area.

The contributions of Steve Uresk and the many other small businessmen and women across our Nation demonstrates American ingenuity. Their innovations and stamina will continue to reshape and enhance our lives.

Today, I am pleased to have this opportunity to join my colleagues in saluting and honoring not only Steven Uresk, but all small businessmen and women throughout the country which symbolize the true essence of America and the free enterprise system.

Unfortunately, the private sector's greatest source of innovation and job creation, the small business, has been an endangered species. It does not have to be that way. We, in Congress, can see to it that it does not.

The small business owner plays a crucial role in our national economy. As a past member of the House Small Business Committee and, as a small

businessman myself, I am very aware of the contribution the 11 million businesses make to our economy annually, both in terms of gross national product and private sector employment.

Unfortunately, the small businessmen and women of America, the backbone of the economy, are being suffocated under the weight of Federal laws, restrictions, regulations, and prohibitions which have dried up the venture capital they so desperately need. Clearly, the nightmare of the past several years must cease. But for this to happen, the bureaucrats in Washington, both in the executive and the legislative branch, must wake up.

The essential parts of an economic policy to assist the small business are in place. The need to have programs designed to assure unrestricted access by everyone to economic resources and markets must follow. An effective mechanism for achieving regulatory reform has been established. A policy of stable, moderate, monetary restraint must be followed. A fiscal policy calling for budgetary restraint coupled with important new tax incentives for work, saving, and investment has been put into practice. It must not be tampered with. The problems of inflation, high interest rates, access to capital and regulation to research and development, export and equal business opportunities must be faced by the Congress. The history of "throwing Federal dollars" at these problems has not been effective. Business failure rates are devastating.

More then 160 owners and managers of small businesses joined with accountants, attorneys, and Government officials in Washington, D.C., at the end of 1982 for the Small Business Capital Formation Forum. They discussed and clarified issues pertaining to capital formation by small businesses. In general, the participants confronted issues in four general areas:

One, access to investors,

Two, securities regulations,

Three, taxation, and

Four, credit.

At the conclusion of the sessions, the conference adopted 38 proposals, some of which included:

Tax credits for investments in small business, deferral of capital gains tax for funds reinvested in small business, one-time capital gains tax exclusion on disposition of a business on elderly business owners, safe harbor for small business on proposed IRS debt to equity regulations, and reinstatement of the jobs tax credit;

Creation of a new type of security, a small business participating security, and changes in the SBIC program and ERISA laws;

An increased exemption of small security offerings from filing and reporting requirements, introduction of substantial good faith compliance to exemptive regulations and adoption by States of uniform Federal exemptions; and

Liberalization of the SBA loan program and establishment of an SBA revolving loan agreement.

The message from the small business forum was clear: Incentives for small business capital formation are needed and attainable.

It is imperative that we look at what has contributed to the present state of affairs for the small businessperson.

One reason is the combination of long-term inflation with growingly excessive Government generated paperwork and regulation, which have increased the cost of doing business to a degree that it is difficult for the smaller firm to absorb the additional financial burden. The 97th Congress was successful in passing the paperwork reduction bill and it is a start but is only a start in the sea of redtape facing the young entrepreneur.

Then, of course, the obvious reasons: The high interest rates experienced in 1982 was the straw that broke the back of the small businessman. While we have a better interest rate figure facing borrowers at this time, as a result of a successful economic recovery program, we must not forget the ills of excessive Federal spending that brought up those rates.

Under the economic proposals of the past 2 years, inflation has been knocked flat. In January 1981 personal savings hit an all-time low of 5.4 percent. It climbed to nearly 7 percent in October, even more last month. Every percentage point increase in the savings rate adds about $22 billion to the lending pool, making more money available for loans, and ultimately, making interest rates fall. We are not only toeing the line on inflation, we are building our saving at the same time, to a level where we are nearly saving as much as our major competitors, the Germans and the Japanese. This is important to the small businessman.

We need to stick behind the economic strategies of the past 2 years to allow better interest rates and less regulations.

Bankruptcies and business failures rose from 1979 to 1982: almost 30 percent. But, if you look at the figures, the statistics reveal even more:

Data from the Internal Revenue Service indicated that the largest number of recorded partnership dissolutions—cases where businesses simply quit or the owners retired—were in fields dominated by small firms. The heaviest toll has been on the construction industries.

For the past several years, the smaller the firm, the less its chances for survival. A business with 21 to 50 employees had a 54 percent likelihood of surviving 4 years; but a firm of 20 employees or less had only a 30 percent chance of surviving that long. Ironically, the survivors among these smaller firms are the ones that create the most jobs.

So, today it is important that we remind the Congress, the Federal Government, and all Americans of the importance of small business to our economy and to the fact that they need our help. Small business employs 47 percent of the Nation's nongovernment work force; small business creates 86 percent of all new private sector jobs; in fact 75 percent of those new small business jobs are provided by firms less than 5 years old; and small business accounts for 80 percent of new jobs for black Americans.

In fact, minority enterprises are predominately small business, as are those owned by women. It is fair to say that small business offers the best opportunity for all Americans—regardless of race, color, or sex—for a meaningful share in the American dream of successful self-sufficiency.

Small business' returns to the economy are measurable in other ways as well. For example, small firms provide twice as many innovations per employee as larger firms.

What can we do, as representatives of these small businesses, to help the young company hang on?

We can broaden the tax base, tap the most innovative segment of our economy and harness the Nation's best job creating machinery.

While it is easy for us to stand here on the floor of the House and repeat the rhetoric of praise for the small businessman, and state what we ought to do, it takes the will of the majority of Members of this august body to carry out his ought to do. By a willingness of the U.S. Congress to—in the words of President Reagan—"confront uncertainty with creativity and determination to succeed," the same attitude which encourages our entrepreneurs, Congress can enact laws to encourage the formation and success of small businesses. Then, and only then, can America insure its economic standing in the world.

Small businesses are being helped today by the mending economy. Since 1979 the outlook for increasing employees and inventories has been dismal. But during the past 2 months the National Small Business Association (NSB) in a cross-country poll indicates optimism. And the President of the National Federation of Independent Business (NFIB), Mr. Wilson Johnson, directly relates this optimism to economic growth. Positive economic indicators, says Johnson, mean "small business owners * * * are now ready to put their money where their hopes are." There has been a substantial jump in investment activities for inventories, plants, and equipment. And since small firms still have lean inventories, new sales will result

in almost immediate orders to factories and suppliers. These mean new jobs. In fact, 14 percent of small business owners state they plan to increase employment in the next 3 months.

But small businesses need our help. They need two things desperately. First, sufficient start-up capital to get into the business. Then, they need economic stability and low interest rates so they can generate the capital to stay in business, and perhaps even to expand.

Small businesses do not usually generate the internal capital necessary to sustain them even after they are operating during extended inflationary periods. The central reality of economic life for small business is that they rely almost exclusively on debt capital, borrowed money. In fact, about 98 percent of the new capital needs of small business are met by borrowing.

The mercy of the marketplace, nor increasing grants and loans (all with Federal strings attached) have solved the financial problems facing new business.

First, the marketplace is distorted. With the enormous spending programs of the past years, tax laws have been distorted that actually encourage investors to put their money into safe unproductive tax shelters that create few—or even no—new jobs and often produce few—or even no—new goods. The Federal Government has used bracket creep, by pushing and pushing taxpayers into higher and higher tax brackets by inflation to create new revenues to further spend, spend, spend. This must stop and we as Members of Congress can stop it now—and stop it in an effort to aid not only the taxpayers in general, but the small businessman and the farmer—our backbone.

First, less taxes. The facts are now in. The revenues received from the first decrease in taxes have exhibited greater revenues to the U.S. Treasury—by reducing the highest tax bracket from 70 to 50 percent, investors are putting their money into jobs and taxable interests—not tax shelters. The fact is, if we really want to stimulate the job market, and continue to receive revenues into the Treasury—we should slash taxes even more. The House Budget Committee, in their budget for fiscal year 1984, suggested a repeal of the third year tax cut. This would only prove further harmful to the middle-income taxpayer—the small businessman and woman. We cannot take away the July 1983 tax reduction.

Further, the talk around town has been to eliminate indexing which was passed in TEFRA, the Tax Equity and Fiscal Responsibility Act of 1982. This, too, will be harmful to the small businessman. Indexing must be maintained if we are to put a cap on the increasing tax burdens being placed on our small businesses. Investment is essential to their survival. Drying out this investment potential is disastrous.

What about grants and loans? A loss rate of 38 percent on SBA loans is not a wise investment of American taxpayer dollars. Guaranteed loans are still not the best avenue for the small businessman as they are simply slightly over prime rate.

I, along with several of my colleagues in the House, believe in an alternative.

This alternative does not tinker with fiscal and monetary policy, and does not abandon the tax cuts—especially since the great percentage of small businessmen who file individual tax returns have already figured those cuts into their economic plans. Instead, we want to give the small business the tools to work around the high interest rates, and use a Federal-private sector partnership as the engine to make the business go.

Joined by over 30 of my colleagues in the House of Representatives, Members from both sides of the aisle, and in an effort to create a small business participating loan program, I have introduced H.R. 1902. Tailored specifically to attract investment capital to productive small firms, and away from dead-end tax shelters, it involves no Federal money whatsoever. Instead, it provides a package of tax incentives, beginning with a modest investment tax credit and combines that with favorable tax treatment on the participating earnings of the lender.

For example, if you own a small business, you can approach a lender for a loan of $100,000. H.R. 1902 would allow the lender to charge as little as 6 percent simple interest, plus a percentage of the profits that would be negotiated with the lender, for a number of years on which you both agree.

The lender would receive a $20,000 tax credit—$30,000 if you are a minority or disadvantaged firm. The interest would be taxed as ordinary income, but the share of the profits would receive preferential long-term capital gains tax treatment. Your interest payments would be deductible as the cost of doing business. And, since it is a loan, not a security, there would be no, I repeat, no Government redtape. You, the owner, and the lender would simply work out the best mutually agreeable terms.

But, here is the key element: Although you give up no ownership in the business, the lender's share of your profits means his or her success is dependent on your success. So, the lender has a vested interest in giving you the benefit of any business expertise he or she possesses. That element of vested interest is present in all of these necessary programs. The private sector participation will guarantee that someone is working at all times to make the investment a good investment, one in which the small business succeeds. And, in protecting himself, the private investor protects the taxpayers' interest as well.

Legislative initiatives have also been proposed to provide greater regulatory relief to small business. I am pleased to be a cosponsor of the Rulemaking Reform Act, a legislative veto measure. This provides Congress with a mechanism to tell Federal regulators, the fourth branch of the Government when they have gone too far.

Small business has contributed a great deal to our national economy throughout our history. They deserve the best efforts of their elected representatives. We must pledge, together, to do no less.

We as legislators must insure a fighting chance of insuring that our small businesses will not become the innocent casualties of a battle to rescue this Nation from the reckless and shortsighted fiscal, monetary, and bureaucratic excesses of the past. Let us not let this opportunity slip away.

Small business people in Utah tell me that they are fighting for their lives. If we are to have a small business sector of the economy capable of generating the jobs that we must have, we must have a national policy that fosters the formation and growth of small businesses. Unfortunately, this policy has not been given a priority.

As we observe this week, May 8, as National Small Business Week, let us recognize the necessity of this priority. For all the importance that small business contributes to our national economy, they should not get the short end of the stick. Small Business Week is an appropriate recognition of the importance of small business. But what small business needs is not a week of flowery speeches and nice ceremonies but a genuine policy that incorporates small business into the decisionmaking process and genuinely gives small business the clout it deserves. Surely the job creator, innovator, melting pot, exporter, competition provider, and risk taker of America is entitled to no less.●

● Mr. HILER. Madam Speaker, I first want to commend the distinguished chairman of the Small Business Committee, Mr. MITCHELL, and our ranking Republican member, Mr. MCDADE, for their leadership in arranging for this opportunity to honor our Nation's small business. By providing small business its own standing committee in both the House and Senate, we have clearly indicated our support for an interest in the most entrepreneurial part of our Nation's economy.

It is a special honor for me personally to serve on the Small Business Committee, especially as the ranking Republican on the Subcommittee for Energy, Environment and Safety

Issues Affecting Small Business. My own small business background in the foundry industry has helped me to understand many of the issues which are important to small business, including natural gas deregulation, taxes, interest rates, Government spending, and overregulation.

Madam Speaker, while most of us in these Chambers today realize that economic recovery is now underway, one that is long overdue, I do not believe enough of us appreciate just who is leading us out of the recession. It is small business. We read daily of the dramatic increase in housing starts. They were up 75 percent in the first quarter of this year compared to last year. What we do not see in those numbers alone are the thousands of homebuilders, realtors, and others who, through their hard work, dedication, perseverance, and belt tightening during this difficult recession, have helped poise our economy for a healthy recovery.

We have heard recently that automobile sales are up 32 percent from last year. What we do not hear often enough is how the initiative of automobile dealers are bringing consumers back into their showrooms. Their confidence in their products and our Nation's economic future have helped renew consumer confidence, the heart of our economic recovery.

Madam Speaker, I am very honored to represent a region of this Nation, northern Indiana, that has a rich small business heritage. Northern Indiana, as with nearly every other part of this country, relies on small business as the backbone of the area economy.

I am especially pleased to report that our economic recovery is becoming particularly evident in northern Indiana. Only 3 years ago, Madam Speaker, Elkhart County, Ind., the home of the manufactured housing and recreational vehicle industry nationally, was suffering through a very deep recession. High interest rates and questionable energy supplies and prices had put a damper on this industry. Unemployment there in 1980 reached 15.7 percent. Well, that industry, which is largely comprised of small businesses, is now booming. Unemployment in Elkhart County in March plummeted to 7.7 percent, less than one-half what it was only 3 years ago. While that is still too high, Elkhart County is now in a position to become a major center of economic activity in the Hoosier State.

Here are some of the signs of economic recovery in that industry:

Coachman Industries, a major manufacturer of recreational vehicles, had to go before the news media in its effort to fill jobs. Already, the recreational vehicle industry has almost exhausted its supply of 1983 models. RV retailers are reporting exceptional sales, and RV components suppliers, which include air-conditioners, chassis frames, wood products, and other industries, are reporting booms of their own.

Fairmont Homes, a major manufactured-home supplier in Nappanee, Ind., has announced plans for a new million-dollar plant. They also participated with other leaders in this industry in a national demonstration project near Elkhart featuring many manufactured homes that clearly meet today's and tomorrow's demand for comfortable, well-constructed, and affordable homes. I had the opportunity to visit demonstration sites last year and am very impressed with their innovations.

In the South Bend-Mishawaka area of the district I represent, several small businesses are reporting improved economic climates, including Nyloncraft Industries, which late next month is featuring an open house in celebration of their expansion. Nyloncraft is one of the leading pioneers in the plastics industry, particularly with injection molding.

One example of a new small business that has the promise of becoming a big business in northern Indiana is Geri-Wear, which specializes in providing clothing to wheelchair patients, particularly senior citizens. I am very impressed with the founder and president of this growing South Bend company, Mrs. Virginia Voll, and deeply admire her compassion and ingenuity.

Another company which has northern Indiana buzzing is the Avanti Corp., manufacturer of the vehicle by the same name. It is clearly America's best built car, and its new owner, Mr. Stephen Blake of Washington, D.C., has ambitious plans for this small South Bend company. The Avanti symbolizes the great pride Hoosiers have traditionally taken in their work. Until recently, only 200 or so handcrafted Avanti's were made each year.

I can go on and on.

Once our economic recovery has been in full swing for awhile, Mr. Speaker, I have no doubt that people will turn toward northern Indiana for proof positive that small business is the backbone of a healthy and prosperous economy. The optimism I have expressed today is a small reflection of attitudes throughout the Third District which I represent in this Congress.

But while optimism is growing about our economy, it is imperative that the concerns and opinions of small businesses be considered seriously. While we talk of high interest rates and how to bring them down, it is small business that suffers most. While we complain of high deficits, it is small business that must bear the brunt of our inability to control spending. While many of my colleagues here talk of raising taxes to balance the budget, it is small business who must largely foot the bill for our extravagance. While we praise and recognize the importance of small business for its role in our Nation's economy, is it not even more important that we follow up our deeds with action? To give our words of praise the meaning they deserve, we must do those things which help, not hinder small business. And that does not include extravagant spending policies, raising taxes, and increasing an already-high regulatory burden.

Madam Speaker, I think it is only fitting that we emulate the courage, the initiative, the resourcefulness, the efficiency, and the commonsense that our small business men and women possess and must exercise every day. They do not call for more Federal spending. They do not clamor for more costly regulations. They certainly have not asked me to raise their taxes. Like most Americans, they too want more jobs. After all, small business is the No. 1 job creator in our Nation. What they want from us is what they must do each and every day, to make the tough decisions necessary to get our Federal Government back into sound fiscal shape, to make it more responsive, to make it more efficient, to insure an honest day's work for an honest day's pay, and to run the Government like they run their own businesses. Unfortunately, Madam Speaker, if small businesses were run like we run the Federal Government, there would be no small businesses. Therein lies the challenge that Small Business Week 1983 provides.

My thanks again to Chairman MITCHELL and my good friend, Mr. MCDADE, for this opportunity to pay tribute to our Nation's small businesses.●

● Mr. BILIRAKIS. Madam Speaker, I am delighted to have this opportunity to join in the commemoration of National Small Business Week.

There is no segment of our economy more important than our small business men and women.

Not only do they represent the backbone of our economy, but it is to these small business men and women that we must look if we are to solve our country's unemployment woes.

The Fortune 500 companies, as vital as they are to our Nation's economy, are not going to provide the new jobs necessary to bring the unemployment rate down. And they are not going to create the jobs necessary to meet the needs of future generations.

Let us face it, our Nation's automobile factories and steel mills are never going to employ as many men and women as they once did. They are being forced to go heavily into automation in order to compete with foreign producers.

So the new jobs this country needs—and needs desperately in some areas—

are going to have to come from small business. They are going to have to come from the existing businesses which expand their work force from 10 to 20 or 10 to 50.

They are going to have to come from the man or woman with a new idea, a new concept, who has the courage and the determination to go into business for himself.

These individuals are out there. What they need is encouragement.

What they need is a climate in which they can prosper.

And that is the job of Congress.

All too often, in the past, the laws we passed and the rules and regulations sparked by those laws have served to place virtually unbearable burdens on small businesses. In effect, we have done a great deal to discourage small business and the creativity and entreprenurial spirit it represents.

Recently, however, the climate has improved. Many of the actions of the 97th Congress eased the burden on small business. Not enough; but at least, it was a start.

So, as we in the House of Representatives take this time to commemorate National Small Business Week and honor the men and women who are our small businesses, I hope we will also dedicate ourselves to creating the kind of climate in which they can grow, prosper, and flourish.

That is why I wanted to serve on the House Committee on Small Business, to help bring about that climate.

As a former small businessman myself, I know all too well just how onerous some of the demands placed on business by this Government can be.

And I know how difficult it can be meeting a payroll.

But, I also know that if we in the Congress will create the right climate, the entrepreneurial spirit which made this country what it is today will once again come to fore.

And when it does, we will see a national economic vitality unmatched by anything we have seen in recent years.

All we have to do is water the ground in which small business takes root, and help the entrepreneur learn to tend the crop.

For that reason, Mr. Speaker, I will be sponsoring a small business conference in the Ninth Congressional District of Florida next month.

The conference, entitled "For the Nation's Future—Helping Small Business Succeed," will be held June 25 at Clearwater Beach. And I am hopeful we can provide the kind of assistance and expertise which will enable the small business men and women of the area to prosper and flourish.●

● Mr. CLINGER. Madam Speaker, in official recognition of National Small Business Week, I find it fitting to reflect upon the unique contributions of America's small businesses to our Nation's economy and the lives of each and every citizen of the United States. The efforts of small business firms in the marketplace are integral to the Nation's economic growth. Small businesses are on the cutting edge of recovery, leading the way in job creation, product innovation, and expansion through new sources of venture capital as our economy emerges from the depths of inactivity and decline.

To drive home the importance of small business in the fabric of our economy, I would point out, Madam Speaker, that over 97 percent of all nonfarm businesses are small businesses under U.S. Small Business Administration guidelines. By their sheer numbers it should be evident that small businesses operate and bolster every facet of our national economy. In addition to being a central part of our national economy, America's entrepreneurs are among the most dynamic and innovative of our business leaders. Recently, when so many sectors of our economy were suffering from high unemployment and cutbacks in production capacity, small businesses were cautiously expanding. Between 1979 and 1981 approximately 2.8 million jobs were added to U.S. industries. Small firms with 500 or fewer employees accounted for 60 percent of the increase. Most recently, in 1982, there were approximately 560,000 new businesses incorporated in the United States, almost all of which were small firms.

The men and women in small business have also been leaders in bringing product and process innovation to the marketplace. The aerosol can, air-conditioning, outboard engines, pacemakers, precast concrete, and the zipper are just a few of the myriad of revolutionary concepts brought from drawing boards to the market by small businesses in the 20th century. The prospects for continued economic contributions from small businesses are promising. The advent of programs like the small business innovation development program, which channels Federal research and development funds into small hi-tech firms, will reinforce the historical vitality of small business innovation. In addition, private venture capital funds now have a pool of about $7 billion which is available to new and growing small firms.

Madam Speaker, I ask my colleagues to join me in saluting America's entrepreneurs and small business owners. These men and women embody the American pioneer spirit in facing uncertain markets with their undaunted determination to succeed. During National Small Business Week, May 8–14, let us pause to reflect on the accomplishments of small business in America and applaud those who have helped to make our country great. Therefore, Madam Speaker, I heartily endorse the special order to honor the small businesses of our country.●

● Mrs. JOHNSON. Madam Speaker, May 8–14, 1983, has been designated as "National Small Business Week." Along with my colleagues, I am delighted to pause and recognize the tremendous contribution of small business and small business people to our Nation.

Our country owes a great debt to the men and women of our small business community. Small businesses today produce close to 40 percent of our gross national product and employ 50 percent of the nongovernment labor force. In this country, two out of three new jobs are created by small business and small businesses produce twice as many innovations per employee as do larger firms.

I would also like to recognize the key role that small business has played in providing economic opportunities for women. Today, firms owned by women account for 7.1 percent of all small businesses. This is a 30-percent increase since 1977.

The small business sector remains the most dynamic, competitive, and productive sector of today's economy. Their contributions to our society are far greater than their numbers or size would judicate. Small business is no small matter as far as America is concerned.

During National Small Business Week we acknowledge that perhaps no other group has done so much to make our country prosper. The contributions of small business to the U.S. economy in terms of new jobs created, initiation of innovative new products and services, and opportunities provided for people with initiative, imagination, and grit is very impressive and at the heart of our promise as a nation.●

● Mr. MONTGOMERY. Madam Speaker, as you know, the President has designated the week of May 8 as "National Small Business Week." I want to join with my colleagues in honoring the great contributions the owners and employees of these businesses have made to our Nation's progress.

Statistics from the Department of Labor for 1981 show for my State of Mississippi that about 31 percent of the work force was part of a business with less than 20 employees. Another 30 percent worked in a small business which employs between 20 and 99 persons. As you can see, the impact small businesses have on our State is very vital to the economy.

I believe the economic recovery has begun and I hope that we in Congress will be careful to take action that will spur that recovery and aid the small business men and women hit so hard by the recession. Also, we should look closely for ways to ease the regulatory burdens which have hampered the full

operations of many of these businesses in the past.

A prosperous small business environment is important to the continued progress of our Nation and I hope we will work toward this goal here in Congress.●

● Mr. EVANS of Iowa. Madam Speaker, Small Business Week, 1983, provides a fitting opportunity to pay tribute to the thousands upon thousands of small business owners and entrepreneurs across the United States whose creative ambitions and individual enterprises make such an outstanding contribution to the vitality of our American economy. Since the earliest colonial times our Nation has relied on individuals, competing in a free and open marketplace, for the goods and services necessary to sustain a growing economy. The challenges created by this competition, and the innovative spirit it has fostered, have resulted in a degree of prosperity unmatched by any other nation and a record of accomplishment which is truly worthy of praise.

It is the legacy of this innovative spirit which places American small businesses on the threshold of even greater accomplishment as we face the challenges of tomorrow. It is within this community that the most dynamic innovations and developments are being generated, creating new jobs for our citizens and new technologies to meet changing needs.

Madam Speaker, this spirit of accomplishment is exemplified by the individuals receiving the Small Business Person of the Year Awards for 1983. These individuals have demonstrated outstanding ability as they have directed businesses toward greater sales and employment, developed innovative solutions to the needs of their customers, and contributed time and resources to community-oriented projects.

I am particularly pleased, Madam Speaker, to recognize Char Les and Edwin F. Klouda of Swisher, Iowa, who have been nominated as Iowa Small Business Persons of the Year for 1983. Since 1971, Manufacturing Specialties had designed and produced plastic injection molds to meet a wide range of customer needs. In 1981 this husband and wife team formed Plastic Specialties, which manufacturers plastic and glass fiber components used to improve the insulating qualities of concrete walls. The firm is also involved in designating an earthquake resistant condominium project to be built in Dale City, Calif. These innovative developments have helped Plastic Specialities to achieve a 56-percent annual growth in sales every year since 1977.

These outstanding accomplishments represent the spirit and vitality of the small business community, in Iowa and across the country. I am pleased to join in recognizing these efforts and extend my congratulations to Char Les and Edwin F. Klouda and to all recipients of the Small Business Person of the Year Awards for 1983.●

● Mr. ACKERMAN. Madam Speaker, it is with both personal pride and appreciation that I join in this tribute to honor the small businessmen of this country, and to reflect upon the important contributions they make to our economy and the overall improvement of life in America. I can think of no other pursuit that more enduringly captures the progressive quality of the American ethos—that entrepreneurial commitment which harnesses the energy of many individual citizens in order to advance the opportunity, well-being, and even the feelings of social cooperation and public spirit for society as a whole.

America's affection for this livelihood is underscored by recent polls that show that 9 out of 10 Americans have favorable attitudes toward small firms. Almost 40 percent of private sector employment is in small, independently owned businesses. They have traditionally played a hugely critical role to the economy in terms of job creation.

A landmark study by a researcher from the Massachusetts Institute of Technology a few years ago affirmed that 80 percent of new jobs between 1969 and 1976 were created by firms with fewer than 100 employees. And despite the present business climate marked by recession, takeovers, and corporate mergers, small businesses have weathered the storm. Their share of employment has remained remarkably stable over the past quarter century. With our economy crippled by devastatingly high unemployment rates, we must recognize this particularly vital role of small businesses.

Small businesses are also credited with being the most productive source of technological and product innovations. Small businesses are responsible for many important innovations that have improved the quality and style of life for the rest of us, from the airplane, the assembly line and overnight national delivery service to the personal computer and the safety razor, to name just a few.

More important, studies have shown that small businesses not only contribute a disproportionately greater share of product innovations, but they also bring these products to the market faster than larger businesses.

In the current climate where many American businesses find themselves hard pressed by competition from abroad, it would be wise to reaffirm those values and practices which characterize the "excellence" of small firms, and from which all companies can learn. The advantages of well-organized smaller units, aided by employee contributions, personnel/management cooperation, a sense of pride in one's labor and responsibilities, and eagerness for improvement—all are being incorporated by larger businesses to better equip them for today's economy.

Like more than one-third of my distinguished colleagues, I have been a small businessman myself, and as a former member of the board of directors of the Flushing Merchants Association I take special pride in honoring the gainful rewards contributed by the millions of small businessmen in every community across our Nation.●

● Mr. MINETA. Madam Speaker, as a Representative of Santa Clara County, one of the fastest growing areas in the country, and as the owner of a small general insurance agency, I am well aware of the important and substantial role that small business plays in our economy. Indeed, Silicon Valley has grown famous as a vivid example of the innovation and productivity so typical of small companies and lone entrepreneurs.

The electronics industry owes much of its success to the genius of a few small companies and entrepreneurs who had the vision and dedication to move us into the world of advanced technology. Yet the successful economic development of Santa Clara County is not only due to these high-tech geniuses. Successful economic development of this fast-growing area is also highly dependent on the service and retail industries. The majority of companies comprising these industries are small businesses. These companies are indeed the backbone of our economy. They provide the basic services and goods necessary to our daily lives.

It is important that we take the opportunity offered to us this week to voice our appreciation for the women and men who run these small businesses. However, it is not enough merely to voice appreciation. We must also grow more aware of the special concerns of these entrepreneurs.

We, in Congress, must be sure that our efforts promote, rather than hamper, the growth of small business. Last year, Congress passed several pieces of legislation to ease the regulatory and tax burden of small companies and we should continue these efforts. The best thing we can do, however, to promote the economic health of America's small companies is to get our economy back on its feet.

According to the President's March 1983 Report on the State of Small Business, small business failures have increased dramatically since 1980. Between late 1981 and late 1982, the number of bankruptcies increased by 38 percent. The report attributes this tragic increase in bankruptcies to the height of interest rates and the severity of America's recession.

Thus, to provide significant help for small business, Congress must do more than offer praise. And we must even offer more than regulatory reforms. To help America's small businesses, we must help strengthen the economy on which small businesses depend. With respect and appreciation for the business people who make America's small businesses work, let us proceed with that task.●

● Mr. LUKEN. Madam Speaker, May 8–14 has been designated "U.S. Small Business Week" for 1983. It is most appropriate for this Nation to set aside a week each year to honor those private entrepreneurs who are on the frontlines of economic battle daily in the pursuit of earning a living and providing employment to millions of Americans.

Those owners of small businesses are today's true pioneers who are willing to take the risks, the long hours, and the headaches that can go along with running a small business. They also, however, reap the rewards of seeing something built of their own creation for which they can claim responsibility. There is little that can compare to the thrill of seeing one's own business expand and develop new products and services.

The last year has not been an easy one for any business. With historically high interest rates, a weak national economy, and consumer timidity, times have been difficult for most businesses. The job that has been done by small business is nothing short of amazing. Compared to larger businesses, small businesses have coped with the ravages of the recession rather well. According to the President's report, "The State of Small Business," they were better able to withstand the recession than larger concerns.

Although small companies have fared comparatively well with regard to employment and income, they have not done well in avoiding bankruptcies which are at a very high level. There are today almost 500 firms filing bankruptcy per week. "The State of Small Business" reports this is due to the continued high interest rates and the length of the recession. Given the fact that 500 dreams are being broken on a weekly basis, we, in Congress, must do what we can to improve the business climate in the United States so that small businesses can prosper and hire some of the Nation's unemployed.

As chairman of a Small Business Subcommittee, I am aware of the difficulties facing our business community and I am working to do what I can to provide the necessary and appropriate help. Perhaps the most important obstacle to overcome for most small businesses is access to capital. Although the prime rate has dropped to a nominal rate of 10.5 percent, that is still quite high in real terms. Further, the rates paid by numerous businesses certainly exceed the often-quoted prime rate. In order to provide stable and affordable interest rates, we must adopt prudent fiscal policies in Congress and I intend to continue to oppose wasteful spending. In addition, however, I am supporting a new instrument for providing necessary capital to small business known as the Small Business Participating Debenture. This hybrid of debt and equity could provide critical funds for America's expanding businesses.

It is also essential to maintain one method of financing small business—the industrial revenue bond. IRB's have enabled some businesses to expand which otherwise might have stagnated. At this time of tight money, we should do what we can to preserve those programs which have been effective, such as industrial revenue bonds. In fact, a Congressional Budget Office study in 1981 showed that IRB's have been used overwhelmingly by small business.

Those of us in Congress who champion small business also have a responsibility to examine proposed legislation for its potential regulatory impact. Last year, we enacted the Regulatory Flexibility Act which requires Federal agencies to consider the impact of their proposed regulations on small business prior to promulgating new rules. Clearly, regulations have a greater effect on small business because the cost of compliance is spread over a smaller revenue base. Small business is less likely to have a full-time law department. The cost of unnecessary regulation falls on the consumer.

If this small business week serves to remind Congress of the contributions made by our small entrepreneurs, it will have served a useful purpose. For it is important for all lawmakers to constantly consider what the impact of their actions will be on the small business community.

Madam Speaker, I appreciate having this opportunity to say how much small business means to me. We have a very active and hard-working group of business people in Cincinnati who ask only that they be given a fair chance to survive in the business world. I am very pleased that we have set aside this week to say to them that we appreciate their work and will consider their needs throughout the year.●

● Mr. SNYDER. Madam Speaker, I appreciate the opportunity to rise in recognition of the vitality and the importance of small business in our Nation's economy and to salute the Kentucky Small Businessman of the Year—Mr. John C. Mouser—a man who personifies the promise and the potential of small business as well as he exemplifies the dynamism and drive that makes small business such a driving force in our economy.

In 1969, John C. Mouser purchased a small Key Market in Crestwood, Ky. When he bought it, the store had a weekly sales volume of $4,900. His net profit after the first year was $926.66. Despite intense competition from chain food stores, Mr. Mouser gradually and continually increased the customer base of his store by paying careful attention to personal service.

In 1976, with the help of a Small Business Administration guaranteed loan, he moved to a new location, where he now has a sales volume of $63,400 weekly. In 1978, he purchased a second store in Middletown, Ky., and boosted the sales there from $12,000 to $30,000 per week. In 1979, Mr. Mouser added a third store in Campbellsburg, Ky.

Thirteen years later after John Mouser entered the supermarket business, his operation had grown to three stores—employing 61 people with a sales volume of $143,000 weekly.

By putting his own future and his own talents on the line—by bucking the odds and persevering through intense competition and rough times—John C. Mouser proved that free enterprise still works and that small business is still the driving force in the free enterprise system.

I congratulate John C. Mouser for the honor of being recognized as the Kentucky Businessperson of the Year. He is a very fitting representative of the multitude of outstanding small businessmen and women of the State of Kentucky and of the Fourth Congressional District.●

● Mr. STENHOLM. Madam Speaker, I am happy to be able to take part today in the recognition of a special sector of our society as we observe National Small Business Week. This is an opportunity to celebrate not only the accomplishments of the small entrepreneur but also the strong character, the motivation, and the freedom of spirit that are so characteristic of American small businessmen and businesswomen.

We have heard the small business statistics before: About half of all Americans are employed by small businesses; these businesses create two out of three new jobs; and they provide the greatest portion of our Nation's growth in productivity and technology. We, as a nation, rely on them: If American democracy is humanity's grand experiment, then each small business, operating in a free marketplace, is one of the many small miracles that makes that system work. Small businesses are an important part, and an important cause, of our Nation's diversity and our desire to strive for excellence.

While the old frontier has disappeared into the pages of history books, a true pioneer spirit still exists today: It lives in the dreams, the hard work,

and the achievements of the small entrepreneur. He or she is a risk taker, an investments analyst, a manager, and more; he or she is our most effective ally in fighting unemployment and keeping our economy competitive in today's world.

When considering the role of small business in today's society, I am reminded of the familiar saying, "Give a man a fish, and you have satisfied his hunger for only a few hours; but teach him to fish, and you have given him the means to eat for his lifetime." The wisest role our Government can play is to help our small businesses during the especially tough times—in a way that helps them help themselves—and then free them up as much as possible to use their creative energies.

In this National Small Business Week we pause to offer millions of small businessmen and businesswomen our recognition, our thanks, and our willingness to work together to continue building a better nation.●

● Mrs. BOXER. Madam Speaker, I am very pleased today to be able to participate in this special order honoring small business in our country. Small business is our Nation's most significant employer. It is the economic backbone of my California district and of our country as a whole. The Nation's 13 million small businesses provide two out of every three jobs which exist in this country, and they retain employees longer.

Furthermore, small business is resilient, innovative, and very productive. The recent State of Small Business study indicates that they have fared much better than other parts of the economy in our current economic slump.

Because of their large numbers, their diversity and their hard work, small businesses play a key stabilizing and producing role in our national economy. Almost 40 percent of the gross national product is provided by small business.

Finally, small business is perhaps the most important part of our country's economic future. The recent revolution in technology and communications has been led by small business. Certainly, the Silicon Valley and other parts of the San Francisco Bay area have been recognized as the world leaders in computer and related technology. Most of those innovations have come, and I expect will come, from individuals and small business. One study shows that small business produces 2½ times as many innovations as large business.

I believe that American workers have the skills and the creativity to continue to lead the world's revolution in technology and I believe that small business will continue to be in the forefront of that leadership. It is fitting today that we honor this vital segment of our society and our economy.●

● Mr. BEDELL. Madam Speaker, this week is dedicated as a tribute to America's small business community. We all know that small business supplies most of our employment and productivity-improving innovations. I also think we can all agree that small business is the lifeblood of not only our economy, but of our entire society. In every community throughout America, small businesspeople blend together to weave the fabric that keeps our Nation warm and alive. Small business is truly America's past, present, and future.

The past few years have been particularly tough for small business. Business bankruptcies have been running at a rate that is reminiscent of the Great Depression. Governmental policies in the areas of procurement, antitrust enforcement, taxation, regulation, and export assistance have been adopted and applied against the best interests of the small business community. Capital for small companies remains scarce and expensive. In the past decade, small business has seen its share of gross national product erode and, for the first time in history, dip below the share of GNP held by big business.

Now, I know that the purpose of this special order is for the Members to say nice things about small business. I hate to put a damper on the party, but we should all stop for a minute and think about what is really happening in our Government.

The chief antitrust enforcement official in our Government has said, and I quote, "There is nothing written in the sky that says this world would not be a perfectly satisfactory place if there were only 100 companies." Let me read that statement once more, "There is nothing written in the sky that says this world would not be a satisfactory place if there were only 100 companies."

That same official also said that he would not enforce the law that prohibits large companies from vertical price maintenance. What makes this statement especially appalling is that it comes on the heels of a Supreme Court ruling that vertical price maintenance is per se illegal. This official said that although he was aware of the Supreme Court decision, he did not agree with it, so he was not going to enforce the law, and that was that. So big businesses know that they can break the law and not get prosecuted.

On another front, the Assistant Secretary for Tax Policy has said on the record that he does not care if an item in the Tax Code discriminates against small business vis-a-vis big business. He clearly said that he doesn't think those policies should be changed.

In another agency, the man in charge of energy research in our Government ordered the abolition of an entire office that specialized in supporting small business energy research projects. He took this action without even knowing what projects the small businesses were working on. How do I know that he did not know? When I asked to review the files of the projects, his office had no idea where they were.

In still another area, the procurement policies of our Government have been steadily shifting businesses opportunities away from the small business sector. Not only is it becoming increasingly difficult for the Government to contract-out work to the private sector, but when they do, it has become easier to give the work out in large, consolidated "umbrella" contracts that severely restrict opportunities for small business.

Madam Speaker, I could go on and on citing instance after instance. But I only intend to demonstrate that our Government's basic philosophy toward small business must be changed. If we are really serious about small business, we, in the Government, better start backing up our words with action.

I challenge this administration to call another White House Conference on Small Business. The conference should be modeled after the 1980 White House Conference on Small Business. At that conference, small businesses from all over the country came to Washington for an open and sometimes painfully honest working session. Out of the conference came 60 priority recommendations. From those recommendations came several landmark laws such as:

First. The Equal Access to Justice Act which said that in lawsuits between the Government and small business, if the business won, the Government would be liable for the legal expenses of the small business.

Second. The Paperwork Reduction Act which required agencies to issue paperwork impact statements and mandated a 25-percent cut in Government paperwork.

Third. The Regulatory Flexibility Act that permits 2-tier regulations to help Small Business.

Fourth. The Small Business Investment Incentives Act which makes it easier for small business to attract venture capital.

Fifth. The Patent Trademark Amendments Act which provided that small businesses retain title to patents developed during Government contracting.

Sixth. The Small Business Export Expansion Act which provides matching funds to organizations that help promote small business exports.

Seventh. The Small Business Innovation Development Act which dramatically increased the amount of Federal research and development funds that goes to small business every year.

But, almost as important as these very significant legislative successes, the 1980 White House Conference on Small Business changed a lot of attitudes about small business that were held by Government officials. Small

businesspeople developed a spirit of activism that forced policymakers to wake up and take notice. Government officials that push policies like those that I mentioned earlier could use a large dose of humility that the conference would administer. They need to go see and hear firsthand over and over again how the small business community is affected by the decisions they make.

The time to act is now. The challenge is for us to back up our rhetoric with action. The small business community needs our help to give them the opportunity to be heard.●

● Mr. HORTON. Madam Speaker, today I join with my colleagues to pay tribute to small businessmen and women across the United States. President Reagan has designated the week of May 8 as National Small Business Week. I think it only fitting that we honor those Americans who have the courage and drive to establish their own small business and build a successful enterprise.

Very few Americans seem to recognize the important contributions small business makes to our society and economy. It is small business that employs two out of three of all Americans. It is small business that generates over 45 percent of our GNP. It is small business that forms the basis of our cities and towns and it is the innovation and imagination of small businessmen and women that continue to make the marketplace a constantly changing environment.

During these troubled economic times, it is important that we recognize and encourage the achievements of small business. If we are to continue to pull out of the worst recession we have faced since the Great Depression, much of the burden will be borne by small businessmen and women. Additionally, as we cope with growing competition from foreign business and industry, we will continue to depend on small business for new ideas and the competitive edge we will need to keep the American economy strong and American business No. 1.

In closing, Madam Speaker, I would like to join my colleagues in congratulating our small businessmen and women on their contributions and on the courage they have shown during these difficult times. I look forward to a continued climate of cooperation between small business and the Congress as we work together to strengthen our economy and put Americans back to work.●

● Mr. KRAMER. Madam Speaker, it is a privilege for me to join Members on both side of the aisle to praise the efforts of men and women who operate small businesses of all kinds in all parts of our country.

I salute the initiative of Mr. MITCHELL, distinguished chairman of the Small Business Committee, and Mr. MCDADE, distinguished ranking member, in requesting this special order to provide an opportunity for Congress to honor the hundreds of thousands of small business proprietors who are the strength and the vitality of this Nation's economy.

Small business is the mom and pop grocery store, the local hardware store, the local jeweler, your insurance and real estate agents, men and women who make and sell electronics and manufacturing equipment. Collectively, they are the backbone of the American economy and the American dream. Small business accounts for 55 percent of all private employment in this country. They produce 48 percent of this Nation's business output, 43 percent of the GNP, and more than 50 percent of America's inventions and innovations. In fact three out of every four workers are employed by small establishments, and these businesses create a staggering 80 percent of all new jobs.

There can be no question that our Nation's survival depends on the health of our small businesses. Congress must remain aware of the role small business plays in our economy, and must remain committed to providing a climate of opportunity for small businesses to grow and prosper. If we in Congress ignore the needs of these small businesses, our economy will not mend, our jobless will not find new employment, our productivity will not increase and we will lose our place as a world leader in technological innovation.

Last week, I had the pleasure of meeting with 12 of my constituents who were in Washington attending the annual Conference of the Small Businesses United. What I found remarkable about these folks who left hectic schedules back home to come to Congress, was that they were not asking for a handout, but were offering assistance in mending the economy. The challenge they laid before Congress was to create a climate that will enable small businesses to help themselves. That challenge is worth pursuing and I applaud their initiative, and integrity and confidence in the future of our country; and I support their goals of strengthening our Nation's economy and concurrently our Nation's pride in its workmanship.

I encourage my colleagues to pay particular attention to the problems facing small businesses during the next few years. Inflation, high interest rates, excessive taxation, and burdensome regulations are serious problems in any business; but they are particularly onerous to small business—75 percent of which are sole proprietorships, file individual tax returns, and rely on personal savings as a major source of capital. Clearly any steps Congress takes to encourage capital formation for small business growth would translate to a boom in the economy. Conversely, any steps Congress takes which limits or decreases the availability of capital for small business proprietors will hurt the general economy.

One such step which some have been urging but would have disasterous implications to small businesses is the repeal of the third year of the tax cut, and tax indexing. As I mentioned earlier, fully three-fourths of all businesses are not corporations, and do not pay corporate income tax. They report their business income through individual returns. A repeal of the third year and indexing would raise their taxes, slow return to full output and reduce investment in new plant and equipment and most importantly new job creation. It is critical that Congress remember the distinction between business and households does not exist in the case of three-fourths of our countries small businesses, and that a negative impact on one will negatively impact the other. Congress must encourage capital formation in small businesses, not hinder it. This is not a handout, simply a fair shake.

Let us not forget that when big business is cut back because of a lack of capital or a poorly performing economy, they become smaller. However, when small business is cut back, they go out of business, and with each failure we all lose a little more of the American dream of free enterprise which has contributed in a big way to making the United States the best example of free enterprise in the world. Again, my heartiest support to the men and women who operate small businesses all across our country and who continue by hard work and long hours to make the American dream a living reality.●

● Mr. UDALL. Madam Speaker, I rise to honor the small business community of this country. As the Nation's largest employers, they are the foundation of this country's economic development. In these times of high unemployment, the involvement and success of America's many small businesses will be essential to the recovery of a productive and stable economy. The business community, through hard work, devotion, and good old American ingenuity, has made this country a better place to live. The small business community has enabled the people of this great country to become accustomed to a standard of living that far surpasses any country in this world.

I would like to take this opportunity to recognize Roberto Ruiz, Ben C. Hill, and Paul Klores, three Arizonans to be honored by the U.S. Small Business Administration. I am proud of the accomplishments of Arizona's small business community, and I congratulate these representatives who are receiving well-deserved recognition for their

efforts. As these three people are well aware, the pursuit of the American dream is a path of hard work, long hours, and the ability to be patient enough to forgo immediate pleasures for future benefits. It is in tribute to these people and others like them, that we honor the small business community of this country.●

● Mr. HATCHER. Madam Speaker, as a member of the House Small Business Committee, I am proud to join in this salute to National Small Business Week.

Today, we find the true spirit of enterprise in America's small businessmen. That spirit is the embodiment of the frontier spirit that made this country great. People of all ages become entrepreneurs. While most start their businesses between the ages of 25 and 40, the range exceeds that.

There are obstacles, but that has always been implicit in the frontier spirit. When one embarks on the adventure of small business he or she is calling on the talents, resourcefulness, and skills that have taken a lifetime to develop and accumulate. For example, the most common source of financing for a small business is one's personal resources. Financial institutions, friends and relatives are also important, but in the last analysis, the test of success rides on the individual. Personal financing backs 60 percent of all newly formed businesses. Where the businesses are already in existence, 39 percent are supported by personal finances. In both instances—in the cases of new and existing businesses, financial institutions, and friends and relatives play a secondary role.

But, while small businessmen make great contributions they also take great risks. Since World War II, the number of small business employers per capita has slowly decreased. Unlike most wage and salary workers, small businessmen and women cannot count on reasonably constant sales or earnings or profit levels. These levels vary considerably not only from year to year, but from quarter to quarter, making financial security uncertain. Further, since the mid-1960's, small business's share in the Nation's economic activity has decreased while the share of big business has remained constant and Government's share has increased.

So, I would suggest that it is incumbent upon those of us in the Congress to work to create an economic climate that will work to reverse a disturbing trend, that small businesses are failing at a rate greater than at any time since the Great Depression.

We must build on the solid foundation initiated several months ago. It is hardly an exaggeration to say that the changes in the business climate in this country over the last 30 years pale in comparison to the changes we have experienced in the last 30 months. Through estate tax reform, the creation of a task force on regulatory reform and other steps to protect small businessmen we see, at the very least, a change in attitude. That change in attitude is that our national direction, our goals and progress, can best be set and measured by the private sector and not by Government regulators.

During the week of May 10, 1983, National Small Business Week, we should consider the great contributions made to our country by small businessmen and our obligation to them.●

● Mr. TORRES. Madam Speaker, the occasion of Small Business Week gives us all the opportunity to reflect on the vital role of small business in the American economy and society. Consider the fact that the 15 million small businesses in this Nation make up 99 percent of the total number of businesses in the United States, produce almost half of the GNP and employ over half of the American work force.

Small businesses also are major contributors to the pulse and morale of the local community. Tulare, Calif., I am sure, is extremely proud that Louis and Frederick Ruiz of Ruiz Food Products were named as California's small business persons of the year. Congratulations to both father and son Ruiz.

Small businesses are deserving of all the praise they have and will receive today, but they also require assistance. One way that each Member of Congress can help small businesses in their communities is by trying to bridge the information gap that exists between Federal, State, and local governments, large corporations, and small businesses. The individual entrepreneur with a small business cannot afford the trips to the big cities to attend seminars and workshops to learn about new opportunities. Even if this person could afford the financial cost, he or she could not afford to take the time away from managing the business.

Therefore, it is with much enthusiasm that I am holding a small business development conference in my district on Thursday, July 7. On that day, representatives from Federal, State, and local agencies, several major corporations and utility companies, as well as other associations will be sharing their knowledge about small business opportunities with the business owners in my district. The purpose of Business Expo 1983 is to give the small business operator the chance to learn about new markets for growth.

We, as Members of Congress, also can assist small businesses by passing legislation that can help them to compete for Government contracts and capital financing. For example, H.R. 2130, the Small Business Procurement Reform Act, would give the small business a chance to contend for Government contracts without being at a disadvantage to larger businesses. And, H.R. 1136 would improve small businesses' ability to obtain capital by creating a small business participating debenture. This alternative and innovative form of financing would help small businesses escape the dilemma of high interest rates and the resulting lack of access to capital.

I might add that already this session, the House has passed legislation helpful to the Nation's small businesses. H.R. 1043 modified the contract solicitation and bid period so as to assist small businesses. H.R. 861 reauthorized two programs to aid minority and disadvantaged businesses seeking contracts for high-technology work.

And this week, the Committee on Small Business is marking up omnibus legislation. Particularly noteworthy are sections to help small businesses adapt to drastic economic changes. Disaster loan programs would be strengthened and expanded—a particularly timely action in light of last week's devastating earthquakes and tornadoes. Loans also would be authorized to aid U.S. businesses hurt by Mexico's devaluation of its currency.

I cannot think of a better time than Small Business Week for the Congress and particularly the Small Business Committee to not only acknowledge the crucial role small business plays in our economy, but also to commit ourselves to improving their ability to grow and thrive.●

● Mr. STANGELAND. Madam Speaker, I would like to take a moment to honor our Nation's small business men and women during this National Small Business Week, and give a special thanks to the main-street merchants, farmers, and all small businesses which make up the seventh district of Minnesota.

While 1982 was a difficult year for small business throughout the country, I am pleased to note that the number of small businesses has increased annually almost without exception during the last 30 years, according to the Small Business Administration.

The growth of small business needs to be encouraged. Small business promotes competition, creates jobs, adds capital, promotes innovative ideas, and supports progress. I hope the Small Business Administration will work harder than ever this year to help people get into business, help them stay in business, and advocate programs and policies that will help small business.

I speak from experience, having been in the small business of farming for over 30 years. I know the hardships, the dedication, the long hours, the sacrifices, and the tremendous re-

wards of creating and maintaining a small business.

Seventy-two percent of all small businesses are sole proprietorships. This means that small business is people, people with ideas, fulfilling their creative ambitions.

So today I would like to honor the people, the entrepreneurs, the pioneers of small business, who started with an idea, created a nation and have become the cornerstone of the American free enterprise system. In 1983, may you grow and prosper.●

● Mr. PASHAYAN. Madam Speaker, I am particularly honored to participate in this special order to salute small businesses today because two of my constituents have been chosen as the small business persons for the State of California. These two men, Louis and Frederick Ruiz, own and operate Ruiz Food Products in Tulare, Calif. Their business is the second largest producer of Mexican food in the West and the employer of 200 people.

The Ruizs have demonstrated an innovative entrepreneurial spirit as they have expanded their business and developed new products over the last two decades. Louis Ruiz invented much of the equipment that was used in the early stages of production. In 1976, they negotiated a loan with the Small Business Administration to build the plant they use for production today. In addition to the SBA loan, the Ruizs make use of tax credits to hire minority and low-income individuals in the community and provide on-the-job training. The success they have achieved is a reflection of the excellent product they make and the creativity and versatility they have demonstrated over the years. I have toured their plant and can personally attest to the outstanding quality of the Mexican food products they make.

Ruiz Food Products is an excellent example of a business working in concert with the Government to grow and prosper, to provide jobs, and to create a better community. Small business has always been the backbone of our economy and wealth as a nation, and I am proud to represent the district in which this small business is located. I extend my warmest congratulations to Louis and Fred for their award, and my appreciation for the contribution they have made to their community.●

● Mr. SAVAGE. Madam Speaker, the week of May 9, 1983, has been proclaimed by the President as National Small Business Week. I take this occasion to join my colleagues, Congressman PARREN J. MITCHELL, chairman of the Small Business Committee, and Congressman JOE MCDADE, ranking minority member on the committee, in saluting the many small businesses in my district as well as the countless tens of thousands of small firms across this great Nation of ours.

When I first came to Congress as a Member of this august legislative body, one of the committee assignments I wanted most, and succeeded in getting, was that of the Small Business Committee. As a former businessman myself, the owner and publisher of a respected and successful newspaper in Chicago, I am well aware of the many varied problems that small businesses face in trying to survive and grow in the face of stiff competition from larger competing firms. On the other hand, I am also aware of the many and significant contributions that small businesses have made to the quality of life in America. It is often said, and statistics bear this out, that small businesses are on the cutting edge of many of the technological innovations that have helped keep America pre-eminent in the world in terms of trade and commerce.

However, we in Congress should be ever mindful of the fact that small businesses, particularly minority-owned ones, do not enjoy the advantages that come with bigness. The successes of Sonicraft, WXOL Radio, Suriety Trucking, and Globetrotters Engineering, all minority firms in Chicago, are the exceptions to the general rule concerning the fate of small minority firms. The Federal Government can—indeed, must—play a more constructive role in insuring the viability of minority firms, for the end result will benefit us all.

On the occasion of this recognition of small business, I salute the ingenuity, the fortitude and determination of entrepreneurs, for they embody the spirit that has made our country what it is today: The greatest nation on Earth.●

□ 1530

CHEMICAL AND BIOLOGICAL WEAPONS FOUND INEFFICIENT AND UNSAFE

The SPEAKER pro tempore (Ms. KAPTUR). Under a previous order of the House, the gentleman from Arkansas (Mr. BETHUNE) is recognized for 60 minutes.

Mr. BETHUNE. Madam Speaker, I will remind my colleagues that on several occasions over the last 3 years I have taken to the floor in opposition to the request of the Department of Defense for the production of a new age of chemical weapons known as the binary nerve gas weapon.

The Chemical Corps' plan to produce a new age of nerve gas, the so-called binary weapon, is not ready. There are simply too many unanswered questions, and if it was ever in doubt, it was put to rest last week when the General Accounting Office came out with a comprehensive report finding several points which need to be restated over and over again for all our colleagues.

First of all, the GAO report found that the Chemical Corps' plan to produce the new nerve gas weapon was insufficent because no testing or no dynamic testing has been done to see if the binaries work, if they would be efficient, and if they would be safe. This is a very critical factor. In fact, when we had the debate on this floor last year, several of my colleagues and I made the point that the Bigeye bomb, which is the aerial bomb that the Department of Defense is requesting in the chemical weapons program, was faulty. We made the point over and over again that the timing mechanism on the bomb was not worked out, and that in all probability the Bigeye bomb would not be efficient and that it would not be safe.

Now, those who were advocating the Bigeye bomb and the binary nerve gas program tried to argue us down. They parroted the lines and the arguments of the Chemical Corp., giving us the soothing assurances that the Bigeye bomb would be ready and that it should stay on schedule. Of course, the House disagreed in a rather lopsided vote and joined with me and the distinguished chairman of the Committee on Foreign Affairs, the gentleman from Wisconsin, Mr. CLEMENT ZABLOCKI, in denying the Department of Defense its request to produce the nerve gas weapon.

That was the right decision, because in the GAO report which came out last week it is now clear that the Bigeye bomb is not safe and that the Bigeye bomb is not as efficient as it was originally thought to be. As a matter of fact, now the Department of Defense has pulled the Bigeye bomb request that it made last year, which simply ratifies and admits the arguments that we made here last year.

The General Accounting Office has also found that there is a general tendency within the Department of Defense to just simply build more and more chemical weapons, and there is a mindset there in the Department of Defense that we have to have retaliatory capability in kind so that whatever specific chemical weapons the Soviets might have, we have to have one just like it or very similar to it. This position, of course, ignores the fact that there are many other relevant factors that bear on the decision of whether or not we need a new age of chemical weapons.

The GAO report also says that there is no comprehensive plan as to how military personnel are to act or react in a chemical war. In short, there is no doctrine for the use and deployment of chemical weapons. The report goes on to find that the Department of Defense has no plan for protecting the civilian population in a chemical war.

The point that I want to make today is a larger point, because last week I

spoke rather extensively about the GAO report and the shortcomings of the Chemical Corps' plan to produce nerve gas. I would like to talk a little more today about the larger context in which we find ourselves on this very important issue of chemical weapons.

Even if the Department of Defense modernization plan were ready, this is not the time to start production of a new age of chemical weapons, because such action would break the unilateral freeze that we have had since President Nixon stopped production and use of chemical weapons by the United States back in 1969. In other words, for 14 years—and we are now going into our 15th year—we have not produced or used chemical weapons.

This is in stark contrast to the policy and practice of the Soviet Union. Everyone has read the allegations of production and use of chemical and biological weapons by the Soviet Union. The stories coming out of Sverdlovsk and the stories coming out of Afghanistan clearly indicate that there is reason to believe that the Soviet Union is in fact not only producing but using chemical weapons. I think that this clearly gives the United States the high ground on the issue of chemical weapons.

Now, it may be that we have a hard time convincing the people of the world that we have the right position or the moral position when we are talking about nuclear weapons or conventional weapons, because I think the average person around the world believes correctly that both the United States and the Soviet Union are building up in the area of nuclear and conventional weapons, and so, therefore, it is hard for them to believe that the United States is better than the Soviet Union when we are discussing nuclear and conventional weapons. That is a circumstance which exists and which I think will be difficult for us to deal with for some time to come.

But that is not the case with chemical weapons. With chemical weapons, we have the indisputable high ground. Because of our 1969 policy, one which has kept us in a position of nonproduction and of nonuse for 14 and going on 15 years, we can literally contrast ourselves with the Soviet Union in such a way that people around the world will clearly understand that the United States has the high ground on this issue.

As a matter of fact, in the last session of the Congress the administration and many of the administration's supporters in this particular area tried to get authorization to produce the new age of chemical weapons. They failed. But by asking for the right to produce the new nerve gas weapons, the administration has sent a signal to the world that we are ready to abandon the 1969 policy. That means that we lose the high moral ground that we have held for 14 years, and that we can no longer make the distinction between the United States and the Soviet Union, and many of us who fought the request last year think that that is the key point in the whole debate.

Presently at the Committee on Disarmament in Geneva, the ambassadors who are delegated there from all around the world have a high degree of optimism about the prospect of getting a chemical weapons treaty for the world, banning the production and use of chemical weapons once and for all. I think that they have that optimism because they realize the juxtaposition of the U.S. policy vis-a-vis the Soviet Union's policy.

I was there in February of this year and had occasion to talk to over half of those delegates, and I can assure the Members and I can assure all who are concerned about this issue that we do have the high moral ground and that it is working to our advantage in the Committee on Disarmament. If we are going to get an international treaty banning chemical weapons, we will get in the Committee on Disarmament. They meet this July, and then they will meet again in the fall. I believe that we should stick to our 1969 policy until we see what progress is made in the July meeting of the Committee on Disarmament and what progress might be made in the fall session.

□ 1540

Now, it is not likely that they could produce a treaty which would cover every aspect of chemical and biological weapons for all time to come in that short a period of time. Many nations will be involved and it will be an extensive process, but I do believe that in the summer session or in the fall session there will be benchmarks of progress, measurable benchmarks that we can look to determine whether or not the Soviet Union is, in fact, willing to reach a treaty with the United States and with other nations in the world on this score.

For instance, if they are serious, then we can make progress, the two superpowers and the other countries involved on the question of verification for destruction of existing stockpiles.

We can also tell if there is a willingness on the other side to negotiate a treaty by whether or not they will be willing to take steps toward declaring their existing production facilities. These are things that we can see and measure in the next 6 months to a year that will tell us whether or not the Soviets are serious.

Until that time, I think we should do everything in our power to demonstrate the distinction between the policy and practice of the United States, and the policy and practice of the Soviet Union. In order to do that, we do not need to abandon the 1969 policy which has served us well. We need to stick with it.

Therefore, I think the administration's request and their continued request for production of nerve gas weapons is a fly in the ointment right now. They should back off that request. They should go work with the policy that has been established in the House of Representatives, and that is that we will not break the 1969 freeze. We will stick to it. If the administration would pick up on that particular thesis and argue for the people of the world that the United States is trying to do right in this particular area, show to the world that our policy and practice has been pure as the driven snow since 1969, it would challenge the Soviet Union in such a way that if public opinion is ever going to have an impact on that nation, it would surely do so in this area of chemical weapons and it would surely do so when it would have such an impact when the Committee on Disarmament meets in July of this year.

I and others who have been working on this issue are now working to draft a resolution which would contain four points in support of our position and to further the position that we have been arguing now for some 3 years.

Basically, we believe that this House should resolve itself in a positive fashion on the issue of chemical weapons so that the world can see clearly that our policy is positive and that it has a method and that it has a good degree of commonsense.

Heretofore, I think people have seen the House of Representatives as merely obstructing the request made by the administration. As is the case with most weapons requests, it simply is another battle in the larger battle of the defense budget here in the House. There is more to our position than that. It is a distinct position from the position we take so often in the area of conventional and nuclear weapons.

The resolution that we are trying to put together at this time would contain four significant points. The first point would say that this country has since 1969 honored the policy established by President Nixon and we have not produced or used chemical weapons.

The second point would state that the Soviet Union follows an entirely different policy and practice and that, in fact, the allegations around the world are that they are not only producing chemical and biological weapons, but they are using them.

The third point would recognize that the Committee on Disarmament and other fora, possibly including bilateral discussions between this country and the Soviet Union, could produce a treaty, that there is optimism among

those that study these issues that such a treaty could be produced.

Fourth and most importantly, we would make the point in the resolution that our position and our policy has an element of conditionality to it and that is that this country prefers not to produce chemical weapons. Certainly this country abhors the use of chemical weapons in the world and that we have adhered to such a policy for 14, going on 15 years; but the fact of the matter is that anyone knows that we cannot continue to hold such a pure position in the face of continued production, deployment, and even conceivably alleged use by the Soviet Union. So we cannot hold ad infinitum the position that we have held since 1969 and the world would know, our allies and our enemies and those nonalined countries, and particularly the Soviet Union, would know that while we prefer to stick with the policy that we think is correct, that there is a limit to what we can do.

I think this again sends a signal to the Soviet Union and is a shot across their bow to let them know that they better come forward in the summer session of the Committee on Disarmament and in the fall session of the Committee on Disarmament and put their money where their mouth is, because they have been talking a lot about how they want a chemical weapons treaty.

We would give them every opportunity to carry out and demonstrate that, in fact, they do want a chemical weapons treaty.

Why do those of us who make mention of the chemical weapons issue argue our case with such intensity, and why are we so insistent on this particular point? I remember when I first got into the issue that I basically came to the conclusion that I should resist this because it was immoral. Since then, I have added many arguments to my position, as others have, but we all know that chemical weapons are as deadly as nuclear war. We know that it is not the soldiers who would be killed by these chemical weapons, because the soldiers would have defensive equipment, gas masks and every other conceivable type of equipment to ward off the effects of chemical weapons. It is the civilians who would be killed in a chemical weapons attack, because chemical weapons kill indiscriminately. Clouds of chemical gases are uncontrollable due to the atmospheric conditions and the winds which might prevail at the time and would scatter the killing force of the chemical weapon in ways and areas that we have not yet understood thoroughly.

All of the religious leaders, of course, call chemical weapons immoral and even the Pentagon will concede the point that chemical weapons are immoral; but, moreover, we argue that our current stockpile is sufficient, contrary to every argument that the Chemical Corps will make, that our chemical weapons stockpile right now, even though we have not produced since 1969, would be sufficient to deter the Soviet Union and would hold out for at least a 30-day confrontation, were that to occur.

The stockpile, the Chemical Corps argues, is deteriorating. That is not the case. Much of it is old and useless, but those weapons which have value to our military at this time, the 155-millimeter shell, are not decreasing in number, they are increasing in number, in spite of what the Chemical Corps may have Members believe.

Also, we have to think about what U.S. production would do to the attitudes and thinking of our friends in Western Europe. Our allies there reject the idea that we should make new deployments of chemical weapons in the West European countries. The reason they do, of course, is because they remember about chemical weapons. We Americans have enjoyed a rather remarkable circumstance in a world that has been filled with trouble. We have never experienced the use of chemical weapons here on our soil. In fact, the number of battles that have been fought on American soil are relatively few in number compared to the great wars that have occurred in Europe.

□ 1550

So they have a recollection which has been passed down from generation to generation about the use of chemical weapons in World War I.

The European press condemns the administration for its request for production of the new binary chemical weapon and I think, therefore, that it does undermine all of the work that we have been doing and can do among the European Community to gather together a force, a world force against the production of chemical weapons.

So there are many reasons in addition to the reasons that chemical weapons are just plain immoral. The reasons have been brought out time and again here on the floor of the House of Representatives.

I wish that this administration would take time to realize the sincerity and the correctness of the position that has been argued here in the House. It is not self-serving to stand here and say that I and the others who have been successful in stopping the production of chemical weapons have been superior in our debating skills or that we have worked harder to marshal the facts and the information in this particular debate because the other side has worked hard. It is just simply that we have been proven right over time by developments and by circumstances which are outside of this Chamber.

I think the most startling ratification and proof that I could offer that we were right and that we are right is the fact that the Chemical Corps itself has now pulled the request for the Bigeye bomb and that they themselves are beginning to admit certain facts like the stockpile of the 155's is not smaller but is in fact larger. They themselves are beginning to admit that there just might be something to the argument that we can do better in the Committee on Disarmament and in the summer session that will take place in that forum by sticking to the 1969 policy which is such a stark contrast to the Soviet policy than we would do if we were to abandon that policy and commence production of weapons that are not even ready to produce, by their own admission.

So, as time goes by, and particularly in the next week or two, I think this issue will begin to take shape. I hope that the administration will overcome that hard, thick, leathery mindset that is in place at the Department of Defense, a mindset that precludes them from considering the many arguments that we have made here in the House of Representatives, a mindset that is going to lead to a division in this Congress and in this country on one of the most significant issues that is before us today.

We need to get together on this issue. We need a united approach rather than a divided approach on the great issue of chemical weapons.

It is possible that we could have such an approach. But the administration must pull its request for production of chemical weapons this year. We have the votes to defeat that request here in the House of Representatives and we will defeat the request.

The only thing they are going to gain by pushing for production in the House of Representatives is to divide this Chamber and to divide this country on this issue.

Much more productive right now would be the approach to come together, rally around the existing policy in this country, make it plain to the world that we are different than the Soviets in the area of chemical weapons, stroke our allies and our friends at the Committee on Disarmament, encourage them to produce a treaty, challenge the Soviets to produce a treaty, all the while letting the world know that we cannot go on like this ad infinitum, that we must have such a treaty.

I think the Soviets will respond to such pressure. I think they spend an awful lot of time trying to cultivate world opinion and it must be important to them. In this particular area, we can really draw a contrast between us and them, one that I think will create the right environment in the Committee on Disarmament, and will

produce a treaty that will serve the world well.

I hear people say you cannot get the Soviets to do anything through world opinion, but that is not true. In 1969, when we established this particular policy, it covered not only chemical weapons but biological weapons. A few years later the Soviets did enter into an agreement on biological weapons. I think that is some evidence that they will respond.

We learned a lot out of that treaty. We learned that we need to have better verification procedures. But it is evident that they will respond.

Certainly it is worth a try before we throw away a policy that has served us well now for 14 years.

I yield back the balance of my time.

SMALL BUSINESS WEEK

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Nevada (Mrs. VUCANOVICH) is recognized for 5 minutes.

Mrs. VUCANOVICH. Madam Speaker, I am very pleased to be able to participate in honoring Small Business Week. The President's proclamation makes very clear his commitment to and respect for the accomplishments and contributions of small business. I wholeheartedly share his views and appreciate this opportunity to pay tribute to the most valuable component of our free enterprise system—the small business.

We are indeed indebted to small business for its leadership, innovation, productivity, and stamina to withstand burdensome Federal regulations, inflation, and years of increased taxation. Small business comprises 97 percent of the total businesses in this country and employs over half of the current labor force in the United States. It is small business which has taken the lead in providing new jobs to help ease our employment situation, 90 percent of all new jobs in this country are offered by small business.

We are really here to pay tribute to the men and women who keep our small businesses going. One person, in particular, from my State of Nevada, deserves special recognition during this week.

Nell Worden of Pahrump, Nev., has been named a Women in Business Advocate by the U.S. Small Business Administration's Office of Advocacy, in recognition of her major contribution to small business.

Nell has worked diligently to improve business and financial opportunities for women in business, and exemplifies the spirit of small business and all it represents to Americans who value the opportunity and independence this country has to offer. Her hard work and capabilities make her especially deserving of the award she has received.

Having the honor to represent the State of Nevada which has limited industry but an abundance of small business enterprises, I have a great appreciation for the hard work and dedication which goes into keeping a small business afloat in these economic times.

Unfortunately, not all of our small businesses have been able to survive the past years of high inflation and exorbitant interest rates. We in the 98th Congress must continue the reversal of this downward spiral by pursuing the economic recovery policies which began in the 97th Congress.

Small business is the heart of our economy and the backbone of our free enterprise system. Ms. Worden and all of the many small business people in Nevada and the Nation really deserve our thanks for all they have done to contribute to the future of America.

RECOGNIZING THE CONTRIBUTIONS OF ASIAN/PACIFIC AMERICANS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York (Mr. HORTON) is recognized for 5 minutes.

● Mr. HORTON. Madam Speaker, I would like to join with my Asian-Pacific American friends around the country in celebrating the Fifth Annual Asian-Pacific American Heritage Week. May 7–14, 1983, by Executive order, has been set aside to recognize the contributions which Asian and Pacific Americans have made throughout the history of the United States.

On June 30, 1977, I had the honor and pleasure to introduce House Joint Resolution 540, which for the first time in this Nation's history asked the Congress and the people of the United States to set aside a period in May as Asian-Pacific American Heritage Week. Through the efforts of Jeanie Jew, who created the idea for the proclamation and commemorative period, and Ruby G. Moy, my administrative assistant, who arduously assisted in the successful outcome of the bill in the Congress, Public Law 95-419 became a reality.

This special legislation has become the groundwork and foundation for all Asian-Pacific heritage and ethnic observances throughout the United States.

America derives her strength from the ethnic plurality which constitutes her people. I have never appreciated this so much as when I had the privilege of addressing the people of American Samoa at their Flag Day ceremonies on April 15, 1983. I stated then, and I believe now, that the reverence and allegiance to the flag of our country which the American Samoans exhibit should be followed everywhere in our Nation.

Asian-Pacific Americans have sacrificed a great deal, at times even their lives, for the betterment of our Nation. Many of the railroads and canals which spurred the rise of the United States to economic supremacy were built with the toil and commitment of Asian Americans. My close friend and colleague, FOFO SUNIA, of American Samoa, often speaks with great pride about the fact that his district, for its size, contains more men and women in the U.S. Armed Forces than any other district in our country. In addition, I have recently discovered that he may also claim to represent more veterans and military retirees than any other Member of Congress.

The Asian-Pacific Americans have sacrificed a great deal for the economic well-being and military security of our country. I hope that each of my colleagues will join me in this opportunity to recognize the contributions of Asian-Pacific Americans to the United States of America.●

THE STRANGE BEDFELLOWS OF NATURAL GAS PRICE CONTROLS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Illinois (Mr. CORCORAN) recognized for 10 minutes.

● Mr. CORCORAN. Madam Speaker, as the summer heats up, so will congressional consideration of the Reagan administration's plan to include the decontrol of so-called old gas as part of a legislative package aimed at reducing natural gas prices to market-clearing levels.

Madam Speaker, as you can well remember, when the Congress last considered the controversial issue of natural gas, there was as much activity and debate within the Congress as outside of it. One of the interesting byplays of any public policy debate involving vested economic interests and the people of this country is the way various coalitions form to lobby one side or the other of the question. This year's developing drama on natural gas is certainly no exception.

Sometimes to refresh my evaluation of the issues involved in natural gas, I let my mind wander to the interesting coalitions that are being formed. And it was on such an occasion when my imagination was given free reign, that I had a thought which I would like to share with you, Madam Speaker, and my colleagues. Picture, if you will, two opponents of the old gas decontrol plan getting together in a Capitol Hill bar after a long day of lobbying.

Dudley Dewright, a lobbyist for consumer causes, is sipping a Perrier and looking troubled. Next to him is John Q. Brown, a Washington lobbyist for a gas industry group opposing decontrol of old gas prices.

"You know, John, I've been thinking lately," says Dewright, staring into his third Perrier. "I'm not too sure you and I can both be right about why the President's decontrol bill is such a disaster for the gas consumer."

"Hey, don't worry, kid," replies Brown, a bit nervous. "We'll beat back those money-grubbing oil companies and their bureaucratic pawns. If we just keep working together * * *."

"That's not what I mean. I've always favored price controls on old gas to keep the price down for low-income consumers and prevent the big energy companies from making money out of those folks' misery."

"What's wrong with that?"

"Nothing. But what are all you big energy companies doing on my side this time?"

Brown ordered another Chivas Regal. "Golly, kid, can't we support all those fine ideals, too?"

"Sure. But isn't the reason that you want prices on old gas kept at $1.50 or so just to subsidize the $9 price from all those deep gas wells that nobody wants to buy any more?"

"Heck, no. We don't have to have a subsidized price for those wells. Golly, even if we can't sell gas from them, the Nation needs those 15,000 foot holes for the MX missiles. We're going to call it 'Deep Pack' and the Pentagon will love it."

"Well, what about the agrument that keeping old gas prices down just subsidizes that coal gasification plant out in North Dakota? They're supposed to be getting ready to ask the Synfuels people for nearly $1 billion in purchase guarantees because no one wants to buy their $6 gas. Is it true that if we keep old gas under price controls, they won't need the taxpayer subsidy because they'll have a ratepayer subsidy instead?"

"Hey, that's no subsidy; that's an insurance premium. You believe in a little insurance, don't you? Besides, if they couldn't sell their coal gas, they wouldn't need to strip mine any coal and then they wouldn't need James Watt to help them. Where would all the environmental groups be if Watt wasn't out there stripping away the plains?"

Brown is beginning to breathe heavily, fogging up Dewright's glasses.

"And don't tell me that the only reason I favor keeping old gas prices low is to subsidize the Alaskan gas pipeline. That's a downright slur! The truth is that America needs $18 gas if it's ever going to learn to conserve its natural resources. What with oil prices going down, the last thing we need is more $2.50 gas."

"I guess that's what I'm afraid of, John. After we roll in all that $6 coal gas, $9 deep gas, $18 Alaskan gas, $7 LNG and Lord knows what else, won't the average price be just about the same as if old gas price controls were removed? I mean, even the GAO says that the administration's package, even including old gas decontrol, will reduce the average gas price, not raise it."

Dewright's voice begins to quaver. "But if all those expensive projects are going to be subsidized by cheap old gas, then how does the consumer benefit? And if they're not going to be subsidized, then how come all you guys want to keep controls on old gas? Is there something you're not telling me?"

Brown puts his arm around Dewright in a fatherly way. "You know, if I were you, I'd watch what I say. You sound like you're almost in favor of decontrolling old gas prices."

Dewright breaks out in a cold sweat. "No, no, I didn't mean it. I do believe that price controls help the consumer. I really do believe. I do * * *."

"There, there," says Brown, lighting up a fat Havana. "I know you still believe. And you know what, kid? So do I." ●

A NEW STANDARD FOR INSANITY PLEA

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Illinois (Mr. PORTER) is recognized for 5 minutes.

● Mr. PORTER. Madam Speaker, today I am introducing legislation to establish standards for the use of the insanity plea by those accused of Federal crimes.

The legislation is designed to greatly restrict the limits of the insanity defense, thereby greatly reducing the number of defendants who will be able to successfully plead insanity.

My legislation would accomplish this through the establishment of the McNaughten rule, or "right from wrong" test as the uniform test defining the insanity defense's parameters. Such a provision would not only create a uniform Federal standard for determining legal insanity where none presently exists, but would also severely curtail the use of the insanity defense to those few defendants who actually cannot tell right from wrong.

Furthermore, my proposal shifts the burden of going forward with the evidence from the prosecution to the defense regarding the defendant's sanity or lack thereof. Under my proposal, if the prosecution can prove that the defendant possessed the mens rea, or "evil mind" necessary for the commission of the crime, the defense would then be required to show by clear and convincing evidence that defendant was insane under McNaughten.

Last, this legislation will also allow for the plea and verdict of "guilty but mentally ill." Should a defendant committed to a hospital or mental treatment later be pronounced mentally fit, he would be required to serve the remaining portion of his sentence in prison.

I urge my colleagues to join me in supporting this legislation. ●

HOW FRESNO, CALIF., HAS REDUCED CRIME

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California (Mr. PASHAYAN) is recognized for 5 minutes.

● Mr. PASHAYAN. Madam Speaker, a recent report by the Federal Bureau of Investigation revealed that the crime rate in this Nation decreased last year by 4 percent, the first time the rate of reported crime has gone down since 1977.

A large part of the credit for that reduction should go to the efforts of people like those in the city of Fresno, Calif., and its surrounding communities, who have been working together in a unique program of policing by objective.

This program has dramatically decreased the local crime rate by increasing citizen participation. The story of how this happened and what has been accomplished was told in an article in Western City, the monthly magazine of the League of California Cities. This article, "Policing by Objective—With the Public's Help," was written by the late George K. Hansen, police chief of Fresno until his untimely death April 16, 1983.

This article and the accomplishments it chronicles stand as a fitting tribute to Chief Hansen, a respected public official, to his colleagues in law enforcement, and to the people of the cities of Fresno, Clovis, and of Fresno County, and I should like to reproduce the article here.

POLICING BY OBJECTIVE—WITH THE PUBLIC'S HELP—FRESNO REPLACES THE TRADITIONAL MODEL OF POLICE PATROL WITH "COMMUNITY BASED POLICING"

(By George K. Hansen)

Like other law enforcement agencies throughout the nation, Fresno's police department has faced the dilemma of providing effective police services despite diminishing resources. In the late 70's, it became evident that the traditional policing model was outdated for contemporary needs.

Fresno is often perceived as a small, rural community with simple problems, but since 1978 the city's population has increased 25 percent, from 196,000 people to 245,674 city residents. The city's land area has grown from 62 to 87.6 square miles during the same five year period, a 41.3 percent increase.

Calls for police service in fiscal year 1978 totalled 196,000. Calls for service in 1983 are projected to reach 234,300. Although the size of the city, its population and the demand for police protection have steadily increased, only six positions have been added to the city's sworn complement of police officers since 1978.

The Fresno police department began modernizing the delivery of police services in January 1979. These endeavors did not

evolve by accident, nor were they a result of community or political pressure. Instead, conscious efforts were made to improve the effective use of existing resources. It was clear that the police alone could not minimize or reduce criminal activity in the city without the active participation of the entire community. A police-community cooperative effort became the foundation for Fresno's community based policing program.

THE OLD WAYS

Preliminary analysis of the department's organizational structure and the roles and responsibilities of its management and line personnel were completed in 1979. Findings indicated that neither the structure nor the responsibilities of personnel were conducive to providing effective police services.

Officers were assigned to shifts and patrolled all sections of the city. Customarily, one patrol unit was responsible for each beat. Line supervisors were not required to regularly assign officers to the same beats, so it was difficult for them to become familiar with specific problems in any given area. Preventive policing methods were seldom employed; instead, emphasis was primarily on responding to calls for service. Officers were concerned only with the activities occurring during their shifts, and they seldom knew what occurred on other shifts or in other geographical parts of the city.

Lieutenants and sergeants also operated on a shift basis. They were responsible for activities and personnel assigned only to their shifts on a city-wide basis. They were, in effect, watch commanders with a scope of responsibility so tremendous that they were often too involved in administrative details to participate in tactical or strategic operations. The opportunity for supervisors to learn about a specific area's people, problems, and resources, or to prepare tactical action plans to control the problems, was rare. Because the scope of responsibility of each individual was limited to what occurred during their eight-hour tour of duty, that responsibility did not carry over into the next day's work.

Prior to community-based policing, Fresno's police department was a traditionally structured organization with limited opportunity for creative or autonomous operations. Police sergeants and officers seldom participated in the decisionmaking and planning processes. Most plans and decisions were made by the chief of police and the executive managers. The tightly interacting management team, coupled with the call-to-call syndrome experienced by line personnel and supervisors, discouraged either group from eliciting input from the other. That interaction, however critical, did not regularly occur until the planning of community based policing was initiated.

GOALS

Executive management was interested in improving productivity. It was apparent that those responsible for certain activities were not always held accountable, and too often employees' activities were reactionary and not necessarily synchronized toward common goals. The philosophy of the community based policing program was expressly articulated in a statement of the department's mission and goals:

To reduce the incidence of suppressible crimes per capita in the city of Fresno;

To increase the percentage of offenses reported to the police;

To increase the proportion of cleared offenses;

To decrease the percentage of cases not prosecuted due to faulty investigation or case preparation;

To decrease the projected rate of motor vehicle accidents per number of registered motor vehicles;

To reduce criminal opportunity through police-community cooperation;

To increase effectiveness in the delivery of police services.

Establishment of these goals was the first step in the department's transition to policing by objectives, a method that parallels the private sector "management by objectives" theory but is tailored for non-profit, public sector, law enforcement agencies.

Eighty hours of management training was provided to all supervisors through the rank of deputy chief. Emphasis was placed on planning, executing, and reviewing police activities directed toward the specified, desired results. Individual managers were to be held accountable for the results obtained by units under their command.

Once supervisory personnel became familiar with setting objectives and tactical action planning, patrol officers became involved in the process. They began developing tactical action plans for specific area crime problems. Policing by objectives has enabled all executive managers, supervisors, and line personnel to actively participate in problem solving, program planning, and decisionmaking.

Training was essential. A more sensitive and open-minded approach toward policing could only be accomplished through a comprehensive educational process to include all ranks. A task force was formed to develop the training program for preliminary investigations, interpersonal communications, cultural awareness, current law update, officer survival, rape investigation, crisis intervention, and the handling of battered women. The task force found that officers desired additional training in the area of interpersonal relations.

FOUR POLICE AREAS

To implement community based policing. Fresno was divided into four community police areas, a district contrast to the former departmental structure organized on a city-wide basis by eight hour shift.

The determination of the four policing areas was based on comparable workload activities in the four districts, and on the city's demographic makeup. Communities with similar problems, needs, and demographic makeup were left intact. Four captains were assigned as area commanders in the patrol division, with each commander responsible and accountable for the police activities, crime increases and reductions, resources, and personnel in his area.

The basic patrol function is on a shift basis, but is additionally confined to an area. While under conventional staffing one officer was assigned to one beat, area commanders could now assign as many as five officers to a single beat when needed, while other beats with less need could be covered with fewer officers.

Community based policing has enabled patrol officers to attack problems in nonconventional ways. For example, officers can work in plainclothes during different hours if the need arises.

To further assist management, the department assigned two lieutenants to each area as operational and management support to the citizens and officers in the field.

Similar to team policing, community based policing decentralizes patrol operations, improves internal communications, and perpetuates generalist-oriented rather than specialist-oriented officers. Unlike team policing, community based policing actively solicits the involvement of the community in minimizing crime.

PUBLIC INVOLVEMENT

Evidence shows most crimes are prevented or solved by citizens who witness crimes and relay valuable information to the police, and not through extensive, sophisticated investigative techniques. The best investigative tools are the eyes and ears of citizens willing to recount to police what they've seen or heard and, more importantly, become involved.

Recognizing the importance of public participation in police operations, Fresno's police department sought to improve the relationship between the police and the community. Historically, their relationship has been guarded, due largely to the nature of public contacts which patrol officers generally initiate: traffic stops, investigations of residential burglaries, and responses to family disturbances, petty thefts, and vandalism calls. In general, most encounters place both the officer and the citizen on the defensive, simply due to the emotional nature of many circumstances.

Through community based policing, officers are encouraged to be less confrontational with the public. They are encouraged to leave their patrol vehicles and talk to citizens about both criminal and non-criminal problems. This opens lines of communication between the citizens and police officers and more is accomplished in the long run.

Another reason for improving the police image is based on the nature of requests for service that police departments receive. National surveys indicate that of the total calls for service handled by law enforcement agencies, some 70 percent are not crime-related emergencies. Instead, various kinds of personal and community-related problems keep members of the department busy.

The police department also developed a community service officer program. Community service officers are non-sworn personnel who handle non-emergency field reports and develop and maintain crime prevention activities in each of the four areas, relieving police officers from the mundane, non-emergency, non-crime related activities to concentrate on actual crime-related problems. They receive 200 hours of P.O.S.T. certified training and an additional 40 hours of in-house training in crime prevention.

Police officers are the most visible and accessible representatives of city government. People come to them on the streets seeking assistance with problems in their daily lives. While police cannot resolve all social or criminal issues, they can take an active role in softening the police image. Community based policing allows officers to attack the real problems people face in a preventative approach to law enforcement. Too often, those personal problems escalate to criminal activity.

Ongoing programs such as Neighborhood Watch and Business Watch have become very much a part of the city's policing efforts. The watch group programs existed prior to community based policing, but had not appealed to the numbers of citizens it currently attracts. The neighborhood watch program has increased its watch groups by 57 percent, and in June 1981 there were 591 neighborhood watch groups representing 6,797 households and 18,215 participants. Today, 42,378 citizens from 15,833 households are involved in 1,375 watch groups.

Youth and senior citizens have become active participants. Senior citizens have been organized in residential complexes dominated by the elderly, and junior neighborhood watch members have also been organized.

Other youth programs, such as a bicycle rodeo, painting over graffiti on walls, a youth modeling class, and competitive games between police and youth groups have been developed in conjunction with the Fresno parks and recreation department.

Community centers have been used to bring the police closer to the community. The centers are conveniently located for public access, and both non-emergency and crime prevention assistance are provided from them. Non-sworn community service officers are assigned to the centers and effectively perform both functions.

Neighborhood watch has evolved from a program where neighbors "watch out" for each other to a program where citizens consciously plan efforts to prevent crime. Neighborhood area watch group councils have been formed, and a priority of the city-wide council is to increase community crime prevention awareness and resident recruitment. Volunteer members meet regularly to discuss neighborhood crime problems, and an overall executive council is represented by members of the four areas.

ANTI-CRIME CAMPAIGN

A specific example of the efforts between police and community is demonstrated by the 1982 fall crime prevention campaign. While the crime rate per capita in Fresno has dropped steadily in the last three years, there is a dramatic increase in serious crimes during November and December of each year. A new approach was needed to combat the high levels of robberies, burglaries, and thefts that occur from Thanksgiving to New Years. The plan of attack was to launch a comprehensive public awareness campaign and increase tactical operations.

Fresno is surrounded by heavily populated, unincorporated areas, and is immediately adjacent to Clovis, a city of about 40,000. To have any measurable effect on crime in Fresno, the Clovis police department and the Fresno County sheriff's department had to be included. These agencies were contacted and they eagerly agreed to participate. They were joined by the business community in an effort to educate the public and to break the seasonal crime wave in 1982.

A public awareness program of the size and scope needed was extremely expensive, and the revenue needed was not available in the city budget. The police department decided to seek private support, and received both money and services. With the assistance of community groups, the Fresno police department built a $250,000 public awareness campaign with $15,000 in cash and the remainder in donated services, at no cost to the city's general fund.

The fall campaign was kicked off with a five hour rally at the Fresno convention center. Approximately 15,000 people attended. Thousands of dollars worth of free door prizes donated by local merchants were given away, free soft drinks were provided, and law enforcement exhibits by the Fresno and Clovis police departments, the Fresno sheriff's department, and California Highway Patrol were displayed. Popular personalities and sports figures from the community were made available for autographs. Continuous live entertainment was provided, and banners of the rally sponsors and contributors were displayed. "Sheriff" Joe Higgins, famous for his Dodge commercials, and Rene Enriques, Lt. Callenstano of Hill Street Blues, made public appearances.

Other activities during the two-month period in 1982 included:

A complete public information program handled by a professional advertising firm.

The campaign committee contracted for 36 billboards in the community which carried seven different crime prevention messages.

Public service announcements on radio, television and newspaper advertised the campaign.

Community service officers provided training to employees of retail stores and other businesses on crime prevention and security.

A full page ad in the *Fresno Bee* was run each week for 12 weeks to advertise the campaign's impact on seasonal crime trends compared to last year's statistics.

Large buttons were provided to retail clerks with the "It's a Crime to Shoplift" message printed on each.

Crime prevention messages accompanied by a professionally recorded theme song were broadcast on local radio and television stations.

Detailed crime information and protective measures were distributed to all 30,000 participants in the city's neighborhood and business watch programs.

Special tactical efforts were employed. Four general field tactics were used by the city-wide teams to address specific crime targets. Uniformed patrol suppression, designed to reduce the opportunity for offenders to commit crimes, was used to address burglary and robbery. Surveillance of known active offenders and stakeouts of businesses in robbery prone areas were also used to address commercial robberies. Plainclothes covert patrols were used to address residential burglary.

With the generous support of the media, the fall campaign was a success, with thousands of Fresnans participating. As a result, there were 50 fewer robberies and 115 fewer burglaries during the months of November and December, 1982. If enough people get involved, public awareness can indeed impact criminal activity, but it requires a total commitment by both community and police.

A four-year, statistical analysis indicates crime in Fresno is on the decline. From 1979 to 1982, crimes have dropped from 117.92 to 100.5 per 1,000 population. Case clearances have also improved. In 1982, 24 percent of the offenses were cleared by arrest, as compared to 17 percent cleared in 1979.

It is anticipated that in the next two to three years, Fresno will witness a greater reduction in crime and improvement in case clearances. If the 1982 fall campaign and rally were indications of the Fresno community's support, then crime is sure to be reduced even further.●

POLISH CONSTITUTION DAY

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Illinois (Mr. ANNUNZIO) is recognized for 5 minutes.

● Mr. ANNUNZIO. Madam Speaker, May 3 marks the anniversary of the Polish Constitution of 1791, and in celebrating this anniversary, we honor the deep ties between our country and the people of Poland.

These ties are rooted in the principles which were enunciated by the Constitution of May 3: Liberty, representation, and protection under law. They originated in the valiant participation of Polish soldiers and patriots in our own revolution and have been nourished by the rich gifts the Polish people have brought to our life and culture.

On Saturday, April 30, the 192d anniversary of Poland's Constitution, the Polish National Alliance sponsored Chicago's annual Constitution Day Parade in Chicago, and at this point in the RECORD I wish to insert the 2-day program of the events commemorating Poland's May 3, 1791, Constitution:

The program of events follows:

SATURDAY, MAY 7, 1983

PROGRAM AT REVIEWING STAND, DEARBORN AND WASHINGTON STREETS, 12 NOON

Welcome: Mrs. Helen M. Szymanowicz, Vice President, Polish National Alliance; General Chairman, Poland's Constitution Day.

National Anthems: Mr. Bogdan Parafinczuk, Accompanied by U.S. 81st Army Band, Fort Sheridan, Illinois.

Parade Narrators: Mrs. Helen Szymanowicz, Mr. Bob Lewandowski, WCIU-TV, WSBC Radio.

Grand Marshal: Honorable Roman C. Pucinski, Alderman, 41st Ward.

Parade Coordinator: Larry Rzewski.

PROGRAM AT RICHARD J. DALEY CENTER, 1:30 P.M.

Welcome: Mr. Roman Kolpacki, Commissioner, District 12, Polish National Allicance.

Invocation: The Right Reverend Joseph K. Zawistowski, Bishop, Western Diocese, Polish National Catholic Church.

Master of Ceremonies: Honorable Aloysius A. Mazewski, President, Polish National Alliance, President, Polish American Congress.

Remarks: Honorable James R. Thompson, Governor, State of Illinois.

Remarks: Honorable Harold Washington, Mayor, City of Chicago.

Principal Address: Honorable Alan Dixon, U.S. Senator, Illinois.

Address: Honorable Miroslaw Chojecki, Solidarity Union Official.

Benediction: Very Rev. Edward J. Pajak, Vicar General, Pastor, Holy Innocents Parish.

Closing:

SUNDAY, MAY 8, 1983

Assembly for Solemn Mass: 10:00 a.m.—Holy Trinity School Hall, 1123 Cleaver St.

March to Church: 10:45 a.m. to Holy Trinity Church, 1118 Noble St.

Solemn Mass: 10:30 a.m.—Rev. Casimir Tadla, CR, Pastor, Principal Celebrant and Homolist Co-Celebrants: Rev. Joseph Bartkowiz C.R., Rev. Walter Krempa; Deacon: Rev. Dr. Edward C. Rozanski; Choir under direction of Mr. Joseph Labuds.

Executive Committee: Helen M. Szymanowicz, Chairman, Roman Kolpacki, Commissioner Dist. 12 PNA; Genevieve Wesolowski, Commissioner Dist. 12 PNA; Joseph I. Sikora, Commissioner Dist. 13 PNA; Kazimiera Pytel, Commissioner Dist. 13 PNA.

The drafting and adoption of the constitution of 1791 by patriotic Polish leaders marked a turning point in the

history of that country. By that significant document the Poles effected a peaceful change in the structure of their Government without resorting to the bloody and violent measures which characterized the French Revolution. By adopting a progressive and popular constitution, they led their countrymen from the feudal ways of the Middle Ages to the concepts of individual liberty and responsibility which characterized the American Constitution of 1776.

The constitution contained many provisions which still retain their validity today. Under these provisions the authority of the monarch was sharply curtailed, and ministerial responsibility was established. The intricate and obstructive features of the old system were eliminated. The upper chamber lost some of its preponderant powers and the second chamber, the elected representative body of the nation, was vested with genuine legislative authority. Economic barriers between the nobility and the middle class were drastically lowered.

The townsmen recovered their judicial autonomy and gained a number of political rights, especially that of admission to many of the higher offices. The peasantry was taken under the protection of the law and religious toleration was established. The constitution abolished the worst abuses from which Poland had been suffering for centuries. Through the abolition of the most pressing political evils of the old regime, and by granting increased freedom to the middle and lower classes, the Constitution of 1791 marked a great advance over all previous attempts at reform in Poland.

Unfortunately, before the Poles had any chance to enjoy the benefits of this constitution their homeland was divided among the autocrats of Austria, Prussia, and Russia. Having thus lost their sovereign existence and national independence, Poles became subjects of the alien governments in their homeland, and for more than 120 years they lived under oppressive foreign regimes.

Then, toward the end of the First World War, when they witnessed the defeat and disintegration of the governments which occupied their country, they joyfully seized upon the opportunity and regained their national freedom. The birth of the Republic of Poland in 1918 also signified the resurgence of the spirit embodied in the Polish Constitution of 1791.

On the anniversary observances of Polish Constitution Day it is impossible to omit a reference to today's Poland, which is a far cry from what all patriotic and liberty-loving Poles had hoped it to be. They had dreamed, prayed, and worked for a liberated, free, and independent Poland. We all know that since the treacherous seizure of their country at the end of the last war these Poles have not known freedom.

Despite all the outrages suffered by the heroic Polish people at the hands of their Communist oppressors, these dauntless souls cling to their noble ideals as outlined in the Constitution of 1791. I am proud to join with Americans of Polish heritage in the 11th District of Illinois, which I am honored to represent, in Chicago, and all over this Nation in expressing support for the strong and unwavering desire of the Polish people that Poland once again may be free to decide its own national destiny.●

PERSONAL EXPLANATION

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Florida (Mr. NELSON) is recognized for 5 minutes.

● Mr. NELSON of Florida. Madam Speaker, due to unavoidable circumstances, I was not present and was, therefore, unable to cast my vote on rollcall No. 87, which was an amendment to House Joint Resolution 13 that permit safety-related improvements in strategic bombers. Had I been present, I would have voted for this amendment.

Also, I was not present and was, therefore, unable to cast my vote on rollcall No. 88, which was a motion to recommit House Joint Resolution 13 to the Committee on Foreign Affairs. Had I been present I would have voted against this motion to recommit.

Also, I was not present and was, therefore, unable to cast my vote on H.R. 2357 (rollcall No. 90), which provided for an increase in the number of members of the Congressional Award Board; H.R. 2173 (rollcall No. 91), which amended the Contract Services for Drug Dependent Federal Offenders Act of 1978; H.R. 2174 (rollcall No. 92), which amended the United States Code to prohibit certain tampering with consumer products; S. 653 (rollcall No. 93) which amended the United States Code to establish a Foundation for the Advancement of Military Medicine; and House Resolution 184 (rollcall No. 94), which was the rule to consider H.R. 2175, Justice Assistance. On all five of these votes, I would have voted for if I had been present.●

PERSONAL EXPLANATION

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from North Carolina (Mr. CLARKE) is recognized for 5 minutes.

● Mr. CLARKE. Madam Speaker, on May 9, 1983, I was necessarily absent for several votes. I would like to make clear my position on those measures considered by the House.

On the motion to suspend the rules and pass H.R. 2357, the Congressional Award Act, rollcall No. 90, I would have voted "yea."

On the motion to suspend the rules and pass H.R. 2173, the Contract Services for Drug Dependent Federal Offenders Authorization Act of 1983, rollcall No. 91, I would have voted "yea."

On the motion to suspend the rules and pass H.R. 2174, the Federal Antitampering Act, rollcall No. 92, I would have voted "yea."

On the motion to suspend the rules and pass S. 653, the Foundation for the Advancement of Military Medicine Act of 1983, rollcall No. 93, I would have voted "yea."

On the motion to approve House Resolution 184, providing for the consideration of H.R. 2175, the Justice Assistance Act of 1983, rollcall No. 94, I would have voted "yea."

Madam Speaker, I appreciate having this opportunity to make my position known for the RECORD.●

URGING SUPPORT FOR AN AMENDMENT TO THE FEDERAL ELECTION CAMPAIGN ACT

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Indiana (Mr. HAMILTON) is recognized for 5 minutes.

● Mr. HAMILTON. Madam Speaker, I bring to the attention of the House a bill which I am introducing today to amend the Federal Election Campaign Act to modify the role that political action committees (PAC's) now play in our electoral process.

Every election brings renewed calls, both within and outside Congress, for reform of the congressional campaign finance laws. The 1982 election was no exception. In particular, critics charge that political action committees wield excessive power as a result of their sizable contributions to candidates' campaigns. They argue that PAC money corrupts the legislative process by giving inordinate access and influence to special, narrow interests. Consequently, it becomes increasingly difficult to form a cohesive national policy on any issue. While PAC's may not "buy" particular votes, legislators find it difficult to vote against these narrow interests because of their dependence upon PAC's for campaign funding. In addition, the PAC's tilt toward incumbents adds to the incumbent's existing advantages and makes it extremely difficult for challengers to mount a viable campaign.

There is certainly no doubt about the significant and growing role PAC's play in financing election campaigns. The statistics speak for themselves. PAC's contributed $83 million to Federal candidates for the 1982 elections, more than a 50-percent increase over the figure for the 1980 elections. Twenty winners of House campaigns

received over $200,000, and 170 winners received more than $100,000 from PAC's. In Senate campaigns, 12 winners received more than $500,000 from PAC's, and the average for winners was $450,000. In the 1980 general elections, 21 percent of Senate candidates' funds and 29 percent of House candidates' funds came from PAC's, and it appears likely that final figures for the 1982 elections will show a similar or even larger role for PAC's in financing campaigns.

What is more worrisome than the growing role of PAC's in elections is the growing public perception that there is a connection between this campaign money and action in Congress. Such a view breeds cynicism about Congress and the political system. In recent years, academics have pointed to a decline in the public's trust and confidence in Government institutions. Continuing media coverage of the activities of PAC's contributes to this disturbing trend. In the long run, PAC's significant role in financing elections and the resultant public perception that PAC's wield inordinate influence over legislators cannot be healthy for the political system. The foundation of democratic government—the trust and confidence of the people—is being undermined.

Yet some perspective on the role of PAC's is needed. PAC's are not nefarious in and of themselves. They are legitimate associations of individuals. In fact, the campaign finance reforms of the early 1970's gave them a legal role in elections. Proposals to reform the campaign finance laws which are designed, either implicitly or explicitly, to deny them such a role could lead to PAC spending we would find even more pernicious than present patterns. For example, these proposals likely would lead to much greater independent expenditures by PAC's. PAC's are now operating, thriving organizations. We should be seeking ways to constructively channel the activities of PAC's and to moderate their role rather than trying to eliminate them. PAC's themselves are not harmful. But candidates' reliance upon PAC's for significant portions of their campaign funding and the ensuing public perception of corruption are harmful.

Many proposals to reform our campaign finance laws focus on public funding of elections, not only as a way of encouraging reliance on small individual contributions, but also because it provides the means to discourage independent expenditures by PAC's and large personal expenditures by candidates. Furthermore, candidates who accept public funding could be subject to constitutionally acceptable limits on total expenditures. These proposals would provide public funds to match small individual contributions and to respond to independent expenditures, and they would impose limits on personal expenditures and total campaign expenditures as a condition for providing public funds.

While the advantages of public funding are attractive, there are serious drawbacks as well. For one thing, the low total expenditure ceilings common to public funding proposals hinder challengers, who must spend a certain amount just to get name recognition, and add to incumbents' already considerable advantages, thus detracting from the competitiveness of elections. But the most significant problem with these proposals is that polls indicate that the public is highly skeptical of public funding of congressional campaigns. In an era of high budget deficits, it will be extremely difficult, at best, to convince the public that funds should be made available from the Treasury to finance congressional campaigns. There is just no consensus in favor of public funding, either within Congress or the public, and it is simply not likely, in the present political circumstances, to expect the enactment of a public financing law.

Even so, I believe that something must be done to break the public perception of undue PAC influence on Congress. We should take a first step now rather than wait for a consensus to develop about public funding, if in fact one ever does develop. Consequently, I am introducing a bill to reform the campaign finance laws. The bill addresses the problem of the perceived corrupting influence of PAC's, but does it in such a way that the competitiveness of elections is maintained and strengthened, that independent expenditures are discouraged, and that personal expenditures by candidates are also minimized.

The bill puts a cap on the aggregate amount that candidates may receive from PAC's. The $200,000 to $600,000 limit, depending upon the size of the State, on Senate candidates, and the $90,000 limit on House candidates allows the PAC's to continue to participate in elections, but keeps each candidate's PAC receipts at a respectable level and avoids individual instances of large contributions from a related group of PAC's. This will also dampen the problem of opportunistic money that is given by PAC's at the end of campaigns purely because they perceive the candidate as a winner and desire to "buy in" to a successful campaign.

Free TV and radio air time is provided to allow candidates to respond to independent expenditures through TV and radio advertisements. Candidates can thus deal with TV and radio spots even where the candidates lack sufficient funds and without diverting scarce resources from other elements of their campaigns. Furthermore, additional party contributions are authorized for the candidates to respond to other types of independent expenditures. These party contributions will be allowed in an amount equal to the amount of such independent expenditures by groups or individuals.

Large personal expenditures by candidates are discouraged by allowing their opponents higher limits of individual, PAC, and party contributions. If personal and immediate family campaign expenditures exceed $25,000 for a candidate for the House or $50,000 for a candidate for the Senate, the limits on contributions to the opposing candidates from individuals and PAC's and the PAC aggregate limit are doubled. Additionally, all limits on party spending and contributions to the opposing candidate are removed.

Lastly, the bill widens the option of sources of funds other than PAC's by raising the individual contribution limit and allowing more party spending. Because of inflation, the present $1,000 individual limit is now worth about half of what it was originally. That and the disparity between it and the $5,000 PAC limit to a candidate certainly give the candidate incentives to seek funds from PAC's rather than from individuals. The bill raises the individual limit to $3,500 to diminish this disparty and to make it worthwhile again for the candidate to seek individual contributions.

The political party provides an alternate source of funds which not only releases the candidate from an excessive preoccupation with fundraising but also provides the sizable sums of money that make PAC's so attractive. Yet these funds are free of the public perception of corruption which taints the reliance on large sums of PAC money. The Republican Party has shown the advantages of party spending and the Democratic Party has begun its own effort. Consequently, while the bill restricts PAC contributions to candidates, it raises the PAC contribution limit to political parties and raises the limits on party support to candidates. In order to adjust gradually to the increasing fund raising efforts of the parties, the limits on party support to candidates will be raised gradually over three elections.

I am well aware of the "law of unintended consequences" which has made us hesitant to change the present campaign finance laws for fear of raising new, unforeseen problems. But we have studied the issues and the consequences of the present law long enough. It is time to take a first, but reasoned, step forward. As representatives of the people, we have no other task more urgent than trying to build the public's trust and confidence in our democratic institutions. We must have confidence that we can adjust the present campaign finance laws to that end.

Madam Speaker, I urge the speedy consideration of this bill.

SUMMARY OF PROPOSED CAMPAIGN FINANCE BILL

PAC LIMITATIONS

House—Limit the amount a candidate may accept from PACs to $90,000 per election cycle.

Senate—Limit the amount a candidate may receive from PACs to $200,000 or $400,000 multiplied by the number of representatives the state has in Congress, but no candidate may receive more than $600,000 in PAC contributions.

Limits—PAC contribution limits remain the same except that PACs may contribute up to $35,000 to party committees.

INDIVIDUAL LIMITS

Raise the individual contribution limit to a candidate to $3,500 per election.

Remove the contribution limit to party committees, thus, in effect, raising it from $20,000 to the aggregate individual limit of $25,000.

PARTY COMMITTEES

House—Increase the coordinate spending base from $10,000 to $18,000 over 3 elections: 1986—$13,000; 1988—$16,000; 1990—$18,000.

Increase the direct contribution limit from national committees to a candidate from $20,000 to $60,000 for nomination and election to Congress over 3 elections: 1986—$35,000; 1988—$50,000; 1990—$60,000.

Senate—Increase coordinate spending from 2 cents to 4 cents multiplied by the voting age population of the state over 3 elections: 1986—3 cents; 1988—3.5 cents; 1990—4 cents.

Increase the direct contribution limit to a candidate from $17,500 to $50,000 over 3 elections: 1986—$30,000; 1988—$40,000; 1990—$50,000.

INDEPENDENT EXPENDITURES

Require radio and television stations which broadcast attacks on a candidate or support of an opposing candidate by independent groups to provide comparable free time to the candidate to respond.

Allow additional direct party contributions to candidates in response to other types of independent expenditures in an amount equal to the amount of such expenditures when their aggregate exceeds $1,000.

PERSONAL EXPENDITURES BY CANDIDATES

If personal and immediate family campaign expenditures exceed $25,000 for a candidate for the House or $50,000 for a candidate for the Senate, the limits on contributions to the opposing candidates from individuals and PAC's and the PAC aggregate limit are doubled. Additionally, all limits on party spending and contributions to the opposing candidates are removed.

INFLATION

Limits on party committee contributions to candidates would be adjusted for inflation as would the limit on PAC contributions to political parties.

REPORTING

Radio and television stations which broadcast attacks on a candidate or support of an opposing candidate by independent groups must notify the candidate or candidates of such a broadcast within 24 hours of its airing.

Candidates making personal expenditures must report to the Federal Election Commission within 24 hours after they have exceeded the limits on personal expenditures.

PAC's and individuals making independent expenditures aggregating above $1,000 must report such expenditures to the FEC within 24 hours of the expenditure within 90 days of an election.

The FEC, the Secretary of the Senate, or the Clerk of the House must notify the opposition candidates within 24 hours of receiving a report about independent or personal expenditures.

OTHER

Special elections, including any primaries leading to them, are treated like general elections and their primaries for the purpose of PAC limits.

Include a provision adding to the definition of "contribution" to cover the extension of credit by "political consultants."●

PERSONAL EXPLANATION

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Florida (Mr. MACKAY) is recognized for 5 minutes.

● Mr. MACKAY. Madam Speaker, due to the late arrival of my flight returning to Washington from my district on Monday, May 9, 1983, I was unable to cast my vote on the four bills considered under suspension of the rules. I would like to take this opportunity to make my position on these measures known for the RECORD.

Had I been present, I would have voted as follows: Rollcall No. 90, to suspend the rules and pass H.R. 2357, the Congressional Award Act, I would have voted "yes;" on rollcall No. 91, to suspend the rules and pass H.R. 2173, relating to contract services for drug dependent Federal offenders, I would have voted "yes;" on rollcall No. 92, to suspend the rules and pass H.R. 2174, the Federal Antitampering Act, I would have voted "yes;" and, on rollcall No. 93, to suspend the rules and pass S. 653, relating to the Foundation for the Advancement of Military Medicine, I would have voted "yes."

Madam Speaker, I appreciate having this opportunity to announce my position on these four bills for the RECORD.●

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. MICHEL (at the request of Mr. LOTT), for today and tomorrow, on account of illness.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. BILIRAKIS) to revise and extend their remarks and include extraneous material:)

Mr. COATS, for 60 minutes, on May 11.

Mr. MYERS, for 60 minutes, on May 11.

Mr. BETHUNE, for 60 minutes, today.

Mrs. VUCANOVICH, for 5 minutes, today.

Mr. HORTON, for 5 minutes, today.

Mr. CORCORAN, for 10 minutes, today.

Mr. PORTER, for 5 minutes, today.

Mr. SNYDER, for 5 minutes, today.

Mr. PASHAYAN, for 5 minutes, today.

(The following Members (at the request of Mr. KOLTER) to revise and extend their remarks and include extraneous material:)

Mr. ANNUNZIO, for 5 minutes, today.

Mr. GONZALEZ, for 30 minutes, today.

Mr. NELSON of Florida, for 5 minutes, today.

Mr. CLARKE, for 5 minutes, today.

Mr. HAMILTON, for 5 minutes, today.

Mr. MACKAY, for 5 minutes, today.

EXTENSION OF REMARKS

By unanimous consent to revise and extend remarks was granted to:

Mr. EDGAR, to revise and extend his remarks and include extraneous material notwithstanding the fact that it exceeds two pages of the RECORD and is estimated by the Public Printer to cost $1,328.

(The following Members (at the request of Mr. GREGG) and to include extraneous matter:)

Mr. MCKINNEY.

Mr. GOODLING.

Mrs. JOHNSON.

Mr. JEFFORDS in two instances.

Mrs. VUCANOVICH.

Mr. OXLEY in two instances.

Mr. PAUL.

Mr. HILER.

Mr. SILJANDER.

Mr. WEBER.

Mr. MCGRATH.

Mr. DAUB.

Mr. WOLF.

Mr. YOUNG of Florida in 10 instances.

Mr. MCKERNAN.

Mrs. SCHNEIDER.

(The following Members (at the request of Mr. KOLTER) and to include extraneous matter:)

Mr. STAGGERS.

Mr. BROWN of California in five instances.

Mr. KASTENMEIER.

Mr. YATRON.

Mr. EDWARDS of California.

Mr. DYSON in two instances.

Ms. FERRARO.

Mr. BARNES.

Mr. TORRES in two instances.

Mr. FORD of Michigan in two instances.

Mr. RAHALL.

Mr. FORD of Tennessee.

Mr. PEPPER.

Mrs. COLLINS.

Mr. HATCHER.

Mr. RODINO in two instances.

Mr. WILLIAMS of Montana.

Mr. MRAZEK.
Mr. MCDONALD.
Mr. SIMON.
Mr. TORRICELLI.
Mr. FAZIO.
Mr. OTTINGER.
Mr. ALEXANDER.
Mr. MACKAY.
Mr. HOYER.
Mr. MITCHELL.
Mr. BORSKI.

ADJOURNMENT

Mr. KOLTER. Madam Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock p.m.) under its previous order, the House adjourned until tomorrow, Wednesday, May 11, 1983, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1101. A letter from the Assistant Secretary of the Air Force (Manpower, Reserve Affairs and Installations), transmitting a draft of proposed legislation to amend title 10, United States Code, to clarify the authority of the Armed Forces to conduct safety investigations of accidents involving aircraft of the Armed Forces and to protect from public disclosure certain parts of reports of such investigations; to the Committee on Armed Services.

1102. A letter from the Assistant Secretary of the Navy (Shipbuilding and Logistics), transmitting notice of the Navy's decision to convert to contractor performance the shelf-stocking function at the branch commissary store, Cecil Field, Fla., pursuant to section 502(b) of Public Law 96-342; to the Committee on Armed Services.

1103. A letter from the Assistant Secretary of the Navy (Shipbuilding and Logistics), transmitting notice of the Navy's decision to convert to contractor performance the shelf-stocking function at the branch commissary store, Jacksonville, Fla., pursuant to section 502(b) of Public Law 96-342; to the Committee on Armed Services.

1104. A letter from the Assistant Secretary of the Navy (Shipbuilding and Logistics), transmitting notice of the Navy's decision to convert to contractor performance the shelf-stocking function at the branch commissary store, Orlando, Fla., pursuant to section 502(b) of Public Law 96-342; to the Committee on Armed Services.

1105. A letter from the Assistant Secretary of the Navy (Shipbuilding and Logistics), transmitting notice of the Navy's decision to convert to contractor performance the custodial services function at the Naval Medical Command, Bethesda, pursuant to section 502(b) of Public Law 96-342; to the Committee on Armed Services.

1106. A letter from the Chief of Legislative Affairs, Department of the Navy, transmitting notice of the Navy's intention to lease a certain naval vessel to the Government of Turkey, pursuant to 10 U.S.C. 7307(b)(2); to the Committee on Armed Services.

1107. A letter from the Acting Secretary of the Treasury, transmitting a report on activities relating to the minting of 1984 Los Angeles Olympic Games coins, during the period of January 1, 1983, to March 31, 1983, pursuant to section 11 of Public Law 97-220; to the Committee on Banking, Finance and Urban Affairs.

1108. A letter from the Administrator, Energy Information Administration, Department of Energy, transmitting a copy of EIA's 1982 annual energy review, pursuant to the section 57(a)(2) of the Federal Energy Administration Act, as amended; to the Committee on Energy and Commerce.

1109. A letter from the Director, Defense Security Assistance Agency, transmitting notice of the Navy's intention to offer to sell certain defense articles and services to Pakistan (Transmittal No. 83-33), pursuant to section 36(b) of the Arms Export Control Act; to the Committee on Foreign Affairs.

1110. A letter from the Chairman, U.S. Commission on Civil Rights, transmitting a report of urban minority economic development in Baltimore, pursuant to section 104(c) of Public Law 85-315; to the Committee on the Judiciary.

1111. A letter from the Secretary of Commerce, transmitting a draft of proposed legislation to amend the Saltonstall-Kennedy Act to allow the carryover of funds without fiscal year limitation; to the Committee on Merchant Marine and Fisheries.

1112. A letter from the Secretary of Transportation, transmitting the fourth annual report on the highway bridge replacement and rehabilitation program, pursuant to 23 U.S.C. 144(i); to the Committee on Public Works and Transportation.

1113. A letter from the Secretary of Transportation, transmitting the third annual report on collision avoidance systems, pursuant to section 401 of Public Law 96-193; to the Committee on Public Works and Transportation.

1114. A letter from the Deputy Administrator, National Highway Traffic Safety Administration, transmitting a report on the status of the highway safety innovative grants program, pursuant to 23 U.S.C. 407(e); to the Committee on Public Works and Transportation.

1115. A letter from the Assistant Secretary of Energy for Conservation and Renewable Energy, transmitting the seventh annual report from the Interagency Geothermal Coordinating Council on the activities and programs in geothermal energy, pursuant to section 302(a) of Public Law 93-410; to the Committee on Science and Technology.

1116. A letter from the Fiscal Assistant Secretary of the Treasury, transmitting the annual reports on the financial condition and results of operations of the airport and airway, hazardous substance response, highway, inland waterways, and reforestation trust funds, pursuant to 26 U.S.C. 9602(a), 42 U.S.C. 9633(b)(1), 26 U.S.C. 9602(a), 33 U.S.C. 1801(c), and 16 U.S.C. 1606a(c)(1); to the Committee on Ways and Means.

1117. A letter from the Deputy U.S. Trade Representative, Executive Office of the President, transmitting a semiannual report on the operation and effect of the International Sugar Agreement, 1977, pursuant to section 5 of Public Law 96-236 and Executive Order 12224; jointly, to the Committees on Agriculture and Ways and Means.

1118. A letter from the Secretary of Health and Human Services, transmitting a draft of proposed legislation to amend the Low-Income Home Energy Assistance Act of 1981 to improve the grant allotment formula, to remove certain burdensome and unnecessary Federal administrative requirements on State programs, and for other purposes; jointly, to the Committees on Energy and Commerce and Education and Labor.

1119. A letter from the Comptroller General of the United States, transmitting a report on the examination of the Overseas Private Investment Corporation's financial statements for the fiscal years ended September 30, 1982 and 1981 (ID-83-40, May 6, 1983); jointly, to the Committees on Government Operations and Foreign Affairs.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. BEILENSON: Committee on Rules. House Resolution 187. Resolution providing for the consideration of H.R. 2307, a bill to amend the Tribally Controlled Community College Assistance Act of 1978, and for other purposes (Rept. No. 98-96). Referred to the House Calendar.

Mr. FROST: Committee on Rules. House Resolution 188. Resolution providing for the consideration of H.R. 2513, a bill to authorize appropriations to the Secretary of Commerce for the programs of the National Bureau of Standards for fiscal year 1984, and for other purposes (Rept. No. 98-97). Referred to the House Calendar.

Mr. UDALL: Committee on Interior and Insular Affairs. H.R. 2477. A bill entitled the "Sipsey Wilderness Additions Act of 1983"; with amendments (Rept. No. 98-98 Pt. I). Ordered to be printed.

Mr. UDALL: Committee on Interior and Insular Affairs. H.R. 2465. A bill to authorize appropriations for the Earthquake Hazards Reduction Act of 1977 and the Federal Fire Prevention and Control Act of 1974 for fiscal year 1984 and fiscal year 1985, and for other purposes (Rept. No. 98-99 Pt. I). Ordered to be printed.

PUBLIC BILLS AND RESOLUTIONS

Under clause 5 of rule X and clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ST GERMAIN (for himself, Mr. WYLIE, Mr. NEAL, Mr. PATTERSON, and Mr. LEACH of Iowa):

H.R. 2957. A bill to extend the authority of the Export-Import Bank of the United States, encourage balanced worldwide economic growth, provide for continued participation in the International Monetary Fund, strengthen the supervision of international lending by U.S. banks, and provide for continued U.S. participation in multilateral development banks; to the Committee on Banking, Finance and Urban Affairs.

By Mr. EVANS of Iowa (for himself, and Mr. STANGELAND):

H.R. 2958. A bill to amend the Agricultural Act of 1949 to authorize the Secretary of Agriculture to make payments to reimburse producers for the cost of applying approved conservation practices to acreage diverted under an acreage limitation program for the 1982 through 1985 crops of wheat, feed grains, upland cotton, rice, and soybeans; to the Committee on Agriculture.

By Mr. HAMILTON:

H.R. 2959. A bill to amend the Federal Election Campaign Act of 1971 to limit contributions by nonparty multicandidate political committees in congressional elections, and for other purposes; jointly, to the Committees on House Administration and Energy and Commerce.

By Mr. JEFFORDS (for himself, Mr. MRAZEK, Mr. WYDEN, Mr. FRANK, Mr. BEILENSON, Mr. WEAVER, Mr. ACKERMAN, Ms. SNOWE, Mr. MORRISON of Connecticut, Mr. WAXMAN, Mr. CARPER, Mr. EDGAR, Mr. LELAND, and Mr. KILDEE):

H.R. 2960. A bill to require a refund value for certain beverage containers, and for other purposes; to the Committee on Energy and Commerce.

By Mr. MCCOLLUM:

H.R. 2961. A bill to amend the Federal Insecticide, Fungicide, and Rodenticide Act to require the denial of registration of a pesticide unless there is submitted certain third-party data demonstrating that such pesticide will not cause unreasonable adverse effects on the environment; to the Committee on Agriculture.

By Mr. PAUL:

H.R. 2962. A bill to repeal all authority of the Federal Government to regulate wages in private employment; to the Committee on Education and Labor.

By Mr. PEPPER:

H.R. 2963. A bill to amend section 312(1) of the Immigration and Nationality Act; to the Committee on the Judiciary.

By Mr. PORTER:

H.R. 2964. A bill to amend title 18 of the United States Code to clarify and modify the criminal law with respect to persons alleged to be insane at the time of the alleged commission of Federal offenses, and for other purposes; to the Committee on the Judiciary.

By Mr. SAWYER:

H.R. 2965. A bill to provide for uniform State licensing of marine recreational fishermen, and other purposes; to the Committee on Merchant Marine and Fisheries.

By Mrs. VUCANOVICH (for herself and Mr. REID):

H.R. 2966. A bill to authorize the conveyance of certain lands to the county of Mineral, Nev.; to the Committee on Armed Services.

By Mrs. VUCANOVICH:

H.R. 2967. A bill to award a special congressional gold medal to the daughter of Gutzon Borglum; to the Committee on Banking, Finance and Urban Affairs.

By Mr. SIMON (for himself and Mr. GILMAN):

H.J. Res. 263. Joint resolution designating October 16, 1983, as "World Food Day"; to the Committee on Post Office and Civil Service.

By Mr. BROWN of California, (for himself, Mr. BARNES, Mr. BEDELL, Mr. BEILENSON, Mr. CONYERS, Mr. DELLUMS, Mr. DYMALLY, Mr. EDGAR, Mr. EDWARDS of California, Mr. FAUNTROY, Mr. FEIGHAN, Mr. KASTENMEIER, Mr. LEHMAN of Florida, Mr. LELAND, Mr. LEVINE of California, Mr. LOWRY of Washington, Ms. MIKULSKI, Mr. MITCHELL, Mr. OWENS, Mr. PEASE, Mrs. SCHROEDER, Mr. SIMON, Mr. TORRICELLI, Mr. WALGREN, Mr. WEAVER, Mr. WOLPE, and Mr. TAUKE):

H. Con. Res. 123. Concurrent resolution expressing the sense of the Congress that the common security of all nations is threatened by the escalating arms race and that the danger of nuclear war requires renewed and persistent efforts to negotiate a comprehensive treaty for stage disarmament to be verified by an international security and disarmament authority and accompanied by strengthened international peacekeeping and dispute resolution institutions; to the Committee on Foreign Affairs.

By Mr. FAUNTROY (for himself, Mr. BARNES, Mr. GRAY, and Mr. STARK):

H. Res. 189. Resolution to preserve and restore the first town hall of the city of Washington, D.C., the historic Rhodes Tavern; to the Committee on the District of Columbia.

By Mrs. SCHNEIDER (for herself, Ms. SNOWE, Mr. RODINO, Mr. EDWARDS of California, Mr. JEFFORDS, Mrs. SCHROEDER, Mrs. Collins, Mrs. MARTIN of Illinois, Mr. PRITCHARD, Mr. LEACH of Iowa, Mr. FISH, Ms. OAKAR, Ms. FERRARO, Ms. MIKULSKI, Mr. FAUNTROY, Mr. WOLPE, Mr. WEAVER, Mr. STARK, Mr. RATCHFORD, Mr. FORD of Tennessee, Mr. OBERSTAR, Mr. FROST, Mr. FOLEY, Mr. WALGREN, Mr. FASCELL, Mr. LELAND, Mr. DYMALLY, Mr. PETRI, Mr. SOLARZ, Mr. WYDEN, Mr. AKAKA, Mr. FRENZEL, Mr. MAVROULES, Mr. BROWN of California, Mr. BORSKI, Mr. UDALL, Mrs. BOGGS, Mr. DUNCAN, Mr. EDGAR, Mr. SMITH of Florida, Mr. GRAY, Mr. FRANK, Mr. HOWARD, Mr. SCHUMER, Ms. KAPTUR, Mr. FOGLIETTA, Mr. MITCHELL, Mr. MATSUI, Mr. LEVIN of Michigan, Mr. SWIFT, Mr. MCKERNAN, Mr. PEASE, Mr. MARKEY, Mr. BEREUTER, Mrs. JOHNSON, and Mr. GONZALEZ):

H. Res. 190. Resolution expressing the sense of the House of Representatives with respect to the need to maintain guidelines which insure equal rights with regard to education opportunity; to the Committee on Education and Labor.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

116. By the SPEAKER: Memorial of the Legislature of the State of New York, relative to the installation of a U.S. Navy base in the New York-New Jersey Harbor; to the Committee on Armed Services.

117. Also, memorial of the Legislature of the State of California, relative to natural gas cost; to the Committee on Energy and Commerce.

118. Also, memorial of the Legislature of the State of Hawaii, relative to the establishment of strategic petroleum reserves; to the Committee on Energy and Commerce.

119. Also, memorial of the Legislature of the State of Nevada, relative to fluoride levels in water; to the Committee on Energy and Commerce.

120. Also, memorial of the House of Representatives of the State of Arizona, relative to American prisoners and Americans missing in action in Southeast Asia; to the Committee on Foreign Affairs.

121. Also, a memorial of the Legislature of the State of Hawaii, relative to the export of unregistered pesticides; to the Committee on Foreign Affairs.

122. Also, a memorial of the Legislature of the State of Hawaii, relative to the Caribbean Basin Economic Recovery Act; to the Committee on Ways and Means.

123. Also, a memorial of the Legislature of the State of Hawaii, relative to tax-exempt revenue bonds as primary source of funding for Hawaii's Hula Mae mortgage loan program; to the Committee on Ways and Means.

124. Also, a memorial of the Legislature of the State of Hawaii, relative to the National Aquaculture Act of 1980; jointly, to the Committees on Agriculture and Merchant Marine and Fisheries.

125. Also, a memorial of the General Assembly of the State of Tennessee, relative to unfair agricultural trade barriers, subsidies, and import restrictions; jointly, to the Committees on Foreign Affairs and Ways and Means.

ADDITIONAL SPONSORS

Under clause 4 of rule XXII, sponsors were added to public bills and resolutions as follows:

H.R. 10: Ms. FERRARO, Mr. VANDERGRIFF, Mr. PACKARD, Mr. ANDREWS of Texas, Mr. SUNDQUIST, Mr. VALENTINE, Mr. RIDGE, and Mr. MCCLOSKEY.

H.R. 100: Mrs. HOLT, Mr. RANGEL, and Ms. SNOWE.

H.R. 279: Mr. MCEWEN.

H.R. 511: Mr. MCCOLLUM.

H.R. 625: Mr. BEDELL, Mr. BERMAN, Mr. BRITT, Mr. BROOMFIELD, Mr. BROYHILL, Mr. CHANDLER, Mr. CONTE, Mr. DANIEL B. CRANE, Mr. PHILIP M. CRANE, Mr. DANIEL, Mr. DOWDY of Mississippi, Mr. EDWARDS of Oklahoma, Mr. EMERSON, Mr. FRENZEL, Mr. SAM B. HALL, JR., Mr. HALL of Ohio, Mr. HARTNETT, Mr. HILER, Mr. HORTON, Mr. HUGHES, Ms. KAPTUR, Mr. KASTENMEIER, Mr. KEMP, Mr. LAGOMARSINO, Mr. LATTA, Mr. MARRIOTT, Mr. MARTIN of New York, Mr. MCGRATH, Mr. MILLER of Ohio, Mr. MONTGOMERY, Mr. MOORHEAD, Mr. MYERS, Mr. PARRIS, Mr. PASHAYAN, Mr. REGULA, Mr. ROE, Mr. SCHAEFER, Mr. SHUMWAY, Mr. SKEEN, Mr. STANGELAND, Mr. VENTO, and Mr. WILSON.

H.R. 635: Mr. SHUMWAY.

H.R. 1028: Mr. FRANK and Mr. OLIN.

H.R. 1036: Mr. MCCLOSKEY, Mr. CARR, Mr. ZABLOCKI, and Mr. WEAVER.

H.R. 1244: Mr. ROSTENKOWSKI and Mr. VALENTINE.

H.R. 1286: Mrs. BOXER, Mr. MARKEY, Mr. RANGEL, Mr. WHEAT, and Mr. LELAND.

H.R. 1307: Mr. ROSE, Mr. LELAND, and Mr. ORTIZ.

H.R. 1315. Mr. ADDABBO, Mr. BLILEY, Mrs. BOGGS, Mr. BROOMFIELD, Mr. CHAPPELL, Mr. DWYER of New Jersey, Mr. HERTEL of Michigan, Mr. HOPKINS, Mr. HYDE, Mr. KASICH, Mr. MORRISON of Connecticut, Mr. MRAZEK, Mr. OWENS, Mr. SIMON, Mrs. VUCANOVICH, and Mr. WINN.

H.R. 1373: Mr. CROCKETT, Mr. HERTEL of Michigan, Mr. SKEEN, and Mr. MITCHELL.

H.R. 1418: Mr. FEIGHAN, Mr. ACKERMAN, Mr. MOODY, Mr. STOKES, Mr. HARKIN, Mr. MCKINNEY, Mr. SPENCE, Mr. NIELSON of Utah, Mr. GARCIA, Mrs. SCHROEDER, Mr. CARPER, Mr. OLIN, Mrs. LLOYD, Mr. BOUCHER, Mr. KOSTMAYER, Mr. GRAY, Mr. LEATH of Texas, Mr. DANIEL, Mr. OTTINGER, Mrs. BOXER, Mr. MOLINARI, Mr. PATTERSON, Mr. BARTLETT, Mr. SUNDQUIST, Mr. CRAIG, Mr. BILIRAKIS, Mr. FLIPPO, and Mr. BORSKI.

H.R. 1430: Mr. OWENS.

H.R. 1441: Mrs. COLLINS and Mr. PORTER.

H.R. 1584: Mr. WAXMAN and Mr. BADHAM.

H.R. 1590: Mr. FAUNTROY and Mr. WOLPE.

H.R. 1595: Mr. ACKERMAN, Mr. FAUNTROY, Mr. CARPER, Mr. MATSUI, Mr. MOAKLEY, Mr. DASCHLE, Mr. DONNELLY, Mr. HARKIN, Mr. ROE, Mr. TALLON, Mr. KILDEE, Mr. LOWRY of Washington, and Mr. PANETTA.

H.R. 1597: Mr. LEVINE of California.

H.R. 1706: Mr. LEWIS of Florida, Mr. WHITTEN, Mr. BATES, Mr. TAUZIN, Mrs. HALL of Indiana, and Mr. KEMP.

H.R. 1752: Mr. SHANNON.

H.R. 1880: Mr. ANDERSON, Mr. LANTOS, Mr. MAVROULES, and Mr. PEPPER.

H.R. 1955: Mr. SIMON.

H.R. 1991: Mr. CHANDLER, Mr. EVANS of Iowa, Mrs. HOLT, and Mr. LELAND.

H.R. 2062: Mr. BREAUX, Mr. JONES of North Carolina, Mr. FORSYTHE, Mr. STUDDS, Mr. OBERSTAR, Mr. HUGHES, Mr. SUNIA, Mr. HERTEL of Michigan, Mr. LIPINSKI, Mrs. BOXER, Mrs. SCHNEIDER, Mr. BEILENSON, Mr. SMITH of Florida, Mr. THOMAS of Georgia, Mr. GUARINI, Mr. RATCHFORD, Mr. PANETTA, Mr. MCKINNEY, Mr. EDGAR, Mr. LOWRY of Washington, Mr. BENNETT, Mr. HEFTEL of Michigan, Mr. HOWARD, and Mr. FEIGHAN.

H.R. 2106: Mr. FIELDS, Mr. LELAND, Mr. MCKINNEY, Mr. RANGEL, Mr. DENNY SMITH, Mr. STANGELAND and Mr. WHITEHURST.

H.R. 2126: Mr. MARRIOTT, Mr. LANTOS, Mr. CORRADA, Mr. LEHMAN of Florida, Mr. LAFALCE, Ms. OAKAR, Mr. STARK, and Mr. EVANS of Iowa.

H.R. 2127: Mr. LELAND, Mr. MARRIOTT, Mr. LANTOS, Mr. LEHMAN of Florida, Mr. LAFALCE, Ms. OAKAR, Mr. STARK, Mr. EVANS of Iowa, and Mrs. HOLT.

H.R. 2152: Mr. FORSYTHE.

H.R. 2153: Mr. HOWARD and Mr. FORSYTHE.

H.R. 2161: Mr. LEWIS of Florida and Mr. DAUB.

H.R. 2207: Mr. HAWKINS.

H.R. 2374: Mr. PORTER, Mrs. JOHNSON, Mr. LANTOS, Mr. DOWNEY of New York, Mr. LEHMAN of Florida, Mr. LAFALCE, Ms. OAKAR, Mr. LELAND, Mr. EVANS of Iowa, and Mr. VANDERGRIFF.

H.R. 2382: Mr. EVANS of Iowa, Mr. BEDELL, Mr. BARNARD, Mr. NIELSON of Utah, Mr. FRANKLIN, Mr. MCCURDY, Mrs. LLOYD, Mr. HANCE, Mr. BETHUNE, Mr. KEMP, Mr. GUNDERSON, Mr. TRAXLER, Mr. MCCAIN, Mr. SHELBY, Mr. ANTHONY, Mr. STENHOLM, Mr. LOTT, Mr. BLILEY, Mr. HANSEN of Idaho, Mr. VOLKMER, Mr. HAMMERSCHMIDT, and Mr. WINN.

H.R. 2432: Mrs. VUCANOVICH, Mr. WYLIE, Mr. BURTON, Mr. LEHMAN of California, Mr. WHITTAKER, Mr. NELSON of Florida, Mr. EDGAR, Mr. WEBER, Mr. MCDONALD, Mr. YOUNG of Florida, Mr. MACK, Mr. LOTT, Mr. OLIN, Mr. WORTLEY, and Mr. LIVINGSTON.

H.R. 2491: Mr. STUDDS, Mr. BEILENSON, Mr. FAUNTROY, and Mr. FRANK.

H.R. 2544: Mr. HOWARD, Mr. NOWAK, Mr. APPLEGATE, Ms. FERRARO, Mrs. HALL of Indiana, Mr. BOSCO, Mr. BORSKI, Mr. KOLTER, Mr. TOWNS, Mr. CLARKE, Mr. ROE, Mr. WISE, Mr. SUNIA, and Mr. VALENTINE.

H.R. 2582: Mr. HERTEL of Michigan, Ms. MIKULSKI, Mr. TOWNS, Mr. FROST, and Mr. EDGAR.

H.R. 2751: Mr. FAUNTROY, Mr. SMITH of Florida, Mr. LANTOS, Mr. WEISS, Mr. WAXMAN, Mr. DIXON, Mr. OBERSTAR, Mr. FEIGHAN, Mr. FORD of Tennessee, Mr. WOLPE, Mr. FRANK, Mr. D'AMOURS, Mr. LEVIN of Michigan, Mr. WEAVER, Mr. SCHUMER, and Mr. LAFALCE.

H.R. 2752: Mr. DUNCAN, Mr. WORTLEY, Mr. LAGOMARSINO, Mr. BEREUTER, Mr. WOLF, Mr. WALGREN, Mr. WHITTAKER, Mr. SHARP, and Mr. SMITH of New Jersey.

H.R. 2777: Mr. PRICE.

H.R. 2920: Mr. BURTON, Mr. LEATH of Texas, Mr. PENNY, Mr. EDWARDS of California, Mr. WYLIE, Mr. APPLEGATE, and Mr. ROGERS.

H.J. Res. 77: Mr. BEDELL, Mr. RANGEL, and Mr. DONNELLY.

H.J. Res. 126: Mr. ANDERSON, Mr. ANDREWS of North Carolina, Mr. BONIOR of Michigan, Mr. BRITT, Mr. DOWDY of Mississippi, Mr. DUNCAN, Ms. FERRARO, Mr. HEFNER, Mr. HEFTEL of Hawaii, Mrs. HOLT, Mr. KASICH, Mr. LEHMAN of California, Mr. LEWIS of Florida, Mr. MCEWEN, Mr. MCNULTY, Mr. MINETA, Mr. OWENS, Mr. PRITCHARD, Mr. SHELBY, Mr. SHUMWAY, Mr. SUNIA, Mr. UDALL, and Mr. WEAVER.

H.J. Res. 178: Mr. ACKERMAN, Mr. ADDABBO, Mr. ANDERSON, Mr. ANNUNZIO, Mr. APPLEGATE, Mr. ARCHER, Mr. AUCOIN, Mr. BARNES, Mr. BARTLETT, Mr. BEDELL, Mr. BEILENSON, Mr. BEREUTER, Mr. BERMAN, Mr. BIAGGI, Mr. BILIRAKIS, Mr. BLILEY, Mr. BOLAND, Mr. BONER of Tennessee, Mr. BONIOR of Michigan, Mr. BONKER, Mr. BORSKI, Mr. BOSCO, Mrs. BOXER, Mr. BROWN of California, Mr. BRYANT, Mr. BURTON, Mr. CARNEY, Mr. CARPER, Mr. CHAPPELL, Mr. CHENEY, Mr. CONABLE, Mr. CONTE, Mr. CONYERS, Mr. CORCORAN, Mr. CORRADA, Mr. COUGHLIN, Mr. COURTER, Mr. CRAIG, Mr. CROCKETT, Mr. D'AMOURS, Mr. DAUB, Mr. DELLUMS, Mr. DEWINE, Mr. DICKINSON, Mr. DIXON, Mr. DONNELLY, Mr. DOWNEY of New York, Mr. DURBIN, Mr. DWYER of New Jersey, Mr. DYSON, Mr. EDGAR, Mr. EDWARDS of California, Mr. EVANS of Illinois, Mr. FASCELL, Mr. FAUNTROY, Mr. FAZIO, Mr. FEIGHAN, Mr. FISH, Mr. FLORIO, Mr. FOGLIETTA, Mr. FORD of Tennessee, Mr. FORSYTHE, Mr. FRANK, Mr. FRENZEL, Mr. FROST, Mr. GEJDENSON, Mr. GILMAN, Mr. GINGRICH, Mr. GORE, Mr. GRADISON, Mr. GRAMM, Mr. GRAY, Mr. GREEN, Mr. GUARINI, Mr. SAM B. HALL, Jr., Mr. HALL of Ohio, Mr. HANSEN of Idaho, Mr. HARKIN, Mr. HERTEL of Michigan, Mrs. HOLT, Mr. HORTON, Mr. HOWARD, Mr. HUGHES, Mr. HUTTO, Mr. JEFFORDS, Mrs. JOHNSON, Ms. KAPTUR, Mr. KAZEN, Mr. KASICH, Mr. KEMP, Mrs. KENNELLY, Mr. KILDEE, Mr. KINDNESS, Mr. KOGOVSEK, Mr. KOLTER, Mr. KOSTMAYER, Mr. KRAMER, Mr. LAFALCE, Mr. LAGOMARSINO, Mr. LANTOS, Mr. LEACH of Iowa, Mr. LEHMAN of California, Mr. LEHMAN of Florida, Mr. LELAND, Mr. LENT, Mr. LEVIN of Michigan, Mr. LEVINE of California, Mr. LEWIS of California, Mr. LEWIS of Florida, Mr. LIPINSKI, Mr. LIVINGSTON, Mr. LONG of Maryland, Mr. LOTT, Mr. LOWERY of California, Mr. LOWRY of Washington, Mr. LUKEN, Mr. LUNGREN, Mr. MCCAIN, Mr. MCDADE, Mr. MCEWEN, Mr. MCGRATH, Mr. MCHUGH, Mr. MCKERNAN, Mr. MACK, Mr. MACKAY, Mr. MADIGAN, Mr. MARKEY, Mr. MARRIOTT, Mr. MARTIN of North Carolina, Mr. MATSUI, Mr. MAVROULES, Mr. MICA, Mr. MICHEL, Ms. MIKULSKI, Mr. MILLER of Ohio, Mr. MILLER of California, Mr. MINETA, Mr. MITCHELL, Mr. MOAKLEY, Mr. MOLINARI, Mr. MOORE, Mr. MORRISON of Connecticut, Mr. MRAZEK, Mr. MURPHY, Mr. NEAL, Mr. NELSON of Florida, Mr. NIELSON of Utah, Mr. NOWAK, Ms. OAKAR, Mr. OBERSTAR, Mr. O'BRIEN, Mr. OLIN, Mr. ORTIZ, Mr. OTTINGER, Mr. OWENS, Mr. PACKARD, Mr. PANETTA, Mr. PARRIS, Mr. PASHAYAN, Mr. PATTERSON, Mr. PEPPER, Mr. PICKLE, Mr. PORTER, Mr. PRICE, Mr. PRITCHARD, Mr. RANGEL, Mr. RATCHFORD, Mr. REID, Mr. RICHARDSON, Mr. RINALDO, Mr. RITTER, Mr. ROBERTS, Mr. ROBINSON, Mr. RODINO, Mr. ROE, Mr. ROEMER, Mr. ROGERS, Mr. ROSE, Mr. ROTH, Mrs. ROUKEMA, Mr. ROWLAND, Mr. RUDD, Mr. SABO, Mr. SCHEUER, Mrs. SCHNEIDER, Mr. SCHULZE, Mr. SCHUMER, Mr. SHAW, Mr. SEIBERLING, Mr. SIKORSKI, Mr. SILJANDER, Mr. SIMON, Mr. SISISKY, Mr. SKEEN, Mr. SLATTERY, Mr. SKELTON, Mr. SMITH of New Jersey, Mr. DENNY SMITH, Mr. SMITH of Florida, Ms. SNOWE, Mr. SPENCE, Mr. SPRATT, Mr. STOKES, Mr. STRATTON, Mr. SUNDQUIST, Mr. SUNIA, Mr. SYNAR, Mr. TAUKE, Mr. TAUZIN, Mr. TORRICELLI, Mr. TOWNS, Mr. TRAXLER, Mr. UDALL, Mr. VANDERGRIFF, Mr. VANDER JAGT, Mr. WALKER, Mr. WAXMAN, Mr. WEBER, Mr. WEISS, Mr. WHITEHURST, Mr. WILLIAMS of Ohio, Mr. WILSON, Mr. WINN, Mr. WIRTH, Mr. WOLF, Mr. WOLPE, Mr. WORTLEY, Mr. WYDEN, Mr. WYLIE, Mr. YATES, Mr. YATRON, and Mr. YOUNG of Alaska.

H.J. Res. 192: Mr. COLEMAN of Missouri and Mr. FRENZEL.

H.J. Res. 201: Mr. THOMAS of California, Mr. CARNEY, Mr. DINGELL, Ms. OAKAR, Mr. KASICH, Mr. KOSTMAYER, Mr. WAXMAN, Mr. LAGOMARSINO, Mr. JACOBS, Mr. HAMMERSCHMIDT, Mr. HARKIN, Mr. FRANK, Mr. HORTON, Mr. MCGRATH, Mr. CORCORAN, Mr. GUARINI, Mr. ROBINSON, Mr. WOLPE, Mr. RUSSO, Mr. CONTE, Mr. MOAKLEY, Mr. ROE, Mr. FRENZEL, Mr. COURTER, Mrs. HOLT, Mr. MOORHEAD, Mr. VANDERGRIFF, Mr. ADDABBO, Mr. HOWARD, Mr. BROOMFIELD, Mr. SUNIA, Mr. DWYER of New Jersey, Mr. FORSYTHE, Mr. MCHUGH, Mr. RATCHFORD, Mr. HERTEL of Michigan, Mr. MCDONALD, Mr. ANNUNZIO, Mr. MARTIN of New York, Ms. KAPTUR, Mr. MCCAIN, Mr. SCHULZE, Mr. LIPINSKI, Mr. STRATTON, Mr. CLINGER, Mr. LENT, Mr. O'BRIEN, Mr. FASCELL, Ms. FERRARO, Mr. DYMALLY, Mr. GEKAS, Mr. LELAND, Mr. DASCHLE, and Mr. GILMAN.

H.J. Res. 203: Mr. BEILENSON, Mr. MCEWEN, Mr. SKEEN, Mr. FAUNTROY, Mr. SMITH of Florida, Mr. SMITH of New Jersey, Mr. FORSYTHE, Mr. WAXMAN, Mr. STOKES, Mr. BROWN of California, Mr. PORTER, Mr. OBERSTAR, Mr. MARRIOTT, Mr. FORD of Tennessee, Mr. LEVINE of California, Mr. OWENS, Ms. KAPTUR, Mr. FRENZEL, Mrs. COLLINS, and Mr. DONNELLY.

H.J. Res. 225: Mr. VENTO, Mr. FISH, Mr. ANDERSON of California, Mr. OWENS, Mr. PEPPER, Mr. LAFALCE, Mr. EDGAR, Mr. FRENZEL, Mr. FRANK, Mr. MINETA, Mr. ACKERMAN, Mr. BATES, Mr. RICHARDSON, Mr. RATCHFORD, Mr. MADIGAN, Mr. BONIOR of Michigan, Mr. SIMON, and Mr. SHUMWAY.

H.J. Res. 243: Mr. MORRISON of Washington, Mr. O'BRIEN, Mr. PORTER, Mr. WYLIE, and Mr. YOUNG of Florida.

H. Con. Res. 40: Mr. ROYBAL, Mr. DYSON, Mr. HEFTEL of Hawaii, Mr. CLARKE, and Mr. BONKER.

H. Con. Res. 63: Mr. EDWARDS of California, Mrs. HOLT, Mrs. JOHNSON, Mr. LAFALCE, Mr. LIVINGSTON, Mr. MARTINEZ, Mr. STUDDS, and Mr. TRAXLER.

H. Con. Res. 108: Mr. BERMAN, Mr. BOSCO, Mr. CROCKETT, Mr. DELLUMS, Mr. FAZIO, Ms. FERRARO, Mr. FRANK, Mr. JEFFORDS, Mr. LEACH of Iowa, Mr. LEVINE of California, Mr. LOWRY of Washington, Mr. LUNDINE, Mr. MILLER of California, Mr. MINISH, Mr. MITCHELL, Mr. RICHARDSON, Mr. SCHEUER, Mr. TOWNS, Mr. WALGREN, Mr. WAXMAN, and Mr. WOLPE.

H. Con. Res. 115: Mr. MCCOLLUM, Mr. CORCORAN, and Mr. MCEWEN.

H. Res. 150: Mrs. ROUKEMA, Mr. RODINO, Mr. MCKINNEY, Ms. FIEDLER, Mr. LEVINE of California, Mrs. SCHNEIDER, Mr. FLORIO, Mr. HERTEL of Michigan, and Mr. GEKAS.

H. Res. 182: Mr. ADDABBO, Mr. HORTON, Mr. GARCIA, Mr. OWENS, Mr. WON PAT, Mr. LEHMAN of Florida, Mr. TOWNS, Mr. PEPPER, Mr. CLAY, Mr. OTTINGER, Mr. FORD of Tennessee, Mr. STOKES, Mr. FRANK, Mr. DWYER of New Jersey, and Mr. BROWN of California.

DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, sponsors were deleted from public bills and resolutions as follows:

H.R. 1405: Mr. EDGAR.

PETITIONS, ETC.

Under clause 1 of rule XXII,

88. The SPEAKER presented a petition of the Palm-Broward Council of Senior Citizens Clubs, Deerfield Beach, Fla., relative to endorsing S. 814, a bill to control health escalating costs; which was referred jointly, to the Committees on Ways and Means and Energy and Commerce.

SENATE—*Tuesday, May 10, 1983*

(Legislative day of Monday, May 9, 1983)

The Senate met at 10 a.m., on the expiration of the recess, and was called to order by the President pro tempore (Mr. THURMOND).

PRAYER

The Chaplain, the Reverend Richard C. Halverson, D.D., offered the following prayer:

Let us pray.

Father in Heaven, God of all wisdom, we invoke Thy presence and blessing upon the Senate today as it struggles with the budget. Grant special wisdom and patience to the chairman as he manages the floor. Guide each Senator as he considers the complex issues involved which are judgmental, rather than ethical or moral.

Thou knowest Lord that there is not a person in the Senate who is not concerned for the elderly, the unemployed, the poor and needy, as well as national defense and a mounting deficit. Help Thy servants to find their way through all these complications to a solution that is just. Help them to have cool heads and warm hearts, despite all the pressures that converge on them today. We ask this in the name of Him who is Light and Truth. Amen.

RECOGNITION OF THE ACTING MAJORITY LEADER

The PRESIDENT pro tempore. The acting majority leader is recognized.

ORDER OF BUSINESS

Mr. STEVENS. I thank the Chair.

Mr. President, it is my understanding that there already is an order for the transaction of routine morning business following the time for the two leaders?

The PRESIDENT pro tempore. The Senator is correct.

S. 49—THE ALASKAN NATIONAL HUNTING BILL

Mr. STEVENS. Mr. President, Senator MURKOWSKI and I, along with many of our colleagues, have introduced S. 49, the Alaska national hunting bill. We hope that the Senate Energy Committee will mark up this legislation soon. Members of the committee will report the bill as introduced with no complicating amendments. This is strictly a hunting bill and it should remain so.

Mr. President, as the committee addresses the hunting bill, I hope its members will keep several important points in mind.

First and foremost is the fact that these national parks are open to hunting now by subsistence users. Local rural residents can currently hunt on almost all new national parklands in Alaska. Sport hunters, however, may not use these lands. Senator MURKOWSKI and I introduced S. 49 to provide all sportsmen an equal opportunity to hunt on a portion of national parklands. They are Federal lands set aside by Congress for all Americans to use and enjoy, not a select class of Alaskans.

The second point I would urge members to consider is that sport hunting would be managed by the Alaska Department of Fish and Game on a sustained yield basis. Bag limits, seasons, and other management techniques would be employed to insure the game would be managed as a renewable resource. If a particular species or a specific area were found to be overhunted, the Department would have full authority to institute immediate measures to protect the game.

Some members I have talked to have expressed concern over the effect increased hunting resulting from our bill would have on game populations. Friday the Alaska Department of Fish and Game issued estimated figures on the effect our bill would have on annual harvest of several different species. Caribou is the most heavily hunted animal in the State. The Alaska Department of Fish and Game estimated that caribou harvest would increase by only 3 percent if our bill were enacted. Similarly the moose and bear take would increase by only 10 percent while goat harvest would rise by 17 percent. The species that would be most affected by implementation of S. 49 is the dall sheep population where hunting would increase by 300 animals, 85 percent of which would be taken by resident hunters.

Mr. President, I think hunters across the country understand that this bill will not harm the resident game populations in our national parks, but rather it will insure that they are properly managed as a renewable resource. Over 1,400 hunting, sporting, and conservation organizations have endorsed the bill. The National Wildlife Federation, which originally joined forces with the Alaska coalition in support of the Alaska Lands Act, which originally closed these lands to sport hunting, has come out in favor of the bill. I hope the committee will keep in mind the broad support this bill has from hunters across the country as it considers this most important measure for America's sportsmen.

Mr. President, I ask unanimous consent that Senator HUDDLESTON be added as a cosponsor to S. 49.

The PRESIDENT pro tempore. Without objection, it is so ordered.

SENATE SCHEDULE

Mr. STEVENS. Mr. President, the Senate will resume consideration of Senate Concurrent Resolution 27, the first concurrent budget resolution for 1984 at 10:30 a.m. today. There are approximately 19 hours and 13 minutes of debate left under the statutory 50-hour time limitation.

Under a previous order, votes ordered on yesterday will occur beginning at 2 p.m. The first vote will be on the Nunn/Jackson amendment No. 1242. Immediately following that vote, the Senate will have 5 minutes of debate on the Pryor amendment No. 1246 followed by a rollcall vote. Immediately following that, the Senate will have 5 minutes of debate on the second Pryor amendment No. 1247 followed by a rollcall vote.

The question will then recur on the Domenici substitute amendment No. 1243.

So, Mr. President, beginning at the hour of 2 p.m., there will be a series of three rollcall votes within a very short timespan this afternoon.

There is the possibility of further rollcall votes prior to completion of the business of the Senate today.

Mr. President, it is the hope of the leadership that complete consideration of the budget resolution may occur early in the week so that other items may be considered, such as S. 529, the immigration bill, and the nomination of William Ruckelshaus to be Administrator of the Environmental Protection Agency.

Mr. President, I ask unanimous consent that should the majority leader wish to make a statement for the RECORD today, that it appear at this point in the RECORD.

The PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. STEVENS. Mr. President, I reserve the remainder of our time.

RECOGNITION OF THE MINORITY LEADER

The PRESIDENT pro tempore. The minority leader is recognized.

● This "bullet" symbol identifies statements or insertions which are not spoken by the Member on the floor.

Mr. BYRD. Mr. President, I yield to the Senator from Vermont (Mr. LEAHY).

Mr. LEAHY. Mr. President, I thank my good friend from West Virginia for his courtesy and understanding.

THE NUCLEAR FREEZE—IDENTIFYING ISSUES AND SEEKING SOLUTIONS

Mr. LEAHY. Mr. President, I rise today to discuss the most crucial issue of our time—survival in the nuclear age. Over the past few years, Americans have expressed their profound concern over the nuclear arms race through their support of the nuclear freeze concept. I personally feel a strong identification with the freeze movement because of the important role played by my home State of Vermont in this arms control effort.

The small State of Vermont, which I so proudly represent here today, was at the forefront of this issue. My State—with the third smallest population in the country—through that most democratic of all institutions, the town meeting, on a spring day when the State halts and people vote on every issue affecting their town spoke out early and forcefully in support of the freeze. This clear message from our State reflected the work of those tireless citizens who literally traveled from town to town, throughout Vermont, raising support for the freeze concept and submitting the freeze resolution for inclusion on town meeting ballots. The grassroots effort paid off, and almost 200 of our 246 communities included the freeze issue on their agenda. All told, a total of 186 Vermont towns have voted in favor of a bilateral verifiable nuclear weapons freeze since 1981.

Support for the arms control and the freeze still runs high in my State. This spring, over 7,000 high school students from 30 schools debated and voted on the nuclear weapons freeze. Nearly 73 percent voted in favor of this measure.

Mr. President, the State of Vermont deserves much of the credit for raising this issue, for putting it squarely before the Republic, and I predict Vermont's role will someday be looked upon with appreciation by future Americans who will remember this milestone in nuclear arms control.

Mr. President, I also want to congratulate our colleagues in the House for approving the nuclear freeze resolution. Their action shows how greatly the nuclear freeze movement has influenced American attitudes toward arms control. They are responsibile for educating millions of citizens to the character and dangers of the nuclear arms race. It is contributing to the ongoing national debate on ways of halting this senseless competition. It has generated fresh ideas in a field not distinguished in recent years by originality, creativity, or daring. The freeze movement has challenged the nuclear status quo.

These are major accomplishments, but freeze supporters, both within and without the Congress still have far to go.

It is not enough for a freeze initiative merely to goad the Reagan administration toward more serious arms control efforts. To be successful, it must lead to a well-defined proposal providing a realistic basis for genuine negotiations with the Soviet Union.

In studying the growing body of literature about the nuclear freeze concept it becomes clear that there is insufficient analysis of the form a verifiable freeze-based proposal would take, making it somewhat vulnerable to legitimate concerns and questions raised by skeptics. Questions of verifiability, negotiability, implications for security, and impact on strategic stability must be analyzed. The Federation of American Scientists has been doing some impressive work on these questions. My distinguished colleague and friend from Wisconsin (Mr. PROXMIRE) has been making a series of major statements on the problems confronting the freeze idea, including a particularly important statement on the Senate floor on April 14. His speeches on the freeze should be studied with great care by all those interested in dealing frankly with the problems as well as the prospects of a freeze.

Nevertheless, Mr. President, the controversial nature of the freeze initiative has meant that what has been done so far is primarily advocacy by supporters or criticisms by opponents. It has been, for the most part, a monolog of the committed. The debate cries out for finding of fact and objective statement of issues. Both sides want meaningful, verifiable arms control which enhances national security and stability. They differ on how to get there.

With these concerns in mind, I asked the Congressional Research Service (CRS) to analyze a comprehensive freeze approach, as well as other possible alternatives based on the freeze concept. I was aware that the study would raise issues that freeze proponents, like myself, would find difficulty in resolving. But because I am in earnest about seeking a viable alternative to the present arms control stalemate, I accepted this challenge. A far greater challenge exists today with the two key arms negotiations deadlocked, and with both sides moving ahead with new weapons which may make verifiable nuclear arms control all but impossible in the near future.

Mr. President, this is not a study tailored to support either side in the controversy. I suggested no premise, asking merely that CRS concentrate on the critical issues which arise in a comprehensive freeze as well as other, narrower freeze approaches. I did not expect definitive answers. CRS does not have sufficient resources or analytical capabilities to undertake more than a preliminary review. Nevertheless, I hoped it would identify in one document both the potential arms control advantages and the issues necessary to consider in structuring a freeze proposal.

The study does that. It points clearly to an array of attainable, verifiable limitations which even skeptics must agree are possible. The United States clearly has the capability to verify numerical limits on virtually all currently deployed nuclear delivery systems. With Soviet agreement to certain cooperative measures, including a ban on deliberate concealment measures such as extensive telemetry encryption, the United States can also monitor very broad limitations on testing—although some test limits would still be monitorable even without cooperative measures. This is demonstrated by the provisions and negotiating history of the ABM Treaty, the SALT I Interim Agreement, and the SALT II Treaty. The Comprehensive Test Ban Treaty negotiations provide persuasive evidence that a total halt to all nuclear weapons testing is feasible. That treaty was derailed not as a result of negotiating difficulties, but by the downturn in United States-Soviet relations after the invasion of Afghanistan.

Now, in START and INF, the Reagan administration has proposed limitations on total missile warheads and on deployed and nondeployed missiles (not just launchers). It has called for the dismantling of all existing Soviet SS-20's, and SS-4's, and SS-5's, with a total ban on the deployment of all intermediate range missiles.

To prevent Soviet stockpiling of intermediate range missiles, I can only suppose the U.S. proposal also envisions a prohibition on the production or testing of such missiles as well. I assume it would not do so without confidence that these constraints could be verified.

We must be careful to separate problems which would be encountered in any arms control approach from those which are unique to the freeze. Virtually the only verification task specific to a comprehensive freeze involves a ban on production of all nuclear weapons and their delivery means. Perhaps one should add a freeze on deployment of tactical nuclear weapons and dual capable aircraft in Europe and other theaters, but even in this case, the U.S. INF proposal evidently supposes limitations on certain shorter range theater nuclear systems. I understand that in INF there has even been some discussion of the problem of tactical nuclear capable aircraft.

The most militarily significant verification difficulties identified in the CRS study come, for the most part, in new systems now being deployed or developed: Mobile missiles and cruise missiles.

The current administration's INF proposal seeks to avoid some of these verification problems by banning ground-launched cruise missiles, as well as mobile medium- and intermediate-range ballistic missiles on a global basis. This is consistent with the objectives of a freeze, which would extend the principle to strategic systems as well. Moreover, after reading the analysis of these monitoring problems in the CRS study, I sought the views of some former Government officials with great experience in verification. Their reaction was that the problems, while real, tend to be exaggerated, and are susceptible to solution, especially by cooperative measures going beyond national technical means.

Another serious problem involves the monitoring of covert deployment of additional warheads on missiles not currently fitted with their maximum warhead capacity. While I agree this is a genuine issue, it will exist in virtually any meaningful arms control agreement, including the START and INF proposals, which seeks to limit warheads. The superb U.S. monitoring capabilities, especially if supplemented by substantial cooperative measures such as a prohibition of the denial of telemetry, random challenge inspections, automatic sensors, and the like, ought to be able to deal effectively with this task.

The study also draws attention to the disparity in the ages of United States and Soviet nuclear delivery systems, particularly heavy bombers and ICBM's. This has been a concern of mine for some time, and I anticipated its emergence as a factor in the freeze study. The CRS study places too much emphasis on the difficulty of maintaining the reliability and effectiveness of existing U.S. strategic delivery systems. The extensive modernization, maintenance, and upgrade programs presently on line for the Minuteman ICBM's and the B-52 heavy bomber insure that these mainstays of our deterrent will be capable of carrying out their mission for many years into the future. To preserve the reliability and effectiveness of our present strategic deterrent, it seems reasonable that a properly structured nuclear freeze have provisions permitting continued maintenance and replacement of current systems with equally capable models, as well as continued production of invulnerable missile-firing submarines.

Despite the manifest of wishes of a large segment of Congress and the American people, I have regretfully concluded that the Reagan administration will never give serious consideration to any arms control approach based on the concept of a mutual and verifiable freeze.

This means that the freeze movement cannot benefit from the sophisticated analytical resources of the Government until there is an administration more concerned with stopping the increasingly wasteful and dangerous buildup, and less interested in attempting to achieve some sort of ephemeral military advantage through the deployment of more capable nuclear weapons.

Given this unfortunate reality, it is up to the freeze movement itself to do the basic analyses of the issues that this and similar studies raise. The objective should be the development and continual refinement of an arms control approach based on as comprehensive a freeze as feasible, consistent with fundamental verification and security requirements. Such an approach should envision subsequent negotiations from deep reductions, especially in vulnerable MIRV'd ICBM's, one of the most destabilizing systems in the arsenals of both sides. This must accompany stringent qualitative barriers to the growing sophistication of nuclear weapons and their means of delivery. We must stop the inexorable march of the past 22 years toward nuclear weapons designed not solely to deter, but to be useable for discrete foreign policy and military objectives. I urge all freeze supporters to proceed with this work candidly, objectively, and without illusions as to its seriousness and difficulty.

I would welcome all ideas on dealing with the political, security, technical, and negotiating issues this study raises and how we can transform the freeze ideal into a more meaningful and realistic proposal than the ones now on the table in Geneva.

Given the movement's zeal, resourcefulness, and ingenuity—the fact that it cuts across all lines, Republicans and Democrats, conservatives, and liberals, young and old—I do not think that this is too great a task.

Mr. President, I ask unanimous consent that the Congressional Research Service study on Nuclear Freeze Alternatives be printed in the RECORD.

There being no objection, the study was ordered to be printed in the RECORD, as follows:

NUCLEAR FREEZE ALTERNATIVES: MONITORING, MILITARY AND POLITICAL IMPLICATIONS

I. INTRODUCTION

This study examines the issues involved in a "notional" freeze proposal, and in alternative freeze proposals. The "national" proposal closely resembles the one introduced in the 97th and 98th Congresses, and which is usually referred to as the nuclear freeze proposal, i.e., a ban on the further production, testing or deployment of nuclear weapons and their delivery systems.

The major initial criterion by which this proposal will be evaluated is that of U.S. monitoring capabilities and the adequacy of verification. The primacy of this criterion stems from two requirements:

(a) the security of the United States cannot be jeopardized by an agreement. Significant undetected cheating (i.e., cheating sufficient to give the Soviets a military advantage) is not acceptable.

(b) continued public and congressional support for any arms control proposal, and for arms control in general, is highly dependent on the perception that agreements are being adhered to or, if not, that the U.S. is taking the necessary and proper steps. To a certain extent the demands of this factor, which is political, are more stringent with regard to verification than are those of the previous security factor.

Admittedly, in the public arena the security and political factors are not wholly separable. Knowledge of any cheating (i.e., even non-compliance below the level considered to be militarily significant) will trigger adverse public and congressional reactions. Thus, what may be acceptable militarily still will not be acceptable politically, either within Congress or to the public at large.

Such an analysis implicitly affirms that verification requirements have become a major force in shaping agreements, rather than necessary safeguards imposed after much of an agreement has been fashioned. For these reasons, monitoring issues are used as the initial criterion for assessing the "notional" freeze proposal. After this analysis, the proposal will be analyzed in terms of its military significance to the U.S., effect on U.S. and Allied opinion, and potential Soviet acceptance.

The "notional" proposal may be regarded as a comprehensive or maximalist approach to the freeze concept. Less all-embracing proposals are also analyzed, based to a large extent on monitoring issues discovered in this original proposal.

II. PROPOSAL 1: A COMPREHENSIVE FREEZE

A. Terms

Proposal 1 is based on the following terms:

The United States and the Soviet Union agree to a freeze on the production, testing and deployment of nuclear weapons and their delivery systems.

B. Implications

Proposal 1 carries with it the following implications:

a. It bars the testing, production and deployment of systems not currently deployed.

b. It includes both strategic and intermediate/theater systems, as the only defining term is "nuclear weapons," regardless of range or size.

c. Depending on the definition of "deployment" it could bar the replacement of current weapons with weapons now in storage. Implicitly, both force structures will therefore be frozen in place and subject to deterioration over time. This could decrease reliability as well, given the ban on testing, if maintenance efforts alone prove to be inadequate.

C. Monitoring: System by system [1]

ICBM launchers (non-mobile).—Permanent fixed-ICBM launchers require large amounts of construction activity. This can be easily detected with a high degree of confidence by national technical means (NTM), specifically overhead surveillance. Installation of fixed ICBM launchers pose no significant problems.

Footnotes at the end of article.

A freeze on the testing of launchers raises problems of definition. Testing a launcher is not the same as a test launch of a missle, which is easily detected. However, if, in the case of launchers, a freeze on testing included a variety of pre-launch procedures (ground equipment readiness checks, telemetry checkpoints at which a commitment must be made to proceed to launch) would be extremely difficult to detect. Those activities dependent on communications not on hard lines (telemetry check, range safety check), would be susceptible to detection, even if encrypted. If there was no intention to actually proceed to a launch these steps could be dispensed with, allowing a test of all other phases of an ICBM launch without detection. Past strategic arms agreements have assumed that these steps could be tested without detection. This has not been seen as a problem as testing these procedures remains different from an actual test of the missile from the launcher, which remains the key issue.

Given the large number of fixed ICBM launchers deployed by both nations (1050 U.S., 1398 Soviet), permanent on-site inspection would be costly, politically prohibitive, and probably incomplete. At the same time, the military significance of such illicit testing would also be limited, as these tests would not ensure that the entire launch sequence remained reliable. None-the-less some circumvention would appear to be possible.

Moreover, some provision would have to be made for continued peaceful launches, such as for space explorations and for launching satellites. The flight-path of such launches should be sufficient to distinguish them from ICBM tests. However, they could be used to test components of the ICBM missile.

ICBM launchers (mobile).—Neither nation currently deploys mobile ICBM launchers, so far as is known, The Soviets have developed such a capability (for the SS-16) but have not deployed any missiles in this mode. The U.S. has considered mobile deployment for the MX missile. The issue of mobility largely erases the confidence expressed concerning the monitoring of non-mobile—i.e., fixed—ICBM launcher production and deployment. Monitoring then becomes dependent, in part, on the degree of mobility. In the case of the MX, for example, mobility within a limited system—such as the multiple protective shelters—would still alllow for monitoring by NTM as long as there were agreed "viewings" of the launchers, thus adding a cooperative measure as well.

Monitoring air-mobile systems would depend on the size of the missile and available aircraft. For example, the MX missile could be deployed in C-5 aircraft, of which the U.S. deploys 77. It might be possible to develop and deploy a new, smaller ICBM in aircraft such as the C-130, but testing a new missile would be detectable. Cooperative measures agreed to in SALT II, such as FRODs (functionally-related observable differences), could obviate this problem.

However, monitoring a truly mobile missile launcher in an unlimited system, such as a road- or rail-mobile system, would be extremely difficult, if not impossible. If the launcher vehicle were camouflaged the risks of deception would increase. This could be further complicated by the possibilities for surreptitious production of additional missiles (see below).

To date neither nation has developed and deployed such a launcher for ICBMs. A freeze enacted before such a system was fully tested and deployed would leave tremendous doubts as to its reliability. Cheating would then become less likely, given the ability to detect launches. It is arguable that neither nation would be willing to devote resources to a system of uncertain reliability.

ICBMs.—Missiles present different problems than do the launchers. Testing of ICBM's is easily monitored, given certain features such as the telltale flight path and the unique "signature" associated with the engine of each type. Deployment of additional ICBM's in fixed launchers is also easily monitored given the known location of currently available launchers and the ease of detecting new ones while under construction. The problem related to mobile systems has already been noted, although this does not appear to be an issue at present.

Monitoring the production of ICBM's remains more difficult. Although ICBM's are fairly large objects (the MX is 71' long, 7.7' in diameter; the Soviet SS-18 is 121.4' long, 10.5' in diameter), it would be possible to surreptitiously build missiles as long as they were either kept in place, or moved surreptitiously.[2]

Two launching factors may increase the significance of this problem, one future and one current. The possibility of road- or rail-mobile launchers discussed above could conceivably make it possible to deploy new missiles without detection. As noted, this is not a current threat. However, both nations either possess or plan on having cold-launched systems, i.e., ones in which the missiles are raised out of their silos and then fired, leaving the silos intact and essentially ready for reuse. The U.S. MX and the Soviet SS-17 and SS-18 all use this system. Cold launch raises the concern that excess missiles could be produced for wartime use. Admittedly, this reload capability remains controversial within the U.S. intelligence community, and its efficacy under wartime conditions is highly questionable. Nonetheless, it is an area of concern.

The production issue could be made less of a problem with cooperative measures, such as the identification of current ICBM production facilities. Other cooperative measures, such as the permanent disruption of rail links or roads leading to such facilities could also be introduced and monitored. The movement of trucks and trains can be monitored by NTM with passive cooperative measures. The possibility of new facilities remains a problem, as their purpose could be easily masked during construction. Overall, surreptitious ICBM production would be of greater concern for missiles already tested and deemed reliable. New missiles require 20-30 tests to establish performance as designed. It is questionable whether a nation would devote the resources to, or run the military risk of relying on, missiles of undemonstrated reliability. Some circumvention might be possible through the use of new missiles for peaceful space launches, but this almost surely would be detected, and would not assure reliability of the missile for ICBM-type missions.

SSBs.—Missile launching submarines (regardless of power plant) are the launchers for SLBMs. Despite their mobility and current ability to go undetected, SSBs do not represent major difficulties in terms of monitoring production or deployment. The activity associated with building a submarine, which takes place at known shipyards in both nations, is easily monitored, as is the launch of a submarine. Previous SALT rules counted a submarine as part of the strategic force when it entered into sea trials, thus covering deployment. Testing issues would be similar to those for ICBMs. Full testing, including missile launch, would be easily monitored. Testing of pre-launch procedures could be carried out without detection, again leaving some questions of overall reliability unresolved.

SLBMs.—The production monitoring problems discussed under ICBMs remain valid for SLBMs. However, excess SLBMs could not be readily translated into a military advantage as there would not be additional launchers—SSB tubes—available. Submarines today do not have the capacity to store missiles other than those already in the tubes. Thus, deployment on submarines also could be monitored. Some analysts have raised the possibility of SLBMs being fired from surreptitiously built land-based launchers, or from other sea-based platforms. This would be a more difficult violation to monitor. Testing of SLBMs, like ICBMs, could be detected. This might provide the main method of monitoring deployment of SLBMs on non-SSB platforms, presuming that these new launchers would have to be tested before they could be relied upon.

Strategic bombers.—The production and deployment of strategic bombers is easily monitored, given their size and the observation of airfields by NTM. One issue which has been a monitoring issue with these bombers is that of planes which are multimission, i.e., which in different configurations perform different missions, including ones not related to strategic roles. Under SALT II this was to be handled by FRODs. Presumably this cooperative measure could be carried over to a freeze.

Testing raises a more difficult issue. It would be difficult to distinguish between the normal patrol activities carried out by aircraft and flights used for testing. Indeed, patrols could be lengthened in duration as a means of testing for reliability over a mission of the same duration. Furthermore, the launch techniques for free-fall bombs or cruise missiles could also be carried out easily and without detection up to the actual point of launch. Thus, depending on the airplane, it may be necessary to introduce restrictions on flight time, or on the number of flights permitted in any given period as a cooperative measure. This situation may be considered less threatening by the fact that stragegic bombers are not first-strike weapons, requiring by the fact that strategic bombers are not first-strike weapons, requiring several hours to reach their targets.

Cruise missiles.—Limits on the production, testing and deployment of cruise missiles all present major monitoring difficulties. Cruise missiles are small enough (ALCMs are 20.8' long and 2.0' in diameter; GLCMs and SLCMs are both slightly smaller) to be produced in large numbers without detection. With the exception of the navigation system cruise missiles can also be tested in laboratories to a high degree of reliability. Finally, they can be deployed easily and surreptitiously without detection, although the longer they are deployed the more susceptible they become to detection. Bombers not currently capable of carrying cruise missiles can also be converted without detection. As with the bombers themselves, cruise missiles are not first strike weapons, requiring some hours to fly to target. However, as they allow bombers to "stand off" their targets and launch, they do raise higher risks. The

potential for large numbers being surreptitiously added to the arsenal with high reliability is also a problem. Comparatively, ALCMs might be less of a problem than SLCMs and GLCMs as their potential launch platforms are easier to identify. Production and deployment of the other two systems pose greater monitoring problems. However, neither of these have been deployed to date, while some ALCMs have.

IRBM launchers (non-mobile and mobile).—These launchers raise many of the same issues as ICBM launchers. Non-mobile, or permanent launchers are easy to detect. Testing can be carried out through most of the launch sequence, with some telemetric limits, without detection and with a certain degree of reliability.

Mobile launchers, either road- or rail-mobile, create production and deployment monitoring problems, especially if they are produced surreptitiously in new locations, and are camouflaged. IRBM mobile launchers currently are of more concern than ICBMs, as the Soviets currently deploy such a system, the SS-20. The Pershing II will be a mobile system as well. The degree of cooperative efforts versus deliberate concealment would be a major factor in this regard.

IRBMs.—As with ICBMs and SLBMs, surreptitious IRBM production could pose a monitoring problem if additional launchers are available, or if reload is possible, such as is planned for the Pershing II. The problem is compounded by the relatively small size of IRBMs, and their potential mobility. This is not a direct threat to U.S. security, given the range limits of these systems (e.g., the SS-20s estimated full payload range is 3,500 miles). However, U.S. commitments to NATO, if fulfilled, would nullify this distinction.

Nuclear-capable theater aircraft.—Both alliances deploy a number of aircraft which have both nuclear and non-nuclear capabilities.[3] Production of these aircraft would be less easily monitored than that of strategic bombers, but still liable to detection. Testing would pose the same monitoring problems as strategic bombers. Deployment could be monitored by NTM. The fundamental problem with these aircraft is their multi-mission capabilities. For example, the F-4E, which can carry either nuclear or conventional bombs, can be modified to become an F-4G, which has no nuclear capabilities and is designed for operations against enemy radar guidance systems. The obvious method of dealing with this problem would be the cooperative measure of FRODs, some of which are inherent in the various types. However, given the larger number of aircraft involved, the chances for counting errors and opponents' deception would increase dramatically. These weapons may be less threatening militarily to the U.S., although not our allies, as these aircraft are not first strike systems.

Nuclear weapons.—Nuclear weapons, i.e., missile warheads or bombs, may be the most significant component to be considered. It is the one element common to all the systems discussed above. Indeed, it is the one element that justifies the inclusion of any system in the freeze proposal under consideration. The success or failure in monitoring the freeze on the actual weapons themselves would thus be a major factor in the ultimate success of a freeze.

Nuclear weapons are produced in a limited number of locations. In the United States there are seven facilities in seven different states. While the locations of Soviet facilities are not available publicly, it is probable that some of these sites are known and monitored by U.S. intelligence. However, the possibility of circumvention exists in that facilities producing nuclear material for peaceful purposes (i.e., nuclear power plants) can also be used to create weapons-grade material, and the number of such plants is large. Moreover, actual assembly of weapons can take place in numerous locations. This problem currently exists, and is one of the principal reasons for the safeguards system of the International Atomic Energy Agency (IAEA). The IAEA safeguards, despite their acknowledged shortcomings, offer the best available cooperative measure model for this aspect of monitoring.

The IAEA safeguards depend on the voluntary cooperation of each state to maintain a system of accounting and control for all nuclear materials subject to safeguards, and for necessary IAEA inspections. Compliance is voluntary and no sanctions are available for enforcement. Several states not signatory to the Nuclear Non-Proliferation Treaty—India, Pakistan, Israel, South Africa—have only allowed IAEA inspection of some of their installations. In the words of Dr. Hans Blix, Director General of the IAEA, ". . . the Agency cannot of course pronounce itself on more than it has seen . . ."[4]

Without a system for rigorous and continuous monitoring of all nuclear material processing facilities there could be no assurance of compliance with this aspect of a freeze. Moreover, the amount of fissionable material used for a bomb is relatively small enough (8 kilograms of plutonium according to the IAEA) to permit easy diversion and transportation without detection. (U.S. nuclear plants already have problems with missing material that cannot be accounted for.) Thus, production and deployment limits could be circumvented. Testing reliability might not be an issue at all, given the extensive tests already carried out by both nations, affording a wealth of available data. However, it might be desirable to include a comprehensive test ban as well.

Whether such a detailed system to monitor nuclear materials production would be politically acceptable to any state remains questionable. However, creating a military advantage from unauthorized weapons production would in turn be dependent on the successful circumvention of restrictions on launchers and delivery systems.

However, available delivery systems already exist in both arsenals. ICBMs which have not been MIRVed to full capacity could be upgraded. It is feasible to upgrade the number of MIRVs on a missile without detection, and with fairly high levels of reliability. Table I offers an illustration of potential MIRV increases for both sides based on publicly available figures. In both cases, however, the megatonnage of the individual weapons would have to drop to accommodate their smaller size.

TABLE I.—POTENTIAL MIRV INCREASE UNDER A FREEZE [1]

Missile and current deployment	Total RV's	Multiplied by	Each MIRV'd to maximum	Net gain
SS-17:				
32 with 1 RV	32	4	128	96
120 with 4 RV's	480		480	
SS-18:				
58 with 1 RV	58	10	580	522
150 with 8 RV's	1,200	10	1,500	300
100 with 10 RV's	1,000		1,000	
SS-19:				
60 with 1 RV	60	6	360	300
300 with 6 RV's	1,800		1,800	
Total	4,630		5,848	1,218

[1] The figures in this chart are derived from open sources and are not authoritative. They are used here solely for illustrative purposes.

Note: It should be noted that the SS-18 postboost vehicle, i.e., that part of the system that actually carries and deploys the RV's, has been tested with a motion apparently indicating a 14-RV capability. If that were the case, and not accounting for poor reliability in the absence of actual test deployments, the Soviets could gain an additional 2,054 RV's over current SS-18 deployments, for a total net gain of 2,450 RV's.

Similarly, the United States could increase its MIRV'ing of the 550 Minuteman IIIs, currently at 3 RV's each for a total of 1,650, to 7 RV's each for a total of 3,850, or a net gain of 2,200 RV's.

D. Military significance: Force structure, deterrence and crisis stability

A key issue in assessing the acceptability of any freeze proposal is its effect on the force structure, involving the maintenance of both credible deterrence and crisis stability, and thus U.S. security.

With the forces of both powers frozen over a specific period, and with bans on testing, the reliability of the forces would become a key issue. Like all other machinery, weapons age and deteriorate over time, and reach points at which they are no longer reliable and indeed may become hazardous. For example, the Titan II missiles deployed by the United States in 1963 have experienced two accidents. Soviet systems will be subject to the same problem of deterioration as U.S. systems.

It is not possible to project precise force levels over the period of the freeze for several reasons. First, there are no accurate public data on the aging and deterioration of the forces in question. The retirement or planned retirement of older systems has to some degree been predicated on the availability of new systems, which would no longer be the case. Second, the availability of U.S. and Soviet spare armed missiles to replace unreliable ones is questionable.[5] Neither SALT I nor SALT II precluded the production of spare missiles; the limits imposed restricted the number of launchers only. Thus, if the reliability of a missile became questionable it could conceivably be replaced by an already extant missile. Whether this replacement would be permitted would depend on interpretations or agreements as to the meaning of the freeze on deployment.

Critics of current freeze proposals have argued that a freeze would give the Soviets an advantage as they have newer systems in their strategic forces, thus decreasing their susceptibility to problems caused by aging. An assessment of the accuracy of this contention cannot be made. Table II offers a comparison of the main components of the respective strategic triads and the years each entered into service:

TABLE II.—AGE COMPARISON OF STRATEGIC TRIADS

	United States	Soviet Union
ICBMs	Titan II (1963), Minuteman II (1965–73), Minuteman III (1970–75).	SS–11 (1966–73), SS–13 (1969–72), SS–17 (1975–?), SS–18 (1974–?), SS–19 (1975–?).

TABLE II.—AGE COMPARISON OF STRATEGIC TRIADS—Continued

	United States	Soviet Union
SLBMs	Poseidon (1971–76), Trident I (1981–).	SS–N–5 (1963), SS–N–6 (1968–73), SS–N–8 (1973–?), SS–N–17 (1977–?), SS–N–18 (1978–?), SS–NX–20 (?).
Bombers	B–52 D (1956–57), B–52 G (1959–61), B–52 H (1961–62).	Tu–95 (1956–?), Mya–4 (1956–?).

Note: End dates for some Soviet deployments are not publicly available.

Sources: General Dynamics (Pomona Division). The World's Missile Systems. April 1982. Robert P. Berman and John C. Baker. Soviet strategic forces: Requirements and responses. The Brookings Institution. Washington, 1982. U.S. Air Force. Deputy Chief of Staff, Plans and Operations. Strategic Offensive Forces Division.

Despite the inability to derive specific force levels over the duration of a freeze, some general observations can be made. First, it must be recognized that deterrence is largely based on perceptions of the capabilities of deployed forces and the relative likelihood of retaliation. Second, it is possible that crisis stability (i.e., that the nature and number of strategic forces themselves will not provide an incentive for a nation to use them first during a crisis), in part depends upon confidence in the reliability of weapons and the perceived appropriateness of agreed strategies. Therefore, any overt indications that frozen systems have become unequally unreliable could only have negative effects on the perceptions of the other side. Deterrence would suffer as the probable scope of retaliation decreased. Crisis stability would suffer if one power suddenly believed itself to be in a newly superior *or* inferior position.

It would obviously be desirable to keep concerns about the reliability of systems hidden from the other side. Continued permitted replacement might obviate these concerns although such a practice could also raise concerns about cheating. While such a replacement program might mask reliability problems from the other side, these worries would still operate as a factor for the side doing the replacing. While it might be fair to assume that the other nation's missiles were also deteriorating, a prudent military planner, working on a worst-case basis, would have to assume the opposite—i.e., that only *his* systems were so unreliable—unless he had convincing intelligence to the opposite. Such a perception could be dangerous, especially in time of crisis.

One method of obviating this problem would be to allow a specific number of reliability tests per year for each missile type, perhaps with a ban on all telemetry encryption.[6] Such a provision would address the instability inherent in unknown reliability, while minimizing the chances of the tests being used to circumvent agreed limits. A complete ban on testing would stimulate other methods of improving reliability testing without overt missile tests.

Such a freeze might also increase the incentive to develop an ABM system, in this case a non-nuclear one. A major argument in the past against ABMs has been that it will always be easier to add reentry vehicles (RVs) than to deploy additional ABMs against them. With a freeze the RV levels would be constant, while non-nuclear ABMs would be allowed, subject to the provisions of the ABM Treaty (see below for details of the treaty). It is possible that either power might be motivated to either renegotiate or even withdraw from the ABM Treaty to pursue this type of defense, although such a step would be unlikely as it would probably jeopardize the freeze agreement as well.

E. Political effects: Domestic and allied

Such a freeze would obviously appeal to that large body of the American public which has already demonstrated its support for this concept. At the same time, those who feel that the current military situation favors the Soviet Union would be disaffected. Some later domestic disappointment could also be expected for several reasons. Some local unemployment would result from a freeze. Any economic "dividend" from a freeze would likely be less than expected, as nuclear weapons tend to be relatively inexpensive, and a rather small portion of the overall defense budget.[7]

Furthermore, more funds would probably have to be devoted to the maintenance of extant systems in order to avoid the reliability issues discussed above. It might also be necessary to put additional sums into conventional forces as the NATO-Warsaw Pact force imbalances now made tolerable by the nuclear umbrella might seem less prudent under a freeze. The nature and size of such increases, if any, would depend on the international situation, and domestic and NATO politics.

As with most other issues, allied reaction would be mixed. On the positive side, a freeze step would be lauded as a genuine step towards arms control. It might also avoid the current thorny issue of the planned GLCM and Pershing II deployments. On the negative side, a freeze would not address the current Soviet INF build-up which brought the NATO decision to deploy these new weapons, thus leaving the Allies with theater weapons notably inferior to the SS–20s. It is also likely that NATO would expect some increases in U.S. conventional forces as a means of compensating for the new limits on the nuclear umbrella, as well as increased pressure to reach an agreement with the Soviet Union on limiting conventional forces in Central Europe.

F. Soviet acceptance

Among his recent public statement, Yuri Andropov has already suggested a freeze of this sort. It is possible that the Soviets would accept this idea as the basis of negotiations, although this remains uncertain, as does the overall Soviet view of what a freeze might entail.

Such a proposal would offer the Soviets some positive incentives. It would halt the planned U.S. strategic modernization, particularly the Trident II, MX, and the B–1. It would preserve what the Soviets claim to be a balance in INF, while also forestalling the NATO deployment of GLCMs and Pershing IIs. At the same time, ongoing Soviet programs would also be halted, leaving them susceptible to any vulnerabilities which they now perceive or have in fact.

These incentives for Soviet acceptance do not necessarily mean that such a freeze proposal could be quickly negotiated. The details of the verification provisions and other "housekeeping" details would have to be worked out. Further, the Soviets might ask for non-circumvention provisions to prevent the United States from using British and French nuclear forces as surrogates.[8] Moreover, a freeze would have an uncertain effect on those systems purchased from the U.S. such as Britain's new Tridents.

G. Summary

Based solely on problems of monitoring, and excluding political factors and the unknown issue of reliability, the following points can be made:

ICBM launchers, excluding the missiles and the warheads, could probably be successfully frozen, barring a move to a widely mobile system, and depending on the practicality of reloading of cold-launch systems. Should reload be feasible, then a significant military advantage might be attained by producing excess missiles. Such an advantage would favor the Soviets, based on current deployments of cold-launch systems.

SSBs and SLBMs deployed in SSBs do not appear to pose significant problems, although non-SSB deployments of SLBMs may.

Strategic bombers would be more difficult to monitor in terms of testing, or if they were converted to cruise missile carriers (CMCs). Limiting strategic bombers, or their conversion to CMCs is dependent on FRODs. Concern here is reduced as these are not first strike weapons.

Cruise missiles are inherently unverifiable weapons, heavily dependent on voluntary restraints. This is mitigated by the fact that cruise missiles are not presently first strike weapons, although the potential numbers of these weapons could become very large and troublesome, and improvements in speed can be expected.

IRBMs, like ICBMs, pose monitoring problems depending on their mobility and possible cold launch/reload capability. The military significance of these issues is made at least debatable in terms of very narrow U.S. interests by the limited range of IRBMs.

Nuclear-capable theater aircraft would require cooperative measures such as FRODs. Again, their limited range tempers the military significance for the U.S. alone, although not for our NATO allies, nor, presumably, for the Soviet Union.

Nuclear weapons themselves can only be monitored by voluntary cooperative measures which would have to be very detailed and of questionable political acceptability. The military significance of covert weapons production would be dependent on the availability of delivery systems. Surreptitious MIRVing of missiles not MIRVed to capacity could prove to be a dangerous means of circumvention which would be difficult to monitor.

Two alternative freeze proposals, at least, are suggested by these conclusions: (1) a freeze limited to first strike weapons (ICBMs, SLBMs, IRBMs); and (2) a freeze limited to strategic weapons largely similar to the national freeze, or structured like SALT II. The structure and implications of these freezes are examined below. Following these, several systems-specific freezes are proposed as other means of addressing problems raised by the large freeze.

III. PROPOSAL 2: A FIRST STRIKE WEAPONS FREEZE

A. Terms

Proposal 2 is based on the following terms:

The United States and the Soviet Union agree to a freeze on the production, testing and deployment of all ballistic missiles, including warheads and launchers, regardless of range.

B. Implications

Proposal 2 carries with it the following implications:

a. Like Proposal 1, it bars the production and testing of systems not yet deployed.

b. It still covers both strategic and theater systems, but only those involving ballistic missiles.

c. The issues of deterioration and reliability remain relevant.

d. Opportunities would exist and be attractive for rechanneling arms efforts into those areas not frozen.

C. Monitoring issues

Four major monitoring problems exist under Proposal 2:

(1) mobile launchers, particularly for IRBMs (and for ICBMs should they be deployed before a freeze were enacted.)

(2) the production of MIRVed warheads and their emplacement on systems either un-MIRVed or MIRVed below already tested capacity.

(3) the production of excess missiles for cold launch systems.

(4) the testing of warheads on cruise missiles, and then transferring them to ICBMs, SLBMs or IRBMs.

D. Comparison with proposal 1

The First Strike Weapons Freeze, like Proposal 1, deals with ballistic missiles, the weapons seen as being the most destabilizing. However, it eliminates as issues those systems most likely to create severe monitoring problems. Therefore, it might more easily be negotiated, and perhaps less subject to contention and controversy once the agreement entered into force.

The past history of the arms race indicates that once a system has been limited, research and development shift to other aspects of that system, or to wholly different systems. In the case of this freeze, however, that rechanneled effort would now be limited to those systems whose time-to-target renders them less threatening to retaliatory forces. Moreover, conventional defenses already exist to combat aircraft, although a new race in this area might result.

Under this freeze concept efforts to improve the speed of cruise missiles might appear to be very attractive. Even with such improvements, however, their time-to-target would still be much longer than that of ballistic missiles.

E. Military significance: Force structure, deterrence and crisis stability

All of the uncertainties of Proposal 1—aging and deteriorating systems, questionable reliability, and the effects on deterrence and crisis stability—remain relevant for Proposal 2 as well.

A First Strike Weapons Freeze might lead to changes in U.S. and NATO military doctrine. Western military policy envisions a presumed controllable ladder of escalation, from conventional war, to tactical nuclear exchange, to theater nuclear exchange, to strategic exchange, with stopping points at each level. Many analysts question the validity of this policy, and argue that the use of nuclear weapons regardless of size or range will lead rapidly to a strategic exchange. Compared to a total freeze, Proposal 2 might create one, or possibly two additional rungs on the escalation ladder by forcing each side to place greater initial reliance on those non-ballistic forces which are not subject to this freeze, and thus have undergone continued development, testing, and presumably have greater reliability. The escalation ladder might actually expand, with first recourse at the theater and strategic levels to aircraft and cruise missiles, which not only would be more reliable, but would also have the advantage of being less time urgent in terms of retaliation or the next escalation decision. This possible new ladder, compared to the current one is shown in Table III. Once again, the arguments of those who doubt the wartime relevance of differences between any types of nuclear exchange remain relevant.

TABLE III.—*Comparative ladders of escalation*

Current U.S./NATO ladder	*Possible ladder, proposal 2*
Strategic Nuclear Exchange	Strategic Nuclear Exchange
∧	∧
∧	∧
∧	∧
∧	Bomber/Cruise Missile
∧	Strategic Nuclear Exchange
∧	∧
∧	∧
∧	∧
Theater Nuclear Exchange	IRBM Exchange
∧	∧
∧	∧
∧	∧
∧	Aircraft/Cruise Missile
∧	Theater Nuclear Exchange
∧	∧
∧	∧
∧	∧
Tactical Nuclear Exchange	Tactical Nuclear Exchange
∧	∧
∧	∧
∧	∧
Conventional Warfare	Conventional Warfare

A freeze as structured in Proposal 2 would channel military efforts into aircraft (strategic and theater) and cruise missiles, including an incentive to improve on cruise missile speed. The importance of air defense systems against manned aircraft would also increase. For U.S. programs such a proposal would also mean likely increased interest in or pressure in favor of either the B–1 or ATB (the Advanced Technology Bomber, i.e., Stealth), or both. The incentive to surreptitiously MIRV all ballistic missiles to their maximum capacity would also remain. This would still be a major means of increasing military capability with fairly low risks of detection. Finally, non-nuclear ABM systems again might prove attractive.

F. Political effects: Domestic and allied

The First-Strike Weapons Freeze would have somewhat less public appeal than a comprehensive one, especially for those committed to the idea of a comprehensive freeze. At the same time, the public may be eager enough for any arms control progress to accept a First Strike Weapons Freeze as an important first step. Moreover, the fact that Proposal 2 freezes destabilizing first strike systems could be another argument in its favor, as this may appear to increase security. Once again, opposition could be expected from those who feel that the Soviets currently enjoy an advantage in precisely those strategic and theater forces which would be frozen in place by this proposal.

Any expected economic dividend from Proposal 2 would probably be lower than for Proposal 1. Once again, it might be necessary, for both military and political reasons to increase conventional force spending in order to counter the effects of the freeze on extended nuclear deterrence. As noted, there would also be pressure to spend more for strategic and theater aircraft, for cruise missiles, for air defenses, and for increased maintenance for frozen systems.

Allied reaction would probably center on the continuing problem of the credibility of the nuclear umbrella. Proposal 2 would be subject to criticism that the United States was effectively dealing with threats to its own territory and security, while doing less for NATO security. Indeed, any additional rungs on the ladder of escalation could be interpreted by the Allies in just that way, i.e., as trying to postpone the direct involvement of continental U.S. targets without reducing the devastation of Europe. There would also be the continuing problem of existing Soviet SS–20s, but Proposal 2 might be more acceptable to NATO than Proposal 1 in this regard as the GLCM deployment could still proceed even though the Pershing II deployment would be forestalled. For the allies, a demonstrated U.S. willingness to buttress other areas in compensation for those now frozen, in this case conventional forces and cruise missiles, would be a significant factor in maintaining confidence in NATO's credibility.

Again, there would also be renewed pressure for a conventional force limitation agreement.

G. Soviet acceptance

As with Proposal 1, the First Strike Weapons Freeze would appeal to the Soviets because it would preclude the U.S. strategic modernization program, particularly Trident II and MX. It would also avoid the Pershing II deployment in Europe without reducing the number of SS–20s. This proposal would be less attractive to the Soviets than Proposal 1 with regard to INF as it would permit ongoing cruise missile developments, an area in which the United States currently has a lead. The Soviets would probably still insist on non-circumvention provisions, especially now that cruise missiles would be deployed in other NATO states.

This proposal would also favor the development of manned strategic bombers, an area to which the Soviets have devoted fewer resources than the United States. At the same time, the Soviet Union already possesses an extensive air defense system, including some 2,250 interceptors and 10,000 surface-to-air missile launchers. Continental U.S. air defenses are far less extensive, but targets are also farther removed from threatening Soviet non-first-strike systems than are Soviet targets from similar U.S. systems. In sum, Proposal 2 would probably be somewhat less attractive to the Soviets than Proposal 1, but might still have sufficient positive aspects to engage Soviet interest.

IV. PROPOSAL 3: STRATEGIC WEAPONS FREEZE

A. Terms

Proposal 3 is based on the following terms:

The United States and the Soviet Union agree to a freeze on the production, testing and deployment of all strategic weapons,[9] including warheads, bombs and delivery systems.

B. Implications

Proposal 3 carries with it the following implications:

(a) it decouples strategic and theater forces.

(b) It continues to freeze the destabilizing first strike strategic systems.

(c) It tends to appear more as an alternative to the START proposal rather than as a striking new departure as does the freeze. SALT definitions of what consitutes strate-

gic systems could be used to define included and excluded systems.

C. Monitoring Issues

Five major monitoring tasks remain problematical under Proposal 3:

(1) the production of additional ICBM's for cold launch systems.

(2) the production of MIRVed warheads to increase the MIRVing of those missiles not MIRVed to capacity.

(3) distinguishing between different types of bombers, and monitoring conversion to Cruise Missile Carriers.

(4) cruise missiles.

(5) the testing of warheads on cruise missiles, and then transferring them to ICBMs or SLBMs.

D. Comparison with Proposals 1 and 2

The major difference between Proposal 3 and the previous proposals is that it decouples the strategic and theater systems. In a way this represents a reversion to the basic arms control approach now being followed. Where Proposal 1 was all-embracing, and Proposal 2 was largely responsive to monitoring problems, Proposal 3 responds to systems by intended military function, and is somewhat less driven by monitoring issues.

E. Military Significance: Force Structure, Deterrence and Crisis Stability

Issues relating to the deterioration and reliability of the systems and their effect on deterrence and crisis stability remain relevant but unresolved. One significant additional factor with this proposal is that the Soviets would still have their SS-20s deployed in Europe and not subject to the freeze. Were the NATO Pershing IIs and GLCMs not deployed for other reasons, this fact might add instability, as the Soviets would have an apparently reliable theater system, while the main NATO retaliatory systems—U.S. strategic missiles—would now be frozen and subject to questions of reliabiity. U.S. plans for conventional force impovements would again be crucial, as would completion of the full NATO INF deployment.

Depending on reliability problems, Proposal 3 could conceivably limit the last rung on the NATO escalation ladder, in effect making more real the perceived distinction between theater and strategic nuclear exchanges. To those who question this distinction such a step would probably be seen only as self-denial of one component of the nuclear arsenal, regardless of basing or range.

Proposal 3 would probably push military research and development efforts strongly into INF as a means of buttressing that component while strategic forces remained frozen. Such a development could ultimately be more threatening to the Soviet Union, given its contiguity with and proximity to the European theater. This might raise Soviet incentives to increase, perhaps surreptitiously, the range of their IRBM's in order to equally jeopardize U.S. home interests, although such a development could be monitored.

F. Political Effects: Domestic and Allied

Proposal 3, like Proposal 2, would be less than satisfactory to those favoring a comprehensive freeze, but still would satisfy the general desire for progress in arms control. Moreover, as it would address strategic weapons, it would respond to concerns about the safety and security of the United States, allied interests and U.S. commitments to them notwithstanding. Proposal 3 would also have a legitimacy that devices from following in the direction of the SALT agreements, which only dealt with strategic systems. Again, those who view the current strategic situation as being unfavorable to the United States would oppose such a freeze.

The economic dividend of Proposal 3, while perhaps higher than that of Proposal 2, would still likely be a source of some disappointment. Continued maintenance costs of frozen systems, and improvements for INF and conventional forces would all diminish expected defense savings, which would still be low in any event.

Allied reaction could be expected to be negative in that the main focus of Proposal 3 would still be on systems most threatening to the United States itself. However, SALT I and II were similar in this respect and offer useful precedents. There would presumably be additional pressure from the Allies for an INF agreement or freeze. At the same time, this proposal would leave NATO free to respond to the SS-20 threat with both Pershing IIs and GLCMs, unlike Proposal 2, thus offering a more equivalent response. Going ahead with these deployments, with an improved conventional posture, and with talks for conventional force limits would be of major significance to the NATO allies.

G. Soviet Acceptance

Two major incentives appear in Proposal 3 to attract Soviet interest. First, it would still preclude the U.S. strategic modernization program, and the deployment of MX, Trident II and the B-1. Second, it would not limit Soviet INF deployments. At the same time, Proposal 3 would impose no restrictions on planned NATO INF deployments, which the Soviets are eager to block. Nonetheless, Proposal 3 follows in the tradition of SALT I and II, and would probably be more acceptable to the Soviets than President Reagan's START proposal, which would require large reductions in the Soviet ICBM force. Non-circumvention would still be a Soviet concern, although it is unclear how this proposal would affect British plans to acquire Trident.

V. PROPOSAL 4: A SALT II FREEZE

A. Terms

Proposal 4 is based on the following terms:

The United States and the Soviet Union agree to a freeze of force levels as established in the SALT II Treaty, and to the other treaty terms as well (i.e., limits on certain new systems, sublimits on specific types of systems, but probably without the allowance for one new light ICBM).

B. Implications

Proposal 4 carries with it the following implications:

a. Like Proposal 3, it decouples strategic and INF issues.

b. It continues to freeze the destabilizing first strike strategic systems.

c. It would make formal the SALT II agreement which both the U.S. and the U.S.S.R. have tacitly agreed not to undercut.

d. Unlike Proposal 3, it differentiates between MIRVed and unMIRVed systems.

C. Monitoring Issues

Three major monitoring issues are important under Proposal 4:

(1) Carrying out of the reductions required of the Soviet Union by SALT II ceilings.

(2) Distinguishing between different types of bombers, and monitoring possible conversion to Cruise Missile Carriers.

(3) Cruise missiles.

The monitoring tasks under Proposal 4 are ones whose difficulty have already been assessed by U.S. experts during the negotiations for SALT II. Thus, they probably represent much less of a departure from known capabilities and familiar tasks than do the other proposals considered above.

D. Comparison with Proposal 1, 2, and 3

Like Proposals 2 and 3, this proposal represents a step away from the more all-embracing freeze. It closely resembles Proposal 3, a Strategic Weapons Freeze, although there are important differences. First, SALT II is an already completed agreement. Therefore, while some negotiation would still be necessary, the basic terms are already familiar to both sides. Second, SALT II sets specific ceilings for overall numbers of SNDVs, and for MIRVed systems and subsystems, which would require immediate reductions by the Soviet Union.[10] These ceilings include the counting rule "once MIRVed, all MIRVed," ending the differentiation between different "mods" (i.e., variants) of missiles of the same type which can be MIRVed or unMIRVed. Finally, a SALT II might not require a freeze on the production of ICBMs, if it continued to allow (Article IV.5) production so long as it is not in excess of "normal deployment, maintenance, training, and replacement requirements."

E. Military Significance: Force Structure, Deterrence and Crisis Stability

As with the other proposals, issues of deterioration, reliability and their effect on deterrence and crisis stability remain unresolved. A significant change with this proposal is that it would require reductions by the Soviet Union to achieve the overall ceiling of 2250 SNDVs. None of the other proposals would require this. This would bring both forces into closer numerical equality in terms of launchers.

SALT II would allow the development of one new ICBM for each nation, although a freeze might forego this option. If SALT II were accepted in full as the basis for a freeze then this missile could be developed.

In terms of crisis stability across the wider spectrum of forces Proposal 4 would be very similar to Proposal 3—much would depend on the outcome of planned NATO INF deployments and of possible U.S. conventional force improvements, while perhaps raising the military significance of, and incentive to develop INF.

F. Political Effects: Domestic and Allied

Proposal 4 is initially attractive because it comprises an agreement already negotiated between the United States and the Soviet Union. It would also appear to be more practical to implement and monitor than the larger freeze. At the same time, it would probably be a disappointment to freeze supporters, and might even be seen as a step backward overall. Furthermore, implementation would not be immediate. Some negotiations would be required to update the data bases, and to extend, if so desired, the protocol which expired on December 31, 1981.

Such a proposal would also suffer from the political decline of SALT II, while still facing the same opposition which was evident when the Senate considered the treaty in 1979. Freeze advocates would probably take exception to the provision allowing the development of one new light ICBM if this remained part of the agreement.

Thus, the domestic political liabilities may outweigh the value of a completed agree-

ment. While negotiations might be easier, approval might be more difficult.

Any economic dividend under Proposal 4 would be fairly low, given maintenance costs, INF and conventional force requirements as substitutes, and perhaps no restrictions on current plans for the development, production and deployment of some new strategic systems under the sublimit substitution provisions.

Allied reaction would be similar to that under Proposal 3. There would be the positive aspect of some arms control being achieved. There would be some negative reaction on the grounds that INF still were not included, which in turn would put more pressure on these talks, and on expectations of U.S. policies regarding INF deployments and conventional force improvements.

G. Soviet Acceptance

Proposal 4 might be less attractive to the Soviet Union than other freeze proposals. Unlike the others it would require some reduction by the Soviets. Morever, it might not necessarily preclude MX, or Trident II, and would still leave NATO free to initiate the planned INF deployments of Pershing IIs and GLCMs. Indeed, Proposal 4 could offer the Soviets a useful propaganda tool if they were to respond with a more comprehensive freeze, one which pointedly does not allow the development of new systems.

VI. LIMITED FREEZES

A number of limited freezes might be attractive, either as parts of the four proposals analyzed above, or in conjunction with a different arms control agreement. Given their more limited nature none of these carry the same wider implications and appeal of the earlier proposals.

A. Cold Launch Freeze

In simple engineering terms cold launch systems offer the advantage of less technically complex launchers by obviating the need to properly vent launchers when the missiles fire in order to avoid self-inflicted damage to the missile. At the same time, they offer the possibility of a reloadable launcher, thus increasing the incentives for additional ICBM production. A freeze on cold launch systems could be attractive as a means of reducing this type of circumvention. At least three different types of this freeze are possible:

(1) A simple ban. This would require changes in the Soviet SS-17s and SS-18s, in planned MX deployments, and in IRBMs, and might prove to be too expensive and unattractive.

(2) A ban on "rapid reload" systems for ICBM launchers, as in SALT II (Article IV.5).

(3) In conjunction with a rapid reload ban, or as an amendment to it, a stricter ban on the collocation of cold launchers and storage facilities for excess ICBMs.

B. ABM Freeze

The ABM Treaty signed in 1972 limited the United States and the Soviet Union to 100 ABM launchers with 100 missiles. By the 1974 associated protocol each nation chose to defend either an ICBM site (as did the U.S.) or its national capital (as did the Soviet Union.) The treaty also banned the development, testing or deployment of sea-based, air-based, space-based, or mobile land-based ABMs, multiple ABM launchers, or rapid reload ABMs. It did not ban further research and development of land-based ABMs, which has gone on in both nations.

ABM remains an area of concern in that the ability to "solve" the defensive aspect of nuclear arms could add tremendous instability. One nation might perceive itself to have the ability, whether real or not, of launching a first strike with only a limited risk of retaliation, thus ending the deterrence afforded by the residual force.

An ABM freeze, specifically on the testing and production of ABMs, would limit further developments beyond laboratories, foreclosing this possibility. The necessity of testing interceptors against a target missile could be easily monitored, denying final reliability to any proposed system.

C. Cruise Missile Freeze

Cruise missiles pose large monitoring problems given their small size and ease of testing and basing. They also pose significant military problems, given their relative cheapness and their ability to penetrate, albeit more slowly than ballistic missiles, to their targets. Of the three types of cruise missiles—ALCMs, GLCMs, and SLCMs—the United States has already begun ALCM deployment. The ALCM problem is mitigated, however, by their dependence on certain types of aircraft as launch platforms. While there remains the possibility of circumvention, as noted above, the aircraft currently used as Cruise Missile Carriers have been subject to monitoring, although this could become dependent on FRODs.

GLCMs and SLCMs pose wider deployment problems, but are more easily frozen given their earlier state of development. A freeze of their development (as in the SALT II Protocol, Article II.1), could postpone or avoid this problem.

VII. SUMMARY AND CONCLUSIONS

Table IV offers a comparison of the main benefits and drawbacks of the four major proposals considered. The comparison below is based on the determinants used to analyze these proposals.

A. Monitoring

The first three proposals all raise similar problems. These include excess ICBM production (especially for cold launch systems); over the ability to test ICBM/SLBM prelaunch procedures with some limits; and the ability to produce additional nuclear weapons, particularly MIRVs for systems already deployed but not MIRVed to capacity.

Proposal 1 raises the largest number of monitoring issues over all, and is most heavily dependent on cooperative measures. This is to be expected as it is the most all-embracing proposal.

Proposal 2, which is largely shaped by a combination of monitoring concerns and their military significance, raises fewer monitoring issues and is the least dependent on cooperative measures. It is probably the most easily monitored solely by NTM.

Proposal 3 raises fewer problems than the all-embracing proposal, but is still dependent on some cooperative measures. Monitoring tasks under this proposal would closely resemble those for SALT II.

Proposal 4 raises fewer problems than Proposal 3, especially if ICBM production is allowed, and the "once MIRVed all MIRVed" rule is enforced. Presumbly these monitoring tasks are ones already considered by the United States and so will be the most familiar. Cooperative measures would be required of all FRODs and cruise missile limitations.

B. Military Significance

It is not possible to determine what effect these proposals will have on the deterioration and reliability of systems, deterrence, or crisis stability. The problem is most general with Proposal 1; with Proposals 2, 3 and 4, it would depend on the effects of those systems not included. Each raises serious concerns for those who perceive a "window of vulnerability" for the United States. Each raises the possibility of additional MIRV deployment noted under monitoring, which would add to the current strategic instability, and possible incentives to develop non-nuclear ABMs.

Proposal 1, in addition to raising the general issues common to each proposal, would deny the planned NATO response to the Soviet SS-20 deployment. This could decrease stability. At the same time, Proposal 1 would be the most satisfactory in terms of avoiding new directions for the arms race.

Proposal 2 addresses only those systems considered to be the most destabilizing. It could possibly add rungs to the ladder of escalation planned on by NATO. This proposal would likely see military efforts rechanneled towards strategic bombers and cruise missiles, nuclear-capable theater aircraft, and perhaps improved air defenses.

Proposals 3 and 4 would decouple strategic and INF reduction efforts. They would still address the most destabilizing strategic systems, but could limit the upper end of the escalation ladder. Rechanneled military efforts would probably go into INF, although under Proposal 4 MX might still be allowed as well. Proposal 4 would also require reductions by the Soviets, which the others would not.

C. U.S. Domestic Reaction

Each proposal would draw on the evident public sentiment in favor of arms control, most positively for Proposal 1, less so for Proposals 2, 3 and 4. All four proposals would be opposed by those who feel the U.S. currently has military inferiorities vis-a-vis the Soviet Union. In each case the expected economic dividend to be realized by a freeze would probably be a disappointment, because of the relatively low cost of nuclear weapons, the higher demands a freeze would put on the maintenance of current systems, and the political and military needs of compensating elsewhere for newly limited capabilities.

Proposal 1 could be expected to attract the most support and opposition given its all-embracing nature. This proposal would probably offer the largest economic dividend, although even here this would probably prove to be lower than expected and a disappointment to some supporters.

Proposal 2 would still draw on significant public support, but would disappoint those advocating a total freeze. It would appeal to U.S. concerns in that it addresses those systems most destabilizing overall, and most threatening to the United States itself. Economic dividends would be lower than for Proposal 1.

Proposal 3, like Proposal 2, would enjoy public support while disappointing those in favor of a total freeze. Its legitimacy would derive from the fact that it follows the precedents of SALT I and II in decoupling strategic and INF reductions, although this would once again disappoint freeze advocates. Like Proposal 2, this proposal would address those systems most threatening to the United States, and would also result in a lower economic dividend than Proposal 1.

Proposal 4 might prove to be the least attractive domestically, despite the greater ease of negotiation. Given its past criticism of SALT II the current Administration is unlikely to pursue such a course, and to freeze advocates it might even be seen as a

step backward when compared to other potential freezes.

D. Allied Reaction

Allied reaction would be mixed in all cases. Each proposal would appeal to the general European desire for arms control and for a reduction of East-West tensions. Each would raise issues about the ability to respond to Soviet INF improvements already in place, and each would heighten concerns about the overall credibility of the U.S. nuclear umbrella. In each case the nature of subsequent U.S. efforts to compensate for capabilities now frozen would be crucial, as would U.S. willingness to pursue other arms control efforts.

Proposal 1 would do the least in terms of responding to Soviet INF growth, as both GLCMs and Pershing IIs would be frozen. While this would appeal to the European peace movement, it would also pose dangers of imbalance for the NATO allies. That being so, Proposal 1 would likely require the largest conventional force improvements or increases on the part of the U.S. to compensate for frozen systems.

Proposal 2 would still allow the planned GLCM deployment, which would leave the Soviet Union with an INF first strike advantage, but would not deny NATO all planned responses. This proposal could add rungs to the escalation ladder, although this might be a mixed blessing in terms of NATO perceptions of the credibility of the U.S. nuclear deterrent. This proposal might also suffer from the appearance that the U.S. was more concerned about the safety of its own territory than it was about its NATO commitments.

Proposals 3 and 4, by only addressing strategic arms, would allow the full planned NATO INF deployments. This would be a military benefit for the allies but still a political problem. Like Proposal 2, these proposals might appear to indicate a greater U.S. concern for its own territory and security. Proposals 3 and 4 would also greatly increase pressure for some sort of INF agreement.

E. Soviet Acceptance

Each proposal would offer the Soviet Union the opportunity to put their recent statements into action by accepting a freeze of some sort. The first three proposals would preclude planned U.S. deployments of MX and Trident II, as well as any Soviet missile systems now being developed. Proposal 4 might allow one new light ICBM each. Each proposal would allow the Soviets to keep their current SS-20 deployment in Europe.

Proposal 1 would impose the greatest limits on both sides, and thus would probably be most satisfactory to the Soviets in terms of precluding planned strategic and INF deployments by the U.S. and NATO designed to redress the INF imbalance.

Proposal 2 would still preclude MX, Trident II and Pershing II, but would be less attractive to the Soviets as the United States has more strategic bombers and greater capabilities thus far in cruise missiles. This cruise missile lead could be translated into both strategic weapons and the planned NATO GLCM deployment. The Soviets would derive considerable offsetting compensation from their extensive air defense system.

Proposal 3 would create a strategic freeze, and leave the Soviet INF deployment in place. It would presumably be more attractive to the Soviets than the START proposal. At the same time, it would have no effect on the planned NATO INF deployments.

Proposal 4 might prove to be least attractive, as it might not preclude MX, Trident II, or the INF deployments, and would require unilateral reduction by the Soviets in overall numbers of launchers.

F. General Observations

Several points concerning various aspects of arms control, and of the freeze proposals bear repeating.

There is a distinction between the military and political demands for monitoring. While U.S. officials would like to have as much information as possible on Soviet arms activities, it is generally assumed that there will be gaps. How significant these gaps will be is one of the factors that goes into assessing the confidence in monitoring any provision. Another is the likelihood that any gap could result in a significant military gain by the Soviet Union. However, more rigorous standards must be applied to monitoring when considering the maintenance of public support for current and future arms control agreements. Indications, or even serious suspicions about Soviet non-compliance will undercut domestic support for arms control among the public at large and within Congress. Congress experiences a particular problem, as it has not always received all of the information it felt it needed on the resolution of compliance issues, as evidenced by statements concerning oversight of the Standing Consultative Commission and the verification process made during the SALT II debate. The assessments in this paper have been limited to the military significance of monitoring issues; the political significance is more general, and harder to assess in advance.

Negotiations for a freeze—of any sort—may not be any less lengthy than those for SALT, START or INF. Although proponents have tended to advance the freeze concept as some immediately realizable palliative, negotiations—especially over monitoring and verification—would require some time. Thus, it is fair to ask which proposal produces the preferred outcome for the United States; a freeze, or separate START and INF talks? One may not be any more quickly negotiated than the other.

The political effects of a freeze on NATO have not been fully addressed thus far in the debate over this concept. A freeze would offer our allies some gains and some areas for concern, some of which could only be allayed by other U.S. defense commitments or expenditures.

A freeze is unlikely to produce large economic dividends. Nuclear weapons are a relatively small part of defense spending. Other defense costs—maintenance of frozen systems to avoid deterioration when reliability can no longer be fully tested, and improvements in non-frozen areas, including conventional forces, to buttress capabilities in response to those aspects which are now frozen—would likely increase as well.

Finally, a decision to seek a freeze is a political decision which must ultimately rest with the President. Though great pressure could be brought to bear, it is difficult to see how a President could be required to negotiate a particular type of agreement. A statutory requirement would also raise major constitutional issues concerning the conduct of negotiations in foreign and defense policy.

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[1] Monitoring is the process by which information is gathered on Soviet arms activities and then assessed. It is different from verification, which refers to the political process by which decisions are made based on this monitoring information.

In the area of theater systems there is much U.S.-Soviet disagreement as to which systems should be counted. For the purpose of comprehensiveness a mix of the counts preferred by both nations is applied here.

[2] A distinction should be made between knowing that something illicit was occurring, and knowing specifically what that activity was. While it might be possible to hide excess missile production, it would be more difficult to hide the "fact" that something—necessarily undefined—was going on.

[3] As noted above, there is tremendous controversy at the current INF negotiations as to which aircraft of this sort should be included. The following planes all fall into this category:

U.S.: F-111, F-4, A-6, A-7, FB-111.

Soviet: Tu-16, Tu-22, Tu-26, Su-17, Su-24, Mig-27.

Britain: Vulcan.

France: Mirage-IV.

[4] Dr. Hans Blix. Arms control, non-proliferation and IAEA safeguards. Lecture, May 11, 1982.

[5] Secretary of Defense Harold Brown estimated that the U.S. had approximately 300 spare ICBM boosters in 1979, for use in space launches, research and development, and operational training. He estimated that the Soviets had 600 spares. See U.S. Congress. Senate. Committee on Armed Services. Military implications of the Treaty on the Limitation of Strategic Offensive Arms and Protocol thereto (SALT II Treaty). Hearings, 96th Congress, 1st session. July 23-26, 1979. Part 1, p. 38.

[6] For example, the Air Force plans annually on testing 5 Minuteman IIs and 7 Minuteman IIIs. For 1982 the actual test launches were 3 Minuteman IIs and 6 Minuteman IIIs. U.S. Air Force, Minuteman Office.

[7] For example, in the FY84 Defense Budget request the Total Obligational Authority for Strategic Programs is $28.2 billion out of $274.1 billion, or 10.3 percent.

[8] Britain and France both have nuclear forces of their own. Britain has 4 SSBNs with 16 Polaris each, and 54 nuclear-capable Vulcan bombers. France has 5 SSBNs with 16 missiles each, 18 IRBMs, and 34 nuclear-capable Mirage IV aircraft. See International Institute for Strategic Studies. The Military Balance, 1982-83. London, 1982. pp. 30, 31, 34.

[9] These could be defined by SALT II definitions. Under SALT II ICBM launchers were defined as land-based launchers of ballistic missiles with a range in excess of 5,500 kilometers; SLBM launchers were defined as any ballistic missile launchers installed on submarines; heavy bombers were specified by type, and as any equipped with cruise missiles with ranges in excess of 600 kilometers. See SALT II Treaty, Article II.

[10] A different SALT II freeze proposal was made in June 1982 by the Federation of American Scientists. Under this proposal both sides would freeze at their current force levels and continue to be restricted by the aggregate limits and sublimits of SALT II, which would further curtail force growth and new missile types, as any new weapon introduced would have to be compensated for by dismantling some other weapon to stay under the freeze limits and sublimits. Unlike Proposal 4, the Federation's SALT II freeze would not necessarily require Soviet reductions to the 2250 SNDV limit. See Federation of American Scientists. Public Interest Report, Vol. 35, No. 6, June 1982, pp. 3-4.

TABLE IV.—COMPARISON OF MAJOR FREEZE PROPOSALS

Proposal	Monitoring issues	Military significance	U.S. domestic reaction		Allied reaction		Soviet acceptance	
			Positive	Negative	Positive	Negative	Positive	Negative
Proposal 1: Freeze on the production, testing, and deployment of all nuclear weapons and their delivery systems.	1. Excess ICBM production for cold launch systems. 2. ICBM/SLBM testing of prelaunch procedures. 3. SLBM deployment in non-SSB launchers. 4. FRODs for strategic bombers. 5. Cruise missiles. 6. Mobile IRBM launchers. 7. Excess IRBM production. 8. FRODs for theater aircraft. 9.Nuclear weapons overall and additional MIRV'ing.	1. Unknown effects on deterioration, reliability, deterrence, and crisis stability. 2. Question of relative age of U.S. and Soviet systems. 3. Window of vulnerability? 4. Soviet INF deployments. 5. Problems re potential new secret MIRV'ing. 6. Possible incentive to develop nonnuclear ABM.	1. Public support for a freeze.	1. Reaction of those who feel United States is vulnerable. 2. Limited economic dividend and increased defense costs in other areas.	1. Desire for arms control. 2. Postpones GLCM and Pershing II deployment.	1. SS–20's not countered. 2. Question of credibility of U.S. nuclear umbrella.	1. Public statements favoring freeze. 2. Precludes MX, B–1, and Trident. 3. Precludes NATO, Pershing II and GLCM deployment.	1. Precludes any Soviet planned deployments.
Proposal 2: Freeze on the production, testing and development of first strike weapons.	1. Excess ICBM production for cold launch systems. 2. ICBM/SLBM testing of prelaunch procedures. 3. SLBM deployment in non-SSB launchers. 4. Mobile IRBM launchers. 5. Excess IRBM production. 6. Nuclear weapons overall and additional MIRV'ing. 7. Cruise missile warhead testing and transfer to ICBM's, SLBM's, IRBM's.	1. Unknown effects on deterioration, reliability, deterrence and crisis stability. 2. Addresses most destabilizing systems. 3. Could extend "ladder of escalation." 4. Might channel efforts into bombers, cruise missiles, and nonnuclear ABM. 5. Window of vulnerability? 6. Limited response to Soviet INF deployments. 7. Problems re potential new secret MIRV'ing.	1. Public support for some arms control. 2. Addresses destabilizing systems.	1. Disappointment of freeze advocates. 2. Reaction of those who feel United States is vulnerable. 3. Limited economic dividend.	1. Desire for arms control. 2. Allows GLCM response to SS–20.	1. No Pershing II against SS–20's 2. Greatest U.S. concern over own territorial integrity. 3. Question of credibility of U.S. nuclear umbrella.	1. Public statements favoring freeze. 2. Precludes MX and Trident. 3. Precludes Pershing II. 4. Large Soviet air defense in place.	1. Precludes any planned Soviet missiles. 2. Greater number of U.S. strategic bombers. 3. Current U.S. lead in cruise missiles. 4. Allows NATO GLCM deployment.
Proposal 3. Freeze on the production, testing and deployment of all strategic weapons.	1. Excess ICBM production for cold launch systems. 2. ICBM/SLBM testing of prelaunch procedures. 3. SLBM deployment in non-SSB launchers. 4. FRODs for strategic bombers. 5. Cruise missiles. 6. Nuclear weapons overall and additional MIRV'ing. 7. Cruise missile warhead testing and transfer to ICBM's, SLBM's, IRBM's.	1. Unknown effects on deterioration, reliability, deterrence and crisis stability. 2. Leaves Soviets with an INF first strike capability. 3. Addresses destabilizing strategic systems. 4. Could limit "ladder of escalation." 5. Might channel efforts into INF systems and nonnuclear ABM's. 6. Window of vulnerability? 7. Allows INF response to Soviet SS–20's. 8. Decouples strategic arms and INF, like SALT. 9. Problems re potential new secret MIRV'ing.	1. Public support for some arms control. 2. Allows NATO GLCM and Pershing II response to SS–20's.	1. Disappointment of freeze advocates. 2. Reaction of those who feel United States is vulnerable 3. Limited economic dividend.	1. Desire for arms control. 2. Allows NATO, GLCM and Pershing II deployment.	1. Continued political problems re NATO INF plans. 2. NO INF arms control. 3. Additional pressure for INF agreement. 4. Greater U.S. concern over own territorial security. 5. Question of credibility of U.S. nuclear umbrella.	1. Public statements favoring freeze. 2. Precludes MX Trident II, B–1. 3. No limits on SS–20's. 4. Preferable to START.	1. Precludes Soviet strategic force plans. 2. Allows NATO INF deployments.
Proposal 4: Freeze based on SALT II Treaty.	1. Soviet reductions to 2,250 ceiling. 2. FRODs for strategic bombers. 3. Cruise missiles. 4. Limits on new type ICBM, if allowed.	1. Unknown effects on deterioration, reliability, deterrence and crisis stability. 2. Leaves Soviets with an INF first strike capability? 3. Addresses destabilizing strategic systems. 4. Could limit "ladder of escalation." 5. Might channel efforts into INF systems, and nonnuclear ABM's. 6. Window of vulnerability?—but allows MX. 7. Allows INF response to Soviet SS–20's. 8. Decouples strategic arms and INF, like SALT.	1. Public support for some arms control. 2. Allows NATO, GLCM and Pershing II response to SS–20's.	1. Disappointment of freeze advocates. 2. Substantial opposition to SALT II. 3. Might allow new ICBM development.	1. Desire for arms control. Allows NATO, GLCM and Pershing II deployment.	1. Continued political problems re NATO INF plans. 2. No INF arms control. 3. Additional pressure for INF agreement. 4. Greater U.S. concern over own territorial security. 5. Question of credibility of US. nuclear umbrella.	1. Earlier statements pro-SALT II. 2. Preferable to START. 3. No limits on SS–20's.	1. Require Soviet reductions. 2. Might allow MX, Trident. 3. Allows NATO INF deployments.

ROUTINE MORNING BUSINESS

The PRESIDING OFFICER (Mr. TRIBLE). Under the previous order, there will now be a period for the transaction of routine morning business not to extend beyond the hour of 10:30 a.m. with statements therein limited to 5 minutes each.

BYRD IS BACK

Mr. INOUYE. Mr. President, the distinguished minority leader, ROBERT C. BYRD, has had an extraordinary political career. In his home State of West Virginia, Senator BYRD has held more legislative elective offices than anybody else in that State's history—elected first to the West Virginia House of Delegates, then to the State senate, next to the U.S. House of Representatives, and ultimately to the U.S. Senate. In West Virginia, ROBERT C. BYRD is an institution—a man who has never lost an election, and a Senator who has consistently won with the massive support of Democrats and Republicans alike.

Senator BYRD's national record is no less remarkable. Since 1967, when he was elected secretary of the Senate Democratic Conference, Senator BYRD has been part of the Senate leadership. From 1971 until 1977, he was the Senate majority whip. And during the 95th and 96th Congresses, Senator BYRD served as the Senate majority leader. Certainly, ROBERT C. BYRD has rewarded the trust placed in him by the people of the Mountain State and by his colleagues here in the Senate, as well.

In the 1980 elections, the Senate majority crossed to the Republican side of the aisle. But in January 1981, the Senate Democrats reaffirmed their confidence in Senator BYRD by again electing him Senate Democratic leader.

Washington thrives on conjecture, and local pundits wondered widely if Senator BYRD would readily adjust to his new minority leader position.

But Senator BYRD's Senate colleagues and Capital Hill insiders both know that ROBERT C. BYRD is a man of almost limitless stamina, practical brilliance, and enviable resilience. The Senate has long been Senator BYRD's passion and professional home, and few people in American history know the rules of the political game as well as does ROBERT BYRD. Most Senators and the real political experts were not surprised, therefore, as Senator BYRD shifted into his new Senate role, and

began working in tandem with our distinguished majority leader Senator BAKER.

Now, what the Senate has known about Senator BYRD for more than 2 years is becoming public knowledge, as well. The most recent issue of the National Journal carries on its cover an announcement that "Byrd Is Back," and goes on in a subsequent article within to outline Senator BYRD's effectiveness as the Senate minority leader.

I ask unanimous consent that the National Journal article on Senator BYRD be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the National Journal, May 7, 1983]

BYRD IS BACK—SALT IN THE WOUNDS

(By Richard E. Cohen)

(Minority status seems to have enhanced Byrd's position among fellow Democrats; but Democratic Senators, looking eagerly toward the 1984 elections, are finding that their increased ability to influence policy is eroding their internal unity.)

Senate Democratic Leader Robert C. Byrd may have lost much of his power to shape policy following the 1980 Republican takeover of the Senate and White House, but the West Virginian seems to have improved his ability to promote party unity and alternative policies.

Ironically, his improved image as a party leader is probably the result of his reduced power. In the view of some of his fellow Democrats, Minority Leader Byrd has become more effective at listening to and working with the rank and file in identifying party goals than was Majority Leader Byrd at the peak of his power and prestige.

Byrd has helped promote consensus among Senate Democrats by scheduling weekly lunch meetings and creating task forces that have agreed this year on recommendations for a jobs package, crime and medicare. These leadership tools have helped fill the void created by the loss of the Democrats' Senate chairmanships.

"The unhappiness with Byrd has dissipated," said a junior Senator who did not want to be identified. "Partly, it's because he's put others up front. He wants to be the leader and has shown a willingness to spread the action around."

As a leader of the loyal opposition, Byrd has discovered some benefits in not being responsible for solving the nation's problems. "You don't need a superstar as Minority Leader," Byrd said in a recent interview. "I don't have to be out front on everything. . . . I pass it around so they all have a piece of the action. In this way, we can best present alternatives to the public.

"When a party is in the majority and has ample votes, there is not the necessity to develop strong unity. In the minority, there is a tendency to get together pretty fast and forget our disagreements."

At times, Byrd has harshly criticized the Reagan Administration's domestic policies, especially proposals to reduce social security benefits. He said the Republicans "created an atmosphere of partisanship when bipartisanship was needed."

As Republican unity has begun to crumble in the 98th Congress, Senate Democrats are using their cohesiveness to wield increasing power to shape the legislative product, a role they played only infrequently during the 97th. As a result, Byrd may find some of the party strains returning.

Democrats have grown increasingly influential in drafting the congressional budget, for example. With the help of five Budget Committee Republicans, they sent to the floor a proposal that included a $30 billion tax increase. Because the committee also approved more than $800 million in medicare cuts for fiscal 1984, the Democrats' medicare task force had to drop its opposition to all medicare cuts and shift its emphasis to attacking President Reagan's plan for even greater reductions.

As their growing influence has forced them to tone down their rhetoric on pending Senate legislation, Byrd has been trying to get the Democratic Party to address major long-term issues, such as industrial policy.

"They have more time to look beyond the recession and address fundamental problems of getting the economy moving again," said Robert G. Liberatore, staff director of the Senate Democratic Policy Committee, which Byrd chairs. "When Democrats had a President and Senate committee chairmen, they didn't look to Sen. Byrd to create the package, they just wanted his help. In the past two years, he has been very much in the lead in preparing the packages."

Byrd continues to employ some of the skills that marked his tenure as Majority Leader, especially his strong knowledge of Senate procedures, which he gained from 24 years of experience in the Senate and before that 6 in the House.

"It's not important to be public for the sake of being public," Byrd said. "The importance for me is to work with my colleagues, to give them a chance to be heard, to help the class of 1984 with their campaign plans, to have occasional meetings with Speaker O'Neill on an agenda. . . ."

MAKING THE ADJUSTMENT

Byrd tries to put the best face on the Democrats' fall to minority status. "I started school in a two-room schoolhouse before the new math," he said. "But I learned early that 54 [votes] exceed 46, and I've never found anyone to convince me otherwise. So the next step was just as simple, to make the best use of the 46 [Democrats] that we could in shaping national policy by developing consensus."

Other Democrats recently said that the adjustment has not been so easy. "The 1980 election was a shock that created an emptiness in the gut, an identity problem," said a senior Democratic aide. "For years, these guys felt they were Mr. Macho, but they found they couldn't perform. They were not dead, but they had to change some assumptions."

During the early 1981 voting on Reagan's spending and tax-cut plans, Democrats made several unsuccessful attempts to reduce the proposed cuts. But eventually, all but 10 voted for the first round of spending cuts and all but 11 for the tax bill. As a result, several news stories suggested the Democrats were in disarray.

Sen. Carl Levin of Michigan, one of the few Democrats who consistently voted against the Reagan program, said that the majority of Democrats had been wrong not only about the merits of the program but also about the political wisdom of supporting it. He did not, however, blame Byrd or the party's minority status. "There was a different judgment of what the public wanted," Levin said.

For Democrats, minority status meant they could no longer rely on committee hearings or ample staffs to initiate their own plans or strategies. As a result, Byrd decided that they should spend more time with one another. Following a tradition practiced for many years by Senate Republicans, Byrd organized luncheon caucuses nearly every Tuesday. Previously, they were held only a few times annually. "He realized sooner than most that the political future of individual Senators was closely tied to the national party identification and he felt there was something wrong with that image," Liberatore said.

Several Democrats agreed that their cohesiveness resulted in part from participating in a private retreat in October 1981 at a state park in Davis, W.Va. It was there that they decided to make an issue of Reagan's alleged lack of fairness. In subsequent votes, Senate Democrats repeatedly stood together when offering amendments for revising taxes, protecting social security benefits, increasing unemployment benefits and providing public works jobs.

While they worked better among themselves, the Senate Democrats and Byrd encountered tensions when dealing with their House counterparts. This happened because of traditional strains between the House and Senate and a view held by many House Members that Senators consider themselves superior.

House Speaker Thomas P. O'Neill, Jr. of Massachusetts has increasingly worked with Senate Majority leader Howard H. Baker, Jr., R-Tenn., instead of with Byrd. O'Neill and Baker have launched initiatives such as the gasoline-tax increase, a jobs program and social security. In recent weeks, however, Byrd and O'Neill have sought to work together more often and amicably and have organized joint staff meetings.

"There have always been and will be times when communications between the House and Senate could have been better, but on the whole, lines are open," Byrd said. "They have the numbers and we don't. I can expect a difference from time to time; that doesn't excite me."

TARGETS OF OPPORTUNITY

Byrd has more frequently chosen to work on issues that he thinks will divide the Republicans. "They still control the agenda, and you can't underestimate the influence of the White House," said a senior Democratic aide. "We'll pick our fights where we think we can win or we know we're making an impact on better policy or with the fairness theme."

Byrd emphasizes the Democrats' fight against Reagan's attempts to cut social security benefits. "The President sent us in 1981 a proposal to cut $88 billion over five years, with an immediate impact on people electing early retirement," Byrd said. "We discussed this in our caucus and developed a resolution in unanimous opposition. That proposal was defeated by one vote. But immediately Sen. [Robert] Dole [of Kansas, chairman of the Finance Committee] took the same proposal and changed a word or number to make it meet parliamentary requirements. All the Republicans voted for it. I said, 'Whoopie.' We don't care who gets the credit, we wanted to send a message to the White House and community of senior citizens that the Senate would not stand for it."

Later, Byrd led successful fights to restore the minimum benefit for certain social security recipients and oppose a $40 billion package of unspecified cuts.

Although the Democrats have appeared nearly unanimous in opposing the controversial tax withholding plan for interest and dividends, disagreements have flared behind the scenes. For example, O'Neill and House Ways and Means Committee chairman Dan Rostenkowski, D-Ill., have firmly supported the new law, and a few liberal Senate Democrats have criticized their colleagues for appearing to be too responsive to appeals from the banks and their customers.

"The Democratic support for repeal was partly to embarass Dole and partly to avoid helping Republicans pull their chestnuts out of the fire," said an aide to a Senate Democrat who favors withholding. "My boss and a few others tried to convince the others to switch but without much success."

The recent medicare debate revealed the limits of the Democrats' partisan approach. When the Democrats' medicare task force began considering the issue in early April, chairman Max Baucus of Montana urged opposing any cutbacks. The Democrats had arranged to announce their position following the caucus meeting on April 19, but the press conference was delayed at the last hour.

Meanwhile, Senate Budget Committee Democrats, after having rejected Reagan's proposal for $2 billion in cuts in 1984 and $40 billion during the next five years, approved a plan cutting more than $800 million next year and $21 billion by 1988. Committee Democrats, under the leadership of ranking minority member Lawton Chiles of Florida, had discussed their positions on medicare as well as other issues with Byrd and the Democratic caucus, but they did not seek formal party approval before taking action in the committee.

After the Budget Committee acted, Byrd, Baucus and Sen. Edward M. Kennedy, D-Mass., held a press conference on April 28 to announce their opposition to Reagan's proposed cuts and to call on Senate and House committees to recommend steps to assure the solvency of medicare. Asked about the Budget Committee's action, Baucus responded, "There may be some cuts in medicare, but less than the [amount] approved by the committee. What we're trying to do is dramatize the issue."

Another issue Byrd has worked on with Senate Democrats who have tried to score points against Reagan, despite their internal disputes, was the nomination of Kenneth L. Adelman as administrator of the Arms Control and Disarmament Agency. When Sen. Paul E. Tsongas of Massachusetts announced that he and others might filibuster the nomination, Byrd urged that opponents allow a vote. Tsongas said he dropped the filibuster for other reasons, including some Democrats' opposition to a filibuster and the extensive public attention the fight received. Adelman's nomination was confirmed, 57-42, with all but 8 Democrats voting against him.

"Sen. Byrd briefly told me not to filibuster, but it was friendly advice, not pressure," Tsongas said. "That would be counterproductive in this body." He added that Byrd's aides provided strategic assistance. "He has given us a better sense of working together as a party."

REGAINING CONTROL

Byrd leaves no doubt that regaining a Democratic majority in the Senate is one of his two top goals. The other goal is combating West Virginia's 21 per cent unemployment rate, the highest in the nation.

"The prospects are good that we can succeed in 1984," Byrd said. "Within the Senate universe, winning back the majority is the top priority of every Democrat. In the past two elections, the arithmetic was on the Republican side; now the shoe is on the other foot, with 19 of the 33 seats [at stake] under their control."

Byrd has taken several steps to help win the five seats that the Democrats need to regain the majority. The Senate Democratic Campaign Committee has been merged with the leadership Circle, its major fund-raising arm, and Sen. Lloyd Bentsen of Texas, who ran highly successful financing and voted turnout operations in his 1982 reelection campaign, has been named chairman.

In addition, Byrd holds occasional meetings with Democratic Senators campaigning for reelection in 1984 and frequently attends fund-raising events in their behalf. He said he is also establishing his own political action committee to disburse money to candidates. "That's the rule right now, and I'm playing by that," he said.

With four Senate Democrats campaigning for President, Byrd may be hard pressed to maintain party harmony. Already, presidential candidate Alan Cranston of California, who as Senate Minority Whip has not worked particularly closely with Byrd in any case, has spent even less time than usual on his Senate leadership work.

Byrd plans to keep the heat on Republicans as they become increasingly uneasy about supporting Reagan's policies. "The Republicans will have to keep explaining their votes on the economy, foreign policy and so on," said Liberatore. "We'll try to keep pinning them down. Sen. Byrd is in the middle of this, though he is not always out front." Part of his task includes attracting and financing the most effective challengers to take on GOP incumbents.

If the Democrats recapture control, there is little doubt that Byrd would regain the Majority Leader post he held from 1977-81. Some predict that the Senate Democrats would band together and be more amenable to party cooperation than they were during much of the 1970s, but their diversity and independence may make that difficult.

If the Democrats fail in 1984, they will begin preparing for 1986, when 22 GOP seats will be at stake. On the other hand, a major Democratic setback at the polls could revive unhappiness with Byrd and inspire support for a more outgoing and media-conscious leader. In the past, similar efforts to challenge Byrd have failed.

The growing influence of Senate Democrats may allow Byrd to assume a more visible public profile in the coming months. After an often difficult two years for himself and other Senate Democrats, the West Virginian may be warming to the opportunity.

KENNEDY'S INDUSTRIAL POLICY TASK FORCE LOOKS TO THE LONG TERM

Of the nine party task forces created by Senate Minority Leader Robert C. Byrd , D-W. Va., the one with the potential for the biggest policy contribution and controversy is the industrial policy group chaired by Sen. Edward M. Kennedy, D-Mass. Like similar efforts by Democrats in the House and elsewhere to develop long-term economic policy, it may founder in generalities or become bogged down by sectional or interest-group rivalries. But with the prominent interest that Byrd, Kennedy and their aides say they are giving the project, it could produce an economic blueprint that will fill an important political role for Democrats.

"I tried to establish a task force representing the broad spectrum within our party so a consensus could be reached," said Byrd. "On industrial policy, we are looking to the long term; we know that our smokestack industries are being hurt by trade policies of other countries." But he agrees that economic policy must also address the needs of other industrial sectors.

Aides said the task force is exploring public and private-sector issues affecting such problems as employment, international competitiveness and prospects for both smokestack and high-technology industries. They emphasize that all these interests must be addressed and that they are not incompatible, as some say.

"It's not a choice between the steel industry and fifth-generation computers," said an aide. "If you destroy one, there's no future for the other."

The 13-member task force has held a half-dozen meetings, including sessions with economists Lester C. Thurow and Felix G. Rohatyn and AFL-CIO president Lane Kirkland. Kennedy, who plans to issue the initial recommendations by the end of this month, hopes the report will stimulate a sharp discussion of economic themes for the 1984 campaign.

The House Democratic Caucus issued a comparable report last year under the leadership of Reps. Timothy E. Wirth of Colorado and Richard A. Gephardt of Missouri, but it received a lukewarm reaction from the press and many Democrats. "It may be easier for Senate Democrats to do this because we are not nearly so encumbered by the day-to-day constraints of committee chairmanships, jurisdictional struggles and other legislative activity," said Robert G. Liberatore, staff director of the Senate Democratic Policy Committee.

After Kennedy dropped out of the presidential race in November, he sought the task force assignment as an opportunity to help Democrats offer new ideas on economic policy, an aide said.

The task force is receiving staff assistance from Liberatore and other aides on the policy committee as well as David Smith, Kennedy's aide on the Joint Economic Committee.

JUDGE JAMES L. OAKES

Mr. LEAHY. Mr. President, Vermont's renowned jurist, James L. Oakes, recently received the Learned Hand Medal for excellence in Federal jurisprudence. Judge Oakes is a member of the U.S. Court of Appeals for the Second Circuit. Prior to that, he served as a Federal district judge and as Vermont's attorney general.

I first knew Judge Oakes as attorney general when I served as one of Vermont's 14 State's attorneys. In my experience, no one has served with more distinction as our attorney general.

It comes as no surprise to all Vermonters, therefore, that Judge Oakes is now being honored as he is. Certainly as attorney general, Federal district judge and circuit of appeals judge he has set a standard for which we all should aim, but one which most would find impossible to attain.

An editorial in his hometown newspaper states clearly the feelings of Vermonters, and I ask unanimous consent that it be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the Brattleboro Reformer, Apr. 14, 1983]

AN HONOR TO A JUDGE

Windham County contains a seemingly endless supply of multi-talented people who have contributed to their community, their nation, and, in many cases, the world. Thus all of us can take pride in the singular achievement of Judge James L. Oakes, who is to receive the Learned Hand medal "for excellence in federal jurisprudence."

Judge Oakes has been a Brattleboro lawyer; a Windham County state senator; the attorney general of Vermont; and, for the last decade, a federal judge. He sits on the U.S. Court of Appeals for the 2nd Circuit. He has participated in many landmark cases, and he has written many opinions which, his colleagues now note in awarding the Learned Hand medal to him, have brightened the federal judiciary.

Judge Hand, who also served on the appeals court, is described in a biography as "a defender of freedom from the onslaughts of extremists of both Left and Right."

Judge Hand never served on the United States Supreme Court.

Judge Oakes, we all hope, will have that opportunity some day. He deserves it, and the nation deserves him.

HAYNES JOHNSON DISCUSSES THE GENOCIDE CONVENTION

Mr. PROXMIRE. Mr. President, Haynes Johnson recently discussed the American Gathering of Jewish Holocaust Survivors in a television interview for "Washington Week in Review."

Throughout the interview, Mr. Johnson recounts the overwhelming experience of this extraordinary gathering. He applauds the act of Congress to create a Holocaust Memorial Museum on the Mall. He also commends President Reagan and Vice President BUSH for their magnificent performances throughout the week.

Despite Mr. Johnson's praise for the U.S. efforts to remember the Holocaust, he is quick to point out that there is still another piece of unfinished business "that has been collecting dust in our Senate for 34 years." He is, of course, referring to the Genocide Convention. He notes that this treaty outlawing genocide says, essentially:

That you can't have sanctuary. That the nations of the world would gather to say that if war criminals exist and they tried to hide in your country, they could not—you would back them and allow them to be extradited.

Mr. President, Haynes Johnson certainly does not stand alone in his belief that now is an opportune time for the Reagan administration and the Senate to push for the ratification of the Genocide Treaty. The recent commemoration of the Holocaust demonstrates our desire to prevent such a horrible event from ever occurring again. Let us now confirm this desire by quickly ratifying the Genocide Convention.

Mr. President, I ask unanimous consent that Mr. Johnson's interview be printed in the CONGRESSIONAL RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From Washington Week in Review, Apr. 15, 1983]

INTERVIEW WITH HAYNES JOHNSON

PAUL DUKE. For four days this week we all looked back in sorrow at one of the greatest examples of man's inhumanity to man, Haynes.

HAYNES JOHNSON. I guess you have to deal with this one personally as you did about where you've just been. In my case I went over to this gathering of the survivors of the Holocaust, the American Jewish survivors, generations really—those who were in the camps, those who were the children, some grandchildren.

I've seen a lot of emotional meetings. Washington is a great convention center forum for the world.

But I sat in the audience there, Paul, and I just watched the faces as people would go by. You would see a man or a woman walking around holding up a little sign in various languages—either, the name of the concentration camp or the name of their home town—and they would just look into the audience of 14,000 to 15,000 people, looking around. And then, suddenly, someone would stand up and look at that sign and race over and embrace them.

And you had the sense you almost didn't want to look. It was too intimate. It was too personal. They had found a link to their past and it was overwhelming in the experience of this really quite extraordinary gathering, I think, and I use the adjective advisedly.

You brought together for the first time all these people in this country. It is sponsored by the government, that is to say it comes out of a governmental resolution, an act of Congress, to create a Holocaust Memorial Museum. The President spoke to them one night, the Vice-President at the end of the week. They transferred two buildings on the Mall to serve as a permanent national museum to remember the Holocaust.

But what I remember and what the point of it was, was the experience of these people that you would see, and then, they would talk about their own lives.

One child who was taken at one year of age while her parents were sent to Auschwitz and she never knew what happened to them. She didn't even know she had a sister. She was smuggled out and raised by French nuns. And people would talk about these things in a way that it was a very painful and yet cathartic sort of experience for them.

DISCUSSANT. Haynes, isn't it odd that we can never, never seem to come to grips with this kind of issue because I think the one analogy, a current analogy that occurs to me, is the Cambodians.

HAYNES. Yes.

DISCUSSANT. Was it 6 million Jews killed during the Holocaust?

HAYNES. Yes.

DISCUSSANT. The number of Cambodians who have been butchered, in effect, over the last 10 to 15 years, must be close to that.

HAYNES. And still going on as a matter of fact, and then you talk about a . . .

DISCUSSANT. Different kind of holocaust.

HAYNES. Different kind of mass extermination—mass murder—which is what the experience in Germany and Europe was all about, and WWII with the Jews.

It is a legitimate question to say, why was this being singled out as opposed to others, and I think the answer was really put quite well by the President and the Vice-President, and indeed the people who had this gathering.

It wasn't intended just to be for the Jews alone or just that experience. It was the universal experience.

And the Vice-President particularly, Mr. Bush, was eloquent on that point. He said never again must these human rights abuses occur. We have a responsibility to hold to a standard that they cannot occur again and that there's a universal lesson in what happened to them.

DISCUSSANT. Isn't there something we should keep in mind in that regard in the attitude of the Israeli government toward peace talks in the Middle East? Because, in effect, the Israeli government is saying never again, and that's something we should keep in mind (interjection: Absolutely.) as we drive toward negotiations.

DISCUSSANT. Isn't there another piece of unfinished business, Haynes, in the Treaty outlawing genocide that has been collecting dust in our Senate for 34 years?

HAYNES. 34 years, yes.

DISCUSSANT. Why? Why doesn't this move?

HAYNES. This is one of the saddest things, Terry, is that there—growing directly out of the experience of the Holocaust, the extermination of 6 million Jews out of 8½ million in Europe, all gone—was a treaty that came out of the United Nations outlawing genocide. And what is really said, essentially, was that you can't have sanctuary. That the nations of the world gather to say that if war criminals exist and they tried to hide in your country, they couldn't—you would back them and allow them to be extradited.

DISCUSSANT. Such as Klaus Barbi?

HAYNES. Exactly. Right now, that treaty has been endorsed by 85 nations, and in the United States, even though it has had the backing of every president since Harry Truman, it still gathers dust. And one of the tragedies of it is that it got caught up in our domestice politics in the 50's and 60's as a states' rights issue.

There was a fear during our own turmoil in the southern states and so forth that this could be seen as sanctions against abuses here at home. That was one thing.

And you remember the Bricker amendment of the 50's and the idea that internationalism was bad. There's lot of this background.

And the truth is that it is irrelevant now. And one of the things that I think is most poignant about this is that the Reagan administration—with its really, I thought, magnificent performance of the President and the Vice-President this last week—has not pushed for our endorsement of that treaty.

And one of the reasons is that it has become sort of an issue of the far right. They say the same issues: that it's a violation of our liberties, of our Bill of Rights, of freedom of states and so forth. Jesse Helms for instance has pledged, to vow, to filibuster if it ever comes up.

And it remains 34 years later, unfinished business.

DISCUSSANT. Is the treaty itself mainly a symbolic act? Would it really do any kind of concrete good?

HAYNES. It is a symbolic act such as the Holocaust memorial here was. Except it does have specific sanctions. A nation pledges its honor not to allow sanctuary for war criminals and therefore, you can extradite them if indeed they're in your borders. So that is not a bad thing to have happen.

PAUL DUKE. Well perhaps we should close tonight with some words from one of the survivors who spoke here this week, identified as prisoner number 25673 at Auschwitz, Itka Fratman, who said, "The gathering showed that good triumphs over evil; that from despair there is hope; from pain comes knowledge; and we can share that knowledge with the world."

I'm Paul Duke. Good night for all of us here on Washington Week.

WHAT PRACTICAL EFFECT FROM THE CATHOLIC BISHOPS' SUPPORT OF THE FREEZE?

Mr. PROXMIRE. Mr. President, the nuclear freeze poses an agonizing challenge for many Americans. Yesterday a story in the New York Times brought home vividly how painfully difficult the resolution of this great national issue is for some. The Times went to the area of the country where the Electric Boat Co. builds Trident submarines—that is nuclear-powered submarines that carry devastating nuclear weapons. The Times reporter, Douglas McGill, questioned Catholics whose livelihood depends on their jobs building these Trident submarines. He interviewed them in the immediate aftermath of the passage of the Catholic bishops' pastoral letter that called for a halt to the contruction of nuclear weapons.

That letter in part suggested that defense workers might be led to quit their job. What a test for the practical effect of the bishops' plea to stop the arms race. The reaction as reported by McGill was mixed. No one has quit their job although the church has started to establish procedures to help those who decide to do so to find other work.

An engineer at Electric Boat is quoted as saying:

Unfortunately our main enemy is an atheist country. I don't think they care what God's words are. They've got to listen to something that's meaningful to them—our deterrent force.

On the other hand another Catholic church member who worked for the freeze says:

The pastoral letter has removed a stigma from the antinuclear movement. It's no longer possible to say the freeze movement is Communist inspired.

Another church member said:

The church is becoming more vulnerable, and we're becoming more vulnerable. But that's the risk of discipleship.

A Catholic priest in a nearby community said:

Whenever I bring up the topic on a Sunday morning, I get a very few people who are upset. Some people agree wholeheartedly. Many have said to me, "Say I wish you'd said that a lot earlier."

Mr. President, Members of this body are practical men and women. We sometimes tend to believe that the pronouncements of a group of clergymen on a political issue—especially a military issue has little or no practical effect. I think that view is wrong. Power may indeed come out of the barrel of a gun. But on the other end of that gun is a human being with a mind and a heart and a soul. A halt to the nuclear arms race can serve all mankind. Painful, dangerous, risky as the path to peace may be, the Catholic bishops are helping us find the way.

Mr. President, I ask unanimous consent that the article to which I have referred from the May 9, New York Times be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

BUILDERS OF NUCLEAR WEAPONS PONDER BISHOPS' PEACE LETTER

PRESTON, CONN., May 8.—The people of St. Catherine's Roman Catholic Church here had something special to discuss after mass today. Many of them build submarines that carry nuclear weapons. And today they talked of those weapons and of the American Roman Catholic bishops' stand against them.

Until recent months, many people here say, the moral questions about working on nuclear weapons systems had not seemed pressing. But for many, and especially those Roman Catholics who build Trident submarines at the Electric Boat shipyard in nearby Groton, that all changed last week, with the overwhelming passage of the bishops' pastoral letter.

The letter called on Catholics and "all men and women of good will" to make peacemaking their most important spiritual and worldly goal.

BISHOP HELPED WITH LETTER

"It took real courage for the bishops to even attempt this letter," said the Rev. Joseph Finnerty, the pastor of St. Catherine's, where about 75 percent of the congregration are Electric Boat or Navy workers and their families. "At the same time, I think if they didn't address that problem, then they really couldn't address, with any amount of credibility, any of the lesser prolems plaguing our society."

To bring the matter even closer to home, Daniel P. Reilly, the Bishop of the Diocese of Norwich, in which the town of Preston falls, was one of the drafters of the letter. A portion of the letter, addressed directly to defense workers, suggested that anyone who studies the letter's teachings might be led to quit his or her job.

"We are the first generation since Genesis with the power to virtually destroy God's creation," the letter said. "We cannot remain silent in the face of such danger."

After the mass at St. Catherine's today, about a dozen parishioners, including Electric Boat and Navy workers, talked in the church meeting hall.

Boyd W. Cohenour, who retired from the Navy after many tours aboard Polaris submarines that carry nuclear missiles, said the issues raised in the letter reminded him of an old fear.

"Every time there was an emergency drill aboard ship, I was scared to death," he said. "I was thinking, 'Is this the real thing? If we have to fire one of those things, what will we go back home to? Total annihilation?' "

The parishioners at the meeting agreed the letter was a positive and important document. But some were skeptical of its effectiveness.

"Unfortunately, our main enemy is an atheist country," said David A. Swercewski, an engineer at Electric Boat. "I don't think they care what God's words are. They've got to listen to something that's meaningful to them—our deterrent force." One parishioner, Virginia Allen helped work for a nuclear freeze referendum in Preston last year. "The pastoral letter has removed a stigma from the antinuclear movement," she said. "It's no longer possible to say the freeze movement is Communist-inspired."

The pastoral letter has caused much argument, but "no terrible outburst" in the parish, Father Finnerty said. Once or twice, Electric Boat workers have asked for counseling about the morality of their jobs, but no one has quit, he said.

The Norwich diocese is preparing for that possibility, however. Bishop Reilly said the diocese will provide financial assistance and counseling to anyone who leaves a defense job as a matter of conscience.

But the letter, he added, did not say anything more than that anyone in defense work should examine their conscience and make their own decision.

"Will it be a mortal sin to work on the Trident?" Bishop Reilly said. "We don't say that. Sin comes in when you act against your conscience. This letter, we hope, will be used by people to help form their consciences."

His personal approach to the nuclear issue has changed a great deal, Bishop Reilly added. "I grew up in a tough neighborhood in Rhode Island," he said. "If someone took a swing at me, being a good Irishman, I would say swing back. But we're not talking about stones or snowballs anymore. The destructive power of nuclear weapons is difficult to conceive."

After services at Our Lady of Lourdes Roman Catholic Church in Gales Ferry, Conn., a few miles south of Preston, another group of parishioners, including defense workers, gathered to discuss the pastoral letter. Some members of the group said the letter marked a new and somewhat frightening stage in their life as Catholics.

"I remember rolling tin foil in World War II," said Janet C. Didier, the wife of a former submarine officer. "The war was good, and just. But some years afterward, everything started to change. I first felt it when my husband took me on a submarine and I felt like I was walking into a bullet. I began to wonder: Is war the Christian way to solve our problems?"

The pastoral letter, Mrs. Didier said, seemed to confirm a lingering feeling she had had since then, that using any form of violence may be immoral. "It's made me a nervous person," she said. "The church is becoming more vulnerable, and we're becoming more vulnerable. But that's the risk of discipleship."

The Rev. Robert Washabaugh, of Our Lady of Lourdes, belongs to the Justice and Peace Commission of the Norwich diocese. The commission has kept the people of the diocese informed about the pastoral letter as it went through several drafts over the past two years.

Last weekend, before the bishops met to discuss and vote on the letter, the commis-

sion asked people in each parish to pray for them. Now that the letter has been passed, the commission will turn its attention to disseminating the document, and holding workshops for clergy and laity on its meaning.

"Whenever I bring up the topic on a Sunday morning, I get a very few people who are upset" Father Washabaugh said. "Some people agree wholeheartedly. Many have said to me, 'Say, I wish you'd said that a lot earlier.' "

TRIBUTE TO WILLIAM KEEL—ADMINISTRATIVE ASSISTANT TO SENATOR JIM SASSER

Mr. SASSER. Mr. President, it is with sadness that I must report today that my administrative assistant, Mr. William Keel, is retiring from Senate service at the end of this month. He will be deeply missed, and his absence will leave a void in my office.

I have grown to rely on his advice and counsel, and I have always found his judgment to be sound and thoughtful. I shall miss our daily association, but I look forward to continuing to call on Mr. Keel for counsel and assistance in his retirement.

As my administrative assistant for the past 5 years, Mr. Keel has worked tirelessly to insure that my office responded quickly and aggressively to meet the needs of Tennessee constituents. The reputation that my office has achieved for hard work, efficiency, and effectiveness is due, to a large extent, to his efforts. He has seen to it that every letter was answered and that all Tennesseans seeking help from their Senator were given priority attention.

Bill, as he is known by thousands of Tennesseans, has worked diligently to assure that Tennessee cities and towns receive a fair share of Federal grants and projects.

Bill is the kind of administrative assistant every Senator wants and desires. He is a man of high loyalty and devotion. He is a man of creativity and imagination. He is a man of honor and integrity.

His service will not be forgotten by those of us who have worked with him. I wish him the best as he leaves Washington to join his family in Tennessee.

After almost a quarter century of public service, I am confident that Bill will remain involved in the political process of our State. I am confident that he will make many substantial contributions to our State in the years ahead.

Bill is also one of the finest writers that I have known. His eloquent prose has found its way into many of my speeches, just as it did for those of candidate Jimmy Carter whom Bill served as a speechwriter in 1976.

In fact, it was as a writer that Bill began his long and illustrious career.

He worked as a reporter for the Knoxville Journal and later reported on governmental and political affairs at the Nashville Tennessean. He also worked as a night city editor at the Tennessean and as an instructor in journalism at the University of Tennessee in Knoxville.

Bill came to Washington in the early 1960's with many other young men and women who wanted to be a part of President Kennedy's New Frontier.

He worked with the Democratic National Committee and later as Special Assistant to the Small Business Administration's Deputy Administrator for Financial Assistance.

The bulk of Bill's career in Washington, however, was devoted to the office of Congressman Joe L. Evins, one of the most respected and admired public officials in Tennessee's history.

Bill served for 11 years as administrative assistant to Congressman Evins.

During that time, he gained knowledge and developed a working relationship with Members of the House which has served him well as a member of my staff over the years.

After Congressman Evins' retirement in 1976, Bill worked as speech coordinator for the campaign of Jimmy Carter for President. He later served as the director of the Carter administration's transition team for the Small Business Administration and as a member of the Commerce Department transition team.

He was appointed Assistant Administrator for Congressional and Legislative Affairs at the Small Business Administration when President Carter took office. At SBA, Bill also served as a member of the Management Board, and he was instrumental in developing the national businesswomen's ownership program. He remained with the SBA until he joined my staff.

Mr. President, Bill's service here in Washington is clearly something for which he can take great pride.

I respect Bill's decision to retire and I want to congratulate him today on his fine career, but this is also a sad occasion for me. Bill Keel has been more than my AA. He has been my friend. It is a great loss that he will no longer be my AA, but I will always value his friendship.

APPROPRIATIONS COMMITTEE HEARINGS ON MX MISSILE BASING MODE

Mr. HATFIELD. Mr. President, today the Appropriations Committee held an additional hearing on Senate Concurrent Resolution 26, pertaining to the MX missile basing mode, to receive testimony from Senator JOHN TOWER, the chairman of the Armed Services Committee, and Senator HENRY JACKSON, the ranking minority member of the Armed Services Committee. The hearing was held at the request of Senator TOWER, so that he and Senator JACKSON might present their views on this important matter.

The Appropriations Committee will hold a markup session on Senate Concurrent Resolution 26 this Thursday, May 12, at 3:30 p.m., in SD-192.

I ask unanimous consent that the opening statements of Senator TOWER and Senator JACKSON be printed in the RECORD.

There being no objection, the statements were ordered to be printed in the RECORD, as follows:

OPENING STATEMENT BY SENATOR JOHN TOWER BEFORE THE SENATE APPROPRIATIONS COMMITTEE

Mr. Chairman and Members of the Committee, I appreciate your affording me an opportunity to appear before you today to discuss the subject of the President's proposal for the modernization of our strategic forces, in general, and that involving the land-based element of our nuclear deterrent, in particular.

I am testifying in my capacity as Chairman of the Senate Committee on Armed Services which has been conducting in full Committee and in its Strategic and Theater Nuclear Forces Subcommittee extensive hearings on these matters. While the views I will express are my own, they have been informed by the weight of the testimony made available to us in the course of our open and closed sessions. Hopefully, the following assessment of the material presented to our Committee will be of use to the Members of this panel in your forthcoming action on the resolution of approval provided for in the Fiscal Year 1983 Continuing Resolution.

The distinguished Chairman of this Committee, Senator Hatfield, is to be commended for the forthright and expeditious manner in which he has moved forward with the consideration of this Resolution. I would respectfully disagree with the assertion attributed to him by the press, however, that the issue upon which the membership will be asked to vote is narrowly circumscribed.

It has been suggested that Senators must, in acting on this Resolution of Approval, consider only the MX basing component thereof, in isolation and without reference to other key elements of the package.

In my judgment, no one should be under any illusion that this early vote in Committee is other than a test vote on the acceptance by the Congress of the broad outline of the Scowcroft Commission's recommendations.

The findings and recommendations of the President's Commission on Strategic Forces are, by this time, well known to all Members of this Committee. I will not take your time to repeat them except to highlight several of the points made by the Scowcroft Panel which are especially noteworthy and which, as a result of their subsequent endorsement by President Reagan, now constitute the official views and policies of his Administration.

Let me begin by noting that General Scowcroft and his colleagues have indicated—in my view correctly—that we, as a Nation, stand at a most important crossroad. At long last, a decision is about to be made by the Congress whereby we will finally choose whether or not this Nation will modernize its aging intercontinental ballistic missile force—elements of which have

been in the inventory since the early 1960's—with modern systems of vastly greater reliability and capability. In its report, and in congressional testimony, the Scowcroft Commission has elucidated carefully the implications this decision holds for us, for our allies and for our adversaries. I would like to dwell for a moment on these potential implications—both adverse and positive.

There can be little doubt that our failure to proceed with deployment of the MX missile at this time in the manner recommended by the blue-ribbon Scowcroft Commission and the President, will have severe and untoward consequences. One can only speculate what such consequences might be. It does not seem unreasonable to me, however, that they might include some or all of the following:

The emergence of complete Soviet intransigence at the negotiating table in Geneva, effectively foreclosing realistic possibilities for substantive progress in talks on strategic arms reductions and intermediate-range nuclear forces;

The Soviets may intepret our inability to muster the necessary political resolve to modernize that component of strategic power—the ICBM force—which they consider to be the most important, as a sign of paralysis. The fact that we might forgo such modernization—even when confronted by the enormous investment of resources in such weapons by the Soviets themselves—could lead to a reevaluation by the Soviet leadership on the so-called "correlation of forces," a development which might encourage increased assertiveness and aggression on the part of the USSR.

A refusal on the part of our Western European allies to proceed with deployment of Pershing II and ground-launched cruise missiles on their soil;

Dissipation of public support in the United Kingdom and France for the planned modernization of their independent nuclear deterrent forces.

In short, the weight of expert testimony before the Committee has indicated that significant risks attend a decision not to go forward with production and deployment of the MX missile as recommended by the bipartisian Scowcroft Commission and by the President.

What is more, testimony taken by our Committee from supporters and critics of the Scowcroft Report has indicated, on balance, that the decision to proceed at this time with the package of initiatives recommended by General Scowcroft and his copanelists holds significant promise for a strategic balance characterized by greater stability, smaller numbers of nuclear weapons, and a reduction in the risk of nuclear war.

Specifically, many of our expert witnesses, including the Chairman and members of the Scowcroft Commission, the Secretary of State, the Secretary of Defense, the Joint Chiefs of Staff and the Commander-in-Chief of the Strategic Air Command, stated their common belief that a production goahead on MX was indispensable to the success of our arms control negotiating efforts. Where we have tried previously to afford both the carrot and the stick as incentives to Soviet negotiators we have achieved notable successes. The ABM accord is an oft-cited case in point and the recent Andropov proposal regarding intermediate range nuclear forces suggests that this principle still applies.

Absent credible bargaining leverage, however, we have seen negotiations aimed at achieving such objectives as Mutual, Balanced Force Reductions, bans on chemical and anti-satellite warfare, and verifiable agreements on, among other things, nuclear testing, drag on and on inconclusively. The Soviets are unrivalled masters of diplomatic intransigence when they perceive such behavior to be in their interest.

To realize such important beneficial consequences as those envisioned by many of our witnesses, the recommendations of the President's Commission must be regarded—and acted upon—by the Congress as a package. The present resolution is uniquely suited for this purpose. While the Senate will shortly have before it the Defense Authorization bill, in which the various components of the Scowcroft recommendations will be explicitly addressed, an opportunity is afforded in this symbolic resolution to affirm the broad outlines of the revised ICBM modernization and arms control program submitted by the President.

That being said, it might be useful to this Committee to take with respect to this program in the Fiscal Year 1984 Defense Authorization bill. I believe that we will render explicit in the law the commitment made by the President not only to limited procurement and Minuteman siting of the MX missile, but to an aggressive research and development effort on the small ICBM, as well, My expectation is that our bill will also support the range of developmental activities intended to explore alternatives for enhancing, in the future the survivability of the MX and/or a small ICBM force.

Furthermore, I anticipate that we will strongly encourage the pursuit of a strategic arms reduction agreement whose emphasis will be upon obtaining increased nuclear stability through reductions in warheads and missile payloads rather than cuts in launchers.

At this point, with a sense of the nature of the recommendations likely to be made by the Senate Armed Services Committee and with confidence that an imminent opportunity will be afforded to all Senators to act in the context of the Defense Authorization bill on specific elements of the Scowcroft Commission recommended program, I believe that members of this committee should consider the vote they are about to cast on the pending resolution of approval as a vehicle for weighing the merits of this program as a complete package.

Having said that, permit me to address in closing perhaps the most controversial component of those recommendations. That is, the issue of the survivability of the proposed MX basing mode. I have been among the most vocal adherents to the theory that each element of our strategic forces should—to the maximum degree feasible—be constituted of systems whose retaliatory capability will not be severely degraded by a Soviet first-strike. My views as to the means whereby such survivability could be afforded to the MX missile are a matter of record.

I am prepared at this time, however, to concur in the findings of the Scowcroft Commission, that the real "window of vulnerability" is the present and growing imbalance between U.S. and Soviet prompt, hard-target kill capable forces. I join the President's Commission in concluding that the earliest possible deployment of the MX is needed to regress this important deficiency.

While it is regrettable that, for a variety of political, technical and budgetary reasons the Administration and the Congress have foreclosed options which might have resulted in such an earliest feasible deployment of MX in a survivable basing system, I believe that the Commission's finding is correct that further delay in MX deployment could be perilous to our security and that of our allies. The package of future missile and basing research and development alternatives coupled with the immediate deployment of the MX in Minuteman silos, represents the best option available to us today for the modernization of our land-based strategic forces.

In conclusion, I commend to the Members of this Committee for their favorable consideration the recommendations of the Scowcroft Commission and of President Reagan. I believe the record compiled to date by the Senate Armed Services Committee and its Subcommittee on Strategic and Theater Nuclear Forces supports an affirmative report by this Committee of the pending Resolution of Approval to the full Senate. I urge the distinguished Members of this panel to do so with dispatch.

STATEMENT BY SENATOR HENRY M. JACKSON BEFORE THE SENATE COMMITTEE ON APPROPRIATIONS ON MODERNIZATION OF U.S. LAND-BASED ICBM FORCES

Mr. Chairman, I requested the opportunity to testify before you today to join Senator Tower and others in urging support for the President's proposal for modernization of our land-based ICBM forces. Specifically, I am here to urge you and your colleagues to report favorably the concurrent resolution provided for in P.L. 97-377.

I want to share with you my reasons for supporting the President's proposal and, in particular, to give my assessment of the necessity for deploying the MX in existing silos.

For about a quarter of a century our nuclear deterrence based on a triad of forces has proven effective in inhibiting Soviet adventurism and maintaining the peace. The strongest leg of that triad has been until recently the land-based ICBM force. Now because of efforts by the Soviets to harden their important military assets which we would target, our Minuteman III force is no longer sufficiently effective as a counterforce to a first strike by the Soviets. Modernization of the land-based ICBM force is required to maintain deterrence by restoring our ability to retaliate promptly against such targets as the Soviet national command structure.

In addition, we must restore the credibility of our land-based ICBM force to maintain the survivability of our strategic bomber and sea-based nuclear deterrence forces. The symbiotic relationship between the three legs of the triad in terms of deterrence is well established. The triad forces are mutually reinforcing and severely complicate the problem of Soviet planners. However, if the Soviet leaders become convinced that our land-based ICBM force is not a sufficient deterrent, they will be able to concentrate their efforts on how to attack the sea-based and bomber forces. They might, for instance, adopt a strategy of attacking the bomber force first before most of it can become airborne.

Some find solace in stating that there is essential parity today between the Soviet Union and the United States in strategic systems. However, Soviet deployments of modern strategic systems over the past 10 years have created a very disturbing trend. Furthermore, the current Soviet efforts are relentless in the development of new sys-

tems. For instance, there are reports of new ICBMs undergoing flight tests. Additionally, deployment of an upgraded ABM system around Moscow appears to be nearing completion.

We must not only worry about deterrence of the strategic Soviet force, but also the imposing Soviet conventional forces. While we must maintain strong conventional warfighting capabilities, they alone will not deter the Soviets unless we maintain parity in strategic forces. Not only our resolve to stand up to Soviet aggression is at stake, but the resolve of our allies and other peace-loving nations to stand up to Soviet and Soviet surrogates' aggression is dependent on the perception by all parties of our will and capability.

The message from these facts is clear to me. We must modernize our land-based ICBM force and at the same time we must seek to negotiate with the Soviets a balanced, verifiable reduction in strategic armaments. These are the two cornerstones of the President's proposal.

However, we should not delay the modernization program in the hope that a treaty on nuclear arms reduction will be readily achieved. I believe that the Soviets will seriously negotiate toward such a treaty only with our modernization program going forward. This is testified to by history where the ABM treaty was negotiated only after the Congress approved a limited deployment of an ABM system.

The content of a modernization program for the land-based ICBMs—MX deployment as well as the development and deployment of a new, small, single RV ICBM—has been well described in the Scowcroft Commission report. The deployment of MX missiles in existing silos provides the counterforce capability to attack hard-targets. If there is success in the treaty negotiations, this decision can be reviewed to limit or lower the number of MX missiles. An adjunct to MX deployment in existing silos should be an on-going program to evaluate alternative basing modes such as deep-underground basing. However, given the 10-year history of countless basing proposals, it would be a mistake to delay deployment any longer in hope of finding a better solution. The trade-offs among such factors as cost, environment, land-use, security and survivability will make it difficult to find an ideal basing mode. While full survivability is not possible in existing silos, MX deployment in them will complicate the Soviet planners problem by reinforcing the land-based leg of the triad and thus increasing the survivability of the other two legs of the triad.

There are those who advocate the further upgrading of the Minuteman III force rather than deploying the MX. This proposal would cost about 60 percent of the MX deployment cost with several negative aspects. The MX would still have a better hard-target kill capability due to an improved warhead design with potentially a higher yield. The range of the Minuteman III would be further reduced and the MIRV footprint would be affected. The accuracy might not be as good as the MX since it is an adaptation rather than a fully integrated design. Also, it might not be available until 2 years after the MX deployment.

A program for development of a small ICBM, which could be mobile, for deployment in the 1990's should be vigorously pursued. While there are many technical questions to be answered, it offers the clear possibility of nullifying the accuracy of the Soviet missiles, by increasing the positional uncertainty of the target. This would greatly complicate the Soviet planners task and further strengthen the land-based ICBM force. The small, single warhead ICBM would contribute to nuclear arms reduction by allowing us to eliminate over time the multiple warhead missiles.

I think it important, however, to point out that there will undoubtedly be opposition to the deployment of the so-called Midgetman missile from many of the same groups opposing the MX.

Issues of arms reduction, verification, environmental effects, possible use of non-Federal land on alerts, cost due to its manpower intensive nature, and command and control must all be resolved.

There is a tendency to want to wait for the next generation of technology believing that it will be available on schedule, on cost, and will be more acceptable than the current system. That approach may be acceptable in coal gasification technology or automotive developments, but it is not prudent in planning and maintaining our National defense.

We must meet the growing threat by pressing forward and showing a national will to do what is necessary until such time as treaty negotiations are successfully concluded. A decision not to deploy the MX missile would, in effect, be a unilateral freeze of our land-based deterrent. It would increase the vulnerability of our strategic bomber force and put unacceptable dependence on our sea-based strategic forces.

I encourage you, Mr. Chairman, and other Members of this Committee to study the Scowcroft Commission report. If you do, I believe you will come to share my view that deployment of the MX in existing silos would be an important addition to our strategic deterrent capability.

STATE OF MAINE PETITIONS CONGRESS ON ACID RAIN REDUCTIONS

Mr. MITCHELL. Mr. President, on behalf of the legislature of the State of Maine I submit a joint resolution memorializing this Congress to take immediate action to curtail the pollution which contributes to the acid rain and snow affecting Maine and the entire Northeastern United States and Canada.

The Maine State Legislature and the people of Maine have waited for years for the National Government to take action which is beyond the power of the State itself to take. That action is to require the reduction of emissions into the atmosphere which create acid precipitation which originate beyond the State's borders.

The Maine Legislature notes, in its petition, that the economic costs of acid rain are potentially disastrous: Fully 43 percent of the value of all products produced by Maine derives from the forestry industry. That economic foundation is directly threatened when acidity in the rainfall retards tree growth.

More importantly, the petition serves as a reminder that our Nation and Canada "share a common stewardship of the resources, flora and fauna of one of the richest land masses in the world for the benefit of future generations." I urge my colleagues to remember that fundamental reality as the Senate turns to consideration of the Clean Air Act later this year.

The elected representatives of Maine's people are asking that we, the National Legislature, acknowledge their concerns and act on them. I hope the Senate will heed their request.

I ask unanimous consent that the full text of the resolution be printed in the RECORD at this point.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

JOINT RESOLUTION MEMORIALIZING THE 97TH CONGRESS OF THE UNITED STATES TO TAKE ACTION TO ADDRESS THE PROBLEMS POSED BY ACID PRECIPITATION

We, your Memorialists, the Senate and House of Representatives of the State of Maine in the First Regular Session of the One Hundred and Eleventh Legislature, now assembled, most respectfully present and petition the members of the 97th Congress of the United States of America, as follows:

Whereas, hundreds of lakes in the northeastern United States and eastern Canada are devoid of animal and plant life due to the effects of acidic precipitation, so-called acid rain; and

Whereas, the same acid rain continues to pose a similar threat to the lakes and rivers and animal and plant life of this region; and

Whereas, in Maine the acidity in some of our lakes has increased eightfold in the last 40 years; and

Whereas, acid rain poses an enormous economic burden on those regions it affects producing an estimated cost of $250 million in damages annually to lakes and rivers east of the Mississippi River; and

Whereas, the effects of acid rain are not limited to aquatic resources, but also seriously affect local flora; and

Whereas, 90% of Maine is forested and 30% of all of its manufacturing jobs are in forest related industries which produce more than $2.5 billion worth of products, or 43% of the value of all products produced in this State; and

Whereas, the potential loss to Maine's economy posed by the effects of acid rain is enormous; and

Whereas, in a more general and yet more important regard the United States and Canada share a common stewardship of the resources, flora and fauna of one of the richest land masses in the world for the benefit of future generations which is being continually endangered by the effects of acid rain to the detriment of these future generations and in derogation of our stewardship responsibilities; and

Whereas, the American response to this problem has succeeded only in causing a serious strain on our relationship with our Canadian neighbors; and

Whereas, more responsible and responsive actions on the part of the American Government are required now to eliminate this problem before the damage done is totally irreversible; now, therefore, be it

Resolved: That We, your Memorialists, respectfully urge and request that the 97th United States Congress take prompt action to make significant reductions in sulfur dioxide emissions in the 31-state region east

of or bordering on the Mississippi River; and be it further

Resolved: That a duly authenticated copy of this memorial be immediately submitted by the Secretary of State to the President of the Senate and the Speaker of the House of the Congress of the United States and to each member of Congress from this State.

EMPLOYEE STOCK OWNERSHIP—A NEW APPROACH TO PRODUCTIVITY

Mr. LONG. Mr. President, I am sure that many Members have noticed that employee stock ownership is catching on. The legislation that the Congress has enacted over the past 10 years has been successful in encouraging more than 5,000 companies to share ownership with their employees.

Although we have recently placed increased national emphasis on such hard economic factors as capital investment and research and development, thus far we continue to overlook the soft factors that have such an important impact on productivity—the motivation, commitment, and dedication of working Americans. Employee stock ownership provides a way to link these two factors and to end the costly mismatch between the national goal of improved productivity and our system of incentives and rewards.

Some would have us believe that our sagging productivity is due to an erosion of the work ethic. The evidence, however, is to the contrary. For example, a 1980 Gallup study for the U.S. Chamber of Commerce found that an overwhelming 88 percent of working Americans feel that it is personally important to them to work hard and to do their best on the job.

Other surveys reveal similar findings. In 1977, for example, a survey conducted by the University of Michigan's Survey Research Center found that 75 percent of Americans would prefer to go on working even if they could live comfortably without working for the rest of their lives. Seven years earlier, only 67 percent of those surveyed expressed the same attitude, indicating that Americans' commitment to the value of work is growing.

Other studies indicate that not only are Americans committed to work, they also have a great deal of control over how hard they work and over the quality of the work performed. In 1982, a pilot study for the Public Agenda Foundation explored aspects of the unwritten work contract—the assumptions that each individual makes about what he or she will give to the job and what is expected in return.

Of those surveyed, 78 percent alined themselves with the statement, "I have an inner need to do the very best job I can regardless of pay." Only 7 percent thought of work as simply a business transaction whereby one regulates effort according to the size of the paycheck.

This study also found that a huge majority—82 percent—felt that they had some control over the effort they gave to their job, and an even greater majority—88 percent—responded that they had control over the quality of the work they performed. Too few policymakers realize just how much control working Americans have over whether they will meet only the minimum requirements of the job or whether they will contribute that extra effort that makes the difference between mere adequacy and competitive excellence.

When the Public Agenda study asked whether those surveyed were using this freedom of choice to fulfill their "inner need to do the very best job" they can, only 16 percent said that they were. The rest indicated that they could improve their effectiveness, and many claimed that they could be twice as effective.

Why are not they being more effective? One clue is found in the 1980 Gallup study which asked workers who they thought would benefit from improvements in their productivity. Only 9 percent felt that they, the workers, would. Most assumed that the beneficiaries would be others—consumers or stockholders or management. This finding conforms with the results of a Yankelovich, Skelly, and White study several years ago which found that a majority of college students no longer believe that working hard pays off.

Similar findings stem from a 1981 Harris survey for Sentry Insurance which revealed that 73 percent of working Americans believe that "the motivation to work hard is not as strong today as it was a decade ago," and 78 percent feel that "people take less pride in their work than they did 10 years ago."

Some have argued that such findings are proof that the work ethic is eroding. I disagree. The evidence indicates that the work ethic is strong and growing stronger. I think it signifies something more troubling; it signifies that more and more people are doubting that hard work will bring the personal rewards that they have a right to expect. The problem, I believe, lies in our management systems and in our flawed reward system, both psychological and financial that now dominates the American workplace.

For example, when Gallup's Chamber of Commerce study asked people whether they would work harder and do a better job if they were involved in decisions relating to their work, an overwhelming 84 percent said that they would. Similarly, psychologist Raymond Katzell of New York University reviewed 103 experiments designed to test whether an improved incentive system, including both money and greater control over one's work, would lead to higher individual productivity. It did in 85 of the experiments.

The growing appreciation of the benefits available through participative styles of management is well reflected in a 1982 New York Stock Exchange survey of management's attitude toward participative management. Eighty-two percent of those surveyed in corporations with 500 or more employees considered participative management to be a promising new approach—versus only 3 percent who considered it a fad destined to disappear.

Similarly, a new McKinsey & Co. study commissioned by the American Business Conference, found a strong link between more participative management methods and increased profits and productivity. This study of midsized growth companies—those with $25 million to $1 billion in annual sales—reveals that reliance on such management approaches has become a chief characteristic of highly successful firms.

Within the American work force is a large reservoir of potential for improved performance and increased productivity. Americans appear to be willing to work harder and to work smarter in order to turn out a higher quality service or product. Indeed, their self-esteem demands that they do no less. The problem facing U.S. policymakers is how to tap that productive potential.

In a recently released report on the Nation's long-term productivity problems, the Committee for Economic Development concludes that no single approach to boosting productivity will work for every firm or industry. Consequently, this public policy group suggests that businesses adopt a set of guiding principles to increase productivity growth rates. Each of the guidelines suggests the potential impact of policies and programs supportive of employee stock ownership.

These guidelines include:

First. Making increases in productivity a central goal of long-range business strategy, alongside such key objectives as improved profits, stock-price appreciation and increased market shares.

Second. Establishing a portfolio of policies to achieve productivity gains.

Third. Encouraging entrepreneurship, risk-taking and constructive criticism at every level of the organization.

Fourth. Offering real incentives, both financial and nonfinancial, to workers and managers to cooperate with one another and apply their skills and creativity to such long run objectives as productivity growth.

This report, prepared by the CED's Research and Policy Committee, concludes that, due to their decision-

making role, top management must take the lead in boosting productivity growth. For firms with a unionized labor force, the report concludes that it is essential to make the union an integral part of all productivity programs, which may require a new attitude on the part of both management and union leaders.

Recent evidence indicates that not only is there much that should be done but also there is much that can be done. For example, one study disclosed that from 1957 to 1978 the percentage of workers who saw their job as a source of personal fulfillment decreased from 50 to 25 percent. Similarly, the Survey Research Center at the University of Michigan found in a 1977 survey that 60 percent of the work force would prefer another job, up from 44 percent since 1969. In a 1980 study, 27 percent reported that they would not buy the products they make.

For many, increased productivity is still regarded as a code word for speedups that benefit management and stockholders and threaten jobs security. Yet that need not be the case. In searching for a more productive and a more fulfilling way to get things done, perhaps we should take a lesson from Pope John Paul II who suggested in the 1981 papal encyclical, "On Human Work," that:

> Every effort must be made to ensure that . . . the human person can preserve his awareness of working "for himself".

The evidence indicates that employee stock ownership has the potential for creating a work environment and a reward system that can bring out the best that the American worker has to offer.

The following four studies are representative of the productive potential that employee ownership has only just begun to tap:

In a 1978 report prepared on contract to the Economic Development Administration of the Commerce Department, the University of Michigan's Survey Research Center found in a study of 30 employee ownership companies that such firms were 1.5 times as profitable as comparable firms owned in the more traditional manner. Employee ownership also seemed to be associated with better attitudes toward the job. The impact of this ownership effect increased with the amount of equity employees owned.

From a 1979 survey of 72 ESOP companies, the Employee Stock Ownership Association of America compiled a profile of the average ESOP company. The average company had been in operation for 24 years and had established its ESOP 3 years prior to the survey. In that 3-year period, the ESOP acquired an average of 20.8 percent of the sponsor company's stock. Over that same period, average profits had increased 15 percent, employment grew 25 percent, sales per employee rose 37 percent, and total annual sales jumped 72 percent.

In a 1981 study of 229 companies by Iowa Law School's Journal of Corporation Law, ESOP companies showed an annual average productivity increase of 0.78 percent (1975–78) compared to the national average of a 0.74 percent decline. In other words, the ESOP companies appeared to be 1.5 percent more productive than comparable firms. Indeed, it appears that this ownership effect may have made the difference between positive growth and economic decline.

In a 1967 survey of worker-owned plywood companies in the Pacific Northwest, output per worker was found to be approximately 30 percent higher than in comparable plywood companies.

ROUND-THE-WORLD SAILOR WELCOMED BY NEWPORTERS

Mr. PELL. Mr. President, I would like to share with my colleagues the news of yet another record breaking sail that ended in Newport, R.I., with appropriate fanfare.

Philippe Jeantot, a 31-year-old Frenchman, broke the world record yesterday for the round-the-world singlehanded sailing race when he sailed into Newport waters as the Sun came up and the sea mists parted.

He sailed the 27,000-mile course to victory in 159 days and 2 hours, breaking the previous record of 169 days set by a fellow Frenchman, Alain Colas, back in 1973–74.

Timing, of course, is an essential skill in sailing and this new world champion displaced both precise timing and a flair for the dramatic as he ended his long journey. He waited for the Sun before sailing into the welcoming armada off Newport's shores.

I ask unanimous consent that an article from the Providence (R.I.) Journal of May 10, 1983, title "Round-the-World Sailor Orchestrates Finish" be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Providence, R.I., Journal, May 10, 1983]

ROUND-THE-WORLD SAILOR ORCHESTRATES FINISH

(By Douglas R. Riggs)

NEWPORT.—Philippe Jeantot did it his way. He wanted to cross the finish line in style yesterday, and that's exactly what he did.

Early yesterday, with only 50 miles of his 27,000-mile course to go, victory in the BOC Challenge round-the-world singlehanded sailing race and a new world's record so close he could taste the champagne, he slowed down to wait for daylight.

On the three previous legs, he had always arrived in darkness and foul weather, he explained later. He wanted the finish to be different. He even sailed in the wrong direction for a time, waiting for the sun.

Jeantot was coming into Newport 159 days and 2 hours after he and 16 other boats set sail late last summer. He is French, 31 years old, a professional diver. The record he broke was also French—169 days set back in 1973–74 by Alain Colas. Behind Jeantot, nine boats still sailed; six have dropped out.

When daylight came, it did so grudgingly, hidden by a gauze of fog that kept the 20-odd press and spectator boats huddled within a few hundred yards of Brenton Tower, one end of the finish line.

Most of their passengers hadn't slept all night, having gone out on the boats to greet Jeantot at his predicted arrival time of 2 a.m. When the sailor radioed that he would cross the line between 6 and 7 a.m., there was some good-natured grumbling.

As morning advanced, the fog grew thicker, reducing visibility to 100 yards or less. The boats wallowed in five-foot swells, their foghorns honking at each other like irritated geese.

Then, at 7:05 a.m., the predicted windshift finally came, the fog parted and Philippe Jeantot's 56 foot cutter, Credit Agricole, came bounding out of it less than half a mile away, like an actor taking a final curtain call after a bravura performance.

The grumbling gave way to cheers, followed by a frantic jockeying for position as the fleet converged on Jeantot's sleek, black-and-white craft, the skippers maneuvering for favorable photo angles, a chance to wave boom mikes close enough to pick up the sailor's words, or just to gawk and pay homage at close range.

He crossed the finish line six minutes later, waving and grinning and looking completely fit and relaxed, as if coming back from a Sunday sail around Block Island. The whole armada careened and plunged full tilt toward Naragansett Bay, like a school of gigantic dolphins in a feeding frenzy, led by a Coast Guard cutter spouting water high into the air from a fire hose.

Philippe's mother, Genevieve Jeantot, was aboard the Viking King. She tried to call him on the radio: "Allo, Philippel Allo, Phillippel Ca va?" ("How's it going?") There was no immediate response, but the answer was obvious: It was going well.

"My son, he is good skeep-pere, no?" she asked a reporter. Then she waved and snapped pictures of Philippe as he unfurled the French Tricolor and attached it to an after stay.

Lee Mortensen, a banker from Milwaukee, was elated. He had been attending a bankers' convention in Newport that ended Wednesday. He suggested to his wife that they stay around for the finish of the race. "She said, 'Oh, you're crazy.' So I put her on the plane."

He hung around the press headquarters until yesterday, got aboard the Viking King and there he was. "I wouldn't have missed it for the world," he said. "It is hard to conceive that a man could do that all by himself. It's just awesome."

No less so was Jeantot's endurance in the face of all the media attention yesterday. After the usual dockside champagne (French, of course) and informal press conference, Jeantot again entertained reporters' questions at the Sheraton Islander hotel. Later he left for Boston for more interviews and a television appearance. Then back to Rhode Island and a flight to New York City for an appearance on Ted Koppel's "Nightline" at an hour when many landlubbers had called it quits for the day.

As of late last night there are nine more round-the-world sailors out there. The next one expected to finish was Bertie Reed of South Africa, who yesterday afternoon was about 100 miles from Newport. He was expected to land early today, possibly as early as 2 a.m.

Mr. LEAHY. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. DOMENICI. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

FIRST CONCURRENT BUDGET RESOLUTION—FISCAL YEAR 1984

The PRESIDING OFFICER. The clerk will state the unfinished business.

The assistant legislative clerk read as follows:

A Senate concurrent resolution (S. Con. Res. 27) revising the congressional budget for the U.S. Government for the fiscal year 1983 and setting forth the congressional budget for the U.S. Government for the fiscal years 1984, 1985, and 1986.

The Senate resumed consideration of the concurrent resolution.

The PRESIDING OFFICER. The pending question is on the amendment numbered 1247.

Mr. DOMENICI. Mr. President, the question is on the pending amendment by Mr. Pryor, amendment No. 1247, is that correct?

The PRESIDING OFFICER. The Senator is correct.

Mr. DOMENICI. How much time is left on the amendment?

The PRESIDING OFFICER. The Senator from Arkansas has 41 minutes remaining, the Senator from New Mexico 38.

Mr. DOMENICI. I suggest the absence of a quorum and ask that the time be charged to the Senator from New Mexico.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. DOMENICI. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 1247

(Purpose: To reduce funds for security assistance programs)

Mr. DOMENICI. Mr. President, I understand now that we are debating the Pryor amendment No. 1247. I understand Senator PRYOR would like to discuss his amendment a little further. I yield the floor at this time.

Mr. PRYOR. Mr. President, I thank the distinguished chairman of the Budget Committee, my friend from New Mexico. I once again will outline very briefly the intent of this particular amendment and in a very few moments, Mr. President, I will try to conclude my statement. Then I would certainly be happy to engage in a colloquy with the distinguished chairman of the Budget Committee or any of my colleagues.

This afternoon, we will vote on an amendment which I offered yesterday. Mr. President, this amendment reduces the international affairs function by $880 million in each of the next 3 years with a reduction of outlays of $180 million this year, $590 million and $760 million in fiscal years 1985 and 1986.

My purpose in offering this amendment is so that we can begin an adequate debate, an adequate study, a scrutiny of a program that is absolutely out of control.

In his first year in office, for example, President Reagan and our Government sold an alltime high of $21.5 billion in U.S. arms around the world.

We have become the world's arms merchant. That total more than doubles the total of the previous year. We provide 45 percent of all arms to the Third World.

Last year, the ratio of our military to developmental assistance was 57 percent to 43 percent.

My amendment is simple. It is meant to target such authority assistance programs as the military assistance program, which provides grants to allow foreign governments to buy U.S. equipment; foreign military sales credits, forgiven loans and loan guarantees for the same purpose; international military education and training; and the economic support fund, grants, and loans to our allies to free up their own budgets for military expenditures.

The security assistance programs in the budget resolution total $4.97 billion. My amendment would reduce that total to roughly the same level that we spent in fiscal year 1982. It does not obliterate the program; it does not cut it out.

In addition to this onbudget funding, I wish to emphasize that our security assistance program includes about $4.5 billion in budget loan guarantees which are not affected by the amendment under consideration at this time.

This year, the military assistance program alone has been increased by $457 million, and the request for the economic support fund totals nearly $3 billion, an increase of $288 million from last year.

My amendment does not target any particular country or region. Yesterday, the distinguished chairman of the Foreign Relations Committee, Senator PERCY, raised the issue that if the Foreign Relations Committee and the Appropriations Committee had to go back and relook at our military assistance program abroad, certain countries would be cut out of the program or diminished to a large degree. My amendment simply leaves it up to the Foreign Relations Committee and the Appropriations Committee to decide where our security interests really lie and what direct or indirect aid we should give those areas.

Mr. President, I hope that with this amendment we can reduce the enormous escalation of our military assistance abroad to a more reasonable level and that we can show, as a nation and as a Congress, a greater selectivity in where we send our money and our weapons.

Mr. President, that is the end of my statement. I reserve the remainder of my time.

Mr. DOMENICI. Mr. President, a parliamentary inquiry. How much time remains on the Pryor amendment, No. 1247?

The PRESIDING OFFICER. The Senator from New Mexico has 23 minutes. The Senator from Arkansas has 36 minutes.

Mr. DOMENICI. I have nothing further to say on the subject.

I ask the Senator from Arkansas if he would have an objection at this point to our temporarily setting aside the Pryor amendment and proceeding with a Melcher amendment. We have no objection to proceeding with it.

This would not be an agreement as to when to vote on the Pryor amendment, but it would simply set aside that amendment so that the Melcher amendment could be debated between now and noon. The Senator from Arkansas would retain his time.

Mr. PRYOR. I ask this of the distinguished chairman of the Budget Committee, who has been generous in working with us on this particular amendment and another amendment I have pending: I assume that I would not lose or sacrifice any of my time under this arrangement.

Mr. DOMENICI. Until 12 o'clock, if we get off the Melcher amendment, the Senator from Arkansas has his time. Otherwise, he would have 5 minutes preceding the vote on each of his amendments, as provided in the unanimous-consent agreement. I do not want to deny the Senator time at this point. If he wishes to speak further on this subject, we can do that.

Mr. PRYOR. I wonder whether this might be a workable solution: For the purpose of answering any questions about the amendment or perhaps even a closing statement, if we might take more than the 5 minutes allocated; if we might arrange for 15 minutes to be granted to me for the purpose of clari-

fying points, answering questions, or a statement, before the noon hour.

Mr. DOMENICI. That would not change our 5 minutes preceding; but, rather, the Senator from Arkansas would like at least 15 minutes before 12 o'clock to return to his amendment, for further debate on his side. I would have no objection to that.

Mr. PRYOR. With that understanding, I have no objection to the Senator's request.

One further question: I have another amendment, relating to a nuclear rollback to the 1982 level in the production of nuclear warheads. I am wondering if the Senator from New Mexico is taking into consideration the need for some time for me to explain that amendment a little further.

Mr. DOMENICI. I did not have that in mind, before noon. Obviously, this afternoon we will return to the unanimous-consent agreement and we will have some votes, with 5 minutes intervening. I am certain that sometime this afternoon the Senator could call up his amendment. But I cannot agree to that at this point.

Mr. PRYOR. I do not want to keep the distinguished Senator from Montana from moving forward with his amendment, I wonder if—with the understanding of the Senator from Montana—we might allocate 10 minutes before noon for me to explain the amendment further, the rollback in the production of nuclear weapons.

Mr. DOMENICI. The Senator from Arkansas wants 10 minutes before noon to discuss both his pending amendments or just one?

Mr. PRYOR. I would like to reserve about 15 minutes on the arms sales amendment. I would be willing now to strike a compromise. If I could have 10 minutes on the arms sales amendment and 10 minutes available to me before noon on the nuclear arms reduction, that would be more than satisfactory to the Senator from Arkansas.

Mr. DOMENICI. I certainly have no objection to that. Let us see if we can phrase that appropriately. The Parliamentarian can help me.

Mr. President, I ask unanimous consent that the pending Pryor amendment be temporarily set aside so that we can permit the distinguished Senator from Montana (Mr. MELCHER) to offer an amendment. Further, that if we have not disposed of the Melcher amendment by 20 minutes to 12, we will set aside the Melcher amendment and return to the pending Pryor amendment, at which time Senator PRYOR would use 10 minutes on each of his two pending amendments, prior to 12 o'clock.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. PRYOR. I thank the distinguished Senator from New Mexico. He has been very accommodating.

Mr. DOMENICI. The Senator is most welcome.

AMENDMENT NO. 1252

(Purpose: Transfer $100 million in budget outlays from foreign aid to soil conservation in 1984)

Mr. MELCHER. Mr. President, I have an amendment, which I send to the desk and ask for its immediate consideration.

The PRESIDING OFFICER (Mr. KASTEN). The amendment will be stated.

The assistant legislative clerk read as follows:

The Senator from Montana (Mr. MELCHER) proposes an amendment numbered 1252.

Mr. MELCHER. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered

The amendment is as follows:

On page 10, line 9, strike $12,000,000,000 and insert in lieu thereof $12,200,000,000.

On page 10, line 10, strike $12,500,000,000 and insert in lieu thereof $12,600,000,000.

On page 7, line 6, strike $18,200,000,000 and insert in lieu thereof $18,000,000,000.

On page 7, line 7, strike $12,700,000,000 and insert in lieu thereof $12,600,000,000.

Mr. MELCHER. Mr. President, I asked unanimous consent that the reading of the amendment be dispensed with because it is very simple to explain what we are trying to accomplish with the amendment. It is a very positive amendment. It is very easy to understand.

I propose in the amendment to recognize the urgent need that should have our highest priority. That urgent need of the most highest priority in this country is the need for further work for soil conservation here in the United States.

The amendment recognizes, first of all, that soil conservation work has been set aside; Federal participation in soil conservation work has been decreased over the past number of years.

What the amendment does is to add $100 million to the budget for soil conservation work.

The amendment also recognizes two other factors.

One of them is that the Federal deficit is so large that the anticipated shortfall in revenues for this coming fiscal year is of such huge dimensions, likely to be close to $200 billion or perhaps even exceed $200 billion, that it is very difficult for any one of us as Senators to recommend to the body that we increase that deficit by add-ons in the budget for appropriations no matter how desperately we need them.

The second factor that is taken into consideration along this line is the fact that in foreign aid we are looking at a program that has doubled in actual appropriations out of the Treasury since 1979.

So the amendment would transfer $100 million from function 150, that is the foreign aid program, to the function covering soil conservation work. I do this for a number of reasons.

First of all, the soil conservation programs have either been held at a standstill or have been actually decreased in Federal participation for the past dozen years—12 years of lack of attention to our greatest resource, our soil, land, and water base here in the United States.

So the need is here. There is very desperate need for soil conservation work; and, as I have just said, in the foreign aid appropriation for the past several years we have had a rather dramatic increase in spending for those.

Those programs, designed to assist countries abroad, are programs that in my judgment have been increased too rapidly.

The budget for 1984, like the current expenditures that are going on now in this fiscal year, is in excess of $12 billion—I repeat $12 billion—for foreign aid.

Those increases can be reduced. Part of the foreign aid package, of course, is the availability of food supplies from the United States. Public Law 480, for instance, that is Food for Peace, is part of the foreign aid package.

When Food for Peace is used in an honest way and food actually gets to the people of a country, it is a very worthwhile program.

There are instances when there has been fraud, deception, and illegal activities connected with Food for Peace in terms of actual distribution of the food from the governments that receive it in the foreign countries and from time to time we found occasion when they have abused the intent of Food for Peace and have actually sold the food within a country rather than distributing it without charge to meet the nutritional needs of low-income, poor, hungry people of those countries.

When that happens, of course, Food for Peace is not too effective. But when properly and honestly handled and the sacks, bags, and boxes of American food products which carry with it a label that says both in English and in the language of the particular foreign country that the food contained therein is a gift from the people of the United States to the people of that particular country, and it is actually distributed to those people who are in need of food, that is a most successful program.

That capability of having food available for distribution under Public Law 480 depends upon the capability of the United States to produce the food and produce it in quantities that allow us

to be generous to our foreign neighbors.

That, of course, points out that our capability depends upon the soil that we have, this great land base of the United States, to produce these commodities.

That brings us back to the need for soil conservation. Whether we are talking about the need for soil conservation for ourselves or for our neighbors abroad who need American food, we are talking for a common purpose and for a common goal, and that is retaining the capability of our production here, and retaining that capability depends upon the basic soil conservation work that we do here in the United States.

Agronomist Henry Ahlgren in the 1948 "Yearbook of Agriculture":

> The soil comes first. It is the basis, the foundation of farming. Without it, nothing. With good soil, good farming and living.

And those words by Henry Ahlgren were true then, were true before then, were true since then, and are true throughout all the future that we have here in this vast and bountiful country of ours. Not only do soil and water resources undergird our remarkable agricultural industry but agriculture is the foundation of our total economy. There absolutely can be no higher priority than protecting and conserving the very basis of all of our wealth here in the United States and that is our land base and our water base.

The current services level for basic Department of Agriculture conservation programs under the budget level represent a significant increase over the budget figures offered in the administration's budget. The administration's budget was woefully lacking in concern about soil conservation. Indeed, if the Soil Conservation Service within the Department of Agriculture thought Congress would agree to those figures, we would have the most despondent group of career employees in any part of the Federal Government. But the Soil Conservation people within the Department of Agriculture are hopeful that the budget figure that is allowed in the appropriations that follow as acts of Congress will be adequate to at least maintain the level for last year.

But remember, last year was a retreat from the work that is necessary for our soil in this decade. That retreat, I repeat, has been for over a dozen years, and the work we are contemplating doing within this budget falls far short of what we would have been satisfied with in the forties, fifties, or sixties. That is very much of a tragedy for the United States to find that we are desperately watching conservation work for land and water slacken off and slacken off over a period of time that is truly harmful to this great resource that we have.

But even the figures that we are discussing here in this budget, while higher than administration recommendation, still fall short of what is needed and must be had. In fact, with this payment-in-kind program that is now implemented by the Department of Agriculture, the need for soil conservation becomes even greater because a payment-in-kind program—or for short the PIK program—results in the idling of additional millions of acres of cropland here in the United States. So it is even more important, in view of the PIK, in view of that program, that we have an adequate budget provision for conservation purposes.

Let me stress this importance. A payment-in-kind program, or PIK, is the most massive land idling program, setting aside more acres, more millions of acres, for growing nothing than any other program that we have had by the Department of Agriculture. It is the biggest program we have had in cost. It appears the first 12 months of the PIK program will cost the Federal Treasury $12 billion. The payment-in-kind program, those payments to farmers for agreeing to set aside land and not grow anything on that idled land, are not on budget, they are off budget. But from all the available information that I have looked at, it will likely cost the Federal Treasury $12 billion for the first 12 months of the PIK program when it becomes necessary during 1984—calendar year 1984—and calendar year 1985 to make the funds within the Commodity Credit Corporation come out to the proper level. Although the payments for PIK are off budget, are payments made by the Commodity Credit Corporation to individual farmers, those funds toward the tail end of 1984 or during 1985 will have to be replenished and at that time it will require a like amount to be appropriated—a like amount which has been expended from the Commodity Credit Corporation for PIK—to reimburse the Commodity Credit Corporation out of the Federal Treasury, and I repeat, as far as I can tell, it looks like it will be about $12 billion for the first year of PIK.

Why would it be important, with idling these millions of acres of cropland under PIK, why would it be more important than ever to have soil conservation work done? The reason is this: Without a crop cover that, for the first year of this program, is not likely to happen for those idled acres, erosion is more likely and with erosion you lose topsoil, and when we lose topsoil we lose the very essence of the capability of our land to produce crops.

So we are faced not only with a dozen years of lack of advancement with soil conservation work but we are also faced with this particular year and each succeeding year that PIK is in place idling millions upon millions of acres of cropland. It is more urgent that we have soil conservation work ongoing at a much greater rate, and for that reason I urge the Senate to accept this amendment to add the $100 million for soil conservation work and to substitute or reduce $100 million in the foreign aid program to accomplish that without increasing the overall expenditures contemplated in this particular budget.

The current services for conservation activities in particular should see increased funding in the following parts of the soil conservation work assisted by the Federal Government. I would suggest that the amount for watershed and flood prevention operations that will be appropriated this year be increased up to $200 million from the level which has been proposed so far by the Committee on Agriculture and allowed for in this budget. For the Great Plains conservation program, it should be increased up to $50 million. These are areas where the work is badly needed.

The Great Plains program has been a highly successful program that was enacted to attempt to avoid any repetition of the drastic situation we had in the thirties where with dry weather the winds blowing across the prairies of the Great Plains caused untold losses of tons—millions of tons—of topsoil from wind erosion. We do not want that repeated. The Great Plains conservation program is designed to work against any repetition of that situation.

There is a program called the resource conservation and development program, and it too should be funded and funds appropriated to the level of $50 million.

For the agricultural conservation program, it should be at a level of $220 million. I would remind the Senate that even if we are at that level we are going to buy less conservation than what we bought in the 1960's and in the first 2 years of the decade of the 1970's, when we appropriated approximately $160 million to $170 million. The toll of inflation since that time means that $220 million will not quite buy the same amount of conservation work.

For the part of the program that has to do with the forestry incentives, I would suggest that we should have that appropriated at a level of $13.5 million for the coming fiscal year and for the water bank program at a level of $10 million.

Now, all of these levels of expenditures would aggregate an increase in the budget of a total of $100 million over what is carried in the budget and what is contemplated on being the expenditures to actually be appropriated for the coming fiscal year.

Let me give you a very brief description of some of these programs.

The watershed and flood prevention program is important not only in terms of what it does but also in terms of impact on local economies. Many local sponsors have already made commitments under this program and construction contracts can provide employment for thousands of people in the private sector. That is just what the doctor has ordered for the economy that we have not. We need the soil conservation done, we need people employed, we need jobs available, and these jobs are scattered throughout all of rural America. This program, as I said, should be funded at $200 million with an appropriate number of new starts. Now, these starts are waiting in line. People have been lining up and they are ready to go. The only thing that holds them back is the Department's availability of funds.

I have already spoken about the need for the Great Plains conservation program, but I would like to say something about the resource conservation and development program. This is a program that, from time to time, the various administration have attempted to eliminate over the past 10 years, but it has always had very strong support not just in Congress but across the country.

This program has been kept going despite the fact that various administrations have attempted to eliminate it. It has been kept going very simply because it is successful. This program is truly a program that builds the grassroots of America. It has proved itself a vital catalyst for rural development activities. I am told that, in fiscal year 1981, over $57 million from other funds was attracted to the scant amount that was appropriated out of the Treasury for the RC&D program. In other words, it has been about a ratio of 10 to 1. The resource conservation and development program in rural areas with seed money from the Federal Government has attracted $10 for every $1 that was invested on the Federal side. That means real, honest to goodness rural development activities.

The agriculture conservation program is a very fine example of where the Federal Government puts out some money and they get a bigger bang for its buck because of the cost-sharing requirement.

Mr. President, the cost-sharing requirements work something like this. In a local county, the Federal Government makes available a contract to a landowner to do some basic soil conservation work or water protection work. Those programs are defined by the Department of Agriculture, the county committee in each county identifies which ones fit their particular area best and allow those programs to be available to landowners who are willing to invest up to about one-half, sometimes a little more than half, of the expenditure required to accomplish the work.

This program has been the very backbone of farmer- and rancher-directed conservation efforts and should be expanded not reduced. This program has been the very mainstay of soil conservation work throughout the United States on farms and ranches. It has been highly successful. It has been very much a tragedy that its work has not been allowed to increase and develop even more than it has over these past dozen years where it has been held in check and in effect reduced.

Mr. President, all this adds up to a sound program to help assure us that our valuable land and water base will not be lost, that we will not be losing topsoil from wind or water erosion, that we will not be allowing land to debilitate to less productive capacity, but that we will be protecting it for the present and in the future.

All the world recognizes the vast abundance and the vast capability of agricultural production in the United States. We not only lead the world in total productivity of agricultural goods, we do it very easily. We produce it very easily and we produce it cost effectively.

This marvel of the world in agricultural proficiency is something we should protect for this country for the future. It is always cheaper to preserve now rather than to try to rebuild later. And that is very much the case with soil and land and water.

This money is needed very urgently. It is needed very much for fiscal 1984 so that we can set a pattern in 1984 for a return during the next 10 years after that to a very sound, worthwhile, good program for soil conservation.

The amendment recognizes that, to do better in meeting our needs here in the United States for soil conservation, it is absolutely essential to do it now.

The fact that the money is transferred out of foreign aid is not a direct loss to our foreign friends in countries around the world that use American food. It is insurance that that food will be available also in the future. So it is very much justified that the transfer be made out of function 150 in foreign aid programs and put where we need it most, not just for the sake of agricultural producers in this country but for the sake of all of us that are consumers here in the United States and all those throughout the world who are consumers of U.S. foods.

Mr. President, I hope the Senate can accept this amendment. I very much recommend it and I urge its adoption.

I now yield the floor.

Mr. DOMENICI. Mr. President, first let me say to my good friend from Montana—and while I am sure I need not say this, I feel like I should—I have the greatest respect for the distinguished Senator. In terms of what he attempts to accomplish in terms of increased funding for Soil Conservation Service programs. I, too, have been, from time to time, concerned about the adequacy of funding for these programs. With reference to his abiding concern, I commend him. But I do not think the Senate ought to support his amendment.

Let me see if I could just quickly tell the Senate why. I do not intend to use a lot of time.

This program comes within function 300: Natural resources and environment. It is a large function, containing many programs. The Budget Committee, in its domestic discretionary spending considerations, which are crosswalked to the Appropriations Committee, has already increased function 300 by $500 million in budget authority above the 1983 appropriated level—prior to enactment of the Emergency Jobs Act.

Funding is included for the Soil Conservation Service as part of those assumptions, none of which are binding, obviously. The appropriators decide how to allocate their crosswalk allocation.

The budget resolution provides funding for soil conservation programs at the 1983 levels plus an adjustment for inflation, somewhere around 3 to 5 percent.

In addition, the distinguished Senator from Montana has spoken about the President's fiscal year 1984 budget proposal to reduce agricultural conservation programs by 21 percent below 1983. I repeat that the Senate Budget Committee did not do that. We did what I have just described. We added a half a billion dollars in budget authority to the function. Our assumption is that soil conservation would be at what we call the baseline, which means the 1983 level plus inflation.

Obviously, in almost any function of Government, we are confronted with a situation where those who feel strongly about a program think that whatever we would do in the budget resolution is not enough. In the last 8 or 9 days, we have had, whether it was education or whatever, those who feel strongly about what is called appropriate prioritizing in our Government's functions. We can always find some justification, and I say that in the best sense of the word, for additional money. But, frankly, we have been very generous in terms of function 300, natural resources and environment.

I think as attractive as the Senator's amendment is, the Senate should not adopt it.

I would also tell the Senate that the Budget Committee, as it has in all the other functions, has included the increase that comes out of the emergency jobs program. In this case, the Soil Conservation Service received an addi-

tional $5 million in budget authority for 1983. That is continued and carried over in fiscal year 1984 and beyond in terms of outlay levels in this resolution. This is consistent with what we have done on all of the jobs bill increases that the Senate passed and is now law.

So, while I share the concerns of the Senator from Montana, I hope the Senate understands that the Senate Budget Committee, while it is not made up of Senators who might be from areas that have as basic a concern about the Soil Conservation Service as the Senator from Montana, or even the Senator from New Mexico, that this function has been treated rather fairly in terms of a general approach by the Budget Committee. This was a year to be reasonable, not to dramatically cut any programs, but not to let any programs grow dramatically unless we found that they were absolutely and unequivocally very high priority items, or unless we found that there had been some dramatic change in the situation in the country that would justify it, as we did in some of the jobs programs.

Mr. President, it is with reluctance that I must oppose the amendment. It is not based upon my own priorities. I might well prefer a lot more money in this function. But I think the broad cross section of Senators on the Budget Committee did a pretty good job when it came to this function, even though many of them are not from the areas that are directly affected by soil conservation programs.

Having said that, I hope that we will vote on this amendment this afternoon, and perhaps in short order we will be able to do something by way of unanimous consent to assure the Senator and the Senate of an orderly and timely vote on the Melcher amendment, or any matter related thereto.

We have about 5 minutes remaining before Senator PRYOR regains the floor and has 20 minutes allotted to him to discuss or answer questions about his two amendments. I do not intend to use the time. I wonder if my good friend from Montana needs additional time. If he does, I will yield the floor. If not, I will use the time in a quorum call.

Mr. MELCHER. I thank the chairman. I do have a few more comments on the amendment.

The PRESIDING OFFICER. The Senator from Montana.

Mr. MELCHER. Mr. President, the budget resolution that we have before us for adoption has as its main purpose the beginning of the setting of priorities for the next fiscal year in matters of revenue and appropriations. So the budget resolution is a framework of funds that are going to be available for fiscal 1984, funds that will be gained by revenue and funds that will be appropriated from the Treasury for expenditure, and also sets the limit of the anticipated deficit, which is sadly the case this year, and which is sadly the case for the next fiscal year of 1984.

But what we are engaged in in this debate on the budget resolution is establishing where we think the highest priorities are for expenditure of the funds that are available. I repeat, there is no higher priority in the budget than for the work necessary for soil conservation.

Mr. President, I think it is worth debating whether or not the level that had been appropriated last year, for this current fiscal year, and which would be anticipated to be appropriated in the next fiscal year for foreign aid is excessive. In my judgment, it is excessive in terms of what is needed for our other needs.

I believe that if the budget resolution is to be a meaningful document we should face up to some of these priorities and begin to make the preliminary decisions. That is why I ask the Senate in this instance to make a preliminary decision in this budget resolution that we need for money for soil conservation work here in the United States, and that we should appropriate less for foreign aid programs.

I do so not without concern for helping people abroad. I do so because it is necessary if we are going to continue this charity through the foreign aid programs to help our neighbors abroad we have to first of all have the capability of doing it. I am not exaggerating the seriousness of more soil conservation work here in the United States. I cannot exaggerate that. We cannot emphasize it enough. We have fallen behind. We have graver needs now than we had a dozen years ago and it is time that we set the stage for a recovery in the soil conservation work.

I ask the Senate for a positive decision on this amendment. It is more important to have the needed funds for soil conservation work here in the United States, or is it more important to have $100 million for foreign aid programs?

I ask the Senate to consider our priorities. I ask the Senate to make that decision in its treatment of this amendment. I urge the Senate to consider it very seriously and to support the amendment.

Mr. President, I ask for the yeas and nays on my amendment.

The PRESIDING OFFICER. Is there a sufficient second? There is a sufficient second.

The yeas and nays were ordered.

AMENDMENT NO. 1246

(Purpose: To cut funds for nuclear warhead production)

The PRESIDING OFFICER. Under the previous agreement, the Senator from Arkansas is recognized.

Mr. PRYOR. Mr. President, I have only a few moments this morning to discuss finally the amendment. I understand the Senator from New Mexico wishes to make a request?

Mr. DOMENICI. Will the Senator from Arkansas yield for a unanimous-consent request?

Mr. PRYOR. I shall be glad to yield.

Mr. DOMENICI. Mr. President, I ask unanimous consent that the rollcall in relation to the Melcher amendment No. 1252 occur in sequence following the vote on the Pryor amendment No. 1247.

I further ask unanimous consent that there be 5 minutes of debate prior to the vote to be equally divided in relation to the Melcher amendment.

Mr. BYRD. Mr. President, reserving the right to object, I do not personally intend to object, but I call to the attention of Mr. MELCHER that the request as stated will permit a tabling motion. Even without the request, any Senator could move to table, so that is nothing new. I just wanted to call that to the Senator's attention. I have no objection.

Mr. MELCHER. Will the chairman yield?

Mr. DOMENICI. Yes.

Mr. MELCHER. Mr. President, I have no objection, either, because that could be done by any Senator.

The PRESIDING OFFICER. Without objection, the unanimous-consent request of the Senator from New Mexico is agreed to.

The Senator from Arkansas.

Mr. PRYOR. Mr. President, yesterday, during the consideration of the budget resolution, I introduced an amendment that would roll back the production of nuclear weapons to the fiscal year 1982 level, thus reducing the atomic energy defense activities spending by some $2 billion. The reduction that I am asking for in this amendment comes from the budget of the Department of Energy and not from the Department of Defense.

As we all know in this body, the Atomic Energy Commission, formed roughly in 1945, if my memory serves me correctly, ultimately became the Department of Energy and the Department of Energy is in charge of nuclear warhead production. The cost of the nuclear warhead program in our country has risen from $1.2 billion in 1975 to a proposed $6.7 billion for fiscal year 1984. By fiscal year 1987, it will be in the neighborhood of $8 billion. This represents a growth during this period of time of 638 percent. Holding the cost of nuclear weapon production activities at the level proposed by the amendment I am presenting would represent, I think, a prudent decision by this Congress. It would show an interest in arms control. It would show a concern about potential nuclear accidents. It would

show a sensitivity to the magnitude, I think, of the present budget deficit.

Mr. President, once again, I wish to reiterate, this is not a nuclear freeze proposal, it is a rollback to the fiscal year 1982 funds, which would save approximately $2 billion.

My concern rests simply with the rate of escalation at which we are building these warheads today. I only seek to slow the rate of production and to slow the escalation of this program.

From 1945 to 1948, we went from a nuclear warhead stockpile that consisted of 2 nuclear warheads to 50 nuclear warheads. Our present stockpile now numbers tens of thousands of nuclear warheads and represents over 16,000 megatons of destructive power.

We have seen, Mr. President, an escalation in this program for many, many reasons—of course, the fear of the Soviets and their production of nuclear warheads. I think the issue that we must concern ourselves with is how much is enough? How many warheads do we need? What kind of nuclear activity and warhead production must we pursue in the near future?

I would also like to stress, Mr. President, that my amendment in no way line-items any type or any particular type of nuclear warhead program or nuclear warhead item. This question, if this $2 billion rollback could be achieved, would be left up to the Committee on Armed Services and ultimately to the Appropriations Committee and the Congress.

I think, Mr. President, also, that on this amendment there was an objection raised yesterday that the budget resolution is no place to debate an issue of this sort. I take the contrary position, Mr. President, by saying that this amendment, this attempt to guide our colleagues on the Committee on Armed Services and the Appropriations Committee, has an appropriate place in the budget resolution process. It is one of the three times when we shall have the opportunity of discussing this and other issues like this in the legislative process.

One, of course, is at present with the budget resolution; the second would be during the authorization procedure, and finally, the appropriations procedure. We all know that we have funded the necessary functions of our Government for the last two decades by the process known as continuing resolutions. During that time, when we involve ourselves in the continuing resolution processes, all of us in this body know, Mr. President, that we do not have the time nor the opportunity to discuss these issues of real and significant magnitude. Therefore, I am simply asking that we reduce by $2 billion the budget function under which nuclear warheads are produced and manufactured by the Department of Energy.

Mr. President, on this particular amendment at this time, I have no further remarks. I wish to reserve the remainder of my time and—I do not see either of the managers at this time. I do see the distinguished Senator from Virginia (Mr. WARNER), who is a member of the Committee on Armed Services. He may want to add a few comments.

Mr. President, how much time do I have remaining?

The PRESIDING OFFICER. On this amendment, the Senator from Arkansas has 2 minutes and 15 seconds remaining.

Mr. PRYOR. I would like to reserve at least 30 seconds. I yield the floor for the moment.

Mr. WARNER. Mr. President, may I inquire of the distinguished chairman of the Committee on the Budget what his time constraints are?

Mr. DOMENICI. We have a unanimous-consent agreement that from now until 12 noon, the time belongs to Senator PRYOR for whatever debate he desires.

Mr. WARNER. Would the Senator provide 3 or 4 minutes to me at this time?

Mr. DOMENICI. I cannot, Mr. President. It all belongs to Senator PRYOR until 12 noon.

Mr. WARNER. I shall be very brief.

Mr. President, I rise in opposition to the proposal by the distinguished Senator from Arkansas. It is my understanding that he is putting before the Senate an amendment by which he will cut $2 billion from the 1984 budget for the defense program handled by the Department of Energy.

Mr. President, I regret that we did not have an opportunity to discuss this heretofore, but I should like to indicate briefly the following points in opposition: First, our inventory of nuclear weapons today, the so-called nuclear stockpile, is substantially less in total numbers than it was in 1970. Despite the rhetoric that we so often hear about building thousands of nuclear warheads and simply adding them to our stockpile, the facts are that for the past 10 years, for every new weapon that we have built, we have dismantled nearly two older weapons that had previously been in the stockpile. Even today, every time we build a new warhead, an old warhead is destroyed.

Second, I am not certain where Senator PRYOR got his figures on the stockpile yield, but I respectfully submit that his figures are inaccurate. According to the information provided to me by the Department of Energy and corroborated by the Department of Defense, the total yield of our stockpile today is only one-third of the yield that existed in the late 1960's. Increases in accuracy and other targeting data have permitted us to refine the newer systems so that we do not need the weapons of large yield that were in our stockpile in the 1960's.

The PRESIDING OFFICER. The time yielded to the Senator from Virginia has expired.

Mr. PRYOR. Mr. President, I would be glad to accommodate the Senator from Virginia, if we can do it in this fashion: I propose yielding 4 minutes on the time I have remaining, which is 10 minutes, on the second amendment I have. I would be glad to yield that time to Senator WARNER, to be taken from my time on the amendment dealing with arms sales.

Mr. DOMENICI. If the Senator will yield 30 seconds, I point out that the unanimous-consent agreement reads that there will be 2½ minutes on each side prior to disposition of the Pryor amendment in which the Senator from Virginia is interested. We would welcome the comments of the Senator from Virginia. We have argued against that amendment, and it is my intention to move to table it, and I will yield the Senator 2½ minutes.

Mr. WARNER. I thank the Senator from New Mexico.

Mr. President, the Senator from Arkansas is mistaken about what programs are in that portion of the Energy Department budget that goes for national defense. Let me briefly summarize:

First, we have the nuclear naval reactor program begun years ago by Admiral Rickover. This program develops the nuclear powerplants that go into our naval vessels. Would the Senator propose that we cut out this program?

Second, there is a program for safeguard and security at our nuclear installations around the country. Perhaps the Senator is suggesting that we should forgo these efforts to protect our facilities against the international terrorist threat?

Third, there is a program involving international intelligence concerning nuclear arms and nuclear proliferation. It is this program that provides the funds for the monitoring of proliferation issues and the participation in ongoing negotiations involving the use of nuclear power with other nations. Does the Senator suggest that we should cancel this effort?

Fourth, there is a program to manage the current inventory of defense nuclear waste. For the first time, thanks to the efforts of this administration, we are on the threshold of solving the long-term issue of how to handle defense nuclear waste. We have a pilot geologic repository under construction in New Mexico; we have a facility under construction in South Carolina to solidify the liquid nuclear waste now stored in expensive underground tanks; we have a coherent program to take care of the nuclear waste issue once and for all. Does the Sena-

tor suggest that we terminate this program in midstream?

Fifth, we have a research and development program that looks at new warhead concepts, but this research and development program also has significant payoffs in other areas of energy research and they support our arms control and nuclear nonproliferation initiatives with the foremost scientific expertise that exists in the United States. Is the Senator suggesting that we ought to close Los Alamos Laboratory?

Sixth, there is a testing program designed in part to prove that the weapons in our nuclear stockpile work. This proof testing of nuclear warheads is an integral component of the nuclear deterrent—the Soviets must know that the weapons in our stockpile will work if necessary. The testing program also contributes to the understanding that nuclear physics that has application in not only the weapons business, but in commercial power, in nuclear medicine, and so forth. Perhaps the Senator would like to see us have a unilateral nuclear test ban; and

Finally, there is the program to produce nuclear warheads and to retire existing warheads. If the Senator's cuts were made in this program, the result would cancel the modernization program.

Mr. President, I ask unanimous consent to have printed in the RECORD the actual request for the DOE authorization budget pending before the Armed Services Committee.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

DEPARTMENT OF ENERGY, FISCAL YEAR 1984 CONGRESSIONAL BUDGET REQUEST, SUMMARY OF ESTIMATES BY APPROPRIATION BY MAJOR ACTIVITY, ATOMIC ENERGY DEFENSE ACTIVITIES

[Budget authority in thousands of dollars]

	Fiscal year—		
	1982 actual	1983 estimate	1984 request
Inertial confinement fusion	209,062	189,750	151,800
Research, development and testing	1,103,280	1,184,800	1,380,080
Production and surveillance	1,596,733	1,900,900	2,337,315
Program direction—weapons	47,258	50,091	55,930
Verification and control technology	52,000	53,900	61,650
Materials production	955,612	1,202,760	1,485,300
Defense waste and byproducts management	373,893	518,729	611,500
Nuclear materials safeguards and security	47,219	47,360	52,000
Naval reactors development	495,920	526,910	613,000
Security investigations	23,600	28,500	29,500
Total, atomic energy defense activities	4,904,577	5,703,700	6,778,075

Mr. PRYOR. Mr. President, I have no further comments on this amendment. What remaining time do I have on the amendment relative to arms sales?

The PRESIDING OFFICER. The time has expired. Nine minutes remain on the second amendment.

Mr. PRYOR. Mr. President, with respect to the second amendment, I did speak at some length yesterday relative to the arms sales we are involved with abroad, the military assistance we are giving all over the world, which amounted to $21.5 billion last year.

My amendment simply would take approximately $880 million from the program in fiscal year 1984. When we talk about outlays that would result from that cut of $880 million, we are not talking about a significant amount of arms that would not be selling. In fact, my amendment is a most modest and most meager amendment. My amendment simply attempts to do something about the escalation rate of arms sales that this Nation finds itself in at this time.

Less than 5 percent of this year's international affairs function total would be affected by this amendment. Eighteen percent of on-budget security assistance would be affected by this amendment; 9½ percent of the total security assistance request for this year would be affected by this amendment.

This amendment has been alluded to by some in opposition to this particular approach as a drastic cut in our weapons sales abroad. Since last year, the military assistance program, the economic support fund, and the credit accounts have been increased by $645 million in this budget resolution. I do not know of another increase that has been so escalated and that has risen to that degree in such a short period of time.

In addition to this allegation or this adverse review, so to speak, of this particular approach in this amendment, it has been stated that several countries will be forced to suffer because of this weapons reduction. If I stress this point for about the fifth time, I apologize, but some of my colleagues may not have heard it: This amendment does not take aid specifically from any one country or military support. It forces the Foreign Relations Committee, as the authorizing committee, and the Appropriations Committee, in its wisdom, to go back and look at these accounts under this function of the budget authority and the budget resolution, to see how we can effectuate some $880 million in sales.

It is my feeling that this is not only a prudent but also a conservative approach to try to slow down an escalating arms race that all of us know has become totally out of control.

My amendment takes our security assistance total back to the fiscal 1982 level. It is my opinion that cutting back a small amount in these funds would not in any way jeopardize their or our national security.

Every day in this body, we make some hard choices about social security, food stamps, health care, education, and other domestic programs. I think it is now time to take a hard look and make some hard decisions on foreign aid, especially military assistance.

Mr. President, I reserve the remainder of my time. I understand that the distinguished ranking minority member of the Budget Committee, Senator CHILES, may have a statement.

Mr. CHILES. I thank the senior Senator from Arkansas.

Mr. President, I should like to make a brief statement and put a letter into the RECORD.

I am concerned more and more about hearing that we may not have a budget resolution. I thought this was conversation that primarily was going to come from the administration, and we did hear that there were people in the administration who felt that we did not need a budget. But now I am beginning to hear that there are people in the Senate who are saying, "If we cannot win with our proposition, we would just as soon not have a budget resolution."

I reiterate the statements I made: I think that would be the worst thing we could possibly have. It would be bad for the institution, but, more than that, it would be very bad for the country; because I think we would see an increase in interest rates and we would see problems in the financial markets if it appeared that we were going to have no resolution.

The letter I want to put in the RECORD is from David Jones of Aubrey G. Lanston & Co. He has testified a number of times on the Hill. He is an economist who specializes in watching the budget and the financial markets. He says:

> We are at a critical Federal budget crossroads, as viewed from a financial market perspective. In the event that significant and credible actions to cut the projected structural deficits are forthcoming, financial market psychology is likely to improve and longer-term Treasury bond rates might fall by as much as 2 percentage points from their current level of just under 10½ percent. However, if no budget action is taken, longer-term interest rates might rise by as much as 2 percentage points from current levels, and the result would be disaster for the U.S. and world economies.

Mr. President, I agree entirely with that statement.

He says that "the latest Baker-Domenici budget proposal would, if enacted, have an extremely unsettling impact on the financial markets."

They might, but even that proposal would be better than no proposal at all. Of course, I hope that proposal will not be the final product.

However, my concern would be if we got into a situation in which we had no budget resolution whatsoever.

As the clock is ticking down and the hours are beginning to run out on the budget resolution, I reiterate our

stand, on this side of the aisle: We are ready. We would like to be able to participate in the process to come forward with a budget resolution that will help the country and that will help assure the financial markets that we are serious about dealing with deficits.

Mr. President, I ask unanimous consent to have printed in the RECORD the full text of the letter from David Jones, dated May 10, 1983.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

AUBREY G. LANSTON & CO., INC.,
New York, N.Y., May 10, 1983.

Hon. LAWTON CHILES,
U.S. Senate,
Washington, D.C.

DEAR SENATOR CHILES: Please allow me to express my respect and admiration for your excellent leadership as ranking minority member of the Senate Budget Committee. Your much needed Federal deficit-cutting proposals have been a source of encouragement to those of us in the financial markets. More than anything else, it is necessary that the structural deficit be systematically eliminated through a series of credible annual declines—perhaps involving both revenue-enhancing and spending-restraint measures. This would put the deficit on a desirable declining path in fiscal years 1984–88. Only with such a prudent move towards fiscal restraint will the Federal Reserve be given leeway to ease sufficiently to push interest rates lower and keep them there long enough to assure sustained recovery without renewed inflationary expectations.

Most recently, however, I have been greatly alarmed by the lack of a budget consensus, particularly among the Republican majority in the Senate. For example, the latest Baker-Domenici budget proposal would, if enacted, have an extremely unsettling impact on the financial markets. Because of inadequate measures to either increase revenues or cut spending, this plan would result, even assuming moderate recovery, in a rising deficit pattern rather than the desired declining trend. By fiscal 1988 the deficit could end up well above the unacceptable $200 billion level. In that unfortunate event, Federal borrowing requirements would gobble up an unacceptably high 75 percent or more of our net private savings, leaving precious little savings available to finance longer-term business spending on new plant and equipment.

To be sure, the fiscal stimulus resulting from these mounting Federal deficits should serve to initially strengthen consumer spending. Nevertheless, the clash of recovery-induced consumer and business credit demands against excessive Federal borrowing demands is likely to eventually push interest rates higher, thus causing our still fragile recovery to stall or falter. Inevitably, this would bring renewed weakness to a recently improving job market; and it would bring increasing jitters to world financial markets beset by country debt problems that can only be solved by lower interest rates and a solid world recovery.

The problem of run-away fiscal irresponsibility places an unfair burden on our monetary authorities. Most likely, in the face of an out-of-control Federal deficit the Federal Reserve would seek to maintain a degree of monetary discipline (i.e., it will set annual monetary targets consistent with moderate recovery and it will try to hit them). This Fed limit on the supply of money and credit relative to private and excessive Federal government demands, would tend to keep real interest rates high, thus causing the recovery to halt from time to time. However, if the Fed should alternatively try to fully accommodate the combined private and Federal government credit demands, interest rates may initially fall, but the resulting excessive monetary growth would promptly renew inflationary expectations and should eventually push longer-term interest rates higher.

Without major deficit-cutting actions, both the domestic and international financial markets are likely to lose confidence in the Reagan Administration. Just tinkering with the budget won't do, the solution must be radical—involving both revenue-raising and spending-curtailing measures—and we need action fast.

We are at a critical Federal budget crossroads, as viewed from a financial market perspective. In the event that significant and credible actions to cut the projected structural deficits are forthcoming, financial market psychology is likely to improve and longer-term Treasury bond rates might fall by as much as 2 percentage points from their current level of just under 10½%. However, if no budget action is taken, longer-term interest rates might rise by as much as 2 percentage points from current levels, and the result would be disaster for the U.S. and world economies.

I hope these views are helpful.

Sincerely,

DAVID M. JONES,
Senior Vice President.

Mr. PRYOR. Mr. President, how much time do I have remaining?

The PRESIDING OFFICER. The Senator from Arkansas has 29 seconds remaining.

Mr. PRYOR. Mr. President, I am not going to take any more time except to propound a question to the Chair.

Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. PRYOR. What is the status now of both of the amendments that I have proposed and is there a scheduled time to make final disposition of these amendments?

The PRESIDING OFFICER. Under the previous order there will be 5 minutes of debate equally divided before each of the rollcall votes.

Mr. PRYOR. It is my understanding that the rollcall votes begin at 2 p.m.; is that correct?

Mr. DOMENICI. Mr. President, the 5-minute debate starts at 2 p.m., not the disposition.

The PRESIDING OFFICER. The Senator is correct.

Mr. PRYOR. I thank the Chair and I thank the chairman of the Budget Committee very much for accommodating me.

RECESS UNTIL 2 P.M.

The PRESIDING OFFICER. Under the previous order, the Senate will stand in recess until 2 p.m.

The Senate, at 12 noon, recessed until 2 p.m.; whereupon, the Senate reassembled when called to order by the Presiding Officer (Mr. LUGAR).

AMENDMENT NO. 1242, AS FURTHER MODIFIED

The PRESIDING OFFICER. The Senate will now have 5 minutes of debate, time equally divided on the Nunn-Jackson amendment No. 1242.

Who yields time?

Mr. DOMENICI. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. DOMENICI. As I understand it, each side has 2½ minutes prior to the vote; is that correct?

The PRESIDING OFFICER. The Senator is correct.

Mr. DOMENICI. Mr. President, I reserve my time.

The PRESIDING OFFICER. Who yields time?

Mr. JACKSON. Mr. President, the Nunn-Jackson amendment that we have proposed and which is now pending would cut some $66 billion in budget authority and some $36 billion in outlays from the President's requests over the next 3 fiscal years.

The outlay reduction figure is comparable to the Domenici package. The budget authority figure is $7 billion more of a reduction than the Domenici figure.

I must say, Mr. President, that what we have proposed here I think is a sound, middle-ground approach to addressing the problem that we all face in determining what is an overall figure for defense that we should follow as a guide over the next 5 fiscal years. While the budget resolution addresses only 3 fiscal years, the nub of this particular Nunn-Jackson amendment really addresses the problem that we constantly push aside, and that is those outyears.

The problem that we face is that while cuts are being made in terms of current outlays they do not address the larger problem of budget authority—which means that the due bill as we look down the road gets higher and higher and makes the management of our national defense requirements that much more difficult.

I ask my colleagues on behalf of Senator NUNN and myself to address this problem in a sensible way; a way in which we can provide some long-term continuity and planning in our national security area.

Mr. President, I yield to the Senator from Georgia.

The PRESIDING OFFICER. The Senator from Georgia is recognized.

Mr. NUNN. Mr. President, first, with the very limited time, let me say I completely endorse the statement made by my colleague and friend, Senator JACKSON.

Our amendment consciously sets ratios between budget authority reductions and outlay reductions over the resolution period which would pro-

tect the continued emphasis on maintaining the readiness of our forces, permit a sustained but more moderate pace of force modernization and guard against inevitable raids in future years on readiness because investment programs are locked in by prior year budget authority. In other words, we are establishing a better balance between authority and outlays, also going from 5 percent to 6.5 percent for fiscal year 1984, from 5 percent to 5.5 percent in fiscal year 1985, and to 5 percent in fiscal year 1986, compared to the Budget Committee authority that is now pending.

The PRESIDING OFFICER. All time is now under the control of the Senator from New Mexico.

The Senator from New Mexico is recognized.

Mr. DOMENICI. Mr. President, if the distinguished Senator from Georgia wanted some additional time, I would yield him what I have. I am prepared to yield back my time.

Mr. LEVIN. Mr. President, will the Senator yield me 30 seconds?

Mr. DOMENICI. Mr. President, I yield 30 seconds to the Senator from Michigan and yield the remainder of my time to the Senator from Texas.

The PRESIDING OFFICER. The Senator from Michigan is recognized for 30 seconds.

Mr. LEVIN. Mr. President, I only wish to make a matter of record a letter which I received this morning from the Secretary of Defense in which he commented on the 7.5-percent real increase level and he stated:

That probable revised assumptions with respect to inflation and fuel costs, together with the reductions permitted in the MX funding as a result of the Scowcroft Commission report will enable us to come reasonably close to the 7.5-percent real increase level mentioned by the President.

In other words, the 7.5-percent real growth means no cut, no cut whatsoever in the defense budget.

Mr. President, I ask unanimous consent to have printed in the RECORD the letter from Secretary Weinberger to me dated May 9.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

THE SECRETARY OF DEFENSE,
Washington, D.C., May 9, 1983.

Hon. CARL LEVIN,
U.S. Senate,
Washington, D.C.

DEAR SENATOR: Paul Thayer and I received your May 9 letter this morning. You should be advised that our staff and the staff of the Committee have been working for some time on the matters covered in your letter. We have already indicated to the Committee that probable revised assumptions with respect to inflation and fuel costs, together with the reductions permitted in the MX funding as a result of the Scowcroft Commission report will enable us to come reasonably close to the 7.5 percent real increase level mentioned by the President (assuming, of course, that we start from a proper base). The other requests in our budget are based on validated military needs, and I hope will be approved by the Committee.

Sincerely,

CASPAR W. WEINBERGER.

The PRESIDING OFFICER. The Senator from Texas is recognized.

Mr. TOWER. Mr. President, I am going to reluctantly vote for the Nunn-Jackson proposal. I say reluctantly because I do not think that the increase they provide for is enough. I think we should go to 7½ percent.

With the understanding that we will have another opportunity to vote for a 7½-percent real increase, I will go ahead and vote for the Nunn-Jackson proposal in that it is probably the best of the bad lot.

I still think even at 6½ percent we would have to make some rather sharp cuts, for that will not only affect modernization programs but might also affect force structure and operational maintenance accounts as well.

So I hope that all of those who do support this are still prepared to support a higher figure when we get an opportunity to vote on a higher figure.

VOTE ON AMENDMENT NO. 1242, AS FURTHER MODIFIED

The PRESIDING OFFICER. All time has expired.

The question is on agreeing to the amendment of the Senator from Georgia and the Senator from Washington (amendment No. 1242).

On this question, the yeas and nays have been ordered, and the clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. KENNEDY (when his name was called). Mr. President, on this vote I have a pair with the Senator from Pennsylvania (Mr. HEINZ). If he were here and voting, he would vote "yea." If I were permitted to vote, I would vote "nay." I therefore withhold my vote.

Mr. STEVENS. I announce that the Senator from Pennsylvania (Mr. HEINZ) is necessarily absent.

Mr. CRANSTON. I announce that the Senator from Ohio (Mr. GLENN) and the Senator from Colorado (Mr. HART) are necessarily absent.

I further announce that, if present and voting, the Senator from Colorado (Mr. HART) would vote "nay."

The PRESIDING OFFICER. Are there other Senators in the Chamber who have not voted?

The result was announced—yeas 48, nays 48, as follows:

[Rollcall Vote No. 80 Leg.]

YEAS—48

Abdnor	Domenici	Humphrey
Armstrong	East	Jackson
Baker	Garn	Jepsen
Bentsen	Goldwater	Kassebaum
Cochran	Hatch	Kasten
D'Amato	Hawkins	Laxalt
DeConcini	Hecht	Long
Denton	Heflin	Lugar
Dole	Helms	Mattingly
McClure	Quayle	Thurmond
Moynihan	Randolph	Tower
Murkowski	Roth	Trible
Nickles	Simpson	Wallop
Nunn	Stennis	Warner
Packwood	Stevens	Wilson
Pressler	Symms	Zorinsky

NAYS—48

Andrews	Dodd	Matsunaga
Baucus	Durenberger	Melcher
Biden	Eagleton	Metzenbaum
Bingaman	Exon	Mitchell
Boren	Ford	Pell
Boschwitz	Gorton	Percy
Bradley	Grassley	Proxmire
Bumpers	Hatfield	Pryor
Burdick	Hollings	Riegle
Byrd	Huddleston	Rudman
Chafee	Inouye	Sarbanes
Chiles	Johnston	Sasser
Cohen	Lautenberg	Specter
Cranston	Leahy	Stafford
Danforth	Levin	Tsongas
Dixon	Mathias	Weicker

PRESENT AND GIVING A LIVE PAIR, AS PREVIOUSLY RECORDED—1

Kennedy, against.

NOT VOTING—3

Glenn	Hart	Heinz

So the amendment (No. 1242), as further modified, was rejected.

Mr. CHILES. Mr. President, I move to reconsider the vote by which the amendment was rejected.

Mr. RIEGLE. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 1246

The PRESIDING OFFICER. The question recurs on amendment No. 1246 on which there will be 5 minutes of debate, time equally divided. Who yields time?

Mr. DOMENICI. Mr. President, may we have order?

The PRESIDING OFFICER. Order in the Senate. Senators will please take their seats and clear the aisle. We have 5 minutes of debate and the debate must be heard. Please, may we have order so that Senators may be heard in this debate?

We have 5 minutes of debate, time equally divided on amendment No. 1246. Who yields time?

Mr. DOMENICI. Mr. President, we have 2½ minutes on this side.

The PRESIDING OFFICER. That is correct.

Mr. DOMENICI. Mr. President, I am pleased to let Senator PRYOR go first, and he does not have to use all of his 2½ minutes, and then I will yield to a couple of Senators on our side.

The PRESIDING OFFICER. The Senator from Arkansas is recognized.

Mr. PRYOR. Mr. President, this amendment simply addresses one of the budget functions that is doubling every 24 months. That particular budget function is the production of nuclear warheads, not by the Department of Defense but by the Department of Energy.

In 1975, the request in the budget appropriation was $1.2 billion for this

function. For fiscal year 1984, it is $6.7 billion.

I reiterate, Mr. President, this function is doubling each 2 years. My amendment is not a nuclear freeze amendment. It is simply a rollback to the 1982 level and it would take $2 billion from this particular function.

Mr. FORD. Mr. President, may we have order so we can hear the distinguished Senator from Arkansas?

The PRESIDING OFFICER. The Senator's point is well taken. May we have order in the Senate so we may hear this important debate?

Mr. PRYOR. Mr. President, it will take $2 billion from this function to the 1982 level and allow the Armed Services Committee and the Appropriations Committee to come forward and make its recommendations on what we actually need for this program.

If we continue manufacturing nuclear warheads at the present level, in the mid-1990's we could have approximately 32,000 nuclear warheads. My question is, How much is enough? My request is, Mr. President, that we subtract $2 billion from this particular budget function.

I reserve the remainder of my time.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. DOMENICI. From the budget standpoint, let me tell the Senate what this is. Defense is in here at 5 percent real growth. It does not matter how the Senator from Arkansas described it. This cuts $2 billion in budget authority below that 5 percent. He contends it will be done in a different way, but budgetwise that is what it does.

I yield to the distinguished Senator from Texas and then to the Senator from Idaho.

Mr. TOWER. The Senator from Arkansas has spread a lot of misinformation around the Senate. In fact, we are trying to modernize our nuclear warheads. If we build new warheads, we dismantle the old ones. The fact is we have only one-third of the total yield in our nuclear warheads now as we had in the late 1960's. What the Senator from Arkansas has proposed really is a blueprint for unilateral disarmament. It would be a disaster if this amendment were adopted because it takes $2 billion off the $13.5 billion, which has already been reduced from the Presidential request.

Mr. McCLURE. Mr. President, it is not just nuclear warheads that we are talking about. This amendment would destroy our ability to modernize the nuclear propulsion program, the fuels program for the nuclear-powered ships of the Navy. It would reduce the expenditures on the defense nuclear waste program, on security clearances, on improved protection of our weapons, and on the verification technology that is absolutely essential to verification of any treaties with the Soviet Union.

It would deal crippling blows to the startup of some of the facilities that must be converted in the immediate future to maintain the program that we have.

It would cripple the Trident program and the air-launch cruise missile program.

For all of these reasons, I hope the amendment is not agreed to.

Mr. PRYOR. How much time have I remaining?

The PRESIDING OFFCER. Forty-nine seconds.

Mr. PRYOR. In conclusion, this amendment destroys nothing. It forces the Energy Committee, the Armed Services Committee and the Appropriations Committee to reconsider the entire totality of this program.

Second, the Senator from Texas, who is a very learned member of the Armed Services Committee, concerning these matters, certainly knows that one of the reasons for his statement just a moment ago is simply that we are building smaller warheads, which have more efficient yields and are delivered by weapon systems which have a higher degree of accuracy, which thus, I think, would diffuse the argument of the Senator from Texas.

Mr. McCLURE. Mr. President, I would like to take this opportunity to inform my colleagues of the vitally important role that the DOE defense programs weapons complex plays in supporting the needs of the Department of Defense. I believe any attempt to provide less than the President has requested in the fiscal year 1984 budget will do irreparable harm to the ability of our weapons complex to meet the requirements set forth in the President's stockpile memorandums. I would therefore like to address briefly those key areas of defense programs activities that have received significant increases since fiscal year 1982, so that my colleagues will have a better understanding of how DOE defense programs have utilized those increases provided in fiscal year 1983 and proposed in the President's fiscal year 1984 budget.

The naval reactors program is under DOE defense programs and has the responsibility for developing and maintaining the nuclear powerplants utilized in the Navy's submarines and surface ships. The increases requested since fiscal year 1982 have been utilized to offset the effects of escalation within the program and to support the construction of a new naval nuclear fuel facility. The development of advanced reactor cores is also being pursued. Increases also allow for servicing the land-base prototype plants that are used for testing and training purposes. Lastly, these increases reflect the increased cost of enriched uranium that the Navy must procure for the submarines and surface vessels. Some of these increases have been in part offset by reductions in capital equipment and construction funding due to completion of prior year activities.

DOE's weapons activities program is responsible for the research and development and testing as well as production and surveillance of the nuclear stockpile. The increases provided since fiscal year 1982 have been used to provide for an improved nuclear testing program and to provide for escalation of operating expenses in capital equipment. Increases have also been provided for additional research to restore the technology base that is required for modernizing our weapons. Increases also have supported new weapons production as well as continued improvements in the stockpile. The purpose of these stockpile improvements is to improve the safety of the weapon and its efficiency. Increased investments in plants have been made to restore facilities and slow the deterioration of utilities and equipment in the weapons production complex. Many of these facilities are 30 years old and have completed their useful life cycle and require refurbishment and renewal. These increases have been partially offset by reductions in previously authorized construction projects. Lastly, the increases support construction of production support facilities that are necessary to support long-term work load increases required in our weapons modernization program.

The development of weapons verification and control technology is a little discussed function of DOE's defense programs. This program has had increases to provide for research and development effort aimed at improved methods of detecting underground nuclear tests. These methods are aimed at determining if certain atmospheric phenomena are reliable indicators of these tests. Increases have also been provided for deliveries of nuclear explosion detection sensors which ride on satellites. These increases also allow for a higher level of support for technical analysis of national security issues related to nuclear weapons and to DOE's intelligence responsibilities. It is the work done under this program that will provide the basis for assuring the verifiability of any treaties.

Defense programs is also responsible for producing all of the special nuclear material used in the nuclear weapons. The increases provided to this program since fiscal year 1982 and those currently proposed provide for the impact of inflation of production activities and the greater amounts of materials required to be produced to support the new weapons builds required in the President's stockpile

memorandum. This is achieved through reactivation of the PUREX facility, the restoration of L reactor and the converting of the N reactor for plutonium production. Included in these increases are funds that allow for the restoration of the facilities in the complex many of which are 30 years old. These increases have been offset by decreases due to the completion of prior year construction projects.

DOE's defense nuclear waste management program is responsible for the storage, management, and ultimate disposal of the nuclear waste developed as a result of manufacturing nuclear materials and weapons. The increases provided since fiscal year 1982 have been to support interim waste storage operations at Hanford, Idaho, and Savannah River. This support has been in the form of improvements to the sites, construction of new storage tanks, and includes an escalation increase for operating equipment and general plant projects. These increases are being used to support the development of long-term waste management technology and the terminal storage of transuranic waste at the WIPP facility. Funds are also included for the initiation of construction of the defense waste processing facility at Savannah River. The initiation of this activity is an important milestone for that site as it represents an important step toward putting that waste into a form suitable for terminal storage. The progress being made by this program is important to the confidence of those communities surrounding these sites and to the Nation as a whole in demonstrating that the waste from these important national security activities can be terminally disposed of and safely stored.

If we roll back across the board the President's fiscal year 1984 request for defense programs to fiscal year 1982 levels, I believe this will have a drastic effect on the infrastructure of the weapons production complex. The upgrading activities that are currently underway to modernize this infrastructure will be dramatically affected as will be those activities that provide the support to the weapons complex such as the defense waste program. Clearly without the increases we may be unable to produce the material required for either our submarines or support the new weapons builds called for in the President's stockpile memorandum. The action represented by a roll back of funding would send confusing signals to our allies since our ability to deliver warheads for systems that we are currently committed to deploy would be jeopardized. Our enemies would become more emboldened, more strident, more demanding and we would have far less to take to the negotiating table. We should not permit policy decisions that concern atomic energy defense to be driven by budget actions that strike at the very heart of our ability to technically support larger national policy decisions.

Mr. SYMMS. Mr. President, I rise to oppose Senator PRYOR's amendment cutting funding for our nuclear weapons programs back to fiscal year 1982 levels. This amendment amounts to another example of American unilateral disarmament, in the face of the ongoing, relentless Soviet strategic buildup.

Mr. President, last summer there was a famous report in the New York Times that the United States planned to produce 17,000 nuclear warheads in the decade of the 1980's. This report is misleading. While it is true that the United States will actually fabricate nuclear weapons on that scale, only a few thousand will be net additions to the U.S. stockpile. The exact number is classified, but the impression that the United States is engaging in a vast nuclear weapons buildup is simply wrong.

Moreover, we need to bear in mind that since the late 1960's, the United States has deactivated about 8,000 warheads around the world, and the megatonnage of the U.S. stockpile has declined drastically since the mid-1960's. Thus the United States has a long history of unilateral restraint in nuclear warhead production, and the Pryor amendment seeks to perpetuate this dangerous trend.

The PRESIDING OFFICER. Who yields time?

Mr. DOMENICI. I yield back the remainder of my time.

Mr. PRYOR. I yield back the remainder of my time.

Mr. DOMENICI. I move to table the amendment and I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second? There is a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from New Mexico. The yeas and nays have been ordered and the clerk will call the roll.

The bill clerk called the roll.

Mr. KENNEDY (when his name was called). Mr. President, on this vote, I have a pair with the Senator from Pennsylvania (Mr. HEINZ). If he were present and voting, he would vote "Yea." If I were at liberty to vote, I would vote "Nay." Therefore, I withhold my vote.

Mr. EAGLETON (after having voted in the affirmative). On this vote I have a live pair with the Senator from Colorado (Mr. HART). If he were present and voting, he would vote "Nay." I have voted "Aye." I withdraw my vote.

Mr. STEVENS. I announce that the Senator from Pennsylvania (Mr. HEINZ) is necessarily absent.

Mr. CRANSTON. I announce that the Senator from Ohio (Mr. GLENN) and the Senator from Colorado (Mr. HART), are necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber wishing to vote?

The result was announced—yeas 74, nays 21, as follows:

[Rollcall Vote No. 81 Leg.]

YEAS—74

Abdnor	Durenberger	McClure
Andrews	East	Mitchell
Armstrong	Exon	Murkowski
Baker	Ford	Nickles
Baucus	Garn	Nunn
Bentsen	Goldwater	Packwood
Biden	Gorton	Percy
Bingaman	Hatch	Pressler
Boren	Hawkins	Quayle
Boschwitz	Hecht	Roth
Bradley	Heflin	Rudman
Burdick	Helms	Simpson
Byrd	Hollings	Specter
Chafee	Huddleston	Stafford
Chiles	Humphrey	Stevens
Cochran	Jackson	Symms
Cohen	Jepsen	Thurmond
D'Amato	Johnston	Tower
Danforth	Kassebaum	Trible
DeConcini	Kasten	Wallop
Denton	Laxalt	Warner
Dixon	Long	Weicker
Dodd	Lugar	Wilson
Dole	Mathias	Zorinsky
Domenici	Mattingly	

NAYS—21

Bumpers	Levin	Pryor
Cranston	Matsunaga	Randolph
Grassley	Melcher	Riegle
Hatfield	Metzenbaum	Sarbanes
Inouye	Moynihan	Sasser
Lautenberg	Pell	Stennis
Leahy	Proxmire	Tsongas

PRESENT AND GIVING A LIVE PAIR AS PREVIOUSLY REPORTED—2

Kennedy, against.
Eagleton, for.

NOT VOTING—3

Glenn	Hart	Heinz

So the motion to lay on the table amendment No. 1246 was agreed to.

Mr. DOMENICI. Mr. President, I move to reconsider the vote by which the motion to table the amendment was agreed to.

Mr. McCLURE. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 1247

The PRESIDING OFFICER. The question recurs on amendment No. 1247 by the Senator from Arkansas (Mr. PRYOR). There are 5 minutes on this amendment, equally divided. Who yields time?

Mr. DOMENICI. Mr. President, may we have order?

The PRESIDING OFFICER. The Senate will be in order so that debate on amendment No. 1247 can be heard by all Senators. Senators will please clear the aisles and take their seats.

The Senate is in order. Who yields time?

Mr. PRYOR. Mr. President, if the distinguished chairman will allow me, I will proceed.

Mr. DOMENICI. I believe the Senator from Arkansas controls 2½ minutes.

The PRESIDING OFFICER. The Senator from Arkansas is recognized.

Mr. PRYOR. Mr. President, may we have order in the Senate?

The PRESIDING OFFICER. The Senate will be in order. The Senator from Arkansas is about to present his argument. The Senate will be in order before we commence debate on this amendment.

The Senate is in order. The Senator from Arkansas is recognized.

Mr. PRYOR. I thank the Chair.

Mr. President, the second amendment—my last amendment of today—is an amendment to deal with the situation that led to some $25.5 billion of arms sales by this country in 1982. This amendment in no way touches any particular country or any particular region of the world. It in no way diminishes, to the best of my knowledge, overall economic assistance; but, basically, it slows down the rate of growth and escalation of those assistance programs that we would classify as military or sales of arms to foreign countries.

Today, we see 57 percent of our foreign aid going for military purposes and 43 percent for development purposes. This amendment would simply do this: It takes $880 million, which is about 5 percent of the international affairs function, out of budget authority. I attempt to do this to force the Foreign Relations Committee and the Appropriations Committee to look again at what we are doing in the escalation of military assistance, particularly arms sales, by this country.

Mr. President, I reserve the remainder of my time.

The PRESIDING OFFICER. Who yields time?

Mr. DOMENICI. I yield 1 minute to the distinguished junior Senator from Wisconsin (Mr. KASTEN).

The PRESIDING OFFICER. The Senator from Wisconsin is recognized.

Mr. KASTEN. Mr. President, first of all, I point out that it has long been a popular political tactic to cut or to take after foreign aid. It has a weak constituency. However, it is important to look at some of the countries that would suffer if the amendment were adopted.

I might say, as chairman of the Foreign Operations Appropriations Subcommittee, we are not talking about $21 billion or $22 billion; that is, the total including the military sales. Function 150 is $12.7 billion in outlays, so the base the Senator from Arkansas is talking about is incorrect and his percentages should be doubled. Taking $880 million out of a $12.7 billion base is a significant decrease. There is no way we could do that and continue to exempt Israel from these cuts, as the Senator would try to do. It seems to me that Israel, by necessity, would be affected. In the case of Egypt, there would be a $250 million cut to our vital ally in the Middle East.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. DOMENICI. I yield the Senator 30 seconds.

Mr. KASTEN. Turkey is important to our NATO alliance; our bases in Portugal are vital, all U.S. contingency plans for Rapid Deployment Forces include this area. In the Philippines, U.S. bases are important to our defense in that part of the world. Taking $880 million out of this account is not possible.

I also point out to the Senator that his amendment is to the function 150 account. That means it could be economic assistance or security assistance, depending on what the authorizing and appropriating committees do.

Mr. DOMENICI. Mr. President, I yield the remainder of my time to the Senator from Illinois (Mr. PERCY).

Mr. PERCY. Mr. President, there was some confusion yesterday about the precise impact of the Pryor amendment. There should be no confusion:

It cuts nearly 20 percent from U.S. security assistance programs.

Of the $4.8 billion requested, $3 billion of the budget authority would be used for Israel and Egypt under the proposal now being considered by the Foreign Relations Committee.

If we do not cut Israel and Egypt, the $880 million cut would cut about 50 percent of the budget authority for the rest of the world. That means major reductions for Turkey, Pakistan, the Sudan, Oman, Kenya, Tunisia, Somalia, and Central America.

In short, this amendment would cripple the foreign policy of the United States by disrupting the delicate aid balance for the Middle East and negatively affecting U.S. access to critical military facilities around the world.

The PRESIDING OFFICER. The time of the Senator has expired.

The Senator from Arkansas is recognized.

Mr. PRYOR. Mr. President, how much time do I have remaining?

The PRESIDING OFFICER. Twenty seconds.

Mr. PRYOR. Mr. President, in response to both my colleagues on the other side of the aisle, I say that this cut would not affect the off-budget items and that those loan guarantees would still be available as part of our security assistance program. This cut would affect only on-budget items over which we have at least some control.

Second, it would affect such programs as the economic support fund, international military education and training, foreign military sales credits, and the military assistance program.

Mr. President, I assume that I am out of time. I would appreciate support from my colleagues on this amendment.

Mr. DOMENICI. Mr. President, I move to table the Pryor amendment, and I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

VOTE ON MOTION TO TABLE AMENDMENT NO. 1247

The PRESIDING OFFICER. The question is on agreeing to the motion to table the amendment of the Senator from Arkansas. On this question the yeas and nays have been ordered, and the clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. STEVENS. I announce that the Senator from Pennsylvania (Mr. HEINZ) is necessarily absent.

Mr. CRANSTON. I announce that the Senator from Ohio (Mr. GLENN) and the Senator from Colorado (Mr. HART) are necessarily absent.

The PRESIDING OFFICER (Mr. PRESSLER). Are there any other Senators wishing to vote?

The result was announced—yeas 79, nays 18, as follows:

[Rollcall Vote No. 82 Leg.]

YEAS—79

Abdnor	Garn	Murkowski
Andrews	Goldwater	Nickles
Armstrong	Gorton	Nunn
Baker	Hatch	Packwood
Baucus	Hatfield	Percy
Bentsen	Hawkins	Quayle
Biden	Hecht	Riegle
Boren	Heflin	Roth
Boschwitz	Helms	Rudman
Bradley	Hollings	Sarbanes
Byrd	Inouye	Sasser
Chafee	Jackson	Simpson
Chiles	Jepsen	Specter
Cochran	Johnston	Stafford
Cohen	Kassebaum	Stevens
Cranston	Kasten	Symms
D'Amato	Kennedy	Thurmond
Danforth	Lautenberg	Tower
DeConcini	Laxalt	Trible
Denton	Levin	Tsongas
Dixon	Lugar	Wallop
Dodd	Mathias	Warner
Dole	Matsunaga	Weicker
Domenici	Mattingly	Wilson
Durenberger	McClure	Zorinsky
Eagleton	Metzenbaum	
East	Moynihan	

NAYS—18

Bingaman	Huddleston	Pell
Bumpers	Humphrey	Pressler
Burdick	Leahy	Proxmire
Exon	Long	Pryor
Ford	Melcher	Randolph
Grassley	Mitchell	Stennis

NOT VOTING—3

Glenn	Hart	Heinz

So the motion to lay on the table Mr. PRYOR's amendment No. 1247 was agreed to.

Mr. KASTEN. Mr. President, I move to reconsider the vote by which the

motion to lay on the table was agreed to.

Mr. BYRD. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AUTHORITY FOR COMMITTEE TO MEET

Mr. KASTEN. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate on Tuesday, May 10, 1983, in order to consider and act on pending nominations, commemorative resolutions, and the following bills:

S. 215—The Bail Reform Act of 1983.

S. 1191—Authorization for Department of Justice activities and expenditures.

S. 1192—Department of Justice authorization for fiscal year 1984.

S. 53—The Justice Assistance Act of 1983, with an amendment in the nature of a substitute.

S. 57—To amend the Protection of Children Against Sexual Exploitation Act of 1977, with amendments.

Mr. METZENBAUM. Mr. President, reserving the right to object—and I will not object, provided the committee does not meet beyond the hour of 4 p.m. I have already advised the chairman of the committee to that effect.

Mr. KASTEN. I have no reason to object to that change. I am assuming these are relatively routine matters. So I would, in addition, after the listing of bills, ask the committee to finish its business by 4 p.m. this afternoon.

The PRESIDING OFFICER. Without objection, it is so ordered.

(Later the following occurred:)

Mr. KASTEN. Mr. President, I ask unanimous consent that the 4 p.m. deadline for the Judiciary Committee to meet during today's session be vitiated.

I further ask unanimous consent that the Judiciary Committee be authorized to meet during today's session to consider the same items identified in the prior unanimous-consent request.

Mr. BYRD. Mr. President, reserving the right to object, I am advised that Mr. METZENBAUM has removed his objection. Therefore, I have no objection.

The PRESIDING OFFICER. Without objection, it is so ordered.

FIRST CONCURRENT BUDGET RESOLUTION—FISCAL YEAR 1984

The Senate continued with the consideration of Senate Concurrent Resolution 27.

AMENDMENT NO. 1252

Mr. DOMENICI. Mr. President, am I correct now in understanding that we have 5 minutes equally divided between the Senator from Montana and the Senator from New Mexico on the Melcher amendment?

The PRESIDING OFFICER. Under the previous order, that is correct.

The Senator from Montana.

Mr. MELCHER. Mr. President, this amendment is a very clear amendment, easily understood. It transfers $100 million from one function in the budget to another; $100 million is needed for soil conservation work. The overall increase in the Federal deficit will not be affected. I have proposed in this amendment to recognize an urgent need that I believe has the highest priority. Adding $100 million to soil conservation work in this country is absolutely vital, and the transfer would come out of function 150 which is the foreign aid function.

Soil conservation programs for the past 12 years have either stood still or been actually decreased during that span of time. Yet the need is here, vitally needed, for carrying on soil conservation work.

The fact is with PIK, the payment-in-kind program, there are hundreds of millions of additional acres of croplands that are idle that are requiring attention. Why do they need attention? Simply because without attention there is either erosion from water or wind and we lose some of our topsoil.

Spending for foreign aid in this budget is $12.7 billion. So $100 million can be spared from it. Foreign aid when rigidly watched is often wasteful. Despite our good intentions and our efforts, much of the money that is used in foreign aid from the United States ends up in not accomplishing worthwhile purposes.

There are 97 countries involved in the various programs and this function for foreign aid has been increased 12 percent this year over last year and foreign aid appropriations have more than doubled since 1979.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. MELCHER. Could I ask an additional 30 seconds for Senator RANDOLPH to ask his question?

The PRESIDING OFFICER. Does the Senator yield time?

Mr. DOMENICI. I did not hear the request.

Mr. MELCHER. I asked an additional 30 seconds for Senator RANDOLPH to ask his question.

Mr. GOLDWATER. I object.

The PRESIDING OFFICER. Objection is heard.

Mr. DOMENICI. I have 2½ minutes. I yield 30 seconds to the senior Senator from West Virginia.

Mr. RANDOLPH. I thank the Senator very much.

Mr. President, is it not true, I say to the able Senator from Montana, that we continue to send billions and billions and billions of dollars overseas, and that a large amount of it goes to those persons whom we really do not know and we have no knowledge really, accurate knowledge, of how the money is spent. At the same time here at home, we know that the unemployment rate is 10.2 percent, and in West Virginia the rate is over 21 percent. We know that in Montana and all over America we have a job to do and that is to create jobs, and not continue to send billions overseas is that correct?

Mr. MELCHER. The Senator is absolutely correct.

Mr. President, I ask unanimous consent that Senator DIXON be added as a cosponsor to the amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DOMENICI. Mr. President, I will take only 1 minute. The Senator seeks to take $200 billion in budget authority and $100 billion in outlays in the first year out of foreign assistance and to transfer that to function 300, which includes, among many things, soil conservation. The premise of the Senator is that we need more money in soil conservation because the President proposed dramatic cuts in it.

Mr. President, the function that contains soil conservation has had added to it by the committee a half-billion dollars. There is no proposed cut in soil conservation. To the contrary, the resolution before us assumes between 3½ and 5 percent growth over last year in soil conservation.

So it seems to me that jobs is not the issue. The issue is whether or not we want to take from foreign assistance, which we just voted not to cut, and put it in a function because we want to increase soil conservation when we have already increased it.

I yield back the remainder of my time.

Mr. MELCHER. Mr. President, I ask unanimous consent that Senator RANDOLPH and Senator BAUCUS be added as cosponsors of the amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DOMENICI. Mr. President, I move to table the amendment and ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second? There is a sufficient second.

The yeas and nays were ordered.

VOTE ON MOTION TO TABLE AMENDMENT NO. 1252

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from New Mexico (Mr. DOMENICI) to table the amendment of the Senator from Montana (Mr. MELCHER). The yeas and nays have been ordered and the clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. STEVENS. I announce that the Senator from Pennsylvania (Mr. HEINZ) is necessarily absent.

Mr. CRANSTON. I announce that the Senator from Ohio (Mr. GLENN) and the Senator from Colorado (Mr. HART) are necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber wishing to vote?

The result was announced—yeas 56, nays 41, as follows:

[Rollcall Vote No. 83 Leg.]

YEAS—56

Armstrong	Hatfield	Percy
Baker	Hawkins	Quayle
Biden	Hecht	Roth
Boschwitz	Inouye	Rudman
Bradley	Kassebaum	Sarbanes
Chafee	Kasten	Simpson
Cohen	Kennedy	Specter
D'Amato	Lautenberg	Stafford
Danforth	Laxalt	Stevens
Denton	Lugar	Symms
Dodd	Mathias	Thurmond
Dole	Matsunaga	Tower
Domenici	Mattingly	Trible
Durenberger	McClure	Tsongas
East	Metzenbaum	Wallop
Garn	Moynihan	Warner
Goldwater	Murkowski	Weicker
Gorton	Packwood	Wilson
Hatch	Pell	

NAYS—41

Abdnor	Eagleton	Long
Andrews	Exon	Melcher
Baucus	Ford	Mitchell
Bentsen	Grassley	Nickles
Bingaman	Heflin	Nunn
Boren	Helms	Pressler
Bumpers	Hollings	Proxmire
Burdick	Huddleston	Pryor
Byrd	Humphrey	Randolph
Chiles	Jackson	Riegle
Cochran	Jepsen	Sasser
Cranston	Johnston	Stennis
DeConcini	Leahy	Zorinsky
Dixon	Levin	

NOT VOTING—3

Glenn	Hart	Heinz

So the motion to lay on the table amendment No. 1252 was agreed to.

Mr. KASTEN. Mr. President, I move to reconsider the vote.

Mr. BOSCHWITZ. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. BYRD addressed the Chair.

The PRESIDING OFFICER. The minority leader is recognized.

Mr. BYRD. Mr. President, I ask for the yeas and nays on the pending substitute.

The PRESIDING OFFICER. Is there a sufficient second? There is a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. There are 40 minutes remaining for the Senator from New Mexico and 60 minutes for the Senator from Florida.

Mr. CRANSTON. Mr. President, I ask unanimous consent to set aside the substitute so I may offer an amendment.

The PRESIDING OFFICER. Is there objection?

Mr. DOMENICI. Mr. President, reserving the right to object.

Mr. DOLE. I object.

The PRESIDING OFFICER. Objection is heard.

Mr. DOMENICI. Mr. President, I did not hear the unanimous-consent request and the ruling from the Chair.

The PRESIDING OFFICER. The objection was heard to setting aside the pending amendment.

Mr. DOMENICI. Was the distinguished Senator from Kansas the one who objected, or was it my objection?

The PRESIDING OFFICER. The Senator from Kansas objected.

If neither side yields time, the time runs equally.

Mr. BYRD. The Senator from California is seeking recognition to call up an amendment.

The PRESIDING OFFICER. An amendment is not in order at this point.

Mr. CRANSTON. Mr. President, I gather it is now not to be objected to. I ask unanimous consent to set aside the substitute amendment so I may bring up an amendment.

The PRESIDING OFFICER. Is there objection?

Mr. DOMENICI. Reserving the right to object. I assume the Senator from California would have no objection to adding that all provisions of the Budget Act regarding floor consideration of the aforementioned amendments shall remain in full force and effect?

Mr. CRANSTON. That is correct.

Mr. DOMENICI. I have no objection.

AMENDMENT NO. 1253

(Purpose: To add additional funds to provide for the extension of medicaid eligibility to certain low-income pregnant women and newborn children)

Mr. CRANSTON. I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The amendment will be stated.

The legislative clerk read as follows:

The Senator from California (Mr. CRANSTON), for himself and Mr. HATFIELD, Mr. HOLLINGS, Mr. MOYNIHAN, Mr. METZENBAUM, Mr. RIEGLE, Mr. MATSUNAGA, Mr. INOUYE, Mr. LEVIN, Mr. TSONGAS, Mr. DODD, Mr. KENNEDY, Mr. SARBANES, Mr. BRADLEY, and Mr. BUMPERS, proposes an amendment numbered 1253.

Mr. CRANSTON. Mr. President, I ask unanimous consent that further reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

On page 3, line 13, increase the figure by $70,000,000.

On page 3, line 14, increase the figure by $75,000,000.

On page 3, line 15, increase the figure by $80,000,000.

On page 3, line 19, increase the figure by $70,000,000.

On page 3, line 20, increase the figure by $75,000,000.

On page 3, line 21, increase the figure by $80,000,000.

On page 4, line 1, increase the figure by $70,000,000.

On page 4, line 2, increase the figure by $75,000,000.

On page 4, line 3, increase the figure by $80,000,000.

On page 4, line 7, increase the figure by $70,000,000.

On page 4, line 8, increase the figure by $145,000,000.

On page 4, line 9, increase the figure by $225,000,000.

On page 4, line 14, increase the figure by $70,000,000.

On page 4, line 15, increase the figure by $75,000,000.

On page 4, line 16, increase the figure by $80,000,000.

On page 17, line 8, increase the figure by $70,000,000.

On page 17, line 9, increase the figure by $70,000,000.

On page 17, line 15, increase the figure by $75,000,000.

On page 17, line 16, increase the figure by $75,000,000.

On page 17, line 22, increase the figure by $80,000,000.

On page 17, line 23, increase the figure by $80,000,000.

Mr. CRANSTON. Mr. President, I am offering this amendment on behalf of myself and 14 other Senators—Senator HATFIELD, the chairman of the Committee on Appropriations. Senator HOLLINGS, Senator MOYNIHAN, Senator METZENBAUM, Senator LEVIN, Senator RIEGLE, Senator INOUYE, Senator MATSUNAGA, Senator KENNEDY, Senator TSONGAS, Senator DODD, Senator SARBANES, Senator BRADLEY, and Senator BUMPERS.

This amendment would add $70 million to function 550 for fiscal year 1984, $75 million for fiscal year 1985, and $80 million for fiscal year 1986 for the purpose of providing sufficient budget authority and outlays to permit the enactment of legislation to close the gaps in the medicaid program that allow certain low-income pregnant women—principally those in a first pregnancy or residing with their spouse—to be excluded from coverage for medical services during their pregnancy. In many of these cases, the woman and her infant will become eligible once the infant has been delivered, but no medicaid assistance is available during the critical prenatal period, when adequate medical care can increase the probabilities of a healthy child.

Mr. President, on April 28, I described in a statement printed in the CONGRESSIONAL RECORD the history behind this amendment, the need for legislative action to correct an inequity which has gone unresolved for far too long, and the relationship between adequate prenatal care and the outcome of a pregnancy. I shall not reiterate today all of the compelling data which demonstrate beyond a shadow of a doubt the importance of prenatal care in efforts to reduce infant mortality and birth defects. There is simply

no question that the single most important thing that we can do in this country to reduce infant deaths and birth defects would be to insure that adequate prenatal care is made available to all pregnant women.

Mr. President, this point was made over and over during the debate last week on the amendment adopted to provide room in the budget for the creation of a program—a much needed program—to help with the urgent health care needs of unemployed workers. A number of the Senators speaking on behalf of that amendment made specific reference to the need to provide maternity health care for those families and stressed the long-term impact of not providing such care.

Precisely the same arguments can be made with respect to the medicaid program. None of the proposals to create a health program for unemployed workers suggests that maternity coverage should be optional for the first pregnancy or if the father is still residing in the home. There is no logical basis for allowing maternity care to be denied under the medicaid program on those grounds either.

It seems particularly appropriate at the time we are taking steps to protect the health care needs of unemployed workers and their families, that we also put an end to the inequity that has existed too long in the medicaid program with respect to these low-income pregnant women.

Mr. President, thousands and thousands of low-income pregnant women go without medical care during their pregnancies because of financial barriers. The General Accounting Office's 1980 report on the steps that should be taken to strengthen Federal efforts to improve pregnancy outcome describes the inadequacies and gaps in health care programs—inadequacies and gaps that existed prior to the recent budget cutbacks in many of those programs. Since 1980, the situation has clearly gotten worse, not better. There have been increasing reports throughout the country of more poor women arriving at hospital emergency rooms in labor, without having had any prenatal care.

I do not think there is any serious question that a problem exists. There really are only two questions before us: First, is there more that the Federal Government can and should do to help get medical care to these women during their pregnancies, and second, can we afford the cost?

The answer to the first question is clear. We know that in many States medicaid coverage is denied to low-income pregnant women because of factors that are totally unrelated to need. In some States, they are ineligible for help if it is a first pregnancy. In other States, a pregnant woman, regardless of family income, is denied medicaid if her husband is residing with her. If the husband leaves, she becomes eligible for medicaid. In other States, medicaid is only available in the last few months of a pregnancy—often too late to identify and treat those factors that contribute to infant mortality and birth defects.

A number of the cosponsors of this amendment and I have introduced legislation that would close these gaps and assure that all low-income pregnant women, regardless of where they live, would have this important medicaid eligibility. There is simply no justification for continuing these inequities in the medicaid program.

Mr. President, I think the answer to the second question is also clear. Indeed, the question might well be phrased, "Can we afford not to provide this coverage?"

The cost of closing the gaps in medicaid is not great—$70 million in the first year, and $75 million and $80 million in each of the two succeeding years.

But the cost of not providing this care can be enormous. In the short term, we are talking about the costs of neonatal intensive care units. Over the long-run, we are talking about the increased costs of medicaid for remedial care for conditions that could have been prevented through proper prenatal services. We are also talking about the costs of institutional care for severely handicapped children—costs that will ultimately be borne by the taxpayers and, in many cases, could be avoided.

Mr. President, I stress again there is nothing we can do that can be more helpful in reducing infant death in our country and birth defects than to insure that prenatal care is made available to all pregnant women. We can, I believe, save substantial sums over the long haul through this cost-effective, preventive approach. In addition, of course, there is the very humane aspect of the need to deal with this very difficult problem.

Mr. President, I am delighted to yield to my friend from New York.

Mr. MOYNIHAN. I thank the distinguished sponsor of the amendment.

Mr. President, it needs first be said that the sums involved are of the smallest order we are likely to consider in this long budget debate, and the issue involved is the lives of children.

What we are asking here is for funds to establish what should be thought of as the elemental, primal provision by society for its citizens, which is the opportunity to be born healthy and well. We know how to do this. In most States of the Union, it is done for most of the pregnant mothers and their children. In some, it is not, in many it is not done entirely, and in many it is not done at all.

It is the plain fact of the law that medicaid does not cover first pregnancies and occurs only after a child is born, and a child has AFDC after that. A number of States refuse coverage to children regardless of family income.

What our amendment—and the laws that would follow from it—proposes to do is simply to establish a uniform eligibility across the Nation for essential prenatal care.

I repeat: If there is any primal responsibility a society owes its citizens, it is the provision of those services that enable them to be born alive and healthy. We know how to do this, and the fact that we do is a matter that has puzzled me over a quarter century of involvement in the affairs of the National Government in the executive and the legislative branches.

We know from "Better Health for Children," the Health and Human Services report of 1977—it would then have been HEW—that 25 percent of the women who gave birth in 1977 had no prenatal care in the first trimester of their pregnancy, in 44 States. The consequences were as statistically clear as any pediatrician would have predicted.

The proportion of such women who had premature births, had births that involved the death of the fetus, was twice as high as those who had the normal medical care—twice as high. Twice as many children died. Twice as many children were born too soon.

With the great advances in medical science, a premature child, it might have been impossible to keep alive a generation ago can be kept alive today, but at enormous cost in care. One has only to visit a clinic in a ward for premature children in any hospital, and one can see the extraordinary things that can be done. But at what extraordinary cost. Whereas, the most modest expenditures in prenatal counseling and care—not in every case, obviously, but statistically in a very large proportion of these instances—could be avoided altogether.

There is an elemental question of the entitlement of citizenship in this matter. The sums are modest. The dollars involved are few. The lives involved are many.

In a budget that approaches a trillion dollars, if we cannot find the resources for the care of these children, one wonders as to the values of this body. I hope we shall. We have come very close to doing so many times before.

I recall that in 1979, the Senator from California (Mr. CRANSTON), the Senator from New Jersey (Mr. BRADLEY), the Senator from Rhode Island (Mr. CHAFEE), the Senator from Connecticut (Mr. RIBICOFF), and the Senator from Michigan (Mr. LEVIN) introduced and spoke on behalf of the Child Health Assessment Act of 1979, as we hoped it would be. It never was adopted. It remains to be done. It re-

mains the case for the reason which I do not think should be oversimplified and I would not wish to oversimplify: that the United States has perhaps the highest infant mortality rate of any industrial nation of our general standard of living in the world.

This cannot be a simple question. It has remained in this position. This situation has continued over at least a generation that I have been able to follow the statistics, but it is even so the fact. It is even so that while there has been a general lowering of infant mortality rates in our country as elsewhere, while there is a better level of child health at birth, the United States continues to have the least distinguished, least honorable—and I dare to use that term—position, rank, among the democratic industrial nations with which we would assume to be at least at par; and in many matters, we are the example to which others aspire and always have been. Here, it is different.

Mr. President, sometimes it is painful to speak of these matters, but there is a social component of this health problem that has remained equally obdurate, equally unbending, unyielding to effort for a generation, and that is the fact that the infant mortality rate for black infants is twice that for white infants. It is the plain fact that the prospect of not being born alive was twice that for the Nation's largest minority group as for the majority. That once, at least, made a claim on the conscience of this body. Once, at least, it was seen as evidence of the most ultimate form in which our concerns as a society ought to be engaged.

So it seems to me that with such a relatively small cost in dollars, a miniscule effect upon the budget, we can do now what we should have done years ago, and which we failed to do, at the cost of the lives of children and in some respects, I cannot doubt, the lives of mothers as well. When we do it at merely the cost of premature birth, almost invariably we are involved in tremendously expensive medical procedures: 24-hour care by nurses; special oxygen arrangements, oxygen tents; constant attention by one nurse for one child 24 hours a day—none of which is necessary in anything like the degree to which it now occurs.

It is an elemental proposition that the prevention of such events is vastly to be preferred to their cure when possible and altogether to be preferred to the ultimate failures which are the infant mortality records and statistics of our country.

It seems to me that the managers of this legislation might wish to speak to the matter.

I see that the distinguished members of the Budget Committee are in the Chamber and rather than go beyond what seems to us the elementally pervasive facts of the case I am happy to yield for any comments they might have; alternately, I can continue to discuss the matter. If there are difficulties I would be happy to hear from them.

Senator SYMMS has risen and I will be happy to hear his thoughts on this subject.

Mr. SYMMS. Mr. President, I yield myself such time as I may need in opposition to the amendment.

I listened to my colleague on the Budget Committee make the case, and I must say this is one of those amendments where people will say, "Who can be against expectant mothers?"

I suppose one could say that in a budget of some $800 billion plus, maybe $70 or $80 million per year. Well, that is no problem.

I think, though, what we have to do is recognize the facts, and I know my good friend from New York comes in here with records about the high infant mortality rate. I think to myself there is one thing that the United States has always forgotten and that is that we do keep better records than other countries, and I think that one thing that happens in the statistical evidence is that we simply have a better set of records than some of the countries that we make those comparisons with.

So we have to keep that in perspective. What is our mortality rate compared to what? Compared to 10 years ago, 20 years ago, 100 years ago? Is it better, worse? Of course, losing one child is too many, and I agree with my friend from New York that losing any is too many. The conservatives in this country used to say that the politicians in Washington are leading us down the road to a cradle-to-the-grave society. Now if we add this amendment it will not be cradle to the grave, it will be precradle-to-the-grave society where the Government is going to be responsible for everything.

I might mention the fact that in the jobs bill there was $105 million for maternal and child health, community health centers have $70 million, women, infants, and children, the WIC program, has $100 million. So it is not that the Federal Government is not making quite a commitment of the taxpayers' dollars to the prenatal care in this country.

Mr. CHILES. Mr. President, will the Senator yield?

Mr. SYMMS. I will make one other point and then I will be happy to yield, and I note that Senator DOLE is in the Chamber and wishes to make some comments.

But no matter how much of the taxpayers' money we spend, you can lead the horse to water but you cannot make him drink. What I am getting at, I say to my friend from New York, it may be a noble idea but if a pregnant woman refuses to take proper care of herself, refuses to participate in a proper healthy diet, refuses to make the choices that only commonsense tells us are good for people, to get plenty of rest, a normal nutritious diet, and some moderate exercise in order to facilitate the best health prior to the delivery of birth or a young child; if she continues to live some kind of life that is not good for her health by doing those things which we all know are not good for her health, nonnutritious diet, not enough rest, and so forth, there is not too much that the Federal Government can do about it or those of us in this Congress.

So I think it is nice to be able to try; but here we go again. It is another open-ended entitlement program.

What about the States that are pressed for cash out there? How are they going to pay for it? Where will they come up with the matching money? Whose taxes or who is going to pay for the program? And I think that if this amendment is accepted, no matter how generous and how noble it sounds, it is going to be seen as an endorsement of the proposal.

We do not even know what the specifics of the bill are. This same suggestion has been rejected in Congresses in the past. If we assume the income or the service level to hold the program to $70 million, we would soon have additional proposals to broaden it. So we would have, in fact, a precradle-to-the-grave society developing, and there is no limit to how much money we could spend.

I yield to my good friend from Florida, the ranking minority member of the Budget Committee.

Mr. CHILES. I thank the Senator.

We should accept this amendment.

It will allow room in the budget resolution for preventive medical care for low-income women and infants that will cost little now but is going to save much in larger costs in the long run.

This amendment is aimed at insuring that medical care will be available to low-income women who probably would be eligible for medicaid if they already had children—because they would then qualify for the program of aid to families with dependent children. But for those women who are pregnant for the first time, even though their incomes are low enough to qualify, essential prenatal and postnatal care is not there. It just does not make sense to deny medical attention before a child is born—when later health problems could be prevented—but give it later, when it is too late to avoid costly health problems.

The percentage of medicaid going to children has steadily declined in recent years. Over 30 States have reduced or eliminated medicaid services important to keeping babies and children healthy. We are all going to

suffer for that, and it is going to cost us a lot more money in the long run.

This amendment is not a big expense item. It will cost $70 million now, with slight increases of $5 million each year after. It is targeted at a priority problem. We should accept it.

My distinguished colleague said this would create a new open-ended entitlement. It would not do that at all. There already is an entitlement in the medicaid program. This is simply going to say, let us spend some small additional money wisely, let us spend it for preventive care in that open-ended entitlement program before the infants are born, before they become wards. They are later going to get medicaid under aid to dependent children. They are entitled to that entitlement. They are going to eventually have that. We are going to pay for them after they are sick. We are going to have to pay for them as taxpayers after they have problems.

I say again to my distinguished colleague, knowing of the care that many of us in this body feel for life, we are talking about something now that is going to encourage a pregnant woman to go to term with her child.

You know the decisions that she has to weigh. She is someone without funds in a very low-income situation, many times probably without a husband in the household. The decision that she is going to be faced with is, "Should I go to one of these clinics or one of these places and abort this child, take the child, or is there going to be some help to get some care for this child so I should carry it to term, so I should try to deliver the child?"

Goodness knows, with all the debate that we have had in here on the sanctity of life and the right to life, here is an encouragement to say to that mother: "We are going to try to help you have a healthy child. Do not go to some clinic. Do not abort that child. We will help you."

Or to say to another mother, "We are going to try to help you a little bit to have a healthy child, so we will not have to pay for the rickets or the other health care problems and the diseases that will come after that child is born."

We are not creating a new entitlement at all.

Mr. SYMMS. Mr. President, if the Senator will yield to allow me to comment on that, in the specific case, I quite agree that you cannot argue with the sincerity with which the Senator makes his point, but the fact of the matter is, if he is right, this is like the housewife who goes shopping and she says, "Gee, the dresses are on sale today and I can buy the $80 dress for $40," or what have you. "Look at the money I saved."

When her husband comes home from work, she says, "Honey, I saved $40 today because I bought a dress on sale."

If the Senator is correct, we should not be spending $70 million on this; we should spend $200 million or $500 million. But where does it stop? Where does the cradle-to-the-grave society stop?

I suppose we could come up with some kind of a program that could aid the conception.

Mr. CHILES. The fastest growing cost that we have is health cost, inflating above the weapons systems cost, and above everything else.

Mr. SYMMS. I agree.

Mr. CHILES. Are we not trying to take a direction in this Senate to say, let us do more for preventive care? Let us not pay for all the problems afterward when they are much more expensive? Let us pay for preventive——

Mr. SYMMS. I quite agree with that.

Mr. CHILES. You agree with that.

Mr. SYMMS. I quite agree. Preventive medicine——

Mr. CHILES. Then the Senator is agreeing we ought to accept this little mark to allow the Finance Committee to look at this and then determine whether this reasonably should be done and we ought to put it in.

Mr. SYMMS. What we are trying to do by adding $70 million, no matter how noble and touching this program may be, is somehow say we can pass an amendment here to add $70 million to a budget that is already way in arrears as far as income and outgo are concerned and somehow answer the question and say, if it is going to solve the problem, add $70 million. But is it going to solve the problem? Is not the information available now on television and all the massive ways? What are we doing with the other billions of dollars we spend? Is it honestly true that Americans do not have access to what the commonsense information is? We have a Government school system——

Mr. CHILES. That same argument could have been made for home health care. That same argument could have been made for what we did with hospice under medicare. You could say, why in the world do we want to put some money into hospice? Why do we not have those people die in the hospital no matter what they want? It will cost more.

Mr. SYMMS. But Senator——

Mr. CHILES. What I am saying——

Mr. SYMMS. We have $105 million, we already have money in there.

Mr. CHILES. I have the floor now.

Mr. SYMMS. I think the time is mine.

The PRESIDING OFFICER (Mr. CHAFEE). The Senator from Idaho is yielding time.

Mr. CHILES. It is on his time, and he certainly can speak on it.

Mr. SYMMS. I would be glad to have the Senator's comments, but I would say if we are not spending money on this, I would agree with you. But we are spending money. We have television, we have public television stations that the taxpayers support to put on programs for people. We have public health clinics, we have prenatal money in this budget, for this particular program. What we are trying to do here is just have a vote here to say whether or not you are for or against prenatal health care. I am for prenatal health care and for preventive medicine, but I am not for continually adding entitlement money to a budget in a country that already has $1 trillion less than nothing in the Federal Treasury. And I might say, Mr. President, in addition to a trillion-dollar debt this Congress has run up, we also have a nearly half-trillion-dollar unfunded liability facing us with respect to the civil service retirement program; we have got nearly a half-trillion dollars of unfunded liability in the military retirement program. So when someone comes out and says we have a trillion-dollar debt, they are really lucky if it is only a trillion-dollar debt.

It is just, you know, $70 million is just another $70 million, and maybe someone can say—the distinguished Presiding Officer is concerned about this deficit and I heard him make the comment the other day, you know, $200 billion. He said, "What is $200 billion?" From his opinion and background, $200 billion is a lot of money. We are going to make it $200.07 billion if this is added.

Medical care as provided for in medicaid is only a small portion of the problem, and I just think to have us bring this out and somehow make this case here today that we have to pass $70 million is simply not necessary to do it today. It is not going to solve the problem if there, in fact, is as bad a problem, and I do not doubt from my colleague from New York it is a bad problem.

I do not say the statistics are not there that we have a problem but I say again if a woman who is expecting a child insists on not eating a nutritious diet, insists on taking all kinds of drugs, there is a limit to how much the Congress of the United States can do about it. It is not that the information is not available. If one would look at the numbers of women in the country who are pregnant, how do they obtain health care, how do they do it? And I would say they do it because they are motivated and have an attitude that they desire to do what is necessary to have a healthy baby. This is done with or without what we do here in Washington, and I think sometimes we think we can do more than is possible. Some of these decisions have to be made by the individuals.

I reserve the remainder of my time.

The PRESIDING OFFICER. The Senator from New York

Mr. MOYNIHAN. Mr. President, let me begin by agreeing with much that the Senator from Idaho, my distinguished friend on the Budget Committee, has said. The personal behavior of the individual is increasingly emerging as a preeminent determinant of health or the absence thereof. But there are such things as diseases, there are such things as disorders, and the highest motivation in the world will not undo them. That is what doctors do and they do it in hospitals or clinics and they identify it.

One of the great advances in medicine has come in my lifetime because I know that when our children were born this concept was just barely beginning, that of the well-baby clinic, teaching mothers with babies, who had no evident difficulties at all, nonetheless to check in. It has proved a major advance in medical science. It has saved—the amounts of difficulty we have in early childhood compared now with 50 years ago are strikingly fewer.

Why are medical costs growing? Because of the other end of the life spectrum, lifespan. I would say to him on the same subject, prenatal care, something which hardly existed 50 years ago, has proven to be enormously effective and, if it matters, it is cost effective, the value of a well baby as against a sick baby, you can put a dollar amount on it and the simple fact is that where these facilities are available to indentical socioeconomic classes the difference in outcome is statistically striking.

I would like to say, too, on the question of records, it is really not the case that ours are the best records here. The better records are probably kept in Scandinavia, and then Britain and the Federal Republic and France. We are still a much larger and a much less—we were lucky to get a census that comes within a 2-million or 3-million count of the actual population. Our data are likely to underestimate the problem than otherwise. I do not know that there is more to be said, Mr. President.

Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER (Mr. SPECTER). Is there a sufficient second? There is a sufficient second.

The yeas and nays were ordered.

Mr. MOYNIHAN. I thank the generous interpretation of the Chair.

If there is no one wishing to speak further, I remind the Senate we are talking about $75 million in fiscal 1984, and we are talking melodramatically but not in some symbolic or anecdotal mode, we are talking about the lives of children and their well-being, and we are talking about modern medicine and what it knows how to do best which is to prevent illness and to prevent death.

Mr. SYMMS. Mr. President, I yield myself such time as I may need.

Mr. President, I appreciate the sincerity of the argument that my friend from New York presents here to this body today. I would only remind my colleagues that modern medicine in the United States of America and in the free world, for that matter, and the improved health care that we all enjoy and that the yet unborn children will look forward to enjoying was not developed somehow by Government programs in Washington.

We have much discussion in this Chamber about the deficit and about the money, and I suppose from an economic theory standpoint, and I know my distinguished colleague from New York has spent time in academia and this Senator has not, but I am sure in the economics departments in some of the schools in the country that they probably talk about the fact that in theory this budget is balanced each and every year and it is just a determination of how much of the gross national product we choose to consume with Federal spending.

And we are either going to borrow this money which will have an impact on the lives of many American citizens because we are cutting them out at the loan window, or we are really printing the money, which is a polite way to say inflating the currency or stealing from the value of the money from the people in the hidden tax or we will actually raise taxes and spend this money.

So from a theoretician's point of view, from an academic point of view, one could say that this budget is balanced and so what the heck is another $70 million this year. It is somewhat meaningless.

What we are deciding for the people of this country is that we in Washington know what is best. We are going to take $70 million out of the labors of the people in this country and add it to this budget and put it into prenatal care so that we will not have a society that has a cradle to the grave society but that is going to be "precradle" to the grave.

I cannot argue with my good friend from Florida or my good friend from New York on a specific case. I am sure he has statistics that show that if you give those prenatal courses and child care courses that maybe some of those children grow up more healthy than the others. I will not argue on a case-by-case basis. It is an irrefutable argument.

I would say to my friend from New York and to my colleagues that it was those exact arguments that brought about a $800 billion budget which is some 20 percent over and above what the Federal revenues are.

Mr. MOYNIHAN. Mr. President, would my friend yield for a comment?

Mr. SYMMS. I am happy to yield.

Mr. MOYNIHAN. May I say it is the same logic that got rid of poliomyelitis. It is a rare day when I would say that we in this Chamber know what is best for America, but we do know what is best. We know that prenatal care is better for children than its absence. So does anybody else who ever had a child or who has ever been a father of one.

Mr. SYMMS. I understand that. I have four children of my own. We have the Salk vaccine and the Sabin vaccine. And I would ask which one of those had the most to do with getting rid of poliomyelitis? The one that was not funded by the Federal grant, I would say to my colleague. Actually, one was funded by a Federal grant and one was funded by private enterprise and the private enterprise one solved the problem.

Mr. MOYNIHAN. Shall we move on to yellow fever?

Mr. SYMMS. I say to my friend, we come back to this question: Where did the money come from? Did it not come from the people who produced it, who produced the wealth? So what we are really arguing about here is do we want to add more money than we already have in the bill? Do we want to start another open-ended entitlement program or do we want to say we made a commitment to it, we realize it is a problem, and we would recommend to the American people that they do more about preventive medicine.

But there is a limit to how much wealth we have. How much do we want it capped? Do we want to spend 25 percent of the gross national product, 30 percent, 40 percent, or 50 percent? I say to my colleague that there is a limit, I think, to how far we can go.

It is what we spend here that is important. It is what we spend because we are spending it and it is taxed no matter whether we raise the taxes directly on the backs of the people so they can see it or, as I say, we borrow on the money, or we actually print it and just steal it from the value of the money that they have with the Government printing presses.

Are there any other Senators on my side of the aisle who would request time on this amendment or on the other side in opposition to the amendment? If not, Mr. President, I ask unanimous consent that the time be divided equally from both sides and I suggest the absence of a quorum.

Mr. CRANSTON. Mr. President, might we have a few remarks on this side first?

The PRESIDING OFFICER. Is there objection?

Mr. MOYNIHAN. Reserving the right to object.

Mr. SYMMS. Mr. President, I withdraw the request and reserve the remainder of my time.

Mr. MOYNIHAN. Mr. President, may I inquire of the Chair what time remains on behalf of the amendment?

The PRESIDING OFFICER. Each side has 40 minutes.

Mr. MOYNIHAN. Mr. President, I believe the Senator from Arkansas or the Senator from Ohio wishes to speak on the amendment.

Mr. METZENBAUM. Mr. President, I ask the Senator from New York, who controls the time, to yield me such time as is necessary.

Mr. MOYNIHAN. I yield to the Senator from Ohio.

Mr. METZENBAUM. Mr. President, the amendment before us represents only a small amount of dollars in the face of the overall Federal budget. Amounts under $100 million get rounded off in the budget process. Yet in terms of human lives, the amendment represents an enormous investment in the future of our society.

Under current Federal law, States are not required to provide medicaid coverage to two-parent intact families no matter how low their income. This policy actually encourages unemployed and underemployed fathers to leave their families so that they may qualify for assistance.

During the Budget Committee consideration of the health function, I offered an amendment to expand medicaid coverage to all children and pregnant women in two-parent families that met their State's income guidelines for medicaid eligibility. That addition of $350 million in 1984 would have encouraged families to stay together and would have provided a real safety net for the poor. However, my budget proposal for health was defeated in the committee.

Today Senator CRANSTON and cosponsors are offering a modified version of this proposal to increase the 550 health function by $70 million in 1984 to provide medicaid coverage for all low-income pregnant women. This is essential to provide necessary medical care for pregnant women who are currently denied assistance either because they are pregnant with their first child or because they are living in an intact family.

Mr. President, what we are talking about here is whether we are going to be pennywise and dollar foolish, whether we are going to charge future budgets of this country for the cost of failing to provide adequate prenatal care.

What we are talking about is spending a few dollars—and the distinguished Senator from Idaho talks about balancing the budget. I want to point out to him if he closed one one-hundredth of all the tax loopholes that exist in this country, if he provided the same effort, the same volume of his voice, the same ingenuity, the same tenacity to closing those tax loopholes, we would not have $70 million available for this prenatal care, we would have $700 million, we would have $7 billion available. But that is not what happens around here.

Mr. SYMMS. Will the Senator let me comment on that?

Mr. METZENBAUM. As soon as I finish, I will be very happy to, and I will not be long.

What we are talking about is whether we are going to be willing to do that which we ought to do. But too often around this Senate floor and in this Congress and this administration, all we know how to do is complain about spending a few dollars for the kind of future that we have for our young people in this country and the kind of present we have for our senior citizens. What we are talking about here is a rather paltry $70 million as compared to the value of the lives of those future unborn children.

I hope that this Congress will not be so penurious that it turns down this simple amendment of $70 million. If the mathematics work out right, as a matter of fact, it will not even show up in the budget figures, because if you have a figure that is $800 billion and you add plus $70 million, it does not even show up. So what we are talking about is having a sense of responsibility, a sense of care, a sense of concern, and a sense of compassion. If we have that, we will adopt the Cranston amendment.

Mr. SYMMS. Mr. President, I yield myself such time as I need.

I would just say again and reiterate the point for my friend from Ohio that the Congress just added $275 million to maternal and child health care, the WIC program, and community health centers in the emergency jobs bill. The resolution assumes an increase of over $100 million for MCH and community health centers, and $250 million for the WIC programs in fiscal year 1984.

These increases are aimed at the same population which this amendment proposes to entitle.

States presently have the option of providing AFDC coverage and, therefore, medicaid coverage, for pregnant women in the later months of their first pregnancy, and at least 30 States already provide this coverage.

If this amendment is passed, the Cranston amendment will mandate State coverage. The amendment is limited to medical care as paid for by medicaid, and the problem is beyond medical care, in my opinion, as I said earlier, Mr. President. It involves the social and lifestyle factors that medicaid simply cannot address.

So even though, as the Senator from New York pointed out, we do have high mortality rates in this country, the survey data from HHS shows that infant mortality is at an all-time low. The two groups at the highest rates are mothers under 16 or over 35. For both groups, care as provided in medicaid is only a small part of the solution.

I would say to my friend from Ohio, who is again talking about balancing the budget, the budget is balanced. To my friend from Ohio, Senator METZENBAUM, I would say the budget is balanced, in theory. Senator MOYNIHAN and I were just talking about it. You will either tax for it or you will print money, a polite way of stealing from the people by printing it, or we are going to crowd them out. It is what we spend here that matters.

I am saying to my friends here that we have developed the best lifestyle and the best health care in the world in the United States of America. It was not done because of what happened in Washington, D.C. It, in fact, happened because of the entrepreneurial genius and delivering factors of our system.

Mr. METZENBAUM. Will the Senator yield for a question?

Mr. SYMMS. I yield for a question

Mr. METZENBAUM. I respect the ingenuity of those who have made many of the major medical discoveries of this country. But we had testimony before our committee the other day from the American Society of Pediatrics in which they were saying that there are literally 10 times as many mothers not getting adequate prenatal care today as they had in the past, and blaming that directly upon economic conditions, unemployment, and the lack of funds. My question to the Senator is, would he not agree that in spite of all the great medical developments that have come about by reason of private ingenuity that there are still people in this country who, if they cannot afford to get the benefits that are provided by that kind of ingenuity, are going to suffer, as they are suffering at this very moment?

Mr. SYMMS. I would say to my friend what I have just repeated, that we have already added money in the bill for that very constituency that the Senator is talking about.

What you are saying is that you want to add $70 million more to that program. Well, if $70 million more is needed for that program, maybe we need $170 million or $1,700 million. Who knows how much is enough?

I would simply say that there are also people in this country who are having a difficult time simply because the Federal Government is deciding how to spend their money, Mr. President, instead of allowing them the privilege of making that decision themselves. We are taking this free choice away from people, bringing it over here and letting the Government decide for them.

That is all I am saying. I cannot argue with my friend from a humanitarian point of view. Of course, we want to take care of these people, but how much is enough? If your case is right, we ought to not limit it to $70 million, and I am surprised that my friend from California limited it to $70 million. Maybe it ought to be $700 million.

Mr. METZENBAUM. I offered a $350 million amendment and I did not have the support of my good friend from Idaho on that amendment in the Budget Committee. I am speaking today in support of $70 million because 20 percent of a loaf is better than no loaf at all.

Mr. SYMMS. I would say to my colleague we are now getting down to what the grist of the argument is. I am simply saying that Congress has spent this country almost to the verge of bankruptcy. I know my good friend wants to go out and close all the loopholes. It is really irrelevant whether you close the loopholes because you are going to spend the money anyway. How will you pay for it? Borrow it or print it?

Mr. METZENBAUM. I solemnly swear if you go back and undo President Reagan's tax bill, which reduced taxes $750 billion, I will not spend all of those dollars. I promise you that.

Mr. SYMMS. I hope, Mr. President, that has been properly recorded for the posterity of the country. I think my good friend from Ohio made a great commitment that he would not spend the whole of $750 billion. But I am saying that at the rate we are going, we are spending it anyway, with or without a change in the Tax Code.

I yield such time as he may need and consume for the enlightenment of this body to the distinguished chairman of the Finance Committee, the Senator from Kansas, who I might note, Mr. President, is the chairman of the committee which will have to figure out how this program is somehow going to, in a utopian fashion, solve all the problems from prenatal and precradle to the grave for the country. I think that is a pretty tall order. We will hear how the Senator from Kansas proposes we solve all of these problems for everyone from Kansas, to Idaho, to Ohio, to New York. I yield to the chairman.

Mr. DOLE. I thank the Senator from Idaho.

Much of this seems to end up in the Senate Finance Committee. We are very pleased to have that focus placed on our committee. It is not that I am unsympathetic with the amendment offered by the distinguished Senator from California. I certainly know it is well intentioned. But we have tried to check to see whether or not it is necessary and we cannot make that judgment at this time.

I am advised that the States already have the flexibility to provide services to pregnant women and this amendment would require that it be mandated.

Also, we have included with this Senator's amendment, $1.8 billion over 3 years in the budget resolution to provide health benefits for the unemployed. We are considering legislation now in our committee, in the Senate Finance Committee, which puts special emphasis on prenatal and postpartum care and prohibits the imposition of cost sharing on such care. Furthermore, all States are given the option of providing AFDC coverage to children in two-parent families who are needy because of the unemployment of principal wage earner.

As I understand, the budget also provides for an increase of 10 percent in the medicaid program.

It just seems to me that, for the reasons which were probably stated by others, it is not a great deal of money. It is $225 million if it is all totaled up over the next 3 years. But, again, we are faced with all these deficits and we are told we ought to reduce spending. But every amendment in the budget process will add spending. Maybe we should rearrange our priorities. Maybe there is something else we can do in the Senate Finance Committee.

I must say that we try to be very sensitive when we focus on programs that affect or impact on low-income Americans. Very honestly, I think there have been some areas where we may have gone too far.

So it is not that I am unsympathetic with the Senator from California. It just seems to me that if in fact there is a demonstrated need, we may be able to address this without additional spending. We have all kinds of programs in the Senate Finance Committee that might be trimmed back.

For example, when medicare passed in 1965, we were told if we were not careful it would cost $9 billion by 1990. It is in the budget this year for $7 billion. We are now told the 1990 cost will exceed $100 billion. Consider medicaid, of which the Federal share is about $20 billion—perhaps it should receive a higher priority. Maybe we ought to reduce some other program that we have jurisdiction over and add money for prenatal care. If that kind of amendment were proposed, it might be different.

Based on the problems we have, Mr. President, I hope the amendment might be modified.

Mr. CRANSTON. Mr. President, I know that the Senator from Kansas is sympathetic to the purpose of my amendment and the need we are trying to address. I should like to respond to a point he has made very briefly.

Mr. President, it is true that States have the option to extend full coverage to all low-income pregnant women. Many States already do. But many States do not. Laws in at least 13 States provide that a woman who is pregnant for the first time is ineligible for medicaid. Once the child is delivered, medicaid eligibility can be established, but no services are available during the critical prenatal period in those 13 States. In over half of the States, a needy woman whose husband is present in the household cannot get medicaid assistance unless he leaves.

The basic question is whether, in a health care program for low-income individuals financed in large part by the Federal Government, pregnancy-related services should be part of the core program and not subject to arbitrary restrictions unrelated to need.

I think they should be. As I stated earlier, maternity services are included as a core, mandatory element of the various proposals to establish health programs for unemployed workers. The legislation introduced by the distinguished chairman of the Finance Committee, the Senator from Kansas (Mr. DOLE) S. 951, specifically mandates that prenatal and postpartum care be provided in his proposal. Certainly they should be. The Senator from Kansas does not say these services can be optional if this is a first pregnancy or if the father is still residing in the home. Medicaid should not work that way, either.

I should like to respond also to the argument that if prenatal care is so important and cost-effective, why do all the States not exercise the option to offer it? The problem is that we are dealing with what is basically a preventive health care service. That is what prenatal health care is—a preventive service. Unfortunately, however cost-effective preventive health care services may be and however shortsighted the result, when budgets are tight, they are often the first to be dropped, because the return on this kind of health care comes later.

Finally, Mr. President, I want to stress that the Federal Government has a direct fiscal interest in seeing that this coverage is made mandatory under medicaid. The Federal Government is going to have to pick up a major share of the cost of providing health care, education, institutional care, and, in many cases, the cost of welfare dependency for children who are born with disabilities and handicapping conditions that could have been avoided through the provision of adequate prenatal services. If these services are not available, Federal taxpayers will pay the costs many times over in the end.

Mr. President, regarding the funds in budget for the maternal and child health grant program, let me say at the outset that I fully support the activities carried out under the maternal

and child health block grant program, which includes the former title V program. I have cosponsored amendments to increase funding for this program and have strongly opposed efforts to reduce its funding.

However, it is critical to understand exactly how the maternal and child health block grant program and the medicaid program differ in their effectiveness in reaching the target groups.

The 1980 report of the General Accounting Office—entitled "Better Management and More Resources Needed to Strengthen Federal Efforts To Improve Pregnancy Outcome" (HRD 80-24)—is very helfpul in understanding this difference.

Title V and the new maternal and child health block grant program support specific projects. If you happen to live in an area served by such a project, great! If you do not—and the GAO found that most of the counties in this country are not served by maternal and child health projects—they do not help. Medicaid, on the other hand, is a universal third-party reimbursement program. You do not have to live near a project to get services. You do not have to get on a waiting list if the project is already overenrolled. You just find another doctor or program.

Moreover, the MCH block grant is not focused just on maternity care. The block grant funds received by the States are used for a variety of purposes, including such things as family planning, immunizations, and dental clinics. These are certainly important and desirable services. But they compete with the need for the same projects to provide prenatal services. In 1980, the GAO found that some States gave little emphasis in allocating these block grant funds to activities directly related to improving pregnancy outcome.

Mr. President, we also need to look very carefully at how much is available for the MCH program. It is true that Congress has taken steps to restore the funds that were cut from this program in 1981. However, it is important to remember that GAO found that even the pre-1981 level of funding was inadequate. The additional funds for the MCH program are needed and can be well spent. But the problem we are seeking to address—assuring that all low-income pregnant women have access to adequate prenatal care wherever they may live—cannot be solved simply by adding more money to the grant program, unless we are willing to put enough money in to establish a project in every community. Medicaid eligibility is the only direct way to reach all of these women.

Mr. President, medicaid and the MCH programs are both needed in order to reach all of the needy women who need prenatal services. They each serve a different role in overall efforts to improve the health care of low-income families. The same point can be made regarding the WIC program, another vitally important program. Each is needed.

Finally, Mr. President, we also need to look at the social costs of not providing financial assistance to needy women for medical costs associated with carrying a pregnancy to term.

The Senator from Florida has spoken eloquently on this point, but I want to stress that this is clearly an amendment that should be supported by Members on all sides of the abortion debate. Lack of economic resources to pay for the medical care necessary to carry a pregnancy to term can be a factor in the decision of a pregnant woman to terminate a pregnancy. It can also serve to make these women easy victims for black market baby sellers who are all too ready to pay for the full pregnancy costs in exchange for the infant.

Finally, there is deep concern—which I share—over the tragic and heartbreaking decisions made when a child is born with life-threatening birth defects. There is no question that we should do everything possible to reduce the number of these situations and there is no question that adequate prenatal care can help reduce the incidence of these great human tragedies.

Passage of this amendment is an important step in this direction and I hope the Senate will agree to action on this matter.

Mr. President, I ask the Senator from Arkansas if he would like to speak at this point. If so, I shall yield such time as he needs.

Mr. BUMPERS. Mr. President, I thank the Senator from California for yielding. I shall not be long. I just want to add my voice to those that have already been raised in favor of this amendment because, even though I probably am not going to say anything very new or creative, I certainly would feel terribly neglectful of my duties if I did not speak out.

As I have sat here and meditated on the purpose of the amendment and the arguments pro and con, I never cease to be amazed at how the U.S. Congress can shoot itself in the foot as regularly as it does. Just a few moments ago, we had a tie vote, I believe it was 48 to 48, on a $6.5 billion increase in defense expenditures. That was on top of the 5-percent increase that the budget resolution already provided. We are talking in terms of $260 billion for defense. Nobody here is really quarreling with whether we want a strong America or not.

This may come as a shock to some of my colleagues, but I have never run across a man or woman in Congress who favored a weak America. However, I have run across some who felt that the Russians probably could not resist coming up the Potomac and getting us if we happened to cut a couple billion dollars out of a $250 billion defense budget. But I have never run across anybody who said they favored a weak America. Yet they always couch it in terms of defense.

I have been saying for a long time that there are a lot of things that I think are very important to the strength of this Nation in addition to how many planes, and tanks, and guns we have. I look forward to, indeed I pray for, the day that we consider ourselves a strong nation because of our inner strength as well as our military strength. I look forward to the day when the U.S. Senate suddenly comes to its senses and understands that when you cut out funds for prenatal and neonatal care for poor, pregnant women, you are not guaranteeing, but you are helping to guarantee, a defective baby.

If you have ever been Governor of a State, and some 12 to 15 Members of this body have been, you know what it is like to try to find money for all those learning disabled children, for all those child study centers for children with everything from mental retardation to dyslexia. Or, as a Governor you have had to come up with the money for the prisons or the mental institutions where one out of every eight people are there because of some disease they got because the children were not immunized against some childhood disease.

We have a lot of good programs in this country. We have the WIC program, we have the maternal and child health care program; we have AFDC. And we can stand up, all of us, and take great pride in those programs. But you know something else, Mr. President? These programs do not cover all of the needy people in this country. If we do not want to help these needy people, and I shall give statistics in a minute of who is not covered in those programs, and if, for example, we want to punish some teenage girl who is pregnant and not provide her with prenatal care, that is an option. Just say, "We are not going to give you any prenatal care or any neonatal care when the baby is born, because you should not have done that." I do not think that is a very sensible option, but if that is the way you want to vote, vote against this amendment.

If you want to be sensible and you want to take the position that you would rather spend between $250 to $350 on prenatal care for one pregnant woman, rather than spend $2 to $3 million to institutionalize a defective child for its entire life, then vote for the amendment.

Here are the people who are falling through the cracks. These are the sta-

tistics. You can talk about the other programs all you want.

Incidentally, the maternal and child health care program, which I have tried to shepherd through this body almost every year since I have been here, right now, in 1983, with corrections for inflation is receiving approximately 35 percent less funds than were available to its programs prior to the creation of the block grant in 1981. Every State in the Union, from Mississippi to New York, would tell you that the maternal and child health care program saves them $10 in State funds for every dollar they spend in that program. Yet, every year, for reasons that are absolutely beyond me, we have to get up here and scream and shout and storm to get that program funded at a decent level.

Well, who has fallen through the cracks? The statistics we have are for 1980, and 1980 was before all these massive cuts in all these programs.

Even in 1980, one out of every 20 pregnant women did not receive prenatal care until the last trimester of pregnancy, and 1 out of 76 women received no prenatal care. One out of every 11 black pregnant women received no prenatal care until the last trimester of pregnancy, and 1 out of every 37 black pregnant women received no prenatal care.

Here is a kicker with respect to low-birth-weight babies: one out of every nine teenagers received no prenatal care until the last trimester of pregnancy.

It is disgusting to even have to debate an amendment such as this. We stand up here and talk about all kinds of things, from defense on down, yet none of these matters are as important to the national security and well being of this Nation as healthy babies.

There are thousands of pregnant women who are falling through the cracks of the health care system and are not receiving prenatal care. We know that these mothers are more likely to deliver babies needing future expensive care. If only 70 mothers receiving prenatal care could be prevented from delivering a baby requiring long-term institutionalization, the government could save $70 million. That is $70 million that could be saved—the entire amount of this amendment.

Here is a figure for you: Prenatal care costs between $250 and $350 per woman. Neonatal intensive care for babies who are sick or low birth weight can cost $1,000 a day. It is not at all unusual for premature babies, low-birth-weight babies, sick babies, or brain damaged babies, to cost anywhere from $20,000 to $40,000 or more before they ever get out of the hospital.

Between her first and second years in college, my daughter worked in what they call the preemie section of the University of Arkansas Medical Center, where the premature babies receive care. Babies in this part of the hospital weigh anywhere from 1 pound up to 4 pounds. I visited her there two or three times, and I talked to the nurses and to the doctors, and I watched those tiny babies. It was not unusual to see a baby in there who had been hospitalized there for 2 months or longer. Some of these babies cost the State of Arkansas $1,000 a day. In some cases these lengthy and costly hospitalizations were necessary, because the mother had not received prenatal care for herself because she came from a poor family. You should see these mothers coming in to see their babies. These mothers had not had a decent diet before or after the birth of their babies.

The way we deal, it is unusual to get this steamed up around here for $70 million. This amount of money is just a pittance. But it is just another classic case of how we get our priorities so unbelievably skewed and I cannot believe it.

Mr. President, I hope that when Senators come to the floor, they will not just walk to the well and say, "What is our vote on this amendment?" but, that they will ask, "What is the substance of this amendment?" I hope they are listening on their squawkboxes; that they will vote for something decent and sensible and something that, above all, if you want to look at it in pure economic terms, is terribly cost effective.

Mr. President, I see that the floor manager of this amendment is not in the Chamber, and I am prepared to yield the floor.

Mr. SYMMS. I yield myself such time as I may need.

Mr. President, I want to respond to what my colleague from Arkansas just said. He made a very impassioned plea.

For our colleagues who are listening in their offices and who are not on the floor, and for those who are here, I point out that the characterization of this problem by the Senator from Arkansas would make it sound as though this is an either/or situation: either you are for prenatal care or you are against it. I say to my colleagues that that simply is not the situation.

I am not sure the Senator from Arkansas is aware of the fact, but in the 1983 budget, we have appropriated $373 million for the same targeted constituency that the Cranston amendment points toward. In the jobs bill which was passed last December, $105 million was added.

So what Senators really are voting for is whether they are for 478 million dollars worth of care for this problem or for $548 million. That is really what we are talking about.

So I do not think the record should be left unclear, so that those Senators who may choose not to vote for the Cranston amendment may appear to be completely insensitive to the problem that the distinguished author of the amendment brings before this body. It simply is not the case.

We have made it eminently clear that there are adequate funds for what this Nation can afford.

I say again to my colleagues that this kind of openended entitlement will put pressure on hard-pressed States that may not believe they can afford to match those payments.

To characterize this as a situation in which this Government, this Congress, or this country is doing nothing, when we are in fact spending $478 million, nearly a half billion dollars, on this problem, is a characterization that should not be left, and it should not be misunderstood by our colleagues.

Mr. President, I suggest the absence of a quorum, and I ask that the time be divided equally.

Mr. BUMPERS. Mr. President, will the Senator yield for one moment?

Mr. SYMMS. I yield.

Mr. BUMPERS. Mr. President, the statistics I gave a moment ago for 1980, I pointed out, was before a lot of these massive cuts in programs for the medically indigent took effect.

Arkansas in 1 of 13 States that do not cover prenatal care under medicaid for poor first-time pregnant women who are not yet on AFDC.

These mothers will be covered by medicaid just prior to delivery but that is like shutting the gate after the cow is out. It is too late.

In Kentucky the University Hospital in Lexington has quit providing indigent care because it could not finance the caseload of uninsured pregnant women.

In Oklahoma City clinics offering health services to low-income families estimate that at least 1,000 women are pregnant and have no place to go for prenatal care or for delivery. Think about it. In Oklahoma City 1,000 women are going to receive no prenatal care and have no place to go to even have the baby.

In Mobile, Ala., all but one of the six hospitals in Mobile have closed their emergency rooms over the weekends to cut down on the cost of providing care for the uninsured.

Mr. SYMMS. I thank the Senator very much, and I will take back my time, Mr. President.

I only say, and I will repeat again for the RECORD and for my friend from Arkansas, if they have that problem in Arkansas, his party controls the governorship, his party controls the legislature. This Congress has already a maternal and child health block grant of $373 million for fiscal year 1983, it is funded at $373 million in the continuing resolution, and $105 million was added during the jobs bill. So I say again we already have $478 million in

it. If that is not enough for my good friend from Arkansas, then his State legislature and his friend, the Governor, out there should do something about it. But do not come in here and ask for funds from the taxpayers of the United States, who are already spending money they do not have. We are already spending a half billion dollars on this problem. Do not paint a picture that the U.S. Federal Government is not doing something on this problem.

I simply say to my colleagues that this is the way the Federal Government got in the mess that it is in. This is how we have reached this point in our time in history where we already have, as I mentioned earlier, a trillion dollars less than nothing just in the general fund, and we already have an unfunded liability of almost a half trillion dollars in the civil service retirement fund, another half trillion dollars in the military retirement fund, and I do not know how many other billions of dollars the U.S. Treasury and the taxpayers of this country are committed for. But yet we come in with every heart-plucking suggestion and say that $478 million is not enough, we just want to add $70 million to it and that is going to erase the problem.

I simply say that as to the supposition and the premise from which my colleague makes that argument, all the money in the world will not solve the problem. If that were the case, then I would say that we could have utopia here and we could see that we could get all those young pregnant women to drink milk and to do all the proper things and it would just be taken care of and we would not have this problem.

But we do not live in an utopian situation. Health spending has grown from $23 billion in 1980 to $25 billion in 1983, and that does not include medicare spending, so we have not had these big cuts that the Senator from Arkansas is talking about. We are not cutting out every single thing in this budget or in this budget last year from what has been happening. If $70 million would solve the problem, I think most Senators would say, "Fine." But I do not think that the evidence supports that fact that the $70 million will be able to even scratch the surface and solve the problem.

This is an attitude problem in many cases, and in many cases, if it is not, we are just adding $70 million to the already overbloated Federal budget. In my judgment we are spending more money right now.

Mr. BUMPERS. Is the Senator suggesting poor women who get pregnant have a bad attitude?

Mr. SYMMS. I say to my colleague as to the point he is trying to get at, if I thought that we could add $70 million here or, as the Senator from Ohio was talking about—he wanted to add $350 million to this program in the committee—if that would solve the problem I do not think there would be any discussion here. But I made the point over and over again we are spending $478 million to this very constituency. If we add $70 million to it I simply would say we add another $70 million and then we find out that there are still pregnant women in need of prenatal care that maybe they even get the prenatal care but they say, "Thanks but no thanks; I would prefer to live an unhealthy lifestyle." I do not know what this Senator can do about it.

I appreciate the Senator's sincerity, and my heart goes out to those people and to those babies. But I think there is a limit to what we can do in this body and how much money we can add for every heart-plucking amendment that comes along here and if we intend in any fashion to come out of here with any kind of a budget that points toward fiscal responsibility we simply cannot add $70 million here, $70 million there, and so on and so forth, when nearly a half billion dollars, I say to my friend, are being spent.

If Arkansas thinks they have a problem, then I encourage Arkansas to take care of the problem. There is a limit to what we can do with the Nation's Federal budget about that particular specific problem.

I say also to my friend, and I made the point earlier before the Senator got to the Chamber, we have a system in this country. In addition to the commercial television stations, we have national public radio, we have commercial radio, and we have newspapers in this country that give access to information like this, and we have a federally supported public television system in this country where this kind of information about taking better care of one's self is not being hidden from the public and it is available for the American people. I do not know how much more a person can do than to lead the horse to water and if he will not drink, I do not know what you do with the horse.

In closing, Mr. President, there has been an increase of nearly $2.4 billion in health care and medicaid in this budget, and I do not know when we are going to say that enough is enough, whether it is $70 million more or $80 million, or $100 million more.

I see the distinguished chairman of the Budget Committee is in the Chamber.

Mr. BUMPERS. Mr. President, will the Senator yield for a question?

Mr. SYMMS. I am happy to yield to my friend for a question.

Mr. BUMPERS. The Senator has been pointing out that there is $478 million in the maternal and child health care program to do this, to take care of the problem that the Senator from California is trying to take care of.

Mr. SYMMS. That is correct. It is already done in 30 States. I think 20 States do not.

Mr. BUMPERS. Let me make a point for the Senator. If the Senator from California will permit, I will use his time to make this point so the Senator from Idaho is not deprived of his time. The Senator should understand that, first of all, the maternal and child health care program does not deal exclusively with the problem of providing prenatal and neonatal care we are talking about right now. It also covers crippled children clinics. We have had 10 crippled children clinics in my State for years. We have had to cut back. The funds were cut back. This is a great program. The maternal and child health care program also covers the lead-based program and a whole range of other problems that children have. The maternal and child health program is not an exclusive program of prenatal and neonatal care.

I only wish to clarify that for the record.

Mr. SYMMS. I thank the distinguished Senator.

Mr. President, it is too bad that we cannot wave a magic wand and have all these problems disappear.

I say again for my colleagues that this amendment is not a clear-cut case of whether you are for or against precradle to the grave support and health care from the Federal Government.

There is money in the bill, $373 million, another $105 million in the emergency jobs bill, for a total of nearly a half billion dollars.

It may be that is not all for prenatal health care, as the Senator from Arkansas points out, but it is the same constituency that would be receiving it. It is the same people who would be delivering these health services, and there is no reason why there cannot be some spillover.

In addition, there is $1.3 billion in this budget for women and children, for feeding, run by the same agencies that administer the maternal programs. So it is not that we are not making a commitment toward these noble goals that the author of the amendment is striving for.

I think once again I would remind my colleagues that the prosperity and the health care and the delivery of that health care in this country were not developed during a time when the Federal Government was spending in excess of 25 percent of the gross national product at the Federal level, where the Federal Government was making those decisions.

MEDICAID COVERAGE FOR LOW-INCOME PREGNANT WOMEN AND THEIR INFANTS

Mr. BRADLEY. Mr. President, Congress established the medicaid pro-

gram to make sure that no one would be cut off from necessary health care just because they were too poor to afford it. As a budget cutting measure in 1981, at the administration's request Congress restricted access to a number of programs, including aid to families with dependent children, AFDC. Because eligibility for medicaid is tied to eligibility for welfare, this loss of income assistance for 1 million needy resulted in the loss of medicaid benefits unless the States chose to provide coverage. Among those dropped were childless couples and the States were given the option not to cover the first pregnancy since no family technically existed to qualify for benefits. As a result many States have chosen not to provide medicaid coverage to low-income women who were dropped from the welfare rolls.

We have witnessed striking results in a very short period of time. The contributions of cuts in nutrition programs, health care, child care, and community support services have left pregnant women and their infants even more at risk for increased morbidity and mortality. In our cities we are seeing a rise in newborn mortality directly related to inadequate prenatal care. Preventive measures taken during a pregnancy are crucial and directly relate to the well being of the mother and the newborn. Toxemia, anemia, and inadequate nutrition merely add to the risks of pregnancy and can readily be altered through simple prenatal care. The vulnerability of women and their newborn to physical and mental impairment are only heightened by the lack of early prenatal care.

The vast majority of risks associated with low birth weight and its complications can be evaluated in early prenatal visits, and steps can be taken to reduce such risks and increase the probability of a healthy child. Providing care in that early stage of pregnancy is essential.

While it might have seemed logical in 1981 that childless couples did not need prenatal care, in fact it has turned out to be a tragic mistake. It has left women in their first pregnancy without the preventive care that can easily avoid countless human tragedies. Society pays for its errors in cold, hard budget terms and in very human terms. We must correct a very bad mistake.

Mr. President I am pleased to cosponsor the amendment of Senator CRANTSON to increase medicaid funding for this purpose. Just because a poor pregnant woman is not quite poor enough to receive income assistance, she and, more importantly, her newborn should not be denied access to care. We cannot afford the price we pay not to do so.

Mr. SYMMS. I now yield to the distinguished chairman from New Mexico, Senator DOMENICI.

The PRESIDING OFFICER (Mr. RUDMAN). The Senator from New Mexico.

Mr. DOMENICI. Mr. President, parliamentary inquiry. How much time remains on the amendment?

The PRESIDING OFFICER. The proponents have approximately 20 minutes left; the opponents have approximately 14 minutes left.

Mr. DOMENICI. Have the yeas and nays been ordered?

The PRESIDING OFFICER. They have not.

Mr. SYMMS. They have.

The PRESIDING OFFICER. The Senator is correct.

Mr. DOMENICI. I suggest the absence of a quorum and charge it to the opposition.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. CRANSTON. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CRANSTON. Mr. President, since an agreement is apparently being worked out on the amendment which is pending, and which I offered, on which the yeas and nays had been ordered, I ask unanimous consent that the order for the yeas and nays be vitiated.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CRANSTON. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. DOMENICI. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 1253, AS MODIFIED

Mr. CRANSTON. Mr. President, I send a substitute amendment to the desk and ask for its immediate consideration. It is a modification.

The PRESIDING OFFICER. The Chair inquires whether the Senator would like to modify his amendment.

Mr. CRANSTON. It is a modification.

The PRESIDING OFFICER. The Senator has the right to modify his amendment. The amendment is so modified.

The amendment, as modified, is as follows:

On page 3, line 13, increase the figure by $49,000,000.

On page 3, line 14, increase the figure by $49,000,000.

On page 3, line 15, increase the figure by $49,000,000.

On page 3, line 19, increase the figure by $49,000,000.

On page 3, line 20, increase the figure by $49,000,000.

On page 3, line 21, increase the figure by $49,000,000.

On page 4, line 1, increase the figure by $49,000,000.

On page 4, line 2, increase the figure by $49,000,000.

On page 4, line 3, increase the figure by $49,000,000.

On page 4, line 7, increase the figure by $49,000,000.

On page 4, line 8, increase the figure by $49,000,000.

On page 4, line 9, increase the figure by $49,000,000.

On page 4, line 14, increase the figure by $49,000,000.

On page 4, line 15, increase the figure by $49,000,000.

On page 4, line 16, increase the figure by $49,000,000.

On page 17, line 8, increase the figure by $49,000,000.

On page 17, line 9, increase the figure by $49,000,000.

On page 17, line 15, increase the figure by $49,000,000.

On page 17, line 16, increase the figure by $49,000,000.

On page 17, line 22, increase the figure by $49,000,000.

On page 17, line 23, increase the figure by $49,000,000.

Mr. DOMENICI. I believe the chairman of the Finance Committee has a colloquy he would like to engage in with the Senator from California.

Mr. DOLE. I would like to say to the Senator from California, as I said in my earlier statement, that this is a matter which should have a higher priority and we are certainly willing to take a look at programs within our jurisdiction, in medicare, in medicaid, and other programs, to see if we can accommodate most of what the distinguished Senator from California would like to do.

As I indicated earlier, this certainly has great merit. We will do the best we can to accommodate the Senator and others who support his view, including this Senator.

Mr. CRANSTON. Mr. President, I appreciate the cooperation of all Senators involved in this, the Senator from Kansas, the Senator from New Mexico, the Senator from New York, the Senator from Arkansas, and others. We have worked out a solution. This add-on of $49 million will provide the Finance Committee the opportunity to enact legislation to close the gaps in medicaid coverage for pregnant women without reducing other programs. That was the purpose of my amendment, to make sure that we could act on the underlying problem. I am satisfied we have reached an agreement to take the steps necessary to do that.

I also thank the Senator from Florida for his assistance and strong support.

Mr. CHILES. Mr. President, I congratulate the Senator from California. I think it is a good solution. I think it does make the point and provides the rationale for doing this. We modified the amendment slightly to include the lower figure of $49 million. The chairman of the Finance Committee is willing to accept this amount as an add back under medicaid so the Finance Committee can consider additional medicaid coverage for low-income pregnant women.

As Senator DOLE pointed out earlier, we had already voted additional funds for health insurance for the unemployed, which had been assigned to the Finance Committee. We do not have a final bill yet for either of these purposes. I think this agreement means that the Finance Committee will be in a position to adequately consider additional medicaid coverage for prenatal care as well as other programs.

I think it is important what the Senator from California has done that and I think this amendment takes care of that problem.

Mr. DOLE. I think I am in total agreement with these statements. The only point I raise is that we are, of course, going through all the programs that we have jurisdiction over. If, in fact, we find that there can be reductions without adversely impacting certain areas, we have that option. We are going to try to accommodate the distinguished Senator from California. We do have some money. We do have the provision for health care coverage for the unemployed. We feel there is enough flexibility to accommodate what he desires.

Mr. CRANSTON. I thank all Senators.

Mr. DOMENICI. Mr. President, I do want to say I was pleased when I returned to the floor to work with the Senators. I thank all those who participated today. I think this is a good solution to the problem raised by the distinguished Senator from California.

I yield back the remainder of my time on the amendment.

Mr. CRANSTON. I yield back any time I have left.

The PRESIDING OFFICER. All the time has been yielded back.

The question is on agreeing to the amendment.

The amendment (No. 1253), as modified, was agreed to.

Mr. DOMENICI. I move to reconsider the vote by which the amendment was agreed to.

Mr. CRANSTON. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. DOMENICI. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. DOMENICI. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DOMENICI. Mr. President, I might say to the Senate that we thought we were going to have another amendment with reference to the EDA and Appalachia. There had been a combined amendment that was being considered on that side of the aisle. I understand from the sponsors that they are not ready; therefore, their amendment will have to be redone to take into consideration some changes that they want to make. That cannot be ready tonight because of the complexity, so we shall not have any further amendments this evening.

The distinguished Senator (Mr. STEVENS), who will be the acting majority leader this evening, will close the Senate. I understand he will be here shortly. For the purpose of waiting for him, I suggest the absence of a quorum and ask that it be charged to my time on the resolution.

The PRESIDING OFFICER. Without objection, the clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. BRADLEY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BRADLEY. Mr. President, I have a question for the chairman of the Budget Committee. As he is probably aware, Senator PACKWOOD and I introduced a home care bill, entitled "Senior Citizens Independent Community Care Act." This measure has an effective date of January 1, 1984.

This bill is designed to assist medicare patients age 65 or older to avoid placement in a nursing home unless it is absolutely necessary. People eligible under this bill would receive all medicare part A and B services as well as homemaker, adult day care, respite care, individual assessment and treatment plan, and service coordination. To participate, individuals must demonstrate unmet needs for the service provided and a prescribed level of disability defined in the bill. The payment mechanism would be in the form of a capitation payment to a provider such as an HMO for all services rendered.

The program would allow the Secretary of Health and Human Services to initiate the program in four States in order to assess the appropriate payment mechanism and to determine how this program could be implemented nationwide after 4 years. We estimate that the cost will be approximately $30 million for the new service provisions in fiscal year 1984.

Is there $30 million in the budget resolution in 1984 to accommodate the expected costs of this bill?

Mr. DOMENICI. The Senator's legislation could be accommodated, given his estimate of $30 million.

Mr. BRADLEY. Will those funds be crosswalked to the Finance Committee for the medicare function and used for this program?

Mr. DOMENICI. Yes; funding is assumed in the medicare account.

Mr. CHILES. Demonstration projects to test the feasibility of a coordinated program of home and community care as an alternative to institutional care are very appropriate and needed.

The direction proposed by Senator BRADLEY is one that I have long supported, and I note that the Appropriations Committee has encouraged the Department to enter into similar demonstration projects in the past. I hope we can continue to encourage these efforts.

Mr. BRADLEY. Mr. President, I suggest the absence of a quorum, and I ask unanimous consent that the time be charged to the time of the chairman on the resolution.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. STEVENS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

THE EXECUTIVE CALENDAR

Mr. STEVENS. Mr. President, may I inquire of my good and patient friend whether it is possible we might go into executive session at this time in order to consider the nominations on the Executive Calendar commencing with Calendar Order No. 137 through the nominations on pages 5, 6, 7, 8, 9, and also the nominations on the Secretary's desk on page 11.

Mr. BYRD. Mr. President, reserving the right to object, would the Senate not charge this time against anybody on the resolution?

Mr. STEVENS. Does the Senator mean the time now?

Mr. BYRD. Yes.

EXECUTIVE SESSION

Mr. STEVENS. Mr. President, I ask unanimous consent that the Senate go into executive session for the purpose of considering the nominations commencing on page 4.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BYRD. So the time then would not be running against the budget resolution?

Mr. STEVENS. Yes.

Mr. BYRD. Mr. President, may I say to the distinguished Senator that on this side of the aisle all nominations on page 2 have been cleared, all nominations on page 3 have been cleared, except the one at the bottom in the Department of Justice, all nominations on page 4, all nominations on page 5, all nominations on pages 6, 7, 8, 9, and 11, but not the nomination on page 10.

Mr. STEVENS. I thank the Senator. As a matter of fact, I think that that would mean, Mr. President, that we might be able to clear one additional nomination.

Mr. President, I ask unanimous consent that the nomination on the bottom of page 2, Calendar No. 101, the nomination for the promotion in the Army and the nominations commencing with Calendar Order No. 137 through 155 and the nominations on the Secretary's desk be considered and confirmed en bloc.

Mr. BYRD. No objection.

The PRESIDING OFFICER. Without objection, the nominees are considered en bloc and confirmed en bloc.

The nominations considered and confirmed en bloc are as follows:

IN THE ARMY

The following-named officer, under the provisions of title 10, United States Code, Section 3034, to be Chief of Staff, U.S. Army:

To be Chief of Staff, U.S. Army

Gen. John A. Wickham, Jr., 092-20-1086, U.S. Army.

IN THE AIR FORCE

The following-named officer under the provisions of title 10, United States Code, section 601, to be assigned to a position of importance and responsibility designated by the President under title 10, United States Code, section 601:

To be lieutenant general

Maj. Gen. Kenneth L. Peek, Jr., 314-30-4967FR, U.S. Air Force.

The following-named officer under the provisions of title 10, United States Code, section 601, to be reassigned to a position of importance and responsibility designated by the President under title 10, United States Code, section 601.

To be lieutenant general

Lt. Gen. Winfield W. Scott, Jr., 230-24-1597FR, U.S. Air Force.

The following-named officer under the provisions of title 10, United States Code, section 601, to be assigned to a position of importance and responsibility designated by the President under title 10, United States Code, section 601:

To be lieutenant general

Maj. Gen John L. Pickitt, 451-44-6719FR, U.S. Air Force.

The following-named officer under the provisions of title 10, United States Code, section 601, to be assigned to a position of importance and responsibility designated by the President under title 10, United States Code, section 601:

To be lieutenant general

Maj. Gen. Robert E. Kelley, 049-24-0301FR, U.S. Air Force.

The following-named officer under the provisions of title 10, United States Code, section 601, to be assigned to a position of importance and responsibility designated by the President under title 10, United States Code, section 601:

To be lieutenant general

Lt. Gen. Robert W. Bazley, 188-18-6278FR, U.S. Air Force.

The following-named officer under the provisions of title 10, United States Code, section 601, to be assigned to a position of importance and responsibility designated by the President under title 10, United States Code, section 601:

To be lieutenant general

Maj. Gen. Carl H. Cathey, Jr., 244-36-7303FR. U.S. Air Force.

The following-named officer for appointment to the grade of lieutenant general on the retired list pursuant to the provisions of title 10, United States Code, section 1370:

To be lieutenant general

Lt. Gen. Hans H. Driessnack, 064-22-2830FR, U.S. Air Force.

IN THE ARMY

The following-named officer to be placed on the retired list in the grade indicated under the provisions of title 10, United States Code, section 1370:

To be lieutenant general

Lt. Gen. Harry A. Griffith, 113-18-4835. (Age 58), U.S. Army.

The following-named officer under the provisions of title 10, United States Code, section 601, to be assigned to a position of importance and responsibility designated by the President under title 10, United States Code, section 601:

To be lieutenant general

Maj. Gen. Arthur E. Brown, Jr., 424-24-4091, U.S. Army.

The following-named officer to be placed on the retired list in grade indicated under the provisions of title 10, United States Code, section 1370:

To be lieutenant general

Lt. Gen. Robert J. Lunn, 361-14-7936, (Age 55), U.S. Army.

The following-named officer under the provisions of title 10, United States Code, section 601, to be assigned to a position of importance and responsibility designated by the President under title 10, United States Code, section 601:

To be lieutenant general

Maj. Gen. Robert L. Moore, 223-40-5576, U.S. Army.

The following officers for appointment as Reserve commissioned officers in the Adjutant Generals Corps, Army National Guard of the United States, Reserve of the Army, under the provisions of title 10, United States Code, sections 593(a) and 3392:

To be major general

Brig. Gen. Donald E. Edwards, 008-26-2639, Army National Guard of the United States.

To be brigadier general

Col. Raymond R. Galloway, 298-18-1011, Army National Guard of the United States.

Col. William A. Hornsby, 417-32-3908, Army National Guard of the United States.

The following-named officer under the provisions of title 10, United States Code, section 601, to be assigned to a position of importance and responsibility designated by the President under title 10, United States Code, section 601:

To be lieutenant general

Maj. Gen. John R. Galvin, 005-28-5597, U.S. Army.

IN THE NAVY

The following-named officer to be placed on the retired list in the grade indicated under the provisions of title 10, United States Code, section 1370.

To be vice admiral

Vice Adm. Lando W. Zech, Jr., 536-16-2620/1110, U.S. Navy.

The following-named officer, under the provisions of title 10, United States Code, section 601 to be reassigned to a position of importance and responsibility designated by the President under title 10, United States Code, section 601:

To be vice admiral

Vice Adm. William P. Lawrence, 410-44-3904/1310, U.S. Navy.

The following-named officer under the provisions of title 10, United States Code, section 5141, for appointment as Chief of Naval Personnel for a term of four years:

To be chief of naval personnel

Vice Adm. William P. Lawrence, 410-44-3904/1310, U.S. Navy.

The following-named officer to be placed on the retired list in the grade indicated under the provisions of title 10, United States Code, section 1370.

To be vice admiral

Vice Adm. Robert R. Monroe, 409-38-6086/1110, U.S. Navy.

The following-named officer, under the provisions of title 10, United States Code, section 601, to be reassigned to a position of importance and responsibility designated by the President under title 10, United States Code, section 601:

To be vice admiral

Vice Adm. William J. Cowhill, 331-20-9875/1120, U.S. Navy.

The following-named officer, under the provisions of title 10, United States Code, section 601, to be reassigned to a position of importance and responsibility designated by the President under title 10, United States Code, section 601:

To be vice admiral

Rear Adm. Carol C. Smith, Jr., 418-30-4646/1310, U.S. Navy.

IN THE MARINE CORPS

The following-named officer, under the provisions of title 10, United States Code, section 601, to be reassigned to a position of importance and responsibility designated by the President under title 10, United States Code, section 601:

To be lieutenant general

Maj. Gen. D'Wayne Gray, 462-38-7595, U.S. Marine Corps.

NOMINATIONS PLACED ON THE SECRETARY'S DESK IN THE AIR FORCE, MARINE CORPS, NAVY

Air Force nominations beginning William P. Abraham, and ending Jane B. Ward, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD of April 26, 1983.

Air Force nominations beginning Ray S. Adkins, and ending John B. Wissler, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD of April 26, 1983.

Marine Corps nominations beginning Richard M. Ahlers, and ending Kenneth W. Zitz, which nominations were received by

the Senate and appeared in the CONGRESSIONAL RECORD of April 18, 1983.

Navy nominations beginning Brandon O. Clarke, and ending Mark C. Wilson, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD of April 15, 1983.

Navy nominations beginning James William Arvin, and ending William John Zuchero, Jr., which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD of April 18, 1983.

Navy nominations beginning Thomas N. Cheamitru, and ending Joseph J. Tepas, III, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD of April 26, 1983.

Mr. STEVENS. Mr. President, I move to reconsider the vote by which the nominations were confirmed.

Mr. BYRD. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. STEVENS. Mr. President, I ask that the President be immediately notified.

The PRESIDING OFFICER. Without objection, it is so ordered.

LEGISLATIVE SESSION

Mr. STEVENS. Mr. President, I ask unanimous consent that the Senate return to legislative session.

The PRESIDING OFFICER. Without objection, it is so ordered.

PETITIONS AND MEMORIALS

The following petitions and memorials were laid before the Senate and were referred or ordered to lie on the table as indicated:

POM-140. A resolution adopted by the House of Representatives of the State of Washington; to the Committee on Armed Services:

"RESOLUTION No. 83-60

"Whereas, our state and nation were founded on the tradition of brave men and women sacrificing their freedom and even their lives to protect the freedom of others; and

"Whereas, the country has grown great due to the unselfish commitment of its citizens to defending the right of freedom; and

"Whereas, Llewellyn M. Chilson, holding the rank of sergeant during World War II, distinguished himself in the European war theater through his valor and heroism; and

"Whereas, Llewellyn M. Chilson was the second most decorated United States soldier in the second world war; and

"Whereas, Llewellyn M. Chilson, in December, 1946, was decorated by President Harry S. Truman with seven medals, the largest number of awards given to a soldier at the same time; and

"Whereas, Llewellyn M. Chilson exemplified the qualities both in combat and in civilian life which are an integral part of our great nation;

"Now therefore, *Be it resolved*, By the members of the House of Representatives, That the Congress of the United States is requested to posthumously bestow on Master Sergeant Llewellyn M. Chilson the Congressional Medal of Honor; and

"Be it further resolved, That a copy of this resolution be sent to the President of the United States Senate, the Speaker of the United States House of Representatives, and the members of the congressional delegation from the state of Washington."

POM-141. A joint resolution adopted by the General Assembly of the State of North Carolina; to the Committee on Banking, Housing, and Urban Affairs:

"HOUSE JOINT RESOLUTION 279

"Whereas, the Federal Government has, through actions and expressed intentions, begun to transfer to the state governments the responsibility for many of its housing programs; and

"Whereas, funding for these programs has never fully supported existing needs; and

"Whereas, the existing funding levels are in jeopardy of diminishing as the programs are being transferred to state control: Now, therefore, be it resolved by the House of Representatives, the Senate concurring:

"Section 1. The North Carolina General Assembly requests that the delegation to the United States Senate and the House of Representatives from North Carolina use every available means to assure that the level of federal funding provided to North Carolina is adequate to meet the State's housing needs, while supporting increased State authority and responsibility for housing.

"Sec. 2. The Secretary of State shall send a certified copy of this resolution to each member of the United States Senate and the United States House of Representatives representing North Carolina, and to the Secretary of the United States Senate and the Clerk of the United States House of Representatives.

"Sec. 3. This resolution is effective upon ratification."

POM-142. A resolution adopted by the San Diego County Federation of Republican Women's Clubs urging Congress to reject any and all applications for funds to the International Monetary Fund to bail out the banks, and to insist that the banks pay for their own mistakes; to the Committee on Banking, Housing, and Urban Affairs.

POM-143. A resolution adopted by the San Diego County Federation of Women's Clubs urging Congress to look elsewhere for budget cuts and to take advantage of the present market situation to step up the stockpiling of our crucial oil reserves; to the Committee on Energy and Natural Resources.

POM-144. A concurrent resolution adopted by the House of Representatives of the State of Arkansas; to the Committee on Energy and Natural Resources:

"HOUSE CONCURRENT RESOLUTION 5

"Whereas, the United States and its various departments and agencies own millions of acres of land located in the various states; and

"Whereas, although in some cases the minerals underlying such lands are extremely valuable, many mineral leases on such lands are granted each year for one dollar per acre or some other nominal fee, while only a small number of such leases are awarded on the basis of competitive sealed bids; and

"Whereas, the United States Government and the various states are in urgent need of additional funds to provide essential services of government and the award of mineral leases on federal lands on competitive sealed bids would produce a substantial amount of revenues; and

"Whereas, good business practices, fairness and equity dictate that all mineral leases on federal-owned lands be awarded to the highest responsible bidder based on competitive sealed bids: Now, therefore, be it

"Resolved by the House of Representatives of the Seventy-Fourth General Assembly of the State of Arkansas, the Senate concurring herein, That the Arkansas General Assembly hereby respectfully urges the Congress of the United States to enact appropriate legislation to require that all mineral leases on federal-owned lands be awarded to the highest responsible bidder based on competitive sealed bids; Be it further

"Resolved, That the General Assembly hereby urges the Arkansas Congressional Delegation to sponsor and support such legislation; Be it further

"Resolved, That upon adoption of this Resolution, a copy shall be transmitted to the presiding officer of the U.S. Senate and the U.S. House of Representatives and to each member of the Arkansas Congressional Delegation."

POM-145. A resolution adopted by the Board of Directors of the Ocala Board of Realtors, Inc. urging Congress to take necessary steps to deactivate the Cross-Florida Barge Canal and to return the property previously condemned for the Barge Canal to the individuals and their heirs who were the previous owners of said land upon reimbursement to the proper governmental authority of the monies previously paid by the government for such lands; to the Committee on Environment and Public Works.

POM-146. A concurrent resolution adopted by the Legislative Assembly of the State of North Dakota; to the Committee on Finance:

"HOUSE CONCURRENT RESOLUTION No. 3099

"Whereas, many North Dakota residents are currently engaged in railroad employment or have been engaged in such employment in the past and look to the railroad retirement system to provide benefits when they retire; and

"Whereas, many North Dakota residents are currently receiving benefits under the railroad retirement system and rely on those benefits to a large extent to meet their normal costs of living; and

"Whereas, any reduction in the amount of benefits received by beneficiaries under the railroad retirement system would have a drastic effect on the ability of these beneficiaries to meet their living expenses; and

"Whereas, projections of the financial condition of the railroad retirement system now show that unless corrective action is taken, monthly annuities will have to be reduced significantly beginning with the annuities to be sent out on October 1, 1983, with additional reductions probably required in the future; and

"Whereas, H.R. 1646, the Railroad Retirement Solvency Act of 1983, was introduced in the United States House of Representatives on February 24, 1983; and

"Whereas, H.R. 1646 would resolve the short-term and long-term financial problems of the railroad retirement system, through an even-handed approach of tax increases on railroad employers and employees and the adjustment of benefits to current and future beneficiaries, thereby preserving and protecting the rights and expectations of those currently receiving benefits and those who would receive those benefits in the future: Now, therefore, be it

"Resolved by the House of Representatives of the State of North Dakota, the Senate concurring therein, That members of the United States Congress are urged to actively support and vote favorably on H.R. 1646, the Railroad Retirement Solvency Act of 1983; and Be it further

Resolved, That copies of this resolution be presented to the Speaker and Clerk of the United States House of Representatives, the President and Secretary of the United States Senate, and to each member of the North Dakota Congressional Delegation."

POM-147. A resolution adopted by the House of Representatives of the State of Arizona; to the Committee on Foreign Relations:

"HOUSE MEMORIAL 2003

"Whereas, there are currently two thousand four hundred ninety-four Americans still missing and otherwise unaccounted for in Southeast Asia; and

"Whereas, the United States government has collected and analyzed information which clearly establishes that the governments of Indochina possess information regarding American prisoners of war (POW) and Americans missing in action (MIA); and

"Whereas, the defense intelligence agency is currently investigating more than four hundred sixty firsthand, live sighting reports of Americans in Southeast Asia, based on the assumption that at least some may still be held captive; and

"Whereas, the United States government obtained and substantiated information that the Socialist Republic of Vietnam has in its possession the remains of at least four hundred American personnel who were killed as the result of hostilities in Southeast Asia; and

"Whereas, the families of those American servicemen and civilians missing in Southeast Asia have suffered untold grief and uncertainty because the governments of Indochina have failed to provide an adequate accounting of those missing; and

"Whereas, the State of Arizona has an enduring interest in the welfare of Americans listed as missing or otherwise unaccounted for in Southeast Asia.

"Wherefore your memorialist, the House of Representatives of the State of Arizona prays:

"1. That the President and the Congress of the United States take all steps necessary, including calling upon the Socialist Republic of Vietnam and the Lao Peoples Democratic Republic, to end the years of uncertainty for American POW/MIA families by releasing all American prisoners still held, providing all information concerning the fate of American servicemen and civilians still missing and repatriating all American remains which are now in their possession or may subsequently be found.

"2. That the Secretary of State of the State of Arizona transmit copies of this Memorial to the President of the United States, the President of the United States Senate, the Speaker of the House of Representatives of the United States and to each Member of the Arizona Congressional Delegation."

POM-148. A resolution adopted by the House of Representatives of the Third Northern Marianas Commonwealth Legislature; to the Committee on Foreign Relations:

"H. RES. No. 128

"Whereas, the greatest challenge facing the earth is to prevent the occurrence of nuclear war by accident or design; and

"Whereas, the nuclear arms race is dangerously increasing the risk of a holocaust that would be humanity's final war; and

"Whereas, a freeze followed by a reduction in nuclear warheads, missiles, and other delivery systems is needed to halt the nuclear arms race and to reduce the risk of nuclear war: Now, therefore, be it

"Resolved by the House of Representatives of the Third Northern Marianas Commonwealth Legislature, Third Regular Session, 1983, That (1) as an immediate strategic arms control objective, the United States and the Soviet Union should: (a) pursue a complete halt to the nuclear arms race; (b) decide when and how to achieve a mutual and verifiable freeze on the testing, production, and further deployment of nuclear warheads, missiles, and other delivery systems; and (c) give special attention to destabilizing weapons whose deployment would make such a freeze more difficult to achieve, (2) proceeding from this freeze, the United States and the Soviet Union should pursue major mutual and verifiable reductions in nuclear warheads, missiles, and other delivery systems, through annual percentages or equally effective means, in a manner that enhances stability; and be it further

"Resolved, That the Speaker of the House of Representatives shall certify and the House Clerk shall attest to the adoption of this resolution and transmit copies of this resolution to the President of the U.S. Senate and Speaker of the U.S. House of Representatives; the Honorable Ronald Reagan, President of the United States of America; the Honorable Pedro P. Tenorio, Governor of the Commonwealth of the Northern Mariana Islands; to the Representative to the United States Edward Dlg. Pangelinan; and to his Holiness Pope John Paul II."

POM-149. A petition from a citizen of Middletown, Connecticut urging Congress to adopt an amendment to the Constitution concerning International Zionism and Jewry; to the Committee on the Judiciary.

POM-150. A resolution adopted by the General Council of the Assemblies of God commending the President and Congress for their action in proclaiming 1983 the year of the Bible; to the Committee on the Judiciary.

POM-151. A petition from a citizen of Fontana, California urging Congress to impeach two federal judges; to the Committee on the Judiciary.

POM-152. A resolution adopted by the International Association of Machinists and Aerospace Workers urging Qantas Airways to enter immediately into meaningful negotiations that will restore discharged former Qantas' employees who are citizens of California to their jobs; to the Committee on Labor and Human Resources.

POM-153. A resolution adopted by the American Personnel and Guidance Association opposing sex discrimination in education and insisting upon enforcement of Title IX in concurrence with the law; to the Committee on Labor and Human Resources.

POM-154. A petition from a citizen of Los Angeles, California urging Congress to reject "the Gay Bill of Rights" and reaffirm traditional God given morality; to the Committee on Labor and Human Resources.

POM-155. A resolution adopted by the Legislature of the Territory of Guam; ordered to lie on the table:

"RESOLUTION No. 123

"Whereas, Congressman Phillip Burton, Democratic Representative of San Francisco was born on June 1, 1926 and passed away on April 10, 1983; and

"Whereas, the Honorable Phillip Burton was a person who rightly deserves to be honored by the people of Guam; and

"Whereas, Congressman Burton has faithfully served the people of the United States of America since February 1964, as a member of the House of Representatives; and

"Whereas, Congressman Burton was chosen by his colleagues in the House of Representatives to chair the Subcommittee on Territories and Insular Affairs in 1971; and

"Whereas, Congressman Burton won approval of a new national park at Honokohau, Hawaii; and

"Whereas, Congressman Burton saw to it that his territories chairmanship was passed on to Delegate A. B. Won Pat on Guam—the first non-voting territorial delegate ever to chair a House subcommittee; and

"Whereas, Congressman Burton has supported major Federal legislation towards the political and economic development of Guam, including: an act providing for an elected Governorship; an act providing for a non-voting delegate to Congress; an act appropriating funds for the repayment of Guam's rehabilitation debt; an act authorizing Guam to write its own constitution; an act creating the War in the Pacific Park; was instrumental in continuing the operation of the Ship Repair Facility in Guam; and an act authorizing a review of lands claims in Guam; and

"Whereas, Congressman Burton has supported legislation to the benefit of the Northern Marianas, including the reunification of the Marianas, increase in the annual appropriations for the territories and various omnibus bills benefitting the territories; and

"Whereas, Congressman Burton also talked Guam Officials into keeping the Medical Center of the Marianas open after helping obtain a Federal grant; and

"Whereas, the United States Territories of the Pacific, located several thousand miles from the seat of government in Washington, D.C., have needed a loyal spokesman in Congress to support their cause; someone who took an active interest in the promotion of their social, economic, and political development; and

"Whereas, through a period of nearly two (2) decades, Congressman Phillip Burton has served as a spokesman for the people of Guam in Washington, D.C., and has been recognized as a champion of Human Rights; and

"Whereas, the University of Guam gave Congressman Burton an honorary doctor-of-law degree in the May 12, 1978 Commencement exercises; and

"Whereas, no matter how significant these heretofore listed accomplishments may be, they are overshadowed by his devotion to his family and his country: Now, therefore, be it

"Resolved, that the Seventeenth Guam Legislature does extend its condolences and heartfelt sympathy to his wife Sala, daughter Joy, and the Burton family upon the passing of this honorable man whose accom-

plishments have been an inspiration to all of us on this island; and be it further

"*Resolved*, that the Speaker certify to and the Legislative Secretary attest the adoption hereof and that copies of the same be thereafter transmitted to Mrs. Phillip Burton; to the President of the United States; to the President of the United States Senate; to the Speaker of the United States House of Representatives; to Congressman Antonio B. Won Pat; to the Governor of California; to the Mayor of San Francisco; to the Senators and Representatives from California; and to the Governor of Guam."

POM-156. A joint resolution adopted by the General Assembly of the State of North Carolina; to the Committee on Finance:

"HOUSE JOINT RESOLUTION 280

"Whereas, escalating home prices have resulted in a significant increase in the down payment required to purchase a home; and

"Whereas, the lack of funds for a down payment has reduced the number of persons able to buy a home; and

"Whereas, the reduced volume of home purchases has impeded the improvement of housing and has had a regressive effect upon the economy; and

"Whereas, a tax deduction for money saved for a down payment would make the dream of homeownership a reality for people who would otherwise not be able to purchase a home; and

"Whereas, a greater number of home purchases will spur many sectors of our economy; and

"Whereas, a tax deduction for monies set aside for purchase of a principal residence will also help encourage the philosophy of savings; and

"Whereas, in the 97th Congress, bills such as H.R. 2033, H.R. 3061, H.R. 3785, H.R. 4752, H.R. 5926, and H.R. 7257 were introduced to allow Individual Housing Accounts; Now, therefore, be it resolved by the House of Representatives, the Senate concurring:

"Section 1. The North Carolina General Assembly urges the Congress of the United States to pass legislation allowing a tax deduction to encourage monies to be set aside for the first time purchase of a principal residence.

"Sec. 2. The Secretary of State shall send a certified copy of this resolution to the members of the United States Congress representing North Carolina and to the Clerk of the United States House of Representatives and the Secretary of the United States Senate.

"Sec. 3. This resolution is effective upon ratification."

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. HATCH, from the Committee on Labor and Human Resources, with an amendment in the nature of a substitute:

S. 38. A bill entitled the "Longshoremen's and Harbor Workers' Compensation Act" (Rept. No. 98-81).

By Mr. PERCY, from the Committee on Foreign Relations, without amendment:

S. Res. 90. A resolution expressing the sense of the Senate that the Soviet Government should immediately release Anatoly Shcharansky and allow him to emigrate.

By Mr. THURMOND, from the Committee on the Judiciary, without amendment:

S. Con. Res. 24. A concurrent resolution expressing the sense of the Congress that the people of the United States should observe the month of May 1983 as "Older Americans Month."

EXECUTIVE REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. THURMOND, from the Committee on the Judiciary: Moody R. Tidwell III, of Virginia, to be a judge of the U.S. Claims Court for a term of 15 years.

By Mr. PERCY, from the Committee on Foreign Relations: Malcolm R. Barnebey, of Texas, a career member of the Senior Foreign Service, class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Belize.

Contributions are to be reported for the period beginning on the first day of the fourth calendar year preceding the calendar year of the nomination and ending on the date of the nomination.

Nominee: Malcolm R. Barnebey.

Post: Ambassador to Belize.

Contributions, amount, date, and donee.—

1. Self, none.
2. Spouse, $20, 1980, Anderson.
3. Children and spouses names: Mr. and Mrs. M. E. Barnebey, A. A. and W. A. Barnebey, none.
4. Parents names: Mr. and Mrs. W. H. Barnebey, none.
5. Grandparents names: Deceased.
6. Brothers and spouses names: Mr. and Mrs. W. J. Barnebey, none; Mr. and Mrs, L. R. Barnebey, $100, 1979, Reagan.
7. Sisters and spouses names: Dr. and Mrs. F. L. Bond, none.

Arthur Winston Lewis, of the District of Columbia, a career member of the Senior Foreign Service, class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Sierra Leone.

Contributions are to be reported for the period beginning on the first day of the fourth calendar year preceding the calendar year of the nomination and ending on the date of the nomination.

Nominee: Arthur Winston Lewis.

Post: Ambassador to Sierra Leone.

Contributions and amount.—

1. Self: None.
2. Spouse: None.
3. Children and spouses names: None.
4. Parents names: None.
5. Grandparents names: None.
6. Brothers and spouses names: None.
7. Sisters and spouses names: None.

Richard Salisbury Williamson, of Virginia, to be the Representative of the United States of America to the Vienna Office of the United Nations and Deputy Representative of the United States of America to the International Atomic Energy Agency, with the rank of Ambassador.

Contributions are to be reported for the period beginning on the first day of the fourth calendar year preceding the calendar year of the nomination and ending on the date of the nomination.

Nominee: Richard Salisbury Williamson.

Post: Representative of the United States of America to the Vienna Office of the U.N. and Deputy Representative of the United States of America to IAEA, with rank of Ambassador.

Contributions and amount.—

1. Self: None.
2. Spouse: None.
3. Children and spouses names: None.
4. Parents names: None.
5. Grandparents names: None.
6. Brothers and spouses names: None.
7. Sisters and spouses names: None.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second time by unanimous consent, and referred as indicated:

By Mr. TSONGAS:

S. 1242. A bill for the relief of Makoto Yabe and Yasuko Yabe; to the Committee on the Judiciary.

S. 1243. A bill for the relief of Andrew L. Lui and his wife, Julia Lui; to the Committee on the Judiciary.

By Mr. PACKWOOD (for himself, Mr. BRADLEY, Mr. HEINZ, Mr. MATSUNAGA, Mr. RIEGLE, Mr. MOYNIHAN, Mr. WALLOP, and Mr. COCHRAN):

S. 1244. A bill to amend title XVIII of the Social Security Act to provide for a program of health care for elderly individuals who require long-term care; to the Committee on Finance.

By Mr. THURMOND (for himself, Mr. PERCY, and Mr. JEPSEN):

S. 1245. A bill to amend chapter 157 of title 10, United States Code, to authorize the Secretary of Defense to provide transportation for next of kin of certain persons who are unaccounted for, to attend annual national meetings sponsored by the National League of Families of American Prisoners and Missing in Southeast Asia; to the Committee on Armed Services.

By Mr. INOUYE:

S. 1246. A bill for the relief of Mrs. Wu Chih-Chu Liao and sons, Chung-Chi, Feng-Yi, and Chi-Hung; to the Committee on the Judiciary.

By Mr. HATFIELD (for himself and Mr. PACKWOOD):

S. 1247. A bill entitled the "Beverage Container Reuse and Recycling Act"; to the Committee on Commerce, Science, and Transportation.

By Mr. D'AMATO (for himself, Mrs. HAWKINS, Mr. TOWER, Mr. SPECTER, Mr. MOYNIHAN, and Mr. MURKOWSKI):

S. 1248. A bill to require the Federal Government to reimburse State governments for the cost of imprisoning aliens who commit felonies; to the Committee on the Judiciary.

By Mr. ANDREWS (for himself, Mr. MELCHER, Mr. DECONCINI, Mr. DOMENICI, Mr. INOUYE, Mr. HATFIELD, Mr. NICKLES, and Mr. BINGAMAN):

S. 1249. A bill to add a representative of Indian tribal governments to the membership of the Advisory Commission on Intergovernmental Relations; to the Select Committee on Indian Affairs.

By Mr. SYMMS (for himself, Mr. JEPSEN, Mr. HELMS, Mr. MCCLURE, and Mr. BOREN):

S. 1250. A bill to amend the Internal Revenue Code of 1954 to repeal the estate and gift taxes; to the Committee on Finance.

By Mr. SYMMS (for himself, Mr. MCCLURE, Mr. WALLOP, Mr. BOREN, Mr. GRASSLEY, Mr. HELMS, Mr. JEPSEN, and Mr. BENTSEN):

S. 1251. A bill to amend the Internal Revenue Code of 1954 to treat certain interests

as closely held businesses for estate tax purposes, to prevent the acceleration of estate tax installment payments in certain situations, and for other purposes; to the Committee on Finance.

By Mr. SYMMS (for himself, Mr. MCCLURE, Mr. ARMSTRONG, Mr. JEPSEN, Mr. BOREN, Mr. HELMS, Mr. GRASSLEY, Mr. WALLOP, Mr. TOWER, Mr. GARN, Mr. THURMOND, Mr. HEFLIN, Mr. PRYOR, and Mr. MURKOWSKI):

S. 1252. A bill to amend the Internal Revenue Code of 1954 to repeal the tax on generation-skipping transfers; to the Committee on Finance.

By Mr. HART (for himself, Mr. HEINZ, and Mr. CRANSTON):

S. 1253. A bill to authorize negotiations directed toward opening foreign markets to U.S. exports of high technology products and for other purposes; to the Committee on Finance.

By Mr. GORTON (for himself, Mr. JACKSON, and Mr. SYMMS):

S. 1254. A bill to authorize, within available funds, the construction of a bridge approach at Clarkston, Wash.; to the Committee on Environment and Public Works.

By Mr. SPECTER (for himself and Mr. RIEGLE):

S. 1255. A bill to establish the Northeast-Midwest States Federal Hydropower Financing Authority; to the Committee on Energy and Natural Resources.

By Mr. MOYNIHAN (for himself, Mr. EAGLETON, Mr. DANFORTH, Mr. TSONGAS, Mr. JACKSON, Mr. RIEGLE, Mr. LAUTENBERG, and Mr. BRADLEY):

S. 1256. A bill to authorize special assistance for desegregation activities; to the Committee on Labor and Human Resources.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon); as indicated:

By Mr. KASTEN (for himself, Mr. INOUYE, Mr. GARN, Mr. MOYNIHAN, Mr. LUGAR, Mr. BOREN, Mr. DOLE, Mr. RANDOLPH, Mr. HEINZ, Mr. FORD, Mr. GOLDWATER, Mr. DECONCINI, Mr. RUDMAN, Mr. MCCLURE, Mr. DOMENICI, Mr. D'AMATO, Mr. ABDNOR, Mr. WALLOP, Mr. HECHT, and Mr. TRIBLE):

S. Res. 137. Resolution expressing the sense of the Senate that Taiwan should retain full membership in the Asian Development Bank, and that it should not be expelled as a precondition for membership in that body by the People's Republic of China; to the Committee on Foreign Relations.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. PACKWOOD (for himself, Mr. BRADLEY, Mr. HEINZ, Mr. MATSUNAGA, Mr. RIEGLE, Mr. MOYNIHAN, Mr. WALLOP, and Mr. COCHRAN):

S. 1244. A bill to amend title XVIII of the Social Security Act to provide for a program of health care for elderly individuals who require long-term care; to the Committee on Finance.

SENIOR CITIZENS INDEPENDENT COMMUNITY CARE ACT

● Mr. PACKWOOD. Mr. President, today I rise to introduce the Packwood-Bradley-Heinz senior citizens independent community care bill. This legislation is designed to enable seniors, people 65 and over, to receive care in their homes thereby avoiding hospitals and nursing homes unless absolutely necessary.

During the last few years, along with Senators BRADLEY, HEINZ, and others, I have been striving to make programs like medicare and medicaid more effective. Although some changes have been made to the medicare program since 1965, no real attempt has been undertaken to address the issue of noninstitutional long-term care services. Medicare policy has focused almost exclusively on acute short-term care. The home health care benefits now available under medicare provide skilled services in the home rather than health-related social support services for the chronically ill. Services which assist individuals in the activities of daily living are specifically excluded from coverage. But many of our elderly face institutionalization not because of illness, but because functional disabilities do not allow them to cope with the activities of daily living. Until Congress addresses the issue of long-term noninstitutional care in the home and community, we will continue to see more and more elderly people and those with functional limitations—the disabled—placed into hospitals and nursing homes unnecessarily.

This institutionalization occurs for a variety of reasons. But the underlying causes are the unavailability of nonmedical community-based services to sustain these individuals in their homes, and Federal regulations which hamper their ability to receive these services and remain independent.

One example of this is the medicare home health skilled care requirement. Under current law, medicare provides the elderly with home health aid services to assist them with daily activities, only if they also require the services of either a skilled nurse, or a physical, speech or occupational therapist. In other words, today the medicare regulation often forces the patient to receive services they may not need in order to receive the ones they do need.

However, Mr. President, this is only one of a number of problems with the current medicare home care program. The bill we are introducing today is designed to eliminate these kinds of problems, and assess the most effective way of delivering community-based services to seniors who do not need to be placed in institutions but need some care.

Before I describe the components of the Packwood-Bradley-Heinz senior citizens independent community care bill, I think it is important to take a careful look at the aging of the U.S. population. According to a recent report prepared by the Senate Select Committee on Aging, the elderly population is expected to grow in the next few years in the following ways:

First, by 2050, 12 percent of the total population will be 75 and older, and more than 5 percent of the population will be age 85 and older.

Second, the number of individuals age 85 and up is expected to more than double to 6.8 million, or 2.4 percent of the population, by the year 2000. This number of octogenarians increased 165 percent between 1960 and 1982.

Third, finally, while individuals 65 and over now represent more than 11 percent of the population, by the year 2025 this age group will comprise 19 percent of the total population.

These statistics are important because they demonstrate how rapidly our population is aging, and particularly how many more people are going to live to be 65, 75, or 85 and older. Moreover, the one thing current research has told us is that once an individual reaches age 65, their chances are one in four of entering a nursing home. This increases to one in two at age 85. Therefore, if the population projections are correct, we face the grave possibility of thousands more seniors being placed in nursing homes or other institutions unless Congress moves quickly to provide alternatives. The Packwood-Bradley-Heinz bill is one such alternative. It helps us move one important step forward—and stops Congress from helping move this country two giant steps backward by not acting to address the need.

Mr. President, I ask unanimous consent that a copy of the bill and a summary of the bill be added at the end of my statement. I further ask that Senators MATSUNAGA, RIEGLE, MOYNIHAN, WALLOP, and COCHRAN be added as sponsors, and that a statement of Senator HEINZ in support of the bill be added following my statement.

There being no objection, the bill and summary were ordered to be printed in the RECORD, as follows:

S. 1244

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SHORT TITLE

SECTION 1. This Act may be cited as the "Senior Citizens Independent Community Care Act".

ESTABLISHMENT OF PROGRAM

SEC. 2. Title XVIII of the Social Security Act is amended by adding at the end thereof the following new part:

"PART D—LONG-TERM CARE PROGRAM

"ESTABLISHMENT OF PROGRAM

"SEC. 1890. (a)(1) Any State which is willing and able to do so may establish a statewide prepaid capitation program for provid-

ing acute and long-term care services for individuals aged 65 or older who require long-term care by reason of impairments which restrict daily living activities.

"(2) During the first four fiscal years in which this part is in effect, the Secretary shall limit the number of States which may establish such a program under paragraph (1) to four. The four States shall be selected by the Secretary, and shall include urban and rural areas which are representative of urban and rural areas throughout the United States.

"(3) Beginning with the fifth fiscal year in which this part is in effect, the Secretary may limit the number of additional States which may establish a program under paragraph (1) as may be necessary to insure that the establishment of such additional programs will not require payments from the Federal Hospital Insurance Trust Fund in excess of the amounts available in such Trust Fund.

"(b) It is the purpose of this part—

"(1) to ensure that individuals aged 65 or older, who have been determined to be in need of long-term care services, are assisted in remaining in their own homes or communities, and therefore avoid unnecessary placement of such individuals in institutional facilities, and, where possible, to allow individuals in such facilities to return to their communities;

"(2) to assess a prepaid capitation method of reimbursement in order to determine whether such method is a cost-effective and efficient way of providing the services available under this title;

"(3) to assess the impact of the services provided under this part in aiding families in caring for individuals eligible for benefits under this title, and, to the extent possible, to determine if the provision of such services has encouraged such families to continue care for such individuals at home, rather than in institutional facilities;

"(4) to assess how public and private programs serving the elderly can be coordinated to provide necessary support services;

"(5) to assess the effectiveness of implementing a system whereby a separate public or private sector entity would—

"(A) be solely responsible for the screening and assessment of all eligible individuals before they receive long-term care, to make sure that such care is needed;

"(B) have the responsibility of screening all individuals aged 65 or older, who are entitled to benefits under this title, prior to their entering skilled nursing facilities to make sure such institutional care is necessary, and that community-based care would not be more appropriate and cost-effective; and

"(C) collect data with respect to home health care as a cost-effective alternative to institutional care; and

"(6) to determine the demand for long-term home care provided under this part.

"SCOPE OF BENEFITS

"SEC. 1891. (a) Each eligible individual (as determined under section 1892) shall be entitled to the following benefits:

"(1) All services to which such individual would be entitled, or would be entitled to payment for, under part A and part B of this title.

"(2) Homemaker-home health aide services.

"(3) Adult day services.

"(4) Respite care services for up to 14 days, or 336 hours, in any calendar year.

"(5) Service coordination.

"(6) Preadmission screening and assessment.

"(7) Intermediate care facility services for up to 20 days in any calendar year, but the number of days of extended care services to which an individual would otherwise be entitled under this title for any spell of illness shall be reduced by the number of days of intermediate care facility services provided to such individual under this part during such spell of illness.

"(8) Other services which the Secretary determines may be of value to elderly individuals.

"(b) Services provided under this part shall be in lieu of any payments or services to which an individual would otherwise be entitled under part A or part B, or under any other program funded in whole or in part by Federal funds.

"(c) For purposes of this part:

"(1) Payment may be made for home health services without regard to the conditions (set forth in section 1814(a)(2)(D)) that the individual is or was confined to his home and needs or needed skilled nursing care or physical, speech, or occupational therapy.

"(2) Payment may be made for extended care services without regard to the condition (set forth in section 1812(a)(2)) that such services be post-hospital.

"(3)(A) The term "homemaker-home health aide services" means services provided by a homemaker-home health aide (as defined in subparagraph (B)) to an individual who would require institutionalization but for the provision of such services, which are designed to maintain or increase the personal care of such individual and his home (not including the structure of the home) in a manner which promotes the functional independence of the individual and to avoid the need for institutionalization. Such services shall include—

"(i) personal care services designed to assist such individual in the activities of daily living such as bathing, exercising, personal grooming, and getting in and out of bed; and

"(ii) household care services such as maintaining a safe living environment, light housekeeping, and ensuring good nutrition (including the purchase and preparation of food).

"(B) The term "homemaker-home health aide" means an individual who—

"(i)(I) has successfully completed a training program which extends for at least 40 hours, and consists of classroom instruction and at least 20 hours (in the aggregate) of supervised clinical instruction, and which is directed toward preparing students to deliver home health services; or

"(II) has demonstrated, pursuant to regulations promulgated by the Secretary, an equivalent amount of training by work experience, or through testing, licensure, or other means; and

"(ii) is under the supervision of a registered nurse or licensed practical nurse, or, in the case of a homemaker-home health aide providing services to an individual patient who is in need of physical, speech, or occupational therapy, is under the supervision of the qualified therapist who is providing such services to the individual patient.

"(4) The term 'adult day services' means services provided (other than care provided for the primary objective of providing medical services) on a regular basis, but less than 24 hours per day, in a multipurpose senior center or any other facility which meets guidelines specified by, and is approved by, the State, which are provided to an individual who is in need of social, training, or developmental activities during the daytime hours but does not require institutionalization, and which are provided for the purpose of assisting such individual to maintain a maximum level of independence. Such services may include (but are not limited to) provision of health care, recreation and educational activities, physical and vocational rehabilitation, and social, developmental, or independent living services.

"(5) The term 'respite care services' means services for an individual who is unable to care for himself on a full-time basis, which are provided on a temporary basis to such individual to provide relief for the person who normally cares for such individual. Such services shall be provided by persons who have met specific training guidelines specified by the Secretary, and who are employed by an agency or organization which meets guidelines specified by the State for agencies which provide services described in the preceding sentence. Such services shall, when necessary and appropriate, be provided in addition to other services under this part to ensure that such individual receives a coordinated system of services designed to help that individual reach a maximum level of independence and to lessen such individual's dependence upon the individual who normally cares for him.

"(6) The term 'service coordination' means services, provided to an individual who has a developmental or other disability, which will assist such individual in gaining access to necessary social, medical, health, educational, and other services, including—

"(A) follow-along services which insure, through a continuing relationship between an agency or provider and such individual and the individual's family or guardian, that the changing needs of such individual and family relating to such disability are recognized and appropriately met; and

"(B) services which provide support to such individual, access to and coordination with appropriate service providers, information relating to available programs and services, and monitoring of such individual's progress.

"(7) The term 'intermediate care facility services' has the same meaning as in section 1905(d) of this Act.

"ELIGIBILITY FOR BENEFITS

"SEC. 1892. (a) An eligible individual for purposes of this part is any individual who—

"(1) is entitled to benefits under part A and is enrolled under part B;

"(2) has attained age 65;

"(3) resides in a State in which a program under this part is in effect;

"(4) agrees to participate in the program established by the State under this part;

"(5) is not in an institution (but certification of eligibility, to begin on the date of discharge, may be made with respect to an individual who is in an institution but will be discharged within 90 days, as certified by a PAT);

"(6) is certified by a PAT to have an unmet need (for a period of at least six months) for two or more of the following services:

"(A) preparation of meals,

"(B) housework or shopping assistance,

"(C) administration of medication,

"(D) medical treatment at home, or

"(E) personal care; and

"(7) has a physical or mental impairment or combination of impairments which results in at least—

"(A) two moderate impairments of activities of daily living, as determined under subsection (b)(1), or

"(B) three severe impairments of instrumental activities of daily living, as determined under subsection (b)(2), or

"(C) one severe impairment of activities of daily living as determined under subsection (b)(1), and two severe impairments of instrumental activities of daily living as determined under subsection (b)(2).

"(b)(1) For purposes of this section, severe or moderate impairments of activities of daily living shall be determined in accordance with the following table:

Activity	Severe impairment	Moderate impairment
Eating	Unable to eat, or must be fed	Requires other human assistance.
Bed or chair transfer	Must be lifted	Requires other human assistance.
Dressing	Must be dressed	Requires other human assistance, other than shoe tying or grooming.
Bathing	Must be bathed in bed, or requires assistance in washing more than back, feet, or hair.	Requires other human assistance, other than supervision if institutionalized.
Toilet	Does not use toilet	Requires human assistance.
Continence	Incontinent at least once per week, or requires human assistance with equipment.	Requires equipment with self-care.

"(2) For purposes of this section, a severe impairment of an instrumental activity of daily living means any one of the following impairments:

"(A) inability to prepare a light meal,

"(B) inability to perform light work,

"(C) inability to shop for groceries with a companion,

"(D) inability to take premeasured medication,

"(E) inability to manage money for routine purchases, and

"(F) inability to answer a telephone and to dial a telephone for assistance.

"(c) Certification of eligibility under this section shall be made by the State, and a recertification shall be made on an annual basis.

"(d) In the case of an individual who is determined to be an eligible individual, and is subsequently determined to be in need of extended care services in a skilled nursing facility or intermediate care facility services, after the twentieth day of such services the individual shall cease to be an eligible individual under this part until such time as the individual is recertified to be an eligible individual in accordance with the criteria of subsection (a), and has been discharged from such facility.

"PREADMISSION SCREENING AND ASSESSMENT; SERVICE PROVIDERS

"SEC. 1893. (a)(1) No eligible individual as defined under section 1892 shall be eligible to receive any benefits under this part unless such individual has been screened and assessed in accordance with the provisions of this part, and has a plan of care (as defined in this section) under which the provision of such care or benefits is determined to be appropriate.

"(2) The purpose of such assessment and screening is to provide, through the use of a preadmission assessment and screening team (PAT), an evaluation of each individual's health status, functional capabilities, and, where appropriate, home and family environment, to determine the types and frequency of services required by such individual in order to assure the achievement of the maximum level of independence by such individual.

"(b)(1) The PAT services shall be provided to every eligible individual in cooperation with such individual's personal physician whenever possible, who shall be consulted with and kept informed by the PAT with respect to the plan of care developed for such individual, and with respect to the implementation of such plan. Such screenings and assessments shall be carried out as follows:

"(A) An initial screening shall be performed to determine the need for, and appropriateness of, any acute or long-term care provided for or reimbursed under this part that may be required by the individual at the time of initial referral. In the case of an individual who is hospitalized, the initial screening and preparation of the plan of care may be done by the discharge planning unit of the hospital, if such a unit is available, rather than by the PAT.

"(B) A plan of care shall be prepared for the individual based upon an assessment of the individual's health status and functional capabilities, which shall determine those acute and long-term care services (if any) which are most appropriate for the individual, and the frequency of such services. Any change in the type or frequency of the services provided under the plan must be approved by the PAT.

"(C) The individual's status shall be assessed on an ongoing basis, and the plan of care shall be appropriately updated. An initial review of the plan of care shall be made within 30 days after the initiation of the plan of care, and ongoing assessments shall be made at such times as the PAT determines to be necessary, but not less often than every three months for any individual.

"(D) In developing the plan of care, the PAT shall utilize, when possible and appropriate, services provided by volunteers, to ensure that such volunteer services are continued whenever possible.

"(E) The PAT shall refer the individual to any other appropriate services specifically designated for the elderly and available to such individual in his community, and shall provide for coordination with (but not reimbursement for) community mental health center services provided under the Mental Health Systems Act.

"(2) Such screenings and assessments shall be provided by a preadmission screening and assessment team (PAT) designated under subsection (c) without charge to the individual.

"(3) Such screenings and assessments may be provided in the individual's place of residence whenever possible.

"(c)(1) The Governor of each State having a program under this part shall designate the State agency or agencies which shall administer or supervise the administration of this part in such State, and if more than one agency is so designated, the Governor shall determine the components which each shall administer and shall ensure cooperation among such agencies. Agencies so designated may include the State's department of health (or equivalent agency), a State agency administering any program of medical assistance, the State's department on aging (or equivalent agency), or the State's department for social services.

"(2)(A) Such agency or agencies designated by the Governor under paragraph (1) shall coordinate the designation of entities which shall provide services under this part in as many areas of the State as such agency or agencies, and the Secretary, determine to be necessary. Such entities shall be responsible for establishing the PAT and providing (directly or through arrangements with other individuals or entities) all services under this part. Such entities may include a State agency administering any program of medical assistance, the State's department of social services, an area agency on aging, a hospital, a skilled nursing facility, a local government's department of health, a rural health clinic, a health maintenance organization (HMO), a home health agency, or any similar entity, if such entity meets the requirements of this part for a PAT and for providing all services under this part.

"(B) In the case of any entity designated under subparagraph (A) which is not a certified service provider under this title, a State plan approved under title XIX or XX, the Older Americans Act, or a Federal block grant program, the State shall establish standards (approved by the Secretary) which shall be applicable to such entity for the purpose of insuring financial viability, competence of personnel, and quality of management and health care.

"(C) The State shall carry out quarterly on-site financial audits and quality of care reviews of each entity designated under subparagraph (A), in accordance with a plan established by the State and approved by the Secretary. In the case of an entity which is a service provider under any provision of law described in subparagraph (B), the State shall provide for coordinated audits and reviews.

"(3)(A) The members of a preadmission screening and assessment team (PAT) may be full- or part-time employees of the entity establishing the PAT or may operate under contractual arrangements with the entity which will ensure the availability of appropriate personnel to conduct the required screenings and assessments.

"(B) The Secretary shall determine the compositions of the PAT in order to assess the effectiveness of different compositions. Each PAT shall consist of at least—

"(i) a physician (who may be the individual's personal physician or, if the individual has no personal physician or if such personal physician is unable or unwilling to participate in the PAT, shall be a physician designated by the entity establishing the PAT), a registered nurse or nurse practitioner, or a physician assistant, and

"(ii) a social services worker.

"(4) Each entity providing services under this part within a State shall collect data with respect to individuals receiving such services utilizing a statewide uniform assessment instrument. Each State shall determine the type of uniform instrument it will use, but such instrument must be approved by the Secretary.

"(5) The PAT shall collect relevant data at the time of such assessments and screenings with respect to individuals' functional ability at the start of care and functional ability after care, and, to the extent possible, with respect to the extent and time of involvement by family and friends in the case of such individual. Such data shall remain confidential and shall be used to make comparisons with respect to the average number of visits required, the average cost per visit, the average cost per individual, and other information deemed appropriate in assessing the economy and efficiency of various methods of providing long-term care.

"(d) The Secretary shall reimburse any State for the reasonable costs incurred by such State in carrying out its duties under this part.

"(e) If a State fails to carry out its duties under this part, the Secretary shall assume such duties and shall designate preadmission screening and assessment teams in such State.

"PAYMENT OF BENEFITS

"SEC. 1894. (a) The Secretary shall pay a fixed per capita fee to each entity, designated under section 1893(c)(2)(A), providing (directly or through arrangements with others) services for which payment may be made under this part, on behalf of each eligible individual which such entity agrees to provide services to under the program. The amount of such per capita fees shall be developed jointly by the Secretary and the appropriate State agencies as determined by the Governor, but may not exceed (on a monthly basis) an amount equal to 60 percent of the average monthly rate in such State for services provided in free-standing skilled nursing facilities. Such fee amounts shall reflect urban and rural differentials and shall be adjusted annually to reflect changes in costs. Proposed fee amounts shall be submitted to each unit of general purpose local government to allow providers and other persons providing such services in such area 30 days for comment. Such proposals shall be accompanied by an explanation of how the amounts were determined. The State shall issue final fee amounts within 60 days after reviewing and evaluating public comment received with respect to such amounts after they have been approved by the Secretary.

"(b) No payment shall be made to any entity under this part unless there has been furnished such information as may be necessary in order to determine the amounts due such entity under this part for the period with respect to which the amounts are being paid, or for any prior period.

"(c) No payment may be made under this part with respect to any individual unless the services provided to such individual are approved by a preadmission screening and assessment team in accordance with section 1893.

"(d) No payment shall be made to any entity under this part unless such entity agrees that the amount paid under this part and the copayments required under section 1895 shall be the full charge for services rendered under this part, and that the eligible individual shall not be required to make any payment to such entity for such service in excess of such copayments.

"(e) The entity shall retain any amounts paid under this section and section 1895 which may exceed amounts expended for services provided to individuals under this part.

"COPAYMENTS BY ELIGIBLE INDIVIDUALS

"SEC. 1895. (a) An individual receiving services under this part which are otherwise covered services under part A or part B shall pay to the entity providing such services a copayment equal to the amount which such individual would be required to pay under part A or part B for the same services.

"(b) An individual receiving homemaker-home health aide services, adult day services, respite care services, or other services referred to in section 1891(a)(6), shall pay to the entity providing such services a copayment amount equal to 20 percent of the reasonable charge for such services (as determined by the Secretary).

"(c)(1) No eligible individual shall be required to make copayments under subsection (b) in any calendar year which are in excess of the applicable percent of his income for the preceding calendar year as determined under the following table:

"Income:	*Applicable percent*
$0 to $3,500	0
$3,501 to $5,000	1
$5,001 to $8,500	2
$8,501 to $10,000	3
$10,001 to $15,000	4
$15,001 to $20,000	5
$20,001 to $30,000	6
$30,001 to $40,000	7
$40,001 or over	8

"(2) The amount (if any) by which the copayments allowed pursuant to subsection (a) exceed the copayments allowed to be paid by the eligible individual by reason of paragraph (1) of this subsection shall be borne by the entity providing the services.

"(3) For purposes of this subsection the term 'income' means income as determined under section 1612(a) of this Act.

"(4) All income determinations under this section shall be made by the State.

"ADMINISTRATIVE PROVISIONS

"SEC. 1896. Any individual or other person shall have the right to reasonable notice and opportunity for a hearing with respect to determinations made by the Secretary under this part in the same manner as under part A of this title.

"EFFECTIVE DATES; REPORTS

"SEC. 1897. (a) This part shall become effective on January 1, 1984.

"(b)(1) The Secretary shall monitor the effect of this part with respect to any changes in the utilization of inpatient services, any changes in the utilization of the various types of services provided under this part and other provisions of Federal and State law, and any other trends in costs or utilization rates of various services. The Secretary shall submit an interim report to the Congress with respect to such monitoring not later than January 1, 1986, and a final report with respect to the four initial State programs not later than January 1, 1988. The interim report shall include a study to determine the need for and cost of care provided under this title, and the use of skilled nursing facility services and intermediate care facility services, according to functional disability.

"(2) The reports submitted under paragraph (1) shall include a recommended strategy for implementing this part on a national basis, with particular emphasis on implementation at the State and local levels. Such reports shall include—

"(A) an analysis of potential obstacles to such implementation;

"(B) suggested legislative changes which may be necessary to ensure effective and efficient implementation; and

"(C) a detailed plan for such implementation.

"(3) The Office of Management and Budget shall prepare an analysis of the budgetary impact of the implementation of this part on a national basis, and shall submit an interim report to the Congress with respect to such analysis not later than January 1, 1986, and a final report not later than January 1, 1988.

"PAYMENTS AUTHORIZED FROM TRUST FUNDS

"SEC. 1898. Payments under this part shall be made from the Federal Hospital Insurance Trust Fund and the Federal Supplementary Medical Insurance Trust Fund, in such proportions as the Secretary determines to be appropriate based upon the types and amounts of services provided under this part. Payments related to services provided under this part which are not otherwise covered services under part A or part B shall be made from the Federal Hospital Insurance Trust Fund.".

STUDY RELATING TO PREPAID CAPITATION PLANS UNDER MEDICAID FOR INDIVIDUALS ELIGIBLE FOR BOTH MEDICARE AND MEDICAID

SEC. 3. The Secretary of Health and Human Resources shall conduct a study of the feasibility and desirability of establishing a program under which State medicaid programs would provide prepaid capitation plans for providing all medicare and medicaid services to those individuals eligible for both such programs. The study shall include an analysis of the possible mechanisms for funding such a program in order to best insure that such funding reflects the proper cost sharing among the Federal Hospital Insurance Trust Fund, the Federal Supplemental Medical Insurance Trust Fund, Federal funds available under title XIX of the Social Security Act, and State funds expended under the State's medicaid plan under such title. The Secretary shall report the results of the study to the Congress not later than June 30, 1984.

SUMMARY OF THE PACKWOOD-BRADLEY-HEINZ SENIOR CITIZENS INDEPENDENT COMMUNITY CARE ACT

PURPOSE

This legislation is designed to assist Medicare patients age 65 or older to avoid placement in a nursing home unless it is absolute necessary

BENEFITS

People eligible under this program would receive all Medicare Part A and B services and the following new services: Homemaker/home health aide; adult day care; respite care; individual assessment and treatment plan; service coordination; other services deemed necessary by the Secretary of Health and Human Services.

ELIGIBILITY

To participate in the program. individuals must meet a strict set of requirements. To be eligible an individual must:

(a) Be at least age 65;

(b) Not be in an institution, or if in an institution be scheduled for discharge within 90 days;

(c) Be certified to need at least six months of two of the following services: 1. meal preparation; 2. housework or shopping assistance; 3. administration of medication; 4. medical treatment at home; 5. personal care;

(d) Additionally, individuals must have a defined level of physical or mental disability that impairs activities or such as using the telephone or performing light work.

The Medicare Home Health skilled care and homebound requirements would be eliminated for the programs.

PATIENT EVALUATION AND SCREENING

Before participating in the program, each patient must receive an individual assessment and treatment plan. Then throughout their participation there will be ongoing evaluation of the individual's care needs. This will usually be done by a preadmission assessment and screening team (PAT) consisting of a physician, registered nurse, nurse practitioner, or physician's assistant and social worker.

COST SHARING

Copayments and deductibles will remain the same as under current law for Medicare Part A and B services. For the services

added under this bill, copayments will be indexed to income.

ADMINISTRATION

In participating states, the governor will assign a state agency or department to administer the program. The state through the designated agency will in turn be responsible for determining: Client eligibility for the program; provider designation; capitation rates for eligible providers; quality of care monitoring and necessary reporting.

Designated provider entities will be responsible for providing and coordinating all services under the bill.

PROVIDER PAYMENT

The payment mechanism for these projects would be in the form of a "capitation payment." This capitation would include both Medicare Part A and B services plus the services added in this bill. A competitive arrangement with respect to the program has been built into the legislation similar to an HMO arrangement. A provider administering the services covered under this bill will be held "at risk." This means the provider must provide all Part A and B services either directly or on a contractual basis as well as the new services covered in this legislation. The provider would receive a monthly capitation payment for each individual participating in the program. Under the Packwood-Bradley bill, the amount of the capitation cannot exceed 60 percent of the monthly skilled nursing facility rate under Medicare.

An example will show how the capitation payment works. Assume the patient capitation payment is $1,100 per month for the program. For instance, let's say Patient A requires $600 worth of services during the first month. The remainder of the capitation payment, $500, would be held by the provider (the entity at risk) as possible profit. However, during the next month Patient A requires $2,000 worth of services. The provider still receives the patient capitation payment of $1,100 for the second month, but is responsible to provide the full $2,000 worth of services. This system makes the provider an "entity at risk"—the provider gets the capitation payment, but no more. They make a profit if the services are less than the capitation payment but they must provide all the necessary and required services even if the cost exceeds the capitation payment.

This approach requires a provider to be a cost-effective and efficient provider and operator. It is to a provider's advantage to make sure the patient only receives those services necessary and appropriate, and does not receive services that are not. In addition, it encourages providers to better utilize volunteer services as well as the help of relatives wherever possible.

EFFECTIVE DATE

The program will become effective January 1, 1984 in not more than four states for four years.

REPORTS AND STUDIES

The bill directs the Secretary of Health and Human Services to submit an interim report on the utilization, trends and costs of this program no later than January 1, 1986 and a final report no later than January 1, 1988. The report will include a strategy and plan to implement a program nationwide.

The Office of Management and Budget will prepare an analysis of the budgetary impact of such a program nationwide with an interim report due January 1, 1986 and a final report on January 1, 1988.

Lastly, the bill directs the Secretary to conduct a study on the feasibility of establishing a prepaid capitation program for individuals dually eligible for both Medicare and Medicaid.●

● Mr. HEINZ. Mr. President, I am pleased to join my colleagues, Senator PACKWOOD and Senator BRADLEY, in sponsoring this legislation which would enable medicare to cover the services necessary to help frail older persons to remain in their homes and communities.

Currently, reimbursement under medicare and private health insurance is directed almost entirely toward acute care. These health plans provide practically no long-term home care for the over 1 million chronically ill, frail elderly who are trying to maintain an independent life.

Practically the only assistance available to them is through the medicaid program—which requires that they and their spouses first exhaust their financial and emotional resources before they can qualify for any benefits.

This legislation would allow medicare to begin to address, for the first time, the needs of the more than 1 million frail medicare beneficiaries who are living at home. Under a capitated plan, medicare home and community care services would be expanded to help medicare patients age 65 and older avoid unnecessary nursing home placement. The 4-year program in four States with a capitated payment rate provide a cost-effective approach for careful consideration and refinement of the program before it is fully implemented in 1988.

According to the Health Care Financing Administration, over $40 billion was spent in this country in 1982 for long-term care—approximately 15 percent of total national personal health care expenditures. These expenditures include: One, public and private expenditures for nursing homes; two, expenses for long-term hospitals and long-term care provided in short-term hospitals; three, medicare expenditures for home health care; and four, the cost of providing care to those who are inappropriately backed up in acute care hospital beds awaiting nursing home placement. Over two-thirds of these dollars—$27 billion—were spent for nursing home care alone.

The National Center for Health Statistics has projected that the nursing home population—approximately 1.3 million of whom are over age 65—will increase by 500,000 per decade in the coming years. At least 10 percent and possibly as many as 40 percent of this population could avoid nursing home placement if home care services were available for the chronically ill. It is time that we in Congress act to provide such services, realizing savings through the prevention of inappropriate hospital and nursing home care. The capitated benefit incorporated in this legislation, which encompasses acute and noninstitutional long-term care services, can help to achieve those savings.

At the same time, we need to do more. The chronically ill are a diverse population with a diversity of needs. While costs associated with caring for the chronically ill represent the fastest growing health care costs, long-term care is the most underresearched area in health care. There is no single best approach to long-term care.

That is why, in the next few weeks, I intend to introduce two additional pieces of long-term care legislation. The first, which I will introduce along with my colleagues Senator PACKWOOD and Senator BRADLEY, will allow States the option of pooling medicare and medicaid resources for the first time to allow dually eligible beneficiaries a choice between the regular medicare/medicaid benefits and an expanded benefit which will provide a coordinated continuum of care, and allow a capitated comprehensive health care benefit.

This benefit will include the whole range of health services from acute care services to community-based and institutional long-term care services. Current program restrictions under medicaid and medicare which place barriers to the use of the most appropriate and cost-effective services will be waived.

Medicare payments to the States for eligible individuals participating in this program will be equal to 95 percent of the noninstitutional AAPCC for the nonfrail—and 95 percent of the institutional AAPCC for those eligible individuals who are frail and residing in the community or who reside in skilled or intermediate care nursing facilities. Certain additional waivers will also be provided to encourage States to expand and take advantage of HMO's, preferred provider organizations and other capitated, competitive health care plans. This legislation, if enacted, would provide substantial reforms. It would better match services to needs, providing better health care for the chronically ill, and would save health care dollars as well.

The second piece of legislation that I plan to introduce would provide tax credits of up to $1,050 per year to families for the expenses they may incur in caring for an elderly family member. The tax credits would be targeted to those most in need since they would be refundable to those with lower incomes and would be based on a sliding income scale. The credit would be based upon actual expenses incurred for services and supplies associated with home care. Families with incomes of over $50,000 per year would be ineligible for this tax credit. This

legislation would recognize the critical role of the family in long-term care and the substantial expenses they face in providing such care, expenses that will remain even if the other legislation that my colleagues and I have described today were enacted.

These three pieces of legislation offer Congress the opportunity to take a major step forward in long-term care. Reforms put in place now not only can meet the current needs of the underserved chronically ill—but can also save billions of dollars in unnecessary hospital and nursing home care in the future. These programs offer a much needed, humane alternative to institutionalization. Limits would be placed on expenditures in all of these proposed programs to insure that they will be cost effective.

Mr. President, I hope my colleagues will seriously consider the legislation that Senators PACKWOOD, BRADLEY, and I are introducing today and the legislation that I will soon introduce. Together, these bills offer a comprehensive response to a longstanding problem—the overwhelming need for alternatives to institutional care for our Nation's chronically ill elderly and disabled. It can make the difference for millions of our Nation's most vulnerable citizens to remain in the best possible environment for their health and well-being—the home.●

Mr. BRADLEY. Mr. President, a woman in New Jersey recently wrote me a short letter about her struggle to provide loving care for her 91-year-old mother. She said her mother was "mentally alert but extremely feeble" and no longer able to pay for the constant assistance that she required.

"To have someone come once a week and give me a whole day to myself would give me a new lease on life," the woman added. "We thought about a nursing home, but just could not do it after examining a few. Even mother says she has lived too long, but there has to be another answer besides nursing homes."

Sad as that may seem, we all know that the problem she described has become increasingly common in this country. More and more, we hear people speak in almost desperate words about their responsibility for an elderly relative suffering from physical or psychological disabilities. As another letterwriter told me, "we want to be able to stay at home and help our loved ones there, but with soaring costs and ever tightening restrictions, we are reaching the point of having to hope for an early and painless death at the first sign of a debilitating illness."

Equally alarming is the plight of those elderly people who have no family to take care of them, or whose families are simply unable to help because of financial, social, or psychological strains. What happens to these older people? They find themselves trapped inside hospitals and nursing homes—isolated in a lonely, sterile environment and deprived of their personal independence and dignity.

There are no easy solutions. But I am convinced that, in many cases, life would be a lot better for elderly people and concerned families if this country developed a program to provide long-term medical and social services at home. Families could be kept intact. The elderly would no longer be forced into institutions, as they are now because medicare and medicaid do not pay for needed treatment unless provided in an institution.

In short, if we had a good long-term home care program, we could end a senseless waste of lives and dollars while helping the elderly to be as independent as possible and close to their loved ones instead of being shut away in a hospital or nursing home.

I believe we should go forward promptly. Direct family care is becoming less available than it used to be because of increased life expectancy, the dominance of chronic disability in elderly individuals, and the shrinking of families due to late marriages, fewer children, more workingwomen, and more divorces.

Long-term care also is frequently unavailable because of its cost. In 1982, out-of-pocket payments by the elderly amounted to almost half of the $24 billion spent on long-term care.

The elderly on fixed incomes are simply unable to pay those costs. The private insurance industry has not eased the burden of high direct patient payment. It generally totally excludes coverage for nursing home and home care, or it limits home care to full-time private duty nursing. In 1980, private insurance provided less than 1 percent of nursing home or home care expenditures.

Medicare has focused almost exclusively on institutional acute short-term care, specifically excluding any form of custodial care.

The only instance where medicare has provided some sensitivity to the growing needs of the chronically ill and disabled is in skilled nursing services. The 1982 tax bill, eliminated the prior hospitalization requirement for these services. However, limitations inherent in the eligibility for skilled nursing remain, and the weekly limit on home health aid has been cut from 20 hours to 9 hours. Regulatory limits have been tightened to the point that congressional efforts to liberalize benefits for noninstitutional care have been more than canceled out.

This leaves medicaid as the primary source of funding for long-term care. Problems and shortcomings are also inherent in this policy. First and foremost, the program covers only the very poor. In 1980, only 13 percent of the 25.7 million elderly people in this country were covered. Less than 6 percent of the elderly in New Jersey were covered. In addition, medicaid imposes a great financial burden on States, long-term care being the fastest growing part of that burden. There is a problem of continuity of care. Benefits—if they exist at all—are fragmented between medicare, medicaid, and those extraneous sources available to the 87 percent who do not qualify for medicaid.

Unfortunately the current medicaid program promotes dependency by limiting eligibility to those who are already financially destitute or those who make themselves destitute for this purpose. A 1974 survey by CBO found that nearly one-half of medicaid nursing home patients were not initially poor by State definitions but were forced to deplete their resources in order to qualify as medically needy. Given the rising costs of care, this percentage has most certainly increased since that time.

There are still other problems with the present medicaid program. Couples too frequently are forced to divorce so that one spouse can get a nursing home subsidy without impoverishing the other. The policy often results in covert violations of the law by families attempting to transfer their parents' assets before their admission to nursing homes.

It is also clear to me that we cannot finance a new medicare program as a cost reimbursed service. The perverse incentives within our health care system simply encourage providers to increase services rather than look for alternatives and efficiencies. Personally, I would hope that we can:

Move long-term care into the mainstream of the health care system.

Convert the health care system from cost based to a prospective-capitated base.

Promote the development of home care as an alternative to institutional or nursing home care.

In any proposal the coordination of services under one program is an essential cornerstone.

With these goals in mind, Senator PACKWOOD and I are proposing steps to fix the existing system and strike out in a new direction of providing community-based home health care. To that end we propose today the Senior Citizens Independent Community Care Act.

This legislation would amend title XVIII, medicare, of the Social Security Act to provide for a home health care program. It would assess the cost-effectiveness of prepaid capitation systems for providing acute and long-term care services for individuals aged 65 or older. It would provide home health services for elderly Americans in order to avoid unnecessary institutionalization, thus saving on the high

costs of these facilities and promote the maximum functional independence of individuals. It would coordinate public and private programs serving the elderly through an assessment process that determines the eligibility and the appropriate level of care needed by individuals to keep them in their community and homes.

Besides the service currently provided by medicare, the Bradley-Packwood bill would expand the scope of benefits to include homemaker-home health aid, adult day-care services, respite care services, service coordination to insure access and appropriate utilization without duplication, and individual assessment and treatment plans.

The program would be implemented initially in a maximum of four States. It would be open to all individuals who are entitled to medicare benefits under part A and enrolled under part B, who are age 65 or older, who reside in a State testing the program, and who have a defined level of physical or mental disability that requires help for a period of at least 6 months.

Preadmission assessment teams will evaluate each individual's health status, functional capabilities, home and family environment, in order to determine the type and frequency of services needed. Such evaluations will be conducted periodically to coordinate the optimum and appropriate utilization of services.

The payment of benefits will be based on a capitation method. The fixed per capita fee paid to each provider will be determined jointly by the Secretary of HHS and the participating State reflecting urban and rural differentials and adjusted to fit costs.

In addition, there would be a system of copayments by eligible individuals which would parallel the fees under part A or B for the same services. Those receiving homemaker-home health aid services, adult day services, and respite care services would pay a sliding fee indexed to their income.

The program would begin on January 1, 1984. The quality and utilization of services provided is to be monitored by the participating State, the Secretary of Health and Human Services and the Comptroller General (GAO). Several reports have been requested to include recommendations for implementing the program on a national basis, suggested legislative changes necessary to insure effective implementation, and a detailed plan for such implementation. Finally, the bill provides funding from the Federal hospital insurance trust fund and the Federal supplementary medical insurance trust fund.

This bill promotes what I believe are essential features to a long-term care policy. Foremost it provides home health care to maintain an individual within his or her own family and community. Second a capitation payment method is employed to provide incentives for alternative and innovative methods of health care delivery. The bill specifically targets the high risk elderly, those that need home services if they are to be kept out of nursing homes and functioning independently.

This legislation ties together acute and long-term care and asks providers to develop a coordinated approach to care of the elderly. Only by enlisting the medical community in addressing the problem of how to link long-term care with acute care and physician care will we achieve any meaningful solutions. This bill attempts to do just that.

During this past year, the medicaid program has undertaken some remarkable experiments in long-term care through its waiver authority. There are currently more than 40 such projects nationwide. In New Jersey the Health Department has recently announced a home care program for disability recipients and last year's TEFRA legislation provided limited home health services for those age 18 or under. Because of these newer developments in medicaid and disability programs, the Bradley-Packwood initiative focuses on medicare where the magnitude and need for a coordinated program remains paramount.

By Mr. THURMOND (for himself, Mr. PERCY, and Mr. JEPSEN):

S. 1245. A bill to amend chapter 157 of title 10, United States Code, to authorize the Secretary of Defense to provide transportation for next of kin of certain persons who are unaccounted for, to attend annual national meetings sponsored by the National League of Families of American Prisoners and Missing in Southeast Asia; to the Committee on Armed Services.

MILITARY TRAVEL FOR MIA/POW FAMILIES

Mr. THURMOND. Mr. President, I am pleased to have my distinguished colleagues from Illinois and Iowa, Mr. PERCY and Mr. JEPSEN, respectively, join me in introducing, at the request of the administration, a bill to authorize the Secretary of Defense to provide air transportation to Washington, D.C., for the next of kin of American servicemen and civilians still missing, or otherwise unaccounted for, as a result of the Vietnam war. Transportation would be for the purpose of attending annual meetings of the National League of Prisoner of War and Missing-In-Action (POW/MIA) Families during 1983, 1984, and 1985. There is a precedent for this activity in that, from 1970 through 1976, the Government provided such transportation to POW/MIA families.

Mr. President, it has been 10 years since the war in Indochina ended. However, the families of our missing continue to wait for information concerning their loved ones. In January 1983, military transportation was provided for the next of kin to attend a special meeting held on the anniversary date of the signing of the Paris accords, which ended our Nation's active involvement in Vietnam.

During the meeting on January 27, 1983, briefings were provided to the families by responsible Government agencies. The Honorable William Clark, Assistant to the President for National Security Affairs, gave a comprehensive assessment of our current efforts to resolve this issue. President Reagan pledged "highest national priority," as well as the closest possible cooperation and a working "partnership" with the league, representing the families.

In keeping with this pledge and to insure that high Government priority is evident to the next-of-kin, Senator PERCY, Senator JEPSEN, and I believe it is most important that such visible support, as military air travel, be provided. The Defense Department advised that in justification of the military transportation provided this past January,

> Servicemen and women are by statute the direct responsibility of the Secretary of Defense and keeping the families apprised of current Government efforts, is inherent in this responsibility. The families of our unaccounted-for servicemen are directly represented on the POW/MIA Interagency Group through the National League of Families. This group is comprised of all interested agencies of the U.S. Government and initiates policy and recommendations on the POW/MIA issue. The league plays a vital and integral role in this function.

Mr. President, the Secretary of Defense, Hon. Caspar W. Weinberger, further stated:

> We Americans have a direct responsibility to our servicemen who have fought for the United States. It is imperative that we meet that responsibility, not only in the specific instance of accounting for servicemen still missing, but so that future generations of Americans can serve with the faith, should they be captured or listed as missing, we will do everything to support them in combat and return them to their homeland afterward.

Mr. President, the high priority now placed on resolution of this humanitarian issue by our Government includes the necessity of insuring that the families of our missing men are fully aware of what our Government is doing to account for their loved ones and end their uncertainty. The families deserve this support, as it will enable attendance at these annual meetings by those who otherwise might not be able to afford airfares.

The POW/MIA issue has languished far too long. We must let the Indochinese governments, as well as the POW/MIA families, know that this Nation will not forget or drop this matter and that we will continue to

seek answers to the fate of our missing servicemen and civilians.

Mr. President, in order to insure that there is adequate time for arrangements to be made by the Defense Department prior to this year's annual meeting, scheduled for July 14-17, 1983, Senators PERCY, JEPSEN, and I strongly recommend that this legislation receive prompt attention and quick passage. It has the full support of the administration.

Mr. President, I ask unanimous consent that this bill be printed in the CONGRESSIONAL RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 1245

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) chapter 157 of title 10, United States Code, relating to transportation, is amended by adding at the end thereof the following new section:

"§ 2636. Transportation to national meetings for next of kin of certain individuals who are unaccounted for.

"(a) The Secretary of Defense, under such terms and conditions as he considers appropriate, may transport by air to annual national meetings held within the continental United States and sponsored by the National League of Families of American Prisoners and Missing in Southeast Asia the next of kin of—

"(1) a member of a uniformed service—

"(A) who, as a result of the conflict in Southeast Asia during the period beginning on January 1, 1961, and ending on December 31, 1975, is in a missing status within the meaning of section 551 of title 37;

"(E) with respect to whom, as a result of the conflict, a finding of death has been made under section 555 of title 37; or

"(C) with respect to whom, as a result of the conflict, a report of death has been made without repatriation of remains; and

"(2) a national of the United States who is not a member of a uniformed service and who is determined by the Secretary of Defense to be unaccounted for as a result of the conflict in Southeast Asia during the period specified in clause (1)(A).

"(b) The Secretary may provide the transportation in subsection (a) only to the extent feasible within existing airlift resources of the Department of Defense and only to the extent that the providing of such transportation does not interfere with the accomplishment of any mission of the Department of Defense.

"(c) No individual (nor the estate of an individual) who is authorized by the Department of Defense to perform services under subsection (a), and who is acting within the scope of his duties, shall be liable for injury to or loss of property, or personal injury or death that may be caused incident to providing such services.".

"(b) The table of sections at the beginning of chapter 157 of such title is amended by adding at the end thereof the following new item:

"2636. Transportation to national meetings for next of kin of certain individuals who are unaccounted for.".

SEC. 2. The authority contained in section 2636 of title 10, United States Code, as added by the first section of this Act shall terminate on December 31, 1985.

By Mr. HATFIELD (for himself and Mr. PACKWOOD):

S. 1247. A bill entitled the "Beverage Container Reuse and Recycling Act"; to the Committee on Commerce, Science, and Transportation.

BEVERAGE CONTAINER REUSE AND RECYCLING ACT

● Mr. HATFIELD. Mr. President, today I am introducing the Beverage Container Reuse and Recycling Act. The time has come for us to save precious energy and natural resources. We cannot afford to continue discarding nearly 100 billion beverage containers annually. These containers are reusable and recyclable. This bill will do a great deal to protect our environment and scarce natural resources.

Presently, nine States—Oregon, Michigan, Maine, New York, Massachusetts, Iowa, Connecticut, Delaware, and Vermont—have laws similar to the one I am introducing. Since the manufacture and bottling of beverages is done on a geographic basis, rather than a political one, there is a need for a uniform national law to assist in recovering beverage containers.

In 1980, the General Accounting Office reported on the effects of the beverage container laws in four of the nine States which have refund and recycling systems. The title of the report, "States' Experience With Beverage Container Deposit Laws Shows Positive Effects," speaks for itself. It states that there is an 80-percent reduction of beverage container waste, a 5-percent reduction of postconsumer solid waste, and a reduction in energy and raw material use. Additionally, GAO reported there would be a net increase of 57,000 jobs nationwide if national legislation were enacted.

Each year, over 300 trillion Btu's of energy is expended in the manufacturing of beverage containers in the United States. Under this legislation, 32 to 43 percent of that figure would be saved through the return of bottles and cans. By 1985, approximately 210 million tons of refuse will yearly fill our land. Under this bill, we will have the means to recycle approximately 10.5 million tons of refuse, through the simple device of a mandatory deposit on beverage containers.

This bill will not infringe on any citizen's convenience. He or she will still have the option of discarding beverage containers. It will only obligate each user who discards a bottle or can to pay something nearer to the true cost of that decision to discard. Conversely, it will provide an incentive to those who choose to participate in the cleanup of our land, the recovery of resources and the saving of scarce energy.

For centuries, we have had the luxury of living in a throwaway society. We can no longer afford to live that way. We must become stewards of the Earth. If our stewardship is to be wise rather than rapacious, we must give value for value. We must balance our consumption of the Earth's resources with renewal of those resources wherever possible. Where resources are not renewable, we must use no more than a reasonable share and reuse what we can. This bill is both a symbolic and substantive step in that direction. It will help signal an end to our flip-top, snap-tab throwaway society.

Oregonians were the pioneers in developing a workable beverage container law. The people of Oregon are proud of the active contribution we have made in trying to protect our living environment. I have introduced legislation similar to Oregon's beverage container law in Congress over the past 10 years. It is time for us to take action on a national level. We can no longer afford to continue our waste ethic. It is my hope that the 98th Congress will take positive action to pass this bill. I ask that the Beverage Container Reuse and Recycling Act appear at this point in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 1247

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Beverage Container Reuse and Recycling Act."

FINDINGS AND PURPOSES

SEC. 2. Congress finds and declares that—

(1) the failure to reuse and recycle empty beverage containers represents a significant and unnecessary waste of important national energy and material resources;

(2) the littering of empty beverage containers constitutes a public nuisance, safety hazard, and esthetic blight and imposes upon public and private agencies unnecessary costs for the collection and removal of such containers;

(3) empty beverage containers constitute a significant and rapidly growing proportion of municipal solid waste, disposal of which imposes a severe financial burden on local governments;

(4) the reuse and recycling of empty beverage containers would eliminate these unnecessary burdens on individuals, local governments, and the environment;

(5) a uniform national system for requiring a refund value on the sale of all beverage containers would result in a high level of reuse and recycling of such containers;

(6) a national system for requiring a refund value on the sale of all beverage containers would result in significant energy conservation and resource recovery;

(7) a national system for requiring a refund value on the sale of all beverage containers would be anti-inflationary and would help create jobs in areas of commerce; and

(8) a national system for requiring a refund value on the sale of all beverage containers would be inexpensive to administer because of its self-enforcing nature.

DEFINITIONS

SEC. 3. For the purposes of this Act, the term—

(1) "beverage" means beer or other malt beverage, mineral water, soda water, or a carbonated soft drink of any variety in liquid form and intended for human consumption;

(2) "beverage container" means a container designed to contain a beverage under pressure of carbonation;

(3) "refundable beverage container" means a beverage container which has clearly, prominently, and securely affixed to, or printed on, it (in accordance with Sec. 4) a statement of the amount of the refund value of the container;

(4) "consumer" means a person who purchases a beverage in a beverage container for any use other than resale;

(5) "distributor" means a person who sells or offers for sale in commerce beverages in beverage containers for resale;

(6) "retailer" means a person who purchases from a distributor beverages in beverage containers for sale to a consumer or who sells or offers to sell in commerce beverages in beverage containers under pressure of carbonation to a consumer. The Administrator shall prescribe such regulations as may be necessary to establish what person is a retailer with respect to the sale of beverages in beverage containers under pressure of carbonation to consumers through beverage vending machines;

(7) "Administrator" means the Administrator of the Environmental Protection Agency;

(8) "commerce" means trade, traffic or transportation—

(A) between a place in a State and any place outside thereof;

(B) within the District of Columbia or any territory of the United States; or

(C) which affects trade, traffic, commerce, or transportation described in Subparagraph (A) or (B); and

(9) "State" includes the District of Columbia, the Commonwealth of Puerto Rico, or any territory or possession of the United States.

REQUIRED BEVERAGE CONTAINER LABELING

SEC. 4. No distributor or retailer may sell or offer for sale a beverage in a beverage container under pressure of carbonation unless there is clearly, prominently, and securely affixed to, or printed on, it (in accordance with regulations prescribed by the Administrator) a statement of the amount of the refund value of the container, such amount being not less than 5 cents.

RETURN OF REFUND VALUE OF BEVERAGE CONTAINERS

SEC. 5. (a)(1) If a consumer tenders for refund an empty and unbroken refundable beverage container to a retailer or distributor who sells (or has sold at any time during the period of three months ending on the date of such tender) a brand of beverage which was contained in the container, the retailer or distributor respectively shall promptly pay the consumer the amount of the refund value stated on the container.

(2) If a retailer tenders for refund an empty and unbroken refundable beverage container to a distributor who sells (or has sold at any time during the period of three months ending on the date of such tender) a brand of beverage which was contained in the container, the distributor shall promptly pay the retailer—

(A) the amount of the refund value stated on the container, plus

(B) an amount equal to 2 cents per container to help defray the retailer's cost for handling.

The payment amount specified in clause (B) may be adjusted by the Administrator, following evaluation and public comment, to reflect the true cost of recycling beverage containers. This paragraph shall not preclude a retailer from tendering refundable beverage containers to persons other than distributors.

(b) The opening of a refundable beverage container in a manner in which it was designed to be opened and the compression of a metal refundable beverage container shall not, for the purposes of this section, constitute the breaking of the container if the statement of the amount of the refund value of the container is still readable.

RESTRICTIONS ON METAL BEVERAGE CONTAINERS WITH DETACHABLE OPENINGS

SEC. 6. No distributor or retailer may sell or offer for sale a beverage in a metal beverage container a part of which is designed to be detached in order to open such container.

PREEMPTION OF STATE AND LOCAL LAW

SEC. 7. (a) Except as otherwise provided in this section, no State or political subdivision thereof may establish or continue in effect any law respecting a refund value of beverage containers sold with a beverage under the pressure of carbonation to the extent the Administrator determines the law is inconsistent with this Act.

(b) No State or political subdivision thereof may, for the purposes of determining the amount of any tax imposed by such State or subdivision on the sale of any refundable beverage container, take into account any amount charged which is attributable to the refund value of such container.

(c) Subsection (a) does not prevent a State or political subdivision thereof from establishing or continuing in effect any law respecting a refund value on containers other than for beverages or from regulating redemption and other centers which purchase refundable beverage containers from retailers and consumers.

PENALTIES

SEC. 8. Whoever violates any provision of section 4, 5(a) or 6 shall be fined not more than $1,000 for each violation.

EFFECTIVE DATES

SEC. 9 (a) Except as otherwise provided in Subsections (b) and (c), this Act shall take effect on the date of its enactment.

(b) The provisions of sections 4, 5, and 7 shall apply with respect to beverage containers sold or offered for sale in interstate commerce on or after two years after the date of enactment of this Act.

(c) The provisions of section 6 shall apply with respect to beverages in beverage containers sold or offered for sale in interstate commerce on or after one year after the date of enactment of this Act.

(d) The provisions of section 7(a) shall preempt State and local laws to the extent to which they are inconsistent with the provisions of this Act only on and after the respective effective dates of such provisions.●

By Mr. D'AMATO (for himself, Mrs. HAWKINS, Mr. TOWER, Mr. SPECTER, Mr. MOYNIHAN, and Mr. MURKOWSKI):

S. 1248. A bill to require the Federal Government to reimburse State governments for the cost of imprisoning aliens who commit felonies; to the Committee on the Judiciary.

FEDERAL ALIEN INCARCERATION RESPONSIBILITY ACT

● Mr. D'AMATO. Mr. President, today I am introducing the Federal Alien Incarceration Responsibility (FAIR) Act. This legislation will require the Federal Government to reimburse States for the cost of imprisoning illegal aliens, aliens admitted in excess of normal quotas—particularly those entering on the Cuban and Haitian boatlifts—and aliens here on temporary visas, who have been convicted of a felony.

Hundreds of thousands of illegal immigrants now enter the United States annually. Some have estimated the yearly undetected inflow of illegal aliens at 500,000.

The Immigration and Naturalization Service apprehends nearly 1 million illegal aliens every year. Yet, there are at least 3.5 million, and possibly as many as 12 million, illegal aliens in the United States today.

Since World War II, 1½ million refugees have fled to this country. Hundreds of thousands of Indochinese, Cubans, and Haitians have also been permitted to enter the country in recent years in excess of normal quotas; 7 million nonimmigrant students, migrant workers, and other visitors enter this country on temporary visas every year.

It is important to understand why, under this legislation, some categories of aliens will trigger Federal reimbursement, while others will not. Simply stated, there will be Federal reimbursement for State expenditures in connection with alien felons in those cases in which there is no adequate Federal safeguard protecting the States from large influxes of potential criminals. When illegal aliens, refugees, migrant workers and others admitted on temporary visas are permitted to enter the country, they are admitted according to no set numerical quota. Their admission is essentially a matter of Department of State discretion. The decisionmaking process is one in which foreign policy considerations dominate over the need to safeguard and protect American citizens.

Federal reimbursement will not be required in cases of aliens admitted under numerical quotas because in such cases Immigration and Naturalization Service screening offers the States a substantial measure of protection. An adequate screening process and the very fact of family ties also can protect the States when relatives of American citizens are admitted. For this reason, this class of immigrants is also excluded from Federal reimbursement. Finally, this legislation excludes diplomats because diplomatic immunity prevents their incarceration in the United States.

The problem of prison overcrowding has assumed the dimensions of a national crisis. The pressures created by additional thousands of illegal aliens, asylees, and nonimmigrants threaten to overwhelm our State prison systems at the very moment that they are struggling to cope with the largest prisoner population increase in history.

A survey of State prison systems carried out by the New York Department of Corrections disclosed that approximately 1 percent of State prisoners are aliens. It is estimated that there are close to 24,000 aliens incarcerated for felony offenses in State prisons. The following is a list of States reporting significant numbers of aliens in prison:

Florida, 691.
Michigan, 38.
New Jersey, 259.
New York, 832.
Ohio, 28.
Pennsylvania, 200.
Texas, 627.
Arizona, 111.
Louisiana, 29.
New Mexico, 144.

No State, however, is untouched by this problem.

Florida, Wisconsin, Arkansas, and Pennsylvania, where Cuban refugee resettlement camps were located, experienced serious crime waves after opening of these camps. Detention centers are currently operating in New York, Florida, Texas, and California. More are planned. Every State has held deportable aliens in custody for the Immigration and Naturalization Service. Every State has incurred expenses for these criminals, which are rightfully a Federal responsibility.

The annual cost to the States of incarcerating the thousands of illegal aliens, asylees, and nonimmigrant entrants, is in excess of $25 million. As the number of illegal aliens, migrant workers, and asylees entering our country continues to escalate, the burden on our State prison systems can be expected to grow proportionately. There is no need, however, to belabor the point that our States simply cannot bear this excessive financial burden.

This is the second bill I have introduced in the last month to help our States deal with the many problems facing their overburdened prison systems. The first bill, the Correctional Facility Development Act (S. 1005), which would provide $1 billion per year for 3 years to the States on a matching basis for prison construction, is currently pending before the Judiciary Committee.

The large and growing number of criminal aliens in this country is the result of Federal action and inaction. It is simply not fair that the States should be required to assume the tremendous financial and logistical burdens resulting from policy decisions over which they have no control.

I believe the FAIR Act deserves immediate consideration by the Senate. The time for action has come. This problem can no longer be ignored.●

By Mr. ANDREWS (for himself, Mr. MELCHER, Mr. DECONCINI, Mr. DOMENICI, Mr. INOUYE, Mr. HATFIELD, Mr. NICKLES, and Mr. BINGAMAN):

S. 1249. A bill to add a representative of Indian tribal governments to the membership of the Advisory Commission on Intergovernmental Relations; to the Select Committee on Indian Affairs.

INDIAN TRIBAL GOVERNMENTS REPRESENTATIVE

● Mr. ANDREWS. Mr. President, I am today introducing legislation to amend subsection 3(a) of Public Law 86-380 (42 U.S.C. 4273) to include a representative of a federally recognized Indian tribal government in the membership of the Advisory Commission on Intergovernmental Relations.

In his January 24, 1983, statement on Indian policy, President Reagan reaffirmed the principle of dealing with tribal governments on a political or government-to-government basis. He identified several initiatives designed to strengthen and improve the government-to-government relationship between the United States and federally recognized Indian tribal governments.

This proposed amendment, requested by the administration, is such an initiative. The bipartisan Advisory Commission on Intergovernmental Affairs was established on September 24, 1959, to fill "* * * the need in a federal form of government for the fullest cooperation and coordination of activities between the levels of government * * *." and "* * * to give continuing attention to intergovernmental problems."

Mr. President, the Commission has been functioning for over 23 years with the present representation of 26 members from Federal, State, county, and local governments. The membership is now made up of three members from the executive branch and three private citizens appointed by the President. Three Members of the Senate are appointed by the President of the Senate and three Members of the House appointed by the Speaker. Four State Governors, three members of State legislative bodies, four mayors, and three elected county officers as appointed by the President.

Mr. President, the amendment we are proposing provides for two basic methods of selecting nominees. The National Congress of American Indians (NCAI) and the National Tribal Chairmen's Association (NTCA) may jointly submit names of elected tribal government officials. Since these national Indian organizations do not represent all federally recognized tribal governments, the proposal also makes provisions for any recognized tribal government to submit the names of tribal officials to the President. In the latter case, nominations submitted by tribal governments do not have to be elected tribal officials. This makes allowances for those tribal governments that do not select their leaders through the elective process. With passage of this amendment, the total membership of the Advisory Commission would increase from 26 to 27 and Indian tribal governments would be enhanced in their ability to serve the needs of their constituencies.

I ask that this bill be printed in full at the conclusion of these remarks.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 1249

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subsection (a) of section 3 of Public Law 86-380 (42 U.S.C. 4273) is amended—

(1) by striking out "twenty-six members" and inserting in lieu thereof "twenty-seven members",

(2) by striking out "and" at the end of paragraph (6),

(3) by striking out the period at the end of paragraph (7) and inserting in lieu thereof "; and", and

(4) by inserting after paragraph (7) the following new paragraph:

"(8) One appointed by the President either—

"(A) from a panel of at least two elected Indian tribal government officials submitted jointly by the National Congress of American Indians and the National Tribal Chairmen's Association, or

"(B) from among such other Indian tribal government officials as may be nominated by governing bodies of Indian tribes (as defined in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b))."●

By Mr. SYMMS (for himself, Mr. JEPSEN, Mr. HELMS, Mr. MCCLURE, and Mr. BOREN):

S. 1250. A bill to amend the Internal Revenue Code of 1954 to repeal the estate and gift taxes; to the Committee on Finance.

REPEAL OF ESTATE AND GIFT TAXES

Mr. SYMMS. Mr. President, today I am introducing legislation with some of my colleagues to abolish the so-called estate and gift tax, more popularly known in the farming areas of the United States as the "grave robbers and benevolence disincentive act."

While the Congress made significant gains in reducing the onerous burden of estate and gift taxes in the 1981 Economic Recovery Tax Act, we should continue to strive for total elimination of the "death tax."

It has become increasingly apparent that although wealth is only a relatively small multiple of annual income and turns over by death only once in a generation, estate and gift taxes continue to present complex legal, eco-

nomic, and social problems. The various provisions of the Federal estate and gift tax laws produce complexities in the estate planning; encourage disposition of assets contrary to the best interests of taxpayers, beneficiaries, and the economy; and work gross inequities among taxpayers.

It is clear that the estate and gift tax laws were never intended primarily to produce revenue, and this is in fact the case today since less than 1 percent of total revenues collected are derived from the estate and gift taxes. The fundamental purpose of the estate and gift tax laws were to tax the very wealthy, very heavily, to limit undue concentrations of wealth and power in a few, to break up those concentrations, and to enhance the equality of opportunity. It is still evident today, however, even after the passage of the 1981 Tax Act, that the fundamental purposes of the estate and gift tax laws are not being fulfilled.

Due to the fact that the unified estate and gift tax credit is a fixed dollar amount and because of the steeply graduated estate tax rates, the ravages of future inflation will increase the burden of estate taxes just as it would increase the burden of individual income taxes without indexation.

Even though the inflation rate has dropped significantly over the past 2 years, the value of farmland significantly increased during the inflationary years of the late 1970's. As a result, although death taxes generally absorb a relatively small part of the farm estate, given the inflated value of the farm's assets, the imposition of the taxes often necessitates the raising of more cash than many farm families are likely to have, particularly during the economically hard-pressed times when every business enterprise is experiencing a cash-flow crunch. Most farm estates do not have sufficient liquid assets to pay estate settlement costs and death taxes because most farm estates usually contain a higher proportion of fixed or illiquid assets.

I believe the same argument can be made for small businesses. In fact, the estate tax burden imposed on estates composed of illiquid business assets threatens the existence of small family enterprises. The burden of paying a tax when assets are illiquid may necessitate that the owner, or the executor of the estate, dispose of the business in order to generate the necessary cash to pay the tax. In some cases, the small family-owned enterprise is sold to, or merged with, a larger competitor, including domestic and foreign conglomerates. This has the consequence of not only eliminating the family business as a seperate entity but also of increasing business concentration and perhaps severely affecting the degree of interfirm competition in the product markets. This result has additional economic, political, and social consequences.

First, it adversely affects the goal of estate tax as a fiscal instrument to redistribute wealth; if the estate tax is increasing business concentration, then wealth becomes redistributed in the hands of the wealthier. It has rendered the estate tax and the overall tax structure less equitable.

Second, the destruction of small family business enterprises affects not only the family itself, but may be extremely disruptive to a local community. Such a community is better served by locally centered business than by a branch whose corporate headquarters is remote.

Third, society as a whole benefits from a perpetuation of the family as a basic social and economic entity. Experts are required to plan an estate properly before it goes through the process and to administer one properly during the process. The process not only requires IRS personnel and money but the estate also incurs considerable expense in the process, an expense which is comparatively greater to smaller estates or at least those estates with substantial illiquid assets. As a result, I simply do not believe that the process of planning and settling an estate does anything for the national good.

Furthermore, Americans who acquire and hold property express themselves in the way they deal with it: Using it, spending it, saving it, giving it away. The social order around us tends to honor our choices in the basic theory that private decisionmaking is better than public control. To hold property and to have wide discretion over it are closely associated with our concepts of freedom.

I do not believe that the right of succession and the freedom to dispose of property during life and at death should be limited by the State. The institution in succession serves a variety of values cherished by a free society. These include the reinforcement of family ties and responsibilities, economic and social pluralism, and encouragement of private philanthropy to improve the quality of life. At the most fundamental level, the institution of succession is a proper response of society to elemental motives, ranging from concern for one's immediate family to a desire to extend one's personality beyond death.

Examined from an economic perspective, the right to transfer wealth has the positive values of fostering incentives in the form of rewarding industry, ingenuity, and creativity, encouraging capital formation through saving and investment, permitting continuity of ongoing enterprise, and supporting diversity in priorities.

It is clearly evident that the estate and gift tax laws do not in any way accomplish the objectives for which they were initially implemented. And, in fact, the abolition of the estate and gift taxes would contribute greatly to the objectives of equity in our tax laws and to individual productivity in our society.

Mr. President, I would like to ask unanimous consent that the bill be printed in the RECORD for the perusal of my colleagues.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 1250

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. REPEAL OF ESTATE AND GIFT TAXES.

(a) IN GENERAL.—The Internal Revenue Code of 1954 is amended by striking out subtitle B (relating to estate and gift taxes).

(b) CLERICAL AMENDMENT.—The analysis of subtitles contained in subsection (d) of the first section of such Code is amended by striking out the item relating to subtitle B.

SEC. 2. CONFORMING AMENDMENTS.

(a) AMENDMENTS OF SUBTITLE A.—

(1) Subsection (d) of section 213 of the Internal Revenue Code of 1954 (relating to special rule for decedents) is amended to read as follows:

"(d) SPECIAL RULE FOR DECEDENTS.—For purposes of subsection (a), expenses for the medical care of the taxpayer which are paid out of his estate during the 1-year period beginning with the day after the date of his death shall be treated as paid by the taxpayer at the time incurred.".

(2) Subpart A of part I of subchapter C of such Code (relating to effects of corporate distributions and adjustments on recipients) is amended—

(A) by striking out section 303 (relating to distributions and redemption of stock to pay death taxes), and

(B) by striking out the item relating to section 303 in the analysis of sections for such subpart.

(3) Subsection (e) of section 305 of such Code (relating to cross references) is amended by striking out paragraph (2) and by redesignating (3) as paragraph (2).

(4) Subsection (e) of section 351 of such Code (relating to cross references) is amended by striking out paragraph (3) and by redesignating paragraph (4) as paragraph (3).

(5) Subsection (f) of section 356 of such Code (relating to transactions involving gift or compensation) is amended to read as follows:

"(f) TRANSACTIONS INVOLVING COMPENSATION.—

"For special rules for a transaction described in section 354, 355, or this section, but which has the effect of the payment of compensation, see section 61(a)(1).".

(6) Subsection (e) of section 406 of such Code (relating to treatment as employee under related provisions) is amended by striking out paragraphs (4) and (5).

(7) Subsection (e) of section 407 of such Code (relating to treatment as employee under related provisions) is amended by striking out paragraphs (4) and (5).

(8) Subsection (d) of section 508 of such Code (relating to disallowance of certain charitable, etc., deductions) is amended by striking out "642(c), 2055, 2106(a)(2), or 2522," each place it appears and inserting in lieu thereof "or 642(c).".

(9) Section 642 of such Code (relating to special rules for credits and deductions) is amended by striking out subsection (g).

(10) Section 691 of such Code (relating to recipients of income in respect of decedents) is amended by striking out subsections (c) and (d).

(11) Paragraph (2) of section 996(e) of such code (relating to adjustment to basis) is amended by striking out the second sentence.

(12) Section 1014 of such Code (relating to basis of property acquired from a decedent) is amended—

(A) by striking out subsection (a) and inserting in lieu thereof the following:

"(a) IN GENERAL.—Except as otherwise provided in this section, the basis of property in the hands of a person acquiring the property from a decedent or to whom the property passed from a decedent shall, if not sold, exchanged, or otherwise disposed of before the decedent's death by such person, be the fair market value of the property at the date of the decedent's death.", and

(B) by striking out subsection (d) and inserting in lieu thereof the following:

"(d) DECEDENT'S DYING AFTER DECEMBER 31, 1982.—In the case of a decedent dying after December 31, 1982, the first sentence of paragraph (9) of subsection (b) shall not apply.".

(13) Section 1015 of such Code (relating to basis of property acquired by gifts and transfers in trust) is amended by striking out subsection (d).

(14) Section 1016 of such Code (relating to adjustments to basis) is amended by striking out subsection (c), and by redesignating subsections (d) and (e) as subsections (c) and (d).

(15) Part II of subchapter O of chapter 1 of such Code (relating to basis rules of general application) is amended—

(A) by striking out section 1023 and by redesignating section 1024 as 1023, and

(B) by striking out the last 3 items in the analysis of sections for such part and inserting in lieu thereof the following:

"Sec. 1023. Cross references.".

(16) Part III of subchapter O of chapter 1 of such Code (relating to common nontaxable exchanges) is amended—

(A) by striking out section 1040 (relating to use of farm, etc., real property to satisfy pecuniary bequest), and

(B) by striking out the item relating to section 1040 in the analysis of sections for such part.

(17) Section 1101 of such Code (relating to distributions pursuant to bank holding company act) is amended by striking out paragraph (5) of subsection (a) and paragraph (5) of subsection (b) and inserting in lieu thereof the following:

"(5) DISTRIBUTIONS INVOLVING COMPENSATION.—

"In the case of a distribution to which paragraph (1) or (2) applies, but which has the effect of the payment of compensation, see section 61.".

(b) AMENDMENTS OF SUBTITLE D.—

(1) Section 4947 of such Code (relating to application of taxes to certain nonexempt trusts) is amended—

(A) by striking out "642(c), 2055, 2106(a)(2) or 2522" each place it appears in such section and inserting in lieu thereof the following: "or 642(c)", and

(B) by striking out "2055(e)(2)(B), or 2522(c)(2)(B)," in subparagraph (A) of subsection (a)(2).

(2) Paragraph (4) of section 4948(c) of such Code (relating to disallowance of certain charitable deductions) is amended by striking out "642(c), 2055, 2106(a)(2), or 2522," and inserting in lieu thereof "or 642(c).".

(c) AMENDMENTS OF SUBTITLE F.—

(1) Part II of subchapter A of chapter 61 of such Code (relating to tax returns or statements) is amended—

(A) by striking out subpart C, and

(B) by striking out the item relating to subpart C in the analysis of subparts for such part.

(2) Subpart A of part III of subchapter A of chapter 61 of such Code (relating to information returns) is amended—

(A) by striking out "EXECUTOR OR" in the caption of section 6036,

(B) by striking out "and every executor (as defined in section 2203)," in section 6036,

(C) by striking out section 6039A,

(D) by striking out "executor or" in the item relating to section 6036 in the analysis of sections for such subpart, and

(E) by striking out the item relating to section 6039A in the analysis of sections for such subpart.

(3) Section 6040 of such Code (relating to cross references) is amended—

(A) by striking out paragraph (2) and

(B) by striking out "and 2016" in paragraph (3).

(4) Subchapter B of chapter 62 of such Code (relating to extensions of time for payment) is amended—

(A) by striking out sections 6163, 6166, and 6166A, and

(B) by striking out the items relating to sections 6163, 6166, and 6166A in the analysis of sections for such subchapter.

(5) Subchapter B of chapter 63 of such Code (relating to deficiency procedures in the case of income, estate, gift, and certain excise taxes) is amended—

(A) by striking out ", Estate, Gift," in the caption for such subchapter,

(B) by striking out "income, estate, and gift taxes imposed by subtitles A and B" in subsection (a) of section 6211 (relating to definition of a deficiency) and inserting in lieu thereof "income taxes imposed by subtitle A",

(C) by striking out "subtitle A or B" in sections 6211(b)(2), 6212(a), 6213(f) (1) and (2), and 6214(d) and inserting in lieu thereof "subtitle A",

(D) by striking out "AND GIFT" in the caption of section 6212(b)(1),

(E) by striking out paragraph (3) of section 6212(b),

(F) by striking out paragraph (2) of section 6213(g) and inserting in lieu thereof the following:

"(2) For assessments without regard to restrictions imposed by this section in the case of recovery of foreign income taxes, see section 905(c).",

(G) by striking out subsection (b) of section 6214 and inserting in lieu thereof the following:

"(b) JURISDICTION OVER OTHER YEARS.—The Tax Court in redetermining a deficiency of income tax for any taxable year shall consider such facts with relation to the taxes for other years as may be necessary correctly to redetermine the amount of such deficiency, but in so doing shall have no jurisdiction to determine whether or not the tax for any other year has been overpaid or underpaid.", and

(H) by striking out ", estate, gift," in the item relating to subchapter B in the analysis of subchapters for chapter 63 of such Code.

(6) Section 6314 of such Code (relating to receipt for taxes) is amended—

(A) by striking out subsection (b), and

(B) by striking out subsection (c) and inserting in lieu thereof the following:

"(c) CROSS REFERENCES.—

"For a receipt required to be furnished by employer to employee with respect to employment taxes, see section 6051.".

(7) Subchapter C of chapter 64 of such Code (relating to lien for taxes) is amended—

(A) by striking out sections 6323, 6324, and 6324A, and

(B) by striking out the items relating to sections 6324, 6324A, and 6324B in the analysis of sections for such subchapter.

(8) Section 6325 of such Code (relating to release of lien or discharge of property) is amended—

(A) by striking out subsection (c), and

(B) by inserting "or" at the end of paragraph (1) of subsection (d),

(C) by striking out ", or" at the end of paragraph (2) of subsection (d) and inserting in lieu thereof a period, and

(D) by striking out paragraph (3) of subsection (d).

(9) Subsection (e) of section 6501 of such Code (relating to substantial omission of items) is amended by strking out paragraph (2) and by redesignating paragraph (3) as paragraph (2).

(10) Section 6503 of such Code (relating to suspension of running of period of limitations) is amended by striking out section (d).

(11) Section 6504 of such Code (relating to cross references) is amended by striking out paragraph (5).

(12) Subsection (h) of section 6511 of such Code (relating to cross references) is amended by striking out paragraph (2).

(13) Section 6601 of such Code (relating to interest on underpayment, nonpayment, or extensions of time for payment of tax) is amended—

(A) by striking out ", ESTATE, GIFT," in the caption of subsection (c), and

(B) by striking out subsection (j) and redesignating subsection (k) as subsection (j).

(14) Subsection (c) of section 6612 of such Code (relating to cross references) is amended by striking out "section 2011(c) (relating to refunds due to a credit for State taxes), 2014(e) (relating to refunds attributable to foreign tax credits), and inserting in lieu thereof "section".

SEC. 3. TECHNICAL CHANGES.

The Secretary of the Treasury shall, within 90 days after the date of enactment of this Act, submit to the Committee on Ways and Means of the House of Representatives, and to the Committee on Finance of the Senate, a draft of any technical and conforming changes in the Internal Revenue Code of 1954 which are necessary to reflect throughout such Code the changes in the substantive provisions of law made by this Act.

SEC. 4. EFFECTIVE DATE.

The amendments made by this Act shall apply with respect to the estates of decedents dying after December 31, 1982, and with respect to gifts made after such date.

By Mr. SYMMS (for himself, Mr. MCCLURE, Mr. WALLOP, Mr. BOREN, Mr. GRASSLEY, Mr. HELMS, Mr. JEPSEN, and Mr. BENTSEN):

S. 1251. A bill to amend the Internal Revenue Code of 1954 to treat certain interests as closely held businesses for estate tax purposes, to prevent the ac-

celeration of estate tax installment payments in certain situations, and for other purposes; to the Committee on Finance.

SECTION 6166 TECHNICAL REVISION ACT OF 1983

Mr. SYMMS. Mr. President, today I am introducing legislation, along with some of my colleagues, which will correct technical deficiencies in section 6166 and the redemption rules under section 303.[1]

Section 6166 [2] of the Internal Revenue Code permits an executor to extend the time of payment of the estate tax attributable to closely held business interests, including farms. The deferral provision, which was implemented by Congress in 1958, does not reduce taxes but only extends the period of payment for estates that qualify as being illiquid.

Often when Congress passes tax legislation it unfortunately cannot foresee all of the technical problems that might arise from the passage of a particular provision. As a result, technical revisions are normally necessary so that the full intent of Congress can be implemented with the greatest possible ease.

As presently written, section 6166 contains a number of intricate rules that frequently operate as traps for the unwary and cause many deserving estates to lose the relief extended by the statute because of inadvertent errors.

The purpose of the legislation being introduced today is to make only technical, clarifying changes in the law, not to change past or present policy on section 6166.

A tremendous amount of effort has been made to review this section of the Internal Revenue Code. Last year, a Task Force on Technical Revision of Section 6166 was formed to lend their expertise in recommending the needed technical revisions so that the full intent of Congress could be executed.

A. NECESSITY FOR JUDICIAL REVIEW

An overriding problem in this entire area is the fact that any dispute which arises under section 6166 cannot be resolved in court, thereby making the Revenue Service the sole arbiter of all controversies. This unintended imbalance between the taxpayer and the Revenue Service needs to be remedied at the earliest possible time through the creation of a judicial forum for the resolution of all qualification and acceleration disputes arising under section 6166.[3]

The declaratory judgment provision contained in the House-passed version of the Economic Recovery Tax Act of 1981 can serve as a model for legislation. However, decisions of the Tax Court should be reviewable by the circuit courts, as is the case with all other decisions of the Tax Court. Sufficient statutory safeguards are available to penalize taxpayers whose appeals from the Tax Court to the Circuit Courts are instituted or maintained merely for delay or where the appeals are frivolous or groundless.[4] Moreover, in order to appeal to a circuit court, the taxpayer must pay the amount of tax in dispute at the outset of the appeal or comply with the complex and expensive bonding procedures which are very rarely utilized.[5] Accordingly, the task force endorses S. 1733 because it would provide a reviewable Tax Court judicial forum.

B. CLARIFICATION OF STATUS OF CORPORATE AND PARTNERSHIP HOLDING COMPANIES

In order to reflect present business practices which oftentimes utilize corporate and partnership holding company structures, section 6166 should be clarified to permit a decedent to own either a direct or indirect interest in a corporation or partnership carrying on a trade or business. In other words, if a decedent's interest is in a holding company and the holding company owns a subsidiary which is engaged in a trade or business, the decedent's estate should have the benefits of section 6166, assuming that other requirements of the section are met.[6]

There is no justifiable reason for the Internal Revenue Code to exclude partnership and corporate holding companies from the benefits of section 6166. The congressional purpose underlying section 6166—to provide a long-term payout to estates with liquidity problems in order to prevent a forced sale to larger publicly owned companies—should apply equally to holding companies and to entities without corporate or partnership subsidiaries.[7]

C. CLOSELY HELD BUSINESS INTEREST SHOULD INCLUDE INDEBTEDNESS

Section 6166 should be amended to permit indebtedness to qualify for deferral benefits if the decedent's equity interest in the partnership or corporation, standing alone, would constitute a closely held business interest for purposes of section 6166. Section 6166 should not contain a bias in favor of equity over indebtedness.

In addition, section 6166 should be amended to enable buyouts to occur prior to the death of one of the owners, if such person has been an owner for at least one year prior to the buyout.[8] Thus, a note receivable from a corporation or partnership would be eligible for the deferral privilege if the note, at the time of the decedent's death, represents 20 percent or more of the total value of the business [9] or the corporation or partnership has 25 or fewer owners.

D. INDIVIDUALS ENGAGED IN OIL AND GAS BUSINESS AS SOLE PROPRIETORS

Under the vast sweep of section 3797(a)(2) of the Internal Revenue Code of 1939, coownership and operation of oil and gas leases was held to be a partnership for Federal tax purposes. This was true even though each co-owner marketed his own share of the production and hence there was no joint profit. (I.T. 3930, 1948-2 C.B. 126; I.T. 2948, 1949-1 C.B. 161; Bentex Oil Corp., 20 T.C. 565 (1953))

In the Internal Revenue Code of 1954, Congress recognized that to require a partnership for general income tax purposes was inconvenient for the Internal Revenue Service and unjust to the taxpayer. Hence, after reiterating the same broad definition of partnership in section 7701, Congress permitted in section 761 an election out of the partnership category for such types of partnerships. The election, however, is only for purposes of subchapter K, dealing with partners and partnerships under chapter 1 of subtitle A; this subtitle concerns only income taxation.

Section 6166, however, is part of subchapter B of chapter 62 of subtitle F dealing with procedure and administration of the Internal Revenue Code. Therefore, in its use of the term "partnership," section 6166 is controlled by the definition in section 7701 without any provision for election out of the partnership category. (*Bryant* v. *Commissioner*, 339 F.2d 800 (5th Cir., 1968); Unpublished Letter Ruling No. 8042011, July 1, 1980).

The unjustness of the resulting situation is readily apparent to those operating today in the oil and gas business. Section 6166 permits the installment payment of Federal estate taxes if, among other qualifications, the decedent's interest in a single closely held business exceeds 35 percent of the adjusted gross estate. If a decedent has an interest in more than one closely held business and each such interest is 20 percent or more of the total value of such business, then such interests may be aggregated in reaching the 35-percent plateau. While the Internal Revenue Service has long recognized that operating and developing interests in oil and gas leases is a business (Rev. Rul. 61-55, 1961-1 C.B. 713), recently it became the position of the Internal Revenue Service that each coowned oil and gas lease is a separate and distinct partnership; hence, the decedent must have a 20-percent or greater interest in the total value of such partnership business, that is, each oil and gas lease in which he has an interest for the requisite aggregation. (Unpublished Letter Ruling No. 8042011, July 1, 1980)

As a practical matter this eliminates most individual oil and gas operators from utilization of the relief of section 6166. With the present days costs of oil and gas exploration and development, most individuals cannot take, or retain, 20 percent of each lease for exploration. Even if one could, such per-

Footnotes at end of article.

centage aggregation requirement is especially difficult to meet when modern methods of conservation, such as unitization, are required. For example, if an individual has 25 percent in value of a producing lease to maintain qualification for the aggregation threshold, he would have to resist a unitization that potentially requires his interest in the unitized leasehold to be reduced to a small percentage, such as 2 or 3 percent, a not uncommon situation.

The fair solution to this inequitable and undesirable result is to treat all coownership of oil and gas leases as being one business for the purposes of section 6166, just as was done consistently in practice prior to 1980. The requisite business type of ownership is assured by the reference to the ability to elect out of the partnership category for purposes of such partnership under section 761(a)(2). Thus, this ability to elect out is not present in a limited partnership. It is only present when one has a direct operating ability and liability. Accordingly, the proposed amendment would not benefit syndicated oil and gas tax shelters. Moreover, the proprietorship still must satisfy the other statutory requirements of section 6166, including the trade or business test, before it can be classified as an interest in a closely held business.

E. THE "POOL OF CAPITAL" DOCTRINE

All over the country there are independent persons who make their living by locating, identifying, or acquiring mineral rights or leases on behalf of or for sale to others who will attempt to explore and develop such properties. Typically, these independent professionals receive for their services, or for their interest in minerals, an overriding royalty interest, net profits interest, or other nonoperating interest in the minerals which have been located, identified, or acquired, plus in some cases reimbursement of the out-of-pocket costs. At death they typically hold a substantial number of such interests in various mineral properties, each much smaller than 20 percent of the total leasehold interest. Although these numerous small interests are nonoperating interests, they represent the business assets of the decedent and the value of these interests reflect in part the personal efforts of these individuals.

The facts surrounding these independent professionals are unique for two reasons. First, in the natural resources field, and in oil and gas in particular, there is the "pool of capital" doctrine which runs counter to the general rule that the receipt of an interest in property for services is taxable. A contributor to the pool of capital whose contribution of materials, services, or a mineral interest, enables a particular well to be drilled; that is, enables the capital to be provided to drill that particular well, receives an interest in the well, and its acreage without recognition of income because Congress and the Internal Revenue Service have long recognized that such contributions are necessary in order to have the natural resources developed.

Second, all or virtually all of the independent professional's profit from his business comes from these property interests received as a result of his contributions to the pool of capital, so that he is indeed only in the business of providing services or mineral interests as contributions to pools of capital. By contrast, attorneys, real estate brokers, and others who provide services are usually remunerated for their services in cash, and only take interests in particular transactions from time to time and as incidental to their normal business of deriving cash profits for their services.

Taken together, these interests of a professional represent a closely held business, and their heirs should be entitled to the benefits of section 6166 despite the fact that each business asset, taken separately, is a nonoperating interest.

F. ASSETS LEASED TO CLOSELY HELD BUSINESS

Under present law, if a decedent directly or indirectly owns assets which are leased to a closely held business and the lease can be characterized as a net lease, the leased assets do not qualify for purposes of section 6166. However, if those assets were owned directly by the closely held business, section 6166 would be available with respect to them.

Section 6166 should apply to the assets used by the closely held business whether such assets are directly owned by that business or leased to the business by a partner or stockholder.[10] Accordingly, corrective legislation should provide that assets directly or indirectly owned by the decedent that are leased to a closely held business should qualify for purposes of section 6166 if such assets are used by the closely held business in carrying on a trade or business, throughout the 1-year period ending on the date of the decedent's death, and the decedent's stock or partnership interest in such closely held business qualifies for purposes of section 6166.[11]

By contrast, where money or other property is contributed or loaned to a closely held business but is not used in carrying on the trade or business during the 1-year period prior to death, section 6166 should not be available with respect to such money or other property.

G. ELIMINATION OF DISTINCTION BETWEEN CAPITAL AND PROFITS INTEREST IN A PARTNERSHIP

Under present law, if a partnership has more than 15 partners, determined by taking into account all of the attribution rules, the decedent must own 20 percent or more of the total capital interest in such partnership in order to qualify for section 6166. There are several reasons to amend section 6166(b)(1)(B)(i) to eliminate the distinction between an interest in partnership capital and an interest in partnership profits.

First, if the partnership has 15 or fewer partners, the decedent's partnership interest can qualify even if such interest is limited to partnership profits. Second, for purposes of the aggregation rule in section 6166(c), the decedent must own 20 percent or more of the total value of each business without regard to whether the decedent's partnership interest relates to capital or profits. Finally, numerous sections of the Revenue Code provide for attribution between a partner and a partnership where the partner owns a prescribed interest in either partnership profits or partnership capital.[12]

H. ELIMINATION OF DISTINCTION BETWEEN VOTING AND NONVOTING STOCK

Under present law, if a corporation has more than 15 shareholders, determined by applying all of the attribution rules, the decedent must own 20 percent or more in value of the voting stock of such corporation in order to qualify for section 6166. There are several reasons section 6166(b)(1)(C)(i) should be amended to eliminate the distinction between voting and nonvoting stock.

First, if the corporation has 15 or fewer shareholders, the decedent's stock interest can qualify even if such interest is comprised solely of nonvoting stock. Second, for purposes of the aggregation rule in section 6166(c), the decedent must own 20 percent or more of the total value of each business without regard to whether the decedent's stock is voting or nonvoting. Finally, several provisions of the Revenue Code provide for attribution between a shareholder and a corporation where the shareholder owns a certain minimum percentage of the value of the outstanding stock including both voting and nonvoting stock.[13]

I. COORDINATION WITH SUBCHAPTER S PROVISIONS

In order to preserve the historic relationship between the subchapter S provisions and the estate tax deferral provisions, dating back to 1958, a decedent's interest in a corporation should qualify under section 6166 if such entity has 25 or fewer stockholders.[14] In order to achieve additional coordination between the two provisions, the spousal attribution rules in section 6166(b)(2)(B) and section 6166(c) should be revised to eliminate the common ownership requirement and to include estates of deceased spouses.

J. SIMPLIFICATION OF ATTRIBUTION RULES

Under present law, in determining whether the 15-person numerical test is satisfied, three complex and at times overlapping attribution rules are applicable: spousal, family and entity. By

contrast, in determining whether the percentage ownership test is satisified, the executor can elect to apply these attribution rules, but only by giving up the 4-percent interest rate and the 5-year interest only provisions. In the case of a husband and wife where one of the spouses is the decedent, both spousal and family attribution would be applicable, although spousal attribution is limited to situations in which the closely held business interest is jointly or commonly owned. Finally, attribution does not extend to estates of family members.

Present law should be amended to combine the spousal and family attribution rules into a single provision applicable, without any penalties, to both the percentage and numerical qualification tests. In addition, in order to preserve the current interaction between family and spousal attribution, the definition of family should be amended to include spouses of an owner's brothers and sisters as well as spouses of such owner's lineal descendants. Finally, estates of family members should be included for purposes of attribution.

K. EXPANSION OF AGGREGATION RULE TO INCLUDE NUMERICAL TEST

Aggregation under section 6166(c) should be permitted for each of the decedent's interests which satisfy either the numerical or percentage qualification tests. Since modern business practices often favor the creation of multiple entities, section 6166 should not impose a stiffer requirement in the case of two or more entities, but, at the same time, provide a more lenient qualification standard where the decedent dies owning a single closely held business interest.[15] In effect, all closely held business interests qualifying under section 6166(b)(1) should be eligible for aggregation.

However, in order to assure that section 6166 is not available to estates which are comprised of a multitude of small interests, aggregation only should be available if each interest equals 5 percent or more of the adjusted gross estate, except that interests which are sole proprietorships or which meet the percentage tests would be eligible for aggregation in all events as under present law.

L. EXPANSION OF ACCELERATION EXCEPTIONS

Since buy out agreements often are an essential element in the continuation of a closely held business after the death of one of the owners, section 6166 should be amended to permit an estate to sell its stock or partnership interest to the company or an existing owner or employee[16] in exchange for a note without resulting in acceleration. The American Bar Association has recommended a similar change.[17]

Second, the acceleration exception for section 303 redemptions should be expanded to permit the proceeds of such redemption to be used for any of the purposes enumerated in section 303(a). Under current law, a section 303 redemption can include amounts sufficient to cover Federal and State death taxes, interest on such death taxes, and funeral and administration expenses under section 2053, whereas section 6166(g)(1)(B) is limited to Federal estate taxes. In addition, corrective legislation should provide that for redemptions occurring during the 5-year interest only period, such proceeds must be utilized for the enumerated purposes by the end of such period; for redemptions occurring after such period, the proceeds must be so utilized within 1 year of the redemption.

Third, the acceleration exception for section 303 redemptions should be expanded to provide equivalent treatment for partnerships and proprietorships. There is no justification for permitting an estate to receive funds from a closely held corporation to pay enumerated expenses without causing acceleration, but to deny that right to partnerships and proprietorships. Acceleration is not justified in either case because the estate must pay such expenses—or reimburse itself—with the funds it receives from the closely held business. This exception also should be expanded to apply to the extent amounts are received from the business for the designated purposes, whether by way of dividends, redemption proceeds, or principal payments on indebtedness which qualifies as a closely held business interest. However, interest on such indebtedness would not be counted for acceleration purposes. In addition, this exception should be available whether the funds received reimburse the estate for the designated purposes or such funds are used for the designated purposes within prescribed time periods after the funds are received.

Fourth, the acceleration exception in section 6166(g)(1)(C) should be expanded to include all reorganizations under section 368 if the stock received by the decedent's estate (or heirs) would have qualified as a closely held business interest if owned by the decedent on the date of his death. In effect, closely held businesses should be allowed to be acquired in tax-free transactions by unrelated closely held businesses without causing acceleration.[18]

For similar reasons, a disposition of a closely held business interest should not result in acceleration to the extent no gain is recognized pursuant to the like kind exchange provisions of section 1031 or the involuntary conversion provisions of section 1033.

Finally, the acceleration exception for subsequent death-related transfers should be amended to repeal the family limitation. When the original decedent dies, section 6166 is available whether or not the decedent leaves any portion of the estate to nonfamily members. However, on the death of an heir of the original decedent, the acceleration exception only is available if the subsequent transferee is a member of the transferor's family. There are many situations in which business associates—including employees—and charitable organizations are beneficiaries of an estate. In effect, under present law, an heir of the original decedent is penalized if the closely held business interest is left, in whole or in part, to such business colleagues or charitable organizations. The goal of section 6166—to preserve closely held businesses after the death of one of the owners—is enhanced if such owner is free to determine the beneficiaries of the business interest. The task force supports S. 1734 because it repeals the family limitation.

M. SOLUTION TO INTEREST AS AN ADMINISTRATION EXPENSE

An extremely complicated situation is presented because interest throughout the 14-year period is deductible as an administration expense under section 2053. However, according to the Revenue Service, a deduction only can be claimed when the interest is actually paid or accrued. One method of eliminating the complex procedures prescribed by the Revenue Service, while retaining the economic benefit of the deduction, would be to amend section 2053 to exclude interest as a deduction but to reduce the interest rate by 50 percent to compensate for such elimination.[19]

The task force recommends that the interest attributable to the section 6166 deferral period should continue to be deductible as an administration expense under section 2053. The interest rate would be fixed for the entire deferral period, geared to the then prevailing yield on Treasury obligations of comparable maturity. All of the interest attributable to the payout period, including interest imposed by a State, would be deductible when the estate tax return was filed. In the event an estate terminated the deferral privilege prematurely, one recalculation procedure would be required at that time; otherwise no recalculations would be necessary. This approach preserves the legal principles presently operating, but drastically simplifies the current situation by eliminating the now complex and prolonged administrative procedures.

N. EFFECTIVE DATES

The proposed legislative changes described in sections B, C, D, E, F, G, H, I, J, and K, all of which relate to changes in qualification requirements under section 6166, would apply to estates of decedents dying after December 31, 1982.

The changes in the acceleration rules, section L, would apply to dispo-

sitions and withdrawals made after December 31, 1982, even if the election under section 6166 or section 6166A applied to decedents dying before January 1, 1983.

The provisions relating to judicial review, section A, generally would apply to estates of decedents dying after December 31, 1982, except that controversies involving dispositions and withdrawals made after December 31, 1982, would be subject to judicial review even if the election under section 6166 or section 6166A applied to decedents dying before January 1, 1983.

Finally, the proposed change involving the deductibility of interest as an administration expense, section M, generally would apply to decedents dying after December 31, 1982. However, in order to eliminate the complex procedures prescribed by the Revenue Service with respect to the deductibility of interest for decedents dying before January 1, 1983, a transitional rule would permit such estates to elect to utilize the new interest deduction provision for the post-1982 term of the section 6166 or section 6166A payout period.

FOOTNOTES

[1]Unless otherwise indicated, all references are to the Internal Revenue Code of 1954, as amended, and the Treasury Regulations promulgated thereunder.

[2]A recent report by the Comptroller General of the United States recommended that section 6166 should be utilized exclusively if a tax preference for farm estates is to be preserved. "Special Estate Tax Provisions For Farmers Should Be Simplified To Achieve Fair Distribution of Benefits." General Accounting Office, September 30, 1981.

[3]Congress acted expeditiously in an analogous situation involving the jurisdiction of the Tax Court. See Public Law 96-596, "Chapter 42 Second Tier Tax Correction Act of 1980."

[4]Section 7482(c)(4); 28 U.S.C. section 1912; Rule 38 of the Federal Rules of Appellate Procedure. In addition, the Internal Revenue Service could impose penalties pursuant to section 6653 in the event an underpayment of taxes was due to negligence, intentional disregard of rules and regulations (but without intent to defraud), or fraud. The underpayment would be equal to the total amount of taxes which the taxpayer defers in the case of a qualification dispute and the unpaid balance of deferred taxes in the case of an acceleration dispute.

[5]Section 7485(a); rule 192 and forms 9-12 of the Rules of Practice and Procedure of the United Tax Court. By comparison, prior to the time the Tax Court reaches its decision, the taxpayer must continue to make installment payments under section 6166.

[6]Thus, there would be a disposition for acceleration purposes where the estate disposed of the stock in the holding company or the holding company disposed of the stock of the active subsidiary.

[7]This proposal would not expand or contract the investment asset exception contained in the regulations (Treas. Regs. § 20.6166A-2(c)); the exception would not apply at the holding company level but would apply at the active subsidiary level. However, the exception would be modified, as described in section F, to deny its application to capital contributions which are not used by the partnership or corporation in carrying on the trade or business of such entity.

[8]To prevent deathbed transactions, the indebtedness would have to have been in existence for at least 1 year prior to death or the date of the buyout. In addition, under the acceleration provisions, the note would no longer qualify as a closely held business interest as follows: (i) at such time as the stock or partner relationship was completely terminated; (ii) at such time as the note became readily tradable within the meaning of section 453(f)(5); or (iii) at such time as the closely held business was acquired by a corporation, such corporation assumed or guaranteed the note, and the stock of such corporation was readily tradable.

[9]The total value of the business would be determined by treating the note as a liability of the corporation or partnership.

[10]This result already prevails under section 2032A, where special use valuation is available for assets leased to a related partnership or corporation carrying on a trade or business. See section 2032A(g) and Unpublished Letter Ruling No. 8206009 (May 21, 1980).

[11]Thus, under the acceleration provisions, the leased assets would no longer qualify as a closely held business interest at such time as the stock or partner relationship was terminated.

[12]See sections 318(a)(2)(A) and (3)(A); 554(a)(1) and (2); 707(b)(1) and (2); 1239(c)(1)(B); and 1563(e)(2).

[13]See sections 267(b)(2); 318(a)(2)(C) and (3)(C); 554(a)(1); 1239(c)(1)(A); and 1563(e)(4).

[14]If this change is made, a corresponding change in the numerical test for partnerships would be necessary. In addition, if the permitted number of shareholders for a subchapter S corporation is increased to 35 as recently proposed by S. 2350 and H.R. 6055, similar changes should be made to section 6166.

[15]The numerical qualification test contains safeguards (specifically in the entity attribution rule) to assure that the total number of direct and indirect owners of a corporation or partnership are taken into account. Accordingly, no additional safeguards are needed in this area when the aggregation rule is expanded to include the numerical qualification test.

[16]An existing owner or employee would be defined as a person who was an owner or employee during the period beginning 1 year prior to the decedent's death and ending on the date of the buyout. In addition, in order to assure that the decedent has a continuing relationship to the closely held business, a note received pursuant to a "cross purchase" agreement only would qualify for the acceleration exception if the business guaranteed the note.

[17]If a closely held business is acquired by a corporation after the buyout agreement is implemented, such corporation assumes or guarantees the buyout note, and the stock of such corporation is readily tradable, acceleration then would be proper. Acceleration also would occur if the buyout note itself becomes readily tradable for any reason within the meaning of section 453(f)(5). With respect to a predeath buyout arrangement as well as indebtedness combined with the appropriate equity position, acceleration also should apply in the same circumstances.

[18]Section 303(c) applies to all reorganizations. (See Treas. Reg. §1.303-2(d)). Moreover, section 303 was amended by section 422(b) of the Economic Recovery Tax Act of 1981 (Public Law 97-34) in order to coordinate those provisions with section 6166. H.R. Rep. No. 201, 97th Cong., 1st Sess. 181 (1981).

[19]The executor could retain the option to treat the interest expense as an income tax deduction, in which event the interest rate would not be reduced because the interest still would be deductible for income tax purposes. Alternatively, no income or estate tax deduction could be available and the reduced interest rate therefore would be mandatory.

Mr. President, I ask unanimous consent that the bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 1251

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Section 6166 Technical Revision Act of 1983".

SEC. 2. INTEREST IN A CLOSELY HELD BUSINESS.

(a) IN GENERAL.—Paragraph (1) of section 6166(b) of the Internal Revenue Code of 1954 (relating to interest in a closely held business) is amended—

(1) by inserting "or profits interest" after "capital interest" in subparagraph (B)(i),

(2) by striking out "voting" in subparagraph (C)(i),

(3) by striking out "15" in subparagraphs (B)(ii) and (C)(ii) and inserting in lieu thereof "35",

(4) by striking out "or" at the end of subparagraph (B)(ii),

(5) by striking out the period at the end of subparagraph (C)(ii) and inserting in lieu thereof a semicolon, and

(6) by adding at the end thereof the following new subparagraphs:

"(D) that portion of an interest as a partner in a partnership, or of stock in a corporation, included in determining the gross estate of a decedent which bears the same relationship to such partnership interest or stock as the value of any interest in another partnership, stock in another corporation, or interest in minerals which—

"(i) is owned by (or is treated by the application of paragraph (2)(C) as owned by) such partnership or corporation,

"(ii) is treated (by the application of paragraph (2)(C)) as owned by the decedent, and

"(iii) is described in subparagraph (B), (C), (E), or (I),

bears to the value of all assets of such partnership or corporation which are treated (by the application of paragraph (2)(C)) as owned by the decedent;

"(E) an interest in an unincorporated organization described in section 761(a)(2) which is carrying on a trade or business;

"(F) an interest in a note or other evidence of indebtedness issued by a corporation or partnership carrying on a trade or business if—

"(i) such interest had been acquired by the decedent in an exchange of—

"(I) stock of such corporation with such corporation, or

"(II) an interest in such partnership with such partnership,

"(ii) the decedent had been a shareholder in such corporation, or a partner in such partnership, at all times during the 1-year period ending on the date of such exchange, and

"(iii) either—

"(I) the value of the interest in such note or evidence of indebtedness is equal to 20 percent or more of the value of such corporation or partnership (determined by treating the interest in such note or evidence of indebtedness as a liability of such corporation or partnership), or

"(II) such corporation or partnership is described in subparagraph (B)(ii), (C)(ii), or (E);

"(G) in the case of a note or other evidence of indebtedness which meets the requirements of paragraph (2)(F), that portion of an interest in such note or evidence of indebtedness issued by a corporation or partnership which bears the same relationship to the interest in such note or evidence of indebtedness included in the estate of the decedent as the value of any interest in another partnership or stock in another corporation which—

"(i) was owned by (or treated by the application of paragraph (2)(C) as owned by) such partnership or corporation on the day before the date on which the decedent acquired such note from such partnership or corporation, and

"(ii) was treated by the application of paragraph (2)(C) as owned by the decedent on the day before the date of such acquisition,

bears to the value of all assets of such partnership or corporation which the decedent was treated as owning (by the application of paragraph (2)(C)) on the day before the date of such acquisition;

"(H) an interest in a note or other evidence of indebtedness issued by a corporation or partnership before the date which is 1 year prior to the date of death of the decedent, but only if—

"(i) such note or evidence of indebtedness is acquired by the decedent in an exchange of money or other property with such partnership or corporation (other than an exchange described in subparagraph (F)(i) or paragraph (2)(F)(ii)),

"(ii) an interest in such partnership or corporation—

"(I) is described in subparagraph (B), (C), (D), or (E) and included in determining the gross estate of the decedent, or

"(II) is described in clauses (i), (ii), and (iii) of subparagraph (D), and

"(iii) such money or other property is used—

"(I) in the case of a note or evidence of indebtedness issued by any partnership or corporation described in subparagraph (B), (C), or (E), by the partnership or corporation described in such subparagraph in carrying on its trade or business, or

"(II) in the case of a note or evidence of indebtedness issued by any partnership or corporation described in subparagraph (D), by the partnership or corporation described in clauses (i), (ii), and (iii) of subparagraph (D) in carrying on its trade or business;

"(I) an overriding royalty interest, a net profits interest, or other nonoperating interest in minerals which was acquired by the decedent in exchange for—

"(i) services rendered by the decedent in determining the location of such minerals, in acquiring such minerals, or in acquiring a lease of such minerals, or

"(ii) an operating interest in such minerals; or

"(J) an interest in an asset which—

"(i) is leased to, or used by, a corporation or partnership described in subparagraph (B), (C), or (E) or clauses (i), (ii), and (iii) of subparagraph (D), and

"(ii) is used by such corporation or partnership in carrying on the trade or business of such corporation or partnership throughout the 1-year period ending on the date of death of the decedent.".

(b) ATTRIBUTION RULES AND OTHER SPECIAL RULES.—

(1) ATTRIBUTION RULES.—Paragraph (2) of section 6166 of such Code (relating to rules for applying paragraph (1)) is amended to read as follows:

"(2) RULES FOR APPLYING PARAGRAPH (1).—For purposes of paragraph (1)—

"(A) TIME FOR DETERMINATIONS.—Except as otherwise provided in paragraph (1), determinations shall be made as of the time immediately before the death of the decedent.

"(B) NUMERICAL REQUIREMENTS FOR PARTNERSHIPS AND CORPORATIONS.—For purposes of subparagraphs (B)(ii) and (C)(ii) of paragraph (1), all stock and partnership interests held by or (after application of subparagraph (C)) treated as held by—

"(i) an individual,

"(ii) a member of the family of such individual (within the meaning of section 267(c)(4)),

"(iii) the spouse or surviving spouse of an individual described in clause (ii), or

"(iv) the estate of an individual described in clause (ii) or (iii),

shall be treated as owned by one shareholder or one partner, as the case may be.

"(C) INDIRECT OWNERSHIP.—

"(i) IN GENERAL.—Property owned, directly or indirectly, by or for a corporation, partnership, estate, or trust shall be considered as being owned proportionately by or for its shareholders, partners, or beneficiaries.

"(ii) SUCCESSIVE APPLICATION.—Property treated as owned by a person by reason of the application of clause (i) shall be treated as owned by such person for purposes of again applying clause (i) in order to treat another person as the owner of such property.

"(iii) BENEFICIARY.—For purposes of this subparagraph, a person shall be treated as a beneficiary of any trust only if such person has a present interest in the trust.

"(D) PERCENTAGE OWNERSHIP REQUIREMENTS FOR PARTNERSHIPS AND CORPORATIONS.—For purposes of subparagraphs (B)(i) and (C)(i) of paragraph (1), all stock and all partnership interests held by or (after the application of subparagraph (C)) treated as held by—

"(i) the decedent,

"(ii) a member of the family of the decedent (within the meaning of section 267(c)(4)),

"(iii) the spouse or surviving spouse of an individual described in clause (ii), or

"(iv) the estate of an individual described in clause (ii) or (iii),

shall be treated as owned by the decedent.

"(E) INTERESTS ATTRIBUTED TO DECEDENT INCLUDED IN GROSS ESTATE.—For purposes of subparagraph (B)(i) and (C)(i) of paragraph (1), any interest treated as owned by the decedent by reason of this paragraph shall be treated as included in determining the gross estate of such decedent.

"(F) REQUIREMENTS FOR HOLDING COMPANY BUY-OUT NOTES.—A note or other evidence of indebtedness meets the requirements of this subparagraph if—

"(i) such note or evidence of indebtedness was issued by a partnership or corporation,

"(ii) such note or evidence of indebtedness had been acquired by the decedent in an exchange of—

"(I) stock of such corporation with such corporation, or

"(II) an interest in such partnership with such partnership,

"(iii) the decedent had been a shareholder in such corporation, or a partner in such partnership, at all times during the 1-year period ending on the date of such exchange, and

"(iv) either—

"(I) the value of the interest of the decedent in such note or evidence of indebtedness is equal to 20 percent or more of the value (determined at the time of decedent's death) of the partnership or corporation described in clauses (i) and (ii) of paragraph (1)(G), or

"(II) the partnership or corporation described in clauses (i) and (ii) of paragraph (1)(G) is described in subparagraph (B)(ii), (C)(ii), or (E) at the time of decedent's death.".

(2) CERTAIN ITEMS FOR WHICH MARITAL DEDUCTION WAS ALLOWED; CERTAIN CONTRIBUTIONS.—Subsection (b) of section 6166 of such Code (relating to definitions and special rules) is amended by striking out paragraph (7) and inserting in lieu thereof the following new paragraphs:

"(7) CERTAIN ITEMS FOR WHICH MARITAL DEDUCTION PREVIOUSLY ALLOWED.—Any item included in the value of the gross estate of the decedent under section 2044 shall be treated as included in determining the gross estate of the decedent for purposes of this section.

"(8) CERTAIN CONTRIBUTIONS NOT USED IN CLOSELY HELD BUSINESS.—For purposes of this section, the value of an interest in a closely held business described in subparagraph (B), (C), (D), or (E) of paragraph (1) shall not include the value of any property or money which—

"(A) is contributed—

"(i) in the case of an interest in a closely held business described in subparagraph (B), (C), or (E) of paragraph (1), to the corporation or partnership described in such subparagraph by or on behalf of the decedent, or

"(ii) in the case of an interest in a closely held business described in paragraph (1)(D), to the corporation or partnership described in clauses (i), (ii), and (iii) of paragraph (1)(D) by or on behalf of—

"(I) the decedent, or

"(II) the corporation or partnership described in subsection (b)(1)(D) (any interest in or stock of which is included in determining the gross estate of the decedent), and

"(B) is not used by the recipient corporation or partnership in carrying on the trade or business of such corporation or partnership throughout the 1-year period ending on the date of death of the decedent.".

(c) INTERESTS IN 2 OR MORE CLOSELY HELD BUSINESSES.—Subsection (c) of section 6166 of such Code (relating to special rule for interests in 2 or more closely held businesses) is amended to read as follows:

"(c) SPECIAL RULE FOR INTERESTS IN 2 OR MORE CLOSELY HELD BUSINESSES.—For purposes of this section, interests in 2 or more closely held businesses included in determining the gross estate of the decedent, each of which—

"(1) has a value which equals or exceeds 5 percent of the adjusted gross estate of the decedent,

"(2) is described in subparagraph (A), (B)(i), (C)(i), or (E) of subsection (b)(1), or

"(3) is described in subsection (b)(1)(D), but only if the interest or stock described in clauses (i) and (ii) of subsection (b)(1)(D) is also described in subparagraph (B)(i), (C)(i), or (E) of subsection (b)(1),

shall be treated as an interest in a single closely held business.".

(d) TECHNICAL AMENDMENT.—Paragraph (3) of section 6166(b) of such Code is amended by striking out "65-percent" and inserting in lieu thereof "35-percent".

(e) EFFECTIVE DATE.—The amendments made by this section shall apply to the estates of decedents dying after December 31, 1981.

SEC. 3. ELIMINATION OF THE ACCELERATION OF ESTATE TAX PAYMENTS IN CERTAIN SITUATIONS.

(a) DISPOSITION OR WITHDRAWAL TO PAY CERTAIN DEATH TAXES AND EXPENSES.—Subparagraph (B) of section 6166(g)(1) of the Internal Revenue Code of 1954 (relating to disposition of interest) is amended to read as follows:

"(B) PAYMENT OF CERTAIN DEATH TAXES AND EXPENSES.—

"(i) IN GENERAL.—In the case of any disposition of a portion of an interest in a closely held business, or a withdrawal from such a business of money or other property attributable to such an interest, only the excess of—

"(I) the sum of the amount realized from such disposition (or the amount of money and the fair market value of other property so withdrawn) and the amount by which

such interest in the closely held business has been reduced by previous application of clause (iii), over

"(II) the aggregate amount of any taxes, interest, or expenses described in paragraph (1) or (2) of section 303(a) which are paid on or before the final date on which such payment may be made under clause (ii),

shall be treated for purposes of subparagraph (A) as disposed of or withdrawn.

"(ii) PAYMENT PERIOD.—For purposes of clause (i), the payment of any tax, interest, or expense described in paragraph (1) or (2) of section 303(a) may be made at any time prior to the date of the disposition or withdrawal described in clause (i), or after such date, but in no event shall such payment be made after the later of—

"(I) the date prescribed by subsection (a)(3) for the payment of the first installment which becomes due after the date of such disposition or withdrawal, or

"(II) the date which is 1 year after the date of such disposition or withdrawal.

"(iii) SUBSEQUENT DISPOSITIONS AND WITHDRAWALS.—For purposes of applying subparagraph (A) to any disposition of a portion of an interest in a closely held business or withdrawal from such closely held business occurring after the disposition or withdrawal described in clause (i), the interest in such closely held business shall be considered to be such interest reduced by—

"(I) the amount realized from the disposition described in clause (i), or

"(II) the amount of money and the value of other property withdrawn in the withdrawal described in clause (i),

which is not treated as disposed of or withdrawn for purposes of subparagraph (A) by reason of clause (i).".

(b) REORGANIZATIONS.—Subparagraph (C) of section 6166(g)(1) of such Code is amended to read as follows:

"(C) REORGANIZATIONS.—

"(i) IN GENERAL.—In the case of an exchange of shares of stock described in clause (ii), only that portion of the value of the shares of stock exchanged which is equal to the excess, if any, of—

"(I) the fair market value at the time of such exchange of the shares of stock exchanged, over

"(II) the fair market value at the time of such exchange of the shares of stock received in such exchange,

shall be treated for purposes of subparagraph (A) as disposed of, withdrawn, or exchanged.

"(ii) APPLICABLE EXCHANGES.—An exchange of shares of stock is described in this clause if such exchange is an exchange of stock—

"(I) to which section 355 (or so much of section 356 as relates to section 355) applies,

"(II) pursuant to a plan of reorganization described in section 368(a)(1) if the stock received would have qualified as a closely held business interest if owned by the decedent on the date of decedent's death, or

"(III) is described in section 1036.

"(iii) SUBSEQUENT DISPOSITIONS AND WITHDRAWALS.—For purposes of applying subparagraph (A) to any disposition or withdrawal occurring after the exchange of stock to which clause (i) applies, any shares of stock received in such an exchange shall be treated as an interest qualifying under subsection (a)(1).".

(c) NO DISQUALIFICATION IN CASE OF SUBSEQUENT DEATHS.—Subparagraph (D) of section 6166(g)(1) of such Code is amended—

(1) by striking out "Subparagraph (A)(i)" and inserting in lieu thereof "SUBSEQUENT TRANSFERS BY REASON OF DEATH.—Subparagraph (A)", and

(2) by striking out the second sentence thereof and inserting in lieu thereof the following new sentence: "A similar rule shall apply in the case of subsequent transfers of the property by reason of the death of such person or of a subsequent transferee.".

(d) BUY OUTS AND OTHER SPECIAL RULES.—Paragraph (1) of section 6166(g) of such Code (relating to disposition of interest) is amended by adding at the end thereof the following new subparagraphs:

"(E) CERTAIN BUY OUTS.—

"(i) IN GENERAL.—In the case of a limited exchange of shares of stock of a corporation, or of an interest in a partnership, for a note or other evidence of indebtedness, only that portion of the value of such shares of stock, or of such partnership interest, which is equal to the excess, if any, of—

"(I) the fair market value at the time of such limited exchange of such shares of stock or partnership interest, over

"(II) the face value of any note or other evidence of indebtedness issued by such corporation or partnership which is received in such limited exchange,

shall be treated for purposes of subparagraph (A) as disposed of, withdrawn, or exchanged.

"(ii) SUBSEQUENT DISPOSITIONS AND WITHDRAWALS.—For purposes of applying subparagraph (A) to any disposition or withdrawal occurring after the limited exchange described in clause (i), any note or other evidence of indebtedness received in such a limited exchange shall be treated as an interest qualifying under subsection (a)(1).

"(F) LIMITED EXCHANGE.—For purposes of this paragraph, the term 'limited exchange' means an exchange of—

"(i) shares of stock of a corporation with—

"(I) such corporation, or

"(II) if such corporation guarantees any note or evidence of indebtedness received in such exchange, any shareholder or employee of such corporation who was a shareholder or employee of such corporation at all times during the period beginning 1 year prior to the date of death of the decedent and ending on the date of such exchange, or

"(ii) an interest in a partnership with—

"(I) such partnership, or

"(II) if such partnership guarantees any note or evidence of indebtedness received in such exchange, any partner in, or employee of, such partnership who was a partner in, or employee of, such partnership at all times during the period beginning 1 year prior to the date of death of the decedent and ending on the date of such exchange.

For purposes of this subparagraph, the term 'employee' has the meaning given such term in paragraph (1) or (2) of section 3121(d).

"(G) SPECIAL RULES FOR NOTES.—For purposes of this paragraph—

"(i) PAYMENT OF INTEREST.—The payment of interest on any note or evidence of indebtedness described in subparagraph (F), (G), or (H) of subsection (b)(1) or subparagraph (E) of this paragraph shall not be treated as a withdrawal from a closely held business or a disposition of an interest in a closely held business.

"(ii) PAYMENT OF PRINCIPAL.—The payment of any portion of the principal on any note or evidence of indebtedness described in subparagraph (F) or (H) of subsection (b)(1) or subparagraph (E) of this paragraph shall be treated as a withdrawal from a closely held business.

"(iii) DISPOSITION OF HOLDING COMPANY BUYOUT NOTE.—If any portion of an interest in a note or other evidence of indebtedness which is described in subsection (b)(1)(G) qualifies under subsection (a)(1)—

"(I) a disposition of any interest in such note or evidence of indebtedness which was included in determining the gross estate of the decedent, or

"(II) any payment of principal attributable to an interest in such note or evidence of indebtedness included in determining the gross estate of the decedent,

shall be treated for purposes of this paragraph as a disposition of (or a withdrawal with respect to) the portion of such interest qualifying under subsection (a)(1) in an amount equal to that portion of the amount realized from such disposition (or of the amount of such payment of principal) which bears the same relationship to the amount so realized (or the amount of such payment of principal) as the relationship described in subsection (b)(1)(G).

"(iv) READILY TRADABLE NOTES.—If any note or other evidence of indebtedness described in subparagraph (F), (G), or (H) of subsection (b)(1) or subparagraph (E) of this paragraph becomes readily tradable (within the meaning of section 453(f)(5)), the entire interest qualifying under subsection (a)(1) in such note or evidence of indebtedness shall be treated as having been disposed of on the first day such note or evidence of indebtedness becomes readily tradable.

"(v) DISPOSITION BY HOLDING COMPANY OF CERTAIN ENTITY ACTIVELY CARRYING ON TRADE OR BUSINESS.—In the case of any interest in a note or other evidence of indebtedness issued by a partnership or corporation which is described in subsection (b)(1)(G) and which qualifies under subsection (a)(1)—

"(I) any disposition of any portion of the interest or the stock described in clauses (i) and (ii) of subsection (b)(1)(G) by such partnership or corporation or by any other partnership, corporation, estate, or trust through which such partnership or corporation was treated (by the application of subsection (b)(2)(C)) as owning the interest or stock described in clauses (i) and (ii) of subsection (b)(1)(G), or

"(II) any withdrawal with respect to the interest or stock described in clauses (i) and (ii) of subsection (b)(1)(G) by such partnership or corporation or by such other partnership, corporation, estate, or trust,

shall be treated for purposes of subparagraph (A) as a disposition of that portion of such note or evidence of indebtedness qualifying under subsection (a)(1) which bears the same relationship to such note or evidence of indebtedness qualifying under subsection (a)(1) as the amount realized from the disposition of such portion of the interest or stock described in clauses (i) and (ii) of subsection (b)(1)(G) (or the amount of money and the value of other property so withdrawn) bears to the fair market value (at the time immediately before such disposition or withdrawal) of the entire interest or stock described in such clauses.

"(vi) ACQUISITION OF THE ISSUER OR GUARANTOR OF A NOTE.—In the case of a note or other evidence of indebtedness which—

"(I) was acquired in an exchange of stock of a corporation, or of an interest in a partnership, described in paragraph (1)(F) or (2)(F) of subsection (b) or subparagraph (E) of this paragraph, or

"(II) was issued to the decedent by a corporation or partnership described in subsection (b)(1)(H),

the qualified acquisition of such corporation or partnership by another corporation whose stock is readily tradable and which guarantees or assumes liability on such note or evidence of indebtedness shall be treated as a disposition of the entire interest in such note or evidence of indebtedness which qualifies under subsection (a)(1).

"(vii) QUALIFIED ACQUISITION.—The term 'qualified acquisition of a corporation' means an acquisition of at least 50 percent of—

"(I) the total combined voting power of all classes of stock of such corporation which are entitled to vote,

"(II) the total value of shares of all classes of stock of such corporation, or

"(III) the fair market value (determined at the time of such acquisition) of all assets of such corporation used in carrying on the trade or business of such corporation.

"(viii) READILY TRADABLE STOCK.—Stock is readily tradable if, at the time of a qualified acquisition, there is a market for such stock on any stock exchange or in any over-the-counter market.

"(H) NOTE ISSUED BY AND ASSETS USED BY A DISPOSED CLOSELY HELD BUSINESS.—If the entire interest in a partnership, or all the stock in a corporation, described in subparagraph (B), (C), (D), or (E) of subsection (b)(1) which qualifies under subsection (a)(1) is treated under subparagraph (A) as having been disposed of (or an amount of money and other property attributable to such interest or stock and equal in value to such interest or stock is treated under subparagraph (A) as having been withdrawn from the closely held business), the entire interest in—

"(i) any note or evidence of indebtedness described in subsection (b)(1)(H) which is issued by such partnership or corporation (or by a partnership or corporation described in clauses (i), (ii), and (iii) of subsection (b)(1)(D)), and

"(ii) any asset described in subsection (b)(1)(J) which is leased to, or used by, such partnership or corporation (or the partnership or corporation described in clauses (i), (ii), and (iii) of subsection (b)(1)(D)),

shall be treated, for purposes of this paragraph, as having been disposed of or exchanged on the date on which such disposal or withdrawal of the interest in such partnership or the stock in such corporation is treated under subparagraph (A) as occurring.

"(I) INVOLUNTARY CONVERSIONS.—

"(i) CONVERSION INTO SIMILAR PROPERTY.—Subparagraph (A) shall not apply to any involuntary conversion of a portion of an interest in a closely held business which is described in section 1033(a)(1). For purposes of applying subparagraph (A) to subsequent dispositions or withdrawals, any interest in the property into which an interest in a closely held business was so converted shall be treated as an interest qualifying under subsection (a)(1).

"(ii) CONVERSION INTO OTHER PROPERTY.—In the case of an involuntary conversion of any portion of an interest in a closely held business which is described in section 1033(a)(2), only the excess, if any, of—

"(I) the amount realized on the conversion of such interest, over

"(II) the cost of qualified replacement property,

shall be treated, for purposes of subparagraph (A), as disposed of, withdrawn, or exchanged. For purposes of subsequent application of subparagraph (A), any interest in qualified replacement property shall be treated as an interest qualifying under subsection (a)(1).

"(iii) QUALIFIED REPLACEMENT PROPERTY.—For purposes of this subparagraph, the term 'qualified replacement property' means any property similar or related in service or use to the converted property which is acquired for the purpose of replacing the converted property by the executor of the estate of the decedent during the period which begins on the earliest date of the threat or imminence of requisition or condemnation and ends on the date which is 1 year after the date on which any part of the gain upon the conversion is realized.

"(J) LIKE KIND EXCHANGES.—

"(i) EXCHANGES SOLELY IN LIKE KIND.—Subparagraph (A) shall not apply to any exchange described in section 1031(a) in which an interest in a closely held business is exchanged for qualified exchange property.

"(ii) EXCHANGES NOT SOLELY IN LIKE KIND.—In the case of an exchange described in section 1031(b) in which an interest in a closely held business is exchanged, only that portion of such interest which is equal to the excess, if any, of—

"(I) the fair market value of such interest at the time of such exchange, over

"(II) the fair market value of qualified exchange property received in such exchange at the time of such exchange,

shall be treated for purposes of subparagraph (A) as disposed of, withdrawn, or exchanged.

"(iii) SUBSEQUENT DISPOSITIONS AND WITHDRAWALS.—For purposes of applying subparagraph (A) to subsequent dispositions or withdrawals, any interest in qualified exchange property shall be treated as an interest qualifying under subsection (a)(1).

"(iv) QUALIFIED EXCHANGE PROPERTY.—For purposes of this subparagraph, the term 'qualified exchange property' means property received in an exchange which, if it were the only property received in such exchange, would result in nonrecognition of gain or loss under section 1031(a).

"(K) DISPOSITION OF HOLDING COMPANY INTEREST.—If any portion of an interest in a partnership, or of stock in a corporation, which is described in subsection (b)(1)(D) qualifies under subsection (a)(1)—

"(i) a disposition of any interest in such partnership, or stock in such corporation, which was included in determining the gross estate of the decedent, or

"(ii) a withdrawal of any money or other property from such partnership or corporation attributable to any interest included in determining the gross estate of the decedent,

shall be treated for purposes of this paragraph as a disposition of (or a withdrawal with respect to) the portion of such interest or stock qualifying under subsection (a)(1) in an amount equal to that portion of the amount realized from such disposition (or of the amount of money and the value of other property so withdrawn) which bears the same relationship to the amount so realized (or so withdrawn) as the relationship described in subsection (b)(1)(D).

"(L) DISPOSITION BY HOLDING COMPANY OF CERTAIN ENTITY ACTIVELY CARRYING ON TRADE OR BUSINESS.—In the case of any interest in a partnership, or stock in a corporation, which is described in subsection (b)(1)(D) and which qualifies under subsection (a)(1)—

"(i) any disposition of any portion of an interest or of stock described in clauses (i), (ii), and (iii) of subsection (b)(1)(D) by such partnership or corporation or by any other partnership, corporation, estate, or trust through which such partnership or corporation was treated (by the application of subsection (b)(2)(C)) as owning such interest or stock described in clauses (i), (ii), and (iii) of subsection (b)(1)(D), or

"(ii) any withdrawal with respect to the interest or stock described in clauses (i), (ii), and (iii) of subsection (b)(1)(D) by such partnership or corporation or by such other partnership, corporation, estate, or trust,

shall be treated for purposes of subparagraph (A) as a disposition of that portion of such interest or stock qualifying under subsection (a)(1) which bears the same relationship to such interest or stock qualifying under subsection (a)(1) as the amount realized from the disposition of such portion of the interest or stock described in clauses (i), (ii), and (iii) of subsection (b)(1)(D) (or the amount of money and the value of other property so withdrawn) bears to the fair market value (at the time immediately before such disposition or withdrawal) of the entire interest or stock described in such clauses.".

(e) CONFORMING AMENDMENTS.—

(1) Subparagraph (A) of section 6166(g)(1) of such Code (relating to dispositions and withdrawals) is amended by striking out "(A) If" and inserting in lieu thereof "(A) IN GENERAL.—If".

(2) Paragraph (2) of section 6166(g) of such Code (relating to undistributed income of estate) is amended—

(A) by striking out "(A) If" in subparagraph (A) and inserting in lieu thereof "(A) IN GENERAL.—If", and

(B) by striking out "(B) For" in subparagraph (B) and inserting in lieu thereof "(B) UNDISTRIBUTED NET INCOME.—For".

(f) COORDINATION WITH SECTION 6166A.—

(1) DISPOSITION OR WITHDRAWAL TO PAY CERTAIN DEATH TAX AND EXPENSES.—Subparagraph (B) of section 6166A(h)(1) of such Code (relating to disposition of interest), as in effect on the day before the date of enactment of the Economic Recovery Tax Act of 1981, is amended to read as follows:

"(B) PAYMENT OF CERTAIN DEATH TAXES AND EXPENSES.—

"(i) IN GENERAL.—In the case of any disposition of a portion of an interest in a closely held business, or a withdrawal from such a business of money or other property attributable to such an interest, only the excess of—

"(I) the sum of the amount realized from such disposition (or the amount of money and the fair market value of other property so withdrawn) and the amount by which such interest in the closely held business has been reduced by previous application of clause (iii), over

"(II) the aggregate amount of any taxes, interest, or expenses described in paragraph (1) or (2) of section 303(a) which are paid on or before the final date on which such payment may be made under clause (ii),

shall be treated for purposes of subparagraph (A) as disposed of or withdrawn.

"(ii) PAYMENT PERIOD.—For purposes of clause (i), the payment of any tax, interest, or expense described in paragraph (1) or (2) of section 303(a) may be made at any time prior to the date of the disposition or withdrawal described in clause (i), or after such date, but in no event shall such payment be made after the later of—

"(I) the date prescribed by subsection (a)(3) for the payment of the first installment which becomes due after the date of such disposition or withdrawal, or

"(II) the date which is 1 year after the date of such disposition or withdrawal.

"(iii) SUBSEQUENT DISPOSITIONS AND WITHDRAWALS.—For purposes of applying subparagraph (A) to any disposition of a portion of an interest in a closely held business or withdrawal from such closely held business occurring after the disposition or withdrawal described in clause (i), the interest in such closely held business shall be considered to be such interest reduced by—

"(I) the amount realized from the disposition described in clause (i), or

"(II) the amount of money and the value of other property withdrawn in the withdrawal described in clause (i),

which is not treated as disposed of or withdrawn for purposes of subparagraph (A) by reason of clause (i).".

(2) REORGANIZATIONS.—Subparagraph (C) of section 6166A(h)(1) of such Code, as in effect on the day before the date of enactment of the Economic Recovery Tax Act of 1981, is amended to read as follows:

"(C) REORGANIZATIONS.—

"(i) IN GENERAL.—In the case of an exchange of shares of stock described in clause (ii), only that portion of the value of the shares of stock exchanged which is equal to the excess, if any, of—

"(I) the fair market value at the time of such exchange of the shares of stock exchanged, over

"(II) the fair market value at the time of such exchange of the shares of stock received in such exchange,

shall be treated for purposes of subparagraph (A) as disposed of, withdrawn, or exchanged.

"(ii) APPLICABLE EXCHANGES.—An exchange of shares of stock is described in this clause if such exchange is an exchange of stock—

"(I) to which section 355 (or so much of section 356 as relates to section 355) applies,

"(II) pursuant to a plan of reorganization described in section 368(a)(1) if the stock received would have qualified as a closely held business interest if owned by the decedent on the date of decedent's death, or

"(III) is described in section 1036.

"(iii) SUBSEQUENT DISPOSITIONS AND WITHDRAWALS.—For purposes of applying subparagraph (A) to any disposition or withdrawal occurring after the exchange of stock to which clause (i) applies, any shares of stock received in such an exchange shall be treated as an interest qualifying under subsection (a)(1).".

(3) NO DISQUALIFICATION IN CASE OF SUBSEQUENT DEATHS.—Subparagraph (D) of section 6166A(h)(1) of such Code, as in effect on the day before the date of enactment of the Economic Recovery Tax Act of 1981, is amended—

(A) by striking out "Subparagraph (A)(ii)" and inserting in lieu thereof "SUBSEQUENT TRANSFERS BY REASON OF DEATH.—Subparagraph (A)", and

(B) by adding at the end thereof the following new sentence: "A similar rule shall apply in the case of subsequent transfers of the property by reason of the death of such person or of a subsequent transferee.".

(4) BUY OUTS AND OTHER SPECIAL RULES.—Paragraph (1) of section 6166A(h) of such Code (relating to disposition of interest), as in effect on the day before the date of enactment of the Economic Recovery Tax Act of 1981, is amended by adding at the end thereof the following new subparagraphs:

"(E) CERTAIN BUY OUTS.—

"(i) IN GENERAL.—In the case of a limited exchange of shares of stock of a corporation, or of an interest in a partnership, for a note or other evidence of indebtedness, only that portion of the value of such shares of stock, or of such partnership interest, which is equal to the excess, if any, of—

"(I) the fair market value at the time of such limited exchange of such shares of stock or partnership interest, over

"(II) the face value of any note or other evidence of indebtedness issued by such corporation or partnership which is received in such limited exchange,

shall be treated for purposes of subparagraph (A) as disposed of, withdrawn, or exchanged.

"(ii) SUBSEQUENT DISPOSITIONS AND WITHDRAWALS.—For purposes of applying subparagraph (A) to any disposition or withdrawal occurring after the limited exchange described in clause (i), any note or other evidence of indebtedness received in such a limited exchange shall be treated as an interest qualifying under subsection (a)(1).

"(F) LIMITED EXCHANGE.—For purposes of this paragraph, the term 'limited exchange' means an exchange of—

"(i) shares of stock of a corporation with—

"(I) such corporation, or

"(II) if such corporation guarantees any note or evidence of indebtedness received in such exchange, any shareholder or employee of such corporation who was a shareholder or employee of such corporation at all times during the period beginning 1 year prior to the date of death of the decedent and ending on the date of such exchange, or

"(ii) an interest in a partnership with—

"(I) such partnership, or

"(II) if such partnership guarantees any note or evidence of indebtedness received in such exchange, any partner in, or employee of, such partnership who was a partner in, or employee of, such partnership at all times during the period beginning 1 year prior to the date of death of the decedent and ending on the date of such exchange.

For purposes of this subparagraph, the term 'employee' has the meaning given such term in paragraph (1) or (2) of section 3121(d).

"(G) SPECIAL RULES FOR BUY OUT NOTES.—For purposes of this paragraph—

"(i) PAYMENT OF INTEREST.—The payment of interest on any note or evidence of indebtedness described in subparagraph (E) shall not be treated as a withdrawal from a closely held business or a disposition of an interest in a closely held business.

"(ii) PAYMENT OF PRINCIPAL.—The payment of any portion of the principal on any note or evidence of indebtedness described in subparagraph (E) shall be treated as a withdrawal from a closely held business.

"(iii) READILY TRADABLE NOTES.—If any note or other evidence of indebtedness described in subparagraph (E) of this paragraph becomes readily tradable (within the meaning of section 453(f)(5)), the entire interest qualifying under subsection (a)(1) in such note or evidence of indebtedness shall be treated as having been disposed of on the first day such note or evidence of indebtedness becomes readily tradable.

"(iv) ACQUISITION OF ISSUER OR GUARANTOR OF NOTE.—In the case of a note or other evidence of indebtedness which was acquired in an exchange of stock of a corporation, or of an interest in a partnership, described in subparagraph (E), the qualified acquisition of such corporation or partnership by another corporation whose stock is readily tradable and which guarantees or assumes liability on such note or evidence of indebtedness shall be treated as a disposition of the entire interest in such note or evidence of indebtedness.

"(v) QUALIFIED ACQUISITION.—The term 'qualified acquisition of a corporation' means an acquisition of at least 50 percent of—

"(I) the total combined voting power of all classes of stock of such corporation which are entitled to vote,

"(II) the total value of shares of all classes of stock of such corporation, or

"(III) the fair market value (determined at the time of such acquisition) of all assets of such corporation used in carrying on the trade or business of such corporation.

"(vi) READILY TRADABLE STOCK.—Stock is readily tradable if, at the time of a qualified acquisition, there is a market for such stock on any stock exchange or in any over-the-counter market.

"(H) INVOLUNTARY CONVERSIONS.—

"(i) CONVERSION INTO SIMILAR PROPERTY.—Subparagraph (A) shall not apply to any involuntary conversion of a portion of an interest in a closely held business which is described in section 1033(a)(1). For purposes of applying subparagraph (A) to subsequent dispositions or withdrawals, any interest in the property into which an interest in a closely held business was so converted shall be treated as an interest qualifying under subsection (a)(1).

"(ii) CONVERSION INTO OTHER PROPERTY.—In the case of an involuntary conversion of any portion of an interest in a closely held business which is described in section 1033(a)(2), only the excess, if any, of—

"(I) the amount realized on the conversion of such interest, over

"(II) the cost of qualified replacement property,

shall be treated, for purposes of subparagraph (A), as disposed of, withdrawn, or exchanged. For purposes of subsequent application of subparagraph (A), any interest in qualified replacement property shall be treated as an interest qualifying under subsection (a)(1).

"(iii) QUALIFIED REPLACEMENT PROPERTY.—For purposes of this subparagraph, the term 'qualified replacement property' means any property similar or related in service or use to the property converted which is acquired for the purpose of replacing the converted property by the executor of the estate of the decedent during the period which begins on the earliest date of the threat or imminence of requisition or condemnation and ends on the date which is 1 year after the date on which any part of the gain upon the conversion is realized.

"(I) LIKE KIND EXCHANGES.—

"(i) EXCHANGES SOLELY IN LIKE KIND.—Subparagraph (A) shall not apply to any exchange described in section 1031(a) in which an interest in a closely held business is exchanged for qualified exchange property.

"(ii) EXCHANGES NOT SOLELY IN LIKE KIND.—In the case of an exchange described in section 1031(b) in which an interest in a closely held business is exchanged, only that portion of such interest which is equal to the excess, if any, of—

"(I) the fair market value of such interest at the time of such exchange, over

"(II) the fair market value of qualified exchange property received in such exchange at the time of such exchange,

shall be treated for purposes of subparagraph (A) as disposed of, withdrawn, or exchanged.

"(iii) SUBSEQUENT DISPOSITIONS AND WITHDRAWALS.—For purposes of applying subparagraph (A) to subsequent dispositions or withdrawals, any interest in qualified ex-

change property shall be treated as an interest qualifying under subsection (a)(1).

"(iv) QUALIFIED EXCHANGE PROPERTY.—For purposes of this subparagraph, the term 'qualified exchange property' means property received in an exchange which if it were the only property received in such exchange would result in nonrecognition of gain or loss under section 1031(a).".

(5) FAILURE TO MAKE PAYMENTS.—Paragraph (3) of section 6166A(h) of such Code (relating to failure to pay installments), as in effect on the day before the enactment of the Economic Recovery Tax Act of 1981, is amended to read as follows:

"(3) FAILURE TO MAKE PAYMENT OF PRINCIPAL OR INTEREST.—

"(A) IN GENERAL.—Except as provided in subparagraph (B), if any payment of principal or interest under this section is not paid on or before the date fixed for its payment by this section (including any extension of time), the unpaid portion of the tax payable in installments shall be paid upon notice and demand from the Secretary.

"(B) PAYMENT WITHIN 6 MONTHS.—If any payment of principal or interest under this section is not paid on or before the date determined under subparagraph (A) but is paid within 6 months of such date—

"(i) the provisions of subparagraph (A) shall not apply with respect to such payment,

"(ii) the provisions of section 6601(j) shall not apply with respect to the determination of interest on such payment, and

"(iii) there is imposed a penalty in an amount equal to the product of—

"(I) 5 percent of the amount of such payment, multiplied by

"(II) the number of months (or fractions thereof) after such date and before payment is made.

The penalty imposed under clause (iii) shall be treated in the same manner as a penalty imposed under subchapter B of chapter 68.".

(g) EFFECTIVE DATES.—

(1) IN GENERAL.—Except as provided in paragraph (2), the amendments made by this section shall apply with respect to dispositions and withdrawals made after December 31, 1981.

(2) SECTION 6166A.—The amendments made by subsection (e) shall apply to estates of decedents dying before January 1, 1982, with respect to dispositions and withdrawals made after December 31, 1981.

SEC. 4. INTEREST ON ESTATE TAX FOR WHICH PAYMENT IS EXTENDED UNDER SECTION 6166.

(a) FIXED RATE OF INTEREST.—

(1) IN GENERAL.—Paragraph (1) of section 6601(j) of the Internal Revenue Code of 1954 (relating to the 4-percent rate on certain portion of estate tax) is amended to read as follows:

"(1) IN GENERAL.—If the time for payment of an amount of tax imposed by chapter 11 is extended under section 6166, interest shall be paid (in lieu of the annual rate under subsection (a))—

"(A) at a rate of 4 percent on the 4-percent portion of such amount, and

"(B) at the qualified rate on the portion of such amount which is in excess of the 4-percent portion.".

(2) QUALIFIED RATE DEFINED.—Subsection (j) of section 6601 of such Code is amended—

(A) by striking out "4-PERCENT RATE ON CERTAIN PORTION OF" in the caption thereof and inserting in lieu thereof "INTEREST RATE ON", and

(B) by adding at the end thereof the following new paragraphs:

"(4) QUALIFIED RATE.—

"(A) IN GENERAL.—For purposes of this subsection, the term 'qualified rate' means the rate which is equal to the average yield to maturity (as determined by the Secretary) during the month of December in the calendar year preceding the calendar year in which the decedent died on all outstanding obligations of the United States that mature during the month of December in the calendar year which is 13 years after the calendar year in which the decedent died, rounded to the nearest full percentage point.

"(B) DETERMINATION OF AVERAGE YIELD.—The Secretary shall determine the average yield to maturity on obligations described in subparagraph (A) for the month of December 1971, and for each month of December thereafter. Such average yield to maturity for each month of December in the years 1971 through 1981 shall be published in the Federal Register no later than by October 1, 1982, and such average yield to maturity for the month of December 1982, and for each month of December thereafter, shall be so published no later than by March 1 of the succeeding calendar year.

"(5) DEFICIENCIES.—For purposes of this subsection, the amount of any deficiency which is prorated to installments payable under section 6166 shall be treated as an amount of tax payable in installments under such section.".

(b) ESTATE TAX DEDUCTION FOR INTEREST ON ESTATE TAXES.—

(1) IN GENERAL.—Section 2053 of such Code (relating to expenses, indebtedness, and taxes) is amended by redesignating subsection (e) as subsection (f) and inserting after subsection (d) the following new subsection:

"(e) INTEREST ON CERTAIN TAXES.—In the case of an estate which elects to pay any portion of the tax imposed by section 2001 in installments under section 6166—

"(1) IN GENERAL.—For purposes of this section, there shall be treated as an administration expense an amount of interest which the executor of such estate estimates (at such time as the Secretary shall by regulations prescribe) will be paid or will accrue on—

"(A) any portion of the tax imposed by section 2001 on such estate for which the time of payment is extended under section 6166, or

"(B) any estate, succession, legacy, or inheritance tax imposed by a State on such estate,

during the period of the extension of time for payment provided under section 6166.

"(2) ADJUSTMENT TO TAXABLE ESTATE.—Proper adjustments in the taxable estate shall be made, under regulations prescribed by the Secretary, to take into account any difference between the estimate made under paragraph (1) and the actual amount of interest paid or accrued on the taxes described in paragraph (1) during the period of the extension of time for payment provided under section 6166.".

(2) SUSPENSION OF PERIOD OF LIMITATIONS ON ASSESSMENT.—Subsection (d) of section 6503 of such Code (relating to extensions of time for payment of estate tax) is amended to read as follows:

"(d) EXTENSIONS OF TIME FOR PAYMENT OF ESTATE TAX.—

"(1) ASSESSMENTS.—The running of the period of limitations under section 6501 on the making of assessments with respect to any tax imposed by chapter 11 which are due to adjustments in the taxable estate made under section 2053(e)(2) shall be suspended for the period of any extension of time for payment granted under section 6166.

"(2) COLLECTIONS.—The running of the period of limitations under sections 6501 and 6502 for collection of any tax imposed by chapter 11 shall be suspended for the period of any extension of time for payment granted under the provisions of subsection (a)(2) or (b)(2) of section 6161 or under the provisions of section 6163 or 6166.".

(c) EFFECTIVE DATES AND SPECIAL RULES.—

(1) IN GENERAL.—Except as provided in paragraph (2), the amendments made by this section shall apply to the estates of decedents dying after December 31, 1981.

(2) CERTAIN ESTATES.—

(A) INTEREST RATE.—The amendments made by subsection (a) shall apply to estates described in subparagraph (D) with respect to amounts outstanding on January 1, 1982, or arising after such date.

(B) DEDUCTION FOR INTEREST.—The amendment made by subsection (b)(1) shall apply to estates described in subparagraph (D) with respect to estimates of interest which will accrue or be paid after December 31, 1981.

(C) ASSESSMENTS.—The amendment made by subsection (b)(2) shall apply to estates described in subparagraph (D).

(D) REQUIREMENTS.—The estate of a decedent is described in this subparagraph if—

(i) the decedent died before January 1, 1982,

(ii) the time for payment of any portion of the tax imposed by section 2001 of the Internal Revenue Code of 1954 on such estate is extended, or may be extended, under section 6166 of such Code or section 6166A of such Code (as in effect with respect to estates of decedents dying before January 1, 1982), and

(iii) the executor of such estate elects to have this paragraph apply to such estate (at such time and in such manner as the Secretary of the Treasury shall prescribe by regulations).

The executor of an estate otherwise eligible under this subparagraph to elect the application of this paragraph may elect the application of this paragraph regardless of whether such estate was allowed a deduction under subtitle A of such Code for administration expenses paid or accrued prior to January 1, 1982.

(3) EXTENSIONS UNDER SECTION 6166A.—

(A) IN GENERAL.—Except as otherwise provided in subparagraph (B), for purposes of applying sections 2053(e), 6601(j), and 6503(d) of such Code with respect to an estate described in paragraph (2)(D)—

(i) any extension of the time for payment of the tax imposed by chapter 11 of such Code under section 6166A of such Code (as in effect with respect to estates of decedents dying before January 1, 1982) shall be treated as an extension of the time for payment of such tax under section 6166 of such Code, and

(ii) any election under section 6166A of such Code shall be treated as an election under section 6166 of such Code.

(B) SPECIAL RULE FOR INTEREST RATE.—For purposes of applying subsection (j) of section 6601 of such Code with respect to an estate described in paragraph (2)(D) whose executor elected the application of section 6166A of such Code, the 4-percent portion shall be zero.

SEC. 5. DECLARATORY JUDGMENTS RELATING TO SECTION 6166.

(a) IN GENERAL.—Part IV of subchapter C of chapter 76 of the Internal Revenue Code of 1954 (relating to declaratory judgments) is amended by adding at the end thereof the following new section:

"SEC. 7479. DECLARATORY JUDGMENTS RELATING TO SECTION 6166.

"(a) IN GENERAL.—In the case of an actual controversy involving—

"(1) the extent, if any, to which an estate is eligible for the extension of time for payment of the estate tax provided by section 6166, or

"(2) whether there is an acceleration of the time for payment under section 6166(g),

upon the filing of an appropriate pleading, the Tax Court may make a declaration with respect to such issue. Any such declaration shall have the force and effect of a decision of the Tax Court and shall be reviewable as such.

"(b) LIMITATIONS.—

"(1) PETITIONER.—A pleading may be filed under this section only by the executor of the decedent's estate.

"(2) EXHAUSTION OF ADMINISTRATIVE REMEDIES.—The court shall not issue a declaratory judgment under this section unless it determines that the petitioner has exhausted all available administrative remedies within the Internal Revenue Service.

"(3) TIME FOR BRINGING ACTION.—If the Secretary sends by certified or registered mail notice of his determination of an issue described in subsection (a), no proceeding may be initiated under this section with respect to such issue unless the pleading is filed before the 91st day after the date of such mailing.

"(c) RESTRICTION ON COLLECTION AND LEVY OF ESTATE TAX.—

"(1) IN GENERAL.—Except as provided in subchapter A of chapter 70, if the executor of an estate files a petition with the Tax Court under subsection (a), no levy or proceeding in court for the collection of the tax imposed by chapter 11 on such estate shall be made, begun, or prosecuted until the decision of the Tax Court has become final (within the meaning of section 7481).

"(2) PAYMENTS UNDER SECTION 6166.—This subsection shall not apply with respect to an estate if the executor of such estate fails to make any payment of principal or interest under section 6166 on or before the date which is six months after the date on which such payment would be required under section 6166 (as determined under section 6166(g)(3)(A)) if—

"(A) in the case of a controversy involving eligibility under section 6166, such estate were eligible for the extension of time for payment under section 6166, or

"(B) in the case of a controversy involving acceleration, such acceleration did not apply to such estate.".

(b) PENALTY FOR FRIVOLOUS OR GROUNDLESS PROCEEDINGS OR PROCEEDINGS FOR DELAY.—

(1) TAX COURT.—The first sentence of section 6673 of such Code (relating to damages assessable by instituting proceedings before the Tax Court merely for delay) is amended to read as follows: "Whenever it appears to the Tax Court that proceedings before it have been instituted or maintained by the taxpayer primarily for delay or that the taxpayer's position in such proceedings is frivolous or groundless, damages in an amount not in excess of $2,500 shall be awarded to the United States by the Tax Court in its decision.".

(2) APPEALS.—Paragraph (4) of section 7482 (c) of such Code (relating to imposition of damages) is amended to read as follows:

"(4) TO IMPOSE DAMAGES.—The United States Court of Appeals and the Supreme Court shall have the power to impose damages in any case in which the decision of the Tax Court is affirmed and it appears that the notice of appeal was filed primarily for delay or that the taxpayer's position in such appeal was frivolous or groundless.".

(c) ADDITION TO ESTATE TAX FOR AMOUNT OF PAYMENT WHICH TAX COURT DETERMINES IS NOT EXTENDED OR IS ACCELERATED UNDER SECTION 6166.—

(1) NEGLIGENCE OR INTENTIONAL DISREGARD OF RULES AND REGULATIONS.—Paragraph (1) of section 6653(a) of such Code (relating to negligence or intentional disregard of rules and regulations) is amended to read as follows:

"(1) IN GENERAL.—If any part of—

"(A) any underpayment (as defined in subsection (c)(1)(A)) of any tax imposed by subtitle A, by chapter 12, or by chapter 45, or

"(B) any underpayment (as defined in subsection (c)(1)(B)) of any tax imposed under chapter 11,

is due to negligence or intentional disregard of rules or regulations (but without intent to defraud), there shall be added to the tax an amount equal to 5 percent of the underpayment.".

(2) UNDERPAYMENT DEFINED.—Paragraph (1) of section 6653(c) of such Code (relating to underpayment) is amended to read as follows:

"(1) INCOME, ESTATE, GIFT, AND CERTAIN EXCISE TAXES.—

"(A) DEFICIENCY.—In the case of a tax to which section 6211 (relating to income, estate, gift, and certain excise taxes) is applicable, a deficiency as defined in that section (except that, for this purpose, the tax shown on a return referred to in section 6211(a)(1)(A) shall be taken into account only if such return was filed on or before the last day prescribed for the filing of such return, determined with regard to any extension of time for such filing), and

"(B) PAYMENT OF ESTATE TAX.—That portion of the tax imposed under chapter 11—

"(i) which is not paid on the date prescribed by section 6151(a) for the payment of such tax (including any extensions of time granted by the Secretary), and

"(ii) with respect to which there is a determination in a decision of the Tax Court under section 7479 which has become final (within the meaning of section 7481) that the time for payment of such portion—

"(I) is not extended under section 6166(a), or

"(II) is accelerated under section 6166(g), and".

(d) CONFORMING AMENDMENTS.—

(1) Subsection (c) of section 7456 of such Code (relating to Tax Court commissioners) is amended by striking out "and 7478" and inserting in lieu thereof "7478, and 7479".

(2) Paragraph (1) of section 7482(b) of such Code (relating to venue) is amended—

(A) by striking out "or" at the end of subparagraph (D),

(B) by striking out the period at the end of subparagraph (E) and inserting in lieu thereof ", or",

(C) by inserting after subparagraph (E) the following new subparagraph:

"(F) in the case of an executor of the estate of a decedent seeking a declaratory decision under section 7479, the legal residence of the decedent.", and

(D) by striking out "or 7477" in the last sentence thereof and inserting in lieu thereof "7477, or 7479".

(3) Subsection (a) of section 7485 (relating to bond to stay assessment and collection) is amended to read as follows:

"(a) UPON NOTICE OF APPEAL.—Notwithstanding any provision of law imposing restrictions on the assessment and collection of taxes, the review under section 7483 shall not operate as a stay of assessment or collection of any portion of the amount of the deficiency determined by the Tax Court (or of any portion of estate tax for which the Tax Court determines the time for payment is not extended under section 6166 or is accelerated under section 6166(g)) unless a notice of appeal in respect of such portion is duly filed by the taxpayer, and then only if the taxpayer—

"(1) on or before the time his notice of appeal is filed, has filed with the Tax Court a bond in a sum fixed by the Tax Court not exceeding double the amount of such portion in respect of which the notice of appeal is filed, and with surety approved by the Tax Court, conditioned upon the payment of the deficiency (or of such portion of estate tax) as finally determined, together with any interest, additional amounts, or additions to the tax provided for by law, or

"(2) has filed a jeopardy bond under the income or estate tax laws.

If as a result of a waiver of the restrictions on the assessment and collection of a deficiency (or of such portion of estate tax) any part of the amount determined by the Tax Court is paid after the filing of the appeal bond, such bond shall, at the request of the taxpayer, be proportionately reduced.".

(4) Paragraph (1) of section 6503(d) of such Code (relating to extensions of time for payment of estate tax), as amended by section 4(b)(2) of this Act, is amended to read as follows:

"(1) ASSESSMENTS.—The running of the period of limitations under section 6501 on the making of assessments with respect to any tax imposed by chapter 11 which are due to—

"(A) adjustments in the taxable estate made under section 2053(e)(2), or

"(B) additions to tax made under section 6653 with respect to an underpayment (within the meaning of section 6653(c)(1)(B)(ii)(II)),

shall be suspended for the period of any extension of time for payment granted under section 6166.".

(5) Subsection (a) of section 6653 of such Code (relating to failure to pay tax) is amended by striking out "Income, Gift, or Windfall Profit" in the caption thereof and inserting in lieu thereof "Certain".

(6) The table of sections for part IV of subchapter C of chapter 76 of such Code is amended by adding at the end thereof the following new item:

"Sec. 7479. Declaratory judgments relating to section 6166.".

(e) EFFECTIVE DATES AND SPECIAL RULE.—

(1) DECLARATORY JUDGMENT.—

(A) IN GENERAL.—Except as provided in subparagraph (B), the amendment made by subsection (a) shall apply with respect to the estates of decedents dying after December 31, 1982.

(B) ACCELERATION.—In the case of an actual controversy with respect to whether there is acceleration under section 6166(g) or 6166A(h) of such Code, the amendment made by subsection (a) shall apply with re-

spect to dispositions and withdrawals made after December 31, 1982.

(2) TAX COURT PENALTY.—The amendment made by subsection (b)(1) shall apply to pleadings filed with the Tax Court after the date of enactment of this Act.

(3) APPEALS FROM TAX COURT.—The amendments made by subsection (b)(2) and paragraphs (2) and (3) of subsection (d) shall apply with respect to notices of appeal filed after the date of enactment of this Act.

(4) ADDITION TO ESTATE TAX; CERTAIN CONFORMING AMENDMENTS.—The amendments made by subsection (c) and paragraphs (1) and (4) of subsection (d) shall take effect on the date of enactment of this Act.

(5) EXTENSIONS UNDER SECTION 6166A.—For purposes of applying sections 6653, 7479, and 7485 of such Code, an actual controversy involving acceleration of the time for payment under section 6166A(h) of such Code (as in effect with respect to estates of decedents dying before January 1, 1983) shall be treated as an actual controversy involving acceleration of the time for payment under section 6166(g) of such Code.

By Mr. SYMMS (for himself, Mr. MCCLURE, Mr. ARMSTRONG, Mr. JEPSEN, Mr. BOREN, Mr. HELMS, Mr. GRASSLEY, Mr. WALLOP, Mr. TOWER, Mr. GARN, Mr. THURMOND, Mr. HEFLIN, Mr. PRYOR, and Mr. MURKOWSKI):

S. 1252. A bill to amend the Internal Revenue Code of 1954 to repeal the tax on generation-skipping transfers; to the Committee on Finance.

REPEAL OF TAX ON GENERATION-SKIPPING TRANSFERS

Mr. SYMMS. Mr. President, could you imagine a tax being imposed that nobody could understand; that costs the private sector hundreds of thousands of dollars to try to understand and implement; for which the IRS has not yet published key regulations which are essential to understanding and implementing the law; which costs the Government more to administer than it is supposed to collect; which has not yet collected one red cent; and which the Department of the Treasury now admits is totally unworkable? Does this sound like a tax that would be imposed by the Duchy of Fenwick? No, it is a tax that is supposed to be imposed by the U.S. Department of the Treasury and which has been on the books since it was thrown into the 1976 Tax Reform Act during a 2 a.m. conference session.

What is this tax? It is the generation-skipping transfer tax, and it is time for it to be repealed.

The generation-skipping transfer tax is extremely complex and costly to administer. It is, in fact, so complex that even the most knowledgeable individual or corporate fiduciaries, insurance people, accountants, and attorneys, all of whom are affected by this tax, are finding it extremely difficult to interpret or apply.

The generation-skipping transfer tax can never be defended on revenue grounds. According to the Joint Tax Committee, this tax is projected to have no revenue effect in its early years and they hope to generate $400 million of revenue to the Treasury in its 20th year. However, the private sector has spent hundreds of thousands of dollars in attempting to understand and implement the law and to no avail. Two volumes, each the size of the yellow pages, have been published in an attempt to comprehend the law. Clearly, the tax is regressive since it does not collect any revenue but is costing the private sector significant sums of money to try and comply with the law.

While the generation-skipping transfer tax cannot be defended on revenue grounds, neither can it be defended on the ground that the statute can be made to work. There are numerous, complicated, analytical steps that must be followed in order to determine whether any amounts are held in trust that will be subject to the generation-skipping transfer tax. This analytical process often results in an unexpected and inequitable application of the tax.

There are at least 14 key defined terms to master under chapter 13, as well as a handful of other terms not actually defined, but nevertheless, essential to the operation of the statute. As if this were not enough the generation-skipping transfer tax has no antecedent in prior law, meaning that an estate planner's comprehension of Federal estate and gift tax concepts is of little value when grappling with chapter 13.

Furthermore, significant portions of the tax relating to generation-skipping transfer taxation are not in the statute and remain to be written. In particular, there are eight places on the face of chapter 13 where important rulemaking authority is delegated to the Secretary and, for good measure, there is a ninth resort to the Secretary, this one for information as opposed to rulemaking. None of these nine delegations has been discharged by issuance of final regulations, even though the first date upon which a taxable generation-skipping transfer may have occurred was June 12, 1976.

There are many complex provisions in the Internal Revenue Code, but perhaps none of such wide-ranging application as those relating to the generation-skipping transfer tax. Even to the few attorneys who enjoy the status of expert in estate planning affairs, chapter 13 presents difficulties which are insurmountable.

As an example, according to a survey done at an American Bar Association nationwide meeting, only one attorney thought he comprehended most of the statute. Furthermore, the American Bar Association recently endorsed repeal of the generation-skipping transfer tax at their 1981 annual meeting.

It is important to note that the question of complexity extends far beyond wills and trusts and those who prepare and sign them. Chapter 13 applies also to a broad range of so-called trust equivalents, arrangements which, while not generation-skipping trusts, are deemed to have substantially the same effect as a generation-skipping trust. (IRC S2611(d)(1).)

Practitioners were surprised to learn that in recently issued proposed regulations both estates and custodianships under Uniform Gifts to Minors Acts are considered by the Treasury Department to be among the trust equivalent arrangements to which chapter 13 applies. These arrangements are so commonplace, so fixed in character, so finite in duration, and so far removed from the sort of conduct to which chapter 13 is directed that extension of the generation-skipping transfer tax rules to these devices is sure to result in the uninformed failure to comply with chapter 13 on a grand scale.

The foregoing indicates to many a clear and present danger to this country's voluntary compliance tax system. On the one hand, many will fail to comply with the requirements of chapter 13 simply out of ignorance. On the other hand, some will be encouraged to ignore chapter 13 in the belief that it is impossible for the Government to effectively enforce the tax and that, even in the event that a failure to comply is discovered, a plea of ignorance may appear to have sufficient validity to forestall the application of the penalty provisions.

If the Federal Government is to police the tax effectively, it must devise a system to keep track of all trust beneficiaries and all trustees under the hundreds of thousands of generation-skipping trusts in existence. It must know when and how much property is added to all preexisting trusts in order to determine the extent to which existing trusts have become subject under chapter 13. It must know when and in what fashion powers of appointment are exercised under generation-skipping trusts, and when interests or powers under such trusts are disclaimed or assigned.

In addition, the Federal Government must stockpile similar information as to the multiple of trust equivalent arrangements subject to the tax. Moreover, the Federal Government must acquire and store gift and estate tax information as to every person classified as a deemed transfer with respect to any generation-skipping transfer and must be prepared to supply that information to each form 706-B tax return preparer upon request.

The incredible amount of information that is required would seem to be beyond the storage capacity of any known computer. Even with active help from the taxpaying community, the collection and constant updating

of the required data is an exercise the magnitude of which boggles the mind. Proper staffing to administer and collect the generation-skipping transfer tax would have to be immense. Given the complexity of chapter 13, the training process alone seems overwhelming, and the number of civil servants needed to receive, analyze, store, sort, and respond to the required chapter 13 information would have to be staggering.

Clearly, the generation-skipping transfer tax reinforces the notion that the Government not only wants to collect revenue but that the Government is trying to punish the taxpayers in the process. And, in this case, no revenues have yet been collected.

The only time that the tax might work is if every individual in the estate plan dies in order. If an individual dies out of order, then the wrong generation might be taxed. I know in the years that I have served as a Member of Congress, that the Congress has been able to do many things but there is one thing I am sure of and that is that Congress will never be able to make individuals understand or comply with this law, and more important, I do not believe that we will ever be able to make people die in order.

Mr. President, I would like to ask unanimous consent that the bill be reprinted in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

SECTION 1. REPEAL OF CHAPTER 13.

(a) IN GENERAL.—Subtitle B of the Internal Revenue Code of 1954 is amended by striking out chapter 13 (relating to tax on certain generation-skipping transfers).

(b) CONFORMING CHANGES.—

(1) Section 303 of such Code (relating to distribution or redemption of stock to pay death tax) is amended by striking out subsection (c).

(2) Subsection (c) of section 691 of such Code (relating to deduction for estate tax) is amended by striking out paragraph (3) and by redesignating paragraphs (4) and (5) as (3) and (4), respectively.

(3) Section 2013 of such Code (relating to credit for tax on prior transfers) is amended by striking out subsection (g).

(4) Section 667 of such Code (relating to tax on accumulation distribution) is amended by striking out paragraph (6) of subsection (b).

(5) The analysis chapters for subtitle B of the Internal Revenue Code of 1954 is amended by striking out the item relating to Chapter 13.

(6) The first sentence of subsection (a) of section 7517 of such Code (relating to furnishing on request of statement explaining estate or gift tax valuation) is amended to read as follows: "If the Secretary makes a determination or a proposed determination of the value of an item of property for purposes of the tax imposed under chapter 11 or 12, he shall furnish the written request of the executor or donor (as the case may be) a written statement containing the material required by subsection (b) to such excutor or donor.".

(c) ADDITIONAL TECHNICAL AND CONFORMING CHANGES.—The Secretary of the Treasury shall, within 90 days after the date of enactment of this Act, submit to the Committee on Ways and Means of the House of Representatives, and to the Committee on Finance of the Senate, a draft of any technical and conforming changes in the Internal Revenue Code of 1954 which are necessary to reflect throughout such Code the changes in the substantive provisions of law made by this Act.

SEC. 2. EFFECTIVE DATE.

The amendments made by section 1 shall take effect on October 4, 1976, but apply to any generation-skipping transfer (within the meaning of section 2611(a) of the Internal Revenue Code of 1954) made after June 11, 1976 and refund claims with respect to such transfers filed within two years after the date of enactment of this Act shall be allowed with interest.

By Mr. HART (for himself, Mr. HEINZ, and Mr. CRANSTON):

S. 1253. A bill to authorize negotiations directed toward opening foreign markets to U.S. exports of high-technology products and for other purposes; to the Committee on Finance.

HIGH TECHNOLOGY TRADE ACT OF 1983

● Mr. HART. Mr. President, I am today introducing the High Technology Trade Act of 1983. This legislation addresses an issue of paramount importance to America's economic future—the strength and international competitiveness of our high technology industries. This bill focuses on high technology for a simple, yet profound, reason: High technology today, like steel before it, is seminal—it will provide the key technological infrastructure on which our future economy will be built.

I introduced this bill 1 year ago, in April 1982, and was gratified to see that its major provisions were incorporated into the Reciprocal Trade and Investment Act both last year and this year. I am reintroducing it because the need to deal constructively and head-on with the problems and challenges confronting our high-technology industries are, if anything, greater today than they were 1 year ago.

The bill has three major provisions. First, it authorizes the President to negotiate bilaterally or multilaterally, on high-technology trade and investment issues. Second, it affirms our commitment to national treatment in trade and investment. And third, it establishes a system to monitor and report on practices which distort trade and investment flows and to offer proposed remedies.

Before discussing the specific provisions of the bill in more detail, I would like to make two general points about it:

First, this bill seeks across-the-board elimination of barriers for a broad range of high-technology products. It tells the President to use the trade tools at his disposal to resolve disputes, rather than to close markets which exacerbate them. And it is farsighted; negotiating from today's leadership position will be much less costly than more intrusive Government intervention should we fall behind.

Second, the bill, by itself, will not insure the future health and growth of our high-technology industries. Important as international issues are, our responses to these industries' domestic needs—for increased capital formation, adequate R&D channels and opportunities, and adequate numbers of trained scientists and engineers—will be vitally important as well.

NEED FOR THE BILL

America is engaged in a global economic contest of great risk but high promise. The arena is trade. In it, our major commercial rivals are also our most important political allies. From it can come either prosperity for all participants or failure and global depression. America's choice of policies will be crucial to the outcome.

Over two centuries ago. Tom Paine could exult that America was remote "from all the wrangling world." In place of that isolation, we are now inextricably engaged in the international economy. We are the strongest competitor, but that position is being fiercely challenged. We can no longer produce all that we need nor absorb at home all that we produce. We must have other markets and other suppliers, and we must have a strategy to insure a growing global marketplace and an expanding American portion of the commerce in it.

We need this bill now because: First, high-technology industries are critical to our economy's future; second, their growth is hindered by restrictive trade and investment barriers abroad; and third, the Special Trade Representative must have negotiating authority to insure that GATT provisions keep pace with rapid developments in this area.

As I have repeatedly emphasized, most recently in my book, "A New Democracy," high technology is transforming our economy—bringing a depth, scope, and magnitude of structural change comparable to the change brought by the industrial revolution.

The high-technology sector itself will grow tremendously in the next decade. Even more important, however, is the role high-technology products—semiconductors, robots, microchips, computer-aided manufacturing systems—will play in revitalizing our traditional manufacturing industries. By greatly boosting productivity, high-technology products can transform manufacturing industries into modern, efficient, international competitors.

But our high-technology industries will not survive, let alone thrive, if they are unable to compete effectively in a free, open, international trading

environment. Today, restrictions on U.S. access to foreign markets and other forms of intervention by foreign governments reduce our ability to compete.

The bill's focus on high technology is not at odds with the GATT framework. The civil aircraft case provides a strong precedent of multilateral agreement on a sectoral issue achieved within GATT. That agreement was directed at eliminating the adverse effects of a myriad of trade-distorting measures, encouraging continual worldwide innovation, and insuring that producers of all signatory nations are provided fair and equal competitive opportunities. The high-technology sector is an even stronger candidate for international negotiation and agreement.

Thus, although I believe a sectoral approach to most international trade problems is neither necessary nor appropriate, a sectoral focus is the most effective approach to current high-technology trade issues.

PROVISIONS OF THE BILL

First, the bill authorizes a mandate for major new international negotiations to open markets for U.S. high-technology trade and investment, and provides the means for implementing any agreement. In short, new tariff negotiating authority is granted with respect to high-technology products. Existing trade laws provide a range of remedies to deal with unreasonable or unjustifiable foreign practices. However, the bill adds important flexibility to amicable and prompt international settlement of trade distortions that result from foreign governments' industrial policies. The bill also covers investment-related issues not covered by existing law, and should help avoid the need to take ill-advised trade actions in response to investment restrictions abroad.

Specifically, the bill authorizes the President to enter into bilateral or multilateral agreements to address specific problem areas: Discriminatory public and private procurement; reduction and elimination of tariffs; national treatment of investment; access to joint research opportunities and results; the free flow of nonstrategic technology; and the monitoring of trade and investment activities. To carry out these agreements, the President may modify tariff treatment or submit proposed changes in U.S. laws to Congress.

By expanding the scope of Presidential response and allowing the President to address a wider range of unfair market barriers, such agreements should help insure the maintenance of the consensus achieved through mutual concessions which forms the foundation of GATT. Such bilateral agreements should be the stepping stone to establishment of a comprehensive multilateral framework for dealing with high-technology issues.

The second major provision—"national treatment"—essentially provides for U.S. firms operating in a foreign country to receive treatment equivalent to domestic firms. This is a widely advocated objective. The report of the Japan-United States Economic Relations Group recommended that U.S. production affiliates in Japan should "* * * be allowed by the respective governments to participate in government research and development and procurements on the basis of equal national treatment." National treatment extends to all areas, including access to capital markets and ability to recruit engineering talent. The joint economic semiconductor study stated forcefully: "In electronics, open trade will require open borders and national treatment for foreign companies. The alternative is, simply, a fruitless segmentation of world markets and endless international trade conflict."

Finally, the bill contains a number of monitoring and reporting requirements. The Secretary of Commerce is directed to report annually to Congress, describing any policies of developed or advanced developing countries that significantly distort trade and investment flows and harm U.S. high-technology industries. It would also describe steps the administration proposes to take to remedy the adverse effects of those measures and of dumping or subsidization. The act's implementation will be monitored by the Secretary of Commerce who will report to the President on trade and investment levels and conditions of competition and market conditions. Such monitoring is strongly recommended in the 1982 Annual Report of the Joint Economic Committee: "* * * it is vital that the U.S. Government * * * become fully equipped to monitor developments in world semiconductor markets, especially Japan."

The bill in no respect requires the U.S. Government to depart from strict adherence to international obligations of the United States. U.S. trade laws provide the domestic means for the President to take action pursuant to U.S. rights under international agreements. While these rights do not always provide the means to solve international disputes, the measures authorized under the bill are discretionary and can be used solely in conformity with international agreements.

It is clear that the strength and vitality of the U.S. economy will depend significantly on the health of our high-technology industries. We must move toward an international trade and investment system that provides them the maximum opportunity for continued innovation and growth. This bill will help provide such a system, thereby meeting the dual objectives of helping to insure the continued health of high-technology industries and helping to strengthen and protect the multilateral GATT trading system.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows;

S. 1253

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "High Technology Trade Act of 1982".

SEC. 2. FINDINGS AND PURPOSE.

(a) FINDINGS.—The Congress finds that—

(1) the growth and maintenance of an open world economy for trade and investment is in the national interest and in the interest of the United States high technology industries;

(2) international competition in high technology products is increasingly characterized by a high degree of government intervention through central planning joint establishment of industrial objectives, subsidization, anticompetitive practices tolerated or fostered by government policy, denial of national treatment, nontariff and tariff barriers, investment performance requirements, access to preferential financing, and sponsorship of limited-access joint research projects;

(3) the strength, vitality, and innovativeness of United States high technology industries are essential to the national security and the national defense, the future development of the United States, economy, and the competitiveness of United States industry in international trade; and

(4) domestic policies play a critical role in determining the international competitiveness of United States high technology companies, and therefore the United States should take into account the importance of providing a favorable domestic economic environment for United States high technology industries in order to preserve United States international competitiveness.

(b) PURPOSES.—The purposes of this Act are—

(1) to obtain and preserve the maximum openness with respect to international trade and investment in high technology, and

(2) to strengthen the international trading system as embodied in the General Agreement on Tariffs and Trade and related agreements.

SEC. 3. NEGOTIATING MANDATE.

(a) PRESIDENTIAL AUTHORITY.—The President is authorized to enter into such bilateral or multilateral agreements as may be necessary or appropriate to achieve the purposes of this Act.

(b) AGREEMENTS.—Agreements under this Act may include, but need not be limited to—

(1) a commitment that official policy of signatory countries will not discourage government or private procurement of foreign high technology products or services;

(2) the reduction and elimination of all tariffs on, and other barriers to, imports of high technology products, including, but not limited to—

(A) the acceleration of the full concession tariff rates on high technology products agreed to during the Tokyo Round of trade negotiations; and

(B) the elimination of any tariff which on the date of enactment of this Act is 5 percent ad valorem (or ad valorem equivalent) or less;

(3) a commitment to provide national treatment;

(4) a commitment to foster the pursuit of joint sceintific cooperation by companies of signatory countries through such measures as financial participation, and technical and personnel exchanges, in areas of mutual interest; and

(5) a commitment—

(A) to guarantee participation by business entities of signatory countries in industry or industry and government-sponsored cooperative research and development projects and access to the results of such projects, and

(B) not to interfere with the outward flow of nonstrategic technology.

(c) ACTIONS BY PRESIDENT TO CARRY OUT AGREEMENTS.—In order to carry out any agreement concluded under this Act, the President is authorized with respect to products which he deems to be high technology products—

(1) to proclaim, pursuant to the procedures governing tariff agreements in title I of the Trade Act of 1974, such modification of continuance of any existing duty-free or excise treatment, or such additional duties, as he determines to be required or appropriate; and

(2) to utilize the procedures contained in sections 102 and 151 of the Trade Act of 1974 (and corresponding provisions of law) in the event that changes in United States laws are required or appropriate.

(d) CHANGES IN LAW.—The President is authorized to include in any agreement concluded under this Act commitments to make changes in United States laws, regulations, and policies that are considered necessary and appropriate to ensure the continued competitiveness in open international markets of the United States high technology industries. Such changes shall be considered by Congress as provided in subsection (c)(2) of this section.

SEC. 4. ADDITIONAL ACTIONS TO OBTAIN FOREIGN MARKET ACCESS.

(a) DETERMINATIONS BY PRESIDENT REGARDING NATIONAL TREATMENT.—

(1) IN GENERAL.—In order to ensure that national treatment is accorded by a key country to—

(A) United States high technology companies for sales in such country, and

(B) United States persons for investments in high technology industries in such country,

the President shall, on a continuing basis, determine whether such country is taking actions sufficient to provide national treatment in such country for United States exports of high technology products and United States investments in high technology industries.

(2) BASIS OF DETERMINATIONS.—The President shall base the determinations under paragraph (1) of such product categories as are deemed appropriate in accordance with the procedures established under such paragraph.

(b) ACTIONS INVOLVING NEGATIVE DETERMINATIONS.—If the President determines under subsection (a) that a key country is not providing national treatment, the President shall promptly enter into consultations with such country with a view to establishing national treatment in such country and achieving the purposes of this Act. If such consultations do not provide the means to obtain this objective, the President shall promptly consider taking such actions within his power as he deems necessary or appropriate under trade agreements to which the United States is a party and under provisions of United States law.

SEC. 5. EFFECTS OF FOREIGN INDUSTRIAL POLICY.

(a) REPORT BY SECRETARY OF COMMERCE.—The Secretary of Commerce, in consultation with the United States Trade Representative and the High Technology Industry Advisory Committee established under section 6(c), shall analyze and report annually to the Congress—

(1) the extent to which any key country utilizes industrial policies or measures which significantly distort international trade or investment flows and which have or may have substantial adverse effects on any United States high technology industry; and

(2) the steps which the President is taking or proposes to take domestically and internationally to remedy any adverse effects determined under paragraph (1), including any adverse effect arising out of any action which results in the subsidization of articles imported into the United States or the sale of such articles at less than fair value in the United States market.

(b) SCOPE OF ANALYSIS.—The analysis under subsection (a) shall include an analysis of—

(1) any foreign government industrial policies and measures—

(A) which are designed to enhance, or having the effect of enhancing, the international competitiveness of a foreign high technology industry, or

(B) which increase the rate of savings and investment, decrease consumption, channel private or public financial or other resources to favored industries, or otherwise have the effect of increasing high technology exports, and

(2) specific foreign government industrial policies and measures such as—

(A) subsidies,

(B) toleration of cooperation among firms, or

(C) other anticompetitive activities, including allocation of product or geographic markets, exclusive of nonstrategic joint research and development activities, and other export-enhancing or import-inhibiting practices.

(c) OTHER PRESIDENTIAL ACTIONS.—If the President determines under subsection (a) that a foreign country has foreign industrial policies on measures which—

(1) significantly distort international trade or investment to the detriment of any United States high technology industry; or

(2) may result in sales of articles at less than fair market value in the United States market or subsidization of articles imported into the United States and cause, or threaten to cause, material injury to any United States high technology industry,

the President shall take whatever steps within his power that he deems are necessary or appropriate (including entering into agreements) to obtain the elimination of such practices or offset their adverse effects.

(d) DEFINITIONS.—For purposes of this section, the terms "less than fair value" and "material injury" have the same meaning as in title VII of the Tariff Act of 1930 (19 U.S.C. 1671 et seq.).

SEC. 6. MONITORING OF KEY COUNTRIES; REPORTS.

(a) ANALYSIS OF COMPETITIVE OPPORTUNITIES.—The Secretary of Commerce shall establish a mechanism to analyze high technology trade and investment patterns in key countries to evaluate competitive opportunities offered in foreign markets, and to futher the objectives of this Act. The Secretary of Commerce shall prepare and publish annually a report to the President containing the results of his analysis which shall include, but not be limited to, information with respect to—

(1) United States exports and imports of high technology products to and from such key countries;

(2) direct and indirect investment flows;

(3) the conditions of competition in such countries, including the nature and extent of intercompany cooperation and coordination in joint research and development, market allocation, and the development and implementation of industrial objectives; and

(4) the nature and extent of government intervention, including the development of industrial objectives, the financing of research and development, the providing of financial, tax, and other incentives, and the directing of procurement.

(b) REPORT TO THE PRESIDENT.—

(1) REPORT.—The United States Trade Representative and the Secretary of Commerce shall, after consultation with the Advisory Committee established under subsection (c), report annually to the President with respect to measures enumerated in the report submitted under subsection (a)—

(A) which they consider to be a violation of United States international agreements, or

(B) which are unjustifiable, unreasonable, or discriminatory and a burden or restriction on United States high technology products, services, or investments.

(2) ACTION BY PRESIDENT.—The President shall consider what action may be taken under the laws of the United States and trade agreements to obtain the reduction or elimination of such measures.

(c) ADVISORY COMMITTEE.—The Secretary of Commerce and the United States Trade Representative shall—

(1) establish a High Technology Industry Advisory Committee comprised of representatives of interested high technology industries, and

(2) fully consult with the Committee with respect to actions under this Act relating to—

(A) the preparation of negotiating positions,

(B) the conclusion of any agreement,

(C) the imposition of any restriction, and

(D) the monitoring of the results of any such agreement or restriction.

The provisions of section 135 (f) of the Trade Act of 1974 shall apply to the Committee.

SEC. 7. DEFINITIONS.

(a) OPENNESS OF FOREIGN MARKETS.—For the purpose of this Act, openness of international trade and investment shall be measured by reference to—

(1) the existence of structural barriers to United States trade and investment;

(2) structural advantages enjoyed by foreign companies by virtue of an absence of fully competitive market conditions in their home markets;

(3) the extend to which national treatment is afforded United States investments to produce and sell high technology prod-

ucts and services for sale in the local market of a major developed country;

(4) in the case of key commodity components (for example, random access memories (RAMs)), the extent to which sales in a major developed country of such products manufactured by United States companies in the United States or abroad, taking into account the relative size of markets, are less than sales of those products in other international markets where more open conditions of competition prevail; and

(5) such other factors as the United States Trade Representative and the Secretary of Commerce shall prescribe.

(b) NATIONAL TREATMENT.—The term "national treatment" shall include, but not be limited to, treatment not less favorable than that accorded to any national with respect to—

(1) the freedom of establishment of a market,

(2) taxation and financial incentives,

(3) nonstrategic government purchasing and public contracts,

(4) internal regulations and practices, and

(5) freedom to participate in joint research and development activities and in other national programs designed to foster the growth of high technology industries.

(c) KEY COUNTRY, ETC.—For the purpose of this Act—

(1) the term "key country" means Japan, the European Economic Community, any individual member country of the European Economic Community, Canada, and any foreign country (including any newly industrialized country) designated by the President as a key country for any purpose of this Act, and

(2) the term "newly industrialized country" means Korea, Taiwan, Malaysia, Brazil, Argentina, Hong Kong, Singapore, Spain, Mexico, and Israel.●

By Mr. GORTON (for himself and Mr. JACKSON):

S. 1254. A bill to authorize, within available funds, the construction of a bridge approach at Clarkston, Wash.; to the Committee on Environment and Public Works.

BRIDGE APPROACH AT CLARKSTON, WASH.

Mr. GORTON. Mr. President, today I am pleased to introduce with Senator JACKSON legislation which would authorize, within available funds, the construction of a bridge approach at Clarkston, Wash.

Senator JACKSON and I introduced similar legislation during the last session of Congress but, unfortunately, the bill was not acted upon before adjournment.

The U.S. Army Corps of Engineers has recently constructed a bridge over the Snake River from Clarkston, Wash., to Lewiston, Idaho. The legislation authorizing the construction of this bridge did not include an authorization for construction of this necessary approach ramp. This bridge approach connection is essential to the bridge access plan, and will assure a good and orderly flow of traffic in Clarkston.

The approach can be built within the spending limit which was authorized for the bridge alone, because it was not necessary to obligate the total authorization to complete the bridge. The legislation we are introducing today will not result in an outlay in excess of that already contemplated. It simply redefines the bridge project limits to include the approach ramp, thereby allowing the expenditure of authorized funds for this purpose.

I believe this legislation will accomplish what is necessary to aid in the completion of the bridge access plan and I urge my colleagues to join me today in supporting the prompt enactment of this legislation so that this project can be brought to a successful conclusion.

Mr. JACKSON. Mr. President, I am pleased to join Senator GORTON in introducing legislation which would redefine the limits of the original Lewiston-Clarkston Bridge project.

This legislation is required to permit the U.S. Army Corps of Engineers to construct a 1,600-foot segment of road to connect the Lewiston-Clarkston Bridge with 16th Avenue in Clarkston, Wash.

I understand that this legislation will require no additional appropriations and I am hopeful that the Senate Public Works Committee will move quickly on this measure.

Mr. President, I ask unanimous consent that the text of the bill, together with letters from Charles Collins, an Asotin County commissioner, be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

S. 1254

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 164 of Public Law 94-587 (90 Stat. 2917 et seq.), as amended, is amended further by adding at the end of such section the following sentence: "Within sums available under this section, the Secretary is authorized to construct an approach roadway from the end of the Washington State Route 129 overpass of the bridge authorized by this section to Sixteenth Avenue in the city of Clarkston, Washington."

ASOTIN COUNTY,
Asotin, Wash., June 1, 1982.

Re Lewiston-Clarkston Bridge.
Hon. HENRY JACKSON,
Russell Senate Office Building,
Washington, D.C.

DEAR SENATOR JACKSON: Again we find we must seek your help in obtaining an acceptable finished bridge project. On March 15, 1982, after being advised that at least $750,000 of the $23.2 million authorized for the design and construction of the new Lewiston-Clarkston Bridge would not be spent, Asotin County and the city of Clarkston made a request to the U.S. Army, Corps of Engineers to utilize the excess funds for the design and construction of an extension of the bridge centerline. The extension would follow the bridge centerline Westerly approximately 1,600 feet to an intersection with 16th Avenue, an existing County Road. The present project terminates at SR 129, a State Highway, and does not accommodate thru-traffic movements nor does it connect directly to the local street system. A copy of the Clarkston Urban Area map which shows the requested extension in red is attached for your reference.

Our request was flatly denied by the Corps of Engineers because it was their opinion that the extension was beyond the legislative intent. After meeting with the Corps representatives concerning their opinion, we were advsied that the legislative intent was defined by Design Memorandum No. 41 dated October, 1978 and said document was approved by all local agencies. Although we did approve the Design Memorandum, we were not aware that such approval would prevent the construction of this approach extension if funds were available. Prior to our approval we objected strenuously to the omission of tis approach and approved of the document only after cost estimates were presented which indicated the basic project cost would exceed the authorized spending limit. The approach extension was and still is a vital link in the bridge access scheme.

Now we seem to be in a Catch-22 situation i.e., we need the approach connection but have no local funds for construction, and the Corps of Engineers has spending authority, but cannot perform work beyond the project limits set by Design Memorandum No. 41. Therefore, your assistance is requested in supplying a solution to the dilemma.

It is our understanding that new legislation is necessary to re-define the scope of the project. The Corps of Engineers has volunteered to draft the necessary legislation but we have not received a copy to date. Your inquiry as to the status of the draft legislation and sponsorship of said legislation will be greatly appreciated.

Very truly yours,
CHARLES S. COLLINS,
Chairman, Asotin
County Commissioners.

ASOTIN COUNTY,
Asotin, Wash., July 26, 1982.

Re Lewiston-Clarkston Bridge, 16th Avenue Approach Extension.
Hon. HENRY JACKSON,
Russell Senate Office Building,
Washington, D.C.

DEAR SENATOR JACKSON: Enclosed for your review and use is a copy of the cost estimate, prepared for this Board by the County Engineer, for extending the Lewiston-Clarkston (Southway) Bridge centerline westerly approximately 1,600 feet to an intersection with 16th Avenue. The enclosed estimate indicates the cost for two (2) alternatives. Alternate No. 1 is for a four (4) lane roadway whereas Alternate No. 2 is for a two (2) lane roadway. Due to compatibility with the present four (4) lane bridge and the longevity of the completed facility, Alternate No. 1 is the preferred option.

Hopefully this information will prove useful should a question arise concerning the cost of the extension. Your continued efforts in our behalf to allow the construction of this needed approach extension to commence are appreciated.

Very truly yours,
CHARLES S. COLLINS,
Chairman, Asotin
County Commissioner.

COUNTY OF ASOTIN,
OFFICE OF COUNTY ENGINEER,
Asotin, Wash., July 26, 1982.

Subject: Southway Bridge, 16th Avenue Connection.

To Board of County Commissioners.

As per your request this office has attempted to estimate the cost of extending the Southway Bridge centerline, westerly approximately 1600 feet, to an intersection with 16th Avenue. Since no roadway designs have been completed the estimates should be considered rough and are presented as lump sum costs only.

Alternate No. 1—Approach extension to consist of four (4) travelled lanes with ten (10) foot shoulders, and left turn channelization at SR 129 overpass and 16th Avenue intersection. Estimated cost to include 48" diameter storm drain, catch basins, asphaltic curb, asphaltic concrete pavement 0.25 feet, 0.67 feet base course, 0.25 feet top course, additional street lighting at 16th Avenue, and other minor items.

Preliminary engineering	$40,000
Contract construction	400,000
Construction engineering and contract at 10 percent	40,000
Estimated total cost	480,000

Alternate No. 2—Approach extension to consist of two (2) travelled lanes with eight (8) foot shoulders and left turn channelization at SR 129 overpass. Estimated cost to include bituminous surface treatment, 0.67 feet base course, 0.33 feet top course, and other minor items.

Preliminary engineering	$40,000
Contract construction	175,000
Construction engineering and contract at 10 percent	17,500
Estimated total cost	232,500

Alternate No. 1 is obviously the preferred option because it will provide a completed facility with at least a 20 year design life and lower annual maintenance costs. Alternate No. 2 would provide a functional facility for the next 10 years but would require periodic sealing to maintain the surface.

MICHAEL A. MURRAY.

By Mr. SPECTER (for himself and Mr. RIEGLE):

S. 1255. A bill to establish the Northeast-Midwest States Federal Hydropower Financing Authority; to the Committee on Energy and Natural Resources.

NORTHEAST-MIDWEST STATES FEDERAL HYDROPOWER FINANCING AUTHORITY ACT

Mr. SPECTER. Mr. President, today with Senator RIEGLE, I am introducing the Northeast-Midwest States Federal Hydropower Financing Authority Act. This legislation was the subject of hearings held last year by the Subcommittee on Water and Power of the Committee on Energy and Natural Resources. The testimony at the hearing clearly established two basic points which underscore the need for this legislation. First, that there is a real potential for hydropower in the Northeastern-Midwestern States that is both economically feasible and environmentally sound, and second, that lack of financing is the major impediment to the development of this old-new energy source.

The debate over natural gas has served to heighten my concern that we have failed to harness effectively and fully the Northeast-Midwest regions indigenous energy resources, notably water power and coal. The last decade was witness to a quadrupling of national expenditures for energy, rising from $83 billion in 1970 to $378 billion in 1980. While prices rose everywhere, the gap in energy costs between regions widened dramatically, compounding the severe economic problems of the older, industrialized States of the Northeast and Midwest. During that period, household energy bills in the Northeast-Midwest region jumped from an average of $362 to $1,191 while residential costs to consumers in the South increased from $286 to $896, and in the West, from $263 to only $676.

The fact is the Northeast-Midwest has an abundant, but largely unused, source of energy in its waterpower. The Army Corps of Engineers estimates that the States of the Northeast and Midwest contain half of the feasible hydro sites and 20 percent of the potential hydro-generating capacity. A 1981 study by the U.S. Department of Energy concluded that—

Development of this renewable energy resource could help reduce the energy needs of the Great Lakes area and significantly reduce the Nation's dependency on foreign oil—up to 20 million barrels of oil per year.

The Congressional Research Service concluded in a recent study that the States of the Pacific Northwest and Northeast have the greatest installed capacity, the greatest potential capacity, and the greatest potential for future developments of small-scale hydropower. Yet, despite convincing evidence of the capacity of small-scale hydropower to reduce high energy costs and our dependence on foreign oil, it remains a largely untapped resource in our region.

At the hearing, a succession of witnesses testified that financing remains the chief obstacle to hydropower development in our region. It is more than a matter of coincidence that, with the exception of Hawaii, only the Northeastern and Midwestern States lack access to Federal support for hydropower development via one of the five Federal power marketing authorities.

To correct this oversight, we are introducing the Northeast-Midwest States Hydropower Financing Authority Act. Under this legislation, States in the Northeast and Midwest will have the option of joining this regional financing authority, thereby becoming eligible to apply for lower cost loans and loan guarantees to cover up to 70 percent of the costs associated with hydropower development. Interest rates on loans would reflect the Government's cost of borrowing. State and municipal power authorities, interstate river commissions, and consumer and stockholder-owned electric utilities located in member States would have access to financing through the new authority. Congress will have two opportunities to review projects before funds can be committed, during the authorizations and appropriations process. In addition, this bill directs the U.S. Army Corps of Engineers, in coordination with the Power Marketing Administration, to complete for each member State a review of available hydropower sites, incorporating data from the Army Corps' recently completed national hydroelectric power resources study.

Some may argue that sufficient financial incentives are already in place to encourage the development of hydropower and this legislation, therefore, may be unnecessary. In response I want to point out that the loan and loan guarantee program authorized under title IV of PUPA terminated last year, the tax credits for small scale hydro are scheduled to be phased out in 1985, and the advantageous provision requiring utilities to purchase hydropower at avoided cost is under court challenge. In short, all those incentives may shortly evaporate. Furthermore, the end of this fiscal year will see the closeout of the Department of Energy's small-scale hydro office.

Mr. President, the Federal Government, through the creation of the Tennessee Valley Authority and the five Federal power marketing authorities in other sections of the country, has recognized its role in promoting regional economic development by helping to promote inexpensive energy. Last year I joined my colleagues in supporting S. 306, which authorized the $312 million in outlays for hydropower development in four Western States. The Congress had clearly responded to the energy needs of the rest of the Nation and I believe the Federal Government has the responsibility to do no less for the economically depressed Northeast-Midwest region.

For the energy-consuming States of the Northeast and Midwest, economic necessity dictates that we pursue all available and feasible options. Given the opportunities presented by hydropower development, I urge my colleagues to join me in supporting the Northeast-Midwest States Hydropower Financing Authority Act.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 1255

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a)

this Act may be cited as the "Northeast-Midwest States Federal Hydropower Financing Authority Act".

(b) The Congress finds and declares that (1) the northeast-midwest States are encumbered by high energy costs, (2) it is in the national interest to initiate a national strategic hydropower capacity, (3) there is an untapped capacity for hydropower in many of the northeast and midwest States, and (4) regional coordination and planning of hydropower development in the northeast-midwest States is desirable.

SEC. 2. (a) Subject to the provisions of subsection (b) of this section there is created a body corporate by the name of the "Northeast-Midwest States Federal Hydropower Financing Authority" (hereinafter referred to as the "Corporation" and the "Authority"). The board of directors first appointed shall be deemed the incorporators.

(b) The incorporation shall be held to have been effected upon the Secretary of Energy, or his successor, having been notified in writing, by the Governors of not less than four eligible northeast-midwest States, of the desire of such States to acquire membership in the Northeast-Midwest States Federal Hydropower Financing Authority. Such notification shall contain such information, and be in such form as the Secretary shall by regulation prescribe. No State shall be eligible to participate in the Authority established by this Act if such State is geographically located outside of the midwestern or northeastern part of the United States and is situated wholly within the boundaries of a Federal power marketing authority. In any case in which only a part of a State is situated within a Federal power marketing authority, the board of directors of the Corporation shall establish such regulations as may be necessary to determine the allocation of assistance under this Act to such State for use by it in connection with projects to serve that part of such State not served by a Federal power marketing authority.

SEC. 3. (a) The board of directors of the Corporation (hereinafter referred to as the "board") shall consist of each Governor of a member State or his delegate, and one member, to be appointed by the President, by and with the advice and consent of the Senate, who shall be Chairman.

(b) The term of office of the member appointed by the President shall be four years.

(c) Any member appointed by the President to fill a vacancy in the position of Chairman occurring prior to the expiration of the term for which his predecessor was appointed shall be appointed for the remainder of such term.

(d) Vacancies in the board, so long as there shall be two members in office, shall not impair the powers of the board to execute the functions of the Corporation, and two of the members in office shall constitute a quorum for the transaction of the business of the board.

(e) Members of the board shall be reimbursed by the Corporation for actual expenses (including traveling and subsistence expenses) incurred by them in the performance of the duties vested in the board by this Act.

(f) No director shall have financial interest in any public-utility corporation engaged in the business of distributing and selling power to the public.

(g) The board shall direct the exercise of all the powers of the Corporation.

SEC. 4. The board shall appoint a president of the Corporation and such other officers as the board shall determine necessary. The president of the Corporation shall appoint such managers, assistant managers, employees, attorneys, and agents as are necessary for the transaction of the business of the Corporation, fix their compensation, define their duties, and provide a system of organization to fix responsibility and promote efficiency. The president of the Corporation may be removed in the discretion of the board.

SEC. 5. Except as otherwise specifically provided in this Act, the Corporation—

(1) shall have succession in its corporate name;

(2) may sue and be sued in its corporate name;

(3) may adopt and use a corporate seal, which shall be judicially noticed;

(4) may make contracts, as herein authorized;

(5) may adopt, amend, and repeal bylaws;

(6) may purchase or lease and hold such real and personal property as it deems necessary or convenient in the transaction of its business, and may dispose of any such personal property held by it;

(7) shall have such powers as may be necessary or appropriate for the exercise of the powers herein specifically conferred upon the Corporation; and

(8) may accept appropriations from the United States and reimburse the United States in accordance with agreements entered into between the United States and the Corporation.

SEC. 6. (a) Subject to the provisions of subsection (b), the Corporation is authorized, on such terms and conditions as the board of directors may prescribe, to make loans to member States, including political subdivisions thereof which are engaged in retail electric services, and power authorities of member States, rural electric cooperatives, interstate compact river commissions, and consumer-owned and stockholder-owned electric utilities which provide retail electric service, located within any State which is a member of the Authority for the purpose of enabling such State, subdivision, cooperative, commission, or utility to carry out hydropower development.

(b) Loans under this section shall not exceed 70 per centum of the initial total estimated costs of such hydropower development, as estimated by the Corporation as of the date of the loan or commitment to loan.

(c) Each loan made under this section shall bear interest at such rate as the Corporation may determine, giving consideration to the needs and capacities of the recipient and the prevailing rates of interest (public and private). Notwithstanding the preceding sentence, such rate shall not be less than a rate determined by the Secretary of the Treasury, for the Corporation, taking into consideration the current average yield on outstanding marketable obligations of the United States with remaining periods of maturity comparable to the average maturities of such loans. No loan shall be made unless the Corporation shall have determined that there is a reasonable prospect of repayment or that successful completion and operation of the hydropower development project will have a substantial value in helping to meet the energy needs of the northeast and midwest States.

(d) Loans made under this section may be made either directly or in cooperation or participation with banks or other lenders. Loans may be made directly upon promissory notes or other evidence of indebtedness or by way of discount or rediscount of obligations tendered for the purpose.

(e) If the board of directors determines that the borrower is unable to meet payments under a loan agreement and is not in default, it is in the public interest to permit the borrower to continue to pursue the purposes of the project, and the probable net benefit to the Corporation in forbearing from exercising its rights under a loan agreement will be greater than that which would result in the event of a default, and if the borrower agrees to make such payments to the Corporation on terms and conditions, including interest, which are satisfactory to the Corporation, then the Corporation may forbear from exercising its rights under the loan agreement.

(f) No loan under this section shall have a maturity date of more than 30 years or the useful life of the project involved, whichever is less.

SEC. 7. (a)(1) Subject to the limitations set forth in paragraph (2), the Corporation is authorized, on such terms and conditions (including the right of subrogation) as the Board of Directors may prescribe, to commit to, or enter into loan guarantees against loss of principal and interest on bonds, notes, or other obligations (including refinancing thereof) issued solely to provide funds to any member State, including political subdivisions thereof which are engaged in retail electrical services, and to any power authorities of member States, rural electric cooperatives, interstate compact river commissions, and consumer-owned and stockholder-owned electric utilities which provide retail electric services, located within any State which is eligible to participate in the Authority for the purpose of enabling such State, subdivision, cooperative, commission, or utility to carry out hydropower development projects.

(2) Loan guarantees under this section shall not exceed 70 per centum of the initial total estimated cost of any such project, as estimated by the Corporation as of the date of the guarantee or commitment to guarantee.

(3) The Corporation, in reviewing the need for financial assistance pursuant to application for loan guarantees, shall consider whether the concern or concerns making such application otherwise would be unable, exercising prudent business judgment, as determined by the board of directors, to finance the project, taking into account among other factors, the availability of debt financing under normal lending criteria based on the assets associated with the project.

(4) Any loan guarantee made by the Corporation under this section shall not be terminated, canceled, or otherwise revoked, except in accordance with the terms thereof, and shall be conclusive evidence that such loan guarantee complies fully with the provisions of this section and of the approval and legality of the principal amount, interest rate, and all other terms of the securities, obligations, or loans and of the guarantee.

(b) If the board of directors determines that—

(1) the borrower is unable to meet payments and is not in default, it is in the public interest to permit the borrower to continue to pursue the purposes of such project, and the probable net benefit to the Corporation in paying principal and interest due under a loan guarantee agreement will be greater than that which would result in the event of a default;

(2) the amount of any payment which the Corporation would be required to pay shall

be no greater than the amount of principal and interest which the borrower is obligated to pay at that time; and

(3) the borrower agrees to reimburse the Corporation for such payment on terms and conditions, including interest, which are satisfactory to the Corporation,

then the Corporation is authorized to pay the lender under a loan guarantee agreement, an amount not greater than the principal and interest which the borrower is obligated to pay and which the Corporation has guaranteed under such agreement.

(c) No loan guaranteed under this section shall have a maturity date of more than 30 years or the useful life of the project involved, whichever is less.

SEC. 8. (a) The Corporation shall maintain its principal office in the immediate vicinity of Pittsburgh, Pennsylvania. The Corporation shall be held to be an inhabitant and resident of the western judicial district of Pennsylvania within the meaning of the laws of the United States relating to the venue of civil suits.

(h) The Corporation shall at all times maintain complete and accurate books of accounts.

(c) Each member of the board, before entering upon the duties of his office, shall subscribe to an oath (or affirmation) to support the Constitution of the United States and to faithfully and impartially perform the duties imposed upon him by this Act.

SEC. 9. (a) The board shall file with the President and with the Congress, in December of each year, a financial statement and a complete report as to the business of the Corporation covering the preceding governmental fiscal year.

(b) The Comptroller General of the United States shall audit the transactions of the Corporation at such times as he shall determine, but not less frequently than once each governmental fiscal year, with personnel of his selection. In such connection he and his representatives shall have free and open access to all papers, books, records, files, accounts, plants, warehouses, offices, and all other things, property, and places belonging to or under the control of or used or employed by the Corporation, and shall be afforded full facilities for counting all cash and verifying transactions with and balances in depositories. He shall make a report of each such audit in quadruplicate, one copy for the President of the United States, one for the chairman of the board, one for public inspection at the principal office of the Corporation, and the other to be retained by him for the uses of the Congress. Such report shall not be made until the Corporation shall have had reasonable opportunity to examine the exceptions and criticisms of the Comptroller General or the General Accounting Office, to point out errors therein, explain or answer the same, and to file a statement which shall be submitted by the Comptroller General with his report. The expenses for each such audit shall be paid from any appropriation or appropriations for the General Accounting Office. Nothing in this Act shall be construed to relieve the Treasurer or other accountable officers or employees of the Corporation from compliance with the provisions of existing law requiring the rendition of accounts for adjustment and settlement pursuant to section 236 of the Revised Statutes of the United States, and accounts for all receipts and disbursements by or for the Corporation shall be rendered accordingly. Subject only to the provisions of this Act, the Corporation is authorized to make such expenditures and to enter into such contracts, agreements, and arrangements, upon such terms and conditions and in such manner as it may deem necessary, including the final settlement of all claims and litigation by or against the Corporation; and, notwithstanding the provisions of any other law governing the expenditure of public funds, the General Accounting Office, in the settlement of the accounts of the Treasurer or other accountable officer or employee of the Corporation, shall not disallow credit for, nor withhold funds because of, any expenditure which the board shall determine to have been necessary to carry out the provisions of this Act.

(c) The Corporation shall determine its own system of administrative accounts and the forms and contents of its contracts and other business documents except as otherwise provided in this Act.

SEC. 10. Within one hundred and eighty days following the effective date of the Corporation as provided in section 2(b), or as soon thereafter as may be feasible, the United States Corps of Engineers, in coordination with the Power Marketing Administration of the Department of Energy, shall complete for each of the member States a study of hydroelectric power potential in the State with emphasis on priorities for those projects with the highest cost-benefit ratios. Such study shall include a review of the environmental consequences of each such project with the Environmental Protection Agency and the findings and recommendations of the Agency shall be included as a part of such study. In conducting each such study, the Corps of Engineers shall use, to the extent feasible, existing studies of Federal and State agencies, including but not limited to, the National Hydroelectric Power Resource Study. In conducting such study, the Corps of Engineers shall consult with each State agency designated by the appropriate Governor and with the interstate water resource commissions.

SEC. 11. No application for a loan under this Act shall be approved unless the Governor of the State in which the project to be developed by the proceeds of such loan has been notified in writing of the request for such loan, and then only if within the sixty-day period following the date of such notification, the Governor has not notified the Corporation, in writing, that he or she disapproves of such project within his or her State.

SEC. 12. There are authorized to be appropriated such sums as may be necessary to carry out the provisions of this Act.

ADDITIONAL COSPONSORS

S. 11

At the request of Mr. CRANSTON, the name of the Senator from Ohio (Mr. METZENBAUM) was added as a cosponsor of S. 11, a bill to amend title 38, United States Code, to establish a Veterans' Administration Advisory Committee on Women Veterans; to improve various aspects of Veterans' Administration health-care programs; to extend the period for Vietnam-era veterans to request counseling under the Veterans' Administration readjustment counseling program; to promote the recruitment and retention of certain health-care personnel in the Veterans' Administration's Department of Medicine and Surgery; to express the sense of the Congress with respect to the role of the Administrator of Veterans' Affairs; to require the Administrator of Veterans' Affairs to conduct an epidemiological study of long-term health effects in veterans of exposure to ionizing radiation from nuclear test detonations; and for other purposes.

S. 40

At the request of Mr. D'AMATO, his name was added as a cosponsor of S. 40, a bill to require the divorcement of motor fuel service stations from operation by certain producers and refiners of motor fuels, and for other purposes.

S. 49

At the request of Mr. STEVENS, the name of the Senator from Kentucky (Mr. HUDDLESTON) was added as a cosponsor of S. 49, a bill to reopen hunting and trapping lands in Alaska.

S. 52

At the request of Mr. D'AMATO, his name was added as a cosponsor of S. 52, a bill to combat violent and major crime by establishing a Federal offense for continuing a career of robberies or burglaries while armed, and providing a mandatory sentence of life imprisonment.

S. 208

At the request of Mr. INOUYE, the name of the Senator from Montana (Mr. MELCHER) was added as a cosponsor of S. 208, a bill to amend the Hazardous Materials Transportation Act to prohibit the transportation of hazardous waste for the purposes of disposal abroad.

S. 337

At the request of Mr. PACKWOOD, the name of the Senator from Iowa (Mr. JEPSEN) was added as a cosponsor of S. 337, a bill to amend the Internal Revenue Code of 1954 to make permanent the deduction for charitable contributions by nonitemizers.

S. 551

At the request of Mr. ROTH, the name of the Senator from Hawaii (Mr. INOUYE) was added as a cosponsor of S. 551, a bill to amend the Tax Reform Act of 1976 to extend, for an additional 4 years, the exclusion from gross income of the cancellation of certain student loans.

S. 566

At the request of Mr. HOLLINGS, the name of the Senator from South Carolina (Mr. THURMOND) was added as a cosponsor of S. 566, a bill to direct the Secretary of Agriculture to release on behalf of the United States a reversionary interest in certain land conveyed to the South Carolina State Commission of Forestry, and to direct the Secretary of the Interior to convey certain mineral interests of the United States in such land to such commission.

S. 591

At the request of Mr. INOUYE, the names of the Senator from Connecticut (Mr. WEICKER), the Senator from New Hampshire (Mr. RUDMAN), and the Senator from Montana (Mr. BAUCUS) were added as cosponsors of S. 591, a bill to amend the Internal Revenue Code of 1954 to provide a mechanism for taxpayers to designate $1 of any overpayment of income tax, and to contribute other amounts, for use by the U.S. Olympic Committee.

S. 619

At the request of Mr. TSONGAS, the names of the Senator from Michigan (Mr. RIEGLE), the Senator from Alaska (Mr. STEVENS), the Senator from Rhode Island (Mr. PELL), and the Senator from Vermont, (Mr. STAFFORD) were added as cosponsors of S. 619, a bill to reauthorize, extend, and enhance existing Federal programs to encourage conservation and the use of renewable energy by this Nation's consumers.

S. 631

At the request of Mr. TSONGAS, the name of the Senator from Montana (Mr. BAUCUS) was added as a cosponsor of S. 631, a bill to establish a national technology education grants program to provide matching Federal assistance to joint initiatives by private industry, educational institutions, and State government to strengthen science, engineering, and technical education, and for other purposes.

S. 772

At the request of Mr. HATCH, the names of the Senator from Utah (Mr. GARN), the Senator from North Dakota (Mr. BURDICK), and the Senator from Ohio (Mr. METZENBAUM) were added as cosponsors of S. 772, a bill to promote public health by improving public awareness of the health consequences of smoking and to increase the effectiveness of Federal health officials in investigating and communicating to the public necessary health information, and for other purposes.

S. 800

At the request of Mr. STEVENS, the name of the Senator from New York (Mr. MOYNIHAN) was added as a cosponsor of S. 800, a bill to establish an Ocean and Coastal Development Impact Assistance Fund and to require the Secretary of Commerce to provide to States national ocean and coastal development and assistance block grants from moneys in the fund, and for other purposes.

S. 986

At the request of Mr. PRESSLER, the name of the Senator from Michigan (Mr. RIEGLE) was added as a cosponsor of S. 986, a bill to repeal employer reporting requirements with respect to tips.

S. 991

At the request of Mr. CRANSTON, the name of the Senator from Ohio (Mr. METZENBAUM) was added as a cosponsor of S. 991, a bill to amend title 38, United States Code, to require regulations providing for the resolution of Veterans' Administration benefits claims based on certain exposures to herbicides containing dioxin, to ionizing radiation from detonations of nuclear devices, and to certain other hazardous substances and for other purposes.

S. 1006

At the request of Mr. SPECTER, the names of the Senator from Minnesota (Mr. DURENBERGER), and the Senator from Kentucky (Mr. HUDDLESTON) were added as cosponsors of S. 1006, a bill to amend the Internal Revenue Code of 1954 to repeal the 15-percent reduction in percentage depletion for iron ore and coal.

S. 1120

At the request of Mr. GARN, the name of the Senator from Virginia (Mr. TRIBLE) was added as a cosponsor of S. 1120, a bill to authorize printing of the back side of U.S. paper money of the denomination of $1 by a method other than the intaglio process.

S. 1225

At the request of Mr. MATHIAS, the name of the Senator from Texas (Mr. TOWER) was added as a cosponsor of S. 1225, a bill to amend the Internal Revenue Code of 1954 to clarify the extent to which a State, or political subdivision, may tax certain income from sources outside the United States.

SENATE JOINT RESOLUTION 28

At the request of Mr. TSONGAS, the name of the Senator from Rhode Island (Mr. PELL) was added as a cosponsor of Senate Joint Resolution 28, a joint resolution calling for immediate negotiations for a ban on weapons of any kind in space.

SENATE JOINT RESOLUTION 55

At the request of Mr. MATHIAS, the names of the Senator from Florida (Mr. CHILES), the Senator from South Carolina (Mr. HOLLINGS), the Senator from Nebraska (Mr. ZORINSKY), the Senator from Alabama (Mr. HEFLIN), the Senator from Minnesota (Mr. BOSCHWITZ), the Senator from Wyoming (Mr. SIMPSON), and the Senator from Montana (Mr. MELCHER) were added as cosponsors of Senate Joint Resolution 55, a joint resolution to recognize the pause for the "Pledge of Allegiance" as part of National Flag Day activities.

SENATE JOINT RESOLUTION 78

At the request of Mr. GORTON, the name of the Senator from Kansas (Mr. DOLE) was added as a cosponsor of Senate Joint Resolution 78, a joint resolution to authorize and request the President to issue a proclamation designating April 24 through April 30, 1983, as "National Organ Donation Awareness Week."

SENATE JOINT RESOLUTION 85

At the request of Mr. THURMOND, the names of the Senator from Mississippi (Mr. COCHRAN), the Senator from Alabama (Mr. HEFLIN), and the Senator from North Dakota (Mr. BURDICK) were added as cosponsors of Senate Joint Resolution 85, a joint resolution to designate September 21, 1983, as "National Historically Black Colleges Day."

SENATE JOINT RESOLUTION 96

At the request of Mr. DECONCINI, the name of the Senator from Ohio (Mr. METZENBAUM) was added as a cosponsor of Senate Joint Resolution 96, a joint resolution to designate August 1, 1983, as "Helsinki Human Rights Day."

SENATE CONCURRENT RESOLUTION 22

At the request of Mr. DOLE, the name of the Senator from Michigan (Mr. LEVIN) was added as a cosponsor of Senate Concurrent Resolution 22, a concurrent resolution expressing the sense of the Congress with respect to implementing the objectives of the United States Decade of Disabled Persons (1983-1992).

SENATE CONCURRENT RESOLUTION 24

At the request of Mrs. HAWKINS, the name of the Senator from South Carolina (Mr. THURMOND) was added as a cosponsor of Senate Concurrent Resolution 24, a concurrent resolution expressing the sense of the Congress that the people of the United States should observe the month of May 1983 as "Older Americans Month."

SENATE RESOLUTION 137—RELATING TO TAIWAN'S MEMBERSHIP IN THE ASIAN DEVELOPMENT BANK

Mr. KASTEN (for himself, Mr. INOUYE, Mr. GARN, Mr. MOYNIHAN, Mr. LUGAR, Mr. BOREN, Mr. DOLE, Mr. RANDOLPH, Mr. HEINZ, Mr. FORD, Mr. GOLDWATER, Mr. DECONCINI, Mr. RUDMAN, Mr. MCCLURE, Mr. DOMENICI, Mr. D'AMATO, Mr. ABDNOR, Mr. WALLOP, Mr. HECHT, Mr. TRIBLE, and Mr. SYMMS) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 137

Whereas the People's Republic of China is seeking to apply for admission to the Asian Development Bank, conditioning its application upon the prior expulsion of Taiwan from that body;

Whereas Taiwan is a founding member of the Asian Development Bank, actively participating in the Bank's activities and faithfully fulfilling its obligations since the Bank's establishment in December 1966;

Whereas Taiwan's subscription to the initial capital stock of the Bank was determined on the basis of the area, population, and economic conditions of Taiwan;

Whereas neither the relationship between Taiwan and the Bank, nor the circumstances under which these relations were established, have changed since 1966;

Whereas the Asian Development Bank agreement specifically prohibits the Bank from being influenced in its decision by politics;

Whereas it was the strong conviction of the founders of the Asian Development Bank that the introduction of political considerations would undermine the ability of the Bank to carry out its mission, namely to further economic growth and cooperation in the region;

Whereas Taiwan has assisted in carrying out the mission of the Asian Development Bank over the years, moving from borrower to donor; now therefore, be it *Resolved*, that it is the sense of the Senate that—

(1) Taiwan, ROC should remain a full member of the Asian Development Bank, and that its status within that body should remain unaltered no matter how the issue of the People's Republic of China's application for membership is disposed of; and

(2) the President and the Secretary of State should express support for Taiwan, making it clear that the United States will not countenance attempts to expel Tawian, ROC from the Asian Development Bank.

SEC. 2. The Secretary of the Senate shall transmit a copy of this resolution to the President with the request that he transmit such copy to the Board of Governors of the Asian Development Bank.

Mr. KASTEN. Mr. President, today I am submitting a resolution expressing the sense of the Senate that Taiwan should retain full membership in the Asian Development Bank, and should not be expelled as a precondition for membership in that body by the People's Republic of China (P.R.C.).

Over a decade ago, the United States and the P.R.C. began the process of normalizing political and economic ties. This process culminated in the U.S. recognition of the P.R.C. in 1979. There are excellent strategic and political reasons for this normalization process to continue. But in our effort to establish new friends, we should not abandon old ones. We should never allow those old friends to be sacrificed for political reasons, no matter what the short-term advantage may be.

But this is precisely the issue that faces us now as the P.R.C. seeks to join the Asian Development Bank. On the one hand, the administration has expressed its support for the P.R.C.'s membership in the Asian Development Bank. This support can be seen as a part of the process of normalization, leading to better relations. On the other hand, the P.R.C. has demanded that, as a precondition for its membership in the Asian Development Bank, Taiwan must be expelled. Regardless of whether or not one believes the P.R.C. ought to be allowed to join this body, there is no justification at all for expelling Taiwan.

The argument put forward by the P.R.C. in the past, to the effect that there cannot be two governments claiming to represent the Chinese people, does not apply in this case. This argument has allowed the P.R.C. to replace Taiwan in the United Nations, the International Monetary Fund, and the World Bank.

But when Taiwan helped to found the Asian Development Bank in 1966, it was not in control of the Chinese mainland and did not claim to represent all the people of China in the Asian Development Bank. Taiwan's subscription to the initial capital stock of the Bank was determined on the basis of the area, population, and economic conditions of Taiwan alone. Neither the relationship between Taiwan and the Bank, nor the circumstances under which these relations were established, have changed since 1966. Therefore, the question of who is the sole, legal government of China and the representative of the Chinese people in international organizations cannot provide any basis for action here. And even if there were merit to the P.R.C.'s claim, there is no provision within the Asian Development Bank charter for expelling a country which is already a member in good standing.

The Asian Development Bank is a nonpolitical regional financial organization. Its sole purpose is to provide the developing member countries with financial and technical assistance for their economic development. Article 36 of the Asian Development Bank Agreement specifically prohibits the influence of political considerations on the decisions of the Bank: "Only economic considerations shall be relevant to their decisions—in order to achieve and carry out the purpose and functions of the Bank." Political influences, of the sort being brought to bear by the P.R.C. undermine the ability of the Asian Development Bank to carry out its mission, namely, to foster economic growth and cooperation in the region.

In conclusion, let me reemphasize that improved relations with the P.R.C. should not be sought at the price of abandoning our oldest Asian ally. No matter how strongly we desire to normalize our relations with the P.R.C., the United States is morally obligated, at a minumum, to insure that Taiwan is not sacrificed. This is certainly the case with respect to Taiwan's position in the Asian Development Bank. I ask that all my colleagues join me in this effort to protect the status of Taiwan in the Asian Development Bank.

AMENDMENTS SUBMITTED

FIRST CONCURRENT RESOLUTION ON THE BUDGET

MELCHER AMENDMENT No. 1252

Mr. MELCHER proposed an amendment to the concurrent resolution (S. Con. Res. 27) revising and replacing the congressional budget for the U.S. Government for the fiscal year 1983, and setting forth the congressional budget for the U.S. Government for the fiscal years 1984, 1985, and 1986; as follows:

On page 10, line 9, strike $12,000,000,000 and insert in lieu thereof $12,200,000,000.

On page 10, line 10, strike $12,500,000,000 and insert in lieu thereof $12,600,000,000.

On page 7, line 6, strike $18,200,000,000 and insert in lieu thereof $18,000,000,000.

On page 7, line 7, strike $12,700,000,000 and insert in lieu thereof $12,600,000,000.

CRANSTON AMENDMENT NO. 1253

Mr. CRANSTON (for himself, Mr. HATFIELD, Mr. HOLLINGS, Mr. MOYNIHAN, Mr. METZENBAUM, Mr. RIEGLE, Mr. MATSUNAGA, Mr. INOUYE, Mr. LEVIN, Mr. TSONGAS, Mr. DODD, Mr. KENNEDY, Mr. SARBANES, Mr. BRADLEY, and Mr. BUMPERS) proposed (and subsequently modified) an amendment to the concurrent resolution Senate Concurrent Resolution 27, supra; as follows:

On page 3, line 13, increase the figure by $49,000,000.

On page 3, line 14, increase the figure by $49,000,000.

On page 3, line 15, increase the figure by $49,000,000.

On page 3, line 19, increase the figure by $49,000,000.

On page 3, line 20, increase the figure by $49,000,000.

On page 3, line 21, increase the figure by $49,000,000.

On page 4, line 1, increase the figure by $49,000,000.

On page 4, line 2, increase the figure by $49,000,000.

On page 4, line 3, increase the figure by $49,000,000.

On page 4, line 7, increase the figure by $49,000,000.

On page 4, line 8, increase the figure by $98,000,000.

On page 4, line 9, increase the figure by $147,000,000.

On page 4, line 14, increase the figure by $49,000,000.

On page 4, line 15, increase the figure by $49,000,000.

On page 4, line 16, increase the figure by $49,000,000.

On page 17, line 8, increase the figure by $49,000,000.

On page 17, line 9, increase the figure by $49,000,000.

On page 17, line 15, increase the figure by $49,000,000.

On page 17, line 16, increase the figure by $49,000,000.

On page 17, line 22, increase the figure by $49,000,000.

On page 17, line 23, increase the figure by $49,000,000.

NOTICES OF HEARINGS

SUBCOMMITTEE ON CONSUMER AFFAIRS

Mrs. HAWKINS. Mr. President, the Subcommittee on Consumer Affairs will hold a hearing on May 18, 1983, at 10 a.m., in room SD-538 of the Dirksen Senate Office Building to discuss credit card fraud. The purpose of the

hearing is to determine whether the Truth in Lending Act and the Electronic Fund Transfer Act adequately protect the consumer and credit and debit card issuers from various forms of fraud and abuse. The subcommittee will be looking at the magnitude of credit and debit card fraud and its impact on the cost and availability of consumer credit. The subcommittee will also investigate the fradulent use of credit card lists and account numbers.

If you have questions concerning the hearing, please contact Beth Climo at 224-1565.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON GOVERNMENTAL AFFAIRS

Mr. STEVENS. Mr. President, I ask unanimous consent that the Committee on Governmental Affairs be authorized to meet during the session of the Senate on Wednesday, May 11, at 10 a.m., to continue hearings on trade reorganization legislation.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADDITIONAL STATEMENTS

SMALL BUSINESS WEEK

● Mr. SASSER. Mr. President, this week we take time out to salute our Nation's small businesses and the vital role they play in our economy. As a member of the Senate Small Business Committee I am constantly reminded of the important contributions small business makes to our economy. Indeed, as I have pointed out in the past, small businesses are the economic backbone of America.

In this period when we are beginning at long last to see some indication of economic recovery it is fitting that we honor a group that can do much to further economic revival across our country. As many of my colleagues know, small businesses create a significant proportion of the new jobs created in the United States each year. In addition, small businesses are responsible for the lion's share of technological innovations and advances made in industry.

This past year has been a difficult one in the small business sector as it has throughout our economy. Small firms continued to be rocked by high-interest rates and other factors which resulted in decreased sales, receipts, profits, and employment; 1982 witnessed the greatest number of business failures since the Great Depression era. Yet, as bad as the economic climate was, small businesses continued to show their resilience. Indeed, small businesses may have performed better than larger businesses during this recession, according to the President's Report on the State of Small Business.

Mr. President, I am keenly aware of the significant role small business has played in the economy of my home State. In Tennessee, there are approximately 83,000 business establishments. About 79,000 of these employ less than 100 employees; 58,922 of these firms employ fewer than 10 persons. Quite clearly, Mr. President, small business is very big in Tennessee.

The dominance of small business in the Tennessee economy is illustrated in many ways. Small firms produce roughly half of the Tennessee's goods and services. Firms with less than 100 employees constitutes 80 percent of the manufacturing companies in the State, 99 percent of the construction companies in the State, 61 percent of the State's wholesale and retail operations, 98 percent of Tennessee's service companies and 99 percent of the finance insurance and real estate business in the State.

Tennessee's small business community has proved to be a steady source of growth in the State's economy. The period from 1979-81 was not considered one of great growth in the marketplace. Indeed, in terms of employment most Tennessee enterprises experienced negative growth during these years. However, the small business community continued to grow despite the perilous state of the economy. As the chart below illustrates, where most segments of the Tennessee economy were letting employees go from 1979-81, small businesses employing 1 to 4 persons increased employment by 16.8 percent.

TENNESSEE EMPLOYMENT, 1979-81

	1979	1981	Percent change
Size class of establishment:			
1-4	58,300	68,100	16.8
5-9	116,200	114,200	-1.7
10-19	116,800	115,000	-1.5
20-49	175,600	172,500	-1.8
50-99	134,100	140,900	5.1
100-249	203,800	207,800	2.0
250-499	151,400	149,400	-1.3
500-999	138,200	129,500	-6.7
1000 plus	222,100	215,800	-2.8
Total	1,316,500	1,313,300	-0.2

Source: Small Business Data Base, based upon the Unemployment Insurance System of the Department of Labor, Bureau of Labor Statistics.

As a member of the Senate Small Business Committee, I am constantly reminded of the vital role small firms play both at the State and local level. My tenure on the Small Business Committee has shown how those of us in Congress can drastically effect the day-to-day operations of our Nation's small businesses with the legislation we enact. My colleagues and I have and will continue to use the committee as a forum to discuss and address the major issues facing small business while striving to further the advancement of this sector of the economy.

It is fitting that we take time this week to honor the men and women who make up the small business community. These entrepreneurs, these risk takers, are our future, Mr. President. I am proud of my connections and associations with America's small businesses, and applaud the unfailing efforts of this remarkable group of business persons.●

EL SALVADOR—THE CONFLICT AND THE MYTHS

● Mr. DOLE. Mr. President, I rise today to call the attention of the Senate again to the tragedy that is unfolding in Central America, and most particularly to the greater tragedy that will take place if the United States turns aside from that region.

El Salvador is now the focus of that struggle. We have heard President Reagan's address, that set forth in stirring fashion our national interest in a peaceful and determined resolution of that conflict. We have also heard the view that our policies in El Salvador, and in Central America generally, are misconceived. Let us take a closer look at these views.

Mr. President, I take it as given that no thinking American wants Central America to fall under Marxist sway. The creation of a series of Communist satellites would worsen our regional relations and indeed, given the Panama Canal and the regional transit of so many of our shipments of strategic material, would threaten our national security itself. Who amongst us would really want to see the proliferation of more Cubas from the present independent states of Central America? Who amongst us would greet with equanimity the establishment of Soviet offensive missiles in the region, as has been hinted? And who amongst us—given the proximity of the region—would want another flood of tragic refugees, not far away this time, but on our own doorstep? Not, Mr. President, the Senator from Kansas, for I believe that our strategic interests in the region are clear, our alternatives few, and our policies worth supporting.

It has been said, Mr. President, that we are myopically supporting military solutions to complex problems. The Senator from Kansas does not find that to be the case. Fully two-thirds of the assistance that the administration has requested is for economic and social programs. Of course we all recognize that the root causes of problems in the region are povery, historic injustice, disease, illiteracy, and lack of opportunity. That is why the bulk of requested funds will go toward fighting not the military adversary—and make no mistake about it, the military adversary is real and our adversary as well—but the economic and

socially dislocating sources of rebellion.

President Reagan rightly noted the difficulties of waging peace through such help when he observed that "No amount of economic help will suffice if guerrilla units can destroy roads, bridges, power stations, and crops again and again with impunity." But we are right to keep trying, and to offer the people of El Salvador a better future than the Marxist guerrillas will allow them if they are successful.

Much has also been said, Mr. President, about the quality of the army of El Salvador. It is said that they are unwilling to fight. Well, the Senator from Kansas has heard that the Salvadoran military has actually suffered a 12-percent casualty rate—much higher than any U.S. Army has sustained except in the Civil War. They need training. At present, 1 out of 16 Salvadoran soldiers—not 1 out of 5, as has been stated—has been trained in the United States. At that we are not talking about some vast military juggernaut. Mr. President, out of a total of some 23,000 in the Salvadoran Armed Forces, only 1,434 men have been trained in the United States. When you add in those trained in-country by our trainers, and at the Panama Canal schools, then the ratio rises, as President Reagan said, to 1 out of 10.

Has land reform been abandoned? Mr. President, over 475,000 Salvadoran peasants have already received land under the agrarian reform program. That program is being broadened and extended. Just what sort of program would be enacted, Mr. President, if the Marxist guerrillas prevail? Does anybody really doubt that over the long run we would see yet again—for those who cared to look—another dreary series of forced collectivizations, with land being taken from the people. And then the dreary cycle would be perpetuated and magnified in our region, for what collectivized system of agriculture has ever produced any bumper crop other than human misery and dislocation?

Mr. President, the specter of Vietnam has been mentioned in connection with El Salvador. The President was roundly applauded when he noted that there would be no Vietnam there. I fervently hope that he is right in that assessment. For I share the assessment of Morton M. Kondracke that was given in an April 28 column in the Wall Street Journal. He noted that "Central America is more ethnically homogenous than Indochina, so the dominoes there may fall faster." As Mr. Kondracke notes, there have been "Three million murders in Cambodia, total deprivation of human rights in Vietnam—and corruption at least as bad as in President Thieu's time—and a falling of dominoes. North Vietnam has taken over South Vietnam, Laos, and Cambodia: Now it is shelling Thailand."

Mr. President, unlike in Indochina, the final chapter for Central America remains to be written. This time, I am convinced, the forces of freedom will staunchly support the evolution of those peoples for a better life. And the Senator from Kansas knows that his colleagues will be proud to ally themselves ultimately to that just goal.●

THE THIRD YEAR OF THE TAX CUT

● Mr. BIDEN. Mr. President, as we proceed with Senate consideration of a budget resolution for fiscal year 1984, much of our attention is now focusing on the third segment of the 1981 tax reductions, scheduled to become effective on July 1 of this year. As we seek a middle course budget that a majority of the Senate can support, it is appropriate that we consider a middle course for that tax cut also.

For some time there have been proposals advanced to cap the third year of the tax cut at some figure ranging between $300 and $700. Such an action would restore some balance in the treatment of the wealthy versus the less wealthy and would be the most cost-effective way of stimulating consumer spending.

As Lawrence Chimerine said in an article in last Sunday's New York Times:

> Such an adjustment would not only provide the needed increase in consumer spending to continue the recovery, it would enhance the recovery by reducing the budget deficit. Moreover, a cap would begin to reverse the process that in recent years has shifted a much larger part of the nation's tax burden onto middle- and lower-income families.

Mr. President, the whole article, entitled "But Let's Limit the Break" sets forth the rationale, economic and social, for placing a top limit on the size of the tax cut more clearly and concisely than any other article I have seen. Its author, Lawrence Chimerine, is the chairman and chief economist of Chase Econometrics. He has testified before the Senate Budget Committee.

I believe that this article, which appeared in the New York Times on Sunday, May 8, 1983, is a valuable contribution to the debate that now ranges over next year's budget. It is, without question, leading us in the right direction.

For that reason, Mr. President, I ask that this useful article be printed in the RECORD for the use of my colleagues.

The article follows:

BUT LET'S LIMIT THE BREAK

(By Lawrence Chimerine)

While I agree with both the Keynesian and supply-side economists that the scheduled tax cut is needed to sustain the recovery. I believe that a modest adjustment can be made that will make it both more effective and more equitable. Let's place an upper limit of $500 on the size of the tax cut, so that people with very high incomes will not get inordinate tax reductions, while those at middle or lower income levels will get the full 10 percent reduction.

Such an adjustment would not only provide the needed increase in consumer spending to continue the recovery, it would enhance the recovery by reducing the budget defict. Moreover, a cap would begin to reverse the process that in recent years has shifted a much larger part of the nation's tax burden onto middle- and lower-income families.

Several recent studies have shown this dramatic shift in the distribution of income in this country. The President's personal tax cuts already in place have reduced tax burdens more sharply for those with higher incomes, even when measured in percentage terms. And the interaction of inflation with our progressive tax system has further shifted the income tax burden in this direction.

Recent sharp increases in the Social Security tax rate (and additional increases soon to occur) are regressive, as are many of the Federal tax increases enacted in 1982 and the recent increase in the gasoline tax. Increases in excise taxes by state and local governments, partly a result of lost Federal aid, are also regressive. Finally, additional increases in excise and energy taxes, and the President's contingent surtax on incomes would overly burden the lower wage earners and move us further away from a tax structure based on ability to pay.

Moreover, cuts in spending for various social programs that benefit the poor, as well as the sharp growth in personal interest income in recent years caused by policies that create high interest rates, have also caused greater income inequality.

In my view, the net effect of these tax measures and other changes is very unfair and a $500 cap on the tax cut would at least begin to restore more equity to the system.

It is now generally accepted that the Federal deficit will rise to very high levels in the years ahead unless new deficit-reducing actions are implemented. Given our need to reduce interest rates further, these future deficits must be sharply reduced. Otherwise, the large increase in Treasury borrowing to finance deficits will collide with rising private credit demands, pushing up interest rates and sparking a new recession.

The main reason for the bleak budget outlook is that the 1981 tax cuts were too large in view of the enormous military buildup and continued growth in Federal entitlements. And while some spending cuts are desirable, these would be nowhere sufficient to come even close to reducing future deficits to acceptable levels. The expected revenue loss from the 1981 tax cut will have to be reduced, and capping the tax cut will rather painlessly begin that process.

At the same time, capping the third year of the tax cut will not prevent the recovery from continuing. In fact, it could strengthen it. First capping would reduce the magnitude of the July tax cut by only about $8 billion; nearly 75 percent of the tax reduction would still occur. This, combined with the military buildup would provide ample fiscal stimulus for a recovery.

Second, depending on how the withholding tables are adjusted in July, some or all of the "increased" tax liabilities resulting from capping the tax cut would be pushed into the spring of 1984. Last July 1, withholding reductions were limited to incomes

below $35,000—a repeat would mean that virtually all the added revenues from capping would come from smaller refunds or larger payments when 1984 tax returns are filed, and that income flows and purchasing power during the critical second half of this year would be relatively unaffected.

Finally, the tax cut on higher incomes will increase savings more than comsumer spending. While this may be desirable from a long-term standpoint, the economy is currently suffering from a lack of spending rather than inadequate savings. Thus, scaling back the tax cuts on upper incomes will likely have little adverse effect on consumer spending.

The net effect on economic activity could in fact be positive if some of the increased revenues associated with capping are used to finance jobs programs or transfer payments aimed at people with a higher propensity to spend. Stimulus from these programs will outweigh the lost spending from scaling back the tax cut. And, to the extent that capping helps reduce expected deficits and eases concerns in financial markets, lower interest rates that may result would further stimulate the recovery.●

RHODE ISLAND'S SMALL BUSINESSMAN OF THE YEAR

● Mr. PELL. Mr. President, I am extremely pleased to inform my colleagues that Mr. Arpad J. Merva of Providence, R.I., has been named Rhode Island's "State Small Business Person of the Year."

Mr. Merva was born in Budapest, Hungary, in 1925. He graduated from the University of Hungary with a degree as a chemical engineer and was associated with the Budapest Research Institute as a chemist until 1956. The Hungarian Revolution against the Communist government began at that time. In the midst of the chaos, he was able to escape from his native land and migrated to the United States. He settled first in Cleveland, Ohio, and later moved to Providence, R.I., where he established Astro Plating Co.

Astro Plating Co. operates in a unique field in the automotive industry. There are roughly 150 firms of this type throughout the country. The primary function of this type of firm is the recycling of damaged and cast off automobile and truck bumpers of both domestic and foreign vehicles into shiny replacements for parts damaged in accidents. In this recycling process, Mr. Merva uses a special triple rinse to minimize the pollutants and byproducts resulting from the removal of chrome and replating of the finished product with chrome and nickel. As a result of this innovative recycling process Mr. Merva's plant contributes to a pollution-free environment.

Astro Plating Co. started in 1967 in a rented building with 100 square feet of floor space. As the business activities progressed, the original building was purchased and expanded in 1970 with the assistance of a Small Business Administration loan of $85,000. The present facilities constitutes the only fully integrated plant of this type in the United States with over 100,000 square feet of production space under one roof.

When the firm started, there were 14 employees. Presently, the employment roles have risen to approximately 200. Immigrants from several countries make up a sizable portion of the work force.

Mr. Merva is a fine example of the type of individual deserving recognition as a small-business person. The Astro Plating Co. has demonstrated innovation and the ability to respond to adversity by profitably recycling a product which for many years was routinely consigned to the junkpile. The use of the modern recycling system is an excellent example of his commitment to environmental improvement and innovation.

It is therefore a privilege for me to commend Arpad J. Merva for his designation as "Rhode Island Small Business Person of the Year."●

BANK SECRECY ACT MUST BE AMENDED

● Mr. ROTH. Mr. President, on March 23, 1983, I introduced S. 902, a bill to amend the Bank Secrecy Act, most of the provisions of which passed the Senate last year.

Since then the type of activity which is meant to be controlled by the provisions of the act has continued. For example, in a dramatic action on May 4, the U.S. Customs Service, working together with the IRS, stopped a Lear jet as it taxied down the runway at Fort Lauderdale-Hollywood Airport en route to Panama with $5,477,959 on board—none of which had been declared on the U.S. Treasury form which must be filed when transporting currency in or out of the country.

This action was another in the string of important successes of Operation Greenback in Florida. I want to congratulate special agent-in-charge of U.S. customs, Miami, Leon Guinn. Operation Greenback supervisors Dennis Fagan of Customs, and Peter Lindsay of IRS, together with agents and customs patrol officers succeeded in making the largest cash seizure in the history of Operation Greenback. These people, working under the leadership of William Van Raab, Commissioner of Customs and IRS Enforcement Chief Richard Wassenaur, have sent a message to those who would move bulk currency out of the country.

The case is indeed an impressive one. After extensive investigation, at 7:15 on May 4, 10 agents in their vehicles surrounded a Lear jet as it was actually moving toward takeoff. In a later search of the office and residence of one of the occupants of the aircraft, agents seized 62 pounds of cocaine with a value of $18.5 million, 15 weapons including a Uzi submachine gun, $40,000 in counterfeit dollar bills, together with various automobiles and computer equipment. The court set bail at $25 million for the owner of the aircraft who was on board at the time.

This case is a vivid example of the need to clarify the outbound search authority of the U.S. Customs Service which S. 902 does.

Why were these people carrying currency out of the country? That remains to be determined. It is an inescapable conclusion, however, that the vigilance of the Customs Service and the IRS in monitoring the currency transactions at Florida banks has tended to disrupt what was an enormous flow of business in illegally derived currency. Hearings before the Permanent Subcommittee on Investigations demonstrated this.

I intend to continue the work of the subcommittee in the area of the use of offshore banks and companies to facilitate criminal activity in the United States. We began these hearings in March and expect to hold another round later this month. In the meantime, I have urged the Justice and Treasury Departments to work with so-called tax haven countries like Panama, the Cayman Islands, and the Bahamas in an effort to prevent the use of banks and companies in those locations to commit crimes in the United States.●

TAXING HEALTH BENEFITS

● Mr. PACKWOOD. Mr. President, I am delighted to report today that a vast array of groups, representing all sectors of our society, have signed a resolution opposing the taxation of employer provided benefits. Among these groups are representatives of labor, industry, consumers, businesses, insurers, and professional associations.

Mr. President, over the last 40 years we have made great progress in expanding health coverage provided by employers. One important reason employers have been able to take this costly step is that benefits provided to employees have been tax free. Current proposals to tax health benefits provided by employers jeopardize the progress we have made in this area.

Taxing health benefits is unfair to workers. It would expose workers and their families to unanticipated and sometimes disastrous health expenses, forcing many of them to do without adequate health care. In addition, limits on health insurance provided by employers would discriminate against certain groups or workers who have high health costs. For example, a health insurance cap would hurt older workers, women, workers in high risk occupations, and workers who live in

areas with a relatively high cost of living.

Mr. President, I ask that a copy of the resolution and a supporting letter from the AFL-CIO be included in the RECORD.

The material follows:

RESOLUTION

Whereas a tax on employee health benefit plans would be discriminatory and unfair in application and ineffective as a means of slowing the rising cost of hospital care, we urge the Congress to reject any tax on employee health benefits.

Health Insurance Association of America.
American Dental Association.
National Association of Casualty and Surety Agents.
International Association of Machinists and Aerospace Workers.
Caterpillar Tractor Company.
Small Business Council of America, Inc.
International Brotherhood of Teamsters.
Professional Insurance Agents.
Society of Professional Benefit Administrators.
Aetna Life and Casualty.
New York Life Insurance Company.
Insurance Association of Connecticut.
Peoples Life Insurance Company.
Alliance of American Insurers.
American Council of Life Insurance.
The Travelers Insurance Company.
American Optometric Association.
U.S. Chamber of Commerce.
Blue Cross/Blue Shield Associations.
Group Health Association of America.
Laborers International Unions of North America, AFL-CIO.
Health Resources Corporation of America.
Family Health Program (FHP, Inc.).
Association of Private Pensions and Welfare Plans.
CIGNA.
Transamerica Occidental Life Insurance Company.
American Dental Hygienists' Association.
Kemper Group.
Independent Insurance Agents of America.
American Dental Trade Association.
National Association of Private Psychiatric Hospitals.
Delta Dental Plans Association.
American Speech-Language-Hearing Association.
National Association of Insurance Brokers.
American Psychiatric Association.
American Federation of Teachers/Federation of Nurses and Health Professionals.
National Association of Life Underwriters.
National Education Association.

AMERICAN FEDERATION OF LABOR & CONGRESS OF INDUSTRIAL ORGANIZATIONS,
Washington, D.C., May 9, 1983.

Senator ROBERT PACKWOOD,
Russell Building, U.S. Senate, Washington, D.C.

DEAR SENATOR PACKWOOD: The AFL-CIO joins with the coalition of business and insurers in opposing efforts by the Reagan Administration to place an arbitrary limit on tax free employer contributions to employee health benefits. We believe that this is an inequitable way to raise revenues, will do nothing to control soaring medical costs and represents unnecessary government intrusion into the collective bargaining process.

Under current law health insurance premium payments by employers are not considered income to employees. If Congress agrees to limit tax free employer contributions to health insurance and employers make payments above this ceiling, the difference would be added to the employee's gross taxable income. This change would disrupt labor-management negotiations by forcing existing collective bargaining agreements to be reopened and unduly influence future negotiations.

The proposed cap will also reduce coverage for preventive care, outpatient diagnostic services and other benefits which save money. It would leave intact coverage for hospital and surgical benefits, which have been the chief source of health cost inflation and over which patients have little control. The proposed cap would also penalize older workers, workers in high cost areas and those who select more comprehensive benefit plans, such as health maintenance organizations.

Organized labor hopes that Congress will not accept a proposal which increases the taxes of working Americans and penalizes them for negotiating adequate health insurance protection. The AFL-CIO urges the Congress, therefore, to reject any and all proposals to place an arbitrary tax ceiling on the amount of employer contributions to employee health insurance benefits.

Sincerely,

RAY DENISON,
Director,
Department of Legislation.●

AMERICAN POW'S AND MIA'S

● Mr. GOLDWATER. Mr. President, this year marked the 10th anniversary of the signing of the Paris peace accords in 1973. Unfortunately, the end of American involvement in the military conflict in Southeast Asia did not bring about the release of all Americans who remain officially listed as prisoners of war or missing in action. Nor did it bring about the return of the remains of more than 1,000 American servicemen and civilians who are listed as killed in action.

The real blame, of course, lies on Hanoi. But the Congress must share a part of the that blame. It was Congress that passed laws prohibiting any further American military operations in or over Indochina and thus announced to Hanoi that we would stand idly by if it engaged in massive violations of the Paris agreement. It was Congress who removed the threat of American retaliation which was the essential deterrent to the resumption of all-out war by North Vietnam.

When Congress prohibited a military response to Communist violations of the agreement and walked away from Indochina, it also withdrew any ability of the United States to enforce the aspects of the agreement with respect to American servicemen held prisoner or missing in action in Indochina.

Mr. President, it is important that we not allow American MIA's/POW's to be forgotten. In this connection, I am honored to present today to the Senate a memorial which passed the Arizona House of Representatives by unanimous vote on April 13, urging the U.S. Government to take all steps necessary to obtain release of Americans still missing in Southeast Asia and to seek the return of any American remains in that area. I ask that the memorial may appear in the RECORD.

The memorial follows:

HOUSE MEMORIAL 2003

Whereas there are currently two thousand four hundred ninety-four Americans still missing and otherwise unaccounted for in Southeast Asia; and

Whereas the United States government has collected and analyzed information which clearly establishes that the governments of Indochina possess information regarding American prisoners of war (POW) and Americans missing in action (MIA); and

Whereas the defense intelligence agency is currently investigating more than four hundred sixty firsthand, live sighting reports of Americans in Southeast Asia, based on the assumption that at least some may still be held captive; and

Whereas the United States government obtained and substantiated information that the Socialist Republic of Vietnam has in its possession the remains of at least four hundred American personnel who were killed as the result of hostilities in Southeast Asia; and

Whereas the families of those American servicemen and civilians missing in Southeast Asia have suffered untold grief and uncertainty because the governments of Indochina have failed to provide an adequate accounting of those missing; and

Whereas the State of Arizona has an enduring interest in the welfare of Americans listed as missing or otherwise unaccounted for in Southeast Asia.●

QUALITY PERFORMANCE IN MEMPHIS

● Mr. SASSER. Mr. President, in these troubling economic times we seem to hear nothing but bad news from the marketplace. We are bombarded with facts and figures on interest rates, unemployment rates, business failures and other indicia of our current fiscal crisis. And while this is as it should be for us to do our jobs well, we must not lose sight of the evidence that all is not lost in the American economy.

Recently, the Wall Street Journal ran an article on the operations of the Sharp Corp.'s Memphis, Tenn., plant. The article pointed out that even with a troubled history the Memphis labor force at Sharp has proven to be a model of efficient, quality manufacturing. I take great pride in the fact that my fellow Tennesseans are setting new standards for excellence in the marketplace during these hard times.

The success achieved in Memphis is the combination of Japanese management techniques utilized by Sharp executives and the caliber of the Memphis area labor force. I think this case

is a good example of the type of international cooperation we are seeing more and more of. I applaud the success of Sharp Corp. in Memphis, Tenn., and feel that my colleagues would benefit from reading about this distinct workplace. Mr. President, I ask that the contents of the Wall Street Journal article on the Sharp plant in Memphis be printed in the RECORD.

The article follows:

[From the Wall Street Journal, Apr. 29, 1983]

FACTORY MAGIC: IN A PLANT IN MEMPHIS, JAPANESE FIRM SHOWS HOW TO ATTAIN QUALITY

(By L. Erik Calonius)

MEMPHIS, TENN.—When word spread that Sharp Corp. of Japan was planning to build an electronics factory here, a lot of people thought the Japanese were making a big mistake.

After all, RCA Corp. had built a TV plant in Memphis in 1966—and shut it down five years later. That facility had suffered just about every labor and management affliction imaginable: wildcat strikes, union-authorized strikes, apparent sabotage of the product and a series of layoffs that took the payroll from a peak of 4,200 workers down to 1,600. At times, so many hundreds of defective TV sets clogged the assembly-line aisles that technicians had difficulty repairing them. Finally, RCA pulled the plug, shipped most of the machinery and work off to Taiwan and left the Memphis labor force with a black eye.

Yet Sharp came here anyway. "People said it was labor problems that caused RCA to close," says Paul Hagusa, the president of Sharp Manufacturing Co. of America, "but we didn't think so. We felt it was RCA's lack of quality in the product."

SUCCESS STORY

Sharp not only has proved the skeptics wrong but also has vindicated the city's work force. Despite some problems with labor unions, its 500,000-square-foot plant has, in the past four years, rolled out a million color-televison sets and a million microwave ovens. It has done so with U.S. labor (all the assembly-line workers and 85% of the managers are American) and with mostly American components (U.S. companies supply 70% of the TV parts and 75% of the microwave parts). Productivity has reached 90% of that in Sharp's Japanese plants, and the defect level is low. The plant has toughed out the recession without reducing its output of about 30,000 TV sets and 30,000 ovens a month (except for a slight dip in 1981), without layoffs and without losing its profitability.

Best of all, the Sharp products shipped from Memphis get high marks for quality and durability from consumer groups.

The Japanese company's remarkable success—on the banks of the Mississippi River—can't be attributed to special machinery or automation; American competitors use the same equipment. Nor can it be attributed to employees who sing the company song every morning, dress neatly in company garb, exercise in unison or eat sushi; they don't.

So, what's Sharp's secret?

The assembly-line workers themselves credit the Japanese style of management. At its core, it demands very hard work and an obsession with quality, an obsession with making every seam weld and switch of the product perfect. A Sharp manager agrees, saying: "It's not what we do, but how well we do it. It's the constant striving for excellence."

TWIST OF FATE

The leader in that drive for excellence, Mr. Hagusa (pronounced huh-GOO-sah), came to his position in Memphis through a full twist of fate. A teen-ager during World War II, he worked in an aircraft plant in Osaka, his hometown, and once, running to work during an air raid, barely escaped death as an American bomb glanced off a trolley-car cable and bounced to a harmless stop just yards away from him. After the war, he became a houseboy to an American Army officer and converted to Catholicism, taking the Christian name Paul. Later, he graduated from engineering school and began his lifelong career with Sharp.

Now, Mr. Hagusa, a small man whose feet just reach the floor as he settles into an American-sized chair, considers his job "a great mission," one that he hopes will ease trade tensions between the U.S. and Japan. And he clearly is presiding at a junction of two cultures.

His office is decorated with a vase of silk cherry blossoms, an ornate samurai helmet and a glowering portrait of Tokuji Hayakawa, the company's founder. But despite his weak English, Mr. Hagusa has learned to live with American customs. ("Shake hand is not so bad, but hug?" he says, wrinkling his face in distaste.) At the height of last year's Christmas party, Mr. Hagusa raised cheers among the employees by declaring, "There are two things I've learned since coming to America: how to wreck cars and how to drink Jack Daniel's."

LABOR LESSONS

He also has learned about American labor unions. In October 1980, the National Labor Relations Board charged Sharp with interrogating employees about their union sentiments, threatening to move the plant if employees voted union, suggesting that certain employees quit rather than support a union, telling employees they could be "nailed to the wall" for distributing union literature, and other offenses, In a settlement in August 1981, the company agreed to post in the plant notices promising not to harass employees involved with the union. Last month, Sharp and the International Brotherhood of Electrical Workers, which the employees had voted to represent them, agreed on a contract.

Michael D. Lucas, a union organizer, doesn't place full blame for the contention on the Japanese management. "They aren't any more familiar with American labor law than you or I am familiar with Japanese labor law," he says, adding that the company was led into the litigation by its law firm. "Japanese management is finally getting the idea that we aren't the devils in disguise they were led to believe we were," he remarks.

But the most important lesson learned by Mr. Hagusa has been how little most American companies know about achieving quality. "The most important path to quality," he says through an interpreter, "is that employees feel that they are of one family, playing an important role in the company."

How is a familial feeling instilled? "There must be a change in the way that management in the U.S. treats its employees," he says. "Otherwise, it is difficult for employees to respond" as the Japanese do.

"In America, when sales drop, the first thing American management in general thinks of is laying off employees. In Japan, it is the last resort," he says. Japanese companies cut costs elsewhere, he adds, or temporarily shift production employees into sales even though "they may not be as efficient as experienced sales people."●

With their jobs assured, workers—in Japan, at least—feel a responsibility to put the company before all else. "In Japan, an employee tries to work his lifetime with the company he chooses. So he does not put much importance in his personal interests," Mr. Hagusa says. "In Japan, they say, 'Job first, family life comes second.' "

For himself, he says, "I don't work to live; I live to work."

This strong work ethic is apparent at the Sharp plant in Memphis. "The Japanese work much more than we do—telexing home to Japan, checking up on us," says Kevin Hignight, an engineer at the plant. "They work to seven or eight every night and on Saturday mornings. They seem to like it."

And they push the U.S. workers relentlessly. "You won't see people sitting around on the loading docks," says Milton Kee, the company's American manager of quality control. "Everyone here has a job, and they're expected to do it. There are no excuses." He adds.

"I've never worked so hard in my life. It's been hard on me, it's been hard on the other employees, and it probably always will be hard. But I've had 17 years in manufacturing, and the last three have taught me more than all the previous 14."

THEY ARE TRAINING ME

Fred Haynes, another engineer, agrees. "It's a tough place to work," he says. "They keep trying to get a little more out of you. They keep going deeper, demanding better quality from you. They're training me. . . . In a way, I'm a Japanese engineer, learning to relate to American companies." Then he concedes. "I think it's real good."

However, not everyone is willing to live under Sharp's ever-tightening standards. When Sharp first asked American suppliers to submit their materials to Sharp engineers in Japan for inspection, almost all failed. Some vendors, exasperated, quit the bidding.

During Sharp's first year here, the Japanese dominance stirred up tension in the plant, too. "They were here to duplicate the plant in Japan," one worker says, "and there was only one way to do things—their way." Especially during that first year, there were some difficult meetings between the Japanese and Americans. With American suggestions carrying little weight with Japanese management, "it was sometimes humiliating," one American manager recalls.

Much of that has passed. "They had to learn about us as people first, before they could trust us," one worker says. "Now, I feel they trust us."

The Americans, in turn, express respect for the Japanese, especially for their attention to detail. Although many of the Japanese didn't know English when they arrived four years ago, "they're even starting to correct our grammar and spelling," one American worker boasts.

GOING BY THE BOOK

In the Spartan concrete-block office of Joe Scott, the production manager for Sharp's microwave ovens, a sign on the wall reads, "Do it right—the first time." But good intentions and hard work alone don't account for Sharp's quality. Another factor

is found in a thick book on Mr. Scott's desk. In the book are line graphs that meticulously track the pulse of the assembly lines through information collected from a data sheet attached to each oven. "We let the data tell us what we need to know to correct a problem," he explains. "We don't use personal opinions or emotions."

Although Sharp has been able to track and improve the level of quality in its own plant, it has found it much more difficult to persuade its 70 U.S. suppliers to do so, too. "We're trying to convince vendors that quality actually reduces their costs," Mr. Scott says.

At a recent meeting of vendors, Edward Cox, Sharp's TV-set production manager, explained "Practice Sincerity and Creativeity," Sharp's off-repeated business creed. "As for sincerity, we expect you to send us 100% quality parts," and precisely on schedule, he said. "As for creativity, we expect you to participate in quality improvements."

REPORT CARDS

Suppliers got "report cards" evaluating the quality of their materials, their prices, promptness of delivery and other factors. Sixteen vendors received a 100% quality rating; 15 others also got A's with 95% to 99%; 18 got B's with 85% to 94%; nine got C's with 75% to 84%; and three got D's with 65% to 74%. There weren't any F's.

"We did about as well as I always did in school, a strong C," says Jeff Talbot, vice president of Talbot Industries Inc., a Neosho, Mo., supplier of wire racks for Sharp's microwave ovens. Mr. Talbot blames his 84% rating on a few bad shipments when Talbot Industries started its first run eight months ago. "Sharp does a first-piece inspection with every shipment, and if it doesn't measure out exactly, then the whole shipment is no good," he says. "Other companies would say, 'Well, it doesn't exactly meet our tolerances, but we can use it.' But at Sharp, if it's wrong, it's wrong."

Next year, he says, with a bit of disbelief in his voice, Sharp expects his company to reach 97%. "It's not going to be easy," he concedes. "If we can cut our in-house rejection down from a high of 12% to 1% or 2% and then make sure we don't send them over 1% defects, that will be the proof of the pudding."

At the head of the class with a 100% rating was, not surprisingly, Tabuchi Electric Co. of America, a Japanese supplier of transformers that followed Sharp to America and set up a plant employing 150 persons in Jackson, Tenn. "We are of the same mind," says Itaru Nakagawa, the director of sales and planning. "Not only with Sharp but with our other customers, we have very eager communications. Even if the customer hasn't rejected this time, even if there is but a little possibility of rejection, we will know at the meeting and correct it."

However, Mr. Nakagawa says his performance must be improved. "Their (Sharp's) objective is that they don't need to inspect our product at all," he says. "It's an objective that is very hard to approach."

Being tough is only half the formula for getting quality. The other half is making suppliers also feel a part of the family, Mr. Hagusa says. Indeed, once a supplier begins working with Sharp and shows willingness to improve, the relationship can last a long time.

"We'd really have to step all over our toes to get thrown out of here," says Mr. Talbot, the maker of microwave wire racks. "They'd give us every consideration under the sun because we have done a good job." Adds Mr. Hignight, the Sharp engineer, "If the company has a problem, we can telex Japan to see if they've solved that problem in the past. Our job actually is to help the vendors get their rejection rates down so they can make some money."

Richard Hollington, vice president of Bryan Custom Plastics Inc., which sells about half a million plastic pieces for Sharp TVs each year, says, "They demand jewelry. There just is not any comparison between the quality Sharp demands and that demanded by RCA and Zenith."

But at the same time, "they helped us with our quality-control layout and training," Mr. Hollington says. "They developed hourly audits of our assembly line to isolate problems sooner."

Like a score of other vendors, Mr. Hollington has been called before Sharp's quality-improvement committee, a body formed two years ago to help vendors. "It's not a hell-raising session at all," he says. "They are providing us with the expertise of their top management. At American companies, if they find a problem in your product, it's your problem. At Sharp, we work it out together."

On a recent day, one of Sharp's "quality circles" is meeting. Led by a trained leader, Sharp's quality circles "brainstorm" ideas, select a problem to be solved and then collect data on the problem. Later, the problem and possibly a solution are presented to Mr. Hagusa and other members of management.

TWO INNOVATIONS

At one table, five microwave assembly workers are discussing one workers' innovation: a metal dowel that fits into the center hole of a five-hole microwave-oven bracket. "I saw that people were having trouble lining up the holes," says Randy Howle, "but if someone before them had put in the center screw, the person didn't have a problem." So Mr. Howle developed a metal dowel, which, when slipped into the middle hole, aligns the bracket while the other four holes are screwed down.

At another table, a group of employees are discussing a second innovation: a plastic table top with countersunk holes in which to stand screws. The device makes the screws simple to pick up and keeps them from rolling off the table and onto the floor. As a result, productivity has improved by seven units a day, the circle says.

However, Sharp doesn't expect a dollar payback from the circles, which meet on company time. Instead, a manager explains, the circles are a "human-relations program."

That comment harks back to a remark by Mr. Hagusa:

"Once there was a time when the Americans had very efficient machines and equipment, Japan did not. At that time—regardless of the workers—those with the most modern machines had the competitive advantage." But now, he says, one country soon has the same machinery as another. "So, what makes the difference today," he says, is "the quality of the people."●

THE 40TH ANNIVERSARY OF THE MANHATTAN PROJECT

● Mr. HART. Mr. President, in mid-April of this year, the founding members of the Manhattan project met for the 40th anniversary of the inception of the project. Although the reunion was primarily a professional conference, some of the members saw this anniversary as an opportunity to reflect on the necessity of reducing and ultimately eliminating the threat of nuclear war, and of the special responsibility of the United States and the Soviet Union in that endeavor.

The development of the atomic bomb, viewed in the context of history, was a vital part of our Nation's role in defending herself and her allies against wartime Japan and Hitler's Germany. As Manhattan project participant Dr. Victor Weisskopf puts it, "We served our country and we thought that such powerful weapons will make wars between great powers unthinkable. Some of us thought that the existence of these dangerous sources of destructive power will lead to an international administration of military and peaceful applications and will end an age-old tradition of organized mutual mass murder."

Dr. Weisskopf calls our present confrontation with the Soviet Union "the craziest arms race in history, where each side has more than a hundred times what is needed to destroy all of us, knowing full well—and this is the difference with all previous arms races—that any actual use of these weapons means the annihilation of both sides."

I think it is vital that we, as a body, publicly recognize the significance of this anniversary—even 1 month late—and of the statement of the Manhattan project participants that accompanies it. I ask that the statement of the 40th reunion of the Manhattan project be printed in the RECORD.

The statement follows:

THE 40TH ANNIVERSARY OF THE MANHATTAN PROJECT

The signers of this statement are scientists who came to the Manhattan Project at Los Alamos in its earliest days and who are now gathered to observe the fortieth anniversary of the opening of the Laboratory. We write this because we worked on the creation of the first nuclear bomb and therefore, even though the consequences and the concerns must be the same for all people equally, we feel a special sense of responsibility. We are appalled at the present level of the nuclear armaments of the nations of the world and we are profoundly frightened for the future of humanity.

The single crucial fact is that the two major world powers now possess a sufficiency of nuclear warheads and delivery systems to destroy each other and a significant part of the rest of the world many times over. Furthermore, in view of the massive overkill potential already achieved, the mobility of many launching systems, and the absence, after many years of research, of any credible defense, we see no conceivable probability of preventing, by any military action that could be taken, such total or near total destruction. This being so, considerations of possible comparative advantage to one side or the other in numbers of warheads or in megatonnage become irrelevant.

Our one hope is that both the United States and the Soviet Union will recognize the futility of trying to outbuild the other

in nuclear strength and also the cataclysmic danger inherent in the effort to do so. We urge upon the leaders of both countries that this recognition be made a cornerstone of national policy and that it lead to the beginning of a mutually agreed upon reduction of nuclear armaments and, for all nations, to the ultimate goal of the total elimination of such weapons.

Herb Anderson, Kenneth T. Bainbridge, Hans A. Bethe, John M. Blair, Wayne A. Bowers, Berlyn B. Brixner, Joseph Burke, Robert E. Carter, Owen Chamberlain, Robert Christy, George Cowan, George Cremer, Ed Creutz, Martin Deutsch, John Dewire, Richard Ehrlich, William C. Elmore, George W. Farwell, Richard P. Feynman, Joseph Fowler, A. P. French, Naomi Livesay French, Gerhardt Friedlander, Darol Froman, Alfred Hanson, William Higinbotham, Robert Howes, James Hush, Seymour Katcoff, Donald W. Kerst, L. D. P. King, Ernest Klema, Morris Kolodney, Rolf Landshoff, John Manley, Robert Marshak, Boyce McDaniel, Joseph McKibben, Ed McMillan, John Miskel, Darragh Nagle, Ralph A. Nobles, John Oathout, Paul Olum, Frank Oppenheimer, Rudolf E. Peierls, Norman F. Ramsey, Frederick Reines, Charles N. Rice, Hugh Richards, R. E. Schreiber, Emilio Segre, Rogert Serber, Maurice Shapiro, Lester Skaggs, Cyril S. Smith, Thoma Snyder, Richard H. Stark, Julius Tabin, James M. Taub, Robert W. Thompson, Ernest W. Titterton, Stan Ulam, Arthur C. Wahl, Robert Walker, Victor Weisskopf, Theodore Welton, Dudley Williams, Robert W. Williams, and Robert R. Wilson.●

SENATE RESOLUTION 52—OPPOSITION TO TAX OR FEE ON OIL

● Mr. D'AMATO. Mr. President, I cosponsor Senate Resolution 52, which expresses the sense of the Senate in opposition to a tax or fee on oil. I believe any tax on oil to be an improper course of action for a number of reasons. Foremost among my concerns is the effect such an action would have upon the nascent economic recovery. Oil continues to be the lifeblood of our industrial base. The recent fall in its price augurs well for the prospects of a vigorous economic upturn. It would be most foolish to take an action which would directly impact upon our ability to produce the goods and services that will be the backbone of any real, sustained recovery.

Additionally, I represent a State which is highly dependent upon oil for the necessities of life. New York City and the surrounding 26 counties consume 70 percent of the oil imported into this Nation. A tax solely upon that oil would place New York, a State with an aging industrial base, at a huge competitive advantage. Mass transit, the artery of any true urban existence is almost entirely reliant upon petroleum. Any tax aimed solely at that resource would poison the trough from which our great cities drink.

Along with these admittedly parochial interests, I wish to bring to the attention of my colleagues the fact that any tax on oil is essentially a regressive tax. Those in our society who are at the greatest economic disadvantage, the poor, the underfed, would be forced to bear a disproportionate share of the burden any such tax would impose. As those who have borne the weight of the recession in terms of lost jobs, reduced incomes, and great personal travails, we should not again ask them to shoulder the responsibility for the deficits that recession has caused.

It may, indeed, be the sense of this Congress that an energy tax must be adopted. If so, I suggest that no one form of energy become the focus of attention. An equitable avenue for exploration would be to tax at equal rates all forms of energy. This would insure that no sector of the Nation or its population is forced to assume a disproportionate share of the burden. I believe that the actions being urged upon this body by many who have not fully investigated the ramifications, both social and economic, of a tax solely on oil need to be reconsidered. I urge my colleagues to adopt this resolution forthwith and make clear our resolve to adopt no inequitable tax on energy.●

NATIONAL COAL ASSOCIATION ADVOCATES INCREASED FEDERAL FUNDING FOR COAL R&D

● Mr. RANDOLPH. Mr. President, in January I wrote to Carl Bagge urging the National Coal Association (NCA) to take a more active role in seeking proper Federal support for coal research and development (R&D). The shortsighted planning effort of this administration in their redirection of fossil fuel research moneys is unwise. During the last 3 years we have seen coal R&D funding go from 22 percent of the total energy technology budget to a mere 7-percent request for fiscal 1984. We have had to witness forceful domestic coal policy abandoned in favor of an unrealistic slant toward nuclear power. No longer is there a commitment to push for accelerated conversions to use more abundant and less expensive coal. These actions were accentuated by the lack of attention such policy positions were receiving from the National Coal Association's membership.

Mr. President, I am happy to report that Mr. Bagge, for the National Coal Association, has responded with a strong and positive statement in favor of meaningful increases in coal R&D funding before the Subcommittee on Energy, Research and Development delivered on May 3. Through such an effort the NCA assumes its responsibility of assuring coal is the cornerstone for a secure domestic energy future.

Mr. President, I request Mr. Bagge's complete statement be inserted in the RECORD.

The statement follows:

STATEMENT OF CARL E. BAGGE, PRESIDENT, NATIONAL COAL ASSOCIATION

Mr. Chairman, I am Carl Bagge, President of the National Coal Association.

NCA represents coal producers, sellers and other organizations associated with the coal industry.

It's a privilege to appear before this Subcommittee and to present NCA's views about coal research and development.

Mr. Chairman, this Subcommittee needs no reminders about coal's vital role in the American economy. Coal is America's lowest-cost fuel, one third the cost of oil, and half the cost of natural gas.

Today, 53 percent of America's electricity is generated from coal. By the end of the decade it will be nearing 60 percent. Coal exports are also increasingly important. Each of the past two years, the United States exported 100 million tons of coal, adding $6 billion annually to the Nation's balance of trade.

These exports could easily double by the year 2000, and account for more than $15 billion each year to the country's trading balance.

As we look to the future, it's likely that conservation of energy in homes and commercial buildings will continue, and there is every likelihood factories will produce more goods and services using less energy.

But despite these gains, far more energy will be required to keep the economy growing, and to make sure new workers have jobs. We believe that coal is the logical choice to serve the lion's share of those energy demands.

Its sheer abundance makes it a worthy candidate.

However, by tapping these huge reserves, and by taking advantage of coal's low and stable costs, this nation can move steadily toward the goal of energy sufficiency and energy-pricing stability—both of which are essential to economic growth and development.

We view coal research and development as an important part of making sure coal reaches its fullest potential.

In that vein, Mr. Chairman, I was privileged to deliver a paper last year to the sixth Congress of the International Committee on Coal Research, a committee which I had the privilege of getting started in 1973. Ironically, the first ICCR meeting occurred shortly before the Yom Kippur War, which, as you know, led to the Arab oil embargo.

With your permission, Mr. Chairman, I should like to insert a copy of that paper into the record, so the Committee will know of the American coal industry's keen interest in continuing coal research worldwide.

Any discussion of coal research must also consider the budgetary limitations facing the Federal Government.

The coal industry long has supported fiscal responsibility, and we are ever-mindful that the wise allocation of limited resources continues as a priority today.

With this in mind, I should like to talk about two general research areas of which

the coal industry has a direct and abiding interest.

First, is research geared to improve the production and mining of coal—getting coal to market in the most effective and efficient manner.

Second, is research targeted to improve direct and indirect use of coal, also efficiently, but more important, consistent with environmental quality.

There is also a related concern, which the coal industry wishes to address: That is the research and development of new, potentially-beneficial coal-use technologies, which are not in commercial use.

COAL PRODUCTION TECHNOLOGY

The American coal industry has the most efficient and advanced mining system in all the world, and we are proud of this achievement.

In the past ten years, the coal industry has benefitted from investments amounting to hundreds of millions of dollars for new mines and the training of its quarter-million strong workforce.

It has paid off handsomely.

In the past five years, coal prices at the mine have been stable in real terms, even as oil and gas prices went up.

Just as significant, the coal industry has increased its productivity an average of eight percent each year in underground mines and four percent in surface mines, setting the pace among all American industries.

The fact is, the coal industry has the capacity to exceed present deliveries by at least 150 million tons a year, and we can do it with the very latest technology and top notch skills of our workers.

This doesn't imply that we can rest on our laurels.

Far from it.

But the primary responsibility for research and technological development to improve our mining efficiency and productivity lies outside the DOE Budget.

Research funding to promote more efficient and effective coal production is centered in the Bureau of Mines budget, and is also enhanced by the coal industry and equipment supplier's efforts.

In summary, the coal industry's most urgent challenge, now and in the future, is to increase coal demand, and to find the technology which will lead to much greater coal use in support of the American economy.

RESEARCH ON IMPROVED COAL USE

Coal use in the future will depend in large measure on the pace of economic growth, but it also will hinge on the ability of coal to be used in an environmentally-acceptable manner.

There are a host of effective technologies which remove impurities and pollutants before and after coal combustion. But these technologies are expensive, and they are difficult to apply to existing power plants and other facilities.

In comparison to production methods and technologies, the coal industry does not have the resources to carry out the basic research needed to develop some of the more advanced pollution control technologies.

Development of more advanced combustion systems which are environmentally-sound and economically-feasible are essential to the expanded use of coal.

Despite much progress, new, more effective pollution-control technology is needed—technology which also could cut the present high costs of refurbishing coal-fired power plants.

Mr. Chairman, I do not have the expertise to advise the Committee precisely how federal research dollars should be allocated. However, it appears to us that the proposed budget for fossil-fuel research does not include significant funding for research in some of the promising coal-related technologies.

In this, the coal industry supports continued research for coal preparation, flue-gas cleaning, advanced fluid-bed combustion, combined cycle technology, and post waste disposal. In addition, we support stepped up coordination of this research among DOE, EPA and the Bureau of Mines.

We urge the Committee to consider funding these important coal technologies at the highest feasible levels. For they can lead to the reduction of coal burning costs, and also improve environmental quality.

RESEARCH OF NEW TECHNOLOGIES

Finally, let me turn to the more advanced coal uses. They fall into two categories: Mid-term and Long-term.

In the Mid-term synthetic fuels are of obvious research and development interest.

As the Committee may know, the coal industry has looked with disfavor on a large synfuels program carried out by the Federal Government. We still oppose such a policy.

But we believe Government has a limited role, particularly with the private sector to enhance research of synthetic fuels technologies, which are not ready for commercial operation.

Mr. Chairman, as you are aware, indirect coal liquefaction already has been demonstrated by other nations. We believe, however, that direct coal liquefaction offers far more promise in this country, although it is not ready for commercial use.

The coal industry would urge continued government efforts to improve its prospects.

We would also urge continued support for Magnetohydrodynamics (MHD) which holds promise for the long-term future, but which also requires a consistent and steady level of research and development.

Let me again point out that the coal industry seeks increased government involvement in the basic research and development—not the commercialization—of these technologies.

For we believe that these research efforts will pay rich dividends for our country by allowing this country to use its most abundant and lowest-cost fuel, coal.

In summary, Mr. Chairman, we want to see this nation benefit from more coal use. We want to see our mines operating at full capacity, and thousands more miners on the job.

The coal industry is ready and able to get on with this job.

But we need the tools of research to help make sure that the job is done.

This concludes my testimony.

I would be glad to answer any questions.

World Coal Research: The Need for a Recommitment

(An address by Carl E. Bagge, President, National Coal Association)

A decade ago this month, I had the high honor of convening this body on behalf of the American coal industry for the first time in Washington. Thus began an uncommon and historic commitment by international friends to lift coal's standing in the community of free nations. And, as we said then, to "restore our national Western heritage of coal."

As we meet for the sixth time, to share ideas, fellowship, and to reflect on the future of world coal and global coal research, we might be guided by John Galbraith's observation in his book, The Affluent Society. He said: "The enemy of conventional wisdom, is not ideas, but the march of events."

The worldwide economic recession, coupled with an oil glut and relative oil-price stability, is affecting conventional wisdom about coal's future. Uncertainty again looms on the horizon, and we in coal are no strangers to uncertainty. We coal people—the international coal community—have no reason to hang our head in despair.

Winston Churchill once said that the farther backward he looked, the farther forward he could see. Likewise, we in the world coal community need to look at our future, not in the darkness of present events, but in the light of how far we've travelled since our first gathering in Washington.

Today, I want to take you on a brief journey into the past—to look at the events and ideas surrounding the creation of the ICCR. By so doing, I believe it's possible to put the present in proper perspective, and to gain clearer view of the changes in direction that are needed for our member nations to keep moving along the long, difficult road of human progress.

As we gathered for the first time in 1973, the Yom Kippur War raged in the Middle East. In a sense, the conflict provided an appropriate setting for the already-growing frustration about the world's failing energy condition.

Energy and political leaders alike had good reasons to fear that the worldwide economic machine would sputter as the supply of precious oil-energy was rationed at the whim of a few Mideastern landlords.

We, the world's consuming nations, were vulnerable to serious injury, because of our ever-growing oil-dependence and the clear lack of feasible national energy alternatives in the face of a worldwide energy crisis.

Even the earth's most abundant and versatile energy resource, coal, seemed to offer a "Hobson's choice." Despite its massive reserve strength, coal was in no condition then to do battle in the energy fray. Coal's vitality had been sapped by falling worker productivity and the steady inroads on coal markets by "cheap" oil and gas, a mining system of another era, and a total lack of public awareness of coal's potential. What's more, coal's potential to supply more energy for world economic growth was further compromised by increasing environmental concerns about fossil fuels in general and coal in particular.

These realities sent a clear signal to the newly organized ICCR. Coal production had to be brought into balance with expected rising energy demands. For coal to compete successfully with oil and gas, research was needed to develop new combustion technologies, to find ways of dealing with the by-products of coal burning, and more importantly, to improve productivity in the mines.

Then, there seemed to be a way to short-cut the long, laborious process of putting the world coal industry back together. The United States had just ended a decade of space achievements—a glittering example of what basic research supported by generous amounts of public funds could get done.

Converting massive amounts of coal to oil and gas would fit nicely into such a grand scheme of unified energy efforts. A large scale synfuels industry, we believed, also could effectively cap world oil-prices—insulating consuming nations from OPEC's pricing and production decisions.

The vast amount of capital necessary for such a venture was ready for the taking. Our Congress was already considering energy research legislation. The only issue then, was whether to allocate $10 billion or $20 billion over the next five years, and what share coal could win.

But it was the political uncertainties in the Middle East that added the proper ingredient of urgency. Most political leaders, if not the public, understood the implications of rising oil prices set by a few nations.

In my speech to the first ICCR meeting, I warned that the oil price dike was about to break. World oil prices already had reached $5.75 per barrel. What's more, we were shocked when the Ambassador to Saudi Arabia, Jim Akins, predicted world oil prices of $10 per barrel by 1980 and an annual cost of $13 billion to the United States.

On October 20, four days after my keynote speech, the Organization of Arab Exporting Countries placed the United States under an oil embargo. By the end of the month, the posted price of OPEC crude had nearly doubled. By 1980, oil prices were nearly three times higher than Ambassador Akins had envisioned, and American consumers were sending $80 billion each year to pay for imported oil.

The price increase in 1973 set in motion what is perhaps the most cataclysmic energy and economic decade in history. The so-called energy crisis of the early 1970's continues even today as an oil crisis.

Yet, I'm reminded that the Chinese use two distinct characters to fashion the word crisis. One means danger. The other means opportunity. The dangers—the trials and tribulations for all the world's consuming nations—continue to dominate recent history. But from these dangers have sprung great opportunities for expanding world coal markets.

We need to take stock of what rising oil prices did for coal's fortunes—how the events of the Seventies helped to galvanize our nations into action, and elevated coal to a new, prominent and respectable position in the world community.

First, the coal industry's ability to meet worldwide demand is no longer in question. Through public recognition, research and a massive infusion of capital, the world's coal mining system has been rejuvenated as never before.

The enthusiasm with which investors rushed to coal's side is testimony to a brighter future. Investors of all our free nations will act in their own economic self-interest. Just as important, the priority given to expanding coal markets by our governments at the highest level is an iron-clad endorsement of more coal use in the years to come. This was confirmed at the economic Summit meetings at Tokyo and Vienna by our economic ministers and heads of state.

The symbiosis of self-improvement and greater investment has caused a radical shift in the public's attitudes about coal. Less than ten years ago, the question was whether world coal could contribute to world energy sufficiency and price stability.

That concern was answered by the World Coal Study and the President's Commission on Coal, among others. But more to the point, the answer is clear from coal's performance—not the political rhetoric of the 70s.

Ten years ago, the world's free nations were at the mercy of OPEC, because there were to few economically-feasible energy alternatives. Now, OPEC is in trouble because of the international coal alternative.

Coal's share of the American electric utility market, now more than 53 percent, is expected to reach nearly 60 percent in a decade. Despite present market conditions, we expect growth in production of four percent each year. This is short of the seven percent once predicted, but nonetheless a sign of sound industry and market strength.

The reasons are obvious. No new oil and gas plants are planned in the United States, and nuclear power is still beset with financial and regulatory problems. What's more, since 1978 the real price of coal at the mine has remained stable or even declined. Oil and gas prices have risen.

The outlook for coal is also excellent among the OECD nations and in the Pacific Rim.

Recent reports indicate that the OECD countries will invest as much as $200 billion over the next 20 years in new coal-burning utility plants, other coal-fired facilities, and transportation to match supply with demand.

The Pacific Rim nations, especially Japan, have made a solid commitment to coal. And even though the worldwide recession has led to some reevaluation of Japan's needs, there is no indication that the Japanese are any less determined to diversify their energy base.

This doesn't imply that the battle is won. To the contrary, large gains in mining productivity are still needed, particularly in those nations where deep mining supplies the lion's share of domestic energy.

Today, better coal combustion technologies are essential to assure coal's continued competitiveness and environmental acceptance around the world.

Yet—and I want to reemphasize this crucial point—improved coal mining and production technologies today are well within our grasp. Now, the job is to build on what we've already achieved during this past decade.

Second, the events of the past several years have forced a rethinking of the coal research process, especially with synthetic fuels.

If we are honest with ourselves, we have to admit that there was too much overlapping of synfuels research—too many dollars spent for the results achieved.

This doesn't mean that synfuels production isn't important, or that the ICCR shouldn't welcome more opportunities to move ahead with synfuels research on a more selective basis. But selectivity, rather than a so-called "moon shot" effort, is the politically and economically sound alternative today. In this, the coal industry continues to oppose a synthetic fuels program financed and carried out by the Federal Government. But we believe the government has a role in enhancing research, particularly with the private sector into synfuels technologies yet to reach commercial use.

We know now that no one technology can put a lid on world oil prices. Rather, increasing coal conversion and new coal-fired plants already affecting OPEC's markets, as well as its pricing and production decisions.

In 1981, Sheik Yamani predicted that the world coal price would rise to the world oil price. It hasn't happened precisely because coal prices are set by worldwide competition within our industry—a plus for us and world coal consumers. And to the extent that the world coal producing nations work together to improve the mine-to-market system, coal's ability to compete with OPEC oil will continue to be enhanced.

There's another good reason why attitudes about coal research are changing. Unlike the halcyon days of the early 1970's when our nations could rely on booming economies to increase the flow of research dollars, a worldwide recession is cutting research funds to a relative trickle.

In the United States, Congress and the President are still trying to cope with record federal budget deficits, and to forge a new agenda of priorities.

Virtually every program in the federal budget is affected, including energy research. The American coal industry is resolved to live with these reductions in the national interest. Meanwhile, we are urging Congress and this Administration to bring more equity in the allocation of available research monies.

While we support the President and his efforts to turn the economy around, we are no less determined to make certain the administration lives up to its commitment to expand coal markets domestically and internationally by providing enough research dollars to help make this goal a reality.

More important, to improve American coal's competitive edge—at home and abroad—we are turning our attention to increasing competition in the coal transportation system, and to streamline existing regulations.

All our member nations are facing the same dilemma, and we must make the most of these opportunities. But there is a caveat for the ICCR: As we face a loss of world coal research funds, and as we are required to live within our national fiscal means, our coal-research capability must be safeguarded. For the richness of expertise in coal research is the world coal industry's inner strength.

Despite unprecedented progress, despite all we've accomplished, the coal industry is facing a new kind of energy war, one which demands research soldiers of the highest ability and dedication.

I'm talking about the challenge of worldwide public acceptance of coal—the "new frontier" for coal research.

When the ICCR was born, we pledged to support research that would help to use more coal, while also protecting the environment and public health.

Initially, our attention was wisely focused on recovery efficiencies. To stimulate coal production was the appropriate challenge of the 70s. But coal production is no longer our most pressing problem. I submit, that the research of sulfur and nitrogen oxides and trace element emissions—despite the quantum leaps already made—is the foremost challenge in coal's new research frontier.

We are headed into the "twilight zone" of acid rain, the "greenhouse effect," and most probably other phenomena. These concerns will continue to weigh heavily on the minds of energy planners and political leaders as they shape future energy policy.

For example, almost overnight acid rain has emerged as an international political and scientific issue. In the United States, Congress is considering acid rain control legislation, which if passed, would cost electric consumers in a few Midwestern and Southern states more than $150 billion, while throwing thousands of miners out of work and savaging some coal markets.

This would be done, despite the obvious unanswered scientific questions about acid rain's causes and effects. And for this reason, the American Coal Industry and—I'm gratified to say—the Reagan administration are fighting this proposal.

As with past environmental issues, the coal industry again finds itself in the posi-

tion of having to prove its inculpability. The calls by the coal industry for more research before launching such a damaging and costly regulatory program are seen by its critics as a delaying tactic—an attempt to hide until the acid rain debate runs its course.

This is not only dead wrong, it flies in the face of the superlative record of environmental improvement achieved by the world coal industry, the users of coal, and the United States Government over the past ten years.

We know that the acid rain issue isn't going away. What's more, we also know that acid rain isn't solely an American issue, but one which is likely to face coal producers all over the world.

As a body representing the world's leading coal producers and consumers, the ICCR has a duty to help find the causes and effects of acid rain—to stay in the lead in environmental and public health research.

For whether its acid rain, the "greenhouse effect" or some other unresolved scientific issue, the results of inaction are potentially the same: A clear and present danger to continued worldwide acceptance of coal, and to our future markets.

This, I submit to you, is not a self-serving exercise. Expanding coal markets to provide an ample supply of lower-cost energy, to fuel economic growth and development, is no longer an option. It is a world imperative, now and in the years to come.

Therefore, I ask, the ICCR on this historic occasion to recommit itself—as a decade ago—to a new, exciting and promising agenda for the decade ahead—to meet this challenge head on.

In ten short years, with the efforts of this Committee, we have helped to heal a broken and battered world-coal industry. We have emerged healthy, strong and confident and, more importantly, with a degree of public awareness we have never known before.

As we face new challenges on a new coal research frontier, we know what needs to be done. Two years ago, at our meeting in Dusseldorf, my good friend and our first chairman Erwin Anderheggen said: "It is no longer necessary to talk on the necessity of international cooperation in coal research and development. Without such cooperation, the ambitious targets set for coal production and consumption . . . simply cannot be reached." Let me close with a thought from one of America's greatest Presidents, Abraham Lincoln. He said:

"The dogmas of the quiet past are inadequate to the stormy present. The occasion is piled high with difficulty, and we must rise with the occasion. As our case is new, so we must think anew and act anew."

Let us in the international coal community ask not if we should proceed, but rather how. And let us get on with the unfinished job of helping all the world's people achieve a better life for themselves and for future generations—with low cost energy through coal and coal research. As we did a decade ago to the new challenge of the decade of the 80s. I ask you to rise to the challenge. Let us recommit ourselves in behalf of the world community.●

THE U.N.: A BUREAUCRAT'S LAND OF MILK AND HONEY

● Mr. LAXALT. Mr. President, recently the so-called Third World nonalined nations met and in a series of resolutions once again made a mockery of the meaning of the term "non-alinement." After a predictable diatribe by Fidel Castro, the Third World representatives settled down to business and passed resolutions denouncing the United States and Israel but virtually ignoring the existence of over 100,000 Soviet troops in Afghanistan in a brutal war of aggression that has featured the use of biological and chemical warfare against Afghan freedom fighters.

We are by now inured to the hypocritical double standard employed by the so-called Third World countries on the international stage, and nowhere is this double standard more frequently applied, to the detriment of the United States and its allies, than in the United Nations.

In past years, I have, time and again, questioned the level of American financial support to the United Nations and its satellite agencies, dominated as they are by anti-American Third World countries. For example, on September 16, 1980, I raised the question of the U.N.'s hypocritical disregard of Soviet aggression against Afghanistan and, quoting Phillip Geyelin in the Washington Post, asked why 30 practicing democracies should provide two-thirds of the financial support for 153 General Assembly votes that represent less than 10 percent of the world's population—particularly when this global paternalism embraces an ever-expanding area of political, economic and social activity, one outstanding example, now pending action by the U.N. Economic and Social Council, being the enactment of international consumer protection guidelines based on the socialist bureaucratic principles predominant in the Third World countries.

Mr. President, as chairman of the Appropriations Subcommittee which oversees American contributions to the U.N. and its satellite agencies, and as a citizen, I believe the time is long overdue for this country to scrutinize more closely the way in which our money is being used by those international bodies. This is especially true at a time when the American people have mandated and are getting closer scrutiny of the fiscal expenditures made by our Government in conducting its domestic as well as its international affairs.

I note that Senator LARRY PRESSLER, of South Dakota, shares my concern and will be conducting hearings before his Foreign Relations Subcommittee on Arms Control, Oceans, International Operations, and Environment on this very topic.

An article appearing in the February 21, 1983, edition of U.S. News & World Report, titled "The U.N.: A Bureaucrat's Land of Milk and Honey" sheds considerable light on these matters. I ask that this article, written by Jeff Trimble, be printed in the RECORD.

The article follows:

[From U.S. News & World Report, Feb. 21, 1983]

THE U.N.: A BUREAUCRAT'S LAND OF MILK AND HONEY

UNITED NATIONS.—Here is a place where foreign workers often earn many times what they would be worth in their own countries, pay low taxes, do jobs of dubious value and do not worry about being fired.

By their own accounts, it amounts to an unrivaled international boondoggle—and one-fourth of the money that sustains it comes out of the pockets of American taxpayers.

The good life of the United Nations bureaucrat is a civil servant's dream that shows no signs of ending.

Outvoted by a majority of tiny nations that pay only a fraction of the U.N. bills, top contributors such as the United States and the Soviet Union are powerless to stop lavish spending.

The U.N. employs 46,000 people in 24 nations in jobs that range from guiding tourists to keeping peace in war zones. The largest concentration is at U.N. headquarters in Manhattan, home to 6,000 employes of the Secretariat, or administrative arm.

Original goals. Founders of the U.N. tried to model its administration after the U.S. civil service—the most highly paid government service in the world. It was to be a corps of dedicated professionals from around the globe who would set aside national differences in the interests of world peace. Pay was to be comparable to that of U.S. government workers, with extra benefits to entice foreign workers to live abroad.

It hasn't worked out that way.

Today's U.N. bureaucrats are paid 35 percent more than U.S. civil servants. Yet this premium has not bought efficiency. The corps is riddled by charges of political partisanship, and U.N. diplomats complain of inefficiency and an avalanche of useless reports.

Most of the U.N. employees are supplied by governments of the 157 member nations to fill slots according to geographical quota. Others are hired after passing tests for specialized work such as translation. Those who get top positions usually are political appointees.

Says an assistant secretary-general: "Many foreign governments regard the Secretariat as a dumping ground for officials unwanted at home."

An impartiality gap. U.N. staffers are supposed to sever ties with their native governments and work impartially in the international community. Many say that rule is ignored, especially by Communist-bloc staffers. An American U.N. official notes: "I have several Russians working for me who make no bones about stopping by the Soviet U.N. mission at least once a week." In fact, Soviet employees of the U.N. live in the U.S.S.R. compound in the Bronx.

Gross staff pay in New York ranges from $13,000 a year for starting messengers to almost $125,000 for an under secretary-general, the second-highest rank. Secretary-General Javier Pérez de Cuéllar earns $163,695, plus a $22,500 annual expense account and free lodging. More than 30 U.N. officers earn over $100,000 a year.

That means President Reagan is the only U.S. official who is higher paid than dozens of U.N. administrators.

Members of the U.N. staff pay no national income taxes, but a portion of their salaries is deducted in a "staff assessment." In the case of American employees, these funds are

used to pay U.S. taxes. But the assessment falls short of the tax levy—$7,000 in one instance. The U.N. makes up the difference.

The U.N. is a bonanza for Third World employees. Says an Egyptian staffer: "My take-home pay is $2,600 a month at the U.N. As a government worker in Egypt, I would get about $375 for the same work."

To soften the blow of New York City expenses, U.N. employees get cost-of-living adjustments as often as three times a year to make their salaries virtually immune to inflation. Similar bonuses go to U.N. workers worldwide.

In addition, they receive substantial perquisites:

Moving expenses to New York City, a bonus to cover initial costs and a grant for moving home when they quit.

Sales-tax exemption at restaurants and stores in the U.S. for top officials with limited diplomatic immunity.

Early retirement at age 55 and mandatory retirement at 60, with pensions averaging one-third more than those of their counterparts in the U.S. civil service.

Yearly allowances of up to $850 for a dependent spouse and $700 for each dependent child, plus education grants worth $2,250 and up for families of foreign workers to subsidize costs of schools abroad or private U.S. schools.

Six weeks a year of paid vacation and free travel to their homelands every two years for foreign workers and their families.

In the spacious employe cafeteria overlooking the East River, workers can buy a cheeseburger, French fries and coffee for $2. At a nearby New York City coffee shop, the same meal costs more than $5. For top officials, there is the Delegates Dining Room, where on a recent day the chef's special was *côte de veau fines herbes* for $8.50. Similar meals in fine local restaurants cost up to $25.

Also, because the U.S. complex is considered international territory, New York City's 8.25 percent sales tax is not added to food prices or to purchases in the building's several gift shops.

Low turnover. With such luxuries, it is not surprising that staff turnover at the U.N. is less than 10 percent a year. Most who leave were hired on fixed-term contracts—an arrangement favored especially by the Soviet bloc, which does not like the idea of its citizens staying permanently abroad.

U.N. employes are hired on two-year probation. After evaluation, they are given lifetime contracts subject to occasional review—a procedure insiders say is more formality than substance.

Says one Western European U.N. worker: "Short of killing my boss, there is virtually nothing I could do that would get me fired."

Yet coddling workers does not insure ideal job performance. In a recent U.N. survey, 69 percent of the diplomats responding said the overall quality of the staff had "declined substantially" in recent years. Two-thirds of the diplomats said many candidates recommended by governments lack needed job skills and experience. Three fourths complained that the U.N. produces too much paper.

The chief reason for the bureaucracy's problems, according to the survey: Political interference by governments that demand their U.N. employes put national interests first. In a clearly political stand meant to embarrass the West, bureaucrats released a report in October claiming the Western press had a negative influence on the world. A redfaced Pérez de Cuéllar termed that report "unfortunate and ill-considered."

In a soon-to-be-released study of the U.N. staff by the Heritage Foundation, a conservative research institute in Washington, D.C., Assistant U.N. Secretary-General James Jonah is quoted as saying: "Few governments truly take seriously the independence of the international civil service."

It is common knowledge that some staff members provide advance information or give warning to their governments of action contemplated by the Secretariat.

Politics plays a major role in filling staff vacancies, as powerful appointees pack the Secretariat with chosen underlings.

U.N. documents reveal that India has 54 representatives in professional-quota Secretariat jobs, although guidelines call for a maximum of 25 in such slots. Ethiopia has 25 workers, while guidelines specify no more than 14. The U.S. has 504 professional workers in the Secretariat, well within guidelines of up to 553 posts for Americans.

U.N. administrators say some countries take advantage of technicalities to stack the payroll. For instance, many workers are hired in far-flung U.N. offices for low-ranking jobs not subject to quotas, and then they are promoted into the professional ranks.

Soaring costs. Growth of the U.N. bureaucracy is reflected in skyrocketing spending, up 80 percent in the last five years. According to one study, U.N. salaries and other staff costs in New York City increased 96 percent, to 230 million dollars a year, from 1977 to 1980. During the same period, the report says, money spent on furniture and equipment rose 70 percent, to 2 million dollars a year.

The U.S., which pays 25 percent of the cost of supporting the U.N. system, and other major contributors have little control over the expansion of the bureaucracy. In an unlikely alliance, representatives of the U.S., the Soviet Union and Britain, speaking for the 10 nations that provide 85 percent of U.N. funds, met with Pérez de Cuéllar last November to urge spending reductions.

But when votes were counted during December budget meetings, these powers found themselves overwhelmingly defeated by a bloc of Third World and other nations that contribute only a minute portion.

Such budgeting means there is little chance U.N. bureaucrats will be prodded into fiscal austerity. Comments one Western representative at the United Nations: "Without responsible oversight, the system will continue to grow out of control."●

PATENT TERM RESTORATION FOR FORANE

● Mr. LAUTENBERG. Mr. President, I wish to express my support for an amendment to the Anti-Tampering Act, offered by Senator EAST and approved by the Senate yesterday, to extend the patent life of a new anesthetic, isoflurane, called Forane. Events surrounding the approval process for the drug application filed by the manufacturers of Forane clearly makes the case for this amendment.

Forane was first synthesized in 1965, and patents were issued in 1970. After going through developmental steps, filing necessary forms, and undertaking clinical tests, the manufacturer filed a new drug application with the Food and Drug Administration in 1974. By early 1976, the manufacturer expected to receive final FDA approval. Instead, the FDA required a new health effects test to evaluate the carcinogenic potential of Forane as a result of questions raised in a study by an independent doctor. The manufacturer conducted the new tests and finally received new drug approval in December 1979.

Mr. President, nearly 2 years later the FDA published a notice that the independent doctor's study, which had resulted in the additional series of tests, had been deficient. In effect, the delay in approving a new drug application for Forane had been unnecessary.

The East amendment is intended to restore part of the time that was lost because the FDA required the additional and unnecessary testing to the period that Forane has patent protection. The patent extension will be equivalent to the time between February 1976, when the FDA required additional tests in order to approve the application, and May 1981 when it approved the manufacturing plant for Forane.

Mr. President, the parent company of the manufacturer of Forane is Airco, Inc., which is a valued New Jersey company. I am pleased that the Senator from North Carolina, Mr. EAST, a member of the Judiciary Committee, recognized the validity of Airco's concern about the unnecessary requirement for additional testing which delayed their marketing of an important new anesthetic agent. This amendment at least partially corrects the problems caused by the delay, acknowledged by FDA to be unnecessary, restoring part of the patent life of Forane.●

SMALL BUSINESS MOTOR FUEL MARKETER PRESERVATION ACT—S. 40

● Mr. D'AMATO. Mr. President, I rise to cosponsor a vital piece of legislation, S. 40, the Small Business Motor Fuel Marketer Preservation Act. I urge my colleagues to adopt it immediately. This bill is vital to the continued viability of the neighborhood service station. It will prevent the major oil companies from engaging in the blatantly anticompetitive practices that have all too often characterized their actions at the retail level.

Over the past decade, we have witnessed the disappearance of many of the service stations that once served America. While there are other contributing factors that helped cause this phenomenon, such as shifting populations and increased mileage of recent make automobiles, the main reason for this unparalled loss of small businesses is their inability to compete with service stations owned by the major oil companies—an inability caused by the pricing strategy of the

oil companies themselves. It is a well-documented fact that the great majority of the profits realized from the sale of gasoline are made at the wholesale level. This enables company-operated stations to effectively undercut dealer-operated stations by selling gasoline at the retail level at prices that the dealer-operated stations pays at wholesale.

A ban on the retail efforts of wholesalers and the crucial open supply provision of this legislation will address this serious problem. When the State of Maryland enacted divorcement legislation, it realized the lowest rate of station closings in the Nation. If we move swiftly to enact this legislation, thousands of small businessmen will survive who might otherwise fall victim to these anticompetitive practices. We must act now or face the situation where the major oil companies will have instituted a monopoly that can only lead to inefficient and noncompetitive pricing to the consumer. The need is now. I urge my colleagues to act while there is still an independent service station industry left to save.●

PLO PRESENCE IN WEST BEIRUT

● Mr. LEVIN. Mr. President, I am entering into the RECORD today copies of correspondence that I have been conducting since last September with Lawrence S. Eagleburger, Under Secretary of State for Political Affairs. In his latest letter, Mr. Eagleburger acknowledged that the State Department was remiss in not releasing to the public, through the news media, information about the presence of Palestine Liberation Organization fighters in West Beirut at the time that Israel moved into the city.

Mr. Eagleburger acknowledged to me and other Senators in September that the Department knew the PLO had left behind as many as 600 fighters in Beirut, in violation of the Habib agreement that was in effect prior to the time Israel moved into West Beirut. Disclosure of this knowledge at the time would have buttressed the justification for—if not the wisdom of—Israel's move into Beirut. Mr. Eagleburger promised me and my colleagues that the State Department would release the information to the media at that time. But the Department did not release it, nor has it done so yet. I find rather disturbing Mr. Eagleburger's explanation that the information has not been released because the media have not asked for it, when the media have not even known about it.

Mr. President, I believe the way the State Department has conducted itself in this matter is further evidence of a tilt by the administration away from Israel.

Other evidence includes:

First. The administration's treatment of Israel as an enemy in Lebanon, by refusing to permit on-the-ground communication between our forces and the Israelis, which other members of the peacekeeping force do permit and maintain.

Second. The administration's delay of the F-16 sale to Israel while the Soviets are building SAM-5 missile sites in Syria and are manning them with uniformed personnel.

Third. The administration's shelving of the agreement on strategic cooperation with Israel.

Fourth. The administration's undermining of Camp David by appearing to dictate the final status of the West Bank, rather than concentrating on getting the parties to the dispute together to resolve the relevant issues.

Fifth. The unwillingness of the administration to strongly prod Saudi Arabia and Jordan to recognize Israel's existence and to join the peace process.

I hope, Mr. President, that the correspondence which I ask to be printed in the RECORD today will set the historical record straight with regard to what the State Department knew about the PLO presence in West Beirut when Israel moved in, and how it distorted public perceptions at the time and since then by its failure to make the information known.

The correspondence follows:

SEPTEMBER 24, 1982.

Hon. LAWRENCE S. EAGLEBURGER,
Under Secretary for Political Affairs, Department of State, Washington, D.C.

DEAR LARRY: Last Friday at the briefing in the Foreign Relations Committee Room, you assured me and us that, if the State Department had not that day already stated that the PLO kept 300-600 armed personnel in Beirut and that such action was a violation of the Habib agreement, the State Department would do so promptly.

Was that done? If not, why not? And when will it be done?

Many thanks.

Sincerely,

CARL LEVIN.

U.S. SENATE,
Washington, D.C., January 11, 1983.

Hon. LAWRENCE EAGLEBURGER,
Under Secretary for Political Affairs, Department of State, Washington, D.C.

DEAR LARRY: On September 24, 1982, I wrote you a letter asking if the Department of State had publicly confirmed the fact that armed PLO personnel remained in West Beirut after the evacuation of the PLO had supposedly been completed, in violation of the Habib accord. You will recall, and I am sure the transcript of the briefing confirms, that you assured us in a Committee on Foreign Relations briefing that you would issue such a statement.

I have not received a reply to my letter and to my knowledge no such statement has been issued. My chief of staff discussed this matter with a member of your staff and was told that this matter is classified and you didn't want to speak to this issue publicly. However, Senator Pell stated after the briefing at a press conference that you had said armed PLO fighters remained in Beirut after the supposed evacuation, and I have also made public statements to the same effect. Therefore, I can see no justification for refusing to confirm this fact publicly.

I am asking you again to publicly confirm the fact of this PLO violation of the Habib accord before Israel's move into Beirut. Thank you.

Sincerely,

CARL LEVIN.

U.S. DEPARTMENT OF STATE,
Washington, D.C., February 4, 1983.

Hon. CARL LEVIN,
U.S. Senate.

DEAR SENATOR LEVIN: Thank you for your letter of January 11 to Undersecretary Eagleburger regarding the presence in Beirut of Palestinian combatants in violation of the agreement for the departure of all Palestinian armed personnel from Beirut negotiated by Ambassador Philip Habib.

As you point out, combatants of the Palestine Liberation Organization (PLO) were all to have departed Beirut in accordance with arrangements negotiated by Ambassador Habib. All parties to the agreement were aware that any lingering presence or re-infiltration of such personnel into Beirut would have been a violation of the agreement. Furthermore, it was also our position that any re-entry of those personnel evacuated from Beirut into other parts of Lebanon would also be a violation of the agreement. Finally, a key element of the departure agreement was a ceasefire in place by all parties.

Subsequent to the conclusion of the evacuation on September 1, 1982, there was evidence that some PLO fighters and leaders evacuated from Beirut had reinfiltrated into Lebanon. The U.S. made known its view that this was a serious violation of the Habib plan and an affront to Lebanese sovereignty. We called on all governments enjoying influence with the PLO to discourage such activity. In addition, there were also reports—generally coming from the Government of Israel—which alleged that large numbers of PLO combatants either remained in Beirut or were re-infiltrating into the city. The figure of 2,000 PLO personnel remaining after the evacuation was cited frequently in such reports. For example, on September 17, two days after the beginning of Israeli military movement into West Beirut, the government of Israel announced in a Cabinet statement that "Following the assassination of President-elect Bashir al-Jumayyil, the IDF took positions in west Beirut in order to prevent the danger of violence, bloodshed and anarchy while about 2,000 terrorists, equipped with modern and heavy weapons remained in west Beirut, thus blatantly violating the departure agreement."

I would note, however, that in the aftermath of the Israeli takeover of Beirut, in violation of assurances received by the U.S., no evidence emerged to substantiate the reports that such a large number of PLO combatants remained in Beirut. For example, resistance to the Israeli operation was light and mostly from Lebanese militia in West Beirut. Furthermore, the Government of Israel informed us in late September that fewer than 20 persons were arrested by the Israeli forces during the Beirut operation. Most of the Palestinians subsequently arrested by the Lebanese authorities, after the withdrawal of the Israelis from Beirut, were apprehended as illegal aliens and criminals, not as PLO combatants.

In sum, while some PLO personnel evacuated from Beirut did go back to Lebanon in violation of the agreement, the Government of Israel was also in violation of the agreement, which contained an injunction for all parties to maintain a ceasefire in place. Following the Israeli entry into West Beirut, the circumstances would have made possible but did not in fact lead to the apprehension of any significant number of PLO personnel.

I hope this information clarifies the matter.

With cordial regards,

Sincerely,

POWELL A. MOORE,
Assistant Secretary for Congressional Relations.

MARCH 1, 1983.

Hon. LAWRENCE EAGLEBURGER,
Under Secretary for Political Affairs, Department of State, Washington, D.C.

DEAR LARRY: I am in receipt of Powell Moore's February 4 letter in response to my January 11 letter to you relative to the allegation that armed PLO personnel remained in West Beirut, in violation of the Habib accord, after the evacuation of the PLO had supposedly been completed.

In briefing to me and my colleagues, you indicated that U.S. Intelligence confirmed same and that we could so state publicly.

Mr. Moore's letter does not confirm this allegation, nor does it deny same. Rather, it describes some PLO "reinfiltration" into "Lebanon."

I would appreciate your responding to my question. Did you inform us in that September 17 briefing that U.S. Intelligence believed that hundreds of PLO fighters remained in West Beirut in violation of the Habib accord and that the State Department would promptly so state?

I would appreciate a responsive letter. Thank you very much.

Sincerely,

CARL LEVIN.

U.S. DEPARTMENT OF STATE,
UNDER SECRETARY OF STATE
FOR POLITICAL AFFAIRS,
Washington, D.C., March 22, 1983.

Hon. CARL LEVIN,
U.S. Senate, Washington, D.C.

DEAR CARL: Thank you for your letter of March 1 regarding my testimony on PLO fighters who remained in Beirut following the cease-fire. I am sorry that this issue has dragged on for so long. Let me set the record straight.

Last September 17, I informed you and your colleagues that, according to U.S. intelligence estimates, 300–600 armed PLO fighters remained in Beirut in violation of the agreement negotiated by Ambassador Habib. I indicated that the State Department would soon make this information public, and noted that I had authorized our spokesman to do so if queried by the press.

The press did not however, ever raise the question of PLO fighters in Beirut, and hence, the information was not released as I had anticipated.

The Department was remiss in not taking direct steps to make our assessment public immediately following my testimony. It is only fair to point out though, that the officers who should have arranged to release the information on PLO fighters were also responsible for tracking and responding to fast breaking developments in Beirut. The issue of PLO fighters remaining in Beirut was soon eclipsed in the public eye by other developments. That is not an excuse, just an explanation.

I respect your perseverance in pursuing this issue and thank you for making sure that the matter came to my attention.

Sincerely,

LAWRENCE S. EAGLEBURGER.●

THE APPOINTMENT OF EDWARD DENNIS AS NEW U.S. ATTORNEY

● Mr. SPECTER. Mr. President, I would like to take this opportunity to recognize Hon. Edward S. G. Dennis, Jr., who, on May 9, 1983, was sworn in as U.S. attorney for the eastern district of Pennsylvania. Mr. Dennis comes to this high post with outstanding credentials. His schooling at Pennsylvania State University, Kings Point Merchant Marine Academy, and the University of Pennsylvania Law School provides an excellent academic base. His clerkship with Hon. Leon Higginbotham on the U.S. Court of Appeals for the Third Circuit gives him special insight into the quasi-judicial aspects of the prosecutor's role. Mr. Dennis' 5 years' experience as assistant U.S. attorney in Pennsylvania provides a firm foundation for criminal prosecutions of violent crime and white-collar crime, grand jury investigations and the civil functions of the office. His 3 years as chief of narcotic and dangerous drug section for the Criminal Division of the U.S. Department of Justice round out a wealth of invaluable experience.

Beyond this record of achievement and experience, Mr. Dennis brings a special background and perspective for other vital facets of this most crucial position. In addition to the customary criminal and civil actions, the U.S. attorney has the power to enforce vigorously the laws of the United States which prohibit discrimination in employment, housing, and educational opportunity because of race, color, creed, or national origin. A creative U.S. attorney can be a powerful force to guarantee equality of opportunity, improve the quality of living for those who reside in his jurisdiction, and secure justice for all.●

S. 996—EXPORTATION OF ALASKAN OIL

● Mr. D'AMATO. Mr. President, I rise in support of S. 996, a bill which would extend the current restrictions on the exportation of Alaskan oil. This is a vital piece of legislation, one whose adoption I urge upon my colleagues. When Congress passed legislation to spur the construction of the trans-Alaska pipeline, a stipulation was placed upon the producers of the oil to the effect that they must not export that oil. This was a wise and prudent decision. The United States underwent many shocking changes when the price of oil on the international markets rose dramatically during the 1970's. In order to protect ourselves from the possible recurrence of such an event, we must maintain for our domestic use the oil we would have to rely upon in any future crisis.

The reliance of my State upon uncertain sources of imported oil has driven home to me the inherent flaws of any agreement that we can depend on OPEC to continue to supply our country in times of need. In order to lessen the shock of any future cutoff of oil, we must vigorously protect our domestic supplies. The argument that we ought to change this ban in order to lessen our trade deficit with Japan is facetious. Any lessening of this deficit would be offset by the increase in our imports of oil from other sources. Additionally, vast sums of money have been spent to construct a pipeline across the Isthmus of Panama in order to ship this oil to the east coast at a reasonable cost. These funds would be wasted if the oil was sent to Japan. American businessmen who invested in the pipeline would suffer great financial hardships. Mr. President, I believe that any benefit from such an act would be illusory and any drawback would prove all too real. I urge my colleagues to reaffirm the intent of Congress that this oil is best used when used at home. I ask my colleagues to support this vital legislation and statement of national principles.●

CHEMICAL AND TOXIN WEAPONS

● Mr. QUAYLE. Mr. President, today the Wall Street Journal's lead editorial is on a subject that I have spoken about on several occasions and will continue to speak out on: yellow rain.

At this point, I do want to commend the Wall Street Journal for being the one major media outlet to continually keep the story of the illegal and inhumane use of chemical and toxin weapons in the forefront of the news.

For those who still confuse yellow rain with acid rain, I will just briefly explain exactly what yellow rain is not. It is not what some call the pollution caused by the burning of coal and the subsequent particles that go into the atmosphere.

Rather, it is chemical toxin agents that are spread by helicopters, planes, artillery shells or mortar rounds on unsuspecting, innocent and defenseless men, women, and children.

These agents may cause an agonizing death or a painful illness. Repeated attacks force people to flee their homeland and sometimes cause long lasting contamination to the vegetation and the water. Their use spreads terror, death, and illness. And, there is little or no defense for the innocents against these dreadful weapons of war.

The use of these weapons were first reported back in 1976 by the H'Mong,

a tribal people from the highlands of Laos. Since then, evidence has continually mounted that chemical and toxin weapons have been used by the Soviet Union and its allies in Afghanistan, Kampuchea, and Laos.

Our intelligence is that during February and March, these attacks took place almost daily inside Kampuchea.

Yet as the editorial points out, there are still some who doubt that chemical and toxin weapons are being used in Afghanistan and Southeast Asia.

These doubters remind me of the ostriches who stick their heads in the sand and miss all that passes them by. In the ensuing years since the reports of chemical attacks first surfaced in Laos, the evidence that has been amassed is staggering. Yet those that refute it still want to see the "smoking gun."

These people refuse to accept evidence that comes from credible sources that include: the testimony of civilian victims who have suffered from these attacks or witnessed them; testimony of doctors, refugee workers, journalists, and others who have questioned and or examined survivors of these attacks; analysis of physical and biological samples; and documentary evidence from open sources and intelligence from "National Technical Means."

Quite frankly, I think the only way these doubters would be satisfied would be if they themselves were victims of an attack. Even then they probably would say that the one attack is not sufficient proof.

Mr. President, I have talked with our intelligence people, I have read the reports and I recently spoke with a reporter who returned from the Thai-Kampuchean border this last month.

I am convinced beyond a doubt that chemical and toxin weapons are being used in blatant violation of two international treaties: the Geneva Protocol of 1925 and the Biological and Toxin Weapons Convention of 1972; customary international law and basic human rights.

I ask that the editorial be printed in the RECORD and that my colleagues take the time to read it.

The editorial follows:

THE INTRACTABLE DOUBTERS

Out in Southeast Asia, people are still being killed by "yellow rain." Chemical attacks took place almost daily in Cambodia during February and March, and U.S. officials report they were able to collect a "tremendous number" of samples, along with blood and urine tests from victims. The State Department will shortly issue another report confirming the presence of trichothecene mycotoxins in other samples collected last October and November.

Here in the U.S., though, the remaining doubters have recently reentered the public arena. They had been silent since last November, when Secretary of State Shultz's report on chemical and biological warfare, including a Soviet gas mask collected in Afghanistan and contaminated with trichothecenes, drew assent from editorialists from a range of publications, including the Washington Post, the Christian Science Monitor and the St. Louis Post Dispatch. By now, agreement that the Soviets are using toxin weapons in violation of the 1972 Biological Weapons Convention and the 1925 Geneva Protocol stretches over most of the ideological spectrum.

Two of the Congressmen most vociferous about "yellow rain," for example, are Jim Leach of Iowa and Stephen Solarz of New York, neither of them usually thought of as Cold Warriors. Then there is the recent report by the Carnegie Endowment for International Peace, saying that "The evidence of Soviet violations is persuasive, if not absolutely conclusive," and made more persuasive by Soviet unwillingness to deal with the issue except through "angry denials." While the Carnegie group said this does not mean any agreement is unverifiable, it said the biological weapons issue is "a political time bomb under all future arms control agreements." Members of the panel issuing this statement ranged from the likes of Gens. Brent Scowcroft and Andrew Goodpaster on leftward to Richard L. Garwin, Stanley Hoffmann, Jan Lodal, Walter Slocombe, Strobe Talbott and Richard H. Ullman.

With names like these among the believers, who are the doubters? The chief doubter is Matthew Meselson of Harvard, one of the authors of the treaty the attacks shatter. He recently startled a group of scientists meeting on the issue by declaring he entered an "agnostic" and left an "atheist." Nicholas Wade, currently of the New York Times and late of Science magazine (which turned around on the issue when he left), echoed some of Mr. Meselson's remarks in a byline article. And Peter Pringle, a Washington correspondent for the London Observer, raised doubts and new theories in both his newspaper and the Washington Post.

The intractable doubters have fastened single-minded attention on one word in an Australian study of some possible "yellow rain" samples. The Australian laboratory concluded the samples it analyzed were "fake." Somehow in the logic of the doubters this means that all samples are fakes, and presumably brings the corpses back to life.

It is, then, worth reading the rest of the Australian report by H. D. Crone, a chemist with Australia's department of defense support. Lab tests of leaves and pebbles passed along to Australian officials in northern Laos in early 1982, purportedly as samples from a yellow rain attack, showed no presence of trichothecene mycotoxins or any other chemical warfare agent. The report concluded the samples were not toxic and in fact were "composed of yellow pollen grains, probably with a small amount of binder."

The one thing clear, the Australian scientists continued, was that the sample was not a natural phenomenon. No natural substance would have caused the pollen grains to stick so stubbornly to the leaves and pebbles. "The conclusion is therefore that the yellow spots were deliberately applied, either by brush or by a spraying process."

While the Australians found these samples "obvious fakes," they warned twice in their report that their analysis "sheds no light at all on the main question as to whether mycotoxins have been used as warfare agents in Laos or Kampuchea." The Australian report added, "The reasons for their fabrication can only be guessed at: monetary gain, desire to ingratiate oneself with authority, or as a disinformation campaign."

In deciding among the alternatives listed by the Australian scientists, it is useful to consider another report from a Canadian epidemiological investigating team, led by Lt. Col. G. R. Humphreys of the Canadian defense department. The main conclusion of the report is blunt, that chemical/biological warfare "agents are being used in SE Asia." But along the way, the Canadian investigators reported a very curious attack on Feb. 19, 1982, by a single-engine aircraft dropping a yellow substance on the Thai village of Ban Sa Tong, about 10 kilometers from the border with Cambodia. Six houses in the village were "literally covered with a yellow powder which stuck to roofs, walls, foliage and ground." No one died, and Thai authorities thought the attack might be a "ruse" by the Communists, possibly dispensing only pollen or crushed flowers to look like yellow rain.

However, the Canadian team found at least 21 villagers who became ill after the attack with respiratory and gastro-intestinal symptoms the Canadians said resembled a "mild manifestation" of those the H'Mong described as resulting from chemical/biological attacks. They added that the only apparent cause was the yellow substance dropped on the village by the aircraft. This incident has led some U.S. government experts to speculate about the use of pollen as a carrying mechanism; one such hunch is that when the Vietnamese decided to spook the Thais with pollen, they neglected to clean the tanks of their previous contents.

If the Canadian and Australian studies prove anything, it's that Western scientists aren't so easily fooled, and by now of course there is a body of refugee testimony and lab findings far beyond refutation by one mistaken report. We ourselves have steered clear of some of the reports coming out of Asia, for it is of course possible some evidence may be concocted to curry favor or get money from Western sources. Perhaps this is what happened in the Australian case, but more likely both it and the Canadian report depict Communist disinformation efforts, serving to sow just enough confusion to keep a few pockets of doubt alive back in America.●

EDUCATION FOR THE NATION'S FUTURE

● Mr. LAUTENBERG Mr. President, the recent report by the National Commission on Excellence in Education likened the situation in American education today to unthinking, unilateral education disarmament. If such an indictment had been leveled at the Defense Establishment in this country, the cries of dismay from the White House and the Congress would have been loud and instantaneous. No doubt calls would have poured forth for immediate and large expenditures for new crash programs and for speeding up existing ones.

The reaction to the harsh assessment of the Education Commission has been more temperate. Nevertheless, Mr. President, I, for one, must express my deep chagrin over the state into which our educational system has

fallen. As the Commission report rightly notes, citizens must hold educators and elected officials responsible for providing the leadership to make the changes necessary to correct the course of education in this country.

Providing more money for education is by no means the only answer to the difficulties in education today. However, Congress can accomplish several purposes by approving increased education expenditures: It can give encouragement and moral support to educators who are doing their best under difficult circumstances in the Nation's classrooms, it can provide increased resources for existing programs, and it can help initiate new programs. The Senate has signaled its support for the improvement of education: It has approved an amendment to the budget resolution for 1984 for $1 billion for elementary, secondary, and higher education. I was pleased to join as a cosponsor of that amendment.

Much of the money allocated for education in the budget resolution is intended for current programs. But, a portion of it is intended for a new mathematics and science education improvement program. The House of Representatives has already passed a math-science bill and the Senate Labor and Human Resources Committee is working on a similar measure. These bills deal with the vital and immediate need for teacher training.

The teacher shortage in the fields of math and science is easy to document. In my own State of New Jersey, every county reports a shortage in both fields. State certifications of math and science teachers dropped by over 60 percent in the last 10 years. Substandard certificates, which are issued to teachers either lacking academic work in their teaching field, or lacking teaching methods courses, rose alarmingly from 3 percent in 1973 to 25 percent last year. By contrast, in fields like English, in which three is an abundance of teaching candidates, substandard certificates are not granted. At the same time that the supply of fully qualified new math and science teachers is dropping, the number of teachers leaving the profession is increasing. In my State in 1980, over 20 percent of the math and science teachers leaving their jobs moved to nonteaching occupations, while only about 13 percent of the teachers in other fields moved out of teaching. Statistics like these multiplied many times over across the country spell trouble for the very fields in which our need for quality instruction, as preparation for complex and technical occupations, is growing. The current alarm over this situation is fully warranted.

Mr. President, once a beginning is made to increase teacher training, I believe that a Federal initiative will be needed to help improve instructional programs in mathematics and science. Such a long range effort is offered by the American Defense Education Act. To achieve this goal, the bill authorizes a program for the improvement of instruction and student achievement in mathematics and science, as well as communication skills, foreign languages, technology and guidance and counselling programs. Provisions are made for public participation and for evaluation of progress made in meeting locally established goals. Other sections of the bill authorize teacher training programs at institutions of higher education and research programs for the improvement of instruction. This comprehensive package is necessary to help local school districts provide better programs in fields in which achievement is currently falling short of what this country needs and expects. I am cosponsoring the American Defense Education Act to lend support for these goals.

The present unhappy state of American education has not developed overnight, nor will it be improved immediately. But there must be a starting point on the road to recovery. Such efforts as increased funding in the 1984 budget for education and the math and science education improvement bills are steps in the right direction. While the amounts of money involved are not trivial, they are minimal compared to the cost of proposed defense increases.

We must not fail our children by refusing to heed the harsh message of "the Nation at Risk" report. We owe them the bright promise of a good education. We owe their teachers our strong support. And we owe the Nation an adequate investment in our educational system if we hope to prosper and maintain U.S. leadership in the world economy.●

BRAZIL AND THE IMF

● Mr. HUMPHREY. Mr. President, yesterday, I inserted in the RECORD a copy of a New York Times article reporting that Chile would be forced to seek new concessions from private bankers and the International Monetary Fund in order to bear its tremendous debt burden. In today's edition of the Washington Post, it is reported that the Government of Brazil faces exactly the same predicament.

The terms of an IMF aid program established just 2 months ago have already proven too difficult to meet. As the article indicates, private bankers have expressed fears about having to expose their assets further in Brazil. In the absence of any other alternatives, Brazil will ask the IMF membership to carry it over this latest liquidity squeeze. Unfortunately, Mr. President, IMF acquiescence to this request will only serve to disguise more deeply the underlying question of the capacity of the Brazilians to fully service their debt at its current level, and of the responsibility that private bankers must bear for having loaned such vast sums in the first place.

I ask that the article appear in the RECORD.

The article follows:

[From the Washington Post, May 10, 1983]

BRAZIL SEEKS EASING OF IMF TERMS

(By Caroline Atkinson)

Brazil's central bank governor, Carlos Langoni, will come to Washington next week to ask the International Monetary Fund for more time to meet some of the economic conditions laid down in the IMF aid program arranged just over two months ago, sources said yesterday.

Brazil is still suffering an acute cash crisis, as commercial banks have failed to come up with all the money that they promised as part of a financial rescue package orchestrated by the IMF. The nation—which has more then $80 billion of foreign debts—has already fallen behind on about $800 million of payments and is likely to build up even larger arrears in coming weeks, sources said.

Its major creditors met in New York yesterday in an attempt to come up with a more "leak-proof" system of providing cash to Brazil, another source said. The nation's liquidity problem has arisen because smaller banks in the United States and elsewhere have failed to lend all the money that was originally promised in the two categories of trade credits and loans to overseas branches of Brazilian banks.

Also, some experts believe that Brazil did not originally ask for enough money to make it comfortably through this year. Some bankers believe Brazil will be forced to ask for a new medium-term loan to cover a financing gap this year of between $2 billion to $4 billion. Brazilian officials have denied this, however.

Bankers are extremely nervous about lending more to the troubled nation, and are worried at the still precarious position of many other Latin American borrowers, including Chile and Venezuela.

Langoni is expected to ask the IMF to allow Brazil to exceed the tight ceilings on public spending and borrowing for the early part of this year, while leaving the annual totals unchanged, a foreign observer in Brazil said. The government has failed to cut the borrowings of Brazil's large state enterprises in line with the original IMF targets, sources say. This has pushed public sector borrowing above the path agreed upon with the fund.

Brazil is due to make the next drawing on its IMF loan at the end of this month. Since it is unlikely to be back in compliance with the IMF targets by then, sources said, it would need special dispensation to get the much-needed money.

Formal approval from the IMF board would be needed for any such modification of the terms of the credit, an international financier said. The key to this approval is likely to be whether the nation can show that it is moving toward compliance and making some progress in cutting the deficit and boosting its trade position.

Brazil has so far been more successful than was widely expected in meeting its targets for trade. It is aiming for a $6 billion trade surplus this year and, after dismal

performance in January and February, did much better in March and April.

However, the improvement has not yet translated into increased confidence among bankers, and some bankers are skeptical that it will.●

ORDER FOR RECESS UNTIL 10 A.M. TOMORROW

Mr. STEVENS. Mr. President, I ask unanimous consent that when the Senate recesses this evening it recess until 10 a.m. tomorrow.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROGRAM FOR WEDNESDAY

ORDER FOR ROUTINE MORNING BUSINESS

Mr. STEVENS. Mr. President, I ask unanimous consent that, following the recognition of the two leaders under the standing order, there be a period for the transaction of routine morning business tomorrow not to extend past the hour of 10:30 a.m. with statements therein limited to 5 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

THE BUDGET RESOLUTION

Mr. STEVENS. Mr. President, it would be my understanding that following that routine morning business the Senate would resume the consideration of the budget resolution; is that correct?

The PRESIDING OFFICER. The Senator is correct.

Mr. STEVENS. Mr. President, let me announce that we do expect a late session tomorrow evening with votes extending well beyond the dinner hour. The leadership hopes to reach final disposition of the budget resolution tomorrow. Pursuant to a unanimous-consent agreement, the immigration bill, S. 529, will follow the final disposition of the budget resolution.

RECESS UNTIL 10 A.M. TOMORROW

Mr. STEVENS. Mr. President, I move, in accordance with the order previously entered, that the Senate stand in recess until 10 a.m. tomorrow.

The motion was agreed to; and at 6:35 p.m. the Senate recessed until Wednesday, May 11, 1983, at 10 a.m.

CONFIRMATIONS

Executive nominations confirmed by the Senate May 10, 1983:

IN THE ARMY

The following-named officer, under the provisions of title 10, United States Code, section 3034, to be Chief of Staff, U.S. Army:

To be Chief of Staff, U.S. Army

Gen. John A. Wickham, Jr. [redacted], U.S. Army.

IN THE AIR FORCE

The following-named officer under the provisions of title 10, United States Code, section 601, to be assigned to a position of importance and responsibility designated by the President under title 10, United States Code, section 601:

To be lieutenant general

Maj. Gen. Kenneth L. Peek, Jr., [redacted]FR, U.S. Air Force.

The following-named officer under the provisions of title 10, United States Code, section 601, to be reassigned to a position of importance and responsibility designated by the President under title 10, United States Code, section 601.

To be lieutenant general

Lt. Gen. Winfield W. Scott, Jr., [redacted]FR, U.S. Air Force.

The following-named officer under the provisions of title 10, United States Code, section 601, to be assigned to a position of importance and responsibility designated by the President under title 10, United States Code, section 601:

To be lieutenant general

Maj. Gen. John L. Pickitt, [redacted]FR, U.S. Air Force.

The following-named officer under the provisions of title 10, United States Code, section 601, to be assigned to a position of importance and responsibility designated by the President under title 10, United States Code, section 601:

To be lieutenant general

Maj. Gen. Robert E. Kelley, [redacted]FR, U.S. Air Force.

The following-named officer under the provisions of title 10, United States Code, section 601, to be reassigned to a position of importance and responsibility designated by the President under title 10, United States Code, section 601:

To be lieutenant general

Lt. Gen. Robert W. Bazley, [redacted]FR, U.S. Air Force.

The following-named officer under the provisions of title 10, United States Code, section 601, to be assigned to a position of importance and responsibility designated by the President under title 10, United States Code, section 601:

To be lieutenant general

Maj. Gen. Carl H. Cathey, Jr., [redacted]FR, U.S. Air Force.

The following-named officer for appointment to the grade of lieutenant general on the retired list pursuant to the provisions of title 10, United States Code, section 1370:

To be lieutenant general

Lt. Gen. Hans H. Driessnack, [redacted]FR, U.S. Air Force.

IN THE ARMY

The following-named officer to be placed on the retired list in the grade indicated under the provisions of title 10, United States Code, section 1370:

To be lieutenant general

Lt. Gen. Harry A. Griffith [redacted], (age 58), U.S. Army.

The following-named officer under the provisions of title 10, United States Code, section 601, to be assigned to a position of importance and responsibility designated by the President under title 10, United States Code, section 601:

To be lieutenant general

Maj. Gen. Arthur E. Brown, Jr., [redacted], U.S. Army.

The following-named officer to be placed on the retired list in the grade indicated under the provisions of title 10, United States Code, section 1370:

To be lieutenant general

Lt. Gen. Robert J. Lunn [redacted], (age 55), U.S. Army.

The following-named officer under the provisions of title 10, United States Code, section 601, to be assigned to a position of importance and responsibility designated by the President under title 10, United States Code, section 601:

To be lieutenant general

Maj. Gen. Robert L. Moore, [redacted], U.S. Army.

The following officers for appointment as Reserve commissioned officers in the Adjutant Generals Corps, Army National Guard of the United States, Reserve of the Army, under the provisions of title 10, United States Code, sections 593(a) and 3392:

To be major general

Brig. Gen. Donald E. Edwards, [redacted] Army National Guard of the United States.

To be brigadier general

Col. Raymond R. Galloway, [redacted], Army National Guard of the United States.

Col. William A. Hornsby, [redacted], Army National Guard of the United States.

The following-named officer under the provisions of title 10, United States Code, section 601, to be assigned to a position of importance and responsibility designated by the President under title 10, United States Code, section 601:

To be lieutenant general

Maj. Gen. John R. Galvin [redacted], U.S. Army.

IN THE NAVY

The following-named officer to be placed on the retired list in the grade indicated under the provisions of title 10, United States Code, section 1370:

To be vice admiral

Vice Adm. Lando W. Zech, Jr., [redacted]/1110, U.S. Navy.

The following-named officer under the provisions of title 10, United States Code, section 601, to be reassigned to a position of importance and responsibility designated by the President under title 10, United States Code, section 601:

To be vice admiral

Vice Adm. William P. Lawrence, [redacted]/1310, U.S. Navy.

The following-named officer, under the provisions of title 10, United States Code, section 5141, for appointment as chief of naval personnel for a term of 4 years:

To be chief of naval personnel

Vice Adm. William P. Lawrence, [redacted]/1310, U.S. Navy.

The following-named officer to be placed on the retired list in the grade indicated under the provisions of title 10, United States Code, section 1370.

To be vice admiral

Vice Adm. Robert R. Monroe, [redacted]/1110, U.S. Navy.

The following-named officer, under the provisions of title 10, United States Code, section 601, to be reassigned to a position of importance and responsibility designated by the President under title 10, United States Code, section 601:

To be vice admiral

Vice Adm. William J. Cowhill, [redacted]/1129, U.S. Navy.

The following-named officer, under the provisions of title 10, United States Code,

section 601, to be assigned to a position of importance and responsibility designated by the President under title 10, United States Code, section 601:

To be vice admiral

Rear Adm. Carol C. Smith, Jr., xxx-xx-xx... xxx-.../1310, U.S. Navy.

IN THE MARINE CORPS

The following-named officer, under the provisions of title 10, United States Code, section 601, to be assigned to a position of importance and responsibility designated by the President under title 10, United States Code, section 601:

To be lieutenant general

Maj. Gen. D'Wayne Gray xxx-xx-xxxx, U.S. Marine Corps.

IN THE AIR FORCE

Air Force nominations beginning William P. Abraham, and ending Jane B. Ward, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD of April 26, 1983.

Air Force nominations beginning Ray S. Adkins, and ending John B. Wissler, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD of April 26, 1983.

IN THE MARINE CORPS

Marine Corps nominations beginning Richard M. Ahlers, and ending Kenneth W. Zitz, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD of April 18, 1983.

IN THE NAVY

Navy nominations beginning Brandon O. Clarke, and ending Mark C. Wilson, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD of April 15, 1983.

Navy nominations beginning James William Arvin, and ending William John Zuchero, Jr., which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD of April 18, 1983.

Navy nominations beginning Thomas N. Cheamitru, and ending Joseph J. Tepas, III, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD of April 26, 1983.

EXTENSIONS OF REMARKS

GREAT LAKES POLICY ISSUES

HON. BOB EDGAR

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 10, 1983

● Mr. EDGAR. Mr. Speaker, I wish to share with my colleagues a report prepared by Margaret Downs of the Northeast Midwest Institute on Great Lakes Policy Issues. It is hoped that this will help to shape our concern during the 98th Congress for the Great Lakes Region.

GREAT LAKES POLICY ISSUES

Water resources will play a dominant role in defining the characteristics and growth of the Great Lakes region to the year 2000. Extensive discussion and planning among the region's policy makers are essential if the full promise of this resource's economic opportunity is to be realized. The April 27 meeting of members of the House and Senate and board members of the Center for the Great Lakes will help set priorities and strategies for the careful use of an incomparable natural asset.

The Great Lakes hold one-fifth of the world's surface fresh water supply. Lake Superior is the world's largest fresh water lake, Lake Huron is the fifth largest, Lake Michigan the sixth, Lake Erie the 12th, and Lake Ontario the 14th. Yet some federal officials refuse to recognize the Great Lakes as a special resource at all, and federal budget decisions often have reflected that attitude.

This memorandum addresses Great Lakes policy issues and potential federal action in three different areas: water transportation, water quality, and lake levels. All three are integrally related to the future vitality of the Great Lakes region.

I. WATER TRANSPORTATION

Shipping activity in the Great Lakes continues to be depressed. Though much of the downturn can be traced to the recession, the figures remain startling—a 23.7 percent decrease between 1979 and 1981 in grain shipments, a decline of 18.0 percent in iron ore traffic, and a 12.7 percent decline in coal movements. For the first four months of 1982, total iron ore, grain, and coal traffic was down 57.3 percent compared to the same period in 1980.

Although the opening of the St. Lawrence Seaway in 1959 held great promise for Great Lakes ports and shippers, the actual record of shipments during the past two decades has been mixed. Bulk cargos passing through the Montreal-Lake Ontario section of the Seaway tripled between 1959 and 1980. In 1977, the Seaway set a record 57.4 million tons of cargo. Shipments then declined over a three-year period, reaching a low point of 49.5 million metric tons in 1980, followed by a 1.1 million metric ton upturn in 1981.

A major victory in enhancing the system was gained in December as Congress, at the urging of the Great Lakes governors, "forgave" the existing $110 million Seaway capital construction debt owed to the federal government. Since debt retirement has been a major element in Seaway tolls, this action will help the Seaway Development Corporation hold the line on shipping costs.

Containerized cargo ships now dominate the international shipping industry. Yet because of the size of these vessels, many of the Seaway's locks and canals, such as the Welland Canal, are not capable of handling them. To improve the entire system's capacity and reliability, the Corps of Engineers is conducting a preliminary feasibility study of the Great Lakes Connecting Channels and Harbors. This report is studying lock improvements, examining the need for a second modern lock at the Soo to handle larger bulk cargo vessels, and recommending optimum dimensions for future lake vessels. Besides this report, the Corps is exploring the need for additional locks on the St. Lawrence Seaway and alternative means of moving cargo to and from the Great Lakes region.

Soo Locks—Connecting channels and harbors

The Corps of Engineers has studied the connecting channels and harbors in the Great Lakes for more than ten years. The study is now in the final stages with the Corps evaluating several recommendations. One recommendation would involve duplicating the Poe Lock at Sault Ste. Marie. The Poe is the only Soo lock capable of handling 1,000 foot carriers that transport ore and fossil fuels from Lake Superior to the lower lakes. Duplication of the Poe would increase the efficiency of the Soo system, and would provide a contingency in the event of mechanical failure or sabotage of the Poe. This year, vessel traffic waited nine hours while a valve failure prevented the Poe from opening at the beginning of the navigation season.

The Great Lakes Governors endorsed duplication of the Poe Lock at a summit on Mackinac Island in June of 1982. According to the current study schedule, a final transmittal from the Corps to Congress is not likely to take place until 1988 or 1989. The Great Lakes Task Force and the Great Lakes Commission have urged an expedited study process. The Commission has suggested including a provision directing the Corps to expedite its evaluation of the Soo Locks in the omnibus water resources bill scheduled for House Public Works Committee's consideration.

St. Lawrence Seaway improvements

Although the opening of the Seaway in 1959 began a new phase in U.S. water commerce, the system already was out of date at the time of completion. Even then, its locks system was too small to allow for the most efficient use of the Seaway. The Seaway can accept vessels no larger than 726 feet, with drafts of no more than 26 feet, precluding use by most modern ships. These circumstances, unfortunate in 1959, present far greater difficulties in the 1980s.

The Corps of Engineers has spent several years studying possible improvements to the St. Lawrence Seaway lock system. Similar action has been undertaken by Canada. The Corps has made two preliminary recommendations:

Construction of a locks system parallel to present U.S. locks and capable of providing simultaneous two-way access. This option contemplates no increase in lock capacity.

Construction of a new locks system capable of accommodating 1,000 foot vessels. This proposal would retain existing locks and greatly increase the potential of shipping on the Seaway.

The Corps anticipates completion of the study by 1986, assuming congressional support of $956,000. Representative Carl Pursell (R-Michigan) is preparing a modernization strategy for the Seaway with assistance from the St. Lawrence Seaway Development Corporation and the Corps of Engineers. The first component of this strategy includes accelerated completion of the Corps' study and a fiscal 1984 appropriation of $200,000.

User fees—Seaway toll reduction/elimination

The St. Lawrence Seaway is the only federal navigation project ever to charge a user fee. To reach the political compromise necessary to insure Seaway construction, a user fee system was established to recover the costs of construction (principal and interest) and the cost of operating and maintaining the system. It is important to note that, since the Seaway was built, navigation projects that benefit other port regions have been, and continue to be, constructed without a user fee requirement.

In the last seven years, Congress has not approved any significant new navigation projects. The administration wants to recover part of the cost of any new construction and operation and maintenance through a user fee system. Many ports view the institution of user charges as the only realistic prospect for funding new navigation projects. Most of the proposed projects involve channel deepening to allow for the use of larger, deeper-draft ships at coal and grain ports.

Although the 97th Congress did not approve port user fee legislation, the administration and several members of the Senate and House have launched another effort this year to institute a cost recovery system. Navigation interests in the Great Lakes presently are divided in their approach to user fee proposals. A majority of the Lakes' port directors have taken the position that the institution of a national, uniform user charge could improve their competitive posture, if it would also eliminate the cost of tolls on the U.S. portion of the St. Lawrence Seaway and set up a forum for negotiating elimination of the Canadian tolls as well. The International Association of Great Lakes Ports views Seaway tolls as a major obstacle to efforts to increase the amount of cargo moving into the Lakes. The Port of Cleveland and some representatives of the steel industry in the Lakes take an opposing view. Steel interests object to measures that would have the effect of reducing charges currently applied to steel imports. (It should be noted that a value-based user fee

would be significantly lower than current U.S. Seaway tolls on a ton of imported steel.) The Great Lakes Commission has contracted with Data Resources, Inc. for an analysis of the economic impact of Corps user fees on the Great Lakes. This analysis should be available by June 1, 1983.

The two major categories of user fee legislation now pending in Congress—Senator Mark Hatfield's (R-Oregon) (S. 865) and Representative Robert T. Matsui's (D-California) proposals and Senator Daniel P. Moynihan's (D-New York) proposal (S. 970)—both contain a national, uniform fee structure. The Hatfield bill would recover up to 40 percent of operation and maintenance costs. The charges would be phased in over a three-year period through a fee schedule based on the value of the cargo handled. Senator Moynihan's bill would recover 50 percent of operation and maintenance costs through fees based on the volume of cargo tonnage. Finally, the Hatfield bill would eliminate 100 percent of the cost of U.S. Seaway tolls, while the Moynihan bill would eliminate 50 percent of that portion.

Cargo preference

Only one U.S. flag operator currently provides direct line service between the Great Lakes and Western Europe, the area identified by the Maritime Administration as offering the greatest potential for increased Midwest cargo exports. The lack of U.S. flag vessels on the Great Lakes has had a negative impact on the Midwest's ability to capture government controlled cargo. The "cargo preference" language in P.L. 480 requires at least 50 percent of military and U.S. Department of Agriculture cargo, such as Food for Peace shipments, to be transported by subsidized American carriers. The absence of U.S. vessels in the Midwest has resulted in the shipment of this cargo via the tidewater ports. Unless this policy is revised, a good portion of the agricultural cargo produced in the Midwest will exit the country through coastal ports. Federal agencies have the authority to waive U.S.-flag carriage requirements in many cases, but Great Lakes shipping and port interests argue that federal agencies often have not exercised this option.

Several alternatives have been proposed in connection with the treatment of federal preference cargo. In May 1982, Senator Alan Dixon (D-Illinois) introduced S. 2511, a bill to require all federal agencies to adopt the "lowest landed cost" standard now used by the Department of Agriculture (USDA) in determining cargo allocation. The "lowest landed cost" method of determining the most efficient shipping route for federal cargo has resulted in a more equitable share of USDA PL 480-Title II cargo for Great Lakes ports. This year, Senator Dixon is considering the option of adding to the "lowest landed cost" provision a requirement that all federal agencies without transportation bidding systems institute a competitive bidding system similar to the one used by the Military Sealift Command. In addition, Senator Dixon may add a section authorizing cargo preference treatment for U.S. flag vessels not currently eligible for such treatment, provided that those vessels are brought into full conformity with U.S. maritime standards. Other alternatives include allocating a specified share of preference cargo shipments to the Great Lakes system, or exempting the Lakes from cargo preference requirements. In March 1983, Senator Rudy Boschwitz (R-Minnesota) offered an amendment to the Agricultural Export Act that would exempt from cargo preference requirements the new "payment-in-kind" and "blended credit" export subsidies offered by USDA. The Senate Agriculture Committee has adopted this amendment.

Winter navigation

Navigation on the Great Lakes and St Lawrence Seaway historically has been suspended during the winter months, usually from mid-December to early April, primarily because of icing conditions. Proposals to extend the navigation season in the Great Lakes have created considerable controversy. Among the problems raised by this project are potential environmental damage, potential conflict between power and navigation interests, and legal and diplomatic complications with Canada.

In 1979, the Army Corps of Engineers completed a field study and demonstration project that concluded that positive net economic benefits would result from season extension. The report is under review by the Chief of Engineers. In essence, the Corps recommends adoption of a 12-month navigation season on the upper four Great Lakes, and a 10-month season on the Welland Canal, Lake Ontario, and the St. Lawrence Seaway. This position is strongly supported by the Great Lakes Task Force, which represents shipping interests. It is opposed by several environmental and conservation groups in the region.

With the submission of a final report on the demonstration program from the Winter Navigation Board to Congress and to governors of the Great Lakes states in December 1979, and upon completion of the Washington level review of the survey report, any implementation of the season extension program would depend upon additional congressional authorizations. Several states and the Great Lakes Commission have suggested that to avoid significant delays in extending the season, when and if the need arises or agreement is reached, appropriate environment studies should be initiated now.

Coast Guard user fees

The Coast Guard has developed a schedule of user fees to recover the costs of operations and programs attributable to commercial vessels. The proposed schedule calls for a Great Lakes icebreaking surcharge applicable to commercial vessel operations during the period January 16 through March 31. Under this proposal, a 1,000-ton lake vessel would be charged over $24,000 for a one-day assist by the Great Lakes icebreaker Mackinaw, a cost to the vessel of about 50 cents per ton per day. Vessels with lesser capacities would incur substantially higher charges on a per-ton basis. These fees might discourage any winter shipping activities on the Great Lakes. Congress has not moved to authorize the administration's Coast Guard user fee proposals.

Water resource development projects

The Great Lakes Commission has conducted a review of Corps of Engineers activity in the Great Lakes region. The Commission found that the distribution of Corps projects in the Great Lakes area is heavily skewed toward operations and maintenance. Nationally, general investigations make up 4.9 percent of the proposed fiscal 1984 budget, construction accounts for 44 percent, and operations and maintenance represents 51.1 percent. In the Great Lakes states, general investigations equal 5.4 percent, construction takes up 5.5 percent, and operations and maintenance consumes 89.1 percent of the total budget. Attached is a listing of water resource development projects that were named as priority projects by the Great Lakes states, as well as a breakdown of fiscal 1983 and fiscal 1984 spending categories for the Corps.

Corps dredging fleet

The Great Lakes Commission has raised concern that the Army Corps of Engineers' program of decommissioning dredges may impact Great Lakes operations and maintenance activities. According to the Commission, the Corps dredges *Markum* and *Heinz* are scheduled for decommissioning. These two vessels are self-propelled suction dredges. Great Lakes port interests have indicated that they support the concept of transferring Corps dredging activities to private operators, but caution that private operators must exist to fill the need. The Commission urges that any decommissioning activity, especially of unique equipment, should be conditioned by the proven availability of private operators willing to perform the functions previously performed by the Corps of Engineers. The Commission's executive director, James Fish, has suggested that if the Corps maintains the decommissioned dredges as part of the reserve fleet, it should continue to base the vessels in the Great Lakes.

II. WATER QUALITY

The quality of water in the Great Lakes has improved markedly over the last decade. Water quality improvements help safeguard the health of people who use the Lakes as a drinking water source, increase the enjoyment of those who pursue recreational opportunities on the Lakes, and enhance the attractiveness of the region as a place to live and visit. Clean water also offers important economic opportunities for the Great Lakes states. For example, the direct and indirect value of tourism trade in Michigan alone reached $9 billion in 1980; approximately 60 percent of all vacation trips to the state involve water-related activities.

The United States has treaty obligations with Canada relating to the quality of Great Lakes water. To fulfill these obligations, to protect public health, and to realize the economic potential, water quality-related activities in the Great Lakes region need to become a higher priority with the Environmental Protection Agency, the State Department, and other responsible federal agencies. In addition to providing adequate funds for ongoing efforts to control major point sources of pollution, water quality officials need to develop better strategies for cleaning up toxic waste contamination and controlling nonpoint pollution sources.

Clean Water Act

Some of the issues raised above are likely to be addressed this year in amendments to the Clean Water Act. The House Public Works and Transportation Committee and the Senate Environment and Public Works Committee are expected to consider changes to industrial pretreatment standards and extend the deadline by which pollution dischargers must comply with EPA's "best available technology" standards. Senator John Chafee's (R-Rhode Island) Subcommittee on Environmental Pollution currently is exploring ways to place controls on nonpoint pollution sources and put tighter discharge restrictions on toxic "hot spots." In addition, both committees will address new EPA regulations concerning water quality standards.

Implementation of water quality agreement with Canada

The General Accounting Office (GAO) has found that the U.S. is having difficulty meeting the terms of the 1978 water quality agreement with Canada, and recommends that Congress consult with the Secretary of State and the Administrator of EPA to determine whether sufficient funding is available to meet the agreement, or whether the agreement objectives are overly ambitious. A June 1982 GAO report stated that 32 percent of municipal discharges on Lake Ontario and 31 percent of those on Lake Erie would not comply with the agreement goal of December 31, 1982. GAO also has recommended that the Administrator of EPA direct the Great Lakes National Program Office (GLNPO) to develop a comprehensive plan and strategy to address the problems of phosphorus, nonpoint, and toxic pollution. According to GAO, the agency must give GLNPO greater authority and visibility so that it can serve as a center for coordinating Great Lakes activities. (GLNPO currently is located within EPA's Region V office in Chicago and its director reports to the Region V administrator). GAO also stated that EPA needs to better administer its fish monitoring program and determine the effectiveness of present programs for controlling known toxicants.

A resolution adopted by the Great Lakes governors and Canadian premiers at the Mackinac conference called for the establishment of a formal arrangement between the U.S. government and the states to meet the terms of the International Water Quality Agreement. EPA has taken some preliminary action through a special task force to improve program and funding coordination for Great Lakes water quality activities. Nevertheless, the president's fiscal 1984 budget recommends a $1.1 million cut in the GLNPO fiscal 1983 funding level of $3.7 million. This recommended 30 percent reduction in funds contrasts with the president's overall request for EPA operations, which includes a 9 percent reduction.

Environmental research

There are a number of federally-funded environmental research programs located in the Great Lakes region. In the 97th Congress, the House passed legislation sponsored by former Representative James Blanchard to establish a Great Lakes Research Office within the National Oceanic and Atmospheric Administration (NOAA). The Great Lakes Office would have coordinated various ongoing research efforts relating to the Lakes. Although the Senate never took final action on this proposal, Congress did approve a $750,000 set-aside for the Great Lakes Office in the fiscal year 1983 continuing appropriations for NOAA. However, there is no indication that NOAA plans to use these funds to set up a Great Lakes Research Office in fiscal 1983.

The Great Lakes Environmental Research Laboratory (GLERL), a unit of NOAA located in Ann Arbor, Michigan, conducts basic scientific research and monitors pollution threats to the entire Great Lakes Basin. Research has focused on water levels, particle dynamics, the transport of organic contaminants, nutrient cycling, ice flow predictions, and trends in Great Lakes biota. GLERL scientists have developed an improved method of predicting storm surges and shoreline flooding. GLERL also carries out transboundary pollution monitoring activities that are required by the International Water Quality Treaty. The Great Lakes Governors and GAO have urged an adequate funding level for the laboratory. The administration has recommended termination of the laboratory's activities.

EPA's Large Lakes Research Station, located in Grosse Ile, Michigan, specializes in Great Lakes pollution problems. This facility is the only large lakes research center outside the Soviet Union. The station has conducted research in a variety of areas, including monitoring air and water pollutants, developing predictive models, and assessing the effectiveness of nutrient reduction programs. Gross Ile scientists now are studying the effects of toxic substances on the Great Lakes ecosystem. Governor James Blanchard of Michigan has proposed that a portion of Gross Ile's budget be earmarked for a study of dioxin contamination in the Great Lakes Basin. A broader review of dioxin contamination is now in the planning stages at EPA. (The administration has requested no fiscal 1984 funding for the Large Lakes Research Station).

The National Sea Grant College Program funds a network of college or university affiliated centers. Sea Grant researchers conduct studies that have practical applications in a number of areas, including fisheries, toxic substances, public education, recreation, and water safety. There are active Sea Grant programs in the states of Indiana, Illinois, Michigan, Minnesota, New York, Ohio, and Wisconsin. The administration seeks to terminate the National Sea Grant College Program.

Disposal of dredged material

Periodic dredging of river and harbor sediment currently is required to maintain navigation channels for commercial and recreation purposes. This dredged material may contain a number of contaminants that have been identified as harmful by the Environmental Protection Agency. A significant area of federal involvement in dredged materials disposal is the Corps of Engineers' Confined Diked Disposal Program on the Great Lakes, which was authorized in 1970. Prior to 1970, this dredged material was dumped in open water in the Great Lakes. Of the 40 sites that are proposed to serve 56 locations, 20 have been completed. Approximately $23 million in fiscal 1983 funds is available to the diked disposal program. Recently, a major project servicing the Detroit River was completed at Point Mouille. Another important project currently is under construction at Calumet Harbor in Chicago.

III. LAKE LEVELS AND COASTAL RESOURCES

Diversion of Great Lakes water

At the present time, there is no active proposal to divert Great Lakes water to the South or West. Such projects have been discussed, however, in connection with energy development in Western coal fields and substitutes for the declining Ogallala aquifer. Two Michigan economists have conducted a study of possible interbasin transfers from the Great Lakes, suggesting that such projects are not likely to be economically feasible in the near future. However, many officials believe that now is the time to develop policies governing interbasin transfers, before pressure builds for a Great Lakes diversion to water-poor areas.

At the Great Lakes Water Resources Conference on Mackinac Island in June 1982, the governors of the Great Lakes states and premiers of three Canadian provinces passed a resolution objecting to any new diversions of Great Lakes water. The resolution stated that "lowered lake levels and reduction of flows in connecting channels could result in serious losses in water supply, navigation, and recreation values." The governors and premiers also resolved that any future decision regarding Great Lakes diversion be made only with the concurrence of the Great Lakes states and provinces and the federal governments of Canada and the United States.

Two recent federal court decisions, *Sporhase v. Nebraska* in the Supreme Court and *El Paso v. Reynolds* in the New Mexico District Court, have raised questions in the minds of state officials about the degree of control they can exert over water supplies located within state boundaries. In *Sporhase* and *El Paso*, certain prohibitions on water exports were ruled illegal by the courts on the grounds that they interfered with interstate commerce. The *Sporhase* decision also raises uncertainty about the fate of interstate compacts that include provisions restricting diversion of water supplies.

Two legislative proposals—H.R. 1749 by Representative Berkley Bedell (D-Iowa) and H.R. 1207 by Representative Ralph Regula (R-Ohio)—relating to diversion have been introduced in the House; they are intended to clarify state and federal jurisdiction over water resources. Representative Bedell's legislation was prompted by the state of South Dakota's proposal to transfer Missouri River Basin water for use in a Wyoming coal slurry pipeline, among other proposals. H.R. 1749 stipulates that no state can sell part of a shared water resource for use outside its boundaries unless all of the affected states approve the sale. Representative Regula's bill specifically authorizes states to regulate the transfer of water.

Consumptive uses of Great Lakes water

The International Great Lakes Diversions and Consumptive Uses Study Board of the International Joint Commission has projected that consumptive use of Great Lakes water will increase from the 1975 rate of 4,900 cubic feet per second (cfs) to an amount that would range from approximately 16,000 cfs to 37,000 cfs by the year 2035. Such levels of consumptive use would reduce the net water supply of the Lakes, thereby lowering lake levels in the unregulated lakes of Michigan, Huron, and Erie anywhere from 0.4 feet to as much as 1.13 feet. Such a lowering of lake levels would cause substantial losses to navigation and power interests in the Lakes.

The Great Lakes governors and premiers resolved at the Mackinac Conference to request that the governments of the United States and Canada send a reference to the International Joint Commission directing the commission to monitor consumptive use of Great Lakes water and study possible control measures (along with their impacts) for managing such uses.

Coastal resources

A number of bills have been presented in both the House and Senate in the past few months proposing methods of providing funds for coastal development from the revenues to be generated by the Outer Continental Shelf leasing program. Great Lakes states are eligible for funds under each of the pending proposals.

Senator Ted Stevens (R-Alaska) has introduced S. 800, which would target 5 percent of the OCS leasing program's annual revenues, averaged over a three-year period, to an entitlement fund for states and localities. Senator Ernest F. Hollings (D-South Carolina) has sponsored S. 872, which earmarks some of the funds specifically for coastal management programs, and makes the state grants subject to the appropriations process.

A compromise recently has been worked out between these two bills, which subjects the bulk of the funds to the appropriations process but gives states extensive flexibility in the use of the funds for a variety of coastal projects. The Senate Commerce Committee approved this compromise and reported an amended version of S. 800 to the full Senate on April 21.

Under the compromise Senate proposal, the total amount available is expected to be approximately $350-$400 million. Of this amount, 0.5 percent would be available to any coastal state (including those on the Great Lakes), with an additional 1 percent for any state with an approved coastal zone management plan. The remainder of the money would be allocated to those states with approved plans on the basis of a formula that takes into account population, the amount of shoreline, the number of energy-related facilities located within the state, and the amount of offshore oil and gas produced in the state.

H.R. 5, the Ocean and Coastal Resources Management and Development Block Grant Act, introduced by Congressman Walter B. Jones (D-North Carolina), is similar to the Senate proposal with a few exceptions. It requires that no less than 25 percent of the money allocated be spent on coastal management programs. Furthermore, while the Senate proposal requires states to "pass through" 30 percent of the allocation to localities, the Jones bill requires a 35 percent pass-through. The House Merchant Marine Committee plans to "mark up" H.R. 5 on April 27.●

NUTRITION FOR SENIORS PROGRAM—OVER 2½ MILLION SERVED WITH CARE

HON. GEORGE E. BROWN, JR.

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 10, 1983

● Mr. BROWN of California. Mr. Speaker, the nutrition for seniors program (NFS), administered by the community services department of San Bernardino County, will exceed the 2½ million mark with respect to meals served to senior citizens this program year. Since February 1974, the nutrition for seniors program has been providing hot, nutritious meals to senior citizens through strategically located nutrition sites and a homebound meals program. Mr. Speaker, I would like to take this opportunity to commend the nutrition for seniors program for its excellent work.

I would like to congratulate the members of the Nutrition for Seniors Project Council for their dedicated service over the years. They are: Eugene Hickie, president; Mable Jones, past president; Bertha Ortiz, past president; Lynn Cogswell, Gladys Cunningham, Harry "Scotty" Marshall, Dee Rawson, Roy Hazen, Laura Thurmond, Mary Payan, Mildred Corbin, and Severo Valdez.

I would like to express my appreciation to the over 400 volunteers who make the program work on a daily basis, and I specifically commend: Dorothy Sherman, Lucile Williamson, Katherine Wagner, Evelyn Henry, Ralph Crowley, Roberta Miller, Tanya Monsanto; Rose Bertrand, Iola Wesley, Jeweline Newton, Wanda Bethel, Claude Lewis, and Enrique Vasquez. Of course, these are but a few of the many individuals who deserve recognition for the operation of this worthwhile program.

Finally, I would like to congratulate and thank the administrative and program staff for their work and dedication. They are: Rodolfo H. Castro, CSD executive director; Patricia Nickols, director of program operations; Elaine Moran, nutrition for seniors program manager; Mildred Gillette, Bertha Bridgeman, Martha Prater, Claire Herry, Lucille Beavers, Jeanette Donsbach, Lorraine Rayburn, Ana Callicott, Alta Armstrong, Howard Leibley, Elizabeth Roberts, Phyllis Cooper, Stella Delgado, Marylou Morales, Edyth Oliver, Debby Hall, Rosita Zuniga, Alan Champion, Dorothy Allen, Ofelia Lopez, Donna Labarre, Joyce Matlock, Maria Atilano, Hortense Eichinger, Mary Ortega, Betty Young, Erlinda Kates, John Cook, Louis Galindo, Carrie Isaac, and Bertha Leon.

I would also like to give a special acknowledgement to Vicente Rodriguez, who was the first manager of this outstanding program and who laid the administrative/programmatic framework for NFS's track record of successful performance.●

THE BEVERAGE CONTAINER REUSE AND RECYCLING ACT

HON. JAMES M. JEFFORDS

OF VERMONT

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 10, 1983

● Mr. JEFFORDS. Mr. Speaker, today I am introducing the Beverage Container Reuse and Recycling Act, legislation to require a refund value of not less than 5 cents on all containers for beverages under the pressure of carbonation. The text of the bill is reprinted below.

This year marks the 10th anniversary of the deposit law in Vermont, which was the second State—after Oregon—to enact such a law. During this time, the deposit law has become so popular that in response to a recent questionnaire returned by 10,000 Vermonters, 94 percent indicated their support. The deposit law has ceased to be an issue in Vermont as our citizens enjoy cleaner highways, less pressure on landfills and the development of a sound ethic of the reuse of resources.

Over the last 10 years, seven other States have joined Vermont and Oregon with deposit laws. This year, New York, Massachusetts, and Delaware will implement these laws.

Mr. Speaker, many opponents of deposit laws have made outrageous contentions about the refund system, claiming massive price increases, sanitary problems, job loss, no reductions in litter and other problems. While implementation has not always been smooth, we now have sufficient experience with deposit laws in urban and rural States to draw the unmistakable conclusion that a national deposit law would be popular and effective.

In addition to the States already mentioned, Maine, Iowa, Connecticut, and Michigan have implemented deposit laws. It seems clear that it is only a matter of time until the opponents of this law reverse their position, if only to have uniform standards nationwide. The first indication of such a shift is the recent announcement by Anheuser-Busch that its New Hampshire plant will be retooled to produce only refillable bottles.

I urge my colleagues to examine this bill and to consult with those who are familiar with the experience of States which have deposit laws. You will find without exception that these laws are more popular now than when they were first implemented.

The bill referred to follows:

H.R. 2960

To require a refund value for certain beverage containers, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Beverage Container Reuse and Recycling Act".

FINDINGS AND PURPOSES

SEC. 2. Congress finds and declares that—

(1) the failure to reuse and recycle empty beverage containers represents a significant and unnecessary waste of important national energy and material resources:

(2) the littering of empty beverage containers constitutes a public nuisance, safety hazard, and esthetic blight and imposes upon public and private agencies unnecessary costs for the collection and removal of such containers;

(3) empty beverage containers constitute a significant and rapidly growing proportion of municipal solid waste, disposal of which imposes a severe financial burden on local governments;

(4) the reuse and recycling of empty beverage containers would eliminate these unnecessary burdens on individuals, local governments, and the environment;

(5) a uniform national system for requiring a refund value on the sale of all beverage containers would result in a high level of reuse and recycling of such containers;

(6) a national system for requiring a refund value on the sale of all beverage containers would result in significant energy conservation and resource recovery;

(7) a national system for requiring a refund value on the sale of all beverage containers would be anti-inflationary and help create jobs in areas of commerce; and

(8) a national system for requiring a refund value on the sale of all beverage containers would be inexpensive to administer because of its self-enforcing nature.

DEFINITIONS

SEC. 3. For the purposes of this Act the term—

(1) "beverage" means beer or other malt beverage, mineral water, soda water, or a carbonated soft drink of any variety in liquid form and intended for human consumption;

(2) "beverage container" means a container designed to contain a beverage under pressure of carbonation;

(3) "refundable beverage container" means a beverage container which has clearly, prominently, and securely affixed to, or printed on, it (in accordance with section 4) a statement of the amount of the refund value of the container;

(4) "consumer" means a person who purchases a beverage in a beverage container for any use other than resale;

(5) "distributor" means a person who sells or offers for sale in commerce beverages in beverage containers for resale;

(6) "retailer" means a person who purchases from a distributor beverages in beverage containers for sale to a consumer or who sells of offers to sell in commerce beverages in beverage containers under pressure of carbonation to a consumer. The Administrator shall prescribe such regulations as may be necessary to establish what person is a retailer with respect to the sale of beverages in beverage containers under pressure of carbonation to consumers through beverage vending machines;

(7) "Administrator" means the Administrator of the Environmental Protection Agency;

(8) "commerce" means trade, traffic or transportation—

(A) between a place in a State and any place outside, thereof,

(B) within the District of Columbia or any territory of the United States, or

(C) which affects trade, traffic, commerce, or transportation described in subparagraph (A) or (B); and

(9) "State" means a State, the District of Columbia, the Commonwealth of Puerto Rico, or any territory or possession of the United States.

REQUIRED BEVERAGE CONTAINER LABELING

SEC. 4. No distributor or retailer may sell or offer for sale a beverage in a beverage container under pressure of carbonation unless there is clearly, prominently and securely affixed to, or printed on, it (in accordance with regulations prescribed by the Administrator) a statement of the amount of the refund value of the container, such amount being not less that 5 cents.

RETURN OF REFUND VALUE OF BEVERAGE CONTAINERS

SEC. 5. (a)(1) If a consumer tenders for refund an empty and unbroken refundable beverage container to a retailer or distributor who sells (or has sold at any time during the period of three months ending on the date of such tender) a brand of beverage which was contained in the container, the retailer or distributor respectively shall promptly pay the consumer the amount of the refund value stated on the container.

(2) If a retailer tenders for refund an empty and unbroken refundable beverage container to a distributor who sells (or has sold at any time during the period of three months ending on the date of such tender) a brand of beverage which was contained in the container, the distributor shall promptly pay the retailer (A) the amount of the refund value stated on the container, plus (B) an amount equal to 2 cents per container to help defray the retailer's cost for handling. The payment may amount specified in clause (B) be adjusted by the Administrator, following evaluation and public comment, to reflect the true cost of handling beverage containers. This paragraph shall not preclude a retailer from tendering refundable beverage containers to persons other than distributors.

(b) The opening of a refundable beverage container in a manner in which it was designed to be opened and the compression of a metal refundable beverage container shall not, for the purposes of this section, constitute the breaking of the container if the statement of the amount of the refund value of the container is still readable.

RESTRICTION ON METAL BEVERAGE CONTAINERS WITH DETACHABLE OPENINGS

SEC. 6. No distributor or retailer may sell or offer for sale a beverage in a metal beverage container a part of which is designed to be detached in order to open such container.

PREEMPTION OF STATE AND LOCAL LAW

SEC. 7. (a) Except as otherwise provided in this section, no State or political subdivision thereof may establish or continue in effect any law respecting a refund value of beverage containers sold with a beverage under the pressure of carbonation to the extent the Administrator determines the law is inconsistent with this Act.

(b) No State or political subdivision thereof may, for the purposes of determining the amount of any tax imposed by such State or subdivision on the sale of any refundable beverage container, take into account any amount charged which is attributable to the refund value of such container.

(c) Subsection (a) does not prevent a State or political subdivision thereof from establishing or continuing in effect any law respecting a refund value on containers other than for beverages or from regulating redemption and other centers which purchase refundable beverage containers from retailers and consumers.

PENALTIES

SEC. 8. Whoever violates any provision of section 4, 5(a), or 6 shall be fined not more than $1,000 for each violation.

EFFECTIVE DATES

SEC. 9. (a) Except as otherwise provided in subsections (b) and (c), this Act shall take effect on the date of its enactment.

(b) The provisions of sections 4, 5, and 7 shall apply with respect to beverage containers sold or offered for sale in interstate commerce on or after two years after the date of enactment of this Act.

(c) The provisions of section 6 shall apply with respect to beverages in beverage containers sold or offered for sale in interstate commerce on or after one year after the date of enactment of this Act.

(d) The provisions of section 7(a) shall preempt State and local laws to the extent to which they are inconsistent with the provisions of this Act only on and after the respective effective dates of such provisions.●

RESOLUTION ON TITLE IX OF THE EDUCATION AMENDMENTS OF 1972

HON. CLAUDINE SCHNEIDER

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 10, 1983

● Mrs. SCHNEIDER. Mr. Speaker, today I am introducing legislation which reaffirms support for title IX of the Education Amendments of 1972. Since its enactment, title IX has proven successful in rectifying discriminatory practices in educational institutions receiving Federal funds.

Over the past decade, title IX can be credited in large part with many of the gains made by women in the areas of technical and vocational education, professional degree programs, and school athletics. For instance, in 1972, women comprised 43 percent of the total enrollment in 4-year colleges. In 1981, that figure rose to 52 percent. In fact, today there are more women than men in our Nation's institutions of higher learning. In addition, by 1980, the percentage of female students in federally funded agriculture, technical trade, and industrial programs had risen from 8 percent in 1972 to 28 percent.

Despite the proven effectiveness of title IX, recent court rulings have sought to restrict the scope of title IX coverage. For example, in North Haven Board of Education against Bell, title IX was held to be "program specific," meaning that coverage of title IX no longer pertained to the entire institution. Despite this narrow interpretation, which ignored the broad purposes of title IX, those agencies designed to oversee title IX enforcement did not contest the decision.

Litigation involving title IX has in fact been placed on the Supreme Court calendar for review. In the Grove City College against Bell case, the court of appeals held that the entire college is "the education program" since Federal student aid moneys may be used for any purpose. Grove City has appealed the decision, and the Supreme Court has agreed to hear the case later in the year.

In light of these conflicting judicial interpretations, I feel it is of prime importance for the Congress to reaffirm its support for the comprehensive coverage originally intended by title IX of the Education Amendments of 1972. Title IX is the only Federal statute on the books designed to prohibit gender discrimination in education. Without it, some of the horrible inequities of the past would be allowed to resurface. For instance, in the early 1970's, the New York State College of Agriculture at Cornell University admitted women only if they had SAT scores 30 to 40 points higher than entering men. In

fact, at one time, a male applicant to Penn State was five times more likely to be accepted than a female.

There is no doubt, then, about the need for title IX to identify and help to eliminate sex discrimination in educational institutions. However, let there be no mistake about the fact that title IX does much more than focus on inequities in collegiate athletics. Instead, title IX offers equal opportunity in admissions, employment, degree programs, and all the benefits and services available at the institution.

As I introduce this resolution with 57 other concerned colleagues, I ask each Member to join in restating support for this valuable existing law. Title IX must continue to provide broad and comprehensive coverage to educational institutions in order for equal access in education to become a reality.●

EMPLOYING THE OLDER WORKER

HON. CLAUDE PEPPER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 10, 1983

● Mr. PEPPER. Mr. Speaker, Drs. Labe Scheinberg, Donna Cohen, and Carl Eisdorfer of the Albert Einstein College of Medicine, Yeshiva University and the Montefiore Hospital Medical Center in the Bronx, N.Y., have prepared a perceptive, informative paper on employing the older and disabled worker. I had the opportunity to hear this outstanding paper eloquently presented by Dr. Scheinberg at the Older Worker Seminar, March 11, 1983, in Hollywood, Fla.

As Dr. Scheinberg so rightly pointed out, there is no biological basis for mandatory retirement at a certain age. It is productivity, not gray hair and wrinkles, that should determine one's employment status. Older people are a valuable, and often neglected, human resources and he calls upon industry and other employers to reevaluate their positions in that regard.

I insert the thoughtful and learned paper of Drs. Scheinberg, Cohen, and Eisdorfer into the CONGRESSIONAL RECORD so that others may be able to share in the benefits of their able research:

The paper on older workers follows:

EMPLOYING THE OLDER WORKER

(By Labe Scheinberg, M.D., Donna Cohen, Ph. D.; Carl Eisdorfer, Ph. D., M.D.; from Yeshiva University)

EMPLOYING THE OLDER WORKER

It is a pleasure to be here today and to share with you my experiences with issues of employment of the older and the disabled worker.

My experience is that of a neurologist and I am involved with the neurologically disabled and their employment. I am working primarily with the disease model.

The relationships between employment, health and well being are of extreme importance. If one is in poor health it may lead to temporary of permanent unemployment. Similarly employment is important to the well being or health of the individual. Unemployment may lead to poor health and loss of self esteem. Sigmund Freud, when asked to define emotional maturity and good health, replied it is the ability to work and to love. The relationship of work to well being and vice versa are undisputed.

Today I plan to speak of the relationship of employment to good health and also I plan to discuss the importance of maintaining the good health of individuals, especially the elderly, by maintaining their employment; also I plan to discuss some ways how this might be accomplished.

The relationship between employment and well being is important to a broad group of individuals. It has major sociological, psychological, economic, and political implications.

Indeed, the "world of work" is a critical function for men and women, for young and old, for the able and the disabled. I think it is important to recognize this generic importance of employment in order to mobilize as wide a political base for essential institutional changes in employment practices.

To illustrate the potential for a broad political base, I will quote from a recent New York Times article. "Someone is going to have to do battle in a new and serious way . . . Imaginative thinking should be done about . . . reduced schedules, flextime, (and) job sharing . . . But who will take up this battle, and how, in a time where jobs themselves are so scarce that people must take what they can get, when budgets for social programs that already exist are being cut down?" This quote is from an article by Betty Friedan addressed to issues confronting the working women.[1]

Contrary to what might be supposed, the relationship between health and retirement lends itself to no easy description. At the outset, it is important to recognize that health changes may be a cause as well as a result of retirement, that age of retirement is more flexible than often suspected, and that beliefs about health may be more important to functioning that are objective indices of health.

Age of retirement, usually an individual's 65th birthday, has been changing dramatically. At the turn of the century, retirement as we know it, did not exist in the United States. Two out of three men aged 65 and older worked compared to one in five by today. In 1950, almost one half of men aged 65 and older were in the labor force. Private pensions and social security benefits had made retirement possible for most people. However, a long period of relatively stable prices and increased levels of post-retirement support under the Social Security Act and broader pension plan provisions began to encourage the exit of working people at age 65 and earlier. In the period 1950 to 1980 labor force participation of men 65 or older dropped from 45 percent to 19.1 percent. From 1960 to 1980 labor force participation of men 55 to 64 dropped from 86.9 percent to 72.3 percent. For women the reverse trend has been occurring, with participation of those aged 55 to 64 rising from 37 percent to 43 percent during 1960's. (Kieffer, 1982; Robinson, 1982).

Modern research is demolishing many myths about aging—that the abilities of older people invariably are in serious decline, that older workers are slow learners, that their minds do not function well, that they are disengaged and apathetic, that they are frail and unable to stand stress, that they "cause problems" for employers and are no longer productive. These generalizations are harmful and counterproductive. New knowledge about this very rapidly growing segment of the population suggests that all American institutions, government, business and labor, should re-examine many traditional attitudes and beliefs. The growing body of evidence indicates that, far from presenting a "problem" for the nation, the elderly present the nation with a golden opportunity. Instead of being a liability, older people are a valuable human resource that America can no longer afford to waste. Age is the only condition toward which we are bigoted yet to which we all desperately aspire.

The predominant myth that old age is nothing more that a period of functional loss is bolstered by a misinterpretation of the fundamental biological fact that aging is accompanied by the loss of body cells. It is known, for example, that the number of cells in the brain does decrease with age. What is all too often ignored, however, is the great redundancy of brain cells. There is an over-supply of billions of nerve cells so that their loss through life is not at all synonymous with a loss of mental ability. Furthermore, experience is a major offset even to physiologic loss, e.g., consider the use of older astronauts in this regard. What is more important in determining the functional ability of an older person is not how many cells a person has lost over a lifetime, but rather what is functionally present. Since individuals vary greatly in the rate at which they lose this normal function, it is simply inaccurate to regard all old people as being in a process of rapid decline and diminishing usefulness.

An especially pernicious myth is that senile dementia and other diseases are inevitable if one lives long enough, for it implies that older workers must be taken out of the labor force before they "make a mess of things." It is true that many diseases are more common among older people, but these are by no means inevitable for the majority of older workers and it must be recognized that a strong tendency exists for older workers to select themselves for retirement when they do not feel well, provided they can afford to retire. There simply is no biological basis for mandating retirement for all who reach a certain age. It is productivity, not gray hair and wrinkles, that needs to be examined.

Another myth is that old people are unable to handle stress. It is important for managers to remember that older people are survivors, indeed their survival attests to their ability to manage stress successfully. Their experience, in many ways, allows them to deal more successfully with the stresses of life than younger persons.

If the nation persists in believing old myths, seeing older people in a negative light, not using them productively, and putting them "on the shelf" merely because of age, nearly one in five Americans will be dependent, or close to it, in a few decades, and a major shift of resources will be required to care for them. Already, health care costs in the United States are over 10 percent of the

[1] Betty Friedan, "Twenty Years After the Feminine Mystique," New York Times Magazine, page 35, February 27, 1983.

gross national product (most of the costs are for hospital care), and the elderly account for a disproportionate share.

It is, therefore, naive for corporations which are contributing vast sums directly to health benefits and to other human services through taxation, to think they do not have a stake in the costs of maintaining the health and productivity of an aging population. Industry can either develop plans to make productive use of older people, or pay more taxes so that governments can care for them. In either case, the corporation has to pay.

Traditions of the private sector that are barriers to the effective use of older people must be examined. One such tradition is the view of corporate life as a "ladder" to climb: early in life one gets onto the bottom rung and moves upward, only to fall off when the top is reached and never to be heard from again. A "lattice" might be considered as a more appropriate model for an aging workforce. A lattice, by allowing movement in all directions on the basis of an individual's changing interests, abilities, and talents, would allow maximum individual growth and contribution while minimizing the impact of negative stereotypes.

Another important role of the older worker in the corporate setting that can be enhanced is that of teacher and role model for younger workers. A thorny question is involved in using an older worker; however, can a worker whose primary loyalty may be to a union also function comfortably in the role of socializing younger workers to the values and needs of the corporation? The answer depends on how well management and labor can cooperate in dealing with the issue of loyalty to whom and for what purpose.

Older workers need continuing education and training to stay productive. Though they are a repository of vast experience and talent, we concentrate all of our education and training resources on the young. In doing so, we push older people out of the central information pool and, thereby, create a kink of forced obsolescence. This pattern is as wasteful as buying a new car, filling the tank with gasoline, then abandoning the car when it is "broken in."

Another important task corporations should consider is preserving older workers' identification with the corporation after retirement—by preparing them for retirement, even offering them training for other occupations and then using this talent pool on a fee-for-service basis.

Negative stereotypes about older workers, our American "youth culture," and traditional hiring practices that discriminate against the elderly are among the major forces that tip the scale toward restraining the extension of working life. However, several powerful forces are at work that are likely to alter the balance in the other direction. These include the rapidly rising cost of Social Security, and the need for corporations to retain the talents of older workers by keeping them on the job.

The cultural sterotype of the older person as helpless, hopeless, and decrepit is a form of bigotry. As with the racism, the damage arises not only from what the majority feel about the minority, but from what the minority are made to feel about themselves.

The stereotype is self-fullfiling: Older people accept the prevailing myths that they are infirm, that they can only deal with their problems medically, that they have to function in ways that make them seem old. Corporate leaders have bought the myths of "agism" too although the psychological mechanisms of denial usually prevent individuals from applying such beliefs to themselves ("everybody is alike except I'm different"). We must all realize that by perpetuating "agism" we, too, are likely to become its victims, if we live too long.

This approach should not be considered "pie in the sky." The demographic and economic changes are highly predictable, at least for the next three or four decades. The data are there, and the alternatives may be readily ascertained by anyone with wisdom to address the issues. We either face the significant personal and social problems of a burdensome and dependent older population or we alter our way of doing business to position ourselves to deal with the changing population and the opportunities it presents. Once again, the choice is in our hands.

Our propensity to label things is an example of such a tendency. Thus, we use sex, race, and age as convenient tags for certain situations but often these get involved in regulations or particular styles of operation. We then look at any deficits of the individual and we label him or her on the basis of the deficit, thus somebody is blind, deaf, paralyzed, mentally retarded, old.

The problem is, of course, that the overattentiveness to the disability as often as not obscures the person's ability. A man or a woman in a wheelchair can be a most effective worker if we can slightly alter the environment to give them access to the job, for example, to the worktable, desk or machine. While different sites may prevent a specific individual from performing certain activities of daily living that individual is not impaired so far as other work functions may be concerned. I am raising this point because I think functional age is an important approach to a problem but I would like to take it even a step further and ask how old is old for what purposes?

Thus, greater specificity and a better fit between the functional ability and the specific needs to be addressed is a very salient point and become more and more important as we begin to look at this ageless society.

The concept of age itself is modifiable by recognizing that nearness to death is another way to look at the problem. Thus, two individuals at the same age, for example 35, may vary in nearness to death by a factor of severalfold. For one, their cardiovascular state may lead to death within just a few years, for another an additional half century of productive life may be more possible.

This idea of judging a person by health, ability, experience, and productivity, not the age, must pervade our society. It should become a major priority for research particularly as we address the notion of age as being irrelevant in the workplace.

The requirements of the job and the effects of needs are also subjects to be considered in asking the question how old is old for what purpose?

Morgan Lyons, the director of the California Research Center has spoken of the Opportunities and Challenges of employing the older worker.

For employers, in employing the elderly the opportunities are:

(1) A more efficient and productive workforce;

(2) Higher employee morale and loyalty among all workers;

(3) Less turnover, and more worker reliability; and

(4) More workforce stability and continuity.

For the older worker the opportunities are:

(1) Economic well-being;

(2) Enhanced sense of self-esteem and purpose;

(3) Creativity and sense of accomplishment;

(4) Contribution to family community, and society;

For society the opportunities are:

(1) More appreciation of the contributions of older citizens, both workers and nonworkers;

(2) Less conflict between young and old, in and outside the workplace; and

(3) More self-sufficiency of the "dependent" population.

In employing the older worker the challenges for the employer are:

(1) Institute age bias-free personnel practices in retaining, hiring, assessing or assigning employees;

(2) Design just and flexible health and pension benefits packages;

(3) Expand work options for all employees to include part-time, shared jobs, flex-time, job re-design, reassignment and phased retirement;

(4) Use older workers to train and as role models for other workers;

(5) Offer retirement counseling that stresses pay options, and disadvantages of retirement; and

(6) Increase employer's responsibility to their retirees.

For the older worker the challenges are:

(1) Keep skills and knowledge current;

(2) Rethink the balance between work "retirement" and other pursuits so they are seen as more compatible;

(3) Advocate for more options in work and leisure activity; and

(4) Take fuller advantage of available work and other options.

For society the challenges are:

(1) Enact and enforce age-neutral laws and regulations;

(2) Re-educate ourselves about aging, work, and the contributions and needs of the older populations; and

(3) Encourage information, compassion and action to serve the mutual needs of all groups seeking employment.

Now that we have discussed employing the older worker in general terms, it is important to comment on what each individual can do to maintain or attain the "employed status."

There are two guidelines. Education is extremely important at all stages and it is never too early to begin.

Not enough importance can be placed on education at all ages as factor in employment. With the increased level of technology, computers, and robots, getting and retaining a job is directly proportioned to the level of education. In all age groups over 25 through 65 years, the employee with at least one year of college education has almost double the chance of employment compared to those with only a grade school education. From age 65, it is a threefold advantage.

Looking at educational advantages another way, in the male 58 through 64 year age group, 90% of the professional occupations are still in the work force while only 70% of the unskilled labor occupations are in the work force. These statistics reflect the importance of education before entry into the labor force.

What can the employee do after entry into the labor force to prepare for that critical period when options are job retention,

part-time work through job sharing or flextime, or retirement.

The first and perhaps most important task is health maintenance. The worker should strive for good health habits with limited use of alcohol, tobacco, or drugs, regular exercise, weight control, and proper diet. Regular health checkups and treatment of chronic illnesses such a hypertension, diabetes, emphysema, obestiy, arthritis, and heart disease. These measures should begin as early as possible.

Counseling programs for emotional problems and stress should be available and utilized. Corporations should provide this to assist in worker adjustment and satisfaction with the job. There is no need as Thoreau stated for one to live a life of quiet desperation. The employee who enjoys his task obviously performs better whereas the dissatisfied worker who can't wait to retire and whom the employer looks forward to this date even more so often has a career long history of adjustment problems. Off job marital stresses, etc. also cause poor performance and bad work habits and counselling should be available, even obligatory.

The second task is career maintenance. As technology advances, the worker should have continuing education to keep abreast to avoid obsolescence. Training the proven, experienced worker is as important as that of the potential worker. Corporations should consider investment in worker improvement more valuable than capital improvements, and it should be mandatory that this be supplied. For the new worker and those seeking re-entry, government should provide.

Counselling and training for lateral movement should be provided by employers. As the worker changes interests and abilities, the job must be changed and the worker prepared for this. Even post-time employment later in a different area may be considered with workers forming a pool of talent of the corporation to be used on a fee for service basis.

Finally if retirement is the choice, then planning is essential to ease the adjustment. One must prepare the workers and their families for the economic, social, and psychological impact. Retirement may be more stressful than the job ever was.

In conclusion, I would like to suggest that preparation for gainful employment of retirement begins in childhood. As Wadsworth stated beautifully:

My heart leaps up when I behold
A rainbow in the sky:
So was it when my life began;
So be it now I am a man,
So be it when I shall grow old or let me die.
The child is the father of the man
And I could wish my days to be
Bound each to each by natural piety.●

DO WE NEED AN INDUSTRIAL POLICY?

HON. GEORGE E. BROWN, JR.

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 10, 1983

● Mr. BROWN of California. Mr. Speaker, the Washington Post last week carried an excellent series, titled "High-Tech: Leaving Home," that looked at the international challenge our industries are now facing in high technology. The author, Dan Morgan, spent almost half a year researching the series and talking with a wide range of experts. The concluding article of the six-part series is especially instructive, and I reprint it here for my colleagues. It lists some of the roots of the problem and suggests the need for a more coherent industrial policy.

As illustrated in the following article, there is a wide range of causes underlying our decline in the international marketplace of high technology. Some of the blame can be assigned to policies of foreign nations, some which are worthy of our imitation and some which are more questionable. However, a large part of the blame lies in our own backyard. Our Government, businesses, and educational institutions have adopted policies, some consciously and some inadvertently, which are not in the long term, in the best interest of our national economy.

There is a growing recognition in Congress of the need to chart a new direction and reverse a number of the negative trends. The House recently passed a bill to renew our Nation's science and math teaching capability. The budget for basic scientific research and development, after suffering through 2 years of budget cuts, is once again looking healthy in many areas. Nevertheless, more needs to be done to upgrade the outdated condition of our university laboratories. There is discussion of the need to redefine the role of the Department of Commerce and the Office of the U.S. Trade Representative. A number of bills have been introduced clarifying the antitrust laws to permit joint research and development ventures.

During the coming months, we can expect to take up a number of these and other related issues. The following article offers a good introduction to the complexity of the problem and makes a convincing case for the urgent need for a congressional response. I commend it to my colleagues.

The article follows:

[From the Washington Post, May 6, 1983]

HIGH-TECH: LEAVING HOME—FOR INDUSTRIAL HEALTH, FIRST, A SELF-EXAMINATION

(By Dan Morgan)

In a laboratory at Genentech, the south San Francisco genetic engineering company, bearded biologists in white gowns hover over trays of purple-colored cultures of interferon that someday may fight human viruses from colds to herpes.

Across the country, in Short Hills, N.J., Martin Lepselter of Bell Laboratory's advanced microelectronics division proudly displays a snapshot of something that looks like a row of fences across a sandy desert. Actually, the picture shows parts of an electronic circuit narrower than a human hair, etched by an X-ray machine on a tiny silicon chip.

Reassuring as those glimpses of the nation's high-technology resources may be, they are not an automatic guarantee of America's economic future. As examples used in this series show, innovations produced in U.S. laboratories frequently have resulted in products made in Japan.

This phenomenon has evoked an angry reaction from U.S. politicians and the public.

Protectionist sentiment is running high on Capitol Hill, and Congress has taken up one of the most restrictive pieces of legislation since World War II: the "domestic content bill," which would require that foreign automobiles sold here include an arbitrarily established percentage of U.S. components.

The Reagan administration opposes the measure but has taken a tough approach in negotiations with Japan aimed at breaking down Japanese barriers to U.S. trade and investment.

"The time has come to act. . . . We're already 10 years too late," said William C. Norris, the outspoken chairman of Control Data Corp., who has suggested "kicking out" all Japanese working in U.S. research facilities as a warning shot across Tokyo's bow.

Such suggestions are indicative of a mood of rising anger at Japan. Whether the steps contemplated so far will change the Japanese-American technological equation is moot.

Trade restrictions certainly would invite retaliation not only from Japan but also perhaps from countries such as France, where U.S. companies fare well. Moreover, in today's interconnected global economy, technology has become increasingly internationalized. Ideas travel with jet speed across borders, not only from America to Japan but also in return. Science is universal.

What distinguishes economies today often is not who is first with the technology but who first uses it effectively.

This is more than a technical problem. It involves organization, availability of capital and such subtle factors as motivation, determination and national will. These are not easily quantified or readily fitted into theories of "scientific management" that have prevailed in the United States since the 1950s.

Japanese companies already are shifting their strategies in anticipation of more antagonistic U.S. policies, forming joint ventures with U.S. companies and investing in U.S. industry.

But for the United States to think in terms of retaliation alone, warned Robert B. Reich of Harvard University's Kennedy School of Government, would be to miss an unprecedented opportunity for national self-examination. This is a process that he and other experts say must take place before American industry can return to full health.

The problem, as Reich sees it, is that politicians and their policies are lagging far behind changes reshaping the world economy.

As this series has suggested, the fragmented U.S. business community has often sold technology to Japan too cheaply and with too little consideration of its long-range impact on U.S. competitiveness. Washington has contributed to the problem by aggressively promoting sale of U.S. technology abroad as part of weapons co-production programs.

By contrast, Japan controls export of technologies developed with government support and is tightening copyright laws on computer software as Japanese industry improves its skills in this area.

But in talks with more than 150 businessmen, government officials, scientists, researchers and economists, many other ex-

planations for flagging U.S. competitiveness were given. Prominent among them:

The U.S. research and development effort, the world's second largest after that of the Soviet Union, has suffered from its emphasis on defense. Half of all research and development dollars spent in America are from the federal government, and more than half of those are defense-related.

While much of the Defense Department's support for research on computers, microelectronics, lasers and aerospace has potential commercial spinoffs, the U.S. government lacks effective procedures for getting it quickly into commercial channels.

By contrast, Japan's New Technology Development Agency provides financial assistance to private firms to help them convert work done at government laboratories into products.

Big corporations and government alike tend to overemphasize research on basic science and underemphasize research on less exotic but important technologies. One example cited was robotics.

U.S. research stresses vision systems but, according to one senior executive, American robots are in urgent need of improved ability to grip objects, a mundane but crucial part of a robot's work. Although the payoff presumably would be enormous, no company has found a way to reduce drastically the time required to wash and dry clothing by machine.

In Japan, government-supported research and development often goes to less exotic "medium-tech" projects with immediate commercial potential. In the United States, "nobody wants to do the routine stuff," said Rustom Roy, a fellow at the Brookings Institution.

JAPAN HELPS WITH TRADITION OF COOPERATION

The federal government is "spending more but getting less" for its research dollars, according to S. J. Buchsbaum, Bell Labs' executive vice president for research. The more than 700 government research laboratories are "diffused" and lack well-defined goals. Materials research, which "underlies everything," is especially splintered, he said.

The United States does not pay enough attention to foreign technological developments. Only 20 percent of Japanese technical publications are translated into English, according to John A. Alic of Congress' Office of Technology Assessment.

"The [cooperative] Japanese system stands in stark contrast to the adversary relationship that typically prevails between U.S. industry and government," according to Washington consultants Harald B. Malmgren and Jack Baranson.

Robert M. Price, president of Control Data, said the most important difference between the two countries is "development of a Japanese tradition of cooperation in developing and exploiting base technologies."

U.S. antitrust laws are ambiguous and outdated. Japan helps establish research cartels while seeing to it that companies compete vigorously in marketing products resulting from the research. But U.S. industrialists said U.S. antitrust laws make forming such research consortiums here risky.

Unlike Tokyo, Washington lacks "anti-cyclical" policies to keep emerging industries growing and developing during recessions. As a result, Japanese companies have been able to exploit periods of slack business activity to catch up with U.S. competitors squeezed for capital and customers during these periods.

With some notable exceptions, such as IBM, Texas Instruments and American Telephone & Telegraph, managements of large U.S. corporations pose major stumbling blocks to the exploitation of new technologies.

Prof. Leslie Eric Cross, acting director of the materials research laboratory at Pennsylvania State University, noted that large U.S. corporations often leave development of new technologies to smaller companies "to which they can dictate terms." Large Japanese companies, however, are "technology driven," and take the lead in new areas.

"Takeover fever" and "paper entrepreneurialism" distract U.S. management from production problems. RCA announced in 1979 that it lacked the $200 million needed to develop an American video recorder, the fastest selling appliance of the decade. But in the same year it spent $1.2 billion to acquire a finance company.

Large U.S. corporations, which depend on the stock market to raise much of their capital, are much more concerned with impressing potential investors with short-term profits than are Japanese firms, which tend to borrow from banks with which they have close and longstanding associations.

The net result is that Japanese companies feel freer to spend capital on long-range goals, including development of new products.

U.S. corporate managements are more removed from the production process than are their Japanese counterparts. Until recently, Ford Motor Co. had five more layers of management between the factory floor and chairman of the board than Toyota had.

U.S. management has devoted fewer of its research and development efforts to quality control than has Japan, and Japanese quality has consistently been superior to that of America.

The U.S. public education system has fallen far behind Japan, West Germany and the Soviet Union in math and science preparation. Half of the engineering graduate students in the United States are foreigners because Americans either are not applying or are not qualified.

The American Association for the Advancement of Science has said that "far too many students . . . lack motivation to study science and mathematics" because of "boring" teaching and a school climate "unfavorable to the pursuit of excellence."

Whether all or some of these reasons can explain Japan's successes in its technology race with the United States, they suggest the myriad factors that influence it.

Much has been made of the government-industry cooperation that foreigners nickname "Japan Inc." and there is no doubt that the Japanese government has made a difference.

Current government-backed efforts involving tax breaks, research funding and pooling of research information and other subsidies are under way in genetic engineering, automated manufacturing, superspeed computers, optical communication and measurement, manganese nodule exploitation and subsea oil exploration.

An example of how the Japanese government nudges an emerging industry forward was its establishment of Nihon Aeroplane Manufacturing Co., a special corporation. Government and private firms invested in NAMCO, but the government bore the main financial risk. NAMCO developed the 64-seat YS11 civilian plane, not a great success, but the work helped companies acquire experience.

Subsequently, Japan set up the Civil Transport Development Corp., a consortium of three large aircraft companies established to coordinate Japan's work in building part of Boeing's new 767 jetliner. However, at that point direct government financial support was reduced because the companies were deemed strong enough to shoulder more of the financial risk.

Meanwhile, Japan's Ministry of International Trade and Industry (MITI) has sponsored another consortium to enable the nation to be a 50-50 partner with Britain's Rolls-Royce in construction of a new turbo engine for the next generation of international airliner, the 150-seater.

Several experts warn against placing too much importance on the government role in Japan's success. The U.S. government pumps far more money into the American scientific and industrial community for research and development than does Japan. The Tokyo government supplies only 30 percent of the total of such funds in Japan, while Washington supplies more than 50 percent in this country.

Japan's success also clearly owes much to the ingenuity, determination and flexibility of private industry.

William J. Abernathy and Richard S. Rosenbloom of the Harvard Business School, who studied the way Japan captured the U.S. video recorder market, cited "the element of persistence" in Japanese companies.

Betamax, they noted, was the fourth generation of video recorder developed by Sony and the first that succeeded with U.S. consumers. With no assurance of success, Matsushita established an entire department of 1,200 employes to develop a video recorder for the commercial marketplace.

Little things, rather than big, often make a crucial difference, according to Americans who have studied Japanese industry.

Toyota and other auto makers save warehouse space and cash by using a "just-in-time" delivery system for components. Parts arrive only when they are ready to be installed, sometimes with less than an hour to spare. Working with tiny inventories, the auto makers can adjust quickly to ups and downs of demand.

In at least one key technological area, auto design methods, the United States is superior to Japan, according to a detailed comparison published last August by Japan's Society of Science, Technology and Economics.

While Congress' Office of Technology Assessment does not discount the importance of Japan's lower wage rates in the auto makers' success, it said recently that another key element was the Japanese refusal "to quit the American market when their first offerings proved unappealing; they persisted and steadily improved their sales."

U.S. businessmen speak almost with awe of the speed with which Japanese companies master new technologies and make high-quality products.

"Every time they do something, they do it better [than the last time]," said former Boeing vice president William Beeby, who worked on development of the Boeing 767, parts of which are manufactured in Japan. "The quality coming back [from Japan] is better. We saw that."

"The Japanese have been organized to tap the pool of science in this country," said Dan Burg of Carnegie-Mellon University. "They send teams here, and it's done in an organized fashion. They'll send post-doctoral students to spend time at our locations,

but its rare for U.S. students to go to a Japanese university."

Whether the United States should, or could, respond to the Japanese challenge by adopting some of Japan's methods is an open question among politicians, industrialists and economic experts.

The Office of Technology Assessment has described the fragmented U.S. industrial policy as a "potential strength."

"Our pluralistic system, which is responsible for so much of the ad hoc character of U.S. policies toward industry, creates an environment where flexible and innovative responses are sometimes possible," the OTA said.

Nevertheless, there is a growing sense in industry and academia that government needs to provide more consistent direction.

WASHINGTON HINDERS WITH STOP-AND-GO POLICIES

An example of Washington's stop-and-go tendencies are Reagan administration proposals to curtail energy research just as it has made progress after the 1973-74 oil-price scare.

"Science isn't run on a six-month basis," Brookings' Roy said. 'You have to wait 10 years for results."

While the Japanese ministry has announced a seven-year, $140 million research effort involving 10 private companies to develop "intelligent" robots capable of assembling dozens of different products, including an entire automobile, the U.S. government's main robotics research program, at Wright-Patterson Air Force Base in Dayton, is geared primarily to making defense contractors more efficient.

"U.S. industrial policy is a mess," a congressional aide said. "It doesn't add up. It's little bits and pieces. The political element is always dominant here. The kind of political system we have just isn't conducive to coherent policies."

In a highly significant move, the Justice Department's Antitrust Division has allowed 10 competing U.S. computer companies to establish a joint research company, Microelectronics and Computer Technology Corp. No Japanese companies are members, and Japanese firms seeking access to MCC's technologies must deal with the consortium, not a single company.

Some have described this project as "America Inc."

In 1981, Congress passed the research and development tax credit, enabling companies to accelerate their depreciation on R&D equipment. It is credited with spurring a dramatic increase in the amount invested in new, "High-tech" ventures, from $58 million in 1978 to $1.7 billion in 1982. And California, under then-Gov. Edmund G. (Jerry) Brown Jr., established the first Commission on Industrial Innovation to recommend state policies that would help "high-tech" industries.

These steps have the advantage of not requiring a political confrontation with Japan. For, in the heat of the present, it is easy to forget that Japan is actually a great American success story.

It has reached its position of near technological parity through American aid, open market and technical prowess. Now, Japan is forcing the United States to take stock of its own economic performance and is becoming a teacher to its own postwar teacher.

But, as Undersecretary of Commerce Lionel H. Olmer has said, "Japan is not yet a technological giant."

The United States is still bigger and richer. Japan's labor productivity, the measure of the man-hours required to turn out products of a certain value and indirectly a measure of technological prowess, still lags behind that of the United States, although the difference is narrowing and Japan is an equal or ahead in some key industries such as automobiles.

The $15 billion spent by Japan annually on civilian research and development is only half the amount spent by the United States. The Japanese government's annual spending for research on supercomputers is less than that of IBM.

Japan's vaunted system of national planning is not infallible. It has made serious miscalculations, such as promoting growth of an aluminum industry now on the brink of bankruptcy.

Some even think that Japan's success in international trade may be exposing its companies to forces that will weaken its society's traditional discipline and unity of purpose that has characterized Japanese industry.

"The rapid evolution of Japan's economy toward the creation of a 'knowledge intensive' society carries with it enormous potential opportunities," Olmer said. ". . . The technological race does not need to be a zero sum game. Both sides can win, and the results will be of enormous benefit to all."●

FOREIGN LANGUAGE STUDY NEEDS EMPHASIS

HON. PAUL SIMON

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 10, 1983

● Mr. SIMON. Mr. Speaker, before too long this House will be taking up a proposal to do more to stimulate foreign language study in this country.

President Reagan's National Commission on Excellence in Education stressed over and over again in its report that we have to do more on foreign language education.

I thought it might be of interest to our colleagues to know that every other nation, so far as I am able to determine, is ahead of the United States in terms of foreign language study.

The information I am inserting in the RECORD at this point is a couple of years old, but to my knowledge there has been no change in the status. What I am inserting in the RECORD comes from the book which I authored titled, "The Tongue-Tied American." We remain the only Nation on the face of the Earth where you can go through grade school, high school, college, get a Ph. D., and never have a year of a foreign language. That clearly must change.

LANGUAGE EDUCATION IN FOREIGN NATIONS

AFGHANISTAN

English, French, and German are required, starting in elementary school.

ARAB EMIRATES

English is required from fifth through twelfth grades. The last two years of high school are divided into two streams, literary and scientific. Those who are in the literary stream must take another foreign language, usually French.

ARGENTINA

Elementary system is divided into two categories, and in one, a foreign language is required, starting in the third grade. High schools require a foreign language all five years, three years of French and two of English, or three of English and two of French.

AUSTRALIA

Some public schools have foreign language requirements, most do not. Where there is no requirements for foreign languages, the states provide training availability at the elementary and secondary level, including Indonesian, Japanese, Chinese, Dutch, Spanish, French, Greek, German, Hebrew, Latin, Czech, Hungarian, Latvian, Lithuanian, Polish, Serbo-Croatian, Turkish, Ukrainian, Italian, Malay, and in the state of Tasmania, Esperanto is also available! Enrollment percentages are more than double those of the United States.

AUSTRIA

For admittance to a university, eight years of a living foreign language plus four years of Latin are required. Before age ten, there is no requirement for a foreign language but courses are "very popular." Of children ten to fourteen, 75 percent receive instruction all four years in at least one foreign language. For ages fourteen to eighteen, about 25 pecent receive four years of instruction in at least one living foreign language and, in most instances, Latin also.

BAHAMAS

Spanish and/or French is required during the first three years of high school.

BARBADOS

Spanish is actively promoted by the government as a second language.

BELGIUM

Foreign languages are compulsory in some areas from third grade on, throughout the country from fifth grade on. Foreign language is compulsory throughout secondary school (ages twelve to eighteen). A second foreign language is available from third grade on, a third foreign language available from fourth grade on.

BENIN

There is no foreign language requirement in elementary schools. Two foreign languages (English and a choice of Spanish or German) are required in the secondary schools.

BOTSWANA

Setswana, the national language, is used for the first four grades, and English is taught. From grade five on, English is used as the medium of instruction.

BRAZIL

There are almost no foreign languages taught in the elementary schools. English is taught in all three years of secondary school. University entrance examinations require the knowledge of foreign languages.

BULGARIA

From fourth grade through high school, Russian is taught; from eighth grade on, English, French, or German. Students graduate from high school with two foreign languages.

BURUNDI

French is required in elementary schools. French and English are required in secondary schools and at the university level.

CAMEROON

French and English are required from elementary school through the university level. Faculty of the university are obliged to be bilingual and deliver lectures in either of the two languages. Medical school graduates are expected to present their final dissertations to an international jury in their first language, a summary in the other, and answer questions from the jury in the language in which it is asked.

CANADA

An important post in Canada is Commissioner of Official Languages. Because of the language question in Canada, stress is placed on learning French in English-speaking areas and English in French-speaking areas. Immersion is gaining in emphasis. Not only is language training stressed in the schools, but also for adults.

CENTRAL AFRICAN REPUBLIC

Sango and French are taught in elementary schools. In the secondary schools and universities, French, English, German, Spanish, and Russian are available.

CHAD

French and Arabic are taught in grade schools. German, Spanish, and English are taught in high schools and universities. Russian is optional.

CHINA

Foreign languages are stressed. In urban areas, three years of primary instruction and five years of middle school are provided, fewer in rural areas. Radio broadcasts are used extensively for foreign language instruction.

CYPRUS

English is required both in elementary and secondary schools.

DENMARK

Starting in the fifth grade, six years of a foreign language are required, a second is optional.

EGYPT

Starting in the sixth grade, six years of English are required; in the tenth grade, three years of French.

EL SALVADOR

A foreign language is required in secondary schools. In order to graduate from a college or university, students are required to show proficiency in a foreign language.

FIJI

English is required both in the elementary and secondary schools.

FINLAND

In the comprehensive schools (ages seven through fifteen), the first foreign language starts in the third grade and the second starts in the seventh grade, both required. Sixteen hours per week are spent on the first, seven hours per week on the second. It is possible to study two additional foreign languages before graduation from high school.

FRANCE

Sixth grade through secondary school, one foreign language is required. Ninth grade on, a second foreign language is required. For entrance into college, students must pass at least one foreign language examination.

GERMANY (EAST)

From grade five on, for six years, Russian is required. From grades seven through ten, a second language (usually English or French) is optional.

GERMANY (WEST)

One or more foreign languages is generally required at some point in what would be the equivalent of our elementary or high school.

GREAT BRITAIN

About 5 percent study a foreign language in elementary schools. From age eleven, 85 percent study for three years, 40 percent, four years or more.

GREECE

It is common to study a foreign language at elementary level but not required; one foreign language is required at secondary level.

GUATEMALA

Foreign language study is voluntary at elementary level, required at secondary level.

GUINEA-BISSAU

Potuguese is required in elementary schools. Both French and English are required in secondary schools so that, by graduation from high school, all students have had three foreign languages.

HAITI

English and Spanish are required in secondary schools.

HONDURAS

Five years of a foreign language are required.

HUNGARY

In grades five through eight, Russian is compulsory, another language optional. In high school, Russian and one more foreign language are required, a third optional. They also have a series of specialized foreign language high schools. At the university level, two years of Russian and two years of another language are required. Fluency in another language is required for Ph. D.

ICELAND

Danish is required from age ten for six years. English is required from age twelve for four years. In Menntaskoli (last two years of high school, first two years of college), Danish is required for two years, English for four, and either French or German is also required. Other languages can also be taken.

INDIA

All students are required to study two languages other than the mother tongue.

INDONESIA

One foreign language is required in elementary school, one in junior high school, two in high school, two in university.

IRAN

Seven years of foreign language are required, starting in the sixth grade. At the university level, six "units" out of 120 needed for graduation must be in a foreign language.

IRELAND

It is not required but "the majority of students do study a foreign language during the course of their education." French is optional in elementary schools.

ISRAEL

English is required from grades four or five, through twelve. Arabic is being encouraged as a second foreign language. All schools in the Arabic section learn Hebrew from grade three. English is required in the university unless the student passes an English proficiency test.

ITALY

Foreign languages are required in high school, optional at elementary and university levels. Most popular language is French, followed by English.

JAMAICA

Foreign language study is limited at elementary level, "fairly universal" at secondary level. Students must pass a foreign language examination to be admitted to study humanities at university.

JAPAN

Although foreign language study is technically not required, more than 80 percent of Japanese students take foreign languages starting at the age of twelve. Two foreign languages are required for university graduation.

JORDAN

English study is required from the fifth grade through university.

KUWAIT

In grades five through ten, eight forty-minute classes a week in English are required. Grades eleven and twelve are divided by course; either English or French is required.

LEBANON

One foreign language is required in elementary school and secondary school. Two foreign languages are needed before graduation from college.

LESOTHO

The government requires that classes be held in English, so that all students learn at least one foreign language.

LIBERIA

Knowledge of French is required for high school graduation, and is taught in grades eight through twelve.

LUXEMBOURG

In elementary schools, German and French are required. In secondary schools, English and either Latin, Italian, Spanish or Russian are required.

MADAGASCAR

French is required at elementary and secondary level. For university graduation, written and oral tests must be passed in English, German, or Spanish.

MALAWI

English is required from third grade to university.

MALAYSIA

Foreign language is required either from first grade or fourth grade, depending on the area, through twelfth grade.

MALI

Foreign language is required in secondary schools.

MALTA

Maltese and English are taught from first grade. In secondary schools, students must study Arabic and one other foreign language. Proficiency in English and one other foreign language is required for university admission.

MAURITANIA

Students start studying French in second grade. English is compulsory in secondary school.

MAURITIUS

English is compulsory at elementary, secondary, and university levels. It is the official language, though the population is largely French-speaking. Other languages are available as electives.

MEXICO

Primary schools generally offer a foreign language. Study is required in secondary schools. Student must pass a foreign language examination to get a university diploma.

NEW ZEALAND

At the secondary level, those who take the pre-university courses usually take two or three years of a foreign language. Those who attend vocational schools are much less likely to.

NIGER

Two foreign languages are required in secondary school. Before entering university, students must pass examinations showing an ability to read and understand two foreign languages.

SOUTH AFRICA

Every elementary school child is required to learn at least two languages. Two foreign languages are required in secondary schools, a third is optional.

SOUTH KOREA

In grades seven through twelve, English is required; in grades ten through twelve, another language is also required. At university level, English is required all four years.

SPAIN

Foreign language is required in elementary and secondary schools.

SRI LANKA

Foreign languages are required from grade one.

SUDAN

There is no elementary instruction, but English and French are required for three years in secondary schools.

SWEDEN

By graduation from secondary school, students have nine years of English, and two-thirds of the students have either French of German from grade seven on.

SWITZERLAND

A second Swiss national language must be started in the fifth or sixth grade. A foreign language (or a second language) must be begun in the seventh or eighth grade and continued through secondary school and university.

SYRIA

In intermediate and secondary schools, all students must take five to seven hours a week in a foreign language, usually French or English.

TAIWAN (REPUBLIC OF CHINA)

English is required from seventh grade on. A second foreign language is required in college.

TOGO

Two foreign languages are required at the secondary level.

TUNISIA

French is required in elementary school, and a second foreign language is required in high school.

UGANDA

English is the official language while Swahili is the National language. Mastering English is stressed and required.

U.S.S.R.

In a ten-year school system, almost all take at least one foreign language in high school; one foreign language is required in university; a second or third foreign language is required in graduate school.

YEMEN

Foreign language study is required in secondary schools. Knowledge of a foreign language is required for college or university graduation.

YUGOSLAVIA

From fifth grade through high school, a foreign language is required. A language examination must be passed for university graduation.

ZAIRE

French is required in elementary and secondary schools. Other languages are optional at secondary school and university levels.●

TRIBUTE TO HENRY B. GONZALEZ

HON. WILLIAM D. FORD

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 10, 1983

● Mr. FORD of Michigan. Mr. Speaker, it gives me great pleasure to extend belated birthday greetings to my distinguished colleague and good friend, HENRY B. GONZALEZ. I also would like to commend him for his 30 years of public service; 22 of which have been in the U.S. House of Representatives.

HENRY is a Member who has served his party and his district well. His concern over social injustice and his desire to eliminate it have been an intrinsic part of his career. During his first term on San Antonio's city council he sponsored the ordinance which ended segregation in the city's recreational facilities. There are many other examples to prove this point.

On a national level, HENRY has made significant contributions. He is greatly admired for his outstanding work on the Committee on Banking, Finance and Urban Affairs. He plays a very important role as the chairman of the Housing and Community Development Subcommittee, where, among other things, he has fought for equitable treatment of families displaced from their homes.

HENRY B. GONZALEZ's commitment to his constituents and the working people of America are an inspiration to us all. This has been especially important during the last 2 years when the problems of the needy have not received the kind of attention they deserve from Congress.

HENRY B. GONZALEZ is a most effective, creative, and dedicated Member of Congress. I am pleased to honor him for his impressive record of public service to the city of San Antonio, to the State of Texas, and to the citizens of the 21st District.●

ARMENIAN GENOCIDE

HON. ROBERT J. MRAZEK

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 21, 1983

● Mr. MRAZEK. Mr. Speaker, I am deeply honored to join with my colleagues in solemn remembrance of one of the most brutal episodes to occur in the 20th century.

This week we commemorate the 68th anniversary of an infamous and officially sanctioned genocidal campaign against the Armenian people. During a 30-year period of terror, nearly 2 million Armenians perished and more than 500,000 were banished from their homeland in a systematic campaign of annihilation perpetrated by the Ottoman Government. Men, women, children, and the elderly were either gathered up and slaughtered or forced to participate in death marches across the Ottoman Empire to the Syrian Desert. Most were massacred along the way; others died of starvation and disease.

The Armenian holocaust is one of the tragic events of the 20th century. Yet, the Turkish Government continues to deny that the massacre ever occurred and refuses even to teach of the Armenian genocide to its own people. While no one can condone the acts of terrorism committed by Armenian extremists against Turkish diplomats and their families, neither can we accept the insensitivity and intolerance which leads the Turkish Government to perpetuate this lie. We can only hope that our actions here in remembrance of the Armenian martyrs will serve as a small example to those Turkish leaders who would prefer to deny the truth about this deplorable episode.

As Americans, we must also accept the responsibility of keeping the memory of the Armenian holocaust alive. To those Armenian Americans whose parents and grandparents perished, the memory and the suffering can never be erased. Yet, most Americans are not even aware that a genocide was committed against the Armenian people and for many years the massacre was virtually forgotten in history books. If the Armenian genocide is to have some significance for our generation and future generations, we must insure that the memory and the meaning of this event is rekindled in the minds of the American people.

The tragedy which befell the Armenian people must take its place in history beside such atrocities as the Jewish Holocaust and the autogenocide of the Cambodian people. In this regard, I am particularly pleased that the Armenian massacre will occupy a place of prominence in the U.S. Holocaust Museum. In so remembering this

deplorable event, we take an important step toward opposing the forces of tyranny and genocide wherever they occur.●

STILL NO PROGRESS ON FARMLAND PRESERVATION

HON. GEORGE E. BROWN, JR.

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 10, 1983

● Mr. BROWN of California. Mr. Speaker, the Farmland Protection Policy Act became the law of land on December 22, 1981, when President Reagan signed the Agriculture and Food Act of 1981—Public Law 97-98. This act directs the U.S. Department of Agriculture to lead a modest effort to reduce the impact of Federal programs and expenditures on the conversion of agricultural land to nonagricultural uses. In passing this act, the Congress recognized the vital importance of protecting farmland for farming, and asserted that tax dollars should not subsidize projects which needlessly lead to the loss of productive cropland.

Section 1547(a) of the Farmland Protection Policy Act (FPPA) states: "This subtitle does not authorize the Federal Government in any way to regulate the use of private or non-Federal land, or in any way affect the property rights of owners of such land." According to a June 1, 1982, draft guidance document prepared by the Department of Agriculture explaining the purpose of the FPPA and USDA's plans for implementing it, "There is nothing in the act nor in these criteria—promulgated pursuant to section 154(a)—to prevent landowners from converting farmland to other uses, so long as it is done without Federal subsidization or assistance * * *."

A second, or perhaps third rule implementing the FPPA is still under review by the administration. Deadlines imposed in the FPPA have been regularly missed, and the Department of Agriculture officials have candidly admitted the administration opposes both the philosophy and substance of the FPPA. It is clearly within the prerogative of the executive branch to move deliberately in implementing this, or any other statute. I am concerned, however, with the future consequences of this administration's aversion to helping minimize agricultural land conversion. I also believe that the administration is legally bound to follow and enforce all the laws of the land, not just the ones viewed by them as morally, ethically, and politically justified or expedient.

I intend to vigorously pursue in every way I can, as chairman of the subcommittee with oversight jurisdiction on the programs and policies of the USDA, the reasons for the Department of Agriculture's inability to implement this relatively simple statute.

I would like to share pertinent excerpts from a transcript of a presentation on this issue made on March 9, 1982, by Mr. Frank Schnidman, a land use expert who has actively followed for several years the issue of agricultural land conversion. Mr. Schnidman opposes public efforts to protect agricultural land, and has worked within the political process to discourage adoption of the Farmland Protection Policy Act, and other local or State initiatives to protect agricultural land from conversion to other uses. Mr. Schnidman's opposition stems, in part, from his belief that concern over the loss of agricultural land has been unjustifiably inflated by inaccurate statistics and biased analysis. In particular, he takes exception to the statistics on the annual loss of agricultural land to nonagricultural uses that have been reported widely, and at times, erroneously, in press reports and during debates on the issue of protecting farmland. Analysts who have argued that there is no reason to be concerned about agricultural land loss repeatedly point to erroneous and misleading statements on the issue as evidence that there is no reason to be concerned with the conversion of agricultural land to other uses. Mr. Schnidman and others argue that uncertainty in, and the shortcomings of, national agricultural land base statistics make it impossible to determine whether there is a problem with conversion and hence meaningful public policies obviously cannot, and should not, be fashioned to mitigate the impacts of conversion at this time.

Public policies and program expenditures are often advanced with far less than perfect knowledge regarding the problems being addressed or the likely outcome of the proposed actions. Notwithstanding the legitimate and well-grounded concerns of some economists, demographers, and others, our understanding of the extent, causes, and consequences of agricultural land conversion is sufficiently refined to support current efforts to protect agricultural land, including the FPPA. Even though available statistics are flawed in many respects, the Congress and most citizens recognize that protecting agricultural land from conversion, soil erosion, and other natural hazards is essential and prudent in order to sustain the Nation's agricultural productivity. Most people fortunately recognize there is little to gain from a preoccupation with statistical anomalies and uncertainties when the basic facts are relatively clear.

Mr. Schnidman views the issue differently, and has advanced his views widely within the administration. In Mr. Schnidman's March 9, 1982 speech, he stated that:

> Everybody said when the Reagan administration came in, "don't worry, they'll dump this study" [the National Agricultural Lands Study]. Well, believe it or not, the House Republican House members using the statistics from the Carter administration study which stated that there was a crisis and Congress had to act and, believe it or not, it was the recommendation of the staff of the President that he sign an Executive Order on farmland preservation!
>
> It was only through the efforts of myself and Billie [Bowles] and other people like us lobbying with the Cabinet Council on Food and Agriculture and the Council of Economic Advisers that prevented President Reagan's staff from presenting him with an Executive Order, for his signature, requiring federal agencies to take into account farmland preservation as a priority aspect in all of their decisions! The correspondence I got back from the White House on this was crazy. They said, "Well, we're still thinking about it but we're not going to do anything now. We're going to defer to the intent of Congress and let them deal with it."

To the chagrin of the administration, Congress passed the FPPA as part of the 1981 farm bill, and the President was forced to accept it in order to enact other basic farm program legislation so vital to the agricultural spector. It is instructive to review the basis for Mr. Schnidman's opposition to the FPPA:

> I get livid with anger when I read this stuff. I began seriously in this whole thing because of Exxon. I had been involved with the Secretary of Agriculture and the Administrator of EPA in trying to bring some rationality to their policies because the Secretary of Agriculture in 1978 amended the Land Use Statement of his department to include a farmland preservation concern, and EPA in 1979 promulgated its own in-house policy to protect environmentally significant farmland. In 1980, the Environmental Impact Statement requirements under EPA were revised to require all federal EIS statements to review the impact on farmland preservation. If you want to read ridiculous regulations, read the August 11, 1980 EIS regulations on integrating farmland preservation into all federal agency decision-making!

Over the last few years, the basic purposes of many Government programs have been questioned in the name of "getting government off the backs of the people," or because of budgetary pressures aggravated by the administration's misplaced faith in supply-side economics. It appears clear that Mr. Schnidman and others felt that the public's role in agricultural land protection should be among the programs targeted for elimination, and that public concern on the issue would disappear as a result of the dissemination of new information and alternative views on the issue expected to emerge in 1982. In this context, Mr. Schnidman said:

> However, by the end of this year [1982] there will be enough published information to challenge the validity of any statistic which claims there is a conversion problem. Resources for the Future in Washington, D.C. is coming out with a book called "The

Cropland Crisis—Myth or Reality" and they've decided that it's a myth. Erosion and water are the big problems in farmland in this country. The only real problem with agricultural land is at a very local level—"whether or not certain areas lose their production of specialty crops." Soil experts assume that we cannot feed the whole world, and shouldn't try.

The interesting thing is that this "Resources for the Future" organization is Rockefeller Foundation funded also [in addition to the American Farmland Trust—an organization advocating protection of farmland], and for them [RFF] to come out with this report lends a tremendous amount of credibility to it.

I think that you're going to see the farmland preservation movement react to the fact that their data has been totally discredited by saving, "Still, we have to preserve our options and it's best to keep the land open because who knows what might happen". It's like when Congressman McCloskey said, "That to save us against the Russians, in 50 years it's not going to be defense hardware, it's going to be food." And my response is, "If it's food they want, they'll be here—Russians will just come over and get it!

And talk about being killed by your own party. The House Republican Study Committee gave McCloskey the information he uses. He got the information from the Republicans! Their agricultural land document takes in whole sections of the Carter Administration report as gospel, just because it was printed by the U.S. Government Printing Office, "it's got to be true," and they gave their report to all Republican Congressmen with the recommendation that Congress has to act in 1981 to do something about the "crisis in conversion!"

The executive director of the Concerned Citizens Coalition of the American Land Alliance, Ms. Billie Bowles, also spoke at the March 9, 1982 meeting where Mr. Schnidman presented the views quoted above. Ms. Bowles explained the position and activities of different officials in the administration on the FPPA and on the advisability of President Reagan issuing an Executive order directing Federal agencies to minimize the impact of Federal projects on the conversion of agricultural land to nonagircultural uses. The Department of Agriculture and certain members of the White House staff who were advocating issuance of such an Executive order apparently encountered strong opposition within and outside Government agencies. Ms. Bowles said:

Bill Niskanen, who is on the Council of Economic Advisers, . . . is the person who alerted me to the federal ag bill. He is really worried about it! CEA is different from the White Hose staff who were trying to get Reagan to sign an Executive Order. Bill Niskanen did an economic analysis on the proposed Executive order and just went through the roof! So he, at the Cabinet level, was the person who was the most instrumental in killing the Executive order. Niskanen says it was not Block, but underlings who have been in USDA through other administrations, who are behind this bill. However, as you just heard, Frank is not certain that Block is not sympathetic!

Bill Niskanen will be our "point man" in trying to "contain" the implementation regulations [of the EPA] and/or repeal them. I spent an hour with Niskanen on this, and Frank [Schnidman] will make an appointment to talk to him soon.

I also talked to Secretary Pierce of HUD, who already recognized the problems and worked to stop the Act. Secretary Pierce had me spend 2 hours with his special project assistant, David Karnes (who also reports to Under Secretary Don Hovde, a friend of the builders). Hovde apparently got HUD to intervene on the Executive Order.

Congressman and Senators whom I've talked [to] tell me that if we can put together the agency forces "to contain" that we can use those same agency forces "to repeal," particularly with the President's Housing Commission having come out against the Act.

EPA is also on board via 2 close friends of mine: Paul Cahill who is Director of Federal Activities—interfacing at a sub-cabinet level with other agencies to try to keep their legislation from countering EPA's; and Rita LaVelle, who is up for confirmation to head Superfund (as Assistant Administrator of EPA). They are 2 beautiful people!

Frank [Schnidman] wrote a memo for Paul [Cahill] to give to Anne Gorsuch, and Anne was prepared to intercede with the President to ask him not to sign the Farm Subsidy Bill, however, when Congress accepted Reagan's compromise pricing package on the subsidies, Reagan had to accept the bill en toto—(There is no line item veto at the federal level—so the Farmland Protection Policy Act became law).

I also spoke to Secretary Watt and told him that Secretaries Gorsuch and Pierce and the Council of Economic Advisers were opposed to this Act and were going to work for repeal. I asked if we could count on his help. He said: "If this act is as bad as you say, we certainly will be in opposition, but I don't presently know one thing about it."

Watt asked me to see Ray Arnett, his Undersecretary, which I did—and he likewise had known nothing about the Act.

The Nation has already paid a heavy price in human suffering and lost opportunities as a result of misguided policies and misplaced priorities adopted in the last 2 years. The recent disintegration of the administration's economic and environmental initiatives are tragic examples of the price we all must pay, now and into the future, for this administration's flare for applying simplistic ideological interpretations to complex public policy issues. This penchant for ideology is particularly dangerous when combined with the administration's difficulty in recognizing what can and cannot be inferred from objective analysis of facts.

Like all public officials actively involved in issues of importance to the agricultural sector and rural America, I have encountered, and probably have made myself some technically inaccurate statements regarding the rate, causes, and consequences of agricultural land conversion. I do not, however, attribute misstatements on agricultural land statistics to an orchestrated campaign to create public concern over a nonexistent problem.

The facts about agricultural land conversion, the limitations of available data on this diffuse national phenomenon, and prudent public policy recommendations to help minimize the loss of agricultural production capacity to conversion are spelled out clearly in detail, and unsensationally, in the final report of the national agricultural lands study (NALS). In addition, sound analyses are presented in the infamous House Republican Study Committee report on agricultural land, and in numerous other books, reports, and articles. For anyone interested in the issue, facts about conversion and reasonable analyses of the consequences of conversion are readily available.

I think it is appropriate at this point to recall some of the basic conclusions in the NALS final report:

A FINAL WORD

As a resource problem, the conversion of agricultural land does not constitute a present-day "crisis," and hence it lacks the equivalent of, say, a gasoline line for concentrating national attention. Nonetheless, it does pose some very serious long-term risks for the United States. In a sense, the issue of protecting agricultural and today is analagous to the energy conservation issue 10 years ago. Looking ahead, we can see a resource problem developing but the immediate incentives for conserving the resource are weak. NALS recommends that the federal government make the protection of good agricultural land a national policy.

BENEFITS FROM RETAILING AGRICULTURAL LAND IN FARM AND RANCH USE

Conversion of agricultural land to nonagricultural uses between now and 2000 will require additional adjustments within agriculture. For whatever level of demand and rate of gain in agricultural production that materializes, the effects of conversion over time will depend both on the acreage and the productivity of land converted to nonagricultural uses each year. The public and private costs of conversion are cumulative and will persist unless there are significant changes in the demand for U.S. agricultural products or in the rate of gain in average crop yields attained in America and around the world.

A number of benefits from retaining agricultural land for agricultural uses can be anticipated. Preserving productive cropland that otherwise would be converted will help mitigate upward pressure on production costs, and indirectly, consumer food prices. Protecting high quality cropland will also provide farmers and ranchers greater flexibility in conserving soil fertility, strengthen the nation's economy and international standing, and provide greater stability to the annual level of production in the U.S. agricultural sector. Moreover, these benefits will grow as farmers and ranchers move closer toward full utilization of agricultural resources. All things considered, agricultural land protection can be thought of as an insurance policy, one that will provide American farmers and ranchers—and the nation—with broader options to respond to an uncertain future.

Mr. Speaker, this Congress authorizes and appropriates billions of dollars annually for programs addressing poorly defined and inherently uncer-

tain objectives. In the areas of defense, education, research, and environmental regulation, to name a few, it is often very difficult, if not impossible, either to prove what will happen in the absence of Federal activities, or to reliably predict what will happen as a result of a given program initiative. We try to collectively make reasoned judgments regarding our Nation's needs and priorities, and pursue these through equitable and cost-effective programs.

My colleagues know all too well that we are not always able to correctly anticipate future needs, conflicts, and opportunities. A pertinent example is the fact that we continue to spend millions of Federal tax dollars to subsidize development projects on prime farmland, when other land not suited to agriculture is available nearby. We are paying twice for a lack of foresight and prudent planning, once with tax dollars and again in the rising economic costs of producing food, fiber, and other agricultural commodities. Congress responded to this problem by passing the Farmland Protection Policy Act, and I promise to provide the administration with a public forum and ample time to explain the problems it has encountered in its implementation.●

THE TELECOMMUNICATIONS FOR THE DISABLED ACT OF 1982

HON. CLARENCE D. LONG

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 10, 1983

● Mr. LONG of Maryland. Mr. Speaker, during the 97th Congress, I was pleased to join my colleague Representative TIM WIRTH in sponsoring the Telecommunications for the Disabled Act of 1982, to insure that hearing-impaired Americans can enjoy greater access to the telephone network in our Nation.

This bill, now Public Law 97-410, recognizes and begins to address a problem I have been pressing for years—the discrimination that hearing-impaired people suffer in the delivery of telephone services. It is the first step in eliminating this discrimination. My bill, H.R. 210, is the second step.

The critical need for my bill is cogently expressed by David Saks in his article, "Telephones for Hearing-Impaired Americans: The Second Step." I would like to share Mr. Saks' article with my colleagues:

TELEPHONES FOR HEARING-IMPAIRED AMERICANS: THE SECOND STEP

The 97th Congress enacted the first legislation in U.S. history to resolve some of the telecommunications problems of hearing-impaired people. PL 97-410 directs the FCC to assure that three categories of telephones are made compatible with hearing aids: coin-operated phones, phones for emergency use, and phones frequently needed by persons using hearing aids.

This contribution to the well-being of hearing-impaired people is enormous and will be remembered with gratitude. Hearing-impaired people now look to the current Congress to continue this course and take the second step toward eradicating discrimination in telephone service.

Hearing-impaired people, just as surely as non-impaired people, need the universal access to telephone service that is mandated by the Communications Act of 1934. The Act (PL 73-416—47 U.S. Code) declares as its purpose "to make available, so far as possible, to *all the people* of the United States a . . . communication service with adequate facilities at reasonable charges. . . ." In contrast, PL 97-410 requires only "reasonable access" for those using hearing aids. Is it necessary to argue the point that hearing-impaired people are among "all the people"?

In recognition of this intolerable inconsistency, and in recognition of the need to extend the coverage of PL 97-410, Congressman Clarence Long has introduced H.R. 210. This bill, if enacted into law, will build upon the foundation laid by PL 97-410. It will add one more category to the three that are required to be made accessible. H.R. 210 also answers the major concern expressed by industry: it leaves optional with industry the choice of technologies to be used, so long as the chosen method is equal to today's technology in benefits to hearing aid users.

For years Congressman Long has championed the cause of hearing-impaired people. He has sponsored legislation to make all *new* telephones usable with hearing aids—everywhere. Hundreds of thousands of hearing-impaired people lead limited lives because they reside in areas where all phones are hearing aid-*in*compatible. They must live without telephone service. Their lives are unnecessarily restricted—due to the failure of telephone companies in those areas to provide them with usable instruments.

Hearing aid compatible telephones in the United States number 135 to 140 million—living, ringing, communicating proof that telephone/hearing aid compatibility is technically feasible and economically profitable. Testimony by industry and consumer representatives before both House and Senate subcommittees on communications attest to the practicality and desirability of making all telephones hearing aid-compatible at the manufacturing stage—to technical standards that are to be adopted by the FCC under Public Law 97-410.

If H.R. 210 can be enacted during the 98th Congress, the 40 million or more hearing aid-incompatible telephones in our national network gradually will disappear—through attrition and through voluntary modifications by telephone operating companies. H.R. 210 involves no government expenditure; it requires no regulatory intervention; it satisfies the main concern of industry; it promises to bring a new, fuller life to hearing aid users.

If H.R. 210 can be enacted, hearing-impaired people will begin to share the precious freedom of communication now enjoyed by their nonimpaired neighbors.

The Organization for Use of the Telephone (OUT) urges it friends, and all friends of hearing-impaired people, to support Congressman Long's bill. Make H.R. 210 the second step on the road to equal access to our telecommunications network!●

MANHATTAN PROJECT SCIENTISTS ON NUCLEAR ARMAMENTS

HON. PAT WILLIAMS

OF MONTANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 10, 1983

● Mr. WILLIAMS of Montana. Mr. Speaker, not long ago I came across the following statement which was written and signed by scientists who, 40 years ago, worked on the Manhattan project.

These 70 people, 5 among them Nobel Prize winners, correctly understand that because they were present at the genesis of nuclear unleashing they bear a special responsibility to express their stark concern about the level and proliferation of nuclear armaments.

Their statements follow:

STATEMENT OF MANHATTAN PROJECT SCIENTISTS

The signers of this statement are scientists who came to the Manhattan Project at Los Alamos in its earliest days and who are now gathered to observe the fortieth anniversary of the opening of the Laboratory. We write this because we worked on the creation of the first nuclear bomb and therefore, even though the consequences and the concerns must be the same for all people equally, we feel a special sense of responsibility. We are appalled at the present level of the nuclear armaments of the nations of the world and we are profoundly frightened for the future of humanity.

The single crucial fact is that the two major world powers now possess a sufficiency of nuclear warheads and delivery systems to destroy each other and a significant part of the rest of the world many times over. Furthermore, in view of the massive overkill potential already achieved, the mobility of many launching systems, and the absence, after many years of research, of any credible defense, we see no conceivable probability of preventing, by any military action that could be taken, such total or near total destruction. This being so, considerations of possible comparative advantage to one side or the other in numbers of warheads or in megatonnage become irrelevant.

Our one hope is that both the United States and the Soviet Union will recognize the futility of trying to outbuild the other in nuclear strength and also the cataclysmic danger inherent in the effort to do so. We urge upon the leaders of both countries that this recognition be made a cornerstone of national policy and that it lead to the beginning of a mutually agreed upon reduction of nuclear armaments and, for all nations, to the ultimate goal of the total elimination of such weapons.

Herb Anderson, Kenneth T. Bainbridge, Hans A. Bethe,* John M. Blair, Wayne A. Bowers, Berlyn B. Brixner, Joseph Burke, Robert E. Carter, Owen Chamberlain,* Robert Christy, George Cowan, George Cremer, Ed Creutz, Martin Deutsch, John Dewire, Richard Ehrlich, William C. Elmore, George W. Farwell, Richard P. Feynman,* Joseph Fowler, A. P. French, Naomi Livesay French, and Gerhardt Friedlander.

Also, Darol Froman, Alfred Hanson, William Higinbotham, Robert Howes, James Hush, Seymour Katcoff, Donald W. Kerst, L. D. P. King, Ernest Klema, Morris Kolodney, Rolf Landshoff, John Manley, Robert Marshak, Boyce McDaniel, Joseph McKibben, Ed McMillan,* John Miskel, Darragh Nagle, Ralph A. Nobles, John Oathout, Paul Olum, Frank Oppenheimer, and Rudolf E. Peierls.

Also, Norman F. Ramsey, Frederick Reines, Charles N. Rice, Hugh Richards, R. E. Schreiber, Emilio Segre,* Robert Serber, Maurice Shapiro, Lester Skaggs, Cyril S. Smith, Thoma Snyder, Richard H. Stark, Julius Tabin, James M. Taub, Robert W. Thompson, Earnest W. Titterton, Stan Ulam, Arthur C. Wahl, Robert Walker, Victor Weisskopf, Theodore Welton, Dudley Williams, Robert W. Williams, and Robert R. Wilson.

* Nobel Prize winners.●

BLUEPRINT FOR CENSORSHIP

HON. DON EDWARDS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 10, 1983

● Mr. EDWARDS of California. Mr. Speaker, on March 11, 1983, the President issued a directive on safeguarding national security information. The directive will, among other things, greatly expand the use of polygraph tests by the Federal Government and increase the number of current and former employees compelled—for the rest of their lives, apparently—to submit writings or speeches to the Government for prior approval; that is, prepublication review, even if the subject matter is not classified. The House Judiciary Subcommittee on Civil and Constitutional Rights, which I chair, held two joint hearings with the House Post Office and Civil Service Subcommittee on Civil Service, chaired by Congresswoman PATRICIA SCHROEDER, on the implications of the directive. All of the nonadministration witnesses who testified at our hearings expressed concern regarding the scope of the directive. They were equally concerned about the thrust of the directive which taken in the context of other administration actions, is clearly aimed at stemming the free flow of information in this country.

The rationale given for the broad requirements of the directive is the claim that there has been a tremendous increase in leaks of classified information which has damaged the national security. However, the administration has yet to provide evidence of leaks which have caused such damage. Similarly, they have failed to demonstrate how the increased use of polygraphs and prepublication review will effectively decrease leaks of classified information.

I would like to share with my colleagues two editorials by the Washington Post, followed by an op-ed piece by David Broder, all of which capture the essence of the directive. The articles follow:

[From the Washington Post, Mar. 22, 1983]

BLUEPRINT FOR CENSORSHIP

The President has issued a new directive on "safeguarding national security information." The new rules purport "to reduce the frequency and seriousness of unlawful disclosures of classified information," but the manner in which this objective is to be achieved is startling in its sweep.

The directive is essentially in two parts. The first applies to all the tens of thousands of government employees who have security clearances that authorize them to see and use classified information. Divulging such information is already a crime, but prosecution is impractical, since it would necessarily involve discussing the secret information in open court, and no one has ever been successfully prosecuted. The administration now proposes to enforce the law another way. All federal employees having access to classified information must now sign a non-disclosure agreement as a condition of access. In investigating unauthorized disclosures, agencies may require anyone with access to such material to submit to a lie detector test. Refusal to take a polygraph test will result in sanctions which, at a minimum, permit the agency to deny future access to classified information to the employee in question, and may also include firing him.

Polygraph tests are thought by legal experts to be so unreliable that they are not admitted as evidence in federal courts. Under these new regulations, not only could flunking the test lead to dismissal, but refusing to submit to one could cost an employee his job. This is a significant expansion of a policy that now applies only to employees of the CIA and NSA and some in the departments of Justice and Defense.

The second part of the directive is even more astonishing. Federal employees with the highest level of clearance—those who are allowed access to "sensitive compartmented information" (SCI)—will be required to sign an agreement that includes a provision for prepublication review of any books, reports, studies, articles, lecture notes, even novels that they produce for the rest of their lives. All such material will have to be submitted in advance for clearance by the agency of agencies involved. Justice Department officials would not reveal the number of people who have SCI clearance, but they include thousands of the highest officials of the government. The sweep of this directive and the potential for censorship and abuse are appalling. Under the new regulations, many political figures will be subjected to censorship by those who succeed them in office. Pre-publication clearance of ordinary memoirs could take years; it covers all written material, whether or not classified information is involved. What devastating harm to the national security has been done to prompt such harsh proposals for controls? Why isn't Congress yelling its head off?

[From the Washington Post, May 3, 1983]

LIE DETECTOR MADNESS

It wasn't exactly surprising to learn that Dr. John F. Beary has reported that lie detector tests aren't a good way to determine whether someone is telling the truth: Dr. Beary is far from being the first eminent professional to make that judgment, and he won't be the last. His finding is noteworthy because it came in a report he made, as the acting assistant secretary of defense for health affairs, to Secretary of Defense Caspar Weinberger. Mr. Weinberger has before him two proposals for wider use of polygraph, or lie detector, testing, one initiated by the Pentagon itself and the other coming last month from President Reagan.

What's wrong with lie detector tests? What's wrong, as Dr. Beary explains, is that they measure stress rather than prevarication. So polygraph tests often misclassify truth-tellers as liars, and liars as truth-tellers. That's because some people show signs of stress even when they're telling the truth, while some cool-as-a-cucumber subjects can lie without skipping a heartbeat. That's why lie detector tests aren't admissible as evidence in court.

Despite all this, the president on March 11 ordered departments to draft regulations enabling them to require polygraph tests and to punish employees who refuse to submit to them. This goes far beyond even what the Pentagon has been considering since last fall; under its proposal, tests were still supposed to be voluntary, and adverse inferences were not supposed to be drawn against employees solely because of polygraph evidence. The argument is made that polygraph evidence is sometimes accurate. So is evidence obtained by voodoo, but that doesn't make it reliable enough for government to use.

Why is the Reagan administration ordering such widespread use of such an unreliable device? The aim, it is said, is to plug leaks. We'll stipulate that leaks are a serious problem, not only for an administration's political standing but occasionally for the national security as well. But we note that the government official in charge of these matters, director Steven Garfinkel of the Information Security Oversight Office, testified that only "half a dozen" leaks had been reported to his agency in the past three years, and that some of those did not result in stories in the press. And the head of the intergovernmental panel which recommended that the president order the measures that he did testified that "we have never suggested that it's a problem that has increased greatly in severity in recent years." So why this departure from longstanding practice? Why this reliance on an inherently faulty means of determining the truth?

Congress is looking into the matter, and perhaps the White House will have second thoughts. This is one issue on which we hope Mr. Weinberger and his colleagues will engage in a little constructive foot-dragging, in the hope that the White House comes to its senses.

[From the Washington Post, Mar. 16, 1983]

ONLY SOME LEAKS BUG PRESIDENTS

(By David S. Broder)

Nothing better illustrates the surrealistic, cracked-mirror character of government secrecy edicts than a pair of actions by President Reagan last week.

The president signed an executive order on Friday requiring all federal employees with security clearances—a number reaching into the hundreds of thousands—to submit to lie-detector tests in any investigation of leaked information, or suffer "adverse consequences" for refusing. On the very same day, he stonewalled a press conference question about leaks from his own senior staff that undermined the position of Environmental Protection Agency head Anne M. Burford in the days before her res-

ignation. "I don't know of anything of that kind," Reagan said.

As an example of high comedy, you could hardly improve on that script.

Every reporter in town knows that Reagan did not have to walk more than 50 feet from the Oval Office to find people in his employ who were leaking like crazy that Burford would have to go. "I know that you were all citing these unnamed White House sources that thought she would resign," he told reporters. "I still would like to find them out and identify them."

But he has not. Instead, he has issued the most sweeping secrecy edict in the history of the civil service. The seemingly misplaced emphasis reveals what no government—at least as long as I have worked in Washington—has ever wanted to acknowledge: what bugs a president is not leaks, but leaks from people who may disagree with him.

Time after time, in administration after administration, colleagues and I have sat in the office of some senior official who, promised anonymity, has divulged the substance of, or even read from, highly classified documents. The purpose, in almost every case, was to advance the president's policy line—in Vietnam, in some international negotiation, in some domestic political fight.

No, it's not the leaks that infuriate them. It's the leaks they don't control: the logs of private meetings with interested parties in regulatory matters, or evaluations of weapons systems that cast doubt on a multi-billion-dollar boondoggle. Those leaks, they say, are dangerous.

So be aware, dear reader, of what is really going to happen if Reagan is allowed to tie a lie-detector threat to the tail of every candid official of any standing. It will not stop the leaks. The president or his people will no more play by the rules of the executive order than the Reagan aides obeyed his supposedly serious order to stand by the embattled Burford. What the executive order will do is shut down your access to information that may contradict or cause you to question the policy judgments of the president and his aides.

It will increase substantially the risks for anyone—bureaucrat or journalist—who wants you to hear the other side of the policy argument from the one the president is peddling. And, while it lasts, it will increase the odds that the policy adopted will be worse than it would have been had the rules of debate—or leaking—been applied evenhandedly to friends and foes of the president's policy.●

COMMON SECURITY—A BLUEPRINT FOR SURVIVAL

HON. GEORGE E. BROWN, JR.

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 10, 1983

● Mr. BROWN of California. Mr. Speaker, periodically there have been moments of optimism, energetic endeavors, and success in our arms reduction history. Last week's House vote on the freeze was one such moment. But more often there have been frustration and disillusionment because we have only really been tinkering at the fringes of an insane and deadly situation. After almost every successful arms control agreement there is a renewed outburst of arms expenditures elsewhere. There has never been a time when successful arms control did not result in an increase in expenditures for arms—and that is suicide.

The philosopher, Albert Camus, understood this propensity toward suicide when he said:

> Probably every generation sees itself as charged with remaking the world. Mine, however, knows it will not remake the world. Its task is even greater; to keep the world from destroying itself.

I am convinced that the survival of the world depends a great deal upon our ability to formulate a multilateral, comprehensive approach to arms reduction—not just control. As a result, today I am reintroducing my bill, the common security resolution, which is based upon the joint statement of agreed principles for disarmament negotiations. Also known as the McCloy-Zorin agreement, this statement was initiated under President Eisenhower and negotiated successfully during the tenure of President Kennedy and two respected Republicans, John J. McCloy and Arther Dean. In December 1961, the U.N. General Assembly unanimously endorsed the statement.

This multilateral, comprehensive approach, endorsed by the United States, the U.S.S.R., and the United Nations, was the outcome of over 15 long and frustrating years of arms talks. The international climate following World War II was not nearly as favorable to arms control as that following World War I. After World War I, there was a deep disillusionment with war. Most members of the League of Nations—whose covenant included provisions strongly supporting disarmament—believed that the maintenance of peace required the reduction of national armaments to the lowest point consistent with national safety. This belief was supported by the belief that World War I was partly caused by a prior arms race between the participants.

Conversely, after World War II, weapons were widely regarded as necessary to prevent war. The proponents of this view argued that had the Western powers been strong enough to oppose Hitler early on, he would not have built up his armies, and peace would have been preserved. Force would control force. This emphasis on the use of force to prevent agression was soon intensified by the cold war, and is again being strongly promoted.

Throughout the late 1940's and 1950's, a propaganda war was waged while nuclear and conventional arms grew on both sides, heightening the danger. Proposals were bantered back and forth, yet little was accomplished except increased tensions. The Berlin crisis, the Bay of Pigs adventure, and a massive U.S. missile deployment program to counterbalance what was erroneously believed to be a large-scale Soviet ICBM deployment effort, all contributed to the increased East-West tensions in the early 1960's.

Nevertheless, the troubles of the 1960's also improved the climate for arms control. The Cuban missile crisis in particular made both sides realize the dangers of nuclear war and the difficulty of communication in such moments. This led to a series of individual steps. There emerged such measures as the hot line, the limited test ban, the Nonproliferation Treaty, and the Outer Space Treaty.

While some may consider selected negotiations to be successful, a price has been paid. Multilateral, comprehensive disarmament talks have been forestalled, and last summer came to a complete halt. Moreover, the individual negotiations have failed to come to grips with the control of new armaments as they were being built. Critical decisions, such as the H-bomb decision of 1950, the missile programs of the 1950's, and the MIRV program of the late 1960's, were hardly discussed at the arms control negotiations.

I do not want us to face relearning the bitter and disastrous lesson of an arms race propelling us toward war—perhaps truly a war to end all wars. Therefore my resolution calls for secure disarmament and a framework for the peaceful settlement of disputes. This resolution works in concern with other peace initiatives and encourages a multilateral disarmament agreement, binding upon all nations, and verified by an international body. Disarmament would proceed in phases, insuring that no country secures a military advantage over another.

I have incorporated into my proposal concepts from a May 1982 report by the Independent Commission on Disarmament and Security Issues entitled, "Common Security—a Blueprint for Survival." This report looks beyond superpower confrontations to the need to hold multilateral negotiations on nuclear arms reductions, the need to limit nonnuclear weapons of mass destruction, and the need to be concerned about the international buildup in conventional weapons. This report proposes concrete, constructive remedies, and I recommend it to anyone interested in what more can be done to achieve worldwide disarmament.

The significant contributions—including the name of this resolution—made by the Commission should be a starting point in the process of achieving true international security and genuine disarmament. The Chairman of the Commission, Olaf Palme, former Prime Minister of Sweden, deserves much credit. Other notables include Cyrus Vance, former Secretary of State of the United States, George

Arbatov, member of the Soviet Central Committee and Deputy of the Supreme Soviet, David Owen, former Secretary of State for Great Britain, and many other experts.

The common security resolution would require verification of disarmament, promote institutions dedicated to peaceful resolutions of disputes, and require the peaceful development of space. Initiatives of this type are not utopian dreams but constructive proposals to insure common security and our very survival. Of course passage of the common security resolution cannot, by itself, bring peace or remove the threat of nuclear war. We can and we must develop the means to halt the global arms race, defuse political crises, and insure the peaceful resolution of conflicts. The technology of global destruction is with us and the alleviation of that technology can only occur through social technology—learning to trust and understand each other for our mutual benefit and that of future generations.

As Jonathan Schell explained in his book, "The Fate of the Earth":

> Nuclear peril threatens life, above all, not at the level of individuals, who already live under the sway of death, but at the level of everything that individuals hold in common. Death cuts off life; extinction cuts off birth . . . In extinction, a darkness falls over the world not because the lights have gone out but because the eyes that behold the light have been closed.

Let us not wait for the political and military tensions to mount beyond our grasp. Let us begin to develop the new social technologies we will need for our, and our children's, survival. Let us permit future eyes to behold the light—and the promise of lasting peace. I encourage my colleagues to join me, along with 26 cosponsors, in this significant first step toward peace.●

POLISH CONSTITUTION

HON. PAUL SIMON

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 3, 1983

● Mr. SIMON. Mr. Speaker, I am pleased that our colleague, Representative BILL LIPINSKI, is calling the Nation's attention to Polish Constitutional Day. It is also a good time to note that our new colleague, who previously had service in the Chicago City Council, is off to a good, solid start in the House, and we have every reason to believe that he is going to be contributing significantly, not only to the people of his district, but to the Nation.

Polish Constitutional Day is good day to remind ourselves of the great contribution that the Polish people have made to world culture and also to remind ourselves of the problems that continue to plague the people of Poland. They do not have the freedom that we would like to see them have, and the tragic difficulties of the Solidarity group are a good illustration of that.

The nation which has given us Chopin, Paderewski, and Pope John Paul II, has contributed immensely in other ways far too significant to be outlined in a few remarks here on the floor of the House. But we should note on this anniversary of the Polish Constitution that contribution and also note with sadness of heart that freedom is not now one of the possessions of the Polish people.●

"THE CRISCO KID: HE'LL STEAL YOUR HEART"

HON. DON FUQUA

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 10, 1983

● Mr. FUQUA. Mr. Speaker:

> There are a few books everyone should read, a few poems everyone should know by heart, a handful of songs we all should sing. And, on rare occasions, along comes an inspiring television show everyone should watch.

Those words written by Frederick Burger of the Miami Herald in November 1981 express the thoughts of so many of us who have been privileged to view the award winning 30-minute documentary; "The Crisco Kid: He'll Steal Your Heart."

Burger said:

> It is a deceptively complex story, even though most of us have either known or read about such courageous and delightful children as Michael Ray Hammond, who was born with a rare crippling disease and lived only 10 years.
>
> Much of the time we manage to ignore their plight, just as we overlook the pain and suffering and starvation that is endured by so many helpless people . . .
>
> In its way, the story of this little boy is a dramatic unsettling reminder of these shortcomings.

When I determined to bring this marvelous film to the attention of my colleagues in Congress, I wanted to say three things.

The first is to pay tribute to a brave little boy who never knew much joy, suffered incredible pain, and yet his indomitable spirit has and is raising the hearts and spirits of tens upon tens of thousands of people who never knew him personally.

Second, this is television at its best, this powerful documentary demonstrates better than any film I have ever seen how much power this medium has to inspire and inform.

And, finally, I think the severity of Michael's affliction will touch the hearts of millions at the plight of the afflicted and the handicapped—pointing out vividly how much needs to be done to see that others do not have to suffer as Michael did.

Michael Hammond was born 10 days before Christmas in 1970 with a severe case of epidermolysis bullosos, an incurable disease. It occurs in 1 in 50,000 births. He died Feburary 14, 1981.

The disease—referred to as EB—raises external and internal blisters and running sores for which medical science has no known cure. Because of the sores, the skin has no defense against infection.

Michael had one of the most severe cases. The blisters and sores on his body were with him always, hardly an hour of his life was spent without excruciating pain. With this disease, the sufferer suffers agony with the slightest bump or jolt. The blisters caused scarring, which webbed Michael's hands and feet.

This was a little boy who loved a great deal but who could not be hugged by those who loved him the most—two brothers, a sister, and his mother.

Michael was so badly afflicted that he was thought to be mentally handicapped. He wasn't, but the early diagnosis did slow down his normal development so that by the time he was 3, he had the physical and mental abilities of a 6-month-old.

This caused him to be admitted to Sunland Training Center in Gainesville, Fla., then in my district, one of the six State facilities designed to care for the mentally handicapped. It was here that nurses and doctors discovered that Michael's pain could be soothed by caking Crisco on the bandages that wrapped his tiny body.

As has been reported, but is not part of the show, Michael qualified for State care primarily because of the incorrect diagnosis of his mental abilities.

"Crisco Kid" gives us an intimate and moving look at the joy and pain of Michael's life and personality. We see him being tenderly bathed, crying out in agony even when water is gently passed on his ravaged body, we see him cheerfully touring the hospital in his electric wheelchair, checking in on other patients. We see him listening to records sent by his idol, Johnny Cash, whose ballads beautifully punctuate the show, and we see Cash talking about how inspiring the little fellow was.

We see Dr. Charles Williams, the hospital's medical director, discussing the effect that Michael's life had on millions of people, many of whom wrote letters telling him so.

Jeanne Wolf of Pentacom Productions in Miami, Fla., produced this program. She told us in a letter that:

> Like thousands of others, I read in the newspapers about Michael's valiant attempt to fight his rare disease. The Crisco Kid is a program I just had to make—I felt it was important to share the story of this little

boy who had never really been able to be hugged. Michael touched the lives of everyone who worked on the project.

And when you are privileged to see the film you know the meaning of the word "love."

Producing the show, like the subject, was a matter of faith and perseverence. When Wolf began trying to raise money for the production, she was turned down by 50 corporations which are usually anxious to underwrite public broadcasting station programs. The Corporation for Public Broadcasting ultimately gave Wolf a $15,000 grant. South Carolina Educational Television defrayed the other expenses.

And it is my considered opinion that future generations will thank them for their efforts. This program will never be a blockbuster on the screen; it is too sensitive and it hurts too much to see the suffering in this little boy's eyes. But, because of those efforts, and because of this one short life, millions for time to come are going to be uplifted and inspired.

It is fitting that the premiere should have been held at the White House. It was. Michael Hammond moved a packed house to tears in the President's private theater when it was first shown in October 1981.

The showing was a moving public television contribution to the "International Year of the Disabled."

Don Meiklejohn, who reports from Washington for a group of New York Times' Florida newspapers, including the Lake City Reporter in my district was there. He wrote a moving column. I would like to share a bit of what he said:

It is an unsettling experience, even second-hand, to gaze through a teary eye and see immortality in the sore-scarred face of a 10-year-old boy who is about to die.

But that's what happened to a roomful of people in the White House film room Monday. Some had shared that experience first-hand as they watched a tenacious little Florida boy named Michael Ray Hammond fight for life for 10 years before his heart gave out. Others were exposed for the first time through a film, "The Crisco Kid: He'll Steal Your Heart."

On film or in person, the impact was the same: The steady uncompromising gaze of a little boy, as portrayed in still pictures by Gainesville Sun photographer Carla Hotvedt-Horne and in moving pictures filmed for a South Carolina Educational TV documentary. It is a gaze that seemed to speak a universal truth.

Three Gainesville nurses, who were closest to the boy during his ordeal, were there and tried to put it into words.

Carolyn Steadham, chief nurse at Gainesville's Sunland Training Center, said, "He gave us an appreciation for what we have in life and often overlook . . . He is the elephant man of our time."

Ollie Morris, one of his nurses, told how Michael liked her to smoke cigarettes so he could smell the smoke. It was his way of being a little naughty like other 10-year-old boys. "He made me a better person," she said.

Florence Strickland said, after nursing Michael and watching him confront pain, "I'll never complain anymore."

The documentary was previewed in the White House film room, where the president and friends watch their favorite movies, and when it ended there was silence, perhaps the perfect tribute.

The story that originally introduced Michael to the outside world appeared in the Gainesville Sun and was written by Maryfran Johnson. It included the haunting photography of Hotvedt-Horne. The portrait shows Michael staring into the camera and his body covered with blisters and sores.

The medical staff found that the pain could be relieved by the application of bandages smothered in Crisco shortening, a home remedy suggested by a person who had heard about the boy. His tiny body, the size of a 3- or 4-year old, was coated twice daily and wrapped in gauze.

The story is told in the words of people closest to Michael, particularly his mother, Doris Guy of Jasper. In moving interviews, this brave lady points out the long path she traveled as she refused to accept hopelessness or despair.

In the film opening, Johnny Cash, famed country music singer, says, "Michael makes me feel better."

The nurses who cared for Michael would tell him he looked like his idol, Cash, when they combed his hair. It made him happy.

Cash had called Michael after reading about him in the newspapers:

Despite the pain, Michael, whose feet and hands were almost club-like because of the disease, maintained a remarkably cheerful attitude. In his last year, he drove about the hospital in a motorized wheelchair, purchased with donations that came pouring in after his story appeared on TV and in newspapers around the world.

Besides being honored with the special preview at the White House, the film has won numerous honors. It was cited for merit by the Chicago Film Festival and won a gold medal in the International Film and TV Festival of New York.

In every festival in which the program has been entered, it has been in the network documentary category, which means this simply told story has been judged along with programs created by national network news and documentary departments.

I am particularly proud to report that the film was honored at the Alfred I. duPont-Columbia University awards program this year. Along with the George Foster Peabody Awards, they are the most prestigious in the field.

The film was selected among the 33 finalists and was awarded a citation. This is a remarkable tribute when one realizes that these finalists were selected from among the 1,100 submissions from radio and television news directors and producers from across the country.

As the film nears its conclusion, we see Michael praying:

Now I lay me down to sleep. I pray the Lord my soul to keep. If I should die before I wake, I pray the Lord my soul to take. God Bless . . .

And then we hear:

On Valentine's Day, Michael's mother came to deliver a card from his little sister. He seemed to be waiting for her. He was exceptionally quiet. A short while later, he breathed his last breaths. The doctors felt it was heart failure, but Doris said, "I guess it was finally too much for him. At least he's not hurting anymore."

And Michael concludes his prayer:

And God bless Brian for coming. And Roger Wilchock's sores get well, Michael's sores get well. And all the sick children in the world. Amen.

Michael will live on because of this film. Because of his life, others are going to be moved to help others. In 10 short years, he moved thousands who heard about his courage and determination. Now that he has slipped from our midst, he still inspires and encourages tens of thousands.

It seems fitting that we remember the words of the Wizard of Oz in another memorable film when he said,

It is not so much how much we love, but how much we are loved.

Michael, you were, and you continue to be loved.●

U.S. POLICY IN CENTRAL AMERICA

HON. JAMES M. JEFFORDS

OF VERMONT

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 10, 1983

● Mr. JEFFORDS. Mr. Speaker, the debate over U.S. policy in Central America continues to be on the front pages of our newspapers every day. I am extremely proud of the fact that my State of Vermont has played an active role in this debate.

I am reprinting below for the benefit of my colleagues and editorial from the Burlington Free Press which is indicative of the level of concern in Vermont on this issue. As the editorial points out, our policy must take into account the domestic causes for instability in Central America while not ignoring the importance of outside influences.

UNITED STATES SHOULD STAY OUT OF NICARAGUA'S AFFAIRS

U.S. diplomacy in Latin America has for years been victim of the belief that countries in the region whose governments do not conform to Washington's standards should be regarded as hostile and subjected to pressures to change.

It is a vestige of this country's colonial era in the late 19th and early 20th century when Presidents and lawmakers thought that nations south of the border were mere

U.S. fiefdoms to be controlled and manipulated to serve the best interests of their large northern neighbor. Somehow the mistaken notion that Latin Americans are this country's children apparently still persists among many policymakers in Washington. It is a dangerous policy which can antagonize friends and foes in the region.

It is ironic too that those who zealously defend the rights of nations in other parts of the world to chart their destinies suddenly develop a severe case of myopia when it comes to conceding the nations of Latin America the same right of self-determination.

To prove that the failure of U.S. foreign policy in Latin America is not a recent phenomenon, it is only necessary to recall the abortive Bay of Pigs episode in Cuba over two decades ago. That fiasco, orchestrated with the covert support of Washington, was a classic example of muddled thinking and planning which could only result in a heightening of tensions between this country and Cuba. And it sent an unmistakable message to other nations in the region about U.S. intentions.

Now attention is focused on Nicaragua. Charges have been made that the Reagan administration is providing covert support for anti-Sandinista guerrillas in their attempt to overthrow the Nicaraguan government. There are persistent reports that U.S. military advisers are training the insurgents and are using U.S. weapons.

Sens. Patrick Moynihan, New York, vice chairman of the Senate Intelligence Committee, and Patrick J. Leahy, Vermont, a committee member, have said the Reagan administration may be violating U.S. law and a 1948 pact by supporting the guerrillas in the guise of intellgence activities. Under the Boland amendment, passed by Congress last September, money appropriated for intelligence work may not be used "for the purpose of overthrowing the government of Nicaragua or provoking a military exchange between Nicaragua and Honduras." Signatories to the pact which established the Organization of American States in 1948 agreed not to interfere in each other's internal affairs.

"If one is to believe the detailed accounts seen in the press in recent days, the administration is actively supporting, and perhaps even guiding, a large-scale anti-Sandinista guerrilla movement now involved in open combat inside Nicaragua," Leahy said.

While Moynihan acknowledged that the Sandinista regime in Nicaragua was going the way of other totalitarian regimes, he said, "Nevertheless, the law is the law."

"You may not like the law," Leahy said. "You may not agree with the law. But it is the duty of the executive to enforce it, and the duty of Congress to see that it is being enforced."

Sen. Howard H. Baker, Jr., Tenn., Senate majority leader, said many of his colleagues are deeply worried about reports that the Reagan administration is actively supporting the guerrilla movement in Nicaragua. He said he planned to go over the reports with the bipartisan leadership of the intelligence committee.

The White House has refused to discuss the nature of U.S. involvement and has maintained it is "complying with the law."

If reports of U.S. activity are verified, however, Congress must take immediate steps to stop the intervention and draw up stronger legislation designed to prevent such conduct in other Latin American nations.

President Reagan should not be allowed to decide which laws he will obey and which ones he will disregard.

More importantly, however, U.S. foreign policy toward Latin America should be scrutinized with an eye to a shift away from the interventionist diplomacy of the past to a hands-off approach which will allow the people of the region to map their own destinies.

This country should no longer play the role of big daddy by deciding the types of governments it wants in Latin America.●

TO HONOR RABBI HILLEL COHN

HON. GEORGE E. BROWN, JR.

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 10, 1983

● Mr. BROWN of California. Mr. Speaker, I rise to join my friends and constituents in honoring one of San Bernardino's most respected and civic-minded citizens, Rabbi Hillel Cohn.

For 20 years Rabbi Cohn has not only ministered to the needs of his congregation, but has turned good words into deeds by involving himself in a wide variety of civic and social organizations.

He has been a board member on the San Bernardino Area Mental Health Association and Family Service Agency. The Inland Area Urban League-Planned Parenthood, San Bernardino Community Hospital, and the American Red Cross. To just name a few.

The Rabbi is a noted and sought after speaker. His sermons have been published and he is a frequent participant on local religious radio programs.

His enthusiasm for good works is matched by education and dedication. While at UCLA Rabbi Cohn received his degree in political science. He received not only rabbinical training at Hebrew Union College in Cincinnati, but a master of arts and bachelor of Hebrew letters as well. In his spare time he served his congregation as well as the Jewish inmates at the Marion Correctional Institution of the Ohio State Prison system. Today Hillel Cohn is a doctoral candidate at the School of Theology at Claremont.

He has received a variety of awards and honors in his lifetime—from outstanding Young Man of the Year for San Bernardino by the jaycees, to recognition from the National Association of Temple Educators for the best religious school curriculum design in the country.

It is indeed a pleasure for me to join with his wife and children Elana and Marc and the congregation of Emanu El to recognize his sensitivity and awareness of community needs and to thank him for 20 years of dedicated service to others.●

VFW VOICE OF DEMOCRACY CONTEST WINNER

HON. HARLEY O. STAGGERS, JR.

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 10, 1983

● Mr. STAGGERS. Mr. Speaker, it is with a sincere feeling of pride that I address you today. I have the pleasure of entering into the CONGRESSIONAL RECORD the winning speech in the West Virginia Veterans of Foreign Wars Voice of Democracy Contest. This speech is the work of Ms. Brenda Sue Curry of Neola, W. Va.

As you know, Mr. Speaker, we continually strive to involve young people in the workings of our Government. I believe that Ms. Curry is a fine example of our Nation's youth and what they can and will accomplish.

In this light and in the proud West Virginia spirit, I offer to you the speech of Ms. Brenda Sue Curry.

WEST VIRGINIA WINNER

It seems everyone has an opinion as to where the strength of America lies. Some would have us believe it is its military might, others its electoral process, or its judicial system, or its technology, or its industrial complex; and still others would suggest it is its free enterprise. But in reality the root difference between totalitarianism and democracy is the role of the individual. In the former there are no individuals; in a democracy, there can be no substitute—and therein lies America's strength.

Benjamin Franklin was just one person; but he gave us electricity. Alexander Bell was just one person; but he gave us the telephone. Thomas Edison, just one person, gave us light. Albert Einstein, one person, opened to the world the universe. Abraham Lincoln was just one person; but he gave us an ethic. In today's youth lie the Bells, the Edisons, the Einsteins, and the Lincolns of tomorrow.

If one person can change the world around him, then many can be an overwhelming force for positive growth. A force needs direction and harnessing; education gives that direction. To be educated is to understand the democratic ideal, and our country provides unparallel opportunities for learning. When joined with the vision and vitality of youth, America will make immeasurable strides in all fields, but this must also be the "result of a long sequence of shared experiences, efforts, and endeavors" [1] with adults. For as the "young . . . shall see visions" [2] they must in turn look to the adults for guidance and leadership, for "no man is an island . . ., (we are all) part of the main" [3]. However, adults find themselves caught in the vortex of a technology and a technological revolution that makes the complexities of the Industrial Revolution pale in comparison—and massive retraining is seldom a workable solution, so they must turn to the youth.

Youth are prepared to accept their future responsibilities. High school graduations are

[1] Napoleon Bonapart (1803) as quoted in J. Christopher Herold, The Mind of Napoleon (1955).

[2] Joel 2:28.

[3] John Donne, "Meditation XVII", in his Devotions upon Emergent Occasions (1624).

increasing; college and technological school enrollments are at peak levels. A familiarity with computers and complex equipment is becoming evident in all grades of the school systems, and because of mass media, youth are more aware of the political intricacies of world peoples and cultures than their counterparts of twenty years ago.

Youth have faith in America and are excited about its future. America needs their skills and dedication to continue its tradition of progress; and so, coupled together—the vision of youth and the leadership of adults—lies the impregnable bond that gives America its strength.●

U.S. POLICY IN CENTRAL AMERICA

HON. RICHARD L. OTTINGER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 10, 1983

● Mr. OTTINGER. Mr. Speaker, I would like to take this opportunity to share with my colleagues two articles on U.S. policy in Central America. I strongly agree with the statements of both Robert White, in "Perilous Latin Policy," and Tom Wicker, in "Weighing the Threat," and I encourage my colleagues to seriously consider these articles.

[From the New York Times, May 2, 1983]

PERILOUS LATIN POLICY

(By Robert E. White)

WASHINGTON.—President Reagan's speech to congress last Wednesday signals his determination to pursue the course—based on a disastrous self-fulfilling prophecy—he has followed in Central America since coming to office. Instead of trying to contrain unrest in Nicaragua and El Salvador, the Administration is apparently going to continue to spread unpheaval throughout the region.

The Administration has made a definitive break with the diplomatic principles of respect for sovereignty, territorial integrity and nonintervention. Instead, it has directed its resources toward strengthening the Central American military and fighting an ill-defined "Communist threat" with huge Central Intelligence Agency stations and large numbers of military advisers. The result has been to encourage precisely the threat that the President hoped to stop.

To grasp why the Administration sponsored an invasion of Nicaragua from Honduras, look to El Salvador. Many key foregin policy aides understand that the brutal and corrupt Salvadoran Government is falling apart and that no amount of military assistance will enable it to contain the revolutionaries. Yet the White House firmly rejects any direct parleys with guerrillas. Instead, Washington is determined to create an ill-starred region-wide military battle—hoping in the end to negotiate a region-wide solution on its own terms.

The campaign began in earnest this spring when the Pentagon conducted joint military exercises with Honduras along the Honduran-Nicaraguan frontier and the Honduran military strongman, Gen. Gustavo Alvarez Martinez, announced that co-existence with Nicaragua was no longer possible. By that time, several thousand Nicaraguan counter-revolutionaries, trained, armed and funded by the C.I.A., occupied camps on the Honduran side of the border. In early March, these forces, known as *contras*, invaded Nicaragua.

The true intent of the Administration, in supporting the *contras*, may have been neither to overthrow the Sandinists nor, as Mr. Reagan claimed, to interdict the negligible trickle of arms from Nicaragua to El Salvador. Rather, I believe, the invasion was part of a systematic plan to provoke the Sandinists to cross the Honduran border and attack the counter-revolutionaries' base camps. Honduran troops were poised to repel the invaders and enter Nicaragua in hot pursuit—creating a border war. But even the hot-headed and inexperienced Sandinists refused to fall into so obvious a trap. They ordered their troops to stay well clear of the Honduran border and reiterated their offer to negotiate with Honduras or the United States. Neither country has taken up the offer—and instead both have continued to aid the *contras*.

It is in Honduras, the poorest country in the region, that the worst effects of the Reagan policy may be seen. In the face of widespread misery and despair, many Hondurans oppose their Government's militaristic policies, demanding deep political, economic and social changes. These dissidents are now treated as subversives, and, for the first time in its history, the Honduran military has begun to abduct and kill labor union leaders, intellectuals and others who dissent from official policy. This is the way revolution took hold in El Salvador—with popular outrage against officially sponsored disappearances.

The Administration accuses Nicaragua of exporting revolution to Honduras. In fact, the exact opposite is true. In obedience to our policy, Honduras has become embroiled in militaristic counter-revolution—and is attempting to export it.

The Administration must learn that counter-revolution is precisely the wrong response to a people determined to take power and transform their countries. Our policy toward the region must take into account the security interests of the United States. But where is it written that the people of Central America must remain in bondage so that the United States can remain free?

Do the Reagan policy-makers truly fear that Nicaragua will end up identified with the Soviet Union and Cuba? Or do they fear precisely the opposite—that if we pursued a less aggressive policy, Nicaragua might emerge not as a Soviet lackey but as a nonaligned country? Do we reject negotiations in El Salvador because our policy is based on continued military domination of that country? Do we perhaps reject the consistent offers of good offices from Latin American democratic leaders to help bring peace to Central America because we seek primarily military solutions to political, economic and social problems?

As we examine our actions in Central America, we should recall Florence Nightingale's words: "The first responsibility of a hospital is not to spread disease."

[From the New York Times, Apr. 29, 1983]

WEIGHING THE THREAT

(By Tom Wicker)

WASHINGTON.—The man who led the opposition to returning the Panama Canal Zone to the people of Panama has now urged other Americans to recognize the importance of Central America and to accept the "moral responsibility" of supporting the independence and freedom of its peoples.

If Ronald Reagan's position on the Canal treaties had prevailed, Panama might well be added today to the list of Central American nations torn by strife and insurgency, and the United States' position in the Caribbean and Latin America would be far less favorable than it is.

Mr. Reagan's concern, therefore, seems to be less for the rights of *campesinos* or for territorial integrity than for the Marxist threat to the security of the United States that he has suddenly discerned in El Salvador and Nicaragua. But this was not the only contradiction or confusion in his speech on the subject to a joint session of Congress.

He suggested, for example, that "democracy is beginning to take root" in El Salvador, citing last year's elections and the beginning of a land reform program. But he devoted only one sentence to El Salvador's "major problems regarding human rights, the criminal justice system and the violence against noncombatants." Other competent observers see these as primary reasons why the government has been unable to establish control of the countryside.

Ambassador Deane R. Hinton, on the day before Mr. Reagan's speech, told The Washington Post that putting an end to the human rights abuses of the Salvadoran military is "a question, in my view, of years," perhaps a decade, until "generational change" makes over the officer corps.

As for last year's elections, Mr. Hinton acknowledged that only the influence of the military had caused the elected assembly to reject the right-wing leader, Roberto D'Aubuisson, and to choose the centrist Alvaro Magaña as president. The military forced the choice of Mr. Magaña only because the United States threatened to cut off aid if they did not.

The rooting of democracy in El Salvador does not seem, therefore quite as certain as Mr. Reagan pictured it; but on good authority, the violence and human rights abuses he barely mentioned seem likely to continue for some time. Nor did he have much to say, or any new proposals, on the subjects of poverty and injustice—without which, as Senator Dodd pointed out in the Democrats response, "There would be nothing for the Soviets to exploit" in Central America.

Turning to Nicaragua, Mr. Reagan presented what sounded like nothing so much as a bill of particulars for a declaration of war. But instead of asking for such a declaration, he conceded that the United States was waging covert war against Nicaragua to "prevent the flow of arms" to El Salvador and to stop "the export of subversion and violence."

Whatever Nicaragua's sins, such a covert war is in violation of international law and regional agreements—perhaps also of U.S. law. And wherever the Salvadoran insurgents get their arms—Drew Middleton, The New York Times' military correspondent, recently wrote from El Salvador that they capture most of them from Government forces—a covert war in Nicaragua is not likely to put an end to a civil war in El Salvador.

Mr. Reagan also permitted himself some devious polemical flourishes, to wit:

"Must we accept the destabilization of an entire region from the Panama Canal to Mexico on our Southern border?

"Must we sit by while independent nations of this hemisphere are integrated into the most aggressive empire the modern world has ever seen?"

Of course not. But Americans who are just beginning to focus on Central America should be advised that these are not clear and present dangers; they are Mr. Reagan's nightmares. Increased military aid may not be the only or the best way to stop them from coming true.

The deepest contradiction in the President's televised address, however, arose from his declaration that "there is no thought of sending American combat troops to Central America." If "the national security of all the Americas," including the United States, is "at stake in Central America," if "we cannot expect to prevail elsewhere" if we're unable to "defend ourselves" in Central America, if failure to keep that region from falling to Communism would destroy United States credibility and threaten United States alliances including NATO, then how can Mr. Reagan pledge not to send troops to fight in Central America?

That's the Vietnam trap all over again. If the nation's vital interests are so deeply threatened, no responsible President can rely on a weak and uncertain ally to defend them, or exclude the use of U.S. forces in extremity. In weighing the true gravity of the threat in Central America, Congress must not lose sight of that truth.●

THE WING FAMILY

HON. CHARLES PASHAYAN, JR.

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 10, 1983

● Mr. PASHAYAN. Mr. Speaker, the United States has been called, correctly, a nation of immigrants.

Over 100 years ago people from mainland China began to settle in the city of Hanford, Calif., bringing with them the rich heritage of their culture, and adding their skills and talents to the task of building this Nation.

Exactly 100 years ago one of these Chinese immigrants, Gong Shu Wing, opened in Hanford a restaurant that was the forerunner of an establishment that in the same city and operated by his son, Richard Wing, has gained an international reputation for gourmet food.

As Gong Shu Wing's family grew up, his sons gained skills and knowledge that today give their restaurant, the Imperial Dynasty, its international reputation.

Richard Wing, who served as a special security officer to Gen. George C. Marshall during World War II, took advantage of his service in Europe and the Far East to meet famous chefs and to hone his culinary skills.

Richard Wing's late brother built the restaurant's famous wine cellar, studying with Italian families in California's Napa Valley.

Richard Wing has been singled out for culinary honors by such prestigious organizations as the American Academy of Chefs, the Chevaliers Du Tastevin, the Chefs de Cuisine Association of California, and the California Wine Patrons. He has received two separate Cordon Bleu Awards for best dinner from the International Wine and Food Society, and was one of the first four chefs in the United States—and the only one from the west coast—named to the exclusive Black Hat Society.

The Escargot Society recently informed Mr. Wing that the Imperial Dynasty has served more gourmet snails than any other restaurant in the United States.

The world class reputation of the Imperial Dynasty has made it the top reason to visit the city of Hanford, according to that city's chamber of commerce. Those visitors have included many notables, gourmets, and lovers of fine food.

Other members of the Wing family help in the effort to make the family business a success and to contribute to the rich cultural mix of the city of Hanford.●

DOES EL SALVADOR DESERVE MORE MILITARY AID?

HON. ROBERT W. KASTENMEIER

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 10, 1983

● Mr. KASTENMEIER. Mr. Speaker, as we consider the President's request for additional military assistance for El Salvador, I recommend that our colleagues take the time to read the report appearing in the April 28, 1983, New England Journal of Medicine on the campaign of persecution and terrorism waged by Salvadoran security forces against those in the health professions in El Salvador.

SPECIAL REPORT—MEDICAL MISSION REPORT ON EL SALVADOR

Alarmed by reports of the harassment, murder, and disappearance of doctors, dentists, nurses, members of the medical faculty, social and physical scientists, and members of related health professions, the National Academy of Sciences, the Institute of Medicine, the American Association for the Advancement of Science, the New York Academy of Sciences, and the International League for Human Rights cosponsored a medical mission* to San Salvador. The mission's purpose was to determine the fate of those professionals and to assess the impact of conditions in El Salvador on medical institutions and on the health of the people.

From January 11 through January 15, 1983, we spoke with people from a wide range of backgrounds: government officials, the archbishop and others in the Catholic Church, members of the International Committee of the Red Cross, officials in the Ministry of Health, members of nongovernmental human-rights organizations, political prisoners, and numerous private citizens, including the families of victims. We also visited four places of detention for political prisoners, two refugee camps and the public maternity hospital (Maternidad). Wherever we turned we found the chilling effects of the ever-widening devastation to health and health care that has been caused by the breakdown of education, the slashing of budgets for national health programs, and the repression of humans beings by the systematic use of terror in ways that are hideous and frightful.

The persecution of health personnel is real. It began in 1979 and intensified through 1981, when a group of doctors, nurses, and medical students protested the killing and kidnapping of patients and doctors in hospitals—sometimes even during surgery. Retaliation against this group by death squads, suspected of being government forces, was swift and brutal. The group's members "disappeared," or fled to avoid death, or were killed.

We came to El Salvador with a list of 20 health workers and scientists who had disappeared in the previous 12 months. Our investigation revealed that only seven could be accounted for: four were in prison, two had been freed, and one was confined to a mental hospital outside the country. There was no trace of the other 13. Moreover, while in San Salvador we were given documentation on the disappearance of 20 additional health workers during 1982. From frightened families and colleagues we also learned of a number of other physicians, nurses, and paramedics who had disappeared or been killed. Since merely notifying the Church and independent human-rights groups of a relative's disappearance can jeopardize the whole family, statistics on disappearances are minimal.

Early in our visit we interviewed the colonels who command the two branches of the security forces—the National Police and the Treasury Police—and the information we gained was unsettling. We learned that there was no central registry of arrests or of the disposition of those who were arrested and no sharing of information between the two armed police forces; they therefore had no knowledge of the persons whose names we gave them. At our request we were shown the detention facilities where political prisoners, including the four medical students on our list, are held for up to 15 days or longer. At the National Police headquarters we walked along a row of foul, pitch-black, steel-barred cells furnished with only a concrete bench and a hole in the floor for a latrine. Led by Colonel Lopez Nuila, the commander of the National Police, and followed closely by two guards with M-16 rifles, we were forbidden to speak with or examine the dirty, haggard political prisoners.

In July 1982, the International Committee of the Red Cross threatened to leave El Salvador because of its growing concern over human-rights abuses by the Salvadoran armed forces—particularly their practice of not taking prisoners alive. Officials of the International Red Cross told us that, although these problems have not been resolved, they have decided to remain in the country because, on balance, they believe they are a force for decent human behavior.

Health and health care in El Salvador have suffered since 1979 even more than would have been expected in a poor developing country. The rate of endemic diseases is rising dramatically, as social programs are sacrificed so that funds can be allocated to

*The participants were Alfred Gellhorn, M.D., visiting professor, Harvard School of Public Health; Robert Lawrence, M.D., director, Department of Medicine, Cambridge Hospital; Kathie McCleskey, American Association for the Advancement of Science; and Nina Shea, J.D., International League for Human Rights.

the military. Infant mortality is climbing, the rate of suspected tuberculosis (unverifiable because of a shortage of x-ray film and equipment) is increasing, and there is a high prevalence of measles, diphtheria, and polio because there are no toxoids or vaccines. Malnutrition and skin and intestinal-tract parasites add to the toll.

The Ministry of Health has suffered a 50 per cent reduction in its budget during each of the past two years and is finding it difficult if not impossible to provide adequate staff and medical services for the 6000 beds under its jurisdiction. We visited the only public maternity hospital in San Salvador, a facility that has 75 deliveries each day but only 263 beds. The patient turnover is very rapid, but even so, up to three women are assigned to a single bed. Premature births are common, but none of the bassinets for premature babies is functional. The x-ray equipment is obsolete, there is no x-ray film, and the pharmacy shelves are thinly supplied; the anesthesia equipment is outdated and unsafe, but it is used for the 5 to 10 cesarean sections that are performed daily. Dr. Roberto Rivera Martelli, a senior obstetrician who was our host at the hospital, and a man deeply committed to the care of the poor, was taken from this clinic on February 10 (less than a month after our visit with him) by three armed men in civilian clothes and has not been heard from since. Since then, cables have been sent to our embassy in San Salvador and to the colonels who head the National and Treasury Police by our sponsoring organizations, members of the U.S. Senate, the Human Rights Division of the State Department, and individual U.S. citizens, but Dr. Rivera Martelli remains "disappeared."

The public educational system in San Salvador is in disarray. The large number of schoolteachers and members of the university faculty (including medical school professors) who have disappeared, been imprisoned as political prisoners, or fled the country has depleted the educational establishment. No professors of basic medical science remain. All entrances to the National University have been sealed for the past two years, and the principal laboratory building located outside the university grounds has been gutted by the military so that only external walls remain. No students have been admitted since the closing of the university. In the past semester, medical students in the last two years of the six-year course have been taught in storefronts and private homes by a few intrepid professors, but the complete absence of equipment, books, medical journals, and demonstration materials makes this valiant effort doomed. The devastation is both physical and intellectual.

Our group visited two facilities for political prisoners that are operated by the Ministry of Justice: Ilopango for women and Mariona for men. We were permitted to interview the inmates alone and without time restriction. Medical care in the women's prison is provided by a recent graduate of medical school who devotes a few hours a week to the prison as just one of his four jobs. Medical records are inadequate and incomplete. Prescriptions for medications are usually not available in the prison medical facility, so they are disregarded; if the prisoner is fortunate, her family may obtain the medicine. In both prisons the political prisoners have established their own health facility using minimal supplies of drugs and first-aid materials.

Few prisoners have been tried and convicted. The medical students we saw in Mariona, the men's prison, had been there for two years—and others had been there for as long as four years—without appearing before a judge. However, the prisoners told us that they were the lucky ones. They were alive and probably would not disappear—no matter that they were being held indefinitely without due process.

In summary, we found direct and indirect evidence of frightful violations of human rights, and we found fear among private citizens who feel unprotected in a lawless society. We found that the health of the public has suffered, that medical education, medical care, and medical facilities have been desperately depressed. How can one account for the willful dismantling of the university, including the imprisonment (or worse) of medical professors and practicing physicians and the physical destruction or sealing up of university buildings and the medical school? University personnel with whom we spoke ascribed it to the political liberalism or radicalism that is characteristic of a university campus, to the outspoken indignation of the medical profession at the atrocities and wanton killing of noncombatants and alleged subversives, and to the fear among those in power of middle-class intellectuals. Doctors and other health professionals meet many of the criteria for "disappearing."

We have returned to our affluent country shaken but eager to inform our colleagues, sponsors, and all who will listen that we can save many thousands of lives by protesting to the Salvadoran authorities disappearances and other human-rights violations. Physicians and other concerned persons can help privately by donating equipment and funds through such international relief agencies as the International Committee of the Red Cross and Catholic Relief Services. U.S. foreign aid must make abundant provision for such essentials as food, medicine, vaccines, medical equipment, teaching materials for students, and other forms of economic assistance. Aid to this war-torn country should emphasize life-giving sustenance rather than arms and military equipment.

ALFRED GELLHORN, M.D.,
Harvard School of Public Health.●

THE SOVIETS REALLY NEED THEIR NUKES

HON. WILLIAM F. GOODLING

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 10, 1983

● Mr. GOODLING. Mr. Speaker, in this Sunday's Washington Post, I came across an editorial which is very timely; coming as it does, just as the House concluded its "Great Freeze Debate." The article, written by Prof. Seweryn Bialer of Columbia University, argues that the Soviet Union depends on its nuclear arsenal for its superposer status, and that the unusability of the weapons is what makes them so very useful to the Soviets. For these reasons, Professor Bialer concludes that the total elimination of nuclear weapons is an unattainable goal, and even a reduction will be difficult to obtain. Because of the valuable insights offered by Professor Bialer, I think it fitting to include his May 8 article in the RECORD.

THE SOVIETS REALLY NEED THEIR NUKES

(By Seweryn Bialer)

In the great debate over nuclear weapons and how to control them, one key fact gets too little attention: The Soviet Union depends on its nuclear arsenal not only to protect itself and to threaten others, but for its very status as a great power. Without nuclear weapons, the Soviet Union would not be a superpower.

Perhaps we shy away from this fact because its implications are so depressing. Obviously, if the Soviet leaders believe that they depend on nuclear weapons for their international status, they are unlikely to consider giving them up. This state of affairs cannot be wished way.

More depressing still, the nuclear revolution that has transformed international politics gives the Soviet Union considerable advantages over the West in the competition for global influence. The very "unusability" of nuclear weapons makes them more useful to the Soviets than they can ever be to us.

Nuclear weapons are much more than weapons. They are the overriding political and psychological factor in Soviet-American relations, and in today's global politics generally. The fact that nuclear weapons exist has created an international situation without precedent in history.

The existence of nuclear weapons has also given the United States and the Soviet Union a set of compelling common interests, beginning, of course, with their mutual need to avoid a nuclear war. But common interests are far from either superpower's only interests.

If avoiding a nuclear war and the confrontations that could lead to one was both superpowers' fundamental goal, their chances for success would be very high.

Even if the nuclear arms race continues indefinitely, one can argue—however ironically—that both sides believe they are accumulating new weapons to avoid the sort of strategic imbalance that could tempt one superpower to attack the other.

But the prevention of a nuclear holocaust and the survival of humanity is not the only fundamental goal of either America or of Russia. Both have other international ambitions, and the Soviet Union has an unsatisfied hunger for global influence that pushes it toward a highly activist foreign policy.

It's no use shying away from this uncomfortable fact. Soviet nationalism and pride, history and ideology, its military might combined with the docility of its population, its late arrival on the superpower stage all encourage this activism. The Soviet Union is still in the ascending stage of its international ambitions.

In this stage the Soviet leadership is hoping it will be able to turn Western Europe away from its alliance with the United States. The Soviets are committed to support radical changes in the Third World, even if this involves direct and indirect Soviet military engagement. While the overriding Soviet goal is to protect its own Russion-Soviet system and its "internal" and "external" multinational empire, its key tactical aims as a latecomer to the "game" of global politics are offensive.

For the United States, this is clearly the descending stage of political, economic and military ambitions. America now views the international system with the attitude of a status-quo power. Its long-term policy direction is best expressed in "containment"—a

concept with basically defensive connotations.

Americans key goals are the preservation of the independent industrial democracies, which requires a balance of at least strategic parity with the Soviet Union; the defense of vital economic and strategic American and allied interests in such areas as the Persian Gulf, which requires the preservation or creation of a conventional Soviet-American balance in some regions of the world; and finally, the preservation—at best—of the existing configuration of forces in the Third World. Where change cannot be avoided, the U.S. wants gradual evolution, not revolutionary upheavals.

This is a dangerous situation. Although each superpower wants to achieve its goals without using nuclear weapons—that is, in a rational way—this may not prove to be so easy. The asymmetry of goals which each superpower pursues and the fact that one is still ascendant while the other is retrenching increases the perils of an unintended escalation of their conflict to the threshold of nuclear war.

To put it simply, the nuclear revolution in weaponry and warfare and its military, political and psychological consequences give the Soviet Union a better opportunity than the United States to achieve its international goals without a nuclear war. This is true for four reasons:

First, nuclear weapons act as a great equalizer of the actual, conventional military potential of the Western and Soviet alliances, and therefore are a guarantor of the security of the Soviet Union. Far from being an equal, the Soviet Union and its bloc are far behind the Western alliance in conventional military potential.

At the beginning of the 1980s the combined gross national product (GNP) of the industrial democracies was more than three times larger than the combined GNP of the Warsaw Pact countries. (This is about the same relationship that existed between the West European and Soviet economic military potential on the eve of World War II, and is only marginally different than the comparative potential of NATO and the Warsaw Pact in the 1950s). Technologically, recent studies have shown that the lopsided superiority of the West is at least as great today as it was in 1953, the year when Stalin died.

But nuclear weapons—strategic, theater, and tactical—act as a great equalizer of the military potential and actual strength of the competing blocs, who without them are not equal at all. Once strategic parity has been achieved, it provides a degree of security to the Soviet Union that it never enjoyed in the past.

And of course, nuclear weapons enhance the psychological-political effectiveness of any threat from Soviet conventional forces on Soviet borders or in remote corners of the globe.

Second, the nuclear revolution led to the the once-justified but now pernicious concept of an American nuclear umbrella over Western Europe, and the "bigger bang for the buck" military policy of the United States. The idea of an American umbrella led to much lower levels of conventional military spending by the industrial democracies than at any time in their 20th-century history. The idea of "more bang," and the attendant American preoccupation with the nuclear balance, led to a deterioration of conventional U.S. forces and to the dissipation of the American military-industrial base. And of course, these changes occurred at a time when Soviet conventional forces were growing steadily. The resulting superiority of mobilized conventional strength gave the Soviets freedom of military action below the level of nuclear war.

Third, the Soviet leadership is able to exploit the balance of terror more effectively that the United States can because of the nature of the Soviet political system. Soviet leaders do not feel great pressure from public opinion in formulating their military and foreign policies and calibrating their use of military threats toward their opponents. At the same time, Soviet leaders can manipulate the legitimate fear of nuclear weapons in the populations of the industrial democracies. This asymmetry lets the Soviet leadership reap the political rewards of nuclear parity and leaves them freer to employ military threat or actual military forces.

Fourth, the nature of Third World conflicts and of popular aspirations in the developing countries favors military conflicts and revolutions—best suited to Soviet purposes—rather than gradualism and the evolution of democratic institutions that America would prefer. When nuclear parity eliminates the danger of retribution to thier own homeland and empire, the Soviets can engage in low-risk and low-cost adventures to help accelerate the "historical process" in the Third World.

On the other hand, any American attempts to intervene to preserve the status quo are likely to require large-scale involvement at a high cost. The unpopularity of such interventions, the difficulties of making them work, and the danger of their escalation into confrontations with the Soviet Union makes them extremely difficult for the United States to undertake.

So nuclear weapons give the Soviets clear advantages. Of course the present balance of nuclear terror also presents the Soviet Union with terrible dangers. But it would be foolish to ignore the fact that the same balance of terror also gives the Soviet leaders opportunities for global assertiveness that are unprecedented in the entire history of the Soviet Union.

On the other hand, the advantages created for the Soviet Union by the nuclear revolution do not assure the success of Soviet policies. Those advantages may well be balanced by the Soviets' inside the East European empire, and the Soviets' inability to match their military capabilities with the political, economic and cultural power that could produce practical advantages for the U.S.S.R. around the world. The restoration of an effective American-West European alliance could also help frustrate Soviet ambitions.

In the area of strategic weapons, the Soviet leadership's oft-proclaimed desire for arms control and stability is at least as sincere as President Reagan's repeated statements of interest in nuclear arms reduction. But if nuclear weapons were ever abolished or decisively reduced in number, it is the Soviet Union that would really suffer—militarily, politically and psychologically. This is an important reason why the total elimination of nuclear weapons is an unattainable goal, and why even their substantial reduction will be very difficult to achieve, though we must strive to achieve it.●

NUTRITION RESEARCH: WE HAVE A LOT TO LEARN

HON. GEORGE E. BROWN, JR.

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 10, 1983

● Mr. BROWN of California. Mr. Speaker, the rising cost of health care is one of the greatest budgetary dilemmas we in Congress face. The prospect of billions upon billions of dollars going to treat diseases that could be avoided is a powerful incentive to find ways to prevent illness. There is little doubt that improper nutrition is a contributor to many of the diseases that are most difficult and expensive to treat, and in the past few years we have invested heavily in basic research on nutrition.

An article just published in Science magazine shows how recent nutrition research has led to the overthrow of concepts that seemed beyond doubt. The practical consequences of the discoveries reported here may well be enormous; further studies will no doubt provide additional surprises. Scientists, of course, have long recognized that our knowledge is always provisional at best. It is only when researchers challenge accepted dogma that they discover new truths. The challenge for us, the supporters of this effort, is to keep encouraging new approaches and fresh looks, as well as to insist that research discoveries be applied to the development of usable results. Whether we are concerned about nutrition, or the environmental fate of chemicals, or the causes of chronic disease, we must continue to question old beliefs, to test and experiment, and to develop new understanding. I commend this report to my colleagues.

[From Science, Apr. 29, 1983]

DIETARY DOGMA DISPROVED

(By Gina Kolata)

For years, diabetologists and nutritionists have taught that there are two major classes of carbohydrates: simple and complex. Simple carbohydrates, which are the sugars like glucose, sucrose, and fructose, are immediately absorbed by the gut and cause a rapid rise in blood sugar and blood insulin. Complex carbohydrates, such as the starches found in rice and potatoes, take longer to be absorbed and so result in a slower and more moderate rise in blood glucose and blood insulin.

Or so the dogma goes. But it turns out that the dogma is incorrect. The problems, says Jesse Roth, a diabetes specialist at the National Institutes of Health, is that "I believed it. Everyone believed it. But no one ever tested it."

When Phyllis Crapo of the University of Colorado Health Sciences Center in Denver thought to test the dogma, she was astonished to find just how wrong it is. Crapo and other researchers are learning, for example, that a bowl of ice cream does almost nothing to blood glucose. Nor does a sweet potato. But a white potato or a slice of whole wheat or white bread sends blood glu-

cose soaring. To further compound the matter, the effects of carbohydrates on blood glucose are unpredictable. The only way to learn what a particular food's effect is is to test it on volunteers.

These discoveries are of major consequence for diabetics, who must avoid large swings in blood glucose. They also may be important for nondiabetics since, at the very least, large amounts of glucose in the blood make people sleepy.

Other effects are more speculative, but some medical researchers now suggest that the reason people develop adult-onset diabetes may be because they eat the wrong kind of carbohydrates, meaning those that give rapid rises in blood sugar, rather than simply too many carbohydrates. In more primitive societies, David Jenkins of the University of Toronto points out, people tend to eat the carbohydrates that give slow glucose rises and tend also to have little diabetes and heart disease.

Crapo first thought of testing the conventional wisdom about the effects of simple and complex carbohydrates when she visited Stanford University several years ago. She was sitting in on a physicology class when the lecturer remarked that the traditional advice to diabetics that they eat complex rather than simple carbohydrates really makes no sense. People have so many amylases—enzymes that break down starches into sugar—in their gut that starches are converted to glucose almost immediately.

Crapo was skeptical. As a nutritionist, she had been advising diabetic patients to concentrate on complex carbohydrates and she found it hard to believe that they are no different from simple sugars as far as blood glucose is concerned. So she, together with Stanford diabetologist Gerald Reaven and her husband, diabetologist Jerrold Olefsky, also of the University of Colorado, decided to feed volunteers pure uncooked starch and see what happened. Just as she suspected, there was virtually no rise in blood glucose.

But, these investigators reasoned, pure uncooked starch is hardly a typical food. Perhaps the result would be different if they tried cooked starches of the sort people normally eat. They then fed volunteers potatoes and rice. To their amazement, says Crapo, "We found a dramatic difference between the two. Rice gave a flat glucose response and potatoes gave a rapid response that was the same as you would expect if you gave people pure glucose." Olefsky adds, "Potatoes are like candy as far as a diabetic is concerned."

They went on to test corn and bread because rice, potatoes, corn, and bread are the four major starches eaten in this country. The glucose responses, in increasing order, were rice, bread, corn, potatoes.

They tried the experiments in people with impaired glucose tolerance and with diabetes. The results were the same. They tried similar experiments using simple sugars because, Olefsky explains, "We always were taught that a simple sugar is a simple sugar. But it turns out that simple sugars are as different as potatoes and rice." Lactose and fructose have little effect on blood glucose. Sucrose has a moderate effect. Glucose and maltose give immediate and pronounced effects.

Olefsky believes that one reason for these differences is that there are differences in the accessibility of the starch or sugar molecules in various foods. The more homogenized the food, the more rapid the rise in blood glucose. A rice slurry gives a more rapid rise than rice grains. Apple puree gives a more rapid rise than a whole apple. But the biochemistry of food digestion and absorption is so poorly understood, he says, that each food has to be analyzed separately.

The most extensive list of the glucose responses of foods has been prepared by Jenkins and his associates in Toronto working with Thomas Wolever and his associates at Oxford University.

Jenkins says his studies of the glucose response to various foods are a constant revelation. "We never cease to be amazed. We are unable to predict and we are still trying to explain what we find. We thought we would find most of the foods not too dissimilar. We expected some differences but not massive differences. A second surprise—and this was quite, quite remarkable—was that the legumes had blood glucose rises half those of their cereal counterparts."

Pasta products are much lower in their blood glucose effects than cereals. "In the West, we've been getting hooked on whole meal products rather than white. But there is no difference in blood glucose levels with white or whole wheat pasta, white or whole wheat bread, or white or brown rice," Jenkins remarks. He stresses, however, that whole wheat products still may be beneficial since they improve colonic function.

Jenkins and Wolever also have tested combinations of foods. For example, they gave volunteers cheese and bread. Dairy products in general give a very slow glucose rise but the cheese-bread combination, unexpectedly, gives the rapid glucose rise characteristic of bread. Bread and beans, in contrast, resulted in a slow rise in blood sugar more characteristic of beans than bread.

One immediate consequence of these results for diabetics is that the starch exchange lists of their diets, which are choices of equal carbohydrate portions of bread, rice, potatoes, or corn, are called into question. In addition, Olefsky points out, diabetics may want to know that some foods that they frequently avoid, such as ice cream, are fine as far as blood glucose is concerned. Olefsky remarks that he recently saw a new ice cream sweetened with sorbitol and labeled "not a low calorie food." The ice cream was aimed at diabetics. But regular ice cream gives a very flat glucose response. Marveling at the very existence of this dietetic dessert, Olefsky says, "Some major food company developed this product on the assumption that ice cream is bad for diabetics. Better they should go out and find a better potato."

Roth says it is his impression that the work of Crapo and Jenkins "is not widely known" and that "it is time for it to be considered" by diabetologists. Irving Spratt of the Spratt Diabetes Medical Clinic in San Bernadino, who is president of the American Diabetes Association, says the Diabetes Association is concerned about the possibility that the starch exchange lists may be misleading, that "we are considering changing the exchange lists and we will take appropriate action as all the evidence comes in." Crapo, he adds, is a member of the professional education committee of the American Diabetes Association. "We are in constant communication with Phyllis Crapo," Spratt says.

Studies of carbohydrates and their effects on blood glucose may help nutritionists understand public health issues as well as diabetes diets. Jenkins says he wonders whether the wholesale change in industrialized societies from foods like pasta, beans, and sweet potatoes to foods like bread, cereals, and white potatoes might be related to the prevalence of diabetes, heart disease, and some forms of cancer. He himself has begun eating pasta and beans since he discovered their effects on blood glucose. "It's a marvelous food anyway," he remarks.

Olefsky wonders whether there will be any large-scale health effects as food manufacturers switch from using sucrose as a sweetener to using corn syrup, which is less expensive. Corn syrup, which is mostly fructose, gives a very slow blood glucose response whereas sucrose gives a more rapid one.

The whole process of studying the blood glucose response of foods has been an eye-opener for nutritionists. They learned, says Crapo, that "What happens when we eat food is much more complex than anyone thought." Now that researchers are starting to look more carefully at their untested assumptions about food, Crapo predicts, "I think at last we will pull nutrition out of the dark ages."●

NATIONAL ASSOCIATION OF REAL ESTATE EXCHANGES

HON. HAROLD E. FORD

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 10, 1983

● Mr. FORD of Tennessee. Mr. Speaker, it is a great pleasure for me to recognize and salute the National Association of Realtors as they celebrate the organization's 75th anniversary Diamond Jubilee.

Since the realtors founding in 1908 as the National Association of Real Estate Exchanges, the organization has represented the highest standards of professional ethics. Realtors have provided competent, unbiased service to both buyers and sellers over the past 75 years, assisting in the largest investment most Americans make in a lifetime. Realtors have introduced many innovative programs to improve and enhance the accessibility of the American dream of owning a home to everyone.

Realtors are known for contributing countless hours to their communities, dedicating time and energy to civic betterment. For the past 75 years, realtors have played an important role in the growth and development of the cities and towns across the United States. For this reason, they have become one of the most important forces in American business.

I would like to offer the following history of the National Association of Realtors as a tribute to the outstanding accomplishments of the organization over the past 75 years, and to recognize the integrity and dedication the profession represents.

A BRIEF HISTORY OF THE NATIONAL ASSOCIATION OF REALTORS

(Written by Joan Mauch; research by Linda Lipman)

The National Association of Realtors,[1] the nation's largest trade association, was founded in 1908 as the "National Association of Real Estate Exchanges."

Three earlier attempts to organize a national real estate group had met with failure. The first effort in 1891, resulted in the formation of the National Real Estate Association, which survived only 19 months. Two subsequent efforts also were without success.

On May 12, 1908, 120 men representing 18 boards from 13 states and one state association met in Chicago to try again. Their stated objective was "to unite the real estate men of America for the purpose of effectively exerting a combined influence upon matters affecting real estate interests."

The group authorized employment of an executive secretary, general counsel and "such other assistance as may be necessary" and also provided for an office for association work. Standing committees, demonstrating the founders' intended fields of activity, were formed and included: Code of Ethics, taxation, state and municipal legislation, and the organization of local exchanges.

In 1916, the organization's name was changed to the "National Association of Real Estate Boards," and in 1972 it became the "National Association of Realtors" and its present logo was adopted.

Throughout its history, the National Association has been working for America's property owners, exerting pressure on government for better housing, improved home financing, the prevention of real estate fraud, community revitalization, fair taxation and encouraging property beautification and protection.

As the Association celebrates its 75th anniversary, its members can be proud of the many key accomplishments along with achievements at every level—national, state, and local. Some of the Association's major achievements include:

Making use of the "Golden Rule" as its theme, the Realtor's adopted a strict Code of Ethics in 1913. The National Association was only the second business group in the nation to follow the professions of medicine, law and engineering in the formation and enforcement of a code for its members.

In 1916, Charles N. Chadbourne, a Minneapolis Realtor, devised the term "Realtor" to identify real estate agents who are members of the National Association of Realtors and subscribe to its strict Code of Ethics. The patent office registration of the servicemark, "Realtor" and the Realtor emblem were approved in 1949. Courts have upheld this designation in every case brought before them.

The principal of "exclusive agency" was established about 1910 and meant that every seller could make exclusive use of a single broker. This concept led to cooperative selling practices and the establishment of multiple listing services. The public benefits from exclusive agency because only a single fee is due upon the sale of a property, regardless of the number of agents involved in its sale.

After the Great Depression, Realtors worked to prevent urban blight from destroying good neighborhoods. In 1939, the Urban Land Institute was formed to concentrate on the problems of urban decentralization and redevelopment. Realtors suggested a program of large scale redevelopment by private enterprise. In 1941, major proposals on rebuilding cities were coordinated by the National Association.

The Realtors' "Build America Better" program was introduced in 1952 to promote neighborhood conservation. Realtors provided expert counseling and helped cities in their efforts to rid neighborhoods of slums. The program was cited in the 1954 Municipal Yearbook of the International City Managers Association, as a major development in the field of housing conservation.

In 1956, "Realtor Week" was introduced. Now known as "Private Property Week," it provides an annual reminder to the public of their constitutionally-protected rights to own, use and transfer private property.

Improvement in the flow of mortgage money has always been a major objective of the National Association. In this respect, Realtors provided leadership in the development of the Home Owners Loan Corporation, the Federal Home Loan Bank System, Federal Housing Administration and the Federal National Mortgage Association. Throughout the 1950s, Realtors supported credit efforts to help additional families afford housing. They also were involved in liberalizing FHA requirements to make FHA loans available to more people.

Realtors have supported floating FHA and VA interest rates since the 1950s. A floating rate would make more funds available for government-backed mortgages and result in more equitable closing charges. In 1980, a law was passed with Realtor support requiring 10 percent of all FHA loans to have a floating interest rate.

Since its founding, the National Association has opposed excessive government spending and unfair taxation, and remains heavily involved in political affairs to this day.

Expansion of tax relief to the elderly in home sales also was widely promoted by Realtors. In 1962, persons 65 years and over were allowed to exclude the first $30,000 of the profit from the sale of their home from capital gains taxes. This amount was increased to $100,000 in 1978 and the age limit was lowered to 55 years. In 1982, the amount was increased to $125,000.

Realtors helped defeat efforts to limit deductions for mortgage interest payments in 1976. They continue to lobby against this limitation whenever it is proposed as a means of raising additional tax revenues.

In 1943, the Realtors Washington Committee, later named the Realtors Political Action Committee (RPAC), was formed. RPAC currently is the largest PAC of any trade association in the nation. In 1982, it raised some $2.5 million in contributions. Citizens benefit from this program by the election of legislators who support the principals of private property ownership and the free enterprise system.

The National Association's nonpartisan voter registration campaign in 1980 resulted in more than 4 million additional voters going to the polls in the 1980 elections and was the first such program by a national trade association to be approved by the Federal Election Commission.

The federal government in World War II imposed rent control. Although Realtors abided by the law, they worked for its repeal. Realtor research has demonstrated that rent control adds to the shortage of apartments and prevents the renovation of units.

In some areas, this fight continues today. Realtors participate in task force teams to assist localities in defeating rent control initiatives. Realtors also assisted in the creation of the Rental Housing Industry Coalition, consisting of national organizations with similar concerns regarding rent control and the rental housing industry.

With the addition of 400,000 sales associates in 1972, the National Association of Realtors became the largest trade association in the country. Today, membership is composed of more than 600,000 Realtors who are brokers or salespeople, and Realtor-Associates, a membership category for salespeople. Members belong to one or more of the 1,864 local boards of Realtors located in all 50 states, Guam, Puerto Rico, the Virgin Islands and the District of Columbia.

The Association continues providing a facility for education, research and exchange of information among its members and to the public and government for the purpose of preserving the free enterprise system and the right of free people to own and use real property.

According to Harley W. Snyder, 1983 president of the National Association, "Members of the Congress and the Executive Branch of the federal government today recognize the National Association of Realtors as a major spokesman for the vital housing industry. They acknowledge that we not only represent our own members, but that Realtors nationwide are working for America's property owners as well."●

[1] Realtor is a registered collective membership mark of the National Association of Realtors.

THE RECENT MURDER OF THE TURKISH AMBASSADOR TO YUGOSLAVIA

HON. MARK D. SILJANDER

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 10, 1983

● Mr. SILJANDER. Mr. Speaker, Armenian gunmen shot and fatally wounded the Turkish Ambassador to Yugoslavia Galip Balkar. This is the 26th time they succeeded in killing members of the Turkish diplomatic corps or their families in the last decade.

While we feel a deep outrage about the killings of innocent diplomats of our NATO ally, Turkey, it must be stated that the killings are not only a Turkish concern, but an American one, as well.

To cite the terrorist occurrences sponsored by ASALA—Secret Army for the Liberation of Armenian—and the Justice Commandos for the Armenian Genocide in the United States:

1973: Murder of the Turkish Consul and Consul General in Los Angeles.

October 1980: Bombing of the home of the Turkish Consul General in Los Angeles.

October 1980: Car bomb explosion in front of the Turkish Mission in Los Angeles.

June 1981: Bombing of the Swiss Bank Corp. offices in Los Angeles.

November 1981: Bomb explosion at the Turkish Consulate in Los Angeles.

January 1982: Murder of Kemal Arikan, Turkish Consul General in Los Angeles.

March 1982: Bombing of the office of the Honorary Consul General of Turkey in Boston.

May 1982: Murder of Orhan Gonduz, Turkish Consul General, Boston.

June 1982: Arrest of three Armenians after they allegedly put bombs in the Canadian Airlines cargo terminal at Los Angeles.

October 1982: Arrest of five Armenians allegedly preparing to bomb the office of the Honorary Turkish Consul General in Philadelphia.

Mr. Speaker, we must put a stop to the criminal activities of the Armenian terrorist groups. The 600,000 members of the American Armenian community condemns strongly these acts. The agents of the terrorist groups are usually Armenians from Lebanon who had arrived in this country during the 1970's as legal immigrants and then are used as assassins and bombers. We must also take adequate steps to insure that the infiltration of ASALA and Justice Commandos agents can no longer enter under the guise of refugees from Lebanon.

On September 2, 1982, Dr. Z. Michael Szaz, current director of the Armenian Foreign Policy Institute wrote an article in the Washington Times about these two terrorist organizations that are operating in the United States.

The text follows:

[From the Washington Times, Sept. 2, 1982]

ARMENIAN TERRORIST IRONIES

(By Michael Szaz)

It is a curious phenomenon of news coverage that while certain groups within the Byzantine labyrinth of international terrorism have attained infamy, two of the most active have escaped the worldwide condemnation they so richly deserve—their names are: the Secret Army for the Liberation of Armenia (ASALA), and The Justice Commandos of Armenian Genocide.

Major American, French, Italian, Spanish, Swiss, Portuguese, Canadian and Australian cities have been the sites of bombings and assassinations aimed at Turkish diplomats often injuring scores of innocent bystanders.

The ideological orientations of these groups differ, yet their tactics are identical.

ASALA is Marxist, Third World-oriented and pro-Soviet. It operates on the premise that the Soviet Union provided an Armenian homeland. ASALA hopes to detach vast areas from eastern Turkey and unite them with Soviet Armenia.

ASALA, with roots in Lebanon where a sizable Armenian population resides, has close ties with the radical PLO faction led by George Habash. Israeli sources report that documents confiscated from PLO offices in Lebanon confirm the ASALA/PLO connection.

These terrorists specialize in bombing attacks, but also claim credit for assassination of Turkish diplomats. Their bombing campaign has targeted French and Swiss government facilities as well as Turkish property.

The Justice Commandos are the radical offshoot of the conservative national Armenian party in exile. Its roots are among young Armenian immigrants from Lebanon to the United States, Canada and Australia.

At this writing, 23 Turkish diplomats have been assassinated since 1973. Four of the killings were done in the United States: three in Los Angeles (1973 and 1982), and one in Boston (1982). The remainder of the assassinations occurred in Western Europe, Canada and Australia. Over 70 bombings have resulted in injuries to innocent bystanders, the last one in Paris just 10 days ago wounded 16 people. The increased activity has produced conflicting sentiments in the American Armenian community on the terrorism issue although all major organizations have officially condemned them.

Last year, a bombing at the Anaheim Convention Center led to the cancellation of performances of the Turkish Folklore Group as authorities could not provide security in face of further terrorists threats. Apparently inspired by the rising tide of violence, other Armenian militants disrupted a cultural meeting of the American-Turkish Assembly in Houston and provoked cancellations of a documentary film on Turkey at the Los Angeles Music Center and at the University of California Berkeley campus. Stink bombs were the weapons of choice.

Recently a threat on the life of UCLA Professor Stanford Shaw forced him to flee his teaching post and go into hiding. His disagreement with allegations that Turks massacred nearly all Armenians during World War I was the cause of the death threat.

The pretext for Armenian terrorism stems from the alleged 1915 massacres. The assassination of Turkish diplomats are to force Turkey to admit that an organized slaughter occurred costing the lives of 1.5 million Armenians. The Turkish government has denied these charges and, to prove the invalidity of such rhetoric, points out that there were only 1,240,000 Armenians in the Ottoman Empire and many later emigrated to Soviet Armenia, Lebanon and the West. It is, however, also a matter of record that the Armenians collaborated with the Russian Empire during the war in order to establish an Armenian state on Ottoman territory.

No one disputes that starvation, deprivation, and epidemics decimated the Armenians after their 1915 uprising which also resulted in the death of many thousands of Turks. It is a sad fact, however, that Europe is filled with memories of massacres that occurred in most countries. If every ethnic group took revenge upon diplomats of other countries against whom they nurse grievances over long-ago events, all of Europe would be drenched in blood. This is not to say that tragedies should be forgotten, but rather that there is a lesson to learn: never to allow nationalist and ethnic passions to get out of hand.

The Ottoman Empire had a record of tolerance for minorities. The Empire gave haven to the Jews, among others, during the Spanish Inquisition. Perhaps this record of tolerance explains an especially unique quality of the Armenian terrorist phenomenon. It has not expressed itself within Turkey despite amply opportunity between 1976 and 1980, when Turkey was faced with national disaster brought on by rampant left- and right-wing terrorism.

Public security was sufficiently weakened to permit the emergence of a terrorist campaign from within the Armenian community in Turkey. No such terrorism occurred. Armenians in Turkey did not launch attacks on Turks nor did they support such attacks by other groups.

The recent bombing and machine-gun attack by Armenian terrorists at the Ankara airport does not negate the above conclusions. They all possessed foreign passports and came to Turkey only to create the incident. They were not Turkish Armenians.

It is ironic, but perhaps predictable that, the Armenian terrorists direct their assault on Turkey while disregarding the very real religious persecution and limitations on national expression imposed upon their kinsmen in the Soviet Union where the absence of human rights is manifested daily.●

THE FIFTH ANNUAL BLACK HERITAGE DAY PARADE

HON. PETER W. RODINO, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 10, 1983

● Mr. RODINO. Mr. Speaker, I ask my colleagues to join me in paying tribute to the Fifth Annual Black Heritage Day Parade, which will be held in Newark this Sunday, May 15.

The parade has as its theme for this year: "The African Family: Struggling for Survival." It will be an opportunity for all of us to recognize the achievements as well as the struggles of black Americans over the years to gain full and equal participation in our society.

The parade committee works exceptionally hard all year not only on this annual event, but on other community activities as well. The committee provides educational and cultural seminars aimed at highlighting the contributions of black Americans in all areas.

This day will be a celebration of those contributions, and a time for all people, regardless of race, to salute and recognize the pride of black Americans in their heritage. In these times it is especially important for us to reflect on this and to rededicate ourselves to that struggle for equality.

Mr. Speaker, there are many people involved in the parade committee who are too numerous to name individually. However, I do wish to single out Kurt Culbreath, the chairman of the Black Heritage Day Parade Committee, who has given so much of himself to this effort. In addition, there are three individuals being recognized at the parade with the honor of serving as grand marshals. They are the Honorable Ambassador Paul Rupia, of the Republic of Tanzania; Mr. William Ogden Layton, a World War I veteran of distinguished service who is the chief grand marshal; and Mr. Leon Moore, the principal and founder of the Chad School in Newark. I wish these people and all the others involved in Sunday's parade my best

wishes and my full support and encouragement.●

TANDEM TRUCKS—A STATE DECISION

HON. STEWART B. McKINNEY

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 10, 1983

● Mr. McKINNEY. Mr. Speaker, on April 7, I introduced H.R. 2438, a bill to return to the States the right to decide whether their highways are safe for tandem-trailer trucks. Fifteen States have prohibited the giant trucks from using their highways in the past, and the fact that twin trailers are involved in twice as many fatal accidents as single-unit trucks was doubtless a factor in those decisions. However, the Federal Highway Administration is now implementing regulations to override any State ban of these dangerous trucks. I urge you to join me in returning to the States the right to insure safety on their highways by prohibiting tandem trucks if they so desire.

My legislation is direct and uncomplicated: It would simply remove a short section of the Surface Transportation Assistance Act of 1982 (Public Law 97-424) that prohibits States from banning tandem-trailer trucks. It would not necessarily remove tandems from any State in the Nation that wants them; rather, I merely propose to leave that determination to the individual States. Other length, weight, and width provisions, as well as a study of the feasibility and safety of tandem trailers, would remain as passed in the 1982 bill. However, the provision permitting the operation of twin trailers in all States this year, which was added in committee as a concession to truckers, was not subject to full House approval in a separate vote. In addition, DOT Secretary Elizabeth Dole recently stated that, even with the new taxes on truckers in effect, the trucking industry will still be paying 25 percent less than its fair share of road upkeep. Although some savings in transportation costs may be realized through the use of twin trailers, I believe the increased wear and tear on our highways, and the dangerous potential for loss of life vastly outweigh any possible benefits.

Let us look at some of the facts, according to the National Highway Traffic Safety Administration (NHTSA):

In 1981, there were 12.2 fatalities per 100 million miles traveled by tandem trailers, compared to 5.6 fatalities for single-unit trucks;

Tandem trailers have four times as many accidents as regular passenger vehicles, and over three times as many accidents as single-trailer trucks; and

One out of every three tandem trucks is involved in an accident each year.

Clearly, these vehicles, which can be 75 feet long, and weigh as much as 40 tons when fully loaded, should not be indiscriminately allowed on our highways. Many interstate roads have interchanges every few miles, and run through hilly or congested areas, increasing the possibility of mishap. The individual States are best equipped to determine whether the particular design or construction limitations of their roads, combined with safety factors, warrant partial or total restrictions on tandem trailers.

In fact, in the wake of substantial State concerns over safety, DOT has recently withdrawn many of the routes originally designated as safe for tandem-trailer traffic. Secretary Dole has indicated that, while the Department will work with State officials on the tandem-truck rules, it will go to court to ultimately force acceptance of the final regulations. It is clear that this safety issue, which was hastily conceived and implemented, deserves further careful study before Federal mandates are laid down.●

PERSONAL EXPLANATION

HON. ROBERT A. BORSKI

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 10, 1983

● Mr. BORSKI. Mr. Speaker, I want to offer an explanation of my vote on rollcall 57 of April 20, 1983. The vote occurred on the amendment offered by the gentleman from New York (Mr. STRATTON) as modified by the gentleman from Wisconsin (Mr. ZABLOCKI) to House Joint Resolution 13, calling for a mutual and verifiable freeze on nuclear weapons.

I had intended to vote "aye" for the Stratton amendment but I made an error when I recorded my vote on the electronic voting device. Consequently, I was recorded "no." I regret the error and want to make it clear that I support the Stratton amendment as modified. I believe that the United States should maintain a vigorous program of research, development, and safety-related improvements to assure that we are not limited to levels of nuclear deterrent forces inferior to the force levels of the Soviet Union.●

FIXED EXCHANGE RATES AND A NEW INTERNATIONAL GOLD STANDARD

HON. RON PAUL

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 10, 1983

● Mr. PAUL. Mr. Speaker, the international monetary system is something that concerns us today, not only because of the proposed increase in quotas for the International Monetary Fund but because there is mounting evidence that fluctuating exchange rates among national currencies is a barrier to the international movement of capital investment. In the jargon of economics, the risk of adverse movement in exchange rates imposes transactions costs due to risk, and with costs thereby increased, the markets are less efficient than they could otherwise be.

In the past century, the world enjoyed an international monetary system that permitted the growth and development of Western Europe and North America. This was the period of the international gold standard. There is much misunderstanding about the functioning of the international gold standard. One of the most common mistakes is the belief that there were fixed exchange rates under the gold standard, because there was a determinate ratio between the various monetary units of different nations—U.S. dollars, British pounds, French francs, and so forth.

I think it is a serious misstatement to refer to the international gold standard as a system of fixed exchange rates. What all of the gold standard nations had in common was the public policy to make payment in gold for all public and private debts, financial instruments, and international payments. It was not the fact that dollars were fixed to pounds and francs that made the international gold standard function so successfully, but that fact that payments were to be made in gold. There was one international currency—metallic gold—and many different, anachronistic national names for the international currency.

The First World War changed the perspective of economists, who were myopically fascinated by issues about the purchasing power of money. The new, pseudoscientific view was that money is just what money will buy; and that government should manipulate its money to achieve a wide range of impossible goals, like full employment, price stability, and so forth. Perhaps worst of all the fallacies that were adopted by economists is the belief that we do not need gold as the international form of money—rather that we can have a pretense of the former system by merely fixing exchange rates among otherwise purely fiat monetary units.

The central banks of the world were structured following the Genoa Conference of 1922 according to something called the gold exchange standard, in which large bars of bullion would from time to time be shipped among central banks for settlement of adverse payments balances, but the monetary system was to be purely one of fictional currency names at fixed prices, subject, of course, to periodic

devaluation as the politics of inflation would dictate.

Let me make it very clear to my colleagues that I am opposed to any short-range attempts to resurrect the Bretton Woods system of an international cartel of central banks: The gold exchange and dollar exchange standard. This kind of cartel is just as unstable as the OPEC cartel, and just as dangerous. What we need is the kind of monetary reform that was discussed at the international monetary conferences of the 1890's—where gold itself, denominated by units of weight, is the universally accepted form of money.●

PERSONAL EXPLANATION

HON. CLARENCE D. LONG

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 10, 1983

● Mr. LONG of Maryland. Mr. Speaker, I was unable to be present on the floor of the House of Representatives on Monday, May 9, 1983, for the vote on H.R. 2174, the Federal Antitampering Act.

Had I been present, I would have voted for this bill to make tampering with a product, such as Tylenol, a Federal crime, punishable by up to 20 years in prison and a $100,000 fine.●

GAMING LEGISLATION LONG OVERDUE

HON. BARBARA F. VUCANOVICH

OF NEVADA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 10, 1983

● Mrs. VUCANOVICH. Mr. Speaker, my distinguished colleague, Mr. REID, and I have introduced legislation, H.R. 2730 and H.R. 2731, to bring equity to the tax treatment of patrons of the legal gaming industry.

The first is a measure to exclude legal gaming payouts from gross income. The United States is the only country which taxes payouts from legal wagering as income. Foreign officials have prudently deemed such taxation to be of minimal gain, particularly considering the likelihood of stimulating illegal operations. In short, taxation of legal winnings creates an advantage for the illegal operator, and thus serves only as a detriment to legal revenue efforts.

H.R. 2731, an alternative reform to H.R. 2730, simplifies IRS treatment of certain gaming winnings and corrects inequities regarding carryover of losses. This legislation enjoys a broad base of support, reaching far beyond patrons of the legal casino establishments in my State to those of parimutuel racing in 30 States, and of the State lotteries operating in over 15 States and jurisdictions.

Both of these measures address erroneous Federal policy in a legitimate industry.

Mr. Speaker, at a time when individual States are assuming more responsibility for providing services to their citizens, I find it disturbing that the Federal Government continues to impede such efforts by encouraging illegal gambling outside the economy, and depriving States of scarce revenue dollars. The individual States authorize and oversee legal gaming operations in order to reduce the burden on their taxpayers. Federal tax policy in this area is regressive.

It should be noted that all of these changes were urged by the Federal Commission on the Review of the National Policy Toward Gambling in 1976, which concluded that withholding generates nominal revenues to the Federal Government, while encouraging an estimated $12 to $15 billion per year in illegal wagers.

In most States, gaming is a legitimate form of revenue. This legislation would significantly increase State gambling revenues and reduce illegal gambling without adversely affecting Federal tax collection. These measures provide a crucial step in efforts to thwart illegal gaming operations and help States bolster revenue goals.

I hope my colleagues will support these efforts to rectify tax treatment of law-abiding citizens who patronize legal gaming operations, and I urge the prompt consideration of these measures.●

CENTENNIAL ANNIVERSARY

HON. CARDISS COLLINS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 10, 1983

● Mrs. COLLINS. Mr. Speaker, for 100 years the citizens of our State and Nation have benefited from the professional dental training offered by Loyola University School of Dentistry/Chicago College of Dental Surgery.

The school of dentistry has consistently kept the good dental health and well-being of our citizens foremost in its planning and development by maintaining high educational standards for its predoctoral students.

This same concern has also been extended to the development of ongoing post graduate educational programs to assist thousands of practicing dentists in maintaining their level of expertise and to assure the best dental care possible for the prevention of dental disease.

I, on behalf of the Congress of the United States, would like to recognize Loyola University, Chicago School of Dentistry/Chicago College of Dental Surgery on its centennial anniversary and I wish the school continued success in the future.●

TRIBUTE TO JERRY AND EDITH OBERMAN

HON. RAYMOND J. McGRATH

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 10, 1983

● Mr. McGRATH. Mr. Speaker, on Saturday, May 14, Temple Emanuel in Long Beach, N.Y., will honor Dr. Jerry Oberman and his wife, Edith, at its 38th annual dinner-dance. I am pleased to join with the members of Temple Emanuel in paying tribute to these two individuals, who have given so much of themselves to the Long Beach community.

Jerry Oberman has been an active part of community life since moving to Long Beach in 1948. He was a founder and first president of the Long Beach Mental Health Association, and a founding member of Temple Emanuel.

Dr. Oberman's greatest distinctions have been in the education field. As a teacher, principal, assistant superintendent, and then superintendent of Long Beach public schools, he has shown that innovative approaches to education can turn our schools around. He introduced Head Start to Long Beach—2 years before the Federal Government adopted the program. He was the force behind the development of a program for gifted and talented children—years before most other communities developed similar programs. He was the architect of "Program Options for Pupils," which brings positive publicity, recognition, and many admiring observers to Long Beach schools.

Edith Oberman has been far from a silent partner in her husband's endeavors. She has demonstrated the same kind of community involvement which has helped to bring new life to Long Beach. Together, Edith and Jerry have given of their time, money, and energy to every phase of community activity. There are few people in Long Beach whose lives have not been touched in a positive way by the Obermans.●

WELCOME, ROY ROGERS

HON. MICHAEL D. BARNES

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 10, 1983

● Mr. BARNES. Mr. Speaker, I am pleased to have this opportunity to welcome to Washington the "King of the Cowboys," Roy Rogers, in town to help raise funds to insure that the athletes participating in the Special

Olympics will continue to have a year-round sports program and, especially, that they can take part in the International Summer Games in July.

Roy Rogers is well known to all of us for the great pleasure and entertainment that he has brought to millions of children over the years, along with his wife and leading lady, Dale Evans, and his golden palomino Trigger. He is equally admired for his tremendous humanitarian contributions to his country.

Roy Rogers and Dale Evans have been given the USO Liberty Bell Award, the Kiwanis Decency Award, the Humanitarian Award from the National Film Society, and the National Amvets Auxiliary Award for their many appearances for American veterans of World War II, Korea, and Vietnam. The Rogers family is well known for their adoption of orphans and for their more than 6,000 charitable appearances. In addition, they are the only show business couple to receive a national citation from the American Legion, and in 1980 were named co-chairmen of the National Committee for Prevention of Child Abuse.

It is in keeping with his dedication to such causes that Roy Rogers is appearing in the Washington area on behalf of our special athletes, and it is appropriate that we take a moment to honor him for his long and devoted career helping children and young people.●

CONTRAS BACKED BY THE PEASANTS IN NICARAGUA?

HON. VIN WEBER

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 10, 1983

● Mr. WEBER. Mr. Speaker, on May 8, 1983, the Washington Post carried a story on the op-ed page which I was shocked to read. It was a column written by Jack Anderson on the Contras fighting the Nicaragua Government.

I would commend this article to my colleagues.

A POPULAR FORCE

(By Jack Anderson)

While Congress debates the Reagan administration's clandestine operations in Nicaragua, the American public is beset by conflicting information about exactly what is going on there.

Are the CIA-supported anti-Sandinista guerillas a truly popular movement or merely ex-National guardsman of the hated Somoza regime attempting a comeback? Are the "contras"—the anti-government rebels effective freedom fighters?

To get some reliable, firsthand answers to these crucial questions, I sent my associate, Jon Lee Anderson, to the troubled region. He has just returned from a week-long foray into northern Nicaragua with anti-Sandinista guerillas. They belong to the Nicaraguan Democratic Forces (FDN), the major group of U.S.-supported insurgents.

He traveled with a well-armed, 50-member guerrilla band led by a commander whose nom de guerre is El Corrion—The Sparrow. Their base camp was deep in the rugged mountains of Nicargaua's Nueva Segovia province, near the Honduran border.

It quickly became obvious that the guerrillas had the support of the populace. They were fed and protected by local peasants at every step. Travelling on foot, and only at night, to avoid detection by government troops, the guerrillas spent the days hiding out in "safe houses," often within shouting distance of government-held towns. If the peasants had wanted to betray them, it would have been a simple matter to tip off the Sandinista militia to their hiding places.

The peasants also provided The Sparrow with up-to-the-minute intelligence on the whereabouts, movement and strength of the Sandinista forces.

The anti-Sandinista guerrillas' military prowess is not so clear-cut. My associate discovered this to his dismay when he accompanied The Sparrow's band on a planned pre-dawn ambush of government troop carriers along a country road.

Instead of surprising the Sandinistas, the guerrillas were themselves surprised by sniper fire from hilltop positions above them and were forced to pull out. The retreat was carried out skillfully, however, and two nights later the guerrillas avenged their defeat with an attack on the hilltop snipers' nests. The FDN commandos treated the snipers to a half-hour barrage of rockets, grenades and machine-gun fire, before returning satisfied to their base camp.

Most of the FDN guerrillas were local peasants, not Somocista exiles. But there were also former National Guardsmen, and they tend to be in positions of command because of their military experience.

Still, the core of The Sparrow's group consisted of locally recruited peasants. In fact, on my associate's last day with the rebel band, he witnessed the arrival of 50 new recruits, all of them peasants from the neighboring province of Madriz.

One of the new recruits was a defecting Sandinista army instructor. There were other ex-Sandinistas in the guerrilla troop. One was Dunia, a star graduate of the Sandinistas' post-revolution literacy campaign begun in 1980. Dunia did so well she was rewarded with a junket to Cuba. she is now the camp medic for The Sparrow's band.

The rebels and their noncombatant collaborators cited a variety of reasons for their disenchantment with the Sandinistas: enforced food rationing, expropriation of the farmers' markets, enforced organization of peasant co-ops, the Sandinistas' anti-religious policies and harassment of the Catholic Church.

The Sandinistas themselves indirectly aided the guerrillas' recruitment of at least a dozen of the new arrivals. The said they had been under increasing pressure to join the militia. Forced to take sides, they chose the "contras."

Still, it was not an easy choice for many. They expressed genuine anguish at being forced—one way or another—to fight against fellow Nicaraguans.

"We don't want to fight our Nicaraguan brothers," they said. The ones they're after are the Sandinista leaders and their Cuban, East German, Bulgarian and other foreign advisers.

The guerrilla war in Nicaragua is still in rather primitive stages militarily. But in the next month, guerrilla leaders promised, they will undertake more ambitious operations, such as the temporary capture of small towns and segments of highways. The idea is to gain credibility for the FDN forces while simultaneously demoralizing the Sandinista troops and encouraging defections.

With their popular support reportedly growing daily, and U.S. backing continuing, the guerrillas' covert operations in Nicaragua promise to develop shortly into full-scale insurrection and civil war.●

PERSONAL EXPLANATION

HON. HAL DAUB

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 10, 1983

● Mr. DAUB. Mr. Speaker, because of official business in Omaha on Monday, May 9, 1983, I was unable to cast votes on the rollcall votes taken. I would like the record to show that, had I been present, I would have voted "yea" on rollcall vote No. 90; "yea" on rollcall vote No. 91; "yea" on rollcall vote No. 92, as I was a consponsor of similar legislation to provide Federal penalties for tampering with products; "yea" on rollcall vote No. 93; and "yea" on rollcall vote No. 94.●

VFW SCHOLARSHIP PROGRAM

HON. MICHAEL G. OXLEY

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 10, 1983

● Mr. OXLEY. Mr. Speaker, "Youth, America's Strength," was the theme this year for the Veterans of Foreign Wars voice of democracy scholarship program. A young woman from Lima, Ohio, wrote the winning essay for our State. Elizabeth Heath's achievement in this program is certainly deserving of recognition.

I would also commend the Veterans of Foreign Wars for generously supporting students' higher education while encouraging the scholarship and patriotism of all participants. Like the selfless activities of youth Elizabeth cites in her essay, the scholarship program is evidence that the VFW is willing to act on its beliefs.

For the benefit of my colleagues, I am inserting Elizabeth's fine essay in the RECORD:

ELIZABETH HEATH'S WINNING ESSAY

Our country is one of vast resources. From the coal mines in the hills to the wheat fields of the plains, to the many lakes and streams, America is bountiful, and reaps of her treasures. Yet, the strength of America lies not in the coal fields, not in the wheat fields, nor even in the depths of the clear waters. The strength of America lies in her youth.

It is the spirit of the youth that represents the true patriotism upon which our country is based. Countless acts of the younger generation prove and reprove the clear hope that lies in them. Such an act is

the incident in the spring of 1982 in Fort Wayne, Indiana. Heavy rains flooded the streets and the homes of the city, leaving many stranded and helpless to the elements. Many more were threatened by the constantly rising flood waters. In desperation, the city of Fort Wayne asked for assistance to help block the waters from the remainder of the city. The response coming from within the youth of the city resounded from school to school and from area to area. Bonded together in body and in spirit, the students—college, high school, junior high and even elementary age performed the remarkable job of preparing the block of sandbags that was effective in protecting many of the remaining threatened areas of the city. These youth demonstrated a quality that is sometimes neglected to be recognized in American youth today. That is, that every person, young or old, has a genuine concern for human welfare and willingness to back and support one another in times of great need. There are many more examples of the strength of our country can depend on from the American youth. For instance, many schools are hard pressed for operating funds and rely on the vast amounts of publicity to convince the people to support a school levy. Although not of age to vote, many students sacrifice hours of effort to door-to-door advertisement and campaigning for the upcoming elections by carrying signs and bulletins and literary publications. Such students show a genuine caring for fellow man and for the welfare of classmates. These students are helping, by their contribution, to promote better education and in turn helping to make our country the democratic place that it is to live. Yet there are examples around us every day of the strength in America's youth. The only thing necessary is to look closely for the little things enacted everyday by people and youth around the nation. That strength is found in the little boy who donates a penny to charity at Christmas-time, and that strength is found in the child from a poor family who graduates from a top university. Strength is the large number of youth that volunteer in hospitals and nursing homes to help care for the needy. And strength is the young men and women who proclaim their loyalty and give thanks to a nation by helping it reach its quota in the volunteer armed forces. These young adults still believe in the preservation of freedom and will gladly lay down their lives for the love of their country like those who have gone before them. At the heart, strength is patriotism at its fullest. For patriotism, the genuine love for one's country, is alive and growing in the souls of American youth and is demonstrated not only by acts of sacrifice, but by the everyday things that young American citizens do simply out of love for their country and love for mankind.●

ON THE YATRON AMENDMENT TO RESOLVE THE CYPRIOT ISSUE

HON. JAMES FLORIO

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 10, 1983

● Mr. FLORIO. Mr. Speaker, I would like to congratulate my colleagues on the House Foreign Affairs Committee who today passed the Yatron amendment to the committee print of the foreign aid package.

This amendment sends a message of support to the Cypriot people, while at the same time putting the Turkish Government on notice as to the sentiments of this Congress and the American people, wishing them to remove their military forces from Cyprus.

The amendment calls for the amount of military assistance provided to both Turkey and Greece for the next 2 fiscal years not to exceed the amount of military assistance requested for 1984, so long as the military forces of both countries occupying Cyprus does not exceed the number agreed to by both Greece and Turkey in the 1959 Treaty of Alliance; these troop levels being 950 and 650 respectively. Today Turkey has well over 20,000 troops occupying Cyprus, and would therefore be encouraged to remove their troops from the island. While this amendment is substantially softer in dealing with the Cypriot issue than legislation I introduced earlier this year, I feel it is a significant step in the correct direction.●

CENTRAL U.S. COURT DIVISION FOR NORTHERN OHIO IS NEEDED

HON. JOHN F. SEIBERLING

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 10, 1983

● Mr. SEIBERLING. Mr. Speaker, on April 20, I introduced H.R. 2665, a bill to establish a new central division of the U.S. District Court for the Northern District of Ohio. The new division would be comprised of 14 counties which are currently part of the eastern division. The western division would not be affected by this bill.

H.R. 2665 would also require that the court for the new central division be held in Akron and Youngstown, with two active judges sitting full-time in Akron and one active judge sitting full-time in Youngstown. The bill retains flexibility in assigning judges, however, by providing the authority in the chief judge to assign judges to try cases in other divisions to the end that cases be tried and motions heard, as far as possible, in the court where the case originates.

I am happy to report that 15 other Members of Congress have joined in cosponsoring this bill including LYLE WILLIAMS, EDWARD FEIGHAN, and RALPH REGULA, all of Ohio, as well as Judiciary Committee members PAT SCHROEDER, HAMILTON FISH, DON EDWARDS, ROMANO MAZZOLI, WILLIAM HUGHES, JACK BROOKS, JOHN CONYERS, HENRY HYDE, MIKE SYNAR, HAROLD SAWYER, BARNEY FRANK, and HOWARD BERMAN.

Enactment of H.R. 2665 is necessary because a crucial need exists for at least one additional district judge to sit in the Akron court. Since 1979, just over 25 percent of all civil cases filed in the eastern division have been filed in Akron. Around 15 percent of all such cases have been filed in Youngstown. Yet only one judge sits in Akron and none in Youngstown, while nine sit in Cleveland where only 60 percent of the cases have been filed since 1979.

In the late 1970's, in an attempt to retain as many Akron-based cases in Akron as possible, Akron's district judge at the time, Judge Leroy Contie, entered into exchange agreements with the other judges in the eastern division. As a result, in 1980, 314 of the 621 Akron cases were retained by Judge Contie; in 1981, 363 of the 637 Akron cases were retained by Judge Contie. In 1982, because of delays having to do with the appointment and confirmation of a new district court judge, only 220 of the 966 Akron cases were retained in Akron. In sum, for that 3-year period, 897 of 2,224 Akron-based cases, or 40 percent, were retained in Akron.

I introduced legislation identical to this proposal in the 96th Congress in an effort to bring about a resolution. However, in lieu of solving the problem legislatively, a plan was implemented whereby judges sitting in Cleveland who were assigned Akron-filed cases would agree to try those cases in Akron unless the parties and counsel preferred to try the cases in Cleveland. Unfortunately, however, this plan has not been fully put into practice. In 1981, only one trial was conducted by a Cleveland-based judge in Akron. However, 19 Akron-filed cases were tried in Cleveland. In 1982, no Akron trials were conducted by Cleveland-based judges in Akron, but 18 Akron-filed cases were tried in Cleveland. Furthermore, even if the plan were working as hoped, it could be canceled at any time.

In the years 1980, 1981, and 1982, 122 trials were conducted in Akron of Akron-based cases. Of those 122 cases, 121 were tried by either Judge Contie, who was appointed to the sixth circuit in 1982, or by his successor, Judge David Dowd. Fifty-six Akron-filed cases were tried in Cleveland during those same years.

It was hoped that the need for additional judges in the Akron area would be partially filled in late 1982 when Judge Sam Bell, who resides in the Akron area and had designated his official station as Akron, joined the bench. However, a majority of the eastern division judges recently voted to designate Judge Bell's official station as Cleveland, despite Judge Bell's desire to sit in Akron.

Akron needs the additional judge that would be assigned as a result of this legislation. The area serves as headquarters for four large multina-

tional rubber companies—Goodyear, Firestone, B. F. Goodrich, and General—and for Mohawk Tire & Rubber, as well.

The proposed central division also serves as the home for a wide variety of other corporate headquarters or large industrial plants, including Roadway Express; Goodyear Airspace Corp.; the Hoover Co.; the Timken Co.; Diebold Inc.; GM-Lordstown; Chrysler-Twinsburg; the McNeil Corp.; PPG; Babcock & Wilcox; Ohio Edison, and Terex Corp. It is also the headquarters of two major labor unions—the United Rubber Workers and the International Chemical Workers. Also located there are two large Federal enclaves—the Cuyahoga Valley National Recreation Area and the Berlin Reservoir.

Such a concentration of industry and population guarantees that there will continue to be produced a great deal of Federal litigation. But without this legislation, those cases are far less likely to gain the attention they deserve because of the time, distance and extra costs involved in traveling to Cleveland for every motion or status call. The expense and inconvenience involved are more than just a burden to lawyers and litigants. Indeed, the situation imposes a real barrier to the delivery of justice. Courts exist to serve the public, but the public in Akron and Youngstown and many other parts of northern Ohio are surely being disserved by the current arrangement. H.R. 2665 would rectify this imbalance of justice and passage would be a positive change.●

TRIBUTE TO THE BOYS IN THE BAND

HON. NICK JOE RAHALL II

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 10, 1983

● Mr. RAHALL. Mr. Speaker, I rise today to call the attention of the Congress to a group of immensely talented and dedicated individuals who have made and continue to make significant and substantial contributions to our Nation's culture and entertainment.

I refer to the artists who are the members of the American Federation of Musicians. Regardless of one's musical preference, ranging from the classics to pop music, each and every one of us has enjoyed the performance of musicians. Our lives have been touched, in one way or another by musicians, whether they are a jazz trio, a big band, a rock band, a 100-member symphony orchestra, or a country music group.

These remarks are intended as a tribute to those men and women who have, ever since 1896, when the American Federation of Musicians was founded, been so important not only to the arts in our country, but also to the American labor movement, although they may be a very special and different segment of the work force.

My thoughts today have been prompted by the recent release of a recording by Frank Sinatra, titled "Here's to the Band." The song is a salute to all musicians everywhere and it reflects Mr. Sinatra's high esteem for the musicians who have worked with him during his long career and also for every musician who has ever blown a horn, plucked or bowed the strings, struck notes on a keyboard, or played any kind of musical instrument. To quote the song's lyrics:

Many became famous, most of them go nameless, But I dedicate this song to all of them.

Coming from a family with an extensive broadcasting background, I would like to extend my full congressional recognition to the men and women of the American Federation of Musicians. I can think of no honor that would be more fitting and proper than to salute them through the title of this song. As the closing lyrics say:

Here's to those ladies and gentlemen, Here's to the American Federation of Musicians, I wouldn't have made it without them, Here's to the Band, Here's to the Band.●

D'AMOURS' PETITION PROVIDES OPPORTUNITY TO REPEAL WITHHOLDING OF DIVIDENDS AND INTEREST

HON. TOM LEWIS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 10, 1983

● Mr. LEWIS of Florida. Mr. Speaker, as a signatory of discharge petition No. 1, I would like to applaud the work done by my distinguished colleague from New Hampshire, Mr. D'AMOURS, for his leadership and tenacity.

It is imperative that we act on H.R. 500, which seeks to repeal the onerous withholding on interest and dividends, before millions of dollars are needlessly wasted by Government and commercial institutions preparing to implement this costly and unnecessary procedure to withhold the earnings of American taxpayers on July 1.

Americans nationwide overwhelmingly support the repeal of this intrusion by Government. They have flooded our offices with mail to that effect.

It is in the best interest of the American people that we bring H.R. 500 to the floor for full and open debate.●

KHRUSHCHEV'S PROPHECY

HON. WILLIAM F. GOODLING

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 10, 1983

● Mr. GOODLING. Mr. Speaker, in speaking of the United States, Khrushchev once said that the Soviets would bury us. Over the years, we have seen the truthfulness of this statement: The Soviets are succeeding in their goal of world domination, and with exception to Afghanistan, they are firing very few shots. In the past decade, working through proxies, the Soviets have been responsible for the vast numbers of people who have become displaced throughout the world, seeking refuge from tyranny at home. This in turn has helped to destabilize the economic and ethnic structures of the receiving countries. Since the fall of Indochina, some 1.5 millions have fled Vietnam, Laos, and Kampuchea. This in addition to the hundreds of thousands that have sought refuge from the Soviet-backed Vietnamese along the Thai-Kampuchean border. In Africa, Somalia has taken in over a million refugees that have been displaced because of Soviet-sponsored turmoil in Ethiopia; in Angola, some half million people have been displaced because of the Angolan civil war to which the Cubans have contributed not a little. Here in the United States, we have been able to absorb with little difficulty the 800,000 Cubans who fled the Castro regime, and are currently being flooded by vast numbers of illegal aliens from Central America, fleeing violence in El Salvador and Nicaragua. The numbers will surely increase tenfold or twentyfold with each Central and Latin American country which falls to Soviet-sponsored destabilization. Imagine what the impact will be and remember Khrushchev's words.

Underscoring this point, is a recent editorial from the Wall Street Journal entitled "The Durenberger-Mazzoli Act." For the edification and interest of my colleagues in the House, I submit the May 6 editorial for inclusion in the RECORD.

[From the Wall Street Journal, May 6, 1983]

THE DURENBERGER-MAZZOLI ACT

Tip Central America on its side and everything that isn't communist will roll into the U.S. Consider what is rolling out of El Salvador. The immigration service in 1980 caught almost 12,000 Salvadorans entering the U.S. illegally, caught 16,000 in '81 and 14,000 last year. No one knows, of course, how many weren't caught.

Central America is not yet completely up on its side, but Congress is working on it. Earlier this week, the House Intelligence Subcommittee voted 9-5 (nine Democrats, five Republicans) to end "covert" aid to the

Nicaraguan contras fighting that country's Sandinista dictatorship.

We don't want to get involved, the committee seems to be saying. Well, perhaps that's an unfair characterization of the committee's intentions. Perhaps we should be involved and "concerned" with Marxist destabilization efforts throughout Central America, but not deeply involved. Sort of involved. Or something.

Many Americans tend to get upset when they read that tens of thousands of Salvadorans have dumped themselves illegally in the U.S. But what would you do if you were a Salvadoran? You knew what had happened in Cuba and Nicaragua once the communists took over there, and you knew that in the face of a guerrilla insurgency obviously supported by the Marxist world, your future depended in great part on the attitudes of America's congressmen, who spend weeks arguing over whether to send your government $30 million or $60 million. It's not too surprising that under these circumstances, a lot of Salvadorans have decided to head north.

Actually it's only the Salvadorans who think of it as the "north." According to the immigration service nearly all the illegal Salvadorans enter through Texas, and they either stay there or go to California. Just like the Mexicans. This got us to thinking that most of the senators and representatives screaming the loudest about our "involvement" in Central America don't seem to be from Texas or California or New Mexico or any of those other places that are going to catch Central America's population if the communists get the region high enough up on its side.

Sen. Dodd is from Connecticut. Sen. Tsongas, Rep. Boland (the intelligence committee chairman) and Rep. Studds are from Massachusetts. Reps. Long and Barnes are from Maryland. And of course let us not forget Sen. Dave Durenberger, Republican of Minnesota and beneficiary of a lot of help from the administration in a tight election against a wealthy opponent, who is agitating inside the Senate Intelligence Committee for a covert-aid cutoff, and who has sent the president a letter saying he will not support requests for more Salvadoran aid unless there is progress on a negotiated settlement.

Somehow we don't suspect this group of congressmen lies awake at night worrying so much about the destabilization of Canada. And we guess we can see why they're so skeptical of the administration's argument that if we don't put the Marxists completely out of business down there, we're eventually going to have to come to terms with the tipping of Mexico, pop. 75 million and growing fast.

Mr. Reagan's view of Central America is that its future lies in an association with our system, not Cuba's or Nicaragua's or the Soviet Union's. And that it is in our interest to help these countries resist that system so they can get on with the hard business of democratic nation-building. And the sad truth is that that means giving them money and guns.

But perhaps Mr. Reagan's views really are out of step with the sense of Congress or even the American people. If Congress will not allow him to carry out his views, then he has an obligation to prepare to meet this country's traditional obligation to welcome people fleeing political oppression. If Congress wants to tie his hands, he should not accept some queasy compromise that allows him to do something but not enough, and saddles him with the blame for the eventual failure. Instead, he should give Congress its way, pulling all our military advisers and aid out of the entire region. Then he should withdraw his support for the Simpson-Mazzoli bill to control illegal immigration from the region, and instead announce the Caribbean Boat People's Act of 1983. It's the least we can do.

Alternatively, of course, we could face up to our inextricable involvement in the future of Central America, and help the nations there resist the attempts to turn them into places from which people flee.●

1983 AAA SCHOOL SAFETY PATROL LIFESAVING MEDAL AWARD RECIPIENTS

HON. FRANK R. WOLF

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 10, 1983

● Mr. WOLF. Mr. Speaker, this month the American Automobile Association is presenting five young people the highest award given to members of school safety patrols throughout the United States, the AAA School Safety Patrol Lifesaving Medal Award.

The five recipients, credited with having saved a life while on duty at their school patrol posts, will join a list of 256 youths from 28 States and the District of Columbia who have been honored since the program began in 1949.

AAA has sponsored school safety patrols nationwide since 1920. Today the program includes more than 1 million children at 50,000 schools throughout the country.

An award review board composed of representatives from active national organizations in the fields of education, law enforcement and safety, selects deserving medal award recipients from those candidates who have been officially nominated for consideration.

The 1983 recipients of the AAA School Safety Patrol Lifesaving Medal Award are: Barry Lynn Bingham, 14, Second Street School, Frankfort, Ky.; Scott A. Jenkins, 10, Shaw Elementary, Tampa, Fla.; George Mershon, 10, Public School 19, Corona (Queens), N.Y.; Joelle L. Patton, 12, Beltsville Adventist School, Beltsville, Md.; Bobby Wilson, 12, Culver School, Millville, N.J.

These young people should be recognized for their exceptional judgment and courage in dangerous traffic situations.●

A TRIBUTE TO PETER J. SWOBODA

HON. GUS YATRON

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 10, 1983

● Mr. YATRON. Mr. Speaker, on May 22, the ASUR Club of Schuylkill County will honor Peter J. Swoboda of Frackville, Pa.; international vice president of the Amalgamated Clothing & Textile Workers Union and manager of the Pennsylvania Joint Board of the Union, as ASUR Man of the Year. The testimonial dinner will be held at St. Mary's Center in Mahanoy City, Pa.

Pete Swoboda is a well-known and widely respected figure in the Sixth Congressional District of Pennsylvania. In a recent newspaper article in the Pottsville Republican, Pete was described by officers of the American-Slovak-Ukrainian-Russian Club (ASUR) as "a man whose labor, civic, and political activities have contributed to the enhancement of the quality of life for the people he has been privileged to serve."

Peter J. Swoboda was born in Lykens, Pa., one of seven children of Joseph and Domenica Swoboda. He has served as an advisory board member of the Department of Public Welfare of northeastern Pennsylvania, is a former trustee of the Locust Mountain and Ashland State general hospitals, a former director of the March of Dimes Foundation, United Fund, and Schuylkill County Economic Opportunity Cabinet. Currently, he is a trustee of the Holy Ascension Orthodox Church, a member of the executive committee of ASUR, Frackville Elks Lodge 1533, Pottsville Club, Penn State Nittany Lion Club, and the Jerry Wolman Chapter of the Pennsylvania Hall of Fame.

He began his service with the Amalgamated Clothing Workers of America in 1933 and is a charter member of Lykens Local 317. From 1935 to 1938 he was a national organizer for the Amalgamated Clothing Workers of America. In 1938, he became the business agent of the Pennsylvania Joint Board of the Amalgamated Clothing Workers of America. In 1948 he was selected to be the assistant to the manager of the Pennsylvania Joint Board and in 1968, he was elected manager of the board, a position he holds today. In this position he represents more than 10,000 members employed in the apparel industry in eastern Pennsylvania. In 1960 he was elected international vice president of the Amalgamated Clothing Workers of America.

Pete, in addition to his other outstanding achievements serves as vice president of the Pennsylvania State

AFL-CIO Council, director of the Amalgamated Bank of New York, director of the Amalgamated Life Insurance Co., Inc., of New York, and trustee of the Amalgamated Cotton Garment and Allied Industries Fund.

Mr. Peter J. Swoboda, has continually strived to assist and to improve the lives of the members of the Amalgamated Clothing Workers of America. His dedication to his work and his community is an inspiration to us all. I know that all my colleagues will wish to join me in congratulating my good friend, Peter Swoboda, on being named ASUR Man of the Year, as well as for his many other outstanding achievements and contributions.

I am honored to know a man of his stature and I offer my sincere wishes to him, his wife Anna, and their two children, David and Nina. We can all rest secure in the knowledge that Pete will continue to be a most important member of our community.●

THE 100TH ANNIVERSARY OF ELKS LODGE No. 21

HON. PETER W. RODINO, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 10, 1983

● Mr. RODINO. Mr. Speaker, it is with great pleasure that I recognize Newark Lodge No. 21 of the Benevolent and Protective Order of Elks, which this year marks its 100th Anniversary.

Chartered on April 8, 1883, the lodge has made numerous contributions to the community and to society for the past century. On May 15, the lodge will hold its official anniversary celebration. I salute the lodge members on this very special occasion.

I am doubly honored to recognize the achievements of this lodge, not only as a Congressman who has seen their outstanding work but also as a member of lodge No. 21 myself.

Perhaps most noteworthy is the excellent work of lodge members in helping crippled children, including the assistance they gave in building one of the first schools designed specifically to meet the needs of handicapped children which was built in Newark many years ago. Other endeavors on behalf of blind children, destitute children, and handicapped children are too numerous to name here. Lodge No. 21 has always been there, however, to reach out a helping hand to those in need.

Mr. Speaker, I know my colleagues will join me in wishing sincere congratulations to lodge No. 21 as they commemorate 100 years of service to the community. I know that the next century will see the continuation of this tradition of excellence, of community service, and of humanitarian activities.●

"LOW-PROFILE" GIANTS: WITT AND JACK STEPHENS

HON. BILL ALEXANDER

OF ARKANSAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 10, 1983

● Mr. ALEXANDER. Mr. Speaker, we have a lot of serious arguments on this floor about economics, but, when it comes to fundamentals, there are many more points of agreement between Members—even between Democratic and Republican Members—than there are disagreements.

We would agree, for example, that if you wish to be truly literate on either the subject of business or that of economics, you have to be somewhat conversant with the Wall Street Journal. Day after day, week after week, year after year, the Journal keeps to a high standard, both in style and in content. And I say this even though the Journal has taken out after my positions once or twice.

A recent issue of the Journal highlighted the success and contributions to investment banking of the firm of Stephens, Inc. of Little Rock, Ark. Among other facts, the article by staff reporter David Stipp pointed out that Stephens has become the Nation's 12th largest investment banking house with only about 150 employees. This compares to the 2,300 employees of a well-known New York firm only slightly larger in capital terms.

But it is not only in business acumen or contributions to the field of finance that the two owners of this remarkable home-State enterprise excel. Both W. R. Stephens and Jackson Stephens, the brothers who developed the company from a shoestring into the monolith that it is today, are good friends of mine. Sometimes we agree on politics, and sometimes we do not, but there is one subject on which all politicians and voters in Arkansas would agree. And that is that the Stephens brothers, Witt and Jack, are an integral part of the process in our State—good citizens whose support for grassroots democracy has shown itself in a variety of projects.

I do not want to make them sound like old folks, because they are both vigorous men, still in their prime at the ages of 75 and 59 respectively, but the fact is that, over the last several decades, they have served as godparents to more than one Arkansas public servant who went from local obscurity to a distinguished and nationally recognized career. Their influence has been both positive and progressive, and many a civic improvement got accomplished when it might not have been because the Stephens brothers put their shoulders to the wheel. And it is fair to say that both the brothers and their company have accounted for much of the economic progress which our State has registered on the path of industrialization.

So I am pleased to call the saga of Witt and Jack Stephens, the low-profile giants of Stephens, Inc., to your attention, and I congratulate the Wall Street Journal for providing yet one more example of what folks in Arkansas are made of.

The article follows:

[From the Wall Street Journal, Apr. 26, 1983]

QUIET APPROACH: DESPITE A LOW PROFILE, STEPHENS, INC., THRIVES AS INVESTMENT BANKER

(By David Stipp)

LITTLE ROCK, ARK.—When Stephens Inc. talks, people listen—here in Arkansas.

But even though Stephens is the nation's biggest investment banker off Wall Street, it sometimes gets scant attention from out-of-staters. For example, Gordon Smale, the president of Denver-based Atlantic Oil Corp., told Stephens he didn't have time to talk when the Arkansas company called him in January about a possible tender offer by Stephens itself for Atlantic. "I pictured a small brokerage house with a staff of two," he explains.

A few days later, Stephens called him again with a plan to buy all of the oil and gas concern's common stock outstanding for about $37 million. This time Mr. Smale had time to talk. Afterward, he scurried to find out more about his Arkansas suitor from contacts in the financial community but could learn only that Stephens is long on capital and short on renown.

Stephens's low profile is partly the result of its location in this Southern state's government seat where capital business is usually of more concern than business capital. Probably more important, however, is the business style of its owners, brothers W. R. "Witt" and Jackson T. "Jack" Stephens. During the company's 50-year history, 75-year-old Witt, Stephens's founder and now one of its directors, and Jack, the company's 59-year old chief executive, have quietly made Stephens into the Southern gentleman of investment bankers by catering to government, corporate and high-toned private customers.

Though Stephens underwrites stock offerings, places municipal bonds and invests its own money like any Wall Street investment banker, it offers few of the consumer services, such as money-market funds, that have helped inspire the ad splashes of some of its New York competitors. And though Stephens is gradually enlarging its sphere of operations, it hasn't needed a high profile because much of its business is generated through high-placed friends.

Indeed, the brothers' power behind the scenes in politics and business has made operating outside the public arena almost second nature for them. Moreover, Jack Stephens says, many of the company's clients prize confidentiality and are attracted to Stephens's quiet ways.

Atlantic Oil's Mr. Smale says Stephens's "laid-back, family-oriented" way of doing business made possible a friendly merger between his company and Stephens. "New York investment bankers usually treat us like we're just hicks from the sticks," he says, adding that several such forms offered to help him fight off Stephens's takeover bid "for a mere million dollars." But during negotiations with Stephens, which included

family-sized lunches in the company's baronial dining room and drinks in the company's in-house bar, Mr. Smale began to see the Arkansas company as more friend than foe. After dickering with Stephens for a few weeks, Atlantic agreed to a sweetened acquisition offer of $44 million.

Mr. Smale, whom Stephens plans to retain to help run the small, but oil-rich, Denver concern, says that as negotiations progressed with Stephens, he became increasingly impressed with the reverse side of its congenial style. "You have a tendency to think that since they're folksy, they're sort of loosely run, but that's misleading," he says. "When they focus on something, they're really hard-hitting."

Stephens, Mr. Smale says, apparently did "very good homework" in sizing up Atlantic before making its tender offer and seemed aware that several of Atlantic's biggest holders needed cash and were willing to sell their shares. Moreover, he says, Stephens paid for tendered Atlantic shares with "surprising" speed, sometimes wiring millions of dollars only hours after the shares were tendered. "This made a tremendous impression on the brokerage community in Denver," he adds. "Wall Street brokers tend to drag their feet on payments."

Stephen's ability to swoop down with breathtaking speed on acquisition prospects such as Atlantic Oil has been honed on many such purchases. Buying and selling companies is more "fun", and often more profitable, than most traditional investment-banking activities, Jack Stephens says. Under his management, the company has owned everything from a nursing/home chain to a small airline. Currently it has 123 operating units, the largest of which is Stephens Production Co., whose chief business is producing natural gas.

But the company's major enterprise, Jack Stephens says, has always been investment banking. And in that line, Stephens has enough financial weight to swing substantial acquisitions without straining. The company reported assets of $239 million as of May 31, 1982, but that is a considerable understatement of its size, say Little Rock businessmen familiar with Stephens. The Stephens empire, including companies owned personally by the brothers, is probably worth more than $1 billion, they say. Part of the understatement, one businessman says, is that Stephens values its natural-gas reserves, totaling about 600 billion cubic feet, at original rather than market value.

Despite the company's size, Stephens's investment/banking staff of about 150 is housed in a decidedly plain, gray building that might be mistaken for the quarters of a small-town newspaper. (Inside, however, are all the signs of wealth, including enough art objects to fill a small museum.) Stephens, ranked as the 12th-largest U.S. investment banker in terms of capital by Institutional Investor magazine, is sparsely staffed compared with its New York bretheren, Morgan Stanley & Co., which is only slightly larger than Stephens in terms of capital but which provides a greater variety of consumer services than the Arkansas concern, has a staff of about 2,300 to handle its investment-banking operations. Stephens's small staff means hard work for its employees, who handle some 7,940 accounts. One employee recalls he worked for 63 consecutive days, including Saturdays and Sundays, immediately after joining the company.

The company's sometimes demanding pace reflects the philosophy of founder Witt Stephens, who once wrote a "book" about salesmanship that contained only the word "work" repeated on every page. The more colorful of the two brothers, Witt was reared on a farm about 40 miles south of Little Rock and left home during the Depression to sell belt buckles for a jewelry company. A few years later, he borrowed $15,000 to start Stephens, whose initial successes came quickly as he bought municipal bonds at Depression-produced prices of 25 cents on the dollar and sold them later for nearly face value. He soon branched into real-estate, oil and gas investments.

A large man with an ever-present cigar and a voice one acqaintance says sounds like "peas pouring onto a dry cowhide," Witt Stephens proved adept at combining his sometimes ruthless business tactics with country charm. In 1945, he was questioned at a hearing in Philadelphia by a Securities and Exchange Commission lawyer about his proposed purchase of a Fort Smith, Ark., gas utility. "This nice young fellow from Harvard was questioning me awful hard about where I was going to get the cash for the deal," Mr. Stephens recalls. After letting the lawyer seem to back him into a corner, Mr. Stephens says he looked at the judge and, tongue in cheek, drawled, "I brung it with me" while reaching into his pocket for a cashier's check for the required amount. The acquisition was approved. "We had a lot of fun in those day," he says.

In 1954, Mr. Stephens bought a controlling interest in Arkla, Inc., an ailing Little Rock-based gas utility. Shortly after that, he became Arkla's chief executive and turned over most of Stephens's business chores to his younger brother, who had joined the company in 1946.

The utility regained its financial health under Witt Stephens's management, which, Mr. Stephens concedes, included "drastic" measures such as cutting Arkla's staff by 500 employees, or 22 percent of its work force. He made every Arkla employee, including himself, responsible for sales and was occasionally seen going door-to-door selling the company's gas-powered air conditioners.

POLITICAL INFLUENCE

Witt Stephens isn't averse to using his considerable political influence in Arkansas as a business tool. In 1957, for example, he persuaded the state's Public Service Commission to adopt a new rate-making rule that would have allowed Arkla to pass through more cost to consumers that it had in the past. Industrial consumers objected, and the rule was eventually struck down by the state supreme court. Then Mr. Stephens's political machine went into high gear; and within a week of the court ruling, a bill incorporating the new rule was passed by the state legislature and signed into law by Gov. Orval Faubus.

Mr. Faubus, the six-time Arkansas governor best remembered for his segregationist stance, says the Stephenses are still Arkansas's "most powerful single political force" and can "dry up" funds for candidates they oppose. But in last year's governor's race, the brothers supported opposing candidates, some say to cover their bases in an election whose outcome was uncertain. The brothers, however, say the split resulted from ideological differences. Witt, a rock-ribbed Democrat who helped Bill Clinton win against incumbent Republican Frank White, says opposing his brother's candidate took all the "fun" out of the race Mr. White now works for Stephens.

Working for the various Stephens enterprises can require fortitude as well as stamina. After Witt stepped down from his Arkla post in 1973, he was irked by a series of new policies instituted by his hand-picked successor, Sheffield Nelson. Among the policies were salary increases for Arkla employees, some of whom had qualified for food stamps while working for the lean operation run by Mr. Stephens. A bitter feud between the two ensued.

In the course of the fight, Mr. Stephens tried to have Mr. Nelson fired. However, Mr. Nelson eventually prevailed as Arkla's profits rose under his management. Looking back on the experience, Mr. Nelson expresses respect for his old mentor but says Witt Stephens "can be quite unreasonable and mean." Mr. Stephens, whose company no longer controls Arkla, declines comment on the former feud but adds, "I don't want to say one thing against (Mr. Nelson)."

BITTER PILLS

In recent years, changes of the guard in Arkansas power circles and stricter regulation of business and political activities have sometimes proved bitter pills for the Stephens brothers. In 1978, for example, both Stephenses were in hot water with regulatory agencies. The SEC accused Jack, along with his friend T. Bert Lance, the budget director under President Carter, and other defendants, of violating federal disclosure requirements in an attempt to take over Financial General Bankshares Inc., a Washington bank-holding company. Mr. Stephens signed a consent order, without admitting or denying guilt, agreeing not to commit future violations of securities laws.

About the same time, the Arkansas Public Service Commission took Witt's Arkansas Oklahoma Gas Corp., a gas utility, to task for buying gas at a higher rate from Stephens Production Co. than from other gas suppliers. The controversy involved a contract negotiated in the early '70s allowing Stephens to increase its prices to Arkansas Oklahoma in return for an unwritten promise by Stephens to make greater gas reserves available to the utility. The commission eventually upheld the contract but admonished the utility to be less chummy in the future with its affiliated gas supplier. N. M. Norton, former chairman of the state's utility commission, says that under modern regulation, Stephens's informal arrangement with Arkansas Oklahoma wouldn't have been allowed.

Witt Stephens asserts he has never taken advantage of the less-than-arms-length relationships between Stephens Inc. and the gas utilities he has controlled. He claims that the long-term contracts Stephens Inc. signed when he was Arkla's chairman to sell Arkla gas at low prices have cost him $75 million through the years and were "the biggest mistake" of his life.

CUTTING LOSSES

Jack Stephens acknowledges that he has had to use his imagination on occasion to cut losses on experiments that fizzled. But, he says, Stephen's entrepreneurial posture has been necessary for it "to stay out of the way" of New York investment bankers. Stephens has sought its own "niches," he says, tailored to its location and abilities, such as its specializing in agricultural investments. And "if we can't stay out of (New York competitors') way, we try to join them" as part of underwriting teams, he says.

One of Stephen's biggest problems these days, Jack Stephens says, is convincing potential customers with widespread interests

that Stephens is more than just a regional investment banker. He notes that besides the company's recently acquired presence in Denver, Stephens not long ago added an overseas office in Hong Kong and changed its outside auditor to a national firm from one in Little Rock to accommodate its expanding business. He adds that other moves to give Stephens more nationally competitive operations are in the works, but he declines to discuss them.

Signs of Stephens's increasingly cosmopolitan profile extend to a room at the company where "Mr. Witt," as Stephens's employees call the founder, formerly kept a large portrait of Will Rogers, one of his heroes. The portrait was recently removed by a New York interior decorator in favor of pictures more in tune with Stephens's new image. However, as he looks at the demoted portrait, resting on the floor, Witt Stephens isn't too disturbed. He laughs and says, "I'll have it put back up when the decorator goes back to New York."●

FATHER EDWARD KACZOROWSKI CELEBRATES 25TH ANNIVERSARY AS PRIEST

HON. ROY DYSON

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 10, 1983

● Mr. DYSON. Mr. Speaker, it is with a deep sense of pride that I call the attention of the U.S. Congress to Father Edward Kaczorowski. As the pastor of Our Lady of Good Counsel Church in Secretary, Md., Father Kaczorowski will be celebrating the 25th anniversary of his ordination to the priesthood on Sunday, May 15, 1983, which is also his birthday.

Father Kaczorowski was born in Hanover Township, Pa., on May 15, 1928, the son of Maryanna and Thomas Kaczorowski. He attended the public schools of Hanover Township, and began his studies for the priesthood at Kings College in Wilkes-Barre, Pa. Father Kaczorowski enrolled in the seminary at Seton Hall University in South Orange, N.J., and finished his training at St. Charles Borromeo Seminary in Overbrook, Pa.

He was ordained on May 15, 1958, by His Eminence John Cardinal O'Hara at the Cathedral of Sts. Peter and Paul in Philadelphia. Following his ordination, Father Kaczorowski was first assigned to St. Hedwig's Church in Wilmington, Del., and later served at St. Thomas Apostle Church in Wilmington. His first pastor assignment was at St. Stanislaus Kosta, also in Wilmington, where he served for 11 years.

In 1979, the parishioners of Our Lady of Good Counsel Church in Secretary, Md., were fortunate to have Father Kaczorowski come and join them as their pastor. He has been pastor of Our Lady of Good Counsel for the past 4 years, and has distinguished himself there by his exemplary record of fine and faithful service to his parish.●

HELPING OUT THE SPECIAL OLYMPICS

HON. STENY H. HOYER

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 10, 1983

● Mr. HOYER. Mr. Speaker, I would like to take this opportunity to commend the efforts of Roy Rogers, who has taken an active role in fundraising efforts for the Special Olympics chapters of the District of Columbia, Maryland, and Virginia. The moneys raised from these efforts will insure that our special athletes have a year-round sports program, and will be able to participate in the International Summer Games in Baton Rouge, La., in July.

Mr. Rogers has long been a favorite with Americans. As a country western singer and a member of the Sons of the Pioneers, the young man named Leonard Slye brought joy to millions who heard his songs on radio programs and recordings. Then in 1937, he began making movies for Republic Pictures, and, as Roy Rogers, he embarked on his career as "King of the Cowboys." With his wife, Dale Evans, and his golden palomino Trigger, he appeared in films, television specials and finally on his own television show. In 1975, Mr. Rogers was the recipient of the first annual Thomas Edison Great American Award. He received the Pioneer Award of the Academy of Country Music in 1976, and, as a member of the Choctaw Tribe, he was named Honorary American Indian of the Year by the American Indian Exposition.

Both Roy and Dale have greatly contributed to many humanitarian causes, performing for American veterans of World War II, Korea, and Vietnam; chairing the National Committee for Prevention of Child Abuse; and appearing at more than 6,000 charitable events.

Most of us have a special place in our hearts for Roy Rogers and Dale Evans. Throughout the last four decades, they have played a unique role in our culture, offering an oasis of calm, decency, joy, and caring for many to emulate.

Mr. Speaker, I am pleased to honor today this man who continues to do so much for our young people, and I would like to express the thanks of our community for his efforts on behalf of the Special Olympics.●

NEW ENGLAND COUNCIL ADOPTS POLICY POSITIONS

HON. CLAUDINE SCHNEIDER

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 10, 1983

● Mrs. SCHNEIDER. Mr. Speaker, the New England Council is unique in its role as the only regional trade association representing a wide range of business interests. The council's membership roster lists over 1,200 top businesses in New England. Collectively, the council members employ more than one-sixth of the working population of New England.

The council has been in existence almost 60 years and 2 years ago opened its Washington office. The chairman of its board of directors, Bruce Sundlun, chief executive officer and president of the Outlet Co. in Providence, R.I., has done an outstanding job in heightening the visibility of New England's business interests in the political arena of Washington. Mr. Sundlun recently conducted the council's board of directors meeting in Washington. At this meeting, the council adopted many policy positions designed to assist in the economic growth of New England and the Nation. Policies were adopted in many areas including high technology and taxation. Among the positions adopted was one relating to the Federal deficit.

Mr. Speaker, I would like to place into the RECORD the council's position on several current issues. While none of us can give our unqualified endorsement to each of these proposals, I firmly believe that the private sector plays a crucial role in the democratic process by working with elected officials. The New England Council, Inc., is a superb example of an association that seeks to bring the message of regional business interests to the forefront in Washington.

Thank you, Mr. Speaker.

NEW ENGLAND COUNCIL'S POLICY POSITIONS

1. REDUCTION IN THE FEDERAL DEFICIT

Sound fiscal policy is a keystone to the strength of the United States economy. Substantial deficit reduction is, therefore, necessary to reduce interest rates and stimulate the forces of growth in the economy.

The New England Council supports sound fiscal behavior by the federal government. No effort to reduce deficits can succeed without substantial reductions in spending for entitlement and discretionary programs, including defense and non-defense items.

In addition to cuts in spending, the Council would favor additional examination of the revenue system. Potential measures for examination include the value added tax and consumption-based taxes.

The Council supports such measures with the provision that revenue raising and reductions in expenditures be broad-based and impact upon the regions of the nation in an equitable manner. An additional import fee on oil cannot, therefore, be supported.

Further, the Reagan Administration's contingency plan, with a reliance upon corporate income surcharges, does not adequately address the basic structural causes of future deficits.

2. BASIC AND APPLIED RESEARCH

Research performed by universities is a significant source of support for the nation's professorial and doctoral candidate teaching staff. Recent declines in basic research funding will ultimately result, therefore, in a diminished national scientific educational capacity. The Council supports the following legislative program to strengthen our national scientific educational institutions while adding to our nation's scientific knowledge and improving its research productivity.

Encourage corporations to do more applied research through universities.

(a) Amend the 25% Incremental R&D tax credit to allow companies a 12.5% noncremental credit for all R&D expenditures through universities.

Company-financed applied research that is conducted in-house serves only the research ends of the individual company. The education enhancing benefits of university performance of such research are not obtained. Amendments to the R&D Tax Credit can be enacted to encourage industry to obtain both the ends of the research and the education enhancing benefits of its performance by universities.

Encourage corporations to donate research and teaching equipment to universities.

(a) Increase allowances for deductions for equipment donations to universities to the full fair market value of the equipment when the donor contributes an additional 25% thereof in cash or services for user training, maintenance or software.

Provide for Expanded Future Government Funding of Basic Research.

(a) Create a Basic Research Trust Fund to become effective in 1985.

To help reverse the real decline in basic research spending, a Basic Research Trust Fund, analogous to the Highway Trust Fund, should be created and funded from an identifiable source of revenue. The proceeds of this fund would be allocated by an organization like the National Science Foundation, which is wholly devoted to managing funds allocated for basic research.

3. TAXATION

Sound fiscal policy is a keystone to the strength of the United States economy. Substantial deficit reduction is, therefore, necessary to reduce interest rates and stimulate the forces of growth in the economy.

The New England Council supports sound fiscal behavior by the federal government; to reduce sharply escalating federal deficits it is, therefore, necessary to substantially decrease expenditures.

If such measures are insufficient to maintain the integrity of the federal budget, additional examination of the revenue system will have to be undertaken. Potential measures for examination include:

Value added tax, and

Consumption-based tax.

The Council supports such measures with the provision that revenue raising and reductions in expenditures be broad-based and impact upon the regions of the nation in an equitable manner. An additional import fee on oil cannot, therefore, be supported.

Further, the Reagan Administration's contingency plan, with a reliance upon corporate income surcharges, does not adequately address the basic structural causes of future deficits. If necessary, The Council would instead recommend:

Deferral of income tax indexing scheduled for 1985, except in the case of capital gains and capital assets.

4. SCIENCE AND TECHNOLOGY EDUCATION

The New England Council endorses the need for major federal legislation that addresses the national need to improve our science and technology education system. The economic vitality of the New England region depends in large part on the continued growth of the knowledge intensive industries that predominate here. Knowledge intensive industries, if they are to remain competitive in the world economy, require a quantitatively-oriented, technically-proficient workforce.

Several members of The New England Congressional delegation including Senators Tsongas, Stafford, Pell, and Dodd, have introduced legislation to improve the quality and quantity of the nation's science, math, and engineering education. Initiatives such as these are necessary if the United States is to maintain its scientific and technological leadership.●

EXPLANATION OF MISSED VOTES

HON. GERALDINE A. FERRARO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 10, 1983

● Ms. FERRARO. Mr. Speaker, because of business commitments in my New York office, I was unavoidably absent from the House during the session of Monday, May 9. Had I been present, I would have voted as follows on the issues considered that day.

Rollcall No. 90: To suspend the rules and pass H.R. 2357, to provide for an increase in the number of members of the Congressional Award Board. "Yea."

Rollcall No. 91: To suspend the rules and pass H.R. 2173, to amend the Contract Services for Drug Dependent Federal Offenders Act of 1978 to authorize additional appropriations. "Yea."

Rollcall No. 92: To suspend the rules and pass H.R. 2174, to amend title 18 of the United States Code to prohibit certain tampering with consumer products. "Yea."

Rollcall No. 93: To suspend the rules and pass S. 653, to amend title 10, United States Code, to establish a Foundation for the Advancement of Military Medicine. "Yea."

Rollcall No. 94: To approve House Resolution 184, the rule making in order consideration of H.R. 2175, the Justice Assistance Act. "Yea."●

PERSONAL EXPLANATION

HON. ESTEBAN EDWARD TORRES

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 10, 1983

● Mr. TORRES. Mr. Speaker, I was not present for House proceedings on Monday, May 9, 1983, due to official business I conducted in my district. Had I been present on the House floor, I would have cast my votes in the following manner:

Rollcall No. 90: H.R. 2357 to provide for an increase in the number of members of the Congressional Award Board (275 to 2) "aye."

Rollcall No. 91: H.R. 2173 to authorize additional appropriations to carry out the Drug Dependent Federal Offenders Act (275 to 8) "aye."

Rollcall No. 92: H.R. 2174 to prohibit certain tampering with consumer products (292 to 0) "aye."

Rollcall No. 93: S. 653 to establish a Foundation for the Advancement of Military Medicine (295 to 0) "aye."

Rollcall No. 94: House Resolution 184 the rule under which the bill H.R. 2175 is being considered (267 to 32) "aye."●

PERSONAL EXPLANATION

HON. MICHAEL G. OXLEY

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 10, 1983

● Mr. OXLEY. Mr. Speaker, I was absent on official business during yesterday's proceedings due to the President being in Ohio to pay tribute to our former colleague John Ashbrook. I was proud to accompany the President on this important occasion and to welcome him to my district and my State.

Had I been present yesterday I would have voted: "yea" on rollcall 90, "yea" on rollcall 91, "yea" on rollcall 92, "yea" on rollcall 93, and "yea" on rollcall 94.●

A TRIBUTE TO THREE MAINE BOY SCOUTS

HON. JOHN R. McKERNAN, JR.

OF MAINE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 10, 1983

● Mr. McKERNAN. Mr. Speaker, I ask my colleagues to join me today in honoring three Boy Scouts from North Berwick in the First District of Maine, which it is my privilege to represent. On May 15, these Scouts will receive the highest award in Scouting: The coveted "Eagle Scout Award."

In order to attain the rank of Eagle Scout, a boy must demonstrate unusual leadership ability, earning at least

21 merit badges, and organizing, financing, and seeing through a service project for the community. The qualifications for an Eagle Scout are so rigorous that only 1 Scout in 500 is able to attain that rank; these young men are worthy of our highest praise.

Andrew Merrill, 14, the son of Mr. and Mrs. Jay Merrill, is a freshman at Noble High School. He is on the soccer and track teams, is interested in history, and has already won the Scouts' Arrow of Light Award. His service project involved building habitats for wood ducks in a North Berwick conservation area.

Michael Budd, 14, the son of Mr. and Mrs. John Budd, attends Noble Junior High School. He is a member of the drama club, and he plays Babe Ruth League baseball. His fellow Scouts have elected him senior patrol leader. His service project involved updating the veterans' service plaque located in the North Berwick Commons to include Vietnam war veterans' names.

Scott Normandeau is also 14, and is the son of Mr. and Mrs. Robert Normandeau. His is a member of the Honor Society and the drama club, and plays both junior high and Babe Ruth league baseball. Scott is a patrol leader, and has won the Scout's Arrow of Light Award. His service project was to build a ramp for the handicapped at the Mary Hurd Hospital in North Berwick.

I join parents, friends, and Scouts in congratulating these young men on their achievements, and in wishing them success in their future endeavors.●

TRIBUTE TO HERMAN BERMAN

HON. HOWARD L. BERMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 10, 1983

● Mr. BERMAN. Mr. Speaker, I rise today to pay tribute to Mr. Herman Berman, who has been selected by the State of Israel to receive the prestigious Jerusalem Award. He will be honored at the annual Israel Dinner of State on Sunday, May 15, at Temple Adat Ari El in North Hollywood, at which the Consul General of Israel, Mr. Benyamin Navon, will appear as the guest speaker. I think it is highly appropriate that Israel has chosen to honor Mr. Berman with the Jerusalem Award for his tireless work on behalf of the State of Israel and his fellow Jews.

Herman Berman has been devoting his time and efforts to the cause of the poor and the downtrodden since the time of World War II, when he worked to raise funds to send food, medical supplies, and clothing to the victims of the war. In 1950, he volunteered as a fundraiser for the United Jewish Welfare Fund. Eventually, he assumed greater responsibilities, becoming UJWF chairman for all of the outlying areas of Greater Los Angeles. During the Six-Day War, as Israel chairman of the District Grand Lodge of B'nai B'rith, he spurred lodges in seven Western States and British Columbia to a national record in bond purchases. Throughout that time, he worked around the clock to obtain money for the Israel Emergency Fund, addressing as many as 10 meetings a day of concerned friends of Israel in the San Fernando Valley. Simultaneously, for many years he served as chairman of the San Fernando Valley campaign of Israel bonds and president of the valley area council of the Jewish Federation Council. Most recently he served as Israel bond chairman of Adat Ari El, and he continues to be one of the most sought-after speakers in the bond speakers bureau.

Herman Berman and his wife, Annie, have inspired in their daughter, Tara Kaiserman, and are inspiring in their three grandchildren, Dafna, Mya, and Elon, the same values that have made their lives meaningful. He personifies the highest level of achievement on behalf of his fellow man, his fellow Jew, and the State of Israel.

Mr. Speaker, I take pride in being able to join with all those who will come together on May 15 to honor Herman Berman. I congratulate him for his years of service and dedication to our community, and extend my best wishes to him and his family on this very happy occasion.●

SENATE—*Wednesday, May 11, 1983*

(Legislative day of Monday, May 9, 1983)

The Senate met at 10 a.m., on the expiration of the recess, and was called to order by the President pro tempore (Mr. THURMOND).

PRAYER

The Chaplain, the Reverend Richard C. Halverson, D.D., offered the following prayer:

Let us pray.

In a moment of silence, our Father, we commend Mrs. Baker to Thy loving care for her complete restoration while she is in the hospital, and pray for Thy peace to fill Senator BAKER's heart.

The fear of the Lord is the beginning of knowledge.—Proverbs 1: 7.

*If any of you lacks wisdom, let him ask of God * * * and it will be given him.*—James 1: 5.

It would be simple, Heavenly Father, if some were wrong and some were right, but what is the remedy when everyone is right and disagreement persists? The strength of democracy is its weakness. How is disagreement resolved when all are right? The answer is in Thy promise, dear Lord, "I have counsel and sound wisdom * * * by me kings reign and rulers decree what is just; by me princes rule and nobles govern the earth."—Proverbs 8: 14-16.

Gracious God, give divine wisdom to Thy servants as they struggle with imponderables and lead them to compromise which is just and righteous. We pray in the name of Him who is the Truth that frees. Amen.

RECOGNITION OF THE MAJORITY LEADER

The PRESIDENT pro tempore. The majority leader is recognized.

Mr. BAKER. I thank the Chair.

THE BUDGET RESOLUTION

Mr. BAKER. Mr. President, when we resume consideration of the budget resolution, I am told that we will have 14 hours and 36 minutes remaining: Senator DOMENICI has 6 hours and 49 minutes remaining and Senator CHILES has 7 hours and 47 minutes remaining. We are a little behind schedule on where I had hoped we would be at this point in the consideration of the budget resolution. But I would think, after looking over the situation last evening and this morning, that it is possible—perhaps not likely, but possible—that we could finish that resolution today, particularly if we stay late this evening.

I wish to advise the Senate, Mr. President, that it is the intention of the leadership on this side to ask the Senate to remain in tonight past the dinner hour, perhaps substantially beyond the dinner hour, in order to either finish this resolution or to consume a substantial part of the 14½ hours remaining. We will soon have been on this resolution for 2 weeks.

If we cannot finish tonight, Mr. President, and I do not plan to ask the Senate to stay extremely late, if it is clear we cannot finish tonight, then I hope we can finish in the course of the day tomorrow. If we cannot, of course, we would be in on Friday on the resolution as well, but I think it is possible to finish tonight.

When we finish, Mr. President, the next order of business will be the resumption of the consideration of the immigration bill. I think we can finish that item this week as well. I will confer with the minority leader on the remainder of the schedule of the Senate so that we can try to arrange it to suit the convenience of most Senators.

We have a lot of work to do, Mr. President, and I think we ought to just get on with it.

I would like to explore with the minority leader and the managers the possibility of a time to vote on the remaining principal issues. I have an idea the Chafee amendment will be offered on this side, and I hope that will be early today. As I understand, it will be an amendment to the Domenici substitute.

After that, as far as we are concerned on this side, I think any time of the day we will be ready to go to a vote on the Domenici substitute. After that, it is a short distance, I would assume, to the question of final passage of the joint resolution, as amended, if it is amended.

I will consult with the minority leader and we will try to have another announcement to make during the course of the day. How late we stay and our schedule on tomorrow and Friday will depend on how well we can dispatch the pending business.

PUBLIC FINANCIAL DISCLOSURE REPORTS DUE MONDAY, MAY 16, 1983

Mr. BAKER. Mr. President, public financial disclosure reports required by Senate rule 34 and the Ethics in Government Act of 1978, as amended, must be filed no later than Monday, May 16, 1983. These reports should be submitted to the Senate Office of Public Records, 119 D Street NE., room A-623, Washington, D.C. 20510. That office will be open Saturday, May 14, from 9 a.m. until 12 noon; Sunday, May 15, from 12 noon until 3 p.m.; and Monday, May 16, from 9 a.m. until 5 p.m. Questions should be directed to the Select Committee on Ethics at 224-2981 or the Senate Office of Public Records at 224-0322.

Mr. President, I have no further need for my time under the standing order. I am prepared to yield it to the minority leader if he wishes it.

RECOGNITION OF THE MINORITY LEADER

The PRESIDENT pro tempore. The minority leader is recognized.

Mr. BYRD. I thank the majority leader.

THE BUDGET RESOLUTION

Mr. BYRD. Did I understand the majority leader to say that the Senate may very well approach a vote on the Baker-Domenici substitute today?

Mr. BAKER. Yes, I would hope so. I suspect we have to deal with the Chafee amendment first. Then after that, as far as we are concerned on this side, I think we are within range of a vote today. I would think it is entirely likely.

Mr. BYRD. Is the Chafee amendment an amendment to the Baker-Domenici amendment?

Mr. BAKER. I understand it is. I have not seen it. Indeed, it may not yet be drafted, but I understand it is an amendment to the Baker-Domenici substitute.

Mr. BYRD. The distinguished majority leader has said he has not seen it. Does he have any idea what it encompasses?

Mr. BAKER. The Chafee amendment?

Mr. BYRD. Yes.

Mr. BAKER. I have talked to the Senator from Rhode Island and others about it. In only the roughest terms, I think it would provide for $12 to $14 billion in additional revenue in the first year and probably having a 6-percent defense growth in real numbers. I think those are the principal features, though I am not certain.

Mr. BYRD. Mr. President, I yield back the remainder of my time.

Mr. BAKER. I yield back the remainder of my time.

● This "bullet" symbol identifies statements or insertions which are not spoken by the Member on the floor.

11-059 O-87-20 (Pt. 9)

ROUTINE MORNING BUSINESS

The PRESIDENT pro tempore. Under the previous order, there will now be a period for the transaction of routine morning business not to extend beyond the hour of 10:30 a.m. with statements therein limited to 5 minutes each.

Mr. BAKER. Mr. President, I suggest the absence of a quorum.

The PRESIDENT pro tempore. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. PROXMIRE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. WILSON). Without objection, it is so ordered.

HOW CAN WE STOP A NUCLEAR WAR? IT IS UP TO US

Mr. PROXMIRE. Mr. President, one of the most useful new books in helping us understand our responsibilities as U.S. Senators for national policy on nuclear arms is "Living With Nuclear Weapons." Under the sponsorship of the president of Harvard University, Derek Bok, a group of six Harvard scholars has compiled a brief, highly readable fact book on nuclear weapons. The book is no polemic. It takes no position on the nuclear arms race or arms control. It strives hard for objectivity. It succeeds. Over the next several days, I intend to call to the attention of this body some of the most critical, but most widely neglected or misunderstood problems for nuclear weapons policy.

For example, the book deals with a series of "half-truths" about arms control. The first half-truth this book discusses is that arms control cannot work because technology has a kind of life of its own. The old "you can't put the genie back in the bottle" argument. The Harvard study group exposes the fallacy of this argument by calling attention to the following examples:

One. The technologies needed to station nuclear weapons in space are available, but the Outer Space Treaty (1967) prohibits such action.

It has worked.

Two. The technologies needed to emplace nuclear weapons on the bottom of the world's oceans are available, but the Seabed Arms Control Treaty (1971) prohibits such action.

That has worked.

Three. The technologies needed to build extensive (if not effective) defenses against ballistic missiles are available but the ABM Treaty (1972) prohibits such action.

Of course, we all know that has worked.

The study goes on to argue that :

The notion that arms control cannot constrain technology is imperfect but it is not entirely wrong. That some technologies have been constrained through negotiated arms control agreements does not mean that all technologies could be constrained in this way, or that they should be. Such judgments on the feasibility and desirability of constraining specific technologies must be case by case.

Mr. President, the Federal Government has accomplished much through arms control and we should not forget it or lose heart. The worst mistake we can make is to assume we are somehow in the grip of a technological momentum that must inevitably carry us onward toward ever more destructive weapons until, some day, we do what mankind has always done with his military weapons. We use them. Somehow, some way, we must find the will to restrain ourselves. It will not be easy. But it will not be impossible, either. We must try with all our heart.

ARMS CONTROL AS A MILITARY STRATEGY

Mr. PROXMIRE. Mr. President, yesterday, the Defense Appropriations Subcommittee took testimony on the subject of the utility of arms control as a military strategy. Uniformly, this testimony was excellent in content. Richard Perle, the Assistant Secretary of Defense for International Security Policy, was the leadoff witness, followed that morning by Gen. David Jones, the former Chairman of the Joint Chiefs of Staff, and Raymond Garthoff, a senior fellow at the Brookings Institution.

In the afternoon, the subcommittee heard Kenneth Adelman, the Director of the Arms Control and Disarmament Agency, William Colby, the former Director of the Central Intelligence Agency, and William Kincade, the executive director of the Arms Control Association.

While all the testimony was outstanding, in particular I was struck by the precise and clear logic of William Colby. His explanation of the mutual and verifiable freeze concept is one of the most compelling statements on record.

He presents the propositions which underlie the freeze concept. He argues that the freeze would contribute not only to our strategic security but also to our conventional security.

And he presents an overall concept of linking the freeze to our foreign policy in the rest of the world—particularly the Third World.

Mr. President, I highly recommend Mr. Colby's testimony and ask unanimous consent that it be printed in the RECORD.

There being no objection, the testimony was ordered to be printed in the RECORD, as follows:

TESTIMONY OF WILLIAM E. COLBY

Mr. Chairman, thank you for inviting me to communicate with this Committee on the issue of arms control and its implications for our military strategy. Two examples, I believe, demonstrate the potential for contribution to our safety and the danger of missed opportunities.

The ABM Treaty was adopted in 1972 with the commitment of both the Soviet Union and the United States not to develop a nationwide antiballistic missile system. This followed considerable debate as to the desirability of developing such a defensive system, but agreement was eventually reached that this kind of system could be dangerous for both sides. If one side achieved defendability against the other's nuclear missiles, it could be tempted to utilize the apparent superiority. Instead, reliance was placed upon the concept of mutual retaliation if the other side ever utilized such weapons first.

This has effectively stalemated the use of nuclear weapons in the years since. It has incidentally provided the side benefit of obviating the necessity for an expenditure by the United States generally estimated as something in the neighborhood of $100 billion to produce such a system. This money would have been wasted if the other side had produced an equal system, and the mutual stalemate continued at a higher level. That $100 billion has been available for other purposes during these last ten years, rather than being used on something which would not have improved our security.

The other example was the advent of the multiple independently targeted reentry vehicle (MIRV) in the late 1960's and early 1970's. Senator Edward Brooke led an effort to ensure that the first SALT agreement, finally adopted in 1972, contain a bar against such multiple reentry vehicles, limiting both sides to single warheads. The United States was well ahead on the technology of this device and saw little reason to restrain itself from something the Soviets did not have. Thus, the subject was not included in the first SALT agreement. In the years since that time, of course, the Soviets have worked very hard on the subject of MIRVs, using their ability to concentrate their talent and resources as well as such espionage assistance as they could arrange. Today the Soviet MIRV capability is the single most dangerous aspect of the nuclear equation between us, as multiple warheads on newer Soviet weapons have raised the specter of the so-called first strike against our land based weapons.

The recent Presidential Commission on Strategic Forces has now attempted to put this genie back in the bottle by moving toward a single warhead Midgetman in the future. This would, of course, require Soviet agreement to phase out the multiple warhead in favor of single warheads. This is a case in which our strategic position would have been very substantially improved had we followed Senator Brooke's recommendation and barred the development of MIRVs on both sides.

It is from this history, Mr. Chairman, that I come to the conclusion that the strategic position of the United States would be better off if we were to reach a mutual and verifiable freeze on the production, testing and deployment of nuclear weapons and their delivery systems at this time. This stems from several simple propositions.

1. Nuclear weapons are unusable by any responsible and rational government. The certainty of retaliation, the indiscriminate nature of the weapon and its fall-out, and the inconclusiveness of the result of using these weapons makes it almost impossible to contemplate their conscious use.

2. The arms race in these weapons is unwinnable. While one nation might be a bit ahead on one aspect, such as Soviet throw weight, the other will very quickly match this and probably develop an advantage in another field. The result is a continued balance of terror at steadily rising numbers of weapons and danger of their inadvertent use.

3. Unilateral restraint is unworkable, as the Soviets would not exercise self-restraint based on U.S. unilateral restraint. Only mutual agreement can prevent the Soviets from steadily building more of these weapons and more dangerous models in the future.

4. The resulting world will be unlivable, as it will rest upon the hair-trigger situation that technology is taking us into. We are on the verge of accidental or mistaken release of these weapons, based on technological indicators, which could only be tragic in their consequences.

A conscious application of arms control as a part of our strategic approach to our relationship with the Soviets would focus on the desirability of limiting the further growth of Soviet nuclear weaponry. It makes much more sense to convince the Soviets not to build some new weapon than it does to have to wrestle with defensive or retaliatory weapons on our side to deal with them.

Freezing the present arsenals and moving toward reducing them would not only give us protection against new levels of danger and threat. It would also give us resources which could be spent more effectively in the fields of real contest between ourselves and the Soviets. In the conventional military field, there are substantial imbalances in land forces. A proper strategy should also be developed to meet the low risk operations the Soviets have relied upon in recent years through proxies, subversives and political manipulation. A strategy to handle the kind of threat presented from Cuba and Nicaragua would focus on strengthening the societies threatened, a far more appropriate strategic response than building some new nuclear weapon.

The real answer to Soviet exploitation of the social, political and economic weaknesses of the less developed world, including some nations near our borders, would better come from vigorous and dynamic programs of political, social and economic development than by purely military buildups in nuclear or conventional military forces. We need to expand our awareness of the direct contribution to our safety which can come from dynamic growth in the Third World, not defeating Soviet maneuvers there, but making them irrelevant, as the peoples of those nations look toward the betterment that active association with programs of ours will bring.

Pragmatism in the Third World has created real results in areas as far afield as East Asia and Latin America, while ideological conformity to Communist doctrine or Socialist panaceas has resulted in stagnation and frustration in many nations. We have the resources, we have the wit and the will to develop strategies to meet these fundamental problems of humankind in a fashion better than anything the Soviets could offer. Arms control with the Soviets can enable us to focus our efforts on the strategies that are needed and avoid wasting our efforts on useless programs. We need to recruit, not combat, hostile guerrillas in programs to better their societies with our help, not against our opposition.

The French, between the two World Wars, expended a great deal of treasure and effort on the development of the Maginot Line and thought themselves safe behind it. That safety was breached and circumvented within a matter of weeks and the French discovered that the German tactics that had been developed made that expensive Line useless to protect France in 1940. We must focus our efforts on the correct strategies, correct programs and the correct forces and not believe that cement and steel in a modern day nuclear Maginot Line will protect our country.

One last point, Mr. Chairman. You asked how arms control can improve the ability of the United States to monitor Soviet military activities. The answer is that our intelligence will monitor such activities whether there is an arms control agreement between us or not, because we must do so to protect our security. Our literally fantastic intelligence capabilities provide this function today, and the recent Defense Department brochure on Soviet Military Forces shows their comprehensive coverage. But an arms control agreement makes the process easier, both because of the numerical limits or prohibitions it sets (making it easier to focus on and identify exceptional conduct) and because of the numerous provisions incorporated in recent arms control agreements, such as non-concealment, non-interference, test notifications, declarations of forces, sensors, inspection teams and the Special Consultative Commission for the resolution of ambiguities. While the Soviet Union will never be an open society like ours, arms control agreements and the improvement of intelligence technologies are gradually making it more visible from the outside.

GENOCIDE CONVENTION: CAMBODIA WITNESS EXHIBIT

Mr. PROXMIRE. Mr. President, in a previous speech to the Senate, I gave the details of an Amnesty International exhibit entitled, "Cambodia Witness." This display consisted of 52 photographs that together told the grim story of a Cambodia brutalized by the reign of Pol Pot from 1975 to 1979.

Reporter Karen DeWitt attended the exhibition and observed the reactions of those passerbys who found themselves halted from their ordinary concerns and immersed in the dark world of the Khmer Rouge killings.

In a recent article for USA Today, Ms. DeWitt described those reactions, which ranged from quiet horror to outright shock and rage. For instance, Minnesota photographer Tom Ramsey stumbled upon the display as he strolled through the Cannon House Office Building. Standing in front of a photograph of a mountain of 8,000 human skulls exhumed from a mass grave, Ramsey said:

It is difficult to take it all in. I have gone through every emotion from horror to tears. I just cannot believe this could happen today. And I think, not only about the thousands who died, but about the living who are left.

Tourist Don Walker was also caught by the pictures of mass gravesites and piles of blindfolded human skulls. Walker commented:

It is horrible, but I think we should see more of this so we know what is going on. That one particular picture, that simple black and white picture of those thousands of skulls tells of the horror that is going on somewhere even now.

A common sentiment of disbelief was apparent in the comments of those who perused the exhibit. Obviously, for those of us living in the comfortable security of America, it is almost incomprehensible to imagine that atrocities of this magnitude have occurred so recently. Yet, the evidence reads clearly: Through systematic purges, massacres, and random executions, nearly 2 million Cambodian citizens were eliminated.

Pat Rengel, director of Amnesty International's Washington office underscored the depth of the problem:

Political murders, massacres, the violations of human rights, singly or in thousands, are a modern phenomenon. People often think such practices are historic, something that disappeared with Hitler and Stalin. But during the last decade, political killings by governments have occurred in countries from Argentina to India

Exhibits like "Cambodia Witness" help us to remember the countless victims and survivors of massive government murders. We should also remember that the Cambodian Government under Khmer Rouge was not and still is not the only government that terrorizes its people. Perhaps when we understand this sad fact, we will be motivated to upgrade our international efforts toward defending human rights.

One way to affirm our commitment to the prevention of human rights violations is to ratify the Genocide Convention, which outlaws the extermination or intent to exterminate any racial, national, ethnic, or religious group. This treaty relies on public and international conscience through a code of conduct outlawing genocide, and offers an international basis for nations to stand together against this heinous crime.

Let us not stand by in disbelief while atrocities like the Cambodian massacre continue all over the world. I strongly urge my colleagues to ratify this important treaty.

THE HATCH AMENDMENT TO THE FIRST BUDGET RESOLUTION FOR FISCAL YEAR 1984

Mr. WILSON. Mr. President, we face no greater challenge today than our task to bring the Federal budget under control, to bring it into balance so that we may continue on our way to economic recovery. Only a continuation of fiscal restraint can promise a continuation of economic recovery. Our work here is the key to putting Americans back to work again.

In that spirit, Mr. President, I recall the remark made by President Reagan, which very much has application to what today we are trying to accomplish in the Senate Chamber. He said: "The people are watching and waiting. They don't demand miracles, but they do expect us to act. Let us act together."

The prevailing principle in our deliberation on the budget ought to be simply this: The people can be entrusted to make perfectly good decisions about their own money. I would rather have more in their pockets to spend than in the treasury of too many Federal agencies. It is also fundamental to my belief that it will be the reduction in the amount of money we take from the people—money they will be able to spend as consumers and investors—which will be the fuel for the economic engines of our country.

There is ample evidence that the program of tax cuts and reduced spending is already working. Confidence is being restored. Consumers are beginning to spend once more. Inflation is at a rate lower than anything we have seen since World War II. Housing starts are up. Inventories are going down. There is every hope that unemployment reductions would not be far behind.

The recovery has been slow and painful. But it is at hand, nevertheless. I do not need to remind you, Mr. President, how much better we are situated today than we were just 2 years ago when we were confronted with stagflation fueled by record spending and taxing, with small businesses closing daily, with senior citizens forced out of their homes, with young people unable to afford a new home and absolutely no end in sight for the economic mess we are in.

Today, Mr. President, we stand at a crossroads. Our choices are to go back to the course that we are finally distancing ourselves from, the course of wild spending and taxing, of economic chaos, of stagnation, of inflation, of utter failure. Or, we can take the necessary and forthright steps of continuing on a road of less spending, of reduced taxes, of reduced inflation, of new hope and new opportunities.

That is why I believe we must remain committed to the principle of reduced taxes, including the third year of the tax cut. We must have the will and ability to say "Yes" to the principle of a reduction of the tax burden and "No" to the idea that Federal spending cannot be reduced. I cannot believe there is anyone in this distinguished body who thinks that Federal spending cannot be reduced. For, if we do not reduce spending, the inevitable price is a significantly slower economic recovery.

My distinguished colleague, the Senator from Utah, has, I believe, best articulated the needs for the country in his proposal to balance the Federal budget by the year 1989. It is a principle to which I am committed and an idea which I have long espoused.

The average American family is expected to live within a balanced budget and does. My home State, California, has a constitutional requirement to live within a balanced budget and, although at times it is tough, it does, too. My home city, San Diego, which I had the pleasure of serving as mayor for 11 years, has a constitutional requirement to balance the budget and does without sacrificing one iota in quality services. In fact, Mr. President, my city went one step further and pioneered an actual constitutional spending limit, an idea which deserves strong consideration here in our midst.

It is this kind of fiscal discipline, this kind of budgetary regimen, this kind of sound policy, which will keep us on the right path to the health and prosperity this country needs and deserves.

The Hatch amendment not only keeps intact the third year of the tax cut, but preserves tax indexing, a very strong necessity as an incentive to young wage earners to do better, to be motivated to improve their lots, to save and invest, to take risks, and to create new opportunities. That is how we build confidence and commitment back into our economy.

The Hatch amendment responsibly calls for some increases in revenues. One such increase is in the form of user fees. This rests on the proven theory that those who benefit should, indeed, pay for the benefits they receive from the Government. I support this approach with some reluctance, because I recognize that these costs will be passed on to customers for the cost of doing business. But, it seems to be the most equitable way to proceed.

The other major element of the Hatch plan is the difficult but necessary duty we have as Members of the Senate to cut the budget. The amendment includes about $75 billion in new cuts over the next 3 years. In essence, the plan provides for a modified freeze of all Federal departments, with discretionary programs frozen at their fiscal 1983 level while entitlement programs are permitted to grow by the increase in inflation.

For the purposes of national security and defense—truly the first priority of our Nation—defense spending is allowed to increase in a necessary and reasonable fashion.

And, yes, Mr. President, there are some cuts, careful cuts which will permit services to those truly in need to continue but which are in keeping with the utter necessity of cutting the budget. Only by cutting Federal spending can we bring down huge deficits estimated at $200 billion per year which threaten to undermine all we have achieved in these past few years and mire us in the economic chaos from which we are now trying to extricate ourselves.

It is important to note that the proposed savings in the Hatch amendment apply not to individual programs, but to broad budget categories. The actual program spending priorities are set by the authorizing committees within the overall limits set in the budget resolution. Those who claim that the Hatch amendment would cut this program or that program are confusing the debate and misleading the public.

Mr. President, I will leave it to each authorizing committee to provide, in greater detail, the specific spending allocations within the limits of the Hatch amendment. But, let me say that the plan does make sense. It bites the bullet. It balances the budget. It keeps us secure. It keeps money in the pockets of the people where it belongs. And, it further tightens the reins on the budget, for this is truly the way to keep our economy on the straight and narrow.

Mr. President, our challenge is clear. As I have said, we are at the crossroads. We must have the courage of our convictions to proceed. We must have the faith and commitment to take that course of fiscal prudency which holds the promise of economic recovery—jobs. We must remain committed to make America work again, and work again it will if we have the courage and wisdom to proceed.

PREVENTING CHILD ABUSE—THE NEED TO DO MORE

Mr. CRANSTON. Mr. President, although the month of April, designated as National Child Abuse Prevention Month has come and gone, unfortunately the problem of child abuse remains with us. It is important that we continue to seek ways to prevent these tragic situations from occurring.

It is a common misperception that child abuse is a problem which afflicts only poor and underprivileged families. However, there is widespread evidence that child abuse constitutes a nationwide problem affecting all levels and all segments of our society and that it is a problem that takes an enormous toll on our society in both human and economic terms.

Each year, an estimated 1 million children suffer abuse at the hands of their parents or others. Between 2,000 and 5,000 of these children die as a result. One expert has estimated that as many as 10,000 children are severely battered each year and between 50,000 to 70,000 are sexually abused. Some researchers suggest that the toll may be much higher.

Many of these children are scarred for life. Studies show that many adult criminals, juvenile delinquents, and other troubled individuals are likely to

have suffered from child abuse. In turn, those individuals who were abused as children are more likely to become child abusers. This is a sad and insidious cycle that must be broken.

Mr. President, child abuse is a problem we cannot ignore. As the Senate author of the 1978 Child Abuse Prevention and Treatment and Adoption Reform Act, enacted as Public Law 95-266, I have long been involved in efforts to help prevent and reduce child abuse. This program, which must be reauthorized this year, is an important part of our overall efforts to deal with this troubling problem.

PUBLIC AWARENESS

Mr. President, I also cosponsored the resolution to designate April of this year as National Child Abuse Prevention Month in an effort to increase public awareness and knowledge about the problems of child abuse. But clearly, if this month has made us aware of anything, it has certainly been that more than ever now, we need to do more to prevent child abuse in our society.

Mr. President, public awareness of the problems of child abuse can also play an important role in helping to identify and prevent such violence. I want to extend my special thanks to the many organizations who organized the activities and public education problems during National Child Abuse Prevention Month for their interest and dedication to helping children. In particular, I would like to recognize the effort made by Tandem Productions, through its popular television series "Diff'rent Strokes," to bring to the public's attention the problems of child sexual molestation. In a two-part episode entitled "The Bicycle Man" aired February 5 and 12 of this year, the series showed children how to recognize enticement and to avoid entrapment, helped parents to believe in their children when they report such incidents, and hopefully helped many families to be able to identify and prevent these tragic situations from occurring and thus spare them the emotional agony that comes with child sexual abuse. The producers of this series, one of the most popular primetime network programs among 6- to 12-year-olds, provided an important public service by their skillful handling of this sensitive issue.

Mr. President, the "Diff'rent Strokes" episode of "The Bicycle Man" will be shown again on May 21, 1983, at 8 p.m. in a 1-hour special on NBC. I hope that many families will take the time to watch this show.

Efforts like this contribute significantly to increasing public awareness of the very serious problem of child sexual abuse and helping to prevent it from occurring.

Mr. President, I ask unanimous consent that an article from the February 12, 1983, Washington Post describing the "Diff'rent Strokes" episode on child molestation be printed in the RECORD, and that following that article there be printed two articles from the March 2, 1983, and March 14, 1983, Long Beach Press Telegram describing how the "Diff'rent Strokes" show led to the arrest of an alleged child molester.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Washington Post, Feb. 12, 1983]

A BOLD SHOW TREATED WITH CARE—"DIFF'RENT STROKES" TACKLES CHILD MOLESTING

(By Tom Shales)

Gary Coleman Meets a child Molester? It doesn't sound like a very promising prospect, and viewers of last week's installment of the NBC family comedy "Diff'rent Strokes" may have been shocked to see the subject brought up, especially when it involved one of the nation's most beloved tots. But the conclusion of this two-part special episode, tonight at 8 on Channel 4, reveals it to be a calm, careful and intelligent treatment of a difficult and potentially traumatizing subject.

There seems little possibility that watching this program would do children harm, and considerable likelihood it could do them good. As with last week's show, actor Conrad Bain is seen out of character in a preface advising that families watch the program together, then discuss it afterward.

As skillfully written and directed by Blake Hunter and Gerren Keith, "The Bicycle Man" finds little Arnold (Coleman) and his pal Dudley (well-played by Shavar Ross) all but in the clutches of Mr. Horton (Gordon Jump), on the surface a jolly old sport, beneath the surface a disturbed and conceivably injurious man. The script is written so as to show him some compassion but portray him as a clear and present danger.

Tonight's episode begins exactly where last week's ended, with Arnold and Dudley being entertained by Mr. Horton in the back room at his bicycle shop. He's a little too friendly. He plies the boys with wine, Boston cream pie and dirty cartoons. Arnold has the good sense to run home, but Dudley hangs around, and Arnold's adopted millionaire father (Bain) calls the police.

In the denouement, a police detective doles out the hard information about child molesters. "In their own strange way they actually love children," he tells the assembled household. He also notes that some parents, wrongly in most cases, "actually blame the children for what happened." Arnold asks, "What is this world coming to?"—a question that's never out of line—and says, "Look, I'm only 11 years old. Should I be hearing all of this?"

Yes, Arnold is told, he and, by implication, the children who watch this extremely popular show, should. It can be argued that situation comedy is not the place for such topics, but that argument doesn't hold up very well after the precedent set in the '70s by Norman Lear, whose Tandem Productions makes this show. "Diff'rent Strokes" has previously dealt with such topics as teenage drinking, sex and female independence. On March 19, Nancy Reagan will appear as herself on a "Diff'rent Strokes" episode about teen-age drug abuse.

And earlier this season, Gary Coleman proved yet again what a trouper he is with an outstanding performance in a touching episode in which Arnold visited the grave of his mother. Coleman is a natural wonder, but the time seems propitious to note that the cast of "Diff'rent Strokes" (Bain, Coleman, Todd Bridges and Dana Plato) has made itself one of the most appealing and human families in contemporary fictional television. A very good show appears to be getting even better.

[From the Long Beach Press Telegram, Mar. 2, 1983]

TV SHOW HELPS NAB SUSPECTED CHILD MOLESTER

(By Charles Sutton)

A two-part segment of TV's "Different Strokes," the popular situation comedy starring Gary Coleman, was credited by Long Beach police Tuesday with leading to the arrest of a 54-year-old Long Beach man on child molestation charges.

Detective Jerry Gadbaw said the arrest came about after a 9-year-old boy who had seen the show told his parents that he had gone through an experience similar to the one depicted on the show. The parents, in turn, got in touch with police.

The two segments, which dealt with the dangers of child molestation, aired on NBC-TV on Feb. 5 and 12. Six days after the second segment, officers armed with a search warrant arrested Daniel Bendit of 1068 E. Artesia Boulevard, Apt. 5.

Bendit, charged with nine felony sex counts, is being held in Long Beach City Jail on $25,000 bond pending a preliminary hearing scheduled for March 8. Gadbaw said Bendit was not in his apartment when detectives first knocked on his door. But as they were searching the flat he showed up with a 10-year-old boy whom police believe may have been a victim in the case.

Gadbaw added that detectives have also linked him to alleged acts involving three other boys between the ages of 9 and 11. The boys were traced through sex photos and address books that were confiscated from Bendit's apartment, he said.

Gadbaw said the suspect allegedly met the youngsters through babysitting chores or in bowling alleys and game arcades.

The detective added that the 9-year-old who talked to his parents "didn't know any better" until he saw the television show. He told police the suspect gave him beer, cigarettes and narcotics. All the while, "the parents didn't know anything about it," Gadbaw said.

In some cases, the detective said, the suspect allegedly handcuffed the youngsters to his bed while performing sex acts with them.

He also allegedly had them watch adult films on a pay TV channel, Gadbaw said.

The "Different Strokes" segment was written by Blake Hunter, one of the two executive producers of the show.

Hunter said Monday he was pleased that the show had been of value. He said he drew most of his material for the story from Los Angeles juvenile detective Gary Lyon.

Helen Hernandez, public affairs director of Tandem Productions, which produces "Different Strokes" for NBC, said reaction to the two-parter has been "gratifying."

Hunter's script deals with Arnold's (Gary Coleman's) expectations of receiving a bicycle for his 12th birthday. In the course of the show, he and a school chum, Dudley, played by Shavar Ross, are befriended by a bicycle store owner (Gordon Jump), who becomes interested in Dudley.

Dudley is given wine and drugs by the store owner, but in the end he's rescued from his malefactor before anything more serious happens.

[From the Long Beach Press Telegram, Mar. 14, 1983]

MAN PLEADS GUILTY TO CHILD MOLESTING

(By Kathleen Cairns)

A 54-year-old man who was arrested last month after a youngster he babysat viewed a television show dealing with child molestation, pleaded guilty in Long Beach Municipal Court Tuesday to nine counts of oral copulation and molestation involving two young boys.

Judge Eugene Long set April 7 as the sentencing date for Daniel Bendit, who now faces a maximum prison term of 16 years.

Bendit was arrested at his Long Beach home last Feb. 18 after the parents of one of the children he babysat called police.

According to police, the child had watched a two-part segment of the television program "Different Strokes," which showed how child molesters prey on unsuspecting victims, and informed his parents about his own experiences.

The boy "didn't know any better" until he saw the program, which aired Feb. 5 and Feb. 12, said Long Beach Detective Jerry Gadbaw. The parents were unaware of the situation, he added.

According to documents filed with the court, Bendit allegedly was involved in approximately 20 incidents of oral copulation and sodomy, which took place between September 1982 and February 1983.

Although the charges against Bendit involved only two children, police have linked him to alleged acts involving three other boys between the ages of 9 and 11.

The boys were traced through photographs and address books that were confiscated from Bendit's apartment, said Gadbaw.

Included in the court documents was a report of the statement given police by one of the victims, who said he had been given alcoholic beverages, marijuana cigarettes and, in one case, a tranquilizer, by Bendit.

At one point, the victim told police, Bendit had tied him to the bed and told him he had handcuffs, which he used on "bad children."

According to the affidavit in support of a search warrant, the defendant kept nude pictures and pornographic publications in his apartment.

Shortly after his court appearance Tuesday, the bearded and mustachioed Bendit was transferred from Long Beach City Jail to Los Angeles County Jail, where he remains in lieu of $25,000 bail.

MX MISSILE

Mr. SASSER. Mr. President, on Thursday the Committee on Appropriations will vote on Senate Concurrent Resolution 26 to approve or disapprove funding for MX missile procurement and full-scale engineering development of the basing mode proposed by the Scowcroft Commission and the Reagan administration.

Today, I want to briefly discuss my views on this administration's proposal to build 100 MX missiles and base them in existing Minuteman silos.

Throughout my career in the Senate I have supported research and development on the MX missile system. I supported the contention by this administration and the previous administration that a new heavy, accurate, hard-target missile might be necessary to reduce the perceived vulnerability of the U.S. land-based intercontinental ballistic missiles. I supported the multiple protective shelters basing mode in 1980 because I felt that such a basing mode provided the necessary survivability for the MX. Last year I voted against the Dense Pack basing mode because survivability of the MX could not be guaranteed.

It is my firm belief that in order for the MX to be a viable weapons system—one that is worthy of $16 billion dollars in Federal investment—it must be survivable. The MX will lower that "window of vulnerability" only if it can be deployed in a survivable basing mode—one that can withstand a Soviet first strike.

The administration has endorsed the Scowcroft Commission's proposal to base the MX in Minuteman silos, a mode that has been clearly documented to be vulnerable to Soviet attack.

I would like to call the Senate's attention to a document entitled "MX Permanent Basing, 15 September 1982, Draft." This report which was provided by the Air Force to Members of the Senate during the consideration of the Dense Pack proposal is classified secret, but substantial portions of the report are unclassified.

The report reviewed several MX basing alternatives, such as placing the MX in Minuteman silos as the commission and the administration have recommended.

Much of the section of Minuteman silo basing is unclassified and can be discussed in the RECORD. This section of the report makes it clear that it was the position of the Air Force late last year that placing the MX in Minuteman silos would not enhance the U.S. strategic deterrent.

Mr. President, I ask unanimous consent that those unclassfied excerpts of the September 15 report relating to MX basing in Minuteman silos be included in the RECORD at this point.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

(Certain charts in the material are not reproducible in the RECORD.)

4. (U) *M-X permanent basing alternatives.*

4.1 (U) *Introduction.* A number of potential basing modes have been studied since the decision to proceed with development of the M-X missile. The majority of these have been eliminated from further consideration due to a variety of operational, technical, and political shortcomings. The need to deploy M-X in 1986 further limits those alternatives available. Basing alternatives evaluated consistent with current program guidance and system requirements are limited to current Minuteman silos; new hardened capsules with wide spacing; new hardened capsules with close spacing; and Ballistic Missile Defense in conjunction with each of these three options. Deep Basing, while a longer-term option, is also given full consideration since it is identified in the basic program guidance as an alternative for further research and development. This section describes each of these alternatives.

4.2 (U) *Minuteman Silos.* M-X could be based in Minuteman silos and use most of the existing support equipment and facilities with only minor modifications. The existing system and these required modifications are discussed below.

4.2.1 (U) *Current Configuration.*

4.2.1.1 (U) Minuteman missiles are currently deployed in the six deployment areas shown in Figure 4-1. They are deployed in wings of 150 or 200 missiles, which are divided into squadrons of 50 and flights of 10 missiles each, with three to five miles separating silos. (Five flights comprise a squadron.) Each Minuteman flight is controlled by a ground launch control center that has primary responsibility for its own flight, but is also capable of controlling and monitoring any missile in its squadron. All Minuteman silos also have provisions for airborne launch command and control if ground systems are incapacitated.

4.2.1.2 (U) A missile silo and its launch support building together make up a Minuteman launch facility. The silo houses missile launch support equipment, while other equipment for power generation and distribution, physical security, environmental control, and communications and control are located in the reinforced concrete, surface-flush launch support building. A typical Minuteman site layout is shown in Figure 4-2.

4.2.2 (U) *Adaptation for M-X.*

4.2.2.1 (U) To accommodate the large M-X missile, the existing Minuteman silo structure would require some changes as shown in Figure 4-3. The concrete and steel structure, its conductive penetrations, the closure, all closure removal equipment, and the personnel access hatch would be utilized without modification. Launch tube attachments for the vertical shock isolation system would need to be modified and the interior of the launch tube would have to be adapted to interface with the lateral shock isolation system. Internal launch tube protuberances would be removed as would the upper portion of the Minuteman launch tube to allow maintenance access and to aid in debris management. These changes would constitute a minimum modification program for M-X in Minuteman silos.

4.2.2.2 (U) With respect to siting, M-X missiles would be deployed in the Minuteman wing that is most suitable from a combined military and environmental perspective. A major factor to be considered in the selection process would be geology to ensure the choice of the Minuteman site that would provide optimum inherent silo hardness against nuclear effects. Selection of silos with acceptable geology and depth will ensure that silo-based M-X missiles are not rendered overly vulnerable to additional threats, such as less accurate Soviet Submarine Launched Ballistic Missiles (SLBMs). It also preserves the option to increase hardness, should this prove viable at a later time. Other important factors in the selection of a specific silo basing site would be cost, schedule, operational and technical considerations, arms control commitments, and possible later deployments of ballistic missile defense. While much work has already been accomplished in these areas during FY 1982, the choice of the specific wing that would host M-X missiles would be

made following further study in the preceding areas if this option were directed.

4.2.3 (U) *Hardness.*

4.2.3.1 (S) [Deleted].

4.2.3.2 (U) The changes needed to accommodate the M-X would result in a system that is about the same hardness level as the current Minuteman System. To achieve greater hardness levels, the silo would actually have to be expanded in size by a considerable amount in order to provide increased rattle space for the larger M-X missile, enhanced-shock isolation systems, and other design changes to produce maximum hardness.

4.2.4 (U) *Concept of Operations.*

4.2.4.1 (U) The M-X Weapon System, comprised of the missile and its associated support equipment, would be integrated into the existing Minuteman Weapon System. M-X missiles, deployed in Minuteman silos, would be collocated with Minuteman Launch Facilities (LF) and integrated into the existing hardened intersite cable system. Control of the M-X missile would be via Minuteman Launch Control Centers (LCC) structured to accommodate the mixed systems. Also, the system would have a link to the Airborne LCC (ALCC). This would provide the capability, as in Minuteman, for the ALCC to assume command and control responsibilities for the missile force and initiate targeting and launch operations in the event of the loss of the LCCs.

4.2.4.2 (U) Communications for control of the weapon system would be compatible with Worldwide Military Command and Control System (WWMCCS) elements and provide control for as long as either the LCC or ALCC survives. Communications for both Higher Authority (HA) and the Strategic Air Command (SAC) are direct to the ALCC, and either directly to the LCCs or to the LCCs via the ALCC as a relay. Communications between the LCCs and the LFs are via a redundant cable network. Communications from the ALCC to the LFs are via a UHF downlink.

4.2.4.3 (U) The physical security concept for protecting the M-X LFs would be equivalent to the existing Minuteman security concept. Security is provided by sensors that detect intrusions when the LF is unmanned and by security police at other times. Eight security guards are required at or near the site when the silo closure is opened; whereas only a two-man security team is needed when only the personnel access hatch is opened. No guards are required during authorized access into the Launch Support Building (LSB). Additionally, for transporting nuclear weapons, a 21-man security team is required in the convoy.

4.2.5 (U) *Cost and Schedule.* M-X could be placed in Minuteman silos, meeting IOC in 1986 with little schedule risk. As described above, the modifications necessary for Minuteman silos to accommodate M-X are minimal and do not involve any new technology. This minimum modification program is straightforward from an engineering standpoint, and is relatively inexpensive. Current cost estimates for this alternative indicate that $16.1 billion (FY82 $) would be sufficient to deploy 100 M-X in existing Minuteman silos.

4.3 (U) *Hardened Capsules.* Revolutionary strides have been made in hardness technology (see Section 6.6) that make new hardened missile facilities a viable option. (The term capsule is used to describe these facilities). A critical factor for deploying M-X in new hardened capsules is the spacing between capsules. In current U.S. ICBM deployments, relatively large spacings have been used (3 to 5 miles for Minuteman, 8 to 12 for Titan) to ensure that one Soviet weapon cannot destroy two missiles. Greater hardness permits closer spacing while still meeting this requirement. With very close spacing, the phenomenon of fratricide comes into play. That is, the nuclear environment from one attacking Soviet weapon could render other attacking Soviet weapons ineffective before they can inflict damage to targets.

4.3.1 (U) *Spacing Options.* There are two basic options for M-X deployment in new hardened capsules: wide spacing and close spacing. Wide spacing would be similar to that which currently exists for existing ICBM deployments. Close spacing would take advantage of the severe nuclear effects that would occur during an attack. In either case, the M-X deployment would be similar to the current Minuteman system in terms of support facilities and base operations. A major difference is that Minuteman is deployed in silos that contain all equipment necessary to launch a missile, whereas new capsules would effectively be protective facilities without launch equipment. The M-X would be integrated with a separate mobile launcher.

4.3.1.1 (U) Widely spaced capsules would have separation distances such that the nuclear effects from an attack on nearby capsules would not interfere with launch of surviving missiles. Although specific trade studies would need to be conducted to determine this spacing, distances on the order of current Minuteman spacing appear appropriate. With a 3-mile separation distance, 100 M-X in widely spaced capsules would circumscribe an area of about 1,500 square miles. The actual land area required would be much less, about 4 acres around each capsule.

4.3.1.2 (U) Closely spaced capsules would be placed at distances that maximize fratricide while still negating the possibility of two capsules being destroyed by one weapon. Additional study is needed to determine optimal spacing, but it appears that it will be approximately 1,800 feet. This spacing is close enough so that early arriving warheads will disable those that follow, causing a phenomenon known as "fratricide." This happens because of the effects that are produced by the nuclear detonations of early arriving warheads.

4.3.1.2.1 (U) There are four major nuclear effects that would combine to make an attack on closely spaced capsules difficult. These are prompt nuclear effects, such as radiation, airblast, and fireball, which degrade weapon performance, and longer-term effects, such as dust and debris, which limit the ability to reattack quickly.

4.3.1.2.2 (U) *Nuclear Radiation.* Neutron and gamma rays produced as a direct and unavoidable consequence of a nuclear explosion constitute the most rapidly propagating fratricide effect. Gamma rays move about 1,000 feet per microsecond, neutrons from the explosion itself at one-sixth this velocity or less. Although these radiations constitute only a small portion of the total yield, they penetrate the air and would penetrate deeply into the interior of any enemy warhead approaching nearby capsules. (Qualitative estimate of these radiation effects are given in Section 8.3.) The qualitative aspects include direct heating, degradation of high explosive and electronic components, melting of nuclear components and premature/over initiation of the nuclear explosive (resulting in a fizzled explosion).

4.3.1.2.3 (U) *Airblast.* Most of the explosion energy goes into a high pressure shock wave. This effect (for a 1 Mt weapon) arrives at adjacent capsules in tens of milliseconds. The shock front is of sufficient intensity to damage the shell of reentry vehicles that experience this environment. Sudden acceleration and deceleration loads (100s of gs) are also produced that can disconnect and fracture internal reentry vehicle components. Quantitative estimates of those effects are discussed in Section 8.2.

4.3.1.2.4 (U) *Fireball.* The fireball refers to the volume of atmosphere surrounding a detonation in which the radiation and energy from a weapon have been absorbed. The fireball is extremely hot and, for the large yields that might be employed to attack closely spaced capsules, will rapidly engulf the area covering adjacent capsules. The interior of the fireball will become a near vacuum. The fireball can cause failure of the heatshield and destroy reentry vehicles, reduce overpressure on the target, or cause premature fuzing. These fireball characteristics can significantly degrade the effectiveness of airburst type attacks.

4.3.1.2.5 (U) Further, nearby detonations in a multi-burst environment would push fireballs over other silos not normally within single-burst fireball radius. Multiple fireballs from new simultaneous detonations would "sit" on the ground longer than single-burst fireballs. The attacker is faced with several problems in attempting to detonate a weapon inside a fireball. First, there is insufficient air to form an effective shock front. The lethal neutron fratricide radius will also be increased. High-confidence fuzing, especially airbursting, would be a difficult challenge. Each of these problems degrades one's ability to attack closely spaced capsules using an airburst.

4.3.1.2.6 (U) *Debris.* Debris is solid material from the ground that is ejected up into the atmosphere by a nuclear detonation. As a reentry vehicle traverses the volume of air containing debris, collisions with larger particles would destroy the weapon. Collisions with smaller sized particles (that is, dust) will cause ablation of the nose cone and heatshield, which also leads to destruction of the vehicle or degradation of its accuracy.

4.3.1.2.7 (U) For a 1 Mt ground burst, the short-term debris consists of large chunks of soil and rock thrown up into the air, starting 1 to 2 seconds after a burst and remaining aloft for minutes. The longer-term debris consists of pebbles and dust. Both ground and air burst detonations of a nuclear weapon will throw up a great deal of small particles that can remain suspended in the air for many tens of minutes. The amount of pebbles and dust thrown up is a great deal larger for a ground burst, and, consequently, debris fratricide effects are much more severe for a ground burst attack. Subsequent attack on closely spaced capsules can be closed out for extended periods of time as a result of debris. The duration and spatial extent of dust and debris impacts are much greater than those of all other fratricide effects.

4.3.2 (U) *Hardness.*

4.3.2.1 (S) [Deleted].

4.3.2.2 (U) Additional hardness is possible using new construction techniques. This concept involves the addition of slip liners and crushable zones to absorb a portion of the blast. An even more advanced concept would incorporate a blast deflector installed over a silo buried up to 40 feet below the ground surface. Details on various hardness designs are given in Section 6.6.

4.3.3 (U) *Concept of Operations.*

4.3.3.1 (U) The concept of operations for new hardened capsules would be similar to that for the current ICBM force. The concept architecture provides a layered command and control structure, employing underground launch control centers, airborne launch control centers, and Higher Authority (HA) command processing. This multiple element approach would ensure continuity of control throughout the pre/trans/post-attack periods, presenting the adversary little alternative other than endeavoring to destroy the individual missile launchers. In addition, the approach provides redundancy of communications (fiber optics and HF radio) to ensure that surviving missiles are capable of being launched. The HF radio also provides the connectivity to HA. In addition, each mobile launcher also hosts a VLF receiver for HA command processing.

4.3.3.2 (U) Pre-attack operations would be accomplished at an Operational Support Center (OSC) and an LCC primarily employing high data-rate fiber optics. The OSC hosts the support elements of the launch control system (e.g., Code Processing Station) and the terminal equipments for HA radios and land lines. Communications between the OSC and the LCC would be via a fiber optics link.

4.3.3.3 (U) As previously mentioned, hardened capsules would not house stationary launch equipment. Rather, a mobile launcher will be used. A mobile launcher operational support equipment consists of the processing modems, cryptos, and radios required to communicate with the LCC, ALCC, and HA. The capsule and mobile launcher operational support equipment, with its cable and radio connectivity to the LCC, would provide a "gateway" function for two-way HA communications, employing the buried antennas located at each launch facility.

4.3.4 (U) *Cost and Schedule.* M-X in new hardened capsules can be deployed with a late 1981 IOC. System acquisition cost in 1982 dollars is estimated at $24.0 billion for widely spaced capsules and $23.4 billion for closely spaced capsules. (These figures represent investment required in FY 1983 and beyond.) There would be greater schedule risk with widely spaced capsules due to the larger land area that would be impacted and construction logistics over this wide area.

4.4 (U) *Ballistic Missile Defense (BMD).*

4.4.1 (U) *Introduction.* Ballistic Missile Defense (BMD) offers several alternatives to enhance ICBM effectiveness. This section will address the options available for BMD of M-X in conjunction with Minuteman silo deployment, widely spaced capsules, or closely spaced capsules. Both near-term (late 1980s) and far-term (1990s) technologies are considered. Specific options for near-term defense of closely spaced capsules and silos are presented.

4.4.1.1 (U) *Nature of BMD.* BMD is not a single defense option for M-X, but a family of options applicable to either closely spaced or conventionally spaced capsules. BMD could either be designed into the ICBM system and deployed at or near M-X IOC, or be added subsequent to M-X deployment, in response to threat growth or changing requirements provided provisions are made during initial deployment. BMD systems can be structured for broad effectiveness against many types of Soviet attack weapons and tactics, or be narrowly designed to deny or offset a particular Soviet weapon system or tactic. We consider herein only broadly capable BMD concepts, and leave the discussion of highly-specific BMD systems employed as countermeasures to some specific Soviet threats to Section 9.

4.4.1.1.1 (U) BMD systems considered here are the product of a long standing R&D program and SAFEGUARD operational experience. In the SAFEGUARD ABM system deployed in 1974 to defend Minuteman at Grand Forks, North Dakota, we developed, tested, and deployed a two-tiered BMD system consisting of long-range SPARTAN exoatmospheric interceptors backed by short-range SPRINT interceptors. The Perimeter Acquisition Radar and Control System (PARCS) provided long-range radar warning; multiple short-range battle management radars and computers directed SPRINT interceptor engagements.

5. (U) *M-X Basing Assessment.*

5.1 (U) *Introduction.* In Section 4, M-X permanent basing alternatives were identified and discussed. This section defines M-X system requirements that the basing mode selected must satisfy, and evaluates the alternatives versus these requirements. For the purposes of this evaluation, the basic alternatives of current Minuteman silos, hardened capsules, Ballistic Missile Defense (BMD), and deep basing have been combined into the following basing options:

a. Current Minuteman—M-X deployed in existing Minuteman silos.

b. Widely Spaced Capsules—M-X deployed in hardened capsules with spacing similar to current ICBM deployments.

c. Closely Spaced Capsules—M-X deployed in hardened capsules with spacing to maximize fratricide effects.

d. Current Minuteman with BMD.

e. Widely Spaced Capsules with BMD.

f. Closely Spaced Capsules with BMD.

g. Deep Basing—M-X deployed deep underground.

5.2 (U) *M-X System Requirements.*

5.2.1 (U) Based on the program guidance described in Section 1 and ICBM missions and requirements discussed in Section 2, basic requirements have been established that the M-X permanent basing mode must meet. These are in the areas of

a. Offensive Effectiveness.

b. Prompt Response.

c. Survivability.

d. Strategic Stability.

e. Operability.

f. Resilience.

g. Arms Control/Reduction.

h. Land Requirements.

i. Schedule.

An additional concern, although a specific requirement has not been defined, is cost.

5.2.2 (U) *Offensive Effectiveness.* Offensive effectiveness of an ICBM is largely determined by hard-target-kill capability and targeting efficiency. Hard-target-kill capability is a function of weapon yield and accuracy. These are missile-specific requirements that were established as part of the M-X missile development program and were discussed in Section 3. Targeting efficiency refers to the percentage of reentry vehicles that can be effectively placed on required targets. It depends on the range of the missile and the RV footprint given by the post-boost vehicle, and is determined by the distance between the missile silo and the desired targets. M-X must be capable of targeting Soviet high-value hard targets.

5.2.3 (U) *Prompt Response.* The high accuracy and short delivery time of ICBMs make them ideally suited for attacking high-value, time-urgent hard targets. Also, since they can be retargeted quickly, they are ideal for responding quickly to a changing target base. The basing mode selected for M-X must preserve this unique prompt-response characteristic, which requires quick egress and launch during available launch windows.

5.2.4 (U) *Survivability.* The M-X missile provides improved accuracy and throw-weight capability, but depends on the basing mode for enhanced survivability. The mode selected must have survivability, both to extract from the Soviets a high price for each M-X lost (see Strategic Stability) and to ensure that enough RVs remain after a Soviet first strike to threaten high-value, hardened Soviet targets.

5.2.5 (U) *Strategic Stability.* This requirement relates to the changing balance of U.S. and Soviet strategic forces. To encourage strategic stability, the M-X basing mode must ensure a worsening of the relative Soviet position following an exchange. Stability is also aided if the basing mode cannot be overwhelmed by simply increasing the number of weapons, but rather stresses Soviet technology.

5.2.6 (U) *Operability.* Once it survives, to perform its mission, M-X must be capable of launch and retargeting. This requires the ability to communicate with the National Command Authority, hardware and software for remote retargeting, and high survivability of critical subsystems and components. Retargeting is largely a function of the missile, while reliability and communications may be affected by the basing mode.

5.2.7 (U) *Resilience.* The basing mode selected must redress the immediate vulnerability of U.S. ICBMs to the projected level of Soviet forces in the near term. In addition, the mode selected must provide a permanent foundation for responding to increased threats in the long term. If the Soviets choose to continue development of a first strike capability. System enhancements or augmentations must be available that can be deployed with confidence, at an affordable cost, and in time to prevent system vulnerability.

5.2.8 (U) *Arms Control/Reduction.* The system deployed must support U.S. goals for strategic arms reductions. It must be consistent with existing treaties and agreements, as well as support evolving START negotiations.

5.2.9 (U) *Land Requirements.* Land Requirements must be minimized in order to enhance public and political acceptability.

5.2.10 (U) *Schedule.* The system selected must be able to meet the scheduled IOC of 1986 with acceptable technical risks.

5.2.11 (U) *Cost.* Although a specific requirement has not been established for cost, the basing mode selected must meet all system requirements at the least possible cost.

5.3 (U) *Evaluation of Alternatives.* The following subsections discuss each requirement defined above and the ability of the various basing options to satisfy them.

5.3.1 (S) [Deleted].

5.3.3. (U) *Survivability.*

5.3.3.1 (U) The Soviets' strategic arsenal is sufficient to destroy the majority of the present Minuteman forces, while expending a relatively small proportion of their force in the process. If M-X is based in Minuteman silos, the incentive for a Soviet first strike and the survivability from a first strike remain the same. The Soviets could attack M-X in Minuteman silos in the same manner as they can our present Minuteman force and, consequently, the M-X missile would be at risk.

5.3.3.2 (U) The greatly enhanced hardness achievable in widely spaced capsules requires such large increases in the yield of attacking weapons that the fractionation of Soviets weapons would be capped, and reverse fractionation would be required. While greater hardness makes individual capsules more difficult to attack, the Sovets are projected to achieve sufficient accuracy to conduct an effective attack. However, the sensitivity of attack success to small degradations in accuracy is greatly increased. Some increases in first strike survivability would result, but not enough to make a significant difference. Further, wide spacing of capsules does not deter the Soviets from using the same type attack strategies that would be used against the present Minuteman system.

5.3.3.3 (U) Close spacing of hardened capsules greatly enhances the survivability of M-X. The direct benefits of hardening are retained. In addition, the high level of hardness allows close spacing while preventing two M-X kills from a single attacking Soviet weapon. The spacing causes fratricide among Soviet RVs, which enhances the survivability of M-X and limits the size and pace of a Soviet attack.

[Deleted].

5.3.3.5 (U) For current Minuteman silos, a treaty compatible BMD of 100 launchers does not significantly increase survivability. The profusion of highly accurate Soviet MIRVs could be used to saturate a BMD of these deployments at a small cost to the Soviets. Even for an unconstrained BMD deployment, it is easier and less expensive for the Soviets to deploy more RVs than for the U.S. to deploy additional BMD missiles.

5.3.3.6 (U) BMD of widely spaced hardened capsules extracts a greater price from the Soviets because of the greater yield weapons required to attack these capsules. However, a treaty-constrained deployment of 100 missiles could still be overwhelmed.

5.3.3.7 (U) The addition of BMD further enhances survivability of closely spaced capsules by raising the attack price to the Soviets and stretching out the attack. A corresponding increase is gained in deterrence and warfighting capability. BMD is more effective and less complex operationally for the closely spaced targets of this option, which are easier to defend and require fewer BMD resources for effective defenses. Although arms control compatibility would have to be addressed for any BMD deployment, the greater effectiveness of fewer BMD assets with close spacing is appealing since it could allow deployment of an effective BMD within the 100-interceptor limit of the current ABM Treaty.

5.3.3.8 (U) Deep basing would provide excellent survivability for M-X due to the imposed miss-distance. First strike survivability would be high, as well as survivability over time.

5.3.4 (U) *Strategic Stability.*

5.3.4.1 (S) [Deleted].

5.3.4.3 (U) A treaty-constrained BMD of a deployment of M-X in current Minuteman silos would not significantly improve survivability or strategic stability. Additional improvements in survivability could be realized for widely spaced capsules, where the combination of forcing the Soviets to use large-yield weapons and improving the exchange ratios with BMD could discourage Soviet attack. There are, though, the added difficulties of deploying an effective BMD system over a wide area, especially with the treaty constraints. Closely spaced capsules, as evaluated above, would enhance strategic stability.

5.3.5 (U) *Operability.* The only basing option that could exhibit operability problems is deep basing. That is due to some questions about egress technology. All basing modes provide for retargeting, a survivable C^3 system, and a maintenance plan to achieve high reliability.

5.3.6. (U) *Resilience.*

5.3.6.1 (U) The ability of current Minuteman basing to respond to the Soviet threat is poor. First, the Soviets are not driven by this basing option to make any type of technological countermoves, save perhaps improving missile accuracy. Second, the effectiveness of technological improvements that can be made, such as additional hardening or BMD, is diluted by the wide spacing.

5.3.6.2 (U) Responsiveness to the Soviet threat is improved for widely spaced hardened capsules, compared to Minuteman basing, but not by a significant margin. The Soviets are not driven to develop or consider new attack strategies. Instead, they are driven to make technological improvements or proliferate existing hardware. These include using larger weapons, improving accuracy, and building additional boosters. This set of responses does stress Soviet capabilities, but in time the challenge can be met. This basing option is more robust than Minuteman basing, since enhancements such as concealment and mobility are available.

5.3.6.3 (U) Responsiveness to the Soviet threat is extremely good for closely spaced capsules. Consequently, the system is very robust and can be expected to be survivable for many years regardless of increases in threat. This comes about for two reasons. First, Soviet technology is greatly stressed in developing a response. Both new attack strategies and new hardware must be developed. Second, there are several growth options that can be added at reasonable cost to meet any threat the Soviets might attempt to develop. An expanded discussion of growth options for closely spaced capsules is given in Section 9.

5.3.6.4 (U) The addition of a treaty-constrained BMD does little to improve the resilience of Minuteman or widely spaced capsules, since there is no ability to enhance the system through proliferation of interceptors. An expanded BMD as described in Section 4.4 could more than double the Soviet attack required to destroy Minuteman and M-X in widely spaced capsules, enhancing their resilience to Soviet threat growth. Both closely spaced, hardened capsules and deep basing have good resilience without BMD. BMD as a growth option is most effective when deployed with closely spaced capsules.

5.3.6.5 (U) Deep Basing, due to its inherent survivability, has good responsiveness to the Soviet threat, and would stress Soviet technology.

5.3.7 (U) *Arms Control.*

5.3.7.1 (U) The basing options presented, with the exception of BMD, can be made compatible with current arms control agreements. In addition, the basing options fully support the current evolving START negotiations.

5.3.7.2 (U) A major issue with BMD is its compatibility with existing arms control agreements, specifically, the ABM Treaty. The United States is currently restricted to a single ABM site with 100 defense missiles and 18 radars located at Grand Forks, North Dakota. The addition of BMD to any of the options would require a location designation change. While deployment of an effective BMD for Minuteman or widely spaced capsules would require considerably more than 100 missiles, an effective BMD system for closely spaced capsules could be deployed within the 100-missile and 18 radar limit of the current ABM Treaty. Details on arms control are provided in Annex IV.

5.3.8 (U) *Land Requirements.* Table 5-1 summarizes the land area needed for M-X basing in Minuteman silos, widely spaced capsules, and closely spaced basing, with and without BMD. Deep basing would require 5 to 12 square miles. Both the dedicated land area needed (within the fence) and the area that would be circumscribed by the deployment are shown. This latter item is important since it determines the area over which M-X may have an impact. Moreover, some of the restrictions on land use and activities in this area could be more offensive to certain groups than additional land acquisition. It can be seen that although M-X in widely spaced capsules would require little dedicated land, it could impact a large area. Minuteman requires negligible additional land without BMD, and a small increment of dedicated land if BMD is added. The land requirements for closely spaced capsules without BMD are consistent with the size of Air Force bases in general. Land for deep basing also would be small in size.

5.3.9 (U) *Schedule.* The 1986 IOC can be met for all basing options without BMD except deep basing. Deep basing cannot be available until the early 1990s. BMD, using existing SPARTAN interceptors, could be available in 1986. Other BMD systems, such as SENTRY, can be available in 1988-1989.

TABLE 5-1.—LAND AREA REQUIREMENTS FOR M-X BASING ALTERNATIVES

Basing alternative	Land area (square miles)			
	Without BMD		With BMD	
	Dedicated	Circumscribed	Dedicated	Circumscribed
Current Minuteman	[1]	[2]	[3] 5.5	[2]
Widely spaced capsules	1	1,500	2.0	1,500
Closely spaced capsules	15	15	16.0	125

[1] Negligible.
[2] No additional.
[3] Additional.

5.3.10 (U) *Cost.* Although not used as an evaluation factor, preliminary costs for the various options are shown in Table 5-2. The values in the table represent acquisition and R&D costs for the complete M-X system in the basing modes shown, including costs of the missiles.

TABLE 5-2.—COST COMPARISON

[In billions of dollars]

Fiscal year 1982	Cost without BMD	Cost with BMD
Current Minuteman	16.1	36.1
Widely spaced capsules	24.0	44.0
Closely spaced capsules	23.4	33.6
Deep basing	NA	NA

5.4 (U) *Summary.*

5.4.1 (U) Figure 5-2 shows an overall evaluation of the M-X basing options using the requirements just developed. The effect of adding BMD to M-X based Minuteman silos, widely spaced capsules, or closely spaced capsules is summarized in the column entitled BMD Effectiveness. All options provide increased offensive effectiveness by the deployment of the M-X missile.

5.4.2 (U) The use of current Minuteman silos has obvious advantages in environmental and programmatic areas since existing land and facilities would be used. This option would be least costly and cause the least schedule risk. However, it does not provide the required prelaunch survivability to withstand a Soviet first strike and promote strategic stability. It is also not resilient to future threats.

5.4.3 (U) Widely spaced capsules do result in decreased probability of damage from a Soviet weapon on an individual capsule, but the wide spacing leaves the capsules vulnerable to unrestricted application of Soviet weapons to obtain high damage probabilities. The resilience of this mode is questionable since it does not force the Soviets to develop new technologies or to devise new attacks. The wider spacing greatly increases the amount of land required, and the acquisition of new land introduces programmatic issues.

5.4.4 (U) Closely spaced capsules, combining very high hardness levels with close spacing, offer an attractive combination of features. Close spacing requires incoming Soviet weapons to penetrate the nuclear effects of preceding Soviet detonations. Operational and technological limitations prevent the Soviets from effectively accomplishing attacks in this way. Therefore, substantial survivability of the M-X force is assured. This contributes to deterrence and strategic stability. It is the most resilient option considered, since it does provide a strong counter to current Soviet threat trends, and both stresses Soviet threat technology and requires them to develop innovative attacks. This is the option most compatible with a treaty-constrained BMD deployment, and supports U.S. arms reduction strategies. It is attractive from an environmental standpoint as well. Closely spaced capsules can be deployed by the scheduled IOC and meet all requirements at a reasonable cost.

5.4.5 (U) The integration of a 2,000-interceptor BMD system with M-X in current Minuteman silos serves to more than double the Soviet RV requirement to destroy both M-X and Minuteman in silos, but the Soviets are forecasted to have sufficient RVs to overcome such a system. The growth capacity of this system is also limited, leading to little resilience to further threat growth. The introduction of BMD also creates arms reduction problems, will increase the costs of this option, and may delay IOC by about 2 years. There are also developmental risks in deploying this type of BMD system.

5.4.6 (U) Hardened capsules, even widely spaced, provide better survivability than a Minuteman deployment. The integration of BMD carries the same limitations as for Minuteman deployment.

5.4.7 (U) Combining BMD with closely spaced, hardened capsules provides a system that is very resistant to a first strike attack as well as survivable over time. Because of the aggregation of the targets, closely spaced capsules are easier to defend than the other options. A less complex BMD system is required and fewer BMD missiles could provide comparable defense of the closely spaced capsules. BMD of this option would also pose less of an arms control problem than the BMD of other options since an effective system could be deployed within the 100-missile limit of the ABM Treaty. The smaller area required for BMD deployment would reduce the environmental and schedule problems associated with land acquisition.

5.4.8 (U) Deep basing offers a secure reserve force with the enduring survivability to encourage stability, but a concept to provide high confidence in quick egress is yet to be demonstrated. Resiliency is excellent and arms control requirements can be met. Deep basing cannot meet the required basing IOC, since it cannot be deployed until late 1989 or the early 1990s.

5.5 (U) *Conclusions.*

5.5.1 (U) Deployment of M-X in closely spaced hardened capsules is the only permanent basing alternative that meets all M-X system requirements. The close spacing allowed by the high hardness levels achievable will cause fratricide among Soviet RVs. The stringent requirements on Soviet accuracy and timing to avoid fratricide limit the size and pace of a Soviet attack, providing closely spaced capsules good survivability over time. The aggregation of hardened capsules gives the U.S. good flexibility for system enhancements (including the deployment of an effective BMD within the 100-launcher limit of the current ABM Treaty) to provide the M-X with good resiliency to future Soviet threats. The smaller area required by the close spacing minimizes environmental impacts and public interface. M-X can be deployed in closely spaced, hardened capsules with a late 1986 IOC, at a reasonable cost.

Mr. SASSER. Mr. President, I would like to quote from unclassified excerpts of the report:

The Soviets could attack MX in Minuteman silos in the same manner as they can our present Minuteman force and consequently, the MX missile would be at risk. * * * The ability of current Minuteman basing to respond to the Soviet threat is poor. * * * The use of current Minuteman silos * * * does not provide the required prelaunch survivability to withstand a Soviet first strike and promote strategic stability. It is not resilient to future threats.

Mr. President, placing the MX in Minuteman silos is not a secure basing mode. It leaves the MX vulnerable to a potential Soviet attack. This Nation needs a survivable land-based ICBM system not a vulnerable MX. Therefore, I will vote against the administration's recommendation for basing the MX in Minuteman silos.

Mr. President, Senate Concurrent Resolution 26 would also permit the initiation of procurement of the MX missile. If the Congress approves the resolution, the administration will be allowed to utilize almost $1 billion in fiscal year 1983 funds to place the missile into production.

The administration insists that the MX must go into production as soon as possible in order to meet the initial operating capability in 1986. But a review of the MX test schedule reveals that certain aspects of missile development are seriously behind schedule.

Air Force officials have indicated that the first test flight can occur by mid-June if Congress approves the concurrent resolution. If, however, the MX is test flown in June it will be attempted without a number of preflight test objectives having been accomplished.

I have reviewed the flight proof test schedule for the four stages of the MX and have found that the Air Force plans to fly and initiate procurement of the missile although stage II has met only one-third of the flight proof test objectives. For each of the MX stages the Air Force had previously planned three flight proof tests of flight configured engines to be successfully accomplished prior to first flight. The three flight proof tests for state I, stage III, and stage IV have all been accomplished.

Mr. President, I ask unanimous consent to place a summary of the flight proof tests for stages I, III, and IV at this point in the RECORD.

There being no objection, the summary was ordered to be printed in the RECORD, as follows:

PEACEKEEPER PROPULSION TEST SUMMARY

STAGE I

Date: 7 Oct 82, 18 Nov 82, 7 Apr 83.

Designation: FP-03, FP-04, FP-01.

Location: Thiokol Corporation, Brigham City Utah.

Differences from flight configuration: Flightweight configuration.

Test conditions: Sea level, ambient; sea level, 45° F; and sea level, 100° F.

Test objectives: Demonstrate adequacy of flight design.

Results: Successful.

STAGE III

Date: FPT-2, 25 Sep 82; FPT-3, 5 Jan 83; FPT-5, 10 Feb 83.

Designation: FPT-2, FPT-3, and FPT-5.

Location: AEDC, Tullahoma, Tn., J-5 Cell.

Differences from flight configuration: All flight weight except FPT-2, cork insulation in nozzle; FPT-3, silica phenolic insulation in nozzle; FPT-5, carbon phenolic nozzle.

Test conditions: FPT-2, 50°F, simulated altitude (100,000 ft); FPT-3, 72°F, simulated altitude (100,000 ft); FPT-5, 50°F, simulated altitude (100,000 ft).

Test objectives: Demonstrate adequacy of flight design.

Results: Cork insulation was found to be unacceptable. Alternate nozzles are acceptable and will be tested in the flight program.

STAGE IV

Date: (1) 15 Oct 82; (2) 10 Nov 82; (3) 16 Dec 82.

Designation: (1) FPT-1; (2) FPT-2; (3) FPT-3.

Location: AEDC, Tullahoma, Tn.

Differences from flight configuration: None.

Test conditions: Test altitude >85,000 Ft; cell temperature: (1) 53°F; (2) 70°F; (3) 100°F.

Test Objectives: After dynamic testing—

Operation of stage III/IV separation ring.

Axial engine (AXE) and attitude control engine (ACE) performance.

Pressurization system and propellant storage assembly system enabling.

Nominal Mission duty cycle at temperature: 20 axe burns, duration time 0.3 to 164 sec; 2090 ACE burns, duration time 0.007 to 13 sec; total elapsed MDC time 748 sec.

Results: All successful.

Mr. SASSER. Mr. President, successful flight proof tests of flight configured engines were conducted on stage I on October 7, 1982, November 18,

1982, and April 7, 1983. Stage I is presently scheduled for critical design review on June 1, 1983.

Stage III was flight proof tested on September 25, 1983, January 5, 1983, and February 10, 1983. Critical design review of stage III will be conducted on June 8, 1983.

Flight proof tests were conducted on stage IV on October 15, 1982, November 10, 1982, and December 16, 1982. Stage IV is scheduled for critical design review next week.

Mr. President, three flight configured stages of the MX have received a complete series of flight proof tests and critical design reviews will be completed on these three stages prior to first flight and prior to a production decision.

Testing of a flight, configured stage II engine, however, is seriously behind schedule. Stage II has only received one successful flight proof test on October 21, 1982. Stage II was again tested in a flight configured mode on November 17, 1982, however, this test ended in case rupture and failure.

Mr. President, I ask unanimous consent that a summary of the flight proof test program for stage II be included at this point in the RECORD.

There being no objection, the summary was ordered to be printed in the RECORD, as follows:

PEACEKEEPER PROPULSION TEST SUMMARY

STAGE II

Date: 21 Oct 82 and 17 Nov 82.

Designation: FPT-1 and FPT-3.

Location: AEDC Tullahoma, Tn; J-4 Cell.

Differences from flight configuration: None.

Test Conditions: FPT-1, ambient altitude; FPT-3, hot (97°F).

Test Objectives: Demonstrate adequacy of flight design.

Results: FPT-1, All test objectives achieved except roll control. FPT-3, motor failed at 0.260 sec after ignition test. Objectives not achieved (see following charts).

FPT-3 FAILURE SEQUENCE

Summary

Motor failed at 0.260 sec after ignition.

Motor ignition and pressurization appeared normal for first 0.120 sec.

Chamber pressure deviation begins at 0.140 sec.: Forward boot restricts gas flow from chamber around igniter to behind the forward boot; forward fin grain cracking and/or peeling of boot extension nipple causes large increase in propellant surface burn area resulting in pressure increase; and forward boot unzips further exposing propellant burn surface down case side wall finally breaking through aft fin web.

Motor case fails due to overpressurization of the case at 0.260 sec.

Corrective action

Both trimmed and redesigned motors: Open up bore around igniter; eliminate bonded boot extensions; and strengthen aft fin web.

Mr. SASSER. Mr. President, flight-proof testing for stages II, III, and IV are conducted at Arnold Engineering Development Center, Tullahoma, Tenn. Stage II was scheduled for testing in the J-4 test cell which had been refurbished under the military construction program to accommodate specific stage II testing. Following the stage II test failure on November 17, 1982, a subsequent accident a week later rendered the J-4 unable for further flight-proof testing of the engine until later in 1983.

Mr. President, at this stage of development only one of three planned flight-proof tests has been conducted on stage II. In addition, critical design review on stage II is not scheduled until October 18, 1983.

All stages except stage II have successfully accomplished three flight-proof tests and will receive critical design review prior to first flight and prior to a production decision. The failure to complete the full range of flight-proof tests planned for stage II raises legitimate questions regarding the advisability of proceeding with first flight and certainly argues against a decision to release funding for missile production at the present time.

I have discussed these issues with senior Air Force officials and discussions on the staff level are continuing. The Air Force, subsequent to the test failure on November 17 of last year, has conducted two additional sea-level tests on stage II for the purpose of checking out the redesign of the solid fuel propellant as a consequence of the November 17 accident. However, these two sea-level tests were not conducted on flight configured engines in an altitude chamber to simulate the extreme conditions of flight. The Air Force, while admitting that flight-proof test objectives have not been accomplished, indicates that enough data should be available to commit to first flight and seek approval from Congress of production funds.

Mr. President, I would like to quote from page 147 of the congressional budget justification data sheet on the MX missile. "The flight proof test program is designed to qualify the full-up flight configuration * * * completion of the flight proof test program will support first flight." In other words, flight-proof tests on flight-configured engines are deemed necessary prior to first flight according to the Department of Defense's own budget justifications. But as I have pointed out, the Air Force presently plans to proceed to first flight and secure a production fund decision from the Congress even though two of the three flight-proof tests on stage II have not been successfully accomplished.

Mr. President, this raises doubts concerning the advisability of approving production funds for the MX. Failure to complete a full series of flight-proof tests seems to raise new questions concerning the performance of the missile. The administration appears to be "leap-frogging" development of the MX by rushing into first flight and seeking approval of production funds without completing all planned preflight tests and conducting the critical design review on stage II.

Under these circumstances I shall urge my colleagues to vote against Senate Concurrent Resolution 26. The administration has stated that the MX is necessary as a bargaining chip to get the Soviets to the negotiating table. But the MX will not be a very effective bargaining chip if tests continue to end in failure. The administration is running a grave risk by linking a negotiating posture to an untested missile.

Mr. President, the administration's most recent MX proposal calls for the ultimate expenditure of $16 billion. I cannot support such an expenditure in the face of so many uncertainties regarding the MX.

The Scowcroft Commission also recommended advanced research and development on a smaller, more accurate single warhead missile. This appears to most observers to be an appropriate direction for the U.S. strategic nuclear modernization program. In addition, the Trident II missile, the D-5, which will be just as accurate and effective against hard targets as the MX will enter the inventory just 2 to 3 years later than the MX peacekeeper missile. This Nation will therefore have a continued credible deterrent with the mix of Minuteman, manned bombers, submarine-launched ballistic missiles, and cruise missiles.

A vulnerable MX does not strengthen the U.S. nuclear force. I therefore urge my colleagues to vote against Senate Concurrent Resolution 26.

A PERSPECTIVE ON THE NUCLEAR FREEZE

Mr. McCLURE. Mr. President, I have received a copy of an article by R. D. Woodruff, associate director, nuclear design, Lawrence Livermore National Laboratory. Mr. Woodruff presents a view of the nuclear freeze that is cast with an eye to history and founded in an understanding of weapons technology. His article presents information that is important to us all. I ask unanimous consent that the article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

A PERSPECTIVE ON THE NUCLEAR FREEZE

(By R. D. Woodruff)

The concept of an immediate nuclear freeze has been receiving support from many concerned and well-intentioned citizens and members of Congress. Acceptance of such a proposal would be both dangerous and counterproductive. We all share the same goal—to minimize the likelihood of nuclear war. But the nuclear freeze would not reduce that possibility.

Thoughtful arms control proposals which are considered in the context of improving

national security and world stability are definitely needed, but they will not replace a strong U.S. nuclear weapons force that has been and remains the foundation for stability and freedom in the world. It has deterred communism from using, and threatening to use, its superior armed forces for aggression against the West for many years. Aware of this powerful restraint, the Soviets began in 1974 the deployment of large numbers of missiles carrying multiple, accurate nuclear warheads of high yield until they have reached such an advantage over the U.S. that Harold Brown in his report to Congress in 1980 said, ". . . The Soviets will have at least the theoretical capability in the early to mid-1980's to destroy a large percentage of our ICBM silos . . ."

These sobering facts of Soviet ICBM strength emphasize the necessity for maintaining the long term survivability of our sea-based and airborne nuclear forces and to improve the survivability of the ICBM's, if possible. Continuing improvements in nonnuclear technology (e.g., sonar, radar, computer signal processing, etc.) will make these systems increasingly vulnerable and have the potential of eventually destroying their deterrent credibility. Therefore the option to modernize these strategic systems must be retained. The Soviet ASW warfare threat to Poseidon is large, varied and growing in sophistication. The Freeze concept would do nothing to stop further developments in those areas that will further negate our retaliatory capabilities, but it would deny us the right to test and deploy new ballistic submarine systems. The new Trident submarine is to replace older missile submarines exactly because of such a threat and not to increase the number of our SLBMs.

The B52 bombers are a very important part of our deterrent, and they clearly offer only a retaliatory second strike capability. Without the cruise missile together with the proposed B1 bomber, this leg of the Triad may not be able to penetrate the massive and sophisticated Soviet air defenses, nor escape an SLBM barrage attack against their bases.

The argument is advanced that these detailed improvements of our nuclear deterrent are unnecessary because at least one or two Poseidon submarines will survive and each can place as many as 160 warheads on Soviet targets. But this would not be a balance of deterrent power. The American President, in order to threaten 25 million Russians in a second strike, would risk losing 100 million of his countrymen in a Soviet response. He would surely be obligated to capitulate in any confrontation in which there were explicit or implicit threats of a Soviet nuclear strike—or go to a very destabilizing launch-on-warning strategy.

The Soviet Union's growing nuclear arsenal has already caused discomfort in Western circles. And as U.S. power to protect the interest of its allies and friends declines, the incentive to build their own nuclear deterrent would increase. France constructed their "force de frappe" out of apprehension of the prospect that we would not be steadfast in our defense efforts. Other countries may do the same. Thus, the nuclear freeze by halting U.S. efforts to overcome nuclear inferiority, and making it worse in the future, might promote nuclear proliferation.

As cogent as these reasons are for opposition to most of the freeze initiatives, there is another, perhaps equally compelling, problem. It is simply that a freeze must be verifiable. Freeze proponents argue that it "can be verified by our own intelligence capability." This is certainly not true for the production of nuclear warheads and probably not true for missiles. We do not know with any accuracy how many nuclear warheads or ICBM back-ups the Soviets have produced. The previous SALT negotiations have tacitly acknowledged this inability by agreeing to "count" only launchers.

On-site, on-demand inspection is essential, yet the Soviet Union has never been willing to allow it. The concepts of "immediate" and "verifiable" freeze are incompatible. It is deceptive advertising. A "verifiable" freeze would take several years to negotiate. It is not a short-cut to arms stability as its proponents argue.

Without adequate verfication, we must trust the other side—as in the nuclear test moratorium of 1958–1961. On September 1, 1961, the Soviets broke this "agreement" abruptly, and without any announcement resumed nuclear testing with the most massive test series since nuclear weapons were developed. Adhering to the spirit of the moratorium, we were caught totally unprepared. Regarding these events, President John F. Kennedy said, "We know enough about broken negotiations, secret preparation, and the advantage gained from a long test series never to offer again an uninspected moratorium. Some urge us to try it again . . . we have explored this alternative thoroughly and found it impossible of execution."

The nuclear freeze discussion focuses our attention on a sober issue. The United States can best avoid a nuclear war while preserving its own and its allies independence by thinking seriously about a nuclear war and then taking prudent and timely action to forestall it. The quality of deterrence is determined by how effectively we prepare for the eventuality that deterrence may fail. In recent times, we have neglected our nuclear retaliatory capability and we must now respond by making a nuclear deterrent with assured survivability. The nuclear freeze, despite its good intentions, would allow the strategic Triad to remain vulnerable and become even more so in the future. It would impede real arms reductions. These consequences will not improve our chances for peace and security, nor free us from the threat of nuclear war.

PURCHASER ROAD CREDIT ISSUE DISCUSSED AT HEARING

Mr. McCLURE. Mr. President, on April 22, the Public Lands and Reserved Water Subcommittee of the Energy and Natural Resources Committee held a hearing on S. 916, the timber purchaser contract relief legislation which I have joined Senator HATFIELD and many others in sponsoring.

Two of the witnesses at the April 22 hearing traveled from Idaho to explain an issue which is of great concern to forest products companies throughout the Western United States. The two witnesses, Robert Hitchcock of Evergreen Forest Products and R. Kirk Ewart of Boise Cascade Corp., directed their testimony to the so-called purchaser road credit problem.

The purchaser road credit problem arises from the current process by which timber purchasers are reimbursed for the permanent roads they build under U.S. Forest Service timber sale contracts. The current road construction reimbursement system is inequitable since timber buyers are not always fairly and quickly repaid for the long-term public access roads they construct for the Federal Government.

Section 6 of S. 916 would solve the purchaser road credit problem by amending the statute governing the Forest Service road construction reimbursement process. The current process limits the recovery of roadbuilding costs to the end-product value of the timber on the sale under which the road is built. Section 6 would change the process to allow all road construction costs to be recovered up to the full Forest Service road cost estimate. In addition, the current process allows unused purchaser credits to be applied to another timber sale bought by the same purchaser on the same national forest. Section 6 would allow earned purchaser credits to be transferred among different timber purchasers and applied toward the purchase of timber either on the national forest in which they were earned or in another national forest in the same section of the country.

Mr. President, the statements made by Mr. Hitchcock and Mr. Ewart fully explain the purchaser road credit process and why the changes to the process that are contained in S. 916 are fair and reasonable. So that this information might be more widely available, I ask unanimous consent that the two statements be printed in the RECORD.

There being no objection, the statements were ordered to be printed in the RECORD, as follows:

STATEMENT OF ROBERT T. HITCHCOCK

Mr. Chairman and Members of the Committee, I am Robert T. Hitchcock, President, Evergreen Forest Products, Inc., of Tamarack, Idaho. Evergreen Forest Products is a small privately-held business with approximately 100 employees. I am also President of Wallowa Lake Forest Industries of Joseph, Oregon, which has 55 employees. Together, these two companies will produce approximately 60 million board feet of dimension lumber this year. Both mills are heavily dependent upon Forest Service timber.

I appreciate the opportunity to appear before you today to present my views on the two timber contract relief bills pending before this committee.

The two companies that I represent and, in my opinion, a majority of the forest products companies operating in the Intermountain region support S. 916 as introduced by Senators Hatfield and McClure. We support the bill because it would make all ineffective purchaser road credits effective. Such a change in the law would ensure that all federal timber purchasers are promptly and fairly reimbursed for the costs they incur when building permanent public access roads under Forest Service timber sale contracts. Under the present system of reim-

bursement, timber buyers are not always repaid in full for the road building services they perform. We oppose S. 848, Senator Cranston's bill, because it would leave the current flawed reimbursement system intact.

Mr. Chairman, the purposes of my statement before this committee are to: (1) explain how the existing purchaser road credit system operates; (2) describe why the system is often unfair, especially in periods of extreme market decline; (3) outline the changes to the road credit system which we favor (and which are included in S. 916 as Section 6); and (4) respond to some of the objections which have been raised to the proposal to eliminate ineffective purchaser road credits.

BACKGROUND

Permanent National Forest System roads are constructed to provide access to federal forest resources, both by the government and the general public. The roads are needed for proper administration, protection, management, and use of the national forests.

All permanent roads are planned, designed, and engineered by the Forest Service. Many are actually constructed by that agency. Others are built by private companies which purchase federal timber for use in manufacturing various wood products.

Like any forest landowner, the Forest Service can finance road building through one of two methods: it can use cash (appropriated funds) to pay for a road, or it can finance road construction by trading timber resources for road building services. The vast majority of National Forest System roads are constructed by timber buyers under provisions of timber sale contracts.

Although timber purchasers are not in business to build federal roads, we have accepted road construction clauses in Forest Service timber sale contracts as a required part of doing business with the government. All that we ask now is to be fairly and quickly reimbursed for the costs we incur in building public access roads for the Forest Service.

PURCHASER ROAD CREDITS

Before each timber sale is sold, the Forest Service prepares an estimate of all required road construction. When the roads are actually built, the timber buyer receives a "purchaser road credit" equal in amount to the Forest Service road cost estimate. For example, if the road estimate is $500,000, then the purchaser credit earned once the roads are built is also $500,000. The credit can be applied to the amount owed the government for the timber cut on the sale under which the road was built. The credit can also be used to pay for timber on another sale bought by the same purchaser on the same national forest. The credit cannot be converted to cash.

Purchaser road credits are "effective" when the value of the finished products to be made from the wood in a timber sale is greater than the cost of making those products (including the cost of road construction). Conversely, purchaser credits become "ineffective" when the finished product value of the timber is less than the cost of making the products. Three hypothetical examples illustrate the difference between effective and ineffective purchaser road credits:

Sale 1:

Finished product value of timber	$1,000,000
Costs of production [1]	500,000
Permanent road construction costs	500,000

[1] Manufacturing costs, logging costs, transportation costs, and profit and risk.

Subtracting the non-road building costs of production from the finished product value of the timber ($1,000,000—$500,000), leaves $500,000 for road construction reimbursement. Since all of the road building costs can be recovered, 100% ($500,000) of the purchaser credits are effective.

Sale 2:

Finished product value of timber	$750,000
Costs of production [1]	500,000
Permanent road construction costs	500,000

[1] Manufacturing costs, logging costs, transportation costs, and profit and risk.

Subtracting the non-road building costs of production from the finished product value of the timber ($750,000—$500,000), leaves $250,000 for road construction reimbursement. Since half of the road construction costs can be recovered, 50% ($250,000) of the purchaser road credits are effective and 50% are ineffective.

Sale 3:

Finished product value of timber	$500,000
Costs of production	500,000
Permanent road construction costs	500,000

Subtracting the non-road building costs of production from the finished product value of the timber ($500,000—$500,000), leaves absolutely nothing for road construction reimbursement. Since none of the road construction costs are recovered, 100% of the purchaser road credits are ineffective.

In the three examples I have just described, a permanent asset—a $500,000 road—is constructed for the federal government. While the government is treated identically in all three instances, the timber purchasers are not. The buyer of the first sale is fully repaid for the road he builds, but the buyers of the second and third sales do not receive full repayment for the roads they construct, since all or part of their purchaser road credits are ineffective.

DEFICIT SALES

Forest Service timber sales for which the production and road costs exceed the end-product value of the timber (such as in examples 2 and 3) are often referred to as "deficit" sales. A sale may be deficit because of any or all of the following "design" factors: (1) the required roads under the sale include an expensive "mainline" road to be used to access many future timber sales in the same vicinity; (2) the road is unnecessarily over-designed for the purposes for which it is intended; (3) the costs of logging the sale and hauling out the timber are unusually high, as is the case where extremely steep terrain must be logged by helicopter or other similar low-impact methods; and (4) expensive fish and wildlife habitat protection measures are required, such as smaller cutting units to protect elk habitat or high-standard roads to protect salmon spawning beds.

In addition to "design" factors, market conditions can also contribute to or cause deficit sales. For instance, the three sales I described earlier can also be viewed as the same sale in which the end-product value of the timber decreases over time. In a declining market, a sale will "go deficit" (and make some or all of the purchaser road credits for the sale ineffective) when the finished product value of the timber falls below the level necessary to absorb the road construction costs and the costs of production. This situation, unfortunately, exists on many uncompleted Forest Service timber sales; that is why there is such a large amount of ineffective purchaser credit at present.

It is a fair question to ask, at this point, why timber purchasers would buy deficit sales and risk losing substantial sums of money when the timber is eventually harvested.

Many forest products companies operating in the western United States are highly dependent upon national forest timber as a source of raw material. If a company has no alternative timber supply, it may buy deficit sales for a time in order to remain in business. Such a company will hope for an upward turn in lumber prices so that its deficit sales become ones which, in the end, at least cover the costs of production. However, a company cannot buy only deficit sales if it expects to remain economically competitive.

It is because we desire to see a reduction in the number of deficit sales, through the elimination of ineffective purchaser road credits, that we are supporting S. 916.

SECTION 6 OF S. 916, A SOLUTION TO THE PURCHASER ROAD CREDIT PROBLEM

As the sponsors of S. 916 have stated, regardless of economic conditions, all purchasers of national forest timber ought to receive fair reimbursement for the costs they incur in building permanent public access roads under Forest Service timber sale contracts. We strongly support the provisions of Section 6 of S. 916 which would accomplish that objective by making all purchaser road credits effective, both on existing and future sales. In order to make sure that timber purchasers receive prompt reimbursement for road building services, we support the changes to existing law which are included in Section 6 to allow unused purchased credits to be transferable among timber purchasers and applied toward the purchase of timber either on the national forest in which they were earned, or in another national forest in the same section of the country.

RESPONSE TO OBJECTIONS ABOUT THE PURCHASER ROAD CREDIT PROPOSAL

Mr. Chairman, before concluding my testimony, I want to take a few minutes to respond to some of the objections raised about the purchaser credit proposal embodied in Section 6 of S. 916.

First, it has been argued that it is not appropriate to make permanent changes to the statute governing the recovery of purchaser road credits within an "emergency" relief bill. I'm not sure I understand the logic behind this argument. If a proposed change in the law is in the public interest—as we believe the purchaser credit provisions to be—why should it not be approved without worrying about where it is attached?

Beyond that point, there are good reasons why the purchaser credit proposal should be part of any timber contract relief bill. For example, the termination provisions of the pending legislation will improve the competitive position of West Coast operators for many years into the future. Companies operating in the Rocky Mountain region will be forced into a position of long-term disadvantage unless the contract termination provisions are balanced with changes to the purchaser credit process. In addition, the ineffective road credit problem is clearly retarding the economic recovery of

mills in our region. The termination provisions of S. 916 or S. 848 will not help us out of the current slump, nor protect us from future market downturns, but the purchaser credit provisions of S. 916 will help meet both objectives.

Second, objections have been raised to the purchaser credit proposal on the grounds that it would reduce total Treasury receipts from timber sales. (The precise effect of the proposal is difficult to estimate because the relative percentages of effective and ineffective purchaser credits change as wood product prices rise and fall.) Obviously, a change such as the one we seek is not without its costs. However, we believe that the benefits of such a change—including increased employment and a more stable employment base—far outweigh the costs. Furthermore, focusing only on "revenues lost" obscures the basic policy question at the heart of the purchaser credit issue: should all federal timber buyers be fairly reimbursed for the costs they incur when building permanent public roads for the government?

Third, some people have argued that making ineffective purchaser road credits effective would grant new authority to the Forest Service to allow the sale of timber in areas where the costs of building the roads to reach the timber exceed the value of the products to be made from the trees. These same individuals contend that the National Forest Management Act of 1976 prohibits such sales. Neither argument is accurate.

A careful review of the 1976 Act reveals that Congress did not intend to prohibit development where *immediate* costs are greater than *immediate* benefits. Instead, Congress intended a long-term accounting. The purchaser credit proposal fits into that statutory framework. It does not change the current rules that allow timber harvesting and road building only where long-term benefits exceed long-term costs.

Fourth, and finally, it has been stated that the purchaser credit proposal would increase the rate of road building and timber harvesting within national forest roadless areas. That statement is false. Road construction and timber sale activities are strictly controlled by the land management planning process and regulated by the Congressional appropriation process. Approval of the purchaser credit proposal will neither increase nor decrease the rate of such activities.

CONCLUSION

In closing, Mr. Chairman, I would like to thank you and other Senators for your sustained support of S. 916 and your interest in the problems facing the forest products industry. I urge you to continue to do everything possible to secure prompt and favorable approval of S. 916.

STATEMENT OF R. KIRK EWART

I am R. Kirk Ewart, Director of Regulatory Affairs for the Boise Cascade Corporation, Boise, Idaho. I want to thank you for holding these hearings and for the opportunity to testify on the critical subject of Federal timber contract revision legislation. I appear here today in support of S. 916 which we believe provides the necessary mechanism for remedying the economic situation in which our industry finds itself.

It is a long outstanding practice for the owner of timber to bear the cost of road construction necessary to support the sale of the owner's timber cutting rights. This practice is common to all classes of timber owners: industrial, non-industrial, private and all classes of governments owning and managing timber resources. The method of bearing road costs varies by class of landowner, but the underlying principal is the same.

Some timber owners elect to use their cash to build roads necessary for harvest and then recover road costs through higher timber prices at time of sale. Another practice is to reduce the price of timber sold then require the purchaser to use his cash to build needed roads. In this case the purchaser recovers his road building costs by paying less for the timber. There are variations of these basic methods of paying for roads needed for timber harvest, but the end result is the same—the timber landowner pays for roads needed to harvest his timber.

Because Forest Service timber sale activity take years of presale work and because it must depend upon annual appropriations from Congress to support its activities, this timber owner has never been able to depend upon a predictable flow of cash to support a significant internal road construction program. Therefore, the Forest Service has used timber receipts to finance road development needed to support its timber sale programs.

The method used to compensate Forest Service timber sale purchasers for road construction has evolved through several systems over the past twenty years. First, the total estimated road cost was amortized over the total estimated volume of timber included in the timber sale. This system failed because the volume estimates used at the time of sale preparation often proved to be in excess of that actually harvested resulting in the purchaser failing to recover the full estimated cost of road construction. To remedy this problem the amortization formula was revised to use only 80 percent of the timber volume estimate as a basis for road cost amortization. This change greatly improved road cost amortization, but failed to deal with a situation which became more noticable as the cost of roads became a more significant portion of the total cost of timber sale operations.

As the cost of road construction escalated, most purchasers would not incur road construction costs until immediately before timber harvest was planned thereby allowing rapid road cost recovery via the amortization process. This procedure resulted in purchasers attempting to use partially completed roads, and using roads which had been completed but not seasoned. Wet weather and green roads generate road surface failure which may diminish the roads ability to perform to design standards. Also the possibility of water quality damage from road construction increases from the practice of construction just prior to harvest.

The operational problems associated with the road amortization system encouraged a new look at the process which resulted in transferable purchaser credit.

As a purchaser constructs roads necessary to harvest timber included in a timber sale, he earns purchaser credit. Once earned, the purchaser credit can be used to pay for timber harvested on the sale generating the purchaser credit, or timber harvested from any other sale on the same National Forest held by the purchaser who earned the purchaser credit. By creating a system which permits timber sale purchasers to recover road construction costs very soon after expenditure, purchasers are then encouraged to build roads as soon as possible after purchase of a timber sale even though logging may not be planned for several years. Therefore, most environmental problems associated with operating over new roads are eliminated or greatly reduced.

The existing purchaser credit system has evolved over a long period during which the Forest Service has attempted to recognize its obligation to compensate timber sale purchasers for roads constructed. This evolutionary process is not yet complete. Purchaser credit must be changed to improve the process of timber purchaser compensation for road construction.

The existing purchaser credit procedure permits timber sale purchasers to use only that purchaser credit which is "effective" for the payment for timber harvested on the same National Forest upon which the effective purchaser credit was earned.

"Effective purchaser credit" is best understood by defining ineffective purchaser credit. Ineffective purchaser credit arises when the cost of necessary road construction exceeds the timber value above timber sale contract base rates. That portion of road construction cost which exceeds timber value above base rates may be earned, but is not effective, so cannot be used by the purchaser to pay for timber harvested. Under circumstances which lead to earning ineffective purchaser credit, the Forest Service has received a road which the purchaser must build, but has not compensated that purchaser for creating the road asset for the United States.

Timber sales which generate ineffective purchaser credit result from several factors. Timber sales which contain contract provisions which adjust stumpage price to reflect the quarterly change in value of the products estimated to be produced from the timber included in the timber sale (escalation) may have had sufficient timber value above base rates to lead the purchaser to believe at the time of sale that all earned purchaser credit would be effective. However, if a market decline occurs after purchase, which happened in 1979, previously anticipated purchaser credits could, at no fault of the purchaser, become ineffective. Under these circumstances the purchaser must still build the roads, but the United States will fail to provide compensation for the road credit received.

In some cases timber sales are offered which at the time of sale do not have enough appraised cash value above base rates to make all or any purchaser credit effective. Under the existing purchaser credit system, the only way a purchaser of such a sale could be compensated for road constuction are: (1) if the sale contract contained stumpate rate adjustment procedures (escalation) and there was a major product market increase during the life of the sale; and (2) if, during the auction of the timber sale, competition resulted in stumpage values being increased to the point that purchaser credit which was ineffective at offering became effective after bidding.

Timber sales which do not contain one hundred percent effective purchaser credit at time of offering are not desirable and should be avoided, but are not, under some circumstances, a poor public management practice. Escalating road costs resulting from inflation and more sophisticated and expensive road construction standards; less timber being available for harvest at the time of construction per mile of road constructed as a result of the Forest Service response to wildlife habitat needs, scenic preservation, maximum harvest unit size, water quality and fish habitat; and less appropriated funds available for access road con-

struction from the major public highway system to the timber harvest areas, have all resulted in more sales with less than total effective purchaser credit. In these cases, the United States fails to compensate the purchaser/road builder, but has in place a valuable road which makes future timber sold tributary to such a road very valuable because of the implace road. The public has gained access to the area for all manner of recreational activities and the Forest Service has vehicular administrative opportunities to control fire, insects and disease. All this without full payment.

Purchasers who buy timber sales which result in ineffective purchaser credit often do so without choice. A mill without timber supply has only scrap iron value. If only ineffective purchaser credit sales are offered, the mill owner has the choice of attempting to purchase such sales or closing his mill. Such is a difficult choice and forces speculation, an aspect of Forest Service timber sale conduct being discouraged by the Forest Service and the Administration.

By limiting the transferability of purchaser credit to the same National Forest upon which it was earned, an unfortunate and at times anticompetitive circumstances have developed. A purchaser may be a major Forest Service timber sale opeator, but may have only one active timber sale on a specific National Forest. Because transfers are limited such a purchaser is unable to use the credit earned in a timely fashion and is thus denied rapid recovery of road construction costs. This situation must be remedied to assure the deservable objective of treating all Forest Service purchasers the same.

Many timber sales are now under contract which were sold in the prerecession era which include large value in ineffective purchaser credit. Some of these sales were purchased with all or part of purchaser credit being effective, but the recession pulled product prices down thus triggering downward stumpage rate adjustment, therefore making purchaser credit ineffective. This situation could and should be remedied by making all purchaser credit included in existing timber sales effective on a retroactive basis.

In closing, Mr. Chairman, I want to thank you for the opportunity to present our views on S. 916. We look forward to working closely with the Committee as this legislation is developed. I would be happy to answer any questions which you may have.

LEWIS LEHRMAN AND THE WILLIAMSBURG SUMMIT

Mr. PERCY. Mr. President, it was with great interest that I opened this morning's Wall Street Journal editorial page to see a prominent article by Lewis Lehrman.

Mr. Lehrman is a man of ideas and a candidate who came within a whisker of winning the New York gubernatorial race last year.

In today's article, Mr. Lehrman calls on the Western nations to raise the need for monetary reform at the Williamsburg summit at the end of this month. Mr. Lehrman makes an excellent case for discussing currency alinements and monetary policies at the summit. He states at one point in his piece that "there is no major country yet willing to look at the fundamental flaw of the international economic system: The notion of political leaders that national economic and monetary policy can be made independent of the world economy."

Mr. Lehrman continues, "The truth is that there is only one economy. It is the integrated world economy. Therefore national economies need a monetary coordinating mechanism."

Mr. Lehrman's view is that gold will supply the best uniform international standard and "coordinating device", as he calls it. That may be so. Other economists believe there are other ways to reach the same point of a more coordinated international economic mechanism.

In any case, I agree completely with Mr. Lehrman that the summit is the appropriate place to broach this subject. It is an important element in the trade positions of all the Western countries. And given the protectionist sentiments raising in many countries, it is most appropriate to begin an earnest dialog on currency alinments.

I have not had a chance to talk with Mr. Lehrman about the resolution that I introduced last week (S. Res. 135) with a bipartisan group of Senators. Our resolution calls for the very kind of summit discussions that Mr. Lehrman calls for in his article. I believe he would support our resolution. I know American exporters support it, because they are head to head with the competition and know the cost of currencies askew.

Mr. President, I ask unanimous consent that the text of our resolution on the Williamsburg summit be printed in the RECORD at this point, following Mr. Lehrman's column.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Wall Street Journal, May 11, 1983]

LET'S TALK MONEY AT WILLIAMSBURG

(By Lewis E. Lehrman)

Williamsburg is an economic summit without an agenda. That shouldn't be surprising, for the West today has no coherent economic order—unless you count austerity and sacrifice.

Recently, I returned from a trip to European capitals. Central-bank officials and ministers of trade did acknowledge the profound problems of monetary disorder, exchange-rate fluctuations and their protectionist effects. Yet, while the French government now calls for a return to the Bretton Woods system—profoundly flawed itself but certainly more effective than the present float—no minister with whom I spoke believed international monetary problems would be formally discussed at Williamsburg. This pessimism about the possibilities of reform is striking, coming only six months after Treasury Secretary Regan called for a monetary conference.

The issue of international monetary reform and the new arguments for different systems of fixed exchange rates arise from the failures of the managed currency float of the past 10 years. During this period, economies of the West declined and protectionism intensified. Ideas of reform originated in the 1960s, with the purpose of curing the primary defect of Bretton Woods—the reserve currency status of the dollar, which led to a permanent balance-of-payments deficit in the U.S. These ideas have not yet been sufficiently considered. Now is the time to do so.

The evidence is compelling that reconsideration of the world monetary system is overdue. One need only review the history of the last few years in America, Britain, Germany and France, as their economies declined under the weight of the monetary and interest rate disorders engendered by central bank money market manipulation.

In Britain in 1979, Margaret Thatcher's Conservatives campaigned against the Keynesian credit policy of the Bank of England and the sterling depreciations of the Labor government. Mrs. Thatcher's campaign called for a stable currency, economic growth, low interest rates and financial order. After nearly four years of austerity and an unapologetically monetarist central banking policy, Britain still has 13% unemployment. Output is no higher than four years ago. Meanwhile, the pound's value fell from $2.50 to $1.45—beneath the lowest level under the Labor. The cost of credit, the touchstone of economic growth, hovers at real rates of 8% to 10%, depending on the quality of the borrower, even as the public-sector borrowing requirement has diminished as a percentage of GNP.

FRANCE'S CURRENCY COLLAPSED

In France, Francois Mitterrand's Socialists campaigned in 1981 against the credit and budget austerity of President Giscard. They promised a statist industrial program of economic expansion. However, Mr. Mitterrand's conventional neo-Keynesian policies of government spending and credit expansion led to the collapse of France's currency. The trade deficit grew to $14 billion a year and domestic inflation intensified. Now, the new Mitterrand policy of austerity, designed to deal with the crisis is, of all things, Thatcherite monetary targeting joined to the most draconian inequity of all—wage and price controls aimed at lowering real wages. Despite the stringency of the Mitterrand austerity, interest rates have risen and unemployment is over 9%. He has repudiated the very goals of economic expansion and job growth for which his government was elected.

In Germany in 1982, Helmut Schmidt's Social Democrats also presided over rapidly rising unemployment occasioned by the government-sponsored Bundesbank policy of credit austerity, monetary targeting and high interest rates. By the summer of 1982, Mr. Schmidt's coalition fell apart as his Free Democrat allies, sensing repudiation, switched affiliation to the Christian Democrats. What made Hans Dietrich Genscher and his Free Democrats jump ship was massive defections from the Schmidt economic policy, as measured by opinion polls. Germans of both parties rejected the policies of austerity.

Capitalizing on discontent with austerity, Helmut Kohl's CDU negotiated a deal with the FDP and shrewdly called for early elections in March 1983. They won those elections by a decisive margin, campaigning for a program of economic recovery.

In the U.S., President Reagan came to office in 1980 after a brilliantly successful campaign based on job creation, new investment, stable money, lower interest rates and economic growth. It is true that inflation has come down. And it is true that, unlike

most of his Western European counterparts, Mr. Reagan has significantly reduced marginal tax rates. But the real cost of credit for homes and business is still unacceptably high. Industrial production does not yet exceed 1979 levels. There are still over 11 million unemployed.

The credit policy of Fed Chairman Paul Volcker has brought down inflation while producing one of our greatest recessions, a world banking crisis, and a political setback for the Republicans in November 1982. But the policy of monetary austerity, and the recession it caused, was not President Reagan's program of 1980. It was instead the policy of the Fed and the Office of Management and Budget. Like Mrs. Thatcher, Mr. Reagan unwittingly fell into the trap of his advisers who advocated credit austerity.

And so the West sways between expansionist central bank credit policies that lead to the euphoria of inflation, and austerity policies of credit contraction, which lead to the despair of unemployment and spiritual poverty. In a larger sense, and to some practical extent, this stop-go economics has impoverished us all. European and American workers are punished by Socialists and Conservatives for the "sin" of wanting wages that keep up with inflation.

In the meantime, because of unemployment, Western governments are preoccupied with the balance of trade—an all-time fallacy. The specter of protectionism is on the rise. But our disorders in the world trading system cannot be cured by GATT or by trade agreements. Those disorders are monetary in origin. Protectionism thrives on competitive exchange-rate policies, brought about by the abrupt currency depreciation and appreciations of well-meaning but uncertain central bankers and politicians.

Many central bank officials in Europe speak with pride about the new austerity. They look with equanimity on the 35 million unemployed of the OECD countries. The question is: Must policy makers put 2.5 million people out of work in Germany, 3 million in Britain, 11 million in the U.S.—in order to reduce inflation? Surely those who still believe in the future of the Free World and in the American dream must answer: No, there is a better way. Only national and international monetary reform can cure our monetary disorders.

It was the German monetary reform of 1948, based on a new convertible currency—a deutschemark tied to gold—that along with deregulation produced the German Miracle. It was the creation in 1959 of a convertible gold franc, which brought forth the savings and investment, that made the Fifth Republic of De Gaulle rich enough to create both nuclear defense and national prosperity. The gold convertibility of the dollar, and multilateral convertibility in Europe—the hallmarks of the Bretton Woods system—created the conditions for postwar prosperity. But the Bretton Woods system had the great flaw of being based on the *official* reserve currency status of the dollar.

SYSTEM IS IN DEEP TROUBLE

The monetary order of Bretton Woods was never reformed in this respect. As a result, when the dollar collapsed in 1971, Bretton Woods collapsed too, just as Prof. Jacques Rueff and Robert Triffin forecast in 1959.

The truth is that there is only one economy. It is the integrated world economy. Therefore, national economies need a monetary coordinating mechanism. And that is why an integrated world economy needs a common monetary standard, which is the best neutral international coordinating device. But no national currency will do; only a world currency will work. That is why having national currencies convertible to gold—an international money—has worked in the past and will work again.

Even Mrs. Thatcher was recently quoted as saying, "It's absolutely vital for us to jointly pursue policies which enable us to get and keep interest rates down and to keep inflation down." There is such a policy. The policy of convertible currencies, linked to an international monetary standard, is the only one which has worked reasonably well in the past. The policy is imperfect, as are all human institutions; but a system of fixed exchange rates which is the incidental by product of the real international gold standard is the least imperfect of the international monetary systems we know. Without such a free-world monetary order we shall never restore sustained price stability, long-term capital markets at low interest rates, and the investment boom which alone can lead to reasonably full employment.

Without a reformed monetary system of multilateral, unrestricted convertibility of the major Western currencies into gold, we shall continue in a topsy-turvy world, oscillating between autarky and entropy. Incredibly, Socialists will talk of reducing the real wages of workers to increase profits and end trade imbalances, as they do now in France. And self-styled anti-Keynesian Conservatives will rely on neo-Keynesian central bank credit expansion to create economic booms in order to end austerity and get reelected.

The international monetary system is in deep trouble; we won't just muddle along much longer. The time to deal with the so-called "structural" problems of our monetary order is now. If we do, we can once again create conditions of rapid non-inflationary growth. If we don't make the reforms, sooner or later the world economy will founder.

Only the U.S. can take the lead. We must begin at Williamsburg.

S. RES. 135

Whereas the continuing misalinement of major currencies with the United States dollar is a principal factor in undermining United States trade competitiveness and in depressing the United States economy over the past 2 years; and

Whereas the consequence has been the loss of many hundreds of thousands of jobs, severe dislocation in many areas of the United States economy, and the generation of protectionist pressures; and

Whereas persisting disparities in interest rate levels between the United States and other key currency countries have contributed heavily to these ongoing exchange rate misalinements; and

Whereas both these maladjustments result in major part from inadequate coordination and harmonization of general economic policies among the United States and other key currency countries; and

Whereas European and Japanese officials have indicated a desire to discuss remedies for there problems; and

Whereas the forthcoming Williamsburg Summit conference at the end of May will bring together the leaders of key currency countries: Now, therefore, be it

Resolved, That it is the sense of the Senate that: First, the President should arrange to have included among the highest priority themes of the Williamsburg Summit to seek a consensus among the participants on the need to improve the coordination of economic policies among Summit countries, aimed at reducing disparities in economic policies, interest rates, and exchange rates between the major industrial nations; at stemming current dangerous protectionist pressures; and at hastening a healthy and sustained recovery of industrial economies and of international trade.

Second, such consensus should include announcement of a mechanism or procedure for such consultation on a close and continuing basis so long as important protectionist pressure and increased governmental intervention in international trade remains a danger to the world trade system; and

Third, such consensus should also include provision for an early meeting of Summit country Ministers of Finance and the United States Secretary of the Treasury to consider steps to achieve better alinement between the interest rates and major currencies and to make public the objectives of such steps; and

Fourth, the President should arrange, in conjunction with the Williamsburg Summit, bilateral discussions with the Prime Minister of Japan to initiate special efforts to bring about consensus and joint action to achieve the earliest possible further realinement of the yen and dollar exchange rates.

NOMINATION OF RICHARD S. WILLIAMSON TO BE REPRESENTATIVE TO THE VIENNA OFFICE OF THE UNITED NATIONS AND DEPUTY U.S. REPRESENTATIVE TO THE INTERNATIONAL ATOMIC ENERGY AGENCY

Mr. McCLURE. Mr. President, I rise to offer my strong support for Richard S. Williamson who has been nominated to serve as U.S. Representative to the Vienna Office of the United Nations and Deputy U.S. Representative to the International Atomic Energy Agency. This newly created mission merges the former missions of the International Atomic Energy Agency and the U.S. mission in Vienna to various U.N. organizations.

Mr. Williamson's distinguished career in both private law practice and in the public sector includes experience in the field of international affairs. He has served as executive editor of the Virginia Journal of International Law while attending law school, has been active in the international law area while working in private practice, and, currently, chairs interdepartmental task forces on Puerto Rico and other U.S. territories which have involved him in the administration's Caribbean Basin Initiative. Mr. Williamson has been an invaluable asset to the administration while serving in various positions including Special Assistant to the President and Deputy Chief of Staff of the White House. As Assistant to the President for Intergovernmental Affairs, he has proven to be a very talented and capable negotiator during the delicate discussions on the President's New Federalism proposal. I believe that Mr. Wil-

liamson's experience in the fields of law and international affairs provide him with an appropriate background to meet his responsibilities in Vienna.

As Deputy U.S. Representative to the IAEA, Mr. Williamson will be working in conjunction with Ambassador at Large Richard T. Kennedy in Washington. I viewed with great pride the President's announcement on September 14, 1982, of the appointment of Richard T. Kennedy, then Undersecretary of State for Management, to be the President's and the Secretary of State's Special Representative for Nonproliferation Policy. I applauded that move then and now, because it demonstrates the President's personal commitment, and that of Secretary Schultz to assuring a high-level focus on nonproliferation policy for the remainder of the Reagan administration. I have met with Mr. Williamson personally and am equally impressed by his dedication to the administration's nonproliferation policy. As chairman of the Senate Committee on Energy and Natural Resources, I believe Mr. Williamson and Ambassador Kennedy will make an outstanding team to promote this Nation's nonproliferation interests.

The International Atomic Energy Agency, and its nuclear safeguards program, in particular, are very important to U.S. nonproliferation policy. Any weakness in the safeguards system would inhibit U.S. efforts to confine the use of nuclear power for peaceful purposes. A recent issue which has developed in this regard concerns the State Department's notification to Congress of its intent to open the Portsmouth Gas Centrifuge Facility to International Atomic Energy Agency safeguards.

The U.S.-IAEA treaty provides that only a minimum amount of information and data for implementing international safeguards must be disclosed to the IAEA and the agreement only applies to those facilities which do not have a national security significance. During the hearing on the U.S.-IAEA agreement in 1979, I pointed out that IAEA safeguards at Portsmouth could present a serious risk of disclosure of highly sensitive national security information and restricted data, based on DOE memorandums at the time. Since this significant risk of compromise of sensitive information is not necessitated by the terms of the treaty, I would urge the State Department, Ambassador Kennedy, and Mr. Williamson to insure that making the Portsmouth facility a candidate for international safeguards will not have such a negative result.

One optimistic development in regards to the safeguards program has been the Soviet Union's offer to begin negotiations on opening up some of its civilian nuclear plants to IAEA inspectors. The offer is considered a positive step toward encouraging other nations to sign the Nuclear Nonproliferation Treaty and could eventually lead to an agreement to permit onsite verification of arms agreements. The U.S.-IAEA Treaty should serve as a model for negotiations between the IAEA and the Soviet Union. Because of the significance of any such diplomatic development with the Soviet Union, I encourage Mr. Williamson in his new position to focus close attention on the IAEA negotiations with the Soviet representative.

In the past year, the IAEA became a symbol of the growing politicization within several of the U.N. organizations. On September 24, 1982, the IAEA voted to reject the credentials of the Israeli delegation to the General Conference, which had the effect of excluding them from further participation in that IAEA Conference. This action led to a walkout by the U.S. delegation and 15 other states. Then in October, the administration suspended its payment to the IAEA and Secretary Schultz announced that the United States would not participate or fund any U.N. agency which voted to exclude Israel. In December, the Senate Appropriations Committee reported out the foreign operations appropriations for fiscal year 1983 with no funding for the U.S. voluntary contribution to the agency. However, the State Department felt that in light of the administration's ongoing reassessment of U.S. participation in the agency, the full $14.5 million for the U.S. payment to the agency, should be restored by the Appropriations Committee. Subsequently, Senator KASTEN and I sponsored an amendment which was passed by the Senate on December 16 to provide $10 million in additional funds for the Agency, provided that the Board of Governors certified that Israel could participate fully in the IAEA. The Director General of the IAEA subsequently provided the necessary certification and the funding has now been resumed. Also, the interagency group working on the administration's reassessment concluded that the IAEA was crucial to U.S. national security interests and shortly thereafter, the United States resumed participation at the IAEA Board of Governors meeting in February. In the future, we must continue to express our opposition to any attempts to politicize this vital peacekeeping organization and prevent it from carrying out its safeguarding responsibilities. Mr. Williamson must make every effort to insure that the position of the United States at the IAEA on this crucial issue remains crystal clear.

In the past, controversies which have arisen in connection with the IAEA include the shipment of enriched uranium for India's Tarapur reactor, China's opposition to joining the IAEA, and Pakistan's refusal to accept full scope safeguards and IAEA inspection of all its nuclear activities. The Ambassador to the IAEA will have the difficult task of dealing with other troubling issues such as those while pursuing this Nation's nonproliferation objectives in Vienna—a challenge, I am confident that Mr. Williamson will be able to meet.

Mr. PROXMIRE. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. BIDEN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BIDEN. Mr. President, morning business will end in about 3 seconds. I ask unanimous consent that I be permitted to speak for 5 minutes as if in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

POSSIBLE SOVIET VIOLATIONS OF ARMS CONTROL AGREEMENTS

Mr. BIDEN. Mr. President, it is not my habit to discuss sensitive intelligence subjects on the Senate floor. So far from this, I do not even like to discuss subjects that, while they themselves might not involve intelligence programs, are subjects related to or derived from intelligence programs. I think that in either case, essential U.S. intelligence sources and techniques might be compromised. In the long run, the benefit to the United States of having these sources and methods undisclosed far outweighs the short-term gain to be had in disclosing such information.

On the other hand, from time to time information is disclosed that, if left unchallenged, can significantly and improperly affect important political decisions in the Congress and in the executive branch. If left unchallenged, such selectively disclosed intelligence can end up by improperly affecting the opinions of the American people. In short, such selectively disclosed information can pollute the environment of public debate in this country.

Although the problem of partial disclosures of intelligence information that present a one-sided or slanted picture of important issues has been with us for a long, long time, in the past few years this problem has become particularly acute.

The current debate over Central America supplies an example of this problem. This debate has raged on and off for the last 2 years. Unfortunately, public understanding of the extremely complex issues in El Salvador and

Nicaragua has not been promoted at all by this administration's selective disclosures and use of intelligence information. For one thing, this selective disclosure severely overemphasizes the role of outside forces in the Salvadoran civil war and minimizes the role of other economic, political, and historic factors.

As someone who has closely studied what the CIA and other intelligence agencies have reported on a classified basis regarding Central America, I can attest to the fact that the role of the Nicaraguan and Cuban Governments in supplying arms to the insurgent groups of the Farabundo Marti National Liberation Front in El Salvador is beyond doubt.

Nevertheless, in speaking with far greater certainty than is possible about the quantities of such arms shipments and about their role in fueling the Salvadoran civil war, the Reagan administration has, I feel, done more harm than good to the promotion of public support for its Central American policies. It has made many Americans totally skeptical about the truth of this administration's public statements on the Nicaraguan and Cuban roles. Because of this skepticism, many Americans now feel it improper for the United States to assist efforts to interrupt this flow of arms. I doubt that this can have been the administration's desired effect.

It is not Central America, however, that I want to speak about today. I am concerned today about another, equally important misuse of sensitive intelligence information.

ALLEGATIONS OF ARMS CONTROL VIOLATIONS

The recent rash of disclosures in the press and allegations on the Senate floor about possible Soviet violations of arms control agreements constitute another troubling instance of such selective disclosures. We have read in the newspapers, for example, that some of President Reagan's more politically-minded advisers are urging him to speak publicly on a long, and potentially significant, list of possible Soviet violations of arms control agreements.

On April 14, the distinguished senior Senator from Idaho presented a list of similar allegations on the Senate floor. We heard, for example, that the Soviets are testing two new ICBM's in contravention of article 4 of the SALT II text permitting only one new, light ICBM for both the United States and the Soviet Union.

Furthermore, it was stated that the Soviet Union has violated the SALT I Treaty in a variety of ways. We heard, for example, that they have tested a tactical missile, the SAM-12, in an antiballistic missile mode. According to these claims, the SAM-12 has a capability not only against the Pershing II, but also against the Poseidon and Trident submarine-launched missiles. Similarly, it was stated that two other surface-to-air missile systems—presumably the SA-5 and the SA-10—are being developed with an ABM capability.

It was claimed that the five new, large phased array radars around the Soviet Union's periphery have an ABM battle management capability.

It was further stated that the SS-18 heavy ICBM had been given a rapid reload capability in violation of SALT II article 4.

Moreover, we heard that the Soviet Union, in their underground nuclear weapons tests, have consistently exceeded the 150-kiloton ceiling agreed to by the United States and U.S.S.R. in the unratified 1974 Threshold Test Ban Treaty.

Finally, we have heard that the Soviets have exceeded the SALT II ceilings of 2,400 on the number of strategic delivery vehicles and of 1,320 on MIRV'ed launchers.

These are just a selection of allegations based on and sometimes disclosing sensitive U.S. intelligence sources and methods that have recently been made on the Senate floor.

There is a real problem in proceeding with a public discussion of these charges. I am at a disadvantage in a public discussion because I steadfastly refuse to disclose or even tend to disclose classified information. Nevertheless, I feel required to discuss these allegations today.

Even in the most temperate of international climates, arms control is a delicate fabric. It is a vitally important fabric protecting an elementary, civilized dialog between countries that have very different outlooks on the world and very different notions of what is morally acceptable international behavior. In the current, rather untemperate international climate, these indiscriminate allegations of Soviet treaty violations threaten to shred this fabric into pieces that would take years to stitch back together.

As a member of both the Intelligence and the Foreign Relations Committees, it is virtually impossible for me not to have a close knowledge of our intelligence information regarding Soviet military activities bearing on arms control agreements. More specifically, it is virtually impossible for me not to have a close knowledge of the Soviet strategic military activities to which these allegations allude. It is also, however, virtually impossible for me not to have a close knowledge of the inherent ambiguities that surround much intelligence information and anmalysis.

SOVIET ACTIVITIES

Mr. President, it is not my ambition here to act as an apologist for the Soviet Union. I do not have to improperly release information from classified intelligence reports to show how damaging Soviet behavior is to constructive and harmonious international order. Examples enough can be found in the world's newspapers.

The use by Soviet client states of apparently Soviet supplied chemical weapons in Afghanistan, Kampuchea, and Laos in violation of the 1925 Geneva Convention, and quite possibly the 1972 Biological Weapons Convention, is quite convincingly documented.

The Soviet Union has brutally invaded and occupied Afghanistan—with over 100,000 combat troops and the most advanced weaponry—since Christmas of 1979. The Soviet Union continues its stranglehold on the aspirations for personal liberty and human dignity of the Polish people.

It should no longer be necessary for any Member of this body to prove his grasp of Soviet belligerent and interfering behavior by reciting the list of Soviet clandestine efforts in Central America that fuel insurgencies in an areas of the world of immense importance to the United States.

Recent weeks have supplied yet another, almost ironic example of unacceptable Soviet behavior. The Soviet Union has consistently taken uncooperative positions in a variety of international arms control agreements and negotiations by refusing to allow onsite inspection of military facilities as a means of helping to verify compliance, although it has shown some signs of flexibility in negotiations for the Comprehensive Test Ban Treaty. The recently adjourned Conference on Disarmament in Geneva found no exception to this recalcitrance. The Soviet Union argues that such onsite inspection for verification purposes infringes on its national soverignty.

Now the hyprocrisy in the Soviet concept of national sovereignty becomes clear as the Capitol's dome on a sunny day when it is realized that, during the last 2 months, over 70 Soviet diplomatic and other officials have been expelled from approximately 10 countries for espionage activities. Last week, for example, the Government of Switzerland expelled a representative of the Soviet news service Novosti. That Soviet official had offered to provide paramilitary training to participants in Swiss antinuclear demonstrations.

This sort of behavior is not exactly diplomatic. It makes cooperation with the Soviet Union a difficult and at times infuriating enterprise.

As I think these examples show, I am not an apologist for Soviet behavior in arms control or any other area of international behavior. Furthermore, I am very concerned about what is apparently Soviet supported violation of the 1925 Geneva protocol prohibiting the use of chemical weapons. I also am disturbed by highly ambigu-

ous, and possibly prohibited, Soviet behavior related to SALT II.

PROBLEMATIC USES OF INTELLIGENCE

Nevertheless, if recent statements alleging that the Soviet Union has violated strategic arms control agreements on a massive scale are left unchallenged, I am afraid that they will create the impression among the American people that the entire U.S. Government agrees with these allegations. I am concerned personally that if I, as a member of the Foreign Relations and the Intelligence Committees who has extensive access to classified information, say nothing at all in response to these charges of massive Soviet violations of SALT treaties, then I appear to give my tacit agreement to them. If I gave my tacit agreement to these charges it would make very little sense for me to be, as I still am, a strong supporter of the unratified SALT II agreement and of worthwhile future arms control agreements.

If I gave my tacit agreement to this process of selectively disclosing intelligence information to support a particular political point of view, it would make little sense for me not to selectively disclose intelligence information to support my own political point of view.

I will not give my tacit agreement to these charges of massive Soviet violation of strategic arms control agreements. I will not give my tacit agreement to this process of selectively disclosing classified information to support particular political positions. I want, therefore, to criticize these allegations on three counts.

SELECTIVE DISCLOSURE OF INTELLIGENCE

First of all, I want to criticize the general form of these allegations. With these allegations, individual governmental officials, in the administration or the Congress, have unilaterally released classified information and also thrown in heavy portions of speculation and hypothetical thought. As I have already stated, this approach to classified information is totally unacceptable. It places people who both disagree and respect classified information in the position of not being able to respond to these charges. I will not, as I could, disclose classified information that sheds a different light on classified information that has been released. Nor will I disclose hard, factual classified information, as I could, that convincingly refutes highly dubious speculation and hypothetical thought.

However, I will argue that this manner of selectively and improperly disclosing intelligence on possible Soviet arms control violations is unacceptable because it undermines the established procedures for using and protecting classified information within the U.S. Government. Virtually every individual in the Government can find pieces of classified information to support just about any political position. The only feasible way that this Government has to make sure that all these pieces of classified information are not released in a hemorrhage of leaks fatal to our intelligence sources and methods is if everybody agrees to follow classification regulations.

Moreover, this manner of selectively disclosing intelligence on possible Soviet arms control violations is unacceptable because it cripples the established diplomatic procedures that we have for dealing with the Soviet Union regarding possible violations of the treaties.

SALT I created a Standing Consultative Commission comprising American and Soviet representatives, who meet regularly in Geneva, for the purpose of dealing with these problems. Similar questions regarding SALT II have been addressed in the same forum. In the Standing Consultative Commission, ambiguities can be addressed in a frank and quiet way. It is possible to discuss problems without interjecting public relations and face saving concerns.

In the past, the United States has participated in the Standing Consultative Commission because Presidents of both parties have thought it was in America's national interest. They thought that the SSC was the best way to discuss highly complex issues of the SALT agreements in a relatively calm and technical format. Most importantly, Presidents of both parties felt that to start off with highly public charges of Soviet noncompliance would result only in making the issues so politically charged that problem resolution with the Soviets was almost impossible and massive disclosure of U.S. intelligence secrets almost guaranteed.

There may come a time when the United States will decide that the Standing Consultative Commission serves no worthwhile purpose. When and if the U.S. Government makes this decision, that will be the time to bypass the SCC. That will be the time to make doubts regarding Soviet compliance with SALT a matter of public debate and condemnation.

With these points in mind, or April 14, Senators GOLDWATER and MOYNIHAN, the chairman and vice chairman of the Intelligence Committee, wrote to President Reagan offering to have the Intelligence Committee do a study of Soviet compliance issues related to SALT II. While that letter addressed the need to take a firm stance with the Soviets on compliance issues, it discussed the fundamental and serious problems that arise when charges of violation are made public in a heated atmosphere.

Some people will argue that any effort to suppress or keep these allegations of Soviet noncompliance secret is only a coverup effort by SALT supporters. That is not the case. As I have already argued, there are established procedures both within the U.S. Government and between the United States and the Soviet Union for dealing with these sorts of problems. These procedures can and must be made use of by opponents of SALT just as much as by SALT supporters.

ROLE OF INTELLIGENCE IN VERIFICATION

The second of the three criticisms I want to make against these allegations of noncompliance is that they indicate a fundamentally mistaken and misleading approach to the role that intelligence information plays in arms control agreements. This role is hard to discuss in an unclassified setting, but a few basic principles can be mentioned.

In some instances, intelligence information—whether derived from human sources, photography, or other technical means—would be able to show a clear-cut violation of an arms control agreement. SALT II, for example, limits launches of MIRV'ed ICBM's to 820. If more than 820 launches for MIRV'ed ICBM's show up in overhead photography, there has been a clear violation of this provision.

Unfortunately, it is very rare that the verification task of SALT or other agreements is so straightforward or that the intelligence information available is so unambiguous. Consequently, verification considerations have been such an important and controversial feature of arms control agreements.

A significant detail that should be noted is that U.S. intelligence agencies do not even talk in terms of verification of arms control agreements. Instead, using the terminology of the intelligence agencies themselves, it is the function of the intelligence agencies to monitor compliance with arms control agreements. Verification of compliance, however, is a much more judgmental exercise. Verification involves a generally difficult weighing of often ambiguous information to determine whether there has been a violation of a treaty provision and, furthermore, decisionmaking about whether relevant activities of the Soviet Union are either politically or militarily significant.

With this distinction in mind, it strikes me that a certain contradiction lies at the heart of some of these allegations of Soviet noncompliance with SALT. On one hand, Senator MCCLURE has over the last month rattled off a growing list of Soviet actions that he is apparently very confident are violations of SALT I and II. On the other hand, he implies that U.S. intelligence capabilities are not really up to the job of following Soviet actions. He said on April 14, for example, that verification has not been a serious issue in the

past because of the mystique associated with national technical means.

This is not the time or place to conduct a complex analysis of the respective sets of problems posed by monitoring compliance with arms control agreements, on the one hand, and by verifying such compliance, on the other. What is important to understand is that both monitoring and verification are difficult and often highly ambiguous enterprises.

Clearly, I cannot take one of the recent charges of Soviet violation of SALT provisions—such as that the Soviet Union has deployed the SS-16 mobile ICBM at Plesetsk missile test center or that the Soviet Union is secretly preparing a nationwide ABM system—and conduct a public analysis of the corresponding intelligence information. But if such an analysis were to be done, it would become clear that the intelligence information presents a very different picture of Soviet behavior from that which emerges from these confident sounding lists of alleged violations. In short, the available intelligence is often ambiguous.

In some cases, the intelligence shows apparently conscientious Soviet compliance with arms control agreements. For example, the Department of Defense's publication "Soviet Military Power" states that "with the addition of each new SSBN, the Soviet Navy has dismantled older submarines in order to remain within the number of launchers (950) and number of hulls (62) allowed under provisions of the SALT I agreement, as extended." In other cases—such as with the testing of new ICBM's or mobile missile deployments—the available intelligence is more ambiguous.

In either case, however, it is important that the American public and news organizations realize that there is not intelligence information available at this time which discloses Soviet violation of the SALT agreements or the threshold test ban treaty. As a clarification, it should be noted that the Soviets have not dismantled 95 strategic nuclear delivery systems, as they would have been required to do, had the SALT II treaty been ratified, to reach the ceiling of 2,400.

INACCURATE ALLEGATIONS

The third and final argument that I want to make against the recent allegations of Soviet noncompliance is that they, in many cases, are simply flatly inaccurate. Because of the security and classification concerns which I mentioned earlier, several of these allegations cannot properly be discussed, weighed, supported, or criticized at all in a public forum.

There are other allegations that are quite possibly accurate. For example, the extremely high level of telemetry encryption in test programs of new strategic systems is a possible violation of article 15 of SALT II. The United States does not encrypt telemetry in its own strategic systems test programs. The Soviet insistence on not only doing so, but, recently, in its SS-NX-20, PL-4 and 5, and cruise missile test programs doing so almost totally, raises serious questions about whether the Soviets are willing to participate in arms control agreements in good faith. More directly, it raises questions about whether the Soviet Union has violated article 15 of SALT II.

Similarly, Soviet activities in regard to SALT provisions covering mobile ICBM's, the ban on the SS-16, and the one new type of light ICBM can only make me wonder about the depth of Soviet interest in maintaining the SALT framework. They seem highly incompatible with Soviet propaganda efforts to assure European public opinion of their commitment to arms control.

However, there is a series of allegations of Soviet violations of the SALT agreement that are quite simply false and false in terms of unclassified information which the U.S. Government has released.

For example, it is asserted that the Soviet Union, in conducting three tests of apparently dissimilar solid-fueled ICBM's, has violated the SALT II provision permitting only one new type of ICBM.

In fact, if all three missiles tested to date have the same number of stages and same propellant of each stage, there has been no violation of the provisions in the SALT II text governing the testing of one new type of permitted ICBM.

Article 4 of SALT II's text requires only that, in the beginning of a test program, every missile tested of the one new type have the same number of stages and the same propellant of each stage as the first missile tested. It is only farther into what is usually a test program of 20 or more launches that various dimensions of the tested missile must fall within narrow boundaries. Specifically, during the last 12 launches of the first 25 test flights or during the last 12 launches before deployment, whichever occur first, the length, diameter, the launch weight, and the throw weight of the tested missile may vary by no more than 10 percent. After these 12 tests, these dimensions may vary by no more than 5 percent. In any event, the three launches to date of new ICBM's are almost certainly not among the last 12 launches of a new ICBM test program, and therefore, not limited by either the 5-percent or 10-percent boundaries.

Of course, there are other provisions of the SALT II text which come into play after such tests, such as the prohibition on the testing of the small, solid-fueled, mobile SS-16 missile and on measures aimed at concealing the association between ICBM's and launchers during testing, among others.

Furthermore, these three Soviet tests can only make Western public opinion wonder about Soviet willingness to support the spirit of and not undercut SALT II. But it is inaccurate to call them a violation of the treaty.

As another example, it has been argued that the Soviet Union has exceeded the SALT II ceiling of 1,320 MIRV'ed missile launchers and bombers equipped with long-range cruise missiles. While the exact figure is classified, according to the intelligence community's most recent analysis, the Soviet Union is in fact under this ceiling of 1,320. Furthermore, even if current, nuclear-capable Bear, Bison, and Backfire bombers were considered to be carriers of long-range cruise missiles and, therefore, counted under the 1,320 MIRV'ed ceiling, the total number of Soviet MIRV'ed systems would still fall below the 1,320 ceiling.

Similarly, it was recently argued that the Soviet Union has deployed more than the 1,200 MIRV'ed ICBM's and SLBM's allowed under SALT II. This allegation is also incorrect. Again, while the exact figure is classified, according to the intelligence community's most recent analysis, the Soviet Union is beneath this ceiling.

Furthermore, it has been argued recently that the Soviets have exceeded the SALT II ceiling of 820 on MIRV'ed ICBM launchers. However, according to page 19 of the Defense Department's own "Soviet Military Power," the Soviets have deployed only 788 MIRV'ed ICBM launchers and are expected to deploy only 818 by the time they complete modernization of their fourth-generation ICBM systems in the mid-1980's.

It was also claimed that the Soviet Union violated a SALT II ban in giving some of its ICBM systems a rapid reload capability. This argument would seem to be succinctly rebutted by page 21 of the Defense Department's "Soviet Military Power" which states, "The Soviets probably cannot refurbish and reload silo launchers in a period less than a few days." Although the Soviet Union might have a limited capability to reconstitute its strategic forces after an initial firing, there is no real indication of a rapid reload capability.

Finally, my distinguished colleague from Idaho claimed on the Senate floor on April 14 that since 1976, the effective date of the unratified Threshold Test Ban Treaty, the Soviet Union has conducted over 15 underground nuclear tests in excess of the treaty ceiling of 150 kilotons. This claim is one that is virtually impossible to discuss in a meaningful fashion without reference to classified information. It is the sort of issue that really should not be raised at all in a

public forum because of the security concerns which I mentioned earlier. However, I would like to call attention to an article in the October 1982 Scientific American by Drs. Lynn Sykes and Jack Evernden, two distinguished geophysicists. In the article, these scientists write:

In recent years there have been reports that the U.S.S.R. may have repeatedly violated the 1976 treaty by testing devices with a yield greater than the 150-kiloton limit. Such reputed violations were recently cited as evidence that the threshold treaty, which has not been ratified by the U.S. Senate, is not verifiable and should be renegotiated. On the basis of our analysis we conclude that the reports are erroneous; they are based on a miscalibration of one of the curves that relates measured seismic magnitude to explosive yield. When the correct calibration is employed, it is apparent that none of the Russian weapons tests exceed 150 kilotons, although several came close to it.

In short, these, and other scientists argue that previous techniques for estimating the yields of Soviet nuclear explosions were in error because they made an incorrect assumption about the geology of Soviet test sites, an assumption that led to estimates of the yields of these explosions significantly higher than the actual yield. It is this discredited technique for estimating the yield of Soviet nuclear tests that has been improperly used to support the claim that the Soviets have violated the Threshhold Test Ban Treaty limit of 150 kiloton for nuclear tests. To repeat the expert judgment of Drs. Sykes and Evernden, "When the correct calibration is employed, it is apparent that none of the Russian weapons tests exceed 150 kilotons, although several come close to it."

Furthermore, even if the previous, discredited technique had been valid, there are still large statistical uncertainties that accompany the most rigorous estimates of the yields of nuclear tests.

SUMMARY

In summary, then, the entire exercise of selectively disclosing intelligence information which implies that the SALT agreements have been violated is both ill advised and misleading. Frequently, such disclosure misrepresents Soviet military activities and severely threatens the all important arms control process that we have with the Soviet Union—or what remains of it. Furthermore, this sort of disclosure fosters a basic misunderstanding of the role that intelligence information plays in the verifying compliance with arms control agreements.

As I think I have indicated, I have serious concerns of my own about whether the Soviet Union has violated specific provisions of the SALT texts. There are, however, proper channels within the U.S. Government for discussing these issues without either compromising or twisting intelligence information.

Furthermore, there are proper channels between the United States and Soviet Governments for discussing these possible violations without encouraging the disintegration of the arms control process.

The long term interests of the United States in nuclear weapons control are much better met and protected if both these types of channels are kept intact.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Is there further morning business? If not, morning business is closed.

FIRST CONCURRENT BUDGET RESOLUTION—FISCAL YEAR 1984

The PRESIDING OFFICER. The Senate will resume consideration of the unfinished business which the clerk will state.

The bill clerk read as follows:

A Senate concurrent resolution (S. Con. Res. 27) revising the congressional budget for the U.S. Government for the fiscal year 1983 and setting forth the congressional budget for the U.S. Government for the fiscal years 1984, 1985, and 1986.

The Senate resumed consideration of the concurrent resolution.

AMENDMENT NO. 1243

The PRESIDING OFFICER. The pending question is on the Domenici amendment No. 1243.

Who yields time?

Mr. DOMENICI. Mr. President, I ask unanimous consent that the Domenici amendment as stated by the Chair be temporarily set aside so that Senator MITCHELL may offer an amendment regarding the EDA.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 1255

(Purpose: To restore funding for Economic Development Assistance programs)

Mr. MITCHELL. Mr. President, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The amendment will be stated.

The bill clerk read as follows:

The Senator from Maine (Mr. MITCHELL) for himself and Mr. SASSER proposes an amendment numbered 1255.

Mr. MITCHELL. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

On page 14, increase the figure on line 23 by $200,000,000.

On page 14, increase the figure on line 24 by $20,000,000.

On page 15, increase the figure on line 6 by $200,000,000.

On page 15, increase the figure on line 7 by $70,000,000.

On page 15, increase the figure on line 13 by $200,000,000.

On page 15, increase the figure on line 14 by $170,000,000.

Mr. MITCHELL. Mr. President, this amendment would provide an additional $200 million in budget authority and $20 million in outlays in fiscal year 1984 for the Economic Development Administration. These levels represent the continuation of fiscal year 1983 funding levels. The budget resolution before us assumes no funding for this program.

Since 1981, when the administration first announced its plan to eliminate the Economic Development Administration, I have opposed it. I have said repeatedly that no matter how successful the President's economic policy was going to be, some sectors of our Nation, some regions, some rural areas, and some cities would not enjoy a full share in that success because of long standing regional and local problems that inhibit economic growth.

Each year, the President has asked for more time and more patience for his economic program to work. He has asked the nearly 11½ million jobless Americans to be patient until capital investment and business expansion provide the jobs they need.

Those millions of unemployed are concentrated in areas and States hardest hit by the recession and in areas and States with chronically high unemployment.

The problems of such communities have been aggravated by the depth and duration of the recent recession. Even though the economy is now showing signs of a recovery, there is no assurance that the recovery will be strong enough, sustained enough, or broad enough to overcome the economic depression in many of our Nation's communities and regions. Some of these are areas which, in good economic times and bad, simply lack the internal resources to build for the future. Others are towns newly fallen into economic difficulty because of the recent and sudden decline of traditional industries and the uncertainty about what recovery will mean for those industries.

In the midst of uncertainty about the prospects for economic recovery, the termination of the Economic Development Administration has been proposed again. This course of action made no sense in 1981 or 1982, and it makes no sense now.

The EDA was created to promote the long-range economic development of areas with severe and persistent unemployment and with low per capita income. EDA aids in the development of public facilities and private enterprise to create new, permanent jobs and to preserve existing jobs which

might otherwise be lost by shutdown of an industry in such an area.

The act is grounded in the reality that no matter how successful national economic policies may be in stimulating overall economic growth and reducing inflation and unemployment, important structural problems will remain. Many of our Nation's urban and rural communities will still be experiencing unemployment, lagging economic growth, industrial decline, and underutilized production facilities.

Beneath the national statistics, there are always such economic disparities. National economic growth and health is never distributed evenly across the regions, communities, people, and businesses of the country.

EDA represents an effort to correct those disparities. It has created thousands of jobs in its lifetime, jobs that would not have been created if there had been no incentive for industries to relocate, and no money to save businesses that need time to regain their competitive viability.

EDA works in partnership with local governments, private companies, and banks to extend carefully targeted help to meet local conditions. It is not a Washington-based monolith that ignores State and local governments and imposes unrealistic solutions on unwilling communities. On the contrary, it works with State and local officials to develop and help finance projects responsive to local economic needs.

EDA exists because local conditions can cause economic problems that no national strategy can resolve. EDA exists because some national policies themselves have harsh local effects. EDA exists because we have long had a common understanding that our national goal is a thriving prosperous national community, not thriving regions separated by depressed regions, or prosperous States pockmarked with pockets of poverty. Where such pockets exist, our national policy has been to eliminate them, not to ignore them.

My State, Maine, has a mixed economy. It suffers a severe winter climate whose effects have been seriously worsened by oil price increases in the last decade. It is not a centrally located State, so gasoline and motor oil price increases have helped drive up transportation costs disproportionately. These natural physical features of the State have been aggravated by international political decisions on the part of the OPEC nations. Our Government was not responsible for them. But our Government does have, in my opinion, an obligation to be aware of the different impact that such uncontrollable events can have on different States.

National policies which encourage liberalized trade, which give more than fair trading advantages to help lesser developed nations, have also affected Maine. The footwear industry in Maine is not only coping with the high interest rates every business faces, but is being forced to bear the brunt of the administration's free trade policy, with no offsetting import relief. Our fisheries industry must compete against the products of a Canadian competitor which enjoys direct government grants and loans, major government help for marketing and transportation, and even a directly subsidized diesel fuel price—all of which undercut the price Americans can ask for their harvest. Our potato growers face an import surge designed to capture the U.S. market, which has been aggravated by a trade policy that makes our producers much more vulnerable to questionable trading practices.

The Economic Development Administration has been a way to help redress unfairness, by giving help to regain a competitive edge against imports, by helping provide marketing facilities, and by providing alternative private sector jobs to help offset job losses in changing industries.

That is clearly the most sensible, cost-effective and humane way to cope with localized pockets of economic hardship.

However, the administration has consistently maintained that it intends to deal with economic development at the subnational level by improving the national economy.

So the administration's plans rest on the hope that by improving the Nation's economic performance, every region of the country will share in that improvement.

That assumption has no historic basis in fact. It has not been true for Maine over the last 20 years. And, for over a century, it has not been our national economic policy.

In 1850, when it became apparent that the success of the Eastern States in building their rail networks promised an increase in wealth for the entire eastern seaboard, Congress enacted the Railroad Land Grant Act—truly landmark legislation—to encourage, by Federal subsidy, the expansion of the rail network in the South and West. And for 21 years thereafter, long after the transcontinental line met at Ogden in 1864, Congress continued to grant rail land rights, 131 million acres of land were granted for that purpose—a Federal subsidy for western and southern economic development whose worth cannot be calculated at today's prices.

Beginning in the 1880's, hydroelectric power was aggressively developed with Federal aid. The first major alternating power project was constructed on the Willamette River, in the State of Oregon. The first three-phase project was constructed at Mill Creek, in California. Ironically, the justification for concentrating development in that part of the Nation was a familiar one: the high cost of energy. In those days, it was the cost of transporting coal, but the problem of energy costs and their effects on economic growth was recognized then, and the Federal Government acted to offset it, to the immense benefit of the West.

By 1902, 30 years of homesteading acts had not been enough to encourage the settlement of the arid parts of the West, so Congress enacted the Reclamation Lands Act of 1902, a regional economic program which has changed the face of the country. Under the Reclamation Act, water projects were built in 17 Western States to irrigate arid land. Some of our great cities—Phoenix, Denver, Los Angeles—could not exist without that water. The Imperial Valley in California, the most productive farmland in the Nation, could not produce without it. Thousands of acres throughout the West today would be barren and arid without the life-giving aid of the water brought to them by Federal financing. And, as one result, western lands with less than 9 inches of rainfall each year now produce an agricultural product worth $4.4 billion every year.

In the 1930's, when the Great Depression was at its worst, Federal funds were poured into regional efforts to help provide employment and economic growth in the West and South. The massive Bonneville hydro project on the Columbia River was built to provide employment in the Pacific Northwest. Today, a potato-processing plant in Washington State pays one-fifth the rate of electricity that a similar plant pays in Maine, because of Bonneville power and the other Federal hydro projects in Washington.

The greatest of the regional development programs, the Tennessee Valley Authority, is still benefiting its seven-State area. Its series of dams, reforestation projects, powerplants, and fertilizer plants have lifted a region which was in the depths of poverty in 1933—its people then earned 45 percent of the national average income—to a thriving and economically productive region today. In 5 years, from 1933 to 1938, the Federal Government spent $190 million on the TVA—a sum whose present-day counterpart would run into many billions. And as a result of that Federal financing, the people of Tennessee today pay for their electricity half what the people of Maine pay for theirs. The TVA project permanently increased the level of employment in the region. It created the economic base that has enabled the entire Tennessee Valley area to grow.

This massive Federal assistance to the South and the West over the past century has given those areas a base from which today's rapid rate of economic development flows. It was grounded in the recognition that not all regions of the country have identi-

cal needs, that they do not move forward in lockstep, and help is needed at different times by different parts of the country.

Today, as we observe the prosperity of the Sun Belt, we should recall that the present economic boom owes its existence to many decades of generous Federal aid.

That Federal aid was paid for by the tax dollars of the people in the East and North. It was not paid grudgingly. It was paid in recognition of the reality that we are one Nation, and what helps one region helps all regions, what helps one American helps all Americans.

Today, we have a modest program which extends assistance to areas of chronic unemployment and low per capita income: the Economic Development Administration. And because of the forces of history and the actions of the Federal Government, the region that needs help now is the East and the North. Today, this is the region of high unemployment and low per capita income.

EDA is a small effort to redress the balance, an effort that cannot even possibly compare to the massive programs which benefited the West and the South over this Nation's history, to recognize that our Nation's older regions incur higher costs to maintain the investment in cities and industries that were built in earlier decades.

I can think of no action more destructive and less in keeping with any standard of fairness, including the standard of fairness that the President repeatedly professes, than the termination of this program.

The President's recommendation and the Budget Committee's resolution says those who have already benefited from Federal programs, those who have reaped the benefit of Federal assistance on a massive scale, those whose economies are advancing, are to be the final beneficiaries of Federal concern. The proposal to terminate EDA simply says to the regions whose tax dollars built that prosperity, "We have gotten ours. Now you fend for yourselves."

That is a narrow, shortsighted attitude, contrary to our national experience and, in the long run, counterproductive. It will be a tragic error to end one of the very few programs that is designed to and does, in fact, redress the imbalance that exists in economic growth rates.

Mr. President, EDA has been a successful program. Without the passage of this amendment today we will be discarding the best of a program because it has some shortcomings. That makes neither fiscal sense nor long-term economic sense. It is not fiscally responsible to terminate a program that creates jobs, saves welfare costs, generates State and local tax returns, and raises the level of economic development in areas that cannot sustain such activity through no fault of their own.

The changes in our Nation's economic structure reflect the passage of decades. They are not all due to the National Government. But just as the National Government has historically recognized and responded to its responsibility to aid the South and West, so today we should recognize our responsibility to the distressed regions in the older parts of the country. That, too, is a legitimate responsibility of a truly National Government.

Mr. BYRD. Mr. President, I am concerned that the Senate version of the first concurrent resolution on the budget (S. Con. Res. 27) contains no funding for the programs of the Economic Development Administration. These programs have been instrumental in encouraging industrial development and facilitating infrastructure improvements in the most economically distressed areas of our Nation. During a period when unemployment is at or near an all-time high in many regions, and with no robust economic recovery in sight, it makes no sense to me to assume the elimination of the very programs which are designed to build a sound base for economic growth.

I hope that my colleagues will recognize the value of funding the Economic Development Administration. These programs are investments in the future of the economically depressed areas which they serve. Moreover, the periodic industrial and business misfortunes of any one region adversely affect the prosperity of the rest of the country because of the various counter cyclical payments to that region as well as the lost market opportunities for other regions of the country.

The latest unemployment figures from the Bureau of Labor Statistics show that my own State of West Virginia continues to have the highest unemployment in the United States, 21 percent, The State's importance as one of the Nation's largest coal producers and exporters is indisputable. However, the near-term economic outlook for West Virginia's economy is clouded by the recent drop in OPEC petroleum prices, sharp curtailments in steel production, and the recession in general which have limited the demand for coal.

If we believe that OPEC is unstable and often operates contrary to the interest of the United States—and this has been demonstrated clearly several times—and if we believe that economic recovery can occur, then the importance of coal and the economic well being of coal producing regions is evident—coal is our largest domestic energy resource.

It should also be noted that the boom and bust cycles experienced by major coal producing States is moderated to some degree by the kinds of programs administered by the Economic Development Administration. Considering the lost productivity and inherent inefficiency and human misery of such cycles, I cannot understand the recommendation of the Budget Committee to exclude funding for these programs.

I would like to provide for my colleagues a few examples of how the people of West Virginia have benefited from the Economic Development Administration. Many people on the east coast are familiar with the fine skiing and resort facilities at Snowshoe Mountain in West Virginia. More than 250,000 people spent millions of dollars at this resort last year. Of special importance to the people of Pocahontas and neighboring counties is the fact that Snowshoe provides nearly 1,000 jobs, most of which are year-round employment because this facility is becoming a resort for all seasons. The employee payroll taxes alone approximated $1.5 million last year. This success story was made possible by a lot of hard work and a $2.5 million guaranteed loan which the EDA approved in 1977. This loan guarantee cost the Government nothing and has yielded tremendous benefits to West Virginians and non-West Virginians alike. Other examples of EDA's importance include the 750 jobs at the Sterling Faucett Plant in Morgantown and the 650 jobs at the Anchor Hocking glass plant which were saved by plant purchase and modernization programs made possible by relatively modest EDA loan guarantees.

The programs of the Economic Development Administration are positive, constructive efforts which employ people and lead to a stronger economy. These are not just paper studies—they are real contributions to the economic well being of the Nation.

Mr. President, I am as concerned as any Member in this Chamber with the need to limit unnecessary expenditures. The importance of the Economic Development Administration's programs is clear. And, this importance is heightened by the present economic recession. So, I am pleased to cosponsor this amendment and urge my colleagues to vote for the proposal of the gentleman from Maine to add $36 million in fiscal year 1984 budget outlays to this budget resolution.

Mr. MITCHELL. Mr. President, this controversy is not new to the Senate. This is the third consecutive year in which the President has proposed to eliminate the Economic Development Administration, and this is the third consecutive year in which I have stood before the Senate to urge that it not be terminated.

In the previous 2 years a substantial number of Senators, although short of a majority, have indicated their sup-

port for the EDA, and the House has overwhelmingly rejected the President's recommendation and approved continuation of this important program.

I believe the same result will occur this year. I am hopeful that it will occur this year.

I am, however, under no illusion that there will be any change in the results if the vote were put here in the Senate. Therefore, I believe that the most prudent course of action for those of us who support the continuation of the Economic Development Administration is to concentrate our efforts in the conference in the hopes that the House view will again prevail and this program will continue to serve the needs of the unemployed and the areas of this country with low per capita income.

Therefore, Mr. President, in the confidence and expectation that that will occur and the certain knowledge that the vote this year will be substantially similar to that which occurred in 1981 and 1982, I now withdraw the amendment.

The PRESIDING OFFICER. The amendment is withdrawn.

Mr. MITCHELL. Mr. President, I suggest the absence of a quorum.

Mr. DOMENICI. I understand this quorum call gets charged equally to both sides.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. DOMENICI. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DOMENICI. Mr. President, I understand the distinguished junior Senator from Tennessee desires to speak to the amendment which has just been withdrawn. I ask unanimous consent that the time that he uses be charged against that amendment as if it had not been withdrawn.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Tennessee.

Mr. SASSER. Mr. President, I thank the distinguished Senator from New Mexico.

Mr. President, I rise today to commend the able Senator from Maine (Mr. MITCHELL) for his efforts in the area of economic development. I also regret that the Senator has decided to withdraw this important and necessary amendment in the area of community and regional development, although I fully understand why he has done so.

I sincerely hope that both the Economic Development Administration programs and the very fine and necessary programs of the Appalachian Regional Commission will be preserved in this budget. Their termination, which is assumed in the Budget Committee resolution, is, I believe, a great mistake.

In my home State of Tennessee, since 1966 the Economic Development Administration has funded over 535 projects, providing over 60,000 jobs. These are not merely make work or temporary jobs. EDA funds create permanent, private sector jobs, just what the doctor ordered for a sick economy. These funds are used in construction of essential community projects—expansion of water and sewer lines, factory renovation, improvement of schools and other public buildings. This much-needed infrastructure improvement allows communities to attract new industry. For example, in Van Buren County and Byrdstown, Tenn., both communities are applying for industrial renovation funds necessary to entice companies willing to relocate in these areas to actually move in. Mr. President, these are areas that have an extraordinarily high unemployment level. They also have a very low level of per capita income.

The provision of economic development funds to communities like these, and the jobs that come with them, not only improve the state of the economy but they improve the economy in the State in which they are located. For many Americans, particularly those from lower income areas, it means the difference between unemployment and a steady job. For established businesses, it means the ability to take advantage of opportunities which otherwise would have been lost. For marginal businesses, it is often the difference between success and failure.

The provision of economic development funds seems tailormade, it appears to this Senator, for the stated objectives of the Reagan administration.

While the administration assumes that the general economic recovery will provide a sufficient boost to allow all areas of the country to recover from the current recession, the cold hard realities are that certain areas of the country will fail to join in any return to prosperity.

These areas of the country are the first to be affected by economic downswing and they are the last to recover. Why? Because they lack the industrial infrastructure and the capital base to take full advantage of normal industrial growth.

It is, therefore, imperative that we support, I think both the Economic Development Administration programs and the programs of the Appalachian Regional Commission.

The Appalachian Regional Commission and its development programs have been an unqualified success. They date back to the time when John Fitzgerald Kennedy, campaigning for the Presidency in the State of West Virginia, was shocked that such poverty and deprivation would be present here in the United States of America, the poverty and deprivation that he saw in West Virginia and other Appalachian States.

The distinguished senior Senator from West Virginia (Mr. RANDOLPH) has been instrumental in the birth of the Appalachian Regional Commission and has fought for it and its programs for many, many years. Through his efforts and the then new President in the early 1960's, the ARC was born and with it came new hope for the people in the Appalachian region who lived without hope for generation after generation after generation. In many countries and many towns, the cycle of poverty which had been a fact for over a century was finally broken.

To quote one Tennessee newspaper, "the Appalachian Regional Commission was created to bring new lifeblood and hope to an area in which poverty was a way of life." Over the past 20 years, ARC-funded projects have helped to reduce poverty in the 13-State region which embraces Appalachia while at the same time stemming the century-long tide of outmigration of people from the region.

In fact, in the past decade, people have actually begun to move back into the region and Appalachia has ceased exporting its problems to other areas of the country, its human problems, and is now dealing with them at home.

ARC programs have meant an increase of more than 1.9 million jobs in the private sector and the unemployment rate, which was 40 percent above the national average during the 1960's, is now only 10 percent above the national average—still too high, but dramatic progress has been made.

The percentage of Appalachians living below the poverty level has been reduced by one-half and average income is now 84 percent of the national average.

I see the distinguished senior Senator from West Virginia on the floor this morning. I know that he can take great pride and great solace in the works of the ARC and what this program has meant to his State and other States of the Appalachian area, including mine.

Improvements in health and education have been just as dramatic. Before ARC, the area had 50 percent fewer doctors than the rest of the Nation and many counties had no medical service at all. Death from infectious diseases was one-third higher than the national average. Tuberculosis death rates were 40 percent higher, and infant mortality was as much as twice the national average in some areas.

Today, there is primary health care available in all but 57 of the 397 counties of the region and those alarming

statistics have been brought more in line with national averages.

The concept of economic development works and as shown here it works well. Poverty still exists in the world and one does not have to travel too far from home to see it. The concept of economic development has enjoyed bipartisan support in the past and for good reason. Poverty cuts across political lines. May I say to my colleagues here, it is not either your problem or my problem, it is our joint problem.

The creation of the Appalachian Regional Commission was more than an economic statement, it was a statement that we in Congress are committed to ending a state of being—not just a region—that was synonymous with poverty called Appalachia. With its poverty, its sickness, its crumbled roads, and public works, Appalachia simply cannot be ignored as it was for nearly a century before John Kennedy startled upon it during the Presidential campaign of 1960. Tremendous strides have been made but much remains to be done. Just 2 months ago, on March 1, the region's 13 Governors reaffirmed their support for the Appalachian Regional Commission and they urged Congress to "consider the ARC as a vehicle for implementing appropriate aspects of any jobs-creation legislation which may be adopted during this session."

We must not retreat from the bipartisan commitment. Rather, we must strengthen our resolve to the ultimate elimination of the poverty existent in many areas of this country.

Mr. President, I ask unanimous consent to have the following articles printed in the RECORD: One is a copy of the resolution adopted by the Appalachian Governors supporting the Appalachian Regional Commission and a press release accompanying it; the other is an article from the National Journal on the continuing needs of rural areas.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

MOTION OF APPALACHIAN GOVERNORS

Introduced by Governor John D. Rockefeller IV, West Virginia.

Seconded by Governor Dick Thornburgh, Pennsylvania.

"We, the Governors of the 13 Appalachian States, hereby re-affirm our strong support for the Appalachian Regional Commission and for our FY 1984 budget request of $215 million for highways and $83 million for area development, and we urge the Congress to consider the ARC as a vehicle for implementing appropriate aspects of any jobs-creation legislation which may be adopted during this session."

Approved unanimously at the Appalachian Regional Commission meeting of March 1, 1983.

Governor George C. Wallace, Alabama (Represented by Mr. Ned N. Butler).

Governor Joe Frank Harris, Georgia (Represented by Mr. Steve Rieck).

Governor John Y. Brown, Jr., Kentucky.

Governor Harry Hughes, Maryland.

Governor William F. Winter, Mississippi.

Governor Mario M. Cuomo, New York (Represented by Ms. Gail S. Shaffer).

Governor James B. Hunt, Jr., North Carolina.

Governor Richard F. Celeste, Ohio (Represented by Ms. Marnie Shaul).

Governor Dick Thornburgh, Pennsylvania.

Governor Richard W. Riley, South Carolina.

Governor Lamar Alexander, Tennessee (Represented by Dr. Michael E. McGuire).

Governor Charles S. Robb, Virginia.

Governor John D. Rockefeller IV, West Virginia.

[From the Appalachian Regional Commission, Press Release, Mar. 1, 1983]

GOVERNORS TESTIFY FOR ARC BEFORE TWO CONGRESSIONAL SUBCOMMITTEES

WASHINGTON, D.C.—Three Appalachian governors testified today before a joint hearing of two U.S. House subcommittees in support of a bill to provide the Appalachian Regional Commission with the opportunity to complete its programs now in progress. Six other Appalachian governors submitted written statements in support of the ARC.

The three governors, ARC States' Cochairman William Winter of Mississippi, Governor John Y. Brown Jr. of Kentucky and Governor Jay Rockefeller of West Virginia, earlier had joined with other Appalachian governors at a Commission meeting in a unanimous, bipartisan reaffirmation of their "strong support" for the ARC.

In a resolution introduced by Governor Rockefeller and seconded by Governor Dick Thornburgh of Pennsylvania, the Appalachian governors called on Congress to fund ARC programs at a level of $298 million in fiscal year 1984 and to use the Commission as a vehicle to help implement any jobs-creation program it passes.

The House hearing was conducted jointly by the Economic Development Subcommittee of the House Public Works and Transportation Committee and the Economic Stabilization Subcommittee of the Banking, Finance and Urban Affairs Committee.

The hearing addressed H.R. 10, legislation to implement an ARC finish-up program and establish a national economic development program for lagging areas, which was introduced by Rep. James Oberstar of Minnesota, chairman of the Economic Development Subcommittee. Chairman Oberstar and Rep. John J. LaFalce of New York, Chairman of the Economic Stabilization Subcommittee, presided jointly.

H.R. 10, which already has more than 100 cosponsors in the House, was passed overwhelmingly in the last session by the House; the Senate passed a more limited version. H.R. 10 would authorize a five-year area development and an eight-year highway finish-up program, which was proposed by the Appalachian governors in response to a Congressional request.

In his testimony, Governor Winter emphasized that the Appalachian states are doing their part in an effort to "raise the level of effectiveness of the Appalachian people." He cited legislation which he had successfully shepherded through the Mississippi legislature to provide the largest increase in history in funds for education in his state.

All three governors called the ARC program an example of federalism at its best. They cited substantial progress but noted that Appalachia still lags behind the rest of the country.

Governor Brown testified that even with ARC help, Appalachia still has been receiving only 84 percent of its per capita share of federal funds. He emphasized the importance of supporting the Appalachian people who mine and market the coal the nation will need. "I look at the program as an investment," he said.

Governor Rockefeller told the subcommittees that he considers ARC the best federal program for the states because it is efficient, responsive and shifts power to the states and to local people.

Comments from Members of Congress of both parties were supportive of the views expressed by the governors. At the conclusion of the two-hour session attended by 23 members of Congress, Oberstar indicated that the bill would be reported out of committee this month.

The six governors submitting written statements were Governor Lamar Alexander of Tennessee, Governor Jim Hunt of North Carolina, Governor George Wallace of Alabama, Governor Harry Hughes of Maryland, Governor Charles Robb of Virginia and Governor Dick Thornburgh.

In his statement Governor Alexander, a former ARC states' cochairman, called the Commission process "the best example we have that the President's federalism ideas can work effectively (and it) results in the best possible funding decisions for everyone concerned."

Governor Hunt, also a former states' cochairman, called the progress in education in the Region made possible by ARC initiatives "nothing short of phenomenal" and declared that "the Commission's program in education will help provide a basic tool for economic progress—a skilled work force."

Governor Hughes, a former secretary of the Maryland Department of Transportation, addressed his statement to ARC's Appalachian Development Highway System and called the governors' proposal to complete the most critical gaps in the System, including US 48 from Handcock, Maryland, to Morgantown, West Virginia, "the minimum necessary." He credited the System, now slightly more than half complete, with having brought new industries and jobs to the Region and having helped diversify the Appalachian economy.

Governor Wallace, one of the original members of the ARC, called "the Commission's help in the coming years . . . essential to make needed adjustments in my state's economy."

Governor Robb said that "the programs of the ARC (had helped to) enhance the accessibility and the attractiveness of our Region." He concluded that "H.R. 10 will help . . . enhance our ability to create new jobs while retaining existing jobs."

[From the National Journal, Sept. 9, 1982]

MORE GROWTH AND LESS FEDERAL AID MEAN NEW PROBLEMS FOR RURAL AREAS

(By Cameron La Follette)

The Nixon and Ford Administrations didn't have one. The Carter Administration didn't either. Now the Reagan Administration doesn't have one, although it is working on it.

In fact, not since the Depression has the federal government had a coherent rural development policy. The years since then have seen instead the haphazard growth of programs designed to help non-metropolitan

areas, which for a century lost people and jobs to the cities and suburbs.

But rural America is not losing people and jobs anymore. The 1980 census revealed that during the 1970s, population growth in non-metropolitan areas exceeded growth in metropolitan areas for the first time since 1860. That means different sorts of problems for rural areas: the need for more housing, roads and sewers to accommodate the newcomers.

Instead of redirecting rural development programs, the government so far has done little more than cut existing programs by more than comparable urban programs. Precise numbers are hard to come by, although Willard Phillips Jr., director of the Agriculture Department's rural development policy office, estimates that the Administration has budgeted $17 billion for rural development in 1983.

As Joyce J. Walker, deputy associate director of the Office of Management and Budget, said in a letter last year to the township officials of Illinois, "We realize that the impact of the Administration's proposed 1982 budget reductions falls more heavily on rural and small communities than on larger urban areas."

Since then, the Agriculture Department's Farmers Home Administration (FmHA), the chief federal rural development agency, has suffered substantial cuts. So has the Economic Development Administration (EDA), although the small-cities block grants of the Housing and Urban Development Department (HUD) are holding their own.

Rural advocates, traditionally out-gunned by their urban counterparts, banded together in 1980 into the Rural Governments Coalition. In Congress, they work with the 155-member Rural Caucus, whose chairman is Rep. Wes Watkins, D-Okla.

So far, they have been unable to stop the government from cutting rural development programs and move it toward formulating a strategy to deal with rural growth. "If there is a policy," Watkins said, "it's the best kept secret in this Administration."

A DECADE OF GROWTH

The pressure on the physical facilities of rural America is clear from the 1980 census. Between 1970 and 1980, non-metropolitan areas grew by 15.8 per cent, a great increase from the 4.4 per cent growth of the 1960s. The picture is just the opposite for metropolitan areas, whose growth rate fell from 17 per cent in the 1960s to 10 per cent in the 1970s.

In the past decade, the areas that are most rural had the highest rate of change, from a 3 per cent decline in the 1960s to 14 per cent growth. Rural areas of the West increased the fastest of all, by 32 per cent.

"Some of the change in rural population is not only people moving in, but also fewer people moving out," said Calvin Beale, the Agriculture Department's rural population expert. "When there are more local jobs, more people stay. My suspicion is that as much as one-third of the change is from reduced out-migration."

Employment indeed increased faster in rural areas. From 1969-79, rural nonfarm employment increased by 28 per cent, outstripping the metro increase of 21 per cent. Employment in the most rural counties had the highest growth rate, 31 per cent.

Rural employment growth has not been on the farm. White-collar and service jobs in rural areas grew by about 25 per cent each from 1973-79, according to figures from the Agriculture Department's Economic Research Service, compared with 18 per cent over-all growth in rural employment.

More than a fourth of the rural work force is still in manufacturing, construction and mining, and white-collar work, including government jobs, takes another 45 per cent. Rural areas have nearly twice as great an incidence of self-employed persons as metropolitan areas: 12.8 per cent (only a third of them farmers) against 6.9 per cent.

Most new jobs in rural areas are in larger firms rather than small businesses. Mature firms, no longer dependent on specialized urban services, move routine operations to rural areas, where labor costs are cheaper. "You find that at least in manufacturing, the medium-size branch plants provide the jobs. Textiles and electronics are good examples," said Fred K. Hines, director of Agriculture's regional analysis program.

"The good news is that there has been a major growth and diversification in the rural economy," Beale said. "It's more like the national economy now."

The bad news is that diversity has not insulated rural economies from the national recession. Agriculture has always been vulnerable, and manufacturing, still a large category of non-farm rural employment, is suffering this year.

Beale noted that the construction and automobile industries, both hard hit, are particularly important to many rural communities. The recession has also caused a decline in rural self-employed persons.

"More non-metro people are now wage and salary workers who are more vulnerable to layoffs," said Robert Coltrane, director of the Agriculture Department's rural labor market section. "The self-employed at least have some control over their jobs."

Consequently, since 1978, rural unemployment has risen faster than metropolitan unemployment. During the recession that peaked in 1975, rural and metropolitan unemployment were about equal. But in 1981, according to the Bureau of Labor Statistics, rural unemployment (including discouraged workers and half of persons involuntarily working only part time) averaged 11.5 percent, compared with 10.3 percent for urban areas.

The median family income in rural areas, $13,286 in 1980 as measured in 1977 dollars, was still $3,324 less than in metro areas. The Census Bureau reported that rural areas had 33 percent of the population in 1981 but 40 percent of the poor. The rural poverty rate in 1981 was 17 percent, substantially more than the 12.6 percent rate in metropolitan areas last year.

Despite the efforts of the FmHA, poor housing remains more common in rural areas than urban. In 1979, according to the Census Bureau, 8.4 percent of the rural population lived in substandard housing—without complete plumbing or with more than one-and-a-half persons per room—compared with 6.2 percent in metropolitan areas.

Determining the physical facilities that rural America needs is almost impossible. "There is all kinds of anecdotal information on infrastructure, but we don't have any systematic information," said J. Norman Reid, director of the Agriculture Department's state and local government program. "The story we always get from program managers is that there are a lot of unmet needs out there, but we don't have the whole picture."

Extrapolating from Environmental Protection Agency (EPA) data, Reid said that in 1980, the backlog of sewage treatment plants nationwide was $53.9 billion, including $20.8 billion in rural areas.

An unreleased EPA report on rural drinking water conditions estimates that in 1978-79, 29 percent of rural households' water contained bacterial contamination. The report also concludes that more than 70 percent of rural water systems contains heavy metal contamination, including 24 percent with mercury and 16 percent with lead. "The heavy metal figures are not consistent with other data, which show low levels of heavy metals," said Marian Mlay, deputy director of EPA's drinking water policy office. Many rural water systems are too small for federal regulation.

Growing rural areas suffer from their residents' great expectations. "People come because it's rural, but they are bringing urban ideas of services with them," said Beale. New people want more services, which require more money, but tax bases do not increase until the new people and industries are in place. The typically dispersed population of rural areas makes it more expensive to build such facilities as roads and sewers.

In particular, new employers need these kinds of facilities, which rural communities often cannot afford. They also need start-up capital, which rural banks often cannot provide.

FEDERAL ACTION

The federal government has long considered writing a rural economic development policy. Frustrated by lack of action, Congress in the 1980 Rural Policy Development Act required a rural policy—which must be submitted to Congress by January—to coordinate the numerous government programs for rural areas, improve rural residents' well-being and employment opportunities, strengthen family farms and protect the environment.

The act also established the job of Agriculture undersecretary for small community and rural development, now held by Frank W. Naylor Jr.

"I've had good support from the Secretary [John R. Block]," Naylor said. "I think we've gotten [the Administration's] attention. I think the timing is right, and the reception will be good, if it develops on the basis the President has pushed throughout government—of decisions bubbling up from below."

Phillips of the rural policy development office emphasized his strong commitment to fashioning a rural policy based on rural perspectives. "New Federalism as a concept—increasing local decisions—is a good idea," he said. "I think rural people want to do it themselves. It's important we help them in preparing for their new responsibilities. I have to become an advocate for rural America—as soon as I know what rural people want."

But rural interest groups are dismayed by budget cuts and the Administration's rhetoric of self-reliance in situations that they say the federal government should be helping.

"We complained bitterly about the fiscal 1982 budget cuts in rural programs because they unfairly impacted rural areas," said Bart Russell, executive director of the National Association of Towns and Townships. "We want Congress to stay, at a minimum, with the 1982 spending levels for 1983. It doesn't matter if you have a well-developed policy if there's no funding."

"The budget problem is one universally troublesome for all departments, I think," Naylor conceded.

Budget cuts in rural programs have been uneven. The FmHA, which runs most of the

rural development programs and has the most extensive rural delivery network, has been deeply cut.

Its water and waste loan and grant program dropped from $750 million in 1981 to $300 million in the Administration's 1983 request, a 60 per cent cut. Community facilities loans were cut in half from $260 million to $130 million. Business and industry loans totaled $652 million in 1981; the Administration wants to eliminate them in 1983.

The FmHA is best known for its housing programs, including rental, rehabilitation and single-family home loans, grant programs for low-income housing, rental assistance and self-help housing. These programs, which received $3.9 billion in 1981, were allocated only $1.3 billion in President Reagan's 1983 budget request, a cut of two-thirds.

"The government is not shutting down," Phillips maintained. "The Administration's proposed fiscal 1983 budget contained $17 billion for rural people, spread throughout government. We've got to find the way to get the most of that $17 billion: find out if there are burdensome regulations, if there are delivery problems. We have to face reality: there is no more federal money."

FmHA administrator Charles W. Shuman defends the budget cuts in his agency's housing and business programs as a means of focusing resources on farming, which he argues is the basic rural industry. The farm operating loan program increased from $823 million in 1981 to $1.3 billion in 1982, with a $1.4 billion request in Reagan's budget for fiscal 1983.

"The most limited resource in government is people resources," Shuman said. "The most important part of economic development in rural areas is farming—it's the basic industry the others are all built on. That's where I want to put my people resources, that's our basic mission."

The EDA provides grants for infrastructure development, loans for sudden and severe economic decline and a revolving loan fund for small businesses. EDA's budget, about half of which finds its way to rural communities, was cut by 40 percent, from $436 million in 1981 to $260 million in 1982, and Reagan has proposed eliminating the agency in 1983.

But HUD's small-cities block grants received just over $1 billion in 1982, the same as in 1981, and no cuts are proposed for 1983. The popular program, for community development in cities under 50,000 and counties under 200,000, won even more support when Congress in 1981 allowed the states to run it instead of HUD. Thirty-seven states elected to administer the program themselves last year, and the rest will probably do so this year.

When Congress acts on its 1983 appropriations bills, it is not likely to accept all the Administration's proposed cuts in rural programs. The House, for example, has voted to authorize $500 million a year for three years under a National Development Investment Act, which would essentially reconstitute EDA. The House attached its provisions to a Senate-passed bill reauthorizing the Appalachian Regional Commission (S 2144) that must now go to a House-Senate conference committee.

Some rural advocates are proposing programs, but critics charge that they would not always match the problems of non-metropolitan areas. Watkins has introduced a rural enterprise zone bill (HR 4576) to provide incentives to small businesses to locate in rural communities. But the Agriculture Department notes that it is middle-size manufacturing plants and, increasingly, white-collar and service industries that are the biggest job creators in rural areas.

"Rural depressed areas don't have the Fortune 500," Watkins said in defense of his approach. "We're raped for energy in rural America, but the companies' headquarters are in the cities. We impound the water, but it goes to the cities. Our young people go to the cities. It seems like a much simpler solution to build the jobs in rural America."

But in the current budget climate, Congress does not seem ready to increase the money available to non-metropolitan communities. Federal policy is unlikely to recognize very soon that rural America now has all the problems that accompany growth.

Mr. SASSER. Finally, I commend the strong efforts and the persistence of the Senator from Maine. He has been in the forefront of the battle to preserve these important programs.

Certainly, this morning I commend the efforts over the years of the senior Senator from West Virginia for, without him, there would have no Appalachian Regional Commission, and I suspect without his efforts over the years the ARC would not have continued to endure.

Mr. DOMENICI. Mr. President, will the distinguished Senator yield for a unanimous-consent request?

Mr. SASSER. I yield.

Mr. DOMENICI. Mr. President, I ask unanimous consent that the distinguished senior Senator from West Virginia, who desires to speak on this amendment, be permitted to speak next and the time to be charged against the Mitchell amendment as if it were not withdrawn.

The PRESIDING OFFICER (Mr. PRESSLER). Without objection, it is so ordered.

The PRESIDING OFFICER. The Senator from West Virginia.

Mr. RANDOLPH. Mr. President, the constructive career of the Senator from Tennessee (Mr. SASSER) is one recognized by Members of this body regardless of the aisle which separates the Democrats from the Republicans. Senator SASSER has, with realism, discussed the measures incorporated in legislation which became law in 1965. The Appalachian Regional Commission was the product, from the standpoint of the enactment of a specific measure for the 13-State area. The State of West Virginia as a whole with additional parts of 12 other States, combining this important part of America which needed, as we saw it in 1965 and earlier as President Kennedy saw it, an area of great promise but an area in which programs for progress—programs that were people programs—could be brought into being.

I am personally grateful, looking back to those earlier days, for the privilege of being in the Senate at the time my capable colleague, Senator SASSER, has addressed his thinking.

I regret that earlier today it was necessary for me to be in the Committee on Labor and Human Resources, and that I was not at my desk to listen to the cogent comments of that member of our Committee on Environment and Public Works, Senator MITCHELL, who has been so active in recent months to hopefully carry forward funding for the Economic Development Administration.

I do want the record to indicate that in connection with EDA, Mr. President, that I wish to not speak in a negative sense against our present Chief Executive. But I do recall that in his first speech in which he addressed himself to economic programs he made, in essence, the statement that "We will abolish the Economic Development Administration."

I believe the statement was made without complete or full facts which the President of the United States should have had in reference to that program, which has been the law of the land since 1965.

At that time, and it is proper to say, I asked the new Secretary of Commerce (Mr. Baldrige) if he would give me the opportunity to talk with him about the remarks that had been made by our Chief Executive.

Secretary Baldrige and I had a good talk. He would not be upset if I included in the record here that he indicated to me very frankly no knowledge actually of what the EDA program had done for communities, for the strengthening of plants that were temporarily closed, or for those programs fitted together which allow not only the EDA loan to be applied, but also be called into the circle of the effort to reopen a plant or to keep it in operation. In the State of West Virginia, perhaps 15 instances can be cited where funding took place that we never had before; where private interests, translated into actual contributions of men and women, came into the effort. It was then a package, not just Federal assistance but a package whereby many, many programs, projects, and industries in West Virginia are today alive and people are employed in our State, even though we have the highest unemployment rate in the United States—approximately 21 percent—at the present time. There are many counties in West Virginia that have 30 and 35 percent unemployment. But we do have the EDA, which has been very, very helpful in West Virginia, as it has been helpful across the Nation.

I had joined with my colleague from Maine (Mr. MITCHELL) in preparing to offer an amendment, which has been withdrawn, so that there would be sufficient room within the budget for the programs of the Economic Development Administration. This amendment, frankly, would have increased outlays by less than $250 million per fiscal year had we had the opportuni-

ty—which may occur at some later date or be handled in conference—to do so in the program which I have said happened to be given the attention, and rightly so, of the Senate in 1965.

It is important for us to realize today that not only in West Virginia, where I have given specific situations as to the value of this program, but in the rural sections throughout the country, basic facilities for economic development have gone forward. So, as we have talked here, Senator MITCHELL and Senator SASSER, about these problems, I am taking this time because we have it through the courtesy of the able chairman of the Budget Committee, my friend.

I do want to add—I could put it in the RECORD, but I want to state it on the floor: Over the last 27 years, nearly $150 million has been invested in projects in West Virginia. If I said that much money had been spent in West Virginia, that would not be a truism. For every dollar that has been spent, there has been a dividend—not only 100 cents brought back, but a dividend in improved living for people and for the strengthening of the communities in our State.

Mr. President, it is not bricks and mortar and asphalt but, rather, an investment in a State and a Nation from the standpoint of the citizenry of our country. So I shall think, certainly, of the methods by which we can work with the instructive Senator from New Mexico and others on the Budget Committee about the importance of the business loan program of EDA.

It became a lender of last resort, frankly—and I mean last resort—of those small businesses which would have failed in West Virginia and across this Nation. Again, I refer, not unkindly, to what Secretary Baldrige said to me: "Senator, very frankly, I do not know what the EDA program has done." Yet, at the very outset of an administration which I do not speak of as of a party different than my own, I think there was something said and something done which should not have taken place because, apparently, there was not the recognition of what had been placed on the books in 1965, had been renewed under Democratic and Republican Presidents, and was of tremendous value to the well-being of the people as a whole in the United States.

Now, coming more directly to the Appalachian regional program, I do hope, and I have reason to hope in capital letters rather than in small letters, that my friend from New Mexico and others will look very, very carefully into the need, which is a continuing need, to allow not ARC to fade away, but ARC in a phasing sense, whatever that might be, with lesser amounts because of what has been done to continue the progress that has been made. I hope that we do have the opportunity to have within the Senate conferees that realization as they meet with the House conferees, where there is a strong feeling for support of ARC.

So, Mr. President, I do not plead in the sense of futility.

I plead in the sense of an equity for ARC as we look at it, both bodies, to be given certain funding because of projects that need to be completed, because of programs that need to be funded, perhaps not always at the figure that I would like but that a reasonable figure can be established for ARC in these future weeks and months.

Mr. President, I wish to say this about the ARC program. We do have the support of each and every Governor in the 13-State region. That does not mean just Democratic Governors. It means, for instance, the Governor of Tennessee, who is a Republican. I hope our beloved majority leader, Mr. BAKER, not in the Senate Chamber at the moment, would not feel that I am speaking in a sense hopefully as to his future action, but I will say that factually he has helped us within the Committee on Environment and Public Works. We are glad that he continues, even though majority leader, as a member of that committee. He on occasion has given us his support by voting with us to see that ARC does remain a viable assistance program in the years ahead.

I do want to say, with the majority leader absent—I only wish that he could be present as I speak these words, but I know he shall read them with understanding—it was 50 years ago, Mr. President, that we created in this Congress, of which I was a Member, the Tennessee Valley Authority. That was a program of earlier years, just as the ARC was a program of later years, to give necessary attention to economically underdeveloped parts of this country.

I say to the majority leader, who is now in the Chamber, that when I actively supported the Tennessee Valley Authority in 1933, I did it not because I thought it was a program for 1 year or for 2 years or for 3 years. I believed there would be a well-reasoned continuance of that program, including the moment as I speak. I believe in the continuance of the Tennessee Valley Authority. I believe in it very, very strongly. And I shall have the privilege in a few days of joining our majority leader and others of those States, particularly Tennessee and Alabama, where the impact of the Tennessee Valley Authority has been on the plus, never on the negative side.

I recall so very, very well that I had a march on me, I say to the majority leader, when the Tennessee Valley Authority was before us because the miners of the State I represented, in part from the Second District where there were mines, felt that the hydroelectric power development would rob them of their jobs. The mining of coal would be lessened and lessened through the use of hydroelectric power generated there in that great region of the Tennessee Valley States.

I did not get upset with them for coming; they were my constituents, and I recognized that they had certain fears. But I recall saying to them, "I believe that that which will come in the future years will disabuse you of your opposition at the present time." I will use it in perhaps a nutshell rather than to elaborate to say to all my colleagues, particularly the able majority leader, their fears would in later years be unfounded because as I speak today the largest single purchaser of coal in the United States is the Tennessee Valley Authority.

So we must be very careful when we close our minds and our hearts to certain amounts of money which can continue to be used not only in the Tennessee Valley Authority but in the 13 Appalachian regional States where their compacted problems have been very pressing.

I know that someone could well say, "Well, JENNINGS is on the floor today and he's crying out for ARC to be continued."

I am not doing that. I am speaking of the equity of the program, of the desirability, frankly, of the right thinking and acting which would continue such a program. Have I stopped at the border of a Kansas when there was programs needed for the agricultural interests of that State where the corn grows taller through some program?

There is not a State across this Republic, when I felt there was a need, or States that were brought together in some type of effort of which the Senator is now speaking, that I would remain silent about because there might be a feeling that if you went out and helped a certain program specifically in some area of the country you were not helping your own State.

What we do in this country, a constantly shrinking Republic from the standpoint of time and distance, causes Americans today to recognize that we have not only the opportunity but the responsibility to help when we can, when it is reasonable to do so, when it is dollarwise right to do so, to continue a program and not cast it aside. And so with TVA, it lives, and I helped to bring it into being. It is there. And then in 1965 we created the Appalachian Regional Commission, and it has been here in the intervening years under Republican administrations as well as Democratic administrations. I am being repetitious, I understand. It is perhaps a failing when I speak about ARC, but I just hope that in whatever way we can within the

conference system or through the recognition of individuals in this body, not because I plead but because we think the matter through, there will be a sufficiency of funds so that ARC will not fade away but will be with us to continue to bless humankind.

Mr. BAKER. Mr. President, will the Senator yield 1 minute to me?

Mr. RANDOLPH. I yield.

Mr. BAKER. Mr. President, I was in the cloakroom when the Senator from West Virginia began his remarks, and I came to the floor as soon as I could disengage from another conversation in which I was trying to move along the schedule of the Senate.

I was reminded, however, in listening to his remarks on the speaker in the cloakroom, that the Senator from West Virginia, I believe, is the last Member of Congress who was present at the time of the creation of the Tennessee Valley Authority. We certainly owe him a debt of gratitude for that, particularly those of us who are the beneficiaries of that great Authority. TVA was conceived in the early days of the New Deal and was brought to fruition just prior to the most urgent demands that were placed on it by World War II.

The Senator from West Virginia was instrumental not only in the creation of TVA and its nurture in subsequent years but also in developing the concept of regionalism based on the economic development and the unification of diverse programs for the benefit of distressed and deprived regions of the country which, for many reasons, were never caught up in the mainstream of economic and social development of our country.

So, Mr. President, I should like to acknowledge, on behalf of this Senator—and, I am sure, for every other Senator—the debt of gratitude we owe Senator RANDOLPH for his contribution of insight and to thank him once again for the role he has played and the support he brings at this time.

Mr. RANDOLPH. Mr. President, I am grateful, as always, for the consideration of the majority leader.

Perhaps it is not wrong to say that we both have announced that we are not candidates for reelection to the Senate in 1984.

Someone said to me at the time, "JENNINGS, why are you announcing so early that you are not going to be a candidate for reelection?"

I said, "Well, I don't think I'm doing it too early, because I waited until after my friend HOWARD BAKER had said that he would not be a candidate for reelection."

Mr. BAKER. I thank the Senator for that remark.

Someone asked me the other day, "Are you sorry you have announced that you're not going to run for reelection?"

I said, "No. Not only am I not sorry, but I'm now actively engaged in negotiations to try to gain time off for good behavior." [Laughter.]

AMENDMENT NO. 1243

The PRESIDING OFFICER. The question recurs on the Domenici amendment.

Mr. DOMENICI. Mr. President, while the Mitchell amendment has been withdrawn and the distinguished senior Senator from West Virginia spoke——

Mr. CHILES. Mr. President, I was going to ask for the yeas and nays.

Mr. DOMENICI. They have been ordered.

Mr. CHILES. If we were ready to vote——

Mr. DOMENICI. We are not ready to vote.

I yield myself 1 minute.

Mr. President, I just wanted to say to my good friend Senator RANDOLPH that I was on the floor during most of his discussion. I do not think I have to say this to him and to the Senate, but I hold him in the highest esteem, and I think he knows that.

EDA is the subject of the Mitchell amendment, and ARC has not yet been the subject of amendment on the floor.

I hope the magnificent relationship that exists between the senior Senator from West Virginia and the Senator from New Mexico will remain after that vote.

If we cannot agree on EDA and ARC, I hope the Senator understands that we have a genuine difference of opinion and nothing else. A genuine difference in terms of what we ought to be doing in the next few years with economic development type moneys and nothing else. I think he understands that.

I thank him for his eloquent comments this morning and for the references he made to the Senator from New Mexico.

Mr. RANDOLPH. Mr. President, will the Senator yield?

Mr. DOMENICI. I am pleased to yield.

Mr. RANDOLPH. Mr. President, there is no other Member of the Senate—and I want to weigh my words not in pleasantry but in truth—with whom I have a closer personal understanding than with the able Senator from New Mexico. I understand what he says, and I agree with his words.

I am grateful for his friendship, also, and for the fact that he still keeps an open mind on the matters I have discussed.

Mr. DOMENICI. Mr. President, I understand that the Senator from Montana (Mr. MELCHER) would like to offer a sense-of-the-Senate amendment regarding the IMF and other matters.

Mr. BYRD. Mr. President, will the Senator yield?

Mr. DOMENICI. I am pleased to yield to the distinguished minority leader.

Mr. BYRD. I was interested and somewhat nonplussed when the Senator said he was not ready to vote on the substitute amendment.

Mr. DOMENICI. The Senator was what?

Mr. BYRD. Interested and nonplussed and puzzled. [Laughter.]

Will the Senator explain to me why he is not ready to vote on his substitute, which he offered? When was it offered?

Mr. DOMENICI. Two days ago.

Mr. BYRD. Two days ago. We are ready to vote on the substitute.

Mr. DOMENICI. It would take the Senator from New Mexico more time than we have on the resolution to explain why the Senator from New Mexico is not ready to vote on the amendment in the nature of a substitute. Suffice it to say that, in due course, I assume the will of the Senate will be worked on that amendment. But, to the extent possible, it will not be worked for awhile.

Mr. BYRD. It will not be worked today?

Mr. DOMENICI. I do not know about that. I am not prepared to go beyond saying that it is not going to be worked for a while.

Mr. BYRD. I would join the Senator in adding time on the overall resolution, because there is a provision for that, we both know, by motion. So we could add time.

Mr. DOMENICI. Does the Senator think we need more time?

Mr. BYRD. I took from what the Senator said that he could take all day today to explain his reasons.

Mr. DOMENICI. I would not want to do that. We have so many important things to consider on the floor that my detailed and rambling explanation of why I am not ready to call it up now would not be appropriate.

Mr. BYRD. It does not have to be called up. It is before the Senate.

Mr. DOMENICI. Why we are not going to vote on it, as the Senator asked me.

Mr. BYRD. So it would take quite a while?

Mr. DOMENICI. It would take a long time.

Mr. BYRD. I would be glad to listen to the Senator.

Mr. DOMENICI. I know that the Senator has a marvelous ear and a tremendous propensity for being considerate, and I greatly appreciate it, but I do not think any good purpose would be served in taking that much time. In due course, we will get to that matter. I am sure the Senator is aware that that will happen sooner or later, but not now.

Mr. BYRD. The Senator, with all his kind words, disarms me at this point,

so I will retire from the field with a broken sword at the moment; but I will be back and ready to listen to the Senator when he explains his amendment.

Mr. DOMENICI. If the Senator is retiring with a broken sword, with those comments, I am indebted to him for that generosity. [Laughter.]

Mr. BYRD. I may not be so generous later. [Laughter.]

Mr. DOMENICI. I am fully aware of that, and I am prepared to do battle.

Mr. BYRD. Mr. President, do I have the floor?

The PRESIDING OFFICER. The Senator from New Mexico has the floor.

Mr. DOMENICI. I yielded. I would be pleased to relinquish the floor, however, if the Senator desires the floor.

Mr. BYRD. I do not know whether I desire it or not. I was considering possibly moving to table the amendment in the nature of a substitute, but I hesitate to do that at the moment, because it would cut off the debate of the Senator.

Mr. DOMENICI. I clearly understand that the Senator could do that. I know him very well from the few years I have been here, when he was majority leader and now minority leader, and I think he understands the situation. It would not only surprise me but also would shock me if the good Senator were to do that at this point.

But I understand it is available not only to you but we do have to yield back time on it before you can do that. I do not think we have.

Mr. BYRD. Mr. President, will the Senator yield?

Mr. DOMENICI. I yield.

Mr. BYRD. The Senator refers to me in the second person. He is not supposed to do that.

Mr. DOMENICI. I regret again that I have not learned well, and I apologize to the distinguished Senator.

Mr. BYRD. The Senator is an expert on the budget but he is quite right. I do not think I really would want to make a motion at this time to table.

Mr. DOMENICI. I thank the Senator. But we have not yielded back the time on it.

Mr. BYRD. No. That is right, we have not yielded back the time. We can yield if the Senator would, but he wants to retain that.

Mr. DOMENICI. Indeed.

Mr. BYRD. I thank the Senator.

Mr. DOMENICI. I thank my good friend.

Mr. BYRD. Let us have a little persiflage and badinage from time to time to keep our spirits high.

Mr. DOMENICI. It sure is healthy. I greatly appreciate it.

I understand that the distinguished Senator from Montana, Senator MELCHER, wishes to offer a sense-of-the-Senate resolution.

Mr. President, I ask unanimous consent that the Domenici amendment be temporarily set aside so that the distinguished Senator from Montana can offer a sense-of-the-Senate amendment which I think Senator CHILES has seen and we have seen.

The PRESIDING OFFICER. Without objection, it is so ordered.

amendment no. 1256

(Purpose: Reduce the budget deficits for fiscal years 1983, 1984, 1985, and 1986 by reducing budget authority and outlays for Function 150, International Affairs)

Mr. MELCHER. Mr. President, this is a lot more than a sense-of-the-Senate resolution. It is true that the first portion of the amendment is a sense of the Senate so we can fully describe what we are talking about rather than just having the barebones numbers which is the usual form of an amendment to the budget, without any explanation of what the numbers reductions or increases mean.

So, the first part is a sense of the Senate talking about what we are talking about so we can understand the amendment, and the second part deals with the actual budget cut.

The PRESIDING OFFICER. On whose time is the Senator speaking?

Mr. MELCHER. I am speaking on my own time on behalf of the amendment.

The PRESIDING OFFICER. Does the Senator wish to report the amendment?

Mr. MELCHER. The amendment is at the desk. I ask that it be read and that I be recognized thereafter.

The amendment will be stated.

The assistant legislative clerk read as follows:

The Senator from Montana (Mr. MELCHER) for himself, Mr. DECONCINI, Mr. RANDOLPH, Mr. BURDICK, and Mr. HUMPHREY, proposes amendment numbered 1256.

Mr. MELCHER. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

At the appropriate place in the resolution, add the following new section:

"SEC. . Whereas, even with the changes that the Senate Budget Committee has made in the President's budget, the federal budget will contain deficits totaling $647.5 billion over the life of this resolution and the public debt will likely grow to almost $2 trillion in 1986; and,

Whereas, such deficits could increase interest rates, unemployment, halt economic recovery and lead to further recession; and,

Whereas, foreign aid spending for fiscal year 1984 is 108 percent higher than it was in 1979 while, for the same period, veterans' benefits and health care spending will have increased only 29 percent; natural resources and environment spending will have gone up 3 percent; health, 55 percent; and transportation 48 percent; and education, training, employment and social services actually dropped 9 percent; and community and regional development dropped 14 percent, proving that foreign aid has not been subject to the same budget restraints as domestic spending; and,

Whereas, U.S. international food aid, distributed under P.L. 480, is heavily concentrated in concessionary food sales to foreign governments under Titles I and III, which comprise 75 percent of the current program, while food donations through Churches, charitable groups, and other organizations, which is a more effective way to feed the hungry, comprise only 25 percent of our food aid; and

Whereas, new contributions to the International Monetary Fund would be used to provide funds to developing countries to cover interest payments on loans made by international banks at high interest rates, and to provide funds to developing countries for the purpose of subsidizing exports which unfairly compete with U.S. products on the world market, costing tens of thousands of American jobs, are excessive;

Therefore, it is the sense of the Senate that the totals in this Resolution for Function 150, International Affairs, should not exceed $19.8 billion in budget authority and $11.5 billion in budget outlays for Fiscal Year 1983, and should not exceed $12.5 billion in budget authority and $10 billion in budget outlays for Fiscal Years 1984, 1985 and 1986. Further, it is the sense of the Senate that, notwithstanding any of the budgetary limits placed on Function 150, the United States shall continue to meet the financial commitments made to Israel and Egypt in conjunction with the Camp David Accords."

Mr. MELCHER. Mr. President, with the $200 billion deficit facing us in this coming fiscal year, it is time for some tough blunt talk and time for a little more firmness in U.S. actions on what we are spending abroad and time that some attention be given to the problems we have here at home and how this spending abroad affects us here at home.

Despite the fact that over the past several years, we have had cuts in domestic programs—indeed almost every domestic program has been cut, some of these programs have been cut 2 or 3 years in succession—despite that fact, we have the $200 billion deficit looming before us for fiscal year 1984. There have been some exceptions, of course. We have had an exception in debt service that has been forced upon us because we have huge Federal deficits. We have to pay more and more in debt service on the national debt.

Of course, we have increased defense. The budget resolution here before us calls for a 5-percent real growth in defense expenditures in fiscal 1984. That is perceived by many to be near the bottom line on what we need for national defense. Indeed, the President has asked for 10 percent and reduced that after some time for consideration to a request of about 7½ percent in real growth for fiscal year 1984 in defense expenditures.

Yesterday, we saw in this Chamber a tie vote, 48 to 48, on whether or not there should be a 6½-percent increase

in terms of real growth for national defense.

So I think that emphasizes the strong feeling here in the Senate and perhaps the country on the need for our national defense.

But I think we should translate what our needs here are in the United States for our own national defense, and if it is so important to increase our own national defense expenditures in fiscal year 1984, I believe that those who feel strongly on that should be listening and should be heeding this amendment because there comes a point of whether we have enough money for our domestic needs including our own national defense expenditures.

But then there is a third area in the budget that we have not reduced by votes in either the House of Representatives and the Senate in the past several years, and that is in our foreign aid expenditures. This spending has increased for the past several years and it is increased in this proposed budget resolution, and increased rather radically.

It really boggles the mind to wonder how we can justify this increase when we are going to have to borrow the money that is going to be part of the deficit, and borrow it for spending that we could curtail if we wanted to. We are borrowing the money to send it abroad. That does boggle the mind of the average citizen, and the average taxpayer, and I confess that I share that bewilderment about how we can continually increase foreign aid, especially as it is increased in this budget resolution. With all deference to those who work on the budget and have brought this resolution before us, it puzzles me how these huge increases can be sensibly asked for.

There is a part of the foreign aid package that increases very dramatically. It is the contribution from the United States to the International Monetary Fund. I wish to state that it should be our policy, it should be Congress policy, it should be written in granite here in the Senate, we should not bailout banks with bad foreign loans. We should not get money out of the Federal trough to bailout banks who have made bad loans to foreign governments or to foreign companies in foreign countries.

We should not, of course, take taxpayers' dollars for that purpose. That is what the budget resolution sets us on course to do.

By the way, $8.5 billion is proposed in this budget resolution to increase the U.S. contribution to the International Monetary Fund.

We should not, by all that is holy—there ought to be something holy reserved in our principles—we should not borrow money to turn over to the International Monetary Fund at this time so that banks with bad loans can have their interest, mind you, on bad foreign loans, paid to them.

It is rather odd that we are going to borrow money on behalf of the U.S. taxpayers in this generation and the generations to come on which we are going to continually pay interest, to up our contributions to the International Monetary Fund so they, in turn, can provide it to countries that will then pay their interest due on these loans, many of them U.S. banks and, of course, other banks. That is a circle. We borrow the money on behalf of the U.S. taxpayers so the Congress can turn it over to the International Monetary Fund, those are their dollars, to turn over to foreign countries so they can shovel it through their governments to pay the interest on some bad debts owed to banks. That is a circle all right, and it is a very vicious circle.

I think it should also be pointed out that we should not, by all that is holy, send U.S. taxpayers' money to the International Monetary Fund to lend money to foreign countries to subsidize their industries which export products to us, and those are subsidized products, which take away part of our domestic market here. They send their exports over to us with those borrowed dollars from the International Monetary Fund which produce those subsidized goods, at less than cost, send them to us and the end result is that this takes away jobs here in the United States and makes our economy worse.

I hope, Mr. President, that I can address three very important viewpoints, and I hope that those who share these viewpoints of concern will heed this amendment. First of all, there are conservatives who are very much opposed to Federal deficits, and I hope those who hold that very high in their values will take heed of this amendment.

Second, I think those who have a grave concern and continually advocate foreign aid programs, who are the peaceful types, who attempt to have foreign aid to do good for our neighbors abroad, will take heed of this amendment and pay special attention to what this amendment accomplishes.

Economic Support Fund assistance in the foreign aid program really takes up the bulk of the foreign aid expenditures each year. Economic Support Fund assistance, however, is clearly identified by acts of Congress, and by the very colloquy which has been going on for over a generation on this Senate floor and on the House floor, with helping the military capability of those countries that receive it. It is used as a means of exporting weapons or as a means of foreign countries buying weapons or paying their troops or whatever is necessary in order to bolster their military capability. So it should not be treated, this vast increase of foreign aid expenditures over the past several years, as somehow a do-good venture to help the economic plight of people in their own countries. It is primarily to help those countries to have a stronger military.

The third group I hope will heed this amendment is a group that is vitally concerned about Israel. I want to point out at the outset that this amendment, very definitely addresses that and the amendment clearly states that the Camp David Accords will not be touched by adopting the amendment.

I share all these concerns. I share all three of them, those who feel our deficits are much too large and must be cut, and those who feel that foreign aid should be of a humanitarian nature and should really zero in on helping people, I share that concern, and I point out there is plenty of room in this amendment to allow those humanitarian concerns to be met, and I will point out there is plenty of room in this amendment to permit the military assistance for our allies to be met also. I will be able to document that.

Now, as to the question of Israel and the Camp David Accords, I believe we should meet those obligations, and that is why I and my cosponsors of the amendment, very deliberately insert lauguage in the amendment to make it clear that the understanding is there—that any cuts that would be made to the detriment of the Camp David Accords.

While I have concerns for all three of these areas, I want everyone to understand the amendment is really drafted to prevent any foolish waste or foolish ventures abroad, and to prevent payoffs of any foolish foreign loans, because the amendment clearly states it is the sense of the amendment to limit these things and to reduce the budget deficit for 1983, 1984, 1985, and 1986 by making cuts which total $18.2 billion in budget authority and $8.3 billion in outlays during the same fiscal years—4 fiscal years.

The actual spending reductions in my amendment are as follows: $5.1 billion decrease in budget authority for 1983, $5.7 billion decrease in budget authority for 1984, $4 billion in fiscal 1985, and $3.4 billion in budget authority in fiscal 1986, which nets out in budget reduction $2.7 billion in 1984; $2.8 billion in fiscal 1985; and $2.8 billion in fiscal 1986 in budget outlays.

Further, my amendment makes it clear that it is the sense of the Senate that any limitation on foreign aid spending not affect commitments to Egypt or Israel under the Camp David Accords.

While there is need to recognize we have to reduce foreign aid expenditures, because the amendment would roll back foreign aid spending levels to $10 billion, and that is the level of

spending in 1982, between 1982 and this year the proposal before us is that foreign aid would have been increased by 27 percent or $2.7 billion. Where these increases occurred, according to the President's foreign aid requests, in 1984 as compared to 1982, the increased spending of $2.7 billion is broken down as follows: first military aid related makes up 53 percent of the increase. That includes the economic support funds, which make up 19 percent of that; foreign military sales making up 15 percent of that; military assistance programs making up 9 percent; foreign military sales trust funds making up 6 percent. That is where that 53 percent of the increase came. It totals up to an increase of more than half of the $2.7 billion increase between 1982 and 1984.

The Export-Import Bank, however, during that time makes up only 8 percent of the increase. That is quite a difference. The Export-Import Bank is vital to some of our exports of goods abroad, commodities and merchandise exported from this country. The Bank only got 8 percent of that $2.7 billion increase.

There are administrative costs which reflect 11 percent of the $2.7 billion, and multinational banks the same, 11 percent.

Humanitarian funding got a 10-percent increase. I might point out, in actual dollars, humanitarian funding for Public Law 480 is getting a smaller portion—some 6 percent less—of the total dollars spent in foreign aid.

I particularly call that to the attention of those people who share my belief that one of the best things we can do in foreign aid is through Public Law 480. If they need food, help them, send it to them, give it to them. That is what Public Law 480 does. But that is not where this $2.7 billion increase between 1982 and 1984 has occurred.

(Mr. HUMPHREY assumed the chair.)

Mr. MELCHER. We can readily observe that in foreign aid spending the increase has not been spread proportionately for food and humanitarian needs. I believe that, overall, funding for the entire package is grossly excessive, and even with any cut in the budget there will remain a large amount of money to meet the program needs.

Now, there is still a question of whether or not the purpose of the Economic Support Fund is understood. So I want to briefly outline what its purpose is.

The Economic Support Fund (ESF) comprises the largest category under international security assistance, and the largest single category within the foreign aid budget itself.

The program originated in 1951 as a program of economic aid in support of military assistance. Under the Mutual Security Act, we provided defense support to U.S. allies with the aim of promoting military strength. During the 1950's, the Asian nations—South Korea, Republic of China, Indochina, and Pakistan—were the largest recipients.

With passage of the Foreign Assistance Act of 1961, the program was then labeled "supporting assistance." The major recipients of this aid were South Vietnam, South Korea, and Laos.

After the Vietnam war, the focus of the program shifted to the Middle East. Israel and Egypt became, and still are, the largest recipients, with Israel receiving $806 million in economic support funds during fiscal 1982, and Egypt receiving $771 million. Other major recipients during that same year included Turkey, $301 million; Pakistan, $100 million; and the Sudan, $100 million. Close to 75 percent of the total Economic Support Fund went to assist countries in financing their defense purposes. Economic Support Fund moneys in fiscal year 1982 also were utilized to insure our continued use of overseas military bases and facilities with aid to countries such as Portugal, $20 million; Spain, $17 million; the Philippines, $50 million; Oman, $15 million; Kenya, $20 million; and Somalia, $25 million. A total of $125 million was allocated to various countries in southern Africa.

The Economic Support Fund, despite its name, is primarily for bolstering foreign country military capability. Administration officials have testified in the past that ESF helps nations with their large military-related expenditures.

It, therefore, is pertinent that the increases in foreign aid expenditures have primarily resulted in growth of expenditures for support of military armaments in foreign countries.

Now, there is also a concern in Congress about whether or not touching foreign aid has anything to do with weakening our defense posture around the country. They wonder about Turkey or bases in Portugal or Spain, and they wonder about Pakistan, and so on.

Well, let me say right at the outset that while that argument will probably be offered, or is a grave concern to a lot of people in their own mind, the facts are that, according to the latest information we have available, our NATO allies fall short in their commitments to defense spending. Why don't they help pick up more of these military aid costs? But I wish to assure the Senate that, in spite of that, there will be plenty of room left in the $10 billion, if the amendment is adopted, available for budgetary purposes and also for appropriation purposes for this coming fiscal year and to meet all of those obligations.

There are really two basic parts to my amendment. First, it freezes foreign aid outlays for fiscal years 1984, 1985, and 1986 to $10 billion, to the level of that function in 1982.

Second, my amendment cuts $5.1 billion of the $8.5 billion that the committee has added to the 1983 budget authority to make room for an increase in our contribution to the International Monetary Fund. Thus, the amendment limits that increase for the International Monetary Fund contribution from the United States to $3.4 billion. That will permit a 20-percent increase but not any more.

In other words, the budget resolution before us recommends that it be increased from $16.5 billion—that is where it is right now—by another $8.5 billion, a 50-percent increase. My amendment would limit that increase to $3.4 billion, which is a 20-percent increase of the U.S. contributions, which are now $16.5 billion, to the International Monetary Fund. And that is enough. To go any higher I think is reprehensible.

The budget resolutions, of course, are always in the form of a series of dollar amounts covering various functions of the Federal Government or the agencies or the departments. It is often very confusing for the public to understand just what an amendment to the budget resolution means if it is adopted or what it would accomplish if it were adopted, because it just mentions figures.

Adoption of an amendment to the budget is meant to give direction to the authorizing and appropriations committees. The subsequent action by the Senate and the House determines what the Federal funding will actually be for each of the various purposes covered within the broad categories of the budget function, but the first step of that process is always action on the budget resolution.

As required by law, this is the way the budget resolutions are. If the Senate is to place constrictions on the amounts of money to be authorized and to be appropriated for various Federal programs through the adoption of the budget resolution, it better serves the purpose of this legislative vehicle to clearly identify the intent of the Senate when we vote on amendments to the budget resolution. For most or all the functions that are listed for budgetary purposes, there are a multitude of results that could occur in adopting an amendment. Consequently, the real purpose of a budget resolution amendment is often vague and open to question as to its real intent.

For that reason, Mr. President, I have included in my amendment today a sense-of-the-Senate resolution to give a clear purpose to what the amendment intends in function 150. While the sense-of-the-Senate resolution is not binding on the House, and

while it can be altered by subsequent actions in the authorization and appropration measures here in the Senate, it, nevertheless, is true that if we include a sense-of-the-Senate provision along with the reductions in funding for function 150, it will serve as better guidance to the authorizing committees as to what our real intent is at this particular time regarding this amendment.

The amendment, if adopted, will do just that. It will indicate, we think, that foreign aid and contributions to the International Monetary Fund are too high in the budget resolution and need to be reduced.

This explanation, of course, is not necessary for this amendment to be germane to the resolution. However, the explanation is germane to the process we have before us in the budget resolution. I think it is reasonable to ask the Senate to vote on something that is clearly described by the amendment.

Mr. President, I ask that the amendment in those sections be modified, that where the word "whereas" is used that we use "since."

The PRESIDING OFFICER. The amendment is so modified.

The amendment, as modified, is as follows:

At the appropriate place in the Resolution, add the following new section:

"SEC. . Since even with the changes that the Senate Budget Committee has made in the President's budget, the federal budget will contain deficits totaling $647.5 billion over the life of this Resolution and the public debt will likely grow to almost $2 trillion in 1986; and,

Since such deficits could increase interest rates, unemployment, halt economic recovery and lead to further recession; and,

Since foreign aid spending for fiscal year 1984 is 108 percent higher than it was in 1979 while, for the same period, veterans' benefits and health care spending will have increased only 29 percent; natural resources and environment spending will have gone up 3 percent; health, 55 percent; and transportation 48 percent; and education, training, employment and social services actually dropped 9 percent; and community and regional development dropped 14 percent, proving that foreign aid has not been subject to the same budget restraints as domestic spending; and,

Since U.S. international food aid, distributed under P.L. 480, is heavily concentrated in concessionary food sales to foreign governments under Titles I and III, which comprise 75 percent of the current program, while food donations through Churches, charitable groups, and other organizations, which is a more effective way to feed the hungry, comprise only 25 percent of our food aid; and

Since new contributions to the International Monetary Fund would be used to provide funds to developing countries to cover interest payments on loans made by international banks at high interest rates, and to provide funds to developing countries for the purpose of subsidizing exports which unfairly compete with U.S. products on the world market, costing tens of thousands of American jobs, are excessive;

Therefore, it is the sense of the Senate that the totals in this Resolution for Function 150, International Affairs, should not exceed $19.8 billion in budget authority and $11.5 billion in budget outlays for Fiscal Year 1983, and should not exceed $12.5 billion in budget authority and $10 billion in budget outlays for Fiscal Years 1984, 1985 and 1986. Further, it is the sense of the Senate that, notwithstanding any of the budgetary limits placed on Function 150, the United States shall continue to meet the financial commitments made to Israel and Egypt in conjunction with the Camp David Accords.

Mr. MELCHER. The first reduction is a cut in function 150 which deals with the various aspects of the foreign aid package and allows the authorizing committee to make the determination as to where those cuts will be. It simply imposes a cap in spending. The authorized spending level will be no higher than $10 billion in those areas covered under function 150.

The second part deals with the reduction in International Monetary Fund contributions. That is a reduction of $5.1 billion. Instead of a $8.5 billion contribution, it will be a $3.4 billion contribution.

The Budget Committee has gone much too high when they recommend that we provide $8.5 billion in obligations for the United States for the International Monetary Fund. That is a 50-percent increase in our contribution. My amendment simply says you can increase it up to $3.4 billion or a 20-percent increase over what our obligations are right now to the International Monetary Fund.

We should not make a budget commitment to provide any greater authority until we have fully and carefully examined just what it means and decided whether or not a majority in the Senate wants to make this commitment to the International Monetary Fund. There are (2) IMF funds. There is the general quota fund which as of today has built up a quota of funds for lending of $61 billion. Approximately $13.5 billion of that comes from the United States. When current commitments are filled, $26 billion will be left in available loans. That ought to be enough.

The second International Monetary Fund is the General Agreements to Borrow. The Third World debt is now established at about $500 billion. Although much of this debt is owed to private banks—for example $77 billion is owed to the 9 largest U.S. banks—the International Fund is affected since more than 25 of these countries are threatening to default on their loans unless the International Monetary Fund steps in and increases its lending to help them out.

I think this was dramatized yesterday on the business page of the Washington Post where two articles described the dire straits of some of these bad loans, or potentially bad loans, in foreign countries. It really dramatized the feeling of many monetary experts around the world that these are indeed bad loans. The principal will not be paid back. Loaning more money to pay the interest and the fees that are due will not assure anything except a greater debt.

Mr. President, I ask unanimous consent to insert into the RECORD at this point a list showing the major borrowers from the International Monetary Fund.

There being no objection, the list was ordered to be printed in the RECORD, as follows:

THE BIG BORROWERS AT THE IMF

[Loan and balance in millions of dollars]

Country	Total loan [1]	Undrawn balance	Date of agreement	Expiration date
India	5,500.00	3,520.00	November 1981	November 1984.
Mexico	3,950.00	3,410.00	December 1982	December 1985.
Yugoslavia	1,828.20	809.40	January 1981	December 1983.
Turkey	1,375.00	319.00	June 1980	June 1983.
Romania	1,212.75	1,047.75	June 1981	June 1984.
Pakistan	1,010.90	521.40	December 1981	November 1983.
Peru	715.00	649.00	June 1982	June 1985.
Ivory Coast	532.95	211.60	February 1981	February 1984.
Jamaica	525.47	205.81	April 1981	April 1984.
Hungary	522.50	390.50	December 1982	January 1984.
South Africa.	400.40	225.50	November 1982	December 1983.
Morocco	309.38	92.81	April 1982	April 1983.
Thailand	298.65	246.51	November 1982	December 1983.
Sudan	217.80	140.80	February 1982	February 1983.
Kenya	166.65	67.85	January 1982	January 1983.
Uganda	123.75	82.50	August 1982	August 1983.
Costa Rica	101.53	75.90	December 1982	December 1983.
Honduras	84.15	67.32	November 1982	December 1983.
Somalia	66.00	49.50	July 1982	January 1984.
Liberia	60.50	55.00	September 1982	September 1983.
Madagascar	56.10	33.86	July 1982	July 1983.
Togo	52.25	44.28	February 1981	February 1983.
Senegal	51.98	51.98	November 1982	November 1983.
El Salvador	47.30	26.26	July 1982	July 1983.
Haiti	37.95	24.75	August 1982	September 1983
Gabon	37.40	37.40	June 1980	December 1983.
Barbados	35.07	24.55	October 1982	May 1984.
Mali	33.42	13.00	May 1982	May 1983.
Mauritius	33.00	8.25	December 1981	December 1982.
Panama	32.67	32.67	April 1982	April 1983.
Malawi	24.20	13.20	August 1982	August 1983.
Gambia	18.59	0	February 1982	February 1983.
Dominica	9.40	3.14	February 1981	February 1984.

[1] Interest charged on loans varies according to loan size, market conditions, and source.

Source: International Monetary Fund.

Mr. MELCHER. There are a number of reasons for opposing this rapid growth in the International Monetary Fund. When the United States increases its contribution, it receives dormant assets denominated in special drawing rights from the International Monetary Fund in exchange. Since these special drawing rights cannot be withdrawn by the United States to pay our own bills here at home, we have to finance these lost dollars by borrowing on the credit market. This is equivalent to increasing the budget deficits and there is a net loss to the U.S. Treasury because the interest paid out on the credit market is greater than that received from the International Monetary Fund on the U.S. reserve account.

That may sound a little complicated but, believe me, it is not complicated. It just means that you lose a little more money. If the U.S. quota increases were implemented today, for

example, the Treasury would lose almost 1 percent in interest because the 3-month Treasury notes are selling at about 8.04 percent and the return on U.S. reserves in the International Monetary Fund is 7.2 percent. That means you lose 1 percent. That is not complicated.

In 1982, that net loss amounted to $1.3 billion. That is a figure provided by Treasury Secretary Regan.

Obviously, as the U.S. quota becomes larger the loss becomes greater. There is already speculation that the final figures that will be requested for the U.S. share of the 1983 quota increase will be larger than the $8.5 billion proposed in this budget resolution.

Primarily, that is due to the fact that declining oil prices are pushing large debtor nations such as Mexico and Venezuela further into debt.

I want to say something very direct about lending money by private banks to foreign governments or foreign companies in foreign countries.

When those banks lend that money, they lend it, we would hope, as a good loan. These loans were made to these countries or to foreign businesses at rather high interest rates and often at a higher rate than could be received here in the United States. I remember when the prime was at 21 percent there were many overseas loans made from private banks here in the United States at 22 percent and higher. Obviously, those banks intended to make a better killing on these loans by a better return of interest. It was high-risk money and they knew it, but they took that risk.

We have no business providing taxpayers' funds to help bail them out so that that interest can be paid to them. To repeat, I do not think there is much likelihood that the principal will be paid on many of those loans. It is a question of how often they can pay the interest or the fees to keep from having to list them as uncollected debt.

We really have to ask whether it is the responsibility of the American taxpayers to bail out these bad loans without any reasonable sacrifice by the banks. It is their problem, really. What are they doing? What sacrifices are they making?

We have sent this money to the International Monetary Fund and they are going to get some of that. That will be how the taxpayers will bail them out. But the taxpayers are not the only ones who object to this proposal.

Here are some remarks made recently by George Champion, who was the former chairman of the Chase Manhattan Bank. That, Mr. President, is one of the banks with a large portfolio of some very doubtful foreign loans.

This former chairman of Chase Manhattan said that for the next 5 years banks should dedicate at least 50 percent of their pretax earnings to writing off some of the questionable loans they have made abroad. He further suggested that dividends not be increased and that banks increase their reserves for bad loans.

The banks that have these loans have not all jumped up and clapped their hands. I am told that they are opposed to such proposals as that and prefer not to make any sacrifices for their own financial situation. But it is their situation and they should make the sacrifice.

Another factor which needs to be considered is whether the International Monetary Fund policy of making structural adjustment loans is in our best interest. These are loans designed to allow the borrowers to increase their exports by investing in export-related products, export-related industries, and export-related projects.

In the domestic production of refined copper, just to give one example, we have had a decline of 24 percent between 1979 and 1982 in domestic refined copper. It was 1.2 million short tons in 1982, with copper prices down 25 percent and the mining sector operating at one-half capacity in 1982. At the same time, during that same period, the combined U.S. imports of copper ore and metal from Mexico and Chile increased by 229 percent to 333,369 short tons. This accounted for 46 percent of the total U.S. imports of copper in 1982, or 411 million dollars' worth of imports.

Mr. President, let me point out that every country that we import from in any quantity is at the window of the International Monetary Fund to get a renewal of International Monetary Fund amounts so they can continue to subsidize their copper industry. They do not outcompete us. They do not produce copper and refine it or smelt it cheaper than we do. They just subsidize it. And to a large extent, they are depending on International Monetary Funds to bail them out so they can continue to subsidize them.

Witness Chile, needing another loan right now; witness Mexico needing another loan right now. I remind my colleagues that they have a copper smelter within 2 miles of the U.S. border that is a subsidized copper smelter. To add insult to injury, we import the copper and also, because of the prevailing winds, we import polluted air because they have no air quality control methods on that particular smelter.

During the time that copper imports were cutting into the domestic copper market, the IMF approved a $3.9 billion loan to Mexico and, in January of this year, agreed to the use of funds totaling $882 million in support of the Chilean Government's economic program, with $326 million specifically to cover Chile's shortfall of export earnings due to lower export receipts from copper and other minerals.

These loans have cost thousands of U.S. jobs in the copper industry. Yet this is only one commodity where the IMF has provided loans to foreign countries which have been made in large part with U.S. contributions and have led to the direct loss of U.S. jobs and production.

You know, Mr. President, the argument is often made that foreign lending helps to maintain foreign trade for the export-related jobs in the United States. The reverse is too often true; many U.S. jobs are lost, not gained. If this lending is so beneficial for our trade balances, why have our trade balance payments run a deficit during the years in which foreign lending has been at a peak? That has been the case during the last several years.

I ask unanimous consent to have printed in the RECORD the amounts of our trade deficits during each of the years 1976 through the first quarter of 1983.

There being no objection, the list was ordered to be printed in the RECORD, as follows:

	Billion
1976	−$17.3
1977	−39.2
1978	−42.3
1979	−40.4
1980	−36.4
1981	−39.7
1982	−42.7
1983 [1]	−42.8

[1] Based on first quarter figures.

Mr. MELCHER. I believe the budget figures for increased contributions to the IMF are excessive and should be cut, as called for in my amendments.

Mr. President, our strength which far surpasses all others throughout the world is the capability to do the things we do best—produce food and cotton. We do it easily and efficiently. We can concentrate our generosity and our charity in our foreign aid programs in Public Law 480. We would do a lot better if we did.

I reserve the remainder of my time, Mr. President.

Mr. GORTON. Mr. President, I yield such time to the Senator from Utah as he may need.

Mr. GARN. I thank the Senator from Washington.

Mr. President, I rise in opposition to this amendment. I intend to take no time whatsoever today debating substantive differences of opinion between the Senator from Montana and me on this issue because that day will come when, I am sure, we shall spend hours and hours on this floor. My opposition today is one of procedure and to indicate to this body and all of my colleagues that this issue has been before the Senate Foreign Relations Committee.

A bill has been reported out, sequentially referred to the Banking Commit-

tee, and, after literally months and months of hearings and meetings to consider a very difficult and very complex issue, the Senate Banking Committee has voted it out, with 15 votes in favor of the bill. Three voted present and reserved their rights on the floor. But 15 out of 18 did vote to report it to the floor, with changes in the law in addition to the increase in the International Monetary Fund.

It bothers me, Mr. President, that any Senator comes to the floor on an issue who has not had the benefit of any of the hearings on an extremely complicated and important issue to this country, to our foreign trade, to jobs in this country, and to the future of many of our industries that rely a great deal on export of their goods to the lesser developed countries, that we are to consider this complex an issue in a short period of time on a budget resolution. That is not the proper procedure. Even if I agreed with the Senator from Montana, that is not the issue today.

The issue is, do we ignore the committee system? Do we ignore all of the hours and hours put in by staff and members in both the Foreign Relations and the Banking Committees to report a bill to the floor that will have its day in court and will have an opportunity for every Senator, regardless of his——

Mr. MELCHER. Will the Senator yield?

Mr. GARN. No, Mr. President, I waited patiently for nearly an hour to make a very brief comment. When I am finished, I shall be happy to yield without any attempt to interrupt the Senator from Montana. I do not intend to get engaged in a substantive debate today and do it over again, because we will, within the next month, I am sure of that.

I urge my colleagues, even those who may agree with the Senator from Montana on the substance, that this is not the place and not the time to bring up an issue of this complexity and this importance in a relatively brief period of time and ignore the work of the Senate Foreign Relations Committee and the Banking Committee. Those are the committees I refer to, but it could be any committee. It does not matter whether it is Health and Human Services or any of the other committees that I respect. We do far too much of interjecting issues without the benefit of proper consideration on the floor of this Senate.

In this case it is not a matter of promising hearings or promising a bill as is often done on an amendment. It is an accomplished fact that we do have a bill that has been reported out and will have its day in court or may be many days on the floor of the Senate. So I encourage all Senators for no other reason but on a procedural basis that we consider this in its proper time when all of the information can be before us.

I thank the Senator from Washington.

Mr. GORTON addressed the Chair.

The PRESIDING OFFICER. The Senator from Washington.

Mr. GORTON. I yield such time——

Mr. GARN. May I retrieve just one moment?

Mr. GORTON. The Senator may.

Mr. GARN. I promised the Senator from Montana that I would yield to him for a question at the end of the remarks and I do not want to go back on that commitment.

Mr. MELCHER. Does not my good friend from Utah believe that this is the only vehicle we have where we set what the total deficit is? This budget resolution is the first vehicle whereby the Senate sets the deficit. Does he not believe that is the first vehicle we use to set the total deficit and does he not also agree that the deficit is too large?

Mr. GARN. I agree that the deficit is too large. There is no doubt about that. It is far, far too large. This is the first concurrent budget resolution which is not a binding resolution. The Senator from Montana would have adequate opportunity when the authorizing bill comes to this Chamber to offer an amendment to reduce it totally or to any amount he wants to. Please do not get the Senator from Utah started on the reach of the Budget Committee today. The Senator from Washington does not want to hear the Senator from Utah on that issue. He has heard me talk about that in the Banking Committee, going far beyond what I think they should in instructing and authorizing the Appropriations Committee. So that is a debate we will have some other day when we talk about revising the Budget Act. But I am sure the Senator knows he will have more than adequate opportunity when that bill comes to the floor to offer any amendments he wishes to the IMF quota increase.

Mr. MELCHER. Does not the Senator also believe that those of us who believe the deficit is too large should be speaking directly to it at this time and not waiting? It is already too large. We know it is out of control. Should we not start addressing it now?

Mr. GARN. I think the Senate should start addressing overall totals. My complaint with the Budget Committee is that they are getting too specific. I do not think it is the right of the Budget Committee to tell the Banking Committee what they should do in every category. This amendment is an attempt to do that, not to set a total for the authorizations that we can make but to attempt to mandate a specific figure on one specific item in a whole range of things. That is where the Budget Committee goes beyond what I think their jurisdiction should be.

Mr. MELCHER. I thank the Senator.

Mr. GORTON addressed the Chair.

The PRESIDING OFFICER. The Senator from Washington is recognized.

Mr. GORTON. I yield such time to the distinguished Senator from Maryland as he may wish.

The PRESIDING OFFICER. The Senator from Maryland is recognized.

Mr. MATHIAS. Mr. President, I thank the Senator from Washington for yielding. I associate myself with the point made by the Senator from Utah, that this is a matter that has had extensive consideration by several committees of Congress. I doubt, within the time constraints of this debate, that we ought to foreclose the kind of action which so many wise, able, and experienced people think is absolutely necessary. In the Foreign Relations Committee we have studied the question of the IMF quotas, which is clearly one of the targets of this amendment. We have had the advice of former Secretaries of the Treasury of both parties. We have had the advice of the current Secretary of State and the current Secretary of the Treasury. We have had the advice of the leaders of financial institutions and leaders of labor unions.

I think that I can say without any question that all are agreed that we need to go forward with the increased IMF quota contributions. This is not just some academic question, nor is it an accounting proposition in which bankers are interested. This is something in which jobs are involved, jobs for American workers—not jobs around the world, jobs for American workers. This is a question of the American economy as well as the economy of the world. If this amendment should prevail, it would put into jeopardy a carefully worked out formula which may keep the international financial system afloat during a very difficult period of recession. We hope that the economy is recovering in the United States. There are signs that it is. But in other parts of the world the recovery has not yet become visible. We cannot only judge by what we see on the streets around us as to what is necessary for the world financial community. If either one of the major government contributors to the IMF should fail in its commitment or if the private banking institutions, which hold 65 percent of the debt of the other developed countries of the world, should fail to maintain that line of credit and to increase it at the rate of 7 or 8 percent a year, if there should be a failure on either part, government or private institutions, then it is the opinion of the experts that we would not go through this very diffi-

cult period in the world's history without default by some important government, the loss of credit by that government and an incalculable impact upon the rest of the world's financial institutions. That is not a risk I want to see taken. I cannot believe that it is a risk that the Senate wants to take.

Mr. President, I urge that we would resoundingly defeat the pending amendment.

Mr. MELCHER. Will my friend from Maryland yield for a question?

Mr. MATHIAS. Yes; I yield for a question.

Mr. MELCHER. Is my friend aware of the comments of a former Treasury official, William Simon, on cutting off what he calls the international slush funds. The Senator mentioned the present Secretary of the Treasury. I wonder if he is aware of former Secretary Simon's remarks?

Mr. MATHIAS. He was invited to appear before the Foreign Relations Committee. I called him up and talked to him. I issued the invitation personally. He was unable to appear. But we do have the testimony of Joe Fowler, Mike Blumenthal, and Bill Miller. We have ample testimony by those who have held the Office of Secretary of the Treasury and other important positions of Government as well as in the private financial world. The opinion is unanimous on the record.

Now, if Mr. Simon had other views, I would regret that he was unable to appear before us and give us the benefit of them. But he was invited.

Mr. MELCHER. Will the Senator yield for a second question?

Mr. MATHIAS. Yes. Just one more.

Mr. MELCHER. In speaking of the jobs, is the Senator saying that if these International Monetary Funds are allowed, thereby allowing more drawing accounts to pay the interest and the fees that have accumulated, that in itself will generate some jobs here in the United States?

Mr. MATHIAS. What I am saying is that exports make jobs. Twenty percent of American industrial products must be exported or the people who make those products will be out of work. As the Senator knows, 40 percent of American agricultural products have to be exported. If less are exported, then farmers and those who are involved in agribusiness are out of work.

Now, the only way that countries, particularly developing countries, can purchase goods from us is by being creditworthy, by being able to continue to do business. If the Senator wants to know what would happen, just look at what has already happened to U.S. exports to Mexico. Just look at that record if the Senator wants to get a foretaste of what would result from this amendment. U.S. exports to Mexico have declined drastically——

Mr. MELCHER. They declined in all countries.

Mr. MATHIAS. As the economy of Mexico has experienced greater and greater difficulties.

If the economy of Mexico were to experience difficulties to the point that it was necessary for the Government of Mexico to default on its financial obligations, all credits to Mexico would be suspended at least for a period of time, perhaps for a very long period of time, and the ability of Mexico to purchase anything from the United States—even a toothpick—would evaporate, and that would cost American jobs.

So we are talking about U.S. workers. We are talking about American business. We are not just talking about some eleemosynary gesture to the rest of the world. This is a hardheaded business judgment, made by businessmen, that this is the only thing that prudent people can do to keep the financial system going through a rough, rough passage.

I do not like deficits, and the Senator from Montana does not like deficits, but this is one of the hard things we will have to do. If anybody falls down on it—the Government side or the banking side—then the chances that we get through will be diminished radically. I do not want to see that happen, and that is why I am going to oppose this amendment.

Mr. MELCHER. Mr. President, that hardly seems relevant to the discussion, since the countries getting International Monetary Fund moneys will have to reduce their imports.

With respect to Mexico, they will be required, under International Monetary Fund requirements, to reduce their imports from us. The reduction in the price of oil is the principal reason Mexico has a real problem right now. When oil started dropping, they were in trouble.

I do not know whether we can continue to bail out Mexico on taxpayers' money, on the basis that the oil market is cheaper. I find some inconsistency with these arguments.

Mr. GORTON. Mr. President, I understand that the distinguished Senator from New Hampshire (Mr. HUMPHREY), who is presiding, wishes to speak on this issue and that he wishes to speak on the side of the Senator from Montana.

Will the Senator from Montana or the Senator from Nebraska yield time to the Presiding Officer?

(Mr. GORTON assumed the chair.)

Mr. MELCHER. Mr. President, I yield 10 minutes of the time allotted to me to the Senator from New Hampshire. I think the manager of the bill will yield 5 minutes.

The PRESIDING OFFICER. The Senator from New Hampshire.

Mr. HUMPHREY. I thank the Senator from Montana, and I commend him for offering these proposals today.

Mr. President, I support both proposals, but I will address my remarks to the latter—namely, that dealing with the IMF.

The proponents of the IMF increase make their argument on two bases: First, that if we do not extend hard American assets to the IMF, there will be a trade contraction around the world. The Senator from Maryland referred to that, in a way, when he cited the case of Mexico.

What they are suggesting when they propose that we, in Congress, appropriate $8.5 billion in U.S. badly needed capital to a line of credit made available to the IMF is that if we throw money into the wind, some of it will come back to us.

Former Secretary Simon, who was mentioned a moment ago, put it better when he said that the proponents are like a shopkeeper who takes money out of his cash register, goes out in the street, and starts passing it out to anyone who comes by, hoping that some of them will spend that money in his shop.

It does not make sense. It is not in our best interests or in the best interests of other countries, for reasons I will go into.

The second reason upon which they base their support for the IMF increase is that without making these hard American assets available to the IMF, which in turn will be loaned to debtor countries, which will use some of the money to pay the interest and principal owned on loans to U.S. banks, there will be a banking crisis in this country; that there are so many dangerous, risky loans being held by American banks that unless we extend this money so that it can be used by debtor nations to repay interest and principal on these loans, there will be a banking crisis in this country.

Absent any action on the part of the Senate, there will be no banking crisis, for this reason: Banks do not want a crisis. Already, they are prolonging, stretching out, the repayment period for those nations which are having difficulty paying their loans. They are extending grace periods on the repayment of principal, and some of them increasingly are setting up loan loss reserves, a very prudent practice, against those loans which appear doubtful of repayment.

So there will be no trade contraction; there will be no bank crisis.

Furthermore, no action is necessary on the part of Congress, because the problem, as will always be the case in an unconstrained world economy—of course, there is no such thing; but in any case, as will always be the case when things are left to their own resolution, the matter is in fact resolving itself. Loans are being rescheduled and stretched out. Interest rates are down around the world.

The economies of the United States and other Western countries are recovering, and the demands for the goods and services of debtor nations, increases, and their exports will improve.

Debtor nations—this is crucial—such as Mexico and Brazil, in recent weeks, have adopted more realistic exchange rates to make their exports more attractive and to make their imports more expensive.

So the problem is resolving itself—yet another reason why we should not make available to the IMF $8.5 billion.

Another good reason is that the IMF currently sits upon a hoard of 100 million ounces of gold. That gold is not pledged as collateral and is not obligated in any way. It is an asset which the IMF refuses to use. Instead, it comes, hat in hand, to Western nations, begging for more money.

In addition to that 100-million-ounce hoard of gold, which at today's price is worth between $40 billion and $50 billion, the IMF presently has on hand $8 billion in cash.

Mr. President, I want to address the aspect of the social and political implications of what the United States does when it extends hard assets to agencies such as the IMF.

The IMF lends money to Communist nations, to begin with. That is one point we should consider soberly. Do we want to subsidize Communist nations? Do we want to perpetuate Communist nations? Is it in the interests of oppressed people in those countries for us to bail out those governments with hard American assets? The answer is no.

Other economies are Socialist and are in trouble for that reason. Do we want to bail out Socialist economies with capital from a capitalist nation? The answer is obvious.

Many of those countries have state-owned industries—Mexico, for example—which are always inefficient. Do we want to promote state-owned industries with capital from a capitalist nation? The answer is obvious.

These nations are always involved in subsidized inefficiency. They want the fruits of an efficient capitalist society so that they continue to subsidize and maintain state-owned industries, continue to oppress their people, and the United States is asked to participate in this process.

Mr. President, history repeats and mistakes repeat. In 1980, the United States was asked virtually the same request, to increase its quota in the IMF, and at that time a number of Members of the House of Representatives, including JACK KEMP, Chuck Grassley, Dave Stockman, NEWT GINGRICH, and CARLOS MOORHEAD, wrote a letter to their colleagues. I ask unanimous consent to have the letter printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

HOUSE OF REPRESENTATIVES,
Washington, D.C., July 21, 1980.

DEAR COLLEAGUE: The House will soon consider H.R. 7244, a bill that authorizes the U.S. to contribute $5.5 billion to the International Monetary Fund. This is bad legislation.

This bill's proponents argue that the IMF needs this increase to help prevent economies in the Third World from collapsing under the burden of excessive external debt and thereby becoming vulnerable to communist takeover or subversion. But the IMF does not have a record of success in strengthening unstable economies in the Third World. Indeed, it has been counterproductive.

In a special internal analysis, the IMF has itself admitted that less than one third of its programs have been successful in improving Third World nations' balance of payments positions. But those programs have been very successful in impoverishing less developed countries.

Some argue that the quota increase is needed to protect the international banks from the possible default of Third World loans. Except for an imprudent few, however, it is unlikely that banks will have difficulty weathering any such defaults.

In this time of economic stringency, when federal deficits are placing heavy borrowing requirements on the capital markets of this country, the American public should not be called upon to fork over $5.5 billion to the IMF. We urge you to defeat this bill when it is considered on the Floor of the House.

DAVID STOCKMAN.
CHARLES GRASSLEY.
NEWT GINGRICH.
JACK KEMP.
DON YOUNG.
CARLOS MOORHEAD.

Mr. HUMPHREY. Mr. President, the essence of the letter is as follows, referring to the proposal to increase the IMF quota, that is back in 1980, and it rings in our ears again today, because the same request is being made:

This is bad legislation. Proponents argue that the IMF needs this increase to help prevent economies in the Third World from collapsing under the burden of excessive external debt and thereby becoming vulnerable to communist takeover or subversion. But the IMF does not have a record of success in strengthening unstable economies in the Third World. Indeed, it has been counterproductive.

In a special internal analysis, the IMF has itself admitted that less than one third of its programs have been successful in improving Third World nations' balance of payments positions. But those programs have been very successful in impoverishing less developed countries.

Some argue that the quota increase is needed to protect the international banks from the possible default of Third World loans. Except for an imprudent few, however, it is unlikely that banks will have difficulty weathering any such defaults.

In this time of economic stringency, when federal deficits are placing heavy borrowing requirements on the capital markets of this country, the American public should not be called upon to fork over $5.5 billion to the IMF.

That letter was written in 1980. We could send the same letter today changing nothing except increasing the amount, striking 5.5 and inserting 8.5, and so it goes on. History repeats, mistakes are repeated over and over again.

I commend our colleague from Montana for trying to prevent the repetition of a mistake, for trying to prevent the repetition of the sorry history.

For myself I would prefer to zero out the IMF request entirely. But less is better than more, and on that basis I support the Senator from Montana and reserve to him the remainder of my time.

The PRESIDING OFFICER (Mr. COCHRAN). Who yields time?

Mr. EXON. Mr. President, I yield myself 5 minutes off the bill so that I might engage in a discussion session for answers to questions I have from the Senator from Montana on the amendment that he has offered.

The PRESIDING OFFICER. The Senator from Nebraska is recognized.

Mr. EXON. I wish to ask the Senator from Montana what is the thrust of the amendment that he has offered? As I read it, it seems to me that it is a sense-of-the-Senate resolution and if it would pass, and I, basically, agree with the thrust of what the amendment is saying, but if it would pass I take it that it would not have the full force and effect of law. Indeed, if it passes, the budget document that would eventually leave the Senate to be discussed in conference with the House of Representatives would retain the higher numbers that I understand the Senator is objecting to. Therefore, I am wondering what would be the effect of the sense-of-the-Senate amendment as it is.

Mr. MELCHER. I thank the Senator for asking that very pertinent question.

It is my intention that the full budget figures be changed in the budget resolution to conform with this proposal if the amendment is adopted and the totals of the deficit will reflect that, and I will modify my amendment to make that very clear.

Mr. EXON. When the Sentor says he would modify his amendment to make that very clear, does he mean he is going to modify his amendment to indicate that if the amendment passes, the numbers would be so reduced in the budget document that leaves the Senate Chamber if one does?

Mr. MELCHER. That is positively, absolutely correct.

Mr. EXON. With that understanding, I ask the Senator from Montana to add the Senator from Nebraska as a cosponsor.

Mr. MELCHER. Mr. President, I ask unanimous consent that the Senator from Nebraska (Mr. EXON) and the Senator from Montana (Mr. BAUCUS)

be added as cosponsors to the amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. EXON. Mr. President, I reserve the remainder of the 5 minutes I yielded myself and ask unanimous consent that it be applied back to the resolution.

The PRESIDING OFFICER. Without objection, it is so ordered.

Who yields time?

Mr. DOMENICI. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. DOMENICI. How much time remains on the amendment and in opposition?

The PRESIDING OFFICER. The proponents have 6 minutes and 25 seconds; the opponents have 44 minutes and 9 seconds.

Mr. DOMENICI. Mr. President, I yield myself 3 minutes.

The PRESIDING OFFICER. The Senator from New Mexico is recognized.

Mr. DOMENICI. Mr. President, as much respect as I have for the distinquished Senator from Montana and those who are his principal cosponsors, I think I should be frank about this. This is basically a nice, cheap, nothing vote because the function that is referred to in this amendment is in the budget. It has some dollar numbers in it, budget authority in outlays, targets in accumulative sense for the first year and then literal targets in the outyears.

I really ask in all honesty what purpose does it serve to leave the numbers as they are reported by the committee when we are down here to debate the numbers and then put a sense of the Senate proposal on saying we did not want to vote on those numbers or maybe we have already voted on them and lost so let us let everyone have a chance to vote on the sense of the Senate that we really do not mean what we say.

I mean those numbers that are in those functions we do not want to propose that they be substantially reduced or if we tried the Senate has not gone along, but we offer you another shot at putting something on the record that you oppose these kind of expenditures in a way that will assure you that you can talk to some people about the fact that you do not support the programs of the Federal Government in the IMF and other areas that are referred to but, on the other hand, we do not want to vote to reduce those numbers.

I am not saying that is how the distinguished Senator from Montana feels because I assume he would move to amend the numbers. Members of this body have repeatedly over the last 2 or 3 days, whether it is to take a small amount out of this function or a large amount out of this function, voted not to do it. I am hopeful that they will understand that this is nothing more than an opportunity to go on record being opposed to what they might have already voted for. I do not think there is any other way to look at it.

While it is clearly the prerogative of the distinguished Senator from Montana and those who support him to handle a budget resolution this way, that is to permit the body to vote on a policy reflected in numbers, which is what a budget is about, and then adopt sense-of-the-Senate language inconsistent therewith, I hope that we really would not do that just for the sake of having an opportunity to vote so you can go home or go to a group of constituents and say whatever the budget resolution said about it, whatever my votes might have been on foreign assistance, IMF, and the like, do not misunderstand that; I voted for a sense-of-the-Senate resolution proposed by the distinguished Senator from Montana that said I really did not mean that, I really meant something else. The policy of the Senate as reflected in the budget is not what I was talking about, although that was the issue. I was talking about something else.

In other words, Mr. President, this approach should be handled on the bills as they come out and in particular the IMF reauthorization. That is the policy document. Or it should be handled by amending the budget resolution to delete the money that is provided by way of the accumulative target in 1984 or the rather vague outyear target and not saying we are really going to save money but we are not going to do it by amending the document that sets the money policies.

Having said that, I do not think we need a lot of our 44 minutes, but a few Senators want to speak in opposition and I am pleased to yield as much time to the distinguished senior Senator from Pennsylvania as he desires.

Mr. HEINZ. Not to exceed 5 minutes.

Mr. DOMENICI. Not to exceed 5 minutes.

Mr. HEINZ. Mr. President, I rise in opposition to the amendment and I do so for a number of reasons. I think the amendment is inappropriate and illtimed and I happen to think it is bad policy.

It is inappropriate because the budget resolution, as the Senator from New Mexico has just said, is a document where we should be debating how much money we are actually going to spend and raise by each function in that budget. The idea of having the budget resolution become a mechanism to express the sense of the Senate on 1 or 1,000 issues will bog down the budget process, will make it even more difficult to debate the substance that we should be debating, and the logical consequence of that is that we threaten, particularly when we have an already difficult budget resolution and set of amendments before us, to tie the budget process up in knots.

Mr. President, we do not need to tie the budget process up in knots. Fiscal reality is tough enough as it is.

I do not know what we would do if, Lord forbid, this amendment should pass. Why do I say that? Because we have had votes on whether or not we are going to reduce this particular function, the foreign affairs function, and along comes a sense-of-the-Senate resolution to withstanding the fact there are a bunch of votes the last few days that said no to reducing it, the sense of the Senate is we are going to.

Mr. President, I just do not think that adds to the clarity either of the debate or to the clarity of purpose of this body. So I say that a sense-of-the-Senate resolution, especially today, but to a budget resolution as this is, is inappropriate, and I think I would have the courage of my convictions to say that about any sense-of-the-Senate resolution that flew, particularly one that flew, in the face of a series of countervailing votes.

I also suggest that this resolution is untimely. In just a few weeks our President will go to Williamsburg, Va., to meet with the heads of state of the other economic powers, the other countries that constitute the Western community of nations.

We know that that is going go be a very difficult meeting for the community of Western nations. There is a very long agenda, it is a very difficult agenda. According to the most recent report from the New York Times yesterday our goals at that economic summit, as enunciated in an apparently leaked memorandum by Mr. Allen Wallis, Under Secretary of State for Economic Affairs, is, first, agreement that world economic recovery depends on each country establishing the domestic conditions for sustainable noninflationary growth and job creation; second goal, positive steps to fight protectionism, avoid predatory trade practices, resolve outstanding trade problems, and pursue greater trade liberalization; third goal, agreement to a set of principles to guide our collective approach to problems of international debt and finance; fourth, endorsement of the principles governing our future approach to East-West economic relations.

Mr. President, this resolution, as I understand it, really strikes at the heart of this administration's, indeed this country's policy, entire policy, with respect to that third goal, which is to find a means, an agreed-upon set of principles, to guide our collective approach in order to solve some of

these very troubling international debt and financial issues.

It seems to me that all we do, if we do anything, by adopting an amendment, a resolution such as this, is to make it more difficult for our President to go to that bargaining table, to go to that discussion, and get any results at all on any of those four goals because we have for openers undercut one very important goal, and people will have very good reason to suspect therefore that we may very well turn around and undercut the others.

I said that I thought the resolution was also bad policy. I happen to believe that every Member is entitled to make his judgments on whether this, the intent of this, amendment which is to roughly cut in half or cut by 60 percent the budget authority for the International Monetary Fund authorization is good or bad policy, that authorization, but I will not go into the issue of policy per se here today. My colleagues know where I stand on that. But I do say, that if you want to get to the issue of policy, the time to get to it is when we take up the International Monetary Fund authorization on this floor, and let us have a full debate, let us have amendments, if there be any, let us discuss the issue of the IMF, but let us treat it seriously and maybe then some of the people who are a little worried about the IMF might learn that of all the institutions that I know of, that this Senator knows of, it is the one must dedicated to free market principles. It tries to get rid of protectionist policies and substitute in their stead market adjustment, exchange rate adjustment, for example, so that international trade makes adjustments not through political decisions by individual politicians in individual countries but through market mechanisms, and exchange rate mechanisms, and internally within countries, pulling in the belt, limiting domestic spending, slowing down the growth of government intervention and expenditures, all the things we in this body keep saying "That is what we all ought to do more of. More free market, less spending." How many times have we heard that on this floor?

Maybe there is more than one path, Mr. President, to that goal here in this Chamber, but to that goal, more free market, less spending, I have heard practically every one of our colleagues espouse one time or another during this debate, and that is why I say in my judgment to try to come to the floor today, to try to settle in some rather confusing way how this body feels about the IMF authorization is indeed bad policy.

We are not going to have a careful debate, people will not have read the committee report, people will not have given thought to the issue. We are being forced to confront it prematurely.

For those reasons, Mr. President, I would respectfully ask our colleagues to reject this amendment. I would even more respectfully request that the Senator from Montana not pursue his amendment at this time. He may have decided to do so, and that is perfectly right. But it seems to me that this is the wrong time, it is the wrong place, and as far as I am concerned, of course, it is the wrong issue.

Mr. President, I yield the floor.

The PRESIDING OFFICER. Who yields time?

Mr. DOMENICI. Mr. President, I yield myself half a minute. I understand that perhaps the distinguished senior Senator from Illinois would like to speak on our side. I know of no one else who desires to speak. So we ought to be finished shortly if he does desire to speak and be down, and then we will be prepared to yield back our time shortly.

With that, unless Senator MELCHER desires to speak, I would set a quorum in motion and charge it to the opposition.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. PERCY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DOMENICI. Mr. President, I yield as much time as the distinguished Senator from Illinois desires.

The PRESIDING OFFICER. The Senator from Illinois is recognized.

Mr. PERCY. I thank my distinguished colleague, the chairman of the Budget Committee.

I rise to call attention of the Senate to the fact that this amendment would have widespread implications for the entire free world. The implication that international organizations are set up just for the purpose of helping other countries and Uncle Sam just foots the bill, along with other developed countries of the world, is absolutely wrong.

What we have been talking about is the International Monetary Fund, which is one of those world organizations that has done more to instill discipline in the economies of the developing world and has done more to stabilize the currencies of the world and stabilize economic conditions in the world than any other organization.

When we think of the IMF, we should not think in terms of this agency being just for the use of the Third World. The United States of America and the United Kingdom are two countries which have relied heavily on the IMF. We have seen fit to draw upon the IMF time after time because of the stabilizing influence that it has on our economic well-being.

Therefore, the Melcher amendment, which would drastically cut the foreign affairs function for the years 1983, 1984, 1985, and 1986, is not only I think improper because of that, but also over the 4-year period the amendment would cut a total of $18 billion.

The amendment is objectionable for two reasons: First, partly on procedural grounds, it should be opposed by every Member of the Senate. As Senator JAKE GARN, chairman of the Banking Committee, pointed out, both the Foreign Relations Committee and the Banking Committee have held extensive hearings on the IMF quota increase. It is simply premature to consider this amendment before the Senate has considered the merits of the issue itself, in accordance with orderly procedures, having legislation reported out by two standing committees of the Senate, the Foreign Relations Committee and the Banking Committee.

I also must object to the amendment on substantive grounds. The reductions are clearly targeted on the IMF quota increase. Senator MATHIAS has rightfully emphasized that the IMF quota increase is crucial not only to preserve the soundness of the international financial system, it is also crucial to protect U.S. jobs.

I do not know precisely how other Senators feel, but I imagine they feel the same as I do. When I go back to my own State of Illinois, I hear three issues discussed from one end of the State to the other: jobs, jobs, and jobs. That is the name of the game today. That is what we are aiming for. That is the whole purpose of our economic recovery program. That has been the purpose of every major piece of legislation involving the economy and the budget that we have had for the last 2 years.

An economic recovery is beginning. We have already done a miraculous job in bringing inflation down. We have cut interest rates in half. That has helped stimulate the economy.

But certainly we cannot take any chance now on crippling an international organization which has helped stabilize the world economy and helped stimulate growth in the economies of developed and developing countries alike.

A financial collapse would create vastly more unemployment in the United States. The inability of the IMF to go into country after country, instilling economic discipline into those economies as a result of their ability, that ability of that nation to draw upon the IMF, is a necessary discipline that has kept many countries from collapsing.

When we consider, Mr. President, that 80 percent of the raw materials

used by factories all over the United States comes from abroad, we recognize the necessity of having stable governments all over the world. Whether it is Central America, Latin America, Africa, or Asia, the stability of those economies and the ability of those governments to sustain themselves and stand is necessary to keep our factories moving. What would happen if you have a total collapse in certain parts of the world furnishing raw materials to us that are needed and necessary?

The IMF helps to stabilize these economies and helps to instill discipline and direct them to do certain things as a condition of their loans that they politically could not do on their own.

A year ago when I was in Sudan, I was there at a time Sudan was under the orders of IMF. There was a procedure established by IMF. In order for Sudan to gain the credits that it wanted and to draw on the IMF, they had to instill a program that caused a sugar price increase of 80 percent. Sugar was one of the subsidized crops, subsidized to such an extent that it was extensively and vastly used. An 80-percent increase in price brought it back to what is a more normal price. Politically, the Government could not have done it. They did so to save their economy, through the IMF, but only could they do that if they met the conditions the IMF imposed upon them.

Something on the order of 1 million Americans have lost jobs today because of the deterioration of the U.S. trade account.

One out of two farmers in the State of Illinois is employed in jobs which depend on exporting. One out of four workers employed in manufacturing in the cities of Decatur, Springfield, Peoria, Danville, Rockford—1 out of 10 employees statewide—is employed in a job which depends on exports. But what if those export markets did collapse? We have 1 million people out of work today and we have lost billions of dollars of business abroad because of depressed economic conditions.

The situation would get much worse if the IMF were not able to meet the increased financial stresses in the world economic system.

I would also like to point out that in addition to eliminating the IMF quota increase, we would also have to make substantial further cuts in foreign aid and other foreign affairs programs. I doubt that the sponsors of this amendment have really looked at the implications of major reductions in other foreign affairs programs.

For example, would the sponsors of this amendment wish to stop the current efforts to enhance the security of U.S. embassies around the world? Would they want to cut back radio broadcasts to Communist countries? Would they want to cut into Radio Free Europe and Radio Liberty? Would they want to stop aid to foreign countries which is necessary to insure continued access of U.S. military forces to overseas bases?

We are building a Rapid Deployment Force to protect the Persian Gulf. We have recognized the vulnerability of that area for a long time.

When the Soviet Union moved into Afghanistan, it came within 300 miles of the Strait of Hormuz. A stick of dynamite set off in that strait, a ship going through blown up, would put it out of commission for 2 to 3 years before repair if, under peaceful conditions, repair could be undertaken. That would literally cut off the shipments of oil from the Middle East. It would bring to its knees the economy of Japan. it would decimate the economies of Western Europe. It would severely cripple the economy of the United States.

We are building bases in Oman, in Kenya, and in Somalia. Funds for those bases are in this bill. They would be cut as a result of the pending amendment. I cannot think of an amendment that would do more damage to the American economy and to the U.S. position in the world than this particular amendment.

In short, it would damage seriously our foreign policy interests abroad and would jeopardize our domestic economy recovery. I urge my colleagues to reject the pending amendment.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. On whose time?

Mr. PERCY. To be equally divided.

The PRESIDING OFFICER. Is there objection?

Who yields time?

Mr. DOMENICI. We will suggest the absence of a quorum and ask that it be charged to the time of the opposition.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MELCHER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MELCHER. Mr. President, I think the real issue on this amendment is how much can we afford for foreign aid. I propose in the amendment that the cap be $10 billion for foreign aid and a little over $3 billion for the International Monetary Fund commitments this year. The $10 billion cap would be for fiscal years 1984, 1985, and 1986. Mr. President, that would reduce this budget resolution by more than $8.3 billion, a reduction we very much need for fiscal years 1984, 1985, and 1986.

Mr. President, I have a modification of my amendment at the desk. I ask that the modification be reported.

The PRESIDING OFFICER. The Senator has a right to modify his amendment. The amendment will be modified further.

The amendment, as modified further, is as follows:

At the appropriate place in the resolution, add the following new section:

SEC. . Since even with the changes that the Senate Budget Committee has made in the President's budget, the Federal budget will contain deficits totaling $647.5 billion over the life of this resolution and the public debt will likely grow to almost $2 trillion in 1986; and

Since such deficits could increase interest rates, unemployment, halt economic recovery and lead to further recession; and

Since foreign aid spending for fiscal year 1984 is 108 percent higher than it was in 1979 while, for the same period, veterans' benefits and health care spending will have increased only 29 percent; natural resources and environment spending will have gone up 3 percent; health, 55 percent; and transportation, 48 percent; and education, training, employment and social services actually dropped 9 percent; and community and regional development dropped 14 percent, proving that foreign aid has not been subject to the same budget restraints as domestic spending; and

Since United States international food aid, distributed under Public Law 480, is heavily concentrated in concessionary food sales to foreign governments under titles I and III, which comprise 75 percent of the current program, while food donations through churches, charitable groups, and other organizations, which is a more effective way to feed the hungry, comprise only 25 percent of our food aid; and

Since new contributions to the International Monetary Fund would be used to provide funds to developing countries to cover interest payments on loans made by international banks at high interest rates, and to provide funds to developing countries for the purpose of subsidizing exports which unfairly compete with United States products on the world market, costing tens of thousands of American jobs, are excessive;

Therefore, notwithstanding any other provision of the resolution, for function 150, budget authority for fiscal year 1983 shall be $19.8 billion and budget outlays for fiscal year 1983 shall be $11.5 billion. For fiscal year 1984, fiscal year 1985, and fiscal year 1986, budget authority shall be $12.5 billion and budget outlays shall be $10 billion. Further, it is the sense of the Senate that, notwithstanding any of the budgetary limits placed on function 150, the United States shall continue to meet the financial commitments made to Israel and Egypt in conjunction with the Camp Accords.

Mr. MELCHER. This modification would make it clear that these reductions were part of the Senate budget resolution as passed and would reduce the total amount of the money authorized under the budget resolution.

There are several things involved here. If we are going to have a realistic approach to minimizing our Federal deficits, I think this is the proper place to start that debate. That is ex-

actly why my amendment has been brought to the attention of the Senate at this time. It is a very much needed debate in the Senate, and it is very much needed throughout the country.

If we are going to have U.S. economic recovery continue, and we all hope that it does, we have to show some restraint in spending.

Foreign aid spending has been increased every year for the past several years. In fact, foreign aid spending under function 150 has doubled, more than doubled, since 1979. It is time to retrench on the expenditures we are making from the U.S. Treasury.

We retrenched on domestic programs. It is time now to retrench on foreign spending, too. I call particularly to the attention of the Members of the Senate that the budget resolution has $8.5 billion in budget obligation for the International Monetary Fund. That is too much. This amendment cuts that back by $3 billion, enough to meet any reasonable commitment on our part to the International Monetary Fund. There is inconsistency in the argument that if we have money in the International Monetary Fund, it is going to help us here in the United States, even though we have to borrow the money to obligate it. I do not believe that inconsistency should go unchallenged.

One of the conditions that is going to be required of countries to get these loans from the IMF is to cut back on their imports. They are going to have to retrench in order to get those funds. There is no use kidding the public by saying that somehow we can help ourselves by borrowing money for our contribution to the International Monetary Fund so the Fund can make commitments to foreign governments. That just does not play. It should not play here on the Senate floor. It does not play in the countryside. I think people see through that rather quickly.

I cannot stress strongly enough that if we are going to have a sensible foreign aid program, we had better make it sensible now. There is plenty of money left after we cap foreign aid at $10 billion a year. It is a very mild step. We have cut most domestic programs. We would still be authorizing and appropriating as much as we did in 1982. That should be adequate. It should help us to have some economic recovery here; it should also say to the world that we do have restraint, that we are concerned about maintaining the economic recovery, nurturing it, seeing it grow, and that we are really making an effort to cut down on the Federal deficit where we can.

I do not believe there is any reason to apologize for doing as much as we can for our neighbors abroad. We will still be doing so under this amendment. We just cannot do it excessively, as we have over the past several years.

Our strength that surpasses all others throughout the world is the capability in the United States to produce food and cotton. It is a real strength that is better than bullets or bombs. It is a renewable strength that producers a great abundance.

We do it so easily.

We do it efficiently.

We do it so well our greatest problem with agriculture is the U.S. surplus of commodities which producers painfully realize forces prices low—often below the cost of production.

Currently to offset over production in four basic commodities—wheat, corn, rice, and cotton—we have, through the Department of Agriculture, permitted payment-in-kind (PIK) to be used to pay farmers not to produce these commodities leaving the land idle.

The cost of PIK is off budget to be made up by appropriations to the Commodity Credit Corporation in the Department of Agriculture in 1984 or 1985.

That cost will be nearly $12 billion by the end of the first year (12 months) of the contract obligations between the U.S. Department of Agriculture and farm producers. Since this Department has been wary of the releasing cost estimates, I have asked the Comptroller General to prepare a report to Congress on their estimates of payments to producers for the same period of time along with a break down of acreages and the method of payment whether in actual commodity or in warehouse receipts in lieu of a payment of the commodity in wheat, corn, rice or cotton.

Never has the Department of Agriculture spent so much—on or off budget—to reduce surplus commodities. The PIK program will reduce surplus commodities. But at big cost.

I believe it goes against the grain to subsidize out of the U.S. Treasury not to produce food.

First of all, I believe it goes against the grain for the farmers. They prefer to produce crops at or above the cost of production. That is their business, that is their life, that is their fullment and satisfaction.

Second, I believe it goes against the grain of good Government policy. In a world where hunger and poor nutrition is the lot of more than a billion people and in our country where several million of our people know hunger and under nourishment there are means at our disposal to do better with U.S. agriculture than PIK will provide.

Third, I must point out that PIK as a massive land retirement program has not included with it any semblance of a solid soil conservation plan. Transpiring before our eyes is a present American tragedy of world food production dimension—that is the past 7 years of dwindling soil conservation, for the Nation's land and water base.

We not only can do better, we must do better or our arid agricultural areas will increase with less production, and our top soil will blow or wash away debilitating rich land into poor land.

I propose that we promptly use the tools at hand to stem the tide of poor agricultural policy—food rather than guns, nutrition for health medical attention, veterinarians help and public health research—that we use the laws already enacted to alleviate hunger, strengthen our agricultural markets at home so producers on the land receive a just and fair price in the market for their products rather than the dole of Government PIK payments, develop markets abroad for our commodities, and protect through conservation the consistent breadbasket of the world that is the land and water base so vital and precious within our 50 States.

I propose we use the same theory that is employed in PIK to distribute surplus commodities to the hungry, through the institutions of government including State and local for nutrition needs of our people, the Federal nutrition programs, and the charitable groups; the needs are here. The law is in place. The food is here.

I propose we use Public Law 480 (Food for Peace) in its broadest force rather than a concentration of armaments through our various foreign aid programs but rather, I propose a force of food through all of the international agencies of our Government and with a particular emphasis to broaden the involvement of international organizations of charity and in particular the churches of those hungry and needy countries. We have the food in Federal storage. Rather than reducing commodities through PIK not growing food our interests are better served if we reduce our surplus commodities through programs that satisfy hunger needs, provide nutrition needed for growth and health of people young and old. We accomplish our goals not only to reduce commodity surpluses but achieve understanding and acceptance here and abroad.

I propose that in particular we use Public Law 480 for Central and Latin American countries that need this nutritional help more than they need armaments of war. The stability we encourage can better be resolved in the Caribbean, in Latin America with adequately fed people who must turn their attention to peaceful negotiations rather than war, civil strife, and bloodshed.

The existing law is also in place to use our international agencies, our U.N. efforts, and the activities of our churches, private organizations, and our help as individuals, companies, or professions to augment the betterment of nutrition and food sufficiency,

betterment of health and habitation, the improvement of living standards, and the promise of better life through these means and also, human medicine, veterinary medicine, and public health improvements.

Food is the key. Food for them is the starting point and we have to help them. It opens the opportunity and the time for people who seek to better their life, their government, and their country.

We have the food in Government warehouses costing us storage charge.

Let us use it.

The results gain us friends and future markets for our products.

The results bring us better prices in the markets for our producers.

And this spurs our economy.

The results stabilize the country we help and keeps their people at their homes in their country rather than setting in motion a new tide of refugees seeking heaven here in the United States.

The results will permit the countries we help to progress.

The necessary laws we need to accomplish all of this we now have.

We need only shift our policies to save money and suffering by sending less armaments to foreign countries.

It is unwise—foolish to provide International monetary funds and pay for the armaments for foreign countries with borrowed money—funds the Treasury must borrow—increasing the deficit, increasing the public debt.

We must have better judgment and restraint is necessary in these spending programs abroad.

This amendment provides that needed restraint.

Mr. DOMENICI. Mr. President, we are about ready. I was asked to wait for the distinguished Senator from Florida, the minority manager (Mr. CHILES). I suggest the absence of a quorum and charge it to the minority. We are finished on our side.

I suggest the absence of a quorum and ask unanimous consent that it be charged to the minority on the bill.

The PRESIDING OFFICER. Is there objection? Without objections, it is so ordered. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. DOMENICI. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DOMENICI. I understand the distinguished Senator from Montana is going to yield back his time on his amendment as modified. I am going to yield back all my time in opposition.

Mr. MELCHER. I am ready to yield my time, Mr. President.

Mr. DOMENICI. I yield back my time.

The PRESIDING OFFICER. All time is yielded back.

Mr. DOMENICI. Mr. President, I move to lay this amendment on the table and ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second? There is a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. The question is on agreeing to the motion to table. The yeas and nays have been ordered. The clerk will call the roll.

The legislative clerk called the roll.

Mr. STEVENS. I announce that the Senator from Colorado (Mr. ARMSTRONG) is necessarily absent.

Mr. CRANSTON. I announce that the Senator from Illinois (Mr. DIXON), the Senator from Colorado (Mr. HART), the Senator from Massachusetts (Mr. KENNEDY) and the Senator from Michigan (Mr. RIEGLE) are necessarily absent.

The PRESIDING OFFICER (Mr. MATTINGLY). Are there any other Senators in the Chamber wishing to vote?

The result was announced—yeas 76, nays 19 as follows:

[Rollcall Vote No. 84 Leg.]

YEAS—76

Abdnor	Gorton	Nunn
Andrews	Hatch	Packwood
Baker	Hatfield	Pell
Bentsen	Hawkins	Percy
Biden	Hecht	Pressler
Bingaman	Heinz	Proxmire
Boschwitz	Hollings	Quayle
Bradley	Inouye	Roth
Bumpers	Jackson	Rudman
Byrd	Jepsen	Sarbanes
Chafee	Johnston	Simpson
Chiles	Kassebaum	Specter
Cochran	Kasten	Stafford
Cohen	Lautenberg	Stennis
Cranston	Laxalt	Stevens
D'Amato	Levin	Symms
Danforth	Long	Thurmond
Denton	Lugar	Tower
Dodd	Mathias	Trible
Dole	Matsunaga	Tsongas
Domenici	Mattingly	Wallop
Durenberger	McClure	Warner
Eagleton	Metzenbaum	Weicker
Garn	Mitchell	Wilson
Glenn	Moynihan	
Goldwater	Murkowski	

NAYS—19

Baucus	Grassley	Nickles
Boren	Heflin	Pryor
Burdick	Helms	Randolph
DeConcini	Huddleston	Sasser
East	Humphrey	Zorinsky
Exon	Leahy	
Ford	Melcher	

NOT VOTING—5

Armstrong	Hart	Riegle
Dixon	Kennedy	

So the motion to lay on the table was agreed to.

(Later the following occurred:)

Mr. BENTSEN. Mr. President, I was misrecorded on the Domenici motion to table the Melcher amendment, and I ask that the permanent RECORD be corrected to show that I voted to table.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

(The foregoing tally has been changed to reflect the above order.)

Mr. DOMENICI. Mr. President, I move to reconsider the vote by which the motion to lay on the table was agreed to.

Mr. BAKER. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. DOMENICI. Mr. President, I understand the distinguished Senator from Missouri and the distinguished Senator from Vermont, Senator LEAHY, desire to offer an amendment. I ask unanimous consent that the pending Domenici amendment be temporarily set aside so that the Senator from Missouri can offer his amendment.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

AMENDMENT NO. 1257

(Purpose: To express the sense of the Congress that the United States should establish a more balanced foreign assistance program that places greater emphasis on development aid)

Mr. DANFORTH. Mr. President, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Missouri (Mr. DANFORTH), for himself and Mr. LEAHY proposes an amendment numbered 1257:

At the bottom of page 35, add the following:

SEC. 7. (a) The Congress finds that—

(1) the world economy is suffering from global recession, and development prospects in the Third World have plummeted;

(2) the continuing deterioration of economic conditions aggravates the problems of hunger and poverty, which are daily facts of life for millions of people in developing countries;

(3) these economic conditions threaten the political stability of developing countries;

(4) the economic well-being and security of the United States is closely linked to that of the rest of the world; and

(5) both bilateral development aid provided by the United States and multilateral development aid provided by the United States in cooperation with other nations have proven to be effective tools in promoting economic growth and eliminating hunger, poverty, illness, and ignorance.

(b) It is the sense of the Senate that—

(1) increased emphasis should be given to long-term development concerns in the allocation of United States foreign aid; and

(2) the United States Government should maintain and increase its commitments to multilateral as well as bilateral development aid.

Mr. DANFORTH. Mr. President, may we have order in the Senate, please?

The PRESIDING OFFICER. There will be order in the Senate. Anyone

wishing to talk please go to the cloakroom.

Mr. DANFORTH. Mr. President, today Senator LEAHY and I are offering an amendment to the budget resolution which expresses our concern about the balance in our foreign aid program between security assistance and long-term development aid. As the Senate sets an overall budget level for international affairs and foreign aid programs, we would like to focus attention on this balance and the need for increased development assistance in response to a prolonged global recession that has had a devastating impact on the world's poorest countries.

Our amendment is a sense-of-the-Senate resolution that makes two points about the balance of our foreign aid program. First, it expresses the view that increased emphasis should be given to long-term development concerns in the allocation of our foreign aid. Second, it expresses the view that, within the budget levels we set, the United States must maintain and increase its commitments to multilateral as well as bilaterial development aid.

Mr. President, as we engage in the budget process and continue our efforts to reduce the Federal deficit, we find ourselves in a situation in which there is intense competition between foreign aid and other vital Government programs. Of course, foreign aid is not mere giveaway; it is a vital program that promotes our political, economic, and humanitarian interests. Nonetheless, in this situation we must carefully examine each component of our foreign aid program and seek the most effective forms of assistance.

Moreover, today we must engage in this scrutiny against the backdrop of an international recession and deteriorating global economic conditions that aggravate the hunger and suffering that are daily facts of life for millions of people living in developing countries. While the entire world has been in an economic slump, it is the poorer, developing countries that have been hit the hardest. In these countries, recession and inflation are causing great distress, and economic growth has fallen to its lowest level in decades. Sharp reductions in commodity prices and in the demand for exports, as well as growing trade barriers, have meant serious loss of earnings, enormous deficits, mounting debts, and poor prospects for future development.

This global recession has set back substantially the efforts of these developing nations to meet basic human needs and to achieve economic self-sufficiency. Further decline is likely to increase social and political tensions and undermine the stability of these countries, whose economic and political well-being is linked ultimately to our own. Indeed, further decline will also increase the overall tension between the industrialized and developing nations of the world.

An examination of our foreign aid program shows that it has not responded fully to the gravity of this economic crisis and the urgent need for cooperation between the industrial and developing nations to meet human needs and to promote economic growth and development. Instead, over the past few years we have seen a shift in emphasis in our foreign aid program from development aid to security assistance.

Due to this shift in priorities and increased budgetary constraints, there is a growing imbalance between security assistance, which promotes our strategic interests, and development aid, which addresses the basic human and economic needs of third world countries. Increases in such development aid have been relatively small compared to those for security assistance, which is provided in the form of the military aid and the economic support fund components of our foreign assistance program. As a result, more than half of all U.S. foreign aid is now security assistance, and the proportion is increasing.

Not only in the United States, but all over the world, the level of development aid is dropping. Less and less aid is flowing to the poorest countries that need it the most and face the greatest difficulties. Moreover, as we give greater priority to our strategic interests, we have become slow to maintain and increase our support for those multilateral organizations that directly and effectively address the basic development needs of these poor countries.

Examples are numerous. We have stretched out our contribution to IDA, the International Development Association, a multilateral agency that provides urgently needed concessional loans to the poorest countries, struggling with enormous debt burdens. We have also failed to support adequately the important work of such agencies as UNICEF, which is embarking on a vital new program to reduce infant and child mortality—a program that could cut in half, from 40,000 to 20,000, the number of children who die each day from malnutrition and infection.

Nor have we met our existing commitment to IFAD, the International Fund for Agricultural Development—an agency whose mission is to promote agricultural self-sufficiency in the poorest countries. Congress has authorized a $180 million contribution for the first replenishment of this cooperative international development effort over a 3-year period, ending this year; however, to date we have provided only $24 million.

Of course, security assistance serves vital American interests in strategically placed nations. It provides arms and supplies, as well as economic support to assure the strength and stability of those countries that maintain a special economic, political, or security relationship with us. Such aid is essential: it has strengthened our allies and been instrumental in deterring aggression.

In the long run, however, we believe that this Nation would be better served by greater emphasis on development aid. Such aid is a practical response to our economic interests and the needs of political security, because all nations benefit from a stronger global economy and more secure world. Ultimately, peaceful economic development and the political stability it engenders depend on such development aid, which meets the needs and aspirations of millions of people in developing countries, who still live in conditions of abject poverty.

A foreign aid program with less emphasis on security assistance and with expanded bilateral and multilateral development aid would be more responsive to critical and widespread global needs. It would help developing countries to become more self-reliant in meeting the needs of their people, and it would promote long-term economic growth and political stability. It would also enable us to further humanitarian interests consonant with the very principles upon which this country was founded.

Only if we remain committed to such programs can we ultimately achieve these ends. I call upon my colleagues to join me in such a commitment by supporting this amendment, which is not only a practical response to our needs for economic growth and national security, but is also an affirmation of what is best in ourselves and our country.

Mr. President, I yield to the Senator from Vermont.

Mr. LEAHY. Mr. President, I am pleased to cosponsor with my good friend from Missouri (Mr. DANFORTH) this sense of the Senate resolution which calls for increased emphasis on long-term bilateral and multilateral development assistance within the budgeted amounts for the international affairs function. I believe this resolution expands and supports the report language of the Senate Budget Committee which "assumes a balanced program of financial, economic, and military aid."

The budget resolution, as it now stands, provides the administration with the amount of funds it requested for international affairs, which is $182 billion. While it can be debated if this is an appropriate amount for foreign aid, I wish to call attention to the assumptions which were presented to the Congress about how the foreign assistance portion of these funds will

be spent to aid the nations of the world.

There is a disturbing trend exhibited in the administration's budget request and in the committee's documents toward a greater reliance on military assistance for developing countries and away from help for economic, social, and cultural development. If the administration spends this $18.2 billion as it says it intends to do, it would create a situation in which military security assistance would have increased $8 for every $1 increase in development aid between 1981 and 1984. Funding levels in constant dollars for bilateral development assistance between fiscal year 1982 and 1984 would actually decline slightly, but spending for military aid would increase by 77 percent.

This shift in emphasis within foreign aid comes at a time when developing nations are under great stress. The worldwide recession has created a situation in which there is grave danger that millions of people who live on the edge of starvation will fall off that edge. It does not take something as drastic as a crop failure for masses of people to starve. They can die because they have no land to produce food and no cash to buy food and no access to dwindling food aid supplies. An enormous number of people die each year from these causes, more than the number of people in my own State of Vermont.

I have no quarrel with the idea that foreign aid should further the interests of the United States. My question is whether it is in our interests to arm Third World military establishments, while the masses of people sink deeper into conditions of desperate poverty.

To illustrate my concern about foreign assistance priorities in the budget, one has only to examine the case of a country such as Honduras. The assumptions of the administration would increase military grant assistance next year almost fourfold, while development assistance would remain about the same as previous years. It is clear that the administration wants to increase the Honduras military effort through a jump in military grant assistance from $10.5 million to $40 million in 1 year.

I want to pose the question, does a country such as Honduras have more to fear from a military threat or from its own economic crisis? Honduras is the second poorest nation in the Western Hemisphere. Only Haiti exceeds it in human misery. Almost half the population of Honduras has a per capita annual income of less than $50. This same half of the country has a per capita protein intake that is 40 percent less than scientifically considered adequate. Illiteracy runs at over 50 percent in rural areas.

The source of all this poverty and suffering in the Honduran countryside is not hard to find. The lowest 20 percent of the population received a little over 2 percent of the national income. Fifty-two percent of the farmers share 5.5 percent of the farmland, while 1.7 percent of the farmers control 44 percent of the available soil. In other words, a few have much while many have nothing.

What will a quadrupling of military aid to a country such as Honduras accomplish?

Whatever we may believe about the involvement of outside forces in the countryside of Central America, no insurgency can take root in the absence of poverty and economic injustice. Honduras is certainly a country that we should be looking toward for the nurturing of democratic ideals. My question, again, is whether those democratic ideals are going to be nurtured by quadrupling their military assistance instead of increasing the aid for economic development. Our best insurance against political instability is the development of responsive political systems which can implement strong agrarian reform laws accompanied by economic development programs that are geared to the realities of the world marketplace. On a human level, we must understand that people do not make the decision to take up arms lightly. The motivation comes from a personal reaction to repression and poverty and hunger.

Mr. President, the administration's foreign aid policy is equally ineffective in Africa. This poverty-stricken continent is suffering from overall declines in per capita food production. The rural sector in many countries is in a state of disarray, with small farmers leaving the land and no one replacing them. Eighty percent of Africans below the Sahara have no access to basic health care. Disease adds significantly to problems of low productivity in the agricultural sector. Huge sections of fertile land are unavailable because of insect infestations.

In the face of these staggering problems, the administration is hoping to jump military aid from its present level of $87.4 million to over $200 million in 1984. At the same time, assistance for agriculture, rural development, and nutrition would remain virtually static.

The budget priorities of the administration neglect multilateral as well as bilateral foreign assistance. UNICEF, the United Nation's program for the world's children, would suffer a 36-percent reduction in funding from 1983 levels. Similar drastic reductions for other multilateral assistance agencies would also be in store under the administration's budget.

It is my hope that this sense-of-the-Senate resolution—which I really feel should be accepted by the Senate—would make it clear to the administration that adequate levels of funding for development assistance, both bilateral and multilateral, should be restored, and that excessive commitments to military establishments in developing countries should be curtailed. Only through such a rearrangement of priorities will the United States lead the world toward a more just and stable order.

I understand that what Mr. DANFORTH and I propose today will not be accepted by the Budget Committee, although I suspect the majority of the Members of the Senate agree with us. But what I had hoped our statement might do would be to encourage the administration to look for the kind of bipartisan support they could receive in such a reordering of priorities. It is not only for the good of those developing countries we speak, it is ultimately for our own good because of the stability it would bring from the world order.

So I am proud to join my friend from Missouri.

I yield the floor, Mr. President.

Mrs. KASSEBAUM. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. DANFORTH. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DANFORTH. Mr. President, I discussed this amendment with the chairman of the Budget Committee prior to offering it. As Senator LEAHY indicated, it is the position of Senator DOMENICI that he would rather not have this amendment on the budget resolution. He does not state a position for or against it, but rather feels that it is not appropriate in the budget resolution to state a position as to precisely how foreign aid should be spent.

I understand that view of the chairman of the Budget Committee. Senator LEAHY and I, in offering this amendment, merely wanted to air our views as to the division of foreign aid between economic development assistance and security assistance and also to inform the Senate that in the months ahead we do intend to pursue this point.

Therefore, Mr. President, I withdraw the amendment.

Mr. LEAHY. Mr. President, I concur with the Senator from Missouri. I would note, however, that it will be my intention to raise a similar concern again on an appropriate piece of legislation, either from the authorizing committees or appropriation committees. I think that what we must face up to at some point—and I think the Senate is the best place to do it—is exactly how our foreign aid is being used and which way it is being skewed,

whether it is going away from developmental aid into military aid, or whether we are achieving an appropriate balance and indeed foreign aid is enhancing the security of the United States and carrying out the humanitarian aims the American people expect it to.

I concur with the decision to withdraw the amendment, but I would hope that my colleagues would note the concerns raised by Senator DANFORTH and myself, and be alert to the fact that it will be raised in another form on another bill.

The PRESIDING OFFICER. Without objection, the amendment is withdrawn.

RESEARCH NEEDS AND THE BUDGET RESOLUTION

Mr. DANFORTH. Mr. President, I have previously stated my views of this budget debate. I described the need for deficit reduction and the need for compromise. I continue to believe that such compromise should embody four parts:

First, restraint on the nonmeans tested entitlement programs, the fastest growing part of the budget;

Second, restraint on defense spending growth;

Third, preservation of the reductions in discretionary spending made in the last 2 years, with some selective increases; and

Fourth, an increase in revenues.

One of the important selective increases that we must make, I believe, is in the area of basic science and advanced education. We must build upon the Reagan administration's commitment to strengthen investment in research, a commitment I applaud. The Budget Committee also deserves commendation for increasing the authorizations beyond the levels requested by the President in some of the key budget functions that encompass Federal support for science research.

I, along with Senator EAGLETON and, we hope, many of our colleagues on both sides of the aisle, plan to seek further increases in the research budgets of six agencies and departments: the National Science Foundation, the National Institutes of Health, the National Aeronautics and Space Administration, and the Departments of Agriculture, Energy, and Defense. We have developed this initiative in cooperation with the Association of American Universities.

I believe there is sufficient room in this budget resolution for such increases, and it is my current intention to press for additional funds when the Senate considers the various authorization and appropriations bills that include basic science research and advanced education programs.

There are important reasons for an increased, sustained investment in the production of new knowledge and in the education of the young men and women who will be our next generation of leaders in science, engineering, and technology. Let us call them first principles. These principles include the following:

The long-term economic vitality, security and well-being of the Nation depend fundamentally on our ability to sustain the search for new knowledge and to educate future generations in essential scientific, engineering, and technological skills.

The future effectiveness of our national defense requires a position of sustained leadership in basic science, engineering, and technological development; to guarantee that leadership, the Nation's capacities to educate well its most able citizens must be sustained and protected.

The health and future well-being of our people and other nations depend upon sustained national investment in fundamental biomedical research and the improvements in health care that result from that search for knowledge.

The Nation's research universities are the primary sources of the new knowledge that underlies technological and economic development; they also educate practically all of our scientists, health care professionals, engineers, and skilled managers.

If we are to retain a leadership position in the international marketplace and secure our national defense, we must as a nation attend to the education and training of the Nation's best young minds or fall behind those nations that do.

The Nation cannot presume the availability of a sufficient cadre of highly trained and talented scientists and scholars unless national policy provides incentives adequate to bring about that result.

Quality research, scholarship and education depend upon the exercise of national leadership and will to establish and sustain balanced Federal policies and targeted initiatives designed to assure long-term excellence in advanced education and research.

I know that the Senate will recognize the truth of these principles. I feel confident that the Senate will see the need to increase our Federal research budget to meet the needs we face. I look forward to working with Senator EAGLETON and others in this Chamber to rebuild this Nation's capacity for basic science and advanced education.

Mrs. KASSEBAUM. Mr. President, I note the absence of a quorum, and I would like to request that the time for the quorum call be equally charged.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. EXON. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. EXON. Mr. President, this Senator from Nebraska has been watching with keen interest the deliberations of the U.S. Senate.

The PRESIDING OFFICER. Who yields time?

Mrs. KASSEBAUM. I would be happy to yield time on the resolution to the Senator from Nebraska.

Mr. EXON. I thank my friend.

Mr. President, I have been watching with keen interest the deliberations of the Senate for the past week or so with regard to the budget resolution. We just finished a rollcall vote about 20 minutes ago that was the last effort to begin to reduce the level of funding of the Federal Government, in this case specifically it was with regard to the reduction of the money that would otherwise go to the International Monetary Fund. Certainly that was in the billions and billions of dollars.

The Senator from Nebraska notes that this is only the last of a whole series of such efforts that have failed.

It seems to me that we continue to overlook the fact that we are here to reduce—and I emphasize the word "reduce"—the Federal budget rather than to increase spending. It is a familiar pattern that we have followed with devastating regularity.

One might wonder what we are here about. This is true if one is concerned about the skyrocketing deficits, the most unbalanced budget in our history, and what we are going to do about it here.

The RECORD will show that we have done essentially nothing—nothing—after more than a week of budget debate and votes to reduce spending. The fact is we are going the other way. We should be subtracting; instead, we are adding thereto.

The deficit is a concern everywhere, it seems, except here on the floor of the Senate. It is a concern to the Secretary of the Treasury who indicated today that continued high interest rates, essentially caused by the ever-increasing deficit and national debt of the United States, is causing us trouble not only so far as economic recovery here at home is concerned, but also causing further reduction in the strength of the dollar overseas, and which causes great difficulty in selling our products around the world.

Mr. President, I would hope that before we finish the budget resolution successfully, if we ever do, that my colleagues would come to realize that we are not getting anywhere the way we are going right now, and what has been suggested as to what we are likely to vote on in the next few hours or the next few days gives little hope whatsoever of any chance of getting the deficit under control.

I am hopeful that I can persuade my colleagues in the Senate that we better start looking for cuts in spend-

ing much more diligently than we have in the past, and, therefore, reduce deficits from their current record levels.

Mr. President, I ask unanimous consent that a table entitled the Johnston-Exon-Nunn-Boren budget be printed in the RECORD at this point.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

JOHNSTON/EXON/NUNN/BOREN BUDGET COMPARED TO:

[In billions of dollars]

	1984	1985	1986	3-yr. total
Current policy baseline:				
Outlays	−8.4	−33.6	−57.9	−99.9
Deficits	−24.9	−69.2	−123.3	−217.4
President's budget:				
Outlays	+4.0	−12.9	−31.6	−40.5
Deficits	−8.9	−37.5	−29.8	−76.2
Senate Budget Committee:				
Outlays	−2.5	−14.8	−21.7	−39.0
Deficits	+12.7	−5.7	−29.8	−22.8
Senate Republican Caucus:				
Outlays	−4.0	−20.7	−33.1	−57.8
Deficits	−16.4	−45.0	−93.1	−154.5

Mr. EXON. This table shows a comparison between the budget which my three colleagues and I offered and four other budget possibilities. It is obvious from even a glance at these figures that the Johnston-Exon-Nunn-Boren budget does the most over the next 3 years to cut spending and reduce deficits. The comparison with the budget of the Senate Republican Caucus is the most striking. The budget we offered proposed to cut nearly $60 billion more over the next 3 years and our budget deficit would have been nearly $100 billion lower in 1986. I should note that the 1986 comparisons are estimates, since 1986 has been left off the Senate Republican Caucus budget because its policy consequences are so obviously unattractive.

It is astounding to this Senator that the political party which has tried over the years to associate itself with fiscal responsibility has now, when in power, become the party of more spending and higher deficits. I do not believe many Americans of either major political party would support the Republican budget if they understand how irresponsible it is with regard to sound fiscal policy. Regardless of the banner it flies under it is a prescription for sure economic disaster. JACKIE KEMP has said that "the Republican Party no longer worships at the alter of a balanced budget." That is one thing but it is quite another, and a disservice to that great political party to place it in a position, as the Republican alternatives do, of worshiping at the alter of unbalanced budgets forever.

Mr. President, I believe we need a bipartisan budget approach which will reduce deficit spending, reduce interest rates, and restore our export markets. Continued Federal borrowing at the levels suggested in the Republican Caucus budget will require the Federal Government to borrow more than $1 out of every $2 raised in domestic credit markets over the next 3 years. We cannot reasonably anticipate significant necessary interest rates reductions under such conditions, and we cannot expect the value of the dollar to stabilize at a level which will make our exports competitive once again.

Before it is too late, I ask my colleagues to reflect on a message which all of us received last week from the group known as the bipartisan budget appeal, headed by former Commerce Secretary Peterson, and other outstanding Americans knowledgeable in and properly concerned about our economy and the threat to same by these unmanageable skyrocketing deficits. Mr. President, I ask that their message be printed in the RECORD at the conclusion of my remarks.

The Johnston-Exon-Nunn-Boren budget addressed all of the major points raised by the bipartisan budget appeal. Perhaps this is why it was defeated, for we touched too many sensitive parts of the budget in our across-the-board attempt to reduce deficits. Indeed, the budget we offered was very much the no sacred cows budget alternative.

Mr. President, it is time for all of us to face the hard facts squarely and move toward a responsible bipartisan budget.

When I say that I do not mean to imply that a bipartisan budget has to be a budget that is drafted by the Democrats that we try to force the Republicans to come aboard on, or one that is written by the Republicans that they try to get the Democrats to join in passing. We hear a lot of talk about bipartisanship today, but entirely too much of the work of the U.S. Senate is being done today in the Republican Caucus, the farthest thing removed from a true bipartisan approach.

As one Senator on this side of the aisle, I once again pledge my support to those on that side of the aisle if they will come and talk to me. Maybe we can get together on a bipartisan budget. I am not likely to sign on to anything that they come out of that Republican Caucus with, because in entirely too many cases, I feel it is essentially dictated from the White House. And oftentimes, the White House does not take a bipartisan approach.

It seems to me, Mr. President, that all of this means that each of us will have to give a little ground from the rigid ideological and political positions that we have. Six former Cabinet Secretaries of both political parties found it possible to reach a bipartisan middle ground, and I believe it is our duty, before passing a disastrous budget resolution, or no budget resolution at all, to do likewise.

Mr. President, I pledge my support to that effort and I hope that we can get that out on the floor of the U.S. Senate, out of the caucus rooms, and get on with the business of trying to reduce spending and trying to get the staggering deficit back somewhere in line.

In closing, Mr. President, let me say that I am very fearful, that everyone is concerned about skyrocketing deficits, the likelihood that the national debt of the United States will bust through the $2 trillion figure by the year 1988, according to the CBO, unless we somehow can get off the track that we are presently on.

Mr. President, I yield the floor.

EXHIBIT 1

[Mailgram]

From the founding members of the Bipartisan Budget Appeal: the Hon. W. Michael Blumenthal, Sec. of Treasury, 1977-1979; the Hon. John B. Connaly, Sec. of Treasury, 1971-1972; the Hon. C. Douglas Dillon, Sec. of Treasury, 1961-1965; the Hon. Henry H. Fowler, Sec. of Treasury, 1965-1968; the Hon. Peter G. Peterson, Sec. of Commerce, 1972-1973; the Hon. William E. Simon, Sec. of Treasury, 1974-1976.

Hon. J. JAMES EXON,
Senate Office Building,
Washington, D.C.
To Members of the U.S. Senate:

In the process of reassessment that now marks the debate over the Federal budget, the founding members of the Bipartisan Budget Appeal urge further essential steps to reduce the Federal deficit.

These steps would neither impose hardship on the neediest sector of the population nor jeopardize national security. They are urged at this time because debate over the Federal budget continues to avoid difficult and very critical issues requested to bring the Federal deficit under control.

The time to address these issues is now, not a year from now and not two years from now. Our recommendations are based on the belief that budget changes, to be credible to the financial markets and to have the desired effect on long-term interest rates, must be enacted into law this year and must hold out the promise of reducing the deficit to about 2 percent of GNP (or less than DLRS 100 billion) by about 1985, moving toward balance.

If you fail in the course of your current deliberations to take the steps required to bring out-year deficits under control, you will consign the economy to a fitful and unsatisfactory course. Real long-term interest rates will remain high for the foreseeable future, smothering capital intensive sectors and causing the recovery to sputter and stall. Massive Federal borrowing will consume savings urgently needed for investment in new plant and equipment, new infrastructure and new jobs and training. Overvalued dollars will also have a crushing effect on export industries.

The long-term result will be far more painful than the steps necessary now to avert it. The financial markets need a persuasive and credible signal that outyear deficits are coming down steadily and sub-

stantially, there is no such signal now, without such signs, the markets will fear that either the government deficit will be monetized, which will lead to renewed inflation, or the federal reserve will have to force up interest rates, either case would cause a premature end to recovery.

The bipartisan budget appeal has proposed a sound, equitable program to address the federal budget crisis. That program has three elements.

1. First, and foremost, nondefense spending must be reduced sharply and structurally, among the required steps are:

A one-year freeze in the growth of benefit levels of cash payments flowing from large non-means tested entitlements programs. The six-month delay in the social security COLA is simply not adequate.

Some form of a cap must be put on future indexing of these non-means tested entitlements, at present they are far more generous than parallel benefits in the private sector, as indeed are federal pensions which clearly must be reformed. However difficult politically, controlling the budget requires controls on the large non-means tested entitlement program and on the inflation indexing process that drives the cost of those programs upward, (e.g., by capping inflation adjustments at 60% of the CPI, or at 4% per year, or by providing adjustments only for the amount of inflation in excess of 3% per year). If these programs are instead placed off-limits, it will be impossible to make budget savings now necessary for financial stability. As it stands now, there is only a half-year freeze in some of the programs and no change in the indexing system. As a result, over the period covering fiscal 1984 through 1988, the six-month delay reduces entitlement programs, which will aggregate to nearly DLRS 2.2 trillion, by only DLRS 25 billion over the entire period.

Moreover, the hardship that would be imposed on the really needy is too great to justify substantial additional reductions in areas of their requirements.

Medicare costs must be brought under control. They are now exploding.

Non-essential Federal subsidies to business and agriculture must be reduced.

Long-term control of Federal spending is hopeless unless fundamental reforms of this sort are made. There is simply not enough saving in the variable, non-entitlement segments of the budget to achieve the needed budget reductions.

2. Second, defense spending must be placed on a more stable, long-term footing. This nation needs a sustained, multi-year buildup in its defense capability supported on a bipartisan basis—a buildup which will send a signal to allies and adversaries alike that we intend to refurbish our defense capability and to pay for that refurbishing. We do not need a defense budget that surges in one year and lapses back the next—wide variations in defense spending and policies will merely increase the cost of a given defense capability, send a garbled diplomatic message to the rest of the world and lead to defense planning that is not coherent.

3. Third, even after giving top priority to much larger spending reductions than any now being proposed, additional revenues must be raised in the out years. The state of the economy and the nation's urgent need for savings and increased productivity suggest great caution before eliminating scheduled tax reductions in 1983. Our tax systems are far more stimulative to borrowing and consumption and discouraging to savings and investment than the tax systems of other industrialized countries. The goal must therefore be to design tax increases which are targeted primarily at consumption rather than investment and productivity. These can be constructed in ways that protect the needy. But, even though tax increases by 1985 may reduce deficits, taxes alone are not an effective substitute for restraints on spending.

A balanced program of the sort sketched above can bring the Federal deficit by 1985 to just over 2 percent of GNP. That would offer real hope for a sustained recovery, a decade of investment in the future, and growing prosperity and global influence. The alternative of delay—of avoiding difficult programs—is no longer tenable.

The following table compares the outlook for fiscal 1985 under the proposals advocated by the Senate Budget Committee, the House, the administration and the Bipartisan Budget Appeal.

[In billions of dollars, 1985]

	Senate Budget Committee	House Budget Committee	President Reagan	Bipartisan Appeal
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Defense	270.7	256.3	285.2	267.5
Nondefense noninterest	536.9	552.9	517.8	492.8
Interest	102.0	103.4	114.0	95.3
Deficits	147.0	146.7	184.6	85.0

[1] Includes proposed revenues increases beyond those in effect as of January 1983.

We deeply appreciate all the hard work you have already done and the political difficulty of the task before you. But more must be done. Our country's economic future is at stake.

Respectfully,

W. MICHAEL BLUMENTHAL,
JOHN B. CONNALLY,
C. DOUGLAS DILLON,
HENRY H. FOWLER,
PETER G. PETERSON,
WILLIAM E. SIMON,

The founding members of the Bipartisan Appeal.

The PRESIDING OFFICER. Who yields time?

Mrs. KASSEBAUM. Mr. President, I suggest the absence of a quorum and ask unanimous consent that the time be equally divided against the resolution.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. CHILES. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. PRESSLER). Without objection, it is so ordered.

Mr. CHILES. Mr. President, I notice that the hour is approximately 3:30 p.m. We have for the time being, I think, exhausted the amendments that we have on our side in regard to this resolution. Most of today, yesterday, and really the day before that there were amendments that the Democratic side of the aisle was offering to the budget proposal we now have before us.

I think we are now working on at least the third day that the Domenici-Baker substitute has been laid down, and I thought that we heard early this morning that we should be prepared to finish this resolution tonight, that we would have votes on the Chafee amendment and then on the Baker-Domenici substitute.

I am wondering, because the hour is 3:30 p.m., when that is going to happen.

I have heard the Baker-Domenici substitute referred to as a compromise. I think it is interesting to try to determine the genesis of that word and where that springs from and what the compromise is.

I would assume, Mr. President, if it is a compromise it is a compromise between the President and the Republicans because to date my side of the aisle has not been included. Generally around here when we talk about compromise I thought the Democrats would be included. But maybe it is a term I do not understand, and maybe when the President even said in his state of the Union address that he hoped that our economic policy would be set on a bipartisan basis, I assume he has a different meaning for that word again than we understand.

What we did have, Mr. President, is we did have a bipartisan basis in our committee budget that we adopted and brought to the Senate floor, and in a chart that we have placed on the floor today, and I was explaining that to the distinguished Senator from Kansas today, we have labeled and set the committee work on the top of this chart and we show that our deficits under the committee chart would start at $163 billion in 1984 and then go to $147 billion in 1985. They go to $133 billion in 1986, $135 billion in 1987 and down to $124 billion in 1988, still very high deficits, Mr. President, but end up with about 2.6 percent of the GNP being a structural deficit.

But if we look at the Republican substitute, the so-called compromise, we see that those deficits start at $192 billion and end up at $220 billion 5 years later. So there is a difference of $306 billion in a larger deficit in the substitute than there is in the committee product.

It seems to me it sort of proves the worth of bipartisanship and how it does work in order to give us a showing of those additional deficits.

That really does not tell the whole story because, of course, what that $306 billion extra deficit translates into is also a $41 billion additional interest the Federal Government will have to pay on the borrowing and that, I think, Mr. President, is the great, great danger that we face as we

are trying to prolong this recovery that we have gotten into.

If the Federal Government has to borrow these massive sums of money where will enough dollars come from to fuel the private sector, to fuel housing, to fuel the buying of automobiles and iceboxes, to take care of the industrial expansion that we hope will follow the recovery that we started?

We know the genesis of this particular recovery started when interest rates began to go down last year, and those interest rates began to go down after the Congress took action of increasing revenues. That was not called a tax increase last year, as you recall, Mr. President. That was revenue enhancers, but we enhanced revenue about $81 billion over a period of 3 years, and based on that and the fact that the Fed then took that signal and eased up somewhat on the money supply and we began to see those interest rates start down and as those rates started down, we saw the basis of a recovery consumer-led, led by consumers buying houses and now buying automobiles, and that, of course, has started our recovery.

We still have unused industrial capacity or unused plant capacity of 68 percent so that the economy has not really taken off yet. The indications are that that will follow, and we certainly hope that it will. But for it to follow there has to be sufficient capital to be able to borrow.

If the Federal Government is borrowing $192 billion next year on top of the $240 billion deficit, it is $210 billion already, most of us would probably think we would be lucky if we got by with a $230 or $240 billion deficit, if they borrow that we are talking about 87 percent net private saving that will go to fuel that deficit to take care of those borrowings next year. Maybe that can happen next year if the industrial capacity has not really started up.

But what happens in the next year, in 1985? There I think is the time we can see we would no longer have a recovery and we could be in real trouble. This is exactly the point that is made by the Peterson group. These, as you know, are the founding members of the Bipartisan Budget Appeal, made up of Pete Peterson—these are former Cabinet members under Democratic and Republican administrations—Mike Blumenthal, and John Connally, and Douglas Dillon, and Henry Fowler, Pete Peterson, and Bill Simon, former Secretaries of the Treasury, former Cabinet officials under President Ford and President Nixon and President Carter, all raising the point that we need to take these essential steps to reduce the deficits. And they tell us the time to address these issues is now, not 1 year from now and not 2 years from now.

Mr. President, I ask unanimous consent that the telegram from the Bipartisan Budget Appeal be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[Mailgram]

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Hon. LAWTON CHILES,
Senate Office Building,
Washington, D.C.

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The long-term result will be far more painful than the steps necessary now to avert it. The financial markets need a persuasive and credible signal that outyear deficits are coming down steadily and substantially. There is no such signal now. Without such signs, the markets will fear that either the government deficit will be monetized, which will lead to renewed inflation, or the federal reserve will have to force up interest rates. Either case would cause a premature end to recovery.

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Moreover, the hardship that would be imposed on the really needy is too great to justify substantial additional reductions in areas of their requirements.

Medicare costs must be brought under control. They are now exploding.

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Long-term control of Federal spending is hopeless unless fundamental reforms of this sort are made. There is simply not enough saving in the variable, non-entitlement segments of the budget to achieve the needed budget reductions.

2. Second, defense spending must be placed on a more stable, long-term footing. This nation needs a sustained, multi-year buildup in its defense capability supported on a bipartisan basis—a buildup which will send a signal to allies and adversaries alike that we intend to refurbish our defense capability and to pay for that refurbishing. We do not need a defense budget that surges in one year and lapses back the next—wide variations in defense spending and policies will merely increase the cost of a given defense capability, send a garbled diplomatic message to the rest of the world and lead to defense planning that is not coherent.

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Respectfully,

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The founding members of the Bipartisan Appeal.

Mr. CHILES. Mr. President, when we look at the substitute we see that rather than a 3-year budget it only projects a 2-year budget so that means the reconciliation process only works for 2 years so there are not 3 years savings on any of the items, and it means that only in the revenues, they only provide for the first 2 years of what the President was providing for in his plan.

Remember, Mr. President, in his plan he picks up very little revenues in the first 2 years. He waits until the third year and then he has a massive infusion, a massive tax increase, in the third year, 1986. But in the plan we have before us we have left that out so we cannot even tell the markets that we are going to do something in 1986, and that is why you see those deficit figures swelling to $220 billion.

Mr. MOYNIHAN. I wonder if the distinguished ranking member would yield for a question?

Mr. CHILES. I would be happy to yield.

Mr. MOYNIHAN. With respect to the markets over the weekend, as he knows, we were able to compute the ratio that is not widely reported in the American press but it is very carefully attended to in the financial markets; and, I suppose as the senior Senator from New York, I represent the locale of those markets, although they are in fact across the country and the world. But there is a ratio which describes the proportion of all credit that is extended in a given year that is absorbed by the Federal Government, which is to say in any given year there is a certain amount of savings that come to market, as it were, and offers itself, as President Coolidge might have said, to be hired when he said of the allies and the war debt "they hired the money, didn't they."

This credit comes available on the market and the Federal Government makes the first play on that credit by virtue of the fact that it can offer the highest rate of interest, combined with the most secure paper, as it is called. Why can it offer the highest rate of interest? Because there is no restraint on the rate of interest it can offer, there is no earnings capacity that has to be judged and be a limiting factor.

Now, in the postwar period, the Federal Government has absorbed an average of 20 percent of the available credit on the market, and this is a fairly stable series. Then enters this administration, calling for greater availability to private markets for investment and greater reward for savings, and the rate of Federal absorption of private credit moved from an average of 20 percent, to 25 percent in fiscal 1981, to 38 percent in 1982, to 65 percent in 1983 in the budget that is proposed by the distinguished majority leader and the chairman of our committee, to 57 percent next year, in 1984 and 51 percent in 1985.

I ask the ranking member, my distinguished friend from Florida, has there ever been a period in American history where for 3 consecuive years the Federal Government has absorbed more than 50 percent of the credit available? And second, if under this administration industrial production returns to normal—it is now 68, 69 percent of capacity and if America were equivalent to Japan, America would be bankrupt—but if production does return to normal, and normal requirements of capital formation, and if capital replacement comes about, what has to be the effect of the Federal Government, preemption of more than half the credit available?

Does that have to mean ruinous real rates of interest for yet another 3 years?

Mr. CHILES. It has to mean that, and it probably has to mean tremendously high rates of inflation if you try to accommodate the need for that additional capital by loosening up the money supply. Of course, you know what that would do to the inflation spiral. We would be back over everything we have seen in inflation.

I appreciate the Senator's point about how the absorption of a large share of total domestic credit and how a larger share of U.S. credit is absorbed under this substitute plan relative to the Senate budget resolution.

The base of comparison that the Senator has used, total domestic funds raised in U.S. credit markets, is certainly an appropriate base for measuring credit market shares, but I think now I have some information that does measure another important aspect of the Federal budget deficits, and that is how those Federal deficits affect the growth potential of the U.S. economy, which we are now talking about. Total domestic funds raised in the U.S. credit markets, the figure the Senator has given us, includes depreciation allowances.

Mr. MOYNIHAN. That is right.

Mr. CHILES. And we would hope that is being used to replace the stock of existing capital being used to produce the GNP.

Mr. MOYNIHAN. That was our plan.

Mr. CHILES. So that cannot go for anything in the way of expansion. It also includes purchases of consumer durables, which are not used by businesses to produce our gross national product.

It seems if we used another base, if we sought to see the funds that are available for increasing our capital stock and therefore increasing our growth potential, then net private saving is the figure that we might want to look at to measure the extent to which the Federal deficits would crowd out private net investment. Under the Domenici-Baker plan, Federal deficits will be 87.3 percent of net private savings in 1984.

Mr. MOYNIHAN. Did the Senator from Florida—and is there anyone listening—did I hear him say that the Federal deficit in fiscal 1984 will use up 87 percent of net private savings?

Mr. CHILES. If we pass the Domenici-Baker plan, 87.3 percent.

Mr. MOYNIHAN. Will this ever be reported in the press?

Mr. CHILES. Well, I do not know. That percent would fall to 73 percent, a mere 73 percent, in 1988. The Senator has used the base of total U.S. credit and asked how the Federal deficit could absorb 50 percent. But when we are talking about net private savings, we are talking about from 87 to 73 percent over the next 5 years.

Mr. MOYNIHAN. Can it be that Mr. David Stockman has attained the final Sovietization of the American economy? I cannot believe that the Politburo disposes of 87 percent of private savings.

Mr. CHILES. I really do not know those figures, but we know there is some outside free economy that does operate there, and it may be as high as 13 percent.

Mr. MOYNIHAN. It would not have to be higher.

Mr. CHILES. It would not have to be any higher than that. It is interesting to note that if we passed our plan, in 1988, we would be using 41 percent, still a very high figure.

Mr. MOYNIHAN. Still high, but half.

Mr. CHILES. I agree it is too high until you compare it with 73 percent and that makes it a totally different figure.

But I think the point the Senator raises is the point that we had brought to our attention when we received a letter from David Jones, who is a financial economist, senior vice president in the firm of Aubrey Langston & Co. They specialize in U.S. Government and Federal agency securities.

Mr. Jones told us in his letter that, and I am quoting:

> The Domenici-Baker budget proposal would have an extremely unsettling impact on the financial markets, and because of the inadequate measures to either increase revenues or cut spending, the plan would result, even assuming a moderate recovery, in a rising deficit pattern rather than a desired declining trend.

We see that in our chart, that the rising trend goes from 192 to 220. He says that by fiscal year 1988 the deficit would end up well above the acceptable $200 billion level and, in that unfortunate event, Federal borrowing requirements would gobble up an unacceptably high 75 percent or more of net private savings, leaving precious little savings available to finance longer term business spending of new plant and equipment.

Mrs. KASSEBAUM. Will the Senator from New York or the Senator from Florida yield for a question?

Mr. CHILES. We would be happy to yield if the Senator would use some of her time on that question.

Mrs. KASSENBAUM. Yes.

Mr. President, I say to the Senator from New York and the Senator from Florida, regarding the substitute plan, true, I think we would all acknowledge they are higher deficits than any of us want to live with. The key difference is, though, that we are talking about high taxes on the part of the proposal that the Senator is supporting. I am talking about low taxes. I think that while we are both trying to get the deficits down, it seems to me, during this period of time that we are coming out of a recession, we simply cannot stand the type of tax increase that is proposed by the Senator. I would like to ask how you acknowledge that. Many economists, despite the letter the Senator read, have said that this is not the time.

Mr. CHILES. Let me say I asked a question of Mr. Martin Feldstein, the Chairman of the President's Council of Economic Advisers. The question I asked Mr. Feldstein was:

> If we did not have the July 1 tax cut in place, if that was not already in law and in place, would you recommend, when we are running a $210 billion deficit, borrowing another $30 billion to give to the public a red ink tax cut? We are not talking about raising taxes, we are talking about whether we should make an additional tax cut on top of the tax cuts of 20 percent that have already been made out there; should we make another 10 percent tax cut?

And his answer was interesting, I say to the distinguished Senator from New York. He said:

> I am afraid that is too hypothetical a question for me to be able to answer.

But the Chairman of the Federal Reserve did not take that kind of dodge. He said no, he would not.

Mr. MOYNIHAN. May I say to the Senator from Kansas that she raises a genuine question where judgments can differ. Dr. Feldstein chose not to answer a hypothetical question where there was no option. We are talking about signals to a world financial market as much as to the American financial market.

If I can say to the Senator, there is something to be gained from this catastrophe, which is we might learn something from it. We might learn that Government is not simple and economics is not easy, and that the exact opposite, the polar extreme, of all the promises made in the euphoria of a lobotomized majority 2½ years ago have failed.

Let me read this for you, if I may, and for my friend from Florida. This comes from the senior vice president and economist, the senior economist at Manufacturers Hanover Trust Co.—not a notoriously erratic or extremist group. He wrote this for this debate, and it is time it was reported.

He said:

> While today's deficits are far too large for our economy, they can be financed in the context of declining interest rates because of the easing of monetary policy that has occurred since last July, along with reductions in demands for short-term funds by the private sector.

Translated, the Federal Reserve finally responded and, too, there is such an enormous excess capacity in the producing sector of the economy that there is no demand for capital, either to replace or to add.

He goes on to say:

> It is essential that these deficits be cut dramatically if the recovery is to continue beyond 1984. The deficits envisioned by the Domenici-Baker plan, in my opinion, do not meet this test, since they are likely to cause the Federal Government to borrow an amount equivalent to all the savings that the economy will make available each year starting in 1984.

That, sir, is the largest assertion we have yet heard—the senior economist at Manufacturers Hanover.

Mr. CHILES. We have now gone from 87 to all of it.

Mr. MOYNIHAN. All of it. That is the triumph of supply side economics. There is no supply. It is such a loss to the Nation.

Mr. CHILES. That is perpetual motion, then, which we have created.

Mr. MOYNIHAN. I suppose you go to the World Bank and borrow.

Mr. CHILES. Chile is doing that and Mexico is doing that.

Mr. MOYNIHAN. It is our time to go to the World Bank, but there will not be anything left. It is so painful, it is so wrong, and it is reversible in the long run only if it is acknowledged as a disastrous set of calculations.

To think back to college days for a moment. I was required, as perhaps the Senator from Florida was, to read, in translation let me say, the works of the great Austrian historian Jacob Burkhardt. A century ago he said the 20th century would be the century of the terrible simplifiers.

You will remember how simple it was going to be, how simple economics were going to be, and how ruinously wrong those turned out.

Mr. CHILES. I will say I did not study that work. But I do remember well that we were told that we were going to have a balanced budget in 1983. That would be the year of the balanced budget as a result of supply-side economics. I do know that we are now looking at 1983 and we are looking at deficits of $230 billion or $240 billion.

Mr. MOYNIHAN. Keynesian economics, which appeared on the world scene at a time of excess capacity of plant and equipment all over the world, was a basic corrective to stimulate the demand side of the economy. This was a correct prescription at that time. The larger body of supply-side economics made the sensible proposition that in the main, in the history of the race, there is never enough to go around. You do not have to think about supply and demand because demand will take care of itself.

But take a good idea and turn it into a five-word sentence and force it on to the American economy and you get the present disaster, ruin.

Mr. CHILES. There were those of us on our side of the aisle that felt for years you could spend yourself into a strong economy. We used to hear that doctrine preached.

We were wrong. It took us a long time to find that out, but we have discovered we were wrong. We have decided we were wrong. Now we find our colleagues on the other side of the aisle buying the notion that you can tax cut yourself into this prosperity. How long does it take them to find out, before they find out they were wrong?

We have said we decided you cannot spend yourself into it. When will they find out you cannot tax cut yourself into it?

Mr. MOYNIHAN. The terrifying thought is it will take 25 years of being in the majority before they learn this is a serious business.

Mr. CHILES. I do not think that will happen when I look at this chart, I say to my distinguished friend from New

York. I think there is a timetable spelled out in red in that chart to keep that from happening.

I would hope that we would not have to go into that kind of a dilemma because the country cannot stand it, given the kind of high pain that we and the world have had as a result of this recession. The world is suffering that pain and will continue to suffer it as we recover.

Mr. MOYNIHAN. And those interest rates are developing a debt crisis in the nondeveloped countries of the world that might radicalize politics in this century as nothing we have ever known. No developing nation's political leader can possibly explain his debt crisis save in the terms of the extreme left.

Mr. CHILES. Those interest rates are also causing our dollar to be overvalued perhaps 30 percent, causing our inability to sell our exports, which now make up 24 to 25 percent of our GNP, and creating record high unemployment, creating a massive debt, a massive imbalance of trade.

Mr. MOYNIHAN. It is $78 billion.

Mr. CHILES. It is $78 billion because we are unable to compete with the Japanese or Germans.

Mr. MOYNIHAN. And will not in the currency markets. It is a problem of people trying to go through 20th century economic life. The OECD has a basket of currencies. The dollar went up 21 percent in the last 2 years. That is $1,000 off the price of a Japanese automobile. The doctrine says thou shalt not intervene. Two weeks ago, the President of France said, "All right, in that case we will retarget our missiles." I do not exaggerate what he said. But he certainly said the world is in a crisis so long as Americans insist. He obviously did not say he would retarget his missiles, but he said there has to be a change because the United States will not act as a competent leader.

From the other side of the aisle we have asked and begged this matter but they cannot face what they did, they cannot acknowledge it. You have a catatonic majority.

Mr. CHILES. There has been a search going on. It is like an Easter egg hunt, after Easter now, seeking the magic 51. The last report I heard was that the golden egg has not been found, the 51 have not appeared. I reiterate the offer that I made every day that we have been talking on the budget that there are 46 warm bodies on this side who would like to participate in the economic policy of this country, that would like to take the President up on his offer to have a bipartisan economic policy.

Mr. MOYNIHAN. We have made mistakes. No one need fear admitting mistakes over there. We admit them for a generation when we have made them.

Have you had any response to your offer?

Mr. CHILES. Not yet, not yet. We are still willing and waiting, but the clock is running down.

Mr. MOYNIHAN. How many hours are there left, Mr. President?

The PRESIDING OFFICER. There are 9 hours and 54 minutes left, 5 hours and 19 minutes to the Senator from Florida, and 4 hours and 35 minutes to the Senator from New Mexico.

Mr. MOYNIHAN. A parliamentary inquiry, Mr. President.

The PRESIDING OFFICER. The Senator will state it.

Mr. MOYNIHAN. Is there any rule that if one side of the aisle refuses to debate, part of its time automatically reverts to the side of the aisle that is willing to debate?

The PRESIDING OFFICER. The only rule on refusal to debate is that if both sides decline to yield time, time runs equally.

Mr. CHILES. I say to the Senator from New York that in 9 hours and whatever minutes it will be, there will be the shootout at the OK Corral. By that time, whether the golden egg has been found or not, Gary Cooper will walk down the street and we will have the guns begin to go off. It seems to me we should be having some kind of dialog, we should be trying to determine how we put this package together.

I am reminded of a story of the young man who applied for employment with a railroad company, and he was going to be a tower operator, an operator in the control tower of the train yard. They were showing him the equipment. He seemed to be able to grasp all of this.

They said, "Now, we want to give you a little test."

They said, "The express is coming in down the east track and it is going to arrive at 2:15. The local is coming in down the west track and it is to cross at 2:15, but someone has opened a switch. It is now on the main track. What would you do?"

He said, "I would go get my brother."

"Why in the world would you do that?"

He said, "He ain't never seen a train wreck, either."

It seems to me, Mr. President, that now should be the time, before we send for our brother, that we ought to do something to avoid this train wreck. We know the trains are coming down this track and will collide. Yet we are just allowing the time to go and go while one side continues to search for the golden egg.

Mr. MOYNIHAN. I wonder if I may have permission, in the circumstances—it is a beautiful day outside and nothing is taking place inside. The west front of the Capitol is falling down. At least we could watch that while we wait for the time to run out. May I be excused?

Mr. CHILES. I would be happy to excuse the distinguished Senator from New York.

Mr. MOYNIHAN. I thank my distinguished friend and colleague and leave.

Mr. CHILES. I yield the floor.

Mr. DOMENICI. Mr. President, I might say I would be pleased to excuse the Senator, also.

Mr. MOYNIHAN. I can understand that, certainly.

Mr. DOMENICI. A parliamentary inquiry, Mr. President.

The PRESIDING OFFICER. The Senator will state it.

Mr. DOMENICI. What did the Chair say about the time remaining on the bill?

The PRESIDING OFFICER. Senator CHILES has 5 hours and 19 minutes. Senator DOMENICI has 4 hours and 35 minutes.

Mr. DOMENICI. It seems to me, Mr. President, in terms of debate, the distinguished Senator could talk for 25 plus 19 minutes and we would be even in terms of debate. We seem to have used a little more time than they have.

I think the Senator knows——

Mr. CHILES. I wonder if the Senator would repeat for me. I must have missed some of the things the Senator said about the Domenici-Baker plan in some of the time that has been used up.

Mr. DOMENICI. I think in terms of statements on it, I am not sure the Senator was here, but I think I spoke without any interruption on it for 20 minutes, maybe 25, in detail, point by point, in the RECORD. It was close to the time it was introduced. I think the Senator will find it there. I would be pleased, at the appropriate time, to discuss it in more detail.

I am not reluctant at all to debate it. In fact, I shall say a few words shortly about it. But let me make a couple of points, because I share some things very strongly with the Senator, my good friend.

Mr. President, I want a budget resolution. I want him to know that. I do not think anyone has worked any harder to get one than I and I continue to do that.

Mr. CHILES. I concur in that and I congratulate the distinguished chairman for that. He knows how much I feel that we need a budget resolution, too. I think that we shall have chaos if we do not have one.

I have also listened to those who talk about a veto strategy. I wonder if they really thought that through. When you talk about a veto strategy, we are pointing out a grant total of $153 billion, or 18 percent of the budget, that is spent on nondefense discretionary programs subject to annual appropriation. It seems to me

that veto strategy is going to 18 percent of the budget. I wonder if that is sufficient strategy to convince the White House or anyone else that we should try to operate without a resolution.

I do congratulate the Senator.

Mr. DOMENICI. I also want to say to my good friend from Florida, Mr. President, with reference to the passage of time and his concern, which I take to be genuine, that apparently, we are moving close to some deadlines in time. From his vantage point, nothing is happening.

Let me say, while he has served on this Budget Committee as long as the Senator from New Mexico has, in my 2 years as chairman, what we are going through has been rather normal. It is in the last few hours that we finally muster the votes to get a resolution. I do not like that. I am not in favor of that. I assure the Senator that I am doing what I can to get a budget resolution. I shall continue to do that.

The nature of the 50 hours is rather deceptive, as the Senator knows. It sounds like it goes by awfully fast, but in the way this great body does things, 50 hours of debate is a long time. We always open them thinking it is going to take 1 week. I can remember now three different times that we opened on a Monday or Tuesday and were going to finish by Friday. Each of those times, we went to Thursday or Friday of the following week.

I think we are just going through that. We still have today and tomorrow before the normal time runs out. I have no desire to stay late tonight. We are going to do what we can.

Mr. CHILES. If I may just comment on that——

Mr. DOMENICI. Of course.

Mr. CHILES. Mr. President, I do not want to interrupt the Senator in his remarks. He said in his statement the 2 years he has been chairman. I agree this is kind of normal in that 2 years. I remember an earlier time, when the Senator from New Mexico was a spear carrier and the Senator from Florida was a javelin catcher for the then chairman of the Budget Committee. At that time, we sort of operated in the committee on a bipartisan basis. We brought that budget to the floor. The distinguished chairman stood and the ranking member stood and warded off amendments that would come from the left or come from the right. Basically, the committee tried to make its work product, tried to do its job as well as it could. I think we had a centrist budget, that generally did not always please those on the left or those on the right of the respective parties, but it was the product of a Budget Committee that, I think, had well provided. The Senate went along with that. We produced a product that would go with a strong position to go to the House on.

I happen to think there was nothing wrong with that basis of operating. I wish we did not have to operate under this way where, 2 years ago, we found a budget sort of brought to us, or last year, we were brought a budget at 3:30 in the afternoon and that budget was voted out at 10 o'clock that night. We never got an opportunity to participate in that.

Now, we see this year, while we did operate—and I think with some good results and on more of a bipartisan basis in the committee—I know the revenue number was not truly a bipartisan basis, because the Senator's side could not come to an agreement on that. We did on the spending side. Then we come to the floor, and suddenly, we are waiting for days while the Republicans are gathering 51 Members.

Why does that have to be? Why cannot we come out here and debate this? We have Members on both sides. We have philosophy spread. We have conservatives and liberals on our side. The Senator seems to have some on his side this time that do not totally agree.

Why can we not come out and let the Senate work its will? This was supposed to be the greatest deliberative body in the land. It sure has not deliberated any on this particular product except behind closed doors.

(Mr. RUDMAN assumed the chair.)

Mr. MOYNIHAN. I wonder if the Senator will yield for a question?

Mr. CHILES. I yield.

Mr. MOYNIHAN. Does the Senator happen to remember how large a document it was that we received in the form of a budget a year ago? Does he remember that document that we got at 3 in the afternoon?

Mr. CHILES. It went by me so fast, I cannot tell the Senator, truthfully.

Mr. MOYNIHAN. Is it possible that the Senator might remember it was one page?

Mr. CHILES. The Senator refreshes my memory.

Mr. MOYNIHAN. It was one page. That is called participation. We were handed it and told "that is the budget." Is there any disputation?

Mr. CHILES. I do remember that we were told that we could not get any function-by-function analysis until the next morning because the staff had not done it yet, it had to be done overnight.

Mr. MOYNIHAN. We had to pass it, we called it sentence by sentence, I believe.

Mr. CHILES. I apologize to the Senator for interrupting.

Mr. DOMENICI. I assume the Senator would like to charge that time to himself?

Mr. CHILES. Certainly.

Mr. DOMENICI. So we will get the debate equalized on this.

Mr. CHILES. My time.

Mr. DOMENICI. Let me say to my good friend from Florida that I, too, wish that we could be in a situation as he described it going back 5 or 6 years ago. I frankly do not believe that is possible, although I will continue to try to do that.

I want to use Senator MOYNIHAN's figures for just a moment from his speech and document that he inserted in the RECORD entitled "Federal Participation in the Nation's Financial Markets for the Years 1984 and 1985." I regret that the distinguished Senator is no longer in the Chamber, and I do not do this because he has left. I have had it with me planning to do it. I just did not make the point until now.

Mr. President, when you hear the debate about the difference between the Domenici-Baker substitute and the Senate Budget Committee reported resolution in terms of Federal participation in the Nation's financial markets, you would think we were talking about some difference between the two that was mammoth, something in the dimension of three or four times, 300 or 400 percent difference—one is just going to gobble up the Nation's financial markets, and the other in some way is just going to have a modest impact.

I will use the Senator's own numbers so we will have them right. The Senate Budget Committee reported reduction in terms of 1984 would be 51 percent. The Domenici-Baker substitute would be 57. If my arithmetic is right, that is a 6-percent difference. You are talking about a recovery period, and you are basically talking about making up all that difference with taxes. Then if you go out to 1985, again it sounds like the difference is again something geometric, big, many times. I will give you the percentages: 44 and 51—7 percent difference, and that is if we really know with certainty what we are talking about. That is assuming these estimates based on economic happenings are correct. The differences are in percentages less than 10 percent and all of the differences in that respect, using that kind of approach, are made up of the assumed differences in borrowing by the Federal Government because we tax the American people $30 billion and $40 billion, respectively. So let us make sure we understand that.

Now, if you go into 1986, 1987, and 1988, I understand. I understand that there is much to be done, and there are a lot of things that have to happen. So for those who want to look at the red block as it goes out into 1986, 1987, and 1988, there is not any disputing that we are on a very serious deficit path. But I repeat, the only and basic difference is 2 years versus 3 years and do you want to force big taxes in 1986, following rather large taxes in 1983 and 1984 right now and

assume that the Congress is going to pass them and put them on the American people in a bill this year?

That is basically the only difference in the two plans. I submit probably the President's approach was closest to right when he said, "Put something out in 1986 of a contingent nature and, if we need it, do it."

There is no way to put a contingent tax on a budget resolution. You either put it out there as a target or you order it in reconciliation. All we have done in the Domenici-Baker resolution is said the President's approach to no new taxes in the first 2 years, suffer with the deficits and take a new fresh look as times goes on.

They talk about how quick will we learn. I am glad that somebody mentioned that it should not take us 50 years. It will not. We do not have to worry about that. It has been 2 years and a couple of months. That is all it has been since we have been in the majority and President Reagan in the White House. We have not run the ship of state for 40, 45, or 50 years. We have been at it 2 years and a few months, so if there is anything we have to learn I hope it does not take us that long to learn it. I do not think it will.

Having said that, we are working on seeing what we can do about this budget. If the other side has some amendments, I would be glad to set mine aside and vote on them, if they have a tax number that is not the 30 and the 40 and the 50, which I suspect they do not have the votes for. I honestly suspect there are not 51 votes in this body and certainly not a majority on that side that literally straight up and down are going to vote for $30 billion in new taxes, $40 billion the next year, $50 billion the next year, reconciled in order.

So since this is bipartisan and we ought to all participate, the Senator from New Mexico would be delighted to set his aside and let the other side try $15 billion, $30 billion, $40 billion and then projections into the outyears; that the way to get the deficit down is $70 billion or $80 billion. Maybe that is what the Johnston proposal had. Try that on and see if there is a majority over there. See if they are all for that. Maybe if there is we can round them up five or six votes and we can have a budget resolution with those kinds of taxes in it.

That is the issue. There is no other issue. A compelling majority of the Senators on this side are saying we do not want to be part of new taxes in the middle of this recovery for 1983 and 1984.

I do not mean to do my good friend from Florida an injustice by talking about new taxes. I will use whatever words he wants—getting rid of the third year of the tax cut which the people have not yet realized, getting rid of indexing which still is not operative. Wherever I have mentioned "increased taxes," we can use those words in the record and whenever I talk about it, that is what I mean.

I do not think there are votes for that. If there were, I submit that we would have already voted on them. I submit we would have already passed them. But I do not believe the budget resolution with the taxes in it as reported by the Senate Budget Committee, which my good friend from Florida accurately depicted was bipartisan in nature on domestic spending but on the tax side was reported out only because three Republicans accommodated and said we were going to vote for it and bring it down here—I think that approporiately sets it—I do not believe that there are a majority of Senators who are going to vote for that resolution with that many taxes in it. I do not know what number will work. I can tell you from what I find out on this side that there are very few Senators who want to take the risk of reducing, significantly enough where it might really matter, the deficits with new taxes. That is the basic premise. I tell you if you get down to $10 billion and you negotiate that out, or $12 billion, you get a very different feeling. It kind of comes out de minimis, I must tell my friend, because you look at the deficit you are going to put $10 billion or $12 billion on, or $14 billion as suggested by Senator CHAFEE, and you still have a very large deficit and you have asked the taxing committees of this Congress to busy themselves with a whole bunch of new taxes that really do not have very much effect.

Now, what you really have to do is have 3 years of big taxes in order to have any effect on that. I think what a majority on this side are saying, and certainly the Senator from New Mexico is, is that you do not have to do that now unless you really believe that the marketplace of the United States insists that we pass taxes of a significant size, in the $40 billion to $50 billion size effective in 1986 right now. If there is anyone that absolutely feels that is the only way you are going to get recovery, because that is the only way in a budget resolution that you can predict a trend line coming down, then I have not talked to any economists that are that certain, I can guarantee you; $10 billion here, $15 billion next year—you just look at it realistically and you have done little or nothing about the deficits in 1984 and 1985.

That is what sets in when you sit Senators on our side in a room, I say to the Senator from Florida, and you say, "Here is somebody's approach."

So you add it up for 1984, and somebody says, "Compromise at 12." Somebody says, "Do the arithmetic, Mr. Chairman;" and you do the subtracting, and you still have, under the bipartisan budget on spending, even with defense at 5, a deficit of $75 billion or $80 billion.

Appropriately, they say, "What are you going to do that for? It is going to be that deficit if you do not put on new taxes. We do not know how that will affect things."

I am explaining it as best I can. I know that my good friend the Senator from Florida, literally one of my best friends, has called the 2-year budget with little or no taxes—perhaps it was merely in the public relations arena—rinkydink. I have not characterized his $30 billion, $40 billion, $50 billion, $60 billion in new taxes as anything other than that, or whatever I said a while ago—not new. I merely call it what it is.

I also say to my friend from Florida that when you take that red box there and then say we are going to really cut it down, we are going to draw a new line for ours, and we are going to take 30 off and 40 off, and the Senator from Florida says we are going to reduce the deficit by 30 and 40 and whatever the next number in taxes, that we are going to take that red and turn it into black, does he really believe that the U.S. Senate and the House of Representatives—if you did that and you say we have turned that nice, big package at the bottom from red to black—are going to pass a tax bill in the next 3 or 4 months with 30, 40, or 50 in tax revenue?

I do not believe they are going to do that. I take the chairman of the Ways and Means Committee at his word. The House passed that budget resolution with 30 in it. The vote was hardly public, until a letter was disclosed that he had signed, saying, "We cannot raise 30"—his committee. You can reconcile it, whatever it is. He said maybe 8.

Then we have the President saying, "I am not going to sign one. Leave taxes alone for a while."

So, as to the reduction of the red by a new black line up there, I might categorize it in that respect as being rinkydink, because it seems to me that it is not going to happen.

So we are going to produce a budget resolution allegedly to have an impact on interest rates, allegedly to tell the marketplace of America that we have these deficits coming down—$30 billion, $40 billion, $50 billion in taxes.

They sit over there and read everything I am reading and they say, "Isn't that something. They put that in the budget resolution."

The President says he will not sign the tax bill. The chairman of the Ways and Means Committee says he is not going to raise those taxes. Somehow, that black line reducing that red box has become a masterful plan for recovery. I just do not believe that, and that is in all deference to my good

friend from Florida. That is in all deference to those on that side of the aisle, from the committee I chair and otherwise, both the Senator from Nebraska and the Senator from New York. They have had a lot to say about reducing deficits.

I say to the Senator from Nebraska he was not talking about the Senate Budget Committee resolution with taxes in the nature of 30, 40, and 50 in the next 3 years. He had another approach on the floor. Nonetheless, a very significant amount of anyone's proposal from that side of the aisle to reduce deficits has been taxes.

I just do not believe that is any more realistic than ours, when we say nobody is going to put any big taxes on the people of this country before 1986, and I believe that. I believe there are a lot of people around who are going to take the risk, and I believe there are a lot of people around who will have to take the heat of deficits because they are not going to go away. The Senator is right—they might be a little stronger with economic recovery, but they will be there.

So the whole issue, as I see it, is this: Do you want to force, in a budget resolution, taxes that are not going to be imposed, and do you really believe that you can have a significant impact on the money markets of America and bring interest rates down with exactly the same spending plan but a reduction that is based upon 3 years of mandatory taxes of the type in the budget resolution?

I do not think the money market people, the people in business, are that dumb. I think they are very realistic, and they are not going to believe that that is a much better deficit plan approach than the reality that we are going to have big deficits and we are probably going to face up to deficits, but we are going to do it until this economic recovery is given a full chance.

I also mention that these numbers about how much of the new net savings are going to be used up are high. But anybody who comes to the floor and talks about 20 and 25 instead of 60, 70, or 80 is not talking about recovery cycles. I looked at the previous recovery cycle, and we were up as high as 70, had a great recovery. You could not stay up at 70, but you used 70 during almost 2 years of the last good recovery when you were coming out of it—both times, 2 years, in the neighborhood of 70 of net savings.

So, there again, you are not talking about the difference between 18 and 20 and 85 or 78 or 91; because the numbers are very big each time you come out of a recovery.

So I am not embarrassed to debate the Domenici-Baker substitute. It is pending, and we may have a vote on it, and it may be adopted. I do not think it is anything like what the other side says about it being a disaster.

I repeat: Depending on what the Senate does with the defense number, its domestic spending level numbers are supported by a compelling number of Senators on that side of the aisle; and, from what I can tell on this side of the aisle, while there are those who would like to reduce them, a compelling number are willing to go along with that.

So I close by reminding the Senate and the people of this country that the only issue is taxes. Do you want to order them imposed now, for the next 3 years, in substantial amounts, or do you want to wait a while? That is the only difference.

I yield the floor.

Mr. CHILES, Mr. President, I am delighted to hear my distinguished chairman and my very good friend discuss his plan. I listened to the differences between the figures that came from the testimony of the Senator from New York in regard to savings and the similarity between those savings. I do not think that my friend from New Mexico had a chance to hear me discuss the net private savings chart that we had that showed that those figures actually went from 87.3 percent in 1984 under Domenici-Baker, and they declined to only 73 percent over 5 years, and I listened again with interest to my friend say that during the recovery we might have 2 years of taking high savings.

But the projections of the Republican substitute, the Domenici-Baker amendment projects 87.3 percent of all savings in 1984, 77.7 percent in 1985, 75.3 percent in 1986, 75.9 percent in 1987, and 73 percent in 1988.

That is a little longer than 2 years of the recovery—that is 5 years—that is projected at full employment. That is projected at a full recovery and we are still taking 73 percent of all savings.

Senator DOMENICI responded earlier that deficits in previous recoveries absorbed as high as 70 percent of net private savings, and that this even occurred during the second year of some recoveries in previous years.

Mr. President, the Congressional Budget Office has calculated for us the percent of net private savings absorbed by deficits during previous post-war recoveries. I shall ask unanimous consent to have printed in the RECORD a table which shows deficits as a percent of net private saving at a trough of previous postwar recessions, and also shows this ratio four and eight quarters after the trough. As the table shows, deficits as a percent of net private saving was never greater than 42.5 percent four quarters after the trough of a recession. It reached this level during the fourth quarter of recovery from the recession of 1973–75. In general, the deficit as a percent of new private savings would then fall in the following year.

Mr. President, the only time that this ratio goes above 70 percent is during the eighth quarter of recovery from the recession of 1980, but that quarter was at the depths of the recession of 1982, the worst recession since the Great Depression.

The Domenici-Baker plan, if adopted, would create deficits so large over the 5-year budget horizon that deficits as a percent of net private saving would remain above 70 percent for 5 years out to 1988. The deficits under this plan would absorb 70 percent of net private saving over the entire 5-year budget horizon. Mr. President, five of the seven recoveries from postwar recessions did not even last 5 years, and those recoveries were accompanied by much lower deficits, and these deficits absorbed less than half of net private saving. These were the recoveries from the recessions that bottomed-out in 1949, 1954, 1958, 1970, and 1980, Mr. President.

The deficits produced under the Domenici-Baker plan will not create recovery and indeed might abort the recovery we are now in.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

DEFICITS AS PERCENT OF NET PRIVATE SAVING DURING RECOVERIES [1]

Trough date	Ratio at trough	Ratio 4 quarters after trough	Ratio 8 quarters after trough
49.4	29.7	−79.7	6.3
54.2	27.8	−16.6	−18.2
58.2	42.0	−4.1	−13.5
61.1	13.8	13.0	4.7
70.4	28.3	26.7	25.9
75.1	50.3	42.5	36.4
80.3	48.5	32.5	83.6

[1] Minus signs indicate surplus as percent of net private savings.
Source: Congressional Budget Office.

Mr. CHILES. We could not have a full recovery, we could not have 5 years of recovery and have 5 years of the deficit taking 73 percent of net private saving. Under the committee budget, the use of those savings would go from 74 percent in 1984 to 41 percent in 1988. It still seems high to me to absorb 41 percent of net private saving, but it is not high when I compare it to 75 percent.

My distinguished friend from New Mexico who had to leave the Chamber has also told me that the only difference in this plan is basically one is 2 years only, does the taxes for 2 and the other operates for 3. I want to know why my good friend is going backward. He talked about there is no need for raising revenue. In the Budget Committee the Domenici plan proposed to raise revenue of $53 billion in 1986. And that was not contingent as the President's plan could be because the distinguished chairman and my friend from New Mexico said it is not a good enough signal to send

to the markets that we are going to have a contingent plan. We need to lock in and reconcile this $53 billion in 1986, and I agree with him. We certainly need to do that. I wish to do a little more in 1984 and 1985 but now we see in this plan we have gone backward because we have zero dollars to be proposed for revenue in 1986.

Is 1986 magic because that is 2 years into the recovery, or is 1986 magic because that is the first year that we start working on really after the elections of 1984?

I happen to think that the magic of 1986 is because it follows after November 1984 and that is why we do not want to talk about any revenues now. We do not want to say to the American people there is no way we can have these kinds of deficits; there is no way we can have spending at 25 percent or 24.5 percent of the GNP and revenues at 18.9 percent. We have to close that gap. Do not close it, though, until after November 1984.

I will have to say that there are probably some Senators on this side of the aisle—I do not see any of them around now—but there may be some who also would rather wait until after 1984 before we raise any particular revenue and yet when we look at those numbers, and I will say again to my good friend and he says there is no way of knowing whether the chart on the top is going to propose any kind of economic recovery, I think there is a way of knowing that the one on the bottom is disaster when we go down to $220 billion deficits in 1988.

I would hope, Mr. President, that we could get a little action. The hour is 4:30 p.m. We have a lot of Senators who are ready to vote. We have taken up some amendments and it seems as if we have thoroughly debated this amendment today, maybe we should just kind of move on and get to a vote and then see where we go from there.

The PRESIDING OFFICER. Who yields time?

The Senator from Nebraska.

Mr. EXON. Mr. President, as a member of the Budget Committee——

The PRESIDING OFFICER. Who yields time?

Mr. CHILES. I yield.

Mr. EXON. Are we short of time?

Mr. CHILES. I yield such time as the Senator needs.

Mr. EXON. I thank the Senator. I do not see anyone else in the Chamber who wishes to talk. Whatever time I get up and say something someone says "Who yields time?"

The PRESIDING OFFICER. Who yields time off the resolution?

Mr. EXON. It seems to me that the only thing we have is time around here but never enough time to get anything done.

I have listened to the debate between the chairman and the ranking minority member of the Budget Committee on which I serve. I could only read between the lines which says, "We are not going to have any votes today."

I ask my friend from Florida and my friend from Washington, did I read that correctly or was I not listening?

Mr. CHILES. The Senator from Florida does not know the answer to that question.

Mr. EXON. Could the Senator from Washington answer the question from the Senator from Nebraska? Are we going to have any votes today?

Mr. GORTON. The Senator from Washington cannot answer that question unequivocally. It is his opinion there probably will be additional votes today.

Mr. EXON. I am delighted. I wish we could move ahead with this. I like to work when the sun is shining and sleep some time when the sun goes down. I know the Senate does not customarily work in that manner, and I have never been able to figure that out for the time I have been here.

Let me say a few things about the interesting exchange and debate that took place between the chairman of the Budget Committee and the ranking minority member.

I am fearful and have been for the last week and a half that the budget process has disintegrated into an argument as to whether or not we are going to raise taxes. My experience, and I have had quite a little experience in balancing budgets in my lifetime, goes back to the basic premise that if you spend so much money then you better raise taxes to pay for it.

I know that a great deal of the press have taken up the cry today that it is indeed a question as to whether or not we are going to raise taxes. The question is whether or not we are going to put up with that deficit.

I think one of the best kept secrets in Washington today is that the staggering deficits, the largest in our history that are projected to go on up and up and up without anyone doing anything about it, now are simply being put off until 1986, 1987, or 1988.

I can tell you that I am convinced that things are not going to be any better in 1986, 1987, or 1988 when it comes to have the courage to either cut spending more, which I think we should do, and also raise revenues.

There is a very simple way out of this dilemma that we are in, but no one wants to face it, and that is simply to say we have to increase the revenues some and we have to lower the spending level.

There was a vote the other day on the so-called Johnston-Exon-Nunn-Boren amendment that would have done just that. I believe when the vote count was finished there was a magnificent total of 13 votes. The so-called liberal Members of the Senate went to the table and they said: "Well, I am not going to vote for that. It reduces spending." The so-called conservatives of the Senate went to the table and said: "I am not going to vote for that. It raises taxes."

Now the simple facts are, and every Member of this body knows it, there is only one way out of this dilemma that we are in to arrest the staggering deficits that I think are going to abort the economic recovery, maintain the high value of the dollar in the international marketplace, back to the interest rates here at home, abort the recovery, make it impossible for us to sell the products of our farmers and our manufacturers overseas, all because we lack the courage, whether it is because of an election year or whether we just do not have the courage to do what we know must be done, and what must be done, Mr. President, I think if you would get the people off the floor of the Senate, where they might not be heard they would agree to a man and a woman that the only way out of this is to have the combination: reductions in spending and the raising of some revenue. It is that simple. I think we are making the case very complicated for political reasons and I wish we could, as the Senator from Florida has said, join in a true bipartisan approach.

I voted for the budget resolution as it came out of the Budget Committee. If I had it to do over again I would not because I recognize that basically we have reported to the floor of the Senate a sham, that has so divided this Senate that we are now wasting time and essentially have been wasting time all day today, until they get the votes counted on that side of the aisle through arm-twising or some other maneuvers to get something accomplished.

I said earlier, and I am glad the chairman of the Budget Committee is back on the floor, this is one Member on this side of the aisle, and there are others, who does indeed want to cooperate with a true bipartisan approach to the budget, and I think that the chairman of the Budget Committee knows and realizes and recognizes that. I just wish that before we go too far in this staggering deficit in the amendment offered by the chairman of the Budget Committee and before it is voted on that he will come to realize and recognize that that is not the way to go if we want to attack the problem now rather than to put it off until a later time.

So I openly invite him once again to talk to some of us on this side of the aisle, through the ranking minority member of the Budget Committee or otherwise, to see if we cannot come up with some kind of a true bipartisan approach rather than what is called a bipartisan approach, one that is hatched on that side and sold in the press as a

bipartisan approach when it is really not.

I think it is critically important that we protect the budget process, and that is the reason why I voted for the First Concurrent Budget Resolution as reported from the committee. But as every member of that committee knows, I think each and every member of that committee, during closing debate and before the vote, said "But I am not going to support that when it gets on the floor of the U.S. Senate."

That is not a very good way to run a budget committee; it is not a very good way to run a railroad, and it is not a very good way to recommend legislation to the U.S. Senate.

I say that not in criticism of either the chairman of the committee or of the ranking minority member of the committee because I know they worked very hard. I simply say that, as I understand the committees of the Congress, they are supposed to get together, thrash out their differences, work the bipartisan approach in the committee, and come out with something on the floor of the Senate in this case that at least a majority of that committee can support.

I suggest we have never had a committee that has been more fractured than is the Senate Budget Committee on the matter presently before us.

I do think that the budget process is an important one, but I will say that unless we can do a better job in the future than we have in the past, that maybe it is best if we throw in the towel in the Budget Committee and go back to the old way that certainly helped to get us into the deficit position that we are in today.

Mr. President, I suggest the absence of a quorum.

Mr. CHILES. I do not think we need to do that.

Mr. EXON. I yield the floor.

The PRESIDING OFFICER. Who yields time?

Mr. DOMENICI. Mr. President, I suggest the absence of a quorum and that it be charged equally.

The PRESIDING OFFICER. Is there objection?

Mr. CHILES. I object.

The PRESIDING OFFICER. Objection is heard.

Does the Senator withdraw his request for a quorum? Does the Senator from New Mexico withdraw his request for a quorum?

Mr. DOMENICI. I do not think I have to withdraw it. There is an objection.

The PRESIDING OFFICER. Is the Senator suggesting the absence of a quorum?

Mr. DOMENICI. I have not suggested it but the distinguished Senator from Florida does not want to share the time so I will suggest it and ask it be taken from my time. We will not be too long on this one I do not think.

The PRESIDING OFFICER. On the resolution? The Senator wishes the time charged against the resolution, is that correct?

Mr. DOMENICI. On the resolution, excuse me, Mr. President.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BYRD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. DOMENICI). Without objection, it is so ordered.

Mr. BYRD. Mr. President, I have sought recognition to ask the majority leader if he is in position at this time to tell the Senate what the program is for the rest of the day. I am getting some inquiries from my side of the aisle.

Mr. BAKER. Yes. Mr. President, I thank the minority leader.

As I announced at the beginning of the session today, it is the hope of the leadership on this side that we can run through the dinner hour, to approximately 8:30 or 9 tonight. That is still my intention.

I hope that between now and then we can do some useful work. I hope, if there are amendments to the pending Domenici substitute, they will be offered. I hope that at some point we can arrange a time to vote on Domenici and vote on any other amendments that are going to be offered including any as substitute amendments if they are to be offered and to try to make our hours between now and 9 useful and productive.

I do anticipate that we will have rollcall votes yet this evening. I wish I could say to the Senator from West Virginia, the minority leader, what sequence they will be in and what they will be, but I cannot do that at the moment. I am hopeful that we will be able to do this a little later. But it is my intention to ask the Senate to remain in session in an effort to try to dispose of the pending question and other amendments that may be offered either to the resolution or to the substitute.

Mr. BYRD. Mr. President, I thank the majority leader.

I understand that the Senator from Florida (Mrs. HAWKINS) is going to call up an amendment. I wonder if there will be a rollcall vote on this amendment.

Mrs. HAWKINS. Yes.

Mr. BAKER. I thank the Senator. I yield the floor.

AMENDMENT NO. 1258

(Purpose: To reduce undistributed offsetting receipts in order to authorize the Chrysler Corporation Loan Guarantee Board to relinquish certain warrants to Chrysler Corporation)

The PRESIDING OFFICER. The Senator from Florida is recognized.

Mrs. HAWKINS. Mr. President, I sent an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The amendment will be stated.

The legislative clerk read as follows:

The Senator from Florida (Mrs. HAWKINS) proposes an amendment numbered 1258.

Mrs. HAWKINS. Mr. President, I ask unanimous consent that further reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

On page 3, in paragraph (3), increase the figure relating to fiscal year 1984 by $200,000,000.

On page 4, in paragraph (4), increase the figure relating to fiscal year 1984 by $200,000,000.

On page 4, in paragraph (5), increase the first figure relating to fiscal year 1984 by $200,000,000.

On page 4, in paragraph (5), increase the first figure relating to fiscal year 1985 by $200,000,000.

On page 4, in paragraph (5), increase the second figure relating to fiscal year 1984 by $200,000,000.

On page 23, increase the figure relating to outlays for fiscal year 1984 for the functional category "Undistributed Offsetting Receipts (950)" by $200,000,000.

Mrs. HAWKINS. Mr. President, the amendment I call up today addresses——

The PRESIDING OFFICER. Will the distinguished Senator withhold?

Mrs. HAWKINS. Surely.

The PRESIDING OFFICER. Without objection, the Domenici amendment is temporarily laid aside.

Mr. CHILES. I object. I assumed that the amendment was going to be the Domenici substitute.

The PRESIDING OFFICER. The Chair must advise the distinguished Senator that her amendment is not in order unless the Domenici amendment is set aside.

Mrs. HAWKINS. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mrs. HAWKINS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mrs. HAWKINS. Mr. President, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. Is there objection?

Mr. CHILES. Reserving the right to object, Mr. President, I will not object if it goes to the Domenici substitute. The objection would simply be the time has not been used on the Domenici amendment.

The PRESIDING OFFICER. Without objection, the amendment will be stated.

The legislative clerk read as follows:

The Senator from Florida (Mr. HAWKINS) proposes an amendment numbered 1258 to the Domenici amendment numbered 1243.

Mrs. HAWKINS. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

On page 3, in paragraph (3), increase the figure relating to fiscal year 1984 by $200,000,000.

On page 4, in paragraph (4), increase the figure relating to fiscal year 1984 by $200,000,000.

On page 4, in paragraph (5), increase the first figure relating to fiscal year 1984 by $200,000,000.

On page 4, in paragraph (5), increase the first figure relating to fiscal year 1985 by $200,000,000.

On page 4, in paragraph (5), increase the second figure relating to fiscal year 1984 by $200,000,000.

On page 23, increase the figure relating to outlays for fiscal year 1984 for the functional category "Undistributed Offsetting Receipts (950)" by $200,000,000.

Mrs. HAWKINS. Mr. President, the amendment I call up today addresses the request made public recently by Chrysler Corp. officials that the U.S. Government give back 14.4 million warrants, worth $220 million at today's prices. In my opinion, this request should be rejected in the strongest possible terms which is what rejection of my amendment will accomplish. To me this request sounds similar to a man pleading guilty to murdering his parents then begging a court for mercy because he is an orphan.

Let me briefly lay out the facts surrounding this presumptuous request. In 1979, the Chrysler Corp. came to the Congress with hat in hand, asking for taxpayers' dollars to fend off bankruptcy. After considerable controversy, the Congress agreed to bail out Chrysler Corp. by guaranteeing over $1 billion in new Chrysler obligations.

Now there were many people who at that time felt this was the wrong thing to do. I was one of them. They argued that our system is based as much on the right to fail as the right to succeed, and that there would be no end in the requests for help if every businessman who got into trouble could come to Washington and return home with a bailout. Right or wrong, we did it. We risked over $1 billion of the taxpayers' money on one company, on one roll of the dice.

And when we agreed to become Chrysler's partner with the taxpayers' money, we asked and received certain assurances from them. One assurance was that the loan package was balanced. We asked that creditors make concessions, we asked that employees make concessions, as well as executives, and finally we asked that shareholders sacrifice, too. If all these elements came together, then the Congress was willing to place a bet with taxpayers' money that Chrysler would survive and at a later date repay them.

Now the principal concession made by the shareholders, who it should be remembered were facing the loss of their entire investment, was that warrants would be issued to the Federal Government and others. At the time that did not look like much of a concession. After all, owning 100 percent of nothing is still nothing. And so, during the negotiations, Chrysler management agreed to provide warrants with a strike price of $13 per share to the Federal Government in exchange for risking over $1 billion. They issued a similar number of warrants to 300 banks under similar conditions.

At the time they made this arrangement, Chrysler stock sold for less than $5 per share. Thus exercising options with a strike price of $13 a share did not seem likely.

But conditions change. Now the Federal Government, on behalf of its taxpayers can acquire a 9-percent interest in the shares of the Chrysler Corp., at profitable prices. Or it can tear up the warrants as Chrysler management wants.

In effect, the Chrysler management is saying that they wanted to be partners with the taxpayers when it looked like there would only be losses to share. However, now that the potential for profit has emerged, they want a divorce and leave their partners in the cold, without the compensation previously agreed to.

Interestingly, they are not treating their other partners who have warrants and options with such contempt. Within the last 2 weeks, the Treasury Department informs me, Chrysler shareholders ratified a proposed restructuring of the debts owed by the company to 300 banks and others, many of whom held warrants, just like the ones the taxpayers hold.

While the transaction was complex, involving swaps of warrants for common stock as well as accelerating the repayment of other debts, Treasury staff informed my office today that full value was recieved for the options. That means roughly 10 million warrants, with strike prices of $13 per share, have already been exercised.

In addition, the five top officers of the Chrysler Corp., hold about 1.3 million options, with strike prices ranging from $7 per share to $9 per share. Another 1.7 million is held by other employees. None of these officers or employees to my knowledge have agreed to tear up their options. Thus, all other holders of warrants and options have been paid off or will be when they feel like it. I wonder why Chrysler management feels that only the taxpayers should be shortchanged.

I do not feel this is fair. For that reason, I have submitted an amendment that will allow the Senate to express its feelings on this subject.

Due to restrictions on the nature of amendments to the budget resolution that are considered germane, I have taken the advice of the Parliamentarian and structured this amendment in a special way. Specifically, the amendment I have sent to the desk lowers offsetting receipts by $200 million in fiscal year 1984, making room in the budget to tear up the taxpayers' warrants. I then ask that the Senate join me in defeating this amendment. If it does so, it will send a signal to the Loan Guarantee Review Board to stand firm, and not violate their fiduciary responsiblities to the taxpayers. Put simply, a no vote on my amendment is a vote for the taxpayers, and lower deficits, a yes vote is a vote for Chrysler's management and for a higher deficit.

Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second? There is a sufficient second.

The yeas and nays were ordered.

Mr. GARN addressed the Chair.

The PRESIDING OFFICER (Mr. GORTON). Who yields time?

Mr. GARN. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mrs. HAWKINS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mrs. HAWKINS. Mr. President, during the quorum call I have had an opportunity to have an indepth conversation with the Senator from Utah who is chairman of the Banking Committee. He has given me every assurance that as chairman of the Banking Committee, which has jurisdiction over this matter, he is watching closely the situation. I understand he feels as keenly as does the Senator from Florida that these warrants, which have considerable value to their owners, the taxpayers should be honored, not turn up. We have discussed what we feel the responsibility is of the Loan Guarantee Review Board to see that the taxpayers receive the return on their investment they are entitled to, just like the 300 banks who within the last 2 weeks traded their warrants in, and as part of an overall package, received full value for them. With the assurance given me by the Senator from Utah that he will watch this closely I will withdraw the amendment, and I ask unanimous consent to do so.

Mr. GARN. Will the Senator yield before withdrawing the amendment?

Mrs. HAWKINS. I yield.

Mr. GARN. Let me say I agree with the Senator from Florida in her remarks about the taxpayers' interests. I was on the Guarantee Committee when the loan came up, was very much opposed to the loan guarantees as setting a precedent, had a fair amount of responsibility for imposing some of the conditions, along with others on the committee, on the original request of Chrysler which was far, far beyond what they originally were granted, and insisting on sharing in responsibility by employers, by stockholders, employees, by everyone concerned, that they should want their jobs enough and want their stock enough and all those things to give. So they were considerably modified. Even after they were I voted against the loan guarantees because I thought it was setting a bad precedent.

Since Chrysler has succeeded I have continually had people come to me and say: "Ha, ha, ha, you were wrong. It worked." Let me give the Senator from Florida an illustration because they asked me, "Wouldn't you if you would go back do it differently?" No, I would not. I would vote again because it is sort of like some of these basketball games you have seen where at the last second somebody shoots from the opposite foul line about a 80-foot shot and it goes in and everybody is groaning why did he do that? But it worked and it is wonderful. But the coach is not going to say, "Shoot those kind of shots all the time," so I am very happy Chrysler succeeded and I hope they succeed and pay back all the money to the Federal Government. But I have not changed my mind one bit that it sets a bad precedent even in those cases where it worked. We should not be taking those long shots.

But I appreciate the willingness of the Senator from Florida, a distinguished member of the Banking Committee, where she certainly can have input into this so that we not enact something on the budget resolution today. But I agree with her that, to use her term, Treasury should not tear up these warrants and we do have jurisdiction and we will certainly look very closely, and I hope Treasury takes note of what we have said here today, that we want to make sure that the taxpayers are protected on this issue. I thank the Senator from Florida.

Mrs. HAWKINS. I thank the Senator from Utah.

The PRESIDING OFFICER. Is there objection to the withdrawal of the amendment? Without objection, the amendment is withdrawn. Who yields time? Does either side yield time? If not, time will be charged equally. Who yields time?

Mr. SYMMS. Will the distinguished chairman of the committee yield me some time to make some remarks on the bill?

Mr. DOMENICI. Might I say to my good friend I would be pleased to yield time on the resolution. Since the time of the Senator from New Mexico is rapidly going down I would ask how long the Senator thinks he might take? Ten minutes?

Mr. SYMMS. Mr. President, I think I could say all I need to say herein, I would say to my colleague, it will be a short time. I can make a unanimous-consent request and put it in the RECORD.

Mr. DOMENICI. No, do not do that.

Mr. SYMMS. I think I can say it all in 5 minutes.

Mr. DOMENICI. I yield the Senator 10 minutes on the resolution.

The PRESIDING OFFICER. The Senator from Idaho.

CIVIL SERVICE RETIREMENT SYSTEM

Mr. SYMMS. I thank the distinguished chairman of the committee. I would just like to say to my colleague from New Mexico that I do not think anyone in the Congress has a more difficult job than the Senator from New Mexico and that is to try to fashion and form some kind of a budget that has some semblance of responsibility to it and get 51 votes to vote for it here in this Senate Chamber. I certainly commend him for his diligent and tireless efforts he has made in the last 2 years to try to bring about some sanity to the budget question.

I would say that when I study the budget and the proposal that passed the other body I will certainly say there was a lack of comprehension of the problems that I think this country faces. I made some comments here yesterday. I am not real happy with the budget that the Senator from New Mexico has but in view of all of the other forces that are working here in this Chamber, I think he certainly deserves the commendations of all of his colleagues, and I wish to add my name to that list.

Mr. President, the issue I want to address briefly, which has been overlooked, I mentioned it yesterday here in debate, and that is something the President brought up in his 1984 budget message last January. He proposed changes in the civil service retirement system to bring benefits closer into parity with those offered in the private sector and to reduce the costs of the system to affordable levels.

Now the administration's proposals included permanent reform in the manner in which the cost-of-living adjustments are made and gradual reductions in some of the retirement benefits. President Reagan also suggested that it may be necessary to increase revenues to the civil service retirement system through phased-in increases in employee and employer contributions.

While the administration's proposal to reform the civil service retirement program may need to be modified, I do believe it is important that the Congress address the fact that the civil service retirement program has approximately a one-half trillion dollar unfunded liability facing it in future years. To just say that again, Mr. President, we are facing a one-half trillion, approximately one-half trillion, I think it may be fair to say it is closer to $478 billion which is nearly one-half trillion dollars, of unfunded liability that we face in the civil service retirement program.

So when someone comes in here, as this Senator did yesterday, and makes the observation that the Federal Treasury has $1 trillion less than nothing in it, really that is a very optimistic statement. The fact of it is we have $1 trillion of debt plus in the general fund. Then there is nearly one-half trillion dollars in the civil service retirement fund and another one-half trillion dollars of unfunded liability in the military pension fund.

I think that this is something that I want to address and I think it should be part of this record.

The budget resolution that was reported by the Senate Budget Committee does not require the authorizing committee to even begin to review this matter. I believe that it is simply irresponsible on the part of Congress to keep at risk the present retirees who depend on the system for the retirement income, and the current Federal workers who are contributing to a system that will not be able to provide them with the benefits they are planning to receive.

In addition to the fact that the workers and retirees are at risk, the unfunded liabilities of all the public pension programs are perhaps the single largest factor in restraining economic recovery. Public pension programs account for approximately 40 percent of our entire Federal budget, and to be realistic, those public pension programs are reeling out of control.

Long-term capital markets are essential if we are going to continue to exist in a capitalist economy. Because of the ravages of inflation, inflationary expectations, high budget deficits, excessive Government spending, and so forth. Those capital markets have shrunk from 30-to-40 year markets to 3-to-10 year markets. If the private sector is not able to finance investments into new plants and equipment over the long term, our ability to have a healthy and growing economy is extremely limited.

And that is a problem. I would just say again that I know my colleagues are concerned about this, but long-term capital markets are the key and they will be the mainspring, the driving force of long-term economic recov-

ery where we can have noninflationary growth.

These long-term capital markets, in my judgment, will not be restored unless the investors in our economy believe that investing over the long-term is a sound investment. Those investors cannot possibly believe that a long-term investment is a good investment when they see a Federal budget that is out of control; Members of Congress unwilling to take the necessary steps to control that budget; and most importantly, some attempt by the Members of Congress to begin to control the public pension programs whose unfunded liabilities run into the trillions of dollars.

The civil service retirement system is but one of the public pension programs, but it is a system that needs to be revamped because of the fact that the Congress will be including the newly hired civil servants into the social security system beginning in January 1984. Without some adjustment, newly hired civil servants will have to pay into both the civil service retirement system and the social security retirement system with the knowledge that they may never realize the benefits for which they are being required to pay.

Continuing to keep retirees and employees hanging in limbo is, in my opinion, absolutely simply unjustified. The system is in trouble and solutions to the problems facing that system need to be found. The administration proposed one set of solutions, and while they may not be acceptable to all parties concerned, their proposals represent a good start. It should be kept in mind that in seeking a solution to the solvency problems facing the civil service retirement system that the general taxpayer should not be forced to bear a disproportionate share of the burden.

As I stated earlier, it is unfortunate that we do not have the courage or fortitude to address these problems now. I am hopeful, however, that we will somehow summon enough fortitude to address this problem at some point in the future and not remain forever recalcitrant.

Mr. President, I would just simply state that I am not married to the proposal that the administration offered. In fact, I think in many cases—and I have said so to Mr. Don Devine of the Office of Personnel Management—their proposal to raise the retirement age comes about too rapidly, but I still think it is a problem that we must face up to in this Congress. As I said here yesterday, in terms of the overall picture of the budget, it is a matter of what we are doing with this budget and this budget process that sends the wrong signals to the financial markets, to the people who make the decisions about lending money.

I think that the decisions about lending that money are simply made based on expectations of what is going to happen here in this body. Well, what does happen when we have a one-half trillion dollar unfunded liability in the civil service pension fund? The question that comes up is, How is Congress going to pay for it? Are they going to ask the people who are getting benefits from the fund to take less benefits? Are they going to ask the people who are paying into the fund to pay in more money? And if that is going to be the case, how is it going to be paid for? And if they are paying in the money, where is the money going to come from?

So I think we have to recognize that, despite the imbalance of this budget and this big deficit, in reality, the way you balance the budget around here is you borrow the money or you commit future taxpayers for the accommodation of the debt that you are accruing today.

What it simply amounts to is there are three ways to balance the budget. One is to have the outflow and income of the Federal Government be equal and put it on a cash basis and go on a day-to-day or month-to-month or a year-to-year basis where the Congress does not spend any more money than it takes in in revenues. That has been tried by many people of my political persuasion. Much to our chagrin, there never seems to be enough votes to reduce the Government expenditure side of the equation, so we end up at the end of the year with a deficit.

Then how is that handled? Then you have to balance off the deficit because the Federal Government has accrued commitments and debts and so what happens is we borrow the money. When the money is borrowed, it crowds out consumers at the loan window at the bank and forces up the price of money or the price of interest. And that very happening is very difficult and it lowers the amount of freedom the American citizenry has because the Government is crowding them out at the loan window.

The PRESIDING OFFICER (Mr. BOSCHWITZ). The time yielded to the Senator has expired.

Mr. SYMMS. Will the chairman yield me 1 more minute?

Mr. DOMENICI. Yes; I yield 1 more minute.

Mr. SYMMS. I will just wrap up this thought and make this point. Then if we do not crowd them out at the loan window, the other answer is that the politicians, historically, not just in the United States but throughout the history of mankind and organized society, have inflated the money. They have done it historically back to clipping the coins, where they actually clipped off the corners of coins. Then they would melt those down and make more coins. They melted the gold coins and put brass and other alloys in the coins and devalued it that way so they could have the gold go around a little further and spread it out, or they simply ran the printing presses and printed money.

But it is a polite way to say they were stealing the money from the people because the people have money in their pockets and if the Governments print money or inflate the currency what they are really doing is stealing from the private sector and the population and taking away their savings and taking them through inflation and ending up with a budget that is balanced according to your definition of accounting.

So, in fact, for us to sit here and say we are not balancing the budget is really not true. We are, but we are simply doing it by methods that have the same impact on the people as if we were raising the taxes directly on them.

The PRESIDING OFFICER. The Senator's time has once again expired.

Mr. SYMMS. Mr. President, I yield the floor.

The PRESIDING OFFICER. Who yields time? If neither side yields time, the time will be charged equally.

Mr. CHILES. Mr. President, I yield such time as the Senator from New Mexico might desire to use off of his time.

Mr. SYMMS. Will the Senator from Florida yield some time to the Senator from Idaho?

Mr. CHILES. Off of the time of the Senator from New Mexico, I would be happy to.

Mr. SYMMS. I do not want it from the time of the Senator from New Mexico. There is not anything I have to say that is that important, I say to my friend.

Mr. DOMENICI. Mr. President, the Senator from Florida has great powers, but that power has not been delegated to him to this point.

The PRESIDING OFFICER. Who yields time? If neither side yields time, time will be charged equally against both sides.

Mr. GRASSLEY. Mr. President, I yield myself such time as I might consume.

The PRESIDING OFFICER. Is there objection?

Mr. BYRD. Mr. President, reserving the right to object, and I do not intend to object, will the distinguished Senator indicate from where the time is coming? Is it on the amendment or on the resolution?

Mr. GRASSLEY. It is on the resolution.

Mr. BYRD. I thank the Senator.

I have no objection.

Mr. GRASSLEY. Mr. President, as I have said so often before, and as I have said once previously on this budget resolution, I am adamantly op-

posed to increasing defense spending beyond fiscal year 1983 budget authority until—and that is a very important until—structural changes are made to prevent the continued weakening of our national defense.

What is occurring in the Defense Department should make the most conservative among us, in this body or even outside this body, reel in disbelief. The Defense Department is souring on bad management. The process for procuring weapons and spare parts is scandalous.

The result has been a systematic weakening of our national defense. Simultaneously, defense costs are skyrocketing, our forces are shrinking, and our readiness is fading.

The situation has reached a critical stage. If the trend is not reversed at once, we may find ourselves permanently unable to deal with not only the Soviet threat, but with any threat at all.

The structural deficiencies weakening our defense are directly related to the perverse system of rewards and penalties in the defense procurement process. Instead of rewarding efficiency and cost discipline, we discourage it. Those who want to be responsible by blowing the whistle on cost overruns and inefficiency are penalized.

Recent victims of this were Franklin Spinney, a Pentagon budget analyst who has been exiled from macrobudget analysis for identifying structural underfunding; and George Spanton, the defense auditor who caught a major contractor ripping off the taxpayers, and he was rewarded with the threat of job relocation.

The signal sent to the public by such action is one of enormous discouragement, especially to those working in DOD. It weakens their morale and their resolve to do what is right. And the entire Nation suffers the consequences.

Because the defense bureaucracy is not structured for disciplining costs, the system accommodates cost overruns. This is why we hear neverending cases of defense contractors overcharging for weapons and spare parts, or DOD officials renegotiating contracts and allowing the taxpayer to pick up the tab for the higher costs.

The structural malaise in DOD is departmentwide. Cost overruns are consequently the rule rather than the exception. And when all the overruns are added up, we find ourselves with a gigantic budget problem. The defense budget becomes extensively underfunded. The pressures of underfunding then lead Congress to reduce quantities of weapons below what we planned for. The Pentagon responds to the pressures by taking money from readiness to finance the underfunding.

The net effect is shrinking forces and declining readiness, despite substantial increases in costs. In other words, despite a constantly increasing defense budget, our national defense is progressively diminishing. We have now reached a critical stage. If the appropriate structural changes are not made immediately, the systematic weakening of our defense will reach crisis proportions.

It has been frustrating for me, as a prodefense conservative, to enter this battle to strengthen our defense without the help of my fellow conservatives. This should be a conservative issue. It is the classic issue of the free market versus the bureaucracy. But there is an apparent inconsistency in the way we conservatives approach defense spending.

We seem to favor applying our free market principles to the production of eggbeaters and sunglasses. We do so because we believe it is morally right, and because it is efficacious. Why, then, do we conservatives have difficulty shifting that approach to the more vital area of national defense, where there is vastly more at stake?

Let me read to you a couple of passages which reveal an inconsistency on our part. They reveal our tendency to approach defense differently from other agencies of the budget. This comes from the Economic Report of the President, 1982. This is how we view nondefense agencies:

> The advantage of market-like devices is that they can create incentives to behave in the desired way. That is, if we can simulate an effective market, we can rely on self-interest to achieve the desired goals. This will reduce the cost of achieving the regulatory goal and also increase the extent to which the goal will be achieved.

That is for the nondefense agency.

Now, here is how we view the Defense Department:

> In the private sector, competition tends to prevent inefficient producers from passing their higher costs on to consumers. In the defense sector the function of encouraging efficiency is largely performed by DOD analysts of contract negotiations and administration. Their jobs are always difficult because of unanticipated problems in developing high technology equipment, lack of competition among suppliers, and a history of erratic fluctuations in defense procurement levels. The defense buildup will therefore increase the challenge to DOD administrators. Careful planning, tight management, and accurate cost estimates can reduce the adverse consequences of the buildup, but some problems may arise.

Upon reflection, Mr. President, we can see how the Defense Department is regarded in a different light from other agencies of the Federal Government. There actually seems to be an awareness that the Defense Department is operated in direct conflict with the principles of the free market.

And indeed, that is the case. In defense, we have adopted a remarkably ineffective method of operation. And we conservatives champion it. It is bizarre. And it is frustrating.

The defense procurement system is devoid of incentives to hold down or reduce costs and to enhance output and efficiency. In other words, the Defense Department behaves like any other bureaucracy. The bureaucratic approach is authoritative and inwardly focused. It is in total contrast to entrepreneurial behavior with its outward focus and its ability to stay in touch with a changing environment.

Bureaucracies do not like change. They like rigidity and control. Production is secondary. It has a mechanistic vision of the world. The entrepreneurial world is organic. It can adapt to the inevitability of change and then exploit that change. Leadership and character tend to dominate in the entrepreneurial world. It is a mirror of the individual.

The bureaucratic outlook tends toward monopoly. That makes domination easier. It reduces the avenues challenged. Reality becomes abstracted. The entrepreneur, on the other hand, must compete wherever appropriate. Its adaptability to change makes the entrepreneurial approach more able to achieve variety and rapidity, the key to winning a war—or the key to keeping the peace.

Now take a look at the Defense Department. On which side of the fence does its method of operation lie?

Is it adaptable and flexible? Or is it predictable and mechanistic?

Does it behave more like a bureaucracy, or like an enterprise?

Is it centralized, or are their numerous checks and balances?

Does it tend toward monopoly, or toward competition?

To me, the answer is quite simple. The Defense Department is clearly a typical bureaucracy. It is no different from any other agency which conservatives have criticized in the past for inefficiency and waste. There is no true competition for defense contracts. Contracts are negotiated. There is no competitive pricing. Prices are administered, as in a socialist government. And there is no fresh influx of ideas or management skills. Instead, there is total stasis.

This is hurting our ability to establish a strong national defense. We need to orient the Defense Department toward free market principles to increase the efficiency of the procurement process.

Mr. President, if we are to have integrity, we must be consistent. We must apply the same principles indiscriminately to all agencies of Government.

The greatest danger we face is losing the faith and support of the American people. If we continue to be inconsistent in the application of our principles, we will send the signal that our deeds do not match our words. Our integrity would come into question. And

rightfully, the American people cannot be expected to support those who show a lack of integrity.

Mr. President, the road to rebuilding our bond of trust with the American people begins with a commitment to fairness and equity. That is the basis for establishing the moral grounds for consensus.

We do not see a consensus reflected in this budget resolution. Some of us are talking about breaking the conservative coalition by repealing indexing. But how does that achieve fairness?

Repeal of indexing would strike hardest at the lower income earners of this country. It would not affect at all those in the highest salary brackets.

How can we attempt to build a consensus on such a preposterous notion?

Others in the party have lost sight of their free market principles on a consistent basis. In the swirl of legislaltive battle, they have neglected to apply those principles to defense. This, too, undermines the moral prerequisite to consensus-building; namely, fairness.

I think it is very clear what is happening in the struggle to come up with a budget resolution.

There is simply no direction. There is no vision. There is no means for consensus. There is no preception of equity.

We are getting a very clear signal, Mr. President. I think we should take advantage of that signal and pause to reflect on just where we are headed.

Thank you, Mr. President.

The PRESIDING OFFICER. Who yields time? If neither side yields time, time will run equally divided against both sides.

ROUTINE MORNING BUSINESS

(During the day routine morning business was transacted and additional statements were submitted as follows:)

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Saunders, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session, the Acting President pro tempore laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The nominations received today are printed in the end of the Senate proceedings.)

REPORT ON ACTIVITIES WITH RESPECT TO NONPROLIFERATION AND PEACEFUL NUCLEAR COOPERATION MESSAGE FROM THE PRESIDENT—PM 48

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, together with an accompanying report; which was referred to the Committee on Foreign Relations.

To the Congress of the United States:

Preventing the spread of nuclear weapons is a longstanding and fundamental security objective. My Administration is strongly committed to that goal and has actively pursued it by reinforcing essential non-proliferation measures and by adopting new approaches where these will serve our non-proliferation interests.

As noted in my March 31 statement, for arms control to be complete and world security strengthened, efforts to halt the spread of nuclear arms need to be increased. We are undertaking further efforts with key countries on the need for urgent movement to strengthen measures against nuclear proliferation.

The activities of the Administration with respect to non-proliferation and peaceful nuclear cooperation during 1982 are described in the report called for by Section 601 of the Nuclear Non-Proliferation Act of 1978 (Public Law 95-242). The report has been prepared by the Department of State in collaboration with other concerned departments and agencies.

RONALD REAGAN.

THE WHITE HOUSE, *May 11, 1983.*

MESSAGES FROM THE HOUSE

At 11:02 a.m., a message from the House of Representatives, delivered by Mr. Gregory, one of its reading clerks, announced that the House has passed the following bill, without amendment:

S. 287. An act to establish the Harry S. Truman National Historic Site in the State of Missouri, and for other purposes.

The message also announced that the House has passed the following bill, with an amendment, in which it requests the concurrence of the Senate:

S. 957. An act to provide for an increase in the number of members of the Congressional Award Board, and for other purposes.

The message further announced that the House has passed the following bill, with amendments, in which it requests the concurrence of the Senate:

S. 653. An act to amend title 10, United States Code, to establish a Foundation for the Advancement of Military Medicine, and for other purposes.

The message also announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 2173. An act to amend the Contract Services for Drug Dependent Federal Offenders Act of 1978 to authorize additional appropriations to carry out such act; and

H.R. 2174. An act to amend title 18 of the United States Code to prohibit certain tampering with consumer products, and for other purposes.

ENROLLED BILL SIGNED

At 12:22 p.m., a message from the House of Representatives delivered by Mr. Gregory announced that the Speaker has signed the following enrolled bill:

S. 287. An act to establish the Harry S. Truman National Historic Site in the State of Missouri, and for other purposes.

The enrolled bill was subsequently signed by the President pro tempore (Mr. THURMOND).

HOUSE MEASURE REFERRED

The following bill was read the first and second times by unanimous consent, and referred as indicated:

H.R. 2173. An act to amend the Contract Services for Drug Dependent Federal Offenders Act of 1978 to authorize additional appropriations to carry out such act; to the Committee on the Judiciary.

HOUSE MEASURE PLACED ON CALENDAR

The following bill was read the first and second times by unanimous consent, and placed on the calendar:

H.R. 2174. An act to amend title 18 of the United States Code to prohibit certain tampering with consumer products, and for other purposes.

MEASURE REFERRED PURSUANT TO RULE XXV

Pursuant to Rule XXV (o)(2) the chairman of the Committee on Finance (Mr. DOLE) requested the referral of S. 499, a bill to require the usage of tax-exempt financing in connection with the Small Business Administration's section 503 loan program, which is presently on the Legislative Calendar, to the Committee on Finance. The bill has been so referred.

ENROLLED BILL PRESENTED

The Secretary of the Senate reported that on today, May 11, 1983, he had presented to the President of the United States the following enrolled bill:

S. 287. An act to establish the Harry S. Truman National Historic Site in the State of Missouri, and for other purposes.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. PACKWOOD, from the Committee on Commerce, Science, and Transportation, without amendment:

S. 212. A bill to authorize funds for the U.S. Travel and Tourism Administration (Rept. No. 98-82).

By Mr. HATCH, from the Committee on Labor and Human Resources, with amendments:

S. 336. A bill to increase the penalties for violations of the Taft-Hartley Act, to prohibit persons, upon their convictions of certain crimes, from holding offices in or certain positions related to labor organizations and employee benefit plans, and to clarify certain responsibilities of the Department of Labor (Rept. No. 98-83).

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second time by unanimous consent, and referred as indicated:

By Mr. HELMS (by request):

S. 1257. A bill to repeal the mandatory honey price support program, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

S. 1258. A bill to improve programs for the stabilization of agricultural prices and production; to the Committee on Agriculture, Nutrition, and Forestry.

S. 1259. A bill to recover costs associated with Federal marketing agreements and orders, printed reports for cotton and tobacco market information and statistics, plant variety protection, and wool and mohair promotion programs; to the Committee on Agriculture, Nutrition, and Forestry.

S. 1260. A bill to repeal that paragraph of the act of March 4, 1913, that designates 10 percent of all national forest receipts for the construction of roads and trails on the national forest (37 Stat. 843, as amended; 16 U.S.C. 501); to the Committee on Agriculture, Nutrition, and Forestry.

S. 1261. A bill to amend the act of May 27, 1955 (69 Stat. 66; 42 U.S.C. 1856-1856d), to permit the use of firefighting forces of foreign nations and the reimbursement of such forces for costs incurred in fighting wildfires throughout the United States, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. GRASSLEY:

S. 1262. A bill to amend the Internal Revenue Code of 1954 to improve Internal Revenue Service procedures concerning investigations and audits of churches, and for other purposes; to the Committee on Finance.

By Mr. HELMS (by request):

S. 1263. A bill to amend and extend the Federal Insecticide, Fungicide, and Rodenticide Act, as amended, for 2 years; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. QUAYLE:

S. 1264. A bill to require extended coverage under group health plans for employees who become unemployed, to provide grants to States for health benefit programs for unemployed workers, and for other purposes; to the Committee on Labor and Human Resources.

By Mr. DODD:

S. 1265. A bill relating to the tariff treatment of gut imported for use in the manufacture of surgical sutures; to the Committee on Finance.

S. 1266. A bill to amend the tafiff schedules of the United States to suspend temporarily the duty on 4'bis (a, a-dimethylbenzyl) diphenylamine; to the Committee on Finance.

By Mr. TOWER (for himself, Mr. GARN, Mr. HEINZ, Mr. ARMSTRONG, Mr. D'AMATO, Mr. GORTON, Mrs. HAWKINS, Mr. MATTINGLY, Mr. HECHT, Mr. TRIBLE, Mr. PROXIMIRE, Mr. CRANSTON, Mr. RIEGLE, Mr. SARBANES, Mr. DODD, Mr. DIXON, Mr. SASSER, Mr. LAUTENBERG, and Mr. GRASSLEY):

S.J. Res. 98. Joint resolution to designate October 2 through October 9, 1983, as "National Housing Week"; to the Committee on the Judiciary.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. BAKER (for himself, Mr. BYRD, Mr. MATHIAS, and Mr. FORD):

S. Res. 138. Resolution relating to expenses of the Commission on Art and Antiquities of the U.S. Senate; to the Committee on Rules and Administration.

By Mr. ZORINSKY:

S. Res. 139. Resolution disapproving the recommendation of the Study Group on Senate Practices and Procedures to abolish the Senate Committee on Veterans' Affairs; to the Committee on Rules and Administration.

By Mr. EAGLETON (for himself and Mr. DANFORTH):

S. Con. Res. 33. Concurrent resolution providing for the commemoration of the 100th anniversary of the birth of Harry S. Truman; to the Committee on Rules and Administration.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. HELMS (by request):

S. 1257. A bill to repeal the mandatory honey price support program, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

S. 1258. A bill to improve programs for the stabilization of agricultural prices and production; to the Committee on Agriculture, Nutrition, and Forestry.

S. 1259. A bill to recover costs associated with Federal marketing agreements and orders, printed reports for cotton and tobacco market information and statistics, plant variety protection, and wool and mohair promotion programs; to the Committee on Agriculture, Nutrition, and Forestry.

S. 1260. A bill to repeal that paragraph of the act of March 4, 1913, that designates 10 percent of all national forest receipts for the construction of roads and trails on the national forests (37 Stat. 843, as amended; 16 U.S.C. 501); to the Committee on Agriculture, Nutrition, and Forestry.

S. 1261. A bill to amend the Act of May 27, 1955 (69 Stat. 66; 42 U.S.C. 1856-1856d), to permit the use of firefighting forces of foreign nations and the reimbursement of such forces for cost incurred in fighting wildfires throughout the United States, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

AGRICULTURE LEGISLATION

● Mr. HELMS. Mr. President, in my capacity as chairman of the Committee on Agriculture, Nutrition, and Forestry I am introducing at the request of the Department of Agriculture and the Reagan administration five bills that are part of the legislative package of the Department of Agriculture. I believe it is important to place before the Senate the major legislative recommendations of the administration as they pertain to agriculture.

The five bills requested by the Secretary would do the following:

First. Repeal the mandatory price support program for honey. The Secretary's discretionary authority to support the price of honey through loans, purchases, or other operations would be retained.

Second. Authorize the Secretary of Agriculture to establish target prices for the 1984 and 1985 crops of wheat, feed grains, upland cotton, and rice at such levels as the Secretary determines appropriate but not less than the 1983 target price levels. This bill would also expand the authority of the Commodity Credit Corporation to donate overseas any surplus stocks of agricultural commodities that are held by the Corporation, not just dairy stocks as at present.

Third. Authorize the Secretary of Agriculture to charge fees to recover the costs of the Department of Agriculture that are associated with marketing orders, cotton and tobacco market information reports, plant variety protection, and wool and mohair promotion programs.

Fourth. Delete the current requirement that 10 percent of the moneys received from activities on the national forests during each fiscal year shall be available for construction and maintenance of roads and trails on national forests in those States from which the receipts were derived.

Fifth. Broaden the situations in which firefighting forces of foreign nations may be used to fight wildfires in the United States and be reimbursed for their costs.

Mr. President, I ask unanimous consent that the text of the bills and the transmittal letters from the Department of Agriculture be printed in the RECORD.

There being no objection, the bills and letters were ordered to be printed in the RECORD, as follows:

S. 1257

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 201 of the Agricultural Act of 1949 (7 U.S.C. 1446) is amended by—

(a) striking out in the first sentence the words "tung nuts," and "honey,"; and

(b) striking out all of subsection (b).

DEPARTMENT OF AGRICULTURE,
OFFICE OF THE SECRETARY,
Washington, D.C., February 2, 1983.

Hon. GEORGE H. W. BUSH,
President of the Senate,
Washington, D.C.

DEAR MR. PRESIDENT: Enclosed for the consideration of the Congress is a proposed bill which would amend the Agricultural Act of 1949 to repeal the mandatory honey price support program. The proposed bill would also provide a technical amendment to the 1949 Act to delete references to a mandatory price support program for tung nuts which was authorized only through the 1976 crop.

Section 201 of the Agricultural Act of 1949 requires that the price of honey be supported by means of loans, purchases, or other operations at not less than 60 percent nor more than 90 percent of the parity price therefor. While the level of support for honey has not been increased above the minimum level of 60 percent since 1973, the parity price has increased rapidly in recent years. This has resulted in the level of support for the 1981 and 1982 crops of honey being established above the market price for such crops and has increased the quantities of honey being purchased by the Commodity Credit Corporations (CCC).

In 1980, honey was acquired by CCC under the price support program for the first time since 1969. Six million pounds of 1980 crop honey were acquired by the Corporation compared with 3 million pounds of 1969 crop honey. In addition, CCC has acquired 38.7 million pounds of 1981 crop honey under the price support program. As of the end of calendar year 1982, CCC had 80 million pounds of 1982 crop honey under loan. It is anticipated that about 60 million pounds of 1982 crop honey will be acquired by CCC.

Furthermore, honey imports have increased substantially in recent years. Initially, the increase in imports of honey was due to a deficit in the domestic supply of honey as the result of declining domestic production. Now, however, because the minimum level of price support is above the market price and the domestic production is being acquired by CCC, honey imports are further replacing the domestic production in the marketplace. This has resulted in increases in costs to the American taxpayer. Without a change in legislation, the continued escalation of the level of price support under the present formula will continue to increase costs to the American taxpayer. It will also further encourage the supplantation of imported honey for that which is domestically produced.

Enactment of this proposed legislation would permit the Secretary to support the price of honey by means of loans, purchases, or other operations using discretionary authority in accordance with section 301 of the Agricultural Act of 1949, as amended. This would allow the price of honey to be supported in a responsible manner, taking into consideration the needs of beekeepers as well as the potential cost to consumers.

The Office of Management and Budget advises that enactment of this proposed legislation would be in accordance with the President's program.

An identical letter has been sent to the Speaker of the House of Representatives.

Sincerely,

JOHN R. BLOCK,
Secretary.

S. 1258

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Agricultural Amendments of 1983".

SEC. 2. Notwithstanding the provisions of sections 107B(b)(1)(C), 105B(b)(1)(C), 103(g)(3)(B) and 101(i)(2)(C) of the Agricultural Act of 1949, the Secretary may prescribe that the established price for the 1984 or 1985 crop of wheat, corn, upland cotton or rice shall be such price as the Secretary determines to be appropriate, but in no case shall the price be less than the minimum established price for the 1983 crop of the commodity.

SEC. 3. Section 416 of the Agricultural Act of 1949 (7 U.S.C. 1431) is amended by—

(1) striking out the last two sentences;

(2) inserting "(a)" immediately after "Sec. 416"; and

(3) adding the following new subsection:

"(b) Agricultural commodities (as defined in section 402 of the Agricultural Trade Development and Assistance Act of 1954) acquired by the Commodity Credit Corporation through price support operations, which the Secretary determines meet the criteria specified in subsection (a), may be furnished by the Secretary for carrying out the provisions of title II of the Agricultural Trade Development and Assistance Act of 1954. The provisions of section 203 of that Act shall apply to commodities furnished under this subsection. The cost of commodities furnished under this subsection and expenses incurred under section 203 of that Act in connection therewith shall be in addition to the level of assistance programmed under that Act and shall not be considered expenditures under that Act for purposes of provisions relating to classification of expenditures.".

DEPARTMENT OF AGRICULTURE,
OFFICE OF THE SECRETARY,
Washington, D.C., March 25, 1983.

Hon. GEORGE H. W. BUSH,
President of the Senate,
Washington, D.C.

DEAR MR. PRESIDENT: Enclosed for the consideration of the Congress is a proposed bill "To improve programs for the stabilization of agricultural prices and production."

This Department recommends enactment of the proposed legislation.

Section 2 of this proposed legislation would amend the Agricultural Act of 1949 by authorizing the Secretary of Agriculture to establish target prices for the 1984 and 1985 crops of wheat, corn, upland cotton and rice at such level as the Secretary determines to be appropriate. However, the level of target prices established could not be less than the level of target prices established for the 1983 crops of these commodities. The Agricultural Act of 1949 currently mandates increases in the target prices for these commodities for the 1984 and 1985 crops. These increases will provide incentives for excessive production at a time when market signals do not call for increases. The increased production will likely result in the Government acquiring large stocks of these commodities under the price support programs. By giving the Secretary the discretionary authority to establish the 1984 and 1985 target prices at not less than the 1983 levels, there would be some assurance that future production would not be stimulated by Government program incentives to build up burdensome surpluses. Moreover, the significant reduction in inflation has eliminated the need for escalating target prices.

Section 3 of the proposed bill would amend Section 416 of the Agricultural Act of 1949 to authorize the donation of agricultural commodities overseas.

Section 416 currently authorizes the Commodity Credit Corporation (CCC) to donate only its stocks of dairy products overseas. However, CCC has surplus stocks of other agricultural commodities which could be used for this purpose. These other commodities, like the dairy products, can be used to help needy people in poor countries. Therefore, we request an amendment to Section 416 to allow the donation overseas of all stocks of agricultural commodities which are held by the Corporation. The expanded authority would be used to alleviate our stock situation and to benefit needy people. Such assistance would be in addition to existing food aid shipments by the United States Government and will be designed so as to assure that there would be no disruption of ongoing commercial trade. We would implement this additional authority in such a way as to meet these requirements. In view of the known magnitude of the malnutrition problem in poor countries, now is the time to take advantage of our excess stocks to remedy this problem.

Further we are requesting an amendment to Section 416 to require such surplus agricultural commodities to be distributed through the procedures established to carry out the provisions of Title II of the Agricultural Trade and Development Act of 1954. This will facilitate the coordination of commodities donated overseas under Section 416 with the existing donations program under Title II.

The Office of Management and Budget advises that enactment of this proposed legislation would be in accord with the President's program.

An identical letter has been sent to the Speaker of the House of Representatives.

Sincerely,

RICHARD E. LYNG,
Deputy Secretary.

S. 1259

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act shall be cited as the Omnibus Marketing User Fee Act of 1983.

TITLE I—FEDERAL MARKETING AGREEMENTS AND ORDERS

SEC. 101. Section (10)(b)(2) of the Agricultural Adjustment Act of 1933 (7 U.S.C. 610(b)(2)) is amended by redesignating subparagraph (iii) as subparagraph (vi) and by inserting new subparagraphs (iii), (iv), and (v) as follows:

"(iii) The Secretary may also prescribe, by regulations promulgated pursuant to Section 553 of Title 5, United States Code, such assessment to be paid by handlers as the Secretary finds are likely to be required to pay all or part of the expenses incurred during each fiscal year for administration of this Act by the Department of Agriculture. Any such assessment made shall be apportioned among all handlers subject to marketing agreements or marketing orders by such method of apportionment as the Secretary finds will be equitable, giving due consideration to differences among the several marketing agreements and orders. Such assessments shall be payable to the authority or agency established to administer the agreement or order and shall be transmitted

by each such authority or agency to the Secretary for application and use as provided in subparagraph (iv). Assessments so prescribed by regulation shall be effective with respect to each marketing agreement and each order affected thereby and the handlers shall be subject to such assessments with the same force and effect us though incorporated in such marketing agreement or order.

"(iv) Any assessments collected pursuant to subparagraph (iii), of this paragraph shall be deposited into a fund and shall be available without regard to fiscal year limitations for the expenses incurred in the administration of this Act as specified in said subparagraph (iii).

"(v) In the event that the expenses of administration of the Act are in excess of receipts from the assessments authorized by subparagraph (iii), and to provide operating capital prior to receipt of assessments, up to $3 million may be transferred from the fund established pursuant to Section 32 of Public Law No. 320, 74th Congress, 49 Stat. 774, 7 U.S.C. 612c, to cover such obligations, without regard to limitations on the use of such fund contained in any appropriation Act: *Provided*, That amounts so utilized shall be reimbursed to the fund established pursuant to Section 32 from subsequent assessments, except for costs associated with a proposed order that fails to be approved.".

SEC. 102. The provisions of this title shall become effective upon date of enactment.

TITLE II—PRINTED REPORTS FOR COTTON AND TOBACCO MARKET INFOMATION AND STATISTICS

SEC. 210. The Cotton Statistics and Estimates Act (7 U.S.C. 471-476) is amended by adding a new section 7 to read:

"SEC. 7. The Secretary of Agriculture may, by regulation, charge and collect such fees as the Secretary may determine to be reasonable to cover costs of postage, printing and handling of marketing infomation and statistics authorized under Sections 1 and 3b of this Act, and the fees collected shall be credited to the account that incurs the cost of such services and shall be available until expended.".

SEC. 202. Section 9 of The Tobacco Inspection Act (7 U.S.C. 511h) is amended by deleting the words "without cost to the grower", and adding at the end thereof a new sentence to read: "The Secretary may, by regulation, charge and collect such fees as the Secretary may determine to be reasonable to cover costs of postage, printing and handling of such marketing information, and the fees collected shall be credited to the account that incurs the cost of such services and shall be available until expended.".

SEC. 203. The provisions of this title shall become effective upon date of enactment.

TITLE III—PLANT VARIETY PROTECTION

SEC. 301. Section 31 of the Plant Variety Protection Act (7 U.S.C. 2371) is amended to read:

"SEC. 31. (a) The Secretary may, under such regulations as the Secretary may prescribe, charge and collect fees sufficient to reimburse the Secretary for all or part of costs incurred in administration of this Act. Such fees and charges shall be deposited into a fund which shall be available without fiscal year limitation for the expenses incurred in the administration of the Act.

"(b) There are hereby authorized to be appropriated such sums as are necessary to carry out the provisions of this Act.".

SEC. 302. The provisions of this title shall become effective October 1, 1983.

TITLE IV—WOOL AND MOHAIR PROMOTION PROGRAMS

SEC. 401. Section 708 of the National Wool Act of 1954 (7 U.S.C. 1787) is amended by adding at the end thereof the following new sentence: "The Secretary may recover by agreement, deduction from price support payments, or otherwise all or part of costs incurred in carrying out the provisions of this section. Fees collected shall be credited to the account that incurs the cost of such services and shall be available until expended.".

SEC. 402. The provisions of this title shall become effective upon date of enactment.

DEPARTMENT OF AGRICULTURE,
OFFICE OF THE SECRETARY,
Washington, D.C., March 24, 1983.

Hon. GEORGE H. W. BUSH,
President, U.S. Senate,
Washington, D.C.

DEAR MR. PRESIDENT: Enclosed for consideration by the Congress is a draft bill "To recover costs associated with Federal marketing agreements and orders, printed reports for cotton and tobacco market information and statistics, plant variety protection, and wool and mohair promotion programs."

The Administration recommends enactment of this draft bill. This legislative proposal is part of the President's fiscal year 1984 Budget and provides for recovery of costs associated with:

Administration of Federal marketing agreements and orders for milk, fruits, vegetables, and certain specialty crops;

Postage, printing and handling of market information and statistics for cotton and tobacco;

Providing plant variety protection; and

Administration of the wool and mohair promotion programs, including costs for conduct of referenda.

Estimated revenues to be generated in fiscal year 1984, as a result of enactment of this legislation, approximate $6.5 million.

Title-by-title summaries of the provisions of the bill are enclosed.

A similar letter has been sent to the Speaker of the House of Representatives.

This legislation would have no significant effect on the quality of the human environment.

The Office of Management and Budget advises that enactment of this proposed legislation would be in accord with the President's program.

Sincerely,

RICHARD E. LYNG,
Acting Secretary.

UNITED STATES DEPARTMENT OF AGRICULTURE

Title I: Proposed Legislation to Recover Costs Associated with the Federal Administration of Marketing Agreements and Orders.

The authority of the Secretary of Agriculture under the Agricultural Adjustment Act of 1933 is currently being used to stabilize marketing conditions for fluid milk, fruits, vegetables, and certain specialty crops. This objective is achieved under Federal milk orders by providing minimum milk prices to farmers and handlers that are reasonable in relation to economic conditions and which will assure consumers at all times of adequate supplies of pure and wholesome milk. In the other commodities mentioned, regulations governing the quality or quantity of shipments are used to achieve similar objectives.

Marketing agreements and orders are administered at the local level by market administrators or committees whose expenses are financed by assessment on regulated handlers. At the national level a portion of the expenses of administration is currently financed by annual appropriations and a major portion by permanent annual appropriation pursuant to Section 32 of the Act of August 24, 1935 (7 U.S.C. 612c).

This title would authorize the Secretary to prescribe, by regulation, assessments to pay all or part of the Department's expenses in administering the Act. The recovery of such costs is consistent with the Administration's economic recovery program to establish fees for the provision of services by the government to identifiable users. Two major principles underlie this principle. One is fairness. It is unfair for the general taxpayer to pay for a service when the benefits are generally restricted to a specific group of users rather than spread among the general public. The other basic concept is the efficient allocation of scarce Federal resources. When users pay for a Federal service, they tend to match its quantity and quality with the cost, as occurs in the free market. When such services are free to the user, he tends to request as high a level as possible, since the general taxpayer bears the costs.

Under the President's budget we estimate that for fiscal year 1984 the cost to be recovered, and the resulting annual savings to the taxpayer, would be not less than $5.8 million.

Upon enactment of this title, the Department would apportion costs among the various orders as equitably as possible. The assessment would be collected by the market administrators and local governing committees. In light of the collection of assessments by the market administrators and committees to cover their costs, the collection of assessments, as would be established under this program, would impose little administrative cost and burden.

Additionally, Title I authorizes a transfer of up to $3 million from the Section 32 account. Such funds would be used to provide approximately six months operating capital prior to the receipt of assessments and for the payment of administrative expenses which are in excess of receipts. Funds transferred from the Section 32 account would be reimbursed from subsequent assessments, except for costs associated with a proposed order that fails to be approved.

Assessments collected under this authority will have no significant impact on retail price levels. The estimated cost impact for each of the marketing agreement and orders is an increase of about 10 percent. For milk, the assessment would equate to about 1/10 of a cent per gallon or 1 cent per 30 gallons. However, for the fruit, vegetable and specialty crop marketing agreements and orders, it is difficult to assess precisely the cost impact due to variables among the numerous commodities covered. For some programs Federal costs may be relatively large compared to current industry costs.

Title II: To Provide for Recovery of Costs Associated with the Postage, Printing, and Handling of Market Information and Statistics for Cotton and Tobacco.

Title II will enable the Department to recover costs associated with the postage, printing and handling of printed market news reports for cotton and tobacco. Pursuant to authority contained in the 1981 Farm

Bill, the Department implemented in fiscal year 1982 a system of user fees for printed market news reports for all commodities except for cotton and tobacco. Enactment of this title would, thus, afford the same treatment to all commodities.

The Market News Program administered by the Department's Agricultural Marketing Service (AMS) provides current reports on prices, supplies, movement, demand, and quality for fruits and vegetables, peanuts, ornamentals, livestock, meat, wool, poultry, eggs, dairy products, grain, sugar, cotton, and tobacco. Timely and equal access to the latest market information and statistics is provided to those who want the information; i.e., farmers, shippers, packers, dealers, processors, wholesalers, and retailers, to help them decide the best time and the best place to buy and sell their products.

The 1981 Farm Bill provided general authority to the Department to recover costs associated with the printing and distribution of certain printed reports and publications. However, because of the language and legislative histories of both the Cotton Statistics and Estimates Act and The Tobacco Inspection Act, printed market news reports are currently provided without charge to recipients of cotton reports, as well as tobacco growers. To provide uniformity and consistency in the administration of the total Market News Program, this legislation is proposed to provide explicit authority for the Department to charge postage, printing and handling costs for market information and statistics for cotton and tobacco.

Consistent with the President's budget for fiscal year 1984, we anticipate revenues under this title to approach about $300,000 annually, and outlays to be reduced in the same amount.

The Department initiated action in fiscal year 1982 to charge annual subscription rates for printed market news reports, except for cotton and tobacco. Subscription rates were based on the frequency of mailings, the number of pages, postage costs, and other factors invovled at the time of implementation. A similar plan will be instituted for printed cotton and tobacco market news reports upon passage of this title.

The Department urges enactment by the Congress of this title so that the Department will be able to establish subscription rates for printed market news reports for all commodities in an orderly and uniform manner.

Title III: To Recover the Cost of Providing Plant Variety Protection.

The Plant Variety Protection Act (PVPA), enacted December 24, 1970, provides patentlike protection for a period of eighteen years to developers of new varieties of plants which are reproduced by seeds. Protection under the PVPA is currently afforded to more than 350 species of plants which include field crops, vegetable crops, and ornamentals. Participation is entirely voluntary.

Plant variety protection certificates are granted on the basis of novelty as documented in the breeder's application. Information provided by the breeder is stored and maintained in a computerized data base, along with descriptive characteristics of all known varieties, protected and non-protected. Such information is utilized by the Plant Variety Protection Office in the search process in order to determine if the variety described in the application is unique.

From the time regulations implementing the PVPA were promulgated in November 1972 until November 1982, a fee of $750 was charged to those granted certificates of protection, or exclusive property rights to sell, advertise, or license others to sell seed of a novel plant variety. The fee was increased to $1,500 in November 1982. Fees collected are deposited to Miscellaneous Receipts in the U.S. Treasury as required by law. However, these fees have never covered the full costs of operating the program, which have risen from less than $2,000 per application nine years ago to as much as $3,600 in recent years.

The sole source of funds for operating the program since its inception has been annual appropriations. In view of the special identifiable benefits which accrue to breeders from this type of protection, we believe it is in the public's interest to place the program on a cost-recovery basis, and that fairness demands that we stop asking the general taxpayer to bear these costs. We are currently taking steps to reduce the costs of this program to $2,000 to $2,500 per application. This reduction in costs will be achieved by reducing the amount of search time as well as the volume of information currently stored in the computer base. These and similar measures recommended by the PVP Board are expected to result in improved program efficiency and productivity, and offer recipients the same protection they currently enjoy without placing an unfair burden on the taxpayers.

Under Title III, breeders of novel varieties of sexually-reproduced plants would continue to be charged a fee for protection under the Act. However, fees collected would be deposited to a fund available for expenditure by the program without fiscal year limitation. Such fees would be sufficient to reimburse the Secretary for all or part of the costs incurred in administration of the Act.

At the beginning of fiscal year 1983, we had 232 applications in process. We expect this number to increase in fiscal year 1983, depending on industry reaction to the 1982 increase in fees and efforts currently underway to increase program efficiency and productivity. Therefore, limited appropriations of $214,000 have been requested for fiscal year 1984 to process pending applications during the transition from an appropriated basis to full cost recovery user-fee funding. We anticipate that not less than $350,000 of the program's estimated costs for fiscal year 1984 will be derived from user fees.

Title IV: To Recover Costs Incurred in the Administration of the Promotion Programs for Wool and Mohair

Title IV would amend Section 708 of the National Wool Act of 1954 to authorize the Secretary of Agriculture to recover costs incurred in the administration of the promotion programs for wool and mohair.

The Department provides oversight under several statutes over research, education and promotion programs for a number of agricultural commodities. With the exception of wool and mohair, the Department is reimbursed for most of the costs it incurs in the oversight of commodity promotion type programs. This proposed amendment would place wool and mohair on a comparable basis with other commodities that have such programs.

Under this title, the Department proposes to recover all or part of costs incurred in carrying out its responsibilities pursuant to Section 708. Funding for Department costs would be derived from money which producers have set aside for promotion and other purposes from the payments they receive under the National Wool Act.

The fiscal year 1983 appropriation was reduced by $23,000 in anticipation of enactment of wool user fee legislation. However, the costs associated with research and promotion programs will increase by at least $12,500 as a result of the mohair program's approval in a December 1982 referendum. Therefore, the fiscal year 1984 costs of these programs will be something over $35,500. However, since wool and mohair referenda are conducted every 4 years, outlays will then be further reduced every fourth year by approximately $128,000 for wool and $3,500 for mohair because referenda costs will be charged to producers. These costs represent about 1/10 of 1 percent of the value of wool production and about 1/100 of 1 percent of the value of mohair production for those years when referenda are held.

Upon enactment of this title, it would be too costly to hold referenda to address reimbursing the Department's annual costs. Therefore, as an interim measure and until the next referenda are conducted in 1986, the Department will seek to recoup such costs pursuant to Memoranda of Understanding with the respective organizations carrying out authorized programs.

S. 1260

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in order to insure that the construction of roads and trails on the lands of the National Forests proceeds in an orderly and efficient manner, that paragraph of the Act of March 4, 1913, as amended, requiring that 10 percent of all moneys received from the National Forests during each fiscal year shall be available for the construction and maintenance of roads and trails within the National Forests in States from which such proceeds are derived (37 Stat. 843, as amended; 16 U.S.C. 501), is hereby repealed.

DEPARTMENT OF AGRICULTURE,
OFFICE OF THE SECRETARY,
Washington, D.C., April 20, 1983.

Hon. GEORGE BUSH,
President of the Senate,
Washington, D.C.

DEAR MR. PRESIDENT: Transmitted herewith, for the consideration of Congress, is a draft bill "To repeal that paragraph of the Act of March 4, 1913, as amended, that designates 10 percent of all National Forest receipts for the construction of roads and trails on the National Forests (37 Stat. 843)."

The Department of Agriculture recommends introduction and enactment of the draft bill.

The proposed legislation would repeal a paragraph of the Act of March 4, 1913 (37 Stat. 843, as amended; 16 U.S.C. 501). This paragraph requires that 10 percent of all moneys received from activities on the National Forests during each fiscal year shall be available for construction and maintenance of roads and trails on National Forests in those States from which the receipts were derived.

This account has not been used since fiscal year 1981 and serves no useful purpose. It is very difficult to estimate the funds available for this account since an estimate must be made of the anticipated National Forest receipts 2 years in advance of the fiscal year that they will be received. This estimate then must be included as a part of the overall appropriation process. A road construction program partially dependent on these funds may be adversely affect-

ed when estimates exceed actual receipts. Supplemental appropriations may become necessary to maintain the originally budgeted program level. The bulk of the National Forest road construction program appears in the Forest Service budget under two other items: (1) an annual appropriation for forest road construction; and (2) a permanent appropriation from a working fund for timber purchaser roads constructed by the Forest Service. As a practical budgetary procedure, the 10 percent road fund is merged with the first item.

We believe that the purpose of the paragraph in the 1913 Act would be better served if the forest road construction program were financed entirely through the appropriation process, and the earmarking of National Forest receipts for this purpose eliminated. Forest Service appropriations for fiscal years 1982 and 1983 provided a limited resolution of the problem to which this draft bill is directed. We believe that a permanent solution would be preferable to dealing with the situation on a year-to-year basis.

The proposed legislation would not require additional budget outlays by the Federal Government. Its enactment would have no significant effect upon the quality of the human environment.

The Office of Management and Budget advises that there is no objection to the presentation of this proposed legislation from the standpoint of the Administration's program.

A similar letter is being sent to the Speaker of the House of Representatives.

Sincerely,

JOHN R. BLOCK,
Secretary.

Enclosure.

S. 1261

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in order to increase the effectiveness of domestic fire fighting forces and to ensure prompt and effective control of wildfires on Federal lands, the Act of May 27, 1955 (69 Stat. 66; 42 U.S.C. 1856-1856d), providing for fire protection agreements and assistance between agencies of the United States Government and other fire organizations, is amended as follows:

(1) In section 1(c), insert a period after "country" and delete the remainder of the sentence;

(2) In the first sentence of section 2(a), delete the comma after "agreement" and delete "in the vicinity of such property,"; and

(3) In section 3, delete ", within the vicinity of any place at which such agency maintains fire-protection facilities,".

DEPARTMENT OF AGRICULTURE,
OFFICE OF THE SECRETARY,
Washington, D.C., April 15, 1983.

Hon. GEORGE BUSH,
President of the Senate,
Washington, D.C.

DEAR MR. PRESIDENT: Transmitted herewith for the consideration of Congress is a legislative proposal "To amend the Act of May 27, 1955 (69 Stat. 66; 42 U.S.C. 1856-1856d), to permit the use of fire fighting forces of foreign nations and reimbursement of such forces for costs incurred in fighting wildfires throughout the United States, and for other purposes."

The Department of Agriculture recommends introduction and enactment of the draft bill.

The proposed legislation seeks to improve the wildfire fighting capability of the Federal Government. The draft bill would broaden the provisions of the Act of May 27, 1955 (69 Stat. 66; 42 U.S.C. 1856-1856d), to allow the Federal Government to reimburse foreign governments, including agencies and subdivisions thereof, and foreign private corporations and associations, for costs they incur in wildfire prevention and suppression activities on Federal lands within the United States. Present law restricts reimbursement of fire fighting organizations of foreign nations to such activities "in the vicinity of any installation of the United States". One of the major purposes of the 1955 Act was to ensure adequate fire protection for United States facilities throughout the world. The proposed amendment would permit fire fighting organizations of foreign nations to assist in fighting wildfires on Federal lands in the United States. The assistance would involve both manpower and equipment.

The proposed legislation would allow the fire fighting resources of the Canadian provinces, for example, to supplement those of the United States during periods of extreme wildfire emergency. Catastrophic wildfire situations in the Western States, such as those that occurred in 1973 and 1977, require the commitment of all available Federal and State forces. Canadian forces could have been effectively used on each of those occasions to supplement domestic forces and to provide backup. Further, there are situations where it would be more cost-effective to use Canadian forces than to transport Federal or State forces from more distant locations. It is estimated that the need for such assistance from foreign governments would occur 2 to 3 times each decade.

It is estimated that the impact on the Department of Agriculture's budget would be approximately $1,000,000 over a 5-year period. Fighting forest fire (FFF) funds would be used for this purpose in the same manner as they are now used to pay Federal agency costs. The irregular and less than annual occurrence of wildfire emergencies make an annual budget impact estimate inappropriate.

Enactment of the proposed legislation would complement a memorandum of understanding regarding cooperation on forestry-related programs between the Department of Agriculture and Environment Canada and signed June 25, 1982. This agreement calls for mutual assistance in program planning, program operation (including emergency fire situation) and the sharing of information. Enactment of the proposed legislation would have no significant effect upon the quality of the human environment.

The Office of Management and Budget advises that there is no objection to the presentation of this proposed legislation from the standpoint of the Administration's program.

A similar letter has been sent to the Speaker of the House of Representatives.

Sincerely,

JOHN R. BLOCK,
Secretary.●

By Mr. GRASSLEY:

S. 1262. A bill to amend the Internal Revenue Code of 1954 to improve Internal Revenue Service procedures concerning investigations and audits of churches, and for other purposes; to the Committee on Finance.

CHURCH AUDIT PROCEDURES ACT OF 1983

● Mr. GRASSLEY. Mr. President, I rise to introduce a bill establishing clearer church audit procedures for the IRS. The Internal Revenue Code prohibits the examination of the religious activities of churches except to the extent necessary to determine if the organization is a church and limits the examination of a church's books and records to determine the amount of tax owed. However, some churches have been caught in expensive and time-consuming entanglements with the IRS trying to preserve their rights as set forth by Congress.

I am introducing this legislation to encourage a rigorous analysis of this important topic. Religious organizations associated with mainline, evangelical and fundamental churches have argued that a set of audit procedures and rights should be set forth in the statute to give churches guidance in how best to pursue their disputes with the Internal Revenue Service. This legislation will also give the IRS instruction on how they should proceed with an audit which potentially affects a church's right to freely exercise their religion without state interference.

Under current law, a church does not need to file an exemption with the IRS to receive tax-exempt status. The Internal Revenue Service generally examines churches for three reasons: first, to determine if the charitable contribution deductions claimed by the church members were received by the church; second, to determine if a church has unrelated business income which is subject to tax; and third, to determine if a church is indeed a religious organization entitled to claim tax-exempt status. Obviously, legitimate church organizations have no interest in seeing the proliferation of tax shelters disguised as religious organizations. Nevertheless, churches have legitimate concerns about the scope of the IRS attempt to determine who is entitled to tax-exempt status.

This bill requires the IRS to specify the legal and factual issues which have given rise to their preexamination request for information and an explanation of why the IRS has determined an examination might be necessary. The bill also requires the IRS to explain its examination procedures and provide the church with an opportunity to meet the IRS to respond to questions prior to the initiation of an investigation or an audit. Since churches are not required to file income tax returns if they have no unrelated business income, the bill sets a 3-year statute of limitations on prior years eligible for audit. This provision may need refinement to avoid a poten-

tial problem when a church has never filed a return to report unrelated business income which was properly reportable.

Additionally, this legislation requires the IRS to complete their investigation within 1 year after commencement of an investigation or an examination. A provision is also included which waives the exhaustion of remedies requirement if a church has received a notice from the IRS that its tax-exempt status will be revoked.

All of these provisions need careful study. Many of the investigations of churches do not reach the adjudication stage. Thus, many of the problems these organizations have faced have not surfaced. Information about difficulties encountered by churches will be helpful in enabling Congress to make this legislation as effective as possible in remedying problems.

I urge my colleagues to join me in cosponsoring this legislation and assisting me in crafting legislation which protects the civil liberties of churches without jeopardizing the enforcement efforts of the IRS in stopping unlawful tax shelters.●

By Mr. HELMS (by request):

S. 1263. A bill to amend and extend the Federal Insecticide, Fungicide, and Rodenticide Act, as amended, for 2 years; to the Committee on Agriculture, Nutrition, and Forestry.

FEDERAL INSECTICIDE, FUNGICIDE, AND RODENTICIDE ACT AUTHORIZATION

● Mr. HELMS. Mr. President, at the request of the Environmental Protection Agency, I introduce a bill proposed by EPA "to amend and extend the Federal Insecticide, Fungicide, and Rodenticide Act, as amended, for 2 years."

The bill would amend section 25(d) of FIFRA to extend the activities of the Scientific Advisory Panel through September 30, 1988. The bill would also extend the EPA's appropriation authority under FIFRA through September 30, 1985.

Mr. President, I ask unanimous consent that the text of the bill and EPA's transmittal letter be printed in the RECORD.

There being no objection, the bill and later were ordered to be printed in the RECORD, as follows:

S. 1263

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 25(d) of the Federal Insecticide, Fungicide, and Rodenticide Act, as amended (7 U.S.C. 136w), is amended by striking "September 30, 1981" and inserting in lieu thereof "September 30, 1988".

SEC. 2. Section 31 of the Federal Insecticide, Fungicide, and Rodenticide Act, as amended (7 U.S.C. 136y), is amended by adding at the end thereof the following new sentence: "There are hereby authorized to be appropriated to carry out the provisions of this Act for the period beginning October 1, 1983, and ending September 30, 1984, $46,624,400 and for the period beginning October 1, 1984, and ending September 30, 1985, such sums as may be necessary.".

U.S. ENVIRONMENTAL PROTECTION AGENCY,
Washington, D.C., May 10, 1983.

Hon. GEORGE BUSH,
President of the Senate,
Washington, D.C.

DEAR MR. PRESIDENT: Enclosed is the Environmental Protection Agency's proposed bill "To amend and extend the Federal Insecticide, Fungicide, and Rodenticide Act, as amended, for two years."

This bill would amend Section 25(d) of the Act to extend the activities of the Scientific Advisory Panel and section 31 of the Act to extend the Environmental Protection Agency's appropriation authorities through fiscal year 1985. These authorities expired on September 30, 1981.

Section 25(d) of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) established the Scientific Advisory Panel (SAP) to advise the Environmental Protection Agency (EPA). The SAP is comprised of seven members chosen from among twelve nominees—six nominated by the National Institutes of Health and six nominated by the National Science Foundation. The Act requires that all proposed and final regulations issued under section 25(a) and proposed cancellations or changes in the classification of pesticides be submitted to the SAP for comment as to their impact on health and the environment. Further, the SAP is empowered to advise the Administrator on improving the Agency's scientific analyses conducted pursuant to FIFRA. The present language of the statute required the panel to terminate its activities at the end of fiscal year 1981.

Since its establishment in 1976, the SAP has been active in several areas. In 1979 twelve meetings were held to deal with five regulation proposals and four cancellations. During 1980, thirteen meetings were held covering six regulations and four cancellation classification actions. In addition, the panel assisted EPA with a scientific review of six issues of concern to public health. The SAP has been regarded by the scientific community, the agricultural community, the chemical industry, and the Congress as an important checkpoint for EPA actions under the FIFRA. Under the Act, EPA's charge is to insure that pesticides do not cause "unreasonable adverse effects on the environment, taking into account the economic, social, and environmental costs and benefits of the use of any pesticides." The SAP serves the vital function of providing information on health and environmental effects of proposed EPA actions and of providing objective and scientifically rigorous review. The various interested parties to pesticide regulatory actions are inclined to view a SAP opinion as objective and therefore to accept it, which is crucial if our pesticide regulatory program is to progress.

The Agency has determined that the SAP's continuing review of Agency actions is an essential element of the difficult decisionmaking processes under the FIFRA. The panel's past record has been exemplary. Section 1 of the enclosed draft bill, therefore, would amend the Act to extend the life of the SAP for another five years through fiscal year 1988.

The estimated annual operating cost of the SAP is $100,000, which includes an allowance for 2.0 workyears of staff support provided by the Office of Pesticide Programs. This amount has been included in the President's Budget for fiscal year 1984.

Enactment of Section 2 of the enclosed draft bill would enable the Environmental Protection Agency to continue the non-research programs envisioned by the Federal Insecticide, Fungicide and Rodenticide Act. We have requested extension of related research and development appropriation authorities in another draft bill, "The Environmental Research, Development and Demonstration Authorization Act of 1984." The enclosed draft bill provides appropriation authorization for our non-research activities under the Act, including developing and processing registration standards for pesticide ingredients; reviewing and registering new pesticide products; classifying pesticide products for general or restricted use; establishing a minimum level of pesticide residue tolerances for food and feed commodities; assistance to State pesticide regulatory agencies for enforcement and for training and certification of pesticide applicators, and funds for basic operating expenses and salaries. In 1984, the enforcement program reflects a shift of more responsibility to the States.

We recommend that this proposal be referred to the appropriate Committee and that it be enacted.

Our request for appropriation authorizations for fiscal year 1984 under the Federal Insecticide, Fungicide, and Rodenticide Act is $46,624,400. This is the amount requested in the President's 1984 Budget for these activities.

The Office of Management and Budget advises that enactment of this legislative proposal would be in accord with the program of the President.

Sincerely yours,

LEE L. VERSTANDIG,
Acting.●

By Mr. QUAYLE:

S. 1264. A bill to require extended coverage under group health plans for employees who become unemployed, to provide grants to States for health benefit programs for unemployed workers, and for other purposes; to the Committee on Labor and Human Resources.

HEALTH BENEFITS FOR UNEMPLOYED WORKERS

● Mr. QUAYLE. Mr. President, following 2 days of extensive hearings on health benefits for the unemployed, I am today introducing S. 1264, a bill to provide a temporary program to serve the preventive health care needs of unemployed Americans. On May 3, 1983, I heard testimony from 15 witnesses in my capacity as chairman of the Employment and Productivity Subcomittee. Those witnesses convinced me that something should be done in this area and I am very pleased that the Senate decided to provide funds for such a program in the budget resolution, together with an offsetting revenue increase.

Mr. President, first of all I would like to say that any solution to the problem of providing these health care benefits must include an equitable distribution of the burdens and sacrifices that such a program will entail. Employers, insurance companies, health

care providers, the working public, and the unemployed must all contribute to making this program work. Employers must do their share by offering open enrollment for spousal and dependent coverage and extended coverage of laid-off employees for a full 90 days after the date of layoff. During the second 90 days after layoff they must offer former employees the option of coverage under the group plan, but with the employee responsible for the full premium. Insurance providers must do their share by working with employers to provide these benefits at a reasonable cost. Health care providers must do their share, as they have in the past, by offering their services at no cost or reduced cost to those who are either not eligible for these services or whose particular affliction is not treatable within the confines of this bill.

I am delighted to report that many witnesses came forward at my hearings to support provisions which my proposal contains. For example, the National Association of Manufacturers and the Washington Business Group on Health said that open enrollment for family coverage and extended health insurance benefits under group plans and at group rates would be feasible for most employers. Providers of health care services, while they affirmed that many physicians and hospitals are already providing care at reduced cost or no cost, strongly supported the need for a public program to attend to the need for preventive health care services. I was also pleased that OMB Director David Stockman agreed that the solution to this problem cannot come totally from the public, but must come from private efforts as well.

In response to these and other recommendations, my proposal addresses the problem from two angles. First, my proposal expands the current system of employment-based health insurance to provide better protection for the unemployed. Second, it provides for a temporary public program during the current high unemployment period to help those persons who cannot be served through the existing system. Accordingly, my proposal provides for an extension of availability of group health insurance for the first 6 months of unemployment: The first 3 months to be financed under the same conditions as during employment and the second 3 months at the cost of the former employee. It provides a block grant to the States for meeting the needs, and particularly the preventive health care needs, of persons who have been unemployed for over 6 months and who were eligible for unemployment compensation. The authorization of appropriations for this program is contingent on the enactment of a revenue measure that will fund the program.

I plan to offer this bill as an amendment to S. 242 which will be marked up in the full Labor and Human Resources Committee next week.

I ask unanimous consent to insert in the RECORD at this point a brief explanation and the text of the bill.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

S. 1264

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SHORT TITLE

SECTION 1. This Act may be cited as the "Health Benefits for Unemployed Workers Act of 1983".

EXTENDED COVERAGE UNDER GROUP HEALTH PLANS

SEC. 2. (a)(1) Section 1310(a)(1) of the Public Health Service Act is amended, in the matter following subparagraph (B), by inserting after "such calendar quarter" the following: "the extended coverage and open enrollment required under paragraph (2), and ".

(2) Section 1310(a) of such Act is amended by redesignating paragraph (2) as paragraph (3) and inserting after paragraph (1) the following new paragraph:

"(2) The requirements of this paragraph are met only if any health benefits plan offered to such employees provides—

"(A) that any such employee who is covered by such a health benefits plan may elect to remain covered under such plan for a period of at least 90 days after such employee is involuntarily terminated (other than for cause) as such an employee, and such coverage shall be provided at the same premium (or similar charge) charged for such coverage immediately before such termination of employment;

"(B) that any employee described in subparagraph (A) may elect to remain covered under such plan for an additional period (after the period described in subparagraph (A)) of at least 90 days, but with the employee responsible for the total premium (or similar fee); and

"(C) for an open enrollment period—

"(i) of at least 30 days duration for each married employee who is (or at a previous time was) eligible to enroll under the plan and whose spouse loses coverage under a group health plan due to the involuntary termination (other than for cause) of the spouse's employment, which shall begin on the day after (or within 7 days before) the date the spouse loses such coverage; and

"(ii) the terms of which shall be the same as the terms (including any option for coverage of immediate family members) most recently offered with respect to the enrollment of that employee or (at the employer's, State's, or political subdivision's option) to newly hired or other employees similarly situated, except that such enrollment may not require or discriminate on the basis of lack of evidence of insurability and if the employee was previously covered and only exercised the option to cover immediate family members there may be no delay in the coverage of such immediate family members.".

(b) The amendments made by subsection (a) shall become effective on January 1, 1984.

BLOCK GRANTS TO STATES FOR HEALTH CARE BENEFITS FOR UNEMPLOYED WORKERS

SEC. 3. (a) Part A of title XIX of the Public Health Service Act is amended by adding at the end thereof the following:

"Subpart 2—Grants to States for Health Care Benefits for Unemployed Workers

"AUTHORIZATION OF APPROPRIATIONS

"SEC. 1910. (a) For the purpose of carrying out the provisions of this subpart, there are authorized to be appropriated $200,000,000 for fiscal year 1983, $900,000,000 for fiscal year 1984, and $700,000,000 for fiscal year 1985.

"(b) Amounts authorized under subsection (a) are authorized only if, after June 1, 1983, there is enacted an Act which increases the net revenues of the United States for fiscal year 1983, 1984, and 1985 by not less than the amounts authorized under subsection (a) for each such fiscal year.

"USE OF FUNDS

"SEC. 1910A. (a) From the amounts allotted to States under section 1910C, the Secretary shall make grants to States for use in carrying out health benefit programs for eligible individuals.

"(b) For purposes of this subpart, a health benefit plan means a plan which provides preventive health services, pregnancy, prenatal, and postpartum services, and such other health care services as the State may determine to include in the plan.

"(c)(1) For purposes of this subpart, except as provided in paragraph (3), a State must include as an eligible individual—

"(A) any individual who—

"(i) was receiving regular unemployment compensation but has exhausted his rights to such compensation with respect to his recent benefit year (as determined under applicable law) ending no earlier than January 1, 1983 and no later than September 30, 1985;

"(ii) is unemployed; and

"(iii) has been unemployed for not less than 26 weeks after the beginning of his most recent benefit year; and

"(B) the spouse and minor children of an unemployed individual described in subparagraph (A).

"(2) The State may include as eligible individuals, except as provided in paragraph (3), other individuals as the State may determine to be appropriate.

"(3) No individual shall be an eligible individual if such individual is eligible for health care under any other public program, is covered under a group health plan, or is eligible for coverage under a group health plan available to such individual by reason of the employment of the individual's spouse.

"PROVISION OF HEALTH CARE

"SEC. 1910B. A state may use funds provided under this subpart to provide health care, directly or through insurance or otherwise, for eligible individuals. The State may (but need not necessarily)—

"(1) provide partial or total payment of health insurance premiums.

"(B) establish group health insurance for unemployed workers and their families.

"(C) take into account income or assets in structuring benefits or determining premium payments, or

"(D) provide for cost-effective financing and delivery structures such as competitive bidding among carriers or providers, or capitation reimbursement systems, while taking into account the existence of related programs or financing structures in given areas.

"ALLOCATION AND PAYMENT OF FUNDS

"SEC. 1910C. (a) The Secretary shall allot the amount appropriated to carry out this subpart for any fiscal year among the States as follows:

"(1) One-third of such amount shall be allotted among the States on the basis of the relative number of unemployed individuals who reside in each State as compared to the total number of unemployed individuals in all the States.

"(2) One-third of such amount shall be allotted among the States on the basis of the relative excess number of unemployed individuals who reside in each State as compared to the total excess number of unemployed individuals in all the States. For purposes of this paragraph, the term "excess number" means the number which represents unemployed individuals in excess of 6 percent of the civilian labor force in the State.

"(3) One-third of such amount shall be allotted among the States on the basis of the relative number of individuals who have been unemployed for fifteen weeks or more and who reside in each State as compared to the total number of such individuals in all the States.

"(b) Allotments shall be made on the basis of the most recent twelve-month period, preceding the month in which the Secretary makes such allotments, for which adequate data is available.

"(c) The Secretary is authorized to reallot any amount of any allotment to a State to the extent that the Secretary determines that the State will not be able to obligate such amount within one year of allotment.

"(d) From its allotment under subsection (a), the Secretary shall make payments to each State in accordance with section 203 of the Intergovernmental Cooperation Act of 1968, for use under this subpart.

"APPLICATIONS AND REQUIREMENTS

"SEC. 1910D. (a)(1) Each State desiring to receive an allotment for any fiscal year under this subpart shall submit an application to the Secretary. Each such application shall be in such form as the Secretary shall require. Each such application shall contain assurances by the chief executive officer of the State that the State will meet the conditions enumerated in subsection (b) or incorporated by reason of subsection (c).

"(2) After the expiration of the first fiscal year for which a State receives funds under this subpart, no funds shall be allotted to such State for any fiscal year under this subpart unless such State conducts public hearings with respect to the proposed use and distribution of funds to be provided under this subpart for such fiscal year.

"(b) As part of the annual application required by subsection (a), the chief executive officer of each State shall certify that the State agrees to—

"(1) use the funds available under this subpart for the purpose of carrying out health benefit programs in accordance with the requirements of this subpart;

"(2) conduct outreach activities designed to assure that eligible individuals are made aware of the assistance provided under this subpart;

"(3) coordinate its activities under this subpart with similar and related programs administered by the Federal Government and such State; and

"(4) provide that—

"(A) in each fiscal year, the State may use for planning and administering health benefit programs under this subpart an amount not to exceed 10 per centum of its allotment under this subpart for such fiscal year; and

"(B) the State will pay from non-Federal sources the remaining costs of planning and administering the programs assisted under this subpart and will not use Federal funds for such remaining costs.

"(c) Except where inconsistent with the provisions of this subpart, the provisions of sections 1903(b), 1906, 1907, 1908, and 1909 of this part shall apply to this subpart in the same manner as they apply to subpart 1 of this part.".

(b) Part A of title XIX of the Public Health Service Act is amended—

(1) by amending the heading to such part to read as follows:

"PART A—PREVENTIVE HEALTH, HEALTH SERVICES, AND HEALTH BENEFITS FOR THE UNEMPLOYED BLOCK GRANT PROGRAMS";

(2) by inserting after the heading of such part the following:

"Subpart 1—Preventive Health and Health Services Block Grants";

and

(3) by striking out "this part" and inserting in lieu thereof "this subpart" each place it appears in sections 1902(d)(1)(A), 1902(d)(1)(B), 1904(a)(1), 1904(b), 1905(c)(1), 1905(c)(3), 1905(c)(6), 1905(c)(8), and 1905(d).

(c) The amendments made by this section shall become effective on the date of the enactment of this Act.

HEALTH PROTECTION FOR THE UNEMPLOYED

1. Increasing health protection through the private sector

a. Require continuation of coverage under an employer's group policy for at least 90 days after lay-off. Cost-sharing between employer and employee to remain as it was during the employment period.

b. Require employers to continue the unemployed worker in the employer's group for another 90 days after lay-off but with total premium cost to be borne by the laid-off employee.

c. Require employers to permit working employees to elect health insurance coverage within 30 days after spouse loses coverage due to unemployment.

d. The above requirements would not apply to small businesses with 25 or fewer employees.

e. Effective date: January 1, 1984

2. Increasing health protection through the public sector.

a. Provide a block grant to the States of $200 million for fiscal year 1983, $900 million for fiscal year 1984 and $700 million in fiscal year 1985. Authorization to be contingent upon the enactment of a revenue increase in the amount of the authorization.

b. States must use funds to provide or finance prenatal and postpartum care, pregnancy, immunizations and preventive health services. Other uses are discretionary with State.

c. Eligible persons are those with prior employment who have at least six months of unemployment and are ineligible for health insurance coverage under a spouse's group plan.

d. State has broad discretion in how to provide or finance services.●

By Mr. TOWER (for himself, Mr. GARN, Mr. HEINZ, Mr. ARMSTRONG, Mr. D'AMATO, Mr. GORTON, Mrs. HAWKINS, Mr. MATTINGLY, Mr. HECHT, Mr. TRIBLE, Mr. PROXMIRE, Mr. CRANSTON, Mr. RIEGLE, Mr. SARBANES, Mr. DODD, Mr. DIXON, Mr. SASSER, Mr. LAUTENBERG, and Mr. GRASSLEY):

S.J. Res. 98. A joint resolution to designate October 2 through October 9, 1983, as "National Housing Week"; to the Committee on the Judiciary.

NATIONAL HOUSING WEEK

● Mr. TOWER. Mr. President, today it is my pleasure to introduce Senate Joint Resolution 98, which designates the week of October 2-9, 1983, as "National Housing Week."

In all economic recoveries one of the earliest and most consistent signs of renewed vigor in the commercial and industrial sectors occurs in the area of housing construction. Total housing starts in the first quarter of this year, currently at a 1.7 million unit annual rate, are nearly twice the level of just 1 year ago. And, this marks the highest level in 3½ years. Starts in the single-family sector are up 83 percent over a similar period in 1982, with first quarter housing permits being up 80 percent over first quarter 1982.

Mr. President, it is my understanding—based on analysis provided my Subcommittee on Housing and Urban Affairs—at this stage of the business cycle, five quarters from the housing trough of October 1981, that this is the strongest housing recovery since World War II. The some-95-percent gain in total home starts since those dark days of October 1981 is nearly twice the 49-percent increase which was generated in the comparable five-quarter period of the best previous housing recovery—that of 1975-76. Furthermore, Mr. President, the current upturn substantially exceeds the 55-percent increase in housing starts achieved during the entire period of the average of the seven postwar recoveries.

The best possible service that the Congress and this administration can provide the housing industry and the economy in general is to continue to fight and win on the inflation front and in the reduction of massive Federal budget deficits. Lower inflationary expectations will cause further reduction in long- and short-term rates. This is what will return our Nation to work, recoup the purchasing power of our dollar, and make our homes affordable.

Mr. President, I urge my colleagues to join in supporting this resolution which pays tribute to those homebuilders and all those related industries and tradesmen who continue to lead our economy forward.●

● Mr. D'AMATO. Mr. President, I am proud to cosponsor this resolution which so aptly credits this Nation's housing industry for its strong leadership in promoting the economic health and well-being of this country. Perhaps no other industry can give us a

more accurate indication of our economy's performance than can the housing industry. Thus, Mr. President, when the housing industry prospers, America prospers. America prospers in jobs, tax revenues, and in the fulfillment of the American dream of homeownership.

The housing industry has repeatedly demonstrated its faith in the recovery of America by investing in its future. Thus, it is important and appropriate, Mr. President, that the Congress, in return, demonstrate its support for the housing industry by passage of this resolution declaring October 2-9, 1983 "National Housing Week."●

ADDITIONAL COSPONSORS

S. 137

At the request of Mr. ROTH, the name of the Senator from New Hampshire (Mr. RUDMAN) was added as a cosponsor of S. 137, a bill to amend the Internal Revenue Code of 1954 to continue to allow mortgage bonds to be issued.

S. 212

At the request of Mr. PRESSLER, the name of the Senator from Vermont (Mr. STAFFORD) was added as a cosponsor of S. 212, a bill to authorize funds for the U.S. Travel and Tourism Administration.

S. 402

At the request of Mr. MOYNIHAN, the name of the Senator from New Jersey (Mr. LAUTENBERG) was added as a cosponsor of S. 402, a bill to reenact the Emergency School Aid Act.

S. 553

At the request of Mr. HART, the name of the Senator from New Jersey (Mr. LAUTENBERG) was added as a cosponsor of S. 553, a bill to authorize a national program of improving the quality of education.

S. 688

At the request of Mr. HATFIELD, the names of the Senator from New Hampshire (Mr. RUDMAN), the Senator from Connecticut (Mr. WEICKER), and the Senator from Hawaii (Mr. INOUYE) were added as cosponsors of S. 688, a bill to provide that unless the Government of El Salvador actively participates in negotiations with all major parties to the conflict which are willing to participate unconditionally in negotiations for the purpose of achieving a cease-fire and an equitable political solution to hostilities, U.S. military support for El Salvador shall be terminated, with military assistance funds to be transferred for use for development and humanitarian assistance.

S. 786

At the request of Mr. PRESSLER, the name of the Senator from Rhode Island (Mr. PELL) was added as a cosponsor of S. 786, a bill to amend title 38, United States Code, to establish a service-connection presumption for certain diseases caused by exposure to herbicides or other environmental hazards or conditions in veterans who served in Southeast Asia during the Vietnam era.

S. 1144

At the request of Mr. HEINZ, the name of the Senator from Ohio (Mr. GLENN) was added as a cosponsor of S. 1144, a bill to suspend periodic reviews of disability beneficiaries having mental impairments pending regulatory reform of the disability determination process.

S. 1145

At the request of Mr. DENTON, the names of the Senator from New Mexico (Mr. DOMENICI), the Senator from Rhode Island (Mr. PELL), and the Senator from Nebraska (Mr. ZORINSKY) were added as cosponsors of S. 1145, a bill to recognize the organization known as the Catholic War Veterans of the United States of America, Inc.

S. 1159

At the request of Mr. HATFIELD, the names of the Senator from Louisiana (Mr. JOHNSTON), the Senator from Rhode Island (Mr. PELL), and the Senator from New York (Mr. D'AMATO) were added as cosponsors of S. 1159, a bill to amend the Export Administration Act of 1979 to extend the provisions relating to the export of domestically produced crude oil.

SENATE JOINT RESOLUTION 42

At the request of Mr. MURKOWSKI, the names of the Senator from South Dakota (Mr. ABDNOR), the Senator from South Carolina (Mr. HOLLINGS), the Senator from Arizona (Mr. GOLDWATER), the Senator from Florida (Mrs. HAWKINS), the Senator from Illinois (Mr. DIXON), the Senator from North Carolina (Mr. HELMS), the Senator from Texas (Mr. BENTSEN), the Senator from North Dakota (Mr. BURDICK), the Senator from Georgia (Mr. MATTINGLY), the Senator from North Dakota (Mr. ANDREWS), the Senator from New Mexico (Mr. DOMENICI), the Senator from Oregon (Mr. HATFIELD), the Senator from Indiana (Mr. LUGAR), the Senator from New York (Mr. D'AMATO), the Senator from Georgia (Mr. NUNN), the Senator from Montana (Mr. MELCHER), and the Senator from Minnesota (Mr. DURENBERGER) were added as cosponsors of Senate Joint Resolution 42, a joint resolution designating Alaska Statehood Day, January 3, 1984.

SENATE JOINT RESOLUTION 45

At the request of Mr. BURDICK, the name of the Senator from Alaska (Mr. MURKOWSKI) was added as a cosponsor of Senate Joint Resolution 45, a joint resolution designating November 20 through 26, 1983, as "National Family Week."

SENATE JOINT RESOLUTION 93

At the request of Mr. EAST, the name of the Senator from Minnesota (Mr. DURENBERGER) was added as a cosponsor of Senate Joint Resolution 93, a joint resolution to designate the month of September each year as "National Sewing Month."

SENATE JOINT RESOLUTION 96

At the request of Mr. DECONCINI, the name of the Senator from South Carolina (Mr. THURMOND) was added as a cosponsor of Senate Joint Resolution 96, a joint resolution to designate August 1, 1983, as "Helsinki Human Rights Day."

SENATE JOINT RESOLUTION 97

At the request of Mr. BOSCHWITZ, the names of the Senator from Oregon (Mr. HATFIELD), the Senator from Maryland (Mr. MATHIAS), and the Senator from Delaware (Mr. ROTH) were added as cosponsors of Senate Joint Resolution 97, a joint resolution to authorize the erection of a memorial on public grounds in the District of Columbia, or its environs, in honor and commemoration of members of the Armed Forces of the United States and the allied forces who served in the Korean war.

SENATE CONCURRENT RESOLUTION 24

At the request of Mrs. HAWKINS, the name of the Senator from California (Mr. CRANSTON) was added as a cosponsor of Senate Concurrent Resolution 24, a concurrent resolution expressing the sense of the Congress that the people of the United States should observe the month of May 1983 as Older Americans Month.

SENATE RESOLUTION 52

At the request of Mr. CHAFEE, the name of the Senator from New York (Mr. D'AMATO) was added as a cosponsor of Senate Resolution 52, a resolution expressing the Senate's opposition to an imposition of a fee on domestic and imported crude oil and refined products.

SENATE RESOLUTION 133

At the request of Mr. MOYNIHAN, the names of the Senator from North Dakota (Mr. BURDICK), and the Senator from Connecticut (Mr. DODD) were added as cosponsors of Senate Resolution 133, a resolution to express the sense of the Senate in support of "Solidarity Sunday."

SENATE CONCURRENT RESOLUTION 33—HARRY S TRUMAN CENTENNIAL

Mr. EAGLETON (for himself and Mr. DANFORTH) submitted the following concurrent resolution; which was referred to the Committee on Rules and Administration:

S. CON. RES. 33

Whereas the year 1984 marks the one hundredth anniversary of the birth of Harry S Truman on May 8, 1884;

Whereas Harry S Truman was born and reared in rural Missouri, enjoyed a boyhood reminiscent of Huckleberry Finn's, graduated from high school, made his living for a

decade on a farm behind a plow, joined the Army in the First World War, and, as a captain, led Battery D, 129th Field Artillery, 35th Division, in combat in the Meuse-Argonne and at Verdun;

Whereas he served for a decade as judge (commissioner) of Jackson County, Missouri, and among other responsibilities, oversaw the building of some of the first paved roads around Kansas City;

Whereas he was elected to the United States Senate and took his seat in 1935, serving as a member of the Senate Appropriations, Military Affairs, and Interstate and Foreign Commerce Committees, was instrumental in writing major pieces of legislation, including the Civil Aeronautics Act of 1938 and the Transportation Act of 1940, proposed and served as chairman of the Senate Special Committee to Investigate the National Defense Program (the "Truman Committee"), which was estimated to have saved taxpayers billions of dollars on war contracts;

Whereas under Franklin D. Roosevelt, he served as Vice-President of the United States from January 20, 1945, to April 12, 1945;

Whereas upon the death of Roosevelt on April 12, 1945, Harry S Truman was sworn in as President of the United States at the climax of the Second World War and with almost no preparation for the historic military and diplomatic problems that were piling up on the United States, including the question of using the atomic bomb to end the war against Japan quickly so as to save Japanese and American lives in the end;

Whereas with modesty, courage, and common sense he took up the cause of opposing Soviet expansion in Eastern Europe, the Balkans, the Black Sea Straits, and Iran, directed that, despite Roosevelt's sudden death, the United Nations Conference on International Organization meet in San Francisco as scheduled to establish the United Nations, and successfully recommended that the Senate approve ratification of the Charter, bringing the United States into the United Nations;

Whereas he presided over the turbulent task of postwar reconversion of the economy from wartime to a peacetime production, obtained passage of the landmark Employment Act of 1946 that declared that "it is the continuing policy and responsibility of the Federal Government to use all practical means . . . functions and resources" to foster "maximum employment, production and purchasing power", prevailed upon Congress to pass the National Housing Act of 1949 to provide low-cost housing and slum clearance, won a bitter battle in Congress to keep control of nuclear weapons in civilian hands, introduced legislation for national medical insurance that was the forerunner of Medicare, which has assured adequate medical treatment for millions of Americans, unified the armed forces in a new Department of Defense and created modern new organs of government, including the Council of Economic Advisers, the National Security Council, and the Central Intelligence Agency;

Whereas he directed that the United States be the first nation to recognize the new State of Israel in 1948 and began the special relationship that has existed between Americans and Israelis;

Whereas he ordered the racial desegregation of the Armed Services in 1948 and the same year submitted to Congress the first presidential special message on civil rights, based on a report To Secure These Rights, which proved to have laid out the agenda for the civil rights reforms of the 1960's;

Whereas by his decision to institute an airlift at the time of the Soviet blockade of Berlin in 1948 and 1949, he balked an attempt by the Kremlin to dominate all of Germany, if not of Europe;

Whereas under his policies the former enemy states of Japan and Germany (West Germany at least) were brought into a friendly and constructive relationship with the United States;

Whereas in 1950, he resolutely drew the line against further Communist expansionism and upheld the ideal of collective security by committing American forces—later joined by those of other members of the United Nations—to throw the invading North Korean Communist army back to the 38th parallel in Korea, preserving South Korea, still a steadfast ally; and

Whereas he took as his slogan "The Buck Stops Here" and said in his farewell address of January 15, 1953, "I have tried to give it everything that was in me" and left office, after virtually two full terms, with employment and prosperity high and the Western world firmly allied against possible Communist aggression: Now, therefore be it

Resolved by the United States Senate (the House of Representatives concurring), that (a) in order to provide for an appropriate commemoration by the Congress of the centennial of the birth of Harry S Truman, thirty-third President of the United States of America, there is established a Special Joint Committee on Arrangements (hereinafter referred to in this concurrent resolution as the "joint committee") which shall be composed of sixteen members as follows:

(1) The President pro tempore of the Senate and the Speaker of the House of Representatives.

(2) Seven Members of the Senate to be appointed by the President pro tempore of the Senate, four upon recommendation of the majority leader of the Senate and three upon recommendation of the minority leader of the Senate.

(3) Seven Members of the House of Representatives to be appointed by the Speaker of the House of Representatives, three upon recommendation of the minority leader of the House of Representatives.

(b) The members of the joint committee shall select a chairman and a vice chairman from among its members. A majority of the members shall constitute a quorum for the transaction of business. Any vacancy in the membership of the joint committee shall be filled in the same manner in which the original appointment was made.

(c) For the purposes of paragraph 4 of rule XXV of the Standing Rules of the Senate, service of a Senator as a member or chairman of the joint committee shall not be taken into account.

SEC. 2. It shall be the duty of the joint committee to—

(1) make arrangements for a joint meeting of the Congress to be held on Tuesday, May 8, 1984, or such other day as may be designated by the Speaker of the House of Representatives, in the Hall of the House of Representatives in commemoration of the centennial of the birth of Harry S Truman;

(2) plan the proceedings of and issue appropriate invitations for such joint meeting; and

(3) coordinate the joint committee's arrangements with the activities of the Truman Centennial Committee, Washington, D.C.

SEC. 3. The joint committee may—

(1) appoint an Executive Director, who shall serve without compensation, and accept such other volunteer services of individuals as it deems appropriate;

(2) adopt rules respecting its organization and procedures; and

(3) sit and act at such times and places as it shall deem appropriate.

SEC. 4. The expenses of the joint committee under this concurrent resolution may not exceed $25,000 and shall be paid from the contingent fund of the House of Representatives upon vouchers approved by the chairman of the joint committee.

● Mr. EAGLETON. Mr. President, today I am introducing along with my colleague from Missouri, Senator DANFORTH, a very special Senate concurrent resolution. This resolution marks the beginning of a year of celebration commemorating the birth of Harry S Truman.

As a Missourian, a Democrat, and a friend of Harry S Truman, it is with great pride and honor that I ask the other Members of the House and Senate to join with me in setting aside a special day in Congress to remember our 33d President of the United States.

Next year—May 8, 1984—marks the centennial of a great President, and I hope we will put much thought and planning into honoring the legacy of this plain-spoken man who historians regard as one of the most decisive and courageous Presidents ever to hold the office. Following in the footsteps of the revered F. D. R., few people at the time thought Harry Truman as anything but a weak and transient caretaker. But, they underestimated the feisty man from Missouri, who proceeded to leave his own indelible mark on history by showing the courage to bring the war to an end, the wisdom to rebuild peace through the Marshall plan, and the dogged determination to see that all Americans shared in the prosperity that followed.

Congress this week took an important first step in remembering Harry S Truman, by completing action on the Harry S Truman National Historic Site. The bill, just passed, authorizes the Secretary of the Interior officially to acquire the former residence at 219 Delaware Street in Independence, Mo.

On April 22, I had the great pleasure of getting a "sneak preview" of the house, which is now being renovated by the National Park Service as a result of special appropriations last year. I was able to see how President Harry Truman and his beloved Bess lived and to view the personal mementos of the career of the greatest Missourian. As a result of Congress work, the Truman home will be opened next year as part of the Truman Centennial.

In addition to the home and the special session of Congress, Senator DANFORTH and I have introduced S. 1213, a bill to direct the U.S. Postal Service to

issue a special postage stamp in commemoration of the 100th anniversary of Harry S Truman's birth.

I look forward to May 8, 1984, as more than an occasion to celebrate a great President's centennial. Far more, it is a chance to rededicate ourselves to the things Harry S Truman stood for all his life—concern that working people of this country get a fair deal out of life; an insistence on facing up to problems no matter how difficult they are; and the courage and honesty to tell it like it is.

Mr. President, I look forward to working with every Member of the Senate in the year ahead in making Harry S Truman's centennial a very meaningful one.●

● Mr. DANFORTH. Mr. President, it is Missouri's honor, and our own, to prepare for the observance of the centennial of the birth of Harry S Truman. In order that the remarkable qualities and accomplishments of President Truman be recognized, I join today with Senator EAGLETON, Congressman IKE SKELTON of Missouri, and others, to introduce a concurrent resolution establishing May 8, 1984, as the date of a special joint session of the Congress.

It will be recalled that the Nation's 33d President had the following words for a student who asked if he had mellowed after leaving the White House:

They are trying to make an elder statesman of me, but they will never succeed.

He is the fellow who arose to accept an award after a number of laudatory speeches about his accomplishments:

You don't know how overcome I am. You don't know how difficult it is to be present at your own funeral and still be able to walk around.

It is our privilege, then, to honor a man who, in life, carried his own greatness with unfailing humor and modesty.

It is with terrific enthusiasm that I join in inaugurating the centennial year celebration. Next year will be a time of great pride for Missouri, and an opportunity for the Nation to remember the signal accomplishments of the President and the inspiring qualities of the individual. I know, too, that President Truman would take delight in knowing that I was taking part in the centennial—time and time again, I will find myself surrounded by Missouri Democrats and utterly outnumbered, just the situation that President Truman considered most appropriate for a Republican. Let me tell you, I could not feel more at home. I have spent 15 years learning how to feel outnumbered.

To give proper honor to the greatness of Harry Truman, it seems to me, we should think first of the kind of person each of us would like to be. If we were as good as we would wish, we would have courage. We would have modesty and humor and plain speech. We would act with dedication to basic principles.

There is no greater and no more inspiring model of these virtues than Harry S Truman.

He had what it took to step before a crowd in Lee's Summit for his first political speech, when he was so scared he could not say a word. He had what it took when, in his words, the death of President Roosevelt made him feel like the moon, the stars, and all the planets had fallen on him. When it was his duty to protect the postwar world from the expansionist impulses of the Soviet Union, he summoned the same courage.

In his farewell address to the American people in January 1953, he spoke with the modesty so affectionately remembered by Missourians:

When Franklin Roosevelt died, I felt there must be a million men better qualified than I, to take up the Presidential task. But the work was mine to do, and I had to do it. And I have tried to give it everything that was in me.

Finally, there is the perfect clarity of Harry Truman's basic principles. He knew that this Nation and its institutions are good, and that Nazi and Soviet totalitarianism are evil. He knew it, he said it, and he made the right decisions in a terribly dangerous and uncertain world. He believed that government has a positive obligation to the people. Hence, the construction of paved roads around Kansas City, the desegregation of the Armed Forces and so many other of his accomplishments as President. Hence, I believe, his affection for Abraham Lincoln.

Courage, intelligence, modesty, humor, dedication . . . a person who gave everything he had to the most difficult job in the world.

I look forward to the passage of the concurrent resolution that we introduce today, to the coming celebration of the Truman Centennial, and to the opportunity for Americans to renew their love and appreciation of the man from Independence, Mo.●

SENATE RESOLUTION 138—RELATING TO THE EXPENSES OF THE COMMISSION ON ARTS AND ANTIQUITIES

Mr. BAKER (for himself, Mr. BYRD, Mr. MATHIAS, and Mr. FORD) submitted the following resolution; which was referred to the Committee on Rules and Administration:

S. RES. 138

Resolved, That, effective with respect to the fiscal year 1983 and each fiscal year thereafter, the amount authorized to be expended out of the contingent fund of the Senate under section 5 of Senate Resolution 382, 90th Congress, agreed to October 1 (legislative day, September 24), 1968, is increased to $22,500.

SENATE RESOLUTION 139—REJECTING THE PROPOSAL TO ABOLISH THE SENATE COMMITTEE ON VETERANS' AFFAIRS

Mr. ZORINSKY submitted the following resolution; which was referred to the Committee on Rules and Administration:

S. RES. 139

Whereas the Committee on Veterans' Affairs of the Senate was established pursuant to the Legislative Reorganization Act of 1970 as a standing committee of the Senate to facilitate action on the substantial workload of the Senate in addressing the needs of veterans of service in the Armed Forces of the United States;

Whereas the Committee on Veterans' Affairs of the Senate performs a vital function in the Senate by providing the legislative effort and expertise that is necessary to meet the needs of our Nation's veterans;

Whereas on April 5, 1983, the Study Group on Senate Practices and Procedures appointed pursuant to Senate Resolution 392, agreed to on May 11, 1982, submitted its draft report to the Committee on Rules and Administration of the Senate;

Whereas Recommendation Number 15 of such report proposes that the Committee on Veterans' Affairs of the Senate be merged with the Committee on Armed Services of the Senate and cease to exist as a separate standing committee of the Senate;

Whereas a merger of the Committee on Veterans' Affairs of the Senate with the Committee on Armed Services of the Senate would increase the workload of the Committee on Armed Services of the Senate extensively while diluting the resources available to address legislation relating to veterans' needs; and

Whereas a merger of the Committee on Veterans' Affairs of the Senate with the Committee on Armed Services of the Senate or with any other standing committee of the Senate is unlikely to result in equal or improved legislative service to the Senate or to the Nation's veterans: Now, therefore, be it

Resolved, That the proposal to abolish the Committee on Veterans' Affairs of the Senate as a standing committee of the Senate by merging it with the Committee on Armed Services of the Senate (included in the draft report submitted by the Study Group on Senate Practices and Procedures to the Committee on Rules and Administration of the Senate on April 5, 1983) is disapproved, and the Committee on Veterans' Affairs of the Senate shall continue to be a separate standing committee of the Senate.

Mr. ZORINSKY. Mr. President, today I am submitting a resolution to reject the Senate Study Group proposal to abolish the Senate Committee on Veterans' Affairs as a separate standing committee by merging it with the Committee on Armed Services, and to affirm that the Committee on Veterans' Affairs should continue to function in its present capacity as a separate standing committee.

The Study Group on Senate Practices and Procedures—henceforth, the Senate Study Group—has conducted an examination of the operation of the Senate pursuant to Senate Resolu-

tion 392, agreed to on March 11, 1982. Its goal was:

To make a full and complete study of the practices and procedures of the U.S. Senate with a view to recommending to the Senate such revisions thereof as may be necessary or appropriate to preserve and enchance the traditions, customs, functions, forms, and spirit of the U.S. Senate while enabling the Senate to conduct debate which is focused on major issues of national policy.

The study group has completed its examination and submitted its report to the Rules and Administration Committee.

Mr. President, the aspect of the report prompting my resolution is recommendation 15 that proposes, among other things, that the Veterans' Affairs Committee cease to exist as a separate standing committee and merge its functions with the Armed Services Committee.

Let me begin by expressing my deep respect and admiration for the two former Members of the Senate that comprise the Senate Study Group, Senator Pearson and Senator Ribicoff. Thanks to their investigation, drawing on their experience as esteemed Members of this body, these distinguished gentlemen have done a great service to the Senate and to the citizens of the Nation in recommending a number of changes to streamline the processes of the Senate. A number of the study group's proposals seem very promising, and I look forward to further consideration of various aspects of the report. However, when it comes to eliminating the Veterans' Affairs Committee as the group has proposed, I am afraid my revered colleagues and I must part ways.

Mr. President, I will not take up space on this record recounting the history of the various vehicles by which the Senate has addressed the legislative concerns of our country's military veterans in the past before consolidating these functions with the Veterans' Affairs Committee pursuant to Public Law 91-510, the Legislative Reorganization Act of 1970. The important point is that, since its inception, the Veterans' Affairs Committee has rendered the outstanding service that is required to properly address the needs of the former members of our military. It is this concentration of effort, expertise, and unity of purpose that has allowed the Veterans' Affairs Committee to discharge the Senate's responsibilities for the unique and varied needs of veterans so well.

Mr. President, I have always strongly advocated increased efficiency in Government and Government spending, so I genuinely appreciate the reasoning behind the group's merger proposal. But in making decisions to streamline the Senate, we must not lose sight of the fact that we have certain jobs to do, certain duties that must be done, and one of those duties is to adequately provide for the needs of those who have served their country's national defense. I do not believe that this duty will be discharged any more efficiently, or even as well, by eliminating the Veterans' Affairs Committee and dumping its functions on the Armed Services Committee. This is in no way meant to denigrate the abilities of my distinguished colleagues on the Armed Services Committee, of course.

Quite to the contrary, I am sure we all agree that the Senators and staff of Armed Services discharge their important duties with exemplary diligence and dispatch. That is part of my point: Armed Services should be allowed to continue performing the monumental task of overseeing the national defense without taking on the additional duties currently discharged by Veterans' Affairs. To merge committees as is proposed would eliminate one committee that is functioning quite well while diluting the time, resources, and concentration of another committee that is also functioning well under its current structure. I think that any gains to be made by a merger would be more than offset by the problems inherent in such a move. I call to mind the sage advice, if it is not broke, do not fix it.

Mr. President, I hope my colleagues in the Senate will appreciate as I do the importance of the separate standing committee to address the needs of our veterans, and will reject this proposal. I thank you and I will appreciate my colleagues' consideration of these comments.

AMENDMENTS SUBMITTED

COMPREHENSIVE CRIME CONTROL ACT

EAST AMENDMENT NO. 1254

(Referred to the Committee on the Judiciary.)

Mr. EAST submitted an amendment intended to be proposed by him to the bill (S. 829) entitled the "Comprehensive Crime Control Act of 1983"; as follows:

Delete Title VI and insert in lieu thereof the following Title: "Title VI—Reform of Federal Intervention in State Proceedings".

SEC. 601. This title may be cited as the "Habeas Corpus Reform Act of 1983."

SEC. 602. Section 2254(a) of title 28, United States Code, is amended to read as follows:

"(a) The Supreme Court, a Justice thereof, a circuit judge, or a district court shall entertain an application for a writ of habeas corpus on behalf of a person in custody pursuant to a judgment of a State court only on a ground which presents a substantial Federal constitutional question, and then only if—

"(1) it was not previously raised and determined,

"(2) there has been no fair and adequate opportunity to raise it and have it determined, and

"(3) it cannot thereafter be raised and determined in a proceeding in the State court, by an order or judgment subject to review by the Supreme Court of the United States on a writ of certiorari.".

SEC. 603. Section 636(b)(1)(B) of title 28, United States Code, is amended to read as follows:

"(B) a judge may also designate a magistrate to conduct hearings, including evidentiary hearings, except evidentiary hearings in cases brought pursuant to section 2254 of this title, and to submit to a judge of the court proposed findings of fact and recommendations for the disposition, by such judge, of any motion excepted in subpargraph (A), of applications for post trial relief made by individuals convicted of criminal offenses and of prisoner petitions challenging conditions of confinement.".

FIRST CONCURRENT RESOLUTION ON THE BUDGET

MITCHELL (AND SASSER) AMENDMENT NO. 1255

Mr. MITCHELL (for himself and Mr. SASSER) proposed an amendment to the concurrent resolution (S. Con. Res. 27) revising and replacing the congressional budget for the U.S. Government for the fiscal year 1983, and setting forth the congressional budget for the U.S. Government for the fiscal years 1984, 1985, and 1986; as follows:

On page 14, increase the figure on line 23 by $200,000,000.

On page 14, increase the figure on line 24 by $20,000,000.

On page 15, increase the figure on line 6 by $200,000,000.

On page 15, increase the figure on line 7 by $70,000,000.

On page 15, increase the figure on line 13 by $200,000,000.

On page 15, increase the figure on line 14 by $170,000,000.

MELCHER (AND OTHERS) AMENDMENT NO. 1256

Mr. MELCHER (for himself, Mr. DECONCINI, Mr. RANDOLPH, Mr. BURDICK, Mr. HUMPHREY, Mr. BAUCUS, and Mr. EXON) proposed an amendment to the concurrent resolution Senate Concurrent Resolution 27, supra; as follows:

At the appropriate place in the resolution, add the following new section:

"SEC. . Since, even with the changes that the Senate Budget Committee has made in the President's budget, the federal budget will contain deficits totaling $647.5 billion over the life of this resolution and the public debt will likely grow to almost $2 trillion in 1986; and,

Since such deficits could increase interest rates, unemployment, halt economic recovery and lead to further recession; and,

Since foreign aid spending for fiscal year 1984 is 108 percent higher than it was in 1979 while, for the same period, veterans' benefits and health care spending will have increased only 29 percent; natural resources

and environment spending will have gone up 3 percent; health, 55 percent; and transportation 48 percent; and education, training, employment and social services actually dropped 9 percent; and community and regional development dropped 14 percent, proving that foreign aid has not been subject to the same budget restraints as domestic spending; and,

Since U.S. international food aid, distributed under Public Law 480, is heavily concentrated in concessionary food sales to foreign governments under Titles I and III, which comprise 75 percent of the current program, while food donations through Churches, charitable groups, and other organizations, which is a more effective way to feed the hungry, comprise only 25 percent of our food aid; and

Since new contributions to the International Monetary Fund would be used to provide funds to developing countries to cover interest payments on loans made by international banks at high interest rates, and to provide funds to developing countries for the purpose of subsidizing exports which unfairly compete with U.S. products on the world market, costing tens of thousands of American jobs, are excessive;

Therefore, notwithstanding any other provision of the resolution, for Function 150, budget authority for fiscal year 1983 shall be $19.8 billion and budget outlays for fiscal year 1983 shall be $11.5 billion. For fiscal year 1984, fiscal year 1985, and fiscal year 1986, budget authority shall be $12.5 billion and budget outlays shall be $10 billion. further, it is the sense of the Senate that, notwithstanding any of the budgetary limits placed on Function 150, the United States shall continue to meet the financial commitments made to Israel and Egypt in conjunction with the Camp David Accords."

DANFORTH (AND LEAHY) AMENDMENT NO. 1257

Mr. DANFORTH (for himself and Mr. LEAHY) proposed an amendment to the concurrent resolution, Senate Concurrent Resolution 27, supra; as follows:

At the bottom of page 35, add the following:

SEC. 7. (a) The Congress finds that—

(1) the world economy is suffering from global recession, and development prospects in the Third World have plummeted;

(2) the continuing deterioration of economic conditions aggravates the problems of hunger and poverty, which are daily facts of life for millions of people in developing countries;

(3) these economic conditions threaten the political stability of developing countries;

(4) the economic well-being and security of the United States is closely linked to that of the rest of the world; and

(5) both bilateral development aid provided by the United States and multilateral development aid provided by the United States in cooperation with other nations have proven to be effective tools in promoting economic growth and eliminating hunger, poverty, illness, and ignorance.

(b) It is the sense of the Senate that—

(1) increased emphasis should be given to long-term development concerns in the allocation of United States foreign aid; and

(2) the United States Government should maintain and increase its commitments to multilateral as well as bilateral development aid.

MOYNIHAN (AND OTHERS) AMENDMENT NO. 1259

(Ordered to lie on the table.)

Mr. MOYNIHAN (for himself, Mr. STAFFORD, Mr. LEAHY, Mr. RANDOLPH, Mr. MITCHELL, Mr. HUMPHREY, Mr. BRADLEY, Mr. HART, Mr. LEVIN, Mr. RIEGLE, Mr. SARBANES, Mr. CRANSTON, Mr. RUDMAN, Mr. KENNEDY, Mr. LAUTENBERG, Mr. INOUYE, Mr. DODD, Mr. JACKSON, and Mr. BURDICK) submitted an amendment intended to be proposed by them to the amendment proposed by Mr. DOMENICI (Amendment No. 1243) to the concurrent resolution, Senate Concurrent Resolution 27, supra, as follows:

On page 3 line 18 increase the number by $300,000,000.

On page 3 line 19 increase the number by $300,000,000.

On page 3 line 23 increase the number by $200,000,000.

On page 3 line 24 increase the number by $300,000,000.

On page 4 line 1 increase the number by $200,000,000.

On page 4 line 2 increase the number by $300,000,000.

On page 4 line 6 increase the number by $200,000,000.

On page 4 line 7 increase the number by $500,000,000.

On page 4 line 12 increase the number by $200,000,000.

On page 4 line 13 increase the number by $300,000,000.

On page 9 line 3 increase the number by $300,000,000.

On page 9 line 4 increase the number by $200,000,000.

On page 9 line 9 increase the number by $300,000,000.

On page 9 line 10 increase the number by $300,000,000.

MOYNIHAN (AND OTHERS) AMENDMENT NO. 1260

(Ordered to lie on the table.)

Mr. MOYNIHAN (for himself, Mr. STAFFORD, Mr. LEAHY, Mr. RANDOLPH, Mr. MITCHELL, Mr. HUMPHREY, Mr. BRADLEY, Mr. HART, Mr. LEVIN, Mr. RIEGLE, Mr. SARBANES, Mr. CRANSTON, Mr. RUDMAN, Mr. KENNEDY, Mr. LAUTENBERG, Mr. INOUYE, Mr. DODD, Mr. JACKSON, and Mr. BURDICK) submitted an amendment intended to be proposed by them to the concurrent resolution, Senate Concurrent Resolution 27, supra, as follows:

On page 3 line 13 increase the number by $300,000,000.

On page 3 line 14 increase the number by $300,000,000.

On page 3 line 15 increase the number by $300,000,000.

On page 3 line 19 increase the number by $200,000,000.

On page 3 line 20 increase the number by $300,000,000.

On page 3 line 21 increase the number by $300,000,000.

On page 4 line 1 increase the number by $200,000,000.

On page 4 line 2 increase the number by $300,000,000.

On page 4 line 3 increase the number by $300,000,000.

On page 4 line 7 increase the number by $200,000,000.

On page 4 line 8 increase the number by $500,000,000.

On page 4 line 9 increase the number by $800,000,000.

On page 4 line 14 increase the number by $200,000,000.

On page 4 line 15 increase the number by $300,000,000.

On page 4 line 16 increase the number by $300,000,000.

On page 10 line 9 increase the number by $300,000,000.

On page 10 line 10 increase the number by $200,000,000.

On page 10 line 15 increase the number by $300,000,000.

On page 10 line 16 increase the number by $300,000,000.

On page 10 line 21 increase the number by $300,000,000.

On page 10 line 22 increase the number by $300,000,000.

NOTICES OF HEARINGS

COMMITTEE ON GOVERNMENTAL AFFAIRS

Mr. ROTH. Mr. President, the Senate Committee on Governmental Affairs will hold a nomination hearing for Stephen Eilperin to be an associate judge of the D.C. Superior Court on Monday, May 17, at 2 p.m., in room SD 342 of the Dirksen Senate Office Building. For further information, please contact Ms. Margaret Hecht at 224-4751.

Mr. President, the Senate Committee on Governmental Affairs will hold a hearing on Oversight of the Management of the Department of Defense: Implementation of Cost Accounting Standards on Thursday, May 19, at 9:30 a.m., in room SD 342 of the Dirksen Senate Office Building. For further information, please contact Mr. Lincoln Hoewing at 224-4751.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON FOREIGN RELATIONS

Mr. DOMENICI. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Thursday, May 12, at 10 a.m., to mark up foreign aid.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON GOVERNMENTAL AFFAIRS

Mr. DOMENICI. Mr. President, I ask unanimous consent that the Committee on Governmental Affairs be authorized to meet during the session of the Senate on Thursday, May 12, at 10 a.m., to hold a continuation of hearings on trade reorganization.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DOMENICI. Mr. President, I ask unanimous consent that the Committee on Governmental Affairs be authorized to meet during the session of the Senate on Thursday, May 12, at 2 p.m., to consider the nomination of

David Martin for the position of Director of the Office of Government Ethics.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON GOVERNMENTAL EFFICIENCY AND THE DISTRICT OF COLUMBIA

Mr. DOMENICI. Mr. President, I ask unanimous consent that the Subcommittee on Governmental Efficiency and the District of Columbia of the Committee on Governmental Affairs be authorized to meet during the session of the Senate on Wednesday, May 11, to hold a hearing on the District of Columbia School System Career Oriented Curriculum.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADDITIONAL STATEMENTS

BALANCED BUDGET—SPENDING FREEZE PROPOSAL

● Mr. HATCH. Mr. President, last week I introduced a substitute Federal budget proposal for a modified spending freeze constituting the first step to achieving a balanced budget by 1989.

The Heritage Foundation has prepared an excellent analysis of why my proposed budget is essential for sustained economic recovery. The analysis supports the dual measures of this proposal—cutting the burden of excessive Federal spending on the economy and holding the line on taxes—necessary for attaining a balanced budget. I ask that it be printed in the RECORD.

The analysis follows:

THE HATCH-GRAMM BALANCED BUDGET—SPENDING FREEZE PROPOSAL

INTRODUCTION

The House and Senate Budget Committees apparently have short memories. They have produced budgets that are tired reruns of the 1970s—calling once again for more spending and more taxes. This is precisely the bitter brew that created the nation's painfully high inflation and high unemployment. The 1970s should teach us that high taxes and unrestrained spending are not the means to a healthy and stable economy. This end is promised by the Balanced Budget-Spending Freeze advocated by conservatives Senator Orrin Hatch (Utah) and Congressman Phil Gramm (Texas). The Hatch-Gramm budget would lead to a balanced budget by 1989.

The proposal calls for $836 billion in outlays in fiscal year 1984—$13 billion less than the Senate Budget Committee (SBC), $31 billion less than the House Budget Committee (HBC), and $8 billion less than the President's budget. The proposal would freeze income taxes over the next five years—compared with the $30 billion in new taxes in 1984 alone, favored by the House and Senate Budget Committees.

The budget freeze requires compromise from all Americans and interest groups for the sake of fiscal austerity necessary for continued economic recovery. The budget would freeze non-defense discretionary spending at nominal levels for three years, allow entitlements to grow at the rate of inflation, leave untouched the new Social Security package, and allow for only a 7 percent increase in defense budget authority in fiscal year 1984, tapering down to 4 percent in the following years.

The proposal faces rough going on the Hill and in the White House. Many congressional Democrats would prefer to balance the budget on the backs of the taxpayers by repealing the third year of the tax cut and tax indexing. Moderate Republicans, on the other hand, are wary of the proposal because they fear that Congress will not deliver the fiscal austerity necessary to achieve the plan's spending and projected growth levels.

The Hatch-Gramm proposal is the only budget which recognizes the true danger in the federal budget—that total Federal spending, not deficits, is responsible for low economic growth. Raising taxes will reduce individual incentives and encourage further wasteful spending, killing the economic recovery now under way.

HOW THE BALANCED BUDGET-SPENDING FREEZE WOULD WORK

The proposal is a modified spending freeze. Rather than attempting a freeze in nominal (or current) dollars, the proposal aims to achieve a freeze in "real" terms. Allowing for growth in defense and entitlements programs, aggregate spending under the plan will increase about 5 percent annually during the next five years, roughly equal to inflation.

The budget makes few programmatic assumptions. Instead, it sets specific growth rates for groups of programs, such as nondefense discretionary spending, entitlements, and defense. This leaves spending priorities to congressional discretion, so long as they remain within the guidelines.

TOTAL FEDERAL OUTLAYS

[In billions of dollars]

	Fiscal year				
	1984	1985	1986	1987	1988
SBC	851	913	969	1,040	1,109
Hatch-Gramm	836	877	922	976	1,037
President	843	907	973	1,044	1,112

Note: These figures are based on the latest CBO computer analysis. They are subject to change. SBC is Senate Budget Committee, Hatch-Gramm is budget freeze, and President is President Reagan.

Source: Senate Budget Committee.

Non-defense discretionary spending would be frozen at current nominal levels for three years, then allowed 3 percent nominal growth per year. This would save $8 billion in fiscal year 1984 and $101 billion over five years. Several Heritage Foundation studies have demonstrated that this target is reasonable since large spending cuts could be accomplished by reducing subsidies to businesses and wealthy individuals, restructuring the delivery of public services through privatization and devolving functions to the states.[1]

Two of the most sensitive entitlement programs, unemployment insurance and social security (the single largest program in the budget) would not be frozen. Aggregate spending for other entitlement programs would grow at the rate of inflation for three years, then at the rate of inflation plus 3 percent.

While keeping pace with inflation, however, a "real" entitlements freeze, of the type proposed, would mean $2 billion in aggregate program cuts from the fiscal year 1984 Congressional Budget Office baseline (the budget resulting from a continuation of current policy) and $79 billion in cuts over the next five years, since new beneficiaries meeting the eligibility criteria would otherwise boost the budget total.

Despite these imposing numbers, significant savings could be effected with minimal loss in essential services to the truly needy. Reducing the cost-of-living (COLA) benefits or lowering income eligibility requirements are two obvious methods of slowing benefits growth and limiting welfare to the truly needy. Heritage Foundation studies have presented other more efficient and less painful means of cutting entitlement spending. Among them: requiring workfare of welfare recipients and instituting higher copayments on Medicare and Medicaid. Workfare would reduce welfare rolls and increases public service while co-payments would limit the incentive to abuse "free" health care, thus lowering the strain on the federal budget, the demand for health services in general, and the price of health care for all.[2]

Defense budget authority would grow at 7 percent in fiscal year 1984 under the plan, then at 5, 5, 4, and 4 percent in four succeeding years. Initially, these are significantly higher rates than the 2.5 percent fiscal year 1984 increase recommended by the House Budget Committee and the 5 percent proposed by the Senate Budget Committee, but lower than the President's request for 10 percent. It still translates into a cut of $1.6 billion from the Senate Budget Committee outlay target for fiscal year 1984. In addition, it means an $88 billion reduction in nominal defense outlays from the Congressional Budget Office's baseline figure, and a reduction of $132 billion from the President's request, over the next five years.

[1] See, for example, John Palffy, "Saving $111 Billion: How To Do It," Heritage Foundation Backgrounders No. 240, 241, 242, Jan. 24, 25, 26, 1983.

[2] Palffy, op. cit., Peter Germanis, "Workfare," Heritage Foundation Backgrounder No. 195, July 9, 1982.

DEFENSE SPENDING PROJECTIONS

[In billions of dollars]

	Fiscal year									
	1984		1985		1986		1987		1988	
	BA	O	BA	O	BA	O	BA	O	BA	O
SBC	267	241	300	271	335	300	372	332	410	364
Hatch-Gramm	272	240	300	265	332	293	364	317	399	349
President	280	245	330	282	364	322	396	358	432	390

Note: BA is budget authority, O is outlays, SBC is Senate Budget Committee, Hatch-Gramm is budget freeze, and President is President Reagan.
Source: Senate Budget Committee.

THE POLITICAL BENEFITS OF THE FREEZE BUDGET

The Hatch-Gramm proposal is the only budget resolution that addresses the twin objectives of reducing spending and holding the line on income taxes. Spending cuts must begin with a budget resolution that forces Congress to meet its targets. Cuts cannot come from the appropriations process, where many a special interest will line up to protest the cut. The Hatch-Gramm budget would discourage the special interest groups in two important ways.

First, it restructures the budget by replacing general tax financing with specific financing through user fees. This limits excess and inefficient use of "free" or subsidized goods such as navigational charts, deep water ports, airports, weather satellites, or highways. Politically, this is very important. Special interests would have to pay for more goods and services from their own pockets. This is likely to translate into less intensive lobbying and fewer special interest pork barrels. The Hatch-Gramm budget increases such fees in several program areas.

Secondly, it would result in a budget resolution demanding cuts in aggregate spending rather than in specific programs. This means that supporters of particular programs would have to compete with each other for a share of the total pie. At the moment, each special interest tries to entrench its own program and the budget is, in practice, the total of the successful demands.

WHY IS THIS PROPOSAL NECESSARY?

This budget proposal is essential to the economic recovery. Under the Senate Budget Committee budget, federal spending during the Reagan years (fiscal years 1981-1984) will have increased at an annual rate of 9 percent. Spending as a percentage of GNP will have increased from 18 percent in 1965 and 19.4 percent in 1975 to 26 percent in 1984.

Clearly, the spending spiral has not been broken. In fact, spending is no longer viewed as the primary foe. Debate at both budget committee mark-ups centered on the size of recent and prospective deficits. Most Democrats, and some Republicans, argue that these deficits crowd out private economic activity, and that the budget gap must be bridged with new taxes (which, of course, would also crowd out private economic activity). The real goal of this strategy should be clearly understood; it is to use the bugaboo of deficits to convince the public to support an even bigger federal government. Explains economist Paul Craig Roberts, former Assistant Secretary of the Treasury for Economic Policy, "the deficit crisis applies only when it is time to derail the President's tax cuts and defense buildup."[3]

Many Republicans have mistakenly sought compromise by cutting spending a little and raising taxes a lot. The Republicans voted for a $98 billion tax increase in 1982 on the premise that they would receive $3 in spending cuts for $1 in taxes. Secretary of the Treasury Donald Regan recently admitted that the Administration expects the final deal to work out to "slightly less" than a one-for-one tradeoff; that is, less than one-third of the cuts promised.

This concern with budget deficits deliberately ignores the economic reality that federal spending, not deficit size, is the true indicator of the government's drain on the economy. Discussions of taxes and deficits distract attention from the fundamental truth—all government expenditures must be financed by the nation's wage earners through some combination of higher taxes, higher inflation and higher interest rates. Each damages the economy and destroys jobs.

Proponents of tax increases overstate the correlation between government deficits and interest rates. In fact, most empirical analysis and historical evidence confirms that, if anything, there is a slight negative relationship between interest rates and deficits. Deficits skyrocketed in 1982, for instance, and this was supposed to fuel inflation and interest rates. In fact, interest rates and inflation have plummented, and the economy is recovering robustly. And other countries, such as Japan, have managed for years to run much larger deficits than the United States as a percentage of GNP, while maintaining low inflation and a health economy.

"STRUCTURAL DEFICITS"

Office of Management and Budget (OMB) Director David Stockman has dipped into neo-Keynesian textbooks to revive the spurious concept of the "structural deficit." This theory claims to separate the deficit into two components—a cyclical deficit that is reduced through economic recovery, and a structural deficit which equals the remaining deficit after "full" or "potentially full" recovery. This concept focuses policy on reducing the structural deficit. As long as a structural deficit exists economic recovery supposedly will be inhibited by public borrowing crowding out private borrowers in the financial markets.

Some Republicans, including Stockman, apparently have abandoned trying to cut spending to eliminate the structural deficit. This leaves tax increases as the only means of reducing the current "structural deficit"—as if tax increases somehow will accelerate economic recovery, and thereby reduce the cyclical deficit.

[3]Paul Craig Roberts, "The President's Men Will Do Anything to Cut a Deal," the Wall Street Journal, Apr. 26, 1983, p. 34.

This argument fails to take into account the economic reality confirmed by distant and recent experience, that tax increases reduce rather than stimulate economic growth. Lower economic growth is reflected in lower levels of "full" recovery. So, less of the deficit would be reduced through economic growth. In other words, using tax hikes to tackle the deficit may actually increase the structural deficit, rather than reduce it. And the response of tax increase advocates to this unwelcome result is—increase taxes!

This theory is documented by the experience of past major tax increases which have so stifled economic activity that the deficit has increased rather than fallen. As Roberts notes, 1982 saw the largest tax increases in history, but the only impact it had on the deficit forecast was to raise it by $841 billion for fiscal year 1983 to fiscal year 1987.

THE SPENDING FREEZE AND THE PROSPECTS FOR "HIGH GROWTH"

The Hatch-Gramm proposal has been criticized because it requires the Congressional Budget Office's high growth projections of 4.4 percent growth in the economy over the next five years to balance the budget. If growth does not meet these projections, tax revenues would be lower and entitlement spending would be higher, leaving a significant, albeit declining, budget deficit in 1988.

Many legislators maintain that this rate of growth is unobtainable without first reducing current deficits which, they claim, can only be achieved through tax increases. Proponents of the Hatch-Gramm budget, however, contend that rapid economic growth can, and must, be reached with federal spending cuts and no tax increases.

CBO's growth projections are predicated on a baseline budget, but the spending freeze critically alters the assumptions of these growth projections by cutting spending far below baseline figures, while holding the line on income taxes. This will stimulate economic growth not accounted for in the CBO model, because it reduces the government's financial burden on the economy. With these new fiscal assumptions, it is possible that the economy will grow faster than even the CBO projection—conceivably resulting in a budget surplus.

The CBO growth projections are indeed pessimistic by historical standards; they have been conditioned by the dismal performance of the economy in the 1970s. With the regrettable exception of the inflationary 1970s, every decade in this century has enjoyed a six-year period of growth higher than the supposedly optimistic CBO projection.

The period 1962-1967 is of particular interest because today's economic conditions are similar in many respects; prices were relatively stable, there was excess capacity in both the labor and capital markets, and

also, as now, there were similar tax policies put into effect which were aimed at stimulating investment and economic growth. During that period the economy grew at an annual real rate of 6 percent, and unemployment fell by 43 percent, largely because of the tax cuts. In addition, deficits actually declined.

The Institute for Research on the Economics of Taxation has estimated that given a baseline budget and a similar 5 percent growth, the deficit could be reduced to 1.9 percent by GNP by 1988.[4] Under CBO's 4.4 percent growth assumptions, the baseline budget would equal 3.6 percent of GNP in 1988. According to the budget freeze proposal, the remaining deficits would be eliminated by spending cuts.

According to the most accurate among the economic forecasters during the past several years, Wainwright Economics, Inc., growth of 5.7 percent will occur in 1983, followed by 9 percent in 1984, and 4 percent thereafter.

In sum, given the stimulative policy of the Hatch-Gramm proposal, the original CBO growth projections should be revised upwards. And further, the CBO projections are overly pessimistic in light of historical experience.

CONCLUSION

Congress seems to worry about high deficits only when it wants to repeal the President's tax rate reductions or slash defense growth, and not when it wants to pass pork-barrel projects for the voters back home. If deficits and government spending are as out of control as the congressional rhetoric on tax and defense issues would claim, then the compromises inherent in the Hatch-Gramm proposal are essential.

Only the Hatch-Gramm Budget freeze tackles the exploding growth of entitlements, not by decimating assistance to the poor, but by ending the annual circus of special interest pleading and congressional vote buying. At the same time, it offers compromise on defense and assures the income security of the elderly. All it does not do is raise taxes—and that is something every American taxpayer and businessman should heavily endorse.

Most important, the Hatch-Gramm budget freeze gets the nation out of the degenerating cycle of taxes, recession, deficits, and more taxes, with a sound fiscal plan for economic recovery.●

[4] Michael Schuyler, "Structural Deficits—The Big Scare," Economic Report No. 13, Institute for Research on the Economics of Taxation, Apr. 5, 1983.

BALTIMORE JUNIOR ASSOCIATION OF COMMERCE

● Mr. SARBANES. Mr. President, this year marks the 50th anniversary of the Baltimore Junior Association of Commerce, an organization that has devoted a half-century to serving the civic interests of Baltimore City. Founded in the spring of 1933, the purpose of the group was to provide leadership training for young men between the ages of 18 and 35 through active participation in local community improvement programs.

Now, after 50 years of growth and change, the Baltimore Junior Association of Commerce provides leadership training to men and women alike. The Baltimore JAC broadened its base of membership and support several years ago by withdrawing from the U.S. Jaycees and admitting women as members. It is now considering extending the age limit of voting members from 35 to 40. Yet its commitment to the original mandate of active participation in community affairs remains steadfast.

The success and diversity of the civic and charitable projects that the Baltimore JAC has undertaken are evidence of the extent to which it has met its goal. Santa Claus Anonymous, to mention just one of its many charitable programs, has raised approximately $3 million since its inception in 1934; in 1982 alone, it raised $340,000 and provided food and gifts for over 46,000 needy children last Christmas.

A fine article recounting the Baltimore Junior Association of Commerce's history of outstanding service to the people of Baltimore appeared in the Baltimore News American on May 9, 1983; it is a history of ingenuity, dedication and perseverance. I ask that this article be printed in the RECORD.

The article follows:

HALF A CENTURY OF GOOD WORK—JUNIOR ASSOCIATION HELPS CIVIC CHARITABLE CAUSES

(By Audrey Bishop)

For half a century, the Baltimore Junior Association of Commerce has been involved in everything from port development to Christmas parties for underprivileged children, lobbying for daylight saving time to renovation of the Shot Tower, golf and tennis tournaments to promotion of legitimate theater.

One of its early successes was a campaign for voting machines and permanent registration in the city. It later led the effort to remove outdoor stalls from the streets surrounding Lexington Market, and initiated a toy-lending program that provided toys for needy youngsters and employment for handicapped adults.

During the 1940s, it operated wartime salvage drives and sponsored air shows at Harbor Field to stimulate public awareness of aviation. In the 1950s, it raised more than $10,000 for Radio Free Europe and encouraged the city to install pedestrian crossing signals at intersections.

More recent undertakings include sponsorship of the Maryland Special Olympics and "Take Me Out to the Ballgame," a program that has accommodated 23,000 elderly and handicapped people at Memorial Stadium.

But what put the JAC in the news was the decision two years ago to separate itself from state and national Jaycees in order to admit women members.

The Junior Association was founded in the spring of 1933 by a group of the city's younger businessmen, who reversed the usual order of things, electing officers and directors before they recruited members.

Insurance man Landon B. Davies, who was the first president, will be on hand for the 50th anniversary banquet to be held Saturday at Blue Crest North. But he'll be paying more this time around—$37.50 a plate compared to $1.50 for the first dinner.

Santa Claus Anonymous, thought to be the largest all-volunteer Christmas charity in the nation, was started in 1934 when Theodore R. McKeldin, later to become mayor and governor, headed the JAC. Over the years, the project has raised roughly $3 million.

The current JAC president is Frederick J. Cuomo, assistant director of admissions at the University of Baltimore (soon to be succeeded by attorney Robert F. Scholz).

Cuomo thinks the admission of women is one of the best things that has happened to the JAC.

"Women account for about 30 percent of our 110 members," he says. "That's a big drop from the halcyon days of the 1950s, when there were as many as 900 names on the books. But ours is a different organization today than it was then, and Baltimore is a different city.

"We're developing into more of a civic organization which keeps us up with the times. We have a minimum participation program that challenges members to be productive. And we're one of the few organizations that bases membership on a person's potential."

Even while it was an arm of the Jaycees, the local group retained the name, Junior Association of Commerce.

The question of female membership plagued the JAC from 1972 until 1981, when it withdrew voluntarily from the Jaycees. Other Jaycee affiliates—in Rochester, Chicago, Pittsburgh, Houston and Philadelphia—were expelled after they allowed women to join, and have since formed Vector International.

But, according to Cuomo, the JAC is "gunshy about getting involved with another national organization."

Under the association's by-laws, members "graduate" when they reach their 35th birthday.

"On the other hand," says Cuomo, "79 of the 80 member-countries in Junior Chambers International, make 40 the age cut-off. Our thinking is to follow their example. The way things stand, we're missing out on a lot of good people."

The membership will vote on the issue this week.●

U.S. PROBLEMS WITH INTERNATIONAL BUREAUCRACIES

● Mr. PRESSLER. Mr. President, increasingly the United States is losing its grip in the negotiating processes within UNESCO and other international organizations. Part of this problem arises from the underrepresentation of U.S. nationals on the staffs of these organizations. But there are also other reasons for the diminishing capabilities of U.S. negotiators to fend off harmful decisionmaking in the international bureaucracies. On this subject, I ask that an article by E. J. Dionne, Jr., be printed in the RECORD and I commend it to the attention of my distinguished colleagues.

The article follows:

[From the New York Times, Apr. 21, 1983]

AMERICAN IN PARIS WHO'S DISENCHANTED BY UNESCO

(By E. J. Dionne, Jr.)

PARIS, April 20.—Chester E. Finn, Jr. entered the world of UNESCO politics here for the first time this week. It is not, he

says, an experience he would wish on a friend.

For Mr. Finn, a Vanderbilt University professor appointed to a special delegation by the Reagan Administration, the United Nations Educational, Scientific and Cultural Organization is a place where words entirely lose their original meaning and then reappear, monstrously, meaning something completely different.

It is also a place where, Mr. Finn says, the United States is faring very badly indeed and where the Soviet Union plays the game far better.

"As far as I can tell," Mr. Finn said after a negotiating session, "the Soviets devote considerable effort to this process, a lot of time and energy. And we just ad hoc it. We deal with these events as if they're shooting stars or comets. They deal with it as a solar system. My feeling is that we should take it seriously, or we should get out of it."

A FORMER MOYNIHAN AIDE

The 38-year-old Mr. Finn is typical of the private citizens called on by their government from time to time to participate in special events at UNESCO headquarters here.

Like many of them he brings experience to his task. Among other things, he holds a doctorate in education from Harvard and served as an aide to Senator Daniel Patrick Moynihan, the New York Democrat, both on his Senate staff and when he was Ambassador to India.

Career diplomats at UNESCO can become numbed by the bombast or develop a certain critical sympathy for the organization. The newcomers often bring a fresh view that sometimes leads to outrage.

"There's a whole view of what constitutes 'the successful conference,'" said Mr. Finn, dallying sarcastically over the last three words. "The successful conference is one that achieves a consensus.

"Some of the career guys, and some of our allies, will say, 'If you only yield on this phrase or that sentence, we can be part of the consensus.' The problem is that the consensus is often against our values. We keep yielding and give up a mile a year. We haven't gotten to our heartland yet, but our perimeter keeps getting pushed back."

FRUSTRATION IS NOTED

Mr. Finn said his criticism was not aimed at the Reagan Administration or at America's representative at UNESCO, Jean Gerard. Rather, he said, it reflected general frustration over the seeming unwillingness of the United States to make the effort needed to win. Too many American and allied diplomats, he said, seemed resigned to losing to a Soviet-third world bloc.

What is being fought over mostly is words, usually the texts of resolutions and directives to the UNESCO staff, and Mr. Finn acknowledged that a lot of this "Unescoese" was of no consequence.

But he also argued that words can mean a great deal—that the way a resolution reads can give either the Americans or the Russians advantages in the war for world public opinion. More importantly, he said, a resolution that is badly worded from the American point of view could turn over part of the substantial UNESCO bureaucracy to programs opposed to American objectives or ideas.

WHAT'S IN A TITLE?

The present conference, which is scheduled to close later this week, was called to chart the future of a nine-year old UNESCO project on educating students around the world on the need for peace and international cooperation.

The meeting carries the title "Intergovernmental Conference on Education for International Understanding, Cooperation and Peace and Education Relating to Human Rights and Fundamental Freedoms, with a View to Developing a Climate of Opinion Favorable to the Strengthening of Security and Disarmament."

"Now look at that title," Mr. Finn said. "If you go back to the original document, you'll find that it stopped at 'human rights and fundamental freedoms.' That was a great victory for the American position—we want to keep attention on human rights. But over time the Soviets managed to add the 'climate of opinion' phrase."

The Americans are intent on preventing the Soviet Union from using the conference to set up a UNESCO project that will in effect be an adjunct to its drive to stop the installation of new American cruise and Pershing missiles in Europe.

"The danger," Mr. Finn said, "is a conception that says that the only obstacle to peace in the world is Western resistance to Soviet aggression—which, of course, is never called 'aggression.'"

The other main American objective is to include in the documents phrases defending "academic freedom" and "the free flow of information and ideas," and to drop phrases that imply that education and textbooks should follow a particular political line.

Mr. Finn riffled through his papers and pulled out a Mongolian resolution calling for "improving cooperation and coordination of the activities of government institutions, social organizations and families."

POSSIBLE PROBLEMS AT HOME

There is another a whole other side to the UNESCO business: Countries also have to live at home with the resolutions they vote for here.

For example, Mr. Finn said, some of the American declarations on academic freedom could be used by liberals fighting textbook censorship in the United States.

"If you believe in academic freedom, you believe in academic freedom," be said. "On the other hand, I think you have to remember than in a decentralized school system like ours, decisions on local public school textbooks are made by people fighting these questions out democratically before their local school boards."

Sometimes the fight over words took on the cast of a state legislature dustup.

At one point, Mr. Finn said, the Minister of Education from Nova Scotia, "a likable, salty old guy," came up to him and said, "I like your resolutions, but I have a problem with this phrase about opposing 'all impediments to the full exercise of academic freedom,' You see, the professors' unions in Nova Scotia, regard budget cuts as restrictions on academic freedom. Could you drop the word 'all'?"

"I told him I was a professor and understood," Mr. Finn said with a chuckle. "I said we'd gladly drop the word just to get in any mention of academic freedom." The deal was made.●

CAPITAL ASSISTANCE LEGISLATION NEEDED

● Mr. SASSER. Mr. President, yesterday, Washington Post editorial, "The Crumbling Infrastructure," was an argument in the right direction as it addressed the problem of our Nation's deteriorating infrastructure and the need for the Congress to address this problem by planning public works expenditures more sensibly.

Planning public works expenditures more sensibly: This is precisely the purpose of S. 676, the Capital Assistance Revenue Sharing Act (CARS) of 1983, which I introduced a little more than 2 months ago. It targets Federal funds to infrastructure repair and improvement projects at the State and local level.

The construction of this bill is as clear and unequivocal as its purpose. It calls for a $3.5 billion a year appropriation to State and local governments for the purpose of infrastructure repair and rehabilitation. Of this total, $3 billion would be distributed using a simplified revenue-sharing formula to State and local governments; one-third would go to the States and the remaining two-thirds would go to local governments. The other $500 million would be allocated on a project-by-project basis to local governments not eligible for other funds under the bill's formula.

Consider the thrust of the Post editorial:

> Most essential public works systems are already in place, and emphasis in federal spending should now shift from new construction to repair.

The CARS bill recognizes this shift. The Post goes on to suggest that:

> The Federal Government also needs to find a better way to expend its resources on truly national concerns while giving states and localities more flexibility in addressing their widely varying public works needs.

The Capital Assistance Revenue Sharing Act of 1983 does this. It makes a Federal statement on a matter of utmost national need, the need to improve and repair a deteriorating infrastructure. It also provides State and local governments with the flexibility, through a simplified revenue-sharing formula, to address "their widely varying public works needs."

I want to emphasize that funding under S. 676 would be in addition to, and not in place of, general revenue sharing's own extension.

In targeting the infrastructure needs of State and local governments, my legislation embraces the spirit of the original revenue-sharing law enacted in 1972, before the economic difficulties of the mid-1970's forced most State and local governments to use revenue sharing funds simply to stabilize tax rates, and not to focus on their capital budgets.

Yesterday's Post editorial is additional evidence that we ought to establish a regular, permanent program to fund infrastructure repair and improvements in this Nation. Further, I believe the editorial is another testimonial to the need for the vehicle which can best accomplish this objec-

tive, the Capital Assistance Revenue Sharing Act of 1983. I ask that the editorial be printed in the RECORD.

The editorial follows:

[From the Washington Post, May 9, 1983]

THAT CRUMBLING INFRASTRUCTURE

Ever since policy experts drew attention a couple of years ago to the dilapidated state of many public facilities, proposals for repairing what came to be called the nation's infrastructure have abounded. So extreme was the deterioration said to be that trillions of dollars would be needed to put highways, sewers, transit systems and other public works in decent condition. Two recent studies, however, suggest that the situation is more manageable than had been supposed. That's the good news. The bad news is that dealing with it will probably require a far more disciplined approach to public works financing than Congress is likely to accept.

A survey of 809 cities by the National League of Cities and the Conference of Mayors found that almost all face sizable repair jobs, but that the cost of urgent repairs was relatively modest and that local resources could cover much of it. The Congressional Budget Office similarly found that—despite the $5.5 billion added last year to annual highway spending and the $4 billion voted in the recent public works "jobs" bill—all levels of government needed to step up capital spending by about $11 billion a year. But, the study observed, most of the spending shortfall could be met by better allocation of current federal dollars.

The CBO criticized current federal public works policy for overemphasizing construction of new facilities, for channeling dollars to projects of local interest but low national priority, and for encouraging states and localities to neglect needed repair and replacement of existing facilities. Most essential public works systems are already in place, and emphasis in federal spending should now shift from new construction to repair. The federal government also needs to find a better way to expend its resources on truly national concerns while giving states and localities more flexibility in addressing their widely varying public works needs.

To get Congress to plan public works expenditures more sensibly, Reps. Bill Clinger and Bob Edgar have been pushing the idea of requiring the administration to prepare an inventory of the nation's capital assets and to make annual assessments of the most-needed improvements and repairs. The administration wisely opposes the idea of a separate "capital budget," on the ground that this would be an invitation to run up still larger federal deficits. But it has warmed somewhat to the idea of compelling Congress to consider the long-term implications of its public works spending decisions.

All this sensible advice, however, is likely to fall on deaf ears in Congress. As long as congressmen judge their worth to their constituents by the imposing public works they cause to be constructed in their districts—never mind the future cost of maintaining them—the poor old infrastructure is likely to keep crumbling while the repair bills steadily mount.●

IMF'S BLANK CHECK

● Mr. HELMS. Mr. President, The Washington Times of April 15 contained an article by Pat Buchanan (We Pay and the LDC's Get A Blank Check) in which Mr. Buchanan makes it clear why we should not grant the International Monetary Fund more money in quota increases.

He accurately points out that an $8.4 billion IMF bailout merely adds fuel to the deficit fires. If this IMF bailout is approved, the Federal Government will borrow more from the private sector, thus draining billions that could go toward national economic recovery and providing permanent jobs in the private sector.

The IMF is understandably popular with chronic debtor states. Though the fund does impose "austerity plans," as Pat Buchanan points out, these plans are often aimed at raising taxes and cutting economic growth—practices that undermine creditworthiness.

The perpetual state of financial ill health of IMF borrowers like India, Poland, and Mexico testifies to the error of granting the IMF more financial resources.

Mr. President, I ask that this article be printed in the RECORD.

The article follows:

[From the Washington Times, Apr. 15, 1983]

WE PAY AND THE LDC'S GET A BLANK CHECK

(By Patrick Buchanan)

As President Reagan scrounges about for a piddling $50 million for ammunition for the beleaguered army of El Salvador, the House Banking Committee is greasing the skids for the International Monetary Fund-Bank Bailout, involving a sum a thousand times as large.

The $8.4 billion bundle, the U.S. share of the $47 billion IMF package, is said to be unstoppable. Perhaps so. When, previously, the president lined up with the establishment, the coalition proved invincible.

Eventually, however, when the American people learn how the Republican Party conspired to use their savings—to spare Rockerfeller's reputation and save Rockefeller's bank—while less-favored businesses were allowed to perish at the rate of 500 a week, a reckoning will come.

But the point here is not to underscore anew the social injustice or political folly of the Big Bank Bailout, but to limn the Brave New World toward which we now seem irretrievably headed.

With that $47 billion, the IMF will receive more than an immense slice of the accumulated savings of Western people. With it goes unprecedented clout, lethal leverage over the American banks—to a claque of international bureaucrats who bear no allegiance whatsoever to the United States.

What is taking place is not simply a transfer of savings, but a transfer of sovereignty.

Here is how the New International Economic Order—the dream of the Brandt Commission, the demand of the Third World—will work:

One by one, the bankrupts of the Communist Bloc and the Socialist South will be arriving in Washington, D.C., and queueing up at the offices of the IMF.

We cannot pay our debts, they will say; besides, we need more money. Not to wory, the IMF officers will answer. We will draw up an "austerity plan" for your economy. Upon your acceptance, we will tide you over with a few hundred million or billion from our newly replenished hoard of capital. In addition, the Big Banks will be "bailed in" to your rescue plan, i.e., the Big Banks will be required by the IMF to send good American dollars chasing the tens of billions in bad loans. If a country balks at the IMF terms, it gets no new money; If a bank balks at the IMF demands, it gets no relief—i.e., no interest on its old loans.

With the new billions and enhanced power, the IMF will gain permanent access to the investment capital of the United States, a decisive voice in how much of America's savings, henceforth, will be used to maintain the credit ratings of regimes from South America to Central Africa to Eastern Europe. As not a single applicant at the IMF window has yet been turned away, we may expect this record of generosity with our money to continue.

Before our eyes and by the hand of our Congress, the greatest foreign aid machine in history is being constructed, a system of permanent wealth transfers from the capitalist West to the anti-capitalist South and the communist East.

It will work, Don Regan of Treasury assures us, because the IMF "requires debtor nations to pursue sound economic policies." The IMF "is playing a key role in assisting nations to move back to a sound economic footing."

That so? What "sound economic policies" were imposed by the IMF upon Stalinist Romania, $10 billion in debt, as a condition of its latest loans? Has Mexico, beneficiary of the biggest bailout, been placed upon a "sound economic footing" when President de la Madrid continues to hold that 75 percent of the private economy was seized by Lopez Portillo and the thieves so lately departed?

The rules of economics and sound banking are being stood on their heads.

Do you truly help people mired in poverty by collaborating with the socialist regime responsible for their condition in imposing "austerity" upon them? Do you truly help countries hopelessly in debt by increasing that debt? Do you truly assist banks with billions in bad loans by increasing their exposure to bankrupt regimes? Can the way into this mess be the way out?

Who is looking out for the American people? One day, they will demand to know why their savings were plundered to be shipped off to Nigeria and Mexico and Venezuela so these three arrogant oil producers could hold production down and keep prices up, the better to gouge the very American people bailing them out.

Watching Mr. Conservative march merrily toward this sunken road calls to mind the cri de coeur of Oliver Cromwell in his letter to the Church of Scotland: "I beseech you, in the bowels of Christ, think it possible you may be mistaken."●

SCHOOL NUTRITION PROGRAMS GET HIGH MARKS

● Mr. DOLE. Mr. President, the U.S. Department of Agriculture has recently completed and submitted to the Congress the final report from the national evaluation of school nutrition programs, an assessment of the effectiveness and efficiency of the national school lunch and school breakfast programs. This is a landmark study in that it is the first ever, truly nationally representative public health and nu-

trition survey of the school-age population. The information provided in this final report is tremendously valuable to those of us who have to make decisions about these programs regularly and to the many dedicated professionals whose job it is to monitor the health and well being of our Nation's children. We encourage the Secretary to build upon this fine effort and continue in the future to support similar evaluation research into the child nutrition programs on an ongoing basis.

I ask that the attached executive summary be printed in the RECORD.

The summary follows:

THE NATIONAL EVALUATION OF SCHOOL NUTRITION PROGRAMS, FINAL REPORT—EXECUTIVE SUMMARY

(Prepared by Jack Radzikowski)

In October 1979 the Food and Nutrition Service (FNS) of the U.S. Department of Agriculture began an evaluation of the National School Lunch, School Breakfast and Special Milk Programs. The evaluation is formally called the National Evaluation of School Nutrition Programs. This is an executive summary of the final report from that study.

The major objectives of the evaluation were to: identify and synthesize existing research and evaluation data on the school nutrition programs, identify the determinants of participation in the school nutrition programs and develop statistical models for use in forecasting participation rates, determine the impact of the school nutrition programs upon students and their families, and determine whether existing benefit levels are appropriate for participants' needs. The study was initiated in response to Senate Resolution 90 (June 20, 1979, Report 98-208).

This report is the third major report emanating from the National Evaluation of School Nutrition Programs. The first report, U.S. Department of Agriculture's Response to Senate Resolution 90 (Radzikowski and Vogel, 1981) presented preliminary evaluation findings. The second report, The National Evaluation of School Nutrition Programs—Review of Research (Nelson et al., 1981) identified and synthesized the results from research studies completed between 1960 and 1980 that addressed the topics of school nutrition program operations and effectiveness.

In the subsequent parts of this summary, the goals of the school nutrition programs are identified and program operations are briefly described. Thereafter, highlights of the descriptive, impact and participation findings from the study are presented.

PROGRAM GOALS AND OPERATIONS

The National School Lunch Program was authorized in 1946 (P.L. 79-396) to safeguard the health and well being of the nation's children by providing them with nutritious foods and to support farm income by increasing the consumption of domestic agricultural products. In pursuit of similar goals, the Child Nutrition Act of 1966 (P.L. 89-642) authorized the School Breakfast Program and the Special Milk Program. Through these programs, meals designed to meet specific nutritional requirements are offered at full price, reduced price or free to students in participating schools, according to uniform national eligibility criteria based on family income and size.

The Food and Nutrition Service of the U.S. Department of Agriculture is the principal administering agency for the National School Lunch, School Breakfast and Special Milk Programs. At the federal level, FNS is generally responsible for implementing program legislation; establishing regulations, policies and guidelines; monitoring program performance; and providing program and administrative funds to states. At the regional level there are seven FNS offices. The major functions of the FNS Regional Offices are to monitor and provide technical assistance to the state agencies. When state agencies cannot administer the programs in private schools because of state laws, FNS Regional Offices directly administer the programs in private schools. In turn, the state agency, usually the Department of Education, administers the programs within the states by providing technical assistance to local School Food Authorities (SFA's) at the school district level, by monitoring SFA performance, and by establishing fiscal record-keeping systems. At the local level, SFA's administer the programs in the schools they supervise, in accordance with all of the appropriate regulations such as those governing the income criteria for free and reduced price eligibility. Finally, individual schools are responsible for preparing nutritious meals and making them available to all children.

The school nutrition programs receive federal support primarily by a performance funding mechanism. The allocation of resources to the states by the federal government, and subsequently to the SFA's by the states, is based on a cash reimbursement for each meal or half pint of milk served. In addition to the cash reimbursement, schools receive an amount of commodities based on the number of lunches they serve plus as much of specified types of surplus commodities (e.g., cheese) as they can use without waste. At the time this study was conducted, during Fiscal Year 1981, states received approximately $2.4 billion in cash subsidies and $894 million in donated commodities for the National School Lunch Program, $330 million in cash subsidies for the School Breakfast Program, and $102 million in cash subsidies for the Special Milk Program.

METHODOLOGY

The National Evaluation of School Nutrition Programs was the first study to examine the effects of the School Lunch, School Breakfast and Milk Programs on a nationally representative sample of public school students and their parents. In the Fall of 1980, data on public school students' program participation, dietary intake, growth and development and well being were taken through personal interview or direct measurement from approximately 6,500 students. During the same time period, data on family food expenditures, income and family composition were collected from the students' parents. Also, during this period, measures of program characteristics were collected from principals and food service managers in 1,100 public schools, through a mail survey. Statistical inferences and descriptive national estimates were made about school nutrition operations, participation patterns and impact, based on a wide range of program participants and nonparticipants in the sample.

DESCRIPTIVE FINDINGS

School lunch—General characteristics

The National School Lunch Program is available to almost all the public school students in the United States. During the time of the survey, 98 percent of these students had daily access to the Lunch Program.

About 25 million School Lunches, enough to feed 60 percent of those attending public schools were served every day. Students tended to be regular participants and eat the School Lunch every day or not at all. Two out of five School Lunches were served free of charge. Slightly more than half of all School Lunches were served to students paying full price. The average price of a full price School Lunch was 63 cents in the Fall of 1980 (81 cents in late 1981).

School breakfast—General characteristics

In contrast to the Lunch Program's pervasiveness in the United States, the newer School Breakfast Program is available to only 39 percent of public school students. The distribution of schools maintaining the Breakfast Program is by no means random—participating schools occur disproportionately in poor, southern and urban districts. Schools with the Breakfast Program also tend to have lower per pupil expenditures (i.e., local resources devoted to education tend to be less than in other schools).

At the time of the study, about four million School Breakfasts were served every day, enough to feed approximately 10 percent of the students attending public schools. Four out of five School Breakfasts were served free of charge. The average price of a full price School Breakfast was 28 cents in the Fall of 1980 (41 cents in late 1981). As in the Lunch Program, students tend to be regular participants and eat the School Breakfast every day or not at all.

School lunch—Income and family composition of participants

As a general rule, participation in the Lunch Program is highest for students from families in the lowest quartile of total income (below $12,250) and per capita income, and for students from large families (i.e., five or more members) and from single parent families. Large and single parent families are both known to be associated with lower socioeconomic status.

Black, Hispanic and other minority students also have higher participation rates than white students, who have the lowest rate. Although white students have the lowest rate of participation, they constitute the largest part of the school-age population and thus receive slightly more than two-thirds of the School Lunches.

School breakfast—Income and family composition of participants

The same participant characteristics of income and family composition described about for the Lunch Program also apply to the Breakfast Program; however, they are more pronounced for the Breakfast Program. That is, the Breakfast Program provides benefits to relatively higher percentages of low income and non-white participants than is provided by the Lunch Program. Only 1.4 percent of those in the upper quartile of family income (above $30,000) participate in the Breakfast Program. Again, although white students have the lowest rate of participation, they constitute the largest part of the population and thus receive 40 percent of the School Breakfasts.

Schools that do not have the lunch or breakfast programs

There are about 1,700 public schools in districts where none of the schools have the School Lunch or Breakfast Program. They have an enrollment of about 1,000,000 students. The students in these schools are

about 93 percent white, compared to a national average of about 75 percent white. These schools appear to serve students who are more affluent than those in schools that have the Lunch Program.

IMPACT FINDINGS

School lunch—Impact on family food expenditures

The monetary value of the federal reimbursement for School Lunches represents a subsidy to the families of participating students. An important issue is whether families use the subsidy to supplement or to substitute for their usual food expenditures.

Analyses from the study clearly show that the Lunch Program supplements family food expenditures. Contrary to some speculation, families in general do not reduce their food expenditures when their children receive subsidized meals at school. Thus the Lunch Program is attaining one of its legislated goals. It is promoting the consumption of agricultural products by increaseing the amount or quality (i.e., value) of food obtained by participating families.

The School Lunch Program is an efficient way of increasing the value of food available to participants' families since, in most cases, the value is increased by about the same amount as the federal subsidy. To judge the magnitude of the effect, one can compare it to the increased amount of food expenditures resulting from an additional dollar of cash income. That comparison shows that an increase of between $9.00 and $10.00 of direct cash income would be needed to have the same effect on food expenditures as $1.00 of School Lunch subsidy.

The above findings hold for the general population of School Lunch participants. There are some differences in the effect of participation among different ethnic groups. There is a slight reduction in food expenditures for blacks and Hispanics. Most of the reduction is in expenditures for food away from home. No significant reduction is shown for food expenditures at home. Since the differences are slight and are for food away from home, it is possible that participants from these groups are diverting the money they would have spent on alternative lunches or snacks to other family expenditures.

School breakfast—Impact on family food expenditures

There is no reduction in family food expenditures for the general population of School Breakfast participants. The effect of Breakfast Program participation on the food expenditures of low income and ethnic groups is the same as that for the general population.

Because no substitution effect is found, the Breakfast Program, even more than the Lunch Program, can be considered primarily a food supplementation program and an efficient way of increasing the value of food available to participants' families.

School lunch—Impact on the nutrient intake of students

Impact on dietary intake gives an indication over the short term of the extent to which the school nutrition programs are attaining their goal of safeguarding the health of the nation's school-age children through the provision of nutritious foods.

Students who participate in School Lunch have higher intakes of energy and more nutrients than students who do not participate in any of the school nutrition programs.[1] The Lunch Program is superior not only when participants' nutrient intake from the noon meal is compared to that of nonparticipants, but also when participants' 24-hour nutrient intake is compared to that of nonparticipants. The differences in nutrient intake are accounted for mainly by the higher nutritional value of School Lunches compared with the lunches eaten by nonparticipants.

It is worth noting that of the many nutrients for which Lunch Program participants show superior intakes, four (vitamins A and B6, calcium and magnesium) are ones that typically are deficient in the diet of the school-age population.

The superiority of the School Lunch is reflected in higher daily intake of nutrients for the general school-age population and for all the population subgroups that were examined. Elementary students, secondary students, and students from families with per capita income below the sample median (i.e., below $3,845) all benefit from participation in the Lunch Program. It was expected that an even greater nutritional impact would be found for low income students than for middle or high income students; however, the results for the low income students are quite similar to those for the general population of students.

School breakfast—Impact on the nutrient intake of students

The School Breakfast Program was originally established in part to combat the nutritional problems of poor children. Although all children in schools with this program are now eligible to participate regardless of their parents' income, historically there has been a conscious effort to target the Breakfast Program toward schools with high percentages of children from low income families.

The findings from the study suggest that the principal nutritional benefit of the Breakfast Program is that it increases the likelihood that children will eat breakfast. This can be considered a nutritional benefit in that, on the average, children who eat a breakfast are substantially better nourished than those who skip breakfast. Based on projections made from this study's data, it is estimated that over 600,000 students who currently skip breakfast would eat it if the Breakfast Program were available in their schools.

Given that children do eat breakfast, the School Breakfast is not superior to the meal students obtain from non-USDA sources expect for the milk-related nutrients. Moreover, the findings for the low income, elementary and secondary School Breakfast program participants are similar to those for the general population of Breakfast Program participants. Participants in these subgroups also have nutrient intakes that are inferior to those of nonparticipants. In fact, the School Breakfast provides less vitamin A and B6, and less iron than breakfasts eaten by nonparticipants.

Milk—Impacts on the nutrient intake of students

When judging the dietary intake findings of the study, it is important to keep in mind the nutrient contribution of milk as part of the meal patterns. Milk is a major source of calcium, phosphorus and riboflavin. In almost all of the comparisons that demonstrate the relative efficacy of the school nutrition programs, singly or in combination with one another, the high intakes of some (i.e., calcium, phosphorus and riboflavin) but not all nutrients, are most likely due to milk consumption.

School lunch—Impact on the growth and development of students

Impact on growth and development (i.e., height and weight) provides indications of the long-term effects of program participation on children's health. However, such indices are much more likely to be affected by illness, genetic and environmental influences than by school meals.

Participation in the School Lunch Program shows no effects on students' height adjusted for age. However, intermediate and secondary school students who have participated in the program an average of five days per week since entering school, weigh slightly more for their age and have slightly bigger triceps fatfolds than students who were less frequent participants. These effects of School Lunch participation do not vary with income status. The differences in weight and triceps fatfold thickness associated with participation among the older students are quite small compared with the effects of other factors such as the sex of the child, ethnic background and parents' height and weight. Consequently, the significance of these findings with respect to the goal of safeguarding the health of school-age children is difficult to evaluate.

School breakfast—Impact on the growth and development of students

School Breakfast participation is not related to students' height adjusted for age. Relationships with weight and triceps fatfold thickness are inconsistent and rather weak, although it appears that frequent Breakfast participants are somewhat less likely than nonparticipants to be under- or overweight, i.e., they are somewhat more likely to be in the normal range. These effects of School Breakfast Program participation do not vary with income status.

PARTICIPATION FINDINGS

School lunch—Determinants of participation

The biggest single determinant of School Lunch Program participation is meal price.[2] Holding other factors constant, students who pay higher prices participate less frequently. The responsiveness of participation frequency to the price paid for School Lunch depends very much on the price level. At a Lunch price of 40 cents for example, a 10 percent increase in price is associated with a 5 percent decrease in participation, while at a price of 60 cents, a 10 percent increase in price is associated with a 7.5 percent decrease in participation.

Students whose parents report that the School Lunch is less expensive, more convenient and of higher nutritional value than lunch at home are more likely to participate. The strength of the effect of these factors suggests that parent attitudes as well as economic factors are important in predicting participation levels.

[1] Nonparticipants, unless otherwise noted, are students in schools where the program in question is available but who choose not to participate. Comparisons are between students who eat the School Lunch and students who eat an alternative lunch. If students who skipped lunch were included in the non-participating group, differences between Lunch participants and nonparticipants would be even greater than the differences described here.

[2] Participation in this context is defined as the number of times within a given week a student eats the school meal.

Other factors that account for a substantial amount of variation in School Lunch participation suggest that more frequent participants are students who are younger (under age 13), have parents who make the decision where to eat lunch, are male, have parents who are less educated, cannot eat lunch at home, live in rural areas and go to schools where the faculty and staff eat in the same dining areas as students.

School breakfast—Determinants of participation

Students who receive free Breakfasts or pay very low prices for Breakfast participate more frequently than those who pay higher prices. The responsiveness of participation frequency to the price paid for Breakfast depends on the price level of the meal but is generally quite high. At a Breakfast price of 20 cents for example, a 10 percent increase in price is associated with a 7 percent decrease in participation. The high responsiveness of participation to Breakfast price changes and the fact that only 27 percent of Breakfast participants pay anything for meals suggest that when students have to pay for the School Breakfast, the demand is quite low.

Other factors that account for a substantial amount of variation in School Breakfast participation suggest that more frequent School Breakfast participants are students who are younger, cannot eat breakfast at home, are black, are male, have parents who consider the School Breakfast a better nutritional value and more convenient than a home breakfast, make their own decision about where to eat breakfast and come from families that receive WIC benefits.

School lunch—Targeting of program benefits

The targeting analyses developed a tool for examining the effects of current policy and changes to current policy on the distribution of program benefits.

For simulation purposes in the final report, the policy under scrutiny was the eligibility criteria for free and reduced price meals. The benefits of the School Lunch and Breakfast Programs were defined in terms of the number of meals that children received through the programs. The distribution of benefits was measured both by the participation rate of the total public school population and by the participation rates of various subgroups of public school students. Since the needs of various subgroups differ, the results of these analyses help in determining the extent to which the programs reach those groups with the greatest need.

The effects of different criteria were assessed by comparing participation rates under several different sets of eligibility criteria for free and reduced price meals. For example, the effects on various population subgroups of the eligibility criteria in use in Fall 1980 (i.e., a hardship deduction, 125 percent of poverty for free, 195 percent of poverty for reduced) were compared to the eligibility criteria in use after passage of the Omnibus Reconciliation Act of 1981 (i.e., no hardship deduction, 130 percent of poverty for free, 185 percent of poverty for reduced). This comparison showed that students from families in the second quartile of per capita income (i.e., $2,500 to $4,250) received a much greater reduction in School Lunch benefits than the general population. There were no important differences in effects for students of various ages or ethnicity, or for students from different regions of the country.

School breakfast—Targeting of program benefits

The targeting analyses show the effects of changing eligibility criteria to be greater on School Breakfast participation than on School Lunch participation. Comparison of participation rates under the eligibility criteria in use in Fall 1980 to the rates under the eligibility criteria in use after passage of the Omnibus Reconciliation Act of 1981 shows the greatest reduction in Breakfast Program benefits for students who are in families with per capita income in the second quartile, live in the western or northeastern United States, are in grades 10 through 12 and are Hispanic.

CONCLUSIONS

The School Lunch Program, while it delivers benefits to substantial numbers of poor students, serves all students.

The School Breakfast Program, because it delivers mostly free meals and is found predominantly in schools located in low income areas, serves primarily the poor.

Both the School Lunch and Breakfast Programs function more as food supplementation than as income supplementation programs. This is because, in general, the federal subsidy results in an increase in the value of food available to the family rather than an increase in discretionary income. Moreover, both programs are likely more efficient than the provision of additional cash income in accomplishing food supplementation goals.

The School Lunch Program, as judged by the nutrient intake of students, clearly provides meals that are superior to the lunches received by nonparticipants. These differences are probably accounted for by the nutritional quality of foods prescribed in the national meal pattern.

Compared to alternative breakfasts, the School Breakfast is superior only in the milk-related nutrients. Since the nutrients for which the School Breakfast suffers by comparison are low in the diets of a large percentage of school-age children, the School Breakfast meal pattern should be examined and improved. The major advantage of the School Breakfast Program is that fewer students skip breakfast in schools where the School Breakfast is available.

Participation rates in both the School Lunch and Breakfast Programs are more sensitive to differences in the price of meals than any other factor affecting participation. School Breakfast participation rates would be especially depressed in the face of any substantial price hikes.

Altering major policies (e.g., eligibility criteria) in the School Lunch and Breakfast Programs to control program costs, while often having simple fiscal implications, can have different and not immediately obvious effects on the distribution of benefits to various subpopulations of participants. Such unanticipated effects of various policy options in many cases can now be estimated from the data collected in the National Evaluation of School Nutrition Programs.●

STOP THE BAILOUT BANDWAGON

● Mr. HUMPHREY. Mr. President, a recent Wall Street Journal editorial discussing the proposed bailout of the International Monetary Fund stresses a theme which in the view of this Senator deserves very careful consideration. Noting that "crisis legislation invariably turns out to be bad legislation," the editorial recognizes that we in Congress tend to respond to such so-called crisis only after the natural course of events has begun to solve them.

This was the atmosphere in which the recent jobs bill was passed, Mr. President, and I fear that history is preparing to repeat itself as the IMF bill comes to the floor. Just as the jobs bill was passed at a time when economic recovery had clearly begun, so will this IMF bailout be considered at a time when worldwide recovery begins to ease the debt burden of the Third World.

Transfer of valuable capital to a multilateral institution that will allocate it among the least creditworthy is an economically unsound approach to the debt issue. It is the fervent hope of this Senator that the bailout bill will not be rushed through amidst threats of a crisis that is likely more illusory than real. As the leader of the free industrialized world, it would behoove us to demonstrate the extent to which the free market can and will resolve this issue if only given the chance.

Acquiescence to the IMF bailout will constitute an ill-advised reactive response to the international debt situation. On the other hand, a rejection of this request, accompanied by a consistent adherence to policies designed to support economic growth, will represent a well-reasoned and proactive approach. Despite the threats of the international doomsayers, the entire world will benefit if the latter course prevails.

I ask that the editorial appear in the RECORD.

The editorial follows:

[From the Wall Street Journal, Apr. 20, 1983]

WHAT DEBT CRISIS?

The Reagan administration has been flogging Congress to add $8.4 billion to International Monetary Fund coffers as the key element in a plan to quell the "debt Crisis" that is said to be threatening the world financial system. But we have been watching with a rising sense of unease as the legislation wends its way through Congress. Many questions about the IMF scheme have gone unanswered. One is: What debt crisis?

To us, it appears that the international debt crisis, as conventionally defined, is for all practical purposes over. The chief element in that crisis was what bankers at the time were pleased to call an "unexpectedly" severe recession. To our mind, bankers are paid to expect the unexpected, but let that pass for a moment. There's no doubt that less-developed countries were finding it more and more difficult to export their goods to the industrialized countries and thereby generate enough revenue to meet their debt service. The length and severity of the recession supposedly made it necessary to arrange an emergency fund to stave off an old-fashioned banking panic.

But now most of the industrialized countries are well on their way to recovery, judg-

ing from the official indicators and ebullient stock markets world-wide. Government economists reportedly have run the recovery scenario through their computers recently and found that 4.2% growth over the next two years, which looks very much in the ballpark, would pretty much solve whatever debt problem exists.

That's not to say that some countries, and some banks, couldn't still go down the tubes. But the market has had ample time to discount the probability of this, and there's no reason it should lead to a panic. Poland has already declared a virtual moratorium on repayment of its debt, and that didn't lead to financial armageddon, as some predicted. Anyway, there are established national procedures for dealing with potential bank failures.

And if a crisis really does exist, the IMF is sitting on about $45 billion of gold that could be pledged to raise more than enough hard currency to deal with it. The proposed quota increase, by contrast, wouldn't take effect until late this year. That doesn't sound like much of an emergency to us, although it does sound like a way of permanently augmenting the power of the IMF bureaucracy.

Cooler heads have all along been skeptical about the true extent of the "debt crisis." A confidential Federal Reserve/Treasury Department staff study last summer concluded that "a collapse of the system is highly unlikely (although) there is always the danger that an individual borrower, or borrowing country, will run into difficulties." Only in the cases of Mexico and Brazil, the study said, "is the magnitude of U.S. banks' exposure sufficient to pose a potential threat to confidence in the event of total loss." But, the study quickly added, "total loss . . . is highly unlikely."

That was a good judgment then and it's good judgment now. At the very least, it makes it incumbent on the administration and the IMF to make a more positive showing why huge new sums of money must be taken out of our capital markets, guaranteed by the taxpayer and flung at countries around the globe with proven records of poor economic policies. It also hasn't been made clear by the administration and the IMF why adding more debt to the backs of poor countries will help rather than hurt them. Or how it will help the soundness of the banking system to be "bailed in" for billions more in shaky loans to whomever he IMF's bureaucrats deem worthy. The IMF has had some successes in recent years, but most of its customers seem to come back again and again for more money.

Debtor nations, bankers, IMF officials and others with a vested interest in bailouts like to scare the public with such specters as the $600 billion or so owed to the industrialized world by the non-OPEC developing countries. But only a fraction of that total is in doubt, and even that amount will be reduced by the economic recovery now taking place. The banks themselves seem in no hurry to raise their reserves substantially against the calamity supposedly stalking them.

The banks have been pushing for a higher IMF quota as a means of ultimately extricating themselves from this morass. But they are likely to pay a heavy price. Congress is working on companion legislation that would, among other things, restrict bank lending abroad. But development lending is by no means intrinsically a bad thing. Done properly, it can be vital to the health of less developed countries, as it was to the U.S. in the 19th century, and quite profitable for prudent banks. Doubtless many bad loans were made to developing countries, in large part out of belief that the IMF would in fact bail out the banks if push came to shove. This problem does need to be addressed, and rushing to add to IMF coffers is scarcely the way to start.

We said recently that we knew the recession was over because Congress was enacting a jobs bill. It now looks to us as though the international "debt crisis" is over because Congress is whooping through an increase in IMF quotas. Crisis legislation invariably turns out to be bad legislation, and it would be a good idea to put the quota increase on hold until we can start to understand our recent experience, and define what the international debt problem is and what it is not.●

CAMPAIGN FINANCE REFORM

● Mr. CHILES. Mr. President, the Federal Election Commission recently released its final figures for the 1982 congressional elections. The FEC report underscores both the continued escalation in campaign spending and the increasing dominance of money from political action committees in congressional elections.

Candidates for the House of Representatives and the Senate spent a total of $343.9 million in 1981–82, almost an increase by half from the previous 2-year election cycle. For that same period political action committees contributed $83.1 million; an increase of 51 percent over 1979–80. Perhaps most significant, PAC money represented 31.5 percent of campaign funds spent by winning House and Senate candidates in 1982. If this trend of ever-increasing PAC contributions continues unabated, we are not far from a situation in which PAC money will be the major source of congressional campaign funds.

I doubt there are many Members of the Congress who would argue that it is a healthy prospect for the electoral process to be basically underwritten by the PAC's. Rather, it is a dangerous prospect which argues for some prompt preventive medicine. The Congress cannot afford for the American people to believe that we reach decisions for reasons other than our best judgment of what is good for this country. If the Congress is seen as being under the influence of PAC money our lawmaking responsibility loses its legitimacy.

We have an opportunity and the responsibility to address the issue of campaign finance reform in the present Congress. The public is alarmed at the explosion of PAC money, editorial opinion overwhelmingly calls for reform, and many Congressmen and Senators are vitally concerned.

Senators INOUYE, PROXMIRE, MATSUNAGA, and HATFIELD have joined me in sponsoring S. 911. Congressman PAUL SIMON of Illinois has introduced a companion measure in the House of Representatives (H.R. 2876). This legislation seeks to accomplish two goals. Initially, its passage would register the judgment of Congress that the unprecedented growth in campaign contributions by PAC's represents a threat to the electoral process; undermines equal political participation and exercises a coercive influence on the legislative process. It would put the Congress on record as supporting a limit on the role of political action committees in financing Federal elections.

Second, the Chiles-Simon bill would establish by statute a Commission to Reform Campaign Finance. This Commission will provide the mechanism to achieve the desired reforms. It is a short-term, bipartisan instrument that will have the mission of fully examining the complex legal, political, and practical questions involved in campaign finance and developing recommendations for achieving the goals set by the Congress.

Mr. President, the Congress faces many pressing and important issues. I would place high on that list the challenge to insure the purity and integrity of Federal elections. How we are elected, whether the concept of political equality is realized, is critical to our ability to be a truly representative legislative body. The American public is beginning to question just who is being represented in Congress. It is a question we had better answer promptly and with the clear message that it is the public not the special interest to which Congress responds. To send that message we must pass meaningful campaign reform legislation.●

INDIANA SMALL BUSINESSMEN OF THE YEAR

● Mr. QUAYLE. Mr. President, I am proud to bring the Senate's attention to the State of Indiana's Small Businessmen of the Year, Allan B. Hubbard and Edwin H. Klink, both of Indianapolis, Ind. These two gentlemen have been selected as Indiana's most outstanding small businessmen for their efforts in making their company, Worldwide Chemicals, Inc., into one of this country's fastest growing and most successful small businesses.

Al Hubbard attended Vanderbilt University for his undergraduate studies and obtained his master's in business and his law degree from Harvard University in 1974. While at Harvard, Al met Ed Klink, who attended West Point and after two tours of duty in Vietnam, went on to obtain his master's in business from Harvard. These two gentlemen embarked on separate careers in assorted locations around the country, but each kept their eye out for potential small business acquisitions and partnerships. Indiana was

lucky enough to provide the opportunity that Ed and Al wanted.

In 1977, after they had exhausted all possibilities for private financing, Ed and Al were able to obtain an SBA loan guarantee and thus, acquired what is now known as Worldwide Chemicals, Inc. What started as a tiny manufacturer of automotive cleaning products with annual sales of approximately $70,000 had annual sales of over $3.2 million in 1982. Aside from themselves, Al and Ed had two employees in 1977. They now have 30 full-time employees. Inc. Magazine rated it as the 41st fastest growing small business in the Nation based on this dramatic 2,005 percent growth in sales during the first 5 years under these two gentlemen's ownership. Worldwide Chemicals is currently the second largest manufacturer of automotive cleaning products in the country and retains a 10-percent share of the domestic market.

Ed and Al are in Washington this week as part of National Small Business Week. Here, they will receive the recognition that they deserve for their accomplishments from the Nation's leading small business advocates and experts, including President Reagan.

One cannot help but notice the fact that Ed Klink and Al Hubbard have accomplished this spectacular growth throughout the drastic economic decline that this country has been experiencing. I have observed these two gentlemen's dedication to their company and to its success over the past few years and I am not at all surprised by their accomplishments. I fully expect to hear more about them in the years to come.●

SPEECH BY ART BRESSI COMMEMORATING NATIONAL POW/MIA DAY

● Mr. DECONCINI. Mr. President, on April 9, 1983, one of my constituents, Mr. Art Bressi, gave a speech at Nellis Air Force Base in Nevada to commemorate National POW/MIA Day. Mr. Bressi is a past national commander of the American Defenders of Bataan and Corregidor. As a Japanese prisoner of war for more than 3 years, Mr. Bressi was both a witness to and victim of the atrocities and human indignities to which our servicemen and women were subjected during their internment. Despite the inhumane conditions in which they lived and the torture they endured, these heroic members of our Armed Forces remained loyal to their country and to the principles upon which it was founded. They are, I think you would agree, the bravest of the brave. Mr. Bressi's words are far more poignant than any I could say, and I ask that the full text of his speech be printed in the RECORD.

The speech follows:

IN COMMEMORATION OF POW/MIA DAY
(By Art Bressi)

Major General Jack Gregory, Mrs. Gregory, Ladies and Gentlemen, My Combat Buddies, and Former Prisoners of War:

To each of you, we would like to express our gratitude that you would take time to share today's events with us. We all know the primary purpose in this gathering is to honor and pay homage to our prisoners of war and those still missing in action. With your indulgence, I will remind you what is a Prisoner of War or a person Missing in Action.

Both the Prisoner of War and the person Missing in Action start out as a free individual, volunteering his life for his country with honor. He or she is a member of an honorable, and, at least in wartime, a high esteemed group—the Military.

Society and governments have held many conferences to provide humanitarian controls over those unfortunate enough to fall into either of these categories. From the beginning of time to the present, however, the lot of either varies tremendously from one place to another, from one time to another, from one season to another, from one war to another, and even from one captor to another.

I, personally, do not know of any individual who ever surrendered to an enemy. In the instances with which I have awareness, we were either shot down or captured through no direct fault of our own.

Time and time again we have been asked what difference there is between us and the combat soldier, sailor, marine or airman. The answer is quite simple: Each of us have been combat people with our respective branches of service. In addition to having been combat people, we have been subjected to an extra undeserved dose of trauma imposed upon us. The prospect of combat was what we bargained for; the undeserved dose of a POW or MIA was not mentioned in that contract.

The enemy has tortured us, beaten us, starved us, marched us unreasonable distances, failed to provide us with adequate medicines and clothing, exposed us to ridicule from the civilian populace, denied us the benefit of communications with our parents, families, and the outside world, forced many of us to solitary confinement, humiliated us in entirely too many instances, shattered our dignity, worked us and starved us almost to death, and, yes, even tried to brainwash us.

Most of us here today would gladly take 100 days of combat rather than one of the many bitter and unforgetable days we had as prisoners of war. Today, we would like to remind the American public we haven't changed much from the combat person we were; it is just that circumstances tossed us into a situation we neither wanted nor liked. We ask only that the same Americans never forget those who were prisoners of war, and, even more importantly, those who are still missing in action.●

THE EMERGENCY SCHOOL AID EXTENSION ACT OF 1983

● Mr. MOYNIHAN. Mr. President, yesterday, I joined with a number of my distinguished colleagues in introducing S. 1256, legislation to authorize a new program of special assistance for school desegregation activities. This program is intended as a replacement for the Emergency School Aid Act, first enacted in 1972 to assist local communities to desegregate voluntarily their schools.

I have a long history with the original bill. In 1970 I was a member of President Nixon's administration and was much involved in education matters for the President when he first proposed the creation of a program to assist local communities to desegregate voluntarily their schools. He recommended that $1 billion be provided for that purpose and directed, by Executive order, the creation of the emergency school aid program; 2 years later, Congress adopted the Emergency School Aid Act, later to become title VI of the Elementary and Secondary Education Act of 1965.

The purpose of the 1972 act was to encourage communities to voluntarily adopt desegregation programs. From that time forward, Federal funds to assist local school districts with desegregation have been made available; from fiscal year 1973 to fiscal year 1981—the last year ESAA was a separate categorical program—$2.2 billion was appropriated for this purpose. The funds received under the ESAA program have been used for a variety of activities. These include staff training, employment of additional staff, development of new curricula, creation of magnet and neutral site schools, and the pairing of schools with colleges and businesses to help address desegregation related problems.

During consideration of the Omnibus Reconciliation Act of 1981 President Reagan decided to include the emergency school aid program in his State education block grant proposal. I fear that an unanticipated consequence of this decision has been the drastic reduction or elimination of voluntary school desegration programs in hundreds of school districts throughout the country.

In fiscal year 1981, $512 million was available to State and local educational agencies for all programs folded into the block grant. A year later, funding for the same programs was reduced to $455 million. With respect to emergency school aid assistance, school districts in 43 States received $149.2 million in fiscal year 1981. But such assistance has not been forthcoming under the block grants. This is due in large part to the formula embodied in the block grants, which has had the effect of increasing the number of school districts eligible to receive Federal education assistance at a time when the combined level of funding was being reduced.

A recent survey by the American Association of School Administrators (AASA), an organization of approximately 17,000 local school superintendents, revealed that "94.3 percent of the school districts surveyed are not using chapter 2 funds for desegrega-

tion purposes; the funds are simply not available in the quantity necessary." A Rand study prepared for the U.S. Department of Education in February concluded:

> The inclusion of ESAA in chapter 2 largely eliminates Federal financial support of desegregation. Moreover, ESAA's demise has a further consequence for nondiscrimination. The Education Department's Office for Civil Rights (OCR), charged with enforcing nondiscrimination, had sign-off reponsibility on ESAA grant applications. This authority gave enormous leverage in reviewing school district treatment of protected groups. LEA's complied with OCR dictates rather than lose ESAA funds.

The Reagan administration has repeatedly stated its support for voluntary school desegregation. A 1980 Presidential campaign position paper stated:

> Governor Reagan would rigorously enforce laws which prohibit intentional racial segregation, and would support voluntary integration plans such as magnet schools.

In a brief filed with the Fifth Circuit Court of Appeals in New Orleans on August 9, 1982, the Justice Department called for the use of voluntary incentives rather than mandatory busing to achieve desegregation. The brief further specified the establishment of magnet schools offering unique, high-quality curriculums to draw students from all areas into a segregated school.

Yet, by including ESAA moneys in the chapter 2 block grant program, the administration has effectively deprived school districts of funds necessary for undertaking school desegregation programs. Apart from the dissipation of ESAA funding, the Reagan administration has further proposed eliminating the $24 million civil rights training program under title IV of the Civil Rights Act of 1964. The President's fiscal year 1984 budget proposal did not include any request for title IV funding; a program that has helped pay the salaries of State desegregation officials and has provided assistance to school districts implementing desegregation plans—a substantial number of which include voluntary elements—under court order.

The cutbacks in ESAA funding have been almost ruinous for major school districts around the country, many of which are midway through implementation of school desegregation plans. In New York, funding for school desegregation has dropped precipitously, from more than $20 million in fiscal year 1981 to less the $3 million in fiscal year 1982—an 85-percent cut. The Buffalo public schools received $6.57 million for desegregation purposes in 1981, but only $1.05 million in 1982. The school systems in New York City, Rochester, West Irondequoit, Syracuse, Newburgh, and Mount Vernon also experienced dramatic reductions in Federal support.

The situation elsewhere is no better. A recent report of the House Subcommittee on Civil and Constitutional Rights reveals that the State of Delaware received only half as much for all of its school districts in 1982 from the block grant as one of its school districts—New Castle County—received in 1981 under the ESAA program. An article in the March 24, 1982, issue of Education Week reports that two school systems in Missouri—St. Louis and Kansas City—received more Federal desegregation money in 1981 than all of the State's school districts obtained through the block grant in 1982.

The Emergency School Aid Extension Act of 1983 would create a new program of special assistance for school desegregation activities as title VI of the Elementary and Secondary Education Act of 1965. Senators EAGLETON, DANFORTH, BRADLEY, TSONGAS, JACKSON, RIEGLE, and LAUTENBERG have joined me in this bipartisan effort.

Our bill would authorize $125 million for desegregation assistance in fiscal year 1983. Depending on appropriations, this money could be made available to school districts by the beginning of the 1983-84 school year. The bill also authorizes $125 million for each of the 3 succeeding fiscal years 1984-86. Total funding for desegregation activities would amount to $500 million.

Local school districts would compete for funding under the program by submitting applications to the Department of Education, which would administer the program; 5 percent of the total authorization would be set aside for grants to State educational agencies providing support for desegregation related activities to local school districts. Similar legislation was approved today by the full House Committee on Education and Labor with bipartisan support.

Surely, the proven benefits of the emergency school aid program, as a fulfillment of the Federal Government's commitment to school desegregation, and as a means for providing millions of American schoolchildren with better educational opportunities, warrant this expenditure. In December 1982, the U.S. Commission on Civil Rights, in a statement on school desegregation, noted:

> Since its enactment in 1972, ESAA has assisted numerous school districts in the desegregation process and has aided school children to overcome the educational disadvantage of minority group isolation.

To date, my efforts to restore the emergency school aid program have been endorsed by 12 major education and civil rights organizations: American Federation of Teachers, American Association of School Administrators, Leadership Conference on Civil Rights, National Association for the Advancement of Colored People, National Coalition for Quality Integrated Education, National Committee for School Desegregation, National Education Association, National School Boards Association, National Urban League, National Association of Elementary School Principals, the Council of Great City Schools, and the Federal Education Project of the Lawyers Committee for Civil Rights Under the Law.

I strongly urge my colleagues in the Senate to reconsider the advisability of including the emergency school aid program in the State education block grants. Although local control of education is a well established principle in this Nation, the Federal Government has made the funding of school desegregation a national priority over the past 13 years. Without a separate, categorical program of assistance for voluntary desegregation, local school districts across the country will in all probability be unable to meet their obligations under the law. We must not surrender our commitment to providing equal education opportunities to children of all races by depriving local school districts of the resources necessary to carry out desegregation plans. To do so would be to undo all of the good achieved by ESAA programs to date.

Mr. President, I request that a table showing the loss of Federal school desegregation funding in my own State of New York under the chapter 2 block grant, and the full text of S. 1256, be included with my statement in the RECORD.

The material follows:

ECIA CH. 2 EXPENDITURES FOR DESEGREGATION PURPOSES [1] BY FORMER ESAA DISTRICTS IN NEW YORK STATE SCHOOL YEAR 1982-83

District	Formula award			Money allocated for desegregation	Desegregation dollars as percentage of formula award		Competitive grants		Total expended by districts for desegregation
	Public	Nonpublic	Total		Total	Public share	Amount for desegregation	Percentage of district's total award dollars	
Buffalo	$956,866	$335,950	$1,292,816	$956,866	74.0	100.0	$95,000	61.5	$1,051,866
Mount Vernon	196,886	28,043	224,929	1,573	.7	.8			1,573
Newburgh	336,010	27,618	[2] 363,628	336,010	92.4	100.0			336,010
New York City [3]	8,305,723	2,692,429	[2] 10,998,152				281,683	50.6	281,683

ECIA CH. 2 EXPENDITURES FOR DESEGREGATION PURPOSES [1] BY FORMER ESAA DISTRICTS IN NEW YORK STATE SCHOOL YEAR 1982–83—Continued

District	Formula award			Money allocated for desegregation	Desegregation dollars as percentage of formula award		Competitive grants		Total expended by districts for desegregation
	Public	Nonpublic	Total		Total	Public share	Amount for desegregation	Percentage of district's total award dollars	
Poughkeepsie	109,657	40,711	150,368	104,107	69.2	94.9			104,107
Rochester	647,210	116,508	763,718	647,210	84.7	100.0	88,491	86.7	735,701
West Irondequoit	16,873	4,202	21,075				79,000	100.0	79,000
Syracuse	266,572	58,441	325,013	266,572	82.0	100.0	89,312	33.7	355,884
Total	10,835,797	3,303,902	14,139,699	2,312,338			633,486		2,945,824

[1] Includes Magnet School expenditures.
[2] This figure differs from an earlier reported figure due to adjustments in the assignment of nonpublic schools to this district.
[3] NYC's block grant money was divided among 35 public school districts ($237,000 per district). Because this amount was insufficient for maintaining any single district's desegregation programs previously funded by ESAA, only moneys acquired through discretionary grants were directed toward desegregation activities.

S. 1256

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Elementary and Secondary Education Act of 1965 is amended by inserting at the appropriate place in the Act the following title:

"TITLE VI—SPECIAL DESEGREGATION ACTIVITIES

"SHORT TITLE

"SEC. 601. This title may be cited as the Emergency School Aid Extension Act of 1983."

"FINDINGS AND PURPOSE

"SEC. 602. (a) The Congress finds that the process of eliminating or preventing minority group isolation and improving the quality of education for all children often involves the expenditure of additional funds to which local educational agencies do not have access.

"(b) The purpose of this title is to provide financial assistance—

"(1) to meet the special needs incident to the elimination of minority group segregation and discrimination among students and faculty in elementary and secondary schools; and

"(2) to encourage the voluntary elimination, reduction, or prevention of minority group isolation in elementary and secondary schools with substantial proportions of minority group students.

"POLICY WITH RESPECT TO THE APPLICATION OF CERTAIN PROVISIONS OF FEDERAL LAW

"SEC. 603. (a) It is the policy of the United States that guidelines and criteria established pursuant to this title shall be applied uniformly in all regions of the United States in dealing with conditions of segregation by race in the schools of the local educational agencies of any State without regard to the origin or cause of such segregation.

"(b) It is the policy of the United States that guidelines and criteria established pursuant to title VI of the Civil Rights Act of 1964 and section 182 of the Elementary and Secondary Education Amendments of 1966 shall be applied uniformly in all regions of the United States in dealing with conditions of segregation by race whether de jure or de facto in the schools of the local educational agencies of any State without regard to the origin or cause of such segregation.

"AUTHORIZATION

"SEC. 604. (a) The Secretary shall, in accordance with the provisions of this title, carry out a program designed to achieve the purpose set forth in section 602(b).

"(b) There are authorized to be appropriated for the purposes of this title, $125,000,000 for fiscal year 1983 and such sums as may be necessary for each of the three succeeding fiscal years.

"(c)(1) From the amount appropriated in each fiscal year the Secretary shall reserve not more than 5 per centum for carrying out section 607.

"(2) The remainder of the amount appropriated for each fiscal year shall be available for grants and contracts to local educational agencies which meet the eligibility requirements of section 605.

"ELIGIBILITY FOR ASSISTANCE

"SEC. 605. (a)(1) The Secretary is authorized to make a grant to, or enter into a contract with, a local educational agency—

"(A) which is implementing a plan—

"(i) which has been undertaken pursuant to a final order issued by a court of the United States, or a court of any State, or any other State agency or official of competent jurisdiction, and which requires the desegregation of minority group segregated children or faculty in the elementary and secondary schools of such agency, or otherwise requires the elimination or reduction of minority group isolation in such schools, and which may, in addition, require educational activities in minority group isolated schools not affected by the reassignment of children or faculty under the plan in order to remedy the effects of illegal segregation; or

"(ii) which has been approved by the Secretary as adequate under title VI of the Civil Rights Act of 1964 for the desegregation of minority group segregated children or faculty in such schools; or

"(B) which, without having been required to do so, has adopted and is implementing, or will, if assistance is made available to it under this title, adopt and implement, a plan for the complete elimination of minority group isolation in all the minority group isolated schools of such agency; or

"(C) which has adopted and is implementing, or will, if assistance is made available to it under this Act, adopt and implement a plan—

"(i) to eliminate or reduce minority group isolation in one or more of the minority group isolated schools of such agency;

"(ii) to reduce the total number of minority group children who are in minority group isolated schools of such agency; or

"(iii) to prevent minority group isolation reasonably likely to occur (in the absence of assistance under this title) in any school in such district in which school at least 20 per centum, but not more than 50 per centum, of enrollment consists of such children; or

"(D) which, without having been required to do so, has adopted and is implementing, or will, if assistance is made available to it under this title, adopt and implement a plan to enroll and educate in the schools of such agency children who should not otherwise be eligible for enrollment because of nonresidence in the school district of such agency, where such enrollment would make a significant contribution toward reducing minority group isolation in one or more of the school districts; or

"(E) which is developing a plan of desegregation—

"(i) issued by a court of the United States or a court of any State, or any other State agency or official of competent jurisdiction; or

"(ii) undertaken by such agency voluntarily; and which plan will require the desegregation of minority group segregated children or faculty in the elementary and secondary schools of such agency, or otherwise will require the elimination or reduction of minority group isolation in such schools, or which has been approved by the Secretary as adequate under title VI of the Civil Rights Act of 1964 for the desegregation of minority group segregated children or faculty in such schools, and the period for such planning does not exceed two years; or

"(F) which is located within, or adjacent to, a Standard Metropolitan Statistical Area, the schools of which are not attended by minority group children in a significant number or proportion, and which has made joint-arrangements with the schools of a local educational agency located within that Standard Metropolitan Statistical Area which are attended by minority group children in a significant proportion, for the establishment or maintenance of one or more integrated schools.

"(2) Not more than one grant for the development of a plan under clause (E) of paragraph (1) may be made to any local educational agency. Receipt of a grant or contract under clause (E) of paragraph (1) shall not be used as an absolute defense in any court of the United States or a court of any State, or before any other State agency or official of competent jurisdiction.

"(3) No grant may be made under clause (F) of paragraph (1) unless the application for such grant has been approved by local educational agencies in the Standard Metropolitan Statistical Area, the students of which constitute two-thirds or more of the number of students in the schools of all the local educational agencies in the Standard Metropolitan Statistical Area.

"(b)(1) Except as provided in paragraph (2), no educational agency shall be eligible for assistance under this title if the Assistant Secretary for Civil Rights has determined that it has, after June 23, 1972—

"(A) transferred (directly or indirectly by gift, lease, loan, sale, or other means) real or personal property to, or made any services available to, any transferee which or reasonably should have known to be a nonpublic school or school system (or any organization controlling, or intending to establish, such a school or school system) without prior determination that such nonpublic school or school system (i) is not operated on a racial-

ly segregated basis as an alternative for children seeking to avoid attendance in desegregated public schools, and (ii) does not otherwise practice, or permit to be practiced, discrimination on the basis of race, color, or national origin in the operation of any school activity;

"(B) had in effect any practice, policy, or procedure which results in the disproportionate demotion or dismissal of instructional or other personnel from minority groups in conjunction with desegregation or the implementation of any plan or the conduct of any activity described in this section, or otherwise engaged in discrimination based upon race, color, or national origin in the hiring, promotion, or assignment of employees of the agency (or other personnel for whom the agency has any administrative responsibility);

"(C) in conjunction with desegregation or the conduct of an activity described in this section, had in effect any procedure for the assignment of children to or within classes which results in the separation of minority group from nonminority group children for a substantial portion of the school day, except that this clause does not prohibit the use of bona fide ability grouping by a local educational agency as a standard pedagogical practice; or

"(D) had in effect any other practice, policy, or procedure, such as limiting curricular or extracurricular activities (or participation therein by children) in order to avoid the participation of minority group children in such activities, which discriminates among children on the basis of race, color, or national origin, except that, in the case of any local educational agency which is ineligible for assistance by reason of clause (A), (B), (C), or (D), such agency may make application for a waiver of ineligibility, which application for a waiver of ineligibility contain such information and assurances as the Secretary shall require by regulation in order to insure that any practice, policy, or procedure, or other activity resulting in the ineligibility has ceased to exist or occur and include such provisions as are necessary to insure that such activities do not reoccur after the submission of the application.

"(2) Whenever a local educational agency applies for assistance under clause (E) of section 605(a)(1), the provisions of clauses (C) and (D) of paragraph (1), of this subsection shall not apply if the local educational agency provides assurances in the application for assistance that the development of the plan for which assistance is sought will address the conditions described in such clauses (C) and (D).

"(3)(A) Applications for waivers under paragraph (1) may be approved only by the Secretary. The Secretary's functions under this paragraph shall, notwithstanding any other provision of law, not be delegated.

"(B) Application for waiver shall be granted by the Secretary upon determination that any practice, policy, procedure or other activity resulting in ineligibility has ceased to exist, and that the applicant has given satisfactory assurance that the activities prohibited in this subsection will not reoccur.

"(4) No application for assistance under this title shall be approved prior to a determination by the Secretary that the applicant is not ineligible by reason of this subsection.

"(5) All determinations pursuant to this subsection shall be carried out in accordance with criteria and investigative procedures established by regulations of the Secretary for the purpose of compliance with this subsection.

"(6) All determinations and waivers pursuant to this subsection shall be in writing.

"(7) The Secretary shall prepare and include in the annual report required by section 422(a)(4) of the General Education Provisions Act a list of all the waivers granted under this subsection for the preceding fiscal year.

"AUTHORIZED ACTIVITIES

"SEC. 606. (a) The Secretary shall make sums appropriated under section 604(a) for any fiscal year available for programs and projects designed to meet educational needs that arise from the development of or the implementation of a plan described in section 605(a). The programs and projects may include, but are not limited to—

"(1) planning to implement or carry out a plan of desegregation issued by a court of the United States, or a court of any State, or any other State agency or official of competent jurisdiction, and which requires the desegreation of minority group segregated children or faculty in the elementary and secondary schools of such agency, or otherwise requires the elimination or reduction of minority group isolation in such schools or which has been approved by the Secretary as adequate under title VI of the Civil Rights Act of 1964 for the desegregation of minority group segregated children or faculty in such schools;

"(2) the planning for, design of, and conduct of programs in magnet schools, including necessary minor remodeling or alteration of existing school facilities;

"(3) the training of school staff and local educational agency staff in the handling of problems incident to the implementation of a qualifying plan;

"(4) the provision of additional staff members (including teacher aides) to assist in meeting educational needs that arise from the implementation of the plan;

"(5) innovative educational activities, including extracurricular activities, which involve the joint participation of minority group children and other children;

"(6) community relations activities, including public information efforts, in support of the implementation of a qualifying plan;

"(7) the provision of compensatory services to children who have received such services under title I but who are no longer eligible to receive those services as a result of attendance area changes under a qualifying plan;

"(8) activities to prevent or eliminate recurring or continuing problems resulting from the implementation of a qualifying plan; and

"(9) in the case of an applicant implementing a court-ordered desegregation plan under section 605(a)(1(A)(i), the conduct of educational activities in one or more minority group isolated schools which are not affected by the reassignment of children or faculty under the plan, where the activites have been required by the court to remedy the effects of illegal segregation.

"(b) In recruiting and hiring teacher aides to assist in carrying out a program or projects under this section the local educational agency shall give preference to parents of children affected by the implementation of a qualifying plan.

"SPECIAL STATE PROJECTS

"SEC. 607. From the amount reserved under section 604(c)(1) in each fiscal year, the Secretary is authorized to make grants to, or enter into contracts with—

"(1) State educational agencies, and

"(2) other State agencies involved in or responsible for the desegregation of public elementary and secondary schools within a State,

to provide supportive services to local educational agencies or groups of local educational agencies to implement voluntary or court-ordered plans to eliminate or reduce minority group isolation in such agencies.

"APPLICATIONS

"SEC. 608. (a) Any local educational agency desiring to receive assistance under this title shall submit to the Secretary, at such time, in such form, and containing only such information as the Secretary deems necessary to carry out their functions under this title, an application describing the activities to be carried out under the application during the period, not to exceed five academic years, for which assistance is being sought. That application, together with all correspondence and other written materials relating thereto, shall be made readily available to the public by the applicant and by the Secretary. The Secretary may approve an application only upon a determination that such application—

"(1) has been developed and will be carried out—

"(A) in open consultation with parents, teachers and, where applicable, secondary school students, including at least one public hearing at which such persons have had a full opportunity to understand the program for which assistance is being sought and to offer recommendations thereupon, and

"(B) with the participation of a committee composed of parents of children enrolled in the applicant's schools, teachers and, where applicable, secondary school students, of which at least half the members shall be such parents and at least half shall be persons from minority groups;

"(2) sets forth such policies and procedures, and contains such information, as will insure that funds paid to the applicant under the application will be used solely to pay the additional cost to the applicant in carrying out the programs described in the application;

"(3) provides that the plan with respect to which such agency is seeking assistance (as specified in section 605(a)(1)(A)) does not involve freedom of choice as a means of desegregation, unless the Secretary determines that freedom of choice has achieved, or will achieve, the complete elimination of a dual school system in the school district of such agency;

"(4) provides assurances that such agency will carry out, and comply with, all provisions, terms, and conditions of any plan, as described in section 605, upon which a determination of its eligibility for assistance under this title is based;

"(5) sets forth such policies and procedures, and contains such information, as will insure that funds made available to the applicant (A) under this title will be so used (i) as to supplement the level of funds that would, in the absence of such funds, be made available from non-Federal sources for the purposes of the program for which assistance is sought, and for promoting the integration of the schools of the applicant, and for the education of children participating in such program, and (ii) in no case, as to supplant such funds from non-Federal sources, and (B) under any other law of the

United States will, in accordance with standards established by regulation, be used in coordination with such programs to the extent consistent with such other law, except that nothing in this clause shall prohibit the use of funds under this title for otherwise authorized activities required under a court-ordered plan described in section 605(a)(1)(A)(i);

"(6) provides that (A) to the extent consistent with the number of minority group children in the area to be served who are enrolled in private nonprofit elementary and secondary schools which are operated in a manner free from discrimination on the basis of race, color, or national origin, and which do not serve as alternatives for children seeking to avoid attendance in desegregated or integrated public schools, whose participation would assist in achieving the purpose of this title stated in section 602(b), provides assurance that such agency (after consultation with the appropriate private school officials) has made provisions for their participation on an equitable basis, and (B) to the extent consistent with the number of children, teachers, and other educational staff in the school district of such agency enrolled in or employed in private nonprofit elementary and secondary schools whose participation would assist in achieving the purpose of this title stated in section 602(b), such agency (after consultation with the appropriate private school officials) has made provisions for their participation on an equitable basis;

"(7) provides that the applicant has not reduced its fiscal effort per student or the aggregate expenditure for the provision of free public education for children in attendance at the schools of such agency for the fiscal year for which assistance is sought under this title to less than that of the second preceding fiscal year;

"(8) provides that the appropriate State educational agency has been given reasonable opportunity to offer recommendations to the applicant and to submit comments to the Secretary;

"(9) provides (A) that the applicant will make such periodic reports as the Secretary may reasonably prescribe, and (B) that the applicant will keep such records and afford such access thereto as—

"(i) will be necessary to insure the correctness of such reports and to verify them, and

"(ii) will be necessary to insure the public adequate access to such reports and other written materials; and

"(10) provides that the applicant, in developing the program or project for which it seeks assistance, has considered the need for compensatory services for children who received those services under title I of this Act, but who are no longer eligible to receive those services as a result of attendance area changes under a qualifying plan.

"(b) The Secretary shall determine whether the applicant is eligible under section 605(b), and notify the applicant in writing of any determination of ineligibility under that subsection, including in detail the relevant information on which the determination of ineligibility is based, not later than March 1 of the year in which the academic year or other period for which the assistance is sought begins. Not later than June 30 of that year, the Secretary shall notify the applicant of the approval or disapproval of the application and the amount of its award, if any.

"(c) No application under this section may be approved which is not accompanied by the written comments of a committee established pursuant to clause (2)(B) of subsection (a). The Secretary shall not approve an application without first affording the committee an opportunity for an informal hearing if the committee requests such a hearing.

"(d) In approving applications submitted under this title the Secretary shall apply the following criteria:

"(1) the recentness of the implementation of the plan described in section 605(a) or modification thereof;

"(2) the proportion of minority group isolated children involved in the plan described in section 605(a);

"(3) the need for assistance based on the expense or difficulty of effectively carrying out a plan described in section 605(a) and the program or projects for which assistance is sought; and

"(4) the degree to which the program or project for which assistance is sought affords promise of achieving the purposes of this title.

"(e)(1) The Secretary shall not give less favorable consideration to the application of a State or local educational agency (including an agency currently classified as legally desegregated by the Secretary) which has voluntarily adopted a plan qualified for assistance under this title (due only to the voluntary nature of the action) than to the application of a local educational agency which has been legally required to adopt such a plan.

"(2) The Secretary shall not finally disapprove in whole or in part any application for funds submitted by a State or local educational agency without first notifying the agency of the specific reasons for his disapproval and without affording the agency an appropriate opportunity to modify its application.

"(f) The Secretary may, from time to time, set dates by which applications shall be filed.

"(g) In the case of an application by a combination of local educational agencies for jointly carrying out a program or project under this title, at least one such agency shall be a local educational agency described in section 605(a) and any one or more of such agencies joining in such application may be authorized to administer such program or project.

"(h) No State shall reduce the amount of State aid with respect to the provision of free public education or the amount of assistance received under chapter 2 of the Education Consolidation and Improvement Act of 1981 in any school district of any local educational agency within such State because of assistance made or to be made available to such agency under this title.

"PAYMENTS

"SEC. 609. (a) The Secretary shall pay to each applicant having an application approved under section 608 the amount set forth in the application. Payments under this title for a fiscal year shall remain available for obligation and expenditure by the recipient until the end of the succeeding fiscal year.

"(b)(1) If a local educational agency in a State is prohibited by law from providing for the participation of children and staff enrolled or employed in private nonprofit elementary and secondary schools as required by clause (6) of section 608(a), the Secretary may waive such requirement with respect to local educational agencies in such State and, upon the approval of an application from a local educational agency within such State, shall arrange for the provision of services to such children enrolled in, or teachers or other educational staff of, any nonprofit private elementary or secondary school located within the school district of such agency if the participation of such children and staff would assist in achieving the purpose of this title stated in section 602(b). The services to be provided through arrangements made by the Secretary under this paragraph shall be comparable to the services to be provided by such local educational agency under such application.

"(2) In determining the amount to be paid pursuant to paragraph (1), the Secretary shall take into account the number of children and teachers and other educational staff who, except for provision of State law, might reasonably be expected to participate in the program carried out under this title by such local educational agency.

"(3) If the Secretary determines that a local educational agency has substantially failed to provide for the participation on an equitable basis of children and staff enrolled or employed in private nonprofit elementary and secondary schools as required by paragraph (8) of section 610(a), he shall arrange for the provision of services to children enrolled in, or teachers or other educational staff of, the nonprofit private elementary or secondary school or schools located within the school district of such local educational agency, which services shall, to the maximum extent feasible, be identical with the services which would have been provided such children or staff had the local educational agency carried out such assurance. The Secretary shall pay the cost of such services from the grant to such local educational agency and shall have the authority for this purpose of recovering from such agency any funds paid to it under such grant.

"(c) After making a grant or contract under this title, the Secretary shall notify the appropriate State educational agency of the name of the approved applicant and of the amount approved.

"ATTORNEY FEES

"SEC. 610. Upon the entry of a final order by a court of the United States against a local educational agency, a State (or any agency thereof), or the United States (or any agency thereof), for failure to comply with any provision of this title or for discrimination on the basis of race, color, or national origin in violation of title VI of the Civil Rights Act of 1964, or the fourteenth amendment to the Constitution of the United States as they pertain to elementary and secondary education, the court, in its discretion, upon a finding that the proceedings were necessary to bring about compliance, may allow the prevailing party, other than the United States, a reasonable attorney's fee as part of the costs.

"NEIGHBORHOOD SCHOOLS; PROHIBITION AGAINST USE OF APPROPRIATED FUNDS FOR BUSING

"SEC. 611. (a) Nothing in this title shall be construed as requiring any local educational agency which assigns students to schools on the basis of geographic attendance areas drawn on a racially nondiscriminatory basis to adopt any other method of student assignment.

"(b) No funds appropriated for the purpose of carrying out this title may be used for the transportation of students or teachers (or for the purchase of equipment for such transportation) in order to overcome racial imbalance in any school or school system, or for the transportation of stu-

dents or teachers (or for the purchase of equipment for such transportation) in order to carry out a plan of racial desegregation of any school or school system, except for funds appropriated pursuant to title I of the Act including any portion of such funds as are attributable to children counted under subparagraph (C) of section 3(d)(2) or section 403(1)(C) of the Act.

"DEFINITIONS

"SEC. 612. Except as otherwise specified, the following definitions shall apply to the terms used in this title:

"(1) For the purpose of section 605(a)(1)(F), the term 'integrated school' means a school with an enrollment in which a substantial proportion of the children is from educationally advantaged backgrounds, in which the proportion of minority group children is at least 50 per centum of the proportion of minority group children enrolled in all schools of the local educational agencies within the Standard Metropolitan Statistical Area, and which has a faculty and administrative staff with a substantial representation of minority group persons.

"(2) The term 'magnet school' means a school or education center that offers a special curriculum capable of attracting substantial numbers of students of different racial backgrounds.

"(3) The term 'minority group' refers to (A) persons who are American Indians and Alaskan Natives; Asians and Pacific Islanders; blacks, not of Hispanic origin; Hispanics; Franco-Americans; and Portuguese; and (B) (except for purposes of section 605), as determined by the Secretary, persons who are from environments in which the dominant language is other than English and who, as a result of language barriers and cultural differences, do not have an equal educational opportunity.

"(4) The terms 'minority group isloated school' and 'minority group isolation' in reference to a school mean a school and condition, respectively, in which minority group children constitute more than 50 per centum of the enrollment of a school.

"(5) The term 'Standard Metropolitan Statistical Area' means the area in and around a city of fifty thousand inhabitants or more as defined by the Office of Management and Budget.

"(6) The term 'State' means one of the fifty States or the District of Columbia.".

SEC. 2. (a) Section 561 of the Education Consolidation Improvement Act of 1981 is amended by striking out "VI,".

(b) Section 576 of such Act is amended by striking out "title VI, relating to emergency school aid, of the Elementary and Secondary Education Act of 1965,".

(c) Section 577 of such Act is amended—

(1) by striking out clause (3); and

(2) by redesignating clauses (4), (5), (6), and (7) as clauses (3), (4), (5), and (6), respectively.

(d) Section 587(a)(1) is amended by striking out "VI,".

● Mr. DANFORTH. Mr. President, I am pleased to join with Senators MOYNIHAN, EAGLETON, and others in introducing the Emergency School Aid Extension Act. Passage of this legislation would once again put into place a categorical program designed to assist local communities with the desegregation of their public schools. Such a program existed for almost a decade, until the Congress folded the then Emergency School Aid Act (ESAA) program into the education block grant. This was done in the Omnibus Reconciliation Act of 1981.

I have been a supporter of many of this administration's block grant proposals. This is because I believe that the election of November 1980 was in part a response to the American people's fear that they somehow were losing control of their Government's decisions. To the extent that the Federal Government tells the people and the States how every tax dollar will be spent, we exacerbate that concern. Wisdom about local affairs—more often than not—is close to the people and not reposed in the Federal Government.

There are exceptions to every rule, however, and desegregation assistance must, in my judgment, be one. I am the first to admit that my reflections have been focused by the genuine need for such assistance in my own State, particularly for the voluntary desegregation plan being implemented by the St. Louis city and county schools. But the experience of my own State is of consequence for all the States with school districts in such need.

In the school year 1981–82, the last year before ESAA was folded into the education block grant, the city of St. Louis received $4,666,000 for desegregation assistance. The very next year St. Louis received only $654,000 from the block grant, which replaced not only the emergency school aid program, but four other programs as well. In the 2 years from 1980 to 1982 St. Louis experienced a 90-percent decline in funding for the programs included in the education block grant. According to the Council of the Great City Schools, no other major city suffered quite the proportional loss of St. Louis. But others have suffered severe declines—Boston, Buffalo, Cleveland, Dallas, Minneapolis, Oakland, and Seattle have all experienced funding declines of more than 70 percent.

We must reverse this unfortunate state of affairs for several reasons. First, drastically lower Federal funding for desegregation purposes discourages the States and school districts themselves from solving their own problems. The Federal Government should be doing what it can to encourage the localities to do more, not less.

Let me be clear. By this I do not in any way mean that the Federal Government should be encouraging the forced busing of school children. The bill we are introducing today specifically provides that these new funds cannot be used for busing purposes. But I do mean that we should work diligently to encourage desegregation by such desirable means as the establishment of magnet schools and open enrollment. Such schemes are expensive.

Second, some States are in the second or third year of implementing desegregation plans and find themselves with little or no money to carry them out.

Third, and most important, desegregation plans often are mandated by the Federal Government itself, frequently by order of the Federal courts. The Federal Government has a financial obligation to help local communities meet the desegregation requirements set out by the Federal Government itself.

This legislation authorizes $125 million for desegregation assistance in fiscal year 1983. This sum would be available for the 1983–84 school year. The aid is targeted to local educational agencies which are or will be adopting and implementing desegregation plans, either voluntarily or by court order.

As I have emphasized, no funds, under the bill would be available for busing. There are, however, several activities for which funds specifically are authorized, including the planning and implementation of desegregation plans, the planning and establishment of magnet schools, the training of staffs to handle desegregation efforts, the hiring of community relations personnel to keep the public informed about such efforts, and so forth.

The award of funds by the Secretary of Education would be made on a competitive basis. The bill sets out certain criteria for the approval of applications, including: First, the need for assistance; second, the proportion of minority students involved in a desegregation effort; third, the degree to which a plan actually would achieve desegregation; and fourth, the recentness of the implementation of a desegregation plan. The bill also allows the Secretary of Education to reserve up to 5 percent of the funds authorized to aid those State agencies which are themselves providing desegregation assistance to the public schools. This should act as an incentive for States to do more.

It is no exaggeration to say that there is widespread concern in our country today about the Federal Government's commitment to quality education for all our public school children. Integration of our public schools is a constitutional necessity, and most of the achievements in the desegregation of our public schools are a result of Federal action. Without resort to the failed policy of forced busing, we can demonstrate a steady progress in this area, but the Federal Government must be prepared to accept its financial responsibility. I urge my colleagues to lend their support to this bill.

EARLY CONSIDERATION OF S. 24 URGED

● Mr. HUDDLESTON. Mr. President, last week the House of Representatives completed consideration of H.R. 1190, the Emergency Agricultural Credit Act of 1983. I introduced a similar bill, S. 24, on January 26. The Senate Agriculture Committee favorably reported the bill, with amendments, on March 18.

Despite the emergency conditions that many farmers are operating under, the Senate has not taken action on this important legislation.

The threat of foreclosure is the most serious and demoralizing aspect of the current depression in the agricultural economy. Federal credit programs need to be adjusted immediately to prevent foreclosures against efficient farm operators who are experiencing temporary financial hardship through no fault of their own.

S. 24 provides the temporary emergency credit assistance that is needed immediately by our Nation's farmers.

The bill has been significantly modified by the Agriculture Committee to reduce possible costs and to address other concerns that have been raised about its provisions. I am prepared to make additional modifications in the bill to insure its enactment.

PROVISIONS OF THE BILL

Specifically, the bill establishes a temporary loan deferral program for Farmers Home Administration farm loan borrowers who are faced with foreclosure. Under the bill, the Secretary of Agriculture will be required to grant deferrals on repayment of loans if the borrower can show to the satisfaction of the Secretary—

First, that he has exercised good management practices; second, that due to circumstances beyond his control, he is temporarily unable to continue making payments on the loan; and third, that he has a reasonable chance of repayment of the loan after the deferral period ends.

Under the bill, no principal or interest owed to the Farmers Home Administration by borrowers will be foregiven. In addition, the bill restricts eligibility for deferrals to those farmers who are unable to make payments on their loans due to circumstances beyond their control; and the burden of proof to qualify for a deferral rests solely on the borrower.

The bill gives the Secretary of Agriculture discretionary authority, through the end of fiscal year 1984, to implement the insured economic emergency loan program.

The bill provides $200 million in additional insured operating loan funds for use during the remainder of this fiscal year, for farmers who are refused credit from their traditional lenders.

The bill raises the insured operating loan limit for individual FmHA farm borrowers to $300,000 and extends the maximum repayment period on operating loans from 7 to 15 years.

The bill requires the Farmers Home Administration to make use of the operating loan and ownership loan funds allocated for the low-income, limited-resource farmer programs during this fiscal year.

The bill provides that the interest rate on any Farmers Home Administration farm loan that is consolidated, reamortized, or rescheduled must be set at a rate that is the lower of the original rate of interest on the loan or the current rate being charged by the Farmers Home Administration on similar loans.

DEFERRAL PROVISIONS

The deferral provisions contained in S. 24 were modified by the Agriculture Committee to address administration concerns.

The bill, as reported, addresses the administration's concerns that, under S. 24, large numbers of FmHA borrowers, not just those in need, would seek loan deferrals, and that the provisions of S. 24 would lead to the filing of a large number of lawsuits by those seeking deferrals.

Specifically, the bill as reported, provides that the Secretary of Agriculture will be required to grant a deferral on repayment of the loan only if the borrower subject to foreclosure for nonpayment can show to the satisfaction of the Secretary that he meets all the qualification criteria.

It should be noted, that last year, about 8,000 Farmers Home Administration farm borrowers were foreclosed or liquidated for financial reasons. The Farmers Home Administration does not expect the foreclosure and liquidation figures this year to be higher than last year. If that is the case, a good estimate of the total number of farmers who could possibly receive deferrals under the bill this year would be 8,000; of this number, not all would necessarily qualify for a deferral under the rigid qualification criteria established by the committee's amendment.

Also, it is important to note that the CBO estimate and other published estimates of the costs of the deferral do not fully reflect the true fiscal effect of deferrals under the bill.

These presentations estimate only the principal and interest lost during the periods of deferral; they do not include the income from repayment of loan installments deferred. As the Congressional Budget Office itself notes in its cost estimate on S. 24, as reported, and I quote, "Most of such deferred payments would presumably be recovered in subsequent years, with interest."

We must recognize that, under the bill's deferral provisions, interest and principal payments on loans will only be deferred, not forgiven; the deferral payments will ultimately be recovered in subsequent years, with interest; and, based on these facts, notwithstanding the various estimates and regardless of assumptions as to the number of farmers participating, the major costs of the deferral will be administrative costs.

I share the administration's concern about involving the Farmers Home Administration in excessive litigation. FmHA is already being sued in 22 district courts and in several bankruptcy proceedings because, to many borrowers, its present foreclosure policy is not clear, is too subjective, and is open to interpretation by FmHA employees at the county level.

Any confusion and appearance of inequity will be eliminated by defining in law, as does the bill, the principles that will be used to grant a deferral.

ECONOMIC EMERGENCY LOANS

Under the bill, the implementation of the economic emergency loan program will be at the discretion of the Secretary of Agriculture. The Secretary needs this discretionary authority to respond to unanticipated economic emergencies, such as the credit conditions that, recently, resulted in the Farmers Home Administration running out of operating loan funds in 20 States.

CONCLUSION

The authorities provided in the bill will enable the Farmers Home Administration to assist FmHA borrowers who have been adversely affected by the depression in agriculture and many of the thousands of other farmers who have been refused credit from farm credit system and commercial lenders this year.

The provisions of S. 24 provide much more than symbolic support for our Nation's farmers. This legislation will provide the tangible and sensible assistance that our farmers need now.

Therefore, I urge the Senate to give this legislation the timely consideration that it deserves.●

CLINCH RIVER—NOW GAO CRITIQUES COST SHARING

● Mr. HUMPHREY. Mr. President, as I noted in my RECORD entry of April 26, the backers of Clinch River breeder reactor are now arguing that private investors might offset Federal appropriations on the basis of the revenues the plant might produce from electricity sales. As I noted then, this is a mistaken notion since there does not appear to be any willing buyer for either the reactor or its electricity.

Now the General Accounting Office (GAO) has come out with a report on DOE's alternative financing proposals of March 15, which makes it clear that such cost-sharing will actually in-

crease the Federal Government's liability for the project. As the report notes:

. . . as long as the Government can raise funds by selling Treasury securities at a rate less than the rate of return which is anticipated for the CRBR private sector funds, it would cost the Government more—in interest payments—to build the CRBR with funds from private investors. The Government will incur this increased cost whether the project succeeds or fails.

But the likelihood that the project will operate as well as DOE hopes it will is open to serious question. It is also doubtful that the project will produce as much revenue as DOE optimistically projects. Under these circumstances, DOE's proposals to guarantee that the investors will get all of their money back plus interest would end up costing the taxpayers even more. As the GAO notes, with these guarantees—ones that the project's backers claim are essential to secure private investors—"the Federal Government, still retains most risks [sic] if the project fails, or if cost overruns occur."

All of this should lead us to the conclusion that the proper test for whether or not Congress should back the project is whether or not it has the stomach to pay for it outright. I believe the House all gave us some instruction on this issue last December. It's time we followed the House's lead.

Mr. President, because the funding of Clinch River and alternative financing for the project will be major issues in the Senate's consideration of the energy and water development appropriations bill for fiscal year 1984, I ask that the entire text of the GAO's report be printed in the RECORD.

The text of the report follows:

U.S. GENERAL ACCOUNTING OFFICE,
Washington, D.C., May 11, 1983.

B-104105.

Subject: Analysis of Studies on Alternative Financing for the Clinch River Breeder Reactor (GAO/RCED-83-151).

Hon. GORDON J. HUMPHREY,
U.S. Senate,
Washington, D.C.

DEAR SENATOR HUMPHREY: The Conference Committee Report for the Further Continuing Appropriations Act for Fiscal Year 1983 (Public Law 97-377, Dec. 20, 1982) directed the Department of Energy (DOE) to report to the Congress by March 15, 1983, on options for securing additional private sector financing for the Clinch River Breeder Reactor (CRBR) project. When CRBR was first authorized in 1970 it was estimated to cost $700 million with private sponsors and the Government assuming nearly equal shares of the project's cost. However, the private contribution was fixed while the Government was responsible for cost increases. In the intervening years project costs have increased to an estimated $4 billion [1] of which the Government's share is about $3.7 billion. Against this backdrop, the Conference Committee requested DOE to report on additional private financing.

Between February 16 and March 2, 1983, you and three other Members of Congress [2] asked us to review the anticipated DOE report and provide our assessment on the alternatives presented by DOE for securing additional private financing.

DOE issued its "Report to the Congress on Alternative Financing of the Clinch River Breeder Reactor Plant Project" on March 15, 1983. In the report DOE said that its approach was to develop Government technical input which a utility task force, organized by the Breeder Reactor Corporation [3] in January 1983, could use to develop private financing. Reflecting this approach, the DOE report presented

A history of the CRBR;

Information on project costs, reliabililty, and projected revenue; and

A synopsis of a possible private financing alternative developed for DOE by the corporation task force.

The DOE report presented the corporation's alternative, but DOE's report did not present any other alternatives.

The corporation's alternative is only a preliminary one. The Chairman of the Breeder Reactor Corporation presented the task force's alternative in a March 12, 1983, report to the Secretary of Energy. This report also described in general terms other funding alternatives for CRBR from the private sector perspective. In transmitting the report to DOE, the corporation chairman cautioned that the report was preliminary, had not been reviewed by the corporation's board of directors and the task force was continuing its work developing more specifics on its alternative.

The task force concluded that CRBR should be able to attract a large amount of private funding—up to an additional $800 million—because it, would (1) generate revenue from electricity sales and (2) provide additional income from Federal tax incentives which private investors should find attractive. However, the corporation report points out that the viabililty of private sector investment will be contingent on enactment of a number of Government assurances and guarantees related to funding, completing, licensing, and operating the CRBR plant. The report points out that the assurances and guarantees are required because CRBR presents unique risks to private investors.

Thus DOE's and the corporation's reports represent only the beginning of a process that will require much more work before a detailed private financing proposal is developed. DOE's report recognizes that developing the specific structure and arrangements of a private investment venture will require extensive discussions with potential customers of CRBR-generated power and negotiations with potential investors. DOE stated that such discussions and negotiations were not possible in the time available to prepare its and the corporation's reports. Without such discussions, DOE said that it could not predict the potential interest of possible invetors in the project. DOE recognized that decisions by potential investors depend on developing a more specific proposal and on the final form of legislative authority that DOE seeks to enable it to provide the desired assurances and guarantees. DOE is relying on the corporation to pursue discussions with potential investors aimed at developing specific investment and marketing strategies. A date for completing a private investment proposal has not been established. However, DOE officials said that they hoped a specific proposal can be developed in time to provide private funding in early 1984.

Because DOE and the corporation have not yet developed and presented specific information, a detailed analysis or conclusion regarding the feasibility and/or merits of increased private sector investment in the CRBR project is not possible. However, certain of the underlying concepts contained in the framwork for securing alternative financing have been sufficiently described for us to offer the general comments and observations contained in this report. It should be noted that other variations of private CRBR financing—both within and outside the framework presented—are possible, and could affect our comments and observations.

Before presenting our comments and observations on the financing proposals, one basic point must be made. Over the last several years, we have consistently pointed out in reports and testimony to the congress that CRBR is a research and development project on the road to demonstrating the potential for applying breeder technology in the United States. Therefore, we continue to believe that the main element in considereing funding decisions must be the project's research and development importance.

With this overall point in mind, we have two specific observations on the private financing proposal presented in the corporation task force report. First, while the proposal will probably change many of the existing project arrangements, the Federal Government still appears to retain most risks if the project fails or if cost overruns occur. Second, while the additional private sector financing discussed in DOE's and the corporation's reports would produce budgetary savings during the CRBR's construction, such savings would be a trade-off against either future reductions in Federal revenues or additional budget outlays. Specifically, the revenues expected to be produced from the sale of CRBR-generated electricity will be used to pay back private investors. If, however, the revenue is inadequate, private investors would have to be repaid from DOE appropriations.

The remainder of this report discusses (1) our objectives, scope, and methodology, (2) why private sector financing is being sought for CRBR, and (3) certain issues raised by changing the existing CRBR arrangements and their impact on the Federal Government.

OBJECTIVES, SCOPE, AND METHODOLOGY

At the request of the Chairmen, Subcommittee on Energy Conservation and Power, and Subcommittee on Oversight and Investigations, House Committee on Energy and Commerce; Senator Gordon J. Humphrey, and Representative Marilyn Lloyd, this report discusses Federal impacts of the private funding proposal presented in DOE's and the Breeder Reactor Corporation's reports. While some of the requestors asked for reports on other areas, these areas will be covered in subsequent reports.

Neither DOE's nor the Breeder Reactor Corporation's report proposed a specific method for obtaining private sector investment. We did, however, review the financial mechanisms and the assumptions, guarantees, and assurances which are discussed in the respective reports. Our review was conducted from the perspective of how private sector funding and the associated tax bene-

Footnotes at end of article.

fits would affect the net Federal cost of the CRBR and how the reports' assumptions, guarantees, and assurances would affect the risk and responsibilities assumed by the Federal Government. Our review was also conducted under the assumption that CRBR would be built.

We discussed the contents of the reports with DOE and Breeder Reactor Corporation task force officials who were responsible for major report segments. When appropriate, we discussed the reports and documents with those officials who prepared information used in the reports and with utilities which may be asked to purchase CRBR-generated electricity or invest in the CRBR project.

We also reviewed a March 18, 1983, internal DOE study which detailed a possible financing arrangement. This study was not intended to be a part of DOE's report to the Congress nor was it intended to be an actual draft proposal. However, because the assumptions and financing configuration were within the parameters of DOE's and the corporation's reports, the study was a useful example of a possible proposal. We discussed this study with the DOE officials who prepared it and with the officials who prepared DOE's report to the Congress.

The review was performed in accordance with generally accepted government auditing standards.

PRIVATE SECTOR FINANCING FOR CRBR SOUGHT BECAUSE OF INCREASED FEDERAL COSTS

When the CRBR—designed to be the Nation's first liquid metal fast breeder reactor[4] demonstration plant—was initially authorized by the Congress in 1970, it was estimated to cost around $700 million. In 1974, after completion of detailed design work, Government and industry participants estimated that the CRBR would cost $1.7 billion to construct.[5] A number of utility companies had pledged $256 million to the Breeder Reactor Corporation to be used to construct the CRBR (that sum, plus interest, is currently estimated to total about $352 million). The remainder was to be funded by the Federal Government.

DOE currently estimates CRBR will cost $4 billion. Much of the cost increase can be attributed to project delays and changes in program emphasis. We have issued reports on the program's direction[6] and its current cost estimate.[7] In those reports we commented that the Congress has several basic options available for deciding the future of breeder reactors in the United States and on the uncertainty of CRBR cost estimates.

Although CRBR's estimated construction cost has increased substantially, the utilities' contribution has remained relatively constant (increasing only due to interest earned on contributions). The resulting increase in the Federal Government's share has been the subject of congressional concern during its recent debates over continued funding for CRBR. Accordingly, the Congress directed DOE to study alternative methods to finance the remaining $2.3 billion required to complete the CRBR (about $1.7 billion of the total $4 billion has already been funded). Reflecting the intensity of the congressional concern is the Secretary of Energy's statement in early 1983 that unless private sector funding was secured, he doubted that the Congress would continue to fund CRBR.

DOE's March 15, 1983, report provided a framework for developing financing alternatives but did not contain a specific, detailed proposal for obtaining private funding. Instead, DOE indicated that the report was to provide technical input "concurrent with and for use in the development of financial alternatives by the private sector Utility Task Force organized under the auspices of the Breeder Reactor Corporation." As a result, DOE's report contains background information on CRBR and present projections for CRBR's operating costs, electricity production, and the anticipated revenues. DOE's report also synopsizes the private financing alternative presented in the corporation's report.

The Breeder Reactor Corporation report was prepared to provide information on alternative financing possibilities for CRBR. Its report estimated that up to an additional $800 million in private investment could be provided to construct CRBR. It also states that based on estimated CRBR revenues and tax benefits to the investors, significant private sector investment should be available if the Federal Government guarantees and assurances include:

Federal assurances that CRBR will be completed, licensed, and operated. Such assurances must be unconditional if private investment is to obtained. In the event CRBR is not completed, licensed, and operated, private investors must be able to recover their investment plus a return on the investment.

Federal assurance that CRBR will produce the estimated revenues. The Federal Government must guarantee the amount of power CRBR will produce and that the power will be purchased at an assured price.

Federal commitment that adequate Federal funds will be appropriated after fiscal year 1983 to enable current construction schedules to be met and a commitment that funding will continue until the project achieves a commercial level of reliability.

Federal assurance that CRBR-related tax incentives will be available to private investors. The tax incentives include investment tax credits and accelerated depreciation. Further, the report suggested that if they were not adequate, the Congress might wish to consider other tax credits, tax deductions, and exemption of investment income.

To take full advantage of the Government's guarantees and the tax benefits, the corporation report concluded that the private investment should be a combination of direct borrowing, repayable equity partnership, and debt securities.

The corporation's report provides few details. For instance, specific rates of return, payback methods, and timing were not discussed. Although the corporation's report was synopsized in DOE's report to the Congress, the Deputy Assistant Secretary for Breeder Programs told us that DOE's report would not recommend a specific proposal because it will be up to the Congress to select a proposal.

PRIVATE FINANCING WOULD CHANGE EXISTING CRBR ARRANGEMENTS

Under present arrangements, DOE is responsible for (1) managing the CRBR project, (2) supplying all but about $350 million (mainly the utilities' contribution) toward the cost of designing and constructing the CRBR, and (3) funding all cost overruns. In addition, although the Tennessee Valley Authority (TVA) is responsible for operating the CRBR during its first 5 years of operation, DOE will pay all operating costs and will receive all revenues from the sale of CRBR-produced electricity. Information obtained from operating the CRBR, as well as patent and licensing rights, belong to the Federal Government and to the contributing and noncontributing utilities.

DOE's and the Breeder Reactor Corporation's reports predict that in order to attract additional private sector investment, many of the existing arrangements will need to be changed. For example, (1) the private investors will take over partial ownership of CRBR from DOE, (2) TVA would have to give up its option to purchase CRBR after its first 5 years of operation, and (3) TVA will have to give up its right to purchase CRBR power at its marginal power cost. If the private financing proposal includes the types of guarantees outlined in the DOE and corporation's reports, the Federal Government, still retains most risks if the project fails, or if cost overruns occur.

POTENTIAL IMPACT OF PRIVATE FINANCING

DOE's and the Breeder Reactor Corporation's reports state that private sector investment could provide an alternative financing source for the funds needed to construct the CRBR. The reports estimate that private financing could replace from $385 million to $800 million (depending on the timing of the investment) that would alternatively have to be provided by the Federal Government. Such private investment would offer the distinct short-term advantage of reducing the need for appropriated funds to complete construction of the CRBR.

Although private funding for CRBR will reduce the amount of Federal appropriations required for construction, it could increase the Government's overall cost. The added cost could accrue if the Government has to repay the investment at a rate of return higher than the Government's cost of borrowing, a likely possibility. The tax benefits available to private investors will, in effect, enhance the investors rate of return by reducing their Federal taxes.

Private investors generally need a higher return than Government must pay for funds

Although no specific proposals have been presented, apparently the corporation report views private investment as a mixture of debt (loans and/or bonds) and equity (partnership) financing. Our discussions with corporation representatives indicate that a private equity investment would have to be repaid—both principal and interest—just as the loans and/or bonds are repaid. For that reason, the discussion of private investment repayment pertains to both the debt and equity portions of the funding. DOE officials projected that a rate of return in the range of 10 to 20 percent would be required to attract private funding. The Breeder Reactor Corporation expects debt financing to carry a rate of return of about 10 percent while the equity financing is expected to carry a rate of return—including tax benefits—of about 20 percent.

According to the Breeder Reactor Corporation's report, if private investment for CRBR is obtained, all such investment—including both equity and debt investment—must be repaid either from CRBR revenues or by the Federal Government, which would provide guarantees to project investors if the CRBR fails to provide the estimated revenues. Because the Federal Government is expected to guarantee that the investors will be repaid either from project revenues the Government is giving up, or from appropriations, the private investment can be viewed as a loan to the Government. Similarly, the direct Federal financing option can also be viewed as a borrowing arrangement because the Government raises much

of its money through direct borrowing in the capital market.

Thus, the value of private versus direct Federal financing can be determined by comparing the Government's borrowing cost under each alternative. In the private funding alternative the Government must pay the investor a rate of return which the corporation report estimates to be over 10 percent. In direct Federal borrowing the Government's interest rate is determined by the rate it pays on Treasury securities, which is currently under 10 percent. As illustrated, as long as the Government can raise funds by selling Treasury securities at a rate less than the rate of return which is anticipated for the CRBR private sector funds, it would cost the Government more—in interest payments—to build the CRBR with funds from private investors. The Government will incur this increased cost whether the project succeeds or fails. If the project succeeds, the higher interest cost will be paid from the project revenue. However, because of the difference in interest rates, the same amount of revenue could offset higher levels of Government borrowing. If the project fails or does not provide adequate revenues to repay investors, the Government will pay the cost with appropriations. Hence, obtaining private sector financing for the CRBR, of the type conceptually described by DOE and the Breeder Reactor Corporation, appears to offer no cost advantage over the current CRBR financing arrangement.

Need to consider tax consequences of obtaining private financing

The Breeder Reactor Corporation report stated that the tax benefits which may be associated with CRBR would help make it a more attractive investment to the private sector. The report cites investment tax credits and accelerated depreciation as the primary forms of tax incentives for private investors. Further, the report suggested that if these tax incentives were not adequate, the Congress may want to consider energy tax credits, research and development tax deductions, and exemption of investment income. While CRBR's tax benefits may attract private investors by raising the effective rate of return, it is important to note that they will result in reduced Federal tax revenues. However, this lost revenue must be balanced against increased revenues that the Government would receive by taxing income private investors would earn from investing in CRBR. Whether these increased future tax revenues would offset the short-term reduction in Federal tax revenues is a question we cannot answer because the corporation's report does not provide the necessary specific information.

Investment tax credits could be an important incentive in attracting private investors. Generally, the investment tax credit allows a reduction in the investors' tax liability amounting to 8 percent of their investment. Although the size of private equity investment is not now known, the credit on an $800 million investment could reduce investor's tax liability by a total of as much as $64 million (in year of expenditure dollars from 1984 through 1989).

The incentives resulting from accelerated depreciation provide another area in which the proposed private investment could affect Federal tax revenues. Using a financing example contained in a March 18, 1983, DOE study,[8] tax savings resulting from accelerating depreciation on a $763 million investment would reduce the investor's tax liability by about $351 million (assuming a Federal tax rate of 46 percent). Because the reduced tax liability is a loss to the Treasury, the Government could be giving up $351 million in future tax revenue—due to depreciation alone—to obtain an increased private investment of $763 million during 1984, 1985, and 1986.

The corporation report mentioned that additional tax credits could be made available to investors through energy tax credits.[9] The Energy Tax Act of 1978 (Public Law 95-618, Nov. 9, 1978) and the Crude Oil Windfall Profit Tax Act of 1980 (Public Law 96-223, Apr. 2, 1980) provided the Business Energy Investment Credit as one of several tax incentives to encourage the conversion from oil and gas to new energy systems. The credit applies to solar and wind energy systems and would have to be extended to apply to CRBR. Furthermore, the authority for the credit is scheduled to expire in 1985. If the act were amended to cover the CRBR and extended past 1985, investors could obtain a tax credit equal to 15 percent of their investment. This is in addition to the 8-percent investment tax credit available to CRBR investors and any other business investing in new machinery or equipment.

The corporation's report suggested that research and development tax deductions would also be an attractive incentive to private investors. That deduction would be equivalent to the difference between the cost of CRBR—about $4 billion—and the plant's market value. The market value is derived from expected sales revenue and tax savings to investors. The corporation task force estimates the market value to be about $1.1 billion. Therefore, the deduction could be based on about $3 billion. Because this incentive is a tax deduction and not a tax credit the actual impact on the tax liability would depend on the investors' tax rate. According to the corporation report, a favorable tax ruling or specific legislation would be required to make use of this incentive.

The final tax incentive suggested by the Breeder Reactor Corporation involves exempting investment income. If a portion of the private sector investment is obtained through industrial development bond issues, the income from that investment could be exempted from tax if special authorization by the Congress is enacted.

The Breeder Reactor Corporation believes that the tax benefits associated with privately financing CRBR will not decrease Federal tax revenues. The rationale for that belief is that if CRBR is privately financed, investors will not build a similar amount of coal-fired powerplant capacity. Thus, tax benefits taken on CRBR will only displace tax benefits that would otherwise be taken on coal plants.

This reasoning does not appear appropriate. First, private investors' tax benefits are a real cost of the private financing option, whether or not the CRBR displaces a conventional powerplant and, therefore, should be considered. We recognize, however, that although these tax benefits are a short-term loss to the Federal Government they could be offset over the life of the project by taxing investors' future income. Second, one should not necessarily assume that investors would build a similar amount of coal-fired powerplant capacity if CRBR were not built. Given the relatively small contribution CRBR power output (350 megawatt) would make to total generating capacity it is unlikely that the loss of CRBR power would of necessity require investment in coal-fired facilities. This is especially true in light of the overcapacity which currently exists in the utility market.

OTHER MATTERS

The alternative ways that the Congress may finance CRBR and the guarantees that may be required in a private funding alternative raise two basic issues about how the various financing and guarantee impacts can be best identified in the budget process.

The first issue revolves around two options for the timing of appropriations. Under one option called full funding, the Congress would, under any financing alternative, appropriate in DOE's budget the Government's total estimated cost for CRBR construction in the year it commits to construct the project. The main advantage of this approach is that it allows the Congress to have a clear presentation of the project's full cost when it considers whether construction should be started. Recognizing this advantage, we have consistently supported the full funding approach for projects such as CRBR. For example, we have recommended that the General Services Administration fully fund leases[10] and that the Federal Maritime Adminstration fully fund ship construction.[11] The other option is continued yearly review and appropriation. The main advantage of this approach is that it allows the Congress to evaluate a project's needs and schedule yearly.

The second question is how guarantees, which the Congress may have to honor in later years, should be shown in the budget. In numerous reports and testimony before the Congress we have stated that when the Federal Government makes guarantees which (1) could involve large amounts of money, (2) are directed to only a few entities, and (3) involve a considerable risk of failure, the Congress should provide—in the budget year of commitment—an amount of budget authority—an appropriation—sufficient to cover a significant portion of the guaranteed amount. The main advantage of this approach is that it ensures that the guarantees are given adequate visibility and appropriate attention in the budget process. Because CRBR meets these requirements any Federal guarantees supporting the project should—to some extent—be covered by budget authority.

In summary, this report discuses the salient aspects of the Breeder Reactor Corporation's report for achieving additional private financing for the CRBR. We point out that this alternative would modify certain of the management arrangements for the CRBR and presents a tradeoff of short-term budgetary savings against possible higher overall Government costs for the project. However, we recognize that the efforts to obtain additional private financing are of a preliminary and evolving nature and that changing certain of the key provisions in the financing alternative presented in the Breeder Reactor Corporation report would likely impact its attractiveness to the Government in terms of costs and risks. While the focus of this report is on obtaining additional private financing, we continue to believe that it is important not to lose sight that the main element influencing continued funding decisions is the CRBR's research and development importance.

We did not solicit DOE's review and comments on a draft of this report. We have, however, discussed the report's contents with managers of DOE's CRBR project in an effort to include DOE's views and ensure the report's accuracy.

We are also sending this report today to the Chairmen, Subcommittee on Energy Conservation and Power, and Subcommittee on Oversight and Investigations, House Committee on Energy and Commerce; and Representative Marilyn Lloyd.

We plan no further distribution of this report until 7 days from the date of the report unless its contents are publicly announced by you or one of the other requestors. At that time, we will send copies of the report to the Director, Office of Management and Budget; the Secretary of Energy; and to other interested parties. We will also make copies available to others on request.

Sincerely yours,

J. DEXTER PEACH,
Director.

FOOTNOTES

[1] In 1982 DOE estimated that CRBR would cost $3.6 billion. This figure is obtained by subtracting net revenue during the project's first 5 years of operation from construction cost. The $4 billion figure represents construction cost without subtracting net revenue.

[2] The three other Members of Congress who requested this review are listed on page 4. As agreed, this report will be issued simultaneously to all requestors.

[3] The Breeder Reactor Corporation is a company formed to obtain the financial and other participation of the 753 utilities contributing funds to the project.

[4] A breeder reactor is a nuclear reactor that creates more fuel than it consumes. The term "liquid metal" refers to the liquid sodium which serves as the reactor coolant.

[5] All CRBR costs are shown in current dollars.

[6] "The Liquid Metal Fast Breeder Reactor—Options for Deciding Future Pace and Direction" (GAO/EMD-83-79, July 12, 1982).

[7] "Interim Report on GAO's Review of the Total Cost Estimate for the Clinch River Breeder Reactor Project" (GAO/EMD-82-131, Sept. 23, 1982) and "Analysis of the Department of Energy's Clinch River Breeder Reactor Cost Estimate" (GAO/RCED-83-74, Dec. 10, 1982).

[8] On March 18, 1983, DOE completed a study of a possible investment scenario. The study is not part of the submission to the Congress and is not a proposal. The scenario is, however, within the investment framework described in DOE's and the Breeder Reactor Corporation's reports.

[9] For further information on energy tax credits see our report "The Business Energy Investment Credit for Solar and Wind Energy" (GAO/RCED-83-81, Mar. 7, 1983).

[10] Costs and Budgetary Impacts of the General Services Administration's Purchase Contract Program" (LCD-80-7, Oct. 17, 1979).

[11] "Further Implementation of Full Funding in the Federal Government" (PAD-78-80, Sept. 7, 1978).●

PROGRAM FOR THURSDAY

Mr. BAKER. Mr. President, I have consulted with the minority leader's office and have been advised that the minority leader agrees to the request I am about to put.

Before I do so, however, may I say that it is clear, for a variety of reasons, that no other amendments will be offered tonight and no further debate will be conducted. The alternatives are to stay here and stare at each other or make some other and more reasonable arrangement.

So I propose the following unanimous-consent request, which I am advised has been cleared with the minority leader.

ORDER FOR RECESS UNTIL 10 A.M. TOMORROW

First, Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in recess until 10 a.m. tomorrow morning.

ORDER FOR ROUTINE MORNING BUSINESS TOMORROW

I further ask unanimous consent that after the recognition of the two leaders under the standing order, the time remaining between that time and 10:30 a.m. be devoted to the transaction of routine morning business, in which Senators may speak for not more than 2 minutes each.

THE BUDGET RESOLUTION

Mr. President, I ask unanimous consent that on tomorrow, at 10:30 a.m., the Senate resume consideration of the pending budget resolution, at which time the Domenici substitute will be the pending question.

I further ask unanimous consent that from the moment the Senate recesses this evening until 8:30 p.m. this evening, the time remaining in that period be charged equally against the two sides.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

RECESS UNTIL 10 A.M. TOMORROW

Mr. BAKER. Mr. President, with apologies to all those who have waited for further action today, let me simply say that, for reasons that have persisted throughout the day, it is clear now that negotiations will not produce an opportunity for us to vote any further today.

Therefore, Mr. President, I move, in accordance with the order previously entered, that the Senate stand in recess until 10 a.m. tomorrow.

The motion was agreed to; and at 7:57 p.m. the Senate recessed until tomorrow, Thursday, May 12, 1983, at 10 a.m.

NOMINATIONS

Executive nominations received by the Senate May 11, 1983:

THE JUDICIARY

Leonard D. Wexler, of New York, to be U.S. district judge for the Eastern District of New York vice George C. Pratt, elevated.

Charles E. Clapp II, of Rhode Island, to be a judge of the U.S. Tax Court for a term expiring 15 years after he takes office, vice Irene Feagin Scott.

IN THE NAVY

The following-named officer for appointment as Senior Navy Member of the Military Staff Committee of the United Nations pursuant to the provisions of title 10, United States Code, section 711.

Having designated the following-named officer for command and other duties of importance and responsibility within the contemplation of title 10, United States Code, section 601, I nominate him for reappointment to the grade of vice admiral while so serving.

To be vice admiral

Vice Adm. James A. Lyons, Jr., xxx-xx-xx... xxx-.../1110, U.S. Navy.

The following-named officer, under the provisions of title 10, United States Code, section 601, to be reassigned to a position of importance and responsibility designated by the President under title 10, United States Code, section 601:

To be vice admiral

Vice Adm. Arthur S. Moreau, Jr., xxx-xx-x... xxx-.../1110, U.S. Navy.

The following-named officer to be placed on the retired list in the grade indicated under the provisions of title 10, United States Code, section 1370.

To be vice admiral

Vice Adm. Thomas J. Kilcline, xxx-xx-xxxx xxx-.../1310, U.S. Navy.

IN THE MARINE CORPS

The following-named officers of the Marine Corps and Marine Corps Reserve for permanent appointment to the grade of major, under provisions of title 10, United States Code, section 624, subject to qualifications therefor as provided by law:

Adair, Charles W., xxx-...
Adams, Michael J., xxx-...
Adelhelm, Robert P., xxx-...
Adkins, Frederick P., xxx-...
Aguilar, Rodolfo F., Jr., xxx-...
Alauria, Anthony T., xxx-...
Allen, Charles H., xxx-...
Almendinger, John F., xxx-...
Anderes, James L., xxx-...
Anderson, Nancy P., xxx-...
Anderson, Steven D., xxx-...
Andres, Paul A., xxx-...
Ansel, Clarke F., xxx-...
Apple, Robert E., Jr., xxx-...
Arnold, Charles W., IV, xxx-...
Arnot, Malcolm, xxx-...
Asadoorian, Levon S., xxx-...
Atkinson, John B., xxx-...
Ayala, Joseph R., xxx-...
Babin, Berwick P., xxx-...
Baca, Mariano, Jr., xxx-...
Baez, Jesus M., xxx-...
Bain, William F., xxx-...
Baker, Charles L., xxx-...
Baldwin, Carlos M., xxx-...
Baldwin, Peter J., xxx-...
Barnes, Robert B., xxx-...
Barnhouse, Thomas N., xxx-...
Barrington, Michael E., xxx-...
Barth, William M., xxx-...
Barton, Robert S., xxx-...
Beal, William F., xxx-...
Beasley, Dave, Jr., xxx-...
Beaulieu, Raymond, xxx-...
Behl, Brian L., xxx-...
Berger, William J., xxx-...
Bergman, John C., xxx-...
Berry, Dale J., xxx-...
Berube, Ronald A., xxx-...
Blackledge, Matthew W., xxx-...
Blouch, Cleve R., xxx-...
Bogart, Robert H., xxx-...
Bond, James E., xxx-...
Bookwalter, Mary T., xxx-...
Boone, Michael D., xxx-...
Borley, John E., xxx-...
Botkin, Charles T., xxx-...
Brady, Lawrence L., xxx-...
Bratten, John D., xxx-...
Bray, Jeffrey D., xxx-...
Bray, Tommy L., xxx-...
Breen, Jerry P., III, xxx-...
Britt, Jason A., xxx-...
Brooks, Michael A., xxx-...
Brousseau, Mark J., xxx-...
Brown, Barrington M., xxx-...

Brown, Gregory D., xxx-...
Bruce, William M., Jr., xxx-...
Brueland, Lowell K., xxx-...
Budka, Andrew J., xxx-...
Burke, Joseph E., Jr., xxx-...
Burnside, Glenn G., II, xxx-...
Burton, Curtis L., xxx-...
Buschelman, Terrance G., xxx-...
Busfield, George E., Jr., xxx-...
Bush, Robert V., Jr., xxx-...
Butler, Alfred L., III, xxx-...
Byrne, Patricia A., xxx-...
Caldwell, Gerald W., xxx-...
Campell, Charles W., xxx-...
Cancian, Mark F., xxx-...
Cannata, Raymond, xxx-...
Capoot, Michael G., xxx-...
Carino, Lawrence J., xxx-...
Carpenter, Albert W., xxx-...
Carr, Edgar B., xxx-...
Carter, Charles D., xxx-...
Carter, Morrison G., Jr., xxx-...
Cassady, John M., Jr., xxx-...
Catto, William D., xxx-...
Cavasoz, Jesse P., xxx-...
Chaney, Grady B., II, xxx-...
Chavez, Rocky J., xxx-...
Cheston, Cary R., xxx-...
Chisum, Madison C., Jr., xxx-...
Cicere, Michael A., xxx-...
Clark, Jackie K., xxx-...
Clark, William M., xxx-...
Clauer, John A., xxx-...
Clifton, David R., xxx-...
Clute, Richard A., xxx-...
Clymer, Sylvester P., Jr., xxx-...
Coggin, John T., xxx-...
Collins, Wayne C., xxx-...
Collyer, Kenneth L., xxx-...
Conatser, Kenneth J., xxx-...
Conway, Robert G., Jr., xxx-...
Conway, Timothy C., xxx-...
Cook, James R., xxx-...
Cooker, Brian M., xxx-...
Cooper, Donald K., xxx-...
Cooper, Michael L., xxx-...
Costa, Mark A., xxx-...
Cowdrey, Christian B., xxx-...
Cox, Glenn R., xxx-...
Craig, Leon, Jr., xxx-...
Crookston, Joseph A., xxx-...
Cunningham, Glenn K., xxx-...
Curcio, Charles K., xxx-...
Curfiss, Daniel E., xxx-...
Cushing, John P., Jr., xxx-...
Dade, Stephen W., xxx-...
Dalton, Joseph F., Jr., xxx-...
Daniel, Maurice, xxx-...
Darminio, Carmen M., xxx-...
Davidson, John M., xxx-...
Davis, Jack G., xxx-...
Davis, James W., Jr., xxx-...
Davisson, Joseph W., xxx-...
Deisher, Charles W., xxx-...
Denault, Bruce A., xxx-...
Dentinger, James A., xxx-...
Deslauriers, Richard E., xxx-...
Dial, Levernen, xxx-...
Dickerson, Robert C., Jr., xxx-...
Dietrich, Robert F., III, xxx-...
Dillard, Thomas E., Jr., xxx-...
Domarasky, Andrew M., III, xxx-...
Donnell, Steven B., xxx-...
Dostal, Paul S., xxx-...
Downum, Edwin R., Jr., xxx-...
Doyle, Eric M., xxx-...
Dragotta, Carmen, xxx-...
Driver, Walter C., Jr., xxx-...
Duderstadt, Bruce E., xxx-...
Dugan, Terrence P., xxx-...
Duhon, Robert J., xxx-...
Dulin, Patrick J., xxx-...
Dunckhorst, Patrick J., xxx-...
Dunn, Frank D., xxx-...
Dunn, Leroy W., xxx-...
Durand, Guy, xxx-...
Durtche, Francis S., xxx-...
Eble, Andrew F., xxx-...
Eddins, Howard B., III, xxx-...
Einsidler, Michael A., xxx-...
Elek, Thomas F., xxx-...
Elflein, Robert W., xxx-...
Eslick, Howard F., xxx-...
Espinosa, Jose T., xxx-...
Etter, James P., xxx-...
Evans, Douglas A., xxx-...
Farmer, Lee H., xxx-...
Farmer, Roger T., xxx-...
Farrell, Thomas K., xxx-...
Ferguson, Kenneth P., xxx-...
Ferrel, William P., xxx-...
Fivecoat, Larry W., xxx-...
Flanagan, Patrick M., xxx-...
Flores, Joe, Jr., xxx-...
Ford, Sylvia M., xxx-...
Forte, Robert T., xxx-...
Foster, Willis R., xxx-...
Franks, Ronald F., xxx-...
Freeberg, Paul O., xxx-...
Freed, Gregory H., xxx-...
Fulton, David D., xxx-...
Garrett, William B., xxx-...
Gaston, Danny W., xxx-...
Gelling, Jerry G., xxx-...
Genduso, John D., xxx-...
Georges, John W., xxx-...
Getty, Ralph J., xxx-...
Gibbons, Wilma J., xxx-...
Gieser, Christophe P., xxx-...
Giguere, John P., xxx-...
Gildersleeve, Ross C., xxx-...
Gipe, Benjamin D., xxx-...
Gisolo, Gary G., xxx-...
Gloger, Richard D., xxx-...
Graham, John W., Jr., xxx-...
Graves, Gary N., xxx-...
Gregory, Kenneth E., xxx-...
Griffin, Robert C., xxx-...
Griggs, Laurence W., xxx-...
Grimm, Dennis H., xxx-...
Grossman, Stanley L., xxx-...
Guidotti, Albert J., xxx-...
Hale, Lynn W., xxx-...
Halton, Patrick K., xxx-...
Ham, Gary A., xxx-...
Hamilton, Richard D., xxx-...
Hammond, Theodore J., xxx-...
Hansen, Eric G., xxx-...
Hanson, Stephen D., xxx-...
Harlin, Donald V., xxx-...
Harris, John D., xxx-...
Hart, James A., xxx-...
Hauser, Kevin F., xxx-...
Hedges, James R., xxx-...
Hegland, Scott A., xxx-...
Hein, Paul A., xxx-...
Heitkemper, Timothy J., xxx-...
Helland, Samuel T., xxx-...
Hendrickson, Leif H., xxx-...
Hennebeck, Lawrence M., xxx-...
Hensley, Elvin W., xxx-...
Hickey, Joseph F., Jr., xxx-...
Hiett, John W., xxx-...
Hoffer, Nicholas J., xxx-...
Hogan, John J., III, xxx-...
Holbrook, Clifford B., xxx-...
Holdridge, Ides L., Jr., xxx-...
Holloway, Harry L., III, xxx-...
Hosler, Larry D., xxx-...
Houston, David C., xxx-...
Huff, William T., Jr., xxx-...
Hurley, David W., xxx-...
Huston, James V., xxx-...
Hutson, Carter L., xxx-...
Jackson, Dennis M., xxx-...
Jauregui, John A., xxx-...
Jennings, Robert L., xxx-...
Jepsen, Norman W., xxx-...
John, David L., xxx-...
Johns, David W., xxx-...
Johnson, Kenneth D., xxx-...
Johnson, Larry A., xxx-...
Johnson, Randall L., xxx-...
Johnson, Ricky B., xxx-...
Jones, Jimmy B., xxx-...
Jones, Joseph B., xxx-...
Jorgensen, James B., xxx-...
Juhl, Harold, xxx-...
Kane, Thomas G., xxx-...
Karle, Alfred J., Jr., xxx-...
Karnath, Michael W., xxx-...
Keeley, Martin P., III, xxx-...
Keirstead, David J., xxx-...
Kelly, Karen I., xxx-...
Kennedy, William M., xxx-...
Kenter, Gary J., xxx-...
Kerrigan, Michael J., xxx-...
Kessler, Michael B., xxx-...
Khan, Jamil S., xxx-...
Kiffer, David L., xxx-...
Kilbourn, James A., xxx-...
King, William A., xxx-...
Kiser, John B., xxx-...
Knowles, Kerry A., xxx-...
Koch, Richard C., xxx-...
Koen, Joseph C., xxx-...
Koger, Thomas H., xxx-...
Kopf, Peter D., xxx-...
Kowalcyk, Rudolph B., xxx-...
Kowalski, Andrew, xxx-...
Kramlich, Richard S., xxx-...
Kupar, Michael R., xxx-...
Lademan, William J., xxx-...
Lane, Franklin D., xxx-...
Lanzer, Francis P., xxx-...
Larsen, Leif R., xxx-...
Larsen, Timothy R., xxx-...
Larson, Lawrence L., xxx-...
Leahey, Michael J., xxx-...
Leavis, James M., xxx-...
Lederer, Patrick R., xxx-...
Leffler, Kevin E., xxx-...
Lehner, Walter E., xxx-...
Lehnert, Michael R., xxx-...
Lemay, Charles A., xxx-...
Lemoine, John A., xxx-...
Lennox, Dyer T., xxx-...
Lesnowicz, Edward J.,Jr., xxx-...
Lewis, Larry F., xxx-...
Linn, Thomas C., xxx-...
Lohman, Eugene A., III, xxx-...
Long, Dennis E., xxx-...
Lupton, Robert E., xxx-...
MacGhee, John H., xxx-...
MacNeill, Paul B., xxx-...
Madenwald, Frederick A., xxx-...
Mahoney, Kelly J., xxx-...
Maisel, Gregory N., xxx-...
Maltby, David R., xxx-...
Marsh, Samuel T., xxx-...
Marshall, Chez, III, xxx-...
Martin, Albert J., xxx-...
Martin, Kevin L., xxx-...
Martinez, George A., xxx-...
Marvin, William J., xxx-...
Mattes, Gary A., xxx-...
McAnelly, A. J., xxx-...
McBride, Francis A., III, xxx-...
McCanna, Brad A., xxx-...
McCarthy, Michael E., xxx-...
McCloskey, Joseph J., xxx-...
McCormick, James E., Jr., xxx-...
McCullers, William T. III, xxx-...
McDaniel, Danny J., xxx-...
McDavid, Robert L., xxx-...
McGlothlin, John R., xxx-...
McGrory, James P., Jr., xxx-...
McKay, Edward J., Jr., xxx-...
McKeever, Glenn E., xxx-...
McKeone, Charles E., xxx-...
McMahon, Randall D., xxx-...
McMillan, Edward S., xxx-...

McNeil, Richard T., xxx-...
McTernan, Walter F., III, xxx-...
Merriett, Jesse M., III, xxx-...
Meserve, Richard P., xxx-...
Meyer, Charles L., xxx-...
Miller, Dennis R., xxx-...
Miller, Edwin D., xxx-...
Miller, Gary W., xxx-...
Minihan, Timothy P., xxx-...
Mirabella, Alfia, Jr., xxx-...
Mitchell, Michael C., xxx-...
Mock, Steven R., xxx-...
Moisuk, John, Jr., xxx-...
Montgomery, Eric L., xxx-...
Moore, John T., xxx-...
Moore, Terry H., xxx-...
Morgan, Robert J., xxx-...
Mullin, Patrick J., xxx-...
Murdock, Harry M., xxx-...
Murray, Wayne A., xxx-...
Nangle, Orval E., xxx-...
Nashi, Stavro xxx-...
Naughton, James P., xxx-...
Neshyba, Victor P., Jr., xxx-...
Newell, Gary P., xxx-...
Newell, Lester K., xxx-...
Nicolai, Richard E., Jr., xxx-...
Niemasik, William J., xxx-...
O'Hara, Warren T., III, xxx-...
O'Hare, William F., Jr., xxx-...
Ortega, Jose G., xxx-...
Ottersen, Larry N., xxx-...
Oxendine, Ronnie, xxx-...
Palancia, Vincent J., xxx-...
Parker, Robert M., Jr., xxx-...
Patton, Tommy L., xxx-...
Peithman, Robert C., xxx-...
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Pennick, William M., xxx-...
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Pesik, Edward F., Jr., xxx-...
Peterson, Harriescli, Jr., xxx-...
Peterson, Mark A., xxx-...
Petrelli, Eugene D., xxx-...
Piccirilli, Steven J., xxx-...
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Pingree, Alan J., xxx-...
Praytor, Danny R., xxx-...
Price, William E., xxx-...
Propst, Rodney N., xxx-...
Puckett, Paul R., xxx-...
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Quinn, Carl E., Jr., xxx-...
Ramey, Donn W., xxx-...
Ramos, Michael R., xxx-...
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Reed, Kenneth T., Jr., xxx-...
Reep, Michael A., xxx-...
Regan, Joseph S., xxx-...
Rens, Arlen D., xxx-...
Rhyne, Allie G., Jr., xxx-...
Rice, Michael L., xxx-...
Richards, Thomas A., xxx-...
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Rose, Daniel R., xxx-...
Ross, Christophe J., xxx-...
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Sharples, John P., xxx-...
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Spurlock, Daniel C., xxx-...
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Stolpe, Stanley J., xxx-...
Stone, Jacob F., xxx-...
Stout, Randall C., xxx-...
Styons, Joseph L., xxx-...
Summerlin, Ann M., xxx-...
Suttle, Hollis J., xxx-...
Swindell, Daniel W., xxx-...
Sykes, John R., xxx-...
Szkalak, Elek J., xxx-...
Tagg, Stephen C., xxx-...
Tanner, Timothy J., xxx-...
Tarbet, Larry D., xxx-...
Taylor, John A., xxx-...
Thomas, Johnny R., xxx-...
Thomiszer, Thomas H., xxx-...
Thompson, James W., xxx-...
Thompson, Jeffrey A., xxx-...
Timothy, Eugene R., xxx-...
Todaro, Donald N., xxx-...
Todd, Leonard E., Jr., xxx-...
Tolbert, Hunter G., II, xxx-...
Tomlinson, Leslie J., xxx-...
Tracy, Philip D., xxx-...
Triplett, Mitchell T., xxx-...
Troffer, Lawrence E., Jr., xxx-...
Trudeau, Thomas J., xxx-...
Tullos, Temp, Jr., xxx-...
Tuomala, Jeffrey C., xxx-...
Ullyot, Lavalle E., xxx-...
Underdahl, Ronald H., xxx-...
Urtnowski, Charles M., xxx-...
Vanhaute, Edward B., xxx-...
Vermillion, Terry L., xxx-...
Villarta, Jose R., xxx-...
Vogt, Peter R., xxx-...
Voss, James P., xxx-...
Wade, Terry R., xxx-...
Waggoner, Lawrence E., xxx-...
Wagner, Stuart W., xxx-...
Walker, Garry W., xxx-...
Walker, Joseph C., xxx-...
Walker, Martin W., II, xxx-...
Wallace, Walter J., xxx-...
Walsh, John F., Jr., xxx-...
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Warriner, Wallace F., xxx-...
Watson, Stephen P., xxx-...
Watson, William P., III, xxx-...
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Weiss, Eric W., xxx-...
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Wenzel, Scott W., xxx-...
Westbrook, John R., xxx-...
Weyeneth, Clifton R., xxx-...
White, Dickie J., xxx-...
White, Thomas B., III, xxx-...
Whitehill, Vicky L., xxx-...
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Wickman, Wayne E., xxx-...
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Woods, Jack G., xxx-...
Woodson, Dillard D., Jr., xxx-...
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Wright, William A., III, xxx-...
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Young, David H., xxx-...
Zales, Richard H., xxx-...
Zant, Royce D., II, xxx-...
Zebal, Kenneth W., xxx-...
Zee, Richard, xxx-...

HOUSE OF REPRESENTATIVES—*Wednesday, May 11, 1983*

The House met at 12 o'clock noon.

The Chaplain, Rev. James David Ford, D.D., offered the following prayer:

O God, gracious and good, full of compassion and love, may Your blessing be upon those who labor in this place. May Your spirit inspire them, may Your presence encourage them, and may Your grace give them a sense of renewal for each new day. May all who work here see in what they do a vocation of a high calling, and be sensitive to the needs of colleagues and associates. Help make us understanding of our mutual needs that together we may be in harmony and respect one for the other. Amen.

THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Chirdon, one of his secretaries.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Sparrow, one of its clerks, announced that the Vice President, pursuant to the provisions of sections 1928(a)-1928(d) of title 22, United States Code, as amended, appointed Mr. HATCH and Mr. SARBANES as members of the Senate delegation to the North Atlantic Assembly spring meeting to be held in Copenhagen, Denmark, June 9 to 13, 1983.

The message also announced that the Vice President, pursuant to the provisions of sections 276(d)-276(g) of title 22, United States Code, as amended, appointed Mr. HEFLIN as a member of the Senate delegation to the Canada-United States Interparliamentary Group during the first session of the 98th Congress to be held in Kenora, Canada, June 16 to 20, 1983.

PERMISSION FOR COMMITTEE ON ARMED SERVICES TO SIT TODAY DURING 5-MINUTE RULE

Mr. PRICE. Mr. Speaker, I ask unanimous consent that the Committee on Armed Services be permitted to sit today during the 5-minute rule.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

PERMISSION FOR COMMITTEE ON ARMED SERVICES TO FILE REPORT ON DEPARTMENT OF DEFENSE AUTHORIZATION BILL FOR FISCAL YEAR 1984

Mr. PRICE. Mr. Speaker, I ask unanimous consent that the Committee on Armed Services have until midnight, tonight, May 11, to file a report on the fiscal year 1984 Department of Defense authorization bill.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

HOSPICE CARE

Mr. RATCHFORD. Mr. Speaker, in a very short time hospices have established themselves in this country as a compassionate, home-oriented alternative to hospital care for the terminally ill. When Congress authorized the coverage of hospice services under medicare last year, the administration expressed the fear that the availability of hospice care would induce some medicare beneficiaries to seek support from the program in place of home care they had been receiving from relatives.

This callousness toward the elderly and infirm is again being demonstrated by the administration's proposal to reduce the hospice benefit under medicare to 60 percent of the level Congress had envisioned. Although experience with hospice costs is not extensive, it is abundantly clear that a lower ceiling will discourage hospice use by the most severely ill patients. This is cruel to the patients and their families, could contribute to the destruction of an important new alternative in American health care, and ironically, will probably drive medicare costs up rather than down. Mr. Speaker, few people could argue against hospices on philosophical grounds. Let us not allow the administration to strangle them for spurious economic reasons.

AMERICA'S DISABILITY SYSTEM—A NATIONAL SCANDAL

(Mr. SHANNON asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SHANNON. Mr. Speaker, America's disability system has become a national scandal. Thousands of people have had their lives seriously disrupted by Government attempts to remove them from the disability rolls.

This is a disgrace. Our workers rely on our having a fair and effective disability system. But the Government has let them down.

Congress took a first step toward handling the problem last December, when we agreed to provide benefits for people who are cut from the rolls and are appealing the decision.

We also made improvements in the way the system is administered.

But those were stopgap measures. They did not go far enough. Today I am introducing the Social Security Disability Determination Reform Act of 1983.

This bill goes after the system's remaining problems. It guarantees that we will have sensible ways of determining who is able to work, and who is not.

I look forward to working with Social Security Subcommittee Chairman PICKLE to see to it that this Congress establishes effective disability procedures.

We need to assure all disabled Americans that if they are unable to work, they can at least count on being treated fairly.

THE PLIGHT OF OUR RAILROAD WORKERS

(Ms. KAPTUR asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. KAPTUR. Mr. Speaker, I rise today on behalf of the tens of thousands of railroad workers throughout this Nation who are unemployed or retired. Because the railroad industry is one of America's oldest and most important resources, its economic deterioration should be of grave concern to the Congress.

In Ohio's Ninth District alone, railroad unemployment hovers around 40 percent, with hundreds of men and women idled. These workers have been among the hardest hit by the current protracted recession. The outlook for a significant upturn in this basic industry is grim.

I believe we must send the same clear and positive message to the unemployed and the retired in our rail-

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

● This "bullet" symbol identifies statements or insertions which are not spoken by the Member on the floor.

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road industry as we recently have to their counterparts in other private sector industries. Those covered by the Railway Labor Act should not be treated with any less compassion or any less commitment than other workers. H.R. 1646, which addresses the issue of the solvency of the railroad retirement system, and H.R. 459, which seeks to improve the compensation for unemployed railroad workers, should be acted upon immediately by this body. Failure to act on these initiatives in as immediate a manner as possible is to treat railroad workers as second-class workers.

There are many in this country who would have us forsake the railroad industry and its workers. I, for one, am not ready to do so. An industry that helped build this Nation deserves far better treatment than abandonment.

THE INTERNATIONAL MONETARY FUND

(Mr. BATES asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BATES. Mr. Speaker, I rise today to speak in opposition to the administration's request for an additional $8.5 billion in funding for the International Monetary Fund.

It is time for Congress and America to make some hard choices about how we spend our money.

The International Monetary Fund is a giant loan operation with international bankers loaning American money to nations that often have no intention of paying the loans back.

The bankers do not assume the losses when their nations default. No, the American taxpayers foot the bill. This comes at a time when Americans cannot get loans for their own houses, businesses, or cars.

We should reject this bailout of the bankers for more money to the International Monetary Fund. The $13.6 billion currently spent on the Fund by the United States should be reduced.

Let us send the bankers a message. Let us stamp "No" on their loan application.

THE 100TH ANNIVERSARY OF BIRTH OF HARRY S. TRUMAN

(Mr. SKELTON asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SKELTON. Mr. Speaker, today I am privileged to introduce legislation commemorating the 100th anniversary of the birth of America's finest President, Harry S. Truman, which will be celebrated on May 8, 1984. Joining me in this tribute are the members of the Missouri congressional delegation, the majority leader, JIM WRIGHT, and the Honorable CLAUDE PEPPER.

The bill which I am introducing would provide for a special joint session of Congress to be held on President Truman's birthday next year. A special joint committee of Congress would be selected to begin preparations and to issue invitations. Their work would be coordinated with the activities of the Truman Centennial Committee under the chairmanship of the Honorable Clark Clifford. The special joint session of Congress will be the pinnacle of the Truman Centennial Year Celebration activities which are being planned by the committee. The record of the proceedings on that date will provide an invaluable historic document on a remarkable American.

This afternoon, a news conference will be held to kick off the Truman Centennial Year Celebration. In attendence will be the Honorable Clark Clifford, Special Counsel to President Truman, the Honorable Averell Harriman, Truman's Secretary of Commerce, the Honorable John W. Snyder, Secretary of the Treasury under Truman, the President's daughter, Margaret Truman Daniel, and the Missouri congressional delegation. The convening of these luminaries attests to the love and admiration felt for Truman by those who worked for him, and by those for whom Truman worked.

I would like to make a special note of thanks to my colleague, Congressman ALAN WHEAT for the help and support he has given on this legislation. I also would be remiss to not thank my colleague, Congressman JOHN SEIBERLING, who facilitated the final passage of the Truman Home legislation yesterday so that we might have it for today's Centennial Year Celebration kick off.

It is a privilege for me to be a Missourian. To have known President Truman and his family. To have learned the same down home Missouri values that guided his leadership. To have experienced the same small town Missouri upbringing that made Truman, and me, proud to be an American. And, today, it is an honor to be able to take a part in planning the Truman Centennial Year Celebration to commemorate a man, a president, and a way of life that deserve to be remembered.

PEACE DAY AT TIFFANY ELEMENTARY SCHOOL IN RENTON, WASH.

(Mr. LOWRY of Washington asked and was given permision to address the House for 1 minute and to revise and extend his remarks.)

Mr. LOWRY of Washington. Mr. Speaker, the debate on the nuclear freeze and passage of the freeze resolution have happened because the American people have made clear their interest in peace and their support for efforts to control the arms race. I would like to take a brief moment to describe two innovative and touching events in support of peace, which I had the honor to attend in the Seventh Congressional District of Washington.

The sixth grade class of Tiffany Elementary School in Renton, Wash., organized a Peace Day last year. The school gymnasium was filled with students' pictures of pastoral scenes contrasted with drawings of war scenes. The students captioned the peaceful scenes with the word "Yes," and the war scenes with the word "No." The word "Peace" was spelled out using brightly colored handprints as the forms for the letters.

In part, this event was inspired by "Sadako and the Thousand Paper Cranes," a book by Eleanor Coerr. This beautiful book is about a little Japanese girl who lived from 1943 to 1955 and who died as a result of radiation from the atomic bomb dropped on Hiroshima. A Japanese legend has it that, if a sick person folds a thousand paper cranes, the gods will grant her wish and make her healthy again. Sadako died after making 644 paper cranes. The students of Tiffany Elementary folded cranes and hung them at the assembly in honor of Sadako, and gave me postcards to give to you, my colleagues, as tokens of their support for peace. The assembly was held on October 25, the same day Sadako died 27 years earlier.

Several weeks ago, the Phinney Neighborhood Association in Seattle dedicated a part of its community center as a Peace Site. Neighborhood residents of all ages attended the formal dedication ceremony where local members of Performing Artists for Nuclear Disarmament provided entertainment and local elected officials reiterated their support for the nuclear weapons freeze. The Phinney Peace Site will now stand as a resource center for the neighborhood and will be a rallying place for the neighborhood's call for world peace.

These two events symbolize the interest and concern of people of all ages and walks of life have about our future. Passage of the nuclear freeze resolution has made a strong statement that we are listening to the people of our country and are seeking to move forward in controlling the arms race.

A statue honoring Sadako is engraved with the following words, which may best express the meaning of our action:

This is our cry,
This is our prayer,
Peace in the world.

THE INTERNATIONAL MONETARY FUND

(Mrs. ROUKEMA asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. ROUKEMA. Mr. Speaker, there is not a Member of the House who has not recognized the vital importance of the U.S. contribution to the International Monetary Fund—the IMF—and its key role in the world economy. Not a day goes by that we do not read of the potential for a world economic crisis, that we do not hear of the folly of "Bailing Out the Banks," that we do not learn of another foreign debtor tottering on the brink of default.

And yet, yesterday, the Banking Committee voted by a split vote of 27 to 14 to package legislation which increases the U.S. quota for the IMF with the bills that authorize the Eximbank and the multilateral development banks—knowing that these banks have their own distinct characteristics and some different purposes.

Was this action taken after considered study and open debate? It was not. This shameful business was rammed through the committee without discussion. Why? To create yet another omnibus bill—a bill to obscure difficult issues and deny the House the opportunity to examine the very different issues peculiar to each of these institutions and the substantive changes included in the legislation.

Mr. Speaker, I speak to you today to alert my colleagues, if the committee seeks to bring this omnibus bill to the floor, and if you agree with me that we must consider the banking authorizations independently, I urge you to join me in opposing this effort before the Rules Committee.

□ 1215

CANCELLATION OF MEETING WITH AMBASSADOR KIRKPATRICK ON CENTRAL AMERICA

(Mr. COLEMAN of Missouri asked ans was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. COLEMAN of Missouri. Mr. Speaker, I take this opportunity to inform the membership that the bipartisan meeting which was scheduled for tomorrow at noon, at which Jeane Kirkpatrick was to address the issue of Central America, unfortunately is being canceled because of the Security Council meeting on Nicaragua that Mrs. Kirkpatrick must attend in New York tomorrow.

We do want to reschedule this meeting in the near future at her convenience. I do want to try to get the word out to the membership so that nobody shows up at the meeting tomorrow at noon.

We had a very good response from both sides of the aisle to this meeting which attempts to try to come up with more understanding of a very crucial area of the world in Central America.

NATIONAL SCIENCE FOUNDATION AUTHORIZATION

(Mr. PURSELL asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PURSELL. Mr. Speaker, one of Government's chief objectives is the support of research and development. By providing incentives for business and industrial R&D through the Tax Code, Government helps maintain America's technological edge. And by supporting the National Science Foundation, we are able to enhance the base of scientific research in America.

Later today, the House is scheduled to consider the fiscal year 1984 authorization for the National Science Foundation. In supporting this legislation, we are able to support research activities in the most important of the scientific fields. Mathematical and physical sciences; engineering; biological, behavioral and social sciences all receive essential support through NSF.

I am particularly interested in the financial support provided for behavioral and social sciences. Research support in this area is essential in addressing the questions of improved human productivity. Important to remember is the fact that increases in human productivity are tied as closely with behavioral factors as with technological advances.

I support the authorization of the National Science Foundation. Its activities directly assist in fully 20 percent of Federal funding for basic scientific research. Because a large portion of NSF funds is directed to academic research, new scientific discoveries are accompanied by the training of the next generation of scientists and engineers. Federal support for research and development is important and authorization of NSF is one way to continue this activity.

REPRESENTATIVE VUCANOVICH SUPPORTS NATIONAL TOURISM WEEK

(Mrs. VUCANOVICH asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. VUCANOVICH. Mr. Speaker, I rise in strong support of House Joint Resolution 168 which would designate the week beginning May 29 as "National Tourism Week."

Each Member of this body should be a cosponsor of this bill because each State in the Union relies on tourism, to some extent, as a source of State revenue. In 1981, the travel and tourism industry generated 4.6 million jobs, paid $40 billion in wages and salaries, and produced $18 billion in Federal, State, and local taxes nationwide.

In Nevada, tourism is our major industry. In 1980, the gaming industry alone provided nearly $170 million in taxes and fees which is about 48 percent of all State revenue.

Nevada ranks No. 1 in terms of importance tourism is to our State economy, and tourism in Nevada is the No. 1 employer in the State. This industry certainly deserves national recognition.

I believe Memorial Day weekend is an appropriate time to focus national attention on tourism since this holiday marks the traditional beginning of summer and vacation travel. This special week could be used by the travel and tourism industry as a kickoff for summer promotional and educational activities throughout the United States.

We currently have approximately 150 cosponsors, but we need 218 in order for the bill to be reported to the floor. I urge each of my colleagues to cosponsor this legislation so the Nation can recognize an industry that contributes vitally to our national, State, and local economies.

"UNITED STATES HAS TIED ITSELF IN A KNOT" IN CENTRAL AMERICA

(Mr. RITTER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. RITTER. Mr. Speaker, I would like to quote in part from a recent editorial by Georgie Anne Geyer which has placed, in tandem, Central America and Afghanistan:

> The Soviets simply act. There are no complications back home—no Congress, no marches, no dissent, no need for TV bang-bang.
>
> The United States, on the other hand, has so tied its hands regarding virtually any action in the world today that it is rapidly becoming an irrelevant and even pitiful player in the ongoing games of nations.
>
> Should we call ourselves Hamlet or Gulliver? Both characters fit.
>
> But do our actions reflect moral self-curtailment—or self-castration?

She goes on to say: "Doesn't guilt over what we have done come, in its turn, to deprive others, like these Afghans, of justice?"

We might add Central Americans, too. "The Soviets threaten us from acting here," she is writing from the Peshawar near the Afghan border in Pakistan,

> where the Afghans barely have the guns to fight, and we stop ourselves from acting in Central America where the Soviets and Cubans act with total immunity and freedom. Isn't this, to put it in the vernacular, a little screwy?

Today, it is our self-imposed powerlessness and not our power or abuse of power, that is the major topic of conversation and concern in the foreign ministries of the world.

She goes on to end,

I have here the feeling that if we do not, as a Nation, pull ourselves together and decide how and when to act, we will not be defeated militarily or go up in a nuclear cloud. We will just fade away, still debating how our evil must be controlled.

Mr. Speaker, I believe we can pull ourselves together. The issue is the pursuit of freedom. The place is Central America. The time is now.

COMING ELECTIONS IN GREAT BRITAIN—A STATEMENT ON NORTHERN IRELAND

(Mr. BIAGGI asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BIAGGI. Mr. Speaker, Prime Minister Thatcher announced earlier this week that she is calling for general elections in Great Britain for June 9. The New York Times this morning observed that not since 1945 . . . "have Britain's major political parties fought a general election on platforms as diametrically opposed as the ones they have adopted for this election."

As chairman of the Ad Hoc Congressional Committee for Irish Affairs, it is my fervent hope that this election can serve as a referendum on British policy in Northern Ireland. The British Labor Party has taken a strong position in support of Irish unity. The ruling Conservatives have not put forth any new positions since their support of the Northern Ireland Assembly.

In the coming weeks, I hope the debate on Northern Ireland can be extensive and constructive. I hope both parties will endorse a political rather than a military solution in Northern Ireland. I hope both parties will recognize the absolute necessity of the British presence being withdrawn from the North in a phased and orderly fashion. I hope both parties will renounce all forms of violence in Northern Ireland, whether civilian or official. Above all, it is vital for both parties to take a stand on bringing the long agony of injustice in Northern Ireland to an end. Let the debate begin so the foundation for an agreement bring peace, justice, and human rights for all in Northern Ireland can be established.

REPORT ON ADMINISTRATION ACTIVITIES WITH RESPECT TO NUCLEAR NONPROLIFERATION AND PEACEFUL NUCLEAR COOPERATION—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

The SPEAKER pro tempore (Mr. MOAKLEY) laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, without objection, referred to the Committee on Foreign Affairs:

(For message, see proceedings of the Senate of today, Wednesday, May 11, 1983.)

EMERGENCY HOUSING ASSISTANCE ACT OF 1983

The SPEAKER pro tempore. Pursuant to House Resolution 142 and rule XXIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the further consideration of the bill, H.R. 1983.

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill, H.R. 1983, with Mr. AUCOIN in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. When the Committee rose on Tuesday, April 19, 1983, section 1 was open for amendment at any point.

Are there any amendments to section 1?

AMENDMENT IN THE NATURE OF A SUBSTITUTE OFFERED BY MR. WYLIE

Mr. WYLIE. Mr. Chairman, I offer an amendment in the nature of a substitute.

The Clerk read as follows:

Amendment in the nature of a substitute offered by Mr. WYLIE: Strike all after the enacting clause and insert in lieu thereof the following:

"SHORT TITLE

"SECTION 1. This Act may be cited as the 'Emergency Housing Assistance Act of 1983.'

"ACTIONS BY FEDERAL SUPERVISORY AGENCIES

"SEC. 2. (a) Each Federal supervisory agency, with respect to financial institutions subject to its jurisdiction, and the Secretary, with respect to other approved mortgagees, shall, not later than 14 days following the date of the enactment of the Emergency Housing Assistance Act of 1983—

"(1) communicate in writing with each such institution or mortgagee encouraging them to exercise forbearance (including the acceptance of partial payment), to the maximum extent possible, with respect to residential mortgage foreclosures;

"(2) waive or relax limitations pertaining to the operations of such institutions or mortgagees with respect to mortgage delinquencies, to the extent the waiving or relaxing of such limitations is not inconsistent with laws relating to the safety and soundness of such institutions or mortgagees; and

"(b)(1) In considering applications for advances, the Federal home loan banks shall give special consideration to those institutions that have exercised forbearance in residential mortgage foreclosures as a result of actions taken pursuant to this section.

"(2) In considering applications for advances or discounts, the Federal Reserve banks shall give special consideration to those depository institutions and other borrowers that have exercised forbearance in residential mortgage foreclosures as a result of actions taken pursuant to this section.

"(3) In considering applications for extensions of credit, the National Credit Union Administration Board, on behalf of the National Credit Union Central Liquidity Facility, shall give special consideration to members that have exercised forbearance in residential mortgage foreclosures as a result of actions taken pursuant to this section.

"ACTION BY SECRETARY OF AGRICULTURE

"SEC. 3. Section 505 of the Housing Act of 1949 is amended—

"(1) by adding after 'the Secretary is authorized' the following: 'and encouraged to take all reasonable steps,'; and

"(2) by adding at the end thereof the following new sentences: 'The Secretary shall ensure that each delinquent borrower under this title is provided notice, in a timely and meaningful manner, of the assistance available under this section. The Secretary shall, to the extent necessary, provide technical assistance to each such borrower in applying for such assistance. The Secretary may, before or after any period of moratorium under this section, reamortize the accrued debt of any delinquent borrower under this title for a new period equal to the original amortization period, if such reamortization is likely to result in the resumption of periodic payments by such borrower.'."

EMERGENCY SHELTER ASSISTANCE

SEC. 4. (a) Section 107(a) of the Housing and Community Development Act of 1974 is amended by inserting after the first sentence thereof the following new sentence: "In addition to such amounts authorized to be set aside for grants under subsection (b), there is authorized to be appropriated $100,000,000 for fiscal year year 1984 to carry out the provisions of subsection (d).".

(b) Section 107(c) of the Housing and Community Development Act of 1974 is amended by inserting ", or appropriated for use under subsection (d)," after "subsection (b)".

(c) Section 107 of the Housing and Community Development Act of 1974 is amended by redesignating subsection (d) as subsection (e), and by inserting after subsection (c) the following new subsection:

"(d) The Secretary shall, to the extent approved in appropriation Acts, make grants to States, units of general local government and Indian tribes for the provision of shelter and essential services for individuals and families who are subject to life-threatening situations because of their lack of housing, except that in the case of a grant to a State, the Secretary shall first certify that the purposes of this subsection will be more effectively carried out by making a grant to such State that has an existing program that serves such individuals and families. Such grants shall be awarded on the basis of the need for emergency housing in the area where the project is or will be located, shall take into account regional variations in the cost of providing shelter, and shall consider the extent to which units of general local government and nonprofit organizations are currently providing shelter and assistance. Such grants may be used by such units of general local government or by local nonprofit organizations to rehabilitate existing structures in order to provide basic shelter, to maintain structures providing such shelter, to pay for utilities and the furnishing of such shelters, to provide for any necessary health and safety measures that are required to protect the individuals using such shelter, and for other purposes described in

section 105(a) that are consistent with the purpose of this program. In the case of a structure that is rehabilitated with assistance under this subsection, such structure shall be used for emergency housing, after such rehabilitation, for a period of not less than 3 years. In providing grants under this subsection, the Secretary shall take into consideration the special needs of families and single women. The Secretary shall ensure that grants provided under this subsection are used solely to provide additional shelter capacity and essential services and are not used to replace amounts currently expended in the provision of such shelter and services. The restriction contained in the preceding sentence shall not apply to applicants under this subsection that, pursuant to a State constitutional mandate, have provided shelter to any person who presents himself or herself for shelter.".

Mr. WYLIE (during the reading). Mr. Chairman, I ask unanimous consent that the amendment in the nature of a substitute be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Ohio?

There was no objection.

(Mr. WYLIE asked and was given permission to revise and extend his remarks.)

(By unanimous consent, Mr. WYLIE was allowed to proceed for 5 additional minutes.)

Mr. GONZALEZ. Mr. Chairman, will the gentleman yield?

Mr. WYLIE. I yield to the Chairman.

Mr. GONZALEZ. I would merely ask the gentleman if this amendment he is offering in the nature of a substitute has been distributed and if we have copies of this version now before us.

Mr. WYLIE. I gave one to Mr. McMurray. I do believe you have one and they were filed at the desk.

Mr. GONZALEZ. The reason I ask is, the gentleman knows he has revised this two times. I believe the gentleman had two different versions of the substitute.

Mr. WYLIE. I had one, and then as I pointed out, I was adding $100 million for shelters for the homeless, and that is the second amendment which has also been printed in the RECORD.

I believe the gentleman has copies.

Mr. GONZALEZ. I thank the gentleman.

Mr. WYLIE. First of all, I would like to explain what my substitute amendment does.

First, it retains the language which Chairman ST GERMAIN offered in the form of an amendment and which I agreed to even before it was offered, directing Federal agencies to encourage market incentives to facilitate forbearance and to prevent foreclosures. This is in the finest tradition of our free enterprise system to help people to help themselves, I respectfully submit.

Second, my amendment removes the language mandating a moratorium on farmers home loans and retains the present language in the law and encourages the Secretary to provide a moratorium on payments of mortgage and interest for borrowers in need because of economic developments beyond their control. It actually strengthens the directive to the Secretary by saying that he should take all reasonable steps to grant a moratorium when possible.

Three, it retains the $100 million emergency shelter for the homeless provision, as I just mentioned.

Four, and most important, my amendment would strike the bureaucratic redtape $760 million administrative nightmare bailout to the mortgage lenders program. Why do I say it is a bailout to the mortgage lenders program? Because the bill would provide Federal dollars to private lenders.

The availability of Federal dollars would reverse a homeowner's priority to attempt to repay his mortgage and create incentives for lenders "to give notice of their intent to foreclose at the earliest possible moment of eligibility for subsidy." Those words are of HUD Secretary Samuel Pierce and his concern has been echoed by the American Bankers Association, the U.S. League of Savings Institutions, the American Farm Bureau Federation, and the Mortgage Bankers Association, and now the National Realtors Association.

I say administrative nightmare because it would be necessary for the HUD Secretary to propose regulations. This is provided for in section 108.

Second, to develop a handbook to guide HUD's central and field offices on how to process applications and assess eligibility. This is the only way, of course, that they could get the information into the field.

Third, hire and train HUD staff or contract the job to someone outside the agency in order to assure HUD processing of all applications within 45 days.

HUD says it would require as many as 250 new employees and I believe it because this bill requires the HUD Secretary to do various things. I counted it and there are 65 different directives mentioned to the HUD Secretary in this bill that he must perform before it would be applied.

□ 1230

Fourth, he must consult with the Federal Home Loan Bank Board to establish a data base from which to begin, that is section 104, paragraph 5.

Fifth, he would have to verify that the mortgagor has suffered a reduction in income and determine that the loss is significant. Section 105.

Sixth, he would have to calculate the amount of assistance necessary to bring a delinquent mortgagor current and to pay the difference between 38 percent of the mortgagor's net monthly effective income and his mortagage. Seven, assess the home owner's prospects for reemployment or rebut the presumption that the mortgagor meets the requirement before this loan can be made.

Now, the Secretary is going to be a very, very busy man if he carries out all those mandates under their bill. I do not believe that the Secretary has the expertise or the experience to make such determinations and may I say that the Secretary agrees and points out that they have not been involved in the conventional lending business up to now and they do not really want to get involved in it.

Once he has done all that, it becomes an entitlement program, I respectfully submit, just as sure as I stand here.

To be sure, the bill authorizes only $760 million. But the Congressional Budget Office says that could take care of only about 100,000 homeowners. Now, CBO admits these figures are soft, saying, "The estimated number of households served is very sensitive to the assumptions used."

CBO assumes assistance will be required over an average of 18 to 21 months. When questioned, CBO admitted that HUD would likely have to reserve budget authority for the full 36 months for those assisted, thereby reducing the number of households assisted to 50,000 or perhaps as much as 60,000.

Now, let us assume an estimate of 60,000; that leaves somewhere between 160,000 and 180,000 entitled but unassisted, economically distressed homeowners, as defined by this bill.

Consequently, we will be back here next year to take care of those left out. And, boy, will your mail burn if your next-door neighbor is left out and somebody across the street is paid Federal Government money to pay their mortgage and interest on their loan.

The Office of Management and Budget estimates that if all eligible recipients are assisted over the next 5 years, based on projections from statistics over the last 10 years, the cost could be $15 billion, to add to the Federal deficit.

Now, let us take a look at what I mean here.

If we use the 1.3 figure which is provided for in the bill, we find that over the last 10 years, this emergency relief for entitlement program, if it had been enacted in 1973, would have been in effect 100 percent of the time, since 1973, in the Pittsburgh district. It would have been in effect 100 percent of the time in the Cincinnati district. It would have been in effect 96.7 percent of the time in the Boston district. It would have been in effect 79.2 percent of the time in the New York district, and in the Chicago district, 68.3

percent of the time. All districts had an average of 59.4 percent of the time when assistance would have been triggered under this bill.

Well, I am not ready to add a new Federal subsidy program of this magnitude to the Federal deficit.

Experience shows that the best medicine for delinquent mortgage payments is a strong economy and delinquencies are declining. A prime factor in insuring long lasting recovery would be a determined effort on our part to reduce the massive deficit.

We found during testimony that lenders are forbearing out there in the real world. For a variety of reasons, no lender wants to take back property. Lenders are willing to reschedule payments because it is in their best interests to do so. So, what my amendment does is to say "amen" and "regulators encourage forbearance wherever possible without jeopardizing the safety and soundness of your institution."

I think that is a far better way to go and I encourage the Members to support my substitute.

Mr. Chairman, I yield back the balance of my time.

AMENDMENT OFFERED BY MR. GONZALEZ AS A SUBSTITUTE FOR THE AMENDMENT IN THE NATURE OF A SUBSTITUTE OFFERED BY MR. WYLIE

Mr. GONZALEZ. Mr. Chairman, I offer an amendment as a sustitute for the amendment in the nature of a substitute.

The Clerk read as follows:

Amendment offered by Mr. GONZALEZ as a substitute for the amendment in the nature of a substitute offered by Mr. WYLIE: Strike out all after the enacting clause and insert in lieu thereof the following:

SHORT TITLE

SECTION 1. This Act may be cited as the "Emergency Housing Assistance Act of 1983".

EMERGENCY MORTGAGE RELIEF

SEC. 2. Title I of the Emergency Housing Act of 1975 is amended to read as follows:

"TITLE I—EMERGENCY MORTGAGE RELIEF

"SHORT TITLE

"SEC. 101. This title may be cited as the 'Homeowners Emergency Relief Act'.

"FINDINGS AND PURPOSE

"SEC. 102. (a) The Congress finds that—

"(1) the Nation is in a severe recession, and the sharp downturn in economic activity has driven large numbers of workers into unemployment and has reduced the incomes of many others;

"(2) as a result of such adverse economic conditions, the capacity of many homeowners to continue to make mortgage payments has deteriorated and may further deteriorate in the months ahead, leading to the possibility of widespread mortgage foreclosures and distress sales of homes; and

"(3) many such homeowners could retain their homes if they received temporary financial assistance until economic conditions improve.

"(b) It is the purpose of this title to establish a program that will preserve and promote forbearance with respect to mortgages and, through emergency mortgage relief payments, prevent widespread mortgage foreclosures and distress sales of homes resulting from the temporary loss of employment and income.

"DEFINITIONS

"SEC. 103. For purposes of this title:

"(1) The term district means any Federal Home Loan Bank district established by the Federal Home Loan Bank Board under section 3 of the Federal Home Loan Bank Act.

"(2) The term 'Federal supervisory agency' means the Board of Governors of the Federal Reserve System, the Board of Directors of the Federal Deposit Insurance Corporation, the Comptroller of the Currency, the Federal Home Loan Bank Board, the Federal Savings and Loan Insurance Corporation, and the National Credit Union Administration.

"(3) The term 'Fund' means the Homeowners Emergency Relief Fund established in section 109.

"(4) The term 'monthly net effective income' means the monthly gross income of a mortgagor, less any Federal, State, or local income or employment taxes due with respect to such income.

"(5) The term 'mortgage' includes a land contract or other instrument providing for the sale and purchase of property referred to in section 105(a)(1), and the terms 'mortgagor' and 'mortgagee' include the parties to such agreement of sale and purchase.

"(6) The term 'Secretary' means the Secretary of Housing and Urban Development.

"(7) The term 'State' means each of the several States, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, American Samoa, the Northern Mariana Islands, the Trust Territory of the Pacific Islands, and any other territory or possession of the United States.

"(8) The term 'total monthly housing expense' means the sum of—

"(A) the monthly payment of principal, interest, taxes, assessments, ground rents, hazard insurance, and mortgage insurance premiums due by a mortgagor with respect to a property assisted under this title;

"(B) the monthly maintenance costs of such mortgagor with respect to such property, excluding—

"(i) the costs of maintaining any riding stables, swimming pool, tennis court, sauna, Jacuzzi, hot tub, or other recreational facility or luxury appurtenance on the premises of such property;

"(ii) the costs of employing any individual to maintain such property; and

"(iii) the costs of maintaining any flora on the premises of such property; and

"(C) the monthly utility costs of such mortgagor with respect to such property, excluding utility costs attributable to the operation of any riding stables, swimming pool, tennis court, sauna, Jacuzzi, hot tub, or other recreational facility or luxury appurtenance on the premises of such property.

"EFFECTIVE MORTGAGE DELINQUENCY RATE

"SEC. 104. (a)(1) The Secretary of Housing and Urban Development shall, to the extent approved in appropriation Acts, carry out the program established in this title.

"(2) For the purpose of carrying out such program, the Secretary shall contract to make, and make, assistance available under this title in any district when, on an average monthly basis for a period of 3 consecutive months for either such district or the Nation, the amount of funds represented by mortgage loans and contracts that are accounted for in a mortgage delinquency series maintained by the Federal Home Loan Bank Board, and for which payments have been delinquent for 60 days or more, exceeds 1.3 percent of all funds represented by mortgage loans and contracts accounted for in such series.

"(3) For purposes of determining when such assistance is to be made available pursuant to paragraph (2), the Secretary shall take into account all months beginning with or after the third month before the month in which the Emergency Housing Assistance Act of 1983 is enacted.

"(4) With respect to the initial occurrence, after the date of the enactment of such Act, of the delinquency rate condition described in paragraph (2), the Secretary shall begin to contract to make, and make, assistance available at the beginning of the first month after the month in which the mortgage delinquency series referred to in such paragraph indicates that such condition has occurred.

"(5) The mortgage delinquency series referred to in paragraph (2) shall be made available by the Federal Home Loan Bank Board to the Secretary and the Congress on a monthly basis and shall contain data on the mortgage delinquency rate during the previous month for each district and for the Nation.

"(b)(1) Once assistance is made available under this title in any district, the Secretary shall continue to contract to make, and make, such assistance available until the date on which the mortgage delinquency series referred to in subsection (a)(2) indicates that the amount of funds represented by 60-day delinquent mortgage loans and contracts accounted for in such series has declined, on an average monthly basis for a period of 3 consecutive months for both such district and the Nation, to below 1.2 percent of all funds represented by mortgage loans and contracts accounted for in such series, except that—

"(A) such assistance shall continue to be made available pursuant to contracts entered into before such date; and

"(B) the Secretary shall reinstitute the program established in this title in such district whenever the delinquency rate condition described in subsection (a)(2) reoccurs.

"(2) In any case in which such program is reinstituted in any district, the Secretary shall begin to contract to make, and make, such assistance available beginning with the day after the date on which such mortgage delinquency series indicates that such delinquency rate condition has reoccurred.

"(c) The Secretary shall promptly notify each financial institution or other mortgagee holding a mortgage on property in any district in which the Secretary has determined to institute or reinstitute the program of assistance established in this title.

"ELIGIBILITY FOR ASSISTANCE

"SEC. 105. (a) No assistance may be made with respect to a mortgage under this title unless—

"(1) the property securing such mortgage (or other security interest in the case of units in cooperative or condominium projects, or in the case of any manufactured home and the lot on which such home is situated) is a one- to four-family residence (including one-family units in a condominium project, a membership interest and occupancy agreement in a cooperative housing project, and any manufactured home and the lot on which such home is situated) and

is the principal residence of the mortgagor involved;

"(2)(A) the mortgagee involved has indicated to such mortgagor its intention to foreclose; or

"(B) payments under such mortgage have been delinquent for at least 90 days;

"(3) such mortgage is not assisted under title V of the Housing Act of 1949;

"(4) such mortgagor has incurred a substantial reduction in income as a result of—

"(A) an involuntary loss of, or reduction in (i) his or her employment, other than as a result of any willful repeated or felonious misconduct by such mortgagor; (ii) his or her self-employment, other than as a result of any willful repeated or felonious misconduct by such mortgagor; or (iii) returns form the pursuit of his or her occupation, other than as a result of any willful repeated or felonious misconduct by such mortgagor; or

"(B) any similar loss or reduction by any person contributing to the income of such mortgagor;

which reduction in income renders such mortgagor unable to correct a mortgage delinquency within a reasonable time or to resume full mortgage payments;

"(5)(A) the average aggregate annual income of such mortgagor and the members of the family of such mortgagor residing with such mortgagor, for the 3 completed calendar years preceding the date of the application of such mortgagor for assistance under this title, does not exceed $20,000 with respect to a family of 4 individuals, or such higher or lower amount as the Secretary may establish for larger or smaller families;

"(B) in the case of any mortgagor and family whose income exceeds the applicable amount established under subparagraph (A), the Secretary has determined that the aggregate value of the assets of such mortgagor and the members of the family of such mortgagor residing with such mortgagor does not exceed $10,000, except that the Secretary shall not include as such assets—

"(i) the property securing such mortgage;

"(ii) one motor vehicle of such family;

"(iii) the households goods and personal effects of such individuals, not to exceed an aggregate value of $5,000, or such higher amount as may be determined to be appropriate by the Secretary;

"(iv) professionally prescribed health aids for any such individual;

"(v) the entitlement of any such individual to receive any payment under a pension, annuity, or similar plan or contract on account of age or length of service; and

"(vi) the aggregate interest of such individuals in any implements, professional books, or tools, of the trade or occupation of such individuals, and the aggregate interest of such individuals in any other property without which their trade or occupation would be so impaired as to prevent them from deriving an income sufficient for self-support;

"(6) the Secretary has determined that such mortgagor, if contacted by such mortgagee, has cooperated with such mortgagee in attempting to establish a reasonable plan for the making of partial payments of the amounts due under such mortgage or, considering the financial circumstances of such mortgagor, any other reasonable plan to correct the mortgage delinquency of such mortgagor without financial assistance under this title;

"(7) the Secretary has determined that payments under this title are necessary to avoid foreclosure and that there is a reasonable prospect that such mortgagor will be able to—

"(A) resume full mortgage payments within 36 months after the beginning of the period for which payments under this title are provided or upon termination of assistance under this title; and

"(B) make the payments under such mortgage in full by its maturity date or by a later date agreed to by such mortgagor and mortgagee; and

"(8) an amount equal to the original principal obligation of such mortgage does not exceed the principal amount that could be insured, at the time such mortgagor applies for assistance under this title, with respect to the property of such mortgagor under section 203(b) of the National Housing Act (or under section 203(n) or 234(c) of such Act with respect to a unit in a cooperative housing project or condominium project, respectively).

"(b) Upon a determination that the conditions of eligibility described in subsection (a) have been met by a mortgagor such mortgagor shall become eligible for the assistance described in section 107, to the extent amounts are available under section 109 for such assistance.

"APPLICATION FOR ASSISTANCE

"SEC. 106. (a) During any period in which the program established in this title is in effect in any district, each financial institution or other mortgagee shall, not less than 30 days prior to instituting any foreclosure proceeding with respect to any property described in paragraphs (1), (3), and (8) of section 105(a), assist the mortgagor involved in the preparation and submission to the Secretary of an application for assistance under this title. Such application shall not be required if such mortgagor executes a waiver of assistance under this title after full disclosure of his or her possible eligibility.

"(b) If any mortgagor submits an application for assistance under subsection (a), the financial institution or other mortgagee involved may not institute foreclosure proceedings with respect to such mortgagor prior to the receipt of notification from the Secretary under section 107(g) with respect to approval or disapproval of such application for assistance.

"(c) A mortgagor may submit an application for assistance after foreclosure proceedings have been instituted, in which event such proceedings shall be automatically stayed until receipt of notification from the Secretary under section 107(g).

"(d) In States that require judicial approval of foreclosure, compliance with this section shall be pleaded and proved as a precondition to foreclosure of any mortgage eligible for assistance under section 105. In all States, failure to comply with the provisions of this section shall be the basis of an action to enjoin a foreclosure. Proof of the refusal of the mortagagor involved either to submit an application or to execute a waiver under this section shall satisfy the burden of proof established in this subsection.

"(e) Each application for assistance under this title, other than an application submitted under subsection (c), or waiver of such application shall contain the certification of the mortgagee involved that—

"(1) not less than 3 full monthly installments due under the mortgage involved are unpaid after application of any partial payments; and

"(2) such mortgagee has extended to the mortgagor involved the same or greater opportunities for voluntary forbearance as such mortgagee extended to similarly situated mortgagors within the 4-month period ending March 31, 1983.

"ASSISTANCE PAYMENTS

"SEC. 107. (a) Assistance under this title shall be provided in the form of emergency mortgage relief payments made by the Secretary to mortgagees on behalf of mortgagors. Such payments shall be made using amounts available in the Homeowners Emergency Relief Fund.

"(b)(1) Payments with respect to any mortgage under this title shall be in an amount that, together with the contribution of the mortgagor involved, is equal to the amount of the principal, interest, taxes, assessments, ground rents, hazard insurance, expenses of the mortgagee involved in connection with payments or repayments under this title, and mortgage insurance premiums due under such mortgage, and the initial such payment shall include an amount necessary to make the payments on such mortgage current. Payments under this title shall not exceed amounts that the Secretary determines to be necessary to supplement the amounts, if any, that the mortgagor involved is capable of contributing toward such mortgage payments.

"(2) Payments on behalf of any mortgagor under this title shall not be less than the amount required to ensure that the total monthly housing expense of such mortgagor does not exceed 38 percent of the monthly net effective income of such mortgagor.

"(c) Payments under this title may be provided for a period of not to exceed 18 months plus any period of delinquency. Such period shall be extended for a period not to exceed 18 months if the Secretary has determined that such extension is necessary to avoid foreclosure. The Secretary shall establish procedures for (1) each mortgagor, on whose behalf payments are made under this title, to inform the Secretary of any significant increase or decrease in income; and (2) periodic review, to be conducted not less than once annually, of the financial circumstances of such mortgagor for the purpose of determining the necessity for continuation, termination, or adjustment in the amount of such payments. Such payments shall be discontinued at any time if the Secretary determines that, because of changes in the financial circumstances of such mortgagor, such payments are no longer necessary to avoid foreclosure.

"(d)(1) All payments under this title shall be secured by a lien on the property involved and by such other obligation as the Secretary may require. Such lien shall be subordinate to all mortgages existing on such property on the date on which the initial assistance payment is made under this title on behalf of the mortgagor involved.

"(2) Payments under this title shall be repayable upon terms and conditions prescribed by the Secretary, and such terms and conditions may include requirements for repayment of any amount paid by the Secretary toward the expenses of a mortgagee in connection with the payment or repayments made under this title. The Secretary may establish interest charges on payments made under this title, except that the interest charge on the payments made on behalf of any mortgagor shall be set at a single rate that does not exceed whichever of the following rates is less: (A) 10 percent; and (B) a rate determined by the Secretary of the Treasury taking into consideration the average interest rate on all interest

bearing obligations of the United States then forming a part of the public debt, computed at the end of the month preceding the month in which the initial such payment is to be made on behalf of such mortgagor. Such interest charges on any payments made on behalf of a mortgagor under this title shall not begin to accrue until termination of such payments. Such interest charges shall be payable notwithstanding any provision of any State constitution or law or local law that limit the rate of interest on loans or advances of credit.

"(3) The Secretary shall establish the monthly repayment to be made by any mortgagor under this title at an amount necessary to ensure that the sum of such monthly repayment and the total monthly housing expense of such mortgagor does not exceed 38 percent of the monthly net effective income of such mortgagor. The Secretary may, at the option of any mortgagor, establish appropriate incentives for early repayment of the amount owed to the Secretary under this title, including forgiveness of part of the interest charged on the payment made on behalf of such mortgagor. The Secretary shall establish procedures for (A) each mortgagor making repayment under this title to inform the Secretary of any significant increase or decrease in income; and (B) periodic review, to be conducted not less than once annually, of the financial circumstances of such mortgagor for the purpose of determining the necessity for adjustment in the amount of such repayments.

"(4) All receipts from repayment made to the Secretary under this title shall be deposited in the Homeowners Emergency Relief Fund established in section 109.

"(e) Payments by the Secretary under this title may be made without regard to whether the Secretary has previously taken action under this title on behalf of a mortgagor, except that payments may not be provided on behalf of a mortgagor under this title for more than an aggregate of 36 months.

"(f) The Secretary shall provide homeownership counseling to mortgagors on whose behalf payments are made under this title.

"(g) The Secretary shall process applications for assistance under this title in as expeditious a manner as is practicable. In carrying out this title, the Secretary shall provide that, within not more than 45 calendar days from the receipt of an application for assistance under this title, the mortgagor and mortgagee involved will be notified by the Secretary of his determination to approve or disapprove such application for assistance.

"(h) In providing assistance under this title, the Secretary shall (1) seek to assure a reasonable distribution of funds among districts in which the program established in this title is in effect; and (2) take into consideration the rates of residential mortgage foreclosure and unemployment in the units of general local government in which the properties involved are located and whether such units of general local government are eligible for assistance under section 119 of the Housing and Community Development Act of 1974, giving particular consideration to units of general local government that have rates of unemployment exceeding the national average or are eligible for assistance under such section 119. In carrying out the provisions of this subsection, the Secretary shall utilize the most recent information available from the Secretary of Labor with respect to rates of unemployment.

"AUTHORITY OF THE SECRETARY

"SEC. 108. (a) the Secretary may make rules and regulations that are consistent with the provisions of this title and are necessary to carry out the provisions of this title.

"(b) In the performance of, and with respect to, the functions, powers, and duties vested in the Secretary by this title, the Secretary shall—

"(1) have the power, notwithstanding any other provision of law, whether before or after default, to provide by contract or otherwise for the extinguishment upon default of any redemption, equitable, legal, or other right, title in any mortgage, deed, trust, or other instrument held by or held on behalf of the Secretary under the provisions of this title; and

"(2) have the power to foreclose on any property or commence any action to protect or enforce any right conferred upon the Secretary by law, contract, or other agreement, and bid for and purchase at any foreclosure or other sale any property in connection with which assistance has been provided pursuant to this title.

In the event of any such acquisition, the Secretary may (notwithstanding any other provision of law relating to the acquisition, handling, or disposal of real property by the United States) complete, remodel and convert, dispose of, lease, and otherwise deal with, such property.

"(c) Notwithstanding any other provision of law, the Secretary shall also have power to pursue to final collection by way of compromise or otherwise all claims acquired by him in connection with any security, subrogation, or other rights obtained by him in administering this title. Any funds collected by the Secretary under this section shall be deposited in the Homeowners Emergency Relief Fund established in section 109.

"HOMEOWNERS EMERGENCY RELIEF FUND

"SEC. 109. (a) There hereby is established in the Treasury of the United States a revolving fund, to be known as the Homeowners Emergency Relief Fund.

"(b) The Fund shall consist of—

"(1) any amount approved in appropriation Acts for purposes of carrying out this title;

"(2) any amount received by the Secretary as repayment for payments made under this title;

"(3) any amount collected by the Secretary under section 108; and

"(4) any amount received by the Secretary under subsection (d).

"(c) The fund shall, to the extent approved in appropriation Acts, be available to the Secretary for purposes of carrying out the provisions of this title, including—

"(1) the making of emergency mortgage relief payments to mortgagees on behalf of mortgagors under secion 107;

"(2) the provision of homeownership counseling under section 107(f); and

"(3) the administrative expenses of the Secretary in carrying out the provisions of this title.

"(d) Any amounts in the Fund determined by the Secretary to be in excess of the amounts currently required to carry out the provisions of this title shall be invested by the Secretary in obligations of, or obligations guaranteed as to both principal and interest by, the United States or any agency of the United States.

"AUTHORIZATION OF APPROPRIATIONS; LIMITATION ON BUDGET AUTHORITY

"SEC. 110. (a) There is authorized to be appropriated to carry out the provisions of this title $760,000,000 for fiscal year 1983. Any amounts so appropriated shall be deposited in the Fund and shall remain available until expended.

"(b) The aggregate amount of assistance made available over the duration of the contracts entered into under this title, including amounts expended for the provision of homeownership counseling assistance under section 107(f), may not exceed $760,000,000.

"ACTIONS BY FEDERAL SUPERVISORY AGENCIES

"SEC. 111. (a) Each Federal supervisory agency, with respect to financial institutions subject to its jurisdiction, and the Secretary, with respect to other approved mortgagees, shall, not later than 14 days following the date of the enactment of the Emergency Housing Assistance Act of 1983—

"(1) communicate in writing with each such institution or mortgagee encouraging them to exercise forbearance (including the acceptance of partial payment), to the maximum extent possible, with respect to residential mortgage foreclosures;

"(2) waive or relax limitations pertaining to the operations of such institutions or mortgagees with respect to mortgage delinquencies, to the extent the waiving or relaxing of such limitations is not inconsistent with laws relating to the safety and soundness of such institutions or mortgagees; and

"(3) take such actions as may be necessary to insure that each such institution or mortgagee complies with the requirements established in section 106.

"(b)(1) In considering applications for advances, the Federal home loan banks shall give special consideration to those institutions that have exercised forbearance in residential mortgage foreclosures as a result of actions taken pursuant to this section.

"(2) In considering applications for advances or discounts, the Federal Reserve banks shall give special consideration to those depository institutions and other borrowers that have exercised forbearance in residential mortgage foreclosures as a result of actions taken pursuant to this section.

"(3) In considering applications for extensions of credit, the National Credit Union Administration Board, on behalf of the National Credit Union Central Liquidity Facility, shall give special consideration to members that have exercised forbearance in residential mortgage foreclosures as a result of actions taken pursuant to this section.

"REPORTS TO CONGRESS

"SEC. 112. (a) Within 60 days after the date of the enactment of the Emergency Housing Assistance Act of 1983, and within each 90-day period thereafter, the Secretary shall make a report to the Congress on—

"(1) the current rate of delinquencies and foreclosures in the housing market areas of the country that should be of immediate concern if the purposes of this title are to be achieved;

"(2) the extent of, and prospect for continuance of, voluntary forbearance by mortgagees in such housing market areas;

"(3) actions being taken by governmental agencies to encourage forbearance by mortgagees in such housing market areas;

"(4) actions taken and actions likely to be taken with respect to making assistance under this title available to alleviate hardships resulting from any serious rates of delinquencies and foreclosures; and

"(5) the current default status and projected default trends with respect to mortgages covering multifamily properties, with special attention to mortgages insured under the various provisions of the National Housing Act and with recommendations on how such defaults and prospective defaults may be cured or avoided in a manner that, while giving weight to the financial interests of the United States, takes into full consideration the urgent needs of the many low- and moderate-income families that currently occupy such multifamily properties.

"(b)(1) The Secretary shall, after consulting with the Federal Home Loan Bank Board, conduct a study to determine if a mortgage delinquency series other than the mortgage delinquency series referred to in section 104(a)(2) would be a more effective and efficient series to utilize in carrying out this title.

"(2) The Secretary shall, by April 1, 1974, transmit to the Congress the findings and conclusions of such study along with any legislative recomendations concerning the program established in this title.".

EMERGENCY SHELTER ASSISTANCE

SEC. 3. (a) Section 107(a) of the Housing and Community Development Act of 1974 is amended by inserting after the first sentence thereof the following new sentence: "In addition to such amounts authorized to be set aside for grants under subsection (b), there is authorized to be appropriated $100,000,000 for fiscal year 1984 to carry out the provisions of subsection (d).".

(b) Section 107(c) of the Housing and Community Development Act of 1974 is amended by inserting ", or appropriated for use under subsection (d)," after "subsection (b)".

(c) Section 107 of the Housing and Community Development Act of 1974 is amended by redesignating subsection (d) as subsection (e), and by inserting after subsection (c) the following new subsection:

"(d) The Secretary shall, to the extent approved in appropriation Acts, make grants to States, units of general local government and Indian tribes for the provision of shelter and essential services for individuals and families who are subject to life-threatening situations because of their lack of housing, except that in the case of a grant to a State, the Secretary shall first certify that the purposes of this subsection will be more effectively carried out by making a grant to such State that has an existing program that serves such individuals and families. Such grants shall be awarded on the basis of the need for emergency housing in the area where the project is or will be located, shall take into account regional variations in the cost of providing shelter, and shall consider the extent to which units of general local government and nonprofit organizations are currently providing shelter and assistance. Such grants may be used by such units of general local government or by local nonprofit organizations to rehabilitate existing structures in order to provide basic shelter, to maintain structures providing such shelter, to pay for utilities and the furnishing of such shelters, to provide for any necessary health and safety measures that are required to protect the individuals using such shelter, and for other purposes described in section 105(a) that are consistent with the purpose of this program. In the case of a structure that is rehabilitated with assistance under this subsection, such structure shall be used for emergency housing, after such rehabilitation, for a period of not less than 3 years. In providing grants under this subsection, the Secretary shall take into consideration the special needs of families and single women. The Secretary shall insure that grants provided under this subsection are used solely to provide additional shelter capacity and essential services and are not used to replace amounts currently expended in the provision of such shelter and services. The restriction contained in the preceding sentence shall not apply to applicants under this subsection that, pursuant to a State constitutional mandate, have provided shelter to any person who presents himself or herself for shelter.".

RURAL HOUSING LOANS

"SEC. 4. Section 505 of the Housing Act of 1949 is amended by adding at the end thereof the following new sentences: "The Secretary shall insure that each delinquent borrower under this title is provided notice, in a timely and meaningful manner, of the assistance available under this section. The Secretary shall, to the extent necessary, provide technical assistance to each such borrower in applying for such assistance. The Secretary may, before or after any period of moratorium under this section, reamortize the accrued debt of any delinquent borrower under this title for a new period equal to the original amortization period, if such reamortization is likely to result in the resumption of periodic payments by such borrower.".

Mr. ST GERMAIN (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Rhode Island?

Mr. WYLIE. Mr. Chairman, reserving the right to object, I do so to inquire of the gentleman from Texas, (Mr. GONZALEZ): Is this the amendment in the nature of a substitute entitled "GONZAL 092 (5-11-83), for the amendment in the nature of a substitute offered by Mr. WYLIE of Ohio," which the gentleman handed me just before we came on the floor?

Mr. GONZALEZ. If the gentleman will yield, yes, it is; and I also understand that the gentleman should have had the identical copy before that.

Mr. WYLIE. It does say, "Substitute offered by Mr. GONZALEZ of Texas for the amendment," et cetera?

Mr. GONZALEZ. That is right.

Mr. WYLIE. Mr. Chairman, I withdraw my reservation of objection.

The CHAIRMAN. Is there objection to the request of the gentleman from Rhode Island?

There was no objection.

The CHAIRMAN. The gentleman from Texas (Mr. GONZALEZ) is recognized for 5 minutes.

Mr. GONZALEZ. Mr. Chairman, the sad and tragic situation is that at this moment there are more than 12 million Americans out of work. One out of every four of those people have been looking for work longer than 6 months. Forty percent of the unemployed have been out of a job for 3 months or longer. Four and one-half million people have been out of work for at least 15 weeks. And the number of long-term unemployed today is 2½ times higher than it was 2 years ago.

Despite all the noise about economic recovery, tragically, sadly, long-term unemployment is still growing.

Even the President admits that the unemployed will be the last to see any benefit from this so-called recovery.

With each passing day more of the unemployed find themselves unable to meet mortgage payments. And I must simply say by way of parenthesis, in view of what the distinguished minority leader of the committee just said, if it is true, as he told you, that these institutions are forbearing, that is these lenders, then why did 260,000 Americans through foreclosure have their homes under distress sale and foreclosed upon? It is just the fact that there is no denial as to the need; even the minority does not deny that because we had comprehensive hearings in which we had every section of the country presenting testimony. And as a result of that we are presenting this, what we had hoped would have been acted upon even before the Easter break, Emergency Homeowners Assistance Act.

More people continue to become homeless. That is why we have this bill here today. It is simply the issue today, whether we want to respond to this crying need that is burgeoning forth from our people or we turn our back on them in favor of a $10 billion bailout of the big banks who, incidentally, are opposing us on this bill?

The American Bankers Association are against this. These are the people that the gentleman wants to be kind and forbear from foreclosing, when the record shows they certainly are not. And we do not expect them to.

The issue is: Do we or do we not respond to Americans in a desperate effort to keep possession of the only thing that identifies them with the country, which is their home? That is the issue. Everything else is a lot of spoof, a lot of jiggery and pokery.

There is no disagreement with the need for action to prevent mortgage foreclosures, either during our hearings in the markup sessions or since then. There is no denial of the need. There is no disagreement about the need to help the homeless because the gentleman's substitute has restored that which he had deleted in the second section there, with respect to the homeless. The only issue is what action should be taken on the mortgage foreclosure problem? The minority says that we need only exhort the lenders not to foreclose. But their suggestion ignores economic and practical reality.

Mortgage lenders that are the least able to forbear are the ones operating in the areas of highest unemployment. Our hearings clearly and irrevocably

brought that out. Those lenders are just as much in trouble as their customers.

On the other hand, lenders that can most afford to forbear are in areas where the economy is fairly sound, relatively speaking.

The Wylie dispute would work for those who do not really have trouble, if at all. And it would not work for those who are in the greatest difficulty because it is turning itself back on their need. It would be a cruel joke because it is no help at all. There is only one way to address the market foreclosure problems; real financial trouble requires real financial help. That is what H.R. 1983 is all about, real financial help.

Our substitute will provide help, real help to people who really need the assistance and who, through no fault of their own, are faced with the loss of their homes.

A number of the originial provisions of H.R. 1983 are included in the substitute, such as a homeowner must have a mortgage within the FHA limits and have suffered an involuntary loss of income due to unemployment in order to be eligible for assistance.

However, my substitute also includes a number of provisions that cover concerns expressed by Members who, in good faith, were trying and are trying to be constructive.

The CHAIRMAN. The time of the gentleman from Texas has expired.

(By unanimous consent, Mr. GONZALEZ was allowed to proceed for 3 additional minutes.)

Mr. GONZALEZ. So, we provide an assets test, which would limit assistance to unemployed families whose average aggregate income over 3 years does not exceed $20,000 for a family of four of whose assets, excluding, my good friend from Connecticut, excluding family residence, car, $5,000 in households goods and job-related equipment, cannot exceed $10,000. No assistance could go to individuals whose unemployment is voluntary or is a result of their own misconduct. A homeowner and lender must attempt a workout on the mortgage delinquency before a homeowner can seek assistance.

HUD is to assure a reasonable distribution of funds among areas of the country taking into consideration unemployment rates, high delinquencies and foreclosures.

□ 1245

The rebuttable presumption provision has been deleted and the Secretary must determine that there is a reasonable prospect that the homeowner will be able to resume full mortgage payments within 36 months at the most, and will pay the mortgage off in full by the maturity date.

HUD presently has a policy in making this type of determination in the so-called FHA assignment program. Under that policy if a borrower has a good employment record and has certified that he or she is actively seeking employment, the reasonable prospect test has been met. This is what HUD is expected to use under the emergency program. Since only families who have suffered a reduction in income due to unemployment can qualify for assistance under this program, any stricter standard or requirement for this test would be arbitrary or capricious.

Certain housing expenses are specifically excluded. Language has been included to permit FHA insured homeowners' loans to be eligible.

In short, to qualify for emergency mortgage assistance an applicant must be a responsible person, a person in genuine financial trouble through no fault of his or her own. And the applicant must have undertaken every reasonable effort to avoid foreclosure.

The mortgage assistance available would require the applicant to keep up every effort to find work and would require the applicant to put every reasonable effort into a mortgage payment program. No less than 38 percent of adjusted income.

We are not talking about a giveaway program or an entitlement program. Mortgage assistance would be a loan with interest rates—and let me say personally I am against 10 percent, but I am just one man—but with an interest rate of 10 percent or the current Treasury rate, whichever is less. And the loan would be secured by a lien on the property. As soon as the borrower can resume payments he must do so.

The emergency assistance housing program we are offering provides real help to responsible Americans who are in real need.

The substitute amendment contains every reasonable safeguard, meets every reasonable objection thus far raised, and provides for an abundance of caution.

If you believe that it does take real money to solve the problems of people who are faced with the loss of their home you will support our pending substitute.

Mr. ST GERMAIN. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in support of the substitute offered by the distinguished chairman of the Housing Subcommittee, the gentleman from Texas (Mr. GONZALEZ).

The gentleman's substitute addresses the majority of the concerns that have been expressed to me by many of our colleagues. It includes an assets test, a requirement that a workout between lender and homeowner be attempted. It deletes the rebuttable presumption provision as well as a provision that housing expenses cannot include such costs as maintenance or heating of recreational facilities.

The substitute includes provisions from the original bill as well as the language that requires the Federal financial supervisory agencies to take specific action to support continued forbearance.

This language requires the Federal financial supervisory agencies to comunicate with mortgage lenders encouraging them to exercise forbearance on residential mortgage foreclosures. These agencies are also directed to waive or relax limitations relating to mortgage delinquencies so as not to unfairly penalize those lenders who are exercising forbearance out of compassion as well as logic.

Safety and soundness considerations naturally would still apply.

Finally, Federal agencies that provide assistance in the form of advances, discounts, and extensions of credit are directed to give special consideration to applying institutions that have exercised forbearance.

The Gonzalez substitute provides two ways of dealing with the serious problem of delinquency and foreclosure facing many of the Nation's homeowners. One is the loan program in instances where the homeowner cannot meet his or her obligation due to circumstances beyond his or her control and cannot work out an alternative plan with the lender, and special actions required of the Federal financial supervisory agencies for those lenders in a position to forbear.

I strongly urge the Members to give serious consideration to this substitute and to support it.

Mr. VENTO. Mr. Chairman, will the gentleman yield?

Mr. ST GERMAIN. I yield to the gentleman from Minnesota.

Mr. VENTO. I thank the gentleman for yielding.

Mr. Chairman, I want to commend the gentleman in the well and the chairman of the subcommittee, the gentleman from Texas (Mr. GONZALEZ). I know that the language of the chairman of the subcommittee with respect to regulatory agencies is good language because I notice that it is being copied by the ranking Member in terms of his amendment.

The real difference here is not whether or not we think that regulatory institutions ought to forbear; indeed, they came before us and said that they were doing it.

I think the chairman's language is constructive. I think the ranking Member concedes that in offering it as his substitute essentially with the homeless provision of the bill.

So I think there is not disagreement there.

The question is whether or not we, as a Congress, ought to go beyond that.

Mr. ST GERMAIN. One step further.

Mr. VENTO. One step further in terms of providing an adequate amount of money or at least some money to provide an opportunity for homeowners who are affected by the economic cycle.

Mr. ST GERMAIN. If I could say to the gentleman and reclaim my time, those who are concerned about frankly the minimal amount of funds that are authorized in this legislation, I suggest they stop and consider what the alternative is. The alternative, I feel convinced, would be much more costly to the taxpayers of this Nation. Much more costly. I think that this is being pennywise.

Mr. VENTO. If the gentleman will yield further, I think he is to be commended and the chairman of the subcommittee should be commended for trying to absorb the amendments that raise some reasonable concerns. Frankly, I am not interested in financing swimming pools and frills. It was never our intention to do that.

A needs test, which was initially offered by, of course, the gentleman from Connecticut (Mr. MCKINNEY) in subcommittee, I think has good intentions. We are concerned about the workability on this type of amendment. But I think the chairman is granting those arguments, trying to dismiss those arguments, and should have dismissed any type of reasonable criticism based on those type of concerns.

We are really down to the basic question here, whether or not we are going to go beyond the forbearance. It is not whether banks are good guys or bad guys, it is a recognition that even——

Mr. ST GERMAIN. If I may state to the gentleman, the financial institutions who are exercising forbearance can just go so far, but, by the same token, they have to look at the integrity of their institution. And in some instances, they will not be able to forbear enough to get us over this period and for that reason we have to go that one step further.

The CHAIRMAN pro tempore (Mr. DONNELLY). The time of the gentleman from Rhode Island (Mr. ST GERMAIN) has expired.

(At the request of Mr. VENTO and by unanimous consent, Mr. ST GERMAIN was allowed to proceed for 3 additional minutes.)

Mr. VENTO. If the gentleman will yield further.

Mr. ST GERMAIN. I yield to the gentleman from Minnesota.

Mr. VENTO. I think that what really gets down to the point here is that there is only a certain amount that any bank can do based on its franchise in terms of public service that it provides, in terms of forbearance, and once we get beyond that point, then I think it is up to us in these uninsured areas to try to do what we can to relieve the economic plight of those who are unemployed.

This bill is one aspect. Many, Mr. Chairman, and others have complained that really the recession is over, that we have a moderate recovery. And, indeed, we hope that particular recovery occurs.

The problem is that the casualties of this recession are now starting to float to the surface and many of them happen to be autoworkers, steelworkers, others across this Nation, small businessmen, farmers, who find themselves strung out to wit's end and are not able to make those mortgage payments and are, consequently, losing their homes.

Mr. ST GERMAIN. If the gentleman will allow me to reclaim my time for a moment, the recession might be over in the minds and in the eyes of certain economists, analysts, and forecasters, and the optimists in the administration would like to say it is over. But for those people who are still unemployed and who have exhausted all of their benefits, that recession is not a recession, it is a very real depression. And that is why this legislation is still very necessary.

Mr. VENTO. I think this particular amendment and the strategy that we are offering in terms of providing the funds says that, down the road, things are going to get better. But ironically, the apparent fear that many critics have stated, that first of all, we are not meeting total need, I guess that you might expect those critics might want to come on this floor and double the amount of money, but I think what is in H.R. 1983 is prudent and reasonable, but second, apparently the critics' real fear is that maybe down the road, things really are not going to get better, that this economic recovery is not for real. So I think it is a case here where we, the Democrats in this Congress, are saying that we trust and we hope and intend to invest in the future of these homeowners so that they can continue to be homeowners and that we are going to get a better U.S. economy 2 or 3 years down the road.

Mr. ST GERMAIN. Let me again say to the gentleman, if indeed the pronunciations and pronouncements of the administration about the recession being over are accurate, then they should not be concerned because that means that there will not be a call for these funds, but God forbid, if it is not over, and if, as I stated earlier, there is still a depression for many people in this country, Lord, let us be ready.

Mr. GLICKMAN. Mr. Chairman, will the gentleman yield?

Mr. ST GERMAIN. I yield to the gentleman from Kansas.

Mr. GLICKMAN. I thank the gentleman for yielding and I want to thank the committee for incorporating in this substitute a couple of amendments I had offered, one dealing with people who lose their jobs as a result of their own misconduct—they are not qualified. And the other one removes the rebuttable presumption.

In the earlier bill, there was a rebuttable presumption that you would meet the criteria of the bill, that is, able to resume mortgage payments in 36 months.

The CHAIRMAN. The time of the gentleman from Rhode Island (Mr. ST GERMAIN) has again expired.

(At the request of Mr. GLICKMAN and by unanimous consent, Mr. ST GERMAIN was allowed to proceed for 3 additional minutes.)

Mr. GLICKMAN. If the gentleman would yield further, what I want to clarify for the record is the following things: Is it true that there is no rebuttable presumption in this bill that the applicant for assistance is eligible for the funds and that the applicant has the burden of proof of showing that he or she is eligible for the assistance?

Mr. ST GERMAIN. I am very happy to state that, as a result of the efforts of the gentleman, that is indeed the case. He made a good case and the committee was happy, both the chairmen of the full committee and subcommittee, to take his suggestions in this area.

Mr. GLICKMAN. The second question is: In no way, then, is this program an entitlement program that a Federal court should construe becomes eligible for anyone who seeks assistance, notwithstanding the funding cap? That is one of my worries is that if you created a rebuttable presumption that the applicant is entitled to it, that a Federal court would then determine everybody is entitled to it, notwithstanding the funding limits.

Mr. ST GERMAIN. I can assure the gentleman that as far as my limited knowledge of the law is concerned, he is absolutely correct. We are not creating an entitlement.

Mr. GLICKMAN. And the third question concerns reviewability by a court of the question of "a reasonable prospect that such mortgagor will be able to resume his payments in 36 months," it says on page 10 of the substitute.

Basically, it is my understanding that since you have no standard for reviewability by a court in this section, that if you wanted to attack this in court, appeal it, that the standard would be that the Government acted in an arbitrary and capricious manner. And I wanted to get from the gentleman what he believed the standard of reviewability ought to be since the bill is silent on this point.

The question is, if I may explain it a little bit: It is very important under

the laws of administrative procedure and the appellate system in this country to spell out how you ought to be able to appeal a decision.

Now, in this case, the question will be: Does this applicant have a reasonable prospect to resume payments within 36 months and the other criteria, make the payments under such mortgage in full by its maturity date?

In the farmers home deferral bill we passed earlier this week, the question was raised: OK, what happens if an applicant disagrees with the Government? What should the standard of proof be if he takes it to the court?

And in that case, we held that the decision will be upheld by the court unless it found that the Government acted in an arbitrary and capricious standard.

Mr. ST GERMAIN. It would have to be in this instance as well an arbitrary and capricious manner.

Mr. GLICKMAN. So the gentleman would confirm that the standard would not be any more liberal than the standard in the earlier bill we passed and that the decision could not be successfully challenged unless the Government acted in an arbitrary and capricious fashion.

Mr. ST GERMAIN. I am in total agreement.

Mr. GLICKMAN. I thank the gentleman.

□ 1300

The CHAIRMAN. The time of the gentleman from Rhode Island (Mr. ST GERMAIN) has expired.

(On request of Mr. WYLIE and by unanimous consent, Mr. ST GERMAIN was allowed to proceed for 2 additional minutes.)

Mr. WYLIE. Mr. Chairman, will the distinguished chairman yield?

Mr. ST GERMAIN. I yield to the gentleman from Ohio.

Mr. WYLIE. Mr. Chairman, in the gentleman's statement a little while ago, he said, in effect, that if the recession is really over, that the administration would not have to worry about this bill. It would not really take effect. And in my statement a little earlier, I pointed out that, this program would have been in effect in certain bank board districts during all of the last 10 years. Under section 104 of this bill, it says that for the purpose of carrying out such program, the Secretary shall contract to make, and make, assistance available under this title in any district where there is, for more than 60 days, a delinquency which exceeds 1.3 percent of all the funds represented by mortgage loans. That trigger would have been activated much of the past 10 years and much of the next 10 years.

Now, may I respectfully suggest to the distinguished chairman that, if this had been in place, there would have been in the Pittsburgh district some emergency relief available under the terms of this bill 100 percent of the time over the last 10 years.

I do not think the chairman is meaning to say that the recession started in 1973.

Mr. ST GERMAIN. No. But, by the same token, for those people who are out of work through no fault of their own, the recession is there. And I repeat: It is not a recession; it is a depression.

Mr. WYLIE. I understand that.

Mr. ST GERMAIN. And there are, I would say to the gentleman, other criteria contained in the legislation that make it, I feel, crystal clear that it is not only the unemployment rate within the area that governs, but also the fact that the individual who applies for his assistance must be one who is unemployed through no fault of his own or her own.

Mr. WYLIE. I understand that. But the point I want to make is that in good years or bad this program would have been in effect—and we did have some good years there since 1973——

Mr. ST GERMAIN. There are always going to be people who are unable to meet their mortgage payments. But maybe the gentleman has a district that is very unique.

Mr. WYLIE. No.

Mr. ST GERMAIN. But in my district, the First Congressional District of Rhode Island—let us forget the charts—the realities of life are——

The CHAIRMAN. The time of the gentleman from Rhode Island (Mr. ST GERMAIN) has again expired.

(On request of Mr. WYLIE and by unanimous consent, Mr. ST GERMAIN was allowed to proceed for 1 additional minute.)

Mr. ST GERMAIN. We had a President who got up there with the classified ad section, and said, "Look, there are all kinds of jobs available. Why are these people not working?"

That chart is about as meaningless as that statement was.

Mr. WYLIE. Well, if he believes it is meaningless, then the gentleman is missing my point. Columbus is in the Cincinnati district, and the unemployment rate was relatively low until just recently. But we would have qualified 100 percent of the time under the trigger that is in this bill.

Mr. ST GERMAIN. Is that the only factor that the gentleman is looking at for eligibility?

Mr. WYLIE. No. There are a lot of other factors.

Mr. ST GERMAIN. There are other criteria that the gentleman recognizes.

Mr. WYLIE. There are many. But the program would have been in effect; that is the point I want to make, if this criteria, this trigger, had been used.

Mr. ST GERMAIN. Frankly, I say to the gentleman that if people are unemployed as a result of the actions or inactions of the Federal Government, then certainly whether it be the last 2 years or 3 years, or the next 1 or 2 years, maybe we should give consideration to assisting them in those cases.

Mr. WYLIE. I do not necessarily disagree with that point, but the point I want to make is, it would have been in effect.

Mr. MITCHELL. Mr. Chairman, I move to strike the requisite number of words, and I rise in support of the Gonzalez substitute.

Mr. Chairman, I rise in support of the Gonzalez proposition. I want to commend the chairman of the Housing Subcommittee and the chairman of the full committee for making the accommodations to the objections that were raised by some Members to the original bill. I think this covers all of the objections that have been raised. I commend you for it. But, in one sense, it is an exercise in futility.

There are people in this Chamber, no matter how much you accommodate, no matter how much you give, no matter how much you include their ideas in a bill, who have a mind set that the Government ought to be oblivious to the needs of people. I congratulate you for what you have done, but it is essentially futile because minds were made up that no one on that side was going to give any attention to this bill, it was philosophically not in tune with the thinking of some people and, therefore, no matter what you do, it would not be acceptable to them.

I serve on the Joint Economic Committee. Last Friday we got the statistics on unemployment from the Bureau of Labor Statistics. There had been a "significant" and "dramatic" drop in unemployment in the last month. It went down from 10.8 percent to 10.3 percent, and everyone was so excited about the drop. Yet we asked Commissioner Norwood of the Bureau of Labor Statistics: "Does this mean that unemployment has peaked?" The answer was: "No."

"Does this mean that we can expect a dramatic decrease in unemployment for the next year?" The answer was: "No."

That means that there are going to be people who are going to be losing their houses through no fault of their own. They are trying to get work but they cannot get it because there is something in place in this Nation that is keeping unemployment high.

Mr. Chairman, on March 29, I held hearings in Baltimore concerning homelessness. During that hearing I heard testimony from Mrs. Jane Harrison, from the Women's Housing Coalition, Inc. She stated:

The worst sin toward our fellow creatures is not to hate them but to be indifferent toward them, and I think the resistance against your legislation is typical of an attitude of indifference toward those who hurt.

Mr. Chairman, much has been said about forbearance. On March 2, 1983, the Wall Street Journal reported nationwide foreclosures during the fourth quarter of 1982 hit a 30-year high. It was stated that 7.6 percent of all outstanding mortgages were in foreclosure and 5.7 percent were delinquent.

In my city of Baltimore alone, the current average delinquency rate on home mortgage loans is 10.1 percent. How much forbearance can the lending institutions give? They have got to be responsible to their investors.

I just think it makes sense for us to attempt to show some compassion and some concern for those persons who are out of work and losing their homes through no fault of their own. Sure, there are going to be some deadbeats. There are going to be some deadbeats who are going to try to take advantage of the program. It was not designed for them, and there should be safeguards against that. I think that is included in the bill. Those are not my concerns, the slicksters, the deadbeats, and those who want to use Government for their own selfish and slothful purposes. My concern is with the legitimate hard-working head of a family or member of a family unit who has sustained a job and, suddenly, it is lost to that person and then they lose their precious investment in a home, not just for themselves, but for their children who might come.

I am so strongly concerned about the provision which deals with homelessness. Ladies and gentlemen of this Committee, that is not going to go away. It is going to get warm this summer and we are going to forget about people who slept outdoors last winter. There are four categories of people that desperately need this assistance. One of the most interesting of those categories is a brand new phenomenon in homelessness—the young male. Suddenly, because of unemployment that is ripping this Nation, we find young males ages 18 through 26, who have no home to go to.

The CHAIRMAN. The time of the gentleman from Maryland (Mr. MITCHELL) has expired.

(By unanimous consent, Mr. MITCHELL was allowed to proceed for 2 additional minutes.)

Mr. MITCHELL. In most cities the answer to those problems of homelessness on the part of those young males is that the welfare department or some local institution sends them to the mission, and they go to the mission where they are thrown in with people of ages from 30 to 90, 150 packed in the mission, and just that experience tends to deteriorate their own ability to try to survive in this society.

Another category of homelessness is the category of whole families being homeless. Here is what is happening: People in my city are doubling up, and when they cannot double up, then they try to find a place to stay. But most of the few institutions that we have will not take a whole family. They divide the family up, and that is destructive.

I would suggest that you look around in your city where there is boarded-up housing. And I am willing to wager any Member in this Chamber that you are going to find people living in boarded-up housing, not because they want to, not because they are subhuman human beings, but because through no fault of their own they have lost their property.

I cannot, for the life of me, understand why there is this built-in inflexible, rigid resistance to what is a simple act of humanitarianism on the part of our Government. People look to the Government as the last resort to solve some of their problems. No, we do not solve it for everyone. We deal with only 100,000 families. But does that not say to 100,000 people, "Your Government still cares"?

I strongly urge my colleagues to support the passage of this legislation. At least through this vehicle we can begin to seriously address this country's neglect and irresponsibility toward those who are homeless in this Nation.

Mr. Chairman, I rise in support of Congressman HENRY GONZALEZ' amendment to the Emergency Housing Assistance Act.

Let me go back to the March 29, 1983, hearing in Baltimore concerning homelessness. During this hearing, I heard testimony from Ms. Jane Harrison, a housing developer for the Women's Housing Coalition, Inc. In her statement, Ms. Harrison stated, "The worst sin toward our fellow creatures is not to hate them, but to be indifferent to them. That's the essence of inhumanity." By failing to pass my colleague's bill, the House will be renouncing its sacred responsibility to meet the basic survival needs of the American people.

A March 2, 1983, Wall Street Journal article reported that nationwide foreclosures during the fourth quarter of 1982 hit a 30-year high. Moreover, it stated that 0.76 percent of all outstanding mortgages were in foreclosure and 5.7 percent were delinquent during this quarter.

In Baltimore City alone the current average delinquency rate on home mortgage loans is 10.1 percent. As a result, many Baltimoreans are facing the bleak prospect of foreclosures and possible homelessness.

I believe my colleague's bill will reverse the current nationwide insensitivity toward these two growing problems. Briefly, this bill authorizes $760 million to establish a new revolving loan fund to assist homeowners who are facing foreclosure on home mortgage loans not insured by the Farmers Home Administration (FmHA). The measure also authorizes $100 million to provide assistance for shelter and essential services for the homeless.

The $760 million revolving loan fund, to be administered by the Secretary of HUD, would become active when the average default rate over a 3-month period, as measured by the Federal Home Loan Bank Board, rises to 1.3 percent of mortgage funds. The program would be suspended when the default rate drops to a 3-month average of 1.2 percent or below.

Only mortgages on one- to four-family homes, cooperatives, condominiums, or manufactured housing that are the primary residence of the homeowner would be eligible for assistance. Furthermore, mortgage payments would have to be 90 days' delinquent, or the owner must have been notified that the lender intends to foreclose. In addition, the original mortgage amount cannot exceed the maximum mortgage amount that could be insured by the FmHA ($67,500 to $90,000).

Congressman GONZALEZ' bill is based upon the premise that a large number of potential foreclosures will occur as a result of the Reaganomics-induced 10.5-percent unemployment rate. Consequently, individuals would only be eligible for assistance if they have suffered a substantial loss of income as a result of unemployment or reduced employment.

The assistance payments cover the difference between what the homeowner is capable of paying and the amount needed to cover total monthly housing expenses. The homeowner, however, is responsible for contributing at least 38 percent of his monthly net effective income. The payments last for 18 months, plus any period of default, and may be extended, at the Secretary's discretion, for an additional 18 months. The interest repayment portion of the loan would be based on Treasury bonds or 10 percent, whichever is lower.

Finally, H.R. 1983 addresses the immediate problem of homelessness. It authorizes $100 million to be placed in the Secretary's discretionary fund under the community development block grant (CDBG) program to make grants to metropolitan cities, urban counties, small cities, and to nonprofit organizations to provide shelter and essential services for individuals subject to life-threatening situations because they lack housing.

I strongly urge my colleagues to support the passage of H.R. 1983. By passing this bill, we can begin to seriously address this country's neglect and irresponsibility toward its homeless citizens.

Mr. FRANK. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I hope Members will understand exactly what is at stake in the choice they will soon be making between the substitute offered by the gentleman from Texas, who chairs the Housing Subcommittee, and the substitute offered by the gentleman from Ohio, which I guess will be reoffered by another Member.

The question is very clear: Shall there be any program whatsoever whereby the Federal Government responds to people who have lost their jobs because of prolonged unemployment and, because of that loss of jobs, face a temporary difficulty in meeting their mortgage payments?

Now, in both bills there is language which says that we encourage banks to show forbearance. That is not an issue. Both sides agree that we should encourage banks to show forbearance. The chairman of the full committee, the gentleman from Rhode Island (Mr. ST GERMAIN), worked on this concept, and it is in both bills. The difference between them is very stark. In the bill which came out of committee, supported by the gentleman from Texas, there is a program which says if you have been working hard all your life and if because of no fault of your own you have lost your job because of a recession, which everyone admits has caused high unemployment, and if you are threatened with the loss of your home, the trauma of you and your family being turned out of your home because of this temporary problem of job loss and inability to continue to make mortgage payments, for 18 months the Federal Government will lend you the money at 10-percent interest, provided you meet a fairly strict assets test. It is not an entitlement. There is no presumption you can repay. If you can show the Secretary of HUD that the reason you are in temporary difficulty in meeting your mortgage is that you have lost your job, you expect to get it back, we are told we are going to get a recovery, people will be rehired, but should people lose their homes in the interim, should they lose the equity, should they suffer the trauma of being turned out?

Many Members have had questions and concerns to tighten this bill up. It is not an entitlement. The regular presumption of administrative regularity will extend to the Secretary's decision. It will be virtually impossible to overturn a secretarial denial of someone's application.

So the question remains: Shall a very tightly drawn program, which offers assistance to those unemployed through no fault of their own—that language is in the substitute of the gentleman from Texas—shall the Federal Government offer them any assistance at all?

It is a 10-percent loan, hardly a giveaway. In many cases there will be working people 40 and 50 years old who had a mortgage that cost them less than that. Should they get this for 18 months, with one extendable renewable term?

Mr. Chairman, I have to say again that I am struck by the incredible inconsistencies of people telling us that we can advance $9 billion Federal dollars, just because we call if off-budget, to the International Monetary Fund, but we cannot make $700 million available to be repaid to Americans who lose their jobs, because the motto of the logic is the same: We are told by the bankers, with regard to International Monetary Fund matters, that they made good loans to good borrowers. These good borrowers, they tell us, because of the unexpected depth and length of the recession, have a liquidity crisis, which, to most of us, means no dough. Now, because of this liquidity crisis, they cannot repay their loans. So the Banking Committee has voted out, with strong support from the minority and the administration, a $9 billion commitment of Federal dollars to say to the rest of the world, to Argentina, Brazil, Chile, and Mexico, "Oh, well, because of the recession, you temporarily cannot meet your loan, we will advance some money."

Now, we have an austerity program in there, but it is not as strict as the assets test you have got in this bill that applies to Americans.

Why in the world is it justifiable to say that $9 billion can go temporarily to bail out people who, because of the recession, have a liquidity problem everywhere in the world except the United States of America, when we are talking about American dollars?

I am prepared to support a properly drafted bill to deal with the IMF. I am not prepared to discriminate against Americans with their own money. And that is what you do if you accept the substitute that strikes out any program whatsoever. We are not arguing in this substitute choice details, we are not arguing specifics. The question is: Should there be any program at all which extends to Americans who have lost their jobs the help that we are being told to extend to others?

The President went on television a couple weeks ago and he said $600 million is not a significant sum. He said he could not understand why we were upset about it. He only wanted to give $600 million to Central America, and he pointed out that that is only one-tenth of what we spend on video games.

The CHAIRMAN. The time of the gentleman from Massachusetts (Mr. FRANK) has expired.

(By unanimous consent, Mr. FRANK was allowed to proceed for 1 additional minute.)

Mr. FRANK. For purposes of simplicity, let us call that measure, $600 million, one-tenth of what we spend on video games and Atari. The President has told us that spending one Atari on his Central American program is, after all, insignificant.

Mr. Chairman, this is barely an Atari and a tenth. This is not much more. We simply want to lend to Americans under terms that guarantee the repayment of almost all of it. We want to lend to Americans temporarily out of work in the recession some money so they do not lose their homes.

How can the administration ask us to send $600 million to Central America and snap its fingers and say that is insignificant, but we want to send a similar sum to Americans in a very carefully drafted bill that somehow becomes fiscally irresponsible. There simply is no justification for turning our backs on hard-working Americans who, through no fault of their own, face the loss of their homes on top of the loss of their jobs. We have a carefully drafted program to avoid that trauma and that pain, and I hope the House will adopt it.

AMENDMENT OFFERED BY MR. ROEMER TO THE AMENDMENT OFFERED BY MR. GONZALEZ AS A SUBSTITUTE FOR THE AMENDMENT IN THE NATURE OF A SUBSTITUTE OFFERED BY MR. WYLIE

Mr. ROEMER. Mr. Chairman, I offer an amendment to the amendment offered as a substitute for the amendment in the nature of a substitute.

The Clerk read as follows:

Amendment offered by Mr. ROEMER to the amendment offered by Mr. GONZALEZ as a substitute for the amendment in the nature of a substitute offered by Mr. WYLIE: Strike section 2 beginning on Page 1 line 4 and all through the end of the substitute on Page 27 line 7 and insert in lieu thereof the following:

"ACTIONS BY FEDERAL SUPERVISORY AGENCIES

"SEC. 2. (a) Each Federal supervisory agency, with respect to financial institutions subject to its jurisdiction, and the Secretary with respect to other approved mortgagees, shall, not later than 14 days following the date of the enactment of the Emergency Housing Assistance Act of 1983—

"(1) communicate in writing with each such institution or mortgagee encouraging them to exercise forbearance (including the acceptance of partial payment), to the maximum extent possible, with respect to residential mortgage foreclosures;

"(2) waive or relax limitations pertaining to the operations of such institutions or mortgagees with respect to mortgage delinquencies, to the extent the waiving or relaxing of such limitations is not inconsistent with laws relating to the safety and soundness of such institutions or mortgagees; and

"(b)(1) In considering applications for advances, the Federal home loan banks shall give special consideration to those institu-

tions that have exercised forbearance in residential mortgage foreclosures as a result of actions taken pursuant to this section.

"(2) In considering applications for advances or discounts, the Federal Reserve banks shall give special consideration to those depository institutions and other borrowers that have exercised forbearance in residential mortgage foreclosures as a result of action taken pursuant to this section.

"(3) In considering applications for extensions of credit, the National Credit Union Administration Board, on behalf of the National Credit Union Central Liquidity Facility, shall give special consideration to members that have exercised forbearance in residential mortgage foreclosures as a result of actions taken pursuant to this section.

"ACTION BY SECRETARY OF AGRICULTURE

"Sec. 3. Section 505 of the Housing Act of 1949 is amended—

"(1) by adding after 'the Secretary is authorized' the following: 'and encouraged to take all reasonable steps,'; and

"(2) by adding at the end thereof the following new sentences: 'The Secretary shall ensure that each delinquent borrower under this title is provided notice, in a timely and meaningful manner, of the assistance available under this section. The Secretary shall, to the extent necessary, provide technical assistance to each such borrower in applying for such assistance. The Secretary may, before or after any period of moratorium under this section, reamortize the accrued debt of any delinquent borrower under this title for a new period equal to the original amortization period, if such reamortization is likely to result in the resumption of periodic payments by * * *

EMERGENCY SHELTER ASSISTANCE

SEC. 14. (a) Section 107(a) of the Housing and Community Development Act of 1974 is amended by inserting after the first sentence thereof the following new sentence: "In addition to such amounts authorized to be set aside for grants under subsection (b), there is authorized to be appropriated $100,000,000 for fiscal year 1984 to carry out the provisions of subsection (d).".

(b) Section 107(c) of the Housing and Community Development Act of 1974 is amended by inserting ", or appropriated for use under subsection (d)," after "subsection (b)".

(c) Section 107 of the Housing and Community Development Act of 1974 is amended by redesignating subsection (d) as subsection (e), and by inserting after subsection (c) the following new subsection:

"(d) The Secretary shall, to the extent approved in appropriation Acts, make grants to States, units of general local government and Indian tribes for the provision of shelter and essential services for individuals and families who are subject to life-threatening situations because of their lack of housing, except that in the case of a grant to a State, the Secretary shall first certify that the purposes of this subsection will be more effectively carried out by making a grant to such State that has an existing program that serves such individuals and families. Such grants shall be awarded on the basis of the need for emergency housing in the area where the project is or will be located, shall take into account regional variations in the cost of providing shelter, and shall consider the extent to which units of general local government and nonprofit organizations are currently providing shelter and assistance. Such grants may be used by such units of general local government or by local nonprofit organizations to rehabilitate existing structures in order to provide basic shelter, to maintain structures providing such shelter, to pay for utilities and the furnishing of such shelters, to provide for any necessary health and safety measures that are required to protect the individuals using such shelter, and for other purposes described in section 105(a) that are consistent with the purpose of this program. In the case of a structure that is rehabilitated with assistance under this subsection, such structure shall be used for emergency housing, after such rehabilitation, for a period of not less than 3 years. In providing grants under this subsection, the Secretary shall take into consideration the special needs of families and single women. The Secretary shall ensure that grants provided under this subsection are used solely to provide additional shelter capacity and essential services and are not used to replace amounts currently expended in the provision of such shelter and services. The restriction contained in the preceding sentence shall not apply to applicants under this subsection that, pursuant to a State constitutional mandate, have provided shelter to any person who presents himself or herself for shelter.".

Mr. ROEMER. Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. ROEMER. Mr. Chairman, my amendment, for the benefit of the Members on the floor today, is simply the Wylie substitute, no more, no less.

It does three things: It calls for Federal regulators to relax rules and regulations regarding foreclosure. It eliminates the $760 million in the committee bill and in the substitute offered by the chairman of the subcommittee, the gentleman from Texas (Mr. GONZALEZ). And it retains the $100 million for emergency shelter.

I use this parliamentary technique to immediately put before the Members of the House in the clearest terms possible, up or down, the philosophical and economic differences over the issue of homeownership guarantees. If my amendment passes, the issue is resolved and a long and tedious process of amending a flawed committee bill can be avoided.

Make no mistake about it. The committee bill, if the Wylie substitute, in effect, is not passed, demands amendment. Although I am not on the Housing Subcommittee, as a member of the Banking Committee I participated in hours of review and debate on H.R. 1983, and when the bill came to the floor weeks ago, its weaknesses were obvious. They included lack of an assets test, lack of an earnings test, a heavy increase in bureaucratic workload, inadequate funding at $760 million to equally help all those homeowners in like economic circumstances, and finally, the creation of a new entitlement program.

Pretty it up how you will, if it follows the history of other entitlement programs, it will be never ending and very expensive.

The unrest over these and other shortcomings in the bill became apparent to the general membership and the bill was pulled, and pulled again. The leadership has returned H.R. 1983 in the form of a substitute with proposed amendments which do in fact reduce some, but certainly not all, the onerous features of the original bill.

I want to thank my chairman, the gentleman from Rhode Island (Mr. ST GERMAIN), and the subcommittee chairman of the Housing Committee, the gentleman from Texas (Mr. GONZALEZ), for attempting to reshape and improve the bill, no matter what happens here today.

My friend, the gentleman from Maryland (Mr. MITCHELL), is correct that their efforts are appreciated and respected; I know by this Member.

The proposed amendments, however, to H.R. 1983 still beg the major questions in my mind, questions regarding interest rates, entitlement creation, inequitable distribution of limited resources, administrative nightmares, and arbitrary implementation thresholds. The questions still exist and should not be ignored.

The Wylie substitute, which I reintroduce in my amendment, emphasized forbearance rather than foreclosure by utilizing the influence and leadership of HUD, the Secretary of Agriculture and the Federal regulators to achieve a maximum of forbearance in as short a time as possible at a minimum cost to the taxpayer.

My amendment does not affect the $100 million provided in the bill for emergency shelter for the homeless. I believe that section of the bill both worthy and necessary.

Finally, the Wylie substitute as represented by my amendment avoids the creation of yet another entitlement program for a Government already saddled with an explosion in entitlement program expenses. Remember that the $760 million in H.R. 1983 assists only a portion of the homeowners that face potential foreclosure. What will we tell those not helped by H.R. 1983 when they come for money that we do not have. Some will tell them yes, too, and I understand that, and I understand that compassion, but others might say, and I hope you would tell them, that you supported our efforts which yield immediate benefits for pressed homeowners by directing Federal agencies to relax rules and regulations, to encourage institutional forbearance, rather than constructing a complex, bureaucratic, expensive and ultimately unfair system of entitled forbearance that is too little and too late.

The CHAIRMAN. The time of the gentleman from Louisiana (Mr. ROEMER) has expired.

(By unanimous consent, Mr. ROEMER was allowed to proceed for 2 additional minutes.)

Mr. ROEMER. I hope that you tell them, when they, too, come, that you supported our efforts because it reduced the drain on the Treasury and put downward pressure on interest rates rather than upward pressure on the same, upward pressure at a huge expense to the millions of Americans who are meeting their obligations.

Finally, I hope you tell them that you supported our efforts because it encouraged forbearance, rather than support H.R. 1983 which, in effect, practically, encourages foreclosures by banks and S&L's so they can qualify for their money.

Finally, I readily admit that the Wylie substitute does not guarantee that every homeowner facing hard times will keep his home, but neither does H.R. 1983 give that guarantee. Neither is perfect, but the Wylie substitute is workable where H.R. 1983 is not. The Wylie substitute is equitable, where H.R. 1983 is not. The Wylie substitute is timely in its effect, where H.R. 1983 is not.

And finally, Mr. Chairman, we have heard from Members who preceded me here that all this bill does is help those who worked hard all their lives and now face the loss of that home. It is interesting that that language is not in the bill. It is interesting that that language is not in the substitute. It is interesting that none of those caveats of limiting and targeting are in the bill at all.

As a matter of fact, the practical effect of the bill will be to help a few and then set yourselves up as a body to help the rest when they come. Some of you might want to do that. Some of you might think this Nation can afford that. Some of us might think that, therefore, we do not have to make the hard decisions about spending and interest rates which will put people back to work.

The CHAIRMAN. The time of the gentleman from Louisiana (Mr. ROEMER) has again expired.

(On request of Mr. MITCHELL and by unanimous consent, Mr. ROEMER was allowed to proceed for 3 additional minutes.)

Mr. MITCHELL. Mr. Chairman, will the gentleman yield?

Mr. FRANK. Mr. Chairman, will the gentleman yield?

Mr. ROEMER. I yield first to the gentleman from Massachusetts, and then to the gentleman from Maryland.

Mr. FRANK. I thank the gentleman for yielding.

Mr. Chairman, first I would just like to say I hope we all understand that forbearance that the gentleman is talking about is in both bills.

Mr. ROEMER. That is correct.

Mr. FRANK. It is not a question of either/or.

Mr. ROEMER. Let me reclaim my time to tell the gentleman that he is correct in that statement.

Mr. FRANK. Thank you.

Mr. ROEMER. The bills are the same on forbearance. The difference is, in the bill that you support forbearance is matched by a carrot or $760 million. I wonder which avenue will be selected?

Mr. FRANK. If the gentleman will yield further, the other point I would make is what seemed to me a contradiction. The gentleman simultaneously attacked the bill for being an entitlement and for not helping all the people who were entitled to help. One cannot simultanously confer an entitlement and not help everyone. In fact, it is not an entitlement; it is explicitly not an entitlement. We made that clear.

The gentleman said where was the language about working hard all their lives? Well, rhetoric does not often get into the bills.

Mr. ROEMER. I understand that. Thank goodness.

Mr. FRANK. But there is language in the substitute which says if you lost your job and it was not your fault, you do not qualify. So I will concede, if the gentleman is in the mood, you need not have worked hard all your life. If you did not start until you were 18, 19, or 20, you would be covered. You need not have worked and sold papers when you were 8. But it does say that if you lost your job through no fault of your own, you are not eligible. So to simultaneously attack a bill for being an entitlement and then for not helping enough people seems to me contradictory.

Mr. ROEMER. Let me reclaim my time to answer the gentleman. First of all, as to the supposed contradiction between pointing out that the bill helps very few, but the bill then increases the political pressure on this body to help the rest, I do not consider that a contradiction.

Mr. FRANK. If the gentleman will yield further, that is not what the gentleman said. The gentleman said it was an entitlement.

Mr. ROEMER. No, I do not yield. I reclaimed my time to answer the gentleman. He can get his own time later to build his case.

On the question of contradiction, there is none. To point out that $760 million will not help every American, and then to further point out that if you have compassion about the few, how can you turn down the many?

Mr. MITCHELL. Mr. Chairman, will the gentleman yield?

Mr. ROEMER. I yield to the gentleman from Maryland.

Mr. MITCHELL. I thank the gentleman for yielding.

The gentleman knows that I have enormous respect for his keen intellect and the absolute veracity of the statements that he makes, and that is why I wanted the gentleman to get more time, because you have frequently referred to the matter of entitlements.

As a general rule, in this House, an entitlement would not require an annual appropriation. An entitlement is there in place and we do not take it up each year. It is locked into law.

I have examined this bill, and I am being very sincere, if it were an entitlement, I might not necessarily oppose it. Let the record show that. But I want to know where in the world you find the rationale on which you claim it is an entitlement?

Mr. ROEMER. All right, let me respond to the gentleman.

The gentleman happens to be my chairman on the Committee on Small Business, and I love and respect his work here.

Mr. MITCHELL. Let me assure you it is mutual. That is why I wanted the gentleman to clarify this for me because I have such implicit faith in the veracity of the statements he makes.

Mr. ROEMER. I thank the gentleman.

The CHAIRMAN. The time of the gentleman from Louisiana (Mr. ROEMER) has again expired.

(On request of Mr. MITCHELL and by unanimous consent, Mr. Roemer was allowed to proceed for 2 additional minutes.)

Mr. ROEMER. The bill is not caged in entitlement terms or language. The gentleman is correct. But the bill comes to the floor because of a sincere desire on the part of many to help those who hurt. That is sincere. If the pressure is great, even though we may or may not be coming out of this recession, if the pressure is great now and remains great for some time and we have a bill to help only a few, then my fear is that entitlements are born this way, one baby step at a time.

Mr. MITCHELL. I have to interrupt the gentleman at that point because I got him the time.

Mr. ROEMER. Surely.

Mr. MITCHELL. Then you are not saying it is an entitlement; you are saying it might be an embryonic entitlement or potential entitlement.

Mr. ROEMER. Yes, on two points, if the gentleman will let me reclaim my time.

Mr. MITCHELL. I am sorry. I will not interrupt the gentleman again.

Mr. ROEMER. Two points: One, the money is inadequate to help everybody described in the bill, the loose descriptions in the bill. That means if we help some, in terms of equity we ought to help them all. The bill might have had a stronger constituency in the House and more honesty in the budget practices if it had the $4 billion or $5

billion or $7 billion over 3 years that was required. That is my first point.

My second point: As has already been pointed out by our colleague from Ohio, if the arbitrary threshold of 1.3 percent set in this bill, and where that came from I am sure will be explained later, it seems to have come from somewhere north of the constellation, but that arbitrary figure, if it were in the bill for the last 10 years, would have meant that at least three and perhaps more of the regional FHLBB regions would have been entitled 100 percent of the time. If an entitlement covers all who are eligible and is in effect for 100 percent of the time, I do not care what dress you put on the turkey, it is a turkey with feathers and I call it an entitlement.

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Mr. MITCHELL. Mr. Chairman, will the gentleman yield further?

Mr. ROEMER. I yield to the gentleman from Maryland.

Mr. MITCHELL. Mr. Chairman, I got the gentleman some more time because I had two questions, and, if necessary, I will get him some more.

The CHAIRMAN. The time of the gentleman from Louisiana (Mr. ROEMER).

(On request of Mr. MITCHELL, and by unanimous consent, Mr. ROEMER was allowed to proceed for 3 additional minutes.)

Mr. ROEMER. Mr. Chairman, I will yield for one more, and then I will yield to other Members.

Mr. MITCHELL. I will ask the gentleman to yield for two more because I got him the time.

Mr. ROEMER. All right, two more.

Mr. MITCHELL. Mr. Chairman, I just want to be sure that I understand what the gentleman is saying. The gentleman has said at this point in the legislative history of this piece of legislation on the floor that it is not an entitlement program—and I want the record to be clear—but that it has the potential for maybe becoming one, depending on economic circumstances. Is that a fair statement?

Mr. ROEMER. I concede that.

Mr. MITCHELL. All right. Then it is not an entitlement program at 1:30 on this day of the year of our Lord?

Mr. ROEMER. I do not know if I will concede that.

Mr. MITCHELL. The second thing is that the gentleman is talking about forbearance.

Let me go back to my city of Baltimore, where we had a 10.2 potential default, and there is forbearance. The gentleman will notice that in my statement I pointed out that the statement of the Commissioner of the Bureau of Labor Statistics, Commissioner Norwood, was that she expects the high unemployment rate to continue for the next year or so, no matter how much the economy improves. If that is true, we could reasonably in my city expect a 1-percent increase in the foreclosures, moving it up to 11 percent. Suppose it extends out to 1 or 2 years.

The point I am trying to get at is, what are the limits of forbearance on the part of the lending institutions? Surely there must be some. Surely they do not forbear ad infinitum.

Mr. ROEMER. No, there are foreclosures. There have been foreclosures since we have the institutions that have the capability of foreclosing. Some institutions are obviously sharper and some are more compassionate than others.

Let me make two quick points relative to the valid point the gentleman raised. In the mid-1970's the House of Representatives passed a bill similar to this. I think it was in 1975 or 1976. The only difference was that the threshold or the triggering mechanism was left to the Secretary at the time. He could pick out those parts of the country which had extraordinary problems with forbearance and foreclosure.

This bill does not do that. This bill treats Omaha like Bossier City, it treats Shreveport like Boston, and they are not the same, nor are the pressures the same.

Mr. MITCHELL. Mr. Chairman, the gentleman must understand that he has to explain it simply to me. My question was, Are there limits to forbearance on the part of the lending institutions?

Mr. ROEMER. Yes, there are.

Mr. MITCHELL. And if there are such limits, that means that some people are going to face eviction, is that right?

Mr. ROEMER. Yes.

Mr. MITCHELL. What, then, is the responsibility of the Federal Government on the part of those who face eviction? Does it have any responsibility?

Mr. ROEMER. There are two that I can list from my experience.

Mr. MITCHELL. All right.

Mr. ROEMER. One is the shared responsibility of the Members of this House. For example, we might construct a budget that lowered the deficit in America. We might construct a budget here that sent interest rates down, not up. I predict that if we were to lower, by our courage, long-term interest rates by 2 points, we could help more people at less cost to the Treasury and the taxpayer than this bill would help in 3 years.

Mr. MITCHELL. Mr. Chairman, I would ask the gentleman, Can we arbitrarily do that?

Mr. ROEMER. Yes, we can.

Mr. MITCHELL. Mr. Chairman, I will not request any more time for the gentleman.

The CHAIRMAN. The time of the gentleman from Louisiana has once again expired.

(On request of Mr. SCHUMER, and by unanimous consent, Mr. ROEMER was allowed to proceed for 2 additional minutes.)

Mr. SCHUMER. Mr. Chairman, will the gentleman yield?

Mr. ROEMER. I yield to the gentleman from New York.

Mr. SCHUMER. Mr. Chairman, I thank the gentleman for yielding, and I have a question to ask of the gentleman from Louisiana.

It is really hard for me to follow the drift of the argument. First, I heard that it is an entitlement program because it covers regions of the country.

Mr. ROEMER. No, I never said that.

Mr. SCHUMER. All right. It was my understanding that the gentleman said there were certain areas that would have been under this program, to be specific three parts of the country that would have been under this program for the last decade, and that makes it an entitlement. Is that incorrect?

Mr. ROEMER. For those regions, it does.

Mr. SCHUMER. Does the gentleman feel that CBDG is an entitlement? Does the gentleman feel that water projects are an entitlement? They incur responsibilities to certain parts of the country over a 10-year period. Are those entitlements?

Mr. ROEMER. The way we approach them in this House, they certainly have become so. When is the last time we have cut or restrained them?

Mr. SCHUMER. Mr. Chairman, I would submit that the gentleman's definition of "entitlement" is quite different than the definition of "entitlement" that most of us in this House have used.

The second question I have of the gentleman is this: The gentleman said before that we are only helping some of the people. Yet it is a significant percentage of those who need help, and I hope the Members of this body are aware of that. It is estimated that between 25 and 50 percent of those people who will be foreclosed against will be helped by this bill. But I ask the gentleman this:

The gentleman said that if we really were serious, we would do it for everybody. Would the gentleman support that proposal? Would he support a $5 billion allocation.

Mr. ROEMER. No.

Mr. SCHUMER. That is the point I wished to make.

Mr. ROEMER. Mr. Chairman, let me respond to the gentleman in the time I have left by saying that the gentleman would do his argument more service if I thought he were correct in his estimate of the cost of the

program. The gentleman might in fact increase support for his somewhat narrow view if he were to treat everybody on an equitable basis.

At the moment the gentleman does neither. He is neither correct in his approach to the numbers nor does he treat every American the same.

Mr. SCHUMER. Mr. Chairman, will the gentleman yield?

Mr. ROEMER. No, I will not yield. I am responding to the question.

The second point is that the gentleman, with his use of the money in the bill, does not treat all homeowners in like economic circumstances the same.

The CHAIRMAN. The time of the gentleman from Louisiana (Mr. ROEMER) has expired.

PARLIAMENTARY INQUIRY

Mr. MITCHELL. Mr. Chairman, I wish to make a parliamentary inquiry.

The CHAIRMAN. The Chair will entertain the gentleman's parliamentary inquiry.

Mr. MITCHELL. Mr. Chairman, does a statement reflecting upon the honesty of a Member, impugning his honesty, violate the rules of the House?

Mr. ROEMER. No, I did not mean that.

Mr. MITCHELL. I am asking the question of the Chair.

The CHAIRMAN. The Chair will state that only the Speaker could rule following a timely demand that the words of a Member be taken down.

Mr. MITCHELL. Well, Mr. Chairman, I did not want to do that. That was my first reaction. I did not want to do it because I know that my friend did not necessarily mean to impugn, and rather than ask that his words be taken down, I would like to give the gentleman an opportunity to clarify what he said.

Mr. ROEMER. Mr. Chairman, I tried to say, and I thought I did say, I will say to the gentleman from New York (Mr. SCHUMER) "the honesty of his approach."

Mr. SCHUMER. Mr. Chairman, I would just like to pursue that with the gentleman for 2 minutes.

The CHAIRMAN. The time of the gentleman from Louisiana (Mr. ROEMER), has expired.

Mr. SCHUMER. Mr. Chairman, I ask unanimous consent that the gentleman from Louisiana (Mr. ROEMER) be allowed to proceed for 2 additional minutes.

Mr. McKINNEY. Mr. Chairman, reserving the right to object, since the other side of the aisle has managed to talk nonstop now for almost a 40-minute period, and since there are other Members of the House who wish to get the floor, I would just inform the gentleman that there will be no more unanimous-consent requests for extensions of time agreed to after this one. I will not object to this one.

Mr. Chairman, I withdraw my reservation of objection.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. SCHUMER. Mr. Chairman, will the gentleman yield?

Mr. ROEMER. I yield to the gentleman from New York.

Mr. SCHUMER. Mr. Chairman, I say again that I do not understand what the gentleman is saying.

The numbers in this bill have been worked out by the Congressional Budget Office. They have said that approximately 100,000 will be helped by this $760 million allocation. Is the gentleman saying that those numbers are incorrect and that the Congressional Budget Office has worked it out incorrectly? And if he has, I would like to know why.

Mr. ROEMER. All right. I will say to the gentleman from New York (Mr. SCHUMER) that the numbers could be incorrect. History or the events of the future will have to tell that. If history is any guide, the cost per homeowner assisted is understated in the bill.

I know the gentleman has seen the optional numbers developed by others which show the cost to be twice as much as CBO says. If CBO is correct, it is 100,000. If their costs are off by a factor of 50 percent, it is only 50,000. In any case, the numbers are not to be laughed at. I want the gentleman to understand that. It is only a portion of it.

Mr. SCHUMER. Mr. Chairman, does the gentleman agree that the bill contains the CBO numbers? Is that correct?

Mr. ROEMER. Yes, it does.

Mr. WYLIE. Mr. Chairman, will the gentleman yield?

Mr. ROEMER. I yield to the gentleman from Ohio.

Mr. WYLIE. Mr. Chairman, I made that point in my statement, that CBO itself admits the estimated number of households served is very sensitive to a substance use. They say that in their statement.

So the figures are soft, and they also suggest that they are talking about an average of 18 to 21 months. Under the bill it could last for 36 months, which would make them even softer. So they also admit it perhaps could vary from as much as 50,000 to 100,000.

I used the figure 60,000 to give them the benefit of the doubt.

Mr. Chairman, I think the gentleman in the well does make a valid point, and I want to thank him for offering this amendment and for this very significant contribution to the debate.

The CHAIRMAN. The time of the gentleman from Louisiana (Mr. ROEMER) has expired.

Mr. McKINNEY. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, there has been a great deal of debate on this issue, and I would like to stand and very strongly compliment my friend, the gentleman from Louisiana (Mr. ROEMER), for an excellent job in bringing forth the facts of the Wylie-Roemer or Roemer-Wylie amendment to this bill which was so aptly called by my friend, the gentleman from Louisiana, a "turkey" with or without feathers.

We know it was said earlier that the Wylie substitute was a "cruel hoax." I would suggest that the committee bill is the cruel hoax. This bill is a cruel hoax for many reasons.

First, when is the program going to be operational? If, in fact, aid were needed right now, the Wylie substitute could, with the Senate cooperation, be on the President's desk and become the law of the land within 2 or 3 days. this bill is going to force HUD to promulgate some of the most complicated regulations they have ever issued. I would suggest that in the case of section 8, which is not anywhere near as complicated, it took HUD 18 months to develop regulations. The regulations for this program are going to have to undergo review 15 days before publication here on the Hill, 30 days after publication in the Federal Register, and 30 days of congressional review before they will eventually take effect. Then HUD has 45 days to review applications.

How many people, if the need is so desperate right now, are going to fall under the carpet during that period?

□ 1340

In fact, we are belaboring one point here: We do not know what we are talking about. The CBO budget estimates are all over the place, everyone else's are, as to what we are going to do, if we are doing the right thing for the people of this country, instead of having a cruel hoax on what we pretend to give them, which we are not going to give them in this Year of Our Lord 1983, and everyone in this room knows it.

We would pass the Wylie substitute right now and then the Housing Committee under the chairmanship of my good friend, the gentleman from Texas, could sit down and find out what we are really doing here.

I have sat through the hearings on this bill. Look at some of the problems in this bill. Is there an equity qualification within this bill? No, no.

In the case of a Veterans' Administration mortgage, for instance, or a mortgage with a very low downpayment, you could get to a negative equity position in this bill very quickly.

What does this bill say is going to happen at the end of 36 months? Return the person to exactly the same mortgage payment, when in fact they probably should have worked out a new schedule, a new time schedule, a new interest schedule, a new payment schedule.

What happens at the end of 36 months? Is that not somewhat of a cruel hoax?

I have heard most of my colleagues from the other side rant and rave about double-dippers. Do you know that this bill would allow the Government to pay the mortgage even though someone was receiving a substantial pension, for example, someone who had 20 years in the military and who got under less than $20,000—that would not have to be included. That does not become part of the assets test.

We sit here and we talk; in factor, we sometimes do something about double-dippers. But not this time.

This bill does not say anything about the man who has the $89,000 mortgage on a $350,000 house.

This bill does not say anything about the man who has set aside his assets into a trust for a period of time.

I could go on and list the other flaws.

The fact of the matter is that the bill is ill-conceived. The real tragedy of the matter is that the bill is not going to do anything for anybody.

Now, you know, you can talk about out of work. It has been said many times this afternoon, out of work not by his own fault; yet I would hope everyone sitting back in their offices and in this room would read page 8 of the bill and would read section (A) where it says, "An involuntary loss or reduction in his or her employment, other than as a result of any willful, repeated, or felonious misconduct by such mortgagor."

Figure that one out, lawyers of America.

"His or her employment, other than any willful, repeated, or felonious misconduct."

Now, I wonder about that. You know, you can go on and on about that, but it does not make any sense.

What about just plain incompetence? What about alcoholism, which we claim is a sickness? You could go on and on.

The CHAIRMAN pro tempore (Mr. DURBIN). The time of the gentleman from Connecticut has expired.

(By unanimous consent, Mr. MCKINNEY was allowed to proceed for 1 additional minute.)

Mr. FRANK. Mr. Chairman, will the gentleman yield?

Mr. MCKINNEY. I am not going to yield, because I think we have gotten into a habit of not letting this body debate. Instead, we yield and bounce back and forth too much.

The fact of the matter is, the bill is ill conceived. The Wylie substitute should be passed. The Wylie substitute will do good now. It will not hold up a pipedream that is going to rob every man and woman on a reduced workweek, whose wife is bagging groceries, whose wife is working at McDonald's trying to do their share of paying for what the American dream is.

The Wylie substitute will keep that dream house there right now. This bill is just a farce, a snare, and a delusion on the people of this country.

Mr. LEHMAN of California. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in opposition to the Wylie substitute.

Mr. Chairman, I rise to illustrate the total hypocrisy the administration has displayed by opposing this effort to provide temporary relief to thousands of American men and women who are about to lose their homes because of the recession. Nowhere are the callous contradictions in Reaganomics more evident than in the debate over this bill.

The administration has been in the Banking Committee almost on a daily basis, asking us to send $8.5 billion to bail out U.S. banks, to bail out the International Monetary Fund, and to bail out foreign countries who are experiencing what the administration calls "temporary liquidity problems."

How ironic. The same administration that deplores what it calls "quick fixes" at home, should sanction them abroad; indeed, even ask us to pay for them. If we are going to be the benevolent bankers to the world's deadbeats, at least let us lend a hand to a few unfortunate citizens here who are the victims of problems they did not create.

If we were to apply the logic of the Wylie substitute to the International Monetary Fund, we would ask the banks to forbear there, also.

If we are to be the arms supplier to every rightwing Latin American dictatorship, at least let us give this one weapon to our own citizens who just want to keep their homes so they can keep their children in the same schools.

If, as the President suggests, we are going to build MX missiles, cruise missiles, B-1 bombers, Trident submarines, and neutron bombs, let us at least allow those who have been forced to pay the price for our economic incompetence and our preverse prioritization, a domicile to protect.

Finally, as the gentleman from Massachusetts (Mr. FRANK) pointed out, how can anyone justify $600 million in aid for Central America, most of which will do absolutely no good at all, most of which would be better spent in video arcades, while denying this relief for a few of our own unfortunate citizens, many of whom will soon be refugees in the streets themselves if we do not do something to stand with them in this crisis.

There is not 1 cent for anyone with a foreclosure problem in the Wylie substitute. What the substitute does is politely ask the banks to continue what the banks claim they have already done. That is not enough.

If there is any lesson from the last election, it is that the American people really care. They are willing to lend a hand to those who want to help themselves, but cannot.

With the Gonzalez substitute, we extend that hand, we keep our promise.

With the Wylie substitute, we offer only lipservice.

Mr. Chairman, I received a communication from the president pro tempore of the California State Senate, Senator David Roberti. The data accompanying Mr. Roberti's letter adequately documents the need for this legislation. I include the letter and the factsheet for the RECORD:

STATE OF CALIFORNIA SENATE,
Sacramento, Calif., April 25, 1983.

Hon. RICHARD H. LEHMAN,
Longworth Office Building,
Washington, D.C.

DEAR MR. LEHMAN: To help prevent thousands of California families from losing their homes through foreclosure, the State Senate Leadership urges you to support H.R., 1983, the Emergency Housing Assistance Act of 1983.

As you know, the California unemployment rate of 10.6 per cent exceeds the nationwide average. One of the painful side effects of the economic recession we are experiencing is the dramatic increase in mortgage foreclosure.

In California, home mortgage foreclosures increased six-fold between 1980 and 1982. According to the California Department of Housing and Community Development, 5,000 foreclosures occurred in 1980, increasing to 11,000 in 1981, and 30,000 in 1982. These figures represent completed foreclosures. The statistics on mortgages in default are far higher. Both are included on the attached fact sheets for your information.

The temporary loans to homeowners provided in H.R. 1983 could help many families avoid the tragedy of losing their homes while faced with involuntary job loss. The Senate leadership urges you to vote for H.R. 1983 when it is considered on the House floor.

Sincerely,

DAVID ROBERTI.

FACTSHEET—EXTENT OF MORTGAGE FORECLOSURES IN CALIFORNIA

Mortgage foreclosures have risen significantly in California during the past two years. It is estimated that close to 30,000 household foreclosures occurred statewide during 1982, an almost three-fold increase from approximately 11,000 foreclosures in 1981, and a six-fold increase from approximately 5,000 home mortgage foreclosures in 1980.[1] Data from individual counties demon-

[1] Source: California Department of Housing and Community Development.

strate the widespread nature of home mortgage foreclosures in the State, as indicated in the table below.

MORTGAGE FORECLOSURES IN SELECTED CALIFORNIA COUNTIES

County	1979	1980	1981	1982	1983 [1]
Alameda	203	148	343	973	356
Humbolt	13	17	38	71	19
Los Angeles	1,319	1,280	3,006	7,976	1,867
Monterey	26	39	91	281	63
Orange	260	259	608	2,343	NA
Riverside	326	465	1,113	2,397	NA
San Bernardino	732	904	1,405	3,180	NA
San Diego	196	511	1,407	3,083	NA
Santa Barbara	10	14	52	183	NA
Ventura	62	66	199	620	NA

[1] Figures compiled for January through March 1983.

These data represent trustees deeds recorded as a result of foreclosures having gone to completion. Data regarding notices of default are attached for four representative counties.

NOTICES OF DEFAULT AND MORTGAGE FORECLOSURES

[Illustrative data (1979–83)]

	Notice of default	Foreclosures (trustees deed)
Monterey County:[1]		
1979	655	26
1980	1,192	39
1981	870	91
1982	1,520	281
1983 (January–February)	354	63
Los Angeles County:[2]		
1979	22,516	1,319
1980	27,965	1,280
1981	44,088	3,006
1982	55,141	7,976
1983 (January–February)	9,088	1,867
Humbolt County:[3]		
1978	202	20
1979	199	13
1980	228	17
1981	390	38
1982	446	71
1983 (January–February)	70	19
Alameda County:[4]		
1979	3,562	203
1980	4,207	148
1981	6,267	343
1982	8,298	973
1983 (January–February)	1,986	356

[1] Reference: Louis Magini, county clerk's office.
[2] Reference: Leonard Panish, county registrar/recorder.
[3] Reference: Tom Croft, Northwest Center for Displaced Workers.
[4] Reference: Bruce Kern, Alameda County Board of Supervisors staff.
Sources: County recorder's offices.

Mr. KILDEE. Mr. Chairman, will the gentleman yield?

Mr. LEHMAN of California. I yield to my colleague, the gentleman from Michigan.

Mr. KILDEE. Mr. Chairman, I rise to associate myself with the gentleman's words. I oppose the Wylie substitute and support the Gonzalez substitute.

Mr. Chairman, as a cosponsor of H.R. 1983, the Emergency Housing Assistance Act, I rise in support of the substitute offered by the distinguished subcommittee chairman, Mr. GONZALEZ.

The Gonzalez substitute strengthens the original bill by insuring that the emergency housing assistance will be targeted to those who are most in need. I am particularly pleased that the Gonzalez substitute incorporated into its text the language of the amendment which was to be offered by the gentleman from Texas (Mr. COLEMAN). The Coleman amendment would target the emergency assistance provided in this act to areas which have been hardest hit by the ravages of recession. Just 8 weeks ago, the House passed, by an overwhelming vote of 335 to 83, the Edgar amendment to H.R. 1718, the emergency jobs bill. The economic situation today is no less urgent than it was 2 months ago. I urge my colleagues to join with me in support of this substitute.

Despite a year of rosy predictions, the economic situation remains grim for millions of unemployed Americans. The national unemployment rate stands at 10.2 percent of the work force. There are more than 11.4 million Americans actively searching, in vain, for employment. Meanwhile, the delinquency and foreclosure rates have continued to increase as more and more workers become unemployed or continue to be unable to find a job after prolonged periods of unemployment. In my own district, where unemployment has hovered at or above the 20-percent level for much of the last year, the foreclosure rates have increased by more than 86 percent over their levels of just 3 years ago.

The Gonzalez substitute takes into account the need to focus emergency housing assistance money into areas that have, as a result of prolonged unemployment, recently become pockets of poverty. As one who comes from an area with an unemployment rate which is nearly double that of the national average, I am well aware of the personal and economic hardship which this joblessness has caused. For too many in my district—and in congressional districts in every geographical region of our country—the fruits of a lifetime of labor are being spoiled by this prolonged period of economic hardship. People who have spent their lifetimes working and buying their homes are now faced with the prospect of being put into the streets, their jobs gone, their self-respect evaporated, their dreams extinguished.

The Coleman language in the Gonzalez substitute would not diminish the amount of aid which is provided in this bill. It would, however, send a directive to the Secretary of Housing and Urban Development that in providing assistance, priority should be given to areas which exceed the national average in unemployment. The news media carry the pitiful picture of thousands of unemployed seeking only a handful of jobs. To some who characterize these pictures as unfair portrayals of an isolated few, these people are merely statistics to be counted on a computer abstract. We who represent them in Congress know differently. I urge that, by adopting the Gonzalez substitute, we choose to target assistance to them first.

Mr. PARRIS. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in support of the Roemer amendment and in opposition to the Gonzalez substitute.

This legislation has a great number of flaws, but perhaps the worst is that the availability of Federal assistance would reverse the normal and traditional homeowner priorities for debt repayment. It would in fact actually create incentives for homeowners to go to foreclosure.

I think we would all acknowledge that currently, delinquent homeowners try to preserve their equities in their homes by trying to keep up with their mortgages first, before perhaps even paying other debts. This legislation would certainly turn that priority upside down.

There is not a person in this room that does not have real compassion for people who find it difficult to maintain their mortgage payments on a current basis; but the simple fact is that the substitute offered by the gentleman from Texas (Mr. GONZALEZ) will simply not be effective in helping them should they find themselves in that unfortunate position.

Without going into all the arguments against this substitute, some of which have been made, in a penetrating analysis of a few of the deficiencies of this legislation by my friend, the gentleman from Connecticut (Mr. MCKINNEY), there are some additional problems that I would like to address, which apply under the original legislation or under the substitute.

First, my friend, the gentleman from Massachusetts (Mr. FRANK) says that this is a carefully drawn piece of legislation. I am sure that the gentleman is sincere in that viewpoint; but with all due respect to him, I submit that that is simply not correct.

In the substitute, one can qualify for assistance due to the loss or reduction of income by any person contributing to the income of the mortgagor; however, the income and assets tests apply only when they cover the income and assets of the mortgagor and members of the family residing in the residence of the mortgagor.

□ 1350

Clearly those two provisions are inconsistent. It raises serious questions as to who is a member of the family.

Clearly the question arises: Is a mother-in-law a member of the family? Is a first cousin, perhaps a second cousin, a cousin once removed, a third cousin by marriage, is in fact a common-law relationship a member of the family under the provisions of this bill? What is a member of the family? There is no definition contained here, and these questions remain totally unanswered in this legislation.

Further, I am at a total loss to understand why the Federal Government should go to the extraordinary lengths of picking up the mortgage payments of homeowners without considering the ability of all countributors to make their own payments. Why should we ignore the income and assets of any contributor to the mortgage if the same individual can make the homeowner qualify for assistance under this bill?

We should, in my view, at least, at the very least, take into consideration the assets and income of any person contributing to the payment of the mortgage obligation.

Let me give you an example. If a divorced husband was making mortgage payments for his ex-wife and had an unfortunate reduction in his income from $100,000 to a mere pittance of $80,000 a year, his wife would qualify under the Gonzalez amendment for emergency mortgage assistance. Some emergency, right?

No consideration would be given to the income and assets of the divorced husband as long as he was not residing within the residence. And this assistance, ladies and gentlemen, is not peanuts. The average monthly subsidy is estimated to be $740 a month. The holder of a $90,000 mortgage at 17.5 percent would get a Federal payment of up to $1,260 a month. This is clearly excessive and unacceptable.

I applaud the efforts of the distinguished chairman of the Housing Committee to include, albeit reluctantly, an income and assets tests in this substitute and to eliminate the rebuttable presumption contained in the original bill.

The CHAIRMAN pro tempore (Mr. DURBIN). The time of the gentleman from Virginia (Mr. PARRIS) has expired.

(By unanimous consent Mr. PARRIS was allowed to proceed for 3 additional minutes.)

Mr. PARRIS. The fact remains, however, that the modest changes in the substitute do not go far enough toward assuring that this assistance is reserved for the truly deserving.

Further, both provisions provide that whenever the program is in effect in any district, each financial institution, or other mortgagee shall, and that means any person, bank, mortgage company, or whatever, everybody that holds any mortgage in that district must assist the mortgagor in applying for assistance.

What if the financial institution or the mortgagee is not within the district in which the program is activated? If we meet the national trigger——

Mr. SCHUMER. Will the gentleman yield?

The gentleman has raised a lot of questions and I would like to answer the gentleman.

Mr. PARRIS. If the gentleman would get his own time to discuss the legislation I would be very pleasured by that. I will yield later if I have the opportunity.

As long as the national trigger is met then that point perhaps is moot. But since the program and the legislation does, in fact, envision eligibilities by district, the question is critical. With so many lenders in this day and age using the secondary market, selling loans to other institutions in other areas of the country, the Gonzalez approach leaves some very grave and serious questions to be answered, none of which are addressed in this legislation.

Mr. WYLIE. Mr. Chairman, will the gentleman yield?

Mr. PARRIS. I will be glad to yield to my friend from Ohio.

Mr. WYLIE. I thank the gentleman for his contribution and I think he is making a significant argument here. I just had a chance to read a copy of the substitute offered by the gentleman from Texas, Mr. GONZALEZ, before we came to the floor. But it says here:

> The Secretary shall not include as assets the entitlement of any such individual to receive any payments under a pension, annuity, or similar plan or contract.

That implies to me that a person could be receiving an annuity of up to $90,000 or $100,000 and still qualify under this bill under the assets test or they could be receiving a pension of more than $20,000 and still qualify under the bill.

So I thank the gentleman for the contribution he is making. I think it is a valid one.

Mr. PARRIS. I thank the gentleman for his comment.

One final point.

Mr. SCHUMER. Will the gentleman yield?

Mr. PARRIS. I do not yield at this time, I would say to the gentleman from New York. If the gentleman will permit me to complete my statement then I will be delighted to yield at that time.

One final point. Neither H.R. 1983 nor the Gonzalez substitute do anything, as has been suggested earlier in previous comments briefly by the gentleman from Connecticut (Mr. MCKINNEY) to protect the Federal Government from taking as security property in which there is no equity.

Under either version the loans made are not limited to equity in the property.

Since the average loan is estimated at $10,000 it could very easily exceed any equity on certain new home purchases and if there is no equity in the collateral then it is a grant and not a loan.

Mr. Chairman, for these and a great number of other reasons, most of which have been discussed in general debate under the original bill, I cannot support the Gonzalez substitute.

The CHAIRMAN pro tempore. The time of the gentleman from Virginia (Mr. PARRIS) has again expired.

Mr. PARRIS. Mr. Chariman, I ask unanimous consent for 1 more minute.

The CHAIRMAN pro tempore. Is there objection to the request of the gentleman from Virginia?

Mr. SCHUMER. Mr. Chairman, reserving the right to object, is the gentleman prepared to yield and answer questions after he receives his 1 additional minute?

He has yielded selectively, so he is obviously not against the principle of yielding, and yet he has asked a number of questions on this bill and answered them erroneously and I would like simply to ask if the gentleman is going to continue on, and if time is not a problem, I want to make sure that the gentleman is willing to yield to a number of questions from people here who are eagerly waiting to answer him.

Mr. PARRIS. Will the gentleman yield?

Mr. SCHUMER. I yield to the gentleman from Virginia.

Mr. PARRIS. As I have tried to indicate on I think three or four previous occasions during this statement on my past, at such time as the gentleman has asked me to yield, as soon as I complete my statement, should time permit, I would be delighted to yield to my friend from New York.

The CHAIRMAN pro tempore. Does the gentleman persist in his objection?

Mr. SCHUMER. Mr. Chairman, I withdraw my objection.

The CHAIRMAN pro tempore. The gentleman from Virginia (Mr. PARRIS) will be recognized for 1 additional minute.

Mr. PARRIS. For the reasons outlined in a large number of comments made on H.R. 1983, which I believe to be still valid, I cannot support the Gonzalez substitute.

The Roemer amendment, on the other hand, presents a reasonable approach, which, as has been indicated, can be implemented in a timely fashion. It will not burden the taxpayers with an additional $760 million in additional Federal spending and increase the deficit. It will facilitate the limited forbearance needed by distressed homeowners.

It will not be a Federal handout to a limited few but, rather, a real benefit to real people in the real world, and at an early time, and provide real assistance to Americans who find themselves in temporary distress.

I urge my colleagues to vote for the Roemer amendment.

I am now delighted to finally yield, at long last, and congratulate my friend from New York on his lately

found patience for that action on my part.

The CHAIRMAN pro tempore. The time of the gentleman from Virginia (Mr. PARRIS) has again expired.

(At the request of Mr. SCHUMER and by unanimous consent Mr. PARRIS was allowed to proceed for 2 additional minutes.)

Mr. SCHUMER. Will the gentleman yield?

Mr. PARRIS. I yield to the gentleman.

Mr. SCHUMER. I think a number of questions raised by the gentleman from Virginia are answered by the discussion we had with the gentleman from Louisiana.

But there is another point brought up by the gentleman from Virginia. He said that if a divorced spouse had an income of $100,000 that dropped to $80,000, then that would still allow the owner of the home whose spouse's income had dropped to qualify under this program.

As I read the bill it does not at all.

If you refer to section 4(b) on page 8, quite simply if the income drops and the alimony payments do not drop, then we are not going to have any problem because the ability to pay is not impaired.

So I would like to know what section of the bill the gentleman cites when stating that point because I just do not see it within the four corners of this bill.

Mr. PARRIS. I submit to the gentleman that if he would read the bill, and in my mind interpret it correctly, he would find that if there is a divorced couple in which situation the husband, who had a large income figure, and he was not residing within the residence to which we are presumably alluding here, then this section——

Mr. SCHUMER. I would just like for the gentleman to cite the section so that I might study the gentleman's interpretation.

Mr. PARRIS. I regret that I do not have a copy of the bill in front of me. I cannot at this time answer the gentleman's question.

Mr. SCHUMER. Then I yield back to the gentleman. Perhaps the gentleman from Ohio can answer.

Mr. WYLIE. Mr. Chairman, will the gentleman yield?

Mr. PARRIS. I am happy to yield to the gentleman.

Mr. WYLIE. I think the gentleman in the well is referring to page 8, paragraph (b). It says "any similar loss or reduction by any person contributing to the income of such mortgagor," and what you are assuming is that if they are married they are contributing to the income of that mortgagor, and if they are divorced and contributing alimony, and he reduces the alimony payment, then that is a loss or a reduction of income for that purpose.

□ 1400

The CHAIRMAN pro tempore. The time of the gentleman from Virginia has expired.

(On request of Mr. SCHUMER and by unanimous consent, Mr. PARRIS was allowed to proceed for 1 additional minute.)

Mr. SCHUMER. Mr. Chairman, will the gentleman yield?

Mr. PARRIS. Mr. Chairman, I yield to the gentleman from New York.

Mr. SCHUMER. Mr. Chairman, I thank the gentleman for yielding.

I think we did not finish reading this section B. After the part that the distinguished ranking minority member of our committee has said, it says, "Which reduction in income renders such mortgagor unable to correct the mortgage delinquency within a reasonable period of time or to resume full mortgage payments."

Mr. PARRIS. That begs the question, if I may reclaim my time.

The point is that if the person who has the $100,000 income and is not residing within the residence and has a loss of income then the assets and income test does not apply to that person. That is the fatal failure in this legislation. The assets and income test is simply not reasonable.

Mr. SCHUMER. If the gentleman will yield.

Mr. PARRIS. I yield to the gentleman.

Mr. SCHUMER. I thank the gentleman.

It is simply a reduction from $100,000 to $80,000 of the spouse who does not reside in the home, does not make it impossible to pay that mortgage—and I doubt it does—I submit this provision will not apply.

Mr. PARRIS. I submit to the gentleman if in this hypothetical, the payment was not being made in full to the divorced spouse my allegation in terms of reduction would still apply.

Mr. MORRISON of Connecticut. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, H.R. 1983 presents this House with an opportunity to respond to a need that exists all across this country.

Unemployment rates are higher today than at any time since the Great Depression. These high rates have persisted for not months, but years and we have every indication that such high rates of unemployment will continue for years into the future, notwithstanding the predicted recovery.

As a result of this prolonged period of high unemployment, many hard-working Americans, through no fault of their own, are threatened with losing their homes—homes they have worked long and hard to acquire, keep, and maintain.

This legislation responds to that problem.

H.R. 1983 provides for temporary assistance payments to correct mortgage delinquencies and maintain payments for up to 36 months when a homeowner is no longer able to do so because of involuntary loss of employment or reduction in earnings.

Under H.R. 1983 as presented, banks and other mortgagees will be required to maintain their current levels of forbearance in order either to qualify for assistance or to foreclose on a mortgage in any district in which the program is operating.

Federal funds will not take the place of current forbearance practices. In fact, H.R. 1983 will add to a mortgagee's ability to forbear in two ways: First, existence of the program will permit a mortgagee to have more confidence that there will be a source of funds to correct the deficiency at the end of the period of forbearance; second, the availability of these funds will reduce the total number of deficiencies, providing a bank or other mortgagee with resources such as to permit voluntary forbearance to other mortgagors.

The Roemer substitute would remove this feature from the bill.

This bill is an appropriate response to a very real crisis. It balances what is currently available to mortgagors in terms of voluntary forbearance with the additional financial assistance which is needed at this time to help so many hard-working individuals to retain their homes.

The Gonzalez substitute provides needed targeting and other improvements that have been suggested. Targeting will be based on the need in terms of unemployment, rates of foreclosure, and poverty so that the funds will be spent where they are most needed.

We have heard a lot of criticism about specific provisions of the bill and attempts to paint horror stories about how particular provisions might apply. Yet those who are making such criticisms are not, for the most part, coming forward with language that improves the bill; rather, they suggest that this worthy and needed program be abandoned entirely because they see some small provision which might in some unusual circumstance cause a problem.

I would suggest to those who make such criticisms that if they truly believe that we should pursue the American dream, that we should preserve homeownership of working men and women in this country, then they should suggest the changes they believe are needed to strengthen the bill rather than ask the Federal Government to turn its back on homeowners in need because some one person, somewhere in this country might receive assistance which was inappropriate.

Thank you, Mr. Chairman. I yield back the balance of my time.

Mr. DREIER of California. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I am deeply concerned about the plight of Americans who are unable to meet their mortgage obligations. We obviously have a responsibility to help these people. Unfortunately, the bill now before us promises a great deal of assistance, but will actually provide little. In the end, it will only serve to promote the economic conditions of high interest rates and unemployment—which have helped cause so many of these foreclosures. The only answer is the substitute offered by the distinguished ranking minority member of our Banking Committee.

H.R. 1983 is really little more than an incentive to foreclose. Instead, what we should be doing is encouraging the ongoing practice by local lenders of forbearance. The mortgage bankers are telling us that the rate of foreclosures remained unchanged during the fourth quarter—while at the same time—the delinquency rate for mortgages rose. This plainly shows that local lenders are doing what they can to forbear. Contrary to what some have said, these local institutions have no desire to become real estate warehouses.

The Wylie substitute is the most realistic and most responsive approach to the homeowners who need temporary aid. If we instruct the regulators to relax current rules in order to further encourage forbearance, we can provide relief immediately. We can provide this assistance in a highly efficient manner by using existing mechanisms while we avoid providing lenders with an attractive incentive to foreclosure.

If our goal is to effectively help as many people as possible, why not make it easier to forbear? There is no monetary limit to forbearance. No billion-dollar appropriation is necessary. Instead of limiting our help to 25 percent of the mortgagors who may be delinquent, why not create a program which could help everyone in need at almost no cost?

As with so many bills we consider, H.R. 1983 is well intentioned. After all, who among us does not want to help the unemployed? Who among us would not want to help someone who faces the loss of their home through no fault of their own? But this bill takes the wrong approach. Besides being cumbersome, it will only provide a first-come, first-served handout to lenders who have the wherewithal to take advantage of this program. This bill has the potential to provide relief for those who need it the least.

More jobs, lower interest rates, lower inflation, and an economy in the dawn of a solid recovery have rendered the approach in this bill obsolete. Commonsense dictates that we continue to encourage the cost-effective and prudent policy of forebearance, while not offering an attractive $760 million incentive to foreclose.

I urge a "yes" vote for the Wylie substitute.

Ms. OAKAR. Mr. Chairman, I move to strike the requisite number of words, and I rise in opposition to the Roemer amendment and in favor of the amendment of my chairman, the gentleman from Texas (Mr. GONZALEZ).

□ 1410

Mr. Chairman, we are experiencing today the greatest recession since the thirties and the highest unemployment rate since World War II. People are in great pain.

Now in the thirties, when my father was laid off, they came in and took everything. You lost your home, you lost your furniture, you lost everything but your family.

Hopefully in the eighties we are a little more progressive. We care and we have the resources to care somewhat more for our people.

Now people are in great pain and they are not just the traditionally poor; they are the middle-class people who suddenly find themselves poor. The new poor, as we say. Like the fellow from my district who testified before our Banking Committee. He was a Vietnam veteran. He had worked for this trucking company for 15 years. He had paid on a new home for his wife and two children for 8 years. And he is being forced to lose his home because he cannot find a job and he has been out there looking. He does not want a handout, as he said to our committee. And this bill is not a handout. To represent it as a handout is absolutely being untruthful. We all know it is not a handout. Anyone who takes part in this proposition will have to pay back the loan once they get a job. This is a rotating fund.

This bill establishes $760 million for this rotating fund. It also establishes $100 million to provide assistance for those who are totally homeless. And we had many, many people come to our committee, who had the courage to come, who not only are facing foreclosure, they have nowhere to live at all.

Now what does $760 million buy? Because we always hear the argument, "This is a lot of money." It is a lot of money, but it is a rotating fund to be paid back.

What it buys is about, well it is about one-eighth of what the cost overrun is of a helicopter project. I do not hear a Member concerned about the cost overruns of all these defense contracts we dole out. Billions and billions and billions and billions of dollars of taxpayers' money are paid that are supposed to fulfill a contract for $4 billion and actually our taxpayers pay $8.6 billion.

But we do not have enough money, we do not have enough money for $760 million to serve 76,000 homeowners who lately have lost their jobs through no fault of their own. We do not have enough money to provide a meager, a meager $100 million to provide assistance and services for thousands of our homeless.

The homeless are not the usual types that we are used to thinking of in terms of taking part in some of our various institutions. These are women and children and husbands who came before our committee who do not have a place to stay.

Now I ask the Members who are opposed to this bill and want to gut the essence of this bill what your priorities are? If your priorities are to serve the American people at a time of need with this rotating fund, to give them a slight access to keeping their homes or to provide some shelter, then you will support the Gonzalez approach. If your priorities are that this is too much, but you have other priorities that serve all the waste and abuse that is in government, then you will not support this bill.

We have a lot of ways to save money in this budget. This is not one of them. This is one of the most critical needs of our people and particularly the middle class who have suddenly found themselves poor.

So let us pass this compassionate bill and do something to serve the American people.

Mr. LEVITAS. Mr. Chairman, will the gentlewoman yield?

Ms. OAKAR. I would be happy to yield to the gentleman from Georgia.

Mr. LEVITAS. I thank the gentlewoman for yielding and I asked her to yield in order to address a question to my friend from Louisiana (Mr. ROEMER), who has offered an amendment.

I have got some problems with the bill, but I also understand what its purpose is as the gentlewoman has just explained. But what I do not understand is many of us last week voted for passage of the emergency agriculture credit bill. And I do not see conceptually what the difference is between providing this emergency agricultural credit for people in rural America who are suffering under the burdens of the recession at this time and what the proponents of this legislation are trying to achieve? What is the difference?

The CHAIRMAN pro tempore. The time of the gentlewoman from Ohio (Ms. OAKAR) has expired.

(At the request of Mr. LEVITAS and by unanimous consent, Ms. OAKAR was allowed to proceed for 1 additional minute.)

Mr. LEVITAS. This is a sincere question, trying to understand why we should support one as I did last week and not provide similar type of assistance and relief under the circumstances for people who are suffering with the possibility of losing their homes.

Mr. ROEMER. Mr. Chairman, will the gentlewoman yield?

Ms. OAKAR. I yield to the gentleman from Louisiana.

Mr. ROEMER. I thank the gentlewoman for yielding.

I thank the gentleman from Georgia for asking.

Two points quickly. The gentlewoman said in her remarks, well spoken remarks I might add, that she was concerned about the $100 million for the emergency shelter. I point out to the gentlewoman that the $100 million is in all of the options before us.

As to the question raised by the gentleman from Georgia, as to the comparability or parity inherent in the farm emergency bill last week and this, they are the same. The substitute that we offer as an amendment allows the Secretary of Agriculture the option to, under certain circumstances, forbear.

The CHAIRMAN pro tempore. The time of the gentlewoman from Ohio (Ms. OAKAR) has again expired.

(By unanimous consent, Ms. OAKAR was allowed to proceed for 30 additional seconds.)

Ms. OAKAR. Mr. Chairman, this bill under the Gonzalez approach does not talk about options with respect to loans for the Department of Agriculture. It grants a moratorium on the payment of home loans insured by FmHA for the individuals facing home mortgage foreclosures.

Mrs. ROUKEMA. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in strong support of the Roemer amendment. It represents a rational way to assist distressed homeowners without adding to the burden of the taxpayers.

I would like to note at this point in time that we are not discussing the subject of military cost overruns. And I speak to this point because the previous speaker, my good friend from Ohio, has implied there might be some tradeoff here. I stand second to none and I am well known in this House for my outspoken opposition to military procurement recommendations of the administration and egregious cost overruns. But we are now talking about an entirely different matter. There is no tradeoff here between defense spending and this so-called Emergency Housing Act.

Mr. Chairman, I would like to note for my colleagues that the $760 million for mortgage payments to certain homeowners would be just the start of what will undoubtedly become a virtual entitlement program that will cost billions.

It is interesting that the committee report notes that utilizing the provisions in H.R. 1983, this program would have been triggered only twice nationally. The report conveniently omits the fact the trigger also applies by Federal Home Loan Bank Board districts, and as a result, it would have been in effect in 4 of the 12 districts continuously for virtually all of the last 10 years.

On that basis alone, we can dispel the argument that this legislation is of an emergency nature required by current economic conditions. H.R. 1983 is, by its very construction, a permanent program and the Members of this body must realize that. The Roemer amendment, on the other hand, recognizes the incremental problem of foreclosures and directs those agencies responsible for supervising the financial institutions which have made these mortgages, to take such steps as necessary to encourage forbearance.

Financial institutions are already doing an admirable job of forbearing, but they are under pressures from their Federal supervisory agencies. These pressures can result in increased foreclosures. This substitute both resolves this problem and correctly turns the attention of the supervisors and the institutions toward additional forbearance efforts and therefore I believe deserves the strong endorsement of this House.

□ 1420

Mr. LEVIN of Michigan. Mr. Chairman, I move to strike the requisite number of words, and I rise in opposition to the Roemer amendment.

Mr. Chairman, and especially Members of the committee from the opposition with whom I have had the enjoyable opportunity of serving and discussing this bill, and for whom I have deep respect—and I look over the aisle at several in particular who have participated in this debate and who I think indeed have a deep social conscience—and I want to address my remarks primarily to them. I am not going to talk about IMF or El Salvador. I am not going to talk about what other budget expenditure might take the place of this bill if it is not passed. I am also not going to talk at length about the details raised by several, including the gentleman from Connecticut (Mr. MCKINNEY), although, as a lawyer, I think I might enjoy it. I could spend some time, for example, in talking about the definition on page 8.

The gentleman from Connecticut (Mr. MCKINNEY) referred to that and said, "What is the meaning of the terms 'willful,' 'repeated', or 'felonious misconduct'?"

The truth of the matter is that those terms have meaning in unemployment compensation law.

If there is a technical flaw, correct it.

The main point is that there is real need here. The question is not whether there can be more bank forbearance. The Gonzalez bill embraces the forbearance proposal the gentleman from Ohio (Mr. WYLIE) has suggested. The question is whether we should go beyond it. That is the issue.

When I returned from law school in 1957 to Michigan, there was serious unemployment. I represented a lot of smaller wage earners and medium wage earners. I represented a lot of people in the building trades. There was a lot of unemployment. Housing construction was down; commercial construction was down in southeast Michigan. But the people there were able to wander someplace and find a job; they were able to somehow salvage their mortgage, maintain their home.

The truth of the matter is, today that is not true. Building tradesmen and others have wandered throughout this country, being unemployed in Michigan, and they have not been able to find work. And so the statistics read like this for Michigan: In the first half of 1982, the foreclosure rate was 77 percent higher than in the comparable period in 1981, 149 percent higher than in 1980, and 146 percent higher than in 1979. And this is in an area where banks hesitate to foreclose because unemployment is so serious, they do not know what they are going to do with the homes if they take them back. But they have been taking them back twice or three times as often as they were several years ago.

And that is what you have to face. Do not call this a handout when you know it is a loan. Do not call it a giveaway when you know that people sign a document and they are obligated to pay it back.

In a sense, what we would be doing as a people under the Gonzalez substitute is forming a unit somewhat as is done for insurance. We would be spreading the risk. But the people whom we would be helping would have to pay it back.

It is said by the gentlewoman from New Jersey, "Well, this may be a permanent program."

The only way it would be a permanent program would be if unemployment continues at its present level or at a very serious level. The only way it would be a permanent program would be if there would be continued misery at the levels that we see today.

And I ask you, those of you who talk, as I believe is so true, about the importance of family and the sanctity of home, what in the world do you expect people to do who are unemployed, who have nowhere to turn, who have not been receiving forbearance from the bank and, after years

and years of struggling to buy a home, cannot retain it? What do you want them to do?

One thing you should not do is to come back on this floor and talk about the sanctity of the family or that the home is a castle. Do one of two things: Refrain from that, or step up to the fact that in this time of crisis we have the obligation, through a loan program, to allow people to retain their homes, to allow families to stay together. That is the issue, not IMF, not El Salvador, not helicopters or anything else, and not forbearance as in the Roemer proposal, because that is in the Gonzalez proposal.

The CHAIRMAN. The time of the gentleman from Michigan (Mr. LEVIN) has expired.

(By unanimous consent, Mr. LEVIN of Michigan was allowed to proceed for 1 additional minute.)

Do you want to take one step more that gives thousands of people in this country a chance to retain their home? And do not say it does not cover everybody in need. That is a weak argument. Maybe it does not. But we should throw a lifeline out to tens of thousands. And if it turns out that need is inadequate, then we can consider extending the lifeline longer, rather than not having it being given in the first place.

This is well-considered legislation. I strongly urge that we reject the Roemer substitute and then proudly vote for the proposal of the gentleman from Texas (Mr. GONZALEZ).

Mr. FRANK. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I have been a little disappointed by the tone of the debate. We have a legitimate philosophical question: Should there or should there not be such a program at all?

We have, on the part of those on the subcommittee, met with a variety of Members. To the extent that they had constructive suggestions, tightening amendments, we have adopted them.

Some of the arguments we have heard on the other side have been straightforward: There should be no Federal program that seeks to aid.

But others, I think, have fallen short of that standard.

I have to mention the attack of the gentleman from Connecticut on the assets test. Several weeks ago, I submitted to my friend, the gentleman from Connecticut, a version of an assets test, because I had voted with him in committee to apply one. We persuaded everyone to adopt one. I submitted it to the gentleman from Connecticut. I asked him if there were any problems. He told me it was OK. Several weeks have passed by. Now, weeks after having told me that it was acceptable, he has strained and labored and worked harder than I have ever seen him work to find a potential possible way to find a problem in it. When I get that from the gentleman from Connecticut, when we get an agreement that this is a good assets test, and several weeks later, he suddenly finds, under great strain, a problem that has been there all along, I think we are not being allowed to discuss the thrust of the amendment.

I will yield to the gentleman, who would not yield to me when he raised the point.

Mr. MCKINNEY. I thank the gentleman for yielding, and I would also suggest that I did not use the gentleman's name in the debate.

Mr. Chairman, I would say to the gentleman that one of the reasons this ex-tire dealer has a staff to review such proposals is that they have pointed out to me only this afternoon the fact that the pensions, unlimited pensions, are totally excluded, and that is why I raised that point.

Mr. FRANK. Then I wish, when I make an agreement with the gentleman about good words, that if his staff has to sign off on it, he get them to sign off a little earlier and not wait 1 month and then bring up this kind of possibility on the floor.

Similarly, with regard to the gay divorcee with a $100,000-a-year husband. The fact is that under the bill, a reduction of income only triggers assistance, as the gentleman from Brooklyn pointed out, if that reduction endangers your ability to pay the mortgage. The $80,000-a-year husband would not be endangered, presumably, in his or her ability to pay the mortgage.

I understand that there are Members who say we should not try anything at all to respond—I would say to the gentleman from Virginia who wants me to yield that the same rules apply on yielding when I speak as when he speaks. The gentleman would not yield during his statement, and I do not believe in one-way streets in this particular situation.

The point is, Mr. Chairman, that people who have an objection to the program in principle ought to articulate the objection of principle. We have heard two that I understand. One is that it is an entitlement and covers too many people; the other is that it does not cover enough people. Now, I understand. I often hear these points. The problem is, today we are hearing both from the same people. They are simultaneously telling us that this is a terrible program because it is an entitlement that is going to cost us an enormous amount, and also that it does not cover enough people. I think people ought to have to flip a coin and pick one of those, whichever stick they think is more convenient to beat the program.

Finally, we have the great passion with which we are being told that we should adopt the forbearance provision and that if we were serious, we would rush right into the forbearance provision. Well, here, I think, we may need reference to the Copyrights Subcommittee, because a little theft of intellectual property is involved. It was the chairman of the full committee, the gentleman from Rhode Island, who came up with the forbearance idea as part of this package. The minority, to my knowledge, had no concern for dealing with this problem at all until the chairman had brought it up.

Mr. Chairman, I yield to the gentleman from Ohio.

Mr. WYLIE. I discussed the idea of forbearance with the chairman before the amendment was offered, and we agreed to the amendment, and I did support it in the committee.

Mr. FRANK. Well, I appreciate that.

Mr. WYLIE. At the first hearing, as a matter of fact, I suggested the idea.

Mr. FRANK. My point is, I saw no separate bill. Until this legislation was adopted, there was no separate bill on this. But I am glad that we have come to an agreement on forbearance. I just regret seeing it being used as an alternative, particularly since—and this is my final point—we were told by some of the Members that our bill will be unfair because HUD will have to pick and choose and will not be able to treat everyone equally.

So what is the alternative? What is the minority's version of fairness and equality? Relying wholly on the forbearance of the banks which means that someone who lives in an area where the bank is willing to forbear will be OK, and someone else will not?

□ 1430

Nothing will guarantee less equity and equality of treatment than having no Federal program whatsoever and leaving individuals entirely to the whim of the individual banks.

So I do not think that we have received the real arguments here. There is an objection in principle to any program whatsoever coming forward. That is the choice we have to make. If Members had specific amendments, they came forward and we have adopted many of them. In fact, as the gentleman from Michigan pointed out, one amendment we adopted, proposed by the gentleman from Kansas, will disallow people who lose their jobs through their own fault. That became the subject of ridicule by the gentleman from Connecticut, and I do not think it was ridicule based on the facts, because this is good, legal language which has been used and developed to decide when people do not qualify for a benefit.

I wish that the Members who are opposed in principle to any Federal program, would be more explicit.

Mr. HAMMERSCHMIDT. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I am not a member of the committee of jurisdiction, but briefly, I want to approach this discussion from a little different angle.

As I understand the bill being debated and possibly amended, H.R. 1983 is meant to be available to both VA and conventional mortgagors. I would want my colleagues in the House to know that the Committee on Veterans' Affairs is currently considering its own mortgage relief proposal utilizing the VA's direct loan revolving fund. In fact, we passed it through the full committee yesterday and hopefully it will come to the House floor next week, or shortly thereafter.

The VA program would be an alternative to the current payoffs on foreclosure, and they are actually estimated to save money over the next several years, much in the same way that the TMAP program was to operate for FHA mortgages.

As I have listened to this debate, I note that interestingly the VA program is more restrictive than is H.R. 1983. For instance, it requires a 6-month delinquency rather than 3 months to qualify for assistance, and the maximum loan is $8,400 compared to an average loan of $10,000 under H.R. 1983.

In addition, the mortgagor must have a reasonable prospect of being able to resume full payments of the primary loan within 6 months after receiving assistance.

The finding is with the Administrator and is more restrictive than either H.R. 1983 or the Gonzalez substitute.

I guess the point I want to make to my colleagues is that what is also interesting is that CBO's estimates on the bill were based on assumptions that the VA would be very selective in approving loans. For instance, it assumed that the veterans who were unemployed are currently reemployed, and even with that assumption, CBO projections—not OMB, but CBO projections—they project that 40 percent of those loans would not be repaid even with those restrictions. Now, 40 percent is pretty high. I think our colleagues need to know about CBO's assumptions, even on the more restrictive legislation for mortgage relief coming from the Veterans' Affairs Committee.

What I am really wondering here today is, if our veterans legislation is being pursued in vain? What incentives would a veteran have under our approach if he had access to the more liberalized provisions of H.R. 1983?

Mr. WYLIE. Mr. Chairman, will the gentleman yield?

Mr. HAMMERSCHMIDT. I yield to my colleague, a member of the Committee on Veterans' Affairs, the gentleman from Ohio, a very able Member, for his response.

Mr. WYLIE. I thank the gentleman for yielding.

I also happen to be a member of the Committee on Veterans' Affairs, along with the gentleman from Arkansas, and the gentleman from Arkansas does make a very valid point with respect to the VA program, which we have passed out of our committee.

This substitute offered by the gentleman from Texas (Mr. GONZALEZ) would in effect supersede the VA program because this is, as you point out, a much more generous program for veterans and they would be well advised to go for this program. That will make the VA program moot, as long as money is available.

So with respect to the veterans, what we are doing here, I suggest, is along the lines of the statement by the gentleman from Arkansas. He is right on target and accurate, and I think it is another reason why we should support the Roemer amendment and vote down the Gonzalez substitute.

Mr. HAMMERSCHMIDT. I thank the gentleman for his response and for the contribution he makes in this committee and the Committee on Veterans' Affairs.

I just want to call the attention of my colleagues to the fact that there is other legislation moving that could give veterans mortgage relief.

Mr. GONZALEZ. Mr. Chairman, will the gentleman yield?

Mr. HAMMERSCHMIDT. I yield to the gentleman from Texas.

Mr. GONZALEZ. I thank the gentleman for yielding.

Mr. Chairman, I am impelled to do this by the dialog just terminated with the gentleman from Ohio (Mr. WYLIE) because it is so erroneous.

In the first place, to say, as Mr. WYLIE said, that if this legislation is adopted it would supersede the veterans' assistance program is not only erroneous, it is an absolute distortion because it would be like saying that the veterans' access to medical care in the VA hospitals, per se, supersedes his pension rights. It is the same thing. If anything, this would be supplementary under certain conditions that the veteran would have to qualify for that places him in the same economic conditions as other nonveterans.

Mr. HAMMERSCHMIDT. If I may reclaim my time, as I understand it, if the Gonzalez substitute passed the House, for instance, then the veteran would have two choices if our veterans' legislation passed. He could go to the veterans' legislation for relief or he could go to your legislation, H.R. 1983.

Mr. GONZALEZ. It all depends. If your veteran happens to be in that particular circumstance that I am targeting, yes, but it is not necessarily so.

Ms. KAPTUR. Mr. Chairman, I move to strike the requisite number of words.

I rise in opposition to the Roemer amendment and also in support of the Gonzalez substitute.

I also rise on behalf of 1,000 families, this year alone, in my district who are waiting for action by this body to help them retain their rights of home ownership. I might say that I am very happy that this bill is numbered H.R. 1983. Truly this is the first piece of legislation that we have had on the floor during this session of Congress that is a part of our phase 2 efforts to address the problems of unemployed—Americans who have never come to this body asking for assistance before, people who have traditionally been the financial backbone of their communities.

I think particularly of a family who came to me just a few weeks ago. The man, the head of the family, is 50 years old. He is a glassworker who for 20 years has been employed in one of our local plants. He has paid taxes. In fact, he and thousands of other Americans who will benefit by this program are the very people who have paid into the Federal Treasury. This family has raised three children. But over the last year and a half, due to unemployment, they have lost all their health benefits. And they are about to lose their home. They have $39,000 remaining on their mortgage.

In this legislation, we are not talking about aiding people who are fringe elements of our community or chronic delinquents. These people have backed their communities and this country and, in fact, have been our most faithful taxpayers over the years. They believe in America. Now they are turning to us in good faith and are asking for a helping hand to hold onto their most prized possession, their dwelling.

I consider this bill to be very responsible. The committee on which I serve has been most responsive to the amendments that have been offered on both sides of the aisle and in fashioning the Gonzalez substitute to meet reasonable objections.

The bill requires an applicant to agree to a lien on his or her home and, in fact, that lien is subordinate to all other liens on the property. There is a strong assurance that the applicant will make every effort to repay the Government's investment; in fact, there is a 38 percent of income requirement both during the period of unemployment and even after the owner returns to work. The program is a loan program that must be fully repaid at 10 percent interest.

Based on the mortgage of the family that I described, what would be the total expenses for a homeowner? The total housing expenses would be about $595 a month, including principal and

interest, taxes, insurance, mortgage insurance, maintenance, and utilities. And what amount of the total housing expenses would the homeowner pay toward his or her mortgage and what amount would the homeowner receive as a loan under H.R. 1983? Because the homeowner is required to pay 38 percent of his or her income toward the expenses, based on estimated income of $9,500 a year, he or she would pay $279.93 a month and the Federal payment would be $315.07.

One thing we can be sure of. In order to save their homes, homeowners are seeking every job opportunity available.

□ 1440

Unfortunately, in a district like mine, unemployment has just ticked up again. Thus, the need for this program becomes more compelling.

This bill will not encourage foreclosures. In fact, the people who are going to be receiving assistance under this bill do not want any handouts. They are even embarrassed to ask for it. The bill requires strict assets as a last step prior to being considered under this program. An average family of four cannot have earned more than $20,000 per year for the 3 prior calendar years preceding this program. So in no way is this program a handout.

I think that we have made an effort in this bill to encourage responsible lenders, reponsible homeowners, and a responsible government, acting hand in hand during a severe recessionary period in our history when we want to help the American people. I have no doubt the skeptics in this Chamber will be surprised as the cooperative effort of caring American insures the successful implementation of this program. I gather that there is more hesitancy in this Chamber than there is on the part of the American people. They sent this Congress a strong message last November to help them work through these very difficult times. We have no reason to deny them.

Mr. SCHUMER. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, as we close this debate, I think a number of points should be made to all the Members of the House because I think there are many Members of the House who genuinely want to vote for this legislation but feel reluctant to do so because they are afraid it is not drafted as carefully and as properly as it might be.

I have been involved in this legislation for several months now, and I can assure those Members that this bill has been tightened and tightened and tightened so it is one of the most carefully drafted pieces of legislation to reach the floor of the House at least in the short time, 3 years, that I have been here.

Let us talk about some of the objections. The most valid objection, it seems to me, is made by Members that they feel this is a good program but we cannot afford the $760 million that it requires because it will increase the deficit. This argument is the most difficult argument to answer, I think, for all of us, because all of us want to reduce the deficit. Are the dollars worth it?

I would simply ask all the Members whose minds are so hesitant about this issue to think about all the other programs in our budget of more than $800 billion and determine if those were as carefully drawn and serve as worthwhile a purpose as this bill does.

I say that at a time when we are going to be asking Members in this House, including Members on that side of the aisle, to vote for moneys for the IMF and to vote for moneys for all sorts of other programs it pays to really examine this legislation carefully. To vote no on this and vote yes on so many other programs could be a political dilemma as well as an issue dilemma for people.

The second issue that has been brought up here—and I think this one is less valid—is the equity issue. We want to be fair to everybody, but I ask the Members to ask their constituents, in whose hands would they trust equity more, in their hands of their local bankers or in the hands of this program? Since when have all bankers of America been more equitable and fair than our Government? Why do we put the entire onus for dealing with this problem, which we all know is a severe one, in the hands of bankers?

I submit that if we do, there will be no equity. Some bankers will be generous and good and they will help homeowners; others will say, "no dice," and they will not. So depending on the accidental circumstance of who manages the local bank in a community, we will see how much foreclosure there will be in that community. Is that equity? Is that equity, compared to a program where those thoughout the country have access to the program on a first-come, first-serve basis? Not at all.

So the Members who are so concerned about equity have not found very much equity in the Roemer amendment.

The final point that I would address is the fact that some say that this is a giveaway program. It hardly is, I say to the Members.

Do the Members know what we are asking people who are out of work to pay as a percentage of their mortgage? It is 38 percent of their income that must go to pay their mortgage even while they are receiving these loans. That is 38 cents, nearly 40 cents out of every hard-earned dollar of a family that is on unemployment or a family that does not have much income. That is what that family has to continue to repay while that person or that family is out of work. That does not seem to me like a giveaway program.

Mr. VENTO. Mr. Chairman, will the gentleman yield?

Mr. SCHUMER. I yield to the gentleman from Minnesota.

Mr. VENTO. Mr. Chairman, I thank the gentleman from New York (Mr. SCHUMER) for his statement, and I concur in it.

Not only that, but 38 percent of their income has to be paid after they are back at work. That has to go to be paid out for the loan that was made.

Mr. SCHUMER. Yes, I will get to that.

Mr. VENTO. That is a very important point, and I commend the gentleman for his statement.

Mr. SCHUMER. I thank the gentleman from Minnesota (Mr. VENTO) and that brings me to the next point.

Mr. WYLIE. Mr. Chairman, will the gentleman yield?

Mr. SCHUMER. I yield to the gentleman from Ohio.

Mr. WYLIE. Mr. Chairman, during the course of the hearings we were told that 10 percent of 4 million American homeowners now pay 40 percent or more of their income toward mortgage payments already, so 38 percent does not seem to me to be a very good test.

Mr. SCHUMER. Mr. Chairman, the gentleman must understand, No. 1, that up until recently what most experts figured was that the fair percentage of one's income that should go to shelter should be 25 percent. Even this administration, as the gentleman well knows, because we have argued about it in committee perhaps ad nauseam, has said that 30 percent ought to be the maximum, as typified in their rent amendments to public housing to section 8. Even they, who do not believe in those programs, even the people in HUD and the people in OMB, say that 30 percent ought to be as high as we should go, and in this bill we say 38 percent. The point made by the gentleman from Minnesota (Mr. VENTO) is another valid point. Once a person finds work, they must continue to pay 38 percent of their income under this bill.

The CHAIRMAN. The time of the gentleman from New York (Mr. SCHUMER) has expired.

Mr. SCHUMER. Mr. Chairman, I ask unanimous consent that I may be permitted to proceed for 2 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

Mr. PARRIS. Mr. Chairman, I reserve the right to object.

Mr. SCHUMER. Mr. Chairman, I will be happy to yield to the gentleman when I have finished, as he yield-

ed to me after he finsished his statement.

Mr. PARRIS. Mr. Chairman, under my reservation of objection, I thank the gentleman for that observation.

The point was made by our friend, the gentleman from Massachusetts, that when I had the floor, I failed to yield to my friend in the well, and I would remind the gentleman that at the termination of my statement I was delighted to yield to him.

Mr. Chairman, I withdraw my reservation of objection.

Mr. SCHUMER. Mr. Chairman, the gentleman did indeed yield to me, and I would be happy to yield to him later.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. SCHUMER. Mr. Chairman, as I said, after regaining employment a spouse must pay 38 percent of his income, at a 10-percent rate of interest. That is close to the prevailing mortgage rate right now. That is hardly a giveaway program.

This is a different and tough program, and the Members of this House ought to realize that many groups have opposed this program because they think it is too tough. It is not too tough. It is equitable, it is fair. It does not solve everybody's problem, but it solves a good percentage of people's problems and I submit that for us to turn away from this program during these difficult times, because either the banks can do it better or because not every person will be taken care of under this program, is not the course to take. Those are not valid reasons for opposing the program.

Mr. WYLIE. Mr. Chairman, will the gentleman yield on the question of the 38 percent?

Mr. SCHUMER. I have concluded my remarks, but I am happy to yield to the gentleman from Ohio.

Mr. WYLIE. Mr. Chairman, I thank the gentleman for yielding.

I just received this substitute as I came on the floor today, and I had not read over the assistance payments provision. This is what it says:

> Payments with respect to any mortgage under this title shall be in an amount that, together with the contribution of the mortgagor involved, is equal to the amount of the principal, interest, taxes, assessments, ground rents, hazard insurance, expenses of the mortgagee involved in connection with payments or repayments under this title, and mortgage insurance premiums due under such mortgage, and the initial such payment. . . .

Is that all included in the 38 percent?

Mr. SCHUMER. That is correct, as it is with the 30 percent and the 25 percent in the guidelines that I spoke of before. This is payment for shelter, and those are various components of the payment for shelter.

Mr. WYLIE. It would also include utilities, so there are a lot of things involved.

Mr. SCHUMER. Yes; but again it is the same thing under the 30-percent guideline that HUD promulgated for section 8 and for others.

The CHAIRMAN. The time of the gentleman from New York (Mr. SCHUMER) has expired.

(On request of Mr. MITCHELL, and by unanimous consent, Mr. SCHUMER was allowed to proceed for 1 additional minute.)

Mr. MITCHELL. Mr. Chairman, will the gentleman yield?

Mr. SCHUMER. I yield to the gentleman from Maryland.

Mr. MITCHELL. Mr. Chairman, I thank the gentleman for yielding, and I obviously associate myself with his remarks. Again I want to indicate that I believe his analysis of the logical analytical analysis of the bill is correct.

□ 1450

I think you are wasting your time. That is what I started out saying earlier today. There are some Members in this body who are just so rigid and so inflexible that no matter how logically you delineate what is really in the bill, you will not convince them, because they have made up their minds that our Government has no responsibility to those who are suffering through no fault of their own. That is a problem we are confronting in this House.

There are some who come to the floor not willing to accept any kind of an explanation. They just say, "We don't want the bill because the Government shouldn't be doing this and the banks are going to forbear."

Mr. Chairman, I associate myself with the remarks of the gentleman from New York. I thank the gentleman for at least being analytical and having an open mind on an issue, which I do not think exists uniformly in this House.

Mr. WRIGHT. Mr. Chairman, I move to strike the requisite number of words.

Mr. GONZALEZ. Mr. Chairman, I make the point of order that a quorum is not present.

The CHAIRMAN. Evidently a quorum is not present.

Members will record their presence by electronic device.

The call was taken by electronic device.

The following Members responded to their names:

[Roll No. 101]

ANSWERED "PRESENT"—386

Ackerman	Applegate	Bedell
Addabbo	Archer	Bennett
Akaka	AuCoin	Bereuter
Albosta	Badham	Berman
Anderson	Barnard	Bethune
Andrews (NC)	Barnes	Bevill
Andrews (TX)	Bartlett	Biaggi
Annunzio	Bateman	Bilirakis
Anthony	Bates	Bliley
Boehlert	Glickman	McCurdy
Boggs	Gonzalez	McDade
Boland	Goodling	McEwen
Boner	Gore	McGrath
Bonior	Gradison	McHugh
Bonker	Gramm	McKernan
Borski	Gray	McKinney
Boucher	Green	McNulty
Boxer	Gregg	Mica
Breaux	Guarini	Mikulski
Britt	Gunderson	Miller (CA)
Brooks	Hall (IN)	Miller (OH)
Broomfield	Hall (OH)	Mineta
Brown (CA)	Hall, Ralph	Minish
Brown (CO)	Hall, Sam	Mitchell
Broyhill	Hamilton	Moakley
Bryant	Hammerschmidt	Molinari
Burton	Hance	Mollohan
Byron	Hansen (UT)	Montgomery
Campbell	Harrison	Moody
Carney	Hartnett	Moore
Carper	Hatcher	Moorhead
Carr	Hawkins	Morrison (CT)
Chandler	Hertel	Mrazek
Chappie	Hightower	Murphy
Cheney	Hiler	Murtha
Clarke	Hillis	Myers
Clinger	Holt	Natcher
Coats	Hopkins	Neal
Coelho	Horton	Nelson
Coleman (MO)	Howard	Nichols
Coleman (TX)	Hoyer	Nielson
Collins	Huckaby	Nowak
Conte	Hughes	O'Brien
Cooper	Hunter	Oakar
Corcoran	Hutto	Oberstar
Coughlin	Hyde	Obey
Courter	Ireland	Olin
Coyne	Jacobs	Ortiz
Craig	Jeffords	Ottinger
Crane, Daniel	Jenkins	Oxley
Crane, Philip	Johnson	Panetta
Daniel	Jones (NC)	Parris
Dannemeyer	Jones (OK)	Pashayan
Daschle	Jones (TN)	Patman
Daub	Kaptur	Patterson
Davis	Kasich	Paul
de la Garza	Kastenmeier	Pease
Dellums	Kazen	Penny
Derrick	Kemp	Pepper
DeWine	Kennelly	Perkins
Dickinson	Kildee	Petri
Dicks	Kindness	Pickle
Donnelly	Kogovsek	Porter
Dorgan	Kostmayer	Price
Downey	Kramer	Pritchard
Dreier	LaFalce	Pursell
Duncan	Lagomarsino	Quillen
Durbin	Lantos	Rahall
Dwyer	Latta	Ratchford
Dymally	Leach	Ray
Dyson	Lehman (CA)	Regula
Eckart	Lehman (FL)	Reid
Edwards (AL)	Leland	Richardson
Edwards (CA)	Lent	Ridge
Edwards (OK)	Levin	Rinaldo
Emerson	Levine	Ritter
English	Levitas	Roberts
Erdreich	Lewis (CA)	Robinson
Erlenborn	Lewis (FL)	Rodino
Evans (IA)	Lipinski	Roe
Evans (IL)	Lloyd	Roemer
Fascell	Loeffler	Rogers
Fazio	Long (LA)	Rose
Feighan	Long (MD)	Rostenkowski
Ferraro	Lott	Roth
Fiedler	Lowery (CA)	Roukema
Fields	Lowry (WA)	Rowland
Flippo	Lujan	Roybal
Florio	Luken	Rudd
Foglietta	Lundine	Russo
Foley	Mack	Sabo
Ford (MI)	MacKay	Savage
Forsythe	Madigan	Sawyer
Fowler	Markey	Schaefer
Franklin	Marriott	Schneider
Frenzel	Martin (IL)	Schroeder
Fuqua	Martin (NC)	Schulze
Garcia	Martin (NY)	Schumer
Gaydos	Matsui	Seiberling
Gejdenson	Mavroules	Sensenbrenner
Gekas	Mazzoli	Shannon
Gephardt	McCain	Sharp
Gibbons	McCandless	Shelby
Gilman	McCloskey	Shumway
Gingrich	McCollum	Sikorski

Siljander	Stump	Wheat
Simon	Sundquist	Whitehurst
Sisisky	Swift	Whitley
Skeen	Synar	Whittaker
Skelton	Tallon	Whitten
Slattery	Tauke	Williams (OH)
Smith (FL)	Tauzin	Wilson
Smith (IA)	Taylor	Winn
Smith (NE)	Thomas (CA)	Wirth
Smith (NJ)	Thomas (GA)	Wise
Smith, Denny	Torres	Wolf
Snowe	Torricelli	Wolpe
Snyder	Towns	Wortley
Solarz	Traxler	Wright
Solomon	Valentine	Wyden
Spence	Vander Jagt	Wylie
Spratt	Vento	Yates
St Germain	Volkmer	Yatron
Staggers	Vucanovich	Young (AK)
Stangeland	Walgren	Young (FL)
Stenholm	Walker	Young (MO)
Stokes	Watkins	Zablocki
Stratton	Weber	Zschau
Studds	Weiss	

□ 1500

The CHAIRMAN. Three hundred eighty-six Members have answered to their names, a quorum is present, and the Committee will resume its business.

□ 1510

The CHAIRMAN. The gentleman from Texas (Mr. WRIGHT) is recognized for 5 minutes.

Mr. WRIGHT. Mr. Chairman, I rise in opposition to the Roemer-Wylie amendment and in favor of the Gonzalez substitute.

I think the Gonzalez substitute offers all the protections in its present form that any reasonable and prudent person could expect.

On the other hand, the language that is offered in the form of the Wylie amendment now offered in the name of Mr. ROEMER does nothing really except to constitute a hortatory encouragement without any force to bankers to be lenient if they will.

One of those speaking in favor of the Roemer approach asked the question a moment ago, who among us would not help the poor if we had the opportunity? I think we are going to discover the answer to that question immediately. Whenever the vote comes, we are going to discover who among us would and who among us would not render some assistance to those who through no fault of their own are being rendered homeless.

This is one of the most grievous problems that could confront a family.

We now are suffering the highest rate of home and farm foreclosures that this Nation has witnessed in the past 45 years.

It is an epidemic. It is estimated that maybe 2 million people have been rendered homeless with literally no place to lay their heads at night, no place to go, no home, no shelter.

I think it would be very difficult to imagine any blow to the nervous system that would be any more devastating to one's self-esteem than for the head of a household suddenly to have himself and his family dispossessed, thrown completely out of the shelters that they had come to rely upon, with no other place to go to.

Now that has happened in the past year to 230,000 American families. Two-hundred and thirty thousand, almost a quarter of a million families in this 1 year have been dispossessed from their homes.

Most of them have been thrown out of their homes not through any fault of their own but because the vicissitudes of this economic recession have caused them to lose their jobs. Without work they could not pay.

Now the Wylie approach advocated by Mr. ROEMER would simply call upon the banks and lending institutions to forbear.

Well, we have a record of 230,000 instances in the past year in which they have not forborne, they have not found it in their hearts and their consciences and perhaps they have not been able under the terms of their charters to forebear.

This provides the bank as well as the individual an opportunity to have a second chance.

I hope everybody fully understands what is encompassed in the Gonzalez substitute. To call it a gift would be wrong, it is not a gift, it is a loan, a repayable loan. Families will be required to pay up to 38 percent of their income. Only if it is a family of four making less than $20,000 with one of the main breadearners unemployed can they qualify for the loan.

The loan will not apply to the kind of things that a family might desire to have such as a swimming pool or a tennis court or the luxury items.

The loan will apply only in the case of a family rendered subject to foreclosure by reason of losing a job in this recession and it will not apply to a family that has gotten into trouble through its own fault. It will not apply to someone who has lost a job through misconduct; it will not apply to someone who has simply refused to pay his mortgage. It will apply only in those cases where a family earns less than $20,000 a year, is willing to take a loan and repay it at 10 percent, which certainly is not a gift.

Only a few years ago a 10-percent mortgage was thought to be too high for the average family to afford. And to pay up to 38 percent of that family's income. Now the gentleman from Ohio suggested a moment ago that 38 percent is not a very high figure, since 10 percent of our families pay more than 40 percent of their income for shelter and housing. Well, it suggests itself to me that if that be the case, that 10 percent paying more than 40 percent of their total income for shelter must be in the very lowest economic brackets. And I suggest to you very seriously that 40 percent of a family's income is indeed a very substantial amount to drain away from that family's total resources simply so they may keep a roof over its head.

So, what we do is not a handout; it is a hand up. It is an opportunity, it is a chance for those temporarily rendered jobless at least to keep the family together, at least to keep a roof over its head. It does not differ in any substantial way from the bill we passed by an overwhelming majority just last week, I believe, in this House, the Emergency Agricultural Credit Extension Act.

The CHAIRMAN. The time of the gentleman has expired.

(By unanimous consent, Mr. WRIGHT was allowed to proceed for 2 additional minutes.)

Mr. WRIGHT. Any of us from rural areas or representing areas with many rural constituents who voted for that bill and enjoyed the support of some of the people from the city and urban areas in support of that bill, I think would have no consistency whatever to oppose the Gonzalez approach in this bill for urban developers or for people who may be in small towns. You do not have to be a big city dweller to lose your home.

So, I would urge you very earnestly to reject this approach or just saying: "Please banker, be nice, if you will." That does not do anything at all. That is a little bit like what many of us did in the State legislatures where we once served. How many of the Members can remember, those who have served in State legislatures, those grandly sounding resolutions that were passed by those legislatures, either memorializing Congress to do something or condemning some evil that existed in society?

I recall on one occasion when I was in the legislature in Texas there were successive days on which members offered resolutions, one condemning child molesters, the next condemning drug abusers, another condemning rapists and finally one member sought to wrap it up in an omnibus antisin resolution in which he said, "We shall hereby and herewith condemn in all of its evil manifestations." He hoped he would put an end to the hortatory expressions, by this all-encompassing condemnation of evil. We might as well just pass a resolution condemning recessions, condemning joblessness, condemning the idea that anybody would ever lose his home and it would not do a bit of good.

Now, you have a chance to do some good, you have a chance to give a little help, as well as a pat on the back to some of the people out here who, through no fault of their own, are rendered jobless and whose families, unless we act, are going to be rendered homeless.

It is the kind of thing that has made America great because it is the very symbol of a government that does not intrude in the private marketplace

except to permit a person to have an opportunity that that person should enjoy as a citizen of the United States.

And for those reasons, I hope that you will oppose this somewhat meaningless amendment and then support the Gonzalez substitute.

□ 1520

Mr. WYLIE. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in support of the Roemer-Wylie amendment.

Mr. Chairman, it is certainly an oversimplification to suggest that those who would vote for the Roemer-Wylie amendment are against helping those who are in prospect of losing their homes.

Under this bill only a few will be helped. According to testimony, which we obtained before our committee, there are some 230,000 to 250,000 people who would qualify right now. And by the most liberal of estimates, some 60,000 to 70,000 people would be helped. So we are asking others who would not be helped to help pay for the payment of the mortgage and interest on those few who would be helped.

But the real issue here is the question, is the program workable? Now it is not just my idea that this is a bad bill. We are not alone in the idea that it is not good. I will read from some letters that I have received in support of our position that this is a bad bill.

Secretary of HUD, Samuel R. Pierce, said:

Our principal objection to H.R. 1983 is that its enactment would have exactly the opposite impact from that which is intended. Enactment of H.R. 1983 would severely inhibit the market incentive to forbear. The net result would be that lenders, not homeowners, would be the beneficiaries of the assistance."

He adds in the next letter on May 5:

In addition the amendments offered by Mr. Gonzalez would add further regulatory complexities to H.R. 1983 without making it more equitable or feasible to implement.

The amendments, if they are to be accepted, are primarily cosmetic and do not really go to the basic structure of the program. As I pointed out a little earlier none of the amendments would change the fact that the program would have been operative for the last 10 years in certain districts in the United States on a continuing basis. In the Pittsburgh district, it would have been operative for 100 percent of the time; Cincinnati, 100 percent of the time. The Members can see the chart. And in all districts an average of 59.4 percent of the time. And this indicates that such a program, if it started now, would likely have to be implemented far into the future.

Mr. ROEMER. Mr. Chairman, will the gentleman yield?

Mr. WYLIE. I yield to the gentleman from Louisiana.

Mr. ROEMER. I thank the gentleman for yielding.

Mr. Chairman, the bill that the gentleman and I have worked so hard on and so genuinely put forward here today has been described by an earlier speaker as a "pat on the back." I do not think anybody who has looked at the banking system of this country and realizes that the banks are up against certain ratios and requirements under the law to foreclose, that their honest effort at forbearance, because forbearance is in the banks own best interest, is being thwarted. And our amendment demands that the Federal regulators relax those rules and regulations so forbearance can take place.

It happens to be the same language that the good chairman in genuine effort put in his bill. The difference is that we do not match forbearance with a pot of $760 million side by side, because if the banks have to choose between forbearance and getting part of that $760 million, which do my colleagues think the banks would choose? Forbearance or a check from the Federal Government?

I thank the gentleman.

Mr. WYLIE. I thank the gentleman for his very cogent and insightful observation. And we did find that lenders are out there willing to forbear right now. They are rescheduling payments, which is in their best interest, as the gentleman suggested. It is not in their best interest to be in the home business.

So what our amendment does is to encourage forbearance, wherever possible, without jeopardizing the safety and soundness of the institution.

Speaking of bankers, the American Bankers Association said:

We do not believe the solution to this delinquency problem is the creation of a $760 million program to be administered by HUD because it would be counterproductive to the immediate short run of reducing federal deficits.

The CHAIRMAN. The time of the gentleman from Ohio (Mr. WYLIE) has expired.

(By unanimous consent, Mr. WYLIE was allowed to proceed for 3 additional minutes.)

Mr. WYLIE. Mr. Chairman, the U.S. League of Savings Institutions says:

The cost-benefit ratio of H.R. 1983 is exceedingly negative. Our research indicates that most foreclosures continue to be caused by factors other than unemployment. We are convinced that HUD may not be capable of providing sufficient support and administration for this program.

The American Farm Bureau Federation says:

We cannot support H.R. 1983. We encourage you to support instead the Wylie substitute.

The Mortgage Bankers Association say:

We question whether or not there is a need for emergency foreclosure relief at this time as it could address the problem that we believe will soon be on the wane. We are greatly concerned about the impact on the federal deficit, which is already excessive.

And the National Realtors Association has indicated support for my substitute.

I think it is a far better way to encourage forbearance among the lending institutions and not institute this new, very expensive program. The Office of Management and Budget has estimated it could cost up to $15 billion over the next 5 years, if all of those 145,000 eligible citizens were satisfied in accordance with the provisions of this bill.

So, I think our amendment, the Roemer-Wylie amendment, is a far better way to go and I encourage support and adoption of the amendment.

Mr. SEIBERLING. Mr. Chairman, will the gentleman yield?

Mr. WYLIE. I yield to the gentleman from Ohio.

Mr. SEIBERLING. I thank the gentleman for yielding.

Back in the 1930's when we had even more disastrous economic conditions and people's homes were being foreclosed by the thousands every week, we came up with the Home Owners Loan Corporation, which had the authority to issue bonds—it was capitalized by the Federal Government, but had authority to issue bonds—and take over mortgages from the banks.

□ 1530

I would like to ask the gentleman, since we have had experience with this before. Did the Homeowners Loan Corporation cause the banks to foreclose instead of forbear? What was our experience at that time? Can the gentleman tell me?

Mr. WYLIE. Our experience with Homeowners Loan Corporation was very bad. As a matter of fact, in the report which we had presented with this bill, it shows that within 2 years of its creation the organization employed over 20,000 people. Its final liquidation did not occur until 1951, 18 years after its creation. It was really the worst kind of bureaucracy. They acquired over 200,000 homes. The Homeowners Loan Corporation acquired over 200,000 homes. They became the owners of over 200,000 homes, and they received 1,886,491 applications.

I do not think that is a good analogy.

Mr. SEIBERLING. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, it seems to me that the figures the gentleman just gave prove the opposite of his conclusion. They received almost 2 million applications, and they acquired 200,000 homes, which does not indicate, to me,

that it precipitated a rash of foreclosures but that in fact, in most cases, even though we had a Homeowners Loan Corporation, the banks forebore.

Furthermore, the fact is that HOLC did save hundreds of thousands of homeowners from foreclosure. Furthermore, HOLC turned a profit to the U.S. Government of many millions of dollars.

I suggest that, while this emergency legislation is desirable—and I certainly support it as a stopgap—we should reinstitute a Homeowners Loan Corporation as soon as feasible. I have introduced a bill to do just that. But I simply say for the present, that experience does not support the argument that the gentleman just made and that in fact it proves the contrary.

The most important thing is that we have over 1 million people in default on their mortgages today around this country, and thousands of them are being foreclosed every month. They are looking to Congress for action. It is time we did something to give them relief.

Mr. WYLIE. Mr. Chairman, will the gentleman yield?

Mr. SEIBERLING. I yield to the gentleman from Ohio.

Mr. WYLIE. The point is that the Homeowners Loan Corporation did not save the homes. They foreclosed on them. They acquired 200,000 homes.

Mr. SEIBERLING. I do not accept that as proving that the HOLC kept the banks from exercising forebearance.

Mr. Chairman, there are thousands and thousands of families already suffering the problems and fears associated with unemployment. Many of them must now face the further threat of losing the roofs over their heads. In 1982, more than 1 million American homeowners were delinquent on their mortgage payments, and in the first half of 1982, more than 21,000 American families lost their homes to foreclosure. Such a situation clearly justifies the need for this legislation.

However, the $760 million authorized by the bill will help only a fraction of the total number of families facing eventual foreclosure as a result of this recession. Moreover, we need a comprehensive mortgage assistance program in place which is not subject to the whims of whatever administration happens to be in office.

That is why I have introduced H.R. 2547, the Homeowners Loan Corporation Act of 1983. My bill has many features in common with H.R. 1983, but it goes further by creating a permanent program to assist homeowners facing foreclosure because of economic conditions beyond their control. H.R. 2547 would revive the Homeowners Loan Corporation, a particularly effective program developed during the depression.

Under my bill, the Homeowners Loan Corporation would give lending institutions interest-bearing bonds in exchange for mortgages when the lending institutions are threatening foreclosure because of delinquent mortgage payments. The Corporation would then make arrangements for the homeowner to begin making regular payments to retire the Corporation's assistance over a 30-year period. Payments would be a maximum of 30 percent of a homeowner's income, and interest on the Corporation's assistance could not exceed 10 percent. Since the Corporation would be empowered to sell bonds to raise capital for its mortgage assistance activities, the program would be self-sustaining, and would require only an initial, recapturable authorization from the Congress.

If the economic emergency we are suffering now does not substantially abate, the foreclosure problem is going to get worse, and we will have to provide a more comprehensive program of assistance than that authorized by H.R. 1983. The Homeowners Loan Corporation Act of 1983, H.R. 2547, is a necessary follow-on to H.R. 1983.

Mr. HILER. Mr. Chairman, I move to strike the requisite number of words, and I rise in support of the Roemer amendment.

Mr. Chairman, I think there are several issues involved with this particular bill that really have not been accented enough today. Had this program already been in existence, it would have started in September 1981 throughout the country. The trigger mechanism is such that the bill, once enacted, will stay on for years and years into the future. It was pointed out by the gentleman from Ohio that in many areas of the country, this bill, had it been enacted years ago, would have been in existence for over 10 years by this time.

If we take the assumptions involved in many economic forecasts, this bill would be in effect from now until mid-1987, well into an economic recovery, and it would be at a cost of some $15 billion, a significant impact on the budget.

I might also add that there are two other statistics that I think are important when we consider the emergency nature of this bill. The conventional foreclosure rate in 1982, which reflects the number of mortgages actually foreclosed as a share of all mortgages held by insured S&L's, was 0.24 percent. This is less than half of the postwar peak foreclosure rate of 0.58 percent. What we are experiencing today is not a high since the depression; it is not even half of the highest point it has been in post-World War II.

Mr. WYLIE. Mr. Chairman, will the gentleman yield?

Mr. HILER. I yield to the gentleman from Ohio.

Mr. WYLIE. Mr. Chairman, I think the gentleman is making a very important point, and I do not want it to be overlooked. Would the gentleman repeat those figures as to the foreclosure rates?

Mr. HILER. Certainly. The current foreclosure rate in 1982 reflecting the number of mortgages foreclosed as a share of all mortgages held by insured S&L's was 0.24 percent. The post-World War II peak foreclosure rate was 0.58 percent, or nearly 2½ times higher than it is at current levels.

Mr. WYLIE. So the situation in which we now find ourselves is not necessarily the kind of a situation which calls for $760 million in money to pay off mortgage interest; that is the point the gentleman is trying to make?

Mr. HILER. That is exactly the case. In fact, if we look at the current FHA 1982 foreclosure rate, it is 0.44 percent, which is about one-third below the 1.14 percent foreclosure rate in the 1973-74 recession.

Mr. ROEMER. Mr. Chairman, will the gentleman yield?

Mr. HILER. I yield to the gentleman from Louisiana.

Mr. ROEMER. I thank the gentleman for yielding.

Mr. Chairman, one of the issues today, one of the issues that the committee has fought hard—and I think rightfully so—to suppress is that this program is not really an entitlement program. We have had dialog throughout the day that this is not really an entitlement program. They point out the so-called contradictions when some of us say it is not enough money to help all homeowners facing hard times. That is no contradiction. It is not enough money to help everyone. It helps one out of three or one out of two or one out of four or one out of five. It is a little piece of the program. They say, therefore, it cannot be an entitlement program, and they tried to suppress that word.

The truth is, how are you going to tell one out of five, "We will help you," and when the next four come, what are you going to tell them?

The truth is, the word "entitlement" is not used in the bill. And those who say it is not an entitlement are legally correct; but the practical political effects of this move today is the birth of yet another entitlement, the cost of which we can never calculate, and I further predict that this program like all other entitlement programs, will never end.

Mr. HILER. I thank the gentleman for his comments. I think he is exactly on the mark. Had this program been enacted in 1973, in many areas of the country it would still be in effect. In fact, if we enact it today, in all likelihood, with the current trigger mechanism, it will be in existence for the

next 5 years or more, at a cost of some $15 billion.

I think the bill goes in the wrong direction at this time with falling interest rates and the general economic recovery.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Louisiana (Mr. ROEMER) to the amendment offered by the gentleman from Texas (Mr. GONZALEZ) as a substitute for the amendment in the nature of a substitute offered by the gentleman from Ohio (Mr. WYLIE).

The question was taken; and the Chairman announced that the noes appeared to have it.

RECORDED VOTE

Mr. ROEMER. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 197, noes 220, not voting 15, as follows:

[Roll No. 102]

AYES—197

Andrews (NC)	Gilman	Mica
Anthony	Gingrich	Miller (OH)
Archer	Goodling	Molinari
Badham	Gradison	Montgomery
Barnard	Gramm	Moore
Bartlett	Green	Moorhead
Bateman	Gregg	Morrison (WA)
Bereuter	Gunderson	Mrazek
Bethune	Hall, Ralph	Myers
Bilirakis	Hamilton	Nelson
Bliley	Hammerschmidt	Nichols
Boehlert	Hansen (ID)	Nielson
Breaux	Hansen (UT)	O'Brien
Broomfield	Hartnett	Olin
Brown (CO)	Hightower	Oxley
Broyhill	Hiler	Packard
Burton	Hillis	Parris
Byron	Holt	Pashayan
Campbell	Hopkins	Paul
Carney	Horton	Petri
Chandler	Huckaby	Porter
Chappell	Hunter	Pritchard
Chappie	Hutto	Pursell
Cheney	Hyde	Quillen
Clinger	Ireland	Ray
Coats	Jeffords	Regula
Coleman (MO)	Jenkins	Ridge
Conable	Johnson	Ritter
Conte	Kasich	Roberts
Cooper	Kemp	Robinson
Corcoran	Kindness	Roemer
Coughlin	Kramer	Rogers
Courter	Lagomarsino	Roth
Craig	Latta	Roukema
Crane, Daniel	Leach	Rudd
Crane, Philip	Lent	Sawyer
Daniel	Lewis (CA)	Schaefer
Dannemeyer	Lewis (FL)	Schulze
Daub	Livingston	Sensenbrenner
Davis	Loeffler	Shaw
DeWine	Lott	Shelby
Dickinson	Lowery (CA)	Shumway
Dorgan	Lujan	Shuster
Dreier	Lungren	Siljander
Duncan	Mack	Skeen
Edwards (AL)	MacKay	Slattery
Edwards (OK)	Madigan	Smith (NE)
Emerson	Marriott	Smith, Denny
English	Martin (IL)	Snowe
Erlenborn	Martin (NC)	Snyder
Evans (IA)	Martin (NY)	Solomon
Fiedler	McCain	Spence
Fields	McCandless	Stangeland
Fish	McCollum	Stenholm
Flippo	McCurdy	Stump
Forsythe	McDade	Sundquist
Franklin	McDonald	Tauke
Frenzel	McEwen	Tauzin
Fuqua	McGrath	Taylor
Gekas	McKernan	Thomas (CA)
Gibbons	McKinney	Thomas (GA)
Valentine	Whitehurst	Wylie
Vander Jagt	Whittaker	Young (AK)
Vucanovich	Winn	Young (FL)
Walker	Wolf	Zschau
Weber	Wortley	

NOES—220

Ackerman	Gephardt	Pease
Addabbo	Glickman	Penny
Akaka	Gonzalez	Pepper
Albosta	Gore	Perkins
Alexander	Gray	Pickle
Anderson	Guarini	Price
Andrews (TX)	Hall (IN)	Rahall
Annunzio	Hall (OH)	Rangel
Applegate	Hall, Sam	Ratchford
Aspin	Hance	Reid
AuCoin	Harkin	Richardson
Barnes	Harrison	Rinaldo
Bates	Hatcher	Rodino
Bedell	Hawkins	Roe
Beilenson	Hertel	Rose
Bennett	Howard	Rostenkowski
Berman	Hoyer	Rowland
Bevill	Hughes	Roybal
Biaggi	Jacobs	Russo
Boggs	Jones (NC)	Sabo
Boland	Jones (OK)	Savage
Boner	Jones (TN)	Scheuer
Bonior	Kaptur	Schneider
Bonker	Kastenmeier	Schroeder
Borski	Kazen	Schumer
Bosco	Kennelly	Seiberling
Boucher	Kildee	Shannon
Boxer	Kogovsek	Sharp
Britt	Kolter	Sikorski
Brooks	Kostmayer	Simon
Brown (CA)	LaFalce	Sisisky
Bryant	Lantos	Smith (FL)
Carper	Lehman (CA)	Smith (IA)
Carr	Lehman (FL)	Smith (NJ)
Clarke	Leland	Solarz
Clay	Levin	Spratt
Coelho	Levine	St Germain
Coleman (TX)	Levitas	Staggers
Collins	Lipinski	Stark
Conyers	Lloyd	Stokes
Coyne	Long (LA)	Stratton
Crockett	Long (MD)	Studds
D'Amours	Lowry (WA)	Swift
Daschle	Luken	Synar
de la Garza	Lundine	Tallon
Dellums	Markey	Torres
Derrick	Matsui	Torricelli
Dicks	Mavroules	Towns
Dingell	Mazzoli	Traxler
Donnelly	McCloskey	Udall
Dowdy	McHugh	Vento
Downey	McNulty	Volkmer
Durbin	Mikulski	Walgren
Dwyer	Miller (CA)	Watkins
Dymally	Mineta	Waxman
Dyson	Minish	Weaver
Eckart	Mitchell	Weiss
Edwards (CA)	Moakley	Wheat
Erdreich	Mollohan	Whitley
Evans (IL)	Moody	Whitten
Fascell	Morrison (CT)	Williams (MT)
Fazio	Murphy	Williams (OH)
Feighan	Murtha	Wilson
Ferraro	Natcher	Wirth
Florio	Neal	Wise
Foglietta	Nowak	Wolpe
Foley	Oakar	Wright
Ford (MI)	Oberstar	Wyden
Fowler	Obey	Yates
Frank	Ortiz	Yatron
Frost	Ottinger	Young (MO)
Garcia	Panetta	Zablocki
Gaydos	Patman	
Gejdenson	Patterson	

NOT VOTING—15

Dixon	Heftel	Michel
Early	Hubbard	Owens
Edgar	Leath	Skelton
Ford (TN)	Marlenee	Smith, Robert
Hefner	Martinez	Vandergriff

□ 1550

The Clerk announced the following pairs:

On this vote:

Mr. Marlenee for, with Mr. Hefner against.

Mr. Michel for, with Mr. Dixon against.

Mr. Robert F. Smith for, with Mr. Ford of Tennessee against.

Mrs. COLLINS and Mrs. BOGGS changed their votes from "aye" to "no."

So the amendment to the amendment offered as a substitute for the amendment in the nature of a substitute was rejected.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. WALKER TO THE AMENDMENT OFFERED BY MR. GONZALEZ AS A SUBSTITUTE FOR THE AMENDMENT IN THE NATURE OF A SUBSTITUTE OFFERED BY MR. WYLIE

Mr. WALKER. Mr. Chairman, I offer an amendment to the amendment offered as a substitute for the amendment in the nature of a substitute.

The Clerk read as follows:

Amendment offered by Mr. WALKER to the amendment offered by Mr. GONZALEZ as a substitute for the amendment in the nature of a substitute offered by Mr. WYLIE: On page 27, after line 5, insert the following new section:

SEC. 5. None of the funds authorized under this act shall be expended in violation of section 7 of Public Law 95-435.

Mr. GONZALEZ. Mr. Chairman, I have a point of order.

The CHAIRMAN. The gentleman from Texas (Mr. GONZALEZ) is recognized on his point of order.

Mr. GONZALEZ. Mr. Chairman, we do not have a copy of this amendment on our side.

The CHAIRMAN. The Chair will state to the gentleman that that is not subject to a point of order.

Mr. GONZALEZ. Mr. Chairman, I thought that the gentleman had asked unanimous consent to consider the amendment as read.

The CHAIRMAN. The Chair will state to the gentleman that the amendment has been read.

Mr. WALKER. Mr. Chairman, I would be glad to give the gentleman a copy of the amendment if he wishes to see one.

The CHAIRMAN. The gentleman from Pennsylvania (Mr. WALKER) is recognized for 5 minutes in support of his amendment.

Mr. WALKER. Mr. Chairman, it seems to me, as I have listened to the debate, that it presents us with a couple of questions, the main question being, What is it that the unemployed really want?

If the unemployed that I speak to in my district are any indication of what the unemployed across the country are saying, what the unemployed really want is to go back to work. They want to work in this country; they do not want a lot of programs passed by this Congress that simply allows them

to be comfortable in their unemployment. They want to go back to work.

As I think of that, that leads us to a second question: Does this bill really help or does it harm them and prevent them from getting what it is they want?

It seems to me that the answer is that insofar as we add to the deficit, it undermines the economy, it undermines the economic recovery, and thus it means longer periods of unemployment for those people whom we say we want to help. The one thing that it seems to me we are all agreed on is that massive deficits in this country are a contributing factor to economic misery.

The New York Times said recently in an editorial in which it talked about budget deficits, and I quote:

> The same president and congressional leaders agree with America's allies that our impending deficits are the main threat to a sustained recovery. The prospect reinforces expectations of renewed inflation, keeps interest rates high, and thus suppresses investment.

□ 1600

Mr. WYLIE. Mr. Chairman, will the gentleman yield?

Mr. WALKER. I am glad to yield to the gentleman from Ohio.

Mr. WYLIE. Mr. Chairman, I think the gentleman has a good amendment and we accept it on this side.

Mr. WALKER. I thank the gentleman very much. I hope the other side will accept it, too; although I doubt it.

The thing that we have as a base line of belief in this country today is that the kind of deficits that are being racked up, whether you blame them on the President or whether you blame this on the overspending of Congress, is the fact that those deficits are doing harm to the economy and insofar as the economy is harmed, people are out of work and people will not go back to work very soon. By piling on more and more deficits, we compound the misery that the economy has led us into and in the case of bills like the one we have before us, we do so knowingly.

We have heard a lot about the American family's right to a home here today during the debate. Nothing more destroys that right than the high interest rates that too much Government spending brings on.

Those massive deficits just happen to be against the law. Public Law 95-435, the law which is the law of the land, requires us not to be spending with massive deficits, but to have a balanced budget.

Mr. DANNEMEYER. Mr. Chairman, will the gentleman yield?

Mr. WALKER. I am glad to yield to the gentleman from California.

Mr. DANNEMEYER. I am not sure I understand what the gentleman from Pennsylvania is saying. Is the gentleman telling the Members of the House that the existing law requires that we have the budget of the United States balanced?

Mr. WALKER. Well, I know that the gentleman finds that shocking, given what we are doing here today and given what we do with regard to spending.

Mr. DANNEMEYER. Is that the law?

Mr. WALKER. But that is absolutely the case. The law of the land, Public Law 95-435, requires a balanced budget right now.

Not only that, but I would say to the gentleman that in two succeeding Congresses we have reaffirmed that law. We have said that we should continue to adhere to that policy adopted by the 95th Congress.

Mr. DANNEMEYER. How long has that been the law of this country?

Mr. WALKER. Well, since the 95th Congress, so we have had it as the law of the land for about 8 years now.

Mr. DANNEMEYER. Why in the world are we tolerating a situation which is in violation of the law which this body has adopted? Does the gentleman have an explanation for that?

Mr. WALKER. Well, I just do not have an explanation, I might say to the gentleman. I think it is positively appalling that we have for years now gone ahead and spent in deficit, even though we have reaffirmed the law which says that you have got to have a balanced budget, and the American people think we should have a balanced budget. The American people think we were right when we passed that law, and the American people have said time and time again that they believe that balanced budgets are what this country needs and what an economic recovery can be built upon; yet we go ahead ignoring what the American people say they want and what the law of the land requires of us.

What this particular amendment says is that we need to be facing up to what the American people desire of us and what it seems to me the law requires.

My amendment would simply say that whatever we do in this bill has to be done in compliance with the law of the land.

Mr. DANNEMEYER. Mr. Chairman, will the gentleman yield further?

Mr. WALKER. I am glad to yield to the gentleman from California.

Mr. DANNEMEYER. The gentleman is making an excellent point. I only hope that this amendment will be adopted so that at least we can have consistency in the rulings of the House.

I thank the gentleman for yielding.

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

(By unanimous consent, Mr. WALKER was allowed to proceed for 3 additional minutes.)

Mr. JACOBS. Mr. Chairman, will the gentleman yield?

Mr. WALKER. I am glad to yield to the gentleman from Indiana.

Mr. JACOBS. Well, in view of what the gentleman has just said, I assume the gentleman supports the spirit of that law, limiting the national debt, as well as the letter.

The gentleman does not think the President would propose to change that limit, does he?

I read in the paper that he is planning to ask to raise the debt limit.

Does the gentleman anticipate that?

Mr. WALKER. I would say to the gentleman that what the gentleman from Pennsylvania is concerned about is the letter of the law. The letter of the law requires a balanced budget and it seems to me that at the very least we as the body of Government that is constitutionally given the responsibility for appropriating money and authorizing money should be the ones who are most concerned about the letter of the law.

Mr. JACOBS. So the gentleman thinks it is all right to raise it?

Mr. WALKER. The letter of the law requires a balanced budget right now.

All I am saying is that with regard to this bill that it seems to me we ought to think that the letter of the law is important to us.

In today's edition of USA Today, one of the national newspapers that many of us have come to read, they have an editorial entitled, "It Is Time To Attack the Deficit Monster."

Yes, it is, and right here we can begin with this particular bill. Your constituents are telling you that that is what they want. We have heard from them, saying that they support the Byrd-Grassley amendment. Many of you have probably gotten letters saying that.

This is the Byrd-Grassley amendment in language that can be understood with regard to this particular bill.

This amendment is precisely the issue of a balanced budget. It says that we have to obey the balanced budget law. It says that we have to put the economy back in order so that the unemployed can go back to work.

For those who say they favor a balanced budget, here is your opportunity to put your votes where your words are.

Mr. ST GERMAIN. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, really, it is with fear and trepidation that I stand here to oppose this amendment, because I note that the gentleman who offered the amendment has a pin on that says, "House Guerrilla", and here I have a

pin that is just a Saint, a little tiny Saint.

Yes; I saw the other House guerrilla, too. You know, when I was a young child in Rhode Island, there was a very popular radio program before the days of television. All of you probably heard of Amos and Andy, but up in New England we had Joe and Baptiste. They were two Frenchmen from Canada.

Well, we saw the Joe and Baptiste show a few minutes ago. It was really something to behold. The two guerrillas put it on for us.

But in answer to the query from the gentleman from Indiana, he stated, how about the President and the deficit? He is the chap who is responsible for the largest deficits in the history of this country.

Yes; we are all for the deficit being reduced and eliminated and we are all for putting people back to work; but the fact of the matter is that there are millions of people out there who are out of work through no fault of their own, through no fault of their own.

The legislation as presented by the distinguished chairman of the Housing Subcommittee requires that eligibility be only granted to those individuals who are out of work and unable to meet their mortgage payments, through no fault of their own.

We just had a vote, a substantial vote, by the Members of the House, who have proven by that vote that they have compassion and feeling for the poor unfortunates of this Nation.

Now, you know, I do not know about Joe and Baptiste who were here a few seconds ago, but I am going to bring legislation in the near future to the floor of this House for $8.4 billion for increased participation in the International Monetary Fund—and at whose request, at whose behest? At the request of the President of the United States and the Secretary of the Treasury of the United States.

I am wondering how Joe and Baptiste are going to react to their President's query and entreaty on that one. The President sent me a three-page letter telling me how important this legislation is to the future economy of the world and he told me that he is going to be talking to all the guerrillas and asking those House guerrillas to support that legislation.

I am going to do my best on my side, because I feel it is the responsible thing to do. I am working hard for that legislation. I want to help our President, our President on this side and your President on that side. He is our President. I am going to help him on that; but in this instance, I say the least we can do for the poor unemployed people, unemployed through no fault of their own, is yes, if we can help with that, I am for increased participation and certainly we can do a little something for the poor unfortunate people of this country.

Let us reaffirm the vote we just had.

Mr. Chairman, I yield back the balance of my time and I hope we can get to the important business of this Nation forthwith. Vote down this amendment and proceed to adopt the Gonzalez substitute.

Mr. DANNEMEYER. Mr. Chairman, I move to strike the requisite number of words, and I rise in support of the amendment.

Mr. Chairman, I noticed that the previous speaker made reference to the fact that the President of the United States has recommended a budget for this country that is substantially out of balance and is using that as an argument why we should turn down the amendment offered by the gentleman from Pennsylvania.

I want to remind my colleagues that Presidents can only spend what Congress appropriates, nothing more, nothing less. That is part of the division of responsibility in our political system.

Interestingly enough, this Member from California not more than 2 months ago offered an alternative budget plan for this House to consider whereby the deficit for 1984 would be projected at $63 billion.

□ 1610

That was done by cutting spending rather than increasing taxes, and it was done by establishing a spending level about $88 billion less than what this President proposed.

What happened to that proposal? The Rules Committee of this House, controlled by my colleague's party, the Democratic Party, analyzed whether or not they would make consideration of that proposal in order. Can you believe, they would not even permit that proposal to be voted on here on the floor of the House of Representatives?

Why in the world would people in this Chamber who are saying they are for a balanced budget refuse one of their Members the opportunity of even having such a proposal considered? I confess I cannot answer that question because it leads to a consideration of logic. When you engage in logic it is difficult to come to a conclusion as to what is the real reason for a result.

But I can only conclude to my colleagues that on that point the reason that the House leadership, the Democrats who control this place, did not want that proposal to be voted on, on the floor of the House was very simple. They did not want their Members in the election of 1984 to answer to their constituents as to why they had voted against reducing spending.

I cannot figure out any other reason. It is the old shell game; now you see it, now you do not.

Mr. WALKER. Mr. Chairman, will the gentleman yield?

Mr. DANNEMEYER. I am happy to yield to the gentleman from Pennsylvania.

Mr. WALKER. I thank the gentleman for yielding because it was brought out in debate earlier that the debt limit ceiling has been raised and that the President recommends the increases in that.

I would point out to the gentleman that the same budget resolution he is talking about was voted on pretty much by party lines, it was the other party, the other side of the aisle that voted to increase the debt limit ceiling. They voted to do that. They voted to expand and to move us further into debt in this country.

That is their prerogative, but it is they who are doing it. I think it is well to point out that what we are trying to do with the amendment I have offered is trying to bring some sense into this process and trying to move us toward a day when we might have a balanced budget again.

I thank the gentleman for yielding.

Mr. DANNEMEYER. I appreciate my colleague from Pennsylvania pointing that out.

I can only ask in conclusion that the next time the Rules Committee has before it a proposal to permit the consideration of a substantially reduced spending program for the country that you will join with me in asking them to at least permit that to be considered on the floor of the House for a record vote. Then we can all tell our constituents how we voted up or down.

I yield back the balance of my time.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Pennsylvania (Mr. WALKER) to the amendment offered by the gentleman from Texas (Mr. GONZALEZ) as a substitute for the amendment in the nature of a substitute offered by the gentleman from Ohio (Mr. WYLIE).

The question was taken; and the Chairman announced that the noes appeared to have it.

RECORDED VOTE

Mr. ROEMER. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 157, noes 254, not voting 21, as follows:

[Roll No. 103]

AYES—157

Archer	Carney	Crane, Philip
Badham	Chandler	Daniel
Bartlett	Chappie	Dannemeyer
Bateman	Cheney	Daub
Bereuter	Clinger	DeWine
Bilirakis	Coats	Dickinson
Bliley	Coleman (MO)	Dreier
Breaux	Coleman (TX)	Duncan
Broomfield	Cooper	Edwards (OK)
Brown (CO)	Corcoran	Emerson
Broyhill	Courter	Erlenborn
Burton	Craig	Fiedler
Campbell	Crane, Daniel	Fields

Forsythe	Lujan	Russo
Franklin	Lungren	Sawyer
Frenzel	Mack	Schaefer
Gekas	MacKay	Schulze
Gibbons	Madigan	Sensenbrenner
Gingrich	Marriott	Shaw
Goodling	Martin (IL)	Shelby
Gradison	Martin (NC)	Shumway
Gramm	Martin (NY)	Shuster
Gregg	McCain	Siljander
Gunderson	McCandless	Sisisky
Hall, Ralph	McCollum	Skeen
Hall, Sam	McDonald	Smith (NE)
Hammerschmidt	McEwen	Smith, Denny
Hance	McGrath	Snyder
Hansen (UT)	Miller (OH)	Solomon
Hartnett	Molinari	Spence
Hiler	Montgomery	Stangeland
Hillis	Moore	Stenholm
Holt	Moorhead	Stump
Hopkins	Morrison (WA)	Sundquist
Hunter	Myers	Tauzin
Hyde	Nielson	Taylor
Ireland	O'Brien	Thomas (CA)
Jacobs	Oxley	Vander Jagt
Johnson	Packard	Volkmer
Kasich	Parris	Vucanovich
Kazen	Pashayan	Walker
Kemp	Paul	Weber
Kindness	Petri	Whitehurst
Kramer	Porter	Whittaker
Lagomarsino	Pursell	Winn
Latta	Quillen	Wolf
Lent	Regula	Wortley
Lewis (CA)	Roberts	Wylie
Lewis (FL)	Robinson	Young (AK)
Lipinski	Roemer	Young (FL)
Loeffler	Rogers	Zschau
Lott	Roth	
Lowery (CA)	Rudd	

NOES—254

Ackerman	de la Garza	Hightower
Addabbo	Dellums	Horton
Akaka	Derrick	Howard
Albosta	Dicks	Hoyer
Alexander	Dingell	Huckaby
Anderson	Donnelly	Hughes
Andrews (NC)	Dorgan	Hutto
Andrews (TX)	Dowdy	Jeffords
Annunzio	Downey	Jenkins
Applegate	Durbin	Jones (NC)
Aspin	Dwyer	Jones (OK)
AuCoin	Dymally	Jones (TN)
Barnard	Dyson	Kaptur
Barnes	Eckart	Kastenmeier
Bates	Edwards (AL)	Kennelly
Bedell	Edwards (CA)	Kildee
Beilenson	English	Kogovsek
Bennett	Erdreich	Kolter
Berman	Evans (IA)	Kostmayer
Bethune	Evans (IL)	LaFalce
Bevill	Fascell	Lantos
Biaggi	Fazio	Leach
Boehlert	Feighan	Lehman (CA)
Boggs	Ferraro	Lehman (FL)
Boland	Fish	Leland
Boner	Flippo	Levin
Bonior	Florio	Levine
Bonker	Foglietta	Levitas
Borski	Foley	Lloyd
Bosco	Ford (MI)	Long (LA)
Boucher	Fowler	Long (MD)
Boxer	Frank	Lowry (WA)
Britt	Frost	Luken
Brooks	Fuqua	Lundine
Brown (CA)	Garcia	Markey
Bryant	Gaydos	Matsui
Byron	Gejdenson	Mavroules
Carper	Gephardt	Mazzoli
Carr	Gilman	McCloskey
Chappell	Glickman	McCurdy
Clarke	Gonzalez	McKernan
Clay	Gore	McKinney
Coelho	Gray	McNulty
Collins	Green	Mica
Conable	Guarini	Mikulski
Conte	Hall (IN)	Miller (CA)
Conyers	Hall (OH)	Mineta
Coughlin	Hamilton	Minish
Coyne	Harkin	Mitchell
Crockett	Harrison	Moakley
D'Amours	Hatcher	Mollohan
Daschle	Hawkins	Moody
Davis	Hertel	Morrison (CT)
Mrazek	Ritter	Synar
Murphy	Rodino	Tallon
Murtha	Roe	Tauke
Natcher	Rose	Thomas (GA)
Neal	Rostenkowski	Torres
Nelson	Roukema	Torricelli
Nichols	Rowland	Towns
Nowak	Roybal	Traxler
Oakar	Sabo	Udall
Oberstar	Savage	Valentine
Obey	Scheuer	Vandergriff
Olin	Schneider	Vento
Ortiz	Schroeder	Walgren
Ottinger	Schumer	Watkins
Panetta	Seiberling	Waxman
Patman	Shannon	Weaver
Patterson	Sharp	Weiss
Pease	Sikorski	Wheat
Penny	Simon	Whitley
Pepper	Slattery	Whitten
Perkins	Smith (FL)	Williams (MT)
Pickle	Smith (IA)	Williams (OH)
Price	Smith (NJ)	Wirth
Pritchard	Snowe	Wise
Rahall	Solarz	Wolpe
Rangel	St Germain	Wright
Ratchford	Staggers	Wyden
Ray	Stark	Yates
Reid	Stokes	Yatron
Richardson	Stratton	Young (MO)
Ridge	Studds	Zablocki
Rinaldo	Swift	

NOT VOTING—21

Anthony	Heftel	McHugh
Dixon	Hubbard	Michel
Early	Leath	Owens
Edgar	Livingston	Skelton
Ford (TN)	Marlenee	Smith, Robert
Hansen (ID)	Martinez	Spratt
Hefner	McDade	Wilson

□ 1630

Mr. YATRON changed his vote from "aye" to "no."

So the amendment to the amendment offered as a substitute for the amendment in the nature of a substitute was rejected.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. WORTLEY TO THE AMENDMENT OFFERED BY MR. GONZALEZ AS A SUBSTITUTE FOR THE AMENDMENT IN THE NATURE OF A SUBSTITUTE OFFERED BY MR. WYLIE

Mr. WORTLEY. Mr. Chairman, I offer an amendment to the amendment offered as a substitute for the amendment in the nature of a substitute.

The Clerk read as follows:

Amendment offered by Mr. WORTLEY to the amendment offered by Mr. GONZALEZ as a substitute for the amendment in the nature of a substitute offered by Mr. WYLIE: In paragraphs (a) and (b) of the proposed section 110, strike out "$760,000,000" each place it appears and insert in lieu thereof "$380,000,000".

Mr. WORTLEY (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. WORTLEY. Mr. Chairman, my amendment is very simple and straight-forward. I seek to limit the authorization contained in the emergency mortgage foreclosure assistance bill from $760 million to $380 million.

Why?

Because the amount of money talked about in the bill is an unrealistic sum. Richard Pratt, former Chairman of the Federal Home Loan Bank Board, in his appearance before the Housing Subcommittee stated:

With particular regard to the current delinquencies ratio, two considerations are important. First, a loan is generally categorized as delinquent until *all* past payments and late changes are paid. Thus, it is incorrect to conclude that more than 2 percent of loans are totally non-performing. While the overall delinquency rate is about 1.25 percent, delinquent borrowers *may be making* partial payments on some of those loans.

Others who testified said that while the incidence of foreclosures was up in 1982, it is impossible to separate the investment properties from the owner occupied properties. The Federal Government has no business bailing out speculators who are in over their heads. Yet the way in which the statistics are gathered, a distorted picture of the real situation exists.

Many of us who serve on the Banking Committee conducted informal surveys of lenders in our home districts. I contacted a commercial bank, a mutual savings bank, and a savings and loan association. I asked each one of them the same question. How many homes, primary residences, have you foreclosed in the past 2 years. Neither the savings and loans association nor the commercial bank have foreclosed on any residential property. The savings bank has foreclosed only two times in 2 years.

The bill before us has been labeled emergency legislation. Yet, it has languished for 2 months because the votes are not there. When I decided to offer an amendment to reduce the authorization by half, the unemployment rate in my congressional district mirrored the national average of the time, 10.4 percent. In 2 months time, the unemployment rate for the metropolitan Syracuse, N.Y., area has dropped a full percentage point to 9.4 percent. Although the national average unemployment rate of 10.2 percent is still far too high, progress has been made and will continue.

Mr. Chairman, if a person loses his job and goes to the bank and explains his personal situation, he will find that financial institutions are more than willing to work out extended payback plans whereby individuals can make reduced payments, pay only the interest, or whatever is appropriate to maintain ownership of his home.

In some parts of the country due to severe structural economic problems, foreclosures, unfortunately, are more commonplace. If we are to help these people hold onto their homes, let us do it in a sensible fashion. Let us not throw money at a problem that is vir-

tually nonexistent in many parts of the country.

By reducing the authorization level called for in the bill, we will be more likely to target funds where they are acutely needed without adding to the deficit and prolonging the problem.

Mr. ST GERMAIN. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, the amendment before us has been offered in the subcommittee as well as in the full committee and it was roundly defeated.

Listening to the debate earlier from that side of the aisle, one of the arguments used was that there was not enough funding in this resolution. Well, we will not use Joe and Baptiste but we will use Tonto from the Lone Ranger, "You are speaking with forked tongues." You cannot have it both ways. Either there is not enough, or there is too much.

I agree with those who say there is not enough money in this bill. However, we tried to be as circumspect as possible and that is why we limited the amount.

Now I am proud of the fact that many financial institutions in this country are exercising forbearance on foreclosure.

By the same token, unfortunately that is not universal. And this idea of going to your friendly banker, yes, a lot of them are friendly, but then I received a letter 2 days ago in my office from a senior citizen whose checking account was 26 cents below the amount of the check he wrote, which I think was for $18, due to a service charge that he had not noted. "Perils of Pauline", within 2 weeks that 26 cents delinquency cost that man $23, charged by his friendly bank.

Then of course we have the banks now who say unless you have $5,000 you do not speak to people, you speak to machines.

Are those the ones we want to rely upon?

As I say, fortunately, a lot of financial institutions are working with people to try to assist them. They do not want to be property owners and real estate owners. But by the same token, the other side of the coin also applies.

For that reason, I must oppose this amendment and ask that we defeat it not only as roundly as the previous one, but even with more fortitude, again, thinking of the people who, through no fault of their own, are unemployed. Even though the unemployment rate may have come down in a particular metropolitan area it does not mean that those people who are still unemployed are having it any better.

Mr. MITCHELL. Mr. Chairman, will the gentleman yield?

Mr. ST GERMAIN. I yield to the gentleman from Maryland.

□ 1640

Mr. MITCHELL. I thank the gentleman for yielding.

Mr. Chairman, I oppose the amendment primarily to defend my friends on the other side. I do not want them to be caught out on that limb, saying that there is not enough money, as the gentleman has indicated, and then face another cut. My friendships on that side are too great. So in defense of the Members on that side, who have already gone on record a dozen times saying that there is not enough money in it, we must oppose this amendment to defend their honor, I would think.

Mr. ST GERMAIN. I thank the gentleman for his remarks.

Mr. Chairman, I would just like to state at this time again that we do not want to keep the House here late this evening. We do not want to do that. We want to move expeditiously. For that reason, we are not going to debate this any further. It is not deserving of any further debate. The issue is clearcut. We call for defeat of the amendment.

Mr. WYLIE. Mr. Chairman, I move to strike the requisite number of words, and I rise in support of the amendment.

Mr. WORTLEY. Mr. Chairman, will the gentleman yield?

Mr. WYLIE. I yield to the gentleman from New York.

Mr. WORTLEY. I thank the gentleman for yielding.

Mr. Chairman, during the hearings that we held on H.R. 1983, we heard many references to the fact that a sheriff from Pennsylvania had removed 43 properties from public auction in order to save the distressed homeowners from losing their properties. Well, I was fascinated to pick up a recent issue of the Pittsburgh Post Gazette, which talked about the people who were about to lose their homes and the sheriff who had interjected himself. I noted that of the 43 properties that were up for public sale, 18 of them had been used as collateral for business ventures that had gone sour; 16 were withdrawn from the auction prior to the sheriff's action; of the 13 homes saved from sale, 8 were owned by persons without jobs, and of these 8, 3 are likely to be put up for sale again; debts ranged from $2,725 to $163,000; one debtor had not made a payment in 2 years, and another had purchased a house in February 1982 and he had made just two payments; in all cases the attorneys representing the lender said that it was to the lender's advantage to settle without resorting to a sheriff's sale.

I think it is obvious that all of the reports about foreclosures and sheriffs' sales do not involve simple questions of the family breadwinner being temporarily unemployed. The banks are, in fact, granting forebearance, without the taxpayers coughing up $760 million and without busting the budget and without piling up further deficits and without crowding out the private sector.

Mr. Chairman, I maintain that this bill calls for too much money, and I respectfully urge my colleagues to vote in favor of the amendment now before them.

Mr. WYLIE. I thank the gentleman for his contribution.

Mr. Chairman, I appreciate the fact that Members on the other side of the aisle were attempting to defend my honor. And may I say that I do not want it defended just quite in that way.

The debate which I have engaged in here is a matter of principle with me, and I would be much more satisfied with the gentleman's amendment if it had zero rather than $380 million which is has, because I think we are getting the Government into a business that it should not be getting into. We are getting the Government into the conventional loan business. There are points that I have made a little earlier. And, as a matter of principle, I do not think we should, through the conventional lending system, get into what amounts to a social welfare program. And the point I was making is that if we do in fact pass legislation like this—and I really do not think that this bill will ever become law, I am predicting that it will not—then the number of eligible households is likely to average 145,000 a year and, as I said before, based on CBO estimates, over a period of 5 years that is going to add up to $15 billion.

So when we are talking about the difference of $380 or $760 million, it is really an enunciation of principle.

Now, the point was made a little earlier here that the conventional foreclosure rate in 1982 by all insured S&L's was 0.24 percent, and this was less than half of the post-war peak foreclosure rate of 0.58 percent, despite the current high unemployment problem. So I do not think that it matters whether the amount today is $760 or $380 million or $1 billion. I still do not think that that goes to the basis of the problem. So I think that the gentleman's offering the amendment and allowing us to further debate the issue is commendable, and I compliment the gentleman for his amendment and I support it.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York (Mr. WORTLEY) to the amendment offered by the gentleman from Texas (Mr. GONZALEZ) as a substitute for the amendment in the nature of a substitute offered by the gentleman from Ohio (Mr. WYLIE).

The amendment to the amendment offered as a substitute for the amendment in the nature of a substitute was rejected.

AMENDMENT OFFERED BY MR. BARTLETT TO THE AMENDMENT OFFERED BY MR. GONZALEZ AS A SUBSTITUTE FOR THE AMENDMENT IN THE NATURE OF A SUBSTITUTE OFFERED BY MR. WYLIE

Mr. BARTLETT. Mr. Chairman, I offer an amendment to the amendment offered as a substitute for the amendment in the nature of a substitute.

The Clerk read as follows:

Amendment offered by Mr. BARTLETT to the amendment offered by Mr. GONZALEZ as a substitute for the amendment in the nature of a substitute offered by Mr. WYLIE:

In section 2 of the bill, after the proposed section 105(a)(4), insert the following new paragraph:

"(5)(A) such mortgagor has filed a plan with the bankruptcy court under chapter 13 of title 11, United States Code; and

"(B)(i) such court has dismissed the case of such mortgagor following a denial or revocation of confirmation of such plan; or

"(ii) the case of such mortgagor has been converted to a case under any other chapter of such title; or

"(iii) such mortgagee has been granted relief from the stay provided under section 362 of such title;

Redesignate the subsequent paragraphs, and any references to such paragraphs, accordingly.

Mr. BARTLETT (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. BARTLETT. Mr. Chairman, I rise to offer this amendment which I think would improve the workings and reduce the bureaucratic excuses of this bill. I do not believe it will become law, but the bill may be passed out of the House today. I hope not. I have shared this amendment with all of the Members of the House as a way to improve this bill by insisting that, before the new program be enacted for any individual, that that mortgagor first use the existing law that is contained in the wage earner's plan in chapter 13 of the Bankruptcy Act. The wage earner's plan, Mr. Chairman, is for temporary relief of mortgagors, of debtors, but it was more comprehensive than this emergency-aid type of program. The wage earner's plan, which is in wide use in this country, is not a straight bankruptcy but it is referred to explicitly in the law as a wage earner's plan.

The wage earner's plan, Mr. Chairman, is used right now. It is used in all manner of cases in which the assets are examined comprehensively. All debts are looked at by a trustee of the court. The courts have held that this plan does include unemployed persons, so that the court can look at all of the assets and all of the debts. No one under this plan would be forced into straight bankruptcy, but it would be an attempt for a workout and an attempt that the creditors and the debtors get together, using the trustee.

I would quote, Mr. Chairman, from the Bankruptcy Reform Act of 1978, from the majority description, and it reads, in part:

The benefit to the debtor of developing a plan of repayment under chapter 13, rather than opting for liquidation under chapter 7, is that it permits the debtor to protect his assets.

I would suggest, Mr. Chairman, that that is what we are trying to do, include the asset of a home. In a liquidation case the debtor must surrender his nonexempt assets, but under chapter 13 the debtor may retain his property by agreeing to repay his creditors. Chapter 13 also protects a debtor's credit standing far better than a straight bankruptcy.

Mr. Chairman, this amendment has a good deal of support on both sides of the aisle. I would submit to the Members that this amendment allows the system to work and to use the existing laws that are now in place, and then if this did not work, and if the chapter 13 did not work, if the wage earner's plan did not work, the file would already be complete and the trustee could simply turn over to HUD the file that had already been prepared.

I join with my colleague, the gentleman from Texas (Mr. HALL), on the other side of the aisle, and my colleague, the gentleman from Connecticut (Mr. MCKINNEY), in offering this amendment.

□ 1650

Mr. ST GERMAIN. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I shall not travel to the well because I do not think we want to waste that much time.

Again, this amendment is familiar to us. We have addressed it both in subcommittee and full committee, and I appreciate the sincerity of the sponsor of the amendment in offering the amendment, but I do not believe he is an attorney. I am an attorney, and about the only people who will be happy about this and dance up and down with glee would be the legal profession because of the additional fees available to them under this.

I would also submit another thing. Call it anything you will, the fact still remains that out there across the land, this means people would be looked upon as having filed for bankruptcy. Why do we force them to do that, or to take a pauper's oath, so to speak, before they can get assistance? It reminds me, in this instance, of perhaps asking people to take on the scarlet letter. Nathaniel Hawthorne wrote the book, "The Scarlet Letter." Well, we do not want our poor unfortunates who are unemployed through no fault of their own to be branded with a scarlet letter, and for that reason we oppose the amendment and we ask that it be roundly defeated.

I yield back the balance of my time.

Mr. MCKINNEY. Mr. Chairman, I move to strike the last word.

I very seldom disagree with my good friend, the chairman of the Banking Committee, the gentleman from Rhode Island, but I think that this wage earners' reorganization plan does just exactly the opposite of impugning a scarlet letter. It was designed, I think, with good intentions, to keep people from going into bankruptcy. It would allow the bankruptcy court to appoint a trustee who will look at the totality of the debt of the person involved. The trustee will get an agreement from the creditors as to how they will accept payment so it is possible for that very person to make his payments without losing his home, without losing his car, without losing his family's personal possessions.

There is nothing in this bill, even though it may save a house for 3 years, that necessarily is going to save any of the other possessions of the individual involved on which there may be time payments. There is nothing in this bill that is going to assure that a person after 3 years is going to be able to keep his house. There is nothing in this bill that assures that anyone is going to be able to afford to pay their regular mortgage plus the 10-percent interest.

There is, in fact, an incentive in this bill not to renegotiate, not to reorganize, not to change the loan, but in fact to take the money and leave the person right where he lives.

Three years is no secret answer in Michigan where 300,000 people will never build another automobile. Three years is not necessarily any great answer in Pittsburgh, Pa., where the still mills lay quiet.

It is a basic national problem. If, in fact, the amendment of my good friend from Texas were put into this bill, it would allow people a chance at a very moderate cost, without great legal tangles, not to declare bankruptcy, not to lose their house, but in fact to reorganize their debts, something that this Government itself might try to do once or twice but it has not.

It seems to me that this is a very good amendment, Mr. Chairman. Since this bill is going to help some people, but not very many, the fact might be, if in fact, the gentleman's amendment were accepted, that we could stretch it across a larger number of people and have it provide more benefit.

I enjoyed the chairman's motion that we move this on. I am aware of the fact that this bill has had what is known around here as the full-court press and that it will probably be passed, but I really, honestly, do not know how any of you can say that the

Gonzalez substitute is an amendment which would improve this bill. Improving this bill would almost be an impossibility, but the Bartlett amendment would improve it.

Mr. Chairman, I yield back the balance of my time.

Mr. SAM B. HALL, JR. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in support of the amendment offered by the gentleman from Texas.

I think the gentleman is on the right track in trying to help the potential number of people who would qualify under this legislation by requiring that homeowners seeking help should also apply under chapter 13 of the Bankruptcy Reform Act for relief.

This feature of the bankruptcy law gives the debtor some flexibility. It is a way to satisfy debt in a concise, reasonable way. It insures his or her credit standing, and should he or she not qualify under the chapter 13 procedure, then once dismissed from the procedure, the provisions of H.R. 1983 would still come into play.

If the bill before us today is to be effective it must serve those in the greatest need. If the debtor has the potential to satisfy the debt without foreclosure, then the bankruptcy judge or trustee can make this determination, and by so doing, it simply opens up the act for more people who may have the greatest need for its assistance.

I think we set a bad precedent if we eliminate traditional legal means for meeting one's obligations. A judge in bankruptcy can easily determine if a person does not have the potential either now or within a reasonable time to satisfy the debt. If the debt cannot be satisfied, then the debtor will be relieved of the provisions of this amendment and the debtor can apply the vehicle established under the bill before us.

I think there would be less criticism of this bill by the taxpayers if it contained an alternate, more flexible approach for obtaining relief rather than an indiscriminate filing that relieves all obligations.

Mr. FRANK. Mr. Chairman, will the gentleman yield?

Mr. SAM B. HALL, JR. I yield to the gentleman from Massachusetts.

Mr. FRANK. I appreciate the gentleman yielding.

Mr. Chairman, I have one point to make in opposition to the amendment.

The gentleman, as I do, serves on the Committee on the Judiciary. The state of the bankruptcy courts is one of our problems right now. One of the things, it seems to me, that they do not now need is an infusion of all the mortgage problems so that the bankruptcy courts, over which we are now roiled as to what kind of judges they should have and about which there is a great deal of complication presently, should not have to become adjuncts to this program.

There have been arguments about excessive redtape, et cetera. To require everyone involved here to enter the chapter 13 process would impose on the already burdened bankruptcy courts a burden that I do not think they either want to carry or would be able to carry well.

Mr. BETHUNE. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in support of the amendment of my colleague and I am tempted to talk about the technicalities of his amendment but that has already been discussed here. In fact, I think all of the discussion this afternoon has been about technicalities and it has been about the particular bill before us. That is as it should be. We should dig into the bill and try to figure out exactly what it will do and what it will not do.

But I think all too often here in this chamber we get so close to our work that we cannot see the forest for the trees. I do not know about you but I am concerned by the fact that Federal lending and credit assistance programs are growing at a rate faster than Federal spending programs.

I always like to say this twice, because people do not believe it. Federal lending and credit assistance programs are growing faster than Federal spending programs.

People talk and moan and groan about the deficit and what we are going to do about that and what it will do to the economic recovery that we all hope is now underway, but we continue to come here day after day and make legislation that sounds good as we discuss it here in this vacuum, but we never put it in the larger context.

□ 1500

We are blinded by the fact that we are too close to our work.

I think the bill is better today than the mess that came out of committee. Of course, that was not hard to do. I was pleased to see that the excellent amendment which I was going to offer, limiting the amount that could be used for hot tubs, riding stables, Jacuzzis and whatnot, are included in the new substitute, so maybe the bill is a little better than when it came out of committee.

But it is still a bad bill, because when we put it in the larger context of what this Congress is doing to the credit market and to the deficit, we have got to realize that we are doing the wrong thing here.

I have been referring to this year, 1983, as the "year of the bailout," because that is what it seems to be to me. A lot of the new Members have told me that they find the only thing we do here in this Congress is to bail out one industry or the other or one segment of the population or other, and they have good reason to say that because just last week we passed the emergency agricultural credit bill and added another billion or so in off-budget lending and spending to the deficit, even though we had already dumped some $8 billion or $9 billion in the PIK program to help the farmers of this country.

The Chrysler Corp. was in town yesterday asking for a $200 million sweetener to the Chrysler bailout which this Congress passed a couple of years ago. Of course, the big banks are here in town asking for $8.5 billion or so to bail them out of the improvident loans they have made around the world. The multilaterals, of course, are asking for more money. I can tell the Members at this point that the REA is going to be here pretty soon asking for $8 billion or $9 billion to help bail them out. And now here we have this bill before us to bail out those who, for one reason or another, have become unable to pay their house payments.

Now, maybe if we were only talking about the ones I just mentioned, it might not be so bad and we would want to pass the bill and get it out of here. But the fact is we have over $600 billion in outstanding credit assistance programs out there right now. Do the Members realize how much that crowds people out of the credit market and runs interest rates up? Where are all the people who are concerned about deficits and high interest rates and the effect that the actions of this Congress have on the credit markets of this country? Where are they when we discuss these particular bills? No one seems concerned about what we are doing.

Mr. Chairman, I would say this: I believe that this Congress is headed for a real confrontation on the issue of credit assistance and Federal lending programs, and maybe it is time that we did, because we do have this much on the books right now and it is growing faster than spending. It is a real problem, and everybody knows it is a real problem. There are two ways to handle it. Those of us on this side generally have one opinion, and the Members on the other side have another opinion.

The CHAIRMAN. The time of the gentleman (Mr. BETHUNE) has expired.

(By unanimous consent, Mr. BETHUNE was allowed to proceed for 5 additional minutes.)

Mr. ST GERMAIN. Mr. Chairman, will the gentleman yield?

Mr. BETHUNE. I yield to the gentleman from Rhode Island.

Mr. ST GERMAIN. Mr. Chairman, I will ask the gentleman, at some point is the gentleman going to get to a discussion of the amendment having to

do with bankruptcy which the gentleman offered?

Mr. BETHUNE. Yes, I will be reaching that discussion by and by.

Mr. ST GERMAIN. That would be interesting because, as the gentleman said, we have greatly discussed the legislation on the floor, and it would be nice to discuss the legislation pending before us.

Mr. BETHUNE. Mr. Chairman, I know that the gentleman does not want to hear the kinds of things I am saying because it messes up the playhouse, but nevertheless it is important that we discuss this bill in the context of the problem we have in this country.

Certainly it would be nice to run these things through without ever having to total them up, but what I am trying to suggest here today is that when we add these bills up, we are encroaching on the credit market. As I said, I think we are headed for a real confrontation, and I think it is about time. I can see it coming, and it is going to be part of the 1984 Presidential election campaign, as it should be, because those Members over here, I am inclined to think for the most part, particularly those who prefer to call themselves liberals, are of the opinion that this Government can do a better job of allocating and pricing credit than the market can.

On the other hand, those of us over here for the most part happen to believe that the market is a more efficient allocator of credit and pricer of credit.

We are headed for a confrontation because on that side there is developing the idea of a reconstruction finance corporation or an industrial bank or some sort of national industrial recovery act. I read it in the papers that are put out. I think they ought to get into that, and we ought to bring it out and debate it. Those of us over here are resistent to that idea for the reasons that I have stated.

What we are doing here day after day in the Congress is passing one bill after another through the Congress without coming to grips with that problem. I think we have got the cart before the horse. I wish they would come on in with their idea of allocating credit and pricing credit, and let us get on with the real discussion we are going to have to deal with.

This bill is not going anywhere. We know that. It would never make it through the Senate, and if it did, the President would veto it. So this bill is dead right here as we discuss it. Why do we not move to the larger issue and have a debate on that? That is what would be the more important thing to do.

I think that the Roemer-Wylie substitute was a good effort. I think that the amendment that the gentleman offers focuses attention on the fact that there is an apparatus out there right now. It is not as if there was not anything out there in place trying to take care of these kinds of problems.

Forbearance is taking place out there. In fact, the chairman of the Federal Home Loan Bank Board, Richard Pratt, made the point that the ratio of forbearances is more favorable than the delinquencies that are there. He has made that point. So forbearance is taking place. There are a lot of things that take place out there in the private sector under the rules and regulations we have in place right now.

The gentleman's amendment calls attention to the fact that there is a legal remedy which is designed to absorb some of these shocks and work them out. So I think there are a good many reasons for adopting the gentleman's amendment.

Frankly, I think the better thing to do would be to scuttle this bill, send it back to the committee, and let us get on to the business of trying to structure the larger mechanism we are going to have to have in this country if we are going to make intelligent judgments here. We should not make judgments in a vacuum. We should not decide these bills one by one, because when we do that, we ignore the larger picture, and when we get down to add them all up, we have not the faintest idea what we have done to our national economy.

Mr. Chairman, I think we ought to discuss the problems in the proper order.

Mr. MITCHELL. Mr. Chairman, will the gentleman yield?

Mr. BETHUNE. I yield to my friend, the gentleman from Maryland.

Mr. MITCHELL. Mr. Chairman, I will be very brief.

I do not think that this is the forum in which that should be done. The gentleman makes some very interesting arguments, but it seems to me that we ought to develop a paper and have that submitted to the Joint Economics Committee for some consideration and let it start working its way through the process, rather than deal with it in the context of this bill. I am sincere about that.

Mr. BETHUNE. I know the gentleman is sincere, and I, frankly, have spent an inordinate amount of time in the last 3 years trying to get the attention of this Congress on this issue. I think it is coming now.

Mr. MITCHELL. But the gentleman's vehicle ought to be the Joint Economic Committee. It is a broad policy issue.

Mr. BETHUNE. But in the meantime the gentleman should understand that I think we are getting the cart before the horse. That is why I come down here and systematically fight against each one of these bills. I was one of the few who voted against the Ag bill last week.

Mr. MITCHELL. Mr. Chairman, if the gentleman will yield further, I would just say that he should move it expeditiously to the Joint Economic Committee. That is the gentleman's starting point.

Mr. LEVIN of Michigan. Mr. Chairman, I move to strike the requisite number of words, and I rise in opposition to the amendment.

Mr. Chairman, I want to make a few quick points. A chapter 13 procedure is available only to debtors with regular income. One can be unemployed and have regular income. If you are unemployed and have no regular income, you cannot go into a chapter 13 procedure.

Mr. WYLIE. Mr. Chairman, will the gentleman yield?

Mr. LEVIN of Michigan. I yield to the gentleman from Ohio.

Mr. WYLIE. Mr. Chairman, unemployment compensation, I submit, is considered income.

Mr. LEVIN of Michigan. Yes, but some people have exhausted their unemployment compensation. Tens of thousands of people have exhausted their unemployment compensation. They have no income at all, and under the amendment offered by the gentleman from Texas (Mr. BARTLETT) they would have to file for a proceeding for which they are ineligible. That is just a pure fact.

Mr. BARTLETT. Mr. Chairman, will the gentleman yield? Would the gentleman prefer to yield now or at a later time?

Mr. LEVIN of Michigan. I will be glad to yield now to the gentleman from Texas.

Mr. BARTLETT. Mr. Chairman, court cases have in fact held that unemployed persons are eligible for chapter 13 if they have regular income, which includes unemployment benefits, social security income, disability income, self-employment, or other types of regular income.

□ 1710

The bill that we have before us would make someone eligible for the new program if they simply had their income substantially reduced; so my question to the gentleman would be the other part to it, and that is if they do not qualify for chapter 13, then they are not harmed. They would have filed for something, had their file begun and then would come back and qualify for this program.

Mr. LEVIN of Michigan. So the gentleman would require that somebody who had no regular income, before they were eligible, to hire an attorney, because you cannot readily go through a chapter 13 procedure without finding an attorney. They would have to file with the court, after retaining counsel, and then be told by the court that you are ineligible for a chapter 13

procedure because you have no regular income.

Now, that is a bizarre conclusion for anybody to suggest. The bankruptcy procedure, whether it is chapter 13 or anything else, I say to the gentleman from Texas, is a bankruptcy procedure. It requires legal fees and it has the onus of bankruptcy proceedings. This is a bill that attempts to keep the onus off people who, through no fault of their own, are losing their homes. They should not have the onus of losing their homes and they should not have the onus of being labeled a bankrupt, regardless of the chapter that goes after their name.

This is a misguided amendment and I urge that we defeat it.

Mr. WYLIE. Mr. Chairman, I move to strike the requisite number of words. I want to speak briefly in favor of the amendment.

Mr. Chairman, I submit that a chapter 13 is what is referred to as a wage earner's plan. Now, to be sure, it is not part of the bankruptcy law, but I would not perceive it as a bankruptcy proceeding, as the gentleman who just spoke would.

This amendment would provide what I call a holistic approach to the problem and would treat the mortgagor's total financial situation.

I have in front of me here an article from the Los Angeles Times which says, "Homeowners faced with foreclosure needn't panic."

The article mentions there are options and the first move is counseling.

In the same respect the first move under this wage earner's plan is counseling.

An application is filed. It is a one-page application. You do not have to hire an attorney. You do not have to go through legal fees or legal proceedings to get into the bankruptcy proceeding or into the wage earner's chapter 13 plan. After the application is filed, then the referee or the bankruptcy judge just summarily can refer it to a referee, who goes over the program with the people who are involved.

Now, it is a condition precedent, but it certainly is not any more bizarre, I may respectfully suggest, than all the conditions precedent which the HUD Secretary has to go through in order to determine if a person qualifies under this bill.

As I pointed out a little earlier, there are 65 different determinations that the HUD Secretary has to make.

I think it might be far better to have a trustee make the determination that there is no counseling available or that there is no other approach available to this person who is facing a delinquency.

So I think that the gentleman from Texas has offered an amendment which deserves consideration and I am glad to support it.

Mr. BARTLETT. Mr. Chairman, will the gentleman yield?

Mr. WYLIE. I yield to the gentleman.

Mr. BARTLETT. In addition to what the gentleman has so correctly stated, upon the filing, as the gentleman knows, of the one-page form, all debts are stayed, so that no harm is done if someone is not going to qualify for chapter 13, because all his debts, including his foreclosure proceedings, would be stayed.

I think the gentleman would concur that, in fact, what this does is try to use existing law to assist more people. If there were 1.2 million delinquencies last year, and this bill, H.R. 1983, would only help 76,000 of them or 60,000 of them, and this bill creates an incentive for banks and savings and loans in this country to foreclose instead of to forebear, there are going to be a lot more foreclosures.

So this amendment would use the existing laws to assist people in a more comprehensive way than H.R. 1983 would do without that.

Mr. WYLIE. Well, I think it deserves favorable consideration, because I think it could provide guidance for a possible workout plan and might, as the gentleman suggests, make the whole program, if it is ever going to pass, which I do not think it will, available to more people.

Mr. DURBIN. Mr. Chairman, will the gentleman yield?

Mr. WYLIE. Yes; I am glad to yield.

Mr. DURBIN. Will the gentleman concede that the point made earlier by the gentleman from Michigan is correct, that if a person's unemployment compensation benefits have run out and he is receiving no social security assistance, that he could not qualify for chapter 13 and therefore could not qualify for any assistance whatsoever under this act?

Mr. WYLIE. Then this condition precedent would not apply in that case; but if they do have income, and there is a possibility for working out a plan, this might be, as I say, a recommended alternative.

Mr. DURBIN. But they would have to file the plan, even though they would be ineligible under chapter 13?

Mr. WYLIE. Pardon me. I did not get that.

Mr. DURBIN. Would they have to file the plan, even though they are prima facie ineligible under chapter 13?

Mr. WYLIE. Well, it would be evident immediately from their application that they have no income. I would assume that would be the end of it.

Mr. DURBIN. They still have to file, though.

Mr. WYLIE. Well, they would not necessarily. I would not think they have to file, no.

Mr. DURBIN. But that is what the amendment says.

Mr. BARTLETT. Mr. Chairman, will the gentleman yield?

Mr. WYLIE. I am happy to yield.

Mr. BARTLETT. Further, if they had no income at all, and the gentleman would agree they are going to need more help than just help on their mortgage payments, because they have other payments to make of which the trustees of chapter 13 could assist them far more than this one assistance could.

Mr. WYLIE. Well, I think they could develop some kind of financial profile which would be beneficial.

I support the gentleman's amendment.

Mr. LOWERY of California. Mr. Chairman, I rise in support of the amendment offered by the gentlemen from Texas (Mr. BARTLETT and Mr. HALL) and the gentleman from Connecticut (Mr. MCKINNEY).

This amendment is quite simple. It would require that a homeowner seek the existing relief provided by chapter 13 before qualifying for Government assistance under H.R. 1983. This approach provides several practical advantages, which I would like to point out to my colleagues.

First of all, the legislation as currently written lacks incentives for the homeowner and lender to avoid a default or foreclosure situation. In fact, this bill may actively encourage these problems. Testimony heard in subcommittee showed very plainly that currently, financial institutions are indeed exercising a great deal of forebearance.

A chapter 13 or wage earners' proceeding provides relief to the consumers for all of their debts—auto loans and other consumer debts, as well as mortgage payments—and this situation is obviously in the long term best interest of the individual.

Third, by requiring a chapter 13 proceeding prior to receiving assistance under H.R. 1983, we will help expedite the administration of the program. The reason for this is that many of the determinations required by the Secretary of HUD in the provisions of this bill will have already been made during the chapter 13 proceeding. For example, under a chapter 13 proceeding, the employability of the individual is taken into consideration, thus relieving the Secretary from making a determination of reasonable prospects of repayment.

Another advantage of the adoption of this amendment is that those individuals who are able to reschedule their debts under chapter 13 can go ahead and do so, freeing the $760 million in authorized funds to be targeted to those who cannot keep their homes by rescheduling.

The last advantage which I would like to mention—but one of the most important—is that, in actual practice

under a chapter 13 proceeding, the amount of equity the homeowner has in his home is taken into account. This is something that is not addressed in H.R. 1983, and provides some insurance that HUD payments and the original mortgage will not exceed the value of the home.

Mr. Chairman, once again I urge the support of my colleagues for this amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Texas (Mr. BARTLETT) to the amendment offered by the gentleman from Texas (Mr. GONZALEZ) as a substitute for the amendment in the nature of a substitute offered by the gentleman from Ohio (Mr. WYLIE).

The question was taken; and on a division (demanded by Mr. BARTLETT) there were—ayes 34, noes 38.

RECORDED VOTE

Mr. BARTLETT. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 154, noes 254, not voting 24, as follows:

[Roll No. 104]

AYES—154

Andrews (TX)	Hammerschmidt	Pashayan
Archer	Hansen (ID)	Paul
Badham	Hansen (UT)	Petri
Bartlett	Hartnett	Porter
Bateman	Hiler	Pritchard
Bereuter	Hillis	Pursell
Bethune	Holt	Quillen
Bilirakis	Hopkins	Ray
Bliley	Horton	Regula
Broomfield	Hunter	Ridge
Brown (CO)	Ireland	Roberts
Broyhill	Johnson	Robinson
Burton	Kasich	Rogers
Campbell	Kemp	Roth
Carney	Kindness	Roukema
Chandler	Lagomarsino	Rudd
Chappie	Latta	Sawyer
Cheney	Leach	Schaefer
Clinger	Lent	Schneider
Coats	Lewis (CA)	Schulze
Coleman (MO)	Lewis (FL)	Sensenbrenner
Cooper	Livingston	Shaw
Corcoran	Loeffler	Shumway
Coughlin	Lowery (CA)	Shuster
Craig	Lujan	Siljander
Crane, Daniel	Lungren	Skeen
Crane, Philip	Mack	Slattery
Daniel	MacKay	Smith (NE)
Dannemeyer	Marriott	Smith, Denny
Daub	Martin (IL)	Snyder
DeWine	Martin (NC)	Solomon
Dickinson	Martin (NY)	Spence
Dreier	McCain	Stangeland
Duncan	McCandless	Stump
Edwards (OK)	McCollum	Sundquist
Emerson	McDonald	Tallon
Erlenborn	McEwen	Taylor
Evans (IA)	McGrath	Thomas (CA)
Fiedler	McKinney	Vucanovich
Fields	Miller (OH)	Walker
Forsythe	Molinari	Weber
Franklin	Moore	Whitehurst
Frenzel	Moorhead	Whittaker
Gekas	Morrison (WA)	Winn
Gingrich	Mrazek	Wolf
Goodling	Myers	Wortley
Gradison	Nichols	Wylie
Gramm	Nielson	Young (AK)
Green	O'Brien	Young (FL)
Gregg	Oxley	Zschau
Gunderson	Packard	
Hall, Sam	Parris	

NOES—254

Ackerman	Gaydos	Ortiz
Addabbo	Gejdenson	Ottinger
Albosta	Gephardt	Panetta
Alexander	Gibbons	Patman
Anderson	Gilman	Patterson
Andrews (NC)	Gonzalez	Pease
Annunzio	Gore	Penny
Applegate	Gray	Pepper
Aspin	Guarini	Perkins
AuCoin	Hall (IN)	Price
Barnard	Hall (OH)	Rahall
Barnes	Hall, Ralph	Rangel
Bates	Hamilton	Ratchford
Bedell	Hance	Reid
Beilenson	Harkin	Richardson
Bennett	Harrison	Rinaldo
Berman	Hatcher	Ritter
Bevill	Hawkins	Rodino
Biaggi	Hertel	Roe
Boehlert	Hightower	Roemer
Boggs	Howard	Rose
Boland	Hoyer	Rostenkowski
Boner	Hubbard	Rowland
Bonior	Huckaby	Roybal
Bonker	Hughes	Russo
Borski	Hutto	Sabo
Bosco	Hyde	Savage
Boucher	Jacobs	Scheuer
Boxer	Jeffords	Schroeder
Breaux	Jenkins	Schumer
Britt	Jones (NC)	Seiberling
Brooks	Jones (OK)	Shannon
Brown (CA)	Jones (TN)	Sharp
Bryant	Kaptur	Shelby
Byron	Kastenmeier	Sikorski
Carper	Kazen	Simon
Carr	Kennelly	Sisisky
Chappell	Kildee	Skelton
Clarke	Kogovsek	Smith (FL)
Clay	Kolter	Smith (IA)
Coelho	Kostmayer	Smith (NJ)
Coleman (TX)	Kramer	Snowe
Collins	Lehman (CA)	Solarz
Conable	Lehman (FL)	St Germain
Conte	Leland	Staggers
Conyers	Levin	Stark
Coyne	Levine	Stenholm
Crockett	Levitas	Stokes
D'Amours	Lipinski	Stratton
Daschle	Lloyd	Studds
Davis	Long (LA)	Swift
de la Garza	Long (MD)	Synar
Dellums	Lowry (WA)	Tauke
Derrick	Luken	Tauzin
Dicks	Lundine	Thomas (GA)
Dingell	Madigan	Torres
Donnelly	Markey	Torricelli
Dorgan	Matsui	Towns
Dowdy	Mavroules	Traxler
Downey	Mazzoli	Udall
Durbin	McCloskey	Valentine
Dwyer	McCurdy	Vander Jagt
Dymally	McHugh	Vandergriff
Dyson	McKernan	Vento
Eckart	McNulty	Volkmer
Edwards (AL)	Mica	Walgren
Edwards (CA)	Mikulski	Watkins
English	Miller (CA)	Waxman
Erdreich	Mineta	Weaver
Evans (IL)	Minish	Weiss
Fascell	Mitchell	Wheat
Fazio	Moakley	Whitley
Feighan	Mollohan	Whitten
Ferraro	Montgomery	Williams (MT)
Fish	Moody	Williams (OH)
Flippo	Morrison (CT)	Wirth
Florio	Murphy	Wise
Foglietta	Murtha	Wolpe
Foley	Natcher	Wright
Ford (MI)	Neal	Wyden
Fowler	Nelson	Yates
Frank	Nowak	Yatron
Frost	Oakar	Young (MO)
Fuqua	Oberstar	Zablocki
Garcia	Obey	

NOT VOTING—24

Akaka	Hefner	McDade
Anthony	Heftel	Michel
Courter	LaFalce	Olin
Dixon	Lantos	Owens
Early	Leath	Pickle
Edgar	Lott	Smith, Robert
Ford (TN)	Marlenee	Spratt
Glickman	Martinez	Wilson

□ 1730

Mr. RITTER changed his vote from "aye" to "no."

Mr. FORSYTHE changed his vote from "no" to "aye."

So the amendment to the amendment offered as a substitute for the amendment in the nature of a substitute was rejected.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. BETHUNE TO THE AMENDMENT OFFERED BY MR. GONZALEZ AS A SUBSTITUTE FOR THE AMENDMENT IN THE NATURE OF A SUBSTITUTE OFFERED BY MR. WYLIE

Mr. BETHUNE. Mr. Chairman, I offer an amendment to the amendment offered as a substitute for the amendment in the nature of a substitute.

The Clerk read as follows:

Amendment offered by Mr. BETHUNE to the amendment offered by Mr. GONZALEZ as a substitute for the amendment in the nature of a substitute offered by Mr. WYLIE: Page 7, after line 7, insert the following new subsection:

"(d) Notwithstanding any other provision of this section, the Secretary may not institute or reinstitute the program of assistance established in this title in any district unless, following the occurence or reoccurrence of the delinquency rate condition described in subsection (a)(2), each Federal supervisory agency with respect to financial institutions subject to this jurisdiction, and the Secretary with respect to other approved mortgagees, determine that such program will not reduce the degree of forbearance, or result in any increase in the number or rate of foreclosures, by such financial institutions and mortgagees with respect to mortgages on residential property in such district.

Mr. BETHUNE. Mr. Chairman, we can always sense when people are ready to bring a matter to its conclusion and I sense that that time is near. Accordingly I will not belabor this point. But I have a nifty little amendment here which I think will do a lot of good for this particular bill.

□ 1740

Mr. Chairman, the debate so far has brought out that this bill is intended to reduce the number of foreclosures and to increase the degree of forbearance out there in the marketplace to help the people who are having problems.

That is not just coming out in the debate, that is a stated purpose of the bill. And I will just read the part of the bill which declares:

It is the purpose of this title to establish a program that will preserve and promote forbearance with respect to mortgages and through emergency mortgage relief payments prevent widespread mortgage foreclosures and distress sales of homes resulting from the temporary loss of employment and income.

So, it has been developed in the debate. It is stated as an express pur-

pose of this bill that that is our objective.

All this amendment does that I have is to say that the Secretary may not institute or reinstitute the program unless he finds that it will not reduce the degree of forbearance or increase the number or rates of foreclosures.

In other words, we are asking the people who will be administering the program to make the finding that we have stated to be our express purpose before they continue on or before they allow the trigger to trigger another new round in the program.

Now, I talked to some extent here a little earlier about the lending programs. And I was serious in my concern that we have a tendency here to throw money and to throw credit assistance at particular problems. One of the byproducts of that is that the programs become sloppy. We all know that. You can look at the student assistance program, for instance. In one college in my home State, we have a 50-percent default note in the student assistance program. That does not mean that we should get rid of the program, but it means we should try to do something to hold down those kinds of defaults and delinquencies.

So, you have to build in some oversight when you do things through Government as opposed to doing it in the marketplace. You have to build in some sort of pressure, some control point; otherwise, the program will inevitably become sloppy and you will begin to drift away from your express purpose.

So the amendment that I offer is not complicated at all. It just simply says what it says and that is that if the Secretary finds that we are not reaching our stated purpose that he shall not then implement or carry out the program.

I think it is plain. I think Members can vote it up or down. Frankly, I think we need that type of control in the bill.

Mr. ST GERMAIN. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I certainly appreciate the concern of the gentleman from Arkansas and I want to assure the Members of the House that indeed the committee had the same concern. This was considered very seriously in the subcommittee and in the full committee and for that reason we do include in the legislation the following:

> Such mortgagee has extended to the mortgagor involved the same or greater opportunities for voluntary forbearance as such mortgagee extended to similarly situated mortgagors within the 4-month period ending March 31, 1983.

Very frankly, that is a much clearer criterion than that presented in the amendment, because unfortunately the Bethune amendment would ask that the Secretary in essence be a Solomon and have a crystal ball and mindreading device, whereas in the Gonzalez substitute we say, the same forbearance criteria that has been exercised for the 4-month period prior to March 31, 1983.

So I agree with the gentleman's desire, but I feel the bill as written indeed addresses that which concerns him much more directly than the amendment presented.

Mr. VOLKMER. Mr. Chairman, will the gentleman yield?

Mr. ST GERMAIN. I yield to the gentleman from Missouri.

Mr. VOLKMER. I thank the gentleman for yielding.

And is it not the same Secretary who is addressed in the amendment of the gentleman from Arkansas, the Secretary who is in opposition to this bill?

Mr. ST GERMAIN. The gentleman makes a pretty good point.

Mr. BETHUNE. Mr. Chairman, will the gentleman yield?

Mr. ST GERMAIN. I yield to the gentleman from Arkansas.

Mr. BETHUNE. I thank the gentleman for yielding.

Of course, Secretaries come and go and some hope that this one will go and another will come.

Mr. ST GERMAIN. Is the gentleman among them?

Mr. BETHUNE. No.

The point being that this like so many bills we write here will have a life of its own and will go on into perpetuity.

It seems to me that what I am asking to be done here would be much larger in scope than what the gentleman pointed out that is already in the bill. That would work on a case-by-case basis surely, but it seems to me that we should ask the Secretary, since we really do not know how this program is going to work, to make the kind of findings that I am asking for and they are measurable events.

Mr. ST GERMAIN. Mr. Chairman, I am constrained to regain my time and say to the gentleman, I understand what the gentleman is trying to do. I, however, feel constrained to oppose the amendment because you are asking the Secretary to do something that with all the intelligence and the wherewithal of Secretary Pierce, he just would not be able to do it under these circumstances.

The bill protects us from that evil which the gentleman is concerned about. For that reason, I urge defeat of the amendment so we can proceed with the business before us and vote.

Mr. WYLIE. Mr. Chairman, I move to strike the requisite number of words, and I rise in support of the amendment.

Mr. Chairman, I yield to the gentleman from Arkansas (Mr. BETHUNE).

Mr. BETHUNE. I thank the gentleman for yielding.

Mr. Chairman, this is not a finding that would be made just by the Secretary of HUD, but by the other officials who would head the other agencies that might be involved, the Federal Home Loan Bank Board, FDIC, Federal Reserve and others.

These findings can be made. As a matter of fact, in the testimony before the committee, Chairman Pratt of the Federal Home Loan Bank testified that lenders are forbearing and he said that was supported by data showing that the ratio of actual foreclosures by FSLIC insured associations in 1981 and 1982 was significantly lower than the ratio of loans 60 days or more delinquent.

So these measurements can be made. They are good measurements that should be made, because if you do not make these kinds of measurements in a larger sense, you are going to leave it to the plenipotentiaries to dispense this on a case-by-case basis. And I assure my colleagues this program will result in the same kind of inefficiencies, waste, and fraud that this Congress has become famous for.

I would urge Members to seriously consider voting "aye" on this amendment. If you want to put some oversight into this bill and if you want to have some backup, some assurance, that at some point we can check our work, because this is a rather expensive proposition and it comes at a time when we are passing other bailout legislation, and I think we ought to stop and ask ourselves whether or not we are being careful and prudent with the taxpayers money.

Mr. WYLIE. Mr. Chairman, I think the gentleman has a good amendment and I support it.

The gentleman from Rhode Island (Mr. ST GERMAIN) suggested that we were asking the Secretary of HUD to have the wisdom of Solomon in making this determination, but may I respectfully suggest we have imbued him with the wisdom of Solomon already in ths bill. I have repeated it before, but there are about 65, by my count, determinations that the Secretary of HUD has to make before anybody can qualify. And I think this just kind of pins it down a little more. And I think the gentleman from Arkansas has a good amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Arkansas (Mr. BETHUNE) to the amendment offered by the gentleman from Texas (Mr. GONZALEZ) as a substitute for the amendment in the nature of a substitute offered by the gentleman from Ohio (Mr. WYLIE).

The question was taken, and on a division (demanded by Mr. BETHUNE) there were—ayes 29, noes 90.

RECORDED VOTE

Mr. BETHUNE. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 175, noes 234, not voting 23, as follows:

[Roll No. 105]

AYES—175

Archer	Hammerschmidt	Paul
Badham	Hance	Petri
Barnard	Hansen (ID)	Porter
Bartlett	Hansen (UT)	Pursell
Bateman	Hartnett	Quillen
Bereuter	Hightower	Ray
Bethune	Hiler	Regula
Bilirakis	Hillis	Ridge
Bliley	Holt	Rinaldo
Boehlert	Hopkins	Ritter
Breaux	Horton	Roberts
Broomfield	Hunter	Robinson
Brown (CO)	Hyde	Roemer
Broyhill	Ireland	Rogers
Burton	Jeffords	Roth
Campbell	Johnson	Roukema
Carney	Kasich	Rudd
Chandler	Kemp	Sawyer
Chappie	Kindness	Schaefer
Cheney	Kramer	Schneider
Clinger	Lagomarsino	Schulze
Coats	Latta	Sensenbrenner
Coleman (MO)	Leach	Shaw
Conable	Lent	Shelby
Cooper	Lewis (CA)	Shumway
Corcoran	Lewis (FL)	Shuster
Coughlin	Livingston	Siljander
Courter	Loeffler	Skeen
Craig	Lott	Slattery
Crane, Daniel	Lowery (CA)	Smith (NE)
Crane, Philip	Lujan	Smith, Denny
Daniel	Lungren	Snowe
Dannemeyer	Mack	Snyder
Daub	Madigan	Solomon
Davis	Marriott	Spence
DeWine	Martin (IL)	Stangeland
Dickinson	Martin (NC)	Stenholm
Dreier	Martin (NY)	Stump
Duncan	McCain	Sundquist
Edwards (OK)	McCandless	Tauke
Emerson	McCollum	Tauzin
Erlenborn	McDonald	Taylor
Evans (IA)	McEwen	Thomas (CA)
Fiedler	McGrath	Vander Jagt
Fields	McKernan	Vucanovich
Fish	McKinney	Walker
Forsythe	Miller (OH)	Weber
Franklin	Molinari	Whitehurst
Frenzel	Moore	Whittaker
Gekas	Moorhead	Williams (OH)
Gilman	Morrison (WA)	Winn
Gingrich	Myers	Wolf
Goodling	Nelson	Wortley
Gradison	Nielson	Wylie
Gramm	O'Brien	Young (AK)
Green	Oxley	Young (FL)
Gregg	Packard	Zschau
Gunderson	Parris	
Hall, Ralph	Pashayan	

NOES—234

Ackerman	Boner	Coyne
Addabbo	Bonior	Crockett
Akaka	Bonker	D'Amours
Albosta	Borski	Daschle
Alexander	Bosco	de la Garza
Anderson	Boucher	Dellums
Andrews (NC)	Boxer	Derrick
Andrews (TX)	Britt	Dicks
Annunzio	Brooks	Dingell
Applegate	Brown (CA)	Donnelly
Aspin	Bryant	Dorgan
AuCoin	Byron	Dowdy
Barnes	Carper	Downey
Bates	Carr	Durbin
Bedell	Chappell	Dwyer
Beilenson	Clarke	Dymally
Bennett	Clay	Dyson
Berman	Coelho	Eckart
Bevill	Coleman (TX)	Edwards (AL)
Biaggi	Collins	Edwards (CA)
Boggs	Conte	English
Boland	Conyers	Erdreich
Evans (IL)	Levitas	Rostenkowski
Fascell	Lipinski	Rowland
Fazio	Lloyd	Roybal
Feighan	Long (LA)	Russo
Ferraro	Long (MD)	Sabo
Flippo	Lowry (WA)	Savage
Florio	Luken	Scheuer
Foglietta	Lundine	Schroeder
Foley	MacKay	Schumer
Ford (MI)	Markey	Seiberling
Fowler	Matsui	Shannon
Frank	Mavroules	Sharp
Frost	Mazzoli	Sikorski
Fuqua	McCloskey	Simon
Garcia	McCurdy	Sisisky
Gaydos	McHugh	Skelton
Gejdenson	Mica	Smith (FL)
Gephardt	Mikulski	Smith (IA)
Gibbons	Miller (CA)	Smith (NJ)
Gonzalez	Mineta	Solarz
Gore	Minish	St Germain
Gray	Mitchell	Staggers
Guarini	Moakley	Stark
Hall (IN)	Mollohan	Stokes
Hall (OH)	Montgomery	Stratton
Hall, Sam	Moody	Studds
Hamilton	Morrison (CT)	Swift
Harkin	Mrazek	Synar
Harrison	Murphy	Tallon
Hatcher	Murtha	Thomas (GA)
Hawkins	Natcher	Torres
Hertel	Neal	Torricelli
Howard	Nichols	Towns
Hoyer	Nowak	Traxler
Hubbard	Oakar	Udall
Huckaby	Oberstar	Valentine
Hughes	Obey	Vandergriff
Hutto	Ortiz	Vento
Jacobs	Ottinger	Volkmer
Jenkins	Panetta	Walgren
Jones (NC)	Patman	Watkins
Jones (OK)	Patterson	Waxman
Jones (TN)	Pease	Weaver
Kaptur	Penny	Weiss
Kastenmeier	Pepper	Wheat
Kazen	Perkins	Whitley
Kennelly	Pickle	Whitten
Kildee	Price	Wirth
Kogovsek	Rahall	Wise
Kolter	Rangel	Wolpe
Kostmayer	Ratchford	Wright
Lehman (CA)	Reid	Wyden
Lehman (FL)	Richardson	Yates
Leland	Rodino	Yatron
Levin	Roe	Young (MO)
Levine	Rose	Zablocki

NOT VOTING—23

Anthony	LaFalce	Olin
Dixon	Lantos	Owens
Early	Leath	Pritchard
Edgar	Marlenee	Smith, Robert
Ford (TN)	Martinez	Spratt
Glickman	McDade	Williams (MT)
Hefner	McNulty	Wilson
Heftel	Michel	

□ 1800

The Clerk announced the following pairs:

On this vote:

Mr. Marlenee for, with Mr. Hefner against.

Mr. Michel for, with Mr. Dixon against.

Mr. Robert F. Smith for, with Mr. Ford of Tennessee against.

Mr. SMITH of Florida changed his vote from "aye" to "no."

Mr. RALPH M. HALL changed his vote from "no" to "aye."

So the amendment to the amendment offered as a substitute for the amendment in the nature of a substitute was rejected.

The result of the vote was announced as above recorded.

● Mr. FORD of Tennessee. Mr. Chairman, I join my colleagues today in support of H.R. 1983, the Emergency Housing Assistance Act. This measure fulfills a great need within our country today—the need to protect those Americans who are in danger of losing their homes because of the current economic recession.

Skyrocketing inflation and increasing interest rates have prevented many families from purchasing homes in recent years. Those who did manage, those who did overcome the economic barriers to purchasing a home, now face the possibility of losing all for which they have worked. Trying to meet mortgage payments in this time of economic recession has become an impossibility for many homeowners who have lost their jobs.

Unemployment has made keeping these homes a luxury for many. Owning a home should not be a luxury in our great country, but the recession and high unemployment rate have made it so for many people. In my own district of Memphis, the number of home foreclosures has increased steadily over the past 3 years, from 961 in 1980 to 1,550 in 1982.

The economic framework which allowed great numbers of Americans to own a home was a sign of strength and stability, not only for the homeowner personally, but for our country as a whole. We must maintain that stability. We cannot let this period of economic recession take away what has taken so long to construct. If the American dream of owning a home is to remain truly attainable, additional assistance must be provided during these difficult times.

H.R. 1983 seeks to aid those who are in danger of losing their homes because of a substantial loss of income, due either to unemployment or reduced employment. The 76,000 homeowners facing foreclosure could be helped. The bill would also provide greatly needed assistance for shelters and services for the homeless.

There is no question that something must be done. I believe this measure is the answer. It assists those who are in greatest need due to the recession. There are enough safeguards within H.R. 1983 to protect against abuse by both the applicant and the lending institutions. Before assistance is given, it must be determined that homeowners will be able to resume mortgage payments within 3 years and that they can be expected to repay the mortgage in full.

I urge my colleagues to support this measure. Economic recovery will otherwise be a hollow victory for the many who are on the verge of losing their homes and for those many more who will be threatened in the near future.●

● Mr. WEISS. Mr. Chairman, I support H.R. 1983, the Emergency Housing Assistance Act of 1983. This initiative provides badly needed assistance

to homeowners facing foreclosure, however I am especially supportive of the bill because it provides $100 million for shelter for the many thousands of Americans who are homeless.

We, as a nation, are facing a crisis. The most conservative estimates of the number of homeless in our country range from 225,000 to 1 million people, although those working directly with the homeless put the figure at closer to 2 million. This is a national disgrace. The ranks of the homeless have not been so swelled since the depression.

Who are these people? In years past they were the invisible among us; hidden from our view in the skid rows of our cities, and yet invisible too because we could not conceive of an existence so deviant from our own. They were there, but we could not see them. Today, no such great schism exists between "them" and "us." Today's homeless are a disenfranchised cross section of society torn apart from the mainstream by forces over which they have little control.

Current economic conditions, particularly a staggering level of unemployment which today stands at an intolerable 10.3 percent, have caused thousands of Americans not unlike ourselves to seek shelter in cars, under bridges and in public parks. These involuntary nomads are the pitiable victims of the Reagan administration's callous, shortsighted and unfair economic policies.

Furthermore, those who are employed at low-income jobs, or are able to pay for housing from entitlement benefits, face a critical shortage in low-cost housing and publicly subsidized housing. Experts estimate that renovation of low-income housing into condominiums and townhouses for the middle and upper classes displaces 2½ million Americans per year. Too many of these people cannot find alternative, affordable housing.

As well as those displaced by economic conditions, there are many deinstitutionalized former psychiatric patients among the homeless. While the rolls of the Nation's mental hospitals have decreased by over 500,000 in the last 25 years, there has been no commensurate rise in housing and community support services for these individuals.

In combination, the current causes of homelessness create a population of homeless which is more often under 40, includes more women, more children, and more minority persons than ever before.

The magnitude of the problem of homelessness in America demands a response on the part of the Federal Government. That response is forthcoming, at least in part, in the emergency shelter assistance provisions of the Emergency Housing Assistance Act. H.R. 1983 provides $100 million in fiscal year 1984 to assist cities, nonprofit agencies, and in some instances State governments, to meet the emergency housing needs of the homeless. The funds would be used primarily to rehabilitate existing buildings to provide decent and sanitary shelter for the homeless, to maintain existing shelters, and to defray the cost of utilities.

H.R. 1983 deserves support because it targets assistance for the homeless to those communities where the greatest need exists. Yet provisions are included which stipulate that funds allocated under the act cannot be used to supplant existing, ongoing emergency shelter assistance. Consequently, those communities already attempting to meet the needs of the homeless are not penalized for their effort. Also, special attention must be paid in the allocation of grants to the numbers of homeless children and families in a community, a clear and needed recognition of the changing nature of the homeless population.

Ultimately, we must think in terms of reenfranchising the homeless—of weaving them back into the fabric of our society. We must think of ways to preserve and expand the existing stock of low-cost housing; we must bolster our support at the community level of the chronically mentally ill; and we must develop job training programs which provide the skills necessary to function effectively in an increasingly technologically oriented society. However, the desperate men. women, and children in our Nation whose lives are threatened daily by their lack of shelter cannot wait for long term solutions. We must act now on their behalf. I urge my colleagues to join with me in supporting H.R. 1983, a modest targeted, yet urgently needed initiative which may help spare the lives of thousands of homeless individuals.

Mr. Chairman, I also want to express my strong support of the amendment offered by my distinguished colleague from New York (Mr. SCHUMER), which has been incorporated into the bill and compliment him for his initiative.

In this time of recession and economic hardship, thousands of unemployed Americans are unable to make payments on their homes through no fault of their own. It is entirely appropriate, therefore, for the Congress to offer them assistance for a limited period until they get back on their feet. I congratulate my colleague from Texas, Mr. GONZALEZ, and the members of his subcommittee for bringing this legislation before the House for consideration.

However, this important bill originally offered help only to homeowners suffering hardship from the recession. Nearly one-third of the people of our country rent their homes, and they disproportionately represent the lower income portion of our population least prepared financially to cope with the problems of unemployment. This is certainly true of many of my constituents living both in Manhattan and the Bronx in New York City. Many of these people are having difficulty meeting their monthly rental payments because of income lost through unemployment or reduced employment and are in danger of being evicted from their apartments. It is no less traumatic for a family to be thrown out on the street for failing to pay rent than for a family to lose its house for failing to make mortgage payments. The consequences seem equally disastrous to me, and both renters and homeowners seem equally deserving of help from the Congress.

Mr. SCHUMER's amendment authorizes $100 million for short-term assistance for renters who cannot meet rental payments because of unemployment or reduced employment. Assistance would be triggered or shut off in the same way as homeownership assistance under the bill. Rental aid would be administered by cities that apply for HUD grants and could be provided for a maximum of 18 months. Tenants would have to contribute 38 percent of their net income toward rent, assistance would be available only to individuals whose preemployment income was at or below the median level, and rent could not exceed the area median.

Mr. Chairman, this is a workable approach to a difficult and pressing problem. Congress should not discriminate in offering help to deserving citizens based on whether they rent or own their homes. I strongly urge the House to adopt this amendment as part of H.R. 1983.●

● Mr. FRENZEL. Mr. Chairman, once again, it is presented without sufficient study or information. Once again we are being asked to vote on a new and costly spending program. Regretably, but inevitably, I must oppose it.

Our passion for showering the taxpayers' money on every problem we can unearth seems to be growing. The emergency mortgage foreclosure bill is yet another example of a bad habit that is now an addiction.

This bill is clearly a resurrection of the political games of the 1930's and the mid-1960's. Last time Congress created a temporary mortgage assistance bill was in 1933. This "temporary" program lasted 18 years and employed over 20,000 people. The Government ended up foreclosing on over 200,000 homes. If it did not work then, why should we expect it to work now?

The intent of H.R. 1983 is to avoid widespread foreclosures by providing temporary assistance to individuals who are having difficulty making monthly payments. Yet, once the Federal Government shows it is willing to

take over delinquent mortgages, lenders will be tempted to pursue foreclosures in order to unload some of their problem loans.

As a result, this legislation is likely to reduce the incentive for lenders to exercise forbearance on delinquent home mortgages. Whenever the Government pays a bounty for an action, it gets plenty of it. This bill provides great incentive for both borrowers and lenders to have plenty of foreclosures. There will be lots of them.

In its current form, the eligibility requirements in H.R. 1983 are vague. Although less than half of those eligible will actually receive assistance, no assets test has been formulated. There is no way to guarantee that lower and moderate homeowners will be given priority. Obviously, the committee did not care enough about the problem to pass a bill that might work. If all it wanted was a symbol of sensitivity about a problem, the committee picked the best unworkable symbol in sight.

Administrating this program will be, at best, chaotic and slow. HUD, by its own admission, does not have the expertise or the experience to take on the role of mortgage bankers, therefore implementing the program will require a horde of new employees. The great bureaucratic sprawl will continue.

Despite its number, H.R. 1983 could not be more untimely. Even the most pessimistic forecasters must admit that the economy is showing signs of recovery. Nothing will jeopardize prospects for a recovery more than a resurgence of wasteful, ineffective symbols.

I see no redeeming value in this bill. We do not need it; we can not afford it; it will probably end up hurting those it was intended to help.●

● Mr. BONIOR of Michigan. Mr. Chairman, I wish to add my voice to those in support of H.R. 1983, the Emergency Housing Assistance Act of 1983. During these times of high unemployment and loss of income, relief must be forthcoming to those families facing mortgage foreclosure.

In Michigan, the foreclosure rate has been climbing over the last 4 years. In 1982, the Michigan foreclosure rate was up almost 300 percent over its level in the second half of 1979. It now exceeds the national average. In fact, the foreclosure rate for the HUD Michigan/Indiana district was the highest in the Nation, and Michigan's foreclosure rate was higher still.

The appeal to pass H.R. 1983 lies not only in circumventing escalating foreclosures, but in the savings that would accrue to the Federal Government through its passage. Many homes facing foreclosure are financed through Federal loan mortgage loan guarantees. In saving homes with a Federal mortgage guarantee, the Federal Government is also saved from meeting its guarantee obligations.

Here is legislation that is undeniably in line with the administration's efforts to balance the budget and reduce the Federal deficit. Yet, here, also is a bill that extends new hope to families whose world is blighted by interminable economic hardships.

I urge that we work toward the expedient passage of H.R. 1983.●

● Mr. WON PAT. Mr. Chairman, I rise to congratulate Congressman ST GERMAIN and his colleagues on the Banking Committee for the excellent work they did in drafting H.R. 1983, the Emergency Housing Assistance Act. This is a fine bill and I am pleased to support it in every way I can.

There is no doubt that this bill is needed now to help the tens of thousands of Americans who are in dire danger of losing their homes. The Nation's economy has been in for some tough times recently and the impact of the unemployed workers has been nothing less than tragic.

This Congress must act now to help these people and I urge my colleagues here today to vote for H.R. 1983. I know my own constituents in Guam and Americans residing in other territories place high hopes on the success of this bill. In Guam our unemployment rate is now 14 percent and it is rising. We place a very high cultural value on our land and our own homes and the thought of losing either of these is terrible indeed for our people.

Perhaps the real tragedy is that those who are faced with bankruptcy are not deadbeats. These are men and women who have gladly worked in the past and want to do so again. Their prayers for assistance can be met by this bill—at least in part. And I hope that we will not let them down by defeating H.R. 1983 in the House.

H.R. 1983 is a piece of legislation which has come at the right time in our history. Years from now, I believe that Americans will remember the time when this Congress came to the rescue and said with a loud voice that we will not forget those who are in dire need of help from the Federal Government.●

● Mr. FORD of Michigan. Mr. Chairman, I rise in strong support of H.R. 1983, the Emergency Housing Assistance Act of 1983. I want to commend my colleagues, Subcommittee Chairman HENRY GONZALEZ and Chairman FERNAND ST GERMAIN, for promptly moving this crucial legislation through committee to the floor of the House.

H.R. 1983 would establish a $760 million homeowners emergency relief fund in the Department of Housing and Urban Development. This loan fund would assist up to 100,000 American homeowners who have suffered a substantial loss of income because of unemployment, and are either 90 days behind in their payments or are facing foreclosure proceedings by a lending institution. H.R. 1983 provides important safeguards to insure that the financial interests of the Federal Government are protected. The Secretary of HUD can examine the prior work record of an applicant to determine that the applicant can reasonably be expected to resume payments within 3 years. In addition, a lien on the applicant's home will be held by HUD to protect the Government's investment.

This legislation also contains a crucial protection for unemployed homeowners, particularly the unemployed workers in the automotive and related industries within the 15th District of Michigan. This "rebuttable presumption" contained in H.R. 1983 insures that if an applicant meets the criteria set forth in the legislation and agrees to the provisions, he or she will then be eligible for assistance. This will prevent the Secretary of HUD from determining that such an applicant is a "bad risk" because the applicant lives in an area of severe economic decline which may not provide additional jobs in the foreseeable future. Without this protection, the Secretary of HUD could determine that the auto or steel industry will continue its depression for some months and make unemployed workers from such industries ineligible for this assistance.

The Emergency Housing Assistance Act of 1983 is of particular importance to Michigan for other reasons as well. Unemployment in my State continues to exceed 15 percent of the work force. During the last quarter of 1982, over 3,900 Michigan families were involved in foreclosure proceedings. An additional 30,000 families were unable to meet their scheduled mortgage payments during the same period.

H.R. 1983 also authorizes $100 million to assist cities, nonprofit organizations and States to meet the emergency housing needs of the homeless. The severe recession in Michigan and other States has resulted in a substantial increase in the number of people who have no place to call home. As the demand for such shelters has increased, local funds have been exhausted.

The need for Federal assistance is urgent. The private sector is unable to meet the demands for assistance for either the homeless or unemployed homeowners. The 1982 annual report of the Society of St. Vincent de Paul, a major Detroit-area charity, exemplifies the demands which the current recession has placed on nonprofit groups. The need to provide food and shelter for the homeless has utilized an increasing portion of their contributions. In 1982, the society was unable to assist several hundred people who requested assistance to help maintain their homes because the amount owed was beyond what

this charity could handle as a private organization. This group is generally able to provide only 1 month's mortgage payment.

The Emergency Housing Assistance Act of 1983 is an integral mechanism to reduce the hardships placed on the unemployed by the current recession. I urge that the House pass H.R. 1983.●

● Mr. FRENZEL. Mr. Chairman I support the substitute offered by Congressman WYLIE which is now offered by the gentleman from Louisiana (Mr. ROEMER). The Wylie substitute does indeed make a noble effort in encouraging forbearance on delinquent mortgages, and I commend the gentleman for his proposal.

Financial lenders do not want to foreclose on bad mortgages, they do not want to go into the real estate business, and most importantly, they do not want to force families out of their homes.

Instead, it is the natural tendency for lenders to exercise forbearance, and less than half of those mortgages that undergo forclosure procedures are actually foreclosed. The Wylie substitute will facilitate forbearance by relieving financial institutions of some of the regulatory pressures that can lead to foreclosure.

Another advantage of the Wylie substitute is that it will encourage borrowers and lenders to work out a realistic repayment plan, without the unnecessary burden of Government intervention. The bill in its current form will throw the few who actually do receive Government assistance even further into debt, and eventually these families will be forced to pay off the backlog.

Finally, I support the substitute because it provides the fairest approach available today for all mortgagors having difficulty making their monthly payments. It does this without creating another bureaucratic pigeon hole, without encouraging lenders to foreclose, and best of all, without costing the taxpayer a single dollar.●

Mr. WYLIE. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I take this time to explain what we intend to do here as we approach final passage. The vote now occurs on the Gonzalez substitute to the Wylie substitute, and we do not intend to ask for a rollcall vote on the substitute. Then there will be a motion to recommit which I will offer, and I say, Mr. Chairman, that we do not intend to have a vote on that. We will have a vote on final passage.

But I would like to suggest a no vote on final passage coming from this side of the aisle. The amendments that were accepted or are likely to be accepted are primarily cosmetic and really do not go to the basic structure of the program, as I see it.

□ 1810

Only the assets test which adds some complexity to the bill really makes a difference to the original bill. I think it is still very complicated and I would like to read just one section to point out how very complicated this piece of legislation is. It is actually subsection (a) of section 106, which says:

"SEC. 106. (a) During any period in which the program established in this title is in effect in any district, each financial institution or other mortgagee shall, not less than 30 days prior to instituting any foreclosure proceeding with respect to any property described in paragraphs (1), (3), and (6) of section 105(a), assist the mortgagor involved in the preparation and submission to the Secretary of an application for assistance under this title.

Now, does that apply to the mortgagor in the district where the mortgage was taken?

In the case of a lot of big California S&L's, they sell their mortgages to the New York savings banks. Are the New York savings banks obligated to send out an application form to the person to whom the money was loaned in California? Just what does that mean?

I suggest, does that language apply in the district of a mortgage or does it apply in the district of the mortgagee or does it apply in both? If it is not triggered, this program on a national basis, is it triggered in a district?

That raises another serious question. What effect does it have on the secondary market as far as mortgages are concerned?

There are a lot of complicated questions like that that remain unanswered, I respectfully submit, Mr. Chairman.

For these reasons, I think we should vote no on final passage.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Texas (Mr. GONZALEZ) as a substitute for the amendment in the nature of a substitute offered by the gentleman from Ohio (Mr. WYLIE).

The amendment offered as a substitute for the amendment in the nature of a substitute was agreed to.

The CHAIRMAN. The question is on the amendment in the nature of a substitute offered by the gentleman from Ohio (Mr. WYLIE) as amended.

The amendment in the nature of a substitute, as amended, was agreed to.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. AUCOIN, Chairman of the Committee of the Whole House on the State of the Union, reported that that committee, having had under consideration the bill (H.R. 1983) to amend certain housing and community development laws to provide emergency mortgage assistance to homeowners and emergency shelter for the homeless, pursuant to House Resolution 142, he reported the bill back to the House with an amendment adopted by the Committee of the Whole.

The SPEAKER. Under the rule, the previous question is ordered.

The question is on the amendment.

The amendment was agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

MOTION TO RECOMMIT OFFERED BY MR. WYLIE

Mr. WYLIE. Mr. Speaker, I offer a motion to recommit.

The SPEAKER. Is the gentleman opposed to the bill?

Mr. WYLIE. I am, Mr. Speaker.

The SPEAKER. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. WYLIE moves to recommit the bill, H.R. 1983, to the Committee on Banking, Finance and Urban Affairs.

The SPEAKER. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER. The question is on the motion to recommit.

The motion to recommit was rejected.

The SPEAKER. The question is on the passage of the bill.

The question was taken; and the Speaker announced that the ayes appeared to have it.

Mr. WYLIE. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The vote was taken by electronic device, and there were—yeas 216, nays 196, not voting 20, as follows:

[Roll No. 106]

YEAS—216

Ackerman	Carr	Ford (MI)
Addabbo	Clay	Fowler
Akaka	Coelho	Frank
Albosta	Coleman (TX)	Frost
Alexander	Collins	Fuqua
Anderson	Conyers	Garcia
Andrews (TX)	Coyne	Gaydos
Annunzio	Crockett	Gejdenson
Applegate	D'Amours	Gephardt
Aspin	Daschle	Gonzalez
AuCoin	Davis	Gore
Barnes	de la Garza	Gray
Bates	Dellums	Guarini
Bedell	Dicks	Hall (IN)
Beilenson	Dingell	Hall (OH)
Bennett	Donnelly	Hall, Ralph
Berman	Dowdy	Hall, Sam
Bevill	Downey	Hance
Biaggi	Durbin	Harkin
Boggs	Dymally	Harrison
Boland	Dyson	Hatcher
Boner	Eckart	Hawkins
Bonior	Edwards (CA)	Hertel
Bonker	Erdreich	Hightower
Borski	Evans (IL)	Howard
Bosco	Fascell	Hoyer
Boucher	Fazio	Hubbard
Boxer	Feighan	Hughes
Britt	Ferraro	Jacobs
Brooks	Flippo	Jones (NC)
Brown (CA)	Florio	Jones (TN)
Bryant	Foglietta	Kaptur
Carper	Foley	Kastenmeier

Kazen	Oberstar	Smith (FL)
Kennelly	Obey	Smith (IA)
Kildee	Ortiz	Smith (NJ)
Kogovsek	Ottinger	Solarz
Kolter	Panetta	St Germain
Kostmayer	Patman	Staggers
Lehman (CA)	Patterson	Stark
Lehman (FL)	Pease	Stokes
Leland	Penny	Stratton
Levin	Pepper	Studds
Levine	Perkins	Swift
Lipinski	Price	Synar
Long (LA)	Rahall	Thomas (GA)
Long (MD)	Rangel	Torres
Lowry (WA)	Ratchford	Torricelli
Luken	Reid	Towns
Lundine	Richardson	Traxler
Markey	Ridge	Udall
Matsui	Rinaldo	Vento
Mavroules	Rodino	Volkmer
Mazzoli	Roe	Walgren
McCloskey	Rose	Watkins
McHugh	Rostenkowski	Waxman
Mica	Rowland	Weaver
Mikulski	Roybal	Weiss
Miller (CA)	Russo	Wheat
Mineta	Sabo	Whitley
Minish	Savage	Whitten
Mitchell	Scheuer	Williams (MT)
Moakley	Schneider	Williams (OH)
Mollohan	Schumer	Wirth
Moody	Seiberling	Wise
Morrison (CT)	Shannon	Wolpe
Murphy	Sharp	Wright
Murtha	Shelby	Wyden
Natcher	Sikorski	Yates
Neal	Simon	Yatron
Nowak	Sisisky	Young (MO)
Oakar	Skelton	Zablocki

NAYS—196

Andrews (NC)	Franklin	Martin (IL)
Anthony	Frenzel	Martin (NC)
Archer	Gekas	Martin (NY)
Badham	Gibbons	McCain
Barnard	Gilman	McCandless
Bartlett	Gingrich	McCollum
Bateman	Glickman	McCurdy
Bereuter	Goodling	McDonald
Bethune	Gradison	McEwen
Biliraki s	Gramm	McGrath
Bliley	Green	McKernan
Boehlert	Gregg	McKinney
Breaux	Gunderson	McNulty
Broomfield	Hamilton	Miller (OH)
Brown (CO)	Hammerschmidt	Molinari
Broyhill	Hansen (ID)	Montgomery
Burton	Hansen (UT)	Moore
Byron	Hartnett	Moorhead
Campbell	Hiler	Morrison (WA)
Carney	Hillis	Mrazek
Chandler	Holt	Myers
Chappell	Hopkins	Nelson
Chappie	Horton	Nichols
Cheney	Huckaby	Nielson
Clarke	Hunter	O'Brien
Clinger	Hutto	Olin
Coats	Hyde	Oxley
Coleman (MO)	Ireland	Packard
Conable	Jeffords	Parris
Conte	Jenkins	Pashayan
Cooper	Johnson	Paul
Corcoran	Jones (OK)	Petri
Coughlin	Kasich	Pickle
Courter	Kemp	Porter
Craig	Kindness	Pritchard
Crane, Daniel	Kramer	Pursell
Crane, Philip	Lagomarsino	Quillen
Daniel	Latta	Ray
Daub	Leach	Regula
Derrick	Lent	Ritter
DeWine	Levitas	Roberts
Dorgan	Lewis (CA)	Robinson
Dreier	Lewis (FL)	Roemer
Duncan	Livingston	Rogers
Edwards (AL)	Lloyd	Roth
Edwards (OK)	Loeffler	Roukema
Emerson	Lott	Rudd
English	Lowery (CA)	Sawyer
Erlenborn	Lujan	Schaefer
Evans (IA)	Lungren	Schroeder
Fiedler	Mack	Schulze
Fields	MacKay	Sensenbrenner
Fish	Madigan	Shaw
Forsythe	Marriott	Shumway
Shuster	Stump	Weber
Siljander	Sundquist	Whitehurst
Skeen	Tallon	Whittaker
Slattery	Tauke	Winn
Smith (NE)	Tauzin	Wolf
Smith, Denny	Taylor	Wortley
Snowe	Thomas (CA)	Wylie
Snyder	Valentine	Young (AK)
Solomon	Vander Jagt	Young (FL)
Spence	Vandergriff	Zschau
Stangeland	Vucanovich	
Stenholm	Walker	

NOT VOTING—20

Dannemeyer	Hefner	McDade
Dickinson	Heftel	Michel
Dixon	LaFalce	Owens
Dwyer	Lantos	Smith, Robert
Early	Leath	Spratt
Edgar	Marlenee	Wilson
Ford (TN)	Martinez	

□ 1830

The Clerk announced the following pairs:

On this vote:

Mr. Dwyer for, with Mr. Dannemeyer against.

Mr. Dixon for, with Mr. Michel against.

Mr. Hefner for, with Mr. Marlenee against.

Mr. Ford of Tennessee for, with Mr. Robert F. Smith against.

Mr. Lantos for, with Mr. Dickinson against.

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. ST GERMAIN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on the bill just passed.

The SPEAKER. Is there objection to the request of the gentleman from Rhode Island?

There was no objection.

FURTHER MESSAGE FROM THE SENATE

A further message from the Senate, by Mr. Sparrow, one of its clerks, announced that the Senate had passed a bill of the following title, in which the concurrence of the House is requested:

S. 216. An act to amend title 18, United States Code, to combat, deter, and punish individuals who tamper with household products with intent to cause personal injury, death, or other harm, and for other purposes.

PERSONAL EXPLANATION

Mr. DWYER of New Jersey. Mr. Speaker, I voted in the affirmative on the last bill, H.R. 1983. I did put in my card and register an affirmative vote, but apparently it did not register on the machine. I just looked at the printout on the computer and I find I was listed as not voting.

TESTIMONY OF U.S. REPRESENTATIVE J. J. "JAKE" PICKLE BEFORE THE SUBCOMMITTEE ON ACCOUNTS, COMMITTEE ON HOUSE ADMINISTRATION, U.S. HOUSE OF REPRESENTATIVES, APRIL 15, 1983

(Mr. ANNUNZIO asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. ANNUNZIO. Mr. Speaker, Members of this Chamber were recently advised of House Administration Committee Order No. 35, chief purpose of which is helping Members to update their offices with newly approved technologies that will improve their performance and productivity.

At hearings before the Accounts Subcommittee, one of our pioneering colleagues submitted a statement testifying to his trials and successful adaptation of this technology in his Washington and district offices.

We are grateful to the gentleman from Texas (Mr. PICKLE) for his contribution to our hearings. Because many of us can benefit from his experience, I insert his statement in the RECORD at this point:

TESTIMONY OF U.S. REPRESENTATIVE J. J. "JAKE" PICKLE BEFORE THE SUBCOMMITTEE ON ACCOUNTS, COMMITTEE ON HOUSE ADMINISTRATION, U.S. HOUSE OF REPRESENTATIVES, APRIL 15, 1983

Mr. Chairman and members of the committee: I appreciate the invitation to tell you of my experiences in automating my office and the reasons behind my decision to do so.

I began considering ways to automate our office operations in 1972. At that time, there were very few vendors capable of meeting the needs of a Congressional office, and none that could offer an in-house system for information retrieval that would meet the needs of our constituents.

No significant progress toward developing integrated hardware systems suitable for the House of Representatives occurred until this Committee established House Information Systems. At the same time the Library of Congress was developing the Scorpio information system to assist Members in providing necessary information to their constituency. For those of you with historical interest, much of this background is covered in the article "Computers for Congress" published in the March 1983 CRS Review. It was the establishment of House Information Systems which brought the House of Representatives into the information age.

Since the early 1970's the legislative branch under the direction of House Administration has worked toward bringing information technology to our offices in many different ways.

What I have been looking for, these past 11 years, is a system that would provide access to the various available data bases, adequate file storage, and word processing capability . . . in a manner allowing multiple users and simultaneous performance of tasks. This has been a long search.

In 1979 we pioneered the use of the IBM Office System Six word processing and filing system. We found, however, that the

correspondence demands placed on the office by the constituents of the 10th Congressional District of Texas were more than that equipment could properly handle. It was at this point that we began what became a three-year research project that culminated in our recent decision to select the Digital Equipment Corporation's PDP 11/24 computer, and the Correspondence Management System (CMS) software written by House Information Systems. The DEC resource personnel, the professionals from HIS, and Robert Chartrand and John Rosenthal with the Library of Congress have been most helpful in assisting my staff in developing a fully integrated Congressional Office Information Network (COIN). Their professional expertise has been essential and most appreciated throughout this venture.

At this point, I would like to discuss briefly some of our thinking prior to entering into this project. Before making this investment in both time and money we weighed a number of factors. These covered some variables which were under our control and others which were not.

The first external factor was that of constituent correspondence. From an analysis of the mail flow records of my office it became clear that we have experienced in recent years a steady increase in written correspondence from citizens of the 10th District. While this increase covers all categories of correspondence, it is particularly evident in the area of mass mailings. More traditional record keeping and letter writing systems were steadily bogging down under the strain of sheer numbers in this area. Therefore, it was necessary to find some means of ordering an otherwise chaotic stream of mail.

Secondly, with the continued increase in rapid dissemination by the news media of information about Congress, and with the inauguration of C-Span, greater pressure has been brought upon my staff to be immediately familiar with the latest developments in all aspects of the federal government. House Information Systems and the Library of Congress have become outstanding resources in meeting this need for rapid, current and accurate information. However, before it would be possible to provide constituents with the full benefits of these services an investment in new office equipment would be necessary.

In short, there has been constant pressure in recent years for more rapid dissemination of more technical information on a constantly increasing scale.

Faced with these external pressures which demanded attention, we looked for means available to my office to meet this need. Here, the most severely limiting factor to increased staff productivity was, and continues to be, space. Since this is a problem faced by all Members, and since there is no additional office space available to the Congress, we did not feel that this problem was one that could be eased in the near future. Furthermore, we recognized that in addition to not having room for them, additional staff would not necessarily improve the quality of information provided by our office. While it would prove a welcome relief to those heavily burdened with some clerical functions it would at the same time increase the cost and burden of personnel management. So for these reasons, new staff would not really provide the answer to our problem.

Our best alternative, we thought, was to increase the efficiency of the present staff. The earlier investment in the IBM System Six had proven a partial success in this respect. While the IBM equipment has and continues to perform up to all expectations (indeed its printer capabilities are unmatched), it is not capable of being expanded to meet our continually growing volume of mail. However, its use had begun the process of office automation. It had also illustrated some of the limitations and problems which would be encountered in this endeavor. Based on our experience with it we developed a list of capabilities which any new equipment would have to meet. After an extensive search of available computer hardware and software we determined that the CMS software being developed by HIS would best meet our needs, and that the Digital hardware in this system would be most likely to remain current in this area of rapidly changing technology.

This system permits all staff members to be given access to the Member Information Network and the Library of Congress SCORPIO databases. Now, it is reasonable for each staff member to become involved in researching and gathering information with which to respond to constituent inquiries. At the same time all staff have a word processing terminal at their desks, which greatly simplifies answering correspondence, as well as the CMS file system for easy retrieval of constituent correspondence history. This increases dramatically the flexibility of our staff. Instead of being tied to the typewriter, each staff now has the capacity to function in a much broader way. While each person has areas of primary responsibility and expertise, in times of need all members of my staff can devote attention to any specific area. This has allowed for a more useful pattern of cross-training and personnel development, and will in the long run aid in staff retention and recruitment with obvious benefits to the constituents of the 10th District. In short, the DEC system has enabled us to spend less time on routine clerical tasks and more time on our primary function which is legislation.

Clearly, this system is evolving, and as the first member office to contract for this equipment I have entered into this enterprise recognizing that my office is to a certain extent charting unknown territory. We are currently in the process of "debugging" the system and trying to interface with the pre-existing IBM System Six printer. In addition, the staff is still learning how to take full advantage of this new equipment and how to integrate it into the way business is conducted within the office.

Once the equipment is successfully in operation here, I hope to be able to acquire the equipment necessary to allow my Austin office to be linked to the same information network. This will allow my District staff to better serve constituents that visit them and need legislative information. In addition, it will, in the long run, allow me to more efficiently distribute my staff and thereby possibly alleviate some of the overcrowding I have previously mentioned.

While the acquisition of this system has proven beneficial to staff productivity, it has not been without cost, costs over and above those associated with staff retraining and office restructuring. This project has required a substantial financial commitment. In the first year it has required an investment of approximately $36,000 for the Washington office alone. In anticipation of this expense it was necessary to cut other office expenses substantially, and to implement stringent cost controls over such things as: use of supplies, joining of organizations, travel, subscriptions, telegraph and telephones. It is true that for the two years prior to making this purchase no significant office equipment was acquired, and that some portion of this expense would have been required under any circumstances. Nonetheless, this is not a venture to be entered into lightly. Given present budget limitations its cost could well limit its availability among the Congress.

The equipment is modern and timely and allows for a more efficient office operation. I believe this is the type of technology the Congress must move to in order to meet the ever growing demands on its Members. But, to move in this direction, you must have the full commitment of the office, by both the Member and the entire staff. Failure to understand in advance the capacities and limitations of office automation systems can only lead to disappointment and frustration. This equipment is not a gadget, plaything, or a toy. It is a tool. To take full advantage of it requires a serious commitment of both staff time and financial resources.

In summation let me say that to date I have been substantially satisfied by the performance of this office automation system. It has always been my hope to have a system which allowed for rapid response to all forms of communication from the residents of the 10th District and I have every confidence that this new enterprise is a major step toward achieving that aim.

WITHDRAW AMERICAN TROOPS FROM LEBANON

(Mr. PEASE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PEASE. Mr. Speaker, I commend Secretary of State Shultz for obtaining an agreement in principle between Israel and Lebanon for the withdrawal of Israeli troops. That is a significant accomplishment. At the same time, I hope that agreements on troop withdrawal will not lead to an increase in the number of U.S. Marines in the Multinational Force. In fact, we should seek ways to withdraw all American troops currently stationed in the Beirut area.

Since the creation of the State of Israel, the United States has played a major role in its security.

From 1948 to 1983, the United States has supplied Israel with over $27 billion in the form of grants and loans for military and economic aid. The increase in total annual aid given to Israel since 1972 is well over 500 percent. Israel is now seeking $3.2 billion in U.S. economic and military assistance for fiscal year 1984 which is an increase of approximately 30 percent over fiscal year 1983. During a period of extreme fiscal difficulties for our own Government, it will be difficult for Congress to justify any increase in foreign aid, and yet continuance of U.S. aid is vital to Israel's future security.

Since September 1982, 1,200 U.S. troops from the 32d Marine Amphibi-

ous Unit, along with 2,500 French and Italian troops, have been deployed in and around the Beirut area. The marines' mandate has changed several times since the first deployment in the evacuation of the PLO from Beirut. They are currently supporting and training the Lebanese Army as it expands its authority over part of occupied Lebanon.

Since the beginning of the U.S. Marine deployment, numerous confrontations have taken place between Americans and Israelis, ranging from boundary misunderstandings to outright harassment of marines by Israeli soldiers. In a letter to Secretary of Defense Caspar Weinberger, General Barrow, commandant of the U.S. Marine Corps, expressed extreme concern over the friction between the two forces, citing that Israeli troops had placed American troops "in life-threatening situations, replete with verbal degradation of the officers, their uniform, and their country." As long as the marines are stationed in Lebanon, the possibility of more confrontations is high.

Unfortunately, these clashes between American and Israeli troops are detrimental to American public opinion toward Israel. In a questionnaire I mailed to my district, I found that 63 percent of my constituents who responded supported the reduction of economic and military aid to Israel. Only 3 percent favored an increase. In a similar questionnaire sent by a Congressman whose district adjoins mine, 62.3 percent opposed providing increased aid to Israel. Certainly, it is not in the interest of Israel to have American public opinion soured by our military presence in Lebanon. The first marine killed in an incident involving Israelis will create even more public hostility among Americans and more reluctance to provide Israel with assistance.

These clashes are not the only sources of growing disenchantment with our marine presence in Lebanon. The U.S. Marines pose a desirable target for any of the numerous violent political organizations in Lebanon seeking international attention. Recently, our U.S. Embassy in Beirut was severely damaged by a car bomb planted by one of these organizations. Approximately 57 people were killed—17 American—and over 100 were injured. There were also two separate incidents where unknown gunmen fired upon the marines.

What role will Syria play? The Soviet Union has replaced all the Syrian weaponry destroyed by Israel during the fighting last summer. Also, it has been reported that Soviet technicians may now be operating SA-5 antiaircraft missiles in the region. Syria has never cooperated with Israel in the past and I do not anticipate that the Syrians will make life any easier for Israel now. Syria can only be overjoyed at strained United States-Israeli relations caused by the marine presence in Lebanon and the protracted talks regarding Israeli withdrawal from Lebanon. This leads me to believe that Syria will prolong its own withdrawal as long as possible, thereby lengthening our marines' deployment in the region.

When the withdrawal does take place, additional troops in the MNF will be needed to support the Lebanese Army as it stretches its authority over the newly released territory. According to press accounts, it may take 3 to 5 years to fully equip and train the Lebanese Army to be able to patrol all of Lebanon. If so, the marines' role in the MNF would become more permanent. I believe that would be an enormous mistake for the interests of both the United States and Israel. Furthermore, an expanded or prolonged U.S. marine presence in Lebanon is unnecessary. Any one of several other countries that do not play such an important role in Israel's security could assume our position in the MNF without altering the effectiveness of the force.

Therefore, given our central role in the survival of Israel, I urge President Reagan not to expand marine participation in the MNF and to vigorously explore possibilities for the withdrawal of all marines already stationed in Lebanon.

UPHOLDING THE BREZHNEV DOCTRINE

(Mr. NICHOLS asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. NICHOLS. Mr. Speaker, it is rare that I take the floor on foreign policy issues but I believe that the debate over our Central American policy is vitally essential to the security of this Nation.

On the editorial page of today's Wall Street Journal is outlined a clear and concise picture of what our responsibility in this area should be. Simply because a country in Central America falls under the influence of the Soviets does not mean our responsibility ceases. Quite the contrary, our responsibility for insuring democracy and human rights in our Western Hemisphere increases under these circumstances.

For the reading of my colleagues, I am pleased to submit to the RECORD of this body "Upholding the Brezhnev Doctrine." It is an article that warrants the close attention of all our Members.

[From the Wall Street Journal, May 11, 1983]

UPHOLDING THE BREZHNEV DOCTRINE

A banner headline in Sunday's Washington Post announced an exhaustive history of what congressional intelligence committees have been told about U.S. aid to anti-Sandinista guerrillas in Nicaragua, complete with reports of troop strengths and other items of military intelligence. The story is a testimony to the journalistic enterprise of the Post, and anything but a testimony to the wisdom of involving Congress in covert activities.

This observation is especially pertinent given Congress' current inclination to dabble in foreign policy in general and Caribbean policy in particular. Its general stance is to duck all responsibility, giving the executive funds to do what it wants but accompanying them with restrictions designed to cover the congressional backside if the actions are questioned. How this works is quite neatly depicted in the Post history.

Clearly the "problem" with the Nicaraguan operation is that it has been too successful. In particular, the anti-Sandinista forces have done too well at winning the hearts and minds of the Nicaraguan people. They keep attracting recruits, their numbers growing to 7,000 today from 500 at the beginning of 1982. There is even some chance (perhaps overrated) that they might actually take over the country, throw out the Sandinistas and send the Cubans packing. Horrors, that's not what Congress has in mind.

Indeed, it seems that in its wisdom Congress has enacted the Brezhnev Doctrine into U.S. public law. The Brezhnev Doctrine, originally announced to justify the Soviet invasion of Czechoslovakia in 1968, holds that once a nation has joined the Communist bloc it cannot be allowed to change its mind. Congress' version, called the Boland Amendment, prohibits covert aid "for the purpose" of overthrowing the Sandinista junta.

A little guerrilla harassment is perfectly OK, in Congress' view, so long as it doesn't become too serious. The U.S. can finance and encourage anti-Sandinista Nicaraguans to take up guns and risk their lives, so long as their purpose is not to reclaim their country from Castroism, but merely to interdict arms traffic to Marxist guerrillas elsewhere in Central America. Watching the growth of the anti-Sandinistas, Congress has developed a dark suspicion they may have something more on their minds.

So the intelligence committees are putting the Boland Amendment and all those detailed briefings to the purpose for which they were intended. To wit, leaking to the press so that Congress can deny it had anything to do with what's going on. If it keeps the executive from doing anything, so much the better with at least some in Congress. And if it jeopardizes the lives of people who have put their trust in the U.S., tough luck.

For our part, we see no reason in the world that the Brezhnev Doctrine ought to supplant the Monroe Doctrine. Nothing could bring peace to Central America so quickly as the overthrow of the Sandinistas. If there is a chance that this could be accomplished through covert aid to a popular uprising, it would be money very well spent indeed. As recently as 1965, Lyndon Johnson sent 28,000 Marines into the Dominican Republic, chartered an election and left.

Today, hardly anyone remembers, let alone complains.

Now of course, Congress may believe we should forswear military power, overt or covert. It may believe that, even if the practical result is allowing Castro to take over, for our sins we should abstain from Latin America. These are familiar propositions, and can be debated and decided. But if these are the things that Congress believes, its obligation is to stand up and say so.

Instead, Congress plays its responsibility-ducking game. It will not cut off aid to El Salvador, merely voting less than needed to do the job. It will not terminate the Nicaraguan operation, merely keep it going until September while the executive branch jumps through some hoops, filing reports and making declarations to give Congress more excuses.

"We are no longer simply to be informed," Sen. Moynihan explained. "We want to be a part of the process." Surely this is the last thing the nation needs. If Congress decides not to sanction covert action, that is its right, and the public can judge its responsibility for what follows. But the one clear thing is that such actions cannot be run by a committee, let alone a committee of congressmen. For actions where a single voice is mandatory, the Founding Fathers gave us an executive branch, a president and a commander in chief. The president ought to demand that Congress choose between abandoning covert action or letting him run it. He cannot afford to be put in a position that keeps his policies from succeeding but saddles him with responsibility for their failure.

THE LATE HONORABLE KATHARINE ST. GEORGE

The SPEAKER pro tempore (Mr. FOLEY). Under a previous order of the House, the gentleman from New York (Mr. GILMAN) is recognized for 60 minutes.

Mr. GILMAN. Mr. Speaker, it is with sad regret that I rise to pay homage to one of the most courageous and remarkable women I have ever known.

Katharine St. George was initially elected to the 80th Congress in 1946. During the subsequent 18 years, Katharine St. George continued to represent four counties in southeastern New York with integrity, with energy, and with dedication.

When she quietly passed away last week at the age of 86, she was mourned as the "first lady" of the mid-Hudson region of New York.

Although Congresswoman Katharine St. George's accomplishments were many, she is remembered today especially for being the author and major sponsor of the first equal rights amendment to warrant serious consideration by this body and by the Senate. She was the first Member to sponsor hearings on the issue of ERA and, although the proposed amendment to the U.S. Constitution did not gain congressional approval until after her retirement, many historians and women's rights groups credit her with laying the initial groundwork which paved the way for ERA's eventual acceptance.

It is doubtful if, in that day and age, such a radical proposal as ERA could have been accepted had it not been initially sponsored by a Member who had earned the admiration and respect of both sides of the aisle. Katharine St. George won that high esteem by her devotion to her congressional duties and by her integrity.

Congresswoman St. George will also be remembered as the first woman in the history of the Congress to serve on the prestigious House Rules Committee.

Mrs. St. George was also one of the first women to serve on the House Armed Services Committee. It was unfortunate, but she had to fight a courageous battle, against the thinking of the times that the Armed Services was "no place for a woman." The fact that she prevailed—and did so with dignity—again blazed the trail for those who followed her.

Mrs. St. George was also a member of the Post Office and Civil Service Committee, and during the 83d Congress, when her party was in the majority, she was chairman of the Subcommittee on Postal Operations. During her tenure as chairman, the Postal Operations Subcommittee issued a report which included recommendations for improvements which were subsequently put into effect. It was estimated that those improvements resulted in a $70 million annual savings to the Federal Government. Mrs. St. George was the prime mover behind the successful move to appoint an Assistant Postmaster General for Personnel, which resulted in further savings for the taxpayers.

During her long tenure in the House, Mrs. St. George also served on the Committee on Committees. She initiated many bills during her time in the House which were enacted into law to improve the lot of the Federal employees, including a cost of living pay adjustment bill, a training program for Federal employees bill, a code of ethics, revision of Internal Revenue Service laws, and improvements in our social security legislation.

In 1956, Mrs. St. George became the first woman in history to represent the United States at the Interparlimentary Union Conferences, and continued to represent us on that bipartisan international group until she left Congress in 1964. In fact, she served as president of the interparliamentary group during her last years in Congress.

All in all, Katharine St. George amassed an enviable record of public and legislative service.

But, what manner of person was this, who warranted the universal respect of her colleagues, and who was returned to Congress year after year after year by the voters of Rockland, Orange, Sullivan, and Delaware Counties in New York?

Katharine Delano Price Collier was born in Bridgenorth, England, on July 12, 1896, where her father, Price Collier, was temporarily assigned as a foreign correspondent with the now-defunct Forum magazine. Price Collier was one of the most widely known and respected journalists of his day, and his intimate knowledge of the personalities and issues which shaped international politics had a profound effect on his young daughter.

Katharine's mother, the former Katharine Delano, of Newburgh, N.Y., was a member of one of the first families of the Hudson Valley. Young Katharine's mother was the sister of Sara Delano, the mother of our 32d President, Franklin Delano Roosevelt.

Returning to their home of Tuxedo Park, N.Y., when young Katharine was 2, the Colliers were in a position to see that their daughter would take advantage of the educational opportunities available to her. Accordingly she was educated in private schools in the area until the age of 11, when she was sent to Europe to complete her studies. She studied in England, France, Switzerland, and Germany, where she was presented at the court of Kaiser Wilhelm II—a heady experience for a young girl. In her later congressional career, Mrs. St. George put her foreign education to good use. Being fluent in a number of languages, she became the first Member of Congress to regularly broadcast over the Voice of America in foreign tongues.

In 1917, Katharine married George Baker St. George, a renowned businessman and sportsman. The marriage endured for 40 years, until Mr. St. George's death in 1957. This happy marriage produced one child, the lovely and gracious Priscilla Ryan, who still resides in Tuxedo Park. In addition, Mrs. St. George is survived by two grandchildren, and six great-grandchildren.

Mrs. St. George became interested in local politics at a relatively young age, being elected to both the town council of Tuxedo, N.Y., and the board of education of Tuxedo, in 1926. Mrs. St. George retained both of these positions for over 20 years, and in fact served as president of the school board from 1930 until her election to Congress.

Mrs. St. George soon became known as "Mrs. Republican" in Orange County, serving as treasurer, vice chairman, and finally, chairman, of the Orange County Republican Committee. She was a delegate to the 1944 Republican National Convention, and in 1956 she received an unprecedented honor—she was appointed the first woman ever to serve as parliamentarian at a Republican National Convention. Her performance in this capacity, as well as the reputation she had earned by then with her colleagues as

a master of parliamentary procedure, warranted her reappointment to the same position at the 1960 Republican Convention.

Her initial election to Congress, in 1946, came about after her stunning defeat of an incumbent in a primary election. She was reelected by massive margins every subsequent 2 years. In 1956, the Democratic Party nominated a well-financed, nationally known candidate to challenge Mrs. St. George. Although the campaign generated national publicity, the results were the same: Katharine St. George was reelected yet again.

We all remember 1964, and what a devastating year that was for the Republican Party. That was the year, in a major political upset, that Katharine St. George lost her seat in Congress. But it is well to reflect on the fact that, while the national Republican ticket was losing her district by margins of 2 to 1 and 3 to 1, and while most of the Republican State legislators and local officials in her district were losing their seats, Katharine St. George was defeated for a 10th term in Congress by less than 5,000 votes out of nearly 200,000 cast—a tribute to the nonpartisan respect that this woman, "Mrs. Republican," had achieved.

After her departure from Congress, Mrs. St. George continued in her role as the "first lady" of the mid-Hudson Valley. She served on the board of directors of the Woman's National Republican Club, the Quassaick Chapter of the Daughters of the American Revolution, the Rockland County Business and Professional Woman's Club, the Sylvanius Thayer Hall of Fame Committee, the National Committee of American Friends of Captive Nations, the National Institute of Social Sciences, the Citizens Committee for the Nation's Civic Auditorium, and the Committee of 1 Million Against the Admission of the People's Republic of China to the United Nations. She also kept her hand in local politics, serving as Republican chairman of the town of Tuxedo for many years.

Soon after her retirement from Congress, Mrs. St. George was elected to the New York State Republican Committee from her assembly district. She served with distinction on that body until 1982, when redistricting would have required her to run against an incumbent from an adjacent district. Although she undoubtedly would have won reelection easily, she graciously stepped down, because it was time "to give a younger voice" an opportunity to be heard.

Last October, the State Republican Committee asked me to publically present Mrs. St. George with a certificate naming her an honorary life member of that committee. The decision to so honor her—the first and, so far, only time in history this honor was conferred—was rendered unanimously, in recognition of Mrs. St. George's years of devotion to her Nation, to her region, and to her party.

Mr. Speaker, the first time I ran for Congress, Mrs. St. George was an early and staunch supporter of my candidacy. This support never waned over the years, and I consider this support an immense honor. I have often solicited Mrs. St. George's advice and counsel, and only her recent illness, which proved to be fatal, has silenced her guidance and her assistance.

I am confident that all of my colleagues, especially the 39 current Members of Congress who served concurrently with Mrs. St. George, will join with me in expressing our deepest condolences to her family and loved ones, and join with me in saluting the "first lady of New York's Mid-Hudson Valley," surely one of the most remarkable women that our Nation in the 20th century has produced.

□ 1840

Mr. FISH. Mr. Speaker, will the gentleman yield?

Mr. GILMAN. I yield to the gentleman from New York.

Mr. FISH. I thank the gentleman for yielding.

Mr. Speaker, I take this opportunity to rise in tribute to Katharine Collier St. George, a longtime friend of my family and a former colleague who served in this body from 1946 through 1964.

Mrs. St. George represented the mid-Hudson Valley of New York, an area that the gentleman from New York, Mr. GILMAN and I have the privilege of representing now. She was a first cousin of President Franklin D. Roosevelt and a descendant of the original settlers at Plymouth Rock.

This distinguished lady was born in England but grew up in Tuxedo Park, N.Y., in Orange County. She attended schools in New York until the age of 11, when she was sent to Europe to continue her education, studying in England, France, and Germany.

In Congress, Mrs. St. George represented New York's 27th Congressional District which included Orange, Sullivan, and Delaware Counties. She always took a strong interest in improvements for Federal employees, a strong national defense, and became the chief sponsor of a proposed equal rights amendment for women.

In 1962, she became the first woman to serve on the House Rules Committee and also was the assistant Republican whip in the House. She was the parliamentarian at the National Republican Conventions in 1958 and 1962.

Before she came to the House of Representatives, Mrs. St. George was the Republican chairman of Orange County. Last year she became the first person in history to be voted an honorary life member of the New York State Republican Committee.

I am deeply saddened by the death of Katharine St. George who was an insightful legislator, as well as a compassionate woman with great preception into the issues and problems affecting her constituency. Her wit, graciousness and intellect will long be remembered by those privileged to know her.

The Hudson Valley will greatly miss her outspoken loyalty and devotion to the Republican Party, and her undying concern for the welfare of this country.

Mr. GILMAN. I thank the gentleman from New York for his kind remarks.

I know that the gentleman has been closely alined with Katharine St. George over the years and now represents a portion of her former district.

Mrs. BOGGS. Mr. Speaker, will the gentleman yield?

Mr. GILMAN. I am pleased to yield to the gentlewoman from Louisiana.

Mrs. BOGGS. Mr. Speaker, I am so pleased that the gentleman has given me the opportunity to participate in this tribute to a woman of great charm and wit and keen intelligence and enduring strength, Katharine St. George.

Mrs. St. George came to the Congress, as the gentleman said, in the 80th Congress which was the year following World War that my husband, Hale, returned to the Congress. And we had a wonderful relationship with her and with the members of her family with whom we were privileged and honored to be associated.

I was very pleased that the gentleman mentioned Mrs. St. George's ERA resolution which was one that she felt was long overdue and without the kind of enduring strength that she always exhibited would not have gotten as far as it did without her leadership. Were she here now I am certain that we would in the newly instituted resolution to have ERA resurrected she would be one of the guiding lights in that regard.

Recently I was a delegate to the Interparliamentary Union Conference and someone said to me, "Are you the first woman delegate from the United States?"

And I said,

Oh, no. I am pleased to tell you that many years ago Katharine St. George of New York was not only a woman delegate to the IPU, but her connections with people all over the world served our country so well in those regards.

My husband, Hale, was a delegate during the years when Mrs. St. George was and I had the opportunity of traveling with them from time to time to the conference meetings. And as a U.S.

delegate, just in the last couple of weeks in Helsinki, Finland, I remembered her participation and the fact that she was able to represent what I felt was all that was the best of the United States. And I was so proud of her performance at those international meetings.

I am very pleased that I was able to follow and tread very softly in her considerably large footsteps at the IPU meeting. And I am so pleased that the gentleman has taken this occasion to pay tribute to such a marvelous U.S. woman.

Mr. GILMAN. I thank the gentlewoman for her kind remarks and particularly since the gentlewoman is a member of that distinguished group of lady Members of our House.

Mr. PEPPER. Mr. Speaker, it is with profound sorrow that I rise today to pay tribute to a great public servant, our late former colleague Mrs. Katharine St. George. A legislator in the very finest meaning of the word, Mrs. St. George was as committed to this institution as she was to the many causes in which she so deeply believed.

Although she perhaps is best remembered for being among the first and most influential sponsors of the equal rights amendment for women, Mrs. St. George was a pioneer in many other fields as well. She was the first woman to serve as a member of the House Rules Committee. It is my sincere regret that she left the Congress the year before I took my own seat on this distinguished committee which I am now privileged to chair. Mrs. St. George was also the first woman in history to serve as parliamentarian at a Republican National Convention, and was the first woman to attend an International Parlimentary Union conference. She later acted as the IPU president—a position I am presently honored to hold myself.

The range of Katharine St. George's achievements is a testimony to the diverse talents of this extraordinary woman. Over her long congressional career, she became the first Member of Congress to make regular radio broadcasts over the Voice of America in a foreign language, and as an active member of the Armed Services Committee, she flew aboard the F-104B Starfighter airplane. Becoming the first woman to break the sound barrier.

Katharine St. George was more than an outspoken advocate of equal rights for woman and a champion of the elderly and the Federal worker. There have been many before and after who have served here and who have spoken as eloquently and persuasively. But few have become as expert on knowing how to get things done as did she.

A first cousin of Franklin Delano Roosevelt, Mrs. St. George shared his love of freedom and his compassion for people. Surely there have been no two more committed public servants, no two more genuine national heroes than they. One led the Nation as President, the other was a leader among her colleagues in Congress. It has been said that no one understood the power of the presidency better than did F. D. R. Mr. Speaker, clearly Katharine St. George was equally without peer in understanding the power of the power of the Congress. She was a master at using the rules to promote those causes so important to her.

With her passing, the Nation has lost one of its true leaders, but her unfailing belief in this great democracy and its rich potential is the legacy she leaves to us. She gave us all a model to follow and a dream to share.

● Mr. O'NEILL. Mr. Speaker, I was deeply saddened to learn of the death of Katharine St. George.

She was beginning her fourth term in Congress when I came here as a freshman in 1953 and she had already established herself as a diligent and talented legislator.

Katharine St. George was a gracious and lovely woman and I had the privilege of getting to know her in some depth as we sat across the aisle from each other on the Committee on Rules.

I had tremendous respect for Katharine—for her capabilities, her noble ideals, and her dedication.

Millie and I extend our sympathy and affection to Katharine's daughter, Priscilla and her family.●

● Mr. PRICE. Mr. Speaker, I join my colleagues in remembering our former colleague, the Honorable Katharine St. George of New York.

I served with Mrs. St. George on the Committee on Armed Services during all the years she was a member of the committee, and I confess to being a great admirer of her competence and courage. As a member of the committee checking out the F-104 as its first female passenger, she became one of the few women born in the 19th century, if not the only one, to break the sound barrier.

Yes, courage and conviction are words that apply perfectly to Mrs. St. George. She was the first Member of Congress to introduce the equal rights amendment, which was not passed until almost a decade after she retired. She was one of the original cosponsors of a code of ethics for the House, and I was pleased to work with her on this, carrying the fight after she retired and eventually becoming the first chairman of the House Committee on Standards of Official Conduct.

I am privileged and proud to have known Mrs. St. George and to have served and worked constructively with her. I regret her passing and extend my sympathies to her family and friends now deprived of her shining light. They should be comforted to know that the contributions of this fine American will not be forgotten.●

● Mr. STRATTON. Mr. Speaker, I rise to join in paying tribute to our former colleague, the late gentlewoman from New York, Mrs. Katharine St. George.

Mrs. St. George's name had been well known to me even before I came to Congress in 1959. She was famous in New York State, as well as nationally, because she had been elected in 1946 to represent the district which included the family estate of the late President Roosevelt, Hyde Park; and also because she was a cousin of F. D. R., her mother and F. D. R.'s mother being sisters. Yet Mrs. St. George, as a forthright legislator, did not hesitate to oppose the continuing programs of the late wartime Chief Executive when she believed they were wrong.

My first opportunity to meet Mrs. St. George personally, however, was when I was assigned to the House Armed Services Committee as a freshman member. She was the only woman member of that committee which has top authority over our Armed Forces.

Congressional tradition has it the chairman of the committee, Hon. Carl Vinson, was very reluctant to permit members of his committee to ask questions of witnesses. Those stories may have been a bit exaggerated, let me say; but it became clear to me very early that whenever the gentlelady from New York requested the floor during committee deliberations, chairman Vinson very quickly and graciously yielded to her. Not just because she was a very lovely and gracious lady; but also because he knew that Mrs. St. George was well versed in military matters, and he realized that her comments and suggestions always made sense.

As a member of the committee, Mrs. St. George—we rarely referred to her as Kassie in her presence—was a very active and dedicated member, visiting our troops in the field and abroad. In fact one of the most prominent photographs displayed in the committee's main office was of Mrs. St. George in flying gear and helmet, taken immediately after she had just completed a flight in the Air Force's new F-104B Starfighter aircraft as it broke the sound barrier at 35,000 feet—the first woman passenger to be carried on such a flight.

Mrs. St. George was regarded as an effective legislator and as such was respected by Democrats as well as Republicans. She was a great and patriotic American, and we were sorry to lose her from the House in 1964. And I am sorry now indeed to learn of her passing. Yet in the years since she left Congress she continued her vigorous schedule of community involvement and her consistent support of a strong

and vigorous America during those difficult days of the late sixties and the decade of the seventies.

All of us who were privileged to know Katharine St. George and to serve with her will miss her very greatly.●

● Mr. BOLAND. Mr. Speaker, I want to join the Members of the House in paying tribute to our former colleague, Mrs. Katharine St. George.

I was privileged to serve in the House during a portion of Mrs. St. George's tenure in this body. She was a dedicated and effective representative of the people of New York and provided distinguished service to our country. Her work on the Post Office and Civil Service Committee, the Government Operations Committee, and the Rules Committee earned her the respect and trust of her colleagues.

Mrs. St. George was a champion of equal rights for women long before that cause became fashionable. She advocated an equal rights amendment for women as a means of insuring equality under the law, and I think it is safe to say that her efforts laid the groundwork for much of the progress made on the women's rights issue during the last 20 years. When the history of the women's rights movement is written, the role of Mrs. St. George will have a prominent part in it.

Mr. Speaker, I want to convey my deepest sympathies to Mrs. St. George's family on their loss.●

● Mr. ADDABBO. Mr. Speaker, it is with great sadness that we pay tribute today to my former colleague and friend Mrs. Katharine St. George who passed away last week at the age of 86.

Mrs. Katharine St. George served as a representative of the Mid-Husdon Counties of New York State for nearly 20 years in Congress.

Among her noted accomplishments, Mrs. St. George is best known for her battling through the years for equal rights for women. She has served as an inspiration for women throughout the country until her death. As in 1963, Katharine became the first woman ever elected to be president of the U.S. delegation at the Inter-Parliamentary Union Conference which was responsible for talks on how nations around the world can strengthen their democratic systems.

Former Congresswoman St. George has served her country with great ability and distinction. As she led women to greater influence in Government, Mrs. St. George said:

> Let us go forward as comrades in the great epic of America. There is a strong possibility that the coming of women to politics is a new transfusion of blood of freedom. The American women—a phenomenom of the 20th century—can reshape the world.

Katharine and her strength to fight for what she believed in will be sorely missed by everyone.●

● Mr. LENT. Mr. Speaker, it is with sadness that I join my colleagues in a tribute to the late Congresswoman from New York, the Honorable Katharine St. George.

Although I did not have the privilege of serving with Congresswoman St. George, I share with my colleagues who did have this honor the same feelings of respect and admiration that they held toward this remarkable lady.

Mrs. St. George represented the mid-Hudson Valley of New York in Congress for 18 years, from 1946 to 1964. Prior to her election to Congress, she was an active member of her community of Tuxedo Park, N.Y. There, she served on the town board, the board of education, and the Orange County Republican Committee. She also was a delegate to the 1944 Republican National Committee Convention.

In Congress, Mrs. St. George distinguished herself by being the first woman in the history of the United States to serve on the House Rules Committee. She also served on the Post Office and Civil Service Committee, as well as on the Armed Services Committee.

Following her years in Congress, Mrs. St. George maintained her commitment to public service. From 1972 to 1982, she was a member of the New York State Republican Committee. And in 1982, she became the first person in history to be voted an honorary life member of the New York State Republican Committee.

Mr. Speaker, all of us serving today owe a debt of gratitude to former Congresswoman St. George. Her hard work and dedication to the public good should serve as examples to us all as we work to carry on the good deeds that we all associate with Katharine St. George.●

● Mr. ZABLOCKI. Mr. Speaker, it is both an honor and a privilege to join my colleagues today in paying tribute to the long and remarkable public career of a remarkable woman, our former colleague, the Honorable Katharine St. George of New York. There are probably not too many of us left in this body who served with her, as I did, during all but the first 2 years of her House tenure.

As the gentleman from New York (Mr. GILMAN) has pointed out, Mrs. St. George established a number of "firsts" in the history of this body: The first woman to have served on the Rules Committee, in addition to two other major standing committees of the House; the first Member of Congress to make regular broadcasts over the Voice of America in a foreign language; the first woman to serve as parliamentarian at the Republican National Convention; and the first woman passenger on the F-104B—Starfighter—plane which broke the sound barrier at 35,000 feet. She was also an early and prominent leader in the movement for equal rights for women, long before that cause became fashionable—or even topical.

Above all, however, Katharine St. George will be remembered as a person of strong character and integrity, who won the respect and admiration of Members and friends on both sides of the aisle. Her influence on her fellow legislators was, in fact, a key factor in the legislative history of the early post-World War II period.

The recent death of Katharine St. George, therefore, marks the passing of an era; but it also represents the loss of a valued colleague and friend, who had demonstrated by a long and distinguished public career that active participation in the political life of this Nation can be a most honorable profession.

To her daughter, Mr. Patricia St. George Ryan, to her two grandchildren and six great-grandchildren, I extend my deepest sympathy.●

● Mr. BENNETT. Mr. Speaker, we have all been grieved about the passing of our friend and former colleague Katharine St. George. She ably represented the Mid-Hudson Valley of New York State in Congress from 1946 through 1964 when she returned to her home in Tuxedo Park, N.Y., in retirement. She and I were the original cosponsors of the Code of Ethics for Government Service which is still the law of the land.

I also served with her on the House Armed Services Committee and later she served on the Rules Committee. She was a leader in everything she undertook and served as president of the Inter-Parliamentary Union and as Parliamentarian of the Republican National Committee in 1956 and 1960. She was a very able, very personable lady whom we all not only respected, but greatly loved. She will be very much missed and our deepest sympathies go out to her family.●

● Mr. BROOMFIELD. Mr. Speaker, I join my fellow Members of the House of Representatives in mourning the death of a truly remarkable person, a friend and former colleague, the Honorable Katharine St. George.

When I first came to the House of Representatives in 1957, Katharine had already been representing her New York district for close to a decade. In fact, she was only the 43d woman to be elected to the House in its entire history. During the subsequent years that we served together as colleagues and fellow Republicans, my respect and admiration for her wit, charm, intelligence and political savvy increased. It was an honor to serve with Katharine and to be numbered among her many friends.

Katharine served the constituents of her district well as evidenced by her several terms in office. She served the

Nation equally well as evidenced by her distinguished record.

She is one of the unsung heroines of the women's movement as she worked for years laying the groundwork for the eventual passage in Congress of the equal rights amendment.

From her position on the House Post Office and Civil Service Committee, she worked to improve the Federal civil service and to provide Federal workers a fair compensation.

During her years as a Member of Congress, Katharine also served on the House Armed Services Committee and on the House Rules Committee where she was the first woman to hold such a position.

Katharine's record as a member of the Republican Party is equally broad and illustrious. It stretches from serving on the town board of her hometown of Tuxedo Park, N.Y., to being a delegate to the 1944 Republican National Convention, to serving as the parliamentarian at the 1956 and 1960 Republican National Convention.

Mr. Speaker, I look back on the years that I have known Katharine with great warmth, and I wish to extend my heartfelt condolences to her family.

Katharine St. George was a very distinguished and caring individual. The Nation is richer because she chose to serve in public life, and I am the more fortunate because she was my friend and colleague.●

● Mr. HORTON. Mr. Speaker, today I join with my colleagues to pay tribute to a great American and good friend, the late Mrs. Katharine St. George. I share the grief of my colleagues with the news of Mrs. St. George's passing and extend my sincere condolences to her family and to her friends.

When I came to Congress in 1963, Mrs. St. George was a seasoned and highly respected legislator whose counsel I never hesitated to seek. She ably represented her constituents along the Hudson River of New York for 18 years. During that time she distinguished herself as a leader of the women's movement. She has been correctly recognized as the driving force behind efforts to amend the Constitution to insure equal rights for women. In fact, she was the chief sponsor of the Equal Rights Amendment, a statement that those of us who followed her continue to fight for today.

Mrs. St. George also served her constituents and her colleagues as an important member of the House Committee on Armed Services and the Committee on Post Office and Civil Service. She was the first woman to sit on the House Rules Committee, serving from 1961 through 1964. Mrs. St. George was also an assistant Republican whip and sat on the Committee on Committees.

Those of us who knew Mrs. St. George have lost a trusted friend and colleague. This institution and this country have lost a distinguished stateswoman and a great American.

Again, I extend my condolences to the family and friends of Mrs. Katharine St. George and I pay tribute to her memory.●

● Mr. BROYHILL. Mr. Speaker, Katharine St. George was a real lady. She earned the respect and admiration of all who served with her, before the day of ERA and at a time when the custom was to deal with your colleagues in less strident tones and with calm, well reasoned voices. She was a champion of equal rights, and her calm demeanor, her reasoned and deliberative arguments won her many adherents to her cause. It was an honor to serve with her.●

GENERAL LEAVE

Mr. GILMAN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and to include extraneous material, on the life, character and public service of the late Honorable Katharine St. George.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

□ 1850

THE CRIME OF GENOCIDE

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from New York (Ms. FERRARO) is recognized for 60 minutes.

Ms. FERRARO. Mr. Speaker, I have asked for this special order to talk about the crime of genocide. When the history of the 20th century is finally written, genocide will be seen as "the crime of the century."

The 1948 U.N. Convention on the Prevention and Punishment of the Crime of Genocide defines genocide as a set of actions "committed with the intent to destroy, in whole or in part, a national, ethnical, racial, or religious group." It is truly a terrifying notion, that an entire race of people might be violently eliminated from the Earth.

Yet it is an idea which has been tried repeatedly in modern history.

The first genocide of the 20th century was the Turkish massacre of the Armenians. Beginning in April 1915, the Turkish Government began a systematic campaign to eliminate the Armenian people. The details of that slaughter were recently related by many of my colleagues in the Chamber on the occasion of Armenian Martyrs Day.

I need not review that tragic story tonight. But the ultimate result bears restating. Over a 3-year period, 1.5 million Armenians, men, women, and children, the elderly, students, and professionals, were murdered. From the 1914 level of 2 million, the Armenian population of Turkey declined to less than 100,000 people in 1920. Some half a million Armenians were scattered around the globe.

While the Turkish Government bears responsibility for the murder of a million and a half innocent people, the rest of the world must account for its failure to act on the reports of the massacre while it was taking place.

That the world knew of the arrests, forced evacuations, and mass murders of the Armenians while they were happening is not in doubt. Repeated communiques filed by U.S. Ambassador Henry Morgenthau detailed the extent and brutality of the suffering inflicted on the Armenians. The American Consul General in Smyrna, George Horton, in a report to the Secretary of State, wrote the following:

> I also have other statements from eye-witnesses . . . of the highest standing in the religious and educational world, which leads me to believe that what is now taking place in Armenian Turkey surpasses in deliberate and long-protracted horror and in extent anything that has hitherto happened in the history of the world.

The report went on to state that the increasing ferocity of the extermination campaign could ultimately affect 2 million people.

It is important to note that the Horton report was submitted in November 1915—the massacre would continue for several years after that.

I have dwelled on the Armenian genocide not because it is unique as a flagrant abuse of human rights, but precisely because it is not unique. The world knew about the Nazi Holocaust against the Jews—and failed to act. The world knew about the mass murder in Cambodia—and failed to act. Those failures spread the shame of these unspeakable crimes against humanity far beyond those directly responsible for them.

The events in Turkey in 1915, and in Germany in World War II, and in Cambodia in the 1970's, are of course, not directly related. The madness and brutality of the perpetrators of each genocide had their own tragic basis.

But there is a strong tie in the world's silence in the face of each of these horrors. We can only be haunted by the words of Adolph Hitler, who said, in embarking on his "crazed attack" on the Jews, "Who, after all, speaks today of the annihilation of the Armenians?"

Now, today, years too late for the millions killed in Nazi gas chambers and Khmer Rouge execution centers, we stand to say that we speak of the annihilation of the Armenians. And of the Jews, and of the Cambodians. We stand to remind the world of these crimes against humanity, that we may prevent future crimes.

There is an international instrument designed to help in this effort. Eighty-eight nations have joined as parties to the U.N. Convention on the Prevention and Punishment of the Crime of Genocide. Sadly, despite the leading role the United States played in drafting the convention, the United States still has not ratified it.

United States ratification is long overdue. More than 70 members of the House have joined me as cosponsors of a resolution calling for U.S. ratification. If we are to make mass murder by government a relic of history, the United States must lend its moral force to this effort.

There is currently a photo exhibit in the rotunda of the Cannon Building on the tragedy in Cambodia. Amnesty International is sponsoring the exhibit, which consists of photographs of the evidence of the genocide which took place in Cambodia from 1975 to 1979. The photos are a chilling documentation of the historic fact of the Cambodian genocide, and the title of the exhibit, "Cambodian Witness," is a fitting and poignant reminder of the role the rest of the world must play in responding to the Cambodian tragedy.

The text of the exhibit states that role this way. "A witness is someone called to be present and testify to an event having taken place."

It is important that we testify to the truth of the events recorded in David Hawk's photos of Cambodia's nightmare. In recent months we have seen our own State Department bow to pressure from the Turkish Government and retreat from the decades-old position of our Government acknowledging the fact of the Armenian genocide. So we must know the truth, and we must help others to know it.

But we must do more than that. We have a responsibility to act to prevent similar events from occurring in the future. The first step toward that goal is to ratify the genocide convention and take our rightful place in the community of nations squarely on record on this most basic of human rights issues. I am hopeful that this special order will contribute to that end.

● Mr. FAUNTROY. Mr. Speaker, I am pleased to be a cosponsor of House Resolution 50, a resolution expressing the sense of this great body that the Convention on the Prevention and Punishment of the Crime of Genocide should be ratified.

Mr. Speaker, the Convention on the Prevention and Punishment of the Crime of Genocide was first submitted for ratification in 1949. Our country's failure to ratify this Convention is a diplomatic embarrassment and represents a shameful retreat from law.

This continuing retreat from law is an unfortunate legacy emanating from the political dynamics of 1948. The year 1948 was a turning point for the United States and its policy toward human rights as an international concern. A restrictive concept of human rights led by then Senator John W. Bricker was gaining dominance. The forces behind a more restrictive concept toward human rights as an international concern comprised a wide spectrum of groups. Many were lawyers concerned over the use of treaty power to usher in domestic economic and social changes. Others, concerned with maintaining the structure of racial segregation and apartheid in the America of that period, stressed their devotion to the principle of states rights. Others, all too familiar today, were in opposition to any form of international cooperation, especially through the United Nations. In addition to these categories of opponents to the promotion and protection of human rights on the domestic and international level, there were numerous civic groups, patriotic organizations, and newspapers that were upset over what they saw as the misuse of executive agreements by Presidents Roosevelt and Truman. Many of the backers of this ascending restrictive movement saw the U.S. involvement in the effort to promote and protect human rights, especially through international treaties, as an attempt to force an alien philosophy on the United States, despite the fact that U.S. delegations then and through the years since have sought with great success to keep the texts acceptable to the American concept of human rights and in accord with the bill of rights contained in the Constitution.

The Convention on the Prevention and Punishment of the Crime of Genocide was an early casualty of this reactionary movement. Adopted by the General Assembly of the United Nations in Paris on December 9, 1948, and signed by the United States 2 days later, it was submitted to the Congress on July 16, 1949. Hearings were held on January 23, 24, and 25 and February 9, 1950. The convention, however, was not ratified at that time.

In April and May of 1970, the Committee on Foreign Relations held public hearings on the Genocide Convention and ordered the convention reported with understandings and declarations on July 28, 1970. In March 1971, the convention was considered, ordered, and for the second time debated briefly on the Senate floor in October of 1972.

In February 1973, the committee, for the third time, ordered the convention reported and in January and February of 1974 there was substantive debate on the floor of the Senate. In 1976, the Committee on Foreign Relations reported the convention for the 4th occasion, and in 1977 President Carter joined his predecessors in recommending ratification. In May 1977 and December 1981, there were again public hearings. There the matter stands as of this moment. As of today, May 11, 1983, there are 92 countries party to the Convention on the Prevention and Punishment of the Crime of Genocide, which has been operative since January 12, 1951, but not the greatest democracy, the United States of America.

Mr. Speaker, what is in this Genocide Convention that has prevented ratification?

The Genocide Convention seeks to get member nations to:

> Undertake to enact, in accordance with their respective Constitutions, the necessary legislation . . . to provide effective penalties for persons guilty of (a) genocide, defined as including, with intent to destroy in whole or in part, a national, ethnic, racial or religious group, (1) the killing of members of the group, (2) causing serious bodily or mental harm to members of the group, (3) deliberately inflicting on the group conditions of life calculated to bring about its physical destruction, (4) imposing measures intended to prevent births within the group, and (5) forcibly transferring children of the group to another group; (b) conspiracy to commit genocide; (c) incitement to commit genocide; (d) attempt to commit genocide; and (e) complicity in genocide.

Mr. Speaker, with our historical memory of the horrors of the Atlantic slave trade in African flesh, slavery and segregation in our own country, the curative results of the civil and human rights in our country, the savagery of Hitler's genocidal murder of European Jewry, the massacre of the Armenians, and the present day realities of Cambodia and South Africa, it is difficult to understand our Nation's failure to ratify the Genocide Convention. The arguments in opposition are weak and in terms of present day realities not only outdated but in fact absurd. Questions of domestic jurisdiction raised by opponents are unworthy of our country and sound more appropriate for South Africa and the Soviet Union, which often raise the issue of domestic jurisdiction to avoid issues of human rights abuse taking place within their borders.

Surely, Mr. Speaker, we can and are better than that company and can take a stand against the heinous crime of genocide.

It is high time, that our great Nation joined with the other 92 nation's party to the Convention on the Prevention and Punishment of the Crime of Genocide.●

● Mr. GREEN. Mr. Speaker, I am proud to join my colleagues to commemorate the victims of genocide and to call for ratification of the Genocide Treaty.

Genocide has stained the history of this century again and again. The shame of the Armenian genocide, the Nazi Holocaust, and the attempted genocide in Biafra and Cambodia can never be redressed, nor can it be forgotten. We can only mourn those who died, and, in remembering their fate,

pledge such atrocities will never again occur.

Prevention of genocide must be a matter of witness, but it should also be a matter of international law. This idea was first developed, but never fully acted upon, by the League of Nations. When the horrors of the Holocaust were realized by the world after World War II, the search for a legal mechanism to deal with genocide was renewed, and the U.N.'s ad hoc committee drafted the Convention on the Prevention and Punishment of the Crime of Genocide. Thirty-five years ago the U.N. unanimously approved the treaty, and 88 member nations have ratified it. Unfortunately, despite our country's staunch defense of human rights and strong participation in the U.N., the United States has failed to ratify the treaty.

I believe the treaty should be ratified immediately and, toward this end, urge my colleagues to cosponsor House Resolution 50, which expresses the House's support for ratification of the Genocide Convention. Currently on display in the Capitol Rotunda is a presentation on the victims of the grisly, genocidal regime of Pol Pot, and I urge all my colleagues to view it. Any who are concerned about the need for the treaty will be persuaded that we must do everything in our power to prevent genocide from ever again occurring.

Thank you, Mr. Speaker. I also appreciate the work of our colleague, Ms. FERRARO, who organized this special order.●

● Mr. MRAZEK. Mr. Speaker, instances of genocide in recorded history stand as humankind's most heinous intrusions upon the moral precepts that have guided civilized behavior.

To most of us, the mere concept of genocide is incomprehensible. Yet, inexorably through time, instances of genocide have blackened both ancient history and modern reality.

Even as it occurs, we find genocide unfathomable. We refuse to believe until it is too late; later we make hollow vows to prevent its reoccurance. Then, unbelievably, it happens again. Of the world's vicious cycles, this stands as the most horrible example.

The 20th century has witnessed acts of genocide and autogenocide unsurpassed in the history of the human race. The Nazi Holocaust and the massacre of the Armenians are but two examples of the destructive force of tyranny and madness unleashed against one people. I commend the efforts of many Members of this body who recently rose to condemn these modern-day atrocities. Yet, we must now move beyond words to demonstrate through our actions the strength of our resolve to put an end to these crimes.

This country cannot claim immunity to the political, cultural or racial forces which lead to genocide. Native Americans, the original occupants of this land, exist in a shattered form after 100 years of cultural progress doled out by this Government. There are no degrees of genocide and failure to prove intent cannot wipe away the horror.

We might begin to rectify our own conduct by joining 88 other nations of the world in ratifying the Genocide Convention. The pact calls for a universal realization that it is incumbent upon all of humankind to stop this outrage and to validate our humanity. We can agree that genocide is an act of madness, yet we have never gone so far in our belief as to ratify an accord to help stop it.

Mr. Speaker, the legal and constitutional questions which once stood between us and the Genocide Convention are no more than convenient and tragic attempts at dilatory posturing today. I urge the support of House Resolution 50 by my colleagues as a means of expressing our convention to the other body that we have waited long enough, and perhaps too long. Somewhere in the world the opportunity for genocide lives and festers. We must dedicate ourselves to eradicating this concept from the realm of the possible.●

● Mr. FISH. Mr. Speaker, I join my colleagues today in speaking out against the crime of genocide. Unfortunately, the 20th century has seen repeated instances of genocide—in Turkey, at the beginning of the century; in Europe in the thirties and forties; and in recent times in Cambodia. Each time we either cry out in horror over the crimes—after the fact—or we try to persuade ourselves that it did not happen, that no government or group of people could participate in something so inhuman.

We assuage our feelings by proudly declaring that it could not happen here, that our system of government would prevent such a travesty of humanity. I am sure that the German people in the 1920's did not believe that it could happen to their country either.

This year we have taken a step toward preventing such events in the future. We are working toward educating ourselves and others in the hopes that we will be able to recognize the actions and events that foreshadow genocide, wherever in the world it may occur, so that we may prevent it from happening again. We have dedicated a U.S. Holocaust Museum to provide a factual account of what has occurred in the past, and what humanity is capable of in the future. We must not allow future generations to make the same mistakes we have made, and unfortunately, continue to make.

There is obviously much more to be done. One item that we have left undone is the ratification of the Genocide Convention. After World War II, the United Nations drafted the International Convention on the Prevention and Punishment of the Crime of Genocide. It was passed by the General Assembly on December 9, 1948, and signed by the United States on December 11. The Convention has never been ratified. The Senate Foreign Relations Committee has favorably reported it four times, but it has been brought to the floor of the Senate only once, and it was not passed.

It is essential that we make a commitment to this treaty's ratification. I would like to send a message to the Members of the Senate to ask that they address this issue. It would bring to the attention of the American people and the world, the U.S. position on the crime of genocide. It is not enough to speak out. The United States should be willing to formally commit itself to preventing and punishing the crime of genocide.●

● Mr. FROST. Mr. Speaker, a few weeks ago we met in these Chambers to honor those courageous survivors of the Holocaust who recently gathered in Washington. At that time we expressed horror and outrage at those atrocities of 40 years ago and stated with great resolve that they would never be forgotten, Indeed, I do not fear that they will be forgotten, for today what were once considered unspeakable horrors—the crimes committed by the Nazis against humanity—provide material for best-selling novels and made-for-television movies. I do not object to these artistic endeavors, in fact I applaud those who seek to educate the public about this blight on our recent history. My only fear is that we will lose sight of the fact that these words and these pictures are merely pale imitations of a stark and horrible reality. I am afraid, not that we will forget, but that we will grow complacent.

And I believe we have grown too secure in our belief that another Holocaust could not occur today; for if we look around us we see that one has occurred. The execution of Cambodian citizens by that country's government from 1975 through 1979 reached proportions that are as startling as they are horrifying. Each Member of this body should walk to the Rotunda of the Cannon Building to view the photo exhibit "Cambodia Witness." It is a grim reminder of the need for constant vigilance in the safeguarding of human life and dignity.

Let us, then, put an end to complacency. As Members of the greatest legislative body in the world, we have a unique opportunity, as well as a weighty responsibility, to insure that the most basic human right is protected. All of us must examine our values and make a new and even stronger commitment that the gruesome mis-

takes of the past will never be repeated. Let us stand firm in our resolve that our children will lose no more of their heritage to senseless killings. Thank you.●

● Mr. LEVINE of California. Mr. Speaker, we are here today to take part in a special order on the crime of genocide. Note I said the "crime" of genocide. It was not until December 1948, when the U.N. General Assembly adopted the Convention on the Prevention and Punishment of the Crime of Genocide, that genocide was designated an international crime. That was after the systematic and brutal extermination of 6 million Jews by the Nazis and of 1½ million Armenians by the Turks.

The U.N. Genocide Convention defines "genocide" as a number of acts "committed with the intent to destroy, in whole or in part, a national, ethnical, racial, or religious group," including killings, and "deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part." While the slaughter of the Armenians and Jews are the most familiar examples of genocide, the systematic murder of people is carried out by governments of many countries, even to this day. Such killings have occurred in Cambodia, El Salvador, Uganda, the Soviet Union, Syria, Guatemala, Central African Empire, Afghanistan, Equatorial Guinea, the Philippines, Iran, Argentina, Chad, Chile, Namibia, Columbia, India, Libya, Burandi, Bolivia, and Ethopia. Gil Elliot, in a book titled "Twentieth Century Book of the Dead," published in 1972, estimated that over 100 million people were killed in the first 70 years of this century.

This number is so great that it is almost impossible to comprehend—over 100 million people murdered—their most fundamental human right life itself extinguished, denied absolutely and forever.

On this solemn occasion we remember these people, and we reaffirm our commitment to preventing future tragedies. Whether we call it genocide, holocaust or extermination, it is a vile and heinous crime against all humanity. The taking of even one life is a sacrilege, the taking of a million lives a profanation of unspeakable magnitude.

We must never forget what has gone before, and we must realize that it can happen—and it is happening—now. We must be ever vigilant in our defense of the most sacred of all rights—the right to life, and we must seek to protect it for the future of all mankind.●

● Mr. ACKERMAN. Mr. Speaker, I would like to thank my distinguished colleagues, Representatives FERRARO, LANTOS, LEACH, and PORTER, for organizing this important and necessary special order on genocide.

Less thoughtful people might say that this Congress has overdone genocide this month, beginning with the special order on the Holocaust survivors in early April and proceeding to the order on Armenian Martyrs Day a couple of weeks ago. But most people will realize that as long as there are those who deny that such horrors ever took place, as long as there are recurrences of such tragedies—as in the recent mass executions in Cambodia—such orders will be necessary.

It is incredible, especially on such a beautiful May afternoon, that there is a place in our language for even the concept of genocide: the deliberate and systematic destruction of a racial, political, or cultural group. But the fact that the word and the deed continue to exist means that we can never rest until it is eradicated.

I would like to urge my colleagues to take a minute to cosponsor three resolutions which have been introduced in the House and which affirm our commitment to fighting genocide.

The first, by Congresswoman FERRARO, House Resolution 50, urges the United States to ratify the Convention on the Prevention and Punishment of the crime of Genocide. The second, by Congressman PASHAYAN, House Resolution 171, affirms the occurrence of the Armenian genocide. And the third, by Congressman ROE, House Joint Resolution 42, establishes a National Day of Remembrance of Man's Inhumanity to Man.

In reality, every day should be a day of remembrance. We as elected representatives of the people have a responsibility to work for generations past, present and future. And until genocide is an event of ancient history, we shall not have completed our work.●

● Mr. LENT. Mr. Speaker, I rise today to join my colleagues in calling attention to the horrible crimes against humanity which have been committed during this century. Despite our advancements we have, Mr. Speaker, seen all too many occasions of man killing his fellow man. Genocide, Mr. Speaker, is a horror that must be stopped.

Anyone who has stopped for only a few brief moments in the rotunda of the Cannon House Office Building, cannot help but be struck by the display exhibited there known as "Cambodia Witness." Sponsored by Amnesty International, this stark and sad example of recent history depicts the frightening realities of the millions of murders carried out by the Communist Government of Cambodia against its own people.

The pictures show for all the world to see the remains of men, women, and children, innocent victims of a brutal regime lacking any respect for the sanctity of human life. This grim, heart-rending display cannot help but kindle in our hearts a sense of outrage over the senselessness of such killings.

Through this exhibit, and the recent observances of Holocaust Memorial and Armenian Martyrs' Day, we have been reminded of the need to maintain vigilance in defense of the most basic human right—the right to live in peace.

Mr. Speaker, it is essential that the grim story of such terrible crimes against humanity be told again and again so that they are not permitted to recur. It is with this thought, Mr. Speaker, that I join my colleagues in this special order on genocide.●

● Mr. MINETA. Mr. Speaker, today, I join those demanding vigilance against genocide. The systematic elimination of a group of people for religious, racial or political reasons is a tragic, hideous violation of human rights.

It is sad but true that genocidal murders have marked the history of the 20th century. We must recognize this harsh truth and respond by combating the evil hatred which leads to genocide.

The U.S. Senate could take one important step in this struggle by ratifying the Convention on the Prevention and Punishment of the Crime of Genocide. This important ratification would serve as a significant affirmation of our Nation's determination to prevent genocide. Yet we must do far, far more.

Each American should personally and actively participate in efforts to insure that there will never again even be an opportunity for genocide.

As a nation and as individuals, we must work to protect civil rights around our world, around our country, and around our community. We must not be passive when we face prejudice or see racist scapegoating, for these are the evil seeds that precede genocide.

Our painful recognition of the horrors which occurred in this century must help us end indifference to the fate of others. Today and forever, let us offer the vigorous action necessary to prevent the hideous crime of genocide.●

● Mr. DWYER. Mr. Speaker, today we pause to record our deep concern over the crime of genocide. It is a crime that has touched many groups all over the globe, and we must continue to raise our voices to decry this worst of all crimes.

In recent months, we have had the opportunity to focus on the injustice and tragedy perpetuated by this systematic persecution, exile, and ultimate massacre.

On Armenian Martyrs Day we took note of the 1.5 million Armenians who suffered death or deportation at the hands of the Ottoman Government. This, the first genocide of 20th centu-

ry Europe, still demands our attention and a full accounting of this crime.

That history repeated itself less than two decades hence in the form of the Holocaust, is a telling reminder that we must remain forever vigilant against such crimes.

We were all duly moved by the presence here of 10,000 American Holocaust survivors last month, moved not only by the magnitude of their suffering, but equally compelled by the strength and conviction with which they emerged from a period of darkness that to most is still incomprehensible.

What these survivors brought forth is a dedication and commitment which remains a source of strength in our continuing efforts against persecution in other parts of the world.

This year also marks the 50th anniversary of the manmade famine in Ukraine where over 7 million persons perished under a genocidal Communist policy.

As a country dedicated to freedom, we must keep a most watchful eye on the threat of genocide and keep the enforcement of human rights and civil liberties in the forefront of our foreign policy choices.●

● Mr. LANTOS. Mr. Speaker, what is the face of genocide? How can anyone deal with what is, to most, an abstract concept?

I suggest the faces of genocide can be found anywhere. Faces without particular distinctions. Men and women and children, who work, who play, who spend time with their families, who try to make the most of their brief time on this Earth.

Look around this Chamber. Look out on Independence Avenue, at the hundreds of visitors who come daily to the Capitol. Ask yourself, how are we so different from those who lived in villages in Turkey in 1914?

How are the people on the street outside so different from those in Berlin, or Warsaw, or Budapest? How are they different from people in Uganda, or Iran?

How is it that people in those places in those times were set upon by their governments? What crime did they commit? What act brought the wrath of their rulers down upon their heads?

The answer is simple. Their crime is that they were born. Born as Armenians. Born as Jews. Born as Buddhist, or Chinese, or Baha'i.

In life, they were similar. So, too, are they in death. There is a shattering exhibit of photographs of the atrocities and genocide in Cambodia on display in the Cannon rotunda, showing some of the work of the Pol Pot regime, which ruled that country between 1975 and 1979.

Take a look at the mass graves, at the bones, at the skulls still covered with blindfolds. Can anyone tell the difference between the contents of those graves, and the ones in Europe. I do not think so.

Genocide is a universal evil, defying time and place. Talking about millions killed here, millions killed there, which government ruled here, which ruled there—while descriptive, cannot reflect the true face of genocide.

That is found only in looking, one by one, at the victims, and trying to figure out who they were and why they are dead.

We may not be able to do much in some instances to prevent genocide, Cambodia stands out as one example. But we should not shrink from the opportunity to speak out against it, by whatever means we have.

There is a treaty, the United Nations Genocide Convention, which has been ratified by 85 countries. The United States stands out as a significant exception. One can make all sorts of political arguments why we should not sign it, but I daresay none of them stand up when one looks into the faces of the survivors, and at the remains of a society decimated by a government's ultimate brutality to its people.

Let us make an all-out effort to ratify this treaty, to oppose genocide. This Nation must not forget the face of genocide.●

● Mr. FRANK. Mr. Speaker, the great enemy of genocide is memory. In taking out this special order, my colleagues have assured that the massacres and pogroms of this century are not forgotten. Further, as long as the horrors of this and other centuries remain clear and vivid in our national conscience, the hope of preventing future genocides is advanced.

Two weeks ago, at the first American gathering of Jewish Holocaust Survivors, thousands of survivors and their children gathered in Washington to bear witness to the memory of their ordeal. As one of the participants reflected as she surveyed the crowd at one of the gathering's events:

Perhaps no one can truly understand what these people experienced or be with them in their innermost thoughts, but we must reflect on this time in history, the message it presents to us today. And not forget.

The author of these thoughts, Lesley Weiss, is the daughter of an Auschwitz survivor and currently serves as the assistant director of the New England Anti-Defamation League. She joined her mother in Washington in fulfillment of her belief that the new generation should neither forget nor be indifferent to their "grim heritage." In this spirit, I have entered her essay into the RECORD in order to give fuller meaning to our shared goal of preventing future acts of genocide.

[From the Christian Science Monitor, May 2, 1983]

A DAUGHTER AT THE GATHERING

(By Lesley Weiss)

As I looked around the Capital Centre, the cavernous sports arena filled with 15,000 people—Jewish survivors of Hitler's rampage through Europe and their children—I wondered aloud to my mother: "It's hard to believe that even more than this number of people were murdered." My mother looked at me. "I saw this number of people walk into the gas chambers every day in Auschwitz."

We were attending the first American Gathering of Jewish Holocaust Survivors April 11 to 13 in Washington. A reunion bringing together people originating from many different countries in Europe speaking many languages from all walks of life, all sharing a grim heritage.

The survivors gathered to sustain a dark memory. They brought their children to ensure that the new generation would remember and not be indifferent.

They came to find anyone who had information about friends, townspeople, and most of all to find witnesses who might provide an account of how family members perished in the extermination camps and prisons. The events surrounding their deaths are most often unknown.

They found comfort in being with each other, shedding the public posture usually reserved for the rest of the world to whom the Nazi horrors are a mere historic event.

As I looked at the aging faces, I was struck with the realization that the collective experience of pain in their hearts and memories encompasses every kind of cruelty that man has ever inflicted on his fellow man. This shared memory united this diverse remnant of European Jewry.

Throughout the week, we listened to scholars and poets, community leaders, and elected officials try to interpret those events. The survivors exhibited the greatest surge of emotion when speaker after speaker praised the United States for giving them a home and a chance to rebuild their lives. They were equally emotional when they heard Israel's safety and security reaffirmed. Because it is these people who really understand what the absence of a Jewish homeland meant to the Jews in those years of annihilation.

And they were moved by the Americans public's recognition of this tragedy. I heard the sentiment expressed several times: "The death camps were to be the end of evil, strife, war and distrust in the world." Its sheer magnitude was to make these concepts obsolete. But, on the whole, the world ignored the Holocaust and the survivors and generally did not acknowledge the events that took place.

It is the creation of Israel and the knowledge that there is a country that will never close its doors to Jews from anywhere should there ever be a need which provide some measure of consolation to these survivors of the Holocaust.

They have witnessed the world fall around them in Europe, and they came to this country to rebuild their lives. Since then they have had children, pursued careers, and continued living.

As I watched my mother and her few surviving family members among the thousands of people like them at the gathering, I thought about the responsibility that remains.

Perhaps no one can truly understand what these people experienced or be with them in their innermost thoughts, but we must reflect on this time in history, the message it presents to us today. And not forget.●

● Mr. LEACH of Iowa. Mr. Speaker, I am pleased to join my distinguished colleagues, Mr. PORTER, Mr. LANTOS, and Mrs. FERRARO, in sponsoring this special order today.

When faced with the dark history of genocide, it is no longer simply enough to remember. The holocausts of the 20th century have victimized the Armenians, the Jewish peoples of Germany and Eastern Europe, the Cambodians, the Ugandans, the Chinese in Indonesia, the Hmong in Laos, as well as the Baha'i of Iran. The memory of these tragedies will haunt us forever.

The right to human life itself is the most basic right all of us claim as human beings on this Earth. It is the first and foremost of those inalienable rights upon which our forefathers, in the Declaration of Independence, established the right to revolt and establish a new nation. Any government which treads on these rights faces the righteous wrath of its subjects and its neighbors in the world community.

International human rights instruments of the 20th century have amplified the universality of the right to life we enshrine in our own political history in such documents as the Universal Declaration of Human Rights.

However, one of the most important human rights conventions to emerge from the ashes of World War II—the Genocide Convention—today stands unratified by the United States. Yet, as my colleagues know, the United States was instrumental in the drafting of this convention in those years immediately following World War II and the discovery of the horrors of the Nazi Holocaust. Every administration since then—Republican and Democratic alike—up until this administration which has not yet taken a position, has supported its ratification. It has been favorably reported by the Senate Foreign Relations Committee no less than four times and in 1974 managed to get 55 votes in an effort to break the filibuster, but still has not garnered the necessary two-thirds vote for ratification.

During the last Congress, the Senate Foreign Relations Committee once again held hearings on the Genocide Convention, at which time the distinguished Republican chairman of that committee stated:

I support ratification of the Genocide Convention . . . It remains today what it was at the time of its original negotiation: an important statement by the nations of the world that those who would perpetrate the unspeakable crime of trying to exterminate a national, ethnic, racial, or religious group must not be allowed sanctuary anywhere in the world. . . . It forms a general network of treaties which declare certain actions to be international crimes, justifying concerted action by all countries to bring the perpetrators to trial. However new and untried this concept may have seemed to the Senate in 1949, there is nothing radical or unusual about it today. Just last summer, the Senate approved by a vote of 98-0 two treaties which provide for just such international action, the first against those who take hostages for political purposes and the second against those who divert nuclear materials for unauthorized use. . . . If we can agree to condemn and seek to punish such violators of international law, why should we not agree to treat the perpetrators of genocide in the same manner?

In the early days of this administration, Secretary of State designee, Alexander Haig noted in response from a question in his confirmation proceedings regarding the Genocide Convention:

Ratification of the Genocide Convention would unquestionably be helpful in various international fora where the United States has been critized for its failure to ratify the Genocide Convention. This is ironic because the United States was a leader in the post World War II effort to conclude this Convention. . . .

Later that year, in confirmation hearings, the nominee to be the new Assistant Secretary of State for Human Rights and Humanitarian Affairs, Elliott Abrams, told the Senate Foreign Relations Committee that the Genocide Convention and related treaties would be a high priority when he assumed office. He said:

As soon as the Bureau is fully staffed, my first priority is going to be to study those treaties and conventions and try to get some decisions . . . My own predilection is to have the United States sign and ratify treaties such as the Genocide Treaty, not because they are going to have any effect within the United States, where we are well beyond the minimum standards that these treaties would impose, but really because they have a certain standing in the international community and it is an embarrassment to us in some cases if we do not ratify when many other countries do. I have not given the Genocide Treaty the intensive study that I intend now to give it. But it would be my hope that no problems arise in the review of it which would prevent me from reaching the conclusion that ratification is possible.

On this occasion when we recall the horrors of this most egregious of human rights abuses, I would urge the President to take a strong affirmative stand in favor of ratification. It is a small but important step that can be taken to help insure this world will never again witness mass murder on such scale.●

● Mr. SUNIA. Mr. Speaker, in whatever forms it might take the crime of genocide—the systematic, planned annihilation of an ethnic, racial, political or cultural group—is one to the most heinous and vicious dark sides to human group behavior yet discovered in mankind's nature.

The 20th century is replete with examples of this from the Holocaust against the Jews during World War II, the massacre of Armenians, and recent events in Cambodia in Southeast Asia.

Even in our own country over the last several centuries things have not always been exemplary in the defense of civil rights of our citizens and have only recently been redressed and realined in view of human dignity and equal rights and privileges for all our citizenry.

The crime of genocide is especially atrocious as it singles out one group for its attack. We all should be very alert and reaffirm our basic human values and maintain extreme vigilance concerning any movement, whether within our own country or without, toward any insidious drift toward this unspeakable crime against all of humanity. It must be prevented throughout the world and not allowed to happen again anywhere on Earth.●

● Mr. EDGAR. Mr. Speaker, all too often we find ourselves witness to the most pointless examples of destruction and violence. Acts of terrorism, assassinations, and instances of random brutality have become frighteningly commonplace. And yet. as terrible as these senseless cruelties are, infinitely more horrifying is the cold and calculated extermination of a people. It is this, the ultimate crime of genocide, on which we focus today.

Between 1915 and 1917, 1½ million Armenians died at the hands of their Ottoman overlords. The extreme suffering endured by the Armenian people, coupled with the cruel and cynical policies pursued by the Turkish Government at this time, mark the Armenian massacre as the first genocide of the 20th century. This grim distinction was not sufficient to forestall the occurrence of additional cases of genocide during this century, however. Indeed, the genocide of the European Jews during World War II eclipses all others in the scope of its depravity. This planned and systematic extermination of millions of innocent people stands as a monument to mass hysteria and intolerance. Even today, the cruelty of the Holocaust is largely incomprehensible. This most horrible of crimes against humanity was not to be the last, however. As recently as the 1970's, the Cambodian Government of Pol Pot carried out a program of mass executions against its own people. Once again, the world was shocked by another example of organized brutality of huge proportion.

Sadly, there is no lack in modern history for documented cases of genocide. The examples I have cited are among the most terrible of these, but are by no means the only ones. The victims of genocide number in the millions.

There are some who think it best to put the memory of these atrocities behind us. The wounds are deep and the memories painful. And yet, even as

the grass grows over the graves and the horrors recede into the past, we must never allow ourselves to forget the millions whose suffering and death were a result of man's inhumanity to man.

Clearly, reparation can never be made for the suffering inflicted upon the victims of genocide. At the same time, we can and must act to insure that such tragedies are never repeated. George Santayana once warned that "those who do not remember the past are condemned to relive it." We must remember the Armenians, the Jews, the Cambodians, and the millions of others in whose name we pause to reflect today.●

● Mr. BATES. Mr. Speaker, I rise today to speak of the crimes of genocide committed in the 20th century. It is a plain fact that decade after decade horrors are perpetrated on the peoples of this world. This has been true from Armenia to Germany to Cambodia. But revulsion in and of itself can accomplish little. We must remember our painful duty to share the lessons of history with our children and generations yet unborn.

Why are we so insistent on calling attention to atrocities that happened many years ago? The answer is very simple. If decent and humane people of this world do not remember the savagery that has taken place, history will repeat itself. Adolph Hitler once explained how the Third Reich could commit its atrocities by saying, "Who still talks nowadays of the Armenians?". You can be sure that we still talk nowadays of the Jews.

We will never lower our voices, as individuals and as a nation, in support of peoples around the world who are struggling to break the yoke of brutal regimes. Violence has become a part of the daily diet of mankind. Daily, we hear the cries of those individuals who struggle for freedom. Let us make sure that we never lower our voices in their support.●

GENERAL LEAVE

Ms. FERRARO. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the subject of my special order today.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from New York?

There was no objection.

GENOCIDE

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Illinois (Mr. PORTER) is recognized for 10 minutes.

Mr. PORTER. Mr. Speaker, we meet today to discuss the most frightening abuse of human rights known to man—genocide, the deliberate and systematic destruction of a racial, political, or cultural group. What is even more frightening is that fact that we have seen three acts of genocide in this century. We must never forget and we must make certain that such acts never occur again.

Last night I was part of a program that depicted the horrors of this destructive violation of human rights. Amnesty International presented a photographic display entitled "Cambodia Witness." The exhibit depicts the intentional and deliberate attempt of the Khmer Rouge to eliminate various population groups in Cambodia. Through mass murders, executions, and evacuations of thousands of people, Cambodian society was shattered. The terror of this destruction is heightened by the fact that it occurred during the last decade.

The theme is exemplified in the title of the exhibit, "Cambodia Witness." The text of the exhibit defines witness as "knowledge, understanding and wisdom." So many people try to deny that they were witnesses to this and other grotesque acts of genocide. Yet our history books prove that we knew what had happened. History tells about the Armenian genocide in World War I. This tragic sequence of events began with the execution of 300 Armenian leaders in Turkey in 1915, and ended in 1923 with more than 2.5 million Armenians—men, women, and children—dead, many from internment in concentration camps. A tragedy of this magnitude would surely be thought one of the most infamous events in all history. When it ended the people cried out that we would never allow such violations against human life to happen again. We said then that we understood.

But as Hitler moved into his "final solution," genocide against the Jews in World War II, it was clear that the world had forgotten. Hitler himself said "Who, after all, speaks today of the annihilation of the Armenians." After 6 million Jews were killed, what has been described as the darkest age of mankind was said to be over. And the world cried out that never again would we allow such violations against human life to happen. Again we thought we understood.

And yet the knowledge of what happened and our repeated declarations that we understood the need to stop genocide from reoccurring—in any form, in any place, against any peoples—lacked the wisdom to stop a third act of genocide—the killing of over 1½ million Cambodians, not years and years ago, but between 1975 and 1979.

We are witnesses to all these atrocities. It is we—you and I and all caring human beings—who must take the responsibility to assure that it will truly never happen again. Today we are reminded of our role as a witness to genocide. And as witnesses we realize the need to combine knowledge, understanding, wisdom and our collective wills and commitment to assure that the right of a people to live is never again violated.

As cofounder of the Congressional Human Rights Caucus, I, together with the other 110 members of the caucus, will continue to focus attention on these crimes against humanity. The caucus is dedicated to ending violations of human rights abuses wherever they are found in the world and to emphasize the responsibility of Congress in furthering for all peoples the principles of individual freedom on which our country was founded.

It is time to return the value of human rights to the highest priority in our relations with the world at large and to assure that such grotesque violations of human rights are part of our past.

I urge my colleagues to accept the full definition of a witness—we know genocide has happened, and we understand the need to stop this destructive act. Let us now use our wisdom and our strength to end genocide once and for all. Let us not forget that all these acts which I have mentioned occurred in this century and let us fulfill our responsibility to draw public attention to them again and again so that we and generations to come will shrink in horror from them and will do everything possible so that all men and women are free from persecution, free from discrimination and free from the threat of genocide or indeed from any violation of their basic rights as human beings.

TRIBUTE TO THE LATE HONORABLE E. ROSS ADAIR

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Indiana (Mr. COATS) is recognized for 60 minutes.

GENERAL LEAVE

Mr. COATS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks, and include therein extraneous material on the life, character, and public service of the late Honorable E. Ross Adair.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. COATS. Mr. Speaker, it is with both sadness and appreciation that I rise today to pay tribute to our fallen comrade, the late E. Ross Adair, who served in this body so well for 20 years, from 1950 to 1970. It is sadness because we will all miss Ross, those who knew him and those who served with him, those with whom he served and those whom he served. All of us

will miss Ross and miss him in a way that we cannot describe.

But we also rise today in appreciation, in appreciation for the very full life and very rich life that he lived. Those who had the privilege of knowing Ross, know that he left something of himself with everyone whom he met, and it is that appreciation that we want to express today.

Ross served, as I said, for 20 years in this body. He was a predecessor of mine and served the Fourth District of Indiana and served it very well. Born on December 14, 1907, the son of a newspaper editor and a school superintendent, he graduated from Albion High School in Albion, Ind., and then went to Hillsdale College in Hillsdale, Mich., where he received his bachelor's degree, and later to George Washington University Law School here in Washington where he received his law degree. Few know that Ross, during law school, saw the other side of life here on Capitol Hill as he served as a Capitol policeman during that time, paying his way through school and earning his law degree.

□ 1900

In World War II he distinguished himself and was awarded battle stars for the Normandy, northern France, the Ardennes, and central European campaigns, and then he was elected to the House of Representatives for 10 consecutive terms, between 1950 and 1968.

In 1971 President Nixon appointed Ross as Ambassador to Ethiopia, a post which he held until 1974, when he resigned to return to his law practice in Fort Wayne.

In his 20-year term in Congress, Ross Adair served first as ranking member of the Veterans' Affairs Committee and then as ranking member of the Foreign Affairs Committee, where he was especially involved in issues involving Africa and the Middle East. Those who knew Ross know of his intense interest in worldwide and foreign affairs and his involvement with embassy people and people from all over the world and of his special contribution in that area.

Ross and his wife Marian, who was also very involved here in Washington and who made some great contributions to this city, visited Washington often after Ross returned to Fort Wayne. He was always here for Members Day, whenever his health permitted. He always stopped by the office and always had a word of encouragement. One thing that marked Ross was that never a negative word came forth; there was also positive encouragement.

At the age of 75, on May 7 of this year, congestive heart failure, which occurred less than 24 hours after going into extensive open heart surgery, took the life of Ross Adair, and he is survived by his beautiful wife, Marian, his son Stephen, who serves in the law firm in Fort Wayne, and his daughter, Caroline Dimmers, of Hastings, Mich.; and five beautiful grandchildren.

I had the privilege of being one of five who paid tribute to Ross, not at his funeral, but at a celebration of appreciation for his life. Doug Coe, whom many of us know here as the founder of the National Prayer Breakfast Group, something that Ross was intimately involved in, flew out to Fort Wayne and paid tribute to Ross. I would just like to quote from one thing that Doug said:

> He cared deeply about the needs of others. His love and devotion to Jesus Christ made him like that. He knew that love for God is found in love for people.

Orvas Beers, Ross' law partner since 1948 in the firm of which Ross was senior partner, and Allen County Republican Chairman for many, many years, and perhaps Ross' closest friend in Fort Wayne, said this:

> He had a tremendous effect on the Republican Party and on all of us involved. He was a kind, compassionate, and complete Christian.

And I think this is a special tribute to Ross and the kind of person he was. Orvis Beers said, "We used to say, 'he's the kind of person we all should be.'"

That says a lot to sum up the kind of person Ross was, "the kind of person we all should be."

Rev. Howard Brown, the pastor of Ross' church in Fort Wayne, the Forest Park United Methodist Church, which Ross joined in 1934, and George Roche, president of Hillsdale College, also gave tribute to Ross. So it was a special moment yesterday in Fort Wayne when many people, more than 300 people, gathered together to honor Ross Adair and the life he lived.

Ross was a great help to me personally. He helped me in the campaign, I was a young, naive, inexperienced candidate running for office for the first time, and he was willing to take me aside and give me advice and give me encouragement. He helped me along the way, and afterward, ever the statesman, Ross never called, never forced himself on me, but was always there and always available for advice whenever I asked—and I asked often. His visits to Washington always resulted in a stop by the office. He would ask, "how are your doing? Anything I can do to help?" He always had a good word of encouragement.

His wife, Marian, was always by his side, and Marian, who made such an important contribution along with Ross—they were truly a team—will continue his work and continue the things he has done. She left a real legacy in Washington also. Her involvement with the international community, her involvement with the embassy people, and Ross' involvement with people around the world from his service in Ethiopia will long be remembered.

Ross proved that you did not have to be negative and you did not have to run someone else down in order to be a successful Congressman. Ross conducted the kind of campaign we all should conduct. He was always decent, always positive, and always speaking about his positive contribution and never running his opponent down. In fact, one of the tributes paid to Ross was from Ed Roush, the Member who succeeded Ross in 1970. He said that of all the campaigns he ran in, the two campaigns in 1968 and 1970 were as decent as any he was ever in.

Ross leaves us a legacy. He is an example, as Orvas Beers said, of what we all should be.

Mr. Speaker, I know there are a number of Members who want to say a few words, and I would be happy to yield to them at this time.

Mr. LATTA. Mr. Speaker, will the gentleman yield?

Mr. COATS. I am happy to yield to the gentleman from Ohio.

Mr. LATTA. Mr. Speaker, I thank the gentlemen from Indiana for giving us an opportunity to express our sadness at the loss of one of our former colleagues, E. Ross Adair. He will be missed—by his family and by all those with whom he served. I was honored to be able to call him my friend.

Ross came to Congress in 1950, and during the two decades he served, steadily he moved to the forefront, rising to the post of ranking Republican on the House Foreign Affairs Committee and serving as well on the Veterans' Affairs Committee and the Committee on Committees.

As the most senior Republican on the Foreign Affairs Committee he was a leader and a guiding light to those who served with him. I came to know and respect him as a man of his word and a man of deep conviction.

Mr. Speaker, Ross Adair served his country well—as a highly decorated World War II veteran; as the Representative of the Fourth District of Indiana for 20 years and as Ambassador to Ethiopia.

We all know Ross loved America. He loved Indiana. For 20 years he poured out his heart and soul in the public arena for the good of this Republic. He gave to America much more than he ever asked in return. His patriotism and belief in the greatness of America never wavered.

The people of Indiana and indeed the entire Nation were the beneficiaries of two decades of distinguished congressional service from Ross Adair. This service will be long remembered.

I join with his family, his many friends, and this Nation in mourning his passing.

Mr. HILER. Mr. Speaker, will the gentleman yield?

Mr. COATS. I yield to the gentleman from Indiana.

Mr. HILER. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, I first want to commend the distinguished senior Republican of the Indiana congressional delegation, JOHN MYERS, and my good friend and colleague, DAN COATS for thoughtfully arranging this special order. Ross Adair was one of the most distinguished members ever to have served in this House.

I have never had the opportunity to know Mr. Adair personally. But I know the legacy he has left for those of us in the Indiana congressional delegation to carry on.

Ross Adair's record is one which each of us should try to emulate. He was a dedicated public servant. He persevered on behalf of his Nation, his State, and those whom he represented so well during his 20-year tenure in this body. I am honored to be a small part of the Hoosier State's rich heritage of legislative service, a heritage Ross Adair largely crafted.

Being one of the younger Members of this House, I have a special appreciation for those colleagues and former colleagues of mine who have accumulated tremendous records of service. I am awed and inspired by Ross Adair's record of service. He served his country in war. He served his country in Congress. He helped lead this Congress during a critical time in our Nation's history, as the ranking Republican member of the House Foreign Affairs Committee. He represented this country as Ambassador to Ethiopia after his service in Congress ended. And he continued his service up until his death.

The outstanding quality of statesmanship that my good friend DAN COATS and his predecessor, Senator DAN QUAYLE, have provided this Nation I know is due in large part to the example set and counsel provided by Ross Adair.

My heartfelt sympathies to the Adair family during their time of loss. I yield back the balance of my time.

□ 1910

Mr. GONZALEZ. Mr. Speaker, I came to the Congress, that is, I was sworn in on January 8, 1962. Mr. Adair was one of the first who even though belonging to the other party came over and pointed out that he was a 6-term occupant of the House of Representatives and revealed himself to be not only friendly, but very helpful.

I think every one of us serving here remembers vividly his first day of arrival and what it means to have a friendly countenance and a friendly hand.

Then, of course, the following 6 years, I had the privilege of serving with Mr. Adair and I got to know him a little bit better, certainly a lot more than the average that one has the opportunity to really get to know in a body of 435 Members.

He always revealed himself, indeed, as a true gentleman, what I always identify in my mind as a symbol of what I call, whatever that image formed in my mind is, I call it the "Old Stock American."

He was very genial and I always thought reflected a high level of official comportment as a Member of this House. It is with sincere and deep regret that I hear of his passing and wish to convey to his family and to those that belong to his family, his loved ones, my sincere condolences at his passing.

Once again, I thank the gentleman for giving us the opportunity to say these few words.

Mr. COATS. Mr. Speaker, I thank the gentleman from Texas for those words and reminiscences that he has of serving with Ross Adair in this body and providing us some insights as to Ross's conduct that we all know about and appreciate so much.

Ross leaves a real legacy and it is a privilege for me to be able to follow in that legacy, to serve the people that Ross served, to walk where he walked and talk to the people he talked to.

I just know that he is listening today and I want him to know that it is a great privilege to follow him and walk in his steps. I know that as I do walk in his steps, I will serve the people of the Fourth District of Indiana very well.

● Mr. QUILLEN. Mr. Speaker, it is with sadness that I join my colleagues in remembering our friend former Congressman E. Ross Adair, who passed away last Saturday.

Congressman Adair was a fine man and a fine public servant. I was privileged to serve in the House with Ross Adair for 8 years and recall his many efforts on behalf of his constituents in Indiana. He was an outstanding representative for his district, and he also served with distinction as the ranking minority member of the House Committee on Foreign Affairs.

Following his 20 years of service in the House, Congressman Adair continued to serve his country as our Ambassador to Ethiopia.

Ross Adair was laid to rest yesterday afternoon in Fort Wayne. I am saddened by his passing and wish to extend my sympathy to his wife, Marian, and the members of his family.●

● Mr. MONTGOMERY. Mr. Speaker, I would like to join in paying tribute to one of our former colleagues, the Honorable E. Ross Adair of Indiana, who died last Saturday of congestive heart failure.

Ross not only distinguished himself as a Member of the House of Representatives from 1950 to 1970, but he also served this country as Ambassador to Ethiopia. His ambassadorship lasted until 1974 when he returned to his practice of law in Fort Wayne, Ind.

He became the ranking member of the House Foreign Affairs Committee and was a very knowledgeable and valuable member of that panel. I especially appreciate the work he did on the House Select Committee on U.S. Involvement in Southeast Asia. I was chairman of that House select committee and I can say that Ross made a great contribution to it.

Ross Adair spent most of his adult life in service to his State of Indiana and to this country. He was a great American and we shall miss him.●

● Mr. WINN. Mr. Speaker, I would like to pay tribute to a distinguished former Member of the U.S. House of Representatives and to a fine human being, E. Ross Adair. During his 20 years of service in the House, the honorable gentleman from Indiana rose to the position of ranking minority member of the Foreign Affairs Committee. However, more importantly, he used that position and his seniority in the House to promote legislation and policies that were sound, reasonable, and insightful.

Ross Adair earned wide respect and admiration throughout the membership of the House. I was among his many admirers who looked to his leadership. As one who was privileged to serve with Ross Adair in this body, I can say that there have been few who have demonstrated the compassion for people, the understanding of issues, and the strength of character of the gentleman from Indiana, E. Ross Adair. As we grieve his death, it is fitting that we remember his outstanding example of service and seek to achieve it in carrying out our own responsibilities as elected representatives.

Joan and I would like to extend our deepest sympathy to Ross Adair's lovely wife, Marian, and to his children, other family members, and friends.●

● Mr. MICHEL. Mr. Speaker, I am saddened by the report of the death of our good friend and former colleague, Ross Adair of Indiana. During 20 years in Congress, Ross demonstrated not only political ability of the first order, but personal qualities that endeared him to all of us.

He became ranking Republican member of the House Foreign Affairs Committee during a period when many critical issues emerged concerning our Nation's role in the world.

It is difficult under any circumstances to learn of the death of such a distinguished colleague. It is particularly difficult in Ross's case because, as his law partner put it, Ross was "a kind, compassionate and complete

Christian * * * the kind of person we should be."

Neither our Nation nor the State of Indiana can afford such loss. Our condolences go to his family and many friends.●

● Mr. BROOMFIELD. Mr. Speaker, "He was a kind, compassionate, complete Christian. . . . the kind of person we should be." That is how one friend of E. Ross Adair described the former Fourth District of Indiana Congressman who died of congestive heart failure on May 7 in Fort Wayne, Ind.

Ross Adair, who served for 20 years in the House, was the ranking minority member of the Foreign Affairs Committee prior to leaving the House at the end of the 91st Congress. He was respected by those of us who served with him for his grasp of foreign policy issues, his fairness, and consideration of the views of others.

In 1971, he was named Ambassador to Ethiopia by President Nixon, a post he held until 1974.

While a native of Indiana, Ross Adair attended Hillsdale College, Hillsdale, Mich., and George Washington University Law School in Washington, D.C. While in law school, Adair got his first taste of Capitol Hill by working part time in the folding room and as a Capitol Hill Policeman.

Adair was an active participant in various international parliamentary conferences, and his wife, Marian, was an active partner, giving special attention to international Christian leadership programs.

Following his retirement from Government service, Ross and Marian returned to Fort Wayne where he was a senior partner in the law firm of Adair, Perry, Beers, Mallers & Larmore.

In addition to his widow, he is survived by a son, Stephen, of Fort Wayne; a daughter, Mrs. Caroline Dimmers of Hastings, Mich., and five grandchildren.

To his family we extend our condolences on the passing of E. Ross Adair, a distinguished legislator, a conscientious public servant, and a devoted husband and father.●

● Mr. BOLAND. Mr. Speaker, I am pleased to join my colleagues in paying tribute to the late Honorable E. Ross Adair who passed away on Saturday May 7, 1983.

Those of us who served with Ross will always remember him as a fine legislator and friend. He had a tremendous record of public service, having served in the U.S. Army in World War II, as probate commissioner of Allen County Indiana, as a Member of Congress and as U.S. Ambassador to Ethiopia. Throughout his career, Ross distinguished himself as a compassionate and principal leader, and as a scholar of the law. I am sure that the people of Indiana and the entire Nation have been saddened by his passing. I extend my sympathy to Ross' family.●

● Mr. HILLIS. Mr. Speaker, I am most privileged and honored to have this opportunity to take part in a special order for a former member of this body from my home State, E. Ross Adair, who died last Saturday of congestive heart failure.

I had been well acquainted with his reputation for honesty and his abilities as a legislator even prior to my coming to Congress 12 years ago. I vividly recall that I had come to Washington as a member-elect at the same time Congressman Adair was preparing to leave. With a kindness and foresight which was characteristic of this man, he made a special effort to invite me into his office for a visit, even though he was busily preparing to close down after two decades here. I have never forgotten that visit, during which he gave me most helpful advice, and shared his viewpoints on life in the Capital, telling me what I might expect. It served me well throughout my own career here, and I am most thankful for having known this man. Our paths have crossed a number of times since that memorable first visit and I continued to have the pleasure of sharing his experiences and his warm friendship. His reputation for integrity was indeed a model to follow.

He was a most able servant of the people of Indiana's Fourth District for 20 years, and rose to the status of ranking minority leader on the House Foreign Affairs Committee. He later served as our Ambassador to Ethiopia for nearly 4 years, before returning to his native city and the practice of law.

I am proud to have known this man, a gentleman and a leader, a man who always walked tall among his colleagues as well as among his constituents.●

● Mr. BROYHILL. Mr. Speaker, I was saddened to hear of the untimely passing of my good friend, Ross Adair. When I came to Congress in 1963, Ross was one of the key Members of Congress that I turned to for advice and counsel. Ross was always most helpful. He was most patient to take time to explain the issues to a new Congressman and his advice was always sound. He and his lovely wife, Marian, were most kind to Louise and me, and we will always be grateful for their friendship.

Louise joins me in extending to Marian and the family our sincere condolences and deepest sympathy. Ross will be sorely missed.●

● Mr. ZABLOCKI. Mr. Speaker, like many of my colleagues who remember him with high regard and affection, I was deeply saddened to learn of the death this past weekend of the Honorable E. Ross Adair of Indiana.

Ross Adair was a distinguished and highly respected member of this body for over two decades, and it was my privilege to serve with him on the Committee on Foreign Affairs, both before and after he became ranking minority member.

Ross was a man of high integrity, deep personal conviction, and sound judgment, who made a strong and lasting impression on this body. As a practicing attorney in Fort Wayne for 18 years, as a representative of Indiana's Fourth Congressional District, and as an Ambassador to Ethiopia, he served his community, his constituents and his country with great honor and distinction.

A man of quiet dignity, great dedication and obvious sincerity, Ross Adair won many friends and admirers in this body. I remember well the numerous tributes which were paid to him on the House floor on the eve of his departure—as Members of every political persuasion expressed their admiration and respect for his outstanding public career. For someone of his modest inclination and disposition, it was undoubtedly an overwhelming, memorable—and, I should add—richly deserved experience.

To his wife, Marian and all members of the Adair family, I extend my deepest sympathy, together with a shared sense of loss over the passing of this great American.●

● Mr. ERLENBORN. Mr. Speaker, I would be remiss if I did not take a moment to pay tribute to E. Ross Adair, a former colleague and old friend, who passed away a few days ago.

When I came to Congress in 1965, Ross had already been here for 14 years, and I quickly learned that he had a vast knowledge of international matters he was willing to share. In the process, we became friends.

I remember well the many courtesies and warm hospitality he extended when I later had occasion to visit Ethiopia while he was our Ambassador there.

I hope his wife and daughter will find comfort in knowing that his friends in Congress have fond memories of Ross and will not soon forget this statesman.●

VOTER INTEREST AND PARTICIPATION ACT OF 1983

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Illinois (Mr. CORCORAN) is recognized for 10 minutes.

● Mr. CORCORAN. Mr. Speaker, today, I am introducing legislation which is not a panacea for all the controversial effects of the various Federal election campaign laws passed since 1971. This legislation is, though, a beginning in our attempt to reassert the role of the major political parties and individuals in the political process. Now, I am opposed to the remedies

which have been introduced by my colleagues which would limit the ability of political action committees and others to contribute to candidates for Federal office. The growth of these political action committees (PAC's) is as a direct result of the vacuum caused by laws enacted during the last decade which have reduced the influence of both the Democratic and Republican Parties to contribute and expend funds in behalf of candidates for the Congress. Likewise, individuals, who under the 1974 FECA amendments were prohibited from contributing more than $1,000 to any candidate for Federal office per election, have seen their ability to influence elections erode with the burgeoning inflation rates of the 1970's and early 1980's.

What my legislation would do is encourage individual interest in the political process, and along with that, allow for the rebuilding of the political parties by giving them a greater part in the election of candidates to the House of Representatives and the Senate. In later special orders, I will further refine my remarks about this important topic.

At this point, Mr. Speaker, I would like to include a section-by-section analysis of the bill and insert the text of it:

Section 1: Short Title—"Voter Interest and Participation Act of 1983"

Section 2: This section would permit the mailing of absentee ballots for any Federal election to prospective voters and the returning of same without postage. This is similar to a bill which I introduced during the 96th Congress.

Section 3: This section amends the Internal Revenue Code of 1954 by increasing the tax credit for political contributions to candidates for various offices. It would adjust the tax credit from $50 to $200 for individuals filing their own returns, and from $100 to $400 for joint filings. The credit would remain at 50 percent of the total contributions up to the above stated limits.

Section 4: This provision also amends the Internal Revenue Code by applying the appropriate tax rate, rather than the highest tax rate, on investment income of national, state, and local political party committees.

Section 5: This section increases the ability of individuals to contribute to candidates or their principal campaign committees from $1000 to $3000 per election. This is a recommendation of the Harvard University Institute of Politics study conducted in 1979. The study, undertaken for the House Administration Committee, concluded that the FECA has had a major impact on how federal candidates and political parties operate. The study's major findings were that individual contribution limits have been set too low, forcing candidates to turn to PACs and their own personal wealth. This section also increases the amount that individuals and non-multi candidate political committees can contribute to political party committees. The limit, per calendar year is doubled, from $20,000 to $40,000. Finally, the aggregate sum that individuals can contribute to all political activities would be increased from $25,000 to $50,000 per calendar year. Provision (c) of this section would eliminate all contribution and expenditure limitations by a political committee of a political party with respect to candidates running for the Congress. It would keep in place all disclosure requirements of the political parties currently in the law.

Section 6: This section discusses the applicability of the above sections of the bill. All provisions become effective during calendar year 1984 or after the 1984 election cycle, depending on the specific section in the legislation.

H.R. 2976

A bill to increase voter participation by providing for free mailing of absentee ballots, improving tax credits for political contributions, and increasing certain campaign contribution and expenditure limitations, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Voter Interest and Participation Act of 1983".

SEC. 2. (a) Chapter 34 of title 39, United States Code, is amended by adding at the end the following new section:

"§ 3406. Mailing of absentee ballots for Federal elections

"(a) Except as provided in subsection (b) of this section—

"(1) absentee ballots for any Federal election, voting instructions for such ballots, and return envelopes for such ballots sent to voters by State or local election authorities; and

"(2) such absentee ballots returned by voters to State or local election authorities;

may be mailed free of postage.

"(b) Any matter mailed under subsection (a) of this section shall bear the words 'Absentee Ballot—No Postage Necessary', or words to that effect specified by the Postal Service, in the upper right-hand corner of the address area.

"(c) This section shall not apply to mail matter transmitted under the Federal Voting Assistance Act of 1955 (42 U.S.C. 1973cc et seq.) or the Overseas Citizens Voting Rights Act of 1975 (42 U.S.C. 1973dd et seq.).

"(d) As used in this section—

"(1) the term 'Federal election' means a general or special election held solely or in part for the purpose of electing any candidate for the office of President, Vice President, Presidential elector, Senator or Representative in, or Delegate or Resident Commissioner to, the Congress; and

"(2) the term 'State' means a State of the United States, the District of Columbia, the Commonwealth of Puerto Rico, and any territory or possession of the United States.".

(b) The table of sections for chapter 34 of title 39, United States Code, is amended by inserting after the item relating to section 3405 the following new item:

"3406. Mailing of absentee ballots for Federal elections.".

(c)(1) Section 2401(c) of title 39, United States Code, is amended by striking out "3403-3405" and inserting in lieu thereof "3403-3406".

(2) Section 3627 of title 39, United States Code, is amended by striking out "3403-3405" and inserting in lieu thereof "3403-3406".

SEC. 3. Section 41(b)(1) of the Internal Revenue Code of 1954 is amended—

(1) by striking out "$50" and inserting in lieu thereof "$200"; and

(2) by striking out "$100" and inserting in lieu thereof "$400".

SEC. 4. (a) Section 527(h)(1) of the Internal Revenue Code of 1954 is amended by inserting after "principal campaign committee" the following: "or a committee established and maintained by a political party".

(b) The subsection heading for subsection (h) of section 527 of the Internal Revenue Code of 1954 is amended by inserting after "COMMITTEES" the following: "AND POLITICAL PARTY COMMITTEES".

SEC. 5. (a) Section 315(a)(1) of the Federal Election Campaign Act of 1971 (2 U.S.C. 441a(a)(1)) is amended—

(1) in subparagraph (A), by striking out "$1,000" and inserting in lieu thereof "$3,000"; and

(2) in subparagraph (B), by striking out "$20,000" and inserting in lieu thereof "$40,000".

(b) The first sentence of section 315(a)(3) of such Act (2 U.S.C. 441a(a)(3)) is amended by striking out "$25,000" and inserting in lieu thereof "$50,000".

(c) Section 315 of such Act (2 U.S.C. 441a) is amended by adding at the end the following new subsection:

"(i) Notwithstanding any other provision of this Act no limitation shall apply to contributions or expenditures by a political committee of a political party with respect to an election for the office of Senator or Representative in, or Delegate or Resident Commissioner to, the Congress.".

SEC. 6. (a) The amendments made by section 2, section 5(a)(1), and section 5(c) shall apply to elections taking place after December 31, 1984.

(b) The amendments made by section 5(a)(2) and section 5(b) shall apply to calendar years beginning after December 31, 1983.

(c) The amendments made by section 3 shall apply to contributions paid after December 31, 1983, in taxable years ending after such date.

(d) The amendments made by section 4 shall apply to taxable years beginning after December 31, 1983.●

MARY ANN MIKULIC, WINNER OF THE OLIN TEAGUE AWARD

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Arkansas (Mr. HAMMERSCHMIDT) is recognized for 5 minutes.

● Mr. HAMMERSCHMIDT. Mr. Speaker, on Thursday, April 21, the Veterans' Administration honored Mary Ann Mikulic, a nurse at the Seattle, Wash., VA Medical Center, with the Olin Teague Award for achievements of special benefit to veterans with service-connected disabilities.

This was the fifth annual ceremony, established by the VA to recognize outstanding practitioners of health care and medical research for those veterans who have been disabled while in service to this Nation.

The award is admirably and warmly named for Tiger Teague, a colleague of many in this Congress, and a man with whom I had the pleasure of serving during his tenure as a Member and, unforgettably, chairman, of the House Veterans' Affairs Committee. Beloved by those of us who worked with him, and those he cared for throughout the veteran community,

Tiger's memory could not be better served than by this distinguished award for selflessness and professional dedication.

Ms. Mikulic was selected for this year's award from nominations submitted by VA facilities around the country, each one with individuals and teams worthy of high commendation for their contributions to patient care. Her speciality of rehabilitation nursing for war-injured veterans, and her extensive studies on patient treatment issues that impede or promote rehabilitation, have earned her this very competitive honor.

Since joining the Seattle Medical Center staff in 1975, her efforts in the field of rehabilitation have been extensively published in professional journals, both within the VA and throughout the private and military community as well.

Ms. Mikulic received the national association of rehabilitation nurses certificate of appreciation, and, in 1981, Nurse Mikulic, a colonel in the U.S. Army Reserve, was awarded the Army Commendation Medal for her work.

Mary Ann Mikulic has been with the VA since 1952 when she joined the agency as a staff nurse in Vancouver, Wash. She received her nursing degree from the University of Portland and her graduate and postgraduate degrees from the University of Washington at Seattle. With all her other duties, she has been teaching at the University of Washington School of Medicine since 1975, maintaining a schedule that is itself an indicator of the highest level of personal dedication.

Mr. Speaker, those of us in this Congress who knew Tiger Teague and his efforts to promote benefits and health care for this Nation's soldiers can be assured that the Olin Teague Award for extraordinary service to the service-disabled veteran has been thoughtfully and appropriately bestowed on a woman of high personal merit and professional stature. I extend my congratulations to nurse Mary Ann Mikulic and to all those who give so much to the disabled American veteran.●

CRIME VICTIMS ASSISTANCE FUND

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York (Mr. FISH) is recognized for 10 minutes.

● Mr. FISH. Mr. Speaker, today I am introducing a bill to establish the crime victims assistance fund. This is a companion to S. 704, introduced by Senator HEINZ, a leader in the effort to help victims of crime.

Federally funded compensation for victims of crime is an important part of the Federal effort to assist victims of crime. A compensation program, however, has not been established due to serious disagreement over how to fund such a program. It is generally agreed that general revenues should not be used to finance a victim's compensation program.

The President's Task Force on Victims of Crime recommends that a Federal compensation program be financed in part by the revenue from an excise tax on handguns, currently used to fund wildlife programs. Instead of diverting these funds, which are used for worthy purposes, my bill finances victims compensation through a new one-time compensation fee, increased fines, improved collections, forfeitures, and impounding of a defendant's sizable gains. These five areas of raising funds are also recommended by the task force report.

Revenue would be collected from a one-time compensation fee authorized for all Federal crimes. Courts would be permitted to levy fees from $10 to $100 for misdemeanors, and $25 to $500 for felonies. Based on 1981 crime statistics, these compensation fees will generate an estimated $700,000 to $10 million in new revenue.

Federal courts ordered more than $93 million in fines last year. A surcharge of up to 100 percent, depending on the criminal's ability to pay, would be levied on all Federal fines, and the money would be directed to the crime victim's assistance fund.

Less than 60 percent of the fines ordered in 1982 were collected. In many cases, no fines are even ordered. The act establishes procedures to encourage the courts to levy appropriate fines and improve collection of all fines levied. First, judges would be required to levy fines in all cases, taking into account the criminal's ability to pay any restitution ordered, or state for the record reasons for not so doing. Second, where the fine has been ordered, a lien would be created and the Attorney General charged with collection.

Almost $15 million in forfeitures will be ordered by Federal courts in 1983. With the exception of items needed by law enforcement agencies, the revenue from these forfeitures would be diverted into the crime victim's assistance fund.

In those instances where the criminal realizes a gain or the victim suffers harm in excess of the maximum fine authorized in the fee collection provisions of the bill, the judge would be empowered to impose a fine that is double the gain or loss. This provision is intended to insure the penalty bears some reasonable relationship to the crime committed.

I am disturbed by the recommendation of the task force that victims compensation programs be financed from the Federal excise tax on firearms and other weapons. This proposal introduces an extraneous and unnecessarily controversial element into the victims issue. It is based on the unfair premise that law-abiding citizens who pay these taxes are responsible for the criminal misuse of firearms. The revenue now collected from the sale of firearms is placed into the Pittman-Robertson Fund, which supports the maintenance of hunting preserves, certain wildlife studies, and a hunter education program. The fund benefits both the hunting enthusiast and the preservation of our environment. Adoption of this proposal would unite gun owners, hunters, and environmentalists, all of whom strongly oppose diversion of 25 percent of the Pittman-Robertson Fund to the victims compensation program.

My bill would use half of the victims fund to finance State and local compensation programs, and the other half to finance State and local victim and witness assistance programs.

To be eligible for compensation funds, the State's program must have been operational for 1 year, agree to provide compensation for all victims within its jurisdiction, and include psychological counseling among the basic services offered victims. In instances of exclusive Federal jurisdiction, victims may apply to any convenient participating State for compensation. The amount of compensation ordered shall then be reimbursed dollar for dollar from the victim's assistance fund plus the State's related administrative cost up to a maximum of 25 percent of the award.

The other half of the funds would be made available to support State and Federal victim and witness programs. These funds would provide Federal assistance in accomplishing the purposes of the Omnibus Victim's Protection Act of 1983, to support ongoing victim and witness assistance programs, improve facilities for victim and witness assistance training programs for law enforcement agents in the rights and needs of victims and witnesses, and general public awareness program. Such funds as may be required by the Attorney General to support the administration of this act would also be drawn from this source.

The Attorney General is required to report on the effectiveness of the new law at the end of 3 years.

Mr. Speaker, my bill is an important step in helping victims of crime. I urge my colleagues to support this legislation, which will be considered by my Judiciary Committee. The provisions are fair and effective, and should cause no controversy or opposition. Assistance for victims of crime is long overdue.●

11-059 O-87-25 (Pt. 9)

APPAREL IMPORTS ARE CRUSHING AMERICA'S LARGEST MANUFACTURING EMPLOYER

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Illinois (Mr. ANNUNZIO) is recognized for 5 minutes.

● Mr. ANNUNZIO. Mr. Speaker, I rise to urge the support of my colleagues for House Resolution 172, expressing the sense of the House of Representatives that the President should reduce imports of apparel so that imported garments comprise no more than 25 percent of the American apparel market, a bill I cosponsored which was introduced by my colleague from New York, the Honorable CHARLES B. RANGEL.

The textile and apparel industries comprise the Nation's largest manufacturing employers, and one out of eight workers in manufacturing industries is employed by these mills and factories—a total of 1.6 million to 2 million workers, depending on unemployment rates and the amount of imports. These workers are greater in number than those employed by the auto, steel, and chemical industries combined. Twenty-five years ago, 4 garments out of 100 sold in this country were imported, and now that figure is up to 40 out of 100. If our Nation's apparel import level had remained at that 1958 level, about 660,000 Americans would still have jobs.

The average wage in the women's and children's apparel industry in the United States is $4.94 per hour, but in mainland China the average is 16 cents per hour, in South Korea, 63 cents per hour, and in Hong Kong, the wage is $1.18 per hour. These low wages, of course, bring down the cost of the clothes made, but unfortunately, these savings are seldom passed along to the American consumer. The only beneficiaries of this sweat shop labor are the importers, the wholesalers, and the retailers who buy the products cheaply and then turn around and make drastic markups in the prices.

In some sectors of American manufacturing, the technology and production methods used are outdated, but not in the apparel industry. In fact, most plants abroad are using American production methods. The recession, of course, has also hit the apparel industry, but in 1982, when the national unemployment rate was 9.7 percent, the rate for the apparel industry was 15.4 percent. Since 1970, unemployment in this industry has never been less than 7 percent.

The resolution I have cosponsored urges that imported apparel comprise no more than 25 percent of the American market. The resolution is not designed to ban imports entirely, but only to stop the deluge of imports which is beginning to threaten all of the some 950,000 jobs we have left in the apparel industry. As I stated above, about 660,000 jobs have already been lost. A rollback of the import level to 25 percent of our Nation's apparel market would create jobs for some 315,000 American workers, and I urge my colleagues to support House Resolution 172.●

FOR A CONCERT OF THE AMERICAS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Arkansas (Mr. ALEXANDER) is recognized for 60 minutes.

Mr. ALEXANDER. Mr. Speaker, for the last 2 months the attention of this Congress—although deflected from time to time by other major considerations—has been riveted on the question of war and peace in our own hemisphere. But tragically, although events in El Salvador or Nicaragua may at any moment erupt with dangerous and unpredictable consequences, as President Reagan has warned, we have still not evolved a satisfactory bipartisan consensus on foreign policy toward the Americas.

Along with my colleagues, I welcomed the President's decision 2 weeks ago to speak to a joint session of Congress on the subject of Central America. And I am convinced that the President did much, merely by making the speech, to provide the opportunity for consensus. By sharing his thoughts with us, he invited us to think of a common purpose. And I for one am willing to work with him in a spirit of true bipartisan cooperation—which does not mean, however, that any Member of Congress is obliged to agree with either the substance or the details of his specific proposals. The President opened the door to bipartisan compromise.

In reality—and perhaps the President would privately acknowledge the fact—the administration's present policy toward Central America is clouded with ambiguity. Some of the figures in Mr. Reagan's aid request are clear enough, but not the rationale for it nor his strategy for an enduring hemispheric peace. Yesterday I was in a group, composed of Congressmen and other concerned Americans, who received a briefing from an analyst in Latin-American American affairs. She had recently returned from talks with our embassy officials in Central America and with parties to the worsening disputes down there, and she provided a quite detailed presentation. But when I asked her the one question that interested me most, whether we had—or were perceived to have—a clear and definite policy in the region with good chances for success, her answer, in essence, was this: that the President's policy meant different things to different people.

The President himself has given conflicting signals—most obviously in the way he has dealt with an issue crucial to his chances for the good will and support of this Congress. I mean, of course, the question of whether this administration's policy is in violation of the Boland amendment, which by unanimous vote last December in this House expressly forbade attempts to destabilize and overthrow the Government of Nicaragua. Many sophisticated explanations have appeared in the press as to what the Poland amendment really meant. But, as someone who knows and esteems the very forthright gentleman from Massachusetts, (Mr. BOLAND) and as someone, moreover, who remembers well our mood of December, I can assure the President that the amendment means exactly what it says—no more and no less.

Rightly or wrongly, we in the United States have been credited—if that is the right word—with several instances of destabilization in Latin America in years past, and this reputation has done us little good and much harm down there. Even the implication that we are conniving at another government's overthrow is damaging to our chances for good relations with our Latin neighbors, and it is grist for the propaganda mill of our adversaries.

So when the President provides on one day a carefully crafted argument that we are seeking only to "interdict" the flow of military supplies from Nicaragua to El Salvador, and then, on another day the same week, proclaims that we are supporting freedom fighters in their rebellion against the government of Nicaragua, then our credibility as a nation and our good intentions as a neighbor are cast into serious doubt. This is especially true when a number of informed analysts tell us in this or that newspaper practically every day that the bulk of these freedom figthers are former National Guardsmen loyal to the expelled regime of the dictator Anastasio Somoza. And these are men who are now boasting, for the whole to hear, that with American support they will be in Managua within 6 months.

President Reagan is well known for his view of world history which was conceived in the ashheaps and confusion of Europe after World War II, when Soviet military forces occupied most of the countries of Eastern Europe.

He understandably sees in the events of Central America a scenario of world conquest by monolithic communism and therefore suggests a policy of military containment for the insurgent movement in El Salvador and a policy of isolation and hostility for Nicaragua. The President's policy is reinforced by the proclamation of the Sandinista leaders stating their

goals of revolution for the Latin people for the Western Hemisphere.

The problem is that virtually every hemispheric American—except, perhaps, those of us who make policy norht of the Rio Grande—is aware that the real problem in Latin America is not simply a military one. It is economic, social, and political—in that order of importance. Nobody but us Gringoes appears to believe in the strategy of suppressing discontent by force of arms. Nobody, that is, but the regimes which have demonstrated an incapacity to maintain order in their own countries without foreign assistance and weapons at the ready.

President Reagan must surely understand—as the gentleman from Maryland (Mr. BARNES) said—that if every Communist guerrilla were killed off tomorrow, the essential discontents of Central America would not disappear. They would erupt again and again from their source in the enduring hardships of an entire continent.

I agree with President Reagan that the stability of Latin America is vital to the security interests of the United States. I would add, as a member of the party whose greatest leader, Franklin D. Roosevelt, proclaimed a "Good Neighbor" policy toward Central and South America, that the region is vital to our economic interests as well. And beyond that are humanitarian issues and a concern for the well-being and future happiness and prosperity of peoples who stand to us, not only in the relation of neighbors, but of close kin. What we call the American Dream—a vision of human progress and freedom—is common to all the nations of the Americas.

But the dream has turned to a nightmare in much of Latin America, and, while I agree with the President that peace in general depends on our readiness and our strength, I believe that we must enlarge both our view of the problem which confronts our sister nations in the south and the framework of our response to it.

I have concerned myself with Central American events since I first visited the area in 1971. It was obvious to me then—long before there were airstrips in Grenada or Sandinistas on the march—that social and economic misery was widespread. The pathetic signs of poverty and malnutrition were all around me in the wasted bodies of children. And, in the withered and distressed roadmaps of their parents' faces, I discerned the passage of events toward the crisis conditions of today. I saw, and knew that I was seeing, prerevolutionary conditions.

In Nicaragua, we allowed ourselves to become identified with a despot and his crumbling regime. And, as Ambassador Lawrence Pezzulo noted at the time, Somoza's overthrow was interpreted throughout Latin America, by the Old Guard and the New Revolutionaries alike, as the harbinger of continuing change.

Ambassador Pezzulo earned a reputation as an astute analyst of Pan-American affairs during his term of service in Nicaragua, and his concern for our own national interest as well as the legitimate aspirations of the Central American nations is unquestioned. He is echoed by another distinguished public servant, Sol Linowitz, the former Presidential trouble-shooter and Ambassador to the Organization of the American States. In "America at the Crossroads," a recent report of the Inter-America Dialogue—a bipartisan and all-hemispheric body which is familiarly known as the Linowitz Commission—we are told, "Authoritarian regimes which impose harsh discipline upon their people lose their legitimacy and ultimately their authority.

The attempt by such regimes to suppress their people's desire for basic reform leads to an ever-deepening bitterness, especially if the repression is long-enduring and if the Strong Man or the oligarchy is supported by an external power. Extremist personalities, with no compunctions against the use of force, eventually displace the democratic reformers whose reasoned calls for change have been frustrated. We must be certain that, through indifference to the people's legitimate desire for freedom, we do not assist in the creation of such Frankenstein monsters in our own hemisphere.

The President is right to sound the alarm about Central America, but he has proposed little more than the tired old policy of defensive reaction to and military containment of insurgent movements there. And in so doing, he has, I think, overlooked possibilities for hemispheric cooperation in achieving a long-term solution. I would say that the administration should ask itself why the Mexicans or the Venezuelans or the Colombians or the Panamanians, the so-called Contadora countries, have proposed—not that we or they should attempt military containment—but instead that we and they should together orchestrate a policy toward Central America which would resolve differences between nations and between factions through negotiation.

It is worth noting that these countries are the success stories of Latin America. They have begun to develop a secure economic and industrial base; in some cases they have achieved democratic systems similar to our own, and in others they are on the way to that happy end product. Most importantly, these are sovereign nations that fully deserve the right to deal with the United States on equal terms—as loyal friends and as partners in the development of the hemisphere.

Let us, then, acknowledge and actively encourage the democratic aspirations and economic independence of the nations in our hemisphere, and let us heed the call of the Contadora group and of the Linowitz Commission, which has recently called also for a Concert of the Americas.

It is time for us to move away from approaches that are covert and unilateral and which rely on military means to approaches that are overt and multi-national and which rely on negotiation and economic and political inter-dependence. We should all recall the words of President Kennedy, who in 1962 said that the time had passed when the United States either could or should try to police the world by itself.

I welcome the suggestion this week by our Ambassador to the United Nations, Jeane Kirkpatrick, that the administration found useful potential in the Contadora initiative and that our approach to Central America might incorporate hemispheric talks. This was a positive step indeed toward the goal of a bipartisan policy.

It was my privilege recently to participate in a televised colloquy in this Congress with Members of both parties, and I have engaged in numerous conversations with colleagues on both sides of the aisle and with informed students of the Central American situation. With the same goal of a bipartisan consensus in mind, I offer my time and energy to the process of formulating a plan which will have support from both parties in the United States and effective support as well from the other countries of the hemisphere.

Accordingly, I would suggest a five-part scenario which might form the basis of a long-term solution in Central America.

First. We could respond favorably to the Contadora initiative and perhaps even entertain the idea of a general hemispheric peace conference which would focus on the major disputed questions of the Americas. In line with the recommendations of the Linowitz Commission, there should be no important exclusions. All nations of the hemisphere who profess an interest in resolving the crisis should be invited. This would specifically include Castro's Cuba. Realistically, there is little hope for a long-term peaceful solution in Central America without Cuba at least acquiescing in the terms of an agreement. Castro should be given a chance to adjust his course from mischiefmaking to one involving cooperation with other nations and other systems.

Second. As a corollary to this conference, we can join with our neighbors in seeking an immediate cease-fire in the region of Central America. This would be a difficult objective to achieve under any circumstances, and is possible only through the kind of

open, inclusive dialog that the Linowitz Commission has suggested.

Third. There might, as an additional corollary, be an immediate cessation of all arms imports into the area. And, once again, as the Commission has suggested, this may require an understanding with the Soviet Union as well as Cuba.

Fourth. During the transitional period from the convening of a peace conference until a permanent agreement is achieved, an international security force—whose composition would be agreed upon by the conferring nations—could enforce conditions of peace.

Fifth. Finally, and indispensably, the nations of the Americas—North, Central, and South—could develop a program of social, political, and humanitarian initiatives which would nourish democratic government rather than authoritarian practice. This process would imply a respect for and tolerance of social and economic differences between the nations, but it would insist on democratic institutions in the countries of the Americas.

We do not hedge on our democratic convictions, nor shall we ever turn our backs on the great heritage of Washington and Bolivar, who led revolts against oppression and tryanny so that future generations should have the freedom to pursue happiness in their own way.

So far the Cubans and the Soviets have advertised a prescription of violent overthrow for the ills of the Americas. I say that the United States—whose revolution of two centuries ago is still the best model for mankind—should advertise our own prescription for progress. We must work with our sister nations to help build their economies as we help to build their hopes and fulfill their dreams. Through a leadership that is both determined and compassionate, we must show the way to a true hemispheric cooperation. As that great adopted American and world citizen, Albert Einstein, said, "Peace cannot be kept by force. It can only be achieved by understanding."

And, in bringing ourselves and our partners in the hemisphere to that understanding, we will show once again that peace, freedom, and the democratic process—not domination or fear of change—are the real motivations of American foreign policy.

□ 1930

Mr. GONZALEZ. Mr. Speaker, will the gentleman yield?

Mr. ALEXANDER. I yield to the gentleman.

Mr. GONZALEZ. Mr. Speaker, I rise because of the impressive force of the gentleman's presentation. I think what he has said here is very, very important, very significant to the point where I would think that every Member of this body, both in the House and in the Senate, should at least have an opportunity to read these remarks and the thinking that this distinguished gentleman from Arkansas has presented us with.

I had intended to speak out on the subject matter but the gentleman has summed up in such a perceptive, knowledgeable and well-organized manner whatever I have been endeavoring to say for the last few years in this regard, and what I was intending to, that I think this is so conclusive and so well thought out that I must compliment the gentleman and thank him for this service.

I rank what he has said here for the record today of such importance that the debates we had on what was described here on the floor time and time again as the single most important issue confronting us, the so-called nuclear freeze resolution, in my mind pales into insignificance with the importance of what the gentleman has here said.

I believe that the thing that has worried me the most has been the fact that the lack of perception on the part of our leadership, not just the present leadership but even the immediately preceding leadership, going back to April 1, 1980, which was the first time that I ever spoke out on this, also motivated, because of the information that had reached me by fellow Americans in the service of our country, both in the military as well as the civilian service, coming back from such places as El Salvador, not after the outbreak of this turbulent period in Salvador, but right before, and also from Nicaragua, and advising me that they were looking me up because they did not know who else to go to to try to communicate with the leaders in the State Department as well as the Presidency the troubling aspects of what they were witnessing and had seen and warned.

□ 1940

The first notice came to me in September of 1979 and if the gentleman will remember that was critical point 1 month later in El Salvador. And what these fellow Americans told me came out so accurately that I felt impelled to try to reach the President then and the State Department and could not.

So about 6 months I finally spoke out on the floor for the record. I did not think I was going to have any influence, but the fact that the gentleman here is in a leadership capacity in the House of Representatives and has spoken so knowledgeably, so incisively, with such an uncanny perception, I really think that the whole world, especially in the modern era, has been determined in its most inportant aspects of development in disastrous wars by the misperceptions of the leaders of our countries. The perceptions we have held and continue to hold with respect to Russia. The continuing misperceptions of Latin America and the radical change in Latin America just in the last 5 years, not even trying to consider the radical difference between 1960, President Kennedy and today.

I have said this if President Kennedy were the President today the reality of the Latin American world as such and so dramatically different that he would not now succeed were he promulgating the Alliance for Progress, which incidentally was announced unilaterally.

And what the gentleman has summed up, the gentleman's five point presentation, is brilliant. I have no other words for it. I would like to enlist in the cause with whatever meager support I can give. I do not have any status in committee membership, but certainly whatever I could do by adding my voice, I want the gentleman to know that I am at his service in this respect, but I consider these words and utterances here in the last few minutes of a tremendous range of importance.

I do hope that there will be some way that this record can be reproduced and disseminated to every Member of the Congress.

Mr. ALEXANDER. I thank the gentleman from Texas, my friend, whose knowledge and guidance I will depend upon during the months ahead and also he hopefully can assist me in serving as an interpreter for our friends from Latin America.

PERSONAL EXPLANATION

The SPEAKER pro tempore. Under a previous order of the House the gentleman from Florida (Mr. PEPPER) is recognized for 5 minutes.

● Mr. PEPPER. Mr. Speaker, on Monday, May 9, I had to be in Miami, Fla., to meet with a large group of people in an effort to save a black hospital project on which I have been working for 1 year. It was essential that I be there to conduct the meeting and do everything I could to assist in finding a cooperative solution for the completion of this needed hospital.

Fortunately, I believe that we were successful in saving the hospital which would serve an area of Miami, where 140,000 blacks live and where unemployment is by far the highest in the area, where jobs and health care are an urgent priority.

On account of my absence I regret that I missed the votes on the following bills: H.R. 2357, the Congressional Award Act; H.R. 2173, Contract Services for Drug Dependent Federal Offenders Authorization Act of 1983; H.R. 2174, the Federal Antitampering Act; S. 653, the Foundation for the Advancement of Military Medicine Act of

1983; and House Resolution 184, providing for consideration of H.R. 2175, the Justice Assistance Act of 1983.

Due to the overwhelming majorities in favor of these bills, I was able to be paired in favor of only one bill, H.R. 2174, the Federal Antitampering Act. Had I been present, I would have voted "aye" in favor of each of the other four bills which also passed that day.●

KGO EDITORIAL SUPPORTING MORATORIUM ON OUTER CONTINENTAL SHELF OIL AND GAS LEASING

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California (Mr. PANETTA) is recognized for 5 minutes.

● Mr. PANETTA. Mr. Speaker, in March, I joined Representative STUDDS and Senators CRANSTON, KENNEDY, and TSONGAS in introducing legislation—H.R. 2059—which would exempt certain sensitive Federal areas offshore California and Massachusetts from oil and gas leasing and development. After consultation with local governments and industries, as well as public interest groups, portions of the California Outer Continental Shelf (OCS) were included in the bill. Numerous California county and city governments have expressed their concerns over the impact of oil and gas development in certain especially sensitive areas off the State's coastline, and have supported a selective OCS oil leasing moratorium. As a result, a moratorium on California OCS oil and gas leasing has gained compelling and broad public support in the State. It is indicative of this public support that both California Senators have now introduced bills which—while not identical—would exempt identical California offshore areas from development.

I believe KGO Radio, a San Francisco ABC affiliate, spoke for many Californians when it summarized its support for H.R. 2059 in a recently aired editorial. This editorial speaks not only in support of H.R. 2059's introduction; it firmly supports further congressional consideration of the broader issues surrounding OCS leasing as well. I recommend these brief-but-forceful words to my colleagues for their consideration.

The editorial follows:

GOOD NEWS FROM CAPITOL HILL

It's "pay-off" time at last in the long campaign by KGO Radio to prevent oil and gas exploration along Northern California's coastline. For three years we have opposed leasing and drilling that would despoil that area and we've urged strong federal legislation to insure coastal preservation.

And our call has been answered. Sweeping legislation has just been introduced in Congress to ban such offshore development until at least the year 2,000! Its principal authors are Senator Cranston and Congressman Leon Panetta of Monterey.

We now urge all forty-five other members of California's delegation—the largest in the Congress—to co-sponsor this bill, H.R. 2059. We ask you to tell your Washington representative to vote it into law.

Victory for our coastline is finally in sight.●

ROGER W. TUBBY, FORMER PRESS SECRETARY TO PRESIDENT TRUMAN AND AMBASSADOR TO THE UNITED NATIONS, GENEVA, SPEAKS OUT ON FREEDOM OF SPEECH ON COLLEGE CAMPUSES

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York (Mr. STRATTON) is recognized for 5 minutes.

● Mr. STRATTON. Mr. Speaker, Roger W. Tubby, press secretary to President Truman and former Ambassador to the United Nations, Geneva, recently spoke at the State University of New York Oswego campus on the many incidents of abuse of freedom of speech that have taken place on our college campuses in recent months.

Ambassador Tubby points out the same people who heckled Ambassador Kirkpatrick and other speakers attempting to express a political point of view are the most vociferous in demanding that their right to be heard not be curtailed in any way. Unfortunately, it appears these individuals are establishing double standards; and I think it is incumbent on the college community at large to defend the right of all individuals to speak out.

Ambassador Tubby's remarks are excellent, and under unanimous consent to extend my remarks I enclose these remarks at this point:

UNIVERSITY PRESIDENTS CHIDED FOR SILENCE ON CAMPUS ABUSE OF FREEDOM OF SPEECH

On this eve of St. Patrick's Day which commemorates a man of faith in the Christian spirit, it is sad to note the prevalence of bitterness and intolerance not only in Ireland between Catholics and Protestants, but in the Mid-East between Arab and Jew, and in south Asia between Hindu and Moslem.

Indeed, in our own country there is a spirit of rancor and intolerance as we discuss disarmament and foreign aid to El Salvador and other countries.

Everyone on this Earth should be deeply concerned about the consequences of widespread poverty and famine and of nuclear war.

How best to meet these awesome challenges?

But, on some campuses freedom of discussion on these and other issues is denied by a few disciplined, well-organized demonstrators who insist that only their views should be heard.

Shamefully most college and university presidents have been silent over incidents of gross intolerance on their own or other campuses.

When I was at Yale during the depression, as a member of the Liberal Club I invited Socialist Presidential candidate Norman Thomas to speak on campus although many of the alumni detested Thomas and most of the students knew little or nothing about him. We also invited leaders of industry, college professors of many different points of view, and politicians from both major political parties. There were no obscenities, stompings or shouting downs.

But in recent years, especially when the objectives of Soviet policy have been challenged, there have been well orchestrated demonstrations on campuses around our country and in other countries. This latter we have just seen in West Germany prior to the last election there.

In the 1960s orchestrated campus demonstrations supported Soviet objectives in Viet Nam.

Now in the 1980s orchestrated campus demonstrations support Soviet objectives in El Salvador.

In the 1960s Democratic and Republican administration officials were barred from speaking or hooted off platforms on many campuses, including my own at Yale.

The radical left faculty and students were in control in the '60s and apparently are in control now in the 80s on many campuses where only opinions tolerated by radical faculty and students may safely be expressed.

U.S. Ambassador to the United Nations, Jeanne Kirkpatrick, a month ago was jeered, hissed and booed til she left the platform at the prestigious University of California at Berkeley. Why? Because she believes the U.S. should support the people of El Salvador against communist guerrillas.

A week later, the President of Smith College advised Mrs. Kirkpatrick that Smith wouldn't be able to guarantee her security at Commencement this Spring when she was to be given an honorary degree. Students Against Intervention in El Salvador organized the protest against her. Mrs. Kirkpatrick is not going to Smith.

Last week, Mrs. Kirkpatrick addressed 4,000 people at the University of Minnesota. Hecklers tried to drown her out.

Where are the protests against this kind of behavior? Why are college and university presidents silent? Are they fearful of criticism from some of their faculty and students? Do they not believe in freedom of speech? Probably all of them do.

Sun Tzu in 600 B.C. wrote: "Sow internal discord, destroy your enemy without fighting him."

There are those in our society who are trying to do just this, and for whom? For what cause? Not really for the people of Viet Nam (who are now far worse off than they were before the communist take-over); not really for the people of El Salvador who voted overwhelmingly a year ago for a democratic government despite guerrilla killings and disruption of the economy.

Let's be blunt about this.

Those who deliberately or naively engage in demonstrations partial to Soviet views are doing the work of Moscow.

It is ironical that liberals, people who think of themselves as genuine liberals, should serve as agents, knowingly or not, of a regime that is not liberal at all; rather, it is dictatorial, tyrannical, ruthlessly repressive, and with an elite ruling class that makes a mockery of Marxism. Such an elite class exists in every communist dictatorship.

The leaders in the Kremlin have subjugated the peoples of Eastern Europe and they are now at their bloody work of crushing the Afghans and attempting to crush the Salvardoreans.

When they succeed, as they have not only in Eastern Europe, Central and South-east Asia, and in parts of Africa and Latin Amer-

ica, they do not create governments and societies that come close to meeting Marxist communist ideals. Rather, they set up, cynically using communist propaganda, new dictatorial governments subservient to, and supported by, Moscow. They become part of the Russian empire, outposts of Russian power, using Soviet techniques for control of the populace, with neither free press or elections, but with a strong and pervasive secret police and employment of informers and terror, of murder and imprisonment.

Not appealing this Russian model.

Destitute, desperate Haitians do not seek a new and better life in nearby communist Cuba. Rather they risk their lives in leaky, fragile small boats to reach the United States.

Hundreds of thousands of Cubans themselves have fled their homeland for the freedom and opportunities available in our country.

So, too, with Hungarians in 1956; Czechs in '68 at the time of the Prague Spring; and, more recently, the pathetic boat people of South Viet Nam.

Do you hear of their opting for Russia as a new homeland? Maybe a few, very few.

Are impoverished Hondurans clamoring to get into the paradise of Nicaragua? Do the famished refugees of Africa seek asylum in communist countries? No.

Ours is still the great mecca of hope and opportunity for millions around the world.

However, should we ourselves become a police state, whether right or left, the appeal would be lost.

The righteous yahoos of the Moral Majority, the naive idealists or robots of the campus left, are entitled to state their views loud and clear and as often as they wish, but they should not be allowed to bar others from speaking, others who disagree with them, whether on El Salvador or the nuclear freeze.

Years ago Robert Hutchins, chancellor of the University of Chicago, said: "Freedom of inquiry, freedom of discussion, and freedom of teaching—without these a university cannot exist."

Well, it might exist, as some do in dictatorships, but not as exemplars of openmindedness and free inquiry.

So I find it discouraging and indeed it is dismaying that college and university presidents are not strongly condemning and taking action against those subverting or thwarting freedom of speech on their campuses.

Maybe we're ready to be had, if our intellectual leaders are so pusillanimous.

Maybe we're ready to be had if some of our media parrots communist propaganda while disparaging those who support and fight and die and vote for freedom.

However, there is a healthy growing awareness against intolerance, against slanted news. There is sympathy for the Poles and the Afghans, even if there are few campus demonstrations on their behalf. There is an understanding as to what the Russian leaders are up to.

There is an awareness of the complexities of the disarmament problem, the need for and difficulty in achieving verification of nuclear weaponry. Since 1962 the Soviets have refused to allow verfication on their territory, though we have said, come see what we've got.

There is growing awareness of the complexities of the political and economic situation in Latin America, not only as to what the Soviets and their surrogates are up to, but of the reasons for distrust of the U.S. because of American exploitation over many years of Latin American natural resources.

Because we know how difficult, complex and tragic the situation is in many parts of the world; because we are appalled by the enormous expenditures on arms and fearful of a holocaust; because we know we should be able to manage relations between peoples without war and that we can, if we will, banish famine from the Earth—for these and other reasons we need to reach out to one another, to try to understand and help one another.

This we cannot do if we close our minds, if we bar others from speaking to us, if we insist that our way is the only way.

Faith can be a mighty force for good, or evil. Wonders have been done for the human spirit and welfare by Christian leaders, but in the name of Christian faith there were the horrors of the Spanish Inquisition, the massacres of infidels.

Let us reason together. "Jaw, jaw, jaw, is better than war, war, war," Churchill said, and he also said, "Democracy is a very imperfect form of government but it is the best yet devised by man." Why? Because issues can be openly debated, candidates openly chosen, leaders openly challenged, supported, or deposed.

This is why on our campuses especially, where the questing mind is nurtured, that many different points of view should be heard; philosophic; political, right, left, center; even demagogic. Let 'em all come, if they wish, the more the better.

There may even be kernels of wisdom for us from those we mistrust. Why are they the way they are? Why are the Russians paranoid about the outside world, and each other? There are some quite understandable historical reasons.

With our fantastic scientific advances (a thousand angels dancing on the head of a pin seems quite possible in this age of the microchip), a world of plenty seems possible, but is a world of peace possible?

Are we like lemmings destined by self-destruction?

Beware frozen attitudes, closed minds, blind dedication to one way which might not be the best way.

Rather, listen, ponder, react constructively. How can we do better?

With life and the treasures of civilization in peril as never before, it is so crucially important for your generation to be open, questing, innovative in the search for peace and well-being.●

ADDRESS BY HON. PAUL N. McCLOSKEY, JR., AT THE 16TH ANNUAL MEETING OF THE U.S.-ARAB CHAMBER OF COMMERCE

(Mr. RAHALL asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

● Mr. RAHALL. Mr. Speaker, I would like today to bring to the attention of my colleagues a speech made by a former Member of Congress, the Honorable Paul N. McCloskey, Jr., of California. I believe that at this time, with a new wave of violence in the Middle East still fresh on our minds, we can all benefit from the wisdom of his views as expressed in the following speech:

ADDRESS BY HON. PAUL N. McCLOSKEY, JR., AT THE 16TH ANNUAL MEETING OF THE U.S.-ARAB CHAMBER OF COMMERCE

The Honorable Pete McCloskey. (Applause)

Mr. McCLOSKEY. Ladies and gentlemen, I'm going to try to be relatively brief, and allow at least a third of the time allotted to me for questions and answers.

I want to throw down to this group a challenge which I think may be among the greatest challenges of our time.

Something has happened in this country which makes many of us ashamed.

Last year, when Israel invaded Lebanon, while they might have justified the initial 25 miles to take out artillery and rockets that were threatening northern Israel, when Israel went further and put the City of Beirut under siege, used U.S. weaponry against the City of West Beirut, and in a City of 600,000 people, killed 100 Lebanese or Palestinian civilians for each soldier killed by their bombardment, when they used cluster bombs in a civilian area in violation of a sworn agreement that they had entered into with the United States and then reiterated that agreement after they, allegedly by mistake, used cluster bombs in 1978, and then, finally, after Ambassador Habib had obtained Isreaeli assurance that if the PLO left west Beirut assurance the Israelis would not enter, that the women and the children and the old people that the Palestinians had left behind would be protected, Israel ordered its troops into West Beirut, ordered the sealing off of the refugee camps at Shatila and Sabra, and ordered the Christian Lebanese militia, in their own words, to purge those camps using Israeli flares and Israeli bulldozers, each of those actions violated an agreement with the United States.

The 1952 Defense Agreement with Israel provided that they would use our weapons only in self-defense, never in aggression against a foreign country.

The Arms Export Control Act of 1968 provides explicitly that when any nation uses U.S.-supplied arms for aggressive purposes that we, by law, should no longer send them arms.

The cluster bomb agreement was specific and precise. It provided, when we gave the cluster bombs to Israel, a weapon which can devastate an area 25 acres in size, dropping these little bomblets all over the area, timed to go off some five minutes, some ten, fifteen, twenty, twenty-five and thirty minutes, a weapon that against civilians is devastating, because when the planes leave and silence descends on the area that's been bombarded, women, old people, children come out and the bombs go off at five-minute intervals, that they would not be used for aggressive purposes in civilian areas.

I saw, when I was in West Beirut in late July, an elderly woman looking through the rubble of one of the apartment house buildings, a 20-story apartment house building in West Beirut. I asked her what she was looking for. Her son, perhaps twelve years old, said, she's looking for the body of my little sister, whom you Americans have killed.

Now that feeling in the Arab world, that it is American weapons and American munitions that are killing Lebanese and Palistinians, is only too justified, because America, between June, when that invasion started, and December, not only condoned what the Israelis had done, but chose not to invoke the Arms Control Act, nor the Defense

Agreement, nor the cluster bomb agreement.

In fact, when President Reagan asked Congress to give $2.4 billion in aid to Israel, but to forgive only $500 million in indebtedness, which has been part of our aid package for many years, the House voted to increase that forgiveness of debt to $750 million, and the Senate voted to increase it to $850 million.

How can any American businessman doing business with the Arab world, justify to the Arabs, that after Israel had broken their agreements with the United States, had violated international law, even after the President proposed the peace plan in September that requested Israelis to stop creating new settlements, Prime Minister Begin increased both the number and the pace of the settlements and the Congress has voted the money to finance both the weapons and the settlements?

There is no one in the Arab world who is not joined together with the ringing words of our own concepts of social justice that there should be justice for individuals, justice for Palestinians.

How do we explain to the Arabs how, at a time when U.S. arms have been used in violation of U.S. law and U.S. agreements, we not only continue to give aid to Israel, but we increase it?

That is a shame on the American conscience. Why does it occur? It occurs because, regrettably, a lobby in the United States, formed with honorable purposes, made up largely of honorable people, and good people, our American Jewish community, has reached such strength that the Congress quails before the Jewish community lobbying in America.

Prime Minister Begin can confidently say, as he did, about the Jewish lobby in Washington and their clout in Washington: "their strength is such, that Washington quails before them."

A colleague of Prime Minister Begin said, and I quote: "We are confident that the Jewish community in America will stand up courageously in support of Begin and challenge the U.S. government if it becomes necessary."

The New York Times, which rarely makes this type of a quote, quoted Ariel Sharon to a thousand Jewish leaders from America who had gone over to Israel during the height of the Lebanese controversy. "We are counting on your support. You owe it to us."

Interestingly enough, these leaders were not taken to south Lebanon to see what had happened to Tyre and Sidon, were not taken to the camps where the Palestinian prisoners, even today, are denied POW status and international enquiry, but they were taken to a settlement on the West Bank.

Now what has that support of the Jewish community meant with respect to the actions of the Congress? Let me quote from AIPAC's own words. AIPAC is the American-Israel Public Affairs Committee, headquartered in Washington. This is a brochure that came to my office two years ago.

The headline is, "What is AIPAC's record?" "In 1979, AIPAC lobbied successfully for $1.8 billion in military and economic aid, as well as an additional $3 billion for Israel to relocate her defense forces from the Sinai."

"In 1980, on an operating budget of just over $1 million, AIPAC helped secure $2.2 billion aid for Israel."

"What are AIPAC's present objectives? In 1981, AIPAC is the only organization lobbying night and day against the Saudi arms deal package. AIPAC is working to guide and protect this year's foreign aid request for Israel of $2.2 billion through each house of Congress."

"Who runs AIPAC?" Another headline. Answer: "AIPAC's Executive Committee is comprised of 100 distinguished citizens, one-third of whom are Presidents of the major Jewish organizations, and the other two-thirds of whom are important non-elected political leaders from across the United States."

The six million member Jewish community in America is a fine group of citizens. You and I know Jewish citizens who have excelled in the arts, the professions, the business world. They're fine people, by and large. But they are joined together, understandably, by a desire to see Israel prosper, some because they believe, with Begin, that Israel is entitled to own not just the West Bank, but, as Jerry Falwell said the other day, that Begin envisions an Israel stretching through Egypt to Turkey to Saudi Arabia.

Indeed, if you read Begin's own book, "The Revolt," it reads a little like "Mein Kampf." You can't find it in most libraries. I suspect the Jewish community has bought all the copies of "The Revolt" and burned them.

In "The Revolt," Begin describes how, in 1944, when, as a part of the newly-formed Polish Brigade that was allowed to leave Russia and go to the Mideast fight, he reached the soil of Eretz, Israel, he bent down and kissed the land of his forefathers, the land of historic Israel, and the land that he spoke of, that he kissed, was not the West Bank, or current Israel; it wasn't even the east bank. It was Jordan proper.

The Begin position has been picked up and echoed by the Jewish community in the United States.

I'd like to read you excerpts from a letter by one of the leading Jewish businessmen of California; a fine man, an honorable man. But to understand the impact on Congress, his own words, I think, are best set forth:

"I have read with interest, Congressman McCloskey, your letter. I must admit a leaning in your direction this early in the campaign.

"Before I would be willing to provide my full support, and the consent to having my name added to your Senate Advisory Committee list, I must know more about your views on specific matters relating to the Middle East. Therefore, I would appreciate your answers to the following questions:

"(a) How do you believe the President should handle the delivery of the four committed F-16 fighter plans which he recently impounded in response to the disruption of the Iraqi nuclear facility?

"(b) What do you feel the American government's posture should be toward Israel and Iraq in the aftermath of this incident?

"(c) How will you vote regarding the delivery of the AWACS aircraft to Saudi Arabia?"

He goes on and says: "I realize the straight forwardness and pointed nature of these questions. I'm very much aware of the sensitivities of the American government's relationship with the Arab nations, and I too believe Saudi Arabia to be a worthwhile friend of the United States, a position which they have shown repeatedly over the past five years. In addition, I recognize the delicacies involved in balancing our nation's interests in Israel and Saudi Arabia.

"It is with an understanding of the difficulties involved that I seek your views. Allow me to make very clear my position on the subject. I am intensely dedicated and committed to the American government's continued support of the only democratic government in the Mideast, namely the State of Israel. I confess no objectivity in the matter. The United States comes first in every respect, of course, but a deep-seated Jewish heritage has me involved in many activities in the support of Israel.

"Fortunately, the American Jewish community has never had a conflict between the country of which it is a citizen and the country which it feels obligated to support for emotional, political, and for many"—(and this is the point that struck me)—"self-preservation reasons."

Leading Jewish citizens feel that in light of the Holocaust and the foundation of Israel, it is a matter of their own self-preservation that they support Israel at all costs.

He goes on: "I do not expect elected officials to have the same strength of conviction as I and the American Jewish community. However, it would be impossible for me to support anyone who does not share some sense of understanding of the common interests that the United States and the State of Israel share. I could not, in good conscience, support a candidate for any office whom I do not believe to have some sympathy for this position."

Now I cite this letter because this is a fine man, an honorable man, a man I respect, whom I would be proud to claim as a friend. But what is the impact of six million Jewish citizens in this country, marshalled behind the Presidents of all of the Jewish organizations, willing to send half a million dollars from outside Illinois into the downstate Illinois district of Paul Findley to defeat Paul Findley, a Republican liberal Congressman of twenty years only because he had met with Arafat and urged a Palestinian homeland? Willing to send money to any candidate who would support the annexation of the West Bank and Gaza by Israel?

Those six million people, often placed in high positions in many areas, in our professions, in our businesses, in our colleges, have an immense clout with the Congress, and it is the power of that lobbying that explains why Congress, in December of 1982, voted more money for Israel despite what Israel had done in Lebanon and what Israel had done which caused President Reagan to have to commit U.S. Marines there to protect the Palestinians under the commitment that we had made to the Palestinians.

Now that describes the problem, and I don't expect that there's anyone in the room who doesn't recognize that the problem exists. But the question then comes, what are you and I doing about it? How can we allow the Congress of the United States to pass, without debate, that kind of action condoning Israel's violations of not just agreements with us, but our own law?

It's understandable why every Arab ambassador, why every Arab leader says, why do you do this in the United States, you who cut off aid to Turkey in 1975, when they used U.S. weapons to invade Cypus? How can you act like this?

We act because, whenever on a political issue, whenever there is no lobbying on one side, and a powerful lobby on the other, politicians will instinctively adhere to the force of that lobby.

U.S. political policy is very much like a pendulum. An excess of lobbying power can push it too far in one direction. If there's a vacuum of lobbying power on the other side, it's pushed even farther to excess. Ordinari-

ly, this excessive power is ultimately balanced by the development of a counter force, but in this country, as yet, no counter force has developed to the Israeli-Jewish community lobby, partly because the Jewish community has been successful in saying that anyone who speaks out against Israel, or who even describes the Jewish lobby as a Jewish lobby, is in effect anti-Semitic.

We, in this nation, with our conscience about the Holocaust, about the execution of six million Jews in Hitler's gas chambers, with a desire and sympathy for the underdog, which was understandable until 1967, as Israel came into existence and they fought for its survival, it's very difficult to swing back that pendulum until there is a lobby in existence to ask for equal justice for the Palestinians.

Now I don't suggest to you that the U.S.-Arab Chamber of Commerce should be a lobbying force. I understand the restrictions on an organization such as yours. But there is no reason why the individuals who lead the over 500 businesses that make up this organization cannot speak out as community leaders, and ultimately many of you as national leaders, to urge that there be a counter force to the Israeli lobby.

It's really too much to expect of the Arab-American community to demonstrate the same sophistication in lobbying ability that we see in the Jewish community today.

Arab-Americans are like Irish-Americans before them, or Italian-Americans or Greek-Americans or Japanese-Americans. In the first one, two or even three generations, the new arrivals are bent on building their own estates, putting their own children through college, working to establish dignity in the community.

I'm Irish-American, and if you look back on how the Irish were first treated when we came here after the potato famine in the 1840's and 1850's or how the Italians were first treated when they poured in at the turn of the century, or the Japanese and the Chinese immigrants to this country, you realize that it is several generations before an ethnic group can reach the degree of political sophistication that is necessary here today.

So leadership cannot be required of a community of first and second-generation arrivals in this country. Arab-Americans, after all, were really only able to say they were Arabs since about 1918. Before that they'd been dominated for centuries by the Turks, by the Ottoman empire; you can't expect the same democratic evolution of democratic governments in the Arab world among nations that have only been released from colonialism in the last several decades since World War II. Think how long it took us to arrive at our own institutions of the Anglo-Saxon heritage.

But there has to be a voice for justice for the Palestinians. There has to be a voice to say that the Arab cause is just, and that voice can only come, and should come, from those enlightened, privileged individuals in this country who have done business with the Arab world, and it seems to me that this group, above all others, owes a duty to speak out at the present time.

I want to quote you something from a member of the opposing party, Bobby Kennedy, at Capetown, South Africa. He said: "The first great danger is the danger of futility, the belief that there's nothing one man or woman can do against the enormous array of the world's ills, misery, ignorance, injustice and violence. Men have moved the world in the past, and so can we all. Few will have the greatness to bend human history itself, but each of us can work to change a small portion of events, and in the total of all those acts will be written the history of this generation. It is from numberless diverse acts of courage and belief that human history is shaped. Each time a man stands up for an ideal or acts to improve the lot of others or strikes out against injustice, he sends forth a tiny ripple of hope, and crossing each other through a million different centers of energy and daring, those ripples build a current that can sweep down the mightiest walls of oppression and resistance."

Now the reason, quite frankly, that many of us have not spoken out beyond our own range of friends and range of private acquaintances, is that, of course, we will then be under intense pressure from the Jewish community, highly placed. The position of the media may not only condemn what we say, but on many occasions deny us the right to be printed, or to be listened to on the radio or seen on television.

Moshe Arens was recently invited to debate me on the public television station in San Francisco. He politely declined. When a person on television in California comes out with the slightest criticism of Israel, he is immediately deluged, and the station is deluged, with threats from advertisers to withdraw advertising, from people calling in or writing in to say that the individual involved in expressing anti-Semitic views or is giving rise to anti-Semitic views or is giving rise to anti-Semitism by this kind of criticism of Israel.

When one of the great Jewish leaders of America, Phil Klutznik, former Secretary of Commerce, came back from the Mideast and said, I believe there ought to be a Palestinian homeland, we ought to negotiate with the PLO and there ought to be an Arab participation in the government of East Jerusalem, the word and the hue and cry came out from the Jewish community and organization that he himself had led. The word was: "Disown him."

Under those circumstances, it seems to me we should not complain that Congress is not doing what is right, that the President cannot accomplish his Mideast peace plan because the Congress will prevent him from cutting aid to Israel.

I want to suggest to you four specifics. I read to you the three questions that the Jewish leader asked me as a candidate for the Senate; it is this concentration on specifics that the politician abhors and trys to avoid. No politician wants to be asked, yes or no, are you for handgun control, are you for abortion, or are you for cutting aid to Israel. To be politic, by definition, is to offend no one, and when you have to answer yes or no questions that are controversial, you will offend one side or the other. The politician will never initiate controversy; it must come from the leadership in the country outside Congress.

Now I would suggest that over the next few months that you and I can reshape the history of this country in our relationships with the Arab world, if we insist, that each candidate running for public office, each representative that we have in Washington, answer four simple questions:

How will you vote? Will you cut aid for Israel, suspend aid for Israel, until they remove their troops from Lebanon? The President has asked them to remove their troops from Lebanon. He doesn't dare bring the issue before the Congress, because he knows Congress would support overwhelmingly the Israeli position.

Will you cut $100 million in aid to Israel for each new settlement that Israel establishes on the West Bank? Simple question. Do we have to finance those new settlements, that are in violation of Camp David, in violation of Resolution 242, in violation of the fourth Geneva convention? Our own State Department has said that permanent settlements on the West Bank are inconsistent with international law. Should we cut off aid to Israel until they abide by Resolution 242, and give up jurisdiction over the Golan Heights?

How many of you remember the words of Resolution 242, that if Israel is recognized to be secure within its pre-1967 boundaries, Israel must *withdraw* from the occupied territories.

What were the occupied territories? The Golan Heights, east Jerusalem, the West Bank, and Gaza.

In 1978, when Begin signed the Camp David accord, written into the Camp David accord—a solemn agreement—in three separate instances it was said: "These accords are based on Resolution 242 and all of its parts. "All of its parts" included withdrawal from the West Bank, Gaza, East Jerusalem, and the Golan Heights.

There was no way Begin could honorably agree at Camp David to those agreements if they were indeed, in truth, founded on Resolution 242. Begin has used the big lie technique just as Hitler used it. If the lie is big enough, no one will dare challenge it.

The lies? "We only intend to go 25 miles into Lebanon. We will withdraw from Lebanon."

Israel is now saying explicitly, we intend to annex the West Bank. Begin has said: "How can we relinquish something that we already own, the West Bank and Gaza."

Begin is laying the foundation for the next war in the Mideast, but we in the United States are even more guilty because we are financing it, and that next war, I think, can be mentioned to citizens in the vein, that very possibly it will be a nuclear war. That the Arabs, humiliated by their defeats in the various wars since 1947, are undoubtedly today attempting to achieve a nuclear capacity.

Begin is asking the United States today for the KC-130 aerial tanker. Why? Because that will give the Israeli Air Force the capacity to strike as far as Pakistan, if Pakistan should develop, as we believe they are attempting to do, a nuclear capacity in order to confront the Indians, with whom they have fought three wars in the last 40 years.

There's a tremendous amount at stake. For American leaders and American citizens to remain silent on these issues, and to refrain from entering into lobbying activity that can counter the excessive power of the Jewish community lobby today in America, would be a mistake.

I say this not in criticism of the Jewish community. It's understandable; it's a basic American right to lobby. But I think, with the privilege this group has, goes the duty at least as individuals, to attempt to build a counter lobby that will ask the same precise questions of politicians running for office, particularly, I might say, of Democratic candidates for the Presidency.

We have seen Democratic candidates for the Presidency, in the search for Jewish money, make outlandish statements and commitments. Take the man who defeated me, and who now sits in the United States

Senate. When our campaign started, a friend of mine, the President of a major corporation, said, "Pete, they're going to kill you with the death of a thousand cuts." What had I said? I said, "if we're going to have peace in the Mideast, we're going to have to stand up to and respectfully disagree with our Jewish community and give the President the freedom to negotiate a Mideast peace."

The ADL responded that that was fuel for anti-Semitism, for the Congress to disagree with the Jewish community, or its Jewish community lobby.

My opponent went to the Jewish leadership in Los Angeles and said, "I support the annexation of the West Bank and Gaza." The Jewish community got behind him as a friend for Israel, raised a considerable amount of money, and he has been elected to the United States Senate.

What politician, in the face of that power, is going to vote for a balanced policy in the Mideast unless there is a lobby on the other side? I plead with you to form such a lobby, to speak out, to take the cuts, because if we don't, I'm satisfied that we are going to let down our Arab friends, as we have already, and that their patience cannot be an eternal thing.

They have the right, when Palestinian and Lebanese civilians are killed with our weapons, to say that the United States should at least apply its own law . . . and cut off further shipment of weapons.

I would plead with you, and beg you, and it's the reason I came three thousand miles to give this speech. I think there's enough power in this room, and among your friends, to launch the counter lobby, and say, yes, we support Israel's right to exist within the pre-1967 borders. We support Resolution 242 that gives Israel the right to exist, but we impose Resolution 242 in all of its parts, that Israel withdraw from the occupied territories, that Israel comply with U.S. law, that we not finance the settlements on the West Bank, nor an army of occupation in Lebanon, nor a continuing denial of autonomy to the Arabs on the West Bank and in Gaza.

I can think of no greater cause for an American today than to engage in that particular lobbying effort.

Thank you very much. (Applause).

President LAWRENCE. We've just heard a great American, and he's given us a great challenge.

He's agreed to answer questions. Now I know that some of you may have to leave, but I think we cannot pass up this opportunity.

Mr. MCCLOSKEY. These need not be friendly or even polite questions.

MEMBER. Mr. Congressman, is it possible to get the Democratic and Republican parties to agree to take the Mideast out of domestic politics? You'll remember that Jim Forrestal tried that in 1948, and there's been at least one other attempt. Would that be a way to depoliticalize the national scene?

Mr. MCCLOSKEY. It would be a way, but I'm afraid it isn't possible.

I am a Republican. It's much easier for a Republican to have a balanced view than it is a Democrat.

Since the days of Roosevelt, the Democratic political coalition has essentially been made up of minorities, of organized labor, of the intellectual liberals, with a heavy base on Jewish campaign financing.

I don't know if you remember when Scoop Jackson ran for the Presidency, the statements he made in order to obtain the nomination.

Alan Cranston, for example, from my State of California, is a fine man, but Alan has accepted the Jewish lobby's position that if he is President, we will forgive Israel all its debts.

Let me make a comment on that last point. Much of what the Jewish community lobby does must be done secretly, and is done secretly. When they lobbied me most recently, in June of 1982, two very fine Jewish citizens from a very wealthy community, Los Altos in my district came to see me. Los Altos has about the same per capita income as Greenwich or Scarsdale here. I said, "What's on your agenda this year?" Now bear in mind that similar people were addressing 434 of my colleagues in the House and 100 in the Senate.

They said, we only want two things this year. We want no anti-aircraft weapons given to Jordan, and we want you to forgive Israel its debts owed to the United States.

Can you imagine the Jewish community going public with that one and saying, with a $200 billion deficit we want to forgive Israel's $8 billion indebtedness to the United States? Incredible. They couldn't do it publicly. And yet no sitting member of Congress has disclosed by public announcement, to my knowledge, that he's been lobbied in this manner.

We did forgive that $780 million, as I mentioned last December, but nobody publicly acknowledged it.

I don't think you can find a Democratic candidate for the Presidency today who would be willing to take a position to limit Israel. Possibly John Glenn. John Glenn is a former Marine, and I'm not honoring Marines, but we have a certain stupidity that causes us to enlist in the Marine Corps in the first place. But John Glenn, conceivably, might be willing to take such a position.

But as long as, among the Democratic candidates, there is this contesting for Jewish money by how much we can commit ourselves to the preservation of Israel, I don't think you'll see the Democratic party back away from that primary source of historic financing.

MEMBER. Mr. Congressman, to what degree can interest from Arab communities contribute to political action committees in the United States whose direction and goals are to work for a more balanced policy?

Mr. MCCLOSKEY. You mean Arab governments or the Arab community in the United States?

MEMBER. I mean the dollars coming from Arab countries, citizens in Arab countries. To what degree can those be funnelled effectively and legally through a political action committee domiciled in the United States?

Mr. MCCLOSKEY. I don't think they can directly be used, without violating the law. I think if any of us took money, as candidates for American office, from foreign countries, we'd be violating the law.

MEMBER. How can John Glenn stand up to the Israeli lobby as a member of the Democratic party, which fully endorsed the invasion of Lebanon at the Democratic convention in Philadelphia?

Mr. MCCLOSKEY. You remember Toby Moffitt, an Arab-American, who was running for the Senate in Connecticut and who went with me to Beirut in 1980, and Toby came up, in effect, supporting Israel's actions in order to try to be elected to the Senate from Connecticut.

I'm not saying that any politician can say what I am saying today and be elected in this country today. Paul Findley, a fine Congressman, lost on that issue alone in a cornbelt district in southern Illinois.

What I'm saying is that it is a fact of life in America that an elected politician cannot lead on a controversial issue until there is a vocal constituency.

If you did nothing more, for example, those Americans who believe as I do, then vow to match the financial contributions to any candidate who is asking for the annexation of the West Bank and Gaza, or of any candidate who is unwilling to cut off aid to Israel, that would do a lot.

There's an incredible constituency in this country today against foreign aid. At a time of a $200 billion dificit, you see Secretary Shultz urging, let's vote $14 billion for foreign aid. Well, Congress has passed the Foreign Aid bill over the last ten or twelve years only because of its including this sizable chunk of money for Israel. We give one-fifth of our foreign aid to a country of 3.5 million people, that is no longer a destitute country defending itself against a series of military onslaughts.

This is the most powerful military country in that part of the world. To give them continuing military aid is absurd, and I think the American people would say, let's cut off that $2.5 million aid to Israel.

We give more aid to families in Israel than we give to families in Appalachia.

But I do not see an answer to your question. The elected politician is unable to take the position that is right until a group such as this supports him.

I read Bobby Kennedy's speech to you because I was challenging business leaders to give politicians the courage to do what is right.

Do you remember a politician ever getting elected who said, "I want to cut Social Security benefits for elderly citizens, I want to cut food stamps, I want to cut benefits to State and Federal employees"?

Politicians are politic. They get elected for promising more, not for cutting. It's too much to expect, of a Republican or a Democrat.

Do you remember the great Social Security debate of the 1982 elections? Which politician did you hear urge that we reduce the cost-of-living benefits for the elderly people? Everybody in Washington knows, everybody in this country knows, that we're paying old people today five times what they put into the system, that we have to cut at least the automatic escalator. Yet no politician dared say it.

John Glenn, and some others, would have the courage to say what they believe if there was a constituency willing to support them and to say that it was appropriate and that he wasn't being anti-Semitic because he was suggesting cutting aid to Israel.

When I made the speech that I did, on the floor of the House, 30 of my colleagues came up to me—30—and said, "Pete, you're right, but we can't say so publicly."

GUEST. According to your knowledge, is it legal or not for the American Jewish community to force the American lobbies to publish their support?

Mr. MCCLOSKEY. Yes, sure. There's nothing wrong with, in the American political process, pointing to your opponent and saying he's financed by Arab money. Perfectly proper.

We have free speech in the country. The most incredible irony of this position is that the Jewish community now is trying to shut

off debate on the other side. The community that has so long stood for social justice and free speech and the right to express dissenting views does not want heard what they're doing. It claims that those who say that there's a Jewish lobby, or a Jewish lobby control in Congress, are in effect anti-Semitic. Baloney.

I have never held a public meeting in which Jewish constituents didn't come to that meeting and say, the oil lobby controls American, or the supernational companies control America. It is a perfectly reasonable ground for public debate. But by raising this spectre of anti-Semitism, they put a chill on public debate, where honorable people are afraid to speak out for fear of being condemned as being anti-Semitic. That is absolutely pure baloney, but it took some courage to start it.

I'm going to close now, because I know you have other business to take care of.

I hope, by laying down this challenge, the Board might conceivably consider laying out four such questions as I have defined, and possibly making it a point to ask all candidates for President what their positions are. You'll hear very few yes and no responses to those questions.

Thank you very much. (Applause)●

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. McDADE (at the request of Mr. LOTT), from 4 p.m. today and the balance of the week, on account of illness.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. HUNTER) to revise and extend their remarks and include extraneous material:)

Mr. CORCORAN, for 10 minutes, today.

Mr. HAMMERSCHMIDT, for 5 minutes, today.

Mr. FISH, for 10 minutes, today.

Mr. PORTER, for 10 minutes, today.

(The following Members (at the request of Mr. GONZALEZ) to revise and extend their remarks and include extraneous material:)

Mr. ANNUNZIO, for 5 minutes, today.

Mr. GONZALEZ, for 30 minutes, today.

Mr. ALEXANDER, for 60 minutes, today.

Mr. PEPPER, for 5 minutes, today.

Mr. PANETTA, for 5 minutes, today.

Mr. DWYER of New Jersey, for 5 minutes, today.

Mr. STRATTON, for 5 minutes, today.

Mr. DICKS, for 5 minutes, today.

Mr. RICHARDSON, for 60 minutes, on May 12.

EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

Mr. RAHALL, to revise and extend his remarks and to include extraneous material notwithstanding the fact that it exceeds two pages of the RECORD and is estimated by the Public Printer to cost $1,690.

Mr. PORTER, immediately following the special order of Ms. FERRARO today.

(The following Members (at the request of Mr. HUNTER) and to include extraneous matter:)

Mr. COUGHLIN.
Mr. PORTER.
Mr. BROOMFIELD in two instances.
Mr. GREEN.
Mr. ROBINSON.
Mr. PRITCHARD.
Mr. SMITH of New Jersey.
Mr. PURSELL.
Mr. KEMP in two instances.
Mr. LOTT.
Mr. CAMPBELL.
Mr. LENT.
Mr. LEWIS of California in two instances.
Mrs. HOLT.
Mr. SILJANDER.
Mr. HYDE.
Mr. RITTER.
Mr. MARTIN of North Carolina.
Mr. FIELDS in four instances.
Mr. LUJAN in two instances.
Mr. COATS.
Mr. RIDGE.
Mr. PHILIP M. CRANE.
Mr. LATTA.

(The following Members (at the request of Mr. GONZALEZ) and to include extraneous matter:)

Mr. FAZIO in two instances.
Mr. STARK in two instances.
Mr. EDGAR.
Ms. OAKAR.
Ms. KAPTUR.
Mr. YATRON.
Mr. HAMILTON.
Mr. DWYER of New Jersey.
Mr. FORD of Tennessee.
Mr. LIPINSKI.
Mr. SISISKY in two instances.
Mr. ST GERMAIN.
Mr. FORD of Michigan in two instances.
Mr. EARLY.
Mr. RAY in two instances.
Mr. BARNES in two instances.
Mr. BERMAN.
Mr. HALL of Ohio.
Mr. LANTOS in two instances.
Mr. FAUNTROY.
Mr. ROSTENKOWSKI.
Mr. PANETTA in two instances.
Mr. MILLER of California.
Mr. CARR.
Mr. GUARINI in two instances.
Mr. MAZZOLI.
Mr. ZABLOCKI in two instances.
Mr. TORRICELLI.
Mrs. BYRON.
Mr. BONKER.
Mr. SOLARZ in two instances.
Mr. MACKAY.
Mr. WHEAT.
Mr. GAYDOS.
Mr. OBEY in two instances.
Mr. DYSON.
Mr. O'NEILL.
Mr. HARKIN.

SENATE ENROLLED BILL SIGNED

The SPEAKER announced his signature to an enrolled bill of the Senate of the following title:

S. 287. An act to establish the Harry S Truman National Historic Site in the State of Missouri, and for other purposes.

JOINT RESOLUTION PRESENTED TO THE PRESIDENT

Mr. HAWKINS, from the Committee on House Administration, reported that that committee did on May 10, 1983, present to the President, for his approval, a joint resolution of the House of the following title:

H.J. Res. 219. Joint resolution declaring the support of the U.S. Government for efforts of the U.S. Soccer Federation to bring the World Cup to the United States in 1986, designating the Secretary of Commerce as the official representative of the U.S. Government to the Federation Internationale de Football Assocation, and for other purposes.

ADJOURNMENT

Mr. GONZALEZ. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 7 o'clock and 44 minutes p.m.), the House adjourned until tomorrow, Thursday, May 12, 1983, at 11 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1120. A letter from the Acting Administrator, U.S. Environmental Protection Agency, transmitting a draft of proposed legislation to amend and extend the Federal Insecticide, Fungicide, and Rodenticide Act as amended, for 2 years; to the Committee on Agriculture.

1121. A letter from the Director, Office of Management and Budget, Executive Office of the President, transmitting a cumulative report on rescissions and deferrals of budget authority as of May 1, 1983, pursuant to section 1014(e) of Public Law 93-344 (H. Doc. No. 98-61); to the Committee on Appropriations and ordered to be printed.

1122. A letter from the Director, National Legislative Commission, the American Legion, transmitting the financial statement and audit for 1982, pursuant to 36 U.S.C. 1103; to the Committee on the Judiciary.

1123. A letter from the Comptroller General of the United States, transmitting a report on the Powder River Basin Federal coal lease sale (GAO/RCED-83-119, May 11, 1983); jointly, to the Committees on Government Operations and Interior and Insular Affairs.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. DELLUMS: Committee on the District of Columbia. H.R. 2637. A bill to amend the District of Columbia Self-Government and Governmental Reorganization Act to increase the amount authorized to be appropriated as the annual Federal payment to the District of Columbia (Rept. No. 98-100). Referred to the Committee of the Whole House on the State of the Union.

Mr. DINGELL: Committee on Energy and Commerce. H.R. 1416. A bill to amend the Securities Exchange Act of 1934 to authorize appropriations for the Securities and Exchange Commission for fiscal years 1984 through 1986; with amendments (Rept. No. 98-101). Referred to the Committee of the Whole House on the State of the Union.

Mr. DE LA GARZA: Committee on Agriculture. H.R. 2785. A bill to amend the provisions of the Federal Insecticide, Fungicide, and Rodenticide Act relating to the scientific advisory panel and to extend the authorization for appropriations for such act; with amendments (Rept. No. 98-104). Referred to the Committee of the Whole House on the State of the Union.

Mr. ROSTENKOWSKI: Committee on Ways and Means. H.R. 2602. A bill to authorize appropriations for the U.S. International Trade Commission, the U.S. Customs Service, and the Office of the United States Trade Representative for fiscal year 1984, and for other purposes; with amendments (Rept. No. 98-105). Referred to the Committee of the Whole House on the State of the Union.

Mr. DINGELL: Committee on Energy and Commerce. H.R. 2681. A bill to make certain amendments to sections 4, 15, and 15B of the Securities Exchange Act of 1934; with amendments (Rept. No. 98-106). Referred to the Committee of the Whole House on the State of the Union.

Mr. PRICE: Committee on Armed Services. H.R. 2969. A bill to authorize appropriations for fiscal year 1984 for the Armed Forces for procurement, for research, development, test, and evaluation, and for operation and maintenance, to prescribe personnel strengths for such fiscal year for the Armed Forces and for civilian employees of the Department of Defense, to authorize appropriations for such fiscal year for civil defense, and for other purposes (Rept. No. 98-107). Referred to the Committee of the Whole House on the State of the Union.

REPORTED BILLS SEQUENTIALLY REFERRED

Under clause 5 of rule X, bills and reports were delivered to the Clerk for printing, and bills referred as follows:

Mr. UDALL: Committee on Interior and Insular Affairs. H.R. 9. A bill to designate components of the National Wilderness Preservation System in the State of Florida; with an amendment; referred to the Committee on Agriculture for a period ending not later than June 1, 1983, for consideration of such portions of the bill and amendment as fall within its jurisdiction pursuant to clause 1(a), rule X (Rept. No. 98-102, Pt. I). Ordered to be printed.

Mr. UDALL: Committeee on Interior and Insular Affairs. H.R. 2510. A bill to authorize appropriations to the Nuclear Regulatory Commission in accordance with section 261 of the Atomic Energy Act of 1954 and section 305 of the Energy Reorganization Act of 1974, and for other purposes; with an amendment; referred to the Committee on Energy and Commerce for a period ending not later than June 22, 1983, for consideration of such portions of the bill and amendment as fall within its jurisdiction pursuant to clause 1(h), rule X (Rept. No. 98-103, Pt. I). Ordered to be printed.

PUBLIC BILLS AND RESOLUTIONS

Under clause 5 of rule X and clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BOLAND:

H.R. 2968. A bill to authorize appropriations for fiscal year 1984 for intelligence and intelligence-related activities of the U.S. Government, for the intelligence community staff, for the Central Intelligence Agency a retirement and disability system, and for other purposes; to the Committee on the Permanent Select Committee on Intelligence.

By Mr. PRICE (for himself and Mr. DICKINSON):

H.R. 2969. A bill to authorize appropriations for fiscal year 1984 for the Armed Forces for procurement, for research, development, test, and evaluation, and for operation and maintenance, to prescribe personnel strengths for such fiscal year for the Armed Forces and for civilian employees of the Department of Defense, to authorize appropriations for such fiscal year for civil defense, and for other purposes; to the Committee on Armed Services.

By Mr. FLORIO:

H.R. 2970. A bill to amend the Federal Trade Commission Act to extend the authorization of appropriations contained in such act, and for other purposes; jointly, to the Committees on Energy and Commerce and Rules.

By Mr. BONKER:

H.R. 2971. A bill to amend the authorities contained in the Export Administration Act of 1979, and for other purposes; to the Committee on Foreign Affairs.

By Mr. PRICE (for himself and Mr. DICKINSON):

H.R. 2972. A bill to authorize certain construction at military installations for fiscal year 1984, and for other purposes; to the Committee on Armed Services.

By Mr. JACOBS (for himself, Mr. FORD of Tennessee, Mr. GUARINI, Mr. RUSSO, Mr. HANCE, Mr. ANTHONY, and Mr. JENKINS):

H.R. 2973. A bill to repeal the withholding of tax from interest and dividends; to the Committee on Ways and Means.

By Mr. MOAKLEY:

H.R. 2974. A bill to authorize appropriations for the Federal Trade Commission, to provide for congressional review of Commission rules, and for other purposes; jointly, to the Committees on Energy and Commerce and Rules.

By Mrs. BYRON:

H.R. 2975. A bill to amend title 17 of the United States Code to authorize certain nonprofit use of copyrighted works by volunteer fire companies and rescue squads; to the Committee on the Judiciary.

By Mr. CORCORAN:

H.R. 2976. A bill to increase voter participation by providing for free mailing of absentee ballots, improving tax credits for political contributions, and increasing certain campaign contribution and expenditure limitations, and for other purposes; jointly, to the Committees on House Administration, Post Office and Civil Service, and Ways and Means.

By Mr. EDWARDS of Oklahoma (for himself, Mr. DYMALLY, Mr. MARTIN of North Carolina, Mr. SILJANDER, Mr. NELSON of Florida, Mr. CAMPBELL, Mr. HALL of Ohio, Mr. PHILIP M. CRANE, Mr. SENSENBRENNER, Mr. DANIEL, Mr. BLILEY, Mr. EMERSON, Mr. QUILLEN, and Mr. RUDD):

H.R. 2977. A bill to amend the Internal Revenue Code of 1954 to improve Internal Revenue Service procedures concerning investigations and audits of churches, and for other purposes; to the Committee on Ways and Means.

By Mr. FISH:

H.R. 2978. A bill to establish the crime victim's assistance fund; to the Committee on the Judiciary.

By Mr. GREEN:

H.R. 2979. A bill to provide increased benefits under the medicare program, and for other purposes; jointly, to the Committees on Ways and Means and Energy and Commerce.

By Mr. GUARINI:

H.R. 2980. A bill to declare a portion of the Hudson River in Hudson County, N.J., to be not a navigable water of the United States, and for other purposes; to the Committee on Energy and Commerce.

By Mr. HYDE (for himself, Mr. ANNUNZIO, Mr. CORCORAN, Mr. PHILIP M. CRANE, Mr. DURBIN, Mrs. MARTIN of Illinois, Mr. MICHEL, Mr. O'BRIEN, Mr. PRICE, Mr. ROSTENKOWSKI, Mr. RUSSO, and Mr. SIMON):

H.R. 2981. A bill to exempt units of local government from the operation of the antitrust laws to the extent States are exempt from the operation of such laws; to the Committee on the Judiciary.

By Mr. KOGOVSEK:

H.R. 2982. A bill to exempt irrigation conveyance systems from fees and conditions under the Federal Land Policy and Management Act of 1976, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. LUJAN:

H.R. 2983. A bill to provide for the addition of about 20 acres to the Sandia Mountain Wilderness; to the Committee on Interior and Insular Affairs.

H.R. 2984. A bill to amend the Internal Revenue Code of 1954 to provide that certain married individuals are eligible for the deduction for retirement savings on the basis of the earnings of their spouse; to the Committee on Ways and Means.

By Mr. MOORHEAD:

H.R. 2985. A bill to amend the copyright law, title 17 of the United States Code, to provide for protection of ornamental designs of useful articles, to the Committee on the Judiciary.

By Mr. PRICE (for himself and Mr. DICKINSON) (by request):

H.R. 2986. A bill to repeal section 5(b) of the Subversive Activities Control Act of 1950; to the Committee on Armed Services.

By Mr. SHANNON (for himself and Mr. STARK):

H.R. 2987. A bill to amend the Social Security Act to provide for reform in the dis-

ability determination process; to the Committee on Ways and Means.

By Mr. STENHOLM (for himself, Mr. MITCHELL, Mr. HIGHTOWER, Mr. SIMON, Mr. LOEFFLER, Mr. JONES of North Carolina, Mr. DASCHLE, Mr. HANCE, Mr. STANGELAND, Mr. LEATH of Texas, Mr. MAVROULES, Mr. COLEMAN of Missouri, Mr. SAM B. HALL, JR., Mr. JEFFORDS, Mr. SKELTON, Mr. SKEEN, Mr. BEVILL, Mr. ROE, Mr. MCDADE, Mr. FROST, Mr. GUNDERSON, Mr. WORTLEY, Mr. ECKART, Mr. WEBER, Mr. VANDERGRIFF, Mr. LEWIS of Florida, Mr. ROBERTS, Mr. EVANS of Iowa, and Mr. BEREUTER):

H.R. 2988. A bill to clarify the eligibility of small agricultural cooperatives for assistance under section 7(b)(2) of the Small Business Act; to the Committee on Small Business.

By Mr. FIELDS:

H.J. Res. 264. Joint resolution proposing an amendment to the Constitution requiring the Federal judges be reconfirmed by the Senate every 10 years; to the Committee on the Judiciary.

By Mr. GONZALEZ (for himself, Mr. ST GERMAIN, Mr. WYLIE, and Mr. MCKINNEY:

H.J. Res. 265. Joint resolution to provide for the temporary extension of certain insurance programs relating to housing and community development, and for other purposes; to the Committee on Banking, Finance and Urban Affairs.

By Mr. KEMP:

H.J. Res. 266. Joint resolution designating the week beginning September 4, 1983, as "Youth of America Week"; to the Committee on Post Office and Civil Service.

By Mr. BONKER:

H. Con. Res. 124. Concurrent resolution relating to U.S. participation in the sixth meeting of the United Nations Conference on Trade and Development; to the Committee on Foreign Affairs.

By Mr. DUNCAN:

H. Con. Res. 125. Concurrent resolution expressing the sense of Congress that the Tennessee Valley Authority should operate the Ocoee No. 2 hydro project on the Ocoee River in Tennessee so that water is not diverted from the riverbed for a minimum of 110 days per calendar year; to the Committee on Public Works and Transportation.

By Mr. SKELTON (for himself, Mr. WHEAT, Mr. WRIGHT, Mr. CLAY, Mr. YOUNG of Missouri, Mr. GEPHARDT, Mr. COLEMAN of Missouri, Mr. EMERSON, Mr. VOLKMER, Mr. TAYLOR, and Mr. PEPPER):

H. Con. Res. 126. Concurrent resolution providing for the commemoration of the 100th anniversary of the birth of Harry S. Truman; to the Committee on Rules.

By Mr. ANDERSON:

H. Res. 191. Resolution expressing the sense of the House of Representatives that the Director of the National Institutes of Health should give priority to finding a cure for lupus erythematosus; to the Committee on Energy and Commerce.

By Mr. GREEN:

H. Res. 192. Resolution expressing the sense of the House of Representatives that the Chrysler Corporation Loan Guarantee Board shall not waive or surrender any right of the United States with respect to warrants for Chrysler Corp. stock which were issued to the United States pursuant to the Chrysler Corporation Loan Guarantee Act of 1979; to the Committee on Banking, Finance and Urban Affairs.

MEMORIALS

Under clause 4 of rule XXII,

126. Mr. RUDD presented a memorial of the House of Representatives of the State of Arizona, relative to POW's and MIA's; to the Committee on Foreign Affairs.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII,

Mr. FRENZEL introduced a bill (H.R. 2989) for the relief of Simon Marriott; which was referred to the Committee on the Judiciary.

ADDITIONAL SPONSORS

Under clause 4 of rule XXII, sponsors were added to public bills and resolutions as follows:

H.R. 10: Ms. KAPTUR.

H.R. 284: Mr. SHUMWAY.

H.R. 287: Mr. COATS.

H.R. 351: Mr. GINGRICH.

H.R. 570: Mr. BEDELL and Mr. HARKIN.

H.R. 1016: Mr. FAZIO, Mr. LOWRY, of Washington, and, Mr. GEJDENSON.

H.R. 1055: Mr. CHAPPIE and Mr. LEVINE of California.

H.R. 1083: Mr. CORRADA and Mr. TORRICELLI.

H.R. 1136: Mr. KRAMER, Mr. ERDREICH, Mr. DYMALLY, Mr. OXLEY, Mr. PORTER, Mr. STANGELAND, Mr. DONNELLY, Mr. HALL of Ohio, Mr. GEPHARDT, Mr. ALBOSTA, Mr. BROWN of Colorado, Mr. VANDER JAGT, Mr. MURTHA, Mr. DURBIN, Mr. STENHOLM, Mr. OLIN, Mr. MCEWEN, and Mr. GLICKMAN.

H.R. 1159: Mr. CORCORAN.

H.R. 1199: Mr. WHITEHURST, Mr. BARNARD, Mr. SHELBY, Mr. BILIRAKIS, Mr. FROST, Mr. BARNES, Mr. LEACH of Iowa, Mrs. JOHNSON, Mr. VOLKMER, Mr. HOWARD, Mr. SKEEN, Mr. WINN, Mr. PEPPER, Mr. LOWERY of California, Mr. SLATTERY, and Mr. APPLEGATE.

H.R. 1234: Mr. GUARINI, Mr. HAWKINS, Mr. ROGERS, Mr. MOAKLEY, Mr. BOLAND, Mr. SABO, Mr. BROOKS, Ms. FERRARO, Mr. BRYANT, Mr. ACKERMAN, Mr. WILLIAMS of Ohio, Mr. NICHOLS, Mr. HARKIN, Mr. TOWNS, Mr. MCEWEN, Mr. CONTE, Mr. WIRTH, Mr. EARLY, and Mr. DIXON.

H.R. 1272: Mr. MORRISON of Washington.

H.R. 1341: Mr. FORD of Tennessee, Mr. ROE, Mr. JEFFORDS, Mr. LELAND, Mr. REID, Mr. MCCAIN, Mr. BEREUTER, Mr. HUGHES, Mr. SWIFT, Mr. CONYERS, Mr. EDGAR, Mr. DE LUGO, Mr. HUTTO, Mr. FAUNTROY, Mr. SCHUMER, Mr. KILDEE, Mrs. BYRON, Mr. SOLARZ, Mr. RICHARDSON, Mr. MORRISON of Connecticut, Mr. FOGLIETTA, Ms. KAPTUR, and Mr. WEAVER.

H.R. 1405: Mr. BURTON, Mr. SYNAR, Mr. BENNETT, Mr. NELSON of Florida, and Mr. CHAPPELL.

H.R. 1415: Mr. RUDD, Mr. STUMP, Mr. VANDERGRIFF, Mr. WHITTAKER, Mr. ROE, Mr. FORSYTHE, Mr. KOLTER, Mr. SIMON, and Mr. GREGG.

H.R. 1430: Mrs. JOHNSON.

H.R. 1452: Mr. DAUB and Mr. SHUMWAY.

H.R. 1492: Mrs. SCHROEDER.

H.R. 1543: Mr. BORSKI, Mrs. BOXER, Mr. CROCKETT, Mr. MCKINNEY, and Mr. MOODY.

H.R. 1611: Mr. BRITT.

H.R. 1841: Mr. WINN.

H.R. 1881: Mrs. BOGGS, Mr. CHAPPELL, Mr. CLARKE, Mr. DAUB, Mr. EDWARDS of Alabama, Mr. FLIPPO, Mr. HANSEN of Idaho, Mr. JONES of Tennessee, Mr. LUJAN, Mr. MCCURDY, Ms. MIKULSKI, Mr. PERKINS, Ms. SNOWE, Mr. WHITEHURST, Mr. WILSON, Mr. WORTLEY, and Mr. WYDEN.

H.R. 1918: Mr. MOLLOHAN.

H.R. 1984: Mr. DONNELLY, Mr. JENKINS, Mr. SUNDQUIST, Mr. WILLIAMS of Montana, Ms. FERRARO, and Mrs. HALL of Indiana.

H.R. 2023: Mrs. COLLINS.

H.R. 2053: Mr. RAHALL, and Mr. TORRES.

H.R. 2071: Mr. DORGAN, Mr. RUDD, Mr. OLIN, Mr. CLARKE, Mr. RAHALL, Mr. RICHARDSON, Mr. WILLIAMS of Montana, Mr. MOLLOHAN, Mr. LEHMAN of California, Mr. SKEEN, Mr. KRAMER, Mr. FAZIO, Mr. EMERSON, Mr. OBERSTAR, Mr. LOWRY of Washington, Mr. MURPHY, Mr. ALEXANDER, Mr. SWIFT, Mr. COELHO, Mr. DASCHLE, Mr. VENTO, Mrs. BYRON, Mr. SEIBERLING, Mrs. VUCANOVICH, Mr. DERRICK, Mr. CRAIG, Mr. ROBERTS, Mr. STUMP, Mr. BOSCO, Mr. WYDEN, Mr. UDALL, Mr. WIRTH, Mr. AUCOIN, Mr. ROEMER, and Mr. SCHAEFER.

H.R. 2097: Mr. PRITCHARD and Mr. UDALL.

H.R. 2109: Mr. CROCKETT.

H.R. 2124: Mr. DWYER of New Jersey, Mr. VANDERGRIFF, Mrs. VUCANOVICH, Mr. TAUKE, Mr. BOLAND, Mr. ROEMER, Mr. DOWDY of Mississippi, Mr. MORRISON of Washington, Mr. KOLTER, Mrs. SMITH of Nebraska, Mr. ENGLISH, Mr. MRAZEK, Mr. GOODLING, Mr. SLATTERY, Mrs. HOLT, Mr. QUILLEN, Mr. RICHARDSON, and Mr. HANSEN of Idaho.

H.R. 2142: Mr. SOLARZ.

H.R. 2148: Mr. PORTER, Mr. CORRADA, Mr. WILLIAMS of Montana, Mr. WEAVER, Mr. PERKINS, Mr. OWENS, Mr. TOWNS, Mr. HAWKINS, Mr. WHEAT, Mr. KILDEE, Mr. BOUCHER, Mr. WEISS, Mr. DELLUMS, Mr. ST GERMAIN, Mr. STOKES, Mr. HAMILTON, Mr. SOLARZ, Mr. BEREUTER, Mr. FAUNTROY, Mr. SUNIA, Mr. GRAY, Mr. ACKERMAN, Ms. MIKULSKI, Mr. DWYER of New Jersey, Mr. SMITH of Florida, Mr. LEHMAN of Florida, Mr. MCCLOSKEY, Ms. KAPTUR, Mr. FORD of Tennessee, Mr. FORD of Michigan, Mr. MITCHELL, Mr. SLATTERY, Mr. RANGEL, Mr. BIAGGI, Mr. EDGAR, Mr. HEFTEL of Hawaii, Mr. WHITLEY, Mr. SMITH of New Jersey, Mr. RATCHFORD, Mr. HERTEL of Michigan, Mr. SEIBERLING, Mr. FRANK, Mr. UDALL, Mr. DE LUGO, and Mrs. HALL of Indiana.

H.R. 2193: Mr. MCKINNEY.

H.R. 2207: Mrs. COLLINS and Mr. GAYDOS.

H.R. 2250: Mr. GILMAN, Mr. JEFFORDS, Mr. SLATTERY, Mr. SHELBY, Mr. GLICKMAN, and Mrs. COLLINS.

H.R. 2355: Mr. SAM B. HALL, JR., Mr. APPLEGATE, Mr. SHELBY, Mr. MICA, Mr. DASCHLE, Mr. DOWDY of Mississippi, Mr. HARRISON, Mr. PENNY, Mr. STAGGERS, Mr. ROWLAND, Mr. BURTON, Mr. WEISS, Mr. JENKINS, Mr. SPENCE, Mr. HILLIS,Mr. MCEWEN, Mr. DENNY SMITH, Mr. WYLIE, Mr. SUNDQUIST, Mr. BILIRAKIS, Mr. STUMP, and Mr. TALLON.

H.R. 2361: Mr. BERMAN.

H.R. 2448: Mr. BADHAM and Mr. PORTER.

H.R. 2449: Mr. BORSKI, Mr. BROWN of California, Mr. CORRADA, Mr. DASCHLE, Mr. EDWARDS of California, Mr. GEJDENSON, Mr. HUTTO, Mr. KOSTMAYER, Mr. LONG of Maryland, Ms. OAKAR, Mr. OTTINGER, Mr. OWENS, Mr. RAHALL, Mr. RATCHFORD, Mr. SAVAGE, Mr. BONIOR of Michigan, Mrs. COLLINS, Mr. D'AMOURS, Mr. SHANNON, and Mr. MCCLOSKEY.

H.R. 2489: Mr. FISH, Mr. FRENZEL, Mr. GINGRICH, Mr. JEFFORDS, and Ms. SNOWE.

H.R. 2584: Mr. BEVILL, Mr. WEBER, and Mr. VENTO.

H.R. 2700: Mr. WON PAT, Ms. OAKAR, Mr. VENTO, Mr. FAZIO, and Mr. FRANK.

H.R. 2715: Mr. BARNES, Mr. D'AMOURS, Mr. FAZIO, Mr. FORSYTHE, Mr. FRANK, Mr. HANCE, Mrs. HOLT, Mr. KINDNESS, Mr.

MATSUI, Ms. MIKULSKI, Ms. OAKAR, Mr. OBERSTAR, Mrs. SCHROEDER, Mr. STOKES, and Mr. WORTLEY.

H.R. 2720: Mr. ANDREWS of Texas.

H.R. 2730: Mr. KOGOVSEK.

H.R. 2807: Mr. SMITH of New Jersey, Mr. MINISH, Mr. FORD of Michigan, Mr. SCHUMER, Mr. LANTOS, Mr. BONIOR of Michigan, Mr. FAZIO, Mr. BEDELL, Mr. FRANK, Mr. MATSUI, Mr. HORTON, Mr. RUSSO, Ms. OAKAR, Mr. STARK, Mr. HOPKINS, Mr. HATCHER, Mr. PERKINS, Mr. LEHMAN of Florida, Mr. FAUNTROY, Mr. STOKES, Mr. RATCHFORD, Mr. RICHARDSON, Mr. ROE, Ms. MIKULSKI, Mr. REGULA, Mr. OWENS, and Mr. LEVIN of Michigan.

H.R. 2830: Mr. HUTTO, Mr. LIVINGSTON, Mr. GOODLING, Mr. BADHAM, Mr. DANIEL, and Mr. SENSENBRENNER.

H.R. 2832: Mr. WYLIE.

H.R. 2833: Mr. SUNIA, Mr. BEILENSON, Mr. OWENS, Mr. BONIOR of Michigan, and Mr. WEAVER.

H.R. 2890: Mr. FORSYTHE.

H.R. 2920: Mr. BONER of Tennessee.

H.R. 2930: Mr. LEACH of Iowa.

H.R. 2948: Mr. BONER of Tennessee.

H.J. Res. 29: Mr. RUDD, Mr. FORD of Tennessee, Mr. LIPINSKI, Mr. ANDREWS of North Carolina, Mr. HORTON, Mr. BADHAM, Mr. MCNULTY, Mr. CRAIG, Mr. NEAL, Mr. ROE, Mr. RITTER, Mr. ACKERMAN, Mrs. HOLT, Mr. KEMP, Ms. KAPTUR, Mr. RICHARDSON, Mr. FAUNTROY, Mr. SMITH of New Jersey, and Mr. SUNIA.

H.J. Res. 51: Mr. BADHAM, Mr. BEREUTER, Mr. FAZIO, Mrs. HALL of Indiana, Mr. HEFTEL of Hawaii, Mr. MADIGAN, Mr. SIMON, and Mr. VANDERGRIFF.

H.J. Res. 73: Mr. BREAUX.

H.J. Res. 101: Mr. HARKIN, Mr. LONG of Louisiana, Mr. SNYDER, Mr. SKEEN, Mr. BILIRAKIS, Mr. MORRISON of Washington, Mr. MOLINARI, Mr. LUKEN, Mr. HANSEN of Idaho, Mr. BENNETT, and Mr. MCDADE.

H. Con. Res. 101: Mr. BIAGGI, Mr. ANDERSON, Mr. TRAXLER, and, Mr. HUBBARD.

H. Con. Res. 112: Mrs. COLLINS, Mr. LEVINE of California, and Mr. STUDDS.

H. Con. Res. 118: Mr. MOAKLEY, Mr. FASCELL, Mr. BONER of Tennessee, Mr. MARTINEZ, Mr. BARNES, Mr. PERKINS, Mr. FEIGHAN, Mr. RICHARDSON, Mr. TORRES, Mr. WYDEN, Mr. MOLLOHAN, Mr. FLORIO, Mr. LEVINE of California, Mr. EDWARDS of California, Mr. STOKES, Mr. RATCHFORD, Mr. FORD of Tennessee, Mr. ROE, Mr. BROWN of California, Mr. BEREUTER, Mr. MATSUI, Mr. EVANS of Illinois, Mr. FROST, Mr. OTTINGER, Mr. CORRADA, Ms. KAPTUR, Mr. EDGAR, Mr. HARRISON, Mr. SCHUMER, Mr. WEAVER, Mr. LAFALCE, Ms. MIKULSKI, Mr. VENTO, Mr. PEASE, Mr. FAZIO, Mr. HALL of Ohio, Mr. MRAZEK, Mr. PATTERSON, Mrs. BOXER, and Mr. WEISS.

H. Res. 17: Mr. ANDREWS of North Carolina, Mr. BRITT, Mr. BOSCO, Mr. FUQUA, Mr. JONES of North Carolina, and Mr. PEASE.

H. Res. 155: Mr. ENGLISH, Mr. FAZIO, Mr. GEKAS, Mr. KEMP, Mr. LONG of Maryland, and Mr. OTTINGER.

REGULATION OF LOBBYING ACT

In compliance with Public Law 601, 79th Congress, title III, Regulation of Lobbying Act, section 308(b), which provides as follows:

(b) All information required to be filed under the provisions of this section with the Clerk of the House of Representatives and the Secretary of the Senate shall be compiled by said Clerk and Secretary, acting jointly, as soon as practicable after the close of the calendar quarter with respect to which such information is filed and shall be printed in the CONGRESSIONAL RECORD.

The Clerk of the House of Representatives and the Secretary of the Senate jointly submit their report of the compilation required by said law and have included all registrations and quarterly reports received.

REGISTRATIONS

The following registrations were submitted for the first calendar quarter 1983:

(NOTE.—The form used for report is reproduced below. In the interest of economy in the RECORD, questions are not repeated, only the essential answers are printed, and are indicated by their respective headings.)

FILE ONE COPY WITH THE SECRETARY OF THE SENATE AND FILE TWO COPIES WITH THE CLERK OF THE HOUSE OF REPRESENTATIVES:

This page (page 1) is designed to supply identifying data; and page 2 (on the back of this page) deals with financial data.

PLACE AN "X" BELOW THE APPROPRIATE LETTER OR FIGURE IN THE BOX AT THE RIGHT OF THE "REPORT" HEADING BELOW:

"PRELIMINARY" REPORT ("Registration"): To "register," place an "X" below the letter "P" and fill out page 1 only.

"QUARTERLY" REPORT: To indicate which one of the four calendar quarters is covered by this Report, place an "X" below the appropriate figure. Fill out both page 1 and page 2 and as many additional pages as may be required. The first additional page should be numbered as page "3," and the rest of such pages should be "4," "5," "6," etc. Preparation and filing in accordance with instructions will accomplish compliance with all quarterly reporting requirements of the Act.

Year: 19.....

REPORT

PURSUANT TO FEDERAL REGULATION OF LOBBYING ACT

P	QUARTER			
	1st	2d	3d	4th
(Mark one square only)				

NOTE ON ITEM "A".—(a) IN GENERAL. This "Report" form may be used by either an organization or an individual, as follows:

(i) "Employee".—To file as an "employee", state (in Item "B") the name, address, and nature of business of the "employer". (If the "employee" is a firm [such as a law firm or public relations firm], partners and salaried staff members of such firm may join in filing a Report as an "employee".)

(ii) "Employer".—To file as an "employer", write "None" in answer to Item "B".

(b) SEPARATE REPORTS. An agent or employee should not attempt to combine his Report with the employer's Report:

(i) Employers subject to the Act must file separate Reports and are not relieved of this requirement merely because Reports are filed by their agents or employees.

(ii) Employees subject to the Act must file separate Reports and are not relieved of this requirement merely because Reports are filed by their employers.

A. ORGANIZATION OR INDIVIDUAL FILING:

1. State name, address, and nature of business.

2. If this Report is for an Employer, list names of agents or employees who will file Reports for this Quarter.

NOTE ON ITEM "B".—*Reports by Agents or Employees.* An employee is to file, each quarter, as many Reports as he has employers, except that: (*a*) If a particular undertaking is jointly financed by a group of employers, the group is to be considered as one employer, but all members of the group are to be named, and the contribution of each member is to be specified; (*b*) if the work is done in the interest of one person but payment therefor is made by another, a single Report—naming both persons as "employers"—is to be filed each quarter.

B. EMPLOYER.—State name, address, and nature of business. If there is no employer, write "None."

NOTE ON ITEM "C".—(*a*) The expression "in connection with legislative interests," as used in this Report, means "in connection with attempting, directly or indirectly, to influence the passage or defeat of legislation." "The term 'legislation' means bills, resolutions, amendments, nominations, and other matters pending or proposed in either House of Congress, and includes any other matter which may be the subject of action by either House"—§302(e).

(*b*) Before undertaking any activities in connection with legislative interests, organizations and individuals subject to the Lobbying Act are required to file a "Preliminary" Report (Registration).

(*c*) After beginning such activities, they must file a "Quarterly" Report at the end of each calendar quarter in which they have either received or expended anything of value in connection with legislative interests.

C. LEGISLATIVE INTERESTS, AND PUBLICATIONS in connection therewith:

1. State approximately how long legislative interests are to continue. If receipts and expenditures in connection with legislative interests have terminated, place an "X" in the box at the left, so that this Office will no longer expect to receive Reports. ☐

2. State the general legislative interests of the person filing and set forth the *specific* legislative interests by reciting: (*a*) Short titles of statutes and bills; (*b*) House and Senate numbers of bills, where known; (*c*) citations of statutes, where known; (*d*) whether for or against such statutes and bills.

3. In the case of those publications which the person filing has caused to be issued or distributed in connection with legislative interests, set forth: (*a*) Description, (*b*) quantity distributed; (*c*) date of distribution, (*d*) name of printer or publisher (if publications were paid for by person filing) or name of donor (if publications were received as a gift).

(Answer items 1, 2, and 3 in the space below. Attach additional pages if more space is needed)

4. If this is a "Preliminary" Report (Registration) rather than a "Quarterly" Report, state below what the nature and amount of anticipated expenses will be; and if for an agent or employee, state also what the daily, monthly, or annual rate of compensation is to be. If this is a "Quarterly" Report, disregard this item "C4" and fill out items "D" and "E" on the back of this page. Do not attempt to combine a "Preliminary" Report (Registration) with a "Quarterly" Report.

AFFIDAVIT

[Omitted in printing]

PAGE 1

Organization or Individual Filing	Employer/Client
AKIN, GUMP, STRAUSS, HAUER & FELD, SUITE 400 1333 NEW HAMPSHIRE AVE., NW WASHINGTON DC 20036	AMERICAN SOYBEAN ASSN
Do	LEGGETT & CO
Do	LONE STAR STEEL
Do	MARRIOTT CORPORATION
Do	NATIONAL SOYBEAN PROCESSORS ASSN
Do	OSTEOPATHIC MEDICAL CENTER
Do	PIPELINE INDUSTRY ADVANCEMENT FUND
Do	RIVIANA FOODS, INC
Do	SHEARSON/AMERICAN EXPRESS, INC
Do	VOLUNTARY HOSPITALS OF AMERICA
ALASKA LUMBER & PULP COMPANY, INC, P.O. BOX 1050 SITKA AK 99835	
FREDERICK K. ALDERSON, 1730 M STREET, NW, #607 WASHINGTON DC 20036	ARIZONA PUBLIC SERVICE CO
SUSAN E. ALVARADO, 1771 N STREET, NW WASHINGTON DC 20036	NATIONAL ASSN OF BROADCASTERS
ROBERT ALVAREZ, 317 PENNSYLVANIA AVE., SE WASHINGTON DC 20003	ENVIRONMENTAL POLICY INSTITUTE
AMERICAN REFUGEES IN AMERICA, P.O. BOX 44141 TUCSON AZ 85733	
AMERICAN SCIENCE AND TECHNOLOGY CORP, 600 WATER STREET, SW, #207 WASHINGTON DC 20024	
AMERICAN SPACE FOUNDATION, P.O. BOX 28104 WASHINGTON DC 20005	
BETTE B. ANDERSON, THE POWER HOUSE 3255 GRACE STREET, NW WASHINGTON DC 20007	GRAY AND COMPANY (FOR: BEVERLY ENTERPRISES)
Do	GRAY AND COMPANY (FOR: PAN AMERICAN NATIONAL BANK)
Do	GRAY AND COMPANY (FOR: U.S. BANKNOTE)
ANDERSON, HIBEY, NAUHEIM & BLAIR, 1605 NEW HAMPSHIRE AVENUE, NW WASHINGTON DC 20009	ALASKA LUMBER & PULP, INC
ARNOLD & PORTER, 1200 NEW HAMPSHIRE AVE., NW WASHINGTON DC 20036	FLUOR CORPORATION
H. L. ARONSON JR., 1511 34TH STREET, NW WASHINGTON DC 20007	
AVENEL ASSOCIATES, INC, BOX 53131 WASHINGTON DC 20009	FLORIDA DEFENDERS OF THE ENVIRONMENT
GEORGE C. AXTELL, 475 L'ENFANT PLAZA, SW, #4400 WASHINGTON DC 20024	AMERICAN LEAGUE FOR EXPORTS & SECURITY ASSISTANCE, INC
BALLARD, SPAHR, ANDREWS & INGERSOLL, SUITE 1100 1850 K STREET, NW WASHINGTON DC 20006	ENERGY TERMINALS, INC
MICHAEL J. BALZANO, 444 NORTH CAPITOL ST., NW, #801 WASHINGTON DC 20001	JOINT MARITIME CONGRESS
BARAFF, KOERNER, OLENDER & HOCHBERG, P.C., SUITE 203 2033 M STREET, NW WASHINGTON DC 20036	COLLEGE FOOTBALL ASSOCIATION
BARNES RICHARDSON & COLBURN, SUITE 400 1819 H ST., NW WASHINGTON DC 20006	UNIROYAL, INC
DAVID M. BARRETT, BARRETT, HANNA, DALY & GASPAR 2555 M STREET, NW, #100 WASHINGTON DC 20037	ALLIED TUBE & CONDUIT CORPORATION
DIANE BATEMAN, 1015 18TH STREET, NW WASHINGTON DC 20036	FERTILIZER INSTITUTE
ROBERT M. BEERS, 2101 E STREET, NW WASHINGTON DC 20037	AMERICAN FOREIGN SERVICE ASSN
BENCHMARK TECHNOLOGIES CORPORATION, 1995 TREMAINSVILLE RD, TOLEDO OH 43613	
DAVID BERICK, 317 PENNSYLVANIA AVE., SE WASHINGTON DC 20003	ENVIRONMENTAL POLICY INSTITUTE
BEVERIDGE & DIAMOND, P.C., 1333 NEW HAMPSHIRE AVE, NW WASHINGTON DC 20036	TEXAS OIL & GAS CORP
BIPARTISAN BUDGET APPEAL, P.O. BOX 9 BOWLING GREEN STATION NEW YORK NY 10004	
SPENCER BLACK, 142 W. GORHAM STREET MADISON WI 53703	SIERRA CLUB
BLACK, MANAFORT & STONE, INC., 435 NORTH LEE ST. ALEXANDRIA VA 22314	AMERICAN PETROFINA, INC
BRENT BLACKWELDER, 317 PENNSYLVANIA AVE., SE WASHINGTON DC 20003	ENVIRONMENTAL POLICY INSTITUTE
GERRY BLANCHARD, GNAU, CARTER, JACOBSEN & ASSOC., INC 1777 F STREET, NW WASHINGTON DC 20006	BI-COUNTY CONSORTIUM
Do	INTER-TRIBAL COUNCIL OF MICHIGAN, INC
RICHARD W. BLISS, BLISS & CRAFT 1050 THOMAS JEFFERSON ST., NW, 6TH FL WASHINGTON DC 20007	AMERICAN PRESIDENT LINES
JOHN B. BLOUNT JR., 777 14TH STREET, NW WASHINGTON DC 20005	NATIONAL ASSN OF REALTORS
KATHLEEN BONNER, 600 WATER STREET, SW, #207 WASHINGTON DC 20024	AMERICAN SCIENCE AND TECHNOLOGY CORP
MICHAEL BOOS, 251 S. REYNOLDS STREET, #M201 ALEXANDRIA VA 22304	YOUNG AMERICANS FOR FREEDOM, INC
MARY M. BOURDETTE, 4TH FLOOR 122 C STREET, NW WASHINGTON DC 20001	CHILDREN'S DEFENSE FUND OF THE WASHINGTON RESEARCH PROJECT
BLAIR BOWEN JR., 1306 MAIN STREET VANCOUVER WA 98660	FRIENDS OF THE COLUMBIA GORGE
BOWMAN, CONNER, TOUHEY & THORNTON, 2828 PENNSYLVANIA AVENUE, NW, #203 WASHINGTON DC 20007	NATIONAL SMALL BUSINESS GOVERNMENT CONTRACTORS ASSN
CARREN BRAGG, 1901 L STREET, NW, #303 WASHINGTON DC 20036	COLT INDUSTRIES, INC
FRANK J. BRASCO, 108 GREENWICH STREET NEW YORK NY 10006	NATIONAL ASSN OF LETTER CARRIERS
BREED, ABBOTT & MORGAN, 1875 EYE ST., NW, #1000 WASHINGTON DC 20006	DAMSON OIL CORPORATION
MARTHA M. BROAD, 1725 I STREET, NW WASHINGTON DC 20006	NATURAL RESOURCES DEFENSE COUNCIL
BROWN, ROADY, BONVILLIAN & GOLD, 1300 19TH STREET, NW, #300 WASHINGTON DC 20036	CITIZENS FOR GAULEY RIVER
Do	SMITH DAWSON ASSOCS (FOR SAN FRAN. PUBLIC UTIL. COMMISSION)
CLAIR W. BURGENER, 530 BROADWAY, #1018 SAN DIEGO CA 92101	G A TECHNOLOGIES, INC
PAUL T. BURKE, 1050 17TH STREET NW #500 WASHINGTON DC 20036	TEXACO INC
SALLY J. BURKE, DAVIS & MCLEOD 499 SOUTH CAPITOL ST. SW WASHINGTON DC 20003	AMERICAN ASSN OF CROP INSURERS
BUTLER BINION RICE COOK & KNAPP, 1747 PENNSYLVANIA AVE. NW WASHINGTON DC 20006	ASBESTOS WORKERS UNION, LOCAL NO. 14
Do	PHILADELPHIA PORT CORP
Do	SEATTLE & NORTH COAST RAILROAD CO
CAMP, CARMOUCHE, BARSH, HUNTER, GRAY & HOFFMAN, P.C., 2550 M ST. NW, #275 WASHINGTON DC 20037	GEORGE K. BAUM & COMPANY
Do	BLYTH EASTMAN PAINE WEBBER INC
Do	CENTRAL & SOUTHERN MOTOR FREIGHT TRAFFIC ASSN
Do	CENTRAL STATES MOTOR FREIGHT BUREAU
Do	CHAPMAN & CUTLER
Do	CUMBERLAND SECURITIES
Do	ESSEX
Do	FRAZIER LANIER COMPANY
Do	GOLDMAN SACHS & COMPANY
Do	KIDDER, PEABODY
Do	KING & SPALDING
Do	LEHMAN BROTHERS
Do	MCDONALD & COMPANY
Do	MIDDLE ATLANTIC CONFERENCE
Do	MIDDLEWEST MOTOR FREIGHT BUREAU
Do	NEW ENGLAND MOTOR RATE BUREAU
Do	NIAGARA FRONTIER TARIFF BUREAU
Do	NORTH HASKELL SLAUGHTER YOUNG & LEWIS
Do	PACIFIC INLAND TARIFF BUREAU
Do	PAKHOED
Do	RAUSCHER PIERCE REFSNES
Do	ROCKY MOUNTAIN MOTOR TARIFF BUREAU
Do	SOUTHERN MOTOR CARRIERS RATE CONFERENCE
Do	STERN, AGEE & LEACH
Do	THORNTON, FARISH & GAUNTT
Do	WHEAT FIRST SECURITIES
HOLLYE E. CAPPLEMAN, 1701 PENNSYLVANIA AVENUE, NW WASHINGTON DC 20006	GETTY OIL COMPANY
EDWARD J. CARLOUGH, 1750 NEW YORK AVENUE, NW WASHINGTON DC 20006	SHEET METAL WORKERS' INTERNATIONAL ASSN
PETER CARLSON, 317 PENNSYLVANIA AVE., SE WASHINGTON DC 20003	ENVIRONMENTAL POLICY INSTITUTE
JOHN BENJAMIN CARROLL, 918 ONONDAGA SAVINGS BANK BUILDING SYRACUSE NY 13202	DAIRY FARMERS DISTRIBUTORS OF AMERICA, INC.
JIM CASEY, 3470 MILDRED DR. FALLS CHURCH VA 22042	NORTH CENTRAL NEBRASKA RECLAMATION DISTRICT
LAWRENCE J. CASSIDY, 1750 NEW YORK AVENUE, NW WASHINGTON DC 20006	SHEET METAL WORKERS' INTERNATIONAL ASSN
RED CAVANEY, 1619 MASSACHUSETTS AVENUE, NW WASHINGTON DC 20036	AMERICAN PAPER INSTITUTE, INC
WILLIAM U. CHANDLER, 317 PENNSYLVANIA AVE., SE WASHINGTON DC 20003	ENVIRONMENTAL POLICY INSTITUTE
PAUL D. CHING, 1025 CONNECTICUT AVENUE, NW, #200 WASHINGTON DC 20036	SHELL OIL COMPANY
CHWAT/WEIGEND ASSOCIATES, 226 MASSACHUSETTS AVENUE, NE WASHINGTON DC 20002	WINNIE M. TSE
JOHN W. CLAGGETT, 1825 EYE STREET, NW, #1040 WASHINGTON DC 20006	FUTURES INDUSTRY ASSN, INC
W. M. CLICK, BOX 719 DALLAS TX 75221	SOUTHLAND CORPORATION
COALITION FOR ENVIRONMENTAL DATA, C/O CHWAT/WEIGEND ASSOCIATES 226 MASSACHUSETTS AVENUE, NE WASHINGTON DC 20002	
COHEN AND URETZ, 4TH FLOOR 1775 K ST., NW WASHINGTON DC 20006	WHEELS, INC
COMMITTEE FOR SAVERS' INTEREST, 315 UNION STREET NASHVILLE TN 37201	
JOHN B. CONNALLY, 1101 CONNECTICUT AVENUE, NW WASHINGTON DC 20036	VINSON & ELKINS (FOR: NORTHVILLE INDUSTRIES CORP)
JOHN J. CONNOLLY, 499 S. CAPITOL STREET, #501 WASHINGTON DC 20003	BILL HECHT & ASSOCIATES, INC
CONTACT SYSTEMS CORP, 200 MADISON AVENUE, #1207 NEW YORK NY 10016	
COOK, PURCELL, HENDERSON & ZORACK, 11TH FLOOR 1015 18TH ST., NW WASHINGTON DC 20036	COALITION FOR COMPETITION
Do	NORTHERN TIER PIPELINE CO
C. WILLIAM COOPER, 159 TOWN HALL SQUARE FALMOUTH MA 02540	UNITED DISTRIBUTION COMPANIES
CORNELL, PELCOVITS & BRENNER ECONOMISTS, INC., SUITE 708 1211 CONNECTICUT AVENUE, NW WASHINGTON DC 20036	AUDIO RECORDING RIGHTS COALITION
COUNCIL ON MULTIEMPLOYER PENSION SECURITY, INC, 1000 POTOMAC STREET, NW, #103 WASHINGTON DC 20007	
W. O. CRAFT JR., BLISS & CRAFT 1050 THOMAS JEFFERSON ST., NW, 6TH FL WASHINGTON DC 20007	AMERICAN PRESIDENT LINES
Do	TEXAS EASTERN CORPORATION
RAE E. CROMMILLER, 1800 MASSACHUSETTS AVENUE, NW WASHINGTON DC 20036	NATIONAL RURAL ELECTRIC COOPERATIVE ASSN
BILL CUNNINGHAM, P.O. BOX 635 HELENA MT 59624	MONTANA WILDERNESS ASSOCIATION

Organization or Individual Filing	Employer/Client
EDWARD P. CURTIS JR., GENESEE PUBLIC AFFAIRS, INC 36 W. MAIN STREET ROCHESTER NY 14614	LAKE ONTARIO CEMENT LIMITED
JOHN M. DAMGARD, 1825 EYE STREET, NW, #1040 WASHINGTON DC 20006	FUTURES INDUSTRY ASSN, INC
DAMRELL, DAMRELL & NELSON, P.C., 911 13TH STREET P.O. BOX 3489 MODESTO CA 95353	TURLOCK IRRIGATION DISTRICT
EDWARD J. DAVEY, 1201 PENNSYLVANIA AVENUE, NW, #340 WASHINGTON DC 20004	ASSOCIATION OF PRIVATE PENSION & WELFARE PLANS
THEODORE S. J. DAVI, P.O. BOX 131 #6 MAGNOLIA AVENUE MONTVALE NJ 07645	
DAVIS POLK & WARDWELL, 1575 EYE ST., NW WASHINGTON DC 20005	NORTHWEST BANCORPORATION
Do	OTTO BREMER FOUNDATION
JOHN RUSSELL DEANE III, 1607 NEW HAMPSHIRE AVE., NW WASHINGTON DC 20009	AUTO INTERNACIONAL ASSN
JOHN J. DEGNAN, SHANLEY & FISHER, P.C. 550 BROAD STREET NEWARK NJ 07102	SHARP ELECTRONICS CORP
GEORGIA L. DELYANNIS, 1730 K STREET, NW, #903 WASHINGTON DC 20006	AMERICAN HELLENIC INSTITUTE PUBLIC AFFAIRS COMM, INC
WILLIAM F. DEMAREST JR., FOREMAN & DYESS 1920 N STREET, NW WASHINGTON DC 20036	ENHANCED ENERGY RESOURCES, INC
DICKSTEIN SHAPIRO & MORIN, 2101 L ST., NW WASHINGTON DC 20037	BOUNDARY GAS, INC
Do	JOSEPH E. SEAGRAM & SONS, INC
DOW LOHNES & ALBERTSON, 1225 CONNECTICUT AVE., NW WASHINGTON DC 20036	LAKE ONTARIO CEMENT LIMITED
JOHN C. DOYLE JR, 317 PENNSYLVANIA AVE., SE WASHINGTON DC 20003	ENVIRONMENTAL POLICY INSTITUTE
LOUISE C. DUNLAP, 317 PENNSYLVANIA AVE., SE WASHINGTON DC 20003	ENVIRONMENTAL POLICY INSTITUTE
DANIEL A. DUTKO, SUITE 214 412 FIRST STREET, SE WASHINGTON DC 20003	SCHLENSKER DRILLING CO
LUCINDA E. EBERSOLE, 1347 MARYLAND AVENUE, NE WASHINGTON DC 20002	CITIZENS FOR A NUCLEAR FREEZE
ROBERT C. ECKHARDT, 1750 PENNSYLVANIA AVENUE, NW WASHINGTON DC 20006	CERTAIN TEXAS CLAIMANTS LAWYERS
Do	STATE BAR OF TEXAS
YVONNE B. EIDER, 400 FIRST STREET, NW, #800 WASHINGTON DC 20001	FRIENDS OF ANIMALS, INC
CAROL R. EMERY, P.O. BOX 1300 MCLEAN VA 22102	LOUISIANA WORLD EXPOSITION, INC
Do	QUALICARE, INC
ENHANCED ENERGY RESOURCES, INC, 14141 SOUTHWEST FREEWAY SUGARLAND TX 77478	
VICKIE L. ERICKSON, 777 14TH STREET, NW WASHINGTON DC 20005	NATIONAL ASSN OF REALTORS
DAVE EVANS, 160 N. CAROLINA AVENUE, SE WASHINGTON DC 20003	AMERICAN EXPRESS CO
KY P. EWING JR., 1101 CONNECTICUT AVENUE, NW WASHINGTON DC 20036	VINSON & ELKINS (FOR: ALFRED C. GLASSELL JR.)
Do	VINSON & ELKINS (FOR: NORTHVILLE INDUSTRIES CORP)
Do	VINSON & ELKINS (FOR: PUBLIC SERVICE BOARD OF THE CITY OF EL PASO, TX)
FARNSWORTH, MARTIN & GALLAGHER, 1823 JEFFERSON PLACE, NW WASHINGTON DC 20036	BERENERGY CORPORATION
Do	CRINCO INVESTMENTS, INC
Do	LORD, BISSELL & BROOK
Do	PADDOCK PUBLICATIONS, INC
Do	SOLAREX CORPORATION
STEPHANIE T. FARRIOR, 201 MASSACHUSETTS AVENUE, NE, #310 WASHINGTON DC 20002	NATIONAL COMM AGAINST REPRESSIVE LEGISLATION
FEDERAL KEMPER LIFE ASSURANCE COMPANY, KEMPER BLDG. D-3 LONG GROVE IL 60049	
JACK FERGUSON ASSOCIATES, 203 MARYLAND AVE., NE WASHINGTON DC 20002	DILLINGHAM CONSTRUCTION GROUP
Do	DILLINGHAM SHIP REPAIR
WILLIAM L. FISHER, BOX 719 DALLAS TX 75221	SOUTHLAND CORPORATION
VERONICA M. FLOYD, 2001 S. JEFF DAVIS HIGHWAY, #1107 ARLINGTON VA 22202	BRUNSWICK CORPORATION
R. D. FOLSOM, 11 DUPONT CIRCLE, NW, #630 WASHINGTON DC 20036	R. DUFFY WALL & ASSOCIATES, INC (FOR: FREEPORT-MCMORAN, INC)
Do	R. DUFFY WALL & ASSOCIATES, INC (FOR: LIFE OF VIRGINIA, ET AL)
Do	R. DUFFY WALL & ASSOCIATES, INC (FOR: VOLUME FOOTWEAR RETAILERS OF AMERICA)
CAROL TUCKER FOREMAN, 11 DUPONT CIRCLE, NW, #700 WASHINGTON DC 20005	ASBESTOS LITIGATION GROUP
Do	HOME RECORDING RIGHTS COALITION
ANN TODD FREE, 1120 CONNECTICUT AVENUE, NW WASHINGTON DC 20036	AMERICAN BANKERS ASSN
RONNA FREIBERG, THE POWER HOUSE 3255 GRACE STREET, NW WASHINGTON DC 20007	GRAY AND COMPANY (FOR: NATIONAL BROADCASTING COMPANY)
FRIED FRANK HARRIS SHRIVER & KAMPELMAN, SUITE 1000 600 NEW HAMPSHIRE AVE., NW WASHINGTON DC 20037	GENERAL ELECTRIC COMPANY
Do	HUNT BUILDING CORPORATION
Do	INVESTMENT COMPANY INSTITUTE
FRIENDS OF ANIMALS, INC, 400 FIRST STREET, NW, #800 WASHINGTON DC 20001	
FULBRIGHT & JAWORSKI, 1150 CONNECTICUT AVE., NW, #400 WASHINGTON DC 20036	CONSOLIDATED CAPITAL EQUITIES CORP
FUTURES INDUSTRY ASSOCIATION, INC, 1825 EYE STREET NW, #1040 WASHINGTON DC 20006	
MARGARET L. GEHRES, 1828 L STREET, NW, #402 WASHINGTON DC 20036	BUSINESS ROUNDTABLE
ROBERT N. GIAIMO, 499 SOUTH CAPITOL ST., S.W. SUITE 110 WASHINGTON DC 20003	AETNA LIFE & CASUALTY
WILLIAM C. GIBB, 1140 CONNECTICUT AVENUE, NW, #201 WASHINGTON DC 20036	
GNAU CARTER, JACOBSEN & ASSOC., INC., 1777 F STREET NW WASHINGTON DC 20006	BI-COUNTY CONSORTIUM
Do	INTER TRIBAL COUNCIL OF MICHIGAN, INC
RICHARD P. GODWIN P.O. BOX 3965 SAN FRANCISCO CA 94119	BECHTEL CIVIL & MINERALS, INC
MARTIN B. GOLD THE POWER HOUSE 3255 GRACE STREET NW WASHINGTON DC 20007	GRAY AND COMPANY (FOR: HEALTH INSURANCE ASSN OF AMERICA)
Do	GRAY AND COMPANY (FOR: MARTIN BAKER AIRCRAFT COMPANY LTD.)
Do	GRAY AND COMPANY (FOR: PAN AMERICAN NATIONAL BANK)
EDWARD S. GRANDIS, 317 PENNSYLVANIA AVE., SE WASHINGTON DC 20003	ENVIRONMENTAL POLICY INSTITUTE
ROBERT A. GRAY, THE POWER HOUSE 3255 GRACE STREET NW WASHINGTON DC 20007	GRAY AND COMPANY (FOR: ANEUTRONIX, INC)
Do	GRAY AND COMPANY (FOR: BATUS)
Do	GRAY AND COMPANY (FOR: BEVERLY ENTERPRISES)
Do	BUDD COMPANY
Do	GRAY AND COMPANY (FOR: JOINT MARITIME CONGRESS)
Do	MARTIN BAKER AIRCRAFT COMPANY LTD
Do	GRAY AND COMPANY (FOR: NATIONAL BROADCASTING COMPANY)
Do	GRAY AND COMPANY (FOR: PAN AMERICAN NATIONAL BANK)
Do	GRAY AND COMPANY (FOR: RICHARD L. SINNOTT AND COMPANY)
Do	GRAY AND COMPANY (FOR: U.S. BANKNOTE)
ELDON V. C. GREENBERG, GALLOWAY & GREENBERG 1725 EYE STREE, NW, #601 WASHINGTON DC 20006	SOUTHEASTERN FISHERIES ASSN, INC
WALTER B. GRUBBS, 3510 S. 20TH STREET ABILENE TX 79605	WEST TEXAS UTILITIES CO
JAMES E. GUIRARD JR., 1730 RHODE ISLAND AVENUE, NW, #419 WASHINGTON DC 20036	BASF WYANDOTTE CORP
Do	BELL AEROSPACE TEXTRON
Do	TANO CORPORATION
TIMOTHY M. HAAKE, BIRCH, HORTON, BITTNER & MONROE 1140 CONNECTICUT AVE., NW, #1100 WASHINGTON DC 20036	AMERICAN BUS ASSN
ELLEN HAAS, 1146 19TH ST., NW, #300	PUBLIC VOICE FOR FOOD & HEALTH POLICY
HANNAFORD CO., INC., SUITE 750 1225 19TH STREET, NW WASHINGTON DC 20036	ALASKA LUMBER & PULP CO, INC
Do	FIREMAN'S FUND INSURANCE COS
HANSELL & POST, 1915 EYE STREET, NW, #500 WASHINGTON DC 20006	INGRAM TANKSHIPS, INC
Do	ROCKWELL INTERNATIONAL CORP
JON HARKAVY, 205 EAST 42ND STREET NEW YORK NY 10017	RISK AND INSURANCE MANAGEMENT SOCIETY, INC
LEON HARPER, 1909 K STREET, NW WASHINGTON DC 20049	AMERICAN ASSN OF RETIRED PERSONS
MARCIA L. HARRINGTON, 110 MARYLAND AVENUE, NE, #409 WASHINGTON DC 20002	NATIONAL PEACE ACADEMY CAMPAIGN
BARBARA S. HAUGEN, 311 FIRST STREET, NW, #700 WASHINGTON DC 20003	NATIONAL ASSN OF INSURANCE BROKERS
HEFFERNAN & MOSEMAN, P.C., 1875 EYE STREET, NW, #1025 WASHINGTON DC 20006	ALASKA LUMBER & PULP CO
ELIZABETH W. HEILIG, 1660 L STREET, NW, #215 WASHINGTON DC 20036	CROWN ZELLERBACH
THOMAS M. HELSCHER, 1101 17TH STREET, NW, #604 WASHINGTON DC 20036	MONSANTO COMPANY
HOBBS STRAUS DEAN & WILDER, 1735 NEW YORK AVENUE, NW WASHINGTON DC 20006	MICCOSUKEE TRIBE OF INDIANS OF FLORIDA
Do	NATIONAL CONGRESS OF AMERICAN INDIANS, INC
Do	OGLALA SIOUX TRIBE
Do	PUEBLO DE COCHITI
Do	THREE AFFILIATES TRIBES OF THE FORT BERTHOLD RESERVATION
HOGAN & HARTSON, 815 CONNECTICUT AVE., NW WASHINGTON DC 20006	CLEVELAND CLINIC FOUNDATION
Do	METHODIST HOSPITAL
NIELS HOLCH, THE POWER HOUSE 3255 GRACE STREET, NW WASHINGTON DC 20007	GRAY AND COMPANY (FOR: ANEUTRONIX, INC)
VIRGINIA E. HOPKINS, 21 DUPONT CIRCLE, NW, #600 WASHINGTON DC 20036	TAFT, STETTINIUS & HOLLISTER (FOR: SHERWIN-WILLIAMS CO)
KIM HOPPER, 105 EAST 22ND STREET NEW YORK NY 10010	COMMUNITY SERVICE SOCIETY
ANNE L. HOWARD, ANNE L. HOWARD AND ASSOCIATES 888 17TH STREET, NW, #600 WASHINGTON DC 20006	FRASER/ASSOCIATES
Do	PAN AMERICAN MANAGEMENT CO
Do	PASCUA-YAQUI TRIBE
Do	SHAKOPEE MDEUAKAUTON SIOUX COMMUNITY
HOWREY & SIMON, 1730 PENNSYLVANIA AVENUE, NW, #900 WASHINGTON DC 20006	MEAD CORPORATION
Do	SUMMIT ENTERPRISES, INC OF VIRGINIA
RAYMOND W. HUSSEY, 29400 LAKELAND BLVD. WICKLIFFE OH 44092	LUBRIZOL CORPORATION
B. F. HYDE, TENNESSEE PETROLEUM COUNCIL 211 7TH AVENUE, NORTH, 4TH FL. NASHVILLE TN 37219	AMERICAN PETROLEUM INSTITUTE
GARY HYMEL, THE POWER HOUSE 3255 GRACE STREET, NW WASHINGTON DC 20007	GRAY AND COMPANY (FOR: AMERICAN MARITIME ASSN)
Do	GRAY AND COMPANY (FOR: ANEUTRONIX, INC)
Do	GRAY AND COMPANY (FOR: BATUS)
Do	GRAY AND COMPANY (FOR: BEVERLY ENTERPRISES)

Organization or Indivvdual Filing	Employer/Client
Do	GRAY AND COMPANY (FOR: MARTIN BAKER AIRCRAFT COMPANY LTD.)
Do	GRAY AND COMPANY (FOR: NATIONAL BROADCASTING COMPANY)
Do	GRAY AND COMPANY (FOR: PAN AMERICAN NATIONAL BANK)
INGRAM TANKSHIPS, INC. 4100 ONE SHELL SQUARE NEW ORLEANS LA 70139	
INTERNATIONAL ANTICOUNTERFEITING COALITION, 277 PARK AVENUE NEW YORK NY 10172	
WILLIAM P. JACKSON JR., JACKSON & JESSUP, P.C. P.O. BOX 1240 ARLINGTON VA 22210	OSBORNE TRUCK LINE, INC, ET AL
JOHNSON & SWANSON, 4700 INTERFIRST TWO DALLAS TX 75270	METHODIST HOSPITALS OF DALLAS, ET AL
JOEL L. JOHNSON, 475 L'ENFANT PLAZA, SW. #4400 WASHINGTON DC 20024	AMERICAN LEAGUE FOR EXPORTS & SECURITY ASSISTANCE, INC
L. WAYNE JOHNSON, P.O. BOX 7000-C TEXARKANA TX 75501	
THOMAS G. JOHNSON, P.O. BOX 2463 HOUSTON TX 77001	SHELL OIL COMPANY
DAVID JOHNSTON, 1957 E ST., NW WASHINGTON DC 20006	ASSOCIATED GENERAL CONTRACTORS OF AMERICA
JACK C. JORGENSEN, 6534 SPRING VALLEY DRIVE ALEXANDRIA VA 22312	
ROBERT E. JULIANO ASSOCIATES, 1101 NEW HAMPSHIRE AVENUE, NW WASHINGTON DC 20036	NATIONAL ACADEMIES OF PRACTICE
KEIKI KEHOE, 317 PENNSYLVANIA AVE., SE WASHINGTON DC 20003	ENVIRONMENTAL POLICY INSTITUTE
RICHARD B. KELLY, 770 LEXINGTON AVENUE NEW YORK NY 10021	NATIONAL COALITION OF LOWER PRICES
MARJORIE CARROLL KICAK, 1735 JEFFERSON DAVIS HIGHWAY, #903 ARLINGTON VA 22202	POTATO CHIP/SNACK FOOD ASSOCIATION
PETER J. KIERNAN, 2712 N STREET, NW WASHINGTON DC 20007	
KIRKPATRICK, LOCKHART, HILL, CHRISTOPHER & PHILLIPS, 1900 M ST., NW WASHINGTON DC 20036	COUNTY OF SUFFOLK, NEW YORK
KOMINERS, FORT, SCHLEFER & BOYER, 1776 F ST., NW WASHINGTON DC 20006	CROWLEY MARITIME CORP AND SUBSIDIARIES
JOAN M KOVALIC, SUITE 600 21 DUPONT CIRCLE, NW WASHINGTON DC 20036	TAFT, STETTINIUS & HOLLISTER (FOR: SHERWIN-WILLIAMS COMPANY)
PATRICIA S. KOZIOL, 1719 ROUTE 10 PARSIPPANY NJ 07054	NATIONAL ASSN OF MANUFACTURERS
K. H. KRUKE, 1776 MASSACHUSETTS AVENUE, NW WASHINGTON DC 20036	HIGHWAY USERS FED FOR SAFETY & MOBILITY
LANE & EDSON, SUITE 400 SOUTH 1800 M ST., NW WASHINGTON DC 20036	GENERAL ELECTRIC CREDIT CORP
LEIGHTON W. LANG, 1825 EYE STREET, NW, #1040 WASHINGTON DC 20006	FUTURES INDUSTRY ASSOCIATION, INC
J. STEVENS LANICH, 317 PENNSYLVANIA AVENUE, SE WASHINGTON DC 20003	ENVIRONMENTAL POLICY INSTITUTE
JOHN LASTER, 1133 15TH STREET, NW, #506 WASHINGTON DC 20005	
LATHAM, WATKINS & HILLS, SUITE 1200 1333 NEW HAMPSHIRE AVE., NW WASHINGTON DC 20036	PACIFIC GREEN CORP
CHARLES B. LAVIN JR., 1016 20TH STREET, NW WASHINGTON DC 20036	NATIONAL ASSN OF PLUMBING-HEATING-COOLING CONTRACTORS
TERRY L. LEITZELL, ONE THOMAS CIRCLE, NW, #900 WASHINGTON DC 20005	BOGLE & GATES (FOR: PACIFIC SEAFOOD PROCESSORS ASSN)
JERRIS LEONARD & ASSOCIATES, P.C., 900 17TH STREET, NW, #1020 WASHINGTON DC 20006	KANSAS CORPORATION COMMMISSION
LINTON, MIELDS, REISLER & COTTONE, LTD., SUITE 200 1015 18TH ST., NW WASHINGTON DC 20036	WISCONSIN FUEL AND LIGHT CO
Do	WISCONSIN GAS CO
Do	WISCONSIN NATURAL GAS CO
Do	WISCONSIN SOUTHERN GAS CO
FRANCES S. LIPSCOMB, 645 PENNSYLVANIA AVENUE, SE WASHINGTON DC 20003	NATIONAL AUDUBON SOCIETY
ESTHER LISS, 777 14TH STREET NW WASHINGTON DC 20005	NATIONAL ASSN OF REALTORS
KAREN LOCKWOOD, 444 NORTH CAPITOL ST., NW WASHINGTON DC 20001	AMERICAN HOSPITAL ASSN
JAMES W. LOGAN, 12416 W. OLD BALTIMORE ROAD BOYDS MD 20841	
LAURA LOOMIS, 419 N. NELSON STREET ARLINGTON VA 22203	NATIONAL PARKS & CONSERVATION ASSN
JAMES LYON, 317 PENNSYLVANIA AVENUE, SE WASHINGTON DC 20003	ENVIRONMENTAL POLICY INSTITUTE
MARK H. R. LYONS, 1882 COLUMBIA ROAD, NW, #32 WASHINGTON DC 20009	ULTRASYSTEMS, INC
ANTHONY R. MACCHIA, FOUR WORLD TRADE CENTER NEW YORK NY 10048	COFFEE, SUGAR & COCOA EXCHANGE, INC
SUSAN MAGAW, P.O. BOX 3556 WASHINGTON DC 20007	AMERICAN MEAT INSTITUTE
MICHAEL C. MAIBACH, 1850 K STREET, NW, #925 WASHINGTON DC 20006	CATERPILLAR TRACTOR CO
MAJORITY PARTY, P.O. BOX 28347 WASHINGTON DC 20005	
ROBERT H. MALONEY, 490 L'ENFANT PLAZA EAST, SW WASHINGTON DC 20024	TENNECO INC
MANATT, PHELPS, ROTHENBERG & TUNNEY, SUITE 200 1200 NEW HAMPSHIRE AVE., NW WASHINGTON DC 20036	ALLIED TUBE & CONDUIT CORP
FRED J. MARTIN JR., 1800 K STREET, NW WASHINGTON DC 20006	BANKAMERICA CORPORATION
PEGGY L. MARTIN, 777 14TH STREET, NW WASHINGTON DC 20005	NATIONAL ASSN OF REALTORS
JIM MATHESON, 317 PENNSYLVANIA AVENUE, SE WASHINGTON DC 20003	ENVIRONMENTAL POLICY INSTITUTE
COLIN D. MATHEWS, 1101 CONNECTICUT AVENUE, NW WASHINGTON DC 20036	VINSON & ELKINS (FOR: METHODIST HOSPITAL)
MARSHALL L. MATZ, BARNETT & ALAGIA, 1000 THOMAS JEFFERSON STREET, NW WASHINGTON DC 20007	GENERAL MILLS, INC
JOHN C. MCCARTHY, BOX 1300 MCLEAN VA 22102	LOUISIANA WORLD EXPOSITION, INC
MCCLURE & TROTTER, SUITE 600 1100 CONNECTICUT AVE., NW WASHINGTON DC 20036	NATIONAL ASSN OF SMALL BUSINESS INVESTMENT COS
JOHN L. MCCORMICK, 317 PENNSYLVANIA AVE., SE WASHINGTON DC 20003	ENVIRONMENTAL POLICY INSTITUTE
NORRIS MCDONALD, 317 PENNSYLVANIA AVENUE, SE WASHINGTON DC 20003	ENVIRONMENTAL POLICY INSTITUTE
ENUD MCGIFFERT, 1701 K STREET, NW, #603 WASHINGTON DC 20006	MCGIFFERT, MUELLER, JONES & DARCY, INC
MCHENRY & STAFFIER, P.C., SUITE 410 1300 19TH STREET, NW WASHINGTON DC 20036	FOOTHILLS PIPE LINES (YUKON), LTD
MCMURRAY & PENDERGAST, 1575 EYE STREET, NW, #600 WASHINGTON DC 20005	COOPER LABORATORIES, INC
Do	GOVERNMENT OF BELIZE
Do	GOVERNMENT OF REPUBLIC OF PANAMA
Do	SUGAR ASSN OF THE CARIBBEAN
REBECCA MCPHERSON, 230 EAST CAPITOL ST. WASHINGTON DC 20003	DON WALLACE ASSOCIATES, INC
JOSEPH F. MEADOW, 7100 BALTIMORE AVENUE COLLEGE PARK MD 20740	UNITED ACTION FOR ANIMALS, INC
SHARON L. MESSINGER, 3914 ASPEN STREET CHEVY CHASE MD 20815	BOEING COMPUTER SERVICES
JEAN L. MESTRES, 1747 PENNSYLVANIA AVENUE, NW, #300 WASHINGTON DC 20006	CITIES SERVICE OIL & GAS CORP
LARRY D. MEYERS, 1015 18TH STREET, NW WASHINGTON DC 20036	FERTILIZER INSTITUTE
FRED MILLAR, 317 PENNSYLVANIA AVENUE, SE WASHINGTON DC 20003	ENVIRONMENTAL POLICY INSTITUTE
KATHERINE MILLARD, 1319 F STREET, NW WASHINGTON DC 20004	NATIONAL ASSN OF PRIVATE PSYCHIATRIC HOSPITALS
MILLER & CHEVALIER CHARTERED, METROPOLITAN SQUARE 655 15TH STREET, NW WASHINGTON DC 20005	WEBSTER, JEPPSON, JONES & AGRAN
DAVID H. MILLER, 900 17TH STREET, NW WASHINGTON DC 20006	CHASE MANHATTAN BANK, N.A.
JOSEPH E. MILLER JR., 1608 K STREET NW WASHINGTON DC 20006	AMERICAN LEGION
STEVEN T. MILLER, 1607 NEW HAMPSHIRE AVENUE, NW WASHINGTON DC 20009	AUTO INTERNACIONAL ASSN
Do	COALITION OF AUTOMOTIVE ASSNS
Do	SPECIALTY EQUIPMENT MARKET ASSN
MILLER, CANFIELD, PADDOCK & STONE, SUITE 300 2555 M ST., NW WASHINGTON DC 20037	COMERICA, INC
HOWARD D. MOYE JR., P.O. BOX 28 FARMVILLE NC 27828	UNITED TOBACCO GROWERS ASSN
JEAN A. MUIR, 45 THIRD AVENUE P.O. BOX 600 RIDGELEY WV 26753	
GARY D. MYERS, 1015 18TH STREET, NW WASHINGTON DC 20036	FERTILIZER INSTITUTE
ANNETTE NAJJAR, 1825 CONNECTICUT AVENUE, NW, #211 WASHINGTON DC 20009	NATIONAL ASSN OF ARAB AMERICANS
ELIZABETH C. NANNI, 1825 SAMUEL MORSE DRIVE RESTON VA 22090	NATIONAL GROCERS ASSN
JOHN L. NAPIER, 232 EAST CAPITOL ST. WASHINGTON DC 20003	DON WALLACE ASSOCIATES, INC
NATIONAL COALITION FOR LOWER PRICES, 765 FIFTH AVENUE NEW YORK NY 10001	
NEILL & MULLENHOLZ, SUITE 410 1100 17TH STREET, NW WASHINGTON DC 20036	SENIOR EXECUTIVES ASSN
BILL NEWBOLD, 1510 N. 12TH STREET, #204 ARLINGTON VA 22209	BILL NEWBOLD & ASSOCIATES (FOR: SCHICK SHADEL HOSPITAL)
NICKERSON INGRAM & ASSOCIATES, INC., 1150 17TH STREET, NW WASHINGTON DC 20036	FEDERAL LAW ENFORCEMENT OFFICERS ASSN
P. MICHAEL NUGENT, 229 PENNSYLVANIA AVENUE, SE WASHINGTON DC 20003	ELECTRONIC DATA SYSTEMS
DANIEL O'CONNELL, ONE POST OFFICE SQUARE BOSTON MA 02109	GADSBY & HANNAH (FOR: WANG LABORATORIES, INC)
O'CONNOR & HANNAN, 1919 PENNSYLVANIA AVE., NW, #800 WASHINGTON DC 20006	CAMBRIDGE REDEVELOPMENT AUTHORITY
Do	CITY OF MINNEAPOLIS
Do	FIRST PENNSYLVANIA BANK
Do	JAMAICAN BROADCASTING CORP
Do	NATIONAL SECURITY & RETIREMENT PROGRAM
Do	RLC CORPORATION
O'MELVENY & MYERS, 1800 M ST., NW WASHINGTON DC 20036	SANTA FE INTERNATIONAL CORP
O'NEILL AND HAASE, P.C., SUITE 1110 1333 NEW HAMPSHIRE AVE., NW WASHINGTON DC 20036	BEER INDUSTRY ALLIANCE
Do	HARVARD MEDICAL CENTER
Do	PHARMACEUTICAL MANUFACTURERS ASSN
JANET L. OLIVER, 1825 SAMUEL MORSE DRIVE RESTON VA 22090	NATIONAL GROCERS ASSN
WILLIAM J. OWENS, 1745 JEFFERSON DAVIS HIGHWAY, #511 ARLINGTON VA 22202	MANUFACTURED HOUSING INSTITUTE
PACIFIC MANAGEMENT DYNAMICS CORP, 6241 RIVERSIDE BLVD. SACRAMENTO CA 95831	
JOHN N. PACKS, 1425 S STREET, NW WASHINGTON DC 20009	CITIZENS FOR A NUCLEAR FREEZE
HARRIET PARCELLS, 317 PENNSYLVANIA AVE., SE WASHINGTON DC 20003	ENVIRONMENTAL POLICY INSTITUTE
PARRISH & CHAMBERS, INC., SUITE 1510 1300 17TH STREET ARLINGTON VA 22209	RAIN HARRELL EMERY YOUNG & DOKE
PATTON BOGGS & BLOW, SUITE 800 2550 M ST., NW WASHINGTON DC 20037	AIR PRODUCTS & CHEMICALS, INC
Do	AIWA AMERICA, INC
Do	FUJI PHOTO FILM U.S.A., INC
Do	GEORGIA PACIFIC CORP
Do	KAISER ALUMINUM & CHEMICALS CORP
Do	KENWOOD U.S.A. CORPORATION
Do	KONISHIROKU AMPEX CO, LTD
Do	MAXELL CORP OF AMERICA
Do	NAKAMICHI U.S.A. CORP

Organization or Individual Filing	Employer/Client
Do	PIONEER ELECTRONICS (U.S.A.) INC
Do	PPG INDUSTRIES, INC
Do	SANSUI ELECTRONICS CORP
Do	SLURRY TRANSPORT ASSN
Do	SUMITOMO 3M LTD
Do	TDK U.S.A. CORP
Do	TEAC CORP
Do	TEKNIKA ELECTRONICS CORP
Do	VICTOR MAGNETAPE CO. LTD
PAUL HASTINGS JANOFSKY & WALKER, 6TH FLOOR 1050 THOMAS JEFFERSON ST., NW WASHINGTON DC 20007	GAF CORPORATION
PEABODY, LAMBERT & MEYERS, 1150 CONNECTICUT AVENUE, NW WASHINGTON DC 20036	NATIONAL MASS RETAILING INSTITUTE
PERITO, DUERK, CARLSON & PINCO, P.C., 1140 CONNECTICUT AVE., NW WASHINGTON DC 20036	COMBINED HEALTH RESOURCES, INC
Do	SAMARITAN HEALTH SERVICE
PHILLIPS S. PETER, 777 14TH STREET, NW WASHINGTON DC 20005	GENERAL ELECTRIC CO
WILLIAM G. PHILLIPS, D.C. ASSOCIATES, INC. 402 THIRD STREET, SE WASHINGTON DC 20003	HARVARD SCHOOL OF PUBLIC HEALTH
Do	METAL TRADES DEPARTMENT, AFL-CIO
PIERSON SEMMES CROLIUS & FINLEY, 1054 31ST., NW WASHINGTON DC 20007	SIX FLAGS, INC
PIPER & MARBURY, 888 16TH STREET, NW FIFTH FLOOR WASHINGTON DC 20006	BANKERS LEASING CORP & AFFILIATES, ET AL
Do	UNIVERSITY OF ALABAMA HEALTH SERVICES FOUNDATION
PHILLIP PORTE & ASSOCS., INC., SUITE 208 1301 ARLINGTON RIDGE RD. ARLINGTON VA 22202	AMERICAN MEDICAL RECORDS ASSN
POWELL GOLDSTEIN FRAZER & MURPHY, SUITE 1050 1110 VERMONT AVE., NW WASHINGTON DC 20005	COALITION FOR COMPETITION
Do	CRUM & FORSTER INSURANCE CO'S
WILLIAM B. PRENDERGAST, 6215 KELLOGG DRIVE MCLEAN VA 22101	TOBACCO INSTITUTE
PRESTON THORGRIMSON ELLIS & HOLMAN, 1776 G ST., NW, #500 WASHINGTON DC 20006	HUDSON WATERWAYS
SYDNEY PROBST, 729 15TH STREET, NW WASHINGTON DC 20005	ASSOCIATED BUILDERS & CONTRACTORS, INC
WILLIAM E. PURSLEY, 1025 CONNECTICUT AVENUE, NW WASHINGTON DC 20036	SHELL OIL COMPANY
RAILROAD RETIREMENT ASSN, 236 MASSACHUSETTS AVENUE, NE, #510 WASHINGTON DC 20002	
RANDALL, BANGERT & PRICE, 1625 K ST., NW WASHINGTON DC 20006	BUSINESS ROUNDTABLE
RBC ASSOCIATES, 324 FOURTH STREET, NE WASHINGTON DC 20002	BANGOR & AROOSTOOK RAILROAD
Do	BOSTON & MAINE RAILROAD
Do	CHICAGO & NORTH WESTERN TRANSPORTATION CORP
Do	DELAWARE OTSEGO SYSTEM
Do	GENESEE & WYOMING CORP
Do	PANDROL
Do	PITTSBURG & SHAWMUT RAILROAD
Do	SPENO RAIL SERVICES
Do	WESTINGHOUSE INFORMATION SYSTEMS
LINDA S. REARICK, 5205 LEESBURG PIKE, #505 FALLS CHURCH VA 22041	NATIONAL BEER WHOLESALERS ASSN
REASONER, DAVIS & VINSON, 800 17TH ST., NW WASHINGTON DC 20006	ACACIA MUTUAL LIFE INSURANCE CO
MARYALYCE REILLY, 9300 LIVINGSTON ROAD FORT WASHINGTON MD 20744	NATIONAL TOOLING & MACHINING ASSN
SARAH M. RENFORE, 3618 EASTPOINTE DR., APT. 104 NORTHWOOD OH 43619	BENCHMARK TECHNOLOGIES CORP
RICHARD RICHARDS, BLISS, CRAFT & RICHARDS 1050 THOMAS JEFFERSON STREET, NW, 6TH FL WASHINGTON DC 20007	AMERICAN PRESIDENT LINES
LOIS RICHERSON, 1724 MASSACHUSETTS AVENUE, NW WASHINGTON DC 20036	NATIONAL CABLE TELEVISION ASSN, INC
ROBERT ROACH, 317 PENNSYLVANIA AVE., SE WASHINGTON DC 20003	ENVIRONMENTAL POLICY INSTITUTE
TATIANA ROODKOWSKY, 4006 THORNTON STREET ANNANDALE VA 22003	THORNTON ASSOCIATES
GEORGE J. RYAN, 1411 ROCKEFELLER BUILDING CLEVELAND OH 44113	LAKE CARRIERS' ASSN
GREGORY A. SAHD, 1825 CONNECTICUT AVENUE, NW, #211 WASHINGTON DC 20009	NATIONAL ASSN OF ARAB AMERICANS
JAMES D. SANTINI, JONES JONES BELL CLOSE & BROWN, CHTD 1110 VERMONT AVENUE, NW, #1060 WASHINGTON DC 20005	GREENS CREEK JOINT VENTURE
Do	LORIMAR PRODUCTIONS
Do	NATIONAL TOUR ASSN
Do	NORANDA EXPLORATION INC
Do	NORANDA MINING, INC
SCHLOSSBERG-CASSIDY & ASSOCIATES, INC. 955 L'ENFANT PLAZA, S.W. SUITE 1401 WASHINGTON DC 20024	INDIANA UNIVERSITY
Do	PIRELLI CABLE CORPORATION
Do	PRATT INSTITUTE
MARK L. SCHNEIDER, 1001 22ND STREET, NW, #600 WASHINGTON DC 20037	STANDARD OIL CO (OHIO)
SCHWABE, WILLIAMSON, WYATT, MOORE & ROBERTS, SUITE 302 1000 POTOMAC ST., NW WASHINGTON DC 20007	HELICOPTER LOGGERS ASSN
Do	LITCHSTREET COMPANY
Do	MOUNTAIN STATES ENERGY, INC
Do	OTIS ELEVATOR CO
Do	STATE OF OREGON, CITY OF PORTLAND, OREGON METRO
DEBORAH M. SCHWARTZ, 444 NORTH CAPITOL STREET, NW WASHINGTON DC 20001	AMERICAN HOSPITAL ASSN
RICHARD S. SCHWEIKER, 1850 K STREET, NW WASHINGTON DC 20006	AMERICAN COUNCIL OF LIFE INSURANCE, INC
SCRIBNER, HALL & THOMPSON, SUITE 700 1875 EYE STREET, NW WASHINGTON DC 20006	PROVIDENT LIFE & ACCIDENT INSURANCE CO
PAMELA SEDERHOLM, BOX 719 DALLAS TX 75221	SOUTHLAND CORPORATION
PAUL J. SEIDMAN, RUTTENBERG, PHELPS & SLOCUM 5201 LEESBURG PIKE, #906 FALLS CHURCH VA 22041	NATIONAL TOOLING & MACHINE ASSN
RICHARD N. SHAROOD, 510 SEWARD SQUARE WASHINGTON DC 20003	CHEMICAL WASTE MANAGEMENT, INC
SIMONELLI AND HALL, 1420 N STREET, NW, #10 WASHINGTON DC 20005	FAIR TRADE SUBCOMM OF INTL TRADE COMM OF CAST METALS FEDER.
SISK, FOLEY, HULTIN & DRIVER, 2501 M ST., NW SUITE 380 WASHINGTON DC 20037	ASHLAND OIL, INC, ET AL
SKADDEN, ARPS, SLATE, MEAGHER & FLOM, 919 18TH STREET, NW WASHINGTON DC 20006	CITIES SERVICE OIL & GAS CORP
DEBORAH A. SMITH, 1101 14TH STREET, NW, #200 WASHINGTON DC 20005	AMERICAN NURSES' ASSN
DOUGLAS S. SMITH, 3219 MAGNOLIA AVENUE FALLS CHURCH VA 22041	NATIONAL INHOLDERS ASSN
GARY K. SMITH, 600 PENNSYLVANIA AVENUE, SE, #300 WASHINGTON DC 20003	NATIONAL ASSN OF GREETING CARD PUBLISHERS
LARRY S. SNOWHITE, 1015 15TH ST., N.W. WASHINGTON DC 20005	ENVIRITE CORPORATION
Do	LIBERTY MUTUAL INSURANCE CO
SPRIGGS, BODE & HOLLINGSWORTH, 1015 15TH ST., NW WASHINGTON DC 20005	ENERGY CYCLE, INC
CARL F. ST. CIN, 1101 17TH STREET, NW, #604 WASHINGTON DC 20036	MONSANTO CO
TYRONE STALLWORTH, 220 NORTH DEVILLERS STREET PENSACOLA FL 32501	
DAVID P. STANG, P.C., SUITE 601 1629 K ST., NW WASHINGTON DC 20006	FOREMAN & DYESS
THOMAS H. STANTON, 3900 WISCONSIN AVENUE, NW WASHINGTON DC 20016	FEDERAL NATIONAL MORTGAGE ASSN
RANDOLPH J. STAYIN, SUITE 600 21 DUPONT CIRCLE, NW WASHINGTON DC 20036	TAFT, STETTINIUS & HOLLISTER (FOR: WALD MANUFACTURING CO, INC)
Do	TAFT, STETTINIUS & HOLLISTER (FOR: SHERWIN-WILLIAMS CO)
STEPTOE & JOHNSON, 1250 CONNECTICUT AVE., NW WASHINGTON DC 20036	ASSOCIATION OF PRIVATE PENSION & WELFARE PLANS, INC
HEATHER STEVENS-KITTNER, 1717 MASSACHUSETTS AVENUE, NW, #503 WASHINGTON DC 20036	NATIONAL ASSN OF INDEPENDENT COLLEGES & UNIVERSITIES
JOHN C. STONE, BOX 1300 MCLEAN VA 22102	LOUISIANA WORLD EXPOSITION, INC
Do	QUALICARE, INC
JAMES R. STREETER, 733 15TH STREET, NW WASHINGTON DC 20005	LEGAL SERVICES CORP
SULLIVAN & WORCESTER, 1025 CONNECTICUT AVE., NW WASHINGTON DC 20036	ALASKA LUMBER & PULP CO, INC
MARCIA Z. SULLIVAN, SUITE 1200 1300 N. 17TH STREET ARLINGTON VA 22209	CONSUMER BANKERS ASSN
SURREY & MORSE, 1156 15TH ST., NW WASHINGTON DC 20005	BENDONE-DEROSSI
SUTHERLAND ASBILL & BRENNAN, 1666 K ST., NW WASHINGTON DC 20006	ASSOCIATION OF BUSINESS ADVOCATING TARIFF EQUITY
Do	ATLANTA LIFE INSURANCE COMPANY
Do	FLATHEAD JOINT BOARD OF CONTROL
SWIDLER, BERLIN & STRELOW, CHTD., 1000 THOMAS JEFFERSON ST., NW #500 WASHINGTON DC 20007	TWENTIETH CENTURY-FOX FILM CORP
RICHARD P. SWIGART, 1825 SAMUEL MORSE DRIVE RESTON VA 22090	NATIONAL GROCERS ASSN
ROBERT TAFT JR., SUITE 600 21 DUPONT CIRCLE NW WASHINGTON DC 20036	TAFT, STETTINIUS & HOLLISTER (FOR: SHERWIN-WILLIAMS CO)
PAUL M. TENDLER, 818 CONNECTICUT AVENUE, NW WASHINGTON DC 20006	NATIONAL INCORPORATION OF TENANTS
Do	ZENTEC, INC
TIMMONS & CO, INC, 1850 K ST., NW, #850 WASHINGTON DC 20006	BOEING COMPANY
Do	BROWN GROUP, INC
JEFFREY B. TRAMMELL, 3255 GRACE STREET, NW WASHINGTON DC 20007	GRAY AND COMPANY (FOR: NATIONAL BROADCASTING CO)
VAN FLEET ASSOCIATES, SUITE 102 499 SOUTH CAPITOL ST., SW WASHINGTON DC 20003	FORD AEROSPACE
VAN NESS, FELDMAN, SUTCLIFFE, CURTIS & LEVENBERG, 7TH FLOOR 1050 THOMAS JEFFERSON ST., NW WASHINGTON DC 20007	COLUMBIA GAS SYSTEM SERVICE CORP
Do	MCDONNELL DOUGLAS ASTRONAUTICS CORP
Do	PENNSYLVANIA ELECTRIC CO; NEW YORK STATE ELECTRIC & GAS CO
Do	REPUBLIC OF KENYA
DONALD R. VAUGHAN, P.O. BOX 1288 ASHEBORO NC 27203	STEDMAN CORP
JOSPEH T. VENTURA ENTERPRISES, INC, 1725 K STREET, NW, #401 WASHINGTON DC 20006	NATIONAL FOOTBALL LEAGUE
GEORGE A. VIVERETTE JR., 8111 GATEHOUSE ROAD FALLS CHURCH VA 22047	AMERICAN AUTOMOBILE ASSN
WAGNER & BARODDY, INC, 1100 17TH STREET, NW, #804 WASHINGTON DC 20036	AMERICAN BUS ASSN
Do	ASSOCIATED BUILDERS & CONTRACTORS, INC
Do	BURNS & ROE, INC
Do	CHICAGO AND NORTHWESTERN RAILROAD

Organization or Individual Filing	Employer/Client
Do	E-SYSTEMS
Do	LANIHAU CORPORATION
Do	LONG ISLAND TRUST COMPANY
Do	NATIONAL BEER WHOLESALERS OF AMERICA
Do	UNION PACIFIC RAILROAD CORP
NANCY E. WAGNER, 1800 M STREET, NW, #295 NORTH WASHINGTON DC 20036	HUSKY OIL COMPANY
CHARLS E. WALKER ASSOCIATES, INC., 1730 PENNSYLVANIA AVE., NW WASHINGTON DC 20006	BECHTEL CIVIL & MINERALS, INC
Do	BETHLEHEM STEEL CORP
Do	NORTHVILLE INDUSTRIES CORP
R. DUFFY WALL & ASSOCIATES, INC, 11 DUPONT CIRCLE, NW, #630 WASHINGTON DC 20036	FREEPORT-MCMORAN, INC
Do	LIFE OF VIRGINIA, LIBERTY NATIONAL, ET AL
Do	VOLUME FOOTWEAR RETAILERS OF AMERICA
DON WALLACE ASSOCIATES, INC., 232 E. CAPITOL ST. WASHINGTON DC 20003	ALABAMA FARM BUREAU FEDERATION
ELEANOR WALTERS, 317 PENNSYLVANIA AVE., SE WASHINGTON DC 20003	ENVIRONMENTAL POLICY INSTITUTE
BARBARA F. WARDEN, 3100 CONNECTICUT AVENUE, NW WASHINGTON DC 20008	NATIONAL CONSUMERS LEAGUE, INC
MARJORIE A. WARREN, GNAU, CARTER, JACOBSEN & ASSOC., INC, 1777 F STREET, NW WASHINGTON DC 20006	BI-COUNTY CONSORTIUM
Do	INTER-TRIBAL COUNCIL OF MICHIGAN, INC
WATT, TIEDER, KILLIAN, TOOLE & HOFFAR, 1742 R STREET, NW WASHINGTON DC 20009	OHIO CASUALTY INSURANCE CO
DOUGLAS R. WATTS, 1724 MASSACHUSETTS AVENUE, NW WASHINGTON DC 20036	NATIONAL CABLE TELEVISION ASSN, INC
WEBSTER AND SHEFFIELD, 1200 NEW HAMPSHIRE AVE., NW, #350 WASHINGTON DC 20036	DOMESTIC PETROLEUM COUNCIL, INC
WEBSTER, CHAMBERLIN & BEAN, 1747 PENNSYLVANIA AVE., NW WASHINGTON DC 20006	BEER INDUSTRY ALLIANCE
WEXLER, REYNOLDS, HARRISON & SCHULE, INC, SUITE 600 1317 F STREET, NW WASHINGTON DC 20004	COMMITTEE FOR PRUDENT DEREGULATION
SAM WHITE, 412 FIRST STREET, SE WASHINGTON DC 20003	INDEPENDENT CATTLEMEN'S ASSN
Do	NATIONAL PEANUT GROWERS GROUP
Do	SAM KANE PACKING
JULIAN A. WILHELM, 1320 19TH STREET, NW WASHINGTON DC 20036	BURCH, WILHELM & MCDONALD, P.C. (FOR: M.A.N. TRUCK & BUS CORP)
WILLIAMS & JENSEN, P.C., 1101 CONNECTICUT AVE., NW WASHINGTON DC 20036	ALASKA LUMBER AND PULP
Do	BRAUM ICE CREAM STORES, INC
JUDY WINCHESTER, SUITE 304 1620 I ST., NW WASHINGTON DC 20006	FEDERAL NATIONAL MORTGAGE ASSN
WINSTON & STRAWN, #500 2550 M ST., NW WASHINGTON DC 20037	NATIONAL AUDUBON SOCIETY
WINTHROP, WEINSTEIN & SEXTON, 1800 CONWED TOWER, 444 CEDAR STREET ST. PAUL MN 55101	OTTO BREMER FOUNDATION
ROBERT V. WITECK, THE POWER HOUSE 3255 GRACE STREET, NW WASHINGTON DC 20007	GRAY AND COMPANY (FOR: ANEUTRONIX, INC)
Do	GRAY AND COMPANY (FOR: HEALTH INSURANCE ASSN OF AMERICA)
Do	GRAY AND COMPANY (FOR: NATIONAL BROADCASTING COMPANY)
LINDA ANZALONE WOOLLEY, 1707 L STREET, NW, #200 WASHINGTON DC 20036	INTERNATIONAL TELEPHONE & TELEGRAPH CORP
ERIC YOUNG, 317 PENNSYLVANIA AVENUE, SE WASHINGTON DC 20003	ENVIRONMENTAL POLICY INSTITUTE
RALPH ZAAYENGA, 1800 K STREET, NW, #820 WASHINGTON DC 20006	SUN COMPANY, INC
THOMAS K. ZAUCHA, 1825 SAMUEL MORSE DRIVE RESTON VA 22090	NATIONAL GROCERS ASSN
LEO C. ZEFERETTI, 9912 FORT HAMILTON PARKWAY BROOKLYN NY 11209	BUILDING & CONSTRUCTION TRADE DEPARTMENTS, AFL-CIO
Do	TRANSPORTATION INSTITUTE
Do	GRUMMAN AEROSPACE CORP
ZUCKERT, SCOUTT, RASENBERGER & DELANEY, 888 17TH ST., NW WASHINGTON DC 20006	BUSINESS ROUNDTABLE

QUARTERLY REPORTS*

*All alphanumeric characters and monetary amounts refer to receipts and expenditures on page 2, paragraphs D and E of the Quarterly Report Form.

The following quarterly reports were submitted for the first calendar quarter 1983:

(NOTE.—The form used for reporting is reproduced below. In the interest of economy in the RECORD, questions are not repeated, only the essential answers are printed, and are indicated by their respective headings.)

FILE ONE COPY WITH THE SECRETARY OF THE SENATE AND FILE TWO COPIES WITH THE CLERK OF THE HOUSE OF REPRESENTATIVES:

This page (page 1) is designed to supply identifying data; and page 2 (on the back of this page) deals with financial data.

PLACE AN "X" BELOW THE APPROPRIATE LETTER OR FIGURE IN THE BOX AT THE RIGHT OF THE "REPORT" HEADING BELOW:

"PRELIMINARY" REPORT ("Registration"): To "register," place an "X" below the letter "P" and fill out page 1 only.

"QUARTERLY" REPORT: To indicate which one of the four calendar quarters is covered by this Report, place an "X" below the appropriate figure. Fill out both page 1 and page 2 and as many additional pages as may be required. The first additional page should be numbered as page "3," and the rest of such pages should be "4," "5," "6," etc. Preparation and filing in accordance with instructions will accomplish compliance with all quarterly reporting requirements of the Act.

Year: 19.....

REPORT

PURSUANT TO FEDERAL REGULATION OF LOBBYING ACT

P	QUARTER			
	1st	2d	3d	4th
(Mark one square only)				

NOTE ON ITEM "A".—(a) IN GENERAL. This "Report" form may be used by either an organization or an individual, as follows:
(i) "Employee".—To file as an "employee", state (in Item "B") the name, address, and nature of business of the "employer". (If the "employee" is a firm [such as a law firm or public relations firm], partners and salaried staff members of such firm may join in filing a Report as an "employee".)
(ii) "Employer".—To file as an "employer", write "None" in answer to Item "B".
(b) SEPARATE REPORTS. An agent or employee should not attempt to combine his Report with the employer's Report:
(i) Employers subject to the Act must file separate Reports and are not relieved of this requirement merely because Reports are filed by their agents or employees.
(ii) Employees subject to the Act must file separate Reports and are not relieved of this requirement merely because Reports are filed by their employers.

A. ORGANIZATION OR INDIVIDUAL FILING:
1. State name, address, and nature of business.

2. If this Report is for an Employer, list names of agents or employees who will file Reports for this Quarter.

NOTE ON ITEM "B".—*Reports by Agents or Employees.* An employee is to file, each quarter, as many Reports as he has employers, except that: (*a*) If a particular undertaking is jointly financed by a group of employers, the group is to be considered as one employer, but all members of the group are to be named, and the contribution of each member is to be specified; (*b*) if the work is done in the interest of one person but payment therefor is made by another, a single Report—naming both persons as "employers"—is to be filed each quarter.

B. EMPLOYER.—State name, address, and nature of business. If there is no employer, write "None."

NOTE ON ITEM "C".—(*a*) The expression "in connection with legislative interests," as used in this Report, means "in connection with attempting, directly or indirectly, to influence the passage or defeat of legislation." "The term 'legislation' means bills, resolutions, amendments, nominations, and other matters pending or proposed in either House of Congress, and includes any other matter which may be the subject of action by either House"—§ 302(e).
(*b*) Before undertaking any activities in connection with legislative interests, organizations and individuals subject to the Lobbying Act are required to file a "Preliminary" Report (Registration).
(*c*) After beginning such activities, they must file a "Quarterly" Report at the end of each calendar quarter in which they have either received or expended anything of value in connection with legislative interests.

C. LEGISLATIVE INTERESTS, AND PUBLICATIONS in connection therewith:

1. State approximately how long legislative interests are to continue. If receipts and expenditures in connection with legislative interests have terminated, place an "X" in the box at the left, so that this Office will no longer expect to receive Reports. ☐

2. State the general legislative interests of the person filing and set forth the *specific* legislative interests by reciting: (*a*) Short titles of statutes and bills; (*b*) House and Senate numbers of bills, where known; (*c*) citations of statutes, where known; (*d*) whether for or against such statutes and bills.

3. In the case of those publications which the person filing has caused to be issued or distributed in connection with legislative interests, set forth: (*a*) Description, (*b*) quantity distributed; (*c*) date of distribution, (*d*) name of printer or publisher (if publications were paid for by person filing) or name of donor (if publications were received as a gift).

(Answer items 1, 2, and 3 in the space below. Attach additional pages if more space is needed)

4. If this is a "Preliminary" Report (Registration) rather than a "Quarterly" Report, state below what the nature and amount of anticipated expenses will be; and if for an agent or employee, state also what the daily, monthly, or annual rate of compensation is to be. If this is a "Quarterly" Report, disregard this item "C4" and fill out items "D" and "E" on the back of this page. Do not attempt to combine a "Preliminary" Report (Registration) with a "Quarterly" Report.

AFFIDAVIT

[Omitted in printing]

PAGE 1

NOTE ON ITEM "D."—(a) *In General.* The term "contribution" includes *anything of value.* When an organization or individual uses printed or duplicated matter in a campaign attempting to influence legislation, money received by such organization or individual—for such printed or duplicated matter—is a "contribution." "The term 'contribution' includes a gift, subscription, loan, advance, or deposit of money, or anything of value, and includes a contract, promise, or agreement, whether or not legally enforceable, to make a contribution"—Section 302(a) of the Lobbying Act.

(b) IF THIS REPORT IS FOR AN EMPLOYER.—(i) *In General.* Item "D" is designed for the reporting of all receipts from which expenditures are made, or will be made, in accordance with legislative interests.

(ii) *Receipts of Business Firms and Individuals.*—A business firm (or individual) which is subject to the Lobbying Act by reason of expenditures which it makes in attempting to influence legislation—but which has no funds to expend except those which are available in the ordinary course of operating a business not connected in any way with the influencing of legislation—will have no receipts to report, even though it does have expenditures to report.

(iii) *Receipts of Multipurpose Organizations.*—Some organizations do not receive any funds which are to be expended solely for the purpose of attempting to influence legislation. Such organizations make such expenditures out of a general fund raised by dues, assessments, or other contributions. The percentage of the general fund which is used for such expenditures indicates the percentage of dues, assessments, or other contributions which may be considered to have been paid for that purpose. Therefore, in reporting receipts, such organizations may specify what that percentage is, and report their dues, assessments, and other contributions on that basis. However, each contributor of $500 or more is to be listed, regardless of whether the contribution was made solely for legislative purposes.

(c) IF THIS REPORT IS FOR AN AGENT OR EMPLOYEE.—(i) *In General.* In the case of many employees, all receipts will come under Items "D 5" (received for services) and "D 12" (expense money and reimbursements). In the absence of a clear statement to the contrary, it will be presumed that your employer is to reimburse you for all expenditures which you make in connection with legislative interests.

(ii) *Employer as Contributor of $500 or More.*—When your contribution from your employer (in the form of salary, fee, etc.) amounts to $500 or more, it is not necessary to report such contribution under "D 13" and "D 14," since the amount has already been reported under "D 5," and the name of the "employer" has been given under Item "B" on page 1 of this report.

D. RECEIPTS (INCLUDING CONTRIBUTIONS AND LOANS):

Fill in every blank. If the answer to any numbered item is "None," write "None" in the space following the number.

Receipts (other than loans)

1. $.....Dues and assessments
2. $.....Gifts of money or anything of value
3. $.....Printed or duplicated matter received as a gift
4. $.....Receipts from sale of printed or duplicated matter
5. $.....Received for services (e.g., salary, fee, etc.)
6. $.....TOTAL for this Quarter (Add items "1" through "5")
7. $.....Received during previous Quarters of calendar year
8. $.....TOTAL from Jan. 1 through this Quarter (Add "6" and "7")

Loans Received

"The term 'contribution' includes a . . . *loan* . . ."—Sec. 302(a).

9. $.....TOTAL now owed to others on account of loans
10. $.....Borrowed from others during this Quarter
11. $.....Repaid to others during this Quarter

12. $.....Expense money" and Reimbursements received this Quarter

Contributors of $500 or more (from Jan. 1 through this Quarter)

13. Have there been such contributors?

Please answer "yes" or "no": .....

14. In the case of each contributor whose contributions (including loans) during the "period" from January 1 through the last days of this Quarter total $500 or more:

Attach hereto plain sheets of paper, approximately the size of this page, tabulate data under the headings "Amount" and "Name and Address of Contributor"; and indicate whether the last day of the period is March 31, June 30, September 30, or December 31. Prepare such tabulation in accordance with the following example:

Amount	*Name and address of Contributor* ("*Period*" from Jan. 1 through....., 19.....)
$1,500.00	John Doe, 1621 Blank Bldg., New York, N.Y.
$1,785.00	The Roe Corporation, 2511 Doe Bldg., Chicago, Ill.
$3,285.00	TOTAL

NOTE ON ITEM "E".—(a) *In General.* "The term 'expenditure' includes a payment, distribution, loan, advance, deposit, or gift of money or anything of value, and includes a contract, promise, or agreement, whether or not legally enforceable, to make an expenditure"—Section 302(b) of the Lobbying Act.

(b) IF THIS REPORT IS FOR AN AGENT OR EMPLOYEE. In the case of many employees, all expenditures will come under telephone and telegraph (Item "E 6") and travel, food, lodging, and entertainment (Item "E 7").

E. EXPENDITURES (INCLUDING LOANS) in connection with legislative interests:

Fill in every blank. If the answer to any numbered item is "None," write "None" in the spaces following the number.

Expenditures (other than loans)

1. $.....Public relations and advertising services
2. $.....Wages, salaries, fees, commissions (other than item "1")
3. $.....Gifts or contributions made during Quarter
4. $.....Printed or duplicated matter, including distribution cost
5. $.....Office overhead (rent, supplies, utilities, etc.)
6. $.....Telephone and telegraph
7. $.....Travel, food, lodging, and entertainment
8. $.....All other expenditures
9. $.....TOTAL for this Quarter (Add "1" through "8")
10. $.....Expended during previous Quarters of calendar year
11. $.....TOTAL from January 1 through this Quarter (Add "9" and "10")

Loans Made to Others

"The term 'expenditure' includes a . . . *loan* . . ."—Sec. 302(b).

12. $.....TOTAL now owed to person filing
13. $.....Lent to others during this Quarter
14. $.....Repayment received during this Quarter

15. Recipients of Expenditures of $10 or More

In the case of expenditures made during this Quarter by, or on behalf of the person filing: Attach plain sheets of paper approximately the size of this page and tabulate data as to expenditures under the following heading: "Amount," "Date or Dates," "Name and Address of Recipient," "Purpose." Prepare such tabulation in accordance with the following example:

Amount	*Date or Dates—Name and Address of Recipient—Purpose*
$1,750.00	7-11: Roe Printing Co., 3214 Blank Ave., St. Louis, Mo.—Printing and mailing circulars on the "Marshbanks Bill."
$2,400.00	7-15, 8-15, 9-15: Britten & Blaten, 3127 Gremlin Bldg., Washington, D.C.—Public relations service at $800.00 per month.
$4,150.00	TOTAL

Organization or Individual Filing	Employer/Client	Receipts	Expenditures
ROBERT J. AAGRE, 1615 H STREET, NW WASHINGTON DC 20062	CHAMBER OF COMMERCE OF THE U.S.	957.00	140.00
PAUL C. ABENANTE, SUITE 850 2020 K ST NW WASHINGTON DC 20006	AMERICAN BAKERS ASSN	650.00	3.25
THOMAS G. ABERNETHY SR., 3973 STUART PLACE JACKSON MS 39211	U.S. CANE SUGAR REFINERS' ASSN		
GEORGIA ABRAHAM, 1825 CONNECTICUT AVENUE, NW WASHINGTON DC 20009	NATIONAL ASSN OF ARAB AMERICANS		
SHERMAN ABRAHAMSON SUITE 370 1201 PENNSYLVANIA AVE. NW WASHINGTON DC 20004	CONTROL DATA CORPORATION	60.00	35.00
ACTION, INC., 2025 EYE STREET, NW, #1022 WASHINGTON DC 20006	AMERICAN HOME ECONOMICS ASSN		
Do	AMERICAN INDIAN HIGHER EDUCATION CONSORTIUM		
Do	NATIONAL CONGRESS OF AMERICAN INDIANS	600.00	21.03
CHARLES F. ADAMS, SUITE 700 1899 L ST., NW WASHINGTON DC 20036	AMERICAN ASSN OF ADVERTISING AGENCIES	2,500.00	750.00
JOHN J. ADAMS, 1919 PENNSYLVANIA AVE, NW, #700 WASHINGTON DC 20006	ETHYL CORPORATION		
Do	VEPCO	831.00	
THOMAS L. ADAMS JR., 1101 15TH STREET, NW WASHINGTON DC 20005	REPUBLIC STEEL CORP.		
HOBSON H. ADCOCK, 700 ANDERSON HILL RD. PURCHASE NY 10577	PEPSICO, INC.		
V. J. ADDUCI, 1909 K ST., NW, #300 WASHINGTON DC 20006	MOTOR VEHICLE MANUFACTURERS ASSOCIATION OF THE U.S., INC.	21.00	
ADVANCE COAL MANAGEMENT CORPORATION, 805 NEWTOWN CIRCLE LEXINGTON KY 40511	RSV MINING EQUIPMENT B.V.		
ADVOCATES TO SAVE LEGAL SERVICES, INC., 1625 K STREET, N.W. 8TH FLOOR WASHINGTON DC 20006		650.00	1,945.55
AEROSPACE INDUSTRIES ASSN OF AMER, INC, 1725 DESALES ST., NW WASHINGTON DC 20036		15,215.88	15,215.88
AFL-CIO MARITIME COMM, 100 INDIANA AVE., NW WASHINGTON DC 20001		8,650.00	6,800.82
AFRICAN FRIENDS OF ISRAEL, INC., 4801 MASSACHUSETTS AVENUE, NW WASHINGTON DC 20016			
ROBERT S. AGMAN, 100 INDIANA AVE., NW WASHINGTON DC 20001	LABOR-MANAGEMENT MARITIME COMMITTEE	1,736.80	5.03
HERBERT ALLEN AILSWORTH, SUITE 1101 1050 17TH STREET, NW WASHINGTON DC 20036	SANDOZ, INC.		49.00
AIR CONDITIONING & REFRIGERATION INSTITUTE, 1815 N. FT. MYER DR. ARLINGTON VA 22209		21,000.00	15,000.00
RANDOLF H. AIRES, 1211 CONNECTICUT AVE., NW, #802 WASHINGTON DC 20036	SEARS, ROEBUCK AND CO.	4,950.00	84.03
MICHAEL A. AISENBERG, 8301 PROFESSIONAL PLACE LANDOVER MD 20785	DIGITAL EQUIPMENT CORP.	8,750.00	
G. COLBURN AKER, SUITE 700 1201 PENNSYLVANIA AVE., NW WASHINGTON DC 20004	HILL & KNOWLTON, INC.		
AKIN, GUMP, STRAUSS, HAUER & FELD, SUITE 400 1333 NEW HAMPSHIRE AVE., NW WASHINGTON DC 20036	AIR FREIGHT ASSOCIATION		
Do	ALLIED TUBE & CONDUIT CORPORATION	975.00	
Do	AMERADA HESS CORPORATION		
Do	AMERICAN QUASAR PETROLEUM COMPANY		
Do	AMERICAN SOYBEAN ASSN	200.00	
Do	AMERICAN STOCK EXCHANGE, INC.		
Do	AMERICAN TELEPHONE & TELEGRAPH CO.		
Do	ARCHER DANIELS MIDLAND COMPANY	150.00	
Do	BEACON OIL CO		
Do	BENEFICIAL CORPORATION	4,575.00	
Do	COALITION OF SERVICE INDUSTRIES, INC.	1,750.00	
Do	COASTAL CORPORATION		
Do	COMMITTEE FOR PRUDENT DEREGULATION	14,600.00	
Do	DAMSON OIL CORP.		
Do	DESERT GRAPE GROWERS LEAGUE OF CALIFORNIA		
Do	E & J GALLO WINERY	150.00	
Do	GOLDMAN SACHS & CO.		
Do	LEGGETT & CO.	3,825.00	
Do	LONE STAR INDUSTRIES, INC.		
Do	LONE STAR STEEL	5,575.00	
Do	MAPCO INC.		
Do	MARLEX PETROLEUM, INC.		
Do	MARRIOTT CORPORATION	1,175.00	
Do	METROPOLITAN TRANSIT AUTHORITY OF HARRIS COUNTY	9,100.00	216.25
Do	MILITARY ACCESSORIES SERVICE ASSN., INC.		
Do	MOTION PICTURE ASSN OF AMERICA, INC.	20,250.00	
Do	MURPHY OIL CORP.		
Do	NATIONAL FOOTBALL LEAGUE	2,100.00	
Do	NATIONAL SOYBEAN PROCESSORS ASSN	100.00	
Do	NORTHWEST ENERGY COMPANY	9,575.00	
Do	NORTON SIMON, INC.		
Do	OSTEOPATHIC MEDICAL CENTER	925.00	
Do	RINGLING BROS. BARNUM AND BAILEY		
Do	RIVIANA FOODS INC.	1,425.00	
Do	RJ REYNOLDS INDUSTRIES, INC.		
Do	SHEARSON/AMERICAN EXPRESS, INC.	2,675.00	
Do	SOUTH HAMPTON, INC.		
Do	SOUTHLAND ROYALTY CO.		
Do	TEXAS AIR CORPORATION		
Do	VALERO ENERGY CORPORATION		
Do	VOLUNTARY HOSPITALS OF AMERICA	8,950.00	
Do	WAGNER & BROWN		
Do	WESTERN AIR LINES, INC.		
ALASKA LUMBER & PULP COMPANY, INC, P.O. BOX 1050 SITKA AK 99835		51,570.04	51,570.04
JAMES J. ALBERTINE 1660 L ST. NW #601 WASHINGTON DC 20036	INTERSTATE NATURAL GAS ASSOCIATION OF AMERICA	300.00	
JOHN M. ALBERTINE SUITE 305 1001 CONNECTICUT AVE. NW WASHINGTON DC 20036	AMERICAN BUSINESS CONFERENCE	1,750.00	93.75
H. MEADE ALCORN JR., ALCORN BARKEWELL & SMITH ONE AMERICAN ROW HARTFORD CT 06103	HELEN WODELL HALBACH ESTATE		
FREDERICK K. ALDERSON, 1730 M STREET NW, #607 WASHINGTON DC 20036	ARIZONA PUBLIC SERVICE CO.	924.00	421.17
DONALD C. ALEXANDER, MORGAN LEWIS & BOCKIUS 1800 M ST. NW #800 NORTH WASHINGTON DC 20036	BALDWIN-UNITED CORPORATION	50.00	
Do	COMMITTEE FOR CAP FORMATION THROUGH DIVIDEND REINVESTMENT		
Do	DISABLED AMERICAN VETERANS		
Do	EASTERN AIR LINES, INC.		
Do	MERRILL LYNCH LIFE AGENCY, INC.		
KAREN D. ALEXANDER, 1615 H STREET, NW WASHINGTON DC 20062	CHAMBER OF COMMERCE OF THE U.S.		
WILLIS W. ALEXANDER, 1120 CONNECTICUT AVE., NW WASHINGTON DC 20036	AMERICAN BANKERS ASSN	2,500.00	42.42
MAXTON ALLCOX, 400 FIRST ST., NW, RM 801 WASHINGTON DC 20001	BROTHERHOOD OF MAINTENANCE OF WAY EMPLOYES	13,812.26	
H. K. ALLEN, 1325 1/2 WISCONSIN AVENUE, NW, #300 WASHINGTON DC 20007	AHRENS AIRCRAFT, INC.		
ROBERT G. ALLEN, 511 C STREET, NE WASHINGTON DC 20002	C.A.R.E.		
ALLIANCE FOR CANNABIS THERAPEUTICS, PO BOX 23691 L'ENFANT PLAZA STATION WASHINGTON DC 20024		1,047.00	543.00
ALLIANCE FOR IMMIGRATION REFORM, SUITE 103 1000 POTOMAC STREET, NW WASHINGTON DC 20007		4,000.00	4,000.00
ALLIANCE OF AMERICAN INSURERS, 20 NORTH WACKER DR. CHICAGO IL 60606			3,636.72
ALLIANCE TO SAVE ENERGY, 1925 K ST., NW SUITE 507 WASHINGTON DC 20006			420.40
PETER ALLSTROM, 815 16TH ST., NW WASHINGTON DC 20006	FOOD AND BEVERAGE TRADES DEPARTMENT, AFL-CIO	2,500.01	324.92
JOSEPH C. ALLWARDEN, DANIEL WEBSTER HIGHWAY SOUTH MERRIMACK NH 03054	KOLLSMAN INSTRUMENT CO.		
HARVEY ALTER, 1615 H STREET, N.W. WASHINGTON DC 20062	U.S. CHAMBER OF COMMERCE	200.00	
RICHARD H. ALTMAN, 444 NORTH CAPITOL ST., NW, #412 WASHINGTON DC 20001	AMERICAN ISRAEL PUBLIC AFFAIRS COMM.	1,307.50	
RICARDO R. ALVARADO, 1575 I STREET, NW, #575 WASHINGTON DC 20005	SIGNAL COMPANIES, INC.	1,288.00	
ROBERT ALVAREZ, 317 PENNSYLVANIA AVE., SE WASHINGTON DC 20003	ENVIRONMENTAL POLICY INSTITUTE	621.54	
AMALGAMATED TRANSIT UNION, AFL-CIO, 5025 WISCONSIN AVENUE, NW WASHINGTON DC 20016			8,000.00
AMALGAMATED TRANSIT UNION, NATL CAP DIV. 689, 100 INDIANA AVE., NW, #403 WASHINGTON DC 20001			
JEROME A. AMBRO ASSOCIATES, 2301 SOUTH JEFFERSON DAVIS DRIVE ARLINGTON VA 22202	ASSOCIATED UNIVERSITIES	2,100.00	1,968.16
Do	COUNTY OF SUFFOLK	8,614.02	8,153.79
Do	NEW YORK STATE DEPARTMENT OF TRANSPORTATION	4,105.36	3,936.31
AMERICAN ACADEMY OF FAMILY PHYSICIANS, 1740 WEST 92ND ST. KANSAS CITY MO 64114		9,884.88	9,884.88
AMERICAN ADVERTISING FEDERATION, 1225 CONNECTICUT AVE., NW #401 WASHINGTON DC 20036		339,202.08	339,202.08
AMERICAN ARTS ALLIANCE, 424 C ST., NE WASHINGTON DC 20002		16,034.35	73,598.85
AMERICAN ASSN OF BLOOD BANKS, SUITE 600 1117 NORTH 19TH STREET ARLINGTON VA 22209			
AMERICAN ASSN OF EQUIPMENT LESSORS, SUITE 1010 1300 NORTH 17TH STREET ARLINGTON VA 22209			
AMERICAN ASSN OF FOUNDATIONS FOR MEDICAL CARE, SUITE 210 5410 GROSVENOR LANE BETHESDA MD 20814			
AMERICAN ASSN OF MEAT PROCESSORS, P.O. BOX 269 ELIZABETHTOWN PA 17022		765.37	5,659.43
AMERICAN ASSN OF PORT AUTHORITIES, INC, 1612 K ST., NW WASHINGTON DC 20006		9,500.00	22,382.40
AMERICAN AUTOMOBILE ASSN, 8111 GATEHOUSE RD. FALLS CHURCH VA 22047			
AMERICAN BANKERS ASSN, 1120 CONNECTICUT AVE., NW WASHINGTON DC 20036		339,202.08	339,202.08
AMERICAN BUSINESS CONFERENCE, 1025 CONNECTICUT AVENUE, N.W. SUITE 209 WASHINGTON DC 20036		3,000.00	2,491.63
AMERICAN COUNCIL FOR CAPITAL FORMATION, SUITE 520 1850 K ST., NW WASHINGTON DC 20006		12,938.00	3,935.00
AMERICAN COUNCIL OF LIFE INSURANCE, INC, 1850 K ST., NW WASHINGTON DC 20006			8,650.19
AMERICAN FARM BUREAU FED, 225 TOUHY AVE PARK RIDGE IL 60068		113,208.00	113,208.00
AMERICAN FED OF LABOR AND CONG OF INDUSTRIAL ORGANIZATIONS, 815 16TH ST., NW WASHINGTON DC 20006			142,539.20

Organization or Individual Filing	Employer/Client	Receipts	Expenditures
AMERICAN FEED MFRS ASSN, 1701 N. FT. MYER DR. ARLINGTON VA 22209		3,240.00	3,240.00
AMERICAN FROZEN FOOD INST, 1700 OLD MEADOW ROAD MCLEAN VA 22101			6,000.00
AMERICAN HELLENIC INSTITUTE PUBLIC AFFAIRS COMMITTEE, 1730 K ST., NW WASHINGTON DC 20006			
AMERICAN HONEY PRODUCERS ASSN, PO BOX 368 MINCO OK 73059			
AMERICAN HOSPITAL ASSN, 840 N. LAKE SHORE DR. CHICAGO IL 60611		30,518.41	30,518.41
AMERICAN HOTEL & MOTEL ASSN, 888 SEVENTH AVE. NEW YORK NY 10019		17,691.69	7,361.24
AMERICAN INST OF MERCHANT SHIPPING, SUITE 1000 1625 K ST., NW WASHINGTON DC 20006			1,505.00
AMERICAN INSURANCE ASSN, 85 JOHN ST. NEW YORK NY 10038		761.00	761.00
AMERICAN ISRAEL PUBLIC AFFAIRS COMM, #412 444 N CAPITOL ST., NW WASHINGTON DC 20001		78,115.00	89,321.99
AMERICAN LAND TITLE ASSN, 1828 L ST. NW WASHINGTON DC 20036			6,318.37
AMERICAN LEAGUE FOR EXPORTS & SECURITY ASSISTANCE, #4400 475 L'ENFANT PLAZA, SW WASHINGTON DC 20024		20,333.50	16,236.79
AMERICAN LIBRARY ASSN, 50 E. HURON ST. CHICAGO IL 60611		463.68	4,852.84
AMERICAN MEAT INSTITUTE, PO BOX 3556 WASHINGTON DC 20007		1,014.44	7,014.44
AMERICAN MEDICAL ASSN, 535 NORTH DEARBORN ST. CHICAGO IL 60610		1,052.50	45,499.62
AMERICAN MEDICAL PEER REVIEW ASSN, SUITE 210 5410 GROSVENOR LANE BETHESDA MD 20814			6.10
AMERICAN MOVERS CONFERENCE, 400 ARMY-NAVY DR. ARLINGTON VA 22202			648.04
AMERICAN NEWSPAPER PUBLISHERS ASSN, BOX 17407 DULLES INTERNATIONAL AIRPORT WASHINGTON DC 20041		1,125.00	1,125.00
AMERICAN NUCLEAR ENERGY COUNCIL, 410 1ST ST., SE WASHINGTON DC 20003		6,562.50	28,426.69
AMERICAN NURSES' ASSN, 2420 PERSHING RD KANSAS CITY MO 64108		18,660.62	18,660.62
AMERICAN OPTOMETRIC ASSN, C/O DR. JOHN D. TUMBLIN SUITE 400E 600 MARYLAND AVE., SW WASHINGTON DC 20024			
AMERICAN PAPER INST, INC. 260 MADISON AVE. NEW YORK NY 10016			3,651.01
AMERICAN PARATRANSIT INSTITUTE, P.O. BOX 340276 CORAL GABLES FL 33134			300.00
AMERICAN PERSONNEL & GUIDANCE ASSOCIATION, 5203 LEESBURG PIKE FALLS CHURCH VA 22041		44,915.36	17,589.57
AMERICAN PETROLEUM INST, 2101 L ST., NW WASHINGTON DC 20037		252,983.00	228,260.00
AMERICAN PODIATRY ASSN, 20 CHEVY CHASE CIRCLE WASHINGTON DC 20015			19,818.32
AMERICAN POSTAL WORKERS UNION, AFL-CIO, 817 14TH ST., NW WASHINGTON DC 20005		4,402,701.77	272,110.85
AMERICAN PUBLIC TRANSIT ASSN, 1225 CONNECTICUT AVE., NW WASHINGTON DC 20036		22,872.00	22,872.00
AMERICAN PULPWOOD ASSN, 1619 MASSACHUSETTS AVE., NW WASHINGTON DC 20036			
AMERICAN SCIENCE AND TECHNOLOGY CORP, 600 WATER STREET, SW, #207 WASHINGTON DC 20024			
AMERICAN SEED TRADE ASSN, SUITE 964 1030 15TH ST., NW WASHINGTON DC 20005			11,350.00
AMERICAN SHORT LINE RAILROAD ASSN, 2000 MASSACHUSETTS AVE., NW WASHINGTON DC 20036			
AMERICAN SOYBEAN ASSOCIATION, SUITE 510 600 MARYLAND AVE., S.W. WASHINGTON DC 20024			
AMERICAN TEXTILE MACHINERY ASSN, 7297 N. LEE HWY. FALLS CHURCH VA 22042			
AMERICAN TEXTILE MFRS INST, SUITE 300 1101 CONNECTICUT AVE., NW WASHINGTON DC 20036		41,291.76	41,291.76
AMERICAN TRUCKING ASSNS, INC, 1616 P ST., NW WASHINGTON DC 20036		10,290.06	77,083.98
AMERICAN VETERINARY MEDICAL ASSN, SUITE 828 1522 K ST., NW WASHINGTON DC 20005			
AMERICAN WATERWAYS OPERATORS, INC, SUITE 1000 1600 WILSON BLVD. ARLINGTON VA 22209		6,097.00	7,966.49
AMERICAN WATERWAYS SHIPYARD CONFERENCE, SUITE 1101 1600 WILSON BOULEVARD ARLINGTON VA 22209			
MORRIS J. AMITAY, P.C., SUITE 168 400 N. CAPITOL ST., NW WASHINGTON DC 20001	NATIONAL SATELLITE CABLE ASSN	9,000.00	
Do	NORTHROP CORP	3,000.00	
Do	PAN AMERICAN WORLD AIRWAYS, INC	4,500.00	
EDWARD ANDERSEN, 1616 H ST., NW WASHINGTON DC 20006	NATIONAL GRANGE	785.00	
BETTE B. ANDERSON, THE POWER HOUSE 3255 GRACE STREET, NW WASHINGTON DC 20007	GRAY AND COMPANY (FOR: BEVERLY ENTERPRISES)		
Do	GRAY AND COMPANY (FOR: PAN AMERICAN NATIONAL BANK)		
Do	GRAY AND COMPANY (FOR: U.S. BANKNOTE)		
GWEN A. ANDERSON, SUITE 704 1200 18TH STREET, NW WASHINGTON DC 20036	SMALL BUSINESS ON-PREMISE SIGN FOUNDATION		
JAMES A. ANDERSON JR., 1776 F STREET, NW WASHINGTON DC 20006	NATIONAL ASSN OF MANUFACTURERS		300.00
ROBERT L. ANDERSON, JOHN DEERE RD. MOLINE IL 61265	DEERE & COMPANY		
STEVEN C. ANDERSON, 1700 OLD MEADOW RD. MCLEAN, VA 22101	AMERICAN FROZEN FOOD INST	5,000.00	
WAYNE C. ANDERSON, 1629 K ST. NW WASHINGTON DC 20006	NABISCO, INC	5,000.00	442.07
WILLIAM C. ANDERSON, 1101 16TH ST., NW WASHINGTON DC 20036	INDEPENDENT PETROLEUM ASSOCIATION OF AMERICA		59.25
ANDERSON HIBEY, NAUHEIM & BLAIR, 1605 NEW HAMPSHIRE AVENUE, NW WASHINGTON DC 20009	ALASKA LUMBER & PULP, INC	9,600.00	157.00
JACK O. ANDRESEN, 1957 E STREET NW WASHINGTON DC 20006	ASSOCIATED GENERAL CONTRACTORS OF AMERICA		
ANDREWS & KURTH, 1747 PENNSYLVANIA AVENUE, NW WASHINGTON DC 20006	SPACE SERVICES INC. OF AMERICA		
ROBERT ANGELL, 1000 CONNECTICUT AVE. NW WASHINGTON DC 20036	JAPAN ECONOMIC INSTITUTE OF AMERICA	300.00	
JACK R. ANGELL, 1101 17TH ST. NW SUITE 704 WASHINGTON DC 20036	UNITED GAS PIPE LINE CO		
JAY ANGOFF, 215 PENNSYLVANIA AVE. SE WASHINGTON DC 20003	CONGRESS WATCH	5,000.00	
J. DONALD ANNETT, 1050 17TH ST. NW #500 WASHINGTON DC 20036	TEXACO, INC	500.00	
LORI A. ANTOLOCK 604 SOLAR BUILDING 1000 16TH STREET NW WASHINGTON DC 20036	AMERICAN LAND DEVELOPMENT ASSN	1,500.00	
APARTMENT & OFFICE BUILDING ASSOC OF METROPOLITAN WASH D.C., SUITE 600 1413 K ST. NW WASHINGTON DC 2005...			
JOHN D. AQUILINO JR., 1600 RHODE ISLAND AVE. NW WASHINGTON DC 20036	NATIONAL RIFLE ASSN OF AMER		
ROBERT J. ARAUJO 1901 22ND STREET NW #600 WASHINGTON DC 20037	STANDARD OIL CO (OHIO)	312.50	77.33
JOHN CHRISTIAN ARCHER 1730 RHODE ISLAND AVE. NW #213 WASHINGTON DC 20036	BROWN & ROOT INC		
JOHN ARCHER 8111 GATEHOUSE RD. FALLS CHURCH VA 22047	AMERICAN AUTOMOBILE ASSN		
ARENT, FOX, KINTNER, PLOTKIN & KAHN, 1050 CONNECTICUT AVENUE, NW WASHINGTON DC 20036	CENTRAL STATES SE & SW AREAS HEALTH, WELFARE & PENSION FUNDS	133,028.80	2,184.07
Do	GUARDIAN LIFE INSURANCE CO OF AMERICA	1,000.83	
Do	LARS KROGH & CO A/S	22,186.45	2,133.16
Do	MOTOR & EQUIPMENT MANUFACTURERS ASSN		
JOHN A. ARMBRUSTER, 490 L'ENFANT PLAZA EAST, SW WASHINGTON DC 20024	TENNECO, INC		
ARMOUR HANDCRAFTS, INC, 230 5TH AVENUE NEW YORK NY 10001			20,786.27
ARNOLD & PORTER, 1200 NEW HAMPSHIRE AVE. NW WASHINGTON DC 20036	FEDERATION SUISSE DES ASSNS DE FABRICANTS D'HORLOGERIE		
Do	FLUOR CORPORATION	1,575.00	
CARL F. ARNOLD, 1100 CONNECTICUT AVE., NW WASHINGTON DC 20036	AMERICAN FAMILY CORP	360.00	
Do	AMERICAN IRON & STEEL INSTITUTE	750.00	
Do	AMERICAN PETROLEUM INST	15,000.00	
Do	CORPORATE PROPERTY INVESTORS	500.00	
Do	MEAD CORPORATION		
Do	MORTGAGE GUARANTY INSURANCE CORP	467.00	
Do	NATIONAL REALTY COMMITTEE	800.00	
Do	QUINTANA PETROLEUM CORP	375.00	
Do	QUINTANA REFINERY COMPANY	375.00	
Do	SECURITIES INDUSTRY ASSN	117.00	
Do	SECURITY FIRST GROUP, INC	375.00	
SANDY ARNOLD, 1016 16TH STREET, NW WASHINGTON DC 20036	NATIONAL FED OF FEDERAL EMPLOYEES		
ARTER, HADDEN & HEMMENDINGER, 1919 PENNSYLVANIA AVENUE, NW, #400 WASHINGTON DC 20006	PROQUINAL, LTDA	3,275.39	262.39
ASBILL & JUNKIN, SUITE 401 419 7TH STREET, NW WASHINGTON DC 20004	COALITION ON SMOKING OR HEALTH	18,976.25	14,775.75
LUD ASHLEY, P.C., 1735 NEW YORK AVENUE, NW, 6TH FL. WASHINGTON DC 20006	AMERICAN INTERNATIONAL GROUP, INC		
Do	FEDERAL HOME LOAN MORTGAGE CORP		
Do	GENERAL PUBLIC UTILITIES, INC	10,000.00	3,488.16
Do	SAVINGS BANK OF PUGET SOUND		
Do	WITKOWSKI, WEINER, MCCAFFREY & BRODSKY, P.C	15,050.00	
JOSEPH ASHOOH, 1957 E ST., NW WASHINGTON DC 20006	ASSOCIATED GENERAL CONTRACTORS OF AMERICA		
ASIAN PACIFIC ECONOMIC EDUCATIONAL CULTURAL ORGANIZATION, 2302 JACKSON PARKWAY VIENNA VA 22180			
ASPHALT ROOFING MANUFACTURERS ASSOCIATION, 1800 MASSACHUSETTS AVE., NW WASHINGTON, DC 20036			
ASSOCIATED BUILDERS & CONTRACTORS, INC, 729 15TH ST., NW WASHINGTON DC 20005		12,500.00	
ASSOCIATED CREDIT BUREAUS, INC, P.O. BOX 218300 16211 PARK 10 PLACE HOUSTON TX 77218			
ASSOCIATED EMPLOYERS, INC, 6009 RITTIMAN PLAZA SAN ANTONIO TX 78218			
ASSOCIATED GENERAL CONTRACTORS OF AMERICA, 1957 E ST., NW WASHINGTON DC 20006			
ASSOCIATION FOR BIOMEDICAL RESEARCH, 400-2 TOTTEN POND ROAD SUITE 200 WALTHAM MA 02154		47,375.00	9,103.59
ASSOCIATION FOR THE IMPROVEMENT OF THE MISSISSIPPI RIVER, 10 BROADWAY ST.LOUIS MO 63102			1,058.00
ASSOCIATION OF AMERICAN FOREIGN SERVICE WOMEN, P.O. BOX 8068 WASHINGTON DC 20024		1,274.00	
ASSOCIATION OF AMERICAN LAW SCHOOLS, ONE DUPONT CIRCLE, NW, #370 WASHINGTON DC 20036			
ASSOCIATION OF AMERICAN PUBLISHERS, 2005 MASSACHUSETTS AVE., NW WASHINGTON DC 20036		8,806.17	8,806.17
ASSOCIATION OF AMERICAN RAILROADS, AMERICAN RAILROADS BLDG., SUITE 720 1920 L ST., NW WASHINGTON DC 20036		33,454.74	33,454.74
ASSOCIATION OF AMERICAN VETERINARY MEDICAL COLLEGES, SUITE 828 1522 K ST., NW WASHINGTON DC 20005			325.25
ASSOCIATION OF DATA PROCESSING SERVICE ORGANIZATIONS, 1300 NORTH 17TH ST. SUITE 300 ARLINGTON VA 22209			
ASSOCIATION OF GOVERNMENT ACCOUNTANTS, SUITE 100 727 SOUTH 23RD ST. ARLINGTON VA 22202			
ASSOCIATION OF TRIAL LAWYERS OF AMERICA, 1050 31ST ST., NW WASHINGTON DC 20007		16,890.00	16,890.00
JOHN MCELROY ATKISSON, 1156 15TH STREET, NW, #302 WASHINGTON DC 20005	WESTINGHOUSE	7,938.78	
ATLANTIC RICHFIELD CO, 515 SOUTH FLOWER STREET LOS ANGELES CA 90071			1,979.27
LLOYD G. ATOR JR., 1120 CONNECTICUT AVE., NW WASHINGTON, DC 20036	AMERICAN BANKERS ASSN	1,500.00	1,551.79

Organization or Individual Filing	Employer/Client	Receipts	Expenditures
FRITZ E. ATTAWAY, 1600 EYE ST., NW WASHINGTON DC 20005	MOTION PICTURE ASSN OF AMER, INC.		
AUDIO RECORDING RIGHTS COALITION, 2001 EYE STREET, NW WASHINGTON DC 20006		31,450.00	12,813.22
AUTOMOTIVE PARTS REBUILDERS ASSN, 6849 OLD DOMINION DRIVE MCLEAN VA 22101			
JOHN S. AUTRY, SUITE 810 2000 L ST. NW WASHINGTON DC 20036	SPERRY CORPORATION	1,500.00	1,200.00
AVENEL ASSOCIATES, INC. BOX 53131 WASHINGTON DC 20009	BROWARD FEDERAL SAVINGS & LOAN ASSN.		
AVON PRODUCTS, INC, 9 WEST 57TH ST NEW YORK NY 10019			
GEORGE C. AXTELL, 475 L'ENFANT PLAZA, SW, #4400 WASHINGTON DC 20024	AMERICAN LEAGUE FOR EXPORTS & SECURITY ASSISTANCE, INC	6,000.00	42.70
WILLIAM H AXTMAN, RM 160 950 N. GLEBE RD AARLINGTON VA 22203	AMERICAN BOILER MANUFACTURERS	191.91	60.85
WALTER C. AYERS, VIRGINIA PETROLEUM COUNCIL 1809 STAPLES MILL RD. RICHMOND VA 23230	AMERICAN PETROLEUM INST	280.00	165.72
CRAIG H. BAAB, 1800 M ST., NW WASHINGTON DC 20036	AMERICAN BAR ASSN	400.00	50.00
JED L. BABBIN 4910 NORTH 27TH STREET ARLINGTON VA 22207	SHIPBUILDERS COUNCIL OF AMERICA	13,750.00	39.50
PATTI JO BABER, SUITE 400 919 18TH ST. NW WASHINGTON DC 20006	DIAMOND SHAMROCK CORPORATION	1,500.00	
DALE R. BABIONE, 1700 N. MOORE ST. ROSSLYN VA 22209	BOEING COMPANY	676.00	
ROBERT A. BACHA, 1625 MASSACHUSETTS AVE., NW, #505 WASHINGTON DC 20036	THE KEEFE CO. (FOR: WESTINGHOUSE ELECTRIC CORP)	2,500.00	756.41
Do	KEEFE COMPANY (FOR: YOUNGS DRUG PRODUCTS CORP.)	1,500.00	
BAENEN, TIMME, DE REITZES & MIDDLETON, 1049 30TH STREET, NW WASHINGTON DC 20007	CONFEDERATED SALISH & KOOTENAI TRIBES OF THE FLATHEAD RESER		
Do	NANA REGIONAL CORPORATION, INC.		
Do	SHEE ATIKA, INC.		
BAER MARKS & UPHAM, 299 PARK AVE. NEW YORK NY 10171	COMMODITY EXCHANGE, INC.		
CARL E. BAGGE, COAL BUILDING WASHINGTON DC 20036	NATIONAL COAL ASSN.	2,850.00	32.50
JOAN N. BAGGETT, 815 15TH ST., NW WASHINGTON DC 20005	INTERNATIONAL UNION OF BRICKLAYERS AND ALLIED CRAFTSMEN	5,000.00	146.91
BEVERLY J. BAILEY, 1101 17TH STREET, NW, #1002 WASHINGTON DC 20036	AMERICAN DENTAL ASSN.	1,000.00	
GEORGE F. BAILEY JR., P.O. BOX 21 MONTGOMERY AL 36101	ALABAMA RAILROAD ASSN		
PAUL C. BAILEY JR., 1545 18TH STREET, NW WASHINGTON DC 20036	SOUTHERN COMPANY SERVICES, INC	360.00	668.24
WILLIAM W. BAILEY, 1050 17TH ST., NW SUITE 650 WASHINGTON DC 20036	MERCK & CO., INC.	1,000.00	309.00
JUDITH L. BAIRD, 1333 NEW HAMPSHIRE AVE., NW WASHINGTON DC 20036	ATLANTIC RICHFIELD CO.	25.00	
JOHN BAIZE, CAPITOL GALLERY BLDG., #510 600 MARYLAND AVENUE, SW WASHINGTON DC 20024	AMERICAN SOYBEAN ASSOCIATION		
EDWARD R. BAJER, 1015 15TH ST., NW, #802 WASHINGTON DC 20005	AMERICAN CONSULTING ENGINEERS COUNCIL	450.00	
BAKER & BOTTS, 1701 PENNSYLVANIA AVE., NW WASHINGTON DC 20006	HOUSTON LIGHTING & POWER COMPANY		
Do	PENNZOIL CO.	3,178.50	
Do	ROTAN MOSLE, INC.		
Do	TEXAS INTERNATIONAL AIRLINES, INC.		
BAKER & DANIELS, SUITE 600 1920 N ST. NW WASHINGTON DC 20036	ROCK ISLAND REFINING CORP.		
BAKER & HOSTETLER, 818 CONNECTICUT AVE., NW WASHINGTON DC 20006	CLEVELAND INSTITUTE OF ELECTRONICS		
Do	FEDERAL CARTRIDGE CORP.		
Do	TIMKEN FOUNDATION		
EMIL F. BAKER, 1303 NEW HAMPSHIRE AVE., NW WASHINGTON DC 20036	FLEET RESERVE ASSN		
JAMES JAY BAKER, 1600 RHODE ISLAND AVENUE, N.W. WASHINGTON DC 20036	NATIONAL RIFLE ASSN OF AMER.	775.00	100.04
KEITH L. BAKER, 1000 POTOMAC STREET, NW, #302 WASHINGTON DC 20007	FEDERATION EMPLOYMENT & GUIDANCE SERVICE		
WALDON L. BAKER, SUITE 802 1015 15TH STREET, NW WASHINGTON DC 20005	AMERICAN CONSULTING ENGINEERS COUNCIL	100.00	
ALBERT L. BALDOCK, 1050 17TH ST., NW WASHINGTON DC 20036	RICHARDSON-VICKS INC.	140,000.00	
H.R. BALIKOV THORNALL STREET EDISON NJ 08818	J. M. HUBER CORP.		
JACQUELINE BALK-TUSA, 1625 EYE ST., NW, #809 WASHINGTON DC 20006	BOISE CASCADE CORP.	14,375.00	
W. ALLEN BALL, P.O. BOX 12910 CHARLESTON SC 29142	KIAWAH ISLAND COMPANY	120.00	992.95
ROBERT D. BANNISTER, 15TH & M STS., NW WASHINGTON DC 20005	NATIONAL ASSN OF HOME BUILDERS OF THE U.S.	17,272.00	91.55
BARAFF, KOERNER, OLENDER & HOCHBERG, P.C., SUITE 203 2033 M STREET, NW WASHINGTON DC 20036	NATIONAL BASKETBALL ASSN.	480.00	
Do	COLLEGE FOOTBALL ASSOCIATION	800.00	15.00
WILLIAM BARCLIFT, 923 15TH ST., N.W. WASHINGTON DC 20005	TRANSPORTATION INSTITUTE	4,500.00	337.00
JUDY BARDACKE, 11 DUPONT CIRCLE NW WASHINGTON DC 20036	AMERICAN FED OF TEACHERS		
ROBERT O. BARKER 801 NORTHLAND TOWERS WEST SOUTHFIELD MI 48075	NATIONAL ASSN OF MANUFACTURERS	1,500.00	264.66
THOMAS H. BARKSDALE JR., 2101 L ST. NW WASHINGTON DC 20037	AMERICAN PETROLEUM INST	5,500.00	356.17
DONNA R. BARNAKO, SUITE 1100 2600 VIRGINIA AVE. NW WASHINGTON DC 20037	NATIONAL COUNCIL OF HEALTH CENTERS	940.00	200.30
JOHN H. BARNARD JR., 50 BEALE ST. PO BOX 3965 SAN FRANCISCO CA 94119	BECHTEL CORP.		
BARNES RICHARDSON & COLBURN, SUITE 400 1819 H ST., NW WASHINGTON DC 20006	FLORIDA CITRUS MUTUAL		
Do	INDUSTRIAS QUIMICAS Y TARTARICAS, S.A.		
Do	TARTARIC CHEMICALS CORPORATION	2,500.00	
Do	UNIROYAL, INC.		96.55
Do	WORLD CARRIER INC.		
Do	STRATTON HATS, INC.		
Do	U.S. CANTALOUPE GROWERS & IMPORTERS ASSN.	1,502.48	57.96
BARNETT & ALAGIA, 1000 THOMAS JEFFERSON STREET NW #900 WASHINGTON DC 20007	AMERICAN SCHOOL FOOD SERVICE ASSN	36,028.50	1,117.73
Do	CUBAN AMERICAN PUBLIC AFFAIRS COUNCIL		
Do	DADE COUNTY FARM BUREAU		
Do	FLORIDA FRUIT AND VEGETABLE	15,000.00	
Do	FLORIDA TOMATO EXCHANGE	2,500.00	
Do	NATIONAL MILK PRODUCERS FEDERATION		
Do	PUBLICKER INDUSTRIES, INC.		
LARRY P. BARNETT, 1709 NEW YORK AVE., NW WASHINGTON DC 20006	AIR TRANSPORT ASSN OF AMER.	7,000.00	
PAMELA H. BARNETT, 100 MARYLAND AVE., N.E. WASHINGTON DC 20002	RELIGIOUS COALITION FOR ABORTION RIGHTS, INC.	5,500.02	
BARNETT, YINGLING, & SHAY, SUITE 810 1090 VERMONT AVE. NW WASHINGTON DC 20005	CITIBANK N.A.	2,400.00	48.00
Do	CROCKER NATIONAL BANK		
NEIL D. BARON, BOOTH & BARON 122 EAST 42ND ST. NEW YORK NY 10168	STANDARD & POOR'S CORPORATION		
RICHARD L. BARR, P.O. BOX 834 DES MOINES IA 50304	IOWA RAILWAY ASSN		
DAVID M. BARRETT, BARRETT, HANNA, DALY & GASPAR 2555 M STREET, NW, #100 WASHINGTON DC 20037	ENERGY CONSUMERS AND PRODUCERS ASSN	6,000.00	1,089.33
Do	NATIONAL MEDICAL ENTERPRISES, INC.	6,000.00	1,462.50
BARRETT SMITH SCHAPIRO SIMON & ARMSTRONG, 1201 PENNSYLVANIA AVENUE, NW, #821 WASHINGTON DC 20004	COFFEE, SUGAR & COCOA EXCHANGE, INC.	1,380.00	
Do	CSC CLEARING CORP.		
Do	HUGO NEU & SONS, INC.		
Do	IRVING TRUST COMPANY		
Do	METROPOLITAN TRANSPORTATION AUTHORITY		
Do	NEW YORK FUTURES EXCHANGE, INC.		
Do	NEW YORK STATE MORTGAGE LOAN ENFORCEMENT & ADMIN. CORP.		
Do	NEW YORK STATE URBAN DEVELOPMENT CORP.		
ROBERT W. BARRIE, 777 14TH ST., NW WASHINGTON DC 20005	GENERAL ELECTRIC CO.	2,000.00	
HARVEY BARRISON, 291 BROADWAY NEW YORK NY 10007	C. A. SHEA & COMPANY, INC.		
DAVID S. BARROWS, 1201 S. W. 12TH, #200 PORTLAND OR 97205	ASSOCIATION OF OREGON & CALIFORNIA LAND GRANT COUNTIES	1,200.00	
JOHN BARRY, 715 EIGHTH STREET, NW WASHINGTON DC 20003	NATIONAL VICTIMS OF CRIME		
ROGER V. BARTH, 1120 20TH ST., NW SUITE 300 SOUTH WASHINGTON DC 20036	AMERICAN ASSN FOR CLINICAL CHEMISTRY		
LINDA LEIGH BARTLETT, 1010 WISCONSIN AVE., NW, #800 WASHINGTON DC 20007	GROCERY MANUFACTURERS OF AMERICA, INC.		
RICHARD A. BARTON, 1730 K ST., NW, #905 WASHINGTON DC 20006	DIRECT MARKETING ASSN.	1,400.00	
WELDON V. BARTON, 1625 MASSACHUSETTS AVENUE, N.W. # 202 WASHINGTON DC 20036	INDEPENDENT BANKERS ASSOCIATION OF AMERICA	10,000.00	515.74
JAMES P. BASS, 1101 17TH ST., NW WASHINGTON DC 20036	AMERICAN AIRLINES, INC.		
ROBERT E. BATES JR., 1100 CONNECTICUT AVE, NW WASHINGTON DC 20036	MOBIL OIL CORP.	1,125.00	
ROSE F. BATES, 1050 THOMAS JEFFERSON ST., NW WASHINGTON DC 20007	AMERICAN SAMOA		
Do	OASIS PETROLEUM CO.		
Do	ST. JOE MINERALS CORP.		
Do	WESTWOOD ENERGY, INC.		
DAVIS M. BATSON, 1155 15TH ST., NW SUITE 611 WASHINGTON DC 20005	ETHYL CORPORATION	1,400.00	
LAURIE C. BATTLE, 1709 NEW YORK AVE., NW, #801 WASHINGTON DC 20006	U.S. LEAGUE OF SAVINGS ASSOCIATIONS	3,250.00	
LYNNE D. BATTLE, 1101 CONNECTICUT AVE., NW, #705 WASHINGTON DC 20036	COLLEGE PLACEMENT COUNCIL, INC.		
JOHN F. BATTLES, MASSACHUSETTS PETROLEUM COUNCIL 11 BEACON ST., #515 BOSTON MA 02108	AMERICAN PETROLEUM INST.	1,500.00	750.30
JOHN E. BAUGHMAN, 400 N. THIRD ST. HARRISBURG PA 17101	PENNSYLVANIA STATE EDUCATION ASSN		
BARRY H. BAUMAN, 777 14TH STREET, NW WASHINGTON DC 20005	NATIONAL ASSN OF REALTORS		
JAMES R. BAXTER, 2033 K ST., NW, #200 WASHINGTON DC 20006	NATIONAL CONSTRUCTION EMPLOYERS COUNCIL		
BAYH, TABBERT & CAPEHART, SUITE 1025 1575 I STREET, NW WASHINGTON DC 20005	ALLIED FIDELITY CORP.		
Do	AMERICAN CANCER SOCIETY	14,000.00	800.00
Do	CUMMINS ENGINE CO.	730.00	310.00
Do	GEORGIA-PACIFIC	1,050.00	550.00
Do	MILK INDUSTRY FOUNDATION	2,000.00	155.00
Do	NATIONAL BASKETBALL ASSOCIATION	9,750.00	475.00
Do	NEW ENERGY CORPORATION		
Do	PHARMACEUTICAL MANUFACTURERS ASSN	1,800.00	225.00
Do	SUGAR USERS GROUP	3,000.00	400.00

Organization or Individual Filing	Employer/Client	Receipts	Expenditures
Do	WARNER COMMUNICATIONS, INC		
Do	FRANK W WINNE & SON, INC	2,500.00	275.00
TINA MARTS BEACH, 777 14TH ST., NW WASHINGTON DC 20005	GENERAL ELECTRIC CO	84.00	
BRUCE A BEAM, SUITE 1041 1801 K ST NW WASHINGTON DC 20006	AMERICAN ELECTRIC POWER SERVICE CORP	162.00	130.17
DANIEL P BEARD, BEARD AND ASSOCIATES P.O. BOX 2364 COLUMBIA MD 21045	SENECA AND ASSOCIATES, INC	5,000.00	
THERESA E BEARMAN, 9TH FLOOR 1111 19TH STREET, NW WASHINGTON DC 20036	EDISON ELECTRIC INSTITUTE	900.00	343.72
DONALD S BEATTIE, 400 FIRST ST., NW WASHINGTON DC 20001	RAILWAY LABOR EXECUTIVES' ASSN	2,891.95	
CHRISTINE T BEATTY, 1730 RHODE ISLAND AVE., NW, #612 WASHINGTON DC 20036	ST JOE MINERALS CORP	7,500.00	172.70
HUBERT BEATTY, 1957 E ST., NW WASHINGTON DC 20006	ASSOCIATED GENERAL CONTRACTORS OF AMERICA		
LAURA L BEATY, 806 N JEFFERSON ST ARLINGTON VA 22205	NATIONAL PARKS & CONSERVATION ASSOCIATION	592.20	29.50
JANET F BECHERER, 400 N THIRD STREET BOX 1724 HARRISBURG PA 17101	PA STATE EDUCATION ASSN		
EDWARD A BECK III, 15TH & M STREETS, NW WASHINGTON DC 20005	NATIONAL ASSN OF HOME BUILDERS OF THE U.S.		
ROBERT J BECKER, SUITE 204 3077 W JEFFERSON JOLIET IL 60435	JOINT COUNCIL OF ALLERGY & IMMUNOLOGY		
WILLIAM W BEDDOW, 1101 15TH ST., NW WASHINGTON DC 20005	NATIONAL CONSTRUCTORS ASSOCIATION	925.00	
ROBERT M BEERS, 2101 E STREET, NW WASHINGTON DC 20037	AMERICAN FOREIGN SERVICE ASSN	6,977.60	125.00
EDWIN L BEHRENS, 1801 K ST., NW, #230 WASHINGTON DC 20006	PROCTER & GAMBLE MANUFACTURING CO	95.00	
MAX J BEILKE, 5535 HEMPSTEAD WAY P.O. BOX 1406 SPRINGFIELD VA 22151	NATIONAL ASSN FOR UNIFORMED SERVICES	606.62	
ALEXANDER B BELL, 9618 COTTRELL TERRACE SILVER SPRING MD 20903	UNITED ASSN OF JNYMEN & APPREN OF PLMBG & PIPEFTG INDUSTRY	3,750.00	255.84
BELL BOYD & LLOYD, THREE FIRST NATIONAL PLAZA 70 WEST MADISON STREET CHICAGO IL 60602	BOISE CASCADE CORP		
HOWARD H BELL, 1225 CONNECTICUT AVE., NW, #401 WASHINGTON DC 20036	AMERICAN ADVERTISING FEDERATION		
WINSTON EVERETT BELL, P.O. BOX 26543 LAS VEGAS NV 89126			
C THOMAS BENDORF, 3615 OVERCREEK DR COLUMBIA SC 29206	ASSOCIATION OF TRIAL LAWYERS OF AMERICA	5,000.00	950.00
KENNETH U BENJAMIN JR., 1101 VERMONT AVE., NW WASHINGTON DC 20005	AMERICAN MEDICAL ASSN	2,887.00	155.70
W M BENKERT, 1625 K ST., NW, #1000 WASHINGTON DC 20006	AMERICAN INST OF MERCHANT SHIPPING	1,250.00	15.00
BEVERLY L BENNETT, 1850 K STREET, NW WASHINGTON DC 20006	AMERICAN COUNCIL OF LIFE INSURANCE	45.00	
CATHERINE BENNETT, SUITE 730 1700 PENNSYLVANIA AVE., NW WASHINGTON DC 20006	PFIZER, INC	200.00	332.49
MEREDITH BENNETT, 729 15TH STREET, NW WASHINGTON DC 20005	ASSOCIATED BUILDERS & CONTRACTORS, INC	2,500.00	
WILLIAM C BENNETT JR., 1333 NEW HAMPSHIRE AVE., NW WASHINGTON DC 20036	ATLANTIC RICHFIELD CO	350.00	
JOHN C BENNISON, 4400 MACARTHUR BLVD., NW WASHINGTON DC 20007	AMERICAN SOCIETY OF TRAVEL AGENTS	7,000.00	
BENOIT, SMITH & LAUGHLIN, 2001 JEFFERSON DAVIS HIGHWAY SUITE 501 ARLINGTON VA 22202	ECONOPURE		
Do	HUGHES AIRCRAFT COMPANY		
FREDERICK S BENSON III, 1619 MASSACHUSETTS AVE., NW WASHINGTON DC 20036	AMERICAN PAPER INST, INC		
NANCY C BENSON, 1575 EYE ST., NW, #220 WASHINGTON DC 20005	AMERICAN CYANAMID CO	190.00	55.97
TOM BENSON, SUITE 501 501 UNION STREET NASHVILLE TN 37219	CLASS I RAILROADS		186.50
JAMES E BENTON, N J PETROLEUM COUNCIL 170 W STATE ST TRENTON NJ 08608	AMERICAN PETROLEUM INST	325.00	678.86
GEORGE L BERG JR., 600 MARYLAND AVENUE, SW WASHINGTON DC 20024	AMERICAN FARM BUREAU FEDERATION	5,400.00	
REBECCA J BERG, 2550 M ST., NW SUITE 770 WASHINGTON DC 20037	RJR INDUSTRIES, INC	400.00	217.60
O M BERGE, 12050 WOODWARD AVE, DETROIT MI 48203	BROTHERHOOD OF MAINTENANCE OF WAY EMPLOYES		
EDWIN M BERGSMARK, THREE SEAGATE TOLEDO OH 43603	TOLEDO TRUST COMPANY		
PAUL C BERGSON, 2550 M ST., NW WASHINGTON DC 20037	RJR INDUSTRIES, INC	2,780.00	60.00
DAVID BERICK, 317 PENNSYLVANIA AVE., SE WASHINGTON DC 20003	ENVIRONMENTAL POLICY INSTITUTE	419.45	
FRANK BRETT BERLIN, SUITE 1100 1612 K ST., NW WASHINGTON DC 20006	CRAY RESEARCH, INC		
ELLEN BERMAN, SUITE 320 2000 L ST., NW WASHINGTON DC 20036	CONSUMER ENERGY COUNCIL OF AMERICA	2,939.04	
JASON S BERMAN, SUITE 250 2020 K ST., NW WASHINGTON DC 20006	WARNER COMMUNICATIONS INC	15,000.00	11,104.32
RICHARD B BERMAN, 6606 LBJ FREEWAY DALLAS TX 75240	STEAK & ALE RESTAURANTS OF AMERICA, INC		
WILLIAM R BERMAN, 8111 GATEHOUSE RD FALLS CHURCH VA 22047	AMERICAN AUTOMOBILE ASSN		
MARY E BERNHARD, 1090 VERMONT AVENUE, N.W. SUITE 500 WASHINGTON DC 20005	FLEXIBLE PACKAGING ASSOCIATION		
CHARLES BERNHARDT, 1016 16TH ST., NW WASHINGTON DC 20036	NATIONAL FEDERATION OF FEDERAL EMPLOYEES	41.42	
RACHELLE B BERNSTEIN, 1615 H STREET, NW WASHINGTON DC 20062	CHAMBER OF COMMERCE OF THE U.S.	260.00	32.72
MAX N BERRY, 3213 O ST., NW WASHINGTON DC 20007	CENTRE NATIONAL INTERPROFESSIONNEL DE L'ECONOMIC LAITIERE		
Do	COMMITTEE TO ASSURE THE AVAILABILITY OF CASEIN		
Do	MEAT PRODUCTS GROUP, AMERICAN ASSN OF IMPORTERS & EXPORTERS		
FRANK S BESSON III, 1129 20TH STREET, NW WASHINGTON DC 20036	AM GENERAL CORPORATION	1,450.00	
ROBERT BETZ, 1101 14TH STREET NW, #1100 WASHINGTON DC 20005	ROBERT BETZ ASSOCIATES, INC. (FOR ALABAMA HOSPITAL ASSOCIATION)	3,000.00	136.67
ROBERT L BEVAN, 1120 CONNECTICUT AVE., NW WASHINGTON DC 20036	AMERICAN BANKERS ASSN	1,050.00	119.87
BEVERIDGE & DIAMOND, P.C., 1333 NEW HAMPSHIRE AVE, NW WASHINGTON DC 20036	DOW CHEMICAL COMPANY		
Do	EDISON ELECTRIC INSTITUTE		
Do	NEW ENGLAND ELECTRIC SYSTEM		
Do	UNION CAMP CORPORATION		
Do	UNION MINES		
Do	UNITED CHURCH OF CHRIST		
JAMES N BIERMAN, 1775 PENNSYLVANIA AVE, NW WASHINGTON DC 20006	FOLEY, LARDNER HOLLABAUGH & JACOBS (FOR INDEPENDENT REFINERS ASSOCIATION OF AMERICA)		
MOE BILLER, 817 14TH ST, NW WASHINGTON DC 20005	AMERICAN POSTAL WORKERS UNION, AFL-CIO	10,765.17	
BILLIG, SHER & JONES, 2033 K ST, NW WASHINGTON DC 20006	ADHERENCE GROUP, INC	5,833.33	52.00
Do	PRIVATE TRUCK COUNCIL OF AMERICA, INC		
Do	SOUTH DAKOTA DEPT OF TRANSPORTATION, DIV OF RAILROADS		
Do	STEAMSHIP CONFERENCES	5,280.00	1,323.06
LEON G BILLINGS, INC., SUITE 713 1660 L STREET, NW WASHINGTON DC 20036	STATE OF MONTANA	5,500.00	
BINGHAM DANA & GOULD, 1724 MASSACHUSETTS AVENUE, NW WASHINGTON DC 20036	CONSUMER BANKERS ASSOCIATION		33.60
P RICHARD BIONDI, 3 WEST 57TH STREET NEW YORK NY 10019	AVON PRODUCTS, INC		
BIPARTISAN BUDGET APPEAL, P.O. BOX 9 BOWLING GREEN STATION NEW YORK NY 10004		538,665.00	93,992.00
BIRCH, HORTON, BITTNER, PESTINGER & ANDERSON, SUITE 1100 1140 CONNECTICUT AVE., NW WASHINGTON DC 20036	ALASCOM, INC		
Do	ALASKA PACIFIC BANCORPORATION		
Do	ALASKA POWER AUTHORITY		
Do	AMERICAN BUS ASSN		
Do	CALISTA CORP		
Do	COOK INLET REGION, INC		
Do	FIRST FEDERAL SAVINGS & LOAN ASSN OF ALASKA		
Do	HARZA ENGINEERS		
Do	SEALASKA CORP		
Do	ST. GEORGE TANAQ CORP		
Do	TEAMSTERS LOCAL 959		
Do	WESTINGHOUSE ELECTRIC CORP		
Do	WIEN AIR ALASKA		
BONNIE G. BIRD, 1776 F STREET, NW WASHINGTON DC 20006	NATIONAL ASSN OF MANUFACTURERS		200.00
WILLIAM J. BIRKHOFER, 1015 - 15TH STREET, N.W. # 802 WASHINGTON DC 20005	AMERICAN CONSULTING ENGINEERS COUNCIL	875.00	
WILLIAM H. BIRTCIL JR., SUITE 2700 1000 WILSON BOULEVARD ARLINGTON VA 22209	TRW, INC	1,000.00	
H. RADFORD BISHOP, P.O. BOX 52163 THE EXCHANGE ATLANTA GA 30355	NATIONAL HEALTH CARE FINANCING ASSN		
RICHARD A. BISHOP, 1615 H STREET, NW, #813 WASHINGTON DC 20006	INTERNATIONAL TELEPHONE & TELEGRPAH CORP		
PHIL M. BITTER, 1700 K STREET N.W. SUITE 1204 WASHINGTON DC 20006	CHEVRON USA, INC	445.00	
NEAL R. BJORNSON, 1840 WILSON BLVD. ARLINGTON VA 22201	NATIONAL MILK PRODUCERS FED	2,950.00	105.75
TOM G. BLACK, 1016 16TH ST., NW WASHINGTON DC 20036	NATIONAL FEDERATION OF FEDERAL EMPLOYEES		
BRENT BLACKWELDER, 317 PENNSYLVANIA AVE., SE WASHINGTON DC 20003	ENVIRONMENTAL POLICY INSTITUTE	1,051.90	
BEV D. BLACKWOOD, 1899 L STREET, N.W. STE. 1100 WASHINGTON DC 20036	EXXON CORPORATION		
BARBARA S. BLAINE, P.C., 910 16TH STREET, NW WASHINGTON DC 20006	PHARMACEUTICAL MANUFACTURERS ASSN	3,125.00	
BOWEN BLAIR JR., 1306 MAIN STREET VANCOUVER WA 98660	FRIENDS OF THE COLUMBIA GORGE	450.00	16.20
DAVID A. BLAIR, 1000 16TH STREET, NW, #800 WASHINGTON DC 20036	BETHLEHEM STEEL CORPORTAION	116.00	
GERRY BLANCHARD, GNAU, CARTER, JACOBSEN & ASSOC., INC. 1777 F STREET, NW WASHINGTON DC 20006	AMURCON CORPORATION		
Do	BEZTAK COMPANY		
Do	CAC ASSOCIATES		
Do	GRAND TRAVERSE DEVELOPMENT, INC		
Do	POTTER INSTRUMENT CO., INC		
Do	RJK CONSTRUCTION COMPANY		
Do	SANDERS CORPORATION		
Do	URBAN REVITALIZATION, INC		
HELEN BLANK, 122 C STREET, NW WASHINGTON DC 20001	CHILDREN'S DEFENSE FUND	2,139.10	186.46
BLATCHFORD, EPSTEIN & BRADY, 1000 POTOMAC ST., NW WASHINGTON DC 20007	ARMOUR HANDCRAFTS, INC	20,500.00	
Do	CARON INTERNATIONAL/COLUMBIA MINERVA		
Do	DIMENSIONS, INC	20,500.00	
Do	NATIONAL ASSN OF PRIVATE ENTERPRISE		
Do	SUNSET DESIGNS	20,500.00	
VIRGINIA B. BLISS, 1725 K STREET, NW WASHINGTON DC 20006	COURTNEY, MCCAMANT & TURNEY	300.00	

Organization or Individual Filing	Employer/Client	Receipts	Expenditures
GERALD BLIZIN, 1201 PENNSYLVANIA AVENUE, NW, #700 WASHINGTON DC 20004	HILL & KNOWLTON, INC		
ELLEN BLOCK, 3RD FLOOR 2030 M STREET, NW WASHINGTON DC 20036	COMMON CAUSE	882.75	
L. THOMAS BLOCK, ONE WALL STREET NEW YORK NY 10015	IRVING TRUST CO	1,000.00	890.00
PETER L. BLOCKLIN, 1120 CONNECTICUT AVE., NW WASHINGTON DC 20036	AMERICAN BANKERS ASSN	800.00	
HOLTON E. BLOMGREN, SUITE 511 1745 JEFFERSON DAVIS HWY, ARLINGTON VA 22202	NATIONAL MANUFACTURED HOUSING FEDERATION	18,750.00	
DOUGLAS M. BLOOMFIELD, 444 NORTH CAPITOL ST, NW #412 WASHINGTON DC 20001	AMERICAN ISRAEL PUBLIC AFFAIRS COMM	14,803.30	
MARK BLOOMFIELD, SUITE 520 1850 K ST., NW WASHINGTON DC 20006	AMERICAN COUNCIL FOR CAPITAL FORMATION	600.00	
JOHN B. BLOUNT JR., 777 14TH STREET, NW WASHINGTON DC 20005	NATIONAL ASSN OF REALTORS	1,250.00	
BLUM & NASH, SUITE 408 1015 18TH ST., NW WASHINGTON DC 20036	GENERAL ELECTRIC CO		
Do	MERCK & CO., INC		
Do	TIME, INC		
Do	TWIN COAST NEWSPAPERS, INC	125.00	4.00
JACK A. BLUM, 1015 18TH ST., NW WASHINGTON DC 20036	INDEPENDENT GASOLINE MARKETERS COUNCIL	25,000.00	643.00
JARED O. BLUM, 1730 M ST., NW, #610 WASHINGTON DC 20036	DIRECT SELLING ASSOCIATION	300.00	216.80
CHARLES R. BLUMENFELD, BOGLE & GATES THE BANK OF CALIFORNIA CENTER SEATTLE WA 98164	PACIFIC SEAFOOD PROCESSORS ASSN		
WAYNE F. BOAN, 1776 F ST., NW WASHINGTON DC 20006	NATIONAL ASSN OF MANUFACTURERS	1,300.00	
BOAT OWNERS ASSOCIATION OF THE U.S., 880 S. PICKETT ST. ALEXANDRIA VA 22304		27,500.00	19,556.28
DAVID A. BOCKORNY, 777 14TH ST., NW WASHINGTON DC 20005	NATIONAL ASSN OF REALTORS	2,500.00	315.33
ROBERT SPURRIER BOEGE, 1575 EYE STREET, NW WASHINGTON DC 20005	AMERICAN SOCIETY OF ASSN EXECUTIVES		
DONALD P. BOGARD, 733 15TH STREET, NW WASHINGTON DC 20005	LEGAL SERVICES CORPORATION		
TIMOTHY A. BOGGS, 2020 K STREET, NW, #250 WASHINGTON DC 20006	WARNER COMMUNICATIONS, INC	11,250.00	8,285.95
ROBERT Z. BOHAN, 1101 16TH ST., NW WASHINGTON DC 20036	NATIONAL SOFT DRINK ASSN		401.69
PATRICIA BOINSKI, 1333 NEW HAMPSHIRE AVE., NW WASHINGTON DC 20036	ATLANTIC RICHFIELD CO	50.00	
BERNADETTE BOLTON, 400 FIRST ST., NW SUITE 800 WASHINGTON DC 20001	BROTHERHOOD OF RAILROAD SIGNALMEN	300.00	
A. DEWEY BOND, P.O. BOX 3556 WASHINGTON DC 20007	AMERICAN MEAT INSTITUTE	500.00	
EDWARD N. BOND, 1700 NORTH MOORE ST ROSSLYN VA 22209	BOEING COMPANY		
JAY BONITT, 300 MARYLAND AVE., NE WASHINGTON DC 20002	BENDIX CORP	2,000.00	80.00
SHARON LEE BONITT, 1025 CONNECTICUT AVE., NW, #200 WASHINGTON DC 20036	SHELL OIL CO	500.00	
KATHLEEN BONNER, 600 WATER STREET, SW, #207 WASHINGTON DC 20024	AMERICAN SCIENCE AND TECHNOLOGY CORP		
BONSIB, INC. P.O. BOX 1807 WASHINGTON DC 20013			
GAYLON B. BOOKER, 1918 N. PARKWAY MEMPHIS TN 38112	NATIONAL COTTON COUNCIL OF AMERICA		
EDWARD T. BORDA, 1625 EYE ST., NW, #1023 WASHINGTON DC 20006	ASSOCIATION OF GENERAL MERCHANDISE CHAINS	4,000.00	
CONNIE BORKEN-HAGEN, 75 BROOK ST. LONDON, W1Y2EB,ENGLAND	AMERICAN CHAMBER OF COMMERCE (UNITED KINGDOM)		
LAURENCE D. BORY, SUITE 802 1015 15TH ST., NW WASHINGTON DC 20005	AMERICAN CONSULTING ENGINEERS COUNCIL	750.00	
CHARLES E. BOSWELL, 100 INDIANA AVE., NW, #403 WASHINGTON DC 20001	AMALGAMATED TRANSIT UNION, NATL CAP DIV. 689		
G. STEWART BOSWELL, 1611 NORTH KENT ST., #800 ARLINGTON VA 22209	AMERICAN APPAREL MANUFACTURERS ASSN, INC	3,750.00	204.75
MARION L. BOSWELL, 1235 JEFFERSON DAVIS HIGHWAY, #500 ARLINGTON VA 22202	ITALIAN AEROSPACE INDUSTRIES (U.S.A.), INC		
CHARLES G. BOTSFORD, SUITE 515 1730 M ST., NW WASHINGTON DC 20036		1,200.00	146.00
JOHN E. BOUCHARD, 1000 16TH STREET, NW, #800 WASHINGTON DC 20036	BETHLEHEM STEEL CORPORATION	165.00	12.00
MARY M. BOURDETTE, 4TH FLOOR 122 C STREET, NW WASHINGTON DC 20001	CHILDREN'S DEFENSE FUND OF THE WASHINGTON RESEARCH PROJECT	1,539.20	4.40
ALBERT D. BOURLAND, 1660 L ST., NW, #800 WASHINGTON DC 20036	GENERAL MOTORS CORP	2,000.00	1,191.39
FRANK J. BOWDEN JR., ASSOCIATED PETROLEUM INDUSTRIES OF PA P.O. BOX 925 HARRISBURG PA 17108	AMERICAN PETROLEUM INST		
M. STEPHANIE BOWER, 102 LYNNMOOR DRIVE SILVER SPRING MD 20901	UNITED FARM WORKERS OF AMERICA, AFL-CIO	2,250.00	1,205.27
RODNEY A. BOWER, SUITE 702 818 ROEDER RD. SILVER SPRING MD 20910	INTERNATIONAL FED OF PROFESSIONAL & TECHNICAL ENGINEERS	750.00	231.25
DAVID W. BOWERS, 1801 K ST., NW, #1201 WASHINGTON DC 20006	U.S. INDEPENDENT TELEPHONE ASSN	1,000.00	
ROBERT R. BOWERS, WEST VIRGINIA PETROLEUM COUNCIL SUITE 714 ATLAS BLDG. CHARLESTON WV 25301	AMERICAN PETROLEUM INST	1,090.00	853.95
BOWERY SAVINGS BANK, 110 EAST 42ND STREET NEW YORK NY 10017			824.30
BOWMAN, CONNER, TOUHEY & THORNTON, 2828 PENNSYLVANIA AVENUE, NW, #203 WASHINGTON DC 20007	NATIONAL ASSN OF ARCRAFT & COMMUNICATIONS SUPPLIERS, INC	1,845.00	301.75
BOWMER COURTNEY BURLESON & PEMBERTON, P.O. BOX 844 TEMPLE TX 76503	TRIBAL COUNCIL AND COUSHATTA TRIBE		41.20
JIM D. BOWMER, P.O. BOX 844 TEMPLE TX 76503	TRIBAL COUNCIL OF THE COUSHATTA TRIBE OF LOUISIANA		
JOAN COSTAIN BOWYER, 1015 15TH ST., NW WASHINGTON DC 20005	PHELPS DODGE CORP	150.00	
JOHN G. BOYD, 1801 K ST., NW WASHINGTON DC 20006	INTERNATIONAL BUSINESS MACHINES CORP	150.00	47.96
ROBERT K. BOYD, 1515 WILSON BLVD. ARLINGTON VA 22209	AMERICAN GAS ASSN	3,500.00	307.51
VAN R. BOYETTE, 114 THIRD STREET, SE WASHINGTON DC 20003	AMERICAN PETROLEUM REFINERS ASSOCIATION	75.00	
THURMAN L. BOYKIN, 1800 N. KENT STREET, #901 ARLINGTON VA 22209	AGRISTORE SYSTEMS COMPANY		
Do	ARKANSAS 2000, INC		
J. PATRICK BOYLE, 727 N. WASHINGTON ST. ALEXANDRIA VA 22314	UNITED FRESH FRUIT & VEGETABLE ASSN	1,018.00	53.92
STEPHEN S. BOYNTON, 1015 MOOREFIELD HILL GROVE VIENNA VA 22180	AMERICAN FUR RESOURCES INSTITUTE	500.00	10.00
BRACEWELL & PATTERSON, SUITE 1200 1825 EYE ST., N.W. WASHINGTON DC 20006	CLC OF AMERICA, INC		
Do	COMDISCO, INC		
Do	DRESSER INDUSTRIES		
Do	HOUSTON NATURAL GAS CORP	150.00	59.85
Do	SOUTHDOWN/PELTO OIL COMPANY	675.00	269.32
Do	U.S. TUNA FOUNDATION	637.50	254.36
Do	VALERO ENERGY CORPORATION	725.00	688.27
BRACY WILLIAMS & COMPANY, SUITE 304 1000 CONNECTICUT AVENUE, NW WASHINGTON DC 20036	CALIFORNIA NICKEL CORP	15,000.00	15,017.00
Do	CITY OF TUCSON	7,000.00	5,317.00
Do	ENERGY ABSORPTION SYSTEMS, INC	8,000.00	6,878.00
Do	PRATT & WHITNEY AIRCRAFT GROUP	10,000.00	5,072.00
FRANK W. BRADLEY, 1700 K ST., NW WASHINGTON DC 20006	CHEVRON USA, INC	1,350.00	
WAYNE W. BRADLEY, 1101 VERMONT AVE., NW WASHINGTON DC 20005	AMERICAN MEDICAL ASSN	500.00	
DENNIS M. BRADSHAW, 1957 E ST., NW WASHINGTON DC 20006	ASSOCIATED GENERAL CONTRACTORS OF AMERICA		
CHARLES N. BRADY, 8111 GATEHOUSE RD FALLS CHURCH VA 22047	AMERICAN AUTOMOBILE ASSN		
HUGH S. BRADY, 1776 F STREET, NW WASHINGTON DC 20006	NATIONAL ASSN OF MANUFACTURERS		
CARREN BRAGG, 1901 L STREET, NW, #303 WASHINGTON DC 20036	COLT INDUSTRIES, INC		
CHARLES G. BRAGG, P.O. BOX 12285 MEMPHIS TN 38112	NATIONAL COTTON COUNCIL OF AMER	1,312.50	145.64
RAYMOND F. BRAGG JR., 114 THIRD STREET, SE WASHINGTON DC 20003	AMERICAN PETROLEUM REFINERS ASSOCIATION	100.00	
STUART J. BRAHS, 1850 K ST., NW WASHINGTON DC 20006	AMERICAN COUNCIL OF LIFE INSURANCE, INC	420.53	1,415.63
ROBERT M. BRANDON, 1300 CONNECTICUT AVE., NW, #401 WASHINGTON DC 20036	CITIZEN/LABOR ENERGY COALITION	1,850.00	114.20
RICHARD D. BRANNICK, 2169 WATTS DRIVE RANSOMVILLE NY 14131	NATIONAL BORDER PATROL COUNCIL	1,204.08	4,154.64
GERARD M. BRANNON, 1850 K ST., NW WASHINGTON DC 20006	AMERICAN COUNCIL OF LIFE INSURANCE, INC		
THOMAS EDWARD BRASWELL, CORCORAN, YOUNGMAN & ROWE 888 17TH ST., NW, SUITE 600 WASHINGTON DC 20006	NEWPORT NEWS SHIPBUILDING & DRYDOCK CO	500.00	
ROY BRAUNSTEIN, 817 14TH ST., NW WASHINGTON DC 20005	AMERICAN POSTAL WORKERS UNION, AFL-CIO	12,351.17	1,195.48
NOEL BRAZIL, 600 MARYLAND AVE., SW SUITE 400 WASHINGTON DC 20024	AMERICAN OPTOMETRIC ASSN		
EDWARD T. BREATHITT, 920 15TH ST., NW WASHINGTON DC 20005	NORFOLK SOUTHERN CORPORATION	1,000.00	
JOHN HENRY BREBBIA, ALSTON MILLER & GAINES 1800 M ST., NW, #1000 WASHINGTON DC 20036	BOARD OF TRADE CLEARING CORP		
Do	RCA GLOBAL COMMUNICATIONS, INC		
ROY S. BREDDER, SUITE 1004 1101 17TH ST., NW WASHINGTON DC 20036	AMERICAN DENTAL ASSN	1,000.00	
BREED, ABBOTT & MORGAN, 1875 EYE ST., NW, #1000 WASHINGTON DC 20006	ASSOCIATED HOSPITAL SERVICE OF NEW YORK		
Do	DONALD C. LUBICK (FOR: TALISMAN FUND)	7,512.40	
Do	HANDY AND HARMAN		
Do	PANHANDLE EASTERN PIPE LINE COMPANY	5,827.32	7.50
Do	VELO-BIND, INC	5,772.61	
BRENDA L. BREGMAN, 100 MARYLAND AVENUE , N.E. WASHINGTON DC 20002	RELIGIOUS COALITION FOR ABORTION RIGHTS, INC	3,450.00	
BREGMAN, ABELL & KAY, SUITE 610 1900 L ST., NW WASHINGTON DC 20036	AFL-CIO		
Do	AIR TRANSPORT ASSN OF AMER	800.00	
Do	AMERICAN CAR RENTAL ASSN	1,250.00	
Do	COMMITTEE FOR EFFECTIVE TAX INCENTIVES		
Do	CONSOLIDATED FREIGHTWAY CORP		
Do	HILTON INTERNATIONAL, INC		
Do	NORTON SIMON, INC	5,000.00	
Do	ROADWAY EXPRESS, INC		
Do	RYDER SYSTEMS, INC	2,000.00	
Do	TRANS WORLD AIRLINES, INC	5,000.00	
Do	TRANS WORLD CORPORATION	2,000.00	
Do	TRUCK RENTING & LEASING ASSN	1,250.00	
MICHAEL J. BRENNAN, 1750 NEW YORK AVE., NW WASHINGTON DC 20006	INTERNATIONAL ASSN OF BRIDGE, STRUCT. & ORNAMENTAL IRON WKRS	10,800.00	282.42
MILES H. BRESEE JR., 50 BEALE ST., P.O. BOX 3965 SAN FRANCISCO CA 94119	BECHTEL POWER CORPORATION		
JOHN B. BREWER, P.O. BOX 2303 400 ARMY-NAVY DR. ARLINGTON VA 22202	AMERICAN MOVERS CONFERENCE		
ALAN E. BRIAN, P.O. BOX 130 LEVIS, QUEBEC, CANADA	DAVIE SHIPBUILDING LIMITED		
BELVA B. BRISSETT, 1771 N ST., NW WASHINGTON DC 20036	NATIONAL ASSN OF BROADCASTERS	1,500.00	480.00
ELIZABETH Y. BRITTON, 2550 M STREET , N.W. WASHINGTON DC 20037	RJR INDUSTRIES, INC	249.00	66.48
ELLEN BROADMAN, 1146 19TH STREET, NW WASHINGTON DC 20036	CONSUMERS UNION OF U.S., INC	85.00	8.00

Organization or Individual Filing	Employer/Client	Receipts	Expenditures
DAVID A. BRODY, 1640 RHODE ISLAND AVE., NW WASHINGTON DC 20036	ANTI-DEFAMATION LEAGUE OF B'NAI B'RITH	1,400.00	
PHILLIP J. BROMAN, SUITE 600 919 18TH STREET, NW WASHINGTON DC 20006	TOYOTA MOTOR SALES USA, INC.	160.00	10.00
MICHAEL D. BROMBERG, 1111 19TH ST., NW, #402 WASHINGTON DC 20036	FEDERATION OF AMERICAN HOSPITALS	4,500.00	
MICHAEL R. BROMWICH, 1775 PENNSYLVANIA AVE., NW WASHINGTON DC 20006	FOLEY LARDNER HOLLABAUGH & JACOBS (FOR: INDEPENDENT REFINERS ASSOCIATION OF AMERICA)		
MARY E. BROOKS, 1730 M STREET, NW WASHINGTON DC 20036	LEAGUE OF WOMEN VOTERS OF THE U.S.	3,231.00	75.00
PHILLIP W. BROOKS, VOLUNTEER STATE OIL COMM 18TH FLOOR, THIRD NATL BANK BLDG. NASHVILLE TN 37219	AMERICAN PETROLEUM INST		
DAVID W. BROOME, 1800 M ST., NW, #870-S WASHINGTON DC 20036	BURLINGTON INDUSTRIES, INC.		
DANIEL T. BROSS, 1101 17TH ST., NW SUITE 704 WASHINGTON DC 20036	UNITED GAS PIPE LINE CO.	1,000.00	827.50
MARIO BROSSI, 5713 WILSON LANE BETHESDA MD 20817	DIRECT SELLING ASSN	300.00	51.88
DONALD G. BROTZMAN, 1901 PENNSYLVANIA AVE., NW WASHINGTON DC 20006	RUBBER MFGRS ASSN	10,000.00	
BEN JARRATT BROWN, SUITE 103 1000 POTOMAC STREET, NW WASHINGTON DC 20007	CORPORATION FOR GOVERNMENT ACTION, INC.	1,950.00	
CHARLES T. BROWN, BOX 100 MIAMI AZ 85539	CITIES SERVICE CO		
DAVID S. J. BROWN, 1101 17TH ST., NW, #604 WASHINGTON DC 20036	MONSANTO CO	600.00	398.78
ELLEN B. BROWN, 729 15TH ST., NW WASHINGTON DC 20005	ASSOCIATED BUILDERS & CONTRACTORS		
ELLEN S. BROWN, SUITE 310 1140 CONNECTICUT AVE., NW WASHINGTON DC 20036	COUNCIL OF ENERGY RESOURCE TRIBES		
HOWARD C. BROWN JR., 1919 PENNSYLVANIA AVE., NW, #702 WASHINGTON DC 20006	CENTAR ASSOCIATES		
Do	NATIONAL ASSN OF LIFE SCIENCE INDUSTRIES, INC.		
JAMES F. BROWN, 410 FIRST STREET, SE WASHINGTON DC 20003	AMERICAN NUCLEAR ENERGY COUNCIL	177.50	
JESSE B. BROWN, 1900 PENNSYLVANIA AVE., NW WASHINGTON DC 20068	POTOMAC ELECTRIC POWER CO	34.20	
JESSE P. BROWN JR., 1918 N. PARKWAY MEMPHIS TN 38112	NATIONAL COTTON COUNCIL OF AMERICA		
RALPH BROWN, SUITE 107 701 S. 22ND STREET OMAHA NB 68102	M D A A I C A & SUBS INC	5.00	
BROWN TODD & HEYBURN, 1600 CITIZENS PLAZA LOUISVILLE KY 40202	BROWN & WILLIAMSON TOBACCO CORP	26.20	5.40
VINCENT D. BROWN, NEBRASKA PETROLEUM COUNCIL P.O. BOX 95063 LINCOLN NB 68509	AMERICAN PETROLEUM INST	1,000.00	100.51
WILLIAM E. BROWN, 815 CONNECTICUT AVE., NW WASHINGTON DC 20006	FORD MOTOR CO.	276.62	334.32
WILLIAM R. BROWN, 499 SOUTH CAPITOL STREET, S.W. SUITE 412 WASHINGTON DC 20003	COUNCIL OF STATE CHAMBERS OF COMMERCE	220.00	
BROWN, ROADY, BONVILLIAN & GOLD, 1300 19TH STREET, NW, #300 WASHINGTON DC 20036	CITIZENS FOR GAULEY RIVER		57.52
Do	DISTRICT OF COLUMBIA DEPARTMENT OF TRANSPORTATION	10,200.00	668.09
Do	KANSAS CITY SOUTHERN RAILWAY	4,024.00	500.51
Do	LOUISVILLE & NASHVILLE RAILROAD		
Do	METROPOLITAN TRANSIT AUTHORITY	4,748.75	472.23
Do	NORTHEASTERN INTERNATIONAL AIRWAYS, INC.	1,712.50	83.46
Do	SMITH DAWSON ASSOCS (FOR SAN FRAN PUBLIC UTIL COMMISSION)	449.52	50.48
Do	WESTERN RIVER GUIDES ASSN	700.00	
DONALD T. BROWNE, 205 EAST 42ND STREET NEW YORK NY 10017	RISK & INSURANCE MANAGEMENT SOCIETY, INC.		
STANLEY R. BROWNE, SUITE 1120 1701 PENNSYLVANIA AVE. NW WASHINGTON DC 20006	E I DU PONT DE NEMOURS & CO		
BROWNSTEIN ZEIDMAN & SCHOMER, SUITE 900 1025 CONNECTICUT AVE., NW WASHINGTON DC 20036	CANADIAN FINANCIAL CORPORATION		
Do	INTERNATIONAL FOODSERVICE MANUFACTURERS ASSOCIATION		
Do	INTERNATIONAL FRANCHISE ASSN		
Do	MORTGAGE GUARANTY INSURANCE CORP		
Do	NATIONAL CORPORATION FOR HOUSING PARTNERSHIPS		
Do	NATIONAL HOUSING REHABILITATION ASSOCIATION		
Do	NEW YORK STATE URBAN DEVELOPMENT CORP		
Do	REMCO ENTERPRISES, INC.		
DAVID BRUBAKER, P.O. BOX 329 B-110 EPHRATA PA 17522	PENNAG INDUSTRIES ASSOCIATION		
JOHN R. BRUCH, P.O. BOX 5000 CLEVELAND OH 44101	CLEVELAND ELECTRIC ILLUMINATING CO.		
WALTER W. BRUDNO, 1800 FIRST NATIONAL BANK BLDG. DALLAS TX 75202	DEMINEX U.S. OIL CO.	12,499.98	
Do	TEXASGULF, INC.	12,499.00	
LOUIS J. BRUNE III, 1600 RHODE ISLAND AVENUE, NW WASHINGTON DC 20036	NATIONAL RIFLE ASSN OF AMERICA		
JAMES W. BRUNER JR., 2197 LAKE TAHOE BLVD. P.O. BOX 10110 SOUTH LAKE TAHOE CA 95731	LEAGUE TO SAVE LAKE TAHOE	10,000.00	2,216.94
KATHRYNE M. BRUNER, 2021 K ST., NW, #709 WASHINGTON DC 20006	GENERAL ATOMIC CO.	750.00	132.87
WILLIAM K. BRUNETTE, 1909 K STREET, NW WASHINGTON DC 20049	AMERICAN ASSOCIATION OF RETIRED PERSONS	342.69	302.40
ROBERT O. BRUNNER, 1909 K ST., NW WASHINGTON DC 20049	AMERICAN ASSN. OF RETIRED PERSONS	392.31	
J. CHARLES BRUSE, SUITE 802 1211 CONNECTICUT AVENUE, NW WASHINGTON DC 20036	ALLSTATE INSURANCE GROUP	800.00	218.16
HARVEY F. BRUSH, 50 BEALE ST., PO BOX 3965 SAN FRANCISCO CA 94119	BECHTEL INC.		
MARGARET H. BRYANT, 1899 L ST., NW, #500 WASHINGTON DC 20036	AMERICAN NATURAL RESOURCES CO.	438.00	35.00
SUSAN BUCK, 108 S. AKARD STREET DALLAS TX 75202	U.S. TELEPHONE COMMUNICATIONS, INC.		
JOHN S. BUCKLEY, SUITE 600 1523 L STREET, NW WASHINGTON DC 20005	NATIONAL TAX LIMITATION COMMITTEE	1,000.00	25.00
ROBERT D. BUEHLER, 1800 K ST., NW, #929 WASHINGTON DC 20006	BF GOODRICH CO	400.00	
BUILDING OWNERS & MANAGERS ASSN INTL, 1221 MASSACHUSETTS AVE., N.W. WASHINGTON DC 20005			
DOUGLAS W. BULCAO, 1101 CONNECTICUT AVE., NW, #300 WASHINGTON DC 20036	AMERICAN TEXTILE MFRS INST.	1,500.00	20.25
DARREL D. BUNGE, MINNESOTA PETROLEUM COUNCIL 300 NORTHERN FEDERAL BUILDING ST. PAUL MN 55102	AMERICAN PETROLEUM INSTITUTE	275.00	755.00
DAVID A. BUNN, SUITE 406 1211 CONNECTICUT AVE., NW WASHINGTON DC 20036	HEARST CORPORATION	900.00	
Do	MAGAZINE PUBLISHERS ASSN, INC	4,000.00	
Do	PARCEL SHIPPERS ASSN.	1,000.00	
J. THOMAS BURCH JR., 1320 19TH STREET, NW, #200 WASHINGTON DC 20036	BURCH, WILHELM & MCDONALD, P.C. (FOR: M.A.N. TRUCK & BUS CORP)		
LAWRENCE E. BURCH, 1735 JEFFERSON DAVIS HWY, #903 ARLINGTON VA 22202	POTATO CHIP/SNACK FOOD ASSOCIATION		
NORMAN D. BURCH, SUITE 401 1101 VERMONT AVENUE, NW WASHINGTON DC 20005	COLLEGE OF AMER PATHOLOGISTS	5,220.00	35.10
DAVID G. BURDEN, 200 E. RANDOLPH DR. CHICAGO IL 60601	STANDARD OIL CO.		
PAUL F. BURDETT, 10 EMERSON COURT SEVERNA PARK MD 21146	MERRELL DOW PHARMACEUTICALS INC.		38.00
CLAIR W. BURGENER, 530 BROADWAY, #1018 SAN DIEGO CA 92101	G A TECHNOLOGIES, INC.	5,000.00	2,174.14
WILLIAM J. BURHOP, 1709 NEW YORK AVE., NW WASHINGTON DC 20006	AIR TRANSPORT ASSN OF AMER.	10,000.00	
FRED B. BURKE, 1620 I STREET, NW, #328 WASHINGTON DC 20006	AMERICAN PUBLIC TRANSIT ASSN.	6,249.00	814.65
GERARD P. BURKE, SUITE 400 1707 H STREET, NW WASHINGTON DC 20006	INTERNATIONAL AIR LEASES, INC.		
J.J. BURKE JR., 40 E. BROADWAY BUTTE MT 59701	MONTANA POWER CO.		90.59
FRANCIS X. BURKHARDT, 1750 NEW YORK AVE., NW WASHINGTON DC 20006	INTERNATIONAL BROTHERHOOD OF PAINTERS & ALLIED TRADES		
BURLEY & DARK LEAF TOBACCO EXPORT ASSN, 1100 17TH ST., NW WASHINGTON DC 20036		50,362.28	1,050.50
BILL D. BURLISON, 499 SOUTH CAPITOL STREET, SE, #103 WASHINGTON DC 20003	EMERSON ELECTRIC CO.	3,750.00	509.51
Do	MCDONNELL DOUGLAS CORPORATION	8,750.00	702.01
Do	PLANNING RESEARCH CORPORATION	250.00	58.50
CHARLES S. BURNS, 1015 15TH ST., NW WASHINGTON DC 20005	PHELPS DODGE CORP.	1,200.00	
GERRIE BJORNSON BURNS, 1800 K ST., NW, #929 WASHINGTON DC 20006	B.F. GOODRICH CO.	100.00	
TIMOTHY F. BURNS, 2501 M ST., NW WASHINGTON DC 20037	CHEMICAL MANUFACTURERS ASSOCIATION, INC.	300.00	
B. KENT BURTON, 1616 P ST., NW WASHINGTON DC 20036	AMERICAN TRUCKING ASSNS, INC.	8,000.00	86.25
BUSBY, REHM & LEONARD, 1629 K ST., NW, #1100 WASHINGTON DC 20006	UNIVERSAL LEAF TOBACCO CO., INC.		
Do	AUTOMOBILE IMPORTERS OF AMERICA, INC.	5,735.00	490.00
Do	BACARDI IMPORTS INC.		
BARBARA L. BUSH, 2101 L STREET, NW WASHINGTON DC 20037	AMERICAN PETROLEUM INSTITUTE	200.00	
ROBERT W. BUSHA, 6811 KENILWORTH AVE. P.O. BOX 517 RIVERDALE MD 20737	NATIONAL ASPHALT PAVEMENT ASSN.		
BUSINESS PRODUCTS COUNCIL ASSN., P.O. BOX 53964 FAYETTEVILLE NC 28305			
JAMES J. BUTERA, 1709 NEW YORK AVE., NW SUITE 200 WASHINGTON DC 20006	NATIONAL ASSN OF MUTUAL SAVINGS BANKS	3,937.50	
BUTLER BUNION RICE COOK & KNAPP, 1747 PENNSYLVANIA AVE., NW WASHINGTON DC 20006	ASBESTOS WORKERS' UNION, LOCAL NO. 14	6,991.00	33.50
Do	BROWARD COUNTY, FLORIDA	800.00	84.00
Do	CITY OF HOUSTON/DEPT. OF AVIATION	315.00	
Do	CITY OF PHILADELPHIA		
Do	PENINSULA AIRWAYS, INC.	165.00	4.00
Do	PENNSYLVANIA SHIPBUILDING CO.	5,262.50	248.00
Do	PEOPLE EXPRESS AIRLINES, INC.		
Do	SEATTLE & NORTH COAST RAILROAD CO.	8,625.00	161.00
WILLIAM A. BUTLER, 645 PENNSYLVANIA AVENUE, SE WASHINGTON DC 20003	NATIONAL AUDUBON SOCIETY	5,000.00	150.00
ARNIE BYRD, SUITE 400 2000 P STREET, NW WASHINGTON DC 20036	WOMEN'S LEGAL DEFENSE FUND		
JOHN F. BYSET, 1615 H ST., NW WASHINGTON DC 20062	CHAMBER OF COMMERCE OF THE U.S.		
C & B ASSOCIATES, 1750 NEW YORK AVENUE, NW WASHINGTON DC 20006	CLADOUHOS & BRASHARES (FOR: TOYOTA MOTOR SALES,USA)	500.00	
Do	CLADOUHOS & BRASHARES (FOR SECURITIES GROUP)		
Do	CLADOUHOS & BRASHARES (FOR SMITH, BARNEY, HARRIS & UPHAM CO)		
Do	CARL M. FREEMAN ASSOCIATES, INC.		
Do	HELLER, EHRMAN, WHITE & MCAULIFFE		
Do	LOCKHEED CORPORATION		
Do	MANVILLE CORPORATION	200.00	
Do	WASHINGTON PSYCHIATRIC SOCIETY		
Do	WORLDWIDE INFORMATION RESOURCES (FOR STATE OF MONTANA)		
C.A.R.E., 511 C STREET, NE WASHINGTON DC 20002			
CADWALADER, WICKERSHAM & TAFT, 7TH FLOOR 1333 NEW HAMPSHIRE AVE., NW WASHINGTON DC 20036	ASPHALT ROOFING MANUFACTURERS ASSOCIATION		

Organization or Individual Filing	Employer/Client	Receipts	Expenditures
Do	KWAJALEIN ATOLL CORP		
Do	MOCATTA METALS CORP		
Do	PHILADELPHIA STOCK EXCHANGE, INC	600.00	172.00
ROY C. CAHOON, 6100 KNOLLWOOD DR. FALLS CHURCH VA 22041	NATIONAL AUTOMATIC MERCHANDISING ASSN		
MORRISON G. CAIN, 1625 I ST., NW, #1023 WASHINGTON DC 20006	ASSOCIATION OF GENERAL MERCHANDISE CHAINS	6,250.00	
ALAN CALDWELL, SUITE 770 2550 M STREET, NW WASHINGTON DC 20037	RJR INDUSTRIES, INC	1,200.00	21.00
FRANK W. CALHOUN, 3400 TEXAS COMMERCE TOWER HOUSTON TX 77002	HOUSTON ENDOWMENT, INC		1,002.55
PETER E. CALLANAN, 1100 CONNECTICUT AVE., NW WASHINGTON DC 20036	HONEYWELL, INC	300.00	605.00
JOHN C. CALLIHAN, 299 PARK AVE., NEW YORK NY 10171	WESTVACO CORP	350.00	198.00
CALORIE CONTROL COUNCIL, #500-D 5775 PEACHTREE-DUNWOODY RD. ATLANTA GA 30342			1,816.00
GORDON L. CALVERT, BOX 34-531 BETHESDA MD 20817	COMMERICIAL LAW LEAGUE OF AMER. COMM COLL AGENCY SECTION		
DONALD L. CALVIN, 11 WALL ST. NEW YORK NY 10005	NEW YORK STOCK EXCHANGE, INC		
ARTHUR E. CAMERON, SUITE 110 499 S. CAPITOL ST., SW WASHINGTON DC 20003	AMERICAN GREYHOUND TRACK OPERATORS ASSN		
Do	REDLAND PRISMO CORP. ETAL	7,014.00	
Do	SAFETRAN SYSTEMS CORPORATION	5,000.00	
Do	SIGNAL COMMUNICATIONS	3,000.00	
CAMP, CARMOUCHE, BARSH, HUNTER, GRAY & HOFFMAN, P.C., 2550 M ST., NW, #275 WASHINGTON DC 20037	JOSEPH CANIZARO		
Do	CHAMPLIN PETROLEUM COMPANY		
Do	CHEMICAL MANUFACTURERS ASSOCIATION INC		
Do	COALITION FOR AN EFFECTIVE ENERGY INVESTMENT TAX CREDIT		
Do	EASTERN CENTRAL MOTOR CARRIERS ASSN		
Do	EGAS SYNFUELS INC		
Do	INTERMEDICS		
Do	MATLACK INC		
Do	MOBIL OIL CORP	262.50	
Do	NATURAL GAS SUPPLY ASSN	1,725.00	
Do	OCCIDENTAL PETROLEUM CORP	375.00	
Do	PENNZOIL CO		
Do	PPG INDUSTRIES INC	75.00	
Do	RJ REYNOLDS TOBACCO COMPANY		
Do	SHELL OIL CO		
Do	TEXACO INC	150.00	
Do	U.S. LEAGUE OF SAVINGS ASSOCIATIONS	37.50	
Do	UNION PACIFIC RAILROAD		
CAMPAIGN FOR COMMUNITY-BASED ECONOMIC DEVELOPMENT, SUITE 901 2025 EYE STREET, NW WASHINGTON DC 20006		2,750.00	2,903.55
ANGELA CAMPBELL, 600 NEW JERSEY AVENUE NW WASHINGTON DC 20001	INSTITUTE FOR PUBLIC REPRESENTATION		
C. R. CAMPBELL JR., SUITE 900 1120 CONNECTICUT AVE. NW WASHINGTON DC 20036	GENERAL TELEPHONE & ELECTRONICS		
CARL C. CAMPBELL, 1030 15TH ST., NW, SUITE 700 WASHINGTON DC 20005	NATIONAL COTTON COUNCIL OF AMER	461.60	
CHARLES ARGYLL CAMPBELL, 1776 F STREET, NW WASHINGTON DC 20006	NATIONAL ASSN OF MANUFACTURERS		7.60
JEANNE CAMPBELL, 1800 MASSACHUSETTS AVENUE, NW #510 WASHINGTON DC 20036	NEW ENGLAND COUNCIL, INC		
JERRY L. CAMPBELL, 831 CHESTNUT ST. CHATTANOOGA TN 30742	TENNESSEE VALLEY PUBLIC POWER ASSN		
KEVIN B. CAMPBELL, 101 CONSTITUTION AVENUE, N.W. WASHINGTON DC 20001	UNITED BROTHERHOOD OF CARPENTERS & JOINERS OF AMERICA	6,825.00	4,508.49
THOMAS D. CAMPBELL, SUITE 500 1000 16TH ST., NW WASHINGTON DC 20036	STANDARD OIL CO (INDIANA)	1,500.00	917.36
ALYCE D. CANADAY, 918 16TH ST., NW WASHINGTON DC 20006	PACIFIC POWER AND LIGHT CO	740.00	856.21
CANADIAN COALITION ON ACID RAIN, 112 ST. CLAIR AVENUE, #504 TORONTO, ONTARIO M4V 2Y3		18,900.00	4,532.36
ROBERT P. CANAVAN, 1201 16TH ST., NW WASHINGTON DC 20036	NATIONAL EDUCATION ASSN	2,123.45	148.40
SHARON M. CANAVAN, 1125 15TH ST., NW WASHINGTON DC 20005	MORTGAGE BANKERS ASSOCIATION OF AMERICA	5,370.00	50.00
CANCER GROUP, 2128 WYOMING AVENUE WASHINGTON DC 20008			250.00
CANDLELIGHTERS, 123 C ST., SE WASHINGTON DC 20003			
PAUL W. CANE, 50 BEALE ST., P.O. BOX 3965 SAN FRANCISCO CA 94119	BECHTEL POWER CORPORATION		
DAVE CANNARD, 113 W. 1ST VANCOUVER WA 98660	FRIENDS OF THE COLUMBIA GORGE		792.34
W. DEAN CANNON JR., 9800 S. SEPULVEDA BLVD. SUITE 500 LOS ANGELES CA 90045	CALIFORNIA SAVINGS & LOAN LEAGUE		
DAVID L. CANTOR, SUITE 1200 1133 15TH STREET, NW WASHINGTON DC 20005	COALITION FOR ENVIRONMENTAL ENERGY BALANCE (CEEB)	272.20	44.80
RICHARD A. CANTOR, P.O. BOX 8293 WASHINGTON DC 20024	OIL INVESTMENT INSTITUTE		
DONALD L. CAPSHAW, 2426 DOGWOOD TRAIL DR. GERMANTOWN TN 38138	AIRLINE PILOTS ASSOC		
ARNOLD P. CAPUTO, 2302 HORSEPEN ROAD HERNDON VA 22070	NATIONAL CONCRETE MASONRY ASSN	80.00	80.15
CONSTANTINE G. CARAS, 2828 PENNSYLVANIA AVENUE, NW, #205 WASHINGTON DC 20007	OGDEN CORPORATION		
NORVAL E. CAREY, 2021 K ST., NW, SUITE 709 WASHINGTON DC 20006	GENERAL ATOMIC CO	4,224.00	148.40
CAROLE R. CARLIN, 15TH & M STREETS, NW WASHINGTON DC 20005	NATIONAL ASSN OF HOME BUILDERS OF THE U.S.		
PETER CARLSON, 317 PENNSYLVANIA AVE., SE WASHINGTON DC 20003	ENVIRONMENTAL POLICY INSTITUTE	477.65	
ROBERT E. CARLSTROM JR., 1730 RHODE ISLAND AVENUE, NW, #612 WASHINGTON DC 20036	ST. JOE MINERALS CORPORATION	6,000.00	
WALTER L. CARMO JR., 400 N. THIRD ST. P.O. BOX 1724 HARRISBURG PA 17105	PENNSYLVANIA STATE EDUCATION ASSN		
CARON INTERNATIONAL/COLUMBIA MINERVA, 230 5TH AVENUE NEW YORK NY 10001			1,033.41
CHAPIN CARPENTER JR., 1211 CONNECTICUT AVENUE, NW, #406 WASHINGTON DC 20036	MAGAZINE PUBLISHERS ASSN, INC	1,500.00	
GEORGE D. CARPENTER, 7162 READING ROAD CINCINNATI OH 45222	PROCTER & GAMBLE COMPANY		
LAWRENCE W. CARROLL, 100 N.E. ADAMS STREET PEORIA IL 61629	CATERPILLAR TRACTOR CO	450.00	594.37
WOODRUFF LEE CARROLL, 918 ONONDAGA SAVINGS BANK BLDG. SYRACUSE NY 13202	DAIRY FARMER DISTRIBUTORS OF AMERICA, INC		
JOHN R. CARSON, 20 CHEVY CHASE CIRCLE WASHINGTON DC 20015	AMERICAN PODIATRY ASSN	16,000.00	
HANS L. CARSTENSEN, 1625 EYE STREET N.W. #902 WASHINGTON DC 20006	WEYERHAEUSER CO	220.50	10.45
DAVID C. CARTER, 1156 15TH ST., NW SUITE 1019 WASHINGTON DC 20005	U.S. BEET SUGAR ASSN		
HARLON B. CARTER, 1600 RHODE ISLAND AVE., NW WASHINGTON DC 20036	NATIONAL RIFLE ASSN OF AMER	2,187.50	
JOSEPH L. CARTER JR., 412 FIRST ST., SE, #200 WASHINGTON DC 20003	ASSOCIATION OF AMERICAN RAILROADS	684.17	443.14
JAMES P. CARTY, 1776 F ST., NW WASHINGTON DC 20006	NATIONAL ASSN OF MANUFACTURERS	500.00	
SUSAN B. CARVER, 1130 17TH STREET, NW WASHINGTON DC 20036	NATIONAL COAL ASSN	475.00	1,366.91
JIM CASEY, 3470 MILDRED DR. FALLS CHURCH VA 22042	BELLE FOURCHE IRRIGATION DISTRICT	2,000.00	172.00
Do	COMMITTEE OF POWER FOR THE SOUTHWEST, INC		
Do	GARRISON DIVERSION CONSERVANCY DISTRICT	1,000.00	86.00
Do	LEAFFER COMPANY, INC	2,000.00	172.00
JAMES B. CASH JR., 1120 CONNECTICUT AVE., NW WASHINGTON DC 20036	AMERICAN BANKERS ASSN	2,000.00	
ALLEN R. CASKIE, 1850 K STREET, NW WASHINGTON DC 20006	AMERICAN COUNCIL OF LIFE INSURANCE, INC	715.00	
EUGENE I. CASRAISS JR., 1757 N ST., NW WASHINGTON DC 20036	UNITED AUTO, AEROSPACE & AGRICULTURAL IMPLEMENT WORKERS	9,894.84	158.43
J. WARREN CASSIDY, 1600 RHODE ISLAND AVENUE, NW WASHINGTON DC 20036	NATIONAL RIFLE ASSN	1,937.50	
JOHN J. CASTELLANI, 27TH FLOOR 1000 WILSON BLVD. ARLINGTON VA 22209	TRW, INC	520.00	
RITA L. CASTLE, 100 NE ADAMS PEORIA IL 61629	CATERPILLAR TRACTOR CO	1,200.00	1,014.00
G. THOMAS CATOR, 1050 17TH STREET, NW WASHINGTON DC 20036	NEECE, CATOR & ASSOCIATES, INC (FOR: ASSOCIATION OF SMALL BUSINESS DEVELOPMENT CENTERS).		
Do	NEECE, CATOR & ASSOCIATES, INC (FOR: NATIONAL ASSN OF BUSINESS DEVELOPMENT CORPS).	200.00	250.00
Do	NATIONAL ASSN OF DEVELOPMENT COMPANIES (NADCO)	250.00	250.00
Do	NEECE, CATOR & ASSOCIATES, INC (FOR: SOUTHEASTERN LUMBER MANUFACTURERS ASSN).	1,800.00	1,800.00
JOSEPH E. CAVANAGH, 1125 15TH ST., NW WASHINGTON DC 20005	INTERNATIONAL BROTHERHOOD OF ELECTRICAL WORKERS, AFL-CIO-CLC	4,600.00	
RED CAVANEY, 1619 MASSACHUSETTS AVENUE, NW WASHINGTON DC 20036	AMERICAN PAPER INSTITUTE, INC	38.00	
DOROTHY D. CECELSKI, 2030 M ST., NW WASHINGTON DC 20036	COMMON CAUSE	4,413.75	
CEDERBERG & ASSOCIATES, 7100 SUSSEX PLACE ALEXANDRIA VA 22307	GRUMMAN CORPORATION	200.00	
Do	MARTIN MARIETTA CORP	200.00	
Do	RCA	200.00	
Do	UNITED TECHNOLOGIES CORPORATION	200.00	
JOHN N. CEVETTE, THE POWER HOUSE 3255 GRACE STREET, NW WASHINGTON DC 20007	GRAY AND COMPANY (FOR: HRH PRINCE TALAL BIN ABDUL AZIZ AL SAUD)		
Do	GRAY AND COMPANY (FOR: UNITED NATIONS CHILDREN'S FUND)		
CHARLES M. CHAFER, 2550 M STREET, NW WASHINGTON DC 20037	SPACE SERVICES INC OF AMERICA		
CHAIN SAW MFGRS ASSN, SUITE 1008 4340 EAST-WEST HIGHWAY BETHESDA MD 20014			
DURWOOD CHALKER, 2700 ONE MAIN PLACE DALLAS TX 75250	CENTRAL AND SOUTH WEST CORP		
WALTON M. CHALMERS II, 6815 GEORGIA STREET CHEVY CHASE MD 20815	CITIZENS FOR A NUCLEAR FREEZE		
CHAMBERS ASSOCIATES, INC, 1411 K STREET, NW, #500 WASHINGTON DC 20005	AMERICAN POSTAL WORKERS UNION	24,955.00	563.35
Do	COMMISSIONED OFFICERS ASSN OF THE PUBLIC HEALTH SERVICE		
Do	FACET, CORP		
ED CHANDLER, 7901 WESTPARK DRIVE MCLEAN VA 22102	NATIONAL MACHINE TOOL BUILDERS' ASSN	8,250.00	500.00
J. W. CHANDLER, 1575 I ST., NW WASHINGTON DC 20005	YORK DIV., BORG-WARNER CORP		14.60
WILLIAM U. CHANDLER, 317 PENNSYLVANIA AVE., SE WASHINGTON DC 20003	ENVIRONMENTAL POLICY INSTITUTE	176.85	
WILLIAM C. CHAPMAN, 1660 L ST., NW WASHINGTON DC 20036	GENERAL MOTORS CORP	3,000.00	5,742.71
RICHARD M. CHARLTON, 229 PENNSYLVANIA AVE., SE WASHINGTON DC 20003	ELECTRONIC DATA SYSTEMS CORPORATION	576.00	389.50
CHARTER BUSINESS SERVICES, INC., 3471 NORTH FEDERAL HIGHWAY, #511 FORT LAUDERDALE FL 33306			

Organization or Individual Filing	Employer/Client	Receipts	Expenditures
LESLIE CHEEK III, 1120 CONNECTICUT AVE., NW, #1142 WASHINGTON DC 20036	CRUM & FOSTER CORP	16,250.00	1,002.45
JANE CHEEVER, 100 FEDERAL ST BOSTON MA 02110	FIRST NATIONAL BANK OF BOSTON		
Do	FIRST NATIONAL BOSTON CORPORATION		
CHEMICAL MANUFACTURERS ASSOCIATION, INC., 2501 M ST NW WASHINGTON DC 20037		5,000.00	3,000.00
CHEMICAL SPECIALTIES MFGRS ASSN, 1001 CONNECTICUT AVENUE, NW WASHINGTON DC 20036			205.80
WILLIAM B. CHERKASKY, SUITE 1005 1025 CONNECTICUT AVENUE, NW WASHINGTON DC 20036	INTERNATIONAL FRANCHISE ASSN		
B. H. CHERRY, 100 INTERPACE PARKWAY PARSIPPANY NJ 07054	GPU SERVICE CORPORATION	410.00	30.00
HOWARD P. CHESTER, SUITE 315 218 N. LEE ST. ALEXANDRIA VA 22314	STONE, GLASS & CLAY COORDINATING COMM		2,608.33
BLAIR G. CHILDS, P.O. BOX 7610, BF STATION WASHINGTON DC 20044	SENIOR EXECUTIVES ASSN	1,050.00	2,300.00
PAUL D. CHING, 1025 CONNECTICUT AVENUE, NW, #200 WASHINGTON DC 20036	SHELL OIL COMPANY	500.00	
BRUCE L. CHRISTENSEN, 955 L'ENFANT PLAZA, SW WASHINGTON DC 20024	NATIONAL ASSN OF PUBLIC TELEVISION STATIONS	600.00	150.00
HAL M. CHRISTENSEN, 1101 17TH ST. NW WASHINGTON DC 20036	AMERICAN DENTAL ASSN	3,000.00	
WILLIAM T. CHRISTIAN, 1333 NEW HAMPSHIRE AVENUE N.W. WASHINGTON, DC 20036	ATLANTIC RICHFIELD CO	250.00	
JACK E. CHRISTY, 1909 K STREET, NW WASHINGTON DC 20049	AMERICAN ASSN OF RETIRED PERSONS	384.23	150.05
CHUGACH ELECTRIC ASSN, INC. PO BOX 3518 ANCHORAGE AK 99501			8,310.25
DONALD T. CHUNN, ROUTE 2, BOX 89 COLUMBIA TN 38401	TITLE ASSOCIATES, INC		
CHWAT/WEIGEND ASSOCIATES, 226 MASSACHUSETTS AVENUE, NE WASHINGTON DC 20002	AMERICAN HOME SEWING ASSN, INC	500.00	500.00
Do	MORSE TYPEWRITER CO., INC	1,500.00	1,500.00
Do	NATIONAL ASSN OF TOBACCO DISTRIBUTORS	3,000.00	3,000.00
CIGAR ASSN OF AMERICA, INC. SUITE 1201 1100 17TH STREET NW WASHINGTON DC 20036			640.00
CITIZEN/LABOR ENERGY COALITION, RM 401 1300 CONNECTICUT AVE NW WASHINGTON DC 20036		7,125.90	7,125.90
CITIZENS COMM FOR THE RIGHT TO KEEP & BEAR ARMS, LIBERTY PARK, 12500 NE TENTH PLACE 1601 114TH SE BELLEVUE WA 98004		504,162.82	179,784.18
CITIZENS FOR GOVERNMENT FAIRNESS, PO BOX 1336 BRAWLEY CA 92227			
CLADOUHOS & BRASHARES, 1750 NEW YORK AVE., NW WASHINGTON DC 20006	SECURITIES GROUP		
Do	SMITH, BARNEY, HARRIS, UPHAM & CO	150.00	
BOB CLARK & ASSOCIATES, SUITE 1908 400 MADISON ST ALEXANDRIA VA 22314	RYDER SYSTEMS, INC		
GILBERT CLARK, SUITE 600 1700 N. 19TH STREET ARLINGTON VA 22209	AMERICAN ASSN OF BLOOD BANKS		
JAMES F. CLARK, ROBERTSON, MONAGLE, EASTAUGH & BRADLEY 200 NATIONAL BANK OF ALASKA BLDG P.O. BOX 1211 JUNEAU AK 99802	ALASKA LUMBER & PULP	2,000.00	
JAMES W. CLARK JR., 600 MARYLAND AVE., SW SUITE 400 WASHINGTON DC 20024	AMERICAN OPTOMETRIC ASSN		
JOSEPH J. F. CLARK, 1750 K ST., NW, #260 WASHINGTON DC 20006	EATON ASSOCIATES, INC		
JULIE CLARK, 1625 K ST. NW EIGHTH FLOOR WASHINGTON DC 20006	NATIONAL LEGAL AID & DEFENDERS ASSN	9,347.00	512.63
KIMBALL CLARK, 412 FIRST ST. SE, #200 WASHINGTON DC 20003	ASSOCIATION OF AMERICAN RAILROADS		
PHILLIP A. CLARK, SUITE 700 1050 17TH STREET NW WASHINGTON DC 20036	NATIONAL OCEAN INDUSTRIES ASSN	3,250.00	
RUDY I. CLARK, 3179 COLCHESTER BROOK LANE FAIRFAX VA 22031	AIR FORCE SERGEANTS ASSN		
VERNON A. CLARK, 1899 L ST., NW, #403 WASHINGTON DC 20036	OUTDOOR ADVERTISING ASSOCIATION OF AMERICA, INC	1,825.00	4,101.00
WADE P. CLARKE JR., JOHN DEERE RD MOLINE IL 61265	DEERE & COMPANY	45.00	
SCOTT CHARLES CLARKSON, SUITE 607 600 MARYLAND AVENUE, SW WASHINGTON DC 20024	WASTE MANAGEMENT, INC		
JOAN CLAYBROOK, SUITE 605 2000 P ST NW WASHINGTON DC 20036	PUBLIC CITIZEN, INC	255.00	
CLEARY, GOTTLIEB, STEEN & HAMILTON, 1752 N STREET, NW WASHINGTON DC 20036	BEAR, STEARNS & CO.; LEHMAN COMMERCIAL PAPER, INC		
Do	NATIONAL SECURITIES CLEARING CORP		
Do	PUBLIC SECURITIES ASSOCIATION	752.00	22.50
Do	SALOMON BROTHERS, INC		
JACQUELINE W. CLEMENTS, SUITE 900 1015 15TH STREET, NW WASHINGTON DC 20005	INTERNORTH	1,500.00	
RONALD D. CLEMENTS, 1111 19TH ST., NW, 9TH FLOOR WASHINGTON DC 20036	EDISON ELECTRIC INSTITUTE	2,200.00	446.97
CLEVELAND ELECTRIC ILLUMINATING CO., 55 PUBLIC SQUARE P.O. BOX 5000 CLEVELAND OH 44113			641.55
CLIFFORD & WARNKE, 815 CONNECTICUT AVE., NW WASHINGTON DC 20006	AUSTRALIAN MEAT & LIVE-STOCK CORP		
Do	GOVERNMENT OF THE FEDERATED STATES OF MICRONESIA	225.00	6.00
Do	INGERSOLL-RAND COMPANY	22,500.00	6,815.08
Do	JOINT CORPORATE COMM ON CUBAN CLAIMS	600.00	180.00
Do	J. C. MAXTONE-MAILER		55.00
Do	NATIONAL TOUR ASSOCIATION, INC	1,255.00	405.50
Do	WARNER-LAMBERT CO		
DEXANNE CLOHAN, 1101 VERMONT AVE., NW WASHINGTON DC 20005	AMERICAN MEDICAL ASSN	3,769.00	
CHRISTOPHER E. CLOUSER, 25TH & MCGEE KANSAS CITY MO 64108	HALLMARK CARDS, INC		
COALITION FOR ENVIRONMENTAL DATA, C/O CHWAT/WEIGEND ASSOCIATES 226 MASSACHUSETTS AVENUE, NE WASHINGTON DC 20002			33.82
COALITION FOR FULL NUCLEAR ACCOUNTABILITY, 317 PENNSYLVANIA AVENUE, SE WASHINGTON DC 20003			
COALITION FOR UNIFORM PRODUCT LIABILITY LAW, SUITE 303 1901 L STREET, NW WASHINGTON DC 20036			
COAN, COUTURE, LYONS & MOORHEAD, SUITE 1015 1625 EYE ST., NW WASHINGTON DC 20006	A - C VALLEY CORPORATION	200.00	
Do	TOSCO		
Do	WESTINGHOUSE ELECTRIC CORPORATION		
THOMAS B. COATES, CONNECTICUT PETROLEUM COUNCIL 410 ASYLUM ST. HARTFORD CT 06103	AMERICAN PETROLEUM INST	600.00	488.10
RICHARD B. COBB, PETROLEUM COUNCIL OF GA 230 PEACHTREE ST., NW, #1500 ATLANTA GA 30303	AMERICAN PETROLEUM INST	750.00	825.33
JOHN J. COFFEY, 1700 K ST., NW WASHINGTON DC 20006	CHEVRON USA, INC	650.00	
DON V. COGMAN, 1100 CONNECTICUT AVE., NW SUITE 820 WASHINGTON DC 20036	MAPCO INC	4,750.00	478.58
COHEN AND URETZ, 4TH FLOOR 1775 K ST., NW WASHINGTON DC 20006	DEVELOPMENT CORPORATION FOR ISRAEL		551.64
Do	ITT CORPORATION	19,848.54	290.96
Do	NORTHWEST ENERGY COMPANY		4.09
Do	STICHTING PHILIPS PENSIOENFONDS A AND B	525.00	
Do	WHEELS, INC		20.00
HERBERT B. COHN, MORGAN, LEWIS, & BOCKIUS 1800 M ST., NW WASHINGTON DC 20036	COMMITTEE FOR CAP FORMATION THROUGH DIVIDEND REINVESTMENT		
COLE & CORETTE, P.C., 1100 VERMONT AVE., NW WASHINGTON DC 20005	AMERICAN EXPRESS CO		
Do	AMERICAN PETROLEUM REFINERS ASSOCIATION		
Do	CHASE MANHATTAN BANK, N.A		
Do	DOW CHEMICAL COMPANY	1,181.75	106.25
Do	GOVERNMENT OF THE NETHERLANDS ANTILLES		
Do	MEDTRONIC, INC		
Do	MILLIPORE CORPORATION		
Do	MINPECO S.A	7,241.05	
Do	MOHAWK DATA SCIENCES CORP		
ANN COLE, 311 FIRST STREET, NW WASHINGTON DC 20001	NATIONAL RESTAURANT ASSOCIATION		
E. WILLIAM COLE, 1050 CONNECTICUT AVENUE, NW, #760 WASHINGTON DC 20036	UNION OIL CO OF CALIFORNIA	700.00	63.50
STACEY W. COLE, NEW HAMPSHIRE PETROLEUM COUNCIL 23 SCHOOL ST. CONCORD NH 03301	AMERICAN PETROLEUM INST		
JOHN M. COLLIER, 4436 PERRIER ST. NEW ORLEANS LA 70115	SOUTHERN FOREST PRODUCTS ASSN	1,074.43	
COLLIER, SHANNON, RILL & SCOTT, SUITE 308 1055 THOMAS JEFFERSON ST., NW WASHINGTON DC 20007	AMERICAN FROZEN FOOD INST		
Do	AMERICAN MEAT INSTITUTE		
Do	AMERICAN TEXTILE MACHINERY ASSN		
Do	CROP INSURANCE RESEARCH BUREAU		
Do	CSX CORPORATION	186.32	
Do	CYLINDERS MANUFACTURERS ASSOCIATION		
Do	FERROS SCRAP CONSUMERS COALITION		
Do	FOOD MARKETING INSTITUTE		
Do	INDEPENDENT LUBRICANT MANUFACTURERS ASSN		
Do	NATIONAL ASSN OF CONVENIENCE STORES		
Do	NATIONAL BROILER COUNCIL		
Do	NATIONAL HAIRDRESSERS & COSMETOLOGISTS ASSN		
Do	NORRIS INDUSTRIES		
Do	OUTDOOR POWER EQUIPMENT INSTITUTE		
Do	SOCIETY OF INDEPENDENT GASOLINE MARKETERS OF AMERICA	2,000.00	
Do	SPECIALTY STEEL INDUSTRY OF THE UNITED STATES		
Do	WEST TEXAS LAND & ROYALTY OWNERS ASSN		
GEORGE COLLINS, 1126 16TH ST., NW WASHINGTON DC 20036	INTERNATIONAL UNION OF ELECTRICAL, RADIO & MACHINE WORKERS	600.00	300.00
MARVIN COLLINS, 1850 K STREET,N.W. WASHINGTON DC 20006	AMERICAN COUNCIL OF LIFE INSURANCE, INC	2,750.00	25.00
STEPHEN J. COLLINS, 1909 K STREET, N.W. SUITE 300 WASHINGTON DC 20006	MOTOR VEHICLE MANUFACTURERS ASSOCIATION OF THE U.S., INC		
WILLIAM P. COLLINS, 15TH & M STREETS, NW WASHINGTON DC 20005	NATIONAL ASSN OF HOME BUILDERS OF THE U.S		
COLORADO RAILROAD ASSN, 420 DENVER CLUB BLDG DENVER CO 80202			
COLORADO SKI COUNTRY USA, INC., SUITE A-201 1410 GRANT STREET DENVER CO 80203			
W. KENT COMBS, 1801 K ST., NW WASHINGTON DC 20006	INTERNATIONAL BUSINESS MACHINES CORP	1,134.00	560.16
COMMERCIAL UNION INSURANCE COMPANIES, ONE BEACON STREET BOSTON MA 02108			
COMMITTEE FOR CAP FORMATION THROUGH DIVIDEND REINVESTMENT, C/O HERBERT COHN 1800 M ST., NW, #800 NORTH WASHINGTON DC 20036			

Organization or Individual Filing	Employer/Client	Receipts	Expenditures
COMMITTEE FOR CONSTITUTIONAL INTEGRITY, 1900 L STREET NW, #610 WASHINGTON DC 20036			
COMMITTEE FOR DO-IT-YOURSELF HOUSEHOLD MOVING, SUITE 1000 1100 17TH ST NW WASHINGTON DC 20036			
COMMITTEE FOR EFFECTIVE CAPITAL RECOVERY, SUITE 303 1901 L ST, NW WASHINGTON DC 20036		300.00	300.00
COMMITTEE FOR EFFECTIVE TAX INCENTIVES, ONE FARRAGUT SQUARE 8TH FLOOR WASHINGTON DC 20006			
COMMITTEE FOR EQUALITY OF CITIZENS BEFORE THE COURTS, 3401 WEST DIVISION ST. CHICAGO IL 60651			
COMMITTEE FOR PROPOSITION THIRTY, P.O. BOX 915 HARTSELLE AL 35640		6.00	381.10
COMMITTEE TO ASSURE THE AVAILABILITY OF CASEIN, 3213 O ST., NW WASHINGTON DC 20007		6,000.00	
COMMITTEE TO STOP ILLEGAL IMMIGRATION, 314 EAST CAPITOL STREET, #204 WASHINGTON DC 20003		3,630.50	19,645.17
COMMON CAUSE, 2030 M ST., NW WASHINGTON DC 20036		2,382,625.00	417,528.59
COMMUNITY NUTRITION INSTITUTE, RM. 300 1146 19TH ST., NW WASHINGTON DC 20036			
LANCE COMPA, 1411 K ST., NW, #410 WASHINGTON DC 20005	UNITED ELECTRICAL, RADIO & MACHINE WORKERS OF AMER	5,738.54	3.90
COMPUTER & COMMUNICATIONS INDUSTRY ASSOCIATION, 1500 WILSON BLVD SUITE 512 ARLINGTON VA 22209			
EDWARD C. CONE P.O. BOX 1788 FOREST PARK GA 30051	SOUTHEASTERN LUMBER MANUFACTURERS ASSN		
CAROLE K. CONES, SUITE 301 1515 N. COURTHOUSE RD. ARLINGTON VA 22201	DOW GROUP (FOR AD HOC COMMITTEE FOR AMERICAN SILVER)	7,125.00	99.98
CONGRESS WATCH, 215 PENNSYLVANIA AVE., SE WASHINGTON DC 20003		64,284.52	64,284.52
CONGRESSIONAL DIST ACTION COMM, DIST 7, C/O JOE TOMAINO 2735 IVY ST TAMPA FL 33607			
RAYMOND F. CONKLING, 1050 17TH ST., NW WASHINGTON DC 20036	TEXACO INC	200.00	13.25
JOHN B. CONNALLY, 1101 CONNECTICUT AVENUE, NW WASHINGTON DC 20036	VINSON & ELKINS (FOR TRAVELERS INSURANCE COMPANY)		
ROBERT J. CONNER JR., 1100 CONNECTICUT AVE., NW WASHINGTON DC 20036	CHRYSLER CORPORATION	500.00	2,314.73
STEPHEN N. CONNER, ROUTE 1, BOX 506 EASTON MD 21601	FOREIGN MINISTRY OF KINGDOM OF SAUDI ARABIA	40,000.00	728.51
JOHN P. CONNOLLY, SUITE 802 2000 L STREET, NW WASHINGTON DC 20036	PORTMAN HAY ET AL. FOR CHICAGO MERCANTILE EXCHANGE		
RICHARD J. CONNOR JR., 425 13TH ST., NW WASHINGTON DC 20004	DISTILLED SPIRITS COUNCIL OF THE U.S., INC.	1,725.00	150.00
JERRY C. CONNORS, SUITE 511 1745 JEFFERSON DAVIS HWY ARLINGTON VA 22202	MANUFACTURED HOUSING INSTITUTE	1,000.00	100.00
CONSERVATIVES AGAINST LIBERAL LEGISLATION, 3124 NORTH 10TH ST #5 ARLINGTON VA 22201			
CONSERVATIVES FOR IMMIGRATION REFORM, INC., P.O. BOX 2607 WASHINGTON DC 20013			
CONSOLIDATED EDISON CO OF NEW YORK, INC., 4 IRVING PLACE NEW YORK NY 10003			512.50
CONSOLIDATED RAIL CORPORATION, PO BOX 23451 WASHINGTON DC 20024			12,569.00
CONSORTIUM OF SOCIAL SCIENCE ASSOCIATIONS, SUITE 300 1755 MASSACHUSETTS AVENUE NW WASHINGTON DC 20036		70,000.00	3,766.28
JAY CONSTANTINE, SUITE 350 1300 N 17TH ST ARLINGTON VA 22209	AMERICAN NURSES ASSOCIATION	6,000.00	250.32
Do	PARENTS AND FRIENDS OF UAG		
CONSUMER ENERGY COUNCIL OF AMERICA, SUITE 320 2000 L ST NW WASHINGTON DC 20036			5,369.34
CONSUMERS UNION OF U.S., INC., 256 WASHINGTON ST MOUNT VERNON NY 10550			10,604.00
CONTACT SYSTEMS CORP, 200 MADISON AVENUE #1207 NEW YORK NY 10016			
JOHN J CONTNEY, 1250 E HOLLANDALE BEACH BLVD HOLLANDALE FL 33	TEXTILE RENTAL SERVICES ASSN OF AMERICA		
CONTRACT CARRIER CONFERENCE, 1730 RHODE ISLAND AVE NW SUITE 801 WASHINGTON DC 20036			
JOHN A. CONWAY, 1201 16TH STREET NW WASHINGTON DC 20036	NATIONAL EDUCATION ASSN		
EMERY S. CONYERS, P.O. BOX 1706 MIDLAND MI 48641	DOW CHEMICAL CO		
ALEXANDRA W. COOK, 229 PENNSYLVANIA AVE. SE WASHINGTON DC 20003	ELECTRONIC DATA SYSTEMS CORPORATION	576.00	614.90
FREDERCK N. COOK, VERMONT PETROLEUM ASSOCIATION P.O. BOX 566 MONTPELIER VT 05602	AMERICAN PETROLEUM INST	900.00	606.46
HARRY N. COOK, 1130 17TH ST., NW WASHINGTON DC 20036	NATIONAL WATERWAYS CONFERENCE, INC		
K. RICHARD COOK, 777 14TH ST., NW, SUITE 700 WASHINGTON DC 20005	GENERAL ELECTRIC CO	375.00	
THOMAS M. COOK, SUITE 1032 425 13TH ST., NW WASHINGTON DC 20004	NATIONAL CATTLEMEN'S ASSN	1,000.00	
COOK, PURCELL, HENDERSON & ZORACK, 11TH FLOOR 1015 18TH ST., NW WASHINGTON DC 20036	AIR FLORIDA, INC	2,100.00	75.21
Do	ALEUT CORPORATION	6,000.00	
Do	AMERICAN MOTORCYCLIST ASSN	568.75	
Do	ASHLAND OIL, INC		
Do	AUDIO RECORDING RIGHTS COALITION	9,020.60	
Do	B.A.T. INDUSTRIES, LTD	23,312.50	35.80
Do	BENENSON CAPITAL COMPANY	1,500.00	
Do	CITIZENS DEPOSIT BANK		
Do	CNA INSURANCE CO OF CHICAGO, ILLINOIS	1,500.00	
Do	COALITION FOR COMPETITION		
Do	CONSOLIDATED NATURAL GAS CO	2,000.00	
Do	EMPLOYEE ORGAN. FED. EMPLOYEES HEALTH BENEFITS PROGRAM ASSN		
Do	FIRST BANK AND TRUST COMPANY	500.00	
Do	GUAM AIRPORT AUTHORITY	7,137.50	
Do	HARLEY-DAVIDSON MOTOR CO., INC	575.90	
Do	HOME RECORDING RIGHTS COALITION	2,616.00	318.86
Do	NATIONAL ASSN OF GOVERNMENT EMPLOYEES		
Do	NORTHERN TIER PIPELINE CO		
Do	OHIO VALLEY IMPROVEMENT ASSN, INC		
Do	ROADWAY EXPRESS, INC	5,000.00	
Do	TANADGUSIX CORPORATION	3,000.00	170.35
Do	TEXACO, INC		
Do	TEXAS GAS TRANSMISSION CORP	4,166.50	50.65
EILEEN D. COOKE, 110 MARYLAND AVE., NE, SUITE 101, BOX 54 WASHINGTON DC 20002	TOBACCO INSTITUTE	11,250.00	460.87
BERNARD J. COONEY, SUITE 900 1730 PENNSYLVANIA AVENUE, NW WASHINGTON DC 20006	AMERICAN LIBRARY ASSN	1,200.00	
BENJAMIN Y. COOPER JR., 1730 NORTH LYNN ST. ARLINGTON VA 22209	CATERPILLAR TRACTOR CO		
JESSE D. COOPER, SUITE 314 1155 15TH ST., NW WASHINGTON DC 20005	PRINTING INDUSTRIES OF AMER, INC	7,500.00	
JOSHUA W. COOPER, 2626 S. LEE STREET ALEXANDRIA VA 22314	ROCKY MOUNTAIN OIL & GAS ASSN	1,600.00	1,252.37
KATHY J. COOPER, SUITE 1204 1700 K STREET, NW WASHINGTON DC 20006	PORTSMOUTH-KITTERY ARMED SERVICES COMM, INC	2,800.00	532.40
MARK N. COOPER, 2000 L STREET, N.W. SUITE 320 WASHINGTON DC 20036	CHEVRON USA, INC	175.00	
MITCHELL J. COOPER, 1001 CONNECTICUT AVE., NW WASHINGTON DC 20036	CONSUMER ENERGY COUNCIL OF AMERICA	2,368.80	100.00
Do	COUNCIL OF FOREST INDUSTRIES	3,000.00	
COOPERATIVE LEAGUE OF THE USA, SUITE 1100 1828 L ST., NW WASHINGTON DC 20036	FOOTWEAR DIV., RUBBER MFGRS ASSN	11,088.00	38.00
DARRELL COOVER, 499 SOUTH CAPITOL ST., SW, #401 WASHINGTON DC 20003		3,028.54	3,788.30
JAMES M. COPELAND, SUITE 801 1101 CONNECTICUT AVENUE, NW WASHINGTON DC 20036	NATIONAL ASSN OF INDEPENDENT INSURERS	2,000.00	320.00
JOHN F. CORCORAN, 920 15TH ST., NW WASHINGTON DC 20005	CHICAGO MERCANTILE EXCHANGE	2,000.00	
PATRICK H. CORCORAN, SUITE 1205 1725 K ST., NW WASHINGTON DC 20006	NORFOLK SOUTHERN CO	1,000.00	
ALFRED C. CORDON, GORDON & JACOBS 2000 L ST., NW, #616 WASHINGTON DC 20036	ASSOCIATION OF OIL PIPE LINES		
CORN REFINERS ASSOCIATION, INC., 1001 CONNECTICUT AVE., NW WASHINGTON DC 20036	BUFFALO BROADCASTING CO., INC		
CORNELL, PELCOVITS & BRENNER ECONOMISTS, INC., SUITE 708 1211 CONNECTICUT AVENUE, NW WASHINGTON DC 20036		1,018.00	2,174.00
Do	AUDIO RECORDING RIGHTS COALITION		2.75
CORPORATION FOR GOVERNMENT ACTION, SUITE 103 1000 POTOMAC STREET, NW WASHINGTON DC 20007	SONY CORP OF AMERICA		
ERNEST J. CORRADO, SUITE 1000 1625 K STREET, NW WASHINGTON DC 20006		4,000.00	8,176.28
MARY MARCOTTE CORRIGAN, 1600 RHODE ISLAND AVE., NW WASHINGTON DC 20036	AMERICAN INSTITUTE OF MERCHANT SHIPPING	180.00	60.00
RICHARD L. CORRIGAN, SUITE 560 1090 VERMONT AVENUE, NW WASHINGTON DC 20005	NATIONAL RIFLE ASSN OF AMER		
MARTY CORRY, 1909 K STREET, NW WASHINGTON DC 20049	CH2M HILL, INC	1,675.00	
ALLAN D. CORS, 1800 K ST., NW, SUITE 1104 WASHINGTON DC 20006	AMERICAN ASSN OF RETIRED PERSONS	599.00	216.68
R. H. CORY, 1510 AMERICAN BANK TOWER AUSTIN TX 78701	CORNING GLASS WORKS	450.00	
COSMETIC, TOILETRY & FRAGRANCE ASSN, INC, SUITE 800 1110 VERMONT AVE., NW WASHINGTON DC 20005	CENTRAL AND SOUTH WEST SERVICES, INC	465.00	8,274.13
JAMES R. COSTELLO JR., 1101 CONNECTICUT AVE., NW, #300 WASHINGTON DC 20036			
MICHAEL E. COSTELLO, SUITE 600 1090 VERMONT AVE., NW WASHINGTON DC 20005	AMERICAN TEXTILE MFRS INST	500.00	43.30
PETER J. COTCH, 1100 CONNECTICUT AVENUE, NW, #540 WASHINGTON DC 20036	TEXAS EASTERN TRANSMISSION CORP		98.20
MARY ALICE COTTER, 410 FIRST STREET, SE WASHINGTON DC 20003	CONTAINER CORP OF AMERICA		
DANIEL T. COUGHLIN, 235 W. GALENA ST. MILWAUKEE WI 53212	AMERICAN NUCLEAR ENERGY COUNCIL	218.75	
J. BARRY COUGHLIN, 815 CONNECTICUT AVE.,N.W. WASHINGTON DC 20006	JOS. SCHLITZ BREWING CO		
COUNCIL FOR LANGUAGES AND OTHER INT'L. STUDIES, SUITE 210 11 DUPONT CIRCLE, NW WASHINGTON DC 20036	FORD MOTOR CO	1,650.00	917.12
COUNCIL FOR RURAL HOUSING AND DEVELOPMENT, SUITE 400S 1800 M ST., NW WASHINGTON DC 20036		6,100.00	5,790.84
COUNCIL OF INDUSTRIAL BOILER OWNERS, 11222 SILVERLEAF DR. FAIRFAX STATION VA 22039		4,000.00	4,000.00
COUNCIL OF STATE CHAMBERS OF COMMERCE, SUITE 412 499 S. CAPITOL ST., SW WASHINGTON DC 20003			1,287.71
COURSEN & COMPANY, 910 17TH STREET, NW WASHINGTON DC 20006		3,410.00	504.31
WILLIAM R COURTNEY, P.O. BOX 844 TEMPLE TX 76503	ESTATE OF HELEN HALBACH	12,450.00	367.00
JAMES COUSINS, 1101 15TH ST., NW, #400 WASHINGTON DC 20005	TRIBAL COUNCIL OF THE COUSHATTA TRIBE OF LOUISIANA		
JOHN F. COVE, SUITE 702 918 16TH ST., NW WASHINGTON DC 20006	NATIONAL SAVINGS & LOAN LEAGUE	5,000.00	
COVINGTON & BURLING, 1201 PENNSYLVANIA AVENUE, NW P.O. BOX 7566 WASHINGTON DC 20044	COVE ASSOCIATES INC. (FOR: ASSN. OF U.S. NIGHT VISION MFRS.)		
Do	AMERICAN ASSN OF ORAL & MAXILLOFACIAL SURGEONS	2,625.00	
Do	AMERICAN WATCH ASSN		
Do	ANCHOR NATL LIFE INSURANCE CO	15,000.00	
Do	ASSOCIATION OF MAXIMUM SERVICE TELECASTERS, INC		
Do	CELLULAR SYSTEMS, INC		
Do	FIRST NATIONAL BOSTON CORPORATION	2,850.00	33.33
Do	INVESTMENT COMPANY INSTITUTE		66.96

Organization or Individual Filing	Employer/Client	Receipts	Expenditures
Do	IRVING TRUST CO		
Do	KERR-MCGEE CORP AND KERR-MCGEE NUCLEAR CORP		
Do	MIDWEST TELEVISION, INC		
Do	NATIONAL FOOTBALL LEAGUE		
Do	POST-NEWSWEEK STATIONS, INC		
Do	REICHHOLD ENERGY CORP	1,500.00	
Do	SECURITIES INDUSTRY ASSN		
Do	SPARTAN RADIOCASTING COMPANY	75.00	
EUGENE S COWEN, 2759 UNICORN LN NW WASHINGTON DC 20015	AMERICAN BROADCASTING CO	122.40	
ARCHIBALD COX, 2030 M ST., NW WASHINGTON DC 20036	COMMON CAUSE	4,806.24	635.25
C. BRYAN COX, PO BOX 139 KANSAS CITY MO 64141	KANSAS CITY LIFE INSURANCE CO		
DONALD FORSYTH CRAIB III, 1211 CONNECTICUT AVENUE, NW WASHINGTON DC 20036	SEARS, ROEBUCK & CO	27.00	34.29
CRAMER HOFFMAN & HABER, ORLANDO, P.A., SUITE 101 57 W. PINE ST ORLANDO FL 32801	GLOBAL EXPLORATION & DEVELOPMENT CORPORATION		219.19
JOHN R. CRANE, 3238 WYNFORD DRIVE FAIRFAX VA 22031	U S DEFENSE COMMITTEE	600.00	
JOSEPH S. CRANE, 1735 NEW YORK AVENUE, NW WASHINGTON DC 20006	AMERICAN INSTITUTE OF ARCHITECTS	578.75	
CHARLES S. CRAWFORD, THE POWER HOUSE 3255 GRACE STREET, NW WASHINGTON DC 20007	GRAY AND COMPANY (FOR AMERICAN IRON & STEEL INSTITUTE)		
Do	GRAY AND COMPANY (FOR AMERICAN MARITIME ASSN)		
Do	GRAY AND COMPANY (FOR BENDIX CORPORATION)		
Do	GRAY AND COMPANY (FOR COMMONWEALTH OF PUERTO RICO)		
Do	GRAY AND COMPANY (FOR HTB CORPORATION)		
Do	GRAY AND COMPANY (FOR JOINT MARITIME CONGRESS)		
WILLIAM D. CRAWFORD, 400 FIRST ST., NW WASHINGTON DC 20001	BROTHERHOOD OF RAILWAY CARMEN OF THE U.S. & CANADA	2,032.53	
RICHARD C. CREIGHTON, 1957 E ST., NW WASHINGTON DC 20006	ASSOCIATED GENERAL CONTRACTORS OF AMERICA	5,000.00	500.00
DONALD J. CREOLA, 400 N. THIRD STREET P.O. BOX 1724 HARRISBURG PA 17105	PENNSYLVANIA STATE EDUCATION ASSN		
KEN A. CRERAR, 1611 NO. KENT STREET, #900 ARLINGTON VA 22209	FOOTWEAR INDUSTRIES OF AMERICA	2,700.00	721.18
JOSEPH M. CRIBBEN, 6900 VALLEY BROOK DR. FALLS CHURCH VA 22042	UNITED ASSN OF JNYMEN & APPREN OF PLMBG & PIPEFTG INDUSTRY	1,750.00	30.00
RICHARD E. CRISTOL, 5775 PEACHTREE-DUNWOODY RD., #500D ATLANTA GA 30342	ROBERT H. KELLEN CO (FOR CALORIE CONTROL COUNCIL)		
PHILIP R. CROESSMANN, 1735 NEW YORK AVENUE, NW WASHINGTON DC 20006	AMERICAN INSTITUTE OF ARCHITECTS	1,275.00	
P. H. CROFT, 2000 MASSACHUSETTS AVE., NW WASHINGTON DC 20036	AMERICAN SHORT LINE RAILROAD ASSN		
ROBERT W. CROMARTIE, 1800 MASSACHUSETTS AVE., NW WASHINGTON DC 20036	NATIONAL RURAL ELECTRIC COOPERATIVE ASSN	50.00	
CHARLES H. CROMWELL, INC., 6709 GEORGIA ST CHEVY CHASE MD 20015	GENERAL ELECTRIC CO		
Do	HUGHES HELICOPTERS		
Do	NORTHROP CORP		
DONALD J. CRONIN, 1511 K STREET, NW, #820 WASHINGTON DC 20005	FRANK G. KINGSLEY	3,000.00	150.00
Do	MILLIKEN & COMPANY	6,000.00	140.00
DONALD A. CROSIER, NEBRASKA PETROLEUM COUNCIL 334 S. 13TH ST., PO BOX 95063 LINCOLN NB 68509	AMERICAN PETROLEUM INST		
AARON W. CROSS, 1801 K STREET, NW WASHINGTON DC 20006	INTERNATIONAL BUSINESS MACHINES CORP	341.06	41.35
BOBBY E. CROW, PO BOX 683 HOUSTON TX 77001	COLUMBIA GULF TRANSMISSION CO		
CROWELL & MORING, 1100 CONNECTICUT AVE., NW WASHINGTON DC 20036	ASARCO, INC	1,295.00	10.00
Do	ASSOCIATED GAS DISTRIBUTORS		25.00
Do	AVON PRODUCTS, INC		
Do	BROOKLYN UNION GAS CO		10.00
Do	CONTROL DATA CORPORATION		
Do	ELI LILLY AND COMPANY	1,988.75	10.00
Do	HELICOPTER ASSOCIATION INTERNATIONAL		
Do	NATIONAL ASSN OF WHOLESALER-DISTRIBUTORS	5,781.25	10.00
Do	PAN AMERICAN WORLD AIRWAYS, INC	1,456.00	30.00
Do	REGIONAL AIRLINE ASSOCIATION		
Do	TRW, INC	266.25	10.00
CUBA CLAIMS ASSOCIATION, PO BOX 014004 MIAMI FL 33101			
CUBAN AMERICAN PUBLIC AFFAIRS COUNCIL, 1000 THOMAS JEFFERSON ST., NW WASHINGTON DC 20007			
BARRY M. CULLEN, 1620 EYE ST., NW, #700 WASHINGTON DC 20006	INTERNATIONAL PAPER CO	50.00	
WILLIAM E. CUMBERLAND, 1125 15TH ST., NW WASHINGTON DC 20005	MORTGAGE BANKERS ASSOCIATION OF AMERICA		
RICHARD C. CUNAN, 3100 FERRY BUILDING SAN FRANCISCO CA 94106	CALIFORNIA CANNERS & GRJWERS	1,667.00	100.10
SCOTT S. CUNNINGHAM, 1100 15TH STREET, NW WASHINGTON DC 20005	UNION CARBIDE CORP		
JOHN T. CURRAN, 815 16TH STREET, NW WASHINGTON DC 20006	LABORERS' INTL UNION OF NORTH AMERICA, AFL-CIO	14,182.50	310.90
Do	NATIONAL COORDINATING COMM FOR MULTIEMPLOYER PLANS		
KATHLEEN L. CURRY, 1717 MASSACHUSETTS AVENUE, NW, #503 WASHINGTON DC 20036	NATIONAL ASSN OF INDEPENDENT COLLEGES & UNIVERSITIES	6,000.00	375.00
RICHARD C. CURRY, 6819 ELM STREET, #3 MCLEAN VA 22101	FIRE ISLAND ASSOCIATES, INC	690.00	30.16
EDWARD P. CURTIS JR., GENESEE PUBLIC AFFAIRS, INC 36 W. MAIN STREET ROCHESTER NY 14614	LAKE ONTARIO CEMENT LIMITED	6,800.00	779.20
Do	MINISTRY OF THE ENVIRONMENT PROVINCE OF ONTARIO, CANADA	800.00	
M. RUPERT CUTLER, 950 THIRD AVENUE NEW YORK NY 10022	NATIONAL AUDUBON SOCIETY	300.00	149.25
EVERETT E. CUTTER, 620 SW FIFTH AVENUE BLDG., SUITE 912 PORTLAND OR 97204	OREGON RAILROAD ASSN		
TERESE C. D'ALESSIO, 2020 NORTH 14TH ST ARLINGTON VA 22201	MEDIA GENERAL, INC	840.00	69.25
WILLIAM D. D'ONOFRIO, 1800 W. 8TH ST WILMINGTON DE 19805	NATIONAL ASSN FOR NEIGHBORHOOD SCHOOLS, INC		
DONALD W. DALRYMPLE, 1575 I ST. NW WASHINGTON DC 20005	AMERICAN CYNAMID COMPANY (FOR: LEDERLE LABORATORIES)	1,605.00	449.91
JAMES G. DALTON, 2029 K ST., NW WASHINGTON DC 20006	NATIONAL SOCIETY OF PROFESSIONAL ENGINEERS	2,500.00	
TRACY DANESE, P.O. BOX 14000 JUNO BEACH FL 33408	FLORIDA POWER & LIGHT CO	320.00	123.34
DAVID S. DANIELSON, SUITE 400 E 600 MARYLAND AVE., SW WASHINGTON DC 20024	AMERICAN OPTOMETRIC ASSN		
WILLIAM H. DARDEN, SUITE 200 412 FIRST STREET, SE WASHINGTON DC 20003	ASSOCIATION OF AMERICAN RAILROADS	666.08	260.18
ONEIDA L. DARLEY, 3251 OLD LEE HIGHWAY SUITE 500 FAIRFAX VA 22030	NATIONAL LIMESTONE INST, INC	585.94	
DIANE DAVENNY DARNEILLE, 1100 17TH ST., NW, #1206 WASHINGTON DC 20036	SCHERING-PLOUGH CORP	656.13	184.39
THOMAS ROGER DART, ALABAMA PETROLEUM COUNCIL P.O. BOX 4220 MONTGOMERY AL 36195	AMERICAN PETROLEUM INST	588.00	
JOHN C. DATT, 600 MARYLAND AVE., SW WASHINGTON DC 20024	AMERICAN FARM BUREAU FED	4,875.00	
M. DENNIS DAUGHERTY, 733 15TH STREET, NW WASHINGTON DC 20005	LEGAL SERVICES CORP	485.25	26.05
JOHN B. DAVENPORT JR., 1800 MASSACHUSETTS AVE., NW WASHINGTON DC 20036	NATIONAL RURAL ELECTRIC COOPERATIVE ASSN	145.00	
LARRY C. DAVENPORT, 5775 PEACHTREE-DUNWOODY RD. SUITE 500-D ATLANTA GA 30342	ROBERT H. KELLEN CO (FOR: CALORIE CONTROL COUNCIL)		
EARL F. DAVID, SUITE 1107 1825 K STREET, NW WASHINGTON DC 20006	PHILLIPS PETROLEUM CO		
DANIEL I. DAVIDSON, 2600 VIRGINIA AVE., NW WASHINGTON DC 20037	SPIEGEL & MCDIARMID (FOR: NORTHERN CALIFORNIA POWER AGENCY)		
CHERYL C. DAVIS, 510 C ST., N.E. WASHINGTON DC 20002	NATIONAL ASSN OF CREDIT MANAGEMENT	575.00	
DAVID R. DAVIS, INDIANA PETROLEUM COUNCIL 714 HARRISON BLDG. INDIANAPOLIS IN 46204	AMERICAN PETROLEUM INST	1,140.69	708.44
DREW M. DAVIS, 1101 16TH ST., NW WASHINGTON DC 20036	NATIONAL SOFT DRINK ASSN	100.95	150.22
EDWARD M. DAVIS, 410 FIRST ST., SE WASHINGTON DC 20003	AMERICAN NUCLEAR ENERGY COUNCIL	2,587.50	222.55
FRED G. DAVIS, 1111 19TH STREET, N.W. WASHINGTON DC 20036	EDISON ELECTRIC INSTITUTE	1,236.00	308.94
DAVIS GRAHAM & STUBBS, SUITE 810 1920 N STREET, NW WASHINGTON DC 20036	INTEGRITY OIL & GAS COMPANY		
Do	MUNICIPAL SUBDISTRICT, NO. COLORADO WATER CONSERVANCY DIST		
Do	NORTHERN COLORADO WATER CONSERVANCY DISTRICT	279.00	279.00
Do	SNYDER OIL COMPANY		
Do	TENNECO OIL COMPANY		
KENNETH E. DAVIS, SUITE 743 1434 NEW YORK AVE., NW WASHINGTON DC 20005	ROHM & HAAS CO	500.00	
OVID R. DAVIS, P.O. DRAWER 1734 ATLANTA GA 30301	COCA-COLA COMPANY		
PATRICK A. DAVIS, 311 FIRST STREET, NW WASHINGTON DC 20001	NATIONAL RESTAURANT ASSN		
DAVIS POLK & WARDWELL, 1575 EYE ST., NW WASHINGTON DC 20005	OTTO BREMER FOUNDATION		6.00
R. HILTON DAVIS, 1615 H ST., NW WASHINGTON DC 20062	CHAMBER OF COMMERCE OF THE U.S.	120.00	
ROBERT DAVIS, 815 CONNECTICUT AVE., NW WASHINGTON DC 20006	FORD MOTOR CO	800.00	318.00
DAVIS SIMPICH & SIENA, 1301 PENNSYLVANIA AVENUE, NW WASHINGTON DC 20004	CALIFORNIA HOUSING COUNCIL	12,830.00	396.29
WILLIAM LEE DAVIS, 299 PARK AVE. NEW YORK NY 10171	WESTVACO CORP	1,062.50	710.91
DAVIS, WRIGHT, TODD, RIESE & JONES, 6TH FLOOR 1050 THOMAS JEFFERSON STREET, NW WASHINGTON DC 20007	NATIONAL INDEPENDENT DAIRY FOODS ASSN	300.00	3.50
Do	SOUTHERN PACIFIC COMMUNICATIONS CO	650.00	5.50
P. M. DAVISON JR., 418 E. ROSSER AVE. P.O. BOX 938 BISMARCK ND 58501	NORTH DAKOTA RAILWAY LINES		
J. EDWARD DAY, 5TH FL. 1201 PENNSYLVANIA AVE., NW WASHINGTON DC 20004	ELECTRONIC INDUSTRIES ASSN	1,800.00	
Do	THIRD CLASS MAIL ASSOCIATION		
DCM GROUP, SUITE 301 1515 N. COURTHOUSE ROAD ARLINGTON VA 22201	AD HOC COMMITTEE FOR AMERICAN SILVER	4,575.00	7,257.65
O. MARK DE MICHELE, 411 NORTH CENTRAL AVENUE P.O. BOX 21666 PHOENIX AZ 85036	ARIZONA PUBLIC SERVICE COMPANY		
JOHN RUSSELL DEANE III, 1607 NEW HAMPSHIRE AVE., NW WASHINGTON DC 20009	AMERICAN METAL DETECTORS MFRS., INC		
Do	COALITION OF AUTOMOTIVE ASSNS		
Do	NATIONAL OUTDOOR COALITION		
Do	SPECIALTY EQUIPMENT MARKET ASSN		
ROBERT L. DEBO, MISSOURI OIL COUNCIL 428 E. CAPITOL, #203 JEFFERSON CITY MO 65101	AMERICAN PETROLEUM INST		
JEFF DEBOER, 777 14TH STREET, NW WASHINGTON DC 20005	NATIONAL ASSN OF REALTORS	1,750.00	215.42
EDWARD S. DEBOLT, SUITE 301 1515 N. COURTHOUSE RD. ARLINGTON VA 22201	DCM GROUP (FOR: AD HOC COMMITTEE FOR AMERICAN SILVER)		
MARK O. DECKER, SUITE 1100 1707 H STREET, NW WASHINGTON DC 20006	NATIONAL OIL JOBBERS COUNCIL	625.00	
WINSTON M. DECKER, SUITE 828 1522 K ST., NW WASHINGTON DC 20005	AMERICAN VETERINARY MEDICAL ASSN		

Organization or Individual Filing	Employer/Client	Receipts	Expenditures
Do	ASSOCIATION OF AMERICAN VETERINARY MEDICAL COLLEGES		
BRIAN DEERY, 1957 E ST., NW WASHINGTON DC 20006	ASSOCIATED GENERAL CONTRACTORS OF AMERICA		
DONALD H. DEFOE, 100 N E. ADAMS STREET PEORIA IL 61629	CATERPILLAR TRACTOR CO		
GEORGE K. DEGNON ASSOCIATES, INC., SUITE 3A 1311-A DOLLEY MADISON BLDG. MCLEAN VA 22101	ASSOCIATION OF STATE & TERRITORIAL HEALTH OFFICIALS		
Do	NATIONAL ASSN OF CHILDREN S HOSPITALS & RELATED INSTITUTIONS		
DEHART ASSOCIATES, INC, 1505 22ND ST., NW WASHINGTON DC 20037	RECORDING INDUSTRY ASSN OF AMER, INC		
STEPHEN T. DELAMATER, 2600 SOUTHLAND CENTER DALLAS TX 75201	HALLIBURTON CO		
JOHN W. DELANEY, 100 FEDERAL ST. BOSTON MA 02110	FIRST NATIONAL BANK OF BOSTON		
Do	FIRST NATIONAL BOSTON CORPORATION		
JOHN L. DELANO, 7 EDWARDS - BOX 1172 HELENA MT 59624	MONTANA RAILROAD ASSN		
ROBERT B. DELANO, 225 TOUHY AVE. PARK RIDGE IL 60068	AMERICAN FARM BUREAU FED	2,750.00	
CARTHA D. DELOACH, 700 ANDERSON HILL ROAD PURCHASE NY 10577	PEPSICO, INC		
GEORGIA L. DELYANNIS, 1730 K STREET, NW, #903 WASHINGTON DC 20006	AMERICAN HELLENIC INSTITUTE PUBLIC AFFAIRS COMM, INC		
SUSAN C. DEMARR, 1615 H ST., N.W. WASHINGTON DC 20061	CHAMBER OF COMMERCE OF THE U S	2,500.00	
TANIA DEMCHUK, 499 SOUTH CAPITOL ST., SW SUITE 401 WASHINGTON DC 20003	NATIONAL ASSN OF INDEPENDENT INSURERS	100.00	
DEMINEX U.S. OIL COMPANY, SUITE 840, LOCK BOX 340 PLAZA OF THE AMERICAS, NORTH TOWER DALLAS TX 75201			641.55
BRADFORD T. DEMPSEY, 512 W. MAPLE AVE. SUITE 210 VIENNA VA 22180			
GEORGE H. DENISON, 4837 DEL RAY AVE. WASHINGTON DC 20814	NATIONAL OFFICE PRODUCTS ASSN	250.00	
Do	WESTINGHOUSE ELECTRIC CORP	450.00	
RAY DENISON, 815 16TH ST., NW WASHINGTON DC 20006	AFL-CIO	15,191.15	522.99
JOHN H. DENMAN, MISSOURI OIL COUNCIL 428 E. CAPITAL ST., #203 JEFFERSON CITY MO 65101	AMERICAN PETROLEUM INST		
DAVID W. DENSFORD, 1050 31ST STREET, NW WASHINGTON DC 20007	ASSOCIATION OF TRIAL LAWYERS OF AMERICA	1,000.00	100.00
WELLS DENYES, 1919 PENNSYLVANIA AVE., NW WASHINGTON DC 20006	EASTMAN CHEMICAL PRODUCTS, INC	900.00	255.38
DEPARTMENT FOR PROFESSIONAL EMPLOYEES, AFL-CIO, 815 16TH ST., NW WASHINGTON DC 20006		9,694.67	9,694.67
DERREL BLAURETT DEPASSE, 1100 CONNECTICUT AVE., NW, #540 WASHINGTON DC 20036	CONTAINER CORP OF AMERICA	9,750.00	4,950.00
ALPHONSE DEROSSO, SUITE 1100 1899 L STREET, NW WASHINGTON DC 20036	EXXON CORPORATION		25.30
LLOYD J. DERRICKSON, SUITE 906 1828 L STREET, NW WASHINGTON DC 20036	MERRILL LYNCH & CO., INC	1,500.00	
HELEN B. DESAI, 1015 15TH ST., NW, #802 WASHINGTON DC 20005	AMERICAN CONSULTING ENGINEERS COUNCIL	315.00	
MICHAEL DESANTO, 1343 L STREET, NW WASHINGTON DC 20005	NATIONAL TIRE DEALERS & RETREADERS ASSN, INC		
MARCIA L. DESMOND, 444 N. CAPITOL STREET, NW WASHINGTON DC 20001	AMERICAN HOSPITAL ASSN	1,247.30	138.28
JAMES T. DEVINE, LEONARD COHEN & GETTINGS 900 17TH ST., NW, #1020 WASHINGTON DC 20006	BOWLING PROPRIETORS ASSN OF AMER		
SAMUEL L. DEVINE, 1301 PENNSYLVANIA AVENUE, NW SUITE 1150 WASHINGTON DC 20004	AMERICAN SMALL AND RURAL HOSPITAL ASSOCIATION, OHIO CHAPTER		
Do	GROCERY MANUFACTURERS OF AMERICA, INC	3,320.05	
Do	OCCIDENTAL PETROLEUM CORP	19,999.98	
Do	PAYCO AMERICAN CORPORATION		
Do	PEPSICO, INC	5,000.00	11.65
R. DANIEL DEVLIN, 1000 16TH ST., NW WASHINGTON DC 20036	TRANS WORLD AIRLINES, INC	225.00	
DEWEY BALLANTINE BUSHBY PALMER & WOOD, 1775 PENNSYLVANIA AVE., NW WASHINGTON DC 20006	BENEFICIAL CORPORATION		
Do	FEDERAL NATIONAL MORTGAGE ASSN	200.00	
Do	GENERAL ELECTRIC PENSION TRUST		
Do	NATIONAL ASSN OF PUBLIC HOSPITALS	1,020.00	
Do	TEACHERS INSURANCE AND ANNUITY ASSN OF AMERICA		
Do	PHIBRO-SALOMON, INC		
DORIS J. DEWTON, 1025 CONNECTICUT AVENUE, NW SUITE 507 WASHINGTON DC 20036	ASHLAND OIL, INC	2,000.00	
KENDALL P. DEXTER, 9 COUNTRY CLUB ROAD MOBILE AL 36608	MACMILLAN BLOEDEL INC	1,050.00	2,086.00
DGA INTERNATIONAL INC, 1225 19TH ST., NW WASHINGTON DC 20036	AIRBUS INDUSTRIE	3,022.50	836.56
Do	DIR INTL AFF OF THE GEN DEL FOR ARMEMENTS	1,600.00	228.02
Do	SOFREAVIA	742.50	136.30
DIAMOND SHAMROCK CORPORATION, 717 N. HARWOOD STREET DALLAS TX 75201			267.35
CHARLES J. DIBONA, 2101 L ST., NW WASHINGTON DC 20037	AMERICAN PETROLEUM INST	1,875.00	
JOHN M. DICKERMAN, JOHN DICKERMAN & ASSOCIATES, INC, 1015 15TH STREET, NW, #700 WASHINGTON DC 20005	NATIONAL LUMBER & BUILDING MATERIAL DEALERS ASSN	3,000.00	143.62
CHESTER T. DICKERSON JR., 1101 17TH STREET , NW SUITE 604 WASHINGTON DC 20036	MONSANTO CO		558.22
WILLIAM E. DICKINSON, SUITE 300 206 N. WASHINGTON STREET ALEXANDRIA VA 22314	SALT INSTITUTE	3,000.00	250.00
DICKINSON, WRIGHT, MOON, VAN DUSEN & FREEMAN, 1901 L ST., NW SUITE 801 WASHINGTON DC 20036	GENERAL MOTORS CORP	4,020.00	5,916.00
Do	K MART CORP		11.58
Do	OAKLAND COUNTY D P W		
DICKSTEIN SHAPIRO & MORIN, 2101 L ST., NW WASHINGTON DC 20037	BOUNDARY GAS, INC		
Do	CORAL PETROLEUM, INC		
Do	CUSTOM AUTOMOTIVE SOUND ASSN, INC	1,000.00	
Do	FEDERATED CASH MANAGEMENT SYSTEMS		
Do	GILBANE BUILDING CO		
Do	HOME HEALTH SERVICES & STAFFING ASSN	1,200.00	
Dc	HVIDE SHIPPING INC		
Do	MARINE ENGINEERS' BENEFICIAL ASSN		
Do	METROPOLITAN TRANSPORTATION AUTHORITY	4,500.00	
Do	NATIONAL FEDERATION OF SOCIETIES FOR CLINICAL SOCIAL WORK	500.00	
Do	JOSEPH E. SEAGRAM & SONS, INC	3,000.00	
Do	STATE OF DELAWARE, STATE OF IOWA, STATE OF LOUISIANA, ET AL		
TIMOTHY V. A. DILLON, 1301 PENNSYLVANIA AVENUE, NW, #1150 WASHINGTON DC 20004	WESTLANDS WATER DISTRICT	3,148.21	148.21
DIMENSIONS, INC., 641 MCKNIGHT STREET READING PA 19601			20,786.27
THOMAS A. DINE, 444 NORTH CAPITOL ST. NW, #412 WASHINGTON DC 20001	AMERICAN ISRAEL PUBLIC AFFAIRS COMM	11,749.98	
MICHAEL F. DINEEN, 600 PENNSYLVANIA AVE., SE, #206 WASHINGTON DC 20003	FEDERAL KEMPER LIFE ASSURANCE COMPANY		
Do	KEMPER INVESTORS LIFE INSURANCE COMPANY		
Do	LUMBERMENS MUTUAL CASUALTY COMPANY	1,800.00	169.15
HARLEY M. DIRKS, STANTON SQUARE 420 C ST., NE WASHINGTON DC 20002	HEALTH & MEDICINE COUNSEL OF WASHINGTON		
Do	PROFESSIONAL SERVICES COUNCIL		
DISABLED AMERICAN VETERANS, 3725 ALEXANDRIA PIKE COLD SPRING KY 41076		68,444.38	68,444.38
DENNIS C. DIX, 1901 L ST., NW WASHINGTON DC 20036	OUTDOOR POWER EQUIPMENT INSTITUTE		
PATSY B. DIX, 1201 16TH ST., NW WASHINGTON DC 20036	NATIONAL EDUCATION ASSN	1,660.10	44.00
O. L. DIXON III, P.O. BOX 1151 PENSACOLA FL 32520	GULF POWER COMPANY	1,779.51	
STEVEN P. DOEHLER, SUITE 1405 1725 K ST., NW WASHINGTON DC 20006	MORTGAGE INSURANCE COMPANIES OF AMERICA	2,500.00	118.80
WILLIAM BARROWS DOGGETT, SUITE 600 1001 22ND ST., NW WASHINGTON DC 20007	STANDARD OIL CO (OHIO)	175.00	113.15
JAMES F. DOHERTY, 624 9TH ST., NW 7TH FL WASHINGTON DC 20001	GROUP HEALTH ASSN. OF AMERICA, INC		
GREGORY S. DOLE, 1111 19TH STREET, NW WASHINGTON DC 20036	EDISON ELECTRIC INSTITUTE	848.00	225.51
JULIE DOMENICK, 1775 K STREET, NW WASHINGTON DC 20006	INVESTMENT COMPANY INSTITUTE	292.32	204.55
DOMESTIC WILDCATTERS ASSN, P.O. BOX 4394 HOUSTON TX 77210		6,000.00	38,772.67
BRIAN J. DONADIO, SUITE 104 499 SOUTH CAPITOL STREET, NW WASHINGTON DC 20003	AMERICAN OSTEOPATHIC ASSN	1,837.50	
RICHARD M. DONALDSON, 1738 GUILDHALL BLDG. CLEVELAND OH 44115	STANDARD OIL CO (OHIO)		
SALLY S. DONNER, 1707 L STREET, NW, #950 WASHINGTON DC 20036	GENERAL FOODS CORPORATION	850.00	183.19
THOMAS J. DONOHUE, 1615 H ST., NW WASHINGTON DC 20062	CITIZENS' CHOICE, INC	5,000.10	
JACK C. DONOVAN, P. O. BOX 5000, #612 CLEVELAND OH 44101	CLEVELAND ELECTRIC ILLUMINATING CO		
WILLIAM DONOVAN, 1111 N. 19TH ST, #700 ARLINGTON VA 22209	NATIONAL ASSN OF FEDERAL CREDIT UNIONS	2,500.00	
FRANCIS X. DOOLEY, 525 SCHOOL ST., SW WASHINGTON DC 20024	AMERICAN ROAD & TRANSPORTATION BLDRS ASSN	6,000.00	360.00
IRA DORFMAN, SUITE 850 2020 K STREET, NW WASHINGTON DC 20006	AMERICAN BAKERS ASSN	525.00	2.25
MAY DEL RIO DORFMAN, 380 SECOND AVENUE NEW YORK NY 10010	PLANNED PARENTHOOD OF NEW YORK CITY, INC	71.00	
JAMES A. DORSCH, 1750 K ST., NW WASHINGTON DC 20006	HEALTH INSURANCE ASSOCIATION OF AMERICA, INC	101.25	8.00
DEAN R. DORT II , SUITE 808 910 17TH ST., NW WASHINGTON DC 20006	DEERE & COMPANY	150.00	
JOSEPH K. DOSS, 3251 OLD LEE HIGHWAY,SUITE 500 FAIRFAX, VA 22030	NATIONAL LIMESTONE INST, INC	1,789.16	
DOW LOHNES & ALBERTSON, 1225 CONNECTICUT AVE., NW WASHINGTON DC 20036	ADVANCE PUBLICATIONS, INC; PALMER COMMUNICATIONS, INC		
Do	EASTERN MICROWAVE, INC		
Do	PALMER COMMUNICATIONS, INC		
CHARLES P. DOWNER, 7901 WESTPARK DRIVE MCLEAN VA 22102	NATIONAL MACHINE TOOL BUILDERS' ASSN	900.00	250.00
JANE LIND DOWNEY, P.O. OC 2303 400 ARMY-NAVY DR. ARLINGTON VA 22002	AMERICAN MOVERS CONFERENCE	162.77	
JOHN H. DOWNS JR., 1101 16TH STREET, NW WASHINGTON DC 20036	NATIONAL SOFT DRINK ASSN		
JOHN C. DOYLE JR., 317 PENNSYLVANIA AVE., SE WASHINGTON DC 20003	ENVIRONMENTAL POLICY INSTITUTE		
JOHN P. DOYLE, SUITE 1100 1090 VERMONT AVE., NW WASHINGTON DC 20005	BELL HELICOPTER TEXTRON	3,656.60	1,960.54
ROBERT H. DOYLE, SUITE 230 1130 17TH STREET, NW WASHINGTON DC 20036	WATER QUALITY ASSN	3,200.00	
NANCY DRABBLE, 215 PENNSYLVANIA AVE., SE WASHINGTON DC 20003	CONGRESS WATCH	6,000.00	
JAMES E. DRAKE, 1101 VERMONT AVE., NW WASHINGTON DC 20005	AMERICAN MEDICAL ASSN	4,826.00	
JOAN ALBERT DREUX, 600 PENN AVE SE #202 WASHINGTON DC 20015	NATIONAL ASSN OF CASUALTY & SURETY AGENTS	1,875.00	874.01
JEROME L. DREYER, 1300 N. 17TH ST. SUITE 300 ARLINGTON VA 22209	ASSOCIATION OF DATA PROCESSING SERVICE ORGANIZATIONS		
STEPHEN D. DRIESLER, SUITE 306 1150 17TH ST., NW WASHINGTON DC 20036	NATIONAL MULTI HOUSING COUNCIL	5,775.00	1,131.44
KEVIN J. DRISCOLL, 1800 M ST., NW WASHINGTON DC 20036	AMERICAN BAR ASSN	400.00	50.00

Organization or Individual Filing	Employer/Client	Receipts	Expenditures
DOROTHY J. DRUMMER, 1025 CONNECTICUT AVENUE, NW, #209 WASHINGTON DC 20036	AMERICAN BUSINESS CONFERENCE, INC.	90.00	25.00
EDWIN JASON DRYER, 1775 PENNSYLVANIA AVENUE, NW WASHINGTON DC 20006	FOLEY,LARDNER,HOLLABAUGH & JACOBS (FOR: INDEPENDENT REFINERS ASSOCIATION OF AMERICA).		
FRAN DU MELLE, 1101 VERMONT AVENUE, NW, #402 WASHINGTON DC 20005	AMERICAN LUNG ASSN	2,680.00	1,025.71
EVELYN DUBROW, 1710 BROADWAY NEW YORK NY 10019	INTERNATIONAL LADIES' GARMENT WORKERS UNION	10,341.50	3,887.89
MORGAN D. DUBROW, 1800 MASSACHUSETTS AVE., NW WASHINGTON DC 20036	NATIONAL RURAL ELECTRIC COOPERATIVE ASSN	135.00	
BARBARA S. DUDECK, 955 L'ENFANT PLAZA, SW # 905 WASHINGTON DC 20024	AMERICAN HONDA MOTOR CO, INC	200.00	19.03
JANE MCPIKE DUDLEY, 1101 15TH STREET, NW WASHINGTON DC 20005	NATIONAL CONSTRUCTORS ASSOCIATION	375.00	
ANN ANDERSON DUFF, 222 S. PROSPECT AVE. PARK RIDGE IL 60068	NATIONAL ASSOCIATION OF MANUFACTURERS	1,200.00	
FRANCIS J. DUGGAN, 412 FIRST ST., SE, #200 WASHINGTON DC 20003	ASSOCIATION OF AMERICAN RAILROADS	76.24	393.07
LAURIE DUKER, 2030 M STREET, NW WASHINGTON DC 20036	COMMON CAUSE	5,621.92	87.00
EVELYN DUKOVIC, 475 RIVERSIDE DRIVE, #239 NEW YORK NY 10115	MORALITY IN MEDIA, INC.		
MERVIN E. DULLUM, 1629 K ST., NW, #204 WASHINGTON DC 20006	DELTA AIR LINES, INC.	200.00	61.00
DON R. DUNCAN, 1825 K ST.,NW SUITE 1107 WASHINGTON DC 20006	PHILLIPS PETROLEUM COMPANY		
DUNCAN, WEINBERG, & MILLER, SUITE 1200 1775 PENNSYLVANIA AVE., NW WASHINGTON DC 20006	ADOLPH KIZAS		
Do	EAST BAY REGIONAL PARK DISTRICT		
Do	IVA MAY HARVEY		
Do	HURON-CLINTON METROPOLITAN AUTHORITY		
Do	KONIAG, INC		
Do	MID WEST ELECTRIC CONSUMERS' ASSN, INC		
Do	STATE OF NORTH DAKOTA		
Do	WESTERN FUELS ASSOCIATION, INC.		
LOUISE C. DUNLAP, 317 PENNSYLVANIA AVE., SE WASHINGTON DC 20003	ENVIRONMENTAL POLICY INSTITUTE	42.79	
JAMES W. DUNLOP, 195 MONTAGUE ST. BROOKLYN NY 11201	BROOKLYN UNION GAS CO		
MARI LEE DUNN, SUITE 520 1850 K ST., NW WASHINGTON DC 20006	AMERICAN COUNCIL FOR CAPITAL FORMATION		
JOHN H. DUNNE, 818 ROEDER ROAD SUITE 702 SILVER SPRING MD 20910	INTERNATIONAL FED OF PROFESSIONAL & TECHNICAL ENGINEERS		
JAMES A. DUPREE, 815 CONNECTICUT AVE., NW WASHINGTON DC 20006	FORD MOTOR CO	11,000.00	1,276.00
JOSEPH L. DURAN, 100 FEDERAL ST. BOSTON MA 02110	FIRST NATIONAL BANK OF BOSTON		
MICHAEL V. DURANDO, 600 MARYLAND AVE., SW WASHINGTON DC 20024	AMERICAN FARM BUREAU FED	2,737.00	67.00
B. J. DURHAM, P.O. BOX 2121 CORPUS CHRISTI TX 78403	CENTRAL POWER AND LIGHT COMPANY	310.00	940.00
EDWARD J. DURKIN, SUITE 408 815 16TH STREET, NW WASHINGTON DC 20006	FOOD AND BEVERAGE TRADES DEPT., AFL-CIO	529.91	
DANIEL A. DUTKO, SUITE 214 412 FIRST STREET, SE WASHINGTON DC 20003	DOUGLAS OIL PURCHASING CORP	6,249.00	
Do	INDEPENDENT PETROLEUM ASSN OF THE MOUNTAIN STATES		
Do	SCHLENSKER DRILLING CO		
L. L. DUXBURY, SUITE 800 400 FIRST STREET, NW WASHINGTON DC 20001	RAILROAD RETIREMENT ASSN		842.81
DENIS J. DWYER, 700 NORTH FAIRFAX ST. ALEXANDRIA VA 22314	RAILWAY PROGRESS INST	342.00	
JAMES W. DYKE JR., SIDLEY & AUSTIN 1722 EYE STREET, NW WASHINGTON DC 20006	CONTRACT STAFFING OF AMERICA, INC		
EDITH W. DYLAN, SUITE 906 1828 L STREET, NW WASHINGTON DC 20036	MERRILL LYNCH & CO., INC.		
DENNIS J. EARHART, 1753 EUCLID AVE., NW WASHINGTON DC 20009	BONNEVILLE ASSOCIATES, INC. (FOR: WESTERN REGIONAL COUNCIL)	448.25	
JACK D. EARLY, 1155 15TH ST., NW, #514 WASHINGTON DC 20005	NATIONAL AGRICULTURAL CHEMICALS ASSN	17.50	6.00
EATON ASSOCIATES, INC, 1750 K ST., NW, SUITE 260 WASHINGTON DC 20006			
CHARLES H. EATON, SUITE 260 1750 K STREET, NW WASHINGTON DC 20006	EATON ASSOCIATES, INC.		
ROBERT E. L. EATON, 1750 K ST., NW, SUITE 260 WASHINGTON DC 20006	EATON ASSOCIATES, INC.		
ROBERT E. EBEL, 1025 CONNECTICUT AVE., NW, #1014 WASHINGTON DC 20036	ENSERCH CORPORATION	1,450.00	840.00
HAROLD F. EBERLE, O'BRIEN & FIERCE 1828 L STREET, NW, #201 WASHINGTON DC 20036	AMERICAN ELECTRONICS ASSN		50.00
LUCINDA E. EBERSOLE, 1347 MARYLAND AVENUE, NE WASHINGTON DC 20002	CITIZENS FOR A NUCLEAR FREEZE		
N. BOYD ECKER, 1100 CONNECTICUT AVE., NW WASHINGTON DC 20036	MOBIL OIL CORP	1,500.00	47.50
ROBERT C. ECKHARDT, 1750 PENNSYLVANIA AVENUE, NW WASHINGTON DC 20006	CONSOLIDATED NATURAL GAS CO	5,000.01	
Do	CONSUMER FEDERATION OF AMERICA		
Do	INVESTMENT COMPANY INSTITUTE	6,666.68	
PATRICIA K. ECONOMOS, 15TH & M STREETS, NW WASHINGTON DC 20005	NATIONAL ASSN OF HOME BUILDERS OF THE U.S.		
PETER B. EDELMAN, 1775 PENNSYLVANIA AVE., NW WASHINGTON DC 20006	FOLEY, LARDNER, HOLLABAUGH & JACOBS (FOR: CITY OF MINNEAPOLIS)		
DANIEL J. EDELMAN, INC., SUITE 460 1730 PENNSYLVANIA AVE., NW WASHINGTON DC 20006	AMERICAN SEAT BELT COUNCIL	150.00	1.00
WILLIAM R. EDGAR, SUITE 401 815 CONNECTICUT AVENUE, NW WASHINGTON DC 20006	GATES LEARJET CORPORATION		
HELEN H. EDGE, 700 N. FAIRFAX ST. ALEXANDRIA VA 22314	RAILWAY PROGRESS INST	391.25	
ARTHUR B. EDGEWORTH JR , 1709 NEW YORK AVE., NW, #801 WASHINGTON DC 20006	U.S. LEAGUE OF SAVINGS ASSOCIATIONS	4,125.00	
EDISON ELECTRIC INSTITUTE, 9TH FLOOR 1111 19TH ST., NW WASHINGTON DC 20036		443,806.96	88,914.16
V. ANNE EDLUND, 1909 K ST., NW, #300 WASHINGTON DC 20006	MOTOR VEHICLE MANUFACTURERS ASSOCIATION OF THE U.S., INC.		
STEPHEN L. EDMISTON, 807 MAINE AVE., SW WASHINGTON DC 20024	DISABLED AMERICAN VETERANS	11,393.20	2,271.66
ED EDMONDSON, BOX 11 MUSKOGEE OK 74401	AMERICAN INLAND WATERWAYS COMM		
Do	CHEROKEE NATION		
Do	DOSS AVIATION, INC.		
Do	IU INTERNATIONAL MANAGEMENT CORP.		
Do	OKLAHOMA ASSN OF ELECTRIC COOPS		
Do	U.S. MARITIME COMMITTEE, INC.		
EDS CORPORATION, 229 PENNSYLVANIA AVE., SE WASHINGTON DC 20003			3,303.40
CHRISTINE A. EDWARDS, 1211 CONNECTICUT AVE., NW SUITE 802 WASHINGTON DC 20036	SEARS, ROEBUCK AND CO	120.25	21.50
J. RODNEY EDWARDS, 260 MADISON AVE. NEW YORK NY 10016	AMERICAN PAPER INST, INC		
MACON T. EDWARDS, 1030 15TH ST., NW, #700 WASHINGTON DC 20005	NATIONAL COTTON COUNCIL OF AMER	2,100.00	22.94
MAX N. EDWARDS, 1511 K STREET, NW, #1100 WASHINGTON DC 20005	FRANK G. KINGSLEY	6,000.00	100.00
MICHAEL D. EDWARDS, 1201 16TH STREET, NW WASHINGTON DC 20036	NATIONAL EDUCATION ASSN	1,891.80	236.00
WILLIAM A. EDWARDS, 250 OLD COUNTRY ROAD MINEOLA NY 11501	LONG ISLAND LIGHTING CO	1,925.00	2,085.70
PAUL S. EGAN, 1608 K ST., NW WASHINGTON DC 20006	AMERICAN LEGION	7,527.00	301.45
EGGERS & GREENE, 1407 MAIN ST. SUITE 335 DALLAS TX 75202	LTV CORPORATION	3,000.00	56.11
SARA EHRMAN, 444 NORTH CAPITOL ST., NW, #412 WASHINGTON DC 20001	AMERICAN ISRAEL PUBLIC AFFAIRS COMM	1,764.66	
MARY ANN EICHENBERGER, 1735 NEW YORK AVE., NW WASHINGTON DC 20006	AMERICAN INST OF ARCHITECTS	2,800.00	
YVONNE B. EIDER, 400 FIRST STREET, NW, #800 WASHINGTON DC 20001	FRIENDS OF ANIMALS, INC	826.56	582.44
JILL W. EILAND, 507 SECOND STREET, NE WASHINGTON DC 20002	PORTLAND GENERAL ELECTRIC		
ALBERT C. EISENBERG, 1735 NEW YORK AVENUE, NW WASHINGTON DC 20006	AMERICAN INSTITUTE OF ARCHITECTS	8,500.00	282.44
CARL W. EK, SUITE 202 600 MARYLAND AVENUE, SW WASHINGTON DC 20024	FARMERS' EDUCATIONAL & CO-OPERATIVE UNION OF AMERICA	4,523.06	189.92
JONATHAN P. ELA, 142 W. GORHAM MADISON WI 53703	SIERRA CLUB	1,575.00	1,532.04
H. J. ELAM III, 1201 MAPLE ST. GREENSBORO NC 27405	CONE MILLS CORPORATION		
TIMOTHY L. ELDER, 1850 K ST., NW SUITE 925 WASHINGTON DC 20006	CATERPILLAR TRACTOR CO	2,500.00	1,437.13
GEORGE K. ELIADES, 1401 WILSON BLVD., #205 ARLINGTON VA 22209	SOCIETY OF AMERICAN WOOD PRESERVERS, INC	100.00	220.00
ELIAS AND MATZ, 12TH FL. 734 15TH ST., NW WASHINGTON DC 20005	NATIONAL ASSN OF STATE SAVINGS & LOAN SUPERVISORS		
J. BURTON ELLER JR , 425 13TH ST., NW, #1020 WASHINGTON DC 20004	NATIONAL CATTLEMEN'S ASSN	1,000.00	
CHARLES W. ELLIOTT, WISCONSIN PETROLEUM COUNCIL 25 W. MAIN ST., #703 MADISON WI 53703	AMERICAN PETROLEUM INST	7.50	
JOHN DOYLE ELLIOTT, 5500 QUINCY ST. HYATTSVILLE MD 20784			388.32
STEVE ELLIOTT, 765 BROAD ST NEWARK NJ 07101	FIDELITY UNION TRUST CO		
JOHN ELLIS, 1957 E ST., NW WASHINGTON DC 20006	ASSOCIATED GENERAL CONTRACTORS OF AMERICA		
DOROTHY A. ELLSWORTH, 1300 CONNECTICUT AVE., NW WASHINGTON DC 20036	INTERNATIONAL ASSN OF MACHINISTS & AEROSPACE WORKERS	12,804.42	85.70
PERRY R. ELLSWORTH, SUITE 435 1425 H ST., NW WASHINGTON DC 20005	NATIONAL COUNCIL OF AGRICULTURAL EMPLOYERS	2,000.00	25.00
ELY RITTS PIETROWSKI & BRICKFIELD, SUITE 915 WATERGATE 600 BLDG. WASHINGTON DC 20037	OCEAN MINING ASSOCS		
EMERGENCY COMMITTEE FOR AMERICAN TRADE, 1211 CONNECTICUT AVE. WASHINGTON DC 20036		13,104.75	27,178.01
EMERSON ELECTRIC CO, 8000 FLORISSANT ST. LOUIS MO 63136			651.99
CAROL R. EMERY, P.O. BOX 1300 MCLEAN VA 22102	STATE OF LOUISIANA	14,500.00	4,950.00
EMPLOYEE RELOCATION COUNCIL, SUITE 600 1627 K ST., NW WASHINGTON DC 20006			2,106.31
EMPLOYERS COUNCIL ON FLEXIBLE COMPENSATION, 1700 PENNSYLVANIA AVENUE, NW WASHINGTON DC 20006		20,311.00	20,311.00
IRENE R. EMSELLEM, 1800 M STREET, NW WASHINGTON DC 20036	AMERICAN BAR ASSN	400.00	28.15
LOWELL J. ENDAHL, 1800 MASSACHUSETTS AVE., NW WASHINGTON DC 20036	NATIONAL RURAL ELECTRIC COOPERATIVE ASSN	165.00	
ENERGY CONSUMERS & PRODUCERS ASSN, BOX 1726 PETROLEUM PLAZA SEMINOLE OK 74868		41,235.00	9,428.40
RALPH ENGEL, 1001 CONNECTICUT AVE., NW, #1120 WASHINGTON DC 20036	CHEMICAL SPECIALTIES MFGRS ASSN		
STEVEN L. ENGELBERG, 2033 M ST., NW, #404 WASHINGTON DC 20036	AMERICAN ASSN FOR MARRIAGE & FAMILY THERAPY		
LEWIS A. ENGMAN, 1100 15TH ST., NW WASHINGTON DC 20005	PHARMACEUTICAL MANUFACTURERS ASSN	2,500.00	
PATRICIA HANAHAN ENGMAN, 1155 15TH ST., NW WASHINGTON DC 20005	BRISTOL-MYERS CO	2,000.00	
CHRISTOPHER ENGQUIST, 1957 E ST., NW WASHINGTON DC 20006	ASSOCIATED GENERAL CONTRACTORS OF AMERICA		
M. DALE ENSIGN, 1100 17TH ST., NW SUITE 406 WASHINGTON DC 20036	SINCLAIR OIL CORPORATION	500.00	144.10
ALLISON JOHN EPPERSON, 1140 CONNECTICUT AVENUE, NW, #310 WASHINGTON DC 20036	COUNCIL OF ENERGY RESOURCE TRIBES		
PAUL A. EQUALE, 600 PENNSYLVANIA AVE., SE, #200 WASHINGTON DC 20003	INDEPENDENT INSURANCE AGENTS OF AMERICA, INC.	10,311.65	
VICKIE L. ERICKSON, 777 14TH STREET, NW WASHINGTON DC 20005	NATIONAL ASSN OF REALTORS	1,250.00	
JOHN M. ERSKINE JR , 1108 LAVACA, SUITE 400 AUSTIN TX 78701	STANDARD OIL CO (INDIANA)		
JERRY N. ERVIN, P. O. BOX 3331 HOUSTON TX 77001	QUINTANA REFINERY COMPANY		
SAM J. ERVIN JR., P.O. BOX 69 MORGANTON NC 28655	MEAD CORP., ANHEUSER-BUSCH & WESTVACO		

Organization or Individual Filing	Employer/Client	Receipts	Expenditures
INGOLF G. ESDERS, 815 16TH STREET, NW WASHINGTON DC 20006	INTERNATIONAL LONGSHOREMEN'S ASSN., AFL-CIO	4,207.99	
GEORGE T. ESHERICK, 818 CONNECTICUT AVE., NW WASHINGTON DC 20006	U.S. STEEL CORPORATION	593.00	497.00
ESTATE OF MABEL R. LADD, R.R. 1 BUNKER HILL IN 46914			
JANE B. ESTERLY, 1615 H STREET, NW WASHINGTON DC 20062	CHAMBER OF COMMERCE OF THE U.S.	255.00	60.00
ETHYL CORPORATION, SUITE 611 1155 15TH ST., NW WASHINGTON DC 20005			4,300.00
STEPHEN E. EURE, P.O. BOX 3556 WASHINGTON DC 20007	AMERICAN MEAT INSTITUTE	2,000.00	736.21
DAVE EVANS, 160 N. CAROLINA AVENUE, SE WASHINGTON DC 20003	AMERICAN EXPRESS CO		
DONALD C. EVANS, P.O. BOX 1496 SARASOTA FL 33577	EVANS INVESTIGATIVE & SECURITY SERVICE		
JOHN FORD EVANS JR., O'CONNOR & HANNAN 1919 PENNSYLVANIA AVENUE, NW WASHINGTON DC 20006	TRANSPORT MUTUAL SERVICES, INC		
Do	UNITED KINGDOM MUTUAL STEAM SHIP ASSURANCE ASSN (BERMUDA)		
Do	WEST OF ENGLAND SHIP OWNERS MUTUAL PROTECT. & INDEMNITY ASSN		
JOSEPH O. EVANS, APARTMENT 21 4401 LEE HWY. ARLINGTON VA 22207	UNITED ACTION FOR ANIMALS, INC		
RAE FORKER EVANS, SUITE 210 1201 PENNSYLVANIA AVENUE, NW WASHINGTON DC 20004	HALLMARK CARDS, INC		
ROBERT D. EVANS, 1800 M ST., NW WASHINGTON DC 20036	AMERICAN BAR ASSN	400.00	50.00
FAWN K. EVENSON, 1611 NORTH KENT ST. SUITE 900 ARLINGTON VA 22209	FOOTWEAR INDUSTRIES OF AMERICA	4,000.00	604.25
ELLEN E. EVES, NEW MURPHY RD. AND CONCORD PIKE WILMINGTON DE 19897	ICI AMERICAS, INC		
JEFFREY P. EVES, SCOTT PLAZA PHILADELPHIA PA 19113	SCOTT PAPER COMPANY	1,500.00	723.55
KY P. EWING JR., 1101 CONNECTICUT AVENUE, NW WASHINGTON DC 20036	VINSON & ELKINS (FOR: AMERICAN GENERAL CORPORATION)		
Do	VINSON & ELKINS (FOR: GATX TERMINALS CORP)		
Do	VINSON & ELKINS (FOR: TRAVELERS INSURANCE CO)	23,978.79	462.61
WAYNE S. EWING, ASSOCIATED PETROLEUM INDUSTRIES OF PA P.O. BOX 925 HARRISBURG PA 17108	AMERICAN PETROLEUM INSTITUTE		
F/P RESEARCH ASSOCIATES, SUITE 303 1700 K STREET, NW WASHINGTON DC 20006	NATIONAL CABLE TELEVISION ASSN	3,600.00	
Do	SLURRY TRANSPORT ASSN	1,500.00	7.20
MICHAEL FADEN, SUITE 1101 1346 CONNECTICUT AVE., NW WASHINGTON DC 20006	UNION OF CONCERNED SCIENTISTS	6,300.00	
THOMAS L. FAGAN, 777 - 14TH STREET, NW WASHINGTON DC 20003	GENERAL ELECTRIC CO	250.00	
ROBERT R. FAHS, SUITE 205 1101 15TH ST., NW WASHINGTON DC 20005	CARGILL INC	2,500.00	16.00
DALE W. FALLAT, 5740 SOUTHWYCK BOULEVARD MAUMEE OH 43614	ANDERSONS	250.00	134.00
THOMAS B. FARLEY II, 2101 L ST., NW WASHINGTON DC 20037	AMERICAN PETROLEUM INST	6,315.00	102.45
FARMERS' EDUCATIONAL & CO-OPERATIVE UNION OF AMERICA, P.O. BOX 2251 DENVER CO 80251		142,883.34	76,862.11
FARNSWORTH, MARTIN & GALLAGHER, 1823 JEFFERSON PLACE, NW WASHINGTON DC 20036	BERENERGY CORPORATION		
Do	CRINCO INVESTMENTS, INC		
Do	LORD, BISSELL & BROOK		
Do	PADDOCK PUBLICATIONS, INC		
Do	SOLAREX CORPORATION		
JOHN W. FARQUHAR, 1750 K ST., NW WASHINGTON DC 20006	FOOD MARKETING INSTITUTE	300.00	
DAGMAR T. FARR, 1750 K STREET, NW WASHINGTON DC 20006	FOOD MARKETING INSTITUTE	450.00	
DOLORES L. FARR, SUITE 200 1101 14TH ST., NW WASHINGTON DC 20005	AMERICAN NURSES' ASSN		
MICHAEL FARRAR, 1619 MASSACHUSETTS AVE., NW WASHINGTON DC 20036	AMERICAN PAPER INST, INC	200.00	
JOSEPH A. FARRELL, 1600 WILSON BOULEVARD, #1000 ARLINGTON VA 22209	AMERICAN WATERWAYS OPERATORS, INC	6,000.00	
PENELOPE S. FARTHING, SUITE 415 1025 CONNECTICUT AVE., NW WASHINGTON DC 20036	AMERICAN INSURANCE ASSN	290.00	
MARCUS G. FAUST, SUITE 200 2000 L STREET, NW WASHINGTON DC 20036	KENNECOTT CORPORATION	9,000.00	
Do	KIRTON, MCCONKIE AND BUSHNELL		
JANE FAWCETT-HOOVER, 1801 K ST., NW, #230 WASHINGTON DC 20006	PROCTER & GAMBLE MANUFACTURING CO	37.50	
FEDERAL KEMPER LIFE ASSURANCE COMPANY, KEMPER BLDG. D-3 LONG GROVE IL 60049			
FEDERATION OF AMERICAN CONTROLLED SHIPPING, 50 BROADWAY NEW YORK NY 10004		1,485.74	1,485.74
FEDERATION OF AMERICAN HOSPITALS, SUITE 402 1111 19TH ST., NW WASHINGTON DC 20036		10,000.00	10,000.00
FEDERATION OF AMERICAN SCIENTISTS, 307 MASSACHUSETTS AVE., NE WASHINGTON DC 20002			1,743.70
MICHAEL FEINSTEIN, 1319 F STREET, NW WASHINGTON DC 20004	NATIONAL ASSN OF PRIVATE PSYCHIATRIC HOSPITALS	100.00	
MARK B. FELDMAN, DONOVAN, LEISURE, NEWTON & IRVINE 1850 K STREET, NW WASHINGTON DC 20006	MOTION PICTURE ASSN OF AMERICA	6,000.00	
JANICE A. FENBERG, SUITE 602 1155 15TH STREET, NW WASHINGTON DC 20005	PENNZOIL CO	90.00	
C. WELLES FENDRICH, P. O. BOX 1500 SOMERVILLE NJ 08876	RESEARCH-COTTRELL, INC		
JUDITH W. FENSTERER, 242 E. 80TH STREET NEW YORK NY 10021	GENERIC PHARMACEUTICAL INDUSTRY ASSN	477.00	130.00
FENSTERWALD & ASSOCIATES, 1000 WILSON BLVD SUITE 900 ARLINGTON VA 22209	NATIONAL NUTRITIONAL FOODS ASSOCIATION	4,374.99	218.76
EDWARD T. FERGUS, 100 GOLD ST. NEW YORK NY 10292	PRUDENTIAL-BACHE SECURITIES INC	750.00	
ALLEN R. FERGUSON, 1525 NEW HAMPSHIRE AVENUE, NW WASHINGTON DC 20036	PUBLIC INTEREST ECONOMICS FOUNDATION		
JACK FERGUSON ASSOCIATES, 203 MARYLAND AVE., NE WASHINGTON DC 20002	DILLINGHAM SHIP REPAIR		250.00
Do	FOSS LAUNCH & TUG COMPANY; FOSS ALASKA LINE	8,300.00	919.00
Do	NORTHWEST ENERGY CO	14,700.00	1,185.00
Do	U.S. BORAX	12,500.00	1,316.00
BETSY FERGUSON, 1875 EYE STREET,N.W. SUITE 1110 WASHINGTON DC 20006	TIMES MIRROR COMPANY		
JAMES H. FERGUSON, 1140 CONNECTICUT AVE., NW, #609 WASHINGTON DC 20036	AMERICAN SOCIETY FOR PERSONNEL ADMINISTRATION	7,500.00	4,483.00
JOHN T. FERGUSON II , 1875 EYE STREET, NW WASHINGTON DC 20006	GEORGIA-PACIFIC CORP	300.00	
JOHN L. FESTA, 1619 MASSACHUSETTS AVE., NW WASHINGTON DC 20036	AMERICAN PAPER INST, INC		
BLAINE FIELDING, 1619 MASSACHUSETTS AVE., NW WASHINGTON DC 20036	AMERICAN PAPER INST, INC		
FRED C. FIELDING, 1129 20TH STREET, NW WASHINGTON DC 20036	AM GENERAL CORPORATION	2,750.00	39.00
C. H. FIELDS, 600 MARYLAND AVE., SW WASHINGTON DC 20024	AMERICAN FARM BUREAU FED	4,750.00	42.00
GARY W. FIELDS, 1120 CONNECTICUT AVE., NW WASHINGTON DC 20036	AMERICAN BANKERS ASSN	920.00	
EDITH U. FIERST, 1140 CONNECTICUT AVE., NW, #712 WASHINGTON DC 20036	ASSOCIATION OF AMERICAN FORIEGN SERVICE WOMEN		
HERBERT A. FIERST, 610 RING BLDG. 1200 18TH ST., NW WASHINGTON DC 20036	COUNCIL OF FOREST INDUSTRIES OF B.C.	13,125.00	455.00
MATTHEW P. FINK, 1775 K ST., NW WASHINGTON DC 20006	INVESTMENT COMPANY INSTITUTE	36.54	6.00
FINLEY KUMBLE WAGNER HEINE UNDERBERG & CASEY, 10TH FLOOR 1120 CONNECTICUT AVE., NW WASHINGTON DC 20036.	AMERICAN PRESIDENT LINES, LTD		
Do	ASSOCIATION OF SPANISH FISHERMEN	225.00	
Do	AT-SEA INCINERATION, INC		
Do	GENSTAR CONTAINER CORP		
Do	GOVERNMENT OF ANTIGUA & BARBUDA		
Do	OCCIDENTAL PETROLEUM CORP		
Do	PLAINTIFF CLASS, CORRUGATED CONTAINER ANTITRUST LITIGATION		
Do	PLAINTIFF CLASS, PLYWOOD ANTITRUST LITIGATION		
Do	POPULATION CRISIS COMMITTEE	840.00	
Do	STEWART ENVIRONMENTAL SYSTEMS, INC		
STEPHEN A. FINN, P.O. BOX 520783 - GENERAL MAIL FACILITY MIAMI FL 33152	BURGER KING CORPORATION		
FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER, 1775 K STREET, NW WASHINGTON DC 20006	INTERNATIONAL COMMUNICATIONS ASSN		
THOMAS D. FINNIGAN, OLD RIDGEBURY ROAD SECTION D228 DANBURY CT 06817	UNION CARBIDE CORP		
JILL FINSEN, 923 15TH ST., NW WASHINGTON DC 20005	TRANSPORTATION INSTITUTE	3,000.00	405.00
LAURIE A. FIORI, 1909 K ST., NW WASHINGTON DC 20049	NATIONAL RETIRED TEACHERS ASSN/AMERICAN ASSN OF RET PERSONS	440.77	167.00
RICHARD J. FIORINI, 986 ATHERTON DR. SALT LAKE CITY UT 84107	NORANDA MINING INC		
FIRST CLASS MAILERS ASSN, INC, SUITE 107 1101 NEW HAMPSHIRE AVE., NW WASHINGTON DC 20037			83.00
FIRST NATIONAL BANK OF BOSTON, 100 FEDERAL ST. BOSTON MA 02110			8,238.50
FIRST NATIONAL BOSTON CORPORATION, 100 FEDERAL ST. BOSTON MA 02110			
RICHARD L. FISCHER, 1000 16TH ST., NW WASHINGTON DC 20036	STANDARD OIL CO (INDIANA)	810.00	
FISHER & SINICK, P.C., SUITE 440 2020 K ST. NW WASHINGTON DC 20006	LEAGUE OF NEW YORK THEATRES & PRODUCERS, INC		
DONALD W. FISHER, 3814 IVANHOE LANE ALEXANDRIA VA 22310	AMERICAN GROUP PRACTICE ASSN, INC		
JOHN H. FITCH JR., 1725 K STREET, NW SUITE 1200 WASHINGTON DC 20006	NATIONAL ASSN. OF WHOLESALER-DISTRIBUTORS		
LAURI J. FITZ, THE POWER HOUSE 3255 GRACE STREET, NW WASHINGTON DC 20007	GRAY AND COMPANY (FOR: NATIONAL COALITION FOR A FREE CUBA)		
Do	GRAY AND COMPANY (FOR: REPUBLIC OF HAITI)		
MARK FITZGERALD, 15TH & M ST., NW WASHINGTON DC 20005	NATIONAL ASSN OF HOME BUILDERS OF THE U.S.		
MARY CLARE FITZGERALD, SUITE 900-N 1800 M STREET, NW WASHINGTON DC 20036	GOLEMBE ASSOCIATES, INC		
HILLIARD J. FJORD, 602 MAIN ST., #600 CINCINNATI OH 45202	OHIO RIVER CO	1,506.00	933.53
DANIEL V. FLANAGAN JR., 25 RESEARCH DR. WESTBOROUGH MA 01581	NEW ENGLAND POWER SERVICE CO	122.43	56.65
JAMES J. FLANAGAN, 1730 RHODE ISLAND AVENUE, NW, #206 WASHINGTON DC 20036	VEPCO		
MICHAEL FLEMING, SUITE 1010 1300 NORTH 17TH STREET ARLINGTON VA 22209	AMERICAN ASSN OF EQUIPMENT LESSORS		
FLORIDA BUSINESS ASSOCIATES, SUITE 200 2000 L STREET, NW WASHINGTON DC 20036	WESTINGHOUSE ELECTRIC CORP		
RUTH FLOWER, 245 SECOND ST., NE WASHINGTON DC 20002	FRIENDS COMMITTEE ON NATIONAL LEGISLATION	3,384.39	
DAVID H. FOERSTER, 1201 16TH ST., NW WASHINGTON DC 20036	NATIONAL EDUCATION ASSN		
WILLIAM J. FOGARTY, 2029 K STREET, NW WASHINGTON DC 20006	NATIONAL SOCIETY OF PROFESSIONAL ENGINEERS	2,000.00	
FOLEY LARDNER HOLLABAUGH & JACOBS, 1775 PENNSYLVANIA AVE., NW WASHINGTON DC 20006	CITY OF MINNEAPOLIS	11,550.00	493.16
Do	FIRST WISCONSIN NATIONAL BANK OF MILWAUKEE		
Do	INDEPENDENT REFINERS ASSOCIATION OF AMERICA	1,260.00	47.17
Do	LAWYERS TITLE INSURANCE CORP	7,630.00	285.99
Do	NATIONAL GYPSUM CO./CEMENT DIV	4,000.00	18.01
LEANDER J. FOLEY III, 267 CAPE ST. JOHN RD. CAPE ST. JOHN MD 21401	NATIONAL FED OF COMMUNITY DEVELOPMENT CREDIT UNIONS		
Do	NATIONAL RURAL DEVELOPMENT & FINANCE CORP		

Organization or Individual Filing	Employer/Client	Receipts	Expenditures
R. D. FOLSOM, 11 DUPONT CIRCLE, NW, #630 WASHINGTON DC 20036	R. DUFFY WALL & ASSOCIATES, INC (FOR: FREEPORT-MCMORAN, INC)	300.00	
Do	NATIONAL COUNCIL ON SYNTHETIC FUELS PRODUCTION		
FOOD AND BEVERAGE TRADES DEPARTMENT, AFL-CIO, 815 16TH ST., NW WASHINGTON DC 20006		15,643.19	15,642.19
FOOD MARKETING INSTITUTE, 1750 K ST., NW WASHINGTON DC 20006			11,825.00
FOODSERVICE & LODGING INST, 1919 PENNSYLVANIA AVE., NW WASHINGTON DC 20006			
GORDON FORBES, 303 HANOVER BLDG., 480 CEDAR ST. ST. PAUL MN 55101	MINNESOTA RAILROADS		
LAURENCE S. FORDHAM, FOLEY, HOAG & ELIOT ONE POST OFFICE SQUARE BOSTON MA 02109	C & S WHOLESALE GROCERS, INC	2,300.00	
DONALD D. FOREMAN, SUITE 324 4640 W. 77TH MINNEAPOLIS MN 55437	STANDARD OIL CO (INDIANA)	1,050.00	
FOREST INDUSTRIES COMMITTEE ON TIMBER VALUATION & TAXATION, 1250 CONNECTICUT AVE., NW WASHINGTON DC 20036.			
EDWARD H. FORGOTSON, 1627 K ST., NW 10TH FLOOR WASHINGTON DC 20006	TEXAS OIL & GAS CORP		
MARK A. FORMAN, SUITE 600 S 1120 20TH STREET, NW WASHINGTON DC 20036	UNION PACIFIC CORP	625.00	
SALLIE H. FORMAN, 1825 K ST., NW WASHINGTON DC 20006	NATIONAL BROADCASTING CO, INC	2,025.00	94.04
NANCY E. FOSTER, SUITE 510 600 MARYLAND AVENUE, SW WASHINGTON DC 20024	AMERICAN SOYBEAN ASSN		
NANCY P. FOSTER, 1750 K STREET, NW WASHINGTON DC 20006	FOOD MARKETING INSTITUTE	200.00	
ROBERT U. FOSTER, SUITE 1250 1110 VERMONT AVE., NW WASHINGTON DC 20005	SHIPBUILDERS COUNCIL OF AMERICA		
ERIC R. FOX, 1700 PENNSYLVANIA AVE., NW WASHINGTON DC 20006	APPLE COMPUTER CORP		
Do	EMPLOYEE RELOCATION COUNCIL		
DAVID E. FRANASIAK, 1615 H ST., NW WASHINGTON DC 20062	CHAMBER OF COMMERCE OF THE U.S.	982.80	188.68
WILLIAM C. FRANCE, 1701 K ST., NW, #1204 WASHINGTON DC 20006	NATIONAL MOTORSPORTS COMM OF ACCUS		
FRANCIS ASSOCIATES, LTD., 316 PENNSYLVANIA AVENUE, SE WASHINGTON DC 20003	CONTINENTAL AIRLINE EMPLOYEES ASSN		
Do	NATIONAL EDUCATION ASSN		
Do	SOUTHERN CALIFORNIA EDISON CO & PACIFIC GAS & ELECTRIC		
Do	(FOR: STEIN DAVIDOFF MALITO (FOR NATL PASSENGER TRAFF. ASSN))		
DOUGLAS L. FRANCISCO, 1101 16TH ST., NW WASHINGTON DC 20036	INDEPENDENT PETROLEUM ASSOCIATION OF AMERICA		76.50
PETER M. FRANK, SUITE 906 1625 K STREET, NW WASHINGTON DC 20006	KERR-MCGEE CORP	2,500.00	1,594.79
ALFRED S. FRANK, JR., SUITE 320 1140 19TH ST., NW WASHINGTON DC 20036	NCR CORPORATION		
WALTER L. FRANKLAND JR , 1717 K ST., NW WASHINGTON DC 20006	SILVER USERS ASSN, INC	1,700.00	103.45
THOMAS C. FRANKS, 604 SOLAR BUILDING 1000 16TH STREET, NW WASHINGTON DC 20036	AMERICAN LAND DEVELOPMENT ASSN	1,500.00	862.35
CHARLES W. FRANZ, 1133 19TH STREET, NW WASHINGTON DC 20036	MCI COMMUNICATIONS CORP	10,375.00	325.85
MARIAN C. FRANZ, 2121 DECATUR PLACE, NW WASHINGTON DC 20008	NATIONAL COUNCIL FOR A WORLD PEACE TAX FUND	150.00	440.00
CHARLES L. FRAZIER, 475 L'ENFANT PLAZA, SW, #2250 WASHINGTON DC 20024	NATIONAL FARMERS ORGANIZATION	4,417.00	3,069.88
GREGORY W. FRAZIER, P.O. BOX 427 ENGLEWOOD CO 80151	INTERNATIONAL ENERGY BROKERS, INC		
ROBERT M. FREDERICK, 1616 H ST., NW WASHINGTON DC 20006	NATIONAL GRANGE	4,687.50	
FREDERICK SERVICE GROUP, P.O. BOX 547 FREDERICK MD 21701			
ANN TODD FREE, 1120 CONNECTICUT AVENUE, NW WASHINGTON DC 20036	AMERICAN BANKERS ASSN	300.00	
CAROL FREEDMAN, 317 PENNSYLVANIA AVENUE, SE WASHINGTON DC 20003	ENVIRONMENTAL POLICY INSTITUTE		
D. MICHAL FREEDMAN, 2030 M STREET, NW WASHINGTON DC 20036	COMMON CAUSE	6,944.98	
JAMES O. FREEMAN, 1709 NEW YORK AVE., NW, #801 WASHINGTON DC 20006	U.S. LEAGUE OF SAVINGS ASSOCIATIONS	4,675.00	12.00
LINDA J. FREEMAN, 1724 MASSACHUSETTS AVE., NW WASHINGTON DC 20036	NATIONAL CABLE TELEVISION ASSN, INC	353.08	
PAULA A. FREER, 1800 M ST., NW, #975 WASHINGTON DC 20036	MARATHON OIL CO		
ROBERT E. FREER, SUITE 2200 1000 WILSON BLVD. ARLINGTON VA 22209	KIMBERLY-CLARK CORP		
RONNA FREIBERG, THE POWER HOUSE 3255 GRACE STREET, NW WASHINGTON DC 20007	GRAY AND OCMPANY (FOR: AMERICAN IRON & STEEL INSTITUTE)		
Do	GRAY AND COMPANY (FOR: ASARCO)		
Do	GRAY AND COMPANY (FOR: BUDD COMPANY)		
Do	GRAY AND COMPANY (FOR: COMMONWEALTH OF PUERTO RICO)		
Do	GRAY AND COMPANY (FOR: GENERAL TELEPHONE & ELECTRONICS)		
Do	GRAY AND COMPANY (FOR: HAMBROS BANK LIMITED)		
Do	GRAY AND COMPANY (FOR: HEALTH INSURANCE ASSN OF AMERICA)		
Do	GRAY AND COMPANY (FOR: MOTOROLA)		
Do	GRAY AND COMPANY (FOR: NATIONAL BRAODCASTING COMPANY)		
Do	GRAY AND COMPANY (FOR: SHAKLEE CORPORATION)		
Do	GRAY AND COMPANY (FOR: SHARPS, PIXLEY & COMPANY, LTD.)		
Do	GRAY AND COMPANY (FOR: RICHARD L. SINNOTT & COMPANY)		
Do	GRAY AND COMPANY (FOR: TOBACCO INSTITUTE)		
Do	GRAY AND COMPANY (FOR: WARNER COMMUNICATIONS)		
VERRICK O. FRENCH, 1000 CONNECTICUT AVE., NW, #700 WASHINGTON DC 20036	NATIONAL RETAIL MERCHANTS ASSN	600.00	20.00
SARA HAMRIC FREUND, 260 MADISON AVE. NEW YORK NY 10016	AMERICAN PAPER INST, INC		
GEORGE L. FRICK, DELAWARE PETROLEUM COUNCIL 20 E.DIVISION ST. DOVER DE 19901	AMERICAN PETROLEUM INST		
SUSAN FRIDY, 1840 WILSON BOULEVARD ARLINGTON VA 22201	NATIONAL MILK PRODUCERS FED	2,490.00	
FRIED FRANK HARRIS SHRIVER & KAMPELMAN, SUITE 1000 600 NEW HAMPSHIRE AVE., NW WASHINGTON DC 20037	CHEYENNE RIVER SIOUX TRIBE		16.80
Do	DIAMOND DEALERS CLUB, INC		
Do	DOYON, LIMITED		
Do	GENERAL ELECTRIC COMPANY		
Do	HUNT BUILDING CORPORATION		
Do	INVESTMENT COMPANY INSTITUTE		
Do	MICHELIN TIRE COMPANY		72.43
Do	NEZ PERCE TRIBE		
Do	PUEBLO OF LAGUNA		
Do	SCHENLEY INDUSTRIES, INC	17,900.00	253.95
Do	SENECA NATION OF INDIANS		21.60
Do	SOUTHERN BROOKLYN COMMUNITY ORGANIZATION		5.54
PHILIP P. FRIEDLANDER JR , 1343 L ST., NW WASHINGTON DC 20005	NATIONAL TIRE DEALERS & RETREADERS ASSN	200.00	
FRIEDMAN & MANN, P.C., 810 18TH ST., NW WASHINGTON DC 20006	COUSHATTA TRIBE OF LOUISIANA		
CHARLOTTE FRIEDMAN, 1801 NORTH MOORE ST. ARLINGTON VA 22209	AMERICAN ASSN OF SCHOOL ADMINISTRATORS		
JAMES M. FRIEDMAN, 700 TERMINAL TOWER CLEVELAND OH 44113	CLEVELAND ELECTRIC ILLUMINATING CO	260.00	225.18
Do	COALITION FOR ENVIRONMENTAL-ENERGY BALANCE	2,200.00	986.89
GAY H. FRIEDMANN, 1150 CONNECTICUT AVE., NW, #717 WASHINGTON DC 20036	SOUTHERN CALIFORNIA GAS CO	7,625.00	85.59
FRIENDS COMMITTEE ON NATIONAL LEGISLATION, 245 2ND ST., NE WASHINGTON DC 20002			23,928.46
FRIENDS OF ANIMALS, INC, 400 FIRST STREET, NW, #800 WASHINGTON DC 20001		4,000.00	1,786.31
FRIENDS OF THE COLUMBIA GORGE, ROOM 303 519 SW THIRD PORTLAND OR 97204		713.38	2,618.54
OWEN V. FRISBY, 900 17TH ST., NW WASHINGTON DC 20006	CHASE MANHATTAN BANK, N.A.	750.00	17.02
SUSAN T. FRITSCHLER, 1111 19TH STREET, NW WASHINGTON DC 20036	EDISON ELECTRIC INSTITUTE	545.00	136.63
CHARLES H. FRITTS, 2009 NORTH 14TH ST. SUITE 600 ARLINGTON VA 22201	NEW BEDFORD SEAFOOD COUNCIL, INC	7,500.00	970.45
CHARLES H. FRITZEL, 499 S. CAPITOL ST., SE, #401 WASHINGTON DC 20003	NATIONAL ASSN OF INDEPENDENT INSURERS	300.00	250.00
JEFFREY FRITZLEN, 1120 20TH STREET, NW, #500-S WASHINGTON DC 20036	UNION PACIFIC CORP	2,000.00	
RICHARD B. FROH, SUITE 1014 900 17TH STREET, NW WASHINGTON DC 20006	KAISER FOUNDATION HEALTH PLAN	15,500.00	45.05
RICH FRUCHTERMAN, 115 D STREET, SE, #G8 WASHINGTON DC 20002	U.S. TELEPHONE COMMUNICATIONS, INC		
ALBERT E. FRY, 1828 L STREET, NW, #402 WASHINGTON DC 20036	BUSINESS ROUNDTABLE		
GORDON H. FRY, SUITE 1201 1100 17TH ST., NW WASHINGTON DC 20036	CIGAR ASSOCIATION OF AMERICA, INC		
FULBRIGHT & JAWORSKI, 1150 CONNECTICUT AVE., NW, #400 WASHINGTON DC 20036	ALAMO RENT A CAR		10.00
Do	CONSOLIDATED CAPITAL EQUITIES CORP	1,438.00	4.33
Do	CRYSTAL OIL COMPANY		
Do	HOUSTON POST COMPANY		30.74
RONALD K. FULLER, 316 PENNSYLVANIA AVENUE, SE WASHINGTON DC 20003	SAN DIEGO GAS & ELECTRIC	615.60	97.71
CLAUDIA R. FUQUAY, 1133 20TH ST., NW WASHINGTON DC 20036	NATIONAL FOOD PROCESSORS ASSN	500.00	24.00
NANCY H. FUSSELL, 1700 N. MOORE ST. ROSSLYN VA 22209	BOEING COMPANY	645.00	532.95
DAVID H. FYOCK, SUITE 520 600 MARYLAND AVE., SW WASHINGTON DC 20024	GPU SERVICE CORPORATION	3,995.00	581.08
MARC P. GABOR, 5025 WISCONSIN AVENUE, NW WASHINGTON DC 20016	AMALGAMATED TRANSIT UNION, AFL-CIO	3,000.00	181.00
TERRY GABRIELSON, 490 L'ENFANT PLAZA, SW, #3202 WASHINGTON DC 20024	TRANSCONTINENTAL GAS PIPELINE CORP	1,200.00	
GADSBY & HANNAH, SUITE 511 1129 20TH STREET, NW WASHINGTON DC 20036	GOVERNMENT OF BELIZE	3,000.00	540.75
Do	GOVERNMENT OF REPUBLIC OF PANAMA		174.13
Do	SUGAR ASSN OF THE CARIBBEAN		958.70
JAMES E. GAFFIGAN, SUITE 607 1899 L STREET, NW WASHINGTON DC 20036	TRAVEL & TOURISM GOVERNMENT AFFAIRS POLICY COUNCIL	1,625.00	
NORMAN S. GAINES, 2550 M ST., NW, #770 WASHINGTON DC 20037	RJR INDUSTRIES, INC	2,200.54	954.40
JOE H. GALIS, P.O. BOX 1100 SLOTE 1455 AVON PARK FL 33825			
LAWRENCE H. GALL, P.O. BOX 1396 HOUSTON TX 77251	TRANSCO COMPANIES, INC		
HENRY T. GALLAGHER, 777 14TH STREET, NW WASHINGTON DC 20005	NATIONAL ASSN OF REALTORS		
LINDA P. GALLAGHER, 1925 K STREET, NW WASHINGTON DC 20006	ALLIANCE TO SAVE ENERGY		
MARK J. GALLAGHER, 1707 L ST., NW, #400 WASHINGTON DC 20036	NATIONAL COMM FOR A HUMAN LIFE AMENDMENT, INC	5,020.00	4,217.00
KARL GALLANT, 8001 BRADDOCK ROAD SPRINGFIELD VA 22160	NATIONAL RIGHT TO WORK COMMITTEE	2,000.00	452.24
LARRY GALLO, 1001 CONNECTICUT AVE., NW WASHINGTON DC 20036	CHEMICAL SPECIALTIES MANUFACTURERS ASSN		
EDMUND J. GANNON, 314 EAST CAPITOL STREET, #204 WASHINGTON DC 20003	COMMITTEE TO STOP ILLEGAL IMMIGRATION		

Organization or Individual Filing	Employer/Client	Receipts	Expenditures
WILLIAM R. GANSER JR , 4804 FOLSE DR. METAIRIE LA 70002	SOUTHERN FOREST PRODUCTS ASSN	2,106.58	
NICOLE GARA, SUITE 700 2341 JEFFERSON DAVIS HIGHWAY ARLINGTON VA 22202	AMERICAN ACADEMY OF PHYSICIAN ASSISTANTS	5,330.76	67.25
SHERWIN GARDNER, 1010 WISCONSIN AVE., NW SUITE 800 WASHINGTON DC 20007	GROCERY MANUFACTURERS OF AMERICA, INC.		
GARDNER, CARTON & DOUGLAS, 1875 I ST., NW WASHINGTON DC 20006	AMERICAN HEALTH CARE ASSN		
Do	FTC COMMUNICATIONS, INC.		
Do	EDWARD HINES LUMBER CO	200.00	5.00
Do	K-A COMPANY		
Do	MIDCON CORP		
EDWARD A. GARMATZ, 2210 LAKE AVE. BALTIMORE MD 21213	BALTIMORE GAS & ELECTRIC CO	2,400.00	
NICHOLAS P. GARNETT, SUITE 410 1025 VERMONT AVE., NW WASHINGTON DC 20005	NATIONAL INSULATION CONTRACTORS ASSN		
THEODORE J. GARRISH, 1607 NEW HAMPSHIRE AVE., NW WASHINGTON DC 20009	AMERICAN METAL DETECTORS MFRS., INC.		
JAMES J. GARRY, 77 WATER ST. NEW YORK NY 10005	COFFEE, SUGAR & COCOA EXCHANGE, INC.		
JOHN C. GARTLAND, 1019 19TH STREET, NW WASHINGTON DC 20036	AMWAY CORPORATION	8,250.00	
GARVEY, SCHUBERT, ADAMS & BARER, 1000 POTOMAC ST., NW WASHINGTON DC 20006	AMERICAN PYROTECHNICS ASSN		
Do	COMINCO AMERICAN, INC		
Do	ENERGY RESOURCES OF AUSTRALIA AND COUNSELORS FOR MANAGEMENT		
Do	JAPAN FISHERIES ASSN		
Do	NORANDA MINING INC.	435.00	
Do	NORTHWEST MARINE IRON WORKS		
Do	PACCAR, INC.	450.00	
Do	PACIFIC RIM TRADE ASSN		
Do	PORT OF TILLAMOOK BAY & TILLAMOOK COUNTY		
Do	TOTEM OCEAN TRAILER EXPRESS, INC.	11,895.00	
Do	TRAILWAYS, INC.		
Do	WASHINGTON CITIZENS FOR WORLD TRADE	250.00	
E. JUNE GARVIN, OHIO PETROLEUM COUNCIL 88 E. BROAD SUITE 1960 COLUMBUS OH 43215	AMERICAN PETROLEUM INST	2,000.00	1,028.04
W. BRADFORD GARY, 1050 17TH STREET, NW, #1126 WASHINGTON DC 20036	BAXTER TRAVENOL LABORATORIES, INC		
LILLIAN B. GASKIN, 1800 M ST., NW WASHINGTON DC 20036	AMERICAN BAR ASSN	400.00	15.00
PHILIP GASTEYER, 1709 NEW YORK AVE., NW SUITE 801 WASHINGTON DC 20006	U.S. LEAGUE OF SAVINGS ASSOCIATIONS	6,250.00	
WAYNE GATHERS, 1925 K STREET, NW, #507 WASHINGTON DC 20006	ALLIANCE TO SAVE ENERGY		
JOHN GAUTHIER, 923 15TH STREET, NW WASHINGTON DC 20005	TRANSPORTATION INSTITUTE	3,000.00	139.00
MARGARET L. GEHRES, 1828 L STREET, NW, #402 WASHINGTON DC 20036	BUSINESS ROUNDTABLE		
JOHN R. GEIGER, SUITE 506 1660 L ST., NW WASHINGTON DC 20036	GOULDS PUMPS, INC	400.00	
RONALD L. GEIGLE, 1030 15TH STREET, NW, #1100 WASHINGTON DC 20005	HEALTH INDUSTRY MANUFACTURERS ASSN		
ROBERT C. GELARDI, 5775 PEACHTREE-DUNWOODY RD. #500-D ATLANTA GA 30342	ROBERT H. KELLEN CO (FOR: CALORIE CONTROL COUNCIL)	60.00	
MORTON A. GELLER, 100 FEDERAL ST. BOSTON MA 02110	FIRST NATIONAL BANK OF BOSTON		
GENERAL AVIATION MANUFACTURERS ASSOCIATION, 1400 K STREET, NW, #801 WASHINGTON DC 20005			2,526.93
GENERAL INSTRUMENT CORPORATION, 1775 BROADWAY NEW YORK NY 10019		737.50	530.89
GENERIC PHARMACEUTICAL INDUSTRY ASSN., 18TH FLOOR 600 THIRD AVENUE NEW YORK NY 10016		11,319.50	11,319.50
FRED J. GENTILE, 195 MONTAGUE STREET BROOKLYN NY 11201	BROOKLYN UNION GAS CO		
JOHN GENTILLE, 1957 E ST., NW WASHINGTON DC 20006	ASSOCIATED GENERAL CONTRACTORS OF AMERICA		
GEORGE AND GEORGE, 499 SOUTH CAPITOL ST., SW SUITE 400 WASHINGTON DC 20003	RISS INTERNATIONAL		
NANCY WHORTON GEORGE, 499 SOUTH CAPITOL STREET, SW, #400 WASHINGTON DC 20003	CELERON		
GEORGIA ASSN OF PETROLEUM RETAILERS, INC, 900 N. HAIRSTON ROAD, SUITE D STONE MOUNTAIN GA 30083			395.00
GEORGE W. GEPHART, 6104 MAYWOOD AVENUE BALTIMORE MD 21209	BALTIMORE GAS & ELECTRIC CO		
JOSEPH G. GERARD, 918 16TH ST., NW # 402 WASHINGTON DC 20006	SOUTHERN FURNITURE MFGRS ASSN	1,500.00	869.81
LOUIS GERBER, 1925 K ST., NW WASHINGTON DC 20006	COMMUNICATIONS WORKERS OF AMERICA	5,467.38	207.75
LLEWELLYN H. GERSON, 425 13TH STREET, NW WASHINGTON DC 20004	DISTILLED SPIRITS COUNCIL OF THE U.S., INC	2,300.00	
PHYLLIS H. GERSTELL, 1850 K ST., NW WASHINGTON DC 20006	AMERICAN COUNCIL OF LIFE INSURANCE, INC.		
ALVIN J. GESKE, DAVIS & MCLEOD 499 S. CAPITOL ST., SW, #407 WASHINGTON DC 20003	NATIONAL CATTLEMEN'S ASSN		
Do	NATIONAL CORP FOR HOUSING PARTNERSHIPS		
DOROTHY F. GEVINSON, 1801 K ST., NW SUITE 230 WASHINGTON DC 20006	PROCTER & GAMBLE MANUFACTURING CO		
ROBERT N. GIAIMO, 499 SOUTH CAPITOL ST., S.W. SUITE 110 WASHINGTON DC 20003	AETNA LIFE & CASUALTY	9,375.00	
Do	INSURANCE ASSOCIATION OF CONNECTICUT	3,750.00	
WAYNE GIBBENS, 1919 PENNSYLVANIA AVE., NW, #503 WASHINGTON DC 20006	MID-CONTINENT OIL & GAS ASSN	5,000.00	55.50
ANNE MARIE GIBBONS, THIRD FLOOR 2301 M STREET, NW WASHINGTON DC 20037	AMERICAN PUBLIC POWER ASSN	500.00	
CLIFFORD S. GIBBONS, 1010 WISCONSIN AVENUE, NW SUITE 800 WASHINGTON DC 20007	GROCERY MANUFACTURERS OF AMERICA, INC.	730.74	
WILLIAM G. GIERY, 1919 PENNSYLVANIA AVE., NW WASHINGTON DC 20006	FOODSERVICE & LODGING INST.		
NORMA J. GILBERT, 1776 K ST., NW, #200 WASHINGTON DC 20006	MOTOROLA, INC	450.00	111.66
SUSAN GILBERT, 1016 16TH ST., NW WASHINGTON DC 20036	NATIONAL FEDERATION OF FEDERAL EMPLOYEES		
ARTHUR P. GILDEA, 274 GLENFIELD CT. CINCINNATI OH 45238	BREWERY & SOFT DRINK WORKERS, NATIONAL CONFERENCE		
MICHAEL GILDEA, 815 16TH ST., NW WASHINGTON DC 20006	AFL-CIO	13,607.49	157.01
JOHN E. GILES, 1600 EYE ST., NW WASHINGTON DC 20006	MOTION PICTURE ASSN OF AMER, INC.	1,400.00	807.77
JOSEPH S. GILL, BRICKER & ECKLER 100 E. BROAD STREET COLUMBUS OH 43215	NORFOLK SOUTHERN	3,333.00	
MARK W. GILLASPIE, P.O. BOX 1188 HOUSTON TX 77001	HOUSTON NATURAL GAS CORP		
NEAL P. GILLEN, 1707 L ST., NW, #460 WASHINGTON DC 20036	AMERICAN COTTON SHIPPERS ASSN	24,000.00	1,370.52
WILLIAM GILMARTIN, SUITE 303 1220 19TH STREET, NW WASHINGTON DC 20036	PLANNED PARENTHOOD FEDERATION OF AMERICA, INC.	106.88	36.00
JOE L GILMORE, 1745 JEFFERSON DAVIS HWY. ARLINGTON VA 22202	GENERAL DYNAMICS LAND SYS.		
DAVID S. GILROY, 715 EIGHTH STREET, NW WASHINGTON DC 20003	NATIONAL VICTIMS OF CRIME		
MARLA F. GILSON, 444 NORTH CAPITOL STREET, NW # 412 WASHINGTON DC 20001	AMERICAN ISRAEL PUBLIC AFFAIRS COMM	735.51	
SAMUEL P. GINDER, 2361 S. JEFFERSON DAVIS HIGHWAY ARLINGTON VA 22202	PRESEARCH, INC		
GINSBURG, FELDMAN AND BRESS, 1700 PENNSYLVANIA AVE., NW WASHINGTON DC 20006	COAL OIL PRODUCERS ASSOCIATION		
Do	BELCHER TOWING COMPANY		
GERARD GIOVANIELLO, 777 14TH ST., NW WASHINGTON DC 20005	NATIONAL ASSN OF REALTORS	2,500.00	437.65
MICHAEL K. GIRE, BRICKER & ECKLER 100 E. BROAD ST. COLUMBUS OH 43215	AMERICAN SMALL AND RURAL HOSPITAL ASSOCIATION, OHIO CHAPTER		
BRENDA M. GIRTON, 1211 CONNECTICUT AVENUE, N.W. # 802 WASHINGTON DC 20036	SEARS, ROEBUCK AND CO	100.00	64.80
MICHAEL J. GIUFFRIDA, SUITE 450 600 MARYLAND AVE., SW WASHINGTON DC 20024	NATIONAL FROZEN FOOD ASSOCIATION	2,000.00	
DAVID B. GLANCEY, 2600 THE FIDELITY BUILDING PHILADELPHIA PA 19109	PHILADELPHIA STOCK EXCHANGE	6,000.00	
JAY W. GLASMANN, 1700 PENNSYLVANIA AVE., NW WASHINGTON DC 20006	EMPLOYEE RELOCATION COUNCIL		
SOL GLASNER, SUITE 810 2000 L ST., NW WASHINGTON DC 20036	SPERRY CORPORATION		
GEORGE L. GLEASON, 410 1ST ST., SE WASHINGTON DC 20003	AMERICAN NUCLEAR ENERGY COUNCIL	2,250.00	113.57
JOHN P. GLEASON, 1750 OLD MEADOW RD. MCLEAN VA 22102	BRICK INSTITUTE OF AMERICA		
LAW OFFICES OF THOS 90 BROAD STREET, #600 NEW YORK NY 10004	INTERNATIONAL LONGSHOREMAN'S ASSOCIATION, AFL-CIO		
ROBERT GLEASON, 815 SIXTEENTH STREET, NW WASHINGTON DC 20006	INTERNATIONAL LONGSHOREMEN'S ASSOCIATION, AFL-CIO	6,813.41	445.95
GLENMEDE TRUST CO., 229 S. 18TH ST. PHILADELPHIA PA 19103			
GARY GLENN, 8001 BRADDOCK ROAD SPRINGFIELD VA 22160	NATIONAL RIGHT TO WORK COMMITTEE	2,748.00	275.00
JAMES T. GLENN, 840 WASHINGTON BUIDING 15TH STREET & NEW YORK AVE., NW WASHINGTON DC 20005	CSX CORPORATION	3,000.00	834.64
ELMER G. GLESKE, 1629 K ST., NW, #400 WASHINGTON DC 20006	FLIGHT SAFETY INTL INC		
GNAU, CARTER, JACOBSEN & ASSOC., INC., 1777 F STREET, NW WASHINGTON DC 20006	AMYRCON CORPORATION		
Do	BEZTAK COMPANY		
Do	CAC ASSOCIATES		
Do	GRAND TRAVERSE DEVELOPMENT, INC.		
Do	POTTER INSTRUMENT CO., INC.		
Do	RJK CONSTRUCTION COMPANY		
Do	SANDERS CORPORATION		
Do	URBAN REVITALIZATION, INC.		
GODFREY ASSOC, INC, SUITE S-501 918 16TH ST., NW WASHINGTON DC 20006			
HORACE D. GODFREY, 918 16TH ST., NW, SUITE S-501 WASHINGTON DC 20006	GODFREY ASSOC, INC		
RICHARD P. GODWIN, P.O. BOX 3965 SAN FRANCISCO CA 94119	BECHTEL CIVIL & MINERALS, INC.		
A. JAMES GOLATO, 1701 K STREET, NW WASHINGTON DC 20006	H&R BLOCK, INC.		
HARVEY S. GOLD, 1015 15TH ST., NW, #909 WASHINGTON DC 20005	VELSICOL CHEMICAL CORP		278.95
MARTIN B. GOLD, THE POWER HOUSE 3255 GRACE STREET, NW WASHINGTON DC 20007	GRAY AND COMPANY (FOR: AMERICAN IRON & STEEL INSTITUTE)		
Do	GRAY AND COMPANY (FOR: AMERICAN MARITIME ASSN)		
Do	GRAY AND COMPANY (FOR: HAMBROS BANK LTD)		
Do	GRAY AND COMPANY (FOR: HEALTH INSURANCE ASSN OF AMERICA)		
Do	GRAY AND COMPANY (FOR: MARTIN BAKER AIRCRAFT COMPANY LTD.)		
Do	GRAY AND COMPANY (FOR: PAN AMERICAN NATIONAL BANK)		
Do	GRAY AND COMPANY (FOR: SHARPS, PIXLEY & CO., LTD.)		
Do	GRAY AND COMPANY (FOR: RICHARD L. SINNOTT & COMPANY)		
HOWARD S. GOLDBERG, 1225 19TH ST., NW WASHINGTON DC 20036	DGA INTL, INC (FOR: AIRBUS INDUSTRIE)		
Do	DGA INTL, INC. (FOR: SOFREAVIA)	75.72	2.00
JANE A. GOLDEN, 1775 PENNSYLVANIA AVENUE, NW WASHINGTON DC 20006	FOLEY, LARDNER, HOLLABAUGH & JACOBS (FOR: NATIONAL GYPSUM CO./CEMENT DIV.).		

Organization or Individual Filing	Employer/Client	Receipts	Expenditures
RONALD L. GOLDFARB, GOLDFARB, SINGER & AUSTERN 918 16TH STREET, NW, #503 WASHINGTON DC 20003	WASHINGTON INDEPENDENT WRITERS, INC.		
LLOYD L. GOLDING, 700 N. FAIRFAX ST., #505 SUITE 1304 ALEXANDRIA VA 22314	NATIONAL TRUCK STOP OPERATORS ASSOCIATION		
JACK GOLODNER, 815 16TH ST., NW WASHINGTON DC 20006	DEPARTMENT FOR PROFESSIONAL EMPLOYEES, AFL-CIO	3,660.51	
JOHN GONELLA, SUITE 200 412 FIRST STREET, SE WWASHINGTON DC 20036	ASSOCIATION OF AMERICAN RAILROADS	1,054.99	93.25
RUTH GONZE, THIRD FLOOR 2301 M STREET, NW WASHINGTON DC 20037	AMERICAN PUBLIC POWER ASSN	500.00	
CHARLES E. GOODELL, 1225 19TH ST., NW WASHINGTON DC 20036	DGA INTERNATIONAL, INC (FOR: AIRBUS INDUSTRIE)		
Do	DGA INTL, INC. (FOR: SOFREAVIA)		
VANCE V. GOODFELLOW, 307 4TH AVE., SOUTH, P.O. BOX 15047 MINNEAPOLIS MN 55415	CROP QUALITY COUNCIL	11,098.17	
ROBERT F. GOODWIN, 1850 K ST., NW, SUITE 275 WASHINGTON DC 20006	MEREDITH CORP	40.00	23.50
BENJAMIN GORDON, 2000 P ST., NW, #708 WASHINGTON DC 20036	HEALTH RESEARCH GROUP		
DOUGLAS GORDON, 1133 20TH STREET, N.W. WASHINGTON DC 20036	NATIONAL FOOD PROCESSORS ASSN	375.00	15.50
IRMGARD GORDOS, P.O. BOX 722 JEFFERSON CITY MO 65102	AMERICAN SECURITY COUNCIL		
BRENDA J. GORE, SUITE 2600 1000 WILSON BLVD. ARLINGTON VA 22209	TRW, INC.	1,000.00	
MILLICENT GORHAM, SUITE 400E 600 MARYLAND AVENUE, SW WASHINGTON DC 20024	AMERICAN OPTOMETRIC ASSN		
JAMES M. GORMAN, 258 W. CLINTON AVENUE TENAFLY NJ 07670	C. A. SHEA & COMPANY, INC.		
JAMES D. GORMLEY, 1025 CONNECTICUT AVENUE, NW SUITE 517 WASHINGTON DC 20036	GENERAL AVIATION MANUFACTURERS ASSOCIATION	1,361.54	
PETER GOSSENS, 1717 MASSACHUSETTS AVE., NW, #503 WASHINGTON DC 20036	NATIONAL ASSN OF INDEPENDENT COLLEGES & UNIVERSITIES	11,250.00	633.00
JOHN T. GOULD JR., SUITE 805 1625 EYE STREET, NW WASHINGTON DC 20006	ST. REGIS PAPER CO	400.00	700.00
EDMOND GRABER, 1957 E STREET, NW WASHINGTON DC 20006	ASSOCIATED GENERAL CONTRACTORS OF AMERICA	1,000.00	500.00
JOHN R. GRAFF, SUITE 330 1025 VERMONT AVE., NW WASHINGTON DC 20005	INTERNATIONAL ASSN OF AMUSEMENT PARKS AND ATTRACTIONS		
DONALD E. GRAHAM, 1800 MASSACHUSETTS AVE., NW, #604 WASHINGTON DC 20036	NATIONAL COUNCIL OF FARMER COOPERATIVES		500.00
LAWRENCE T. GRAHAM, 1101 CONNECTICUT AVE., NW, #1006 WASHINGTON DC 20036	AMERICAN HOTEL & MOTEL ASSN	1,246.15	
LUIS L. GRANADOS, 1725 DESALES STREET NW, SUITE 401 WASHINGTON, DC 20036	ESOP ASSOCIATION OF AMERICA	6,000.00	29.02
EDWARD S. GRANDIS, 317 PENNSYLVANIA AVE., SE WASHINGTON DC 20003	ENVIRONMENTAL POLICY INSTITUTE	50.00	
WILLIAM W. GRANT, SUITE 710 1150 CONNECTICUT AVE., NW WASHINGTON DC 20036	UTAH INTL, INC		231.49
JAMES L. GRANUM, 920 15TH ST., NW WASHINGTON DC 20005	NORFOLK SOUTHERN CORP	1,000.00	
MICHAEL R. GRAUL, 1725 DESALES ST., NW SUITE 401 WASHINGTON DC 20036	AMERICAN HARDWARE MANUFACTURERS ASSN	1,000.00	
Do	CUTTING TOOL MANUFACTURERS ASSN & METAL CUTTING TOOL INST	1,200.00	
RUTH P. GRAVES, SUITE 500 600 MARYLAND AVE., SW WASHINGTON DC 20024	READING IS FUNDAMENTAL, INC		
JAMES A. GRAY, 7901 WESTPARK DR. MCLEAN VA 22102	NATIONAL MACHINE TOOL BUILDERS' ASSN		
ROBERT K. GRAY, THE POWER HOUSE 3255 GRACE STREET, NW WASHINGTON DC 20007	GRAY AND COMPANY (FOR: AMERICAN IRON AND STEEL INSTITUTE)		
Do	GRAY AND COMPANY (FOR: AMERICAN MARITIME ASSN)		
Do	GRAY AND COMPANY (FOR: AMERICAN TRUCKING ASSN)		
Do	GRAY AND COMPANY (FOR: ANEUTRONIX, INC)		
Do	GRAY AND COMPANY (FOR: ASARCO)		
Do	GRAY AND COMPANY (FOR: BATUS)		
Do	GRAY AND COMPANY (FOR: BENDIX CORPORATION)		
Do	GRAY AND COMPANY (FOR: BEVERLY ENTERPRISES)		
Do	BUDD COMPANY		
Do	GRAY AND COMPANY (FOR: COLLEGE OF AMERICAN PATHOLOGISTS)		
Do	GRAY AND COMPANY (FOR: COMMONWEALTH OF PUERTO RICO)	175.00	
Do	GRAY AND COMPANY (FOR: EL PASO NATURAL GAS)		
Do	GENERAL TELEPHONE & ELECTRONICS		
Do	GRAY AND COMPANY		
Do	GRAY AND COMPANY (FOR: GROUP W)		
Do	GRAY AND COMPANY (FOR: HAMBROS BANK LIMITED)		
Do	GRAY AND COMPANY (FOR: HEALTH INSURANCE ASSN OF AMERICA)		
Do	GRAY AND COMPANY (FOR: HRH PRINCE TALAL BIN ABDUL AZIZ AL SAUD)		
Do	GRAY AND COMPANY (FOR: HTB CORPORATION)		
Do	GRAY AND COMPANY (FOR: JOINT MARITIME CONGRESS)		
Do	MARTIN BAKER AIRCRAFT COMPANY LTD.		
Do	GRAY AND COMPANY (FOR: MOTOROLA)		
Do	GRAY AND COMPANY (FOR: NATIONAL BROADCASTING COMPANY)	87.50	
Do	GRAY AND COMPANY (FOR: NATIONAL COALITION FOR A FREE CUBA)		
Do	GRAY AND COMPANY (FOR: PAN AMERICAN NATIONAL BANK)	175.00	
Do	GRAY AND COMPANY (FOR: QUIXOTE CORPORATION)		
Do	GRAY AND COMPANY (FOR: NICHOLAS SALGO)		
Do	GRAY AND COMPANY (FOR: SHAKLEE CORPORATION)		
Do	GRAY AND COMPANY (FOR: SHARPS, PIXLEY & CO., LTD.)		
Do	GRAY AND COMPANY (FOR: RICHARD L. SINNOTT AND COMPANY)		
Do	GRAY AND COMPANY (FOR: TOBACCO INSTITUTE)		
Do	GRAY AND COMPANY (FOR: U.S. BANKNOTE)	175.00	
Do	GRAY AND COMPANY (FOR: UNITED NATIONS CHILDREN'S FUND)		
Do	GRAY AND COMPANY (FOR: WARNER COMMUNICATIONS)	87.50	
JOHN F. GRAYBEAL, SUITE 1000 1775 PENNSYLVANIA AVENUE, NW WASHINGTON DC 20006	FOLEY LARDNER HOLLABAUGH & JACOBS (FOR: LAWYERS TITLE INSURANCE CORP)		
MARK E. GRAYSON, 1201 PENNSYLVANIA AVE., NW WASHINGTON DC 20004	HILL & KNOWLTON, INC		
SAMUEL A. GRAYSON, P.O. BOX 1745 BOISE ID 83701	UNION PACIFIC RAILROAD		
GREAT WESTERN SUGAR CO, P.O. BOX 5308 DENVER CO 80217			
GREATER WASHINGTON BOARD OF TRADE, 1129 20TH ST., NW WASHINGTON DC 20036			
JAMES R. GRECO, P.O. BOX 3151 HOUSTON TX 77001	BROWNING-FERRIS INDUSTRIES, INC		
DONALD R. GREELEY, 1101 17TH ST., NW, #307 WASHINGTON DC 20036	CELANESE CORP	1,200.00	202.27
GEORGE R. GREEN, 1750 K ST., NW WASHINGTON DC 20006	FOOD MARKETING INSTITUTE	450.00	
JAMES W. GREEN, 1201 16TH ST., NW WASHINGTON DC 20036	NATIONAL EDUCATION ASSN	2,536.20	231.00
JOHN K. GREEN, 1623 FARNAM STREET OMAHA NB 68102	PAPILLION NEBRASKA SCHOOL DISTRICT	1,222.40	19.04
MICAH S. GREEN, 777 14TH STREET, NW WASHINGTON DC 20005	NATIONAL ASSN OF REALTORS	1,250.00	178.20
WAYNE GREEN, 80 PINE ST. PETERBOROUGH NH 03458	73 INC		
JANE E. GREENBAUM, SUITE 210 1201 PENNSYLVANIA AVE. NW WASHINGTON DC 20004	HALLMARK CARDS, INC		
ALLEN GREENBERG, SUITE 708 2000 P STREET, NW WASHINGTON DC 20036	HEALTH RESEARCH GROUP	.44	
ELDON V. C. GREENBERG, GALLOWAY & GREENBERG 1725 EYE STREE, NW, #601 WASHINGTON DC 20006	SOUTHEASTERN FISHERIES ASSN, INC	3,000.00	804.91
ANTONIA M. GREENMAN, 422 FIRST STREET, SE, #208 WASHINGTON DC 20003	HALE FOUNDATION	5,250.00	
ROBERT GREENSTEIN, 236 MASSACHUSETTS AVENUE, NE WASHINGTON DC 20002	CENTER ON BUDGET & POLICY PRIORITIES	688.12	49.25
DALE W. GREENWOOD, 612 HOGE BLDG. SEATTLE WA 98104	WASHINGTON RAILROAD ASSN		
SAUNDERS GREGG, PO BOX 2628 HOUSTON TX 77001	ENTEX, INC		
WILLIAM G. GREIF, 1155 15TH ST., NW WASHINGTON DC 20005	BRISTOL-MYERS CO	40,000.00	
RANDALL GRIFFIN, 1515 WILSON BOULEVARD ARLINGTON VA 22209	AMERICAN GAS ASSN	3,000.00	300.84
MARK N. GRIFFITHS, 1776 F ST., NW WASHINGTON DC 20006	NATIONAL ASSN OF MANUFACTURERS	200.00	
JACK GRIMES, 8100 OAK STREET DUNN LORING VA 22027	NATIONAL PEST CONTROL ASSN		
OLGA GRKAVAC, 1300 NORTH 17TH STREET SUITE 300 ARLINGTON VA 22209	ASSOCIATION OF DATA PROCESSING SERVICE ORGANIZATIONS		
GROCERY MANUFACTURERS OF AMERICA, INC., SUITE 800 1010 WISCONSIN AVE., NW WASHINGTON DC 20007			5,637.95
GROOM & NORDBERG, 1775 PENNSYLVANIA AVENUE, NW, #450 WASHINGTON DC 20006	AD HOC GROUP ON LIFE INSURANCE CO. TAXATION OF PENSION FUNDS	100.00	2.00
Do	AETNA LIFE & CASUALTY		
Do	BAXTER TRAVENOL LABORATORIES, INC		
Do	CONNECTICUT GENERAL LIFE INSURANCE COMPANY		
Do	ELI LILLY AND COMPANY		
Do	EQUITABLE LIFE ASSURANCE SOCIETY OF THE U.S.		
Do	GLOBAL MARINE, INC		
Do	GOLDMAN, SACHS & COMPANY		
Do	GULF OIL CORP	200.00	4.00
Do	JOHN HANCOCK MUTUAL LIFE INSURANCE CO		
Do	PHILLIPS PETROLEUM COMPANY		
Do	PHOENIX MUTUAL LIFE INSURANCE COMPANY		
Do	PRUDENTIAL INSURANCE COMPANY OF AMERICA	500.00	8.00
Do	READING & BATES CORPORATION		
Do	TRAVELERS		
Do	UNION TEXAS PETROLEUM		
Do	WESTERN CONFERENCE OF TEAMSTERS PENSION TRUST FUND		
Do	WESTINGHOUSE ELECTRIC CORP		
DAVID B. GROSS, P.O. DRAWER 1120 JACKSON MS 39265			
NINA G. GROSS, 1120 CONNECTICUT AVE., NW WASHINGTON DC 20036	AMERICAN BANKERS ASSN	500.00	176.87
STANLEY C. GROSS, 249 MAITLAND AVENUE ALTAMONE SPRINGS FL 32701	INSTITUTE OF INTERNAL AUDITORS, INC		
FRANK N. GROSSMAN, SUITE 840 1100 CONNECTICUT AVE., NW WASHINGTON DC	SANTA FE INDUSTRIES, INC	1,500.00	
JOHN R. GROUNDWATER JR , 3251 OLD LEE HIGHWAY SUITE 501 FAIRFAX VA 22030	NATIONAL LIMESTONE INST, INC	1,387.50	
WALTER B. GRUBBS, 3510 S. 20TH STREET ABILENE TX 79605	WEST TEXAS UTILITIES CO	178.08	1,175.06

Organization or Individual Filing	Employer/Client	Receipts	Expenditures
JOHN T. GRUPENHOFF, SUITE 306 10,000 FALLS ROAD POTOMAC MD 20854	AMERICAN ACADEMY OF DERMATOLOGY	1,600.00	341.90
Do	AMERICAN GASTROENTEROLOGICAL ASSN	2,750.00	148.40
Do	AMERICAN SOCIETY FOR GASTROINTESTINAL ENDOSCOPY	2,750.00	148.40
RICHARD F. GUAY, 1101 15TH ST., NW WASHINGTON DC 20005	NATIONAL CONSTRUCTORS ASSOCIATION	3,375.00	
CLARK J. GUILD JR., GUILD, HAGEN & CLARK, LTD. 102 ROFF WAY RENO NV 89505	MOTION PICTURE ASSN OF AMERICA, INC	612.50	
JAMES E. GUIRARD JR., 1730 RHODE ISLAND AVENUE, NW, #419 WASHINGTON DC 20036	BELL AEROSPACE TEXTRON	6,000.00	450.00
Do	TANO CORPORATION		375.00
JEROME R. GULAN, 1604 K ST., NW WASHINGTON DC 20006	NATIONAL SMALL BUSINESS ASSN	4,500.00	
Do	SMALL BUSINESS LEGISLATIVE COUNCIL	2,500.00	
GUN OWNERS OF AMERICA, INC., 5881 LEESBURG PIKE FALLS CHURCH VA 22041			
DAVID GUSKY, 1016 16TH ST., NW WASHINGTON DC 20036	NATIONAL FEDERATION OF FEDERAL EMPLOYEES	9,604.74	
SUSAN L. GUSTAFSON, 8111 GATEHOUSE ROAD FALLS CHURCH VA 22047	AMERICAN AUTOMOBILE ASSN		
NED H. GUTHRIE, 209 HAYES AVENUE CHARLESTON WV 25314	AMERICAN FEDERATION OF MUSICIANS	1,550.00	2,226.65
ROBERT F. GUTHRIE, #608 815 16TH ST., NW WASHINGTON DC 20006	DEPARTMENT FOR PROFESSIONAL EMPLOYEES, AFL-CIO	4,712.50	
RICHARD E. GUTTING JR., 1101 CONNECTICUT AVENUE, NW, #700 WASHINGTON DC 20036	NATIONAL FISHERIES INSTITUTE	6,000.00	235.02
TIMOTHY M. HAAKE, BIRCH, HORTON, BITTNER & MONROE 1140 CONNECTICUT AVE., NW, #1100 WASHINGTON DC 20036	AMERICAN BUS ASSN		
Do	TEAMSTERS LOCAL 959		
Do	WIEN AIR ALASKA		
C. JAMES HACKETT, P.O. BOX 11700 TACOMA WA 98411	AMERICAN PLYWOOD ASSN		
JAMES M. HACKING, 1909 K ST., NW WASHINGTON DC 20049	NATIONAL RETIRED TEACHERS ASSN/AMERICAN ASSN OF RET PERSONS	605.77	283.75
CRAIG HACKLER, 412 FIRST ST., SE SUITE 214 WASHINGTON DC 20003	BENEFICIAL MANAGEMENT CORPORATION OF AMERICA	3,000.00	
Do	CADILLAC FAIRVIEW U.S., INC.		
Do	HILLCREST EQUITIES, INC.		
Do	NATIONAL LIVING CENTERS		
CHARLES W. HACKNEY JR , 15TH & M STS., NW WASHINGTON DC 20005	NATIONAL ASSN OF HOME BUILDERS OF THE U.S.		
WILLIAM F. HADDAD, 322 W. 57TH ST. NEW YORK NY 10019	GENERIC PHARMACEUTICAL INDUSTRY ASSN	3,360.00	185.50
THOMAS M. HAGAN, 1510 AMERICAN BANK TOWER AUSTIN TX 78701	CENTRAL AND SOUTH WEST SERVICES, INC	885.00	1,866.70
ANN HAGEMANN, 1150 17TH ST., NW WASHINGTON DC 20036	AMERICAN BROADCASTING CO		
WILLIAM D. HAGER, 1835 K ST., NW, #515 WASHINGTON DC 20006	AMERICAN ACADEMY OF ACTUARIES		
BRUCE N. HAHN, 9300 LIVINGSTON RD. WASHINGTON DC 20022	NATIONAL TOOLING & MACHINING ASSOCIATION	9,230.82	
THOMAS F. HAIRSTON, 1100 CONNECTICUT AVE., NW, #800 WASHINGTON DC 20036	UNION OIL CO OF CALIFORNIA	6,000.00	6,600.46
HALE AND DORR, SUITE 807 1201 PENNSYLVANIA AVENUE, NW WASHINGTON DC 20004	COMPO INDUSTRIES, INC	1,812.00	1,265.70
Do	GHK COMPANIES	6,164.67	11,251.79
Do	INDIAN LAND CLAIM COMMITTEE		2,869.68
Do	MEOH, INC		
Do	TOWN OF MASHPEE		
RANDOLPH M. HALE, 1776 F STREET, NW WASHINGTON DC 20006	NATIONAL ASSN OF MANUFACTURERS		
BEVERLY HALEM, P.O. BOX 1419 COCA FL 32922	HALEM INDUSTRIES, INC		
HALEY BADER & POTTS, SUITE 600 2000 M STREET, NW WASHINGTON DC 20036	PILOTS RIGHTS ASSOCIATION	477.02	34.90
MARTIN HALEY COMPANIES, 1015 15TH ST., NW WASHINGTON DC 20005	AMERICAN ENERGY INC.		
Do	CENTRAL TEXAS GRAIN PRODUCTS MARKETING COOPERATIVE		
Do	GRAIN PRODUCTS ALCOHOL COOPERATIVES		
Do	GRAIN PRODUCTS INTERNATIONAL, INC.		
Do	HIGH PLAINS GRAIN PRODUCTS COOPERATIVE		
Do	LOUIS DREYFUS CORP		
Do	M&M/MARS		
Do	MARION LABORATORIES, INC		
Do	NEW ENGLAND MUTUAL LIFE INSURANCE CO		
Do	NORTH PLAINS GRAIN PRODUCTS COOPERATIVE		
Do	NORTHWEST TEXAS GRAIN PRODUCTS COOPERATIVE		
Do	POWER AUTHORITY OF THE STATE OF NEW YORK		
HALL ESVILL HARDWICK GABLE COLLINGSWORTH & NELSON, SUITE 350 1750 K ST., NW WASHINGTON DC 20006	WILLIAMS COMPANIES	100.00	
HARRY L. HALL, SUITE S-520 1120 20TH ST., NW WASHINGTON DC 20036	NATIONAL MULTIPLE SCLEROSIS SOCIETY	4,500.00	
JOHN F. HALL, 1619 MASSACHUSETTS AVE., NW WASHINGTON DC 20036	NATIONAL FOREST PRODUCTS ASSN	800.00	
RICHARD F. HALL, 1050 CONNECTICUT AVENUE, NW, #760 WASHINGTON DC 20036	UNION OIL CO OF CALIFORNIA	2,000.00	960.54
WILLIAM F. HALL, P.O. BOX 5880 CHICAGO IL 60680	WILLIAM HALL & ASSOCIATES, INC.		
MARIAN HALL-CRAWFORD, 316 PENNSYLVANIA AVENUE, SE, #301 WASHINGTON DC 20003	SAN DIEGO GAS & ELECTRIC	850.00	2,518.91
NORMAN S. HALLIDAY, SUITE 300 600 PENNSYLVANIA AVE., NW WASHINGTON DC 20003	NATIONAL ASSN OF GREETING CARD PUBLISHERS		
JOSEPH HALOW, SUITE 610-N 1800 M ST., NW WASHINGTON DC 20036	NORTH AMERICAN EXPORT GRAIN ASSN., INC.		
MAURICE E. HALSEY, SUITE 202 1627 K ST., NW WASHINGTON DC 20006	NORTHERN ILLINOIS GAS COMPANY	2,500.00	
J. PHILLIP HALSTEAD, P.O. BOX 24305 OAKLAND CA 94623	CLOROX COMPANY		
PAUL T. HALUZA, SUITE 333 1120 19TH STREET, NW WASHINGTON DC 20036	MOTOR AND EQUIPMENT MANUFACTURERS ASSOCIATION	3,000.00	95.25
JERALD V. HALVORSEN, COAL BUILDING WASHINGTON DC 20036	NATIONAL COAL ASSOCIATION	7,875.00	1,914.46
HAMEL PARK MCCABE & SAUNDERS, 888 16TH STREET, NW WASHINGTON DC 20006	BENEFICIAL FOUNDATION		
Do	ESTATE OF HELEN WODELL HALBACH	1,080.00	
Do	TANDY CORPORATION	275.00	
Do	UNITED STUDENT AID FUNDS, INC		
Do	GRAEPER-VAN NOY-WAGNER, INC.		
BRUCE HAMILTON, BOX 1078 LANDER WY 82520	SIERRA CLUB	450.00	271.10
JAMES L. HAMILTON III, 818 CONNECTICUT AVE., NW WASHINGTON DC 20006	U.S. STEEL CORPORATION	770.00	48.66
J. LEE HAMILTON, 1776 F STREET, NW WASHINGTON DC 20006	NATIONAL ASSN OF MANUFACTURERS	119.16	
STANLEY HAMILTON, 1616 P ST., NW, #204 WASHINGTON DC 20036	COMMON CARRIER CONFERENCE-IRREGULAR ROUTE	500.00	50.00
WILLIAM W. HAMILTON JR., SUITE 303 1220 19TH STREET, NW WASHINGTON DC 20036	PLANNED PARENTHOOD FEDERATION OF AMERICA, INC.	456.40	74.00
SUSAN WOODWARD HAMLIN, 1957 E STREET, NW WASHINGTON DC 20006	ASSOCIATED GENERAL CONTRACTORS OF AMERICA		
CHRISTINA HAMMOND, 1825 CONNECTICUT AVENUE, NW WASHINGTON DC 20009	NATIONAL ASSN OF ARAB AMERICANS	3,000.00	350.00
ROBERT E. HAMPTON, NEW MURPHY ROAD & CONCORD PIKE WILMINGTON DE 19897	ICI AMERICAS, INC.		
ROBERT N. HAMPTON, 7010 GIRARD STREET MCLEAN VA 22101	AUTOMOBILE IMPORTERS OF AMERICA, INC.	2,625.00	
TIMOTHY A. HANAN, 1100 CONNECTICUT AVENUE, NW WASHINGTON DC 20036	MOBIL CORPORATION	1,500.00	
NOLAN W. HANCOCK, 1126 16TH ST., NW WASHINGTON DC 20036	OIL, CHEMICAL & ATOMIC WORKERS INTERNATIONAL UNION	5,100.00	
TED HANDEL, THIRD FLOOR 2301 M STREET, NW WASHINGTON DC 20037	AMERICAN PUBLIC POWER ASSN	1,000.00	
GEORGE J. HANKS JR , 12TH FL. 1100 15TH ST., NW WASHINGTON DC 20005	UNION CARBIDE CORP		
JAMES M. HANLEY, JAMES M. HANLEY AND ASSOCIATES 1301 PENNSYLVANIA AVENUE, NW, #1150 WASHINGTON DC 20004	ALLIANCE OF THIRD CLASS NON-PROFIT MAILERS	4,167.00	250.00
ELIZABETH HANLIN, SUITE 810 2000 L ST., NW WASHINGTON DC 20036	SPERRY CORPORATION		
HANNAFORD CO., INC., SUITE 750 1225 19TH STREET, NW WASHINGTON DC 20036	ALASKA LUMBER & PULP CO, INC	2,600.00	58.05
Do	AMERICAN SOCIETY OF COMPOSERS, AUTHORS & PUBLISHERS	180.00	1.90
Do	CENTURY 21		
Do	CHINA EXTERNAL TRADE DEVELOPMENT COUNCIL	300.00	72.93
Do	FIREMAN'S FUND INSURANCE COS	3,829.00	75.06
Do	GENERAL MOTORS CORP		
Do	HUBBARD BROADCASTING COMPANY		
Do	NATIONAL VENTURE CAPITAL ASSOCIATION	1,440.00	9,173.44
Do	NORTHWEST ALASKAN PIPELINE CO		
Do	TOSCO OIL CORPORATION		
Do	TRANS WORLD AIRLINES, INC	6,750.00	97.74
HANNAFORD INTERNATIONAL, INC, SUITE 207 905 16TH STREET, NW WASHINGTON DC 20006	LEBANESE INFORMATION & RESEARCH CENTER		
Do	STABLEX CORPORATION	550.00	52.04
HANSELL & POST, 1915 EYE STREET, NW, #500 WASHINGTON DC 20006	ASSOCIATED BUILDERS & CONTRACTORS, INC	3,356.00	
Do	FIRST NATIONAL BANK OF ATLANTA	5,226.84	159.09
Do	ROCKWELL INTERNATIONAL CORP		
ERLING HANSEN, 624 9TH ST., NW, 7TH FL. WASHINGTON DC 20001	GROUP HEALTH ASSOCIATION OF AMERICA, INC.		
J. E. HANSEN, 400 1ST ST., NW WASHINGTON DC 20001	BROTHERHOOD OF RAILROAD SIGNALMEN	350.00	
PETER J. HAPWORTH, 1511 K ST., NW WASHINGTON DC 20005	SUGAR ASSOCIATION, INC.	500.00	163.71
MARGARET K. HARDING, 1000 WILSON BLVD. ARLINGTON VA 22209	KIMBERLY-CLARK CORP	558.60	60.78
RALPH HARDING, SUITE 717 WATERGATE 2600 VIRGINIA AVENUE, NW WASHINGTON DC 20037	AMPCO FOODS, INC.		
Do	PHILIPPINE SUGAR COMMISSION		
WILLIAM E. HARDMAN, 9300 LIVINGSTON ROAD FT. WASHINGTON MD 20744	NATIONAL TOOLING & MACHINING ASSN.		
EUGENE J. HARDY, SUITE 1000 1100 17TH ST., NW WASHINGTON DC 20036	GERBER PRODUCTS COMPANY	500.00	12.50
HELEN S. HARGADON, 1100 15TH STREET, NW WASHINGTON DC 20005	PHARMACEUTICAL MANUFACTURERS ASSN	4,000.00	24.00
J. RICHARD HARGIS, 2550 M STREET, NW, #770 WASHINGTON DC 20037	RJR INDUSTRIES, INC	1,375.00	249.88
JON HARKAVY, 205 EAST 42ND STREET NEW YORK NY 10017	RISK AND INSURANCE MANAGEMENT SOCIETY, INC.		
CHARLES N. HARKEY, 1700 NORTH MOORE ST. 1925 ROSSLYN CENTER BUILDING ARLINGTON VA 22209	BENEFICIAL MANAGEMENT CORPORATION OF AMERICA		
DAN R. HARLOW, 919 18TH ST., NW WASHINGTON DC 20006	DIAMOND SHAMROCK CORPORATION	3,000.00	29.56

Organization or Individual Filing	Employer/Client	Receipts	Expenditures
DONALD L. HARLOW, 310 RILEY ST. FALLS CHURCH VA 22046	AIR FORCE SERGEANTS ASSN, INC		
WILEY C. HARRELL JR , 1211 CONNECTICUT AVE., NW, #502 WASHINGTON DC 20036	ANHEUSER-BUSCH COMPANIES, INC		
MICHAEL T. HARRIGAN, 421 KING ST. ALEXANDRIA VA 22314	U.S. OLYMPIC COMMITTEE		
TONI HARRINGTON, 955 L'ENFANT PLAZA NORTH, SW, #905 WASHINGTON DC 20024	AMERICAN HONDA MOTOR CO, INC	200.00	129.50
HUBERT L. HARRIS, 729 15TH STREET, NW WASHINGTON DC 20005	ASSOCIATED BUILDERS & CONTRACTORS, INC	2,500.00	
JUDY L. HARRIS, 729 15TH STREET, NW WASHINGTON DC 20005	ASSOCIATED BUILDERS & CONTRACTORS, INC	2,500.00	
ROBERT L. HARRIS, 818 CONNECTICUT AVE., NW WASHINGTON DC 20006	ALUMINUM ASSN		
WILLIAM F. HARRIS, 7980 GALLOWS COURT VIENNA VA 22180	BOEING COMPUTER SERVICES		
HARRIS, BERG & CRESKOFF, 1100 15TH ST., NW WASHINGTON DC 20005	ASSOCIATION OF FOOD INDUSTRIES, INC		
Do	COMMITTEE OF DOMESTIC STEEL WIRE ROPE & SPECIALTY CABLE MFRS		
Do	P.L. THOMAS & CO., INC		
WILLIAM H. HARSHA, 1102 DELF DRIVE MCLEAN VA 22101	WILLIAM H. HARSHA & ASSOCIATES, INC. (FOR: AMERICAN TRUCKING ASSNS, INC)	7,500.00	140.63
Do	WM. H. HARSHA & ASSSOCIATES, INC (FOR: APPALACHIAN REGIONAL COMMISSION).	6,000.00	56.94
Do	WM. H. HARSHA & ASSOC., INC. (FOR: GRUMMAN FLXIBLE)	4,500.00	
Do	WM. H. HARSHA & ASSOC., INC. (FOR: SLURRY TRANSPORT ASSN)	12,000.00	
LYNN S. HART, 444 N. CAPITOL STREET, NW WASHINGTON DC 20001	AMERICAN HOSPITAL ASSN	1,213.80	235.98
RICHARD HART, 27805 ESPINOZA MISSION VIEJO CA 92692	NATIONAL ASSN OF MANUFACTURERS		
HARTFORD FIRE INSURANCE CO, HARTFORD PLAZA HARTFORD CT 06115			7,117.50
HARTKE & HARTKE, 7637 LEESBURG PIKE FALLS CHURCH VA 22043	NATIONAL CULTURAL LIBERATION MOVEMENT & S.A. BLACK ALLIANCE		
CHARLES D. HARTMAN, 1050 17TH ST., NW, SUITE 500 WASHINGTON DC 20036	TEXACO, INC	1,823.99	
MARY L. HARTMAN, 8111 GATEHOUSE ROAD FALLS CHURCH VA 22047	AMERICAN AUTOMOBILE ASSN		
ARTHUR W. HARTMANN, 1800 MASSACHUSETTS AVENUE, NW WASHINGTON DC 20036	NATIONAL RURAL ELECTRIC COOPERATIVE ASSN		
NORMAN B. HARTNETT, 807 MAINE AVE., SW WASHINGTON DC 20024	DISABLED AMERICAN VETERANS	22,209.20	3,015.45
EDMUND E. HARVEY, CHADBOURNE, PARKE, WHITESIDE & WOLFF 1101 VERMONT AVENUE, NW WASHINGTON DC 20005	TRANS WORLD AIRLINES, INC	1,200.00	.20
EDWIN HAROLD HARVEY, 1016 16TH ST., NW WASHINGTON DC 20036	NATIONAL FEDERATION OF FEDERAL EMPLOYEES	49.42	
JAY HARVEY, 815 16TH STREET, NW, #408 WASHINGTON DC 20006	FOOD AND BEVERAGE TRADES DEPT, AFL-CIO	276.44	
JULIANE B. HARVEY, SUITE 220 1575 EYE STREET, NW WASHINGTON DC 20005	AMERICAN CYANAMID CO	324.00	132.99
CLIFFORD J. HARVISON, 1616 P ST., NW WASHINGTON DC 20036	NATIONAL TANK TRUCK CARRIERS, INC		
HOLLY HASSETT, SUITE 801 1629 K STREET, NW WASHINGTON DC 20006	HERSHEY FOODS CORP		
LEWIS B. HASTINGS, 1776 K ST., NW, #200 WASHINGTON DC 20006	MOTOROLA, INC	3,000.00	
WALTER A. HASTY JR , SUITE 230 1801 K ST., NW WASHINGTON DC 20006	PROCTER & GAMBLE MANUFACTURING CO	195.00	
L. ANDREA HATFIELD, 618 WASHINGTON BUILDING WASHINGTON DC 20005	NATIONAL ASSN OF SMALL BUSINESS INVESTMENT COS	2,000.00	
JANET HATHAWAY, 215 PENNSYLVANIA AVENUE, SE WASHINGTON DC 20003	CONGRESS WATCH	3,000.00	
GARY R. HATTAL, 818 ROEDER ROAD SUITE 702 SILVER SPRING MD 20910	INTERNATIONAL FED OF PROFESSIONAL & TECHNICAL ENGINEERS		
BARBARA S. HAUGEN, 311 FIRST STREET, NW, #700 WASHINGTON DC 20003	NATIONAL ASSN OF INSURANCE BROKERS		
BARBARA J. HAUGH, 1050 CONNECTICUT AVENUE, NW, #760 WASHINGTON DC 20036	UNION OIL CO OF CALIFORNIA		1,357.26
RODNEY E. HAUGH, SUITE 903 1735 JEFFERSON DAVIS HWY. ARLINGTON, VA 22202	POTATO CHIP/SNACK FOOD ASSOCIATION	600.00	
MARY W. HAUGHT, 1800 K ST., NW, #820 WASHINGTON DC 20006	SUN CO, INC	700.00	21.45
CHARLES W. HAVENS III, 1333 NEW HAMPSHIRE AVENUE, NW WASHINGTON DC 20036	LEBOEUF, LAMB, LEIBY & MACRAE		
KATHRYN JOANN HAWES, SUITE 702 818 ROEDER RD. SILVER SPRING MD 20910	INTERNATIONAL FED OF PROFESSIONAL & TECHNICAL ENGINEERS		
SIDNEY G. HAWKES, 1000 CONNECTICUT AVE., NW WASHINGTON DC 20036	MEAD CORPORATION	400.00	20.00
JOHN H. HAWKINS JR , 600 N. 18TH ST. BIRMINGHAM AL 35291	ALABAMA POWER CO	13,515.00	299.45
BRUCE R. HAWLEY, 600 MARYLAND AVE., SW WASHINGTON DC 20024	AMERICAN FARM BUREAU FED	7,350.00	17.00
WESLEY F. HAYDEN, 5224 CHEROKEE AVE. ALEXANDRIA VA 22312	INTERNATIONAL ASSOCIATION OF FISH AND WILDLIFE AGENCIES	7,445.61	77.70
ROBERT A. HAYNOS, 4711 HUNT CIRCLE HARRISBURG PA 17112	HARSCO CORPORATION	12,250.00	652.38
HEALTH INSURANCE ASSOCIATION OF AMERICA, INC., 1750 K ST., NW WASHINGTON DC 20006		1,853.06	1,853.06
HEALTH RESEARCH GROUP, SUITE 708 2000 P ST., NW WASHINGTON DC 20036		.63	.63
PATRICK B. HEALY, 1840 WILSON BOULEVARD ARLINGTON VA 22201	NATIONAL MILK PRODUCERS FED	543.75	
ROBERT L. HEALY, 1333 NEW HAMPSHIRE AVE., NW WASHINGTON DC 20036	ATLANTIC RICHFIELD CO	300.00	
CHARLES L. HEBNER, NEW MURPHY ROAD & CONCORD PIKE WILMINGTON DE 19897	ICI AMERICAS, INC		
BILL HECHT, SUITE 501 499 SOUTH CAPITOL STREET, NW WASHINGTON DC 20003	BROWN & WILLIAMSON TOBACCO CORP	1,000.00	
Do	LOS ANGELES RAIDERS		
Do	U.S. TOBACCO CO		
JAMES B. HEDLUND, 1724 MASSACHUSETTS AVENUE, NW WASHINGTON DC 20036	NATIONAL CABLE TELEVISION ASSN, INC	3,200.00	
JAY HEDLUND, 2030 M ST., NW WASHINGTON DC 20036	COMMON CAUSE	8,560.02	666.32
HEFFERNAN & MOSEMAN, P.C., 1875 EYE STREET, NW, #1025 WASHINGTON DC 20006	ALASKA LUMBER & PULP CO	11,200.00	935.61
EDWARD D. HEFFERNAN, 1875 EYE ST., NW, #1025 WASHINGTON DC 20006	ALASKA LUMBER & PULP		
Do	ALASKA PULP & RESOURCES, INC		
Do	CAMP, CARMOUCHE, PALMER, BARSH & HUNTER, P.C	18,000.00	
Do	DUCTILE IRON PIPE RESEARCH ASSN		
Do	HAZELTINE CORPORATION	712.50	283.19
Do	INTER-REGIONAL FINANCIAL GROUP LEASING COMPANY	14,000.00	600.90
Do	SOUTHERN CALIFORNIA GAS CO	5,000.00	431.85
JOHN HEFFNER, 1957 E STREET, N.W. WASHINGTON DC 20006	ASSOCIATED GENERAL CONTRACTORS OF AMERICA		
ROBERT E. HEGGESTAD, CASEY, SCOTT & CANFIELD 1435 G ST., NW WASHINGTON DC 20005	MANUFACTURED HOUSING INST		
LON H. HEIBECK, 400 NORTH THIRD ST. HARRISBURG PA 17105	PENNSYLVANIA STATE EDUCATION ASSN		
ELIZABETH W. HEILIG, 1660 L STREET, NW, #215 WASHINGTON DC 20036	CROWN ZELLERBACH		
JOHN F. HEILMAN, 807 MAINE AVE., SW WASHINGTON DC 20024	DISABLED AMERICAN VETERANS	15,568.80	339.20
JOHN R. HEISSE II , SUITE 900 1828 L STREET, NW WASHINGTON DC 20036	NATIONAL ASSN OF DEMOLITION CONTRACTORS		
RICHARD L. HELLWEGE, 1911 JEFFERSON DAVIS HIGHWAY, #1002 ARLINGTON VA 22202	LEAR SIEGLER, INC		
WILLIS L. HELMANTOLER, CREAMER DICKSON & BASFORD 1625 K STREET, NW WASHINGTON DC 20006	CITY OF AUSTIN, TX	1,500.00	50.00
Do	CITY OF DALLAS, TX	1,500.00	40.00
Do	CITY OF HOUSTON, TX	1,500.00	50.00
Do	CITY OF SAN ANTONIO, TX	1,500.00	50.00
Do	MAYOR OF KANSAS CITY, MO	3,000.00	40.00
NOEL HEMMENDINGER, 1919 PENNSYLVANIA AVE., NW, #400 WASHINGTON DC 20036	ARTER HADDEN & HEMMENDINGER (FOR: JAPAN IRON & STEEL EXPORTERS' ASSN).		
THOMAS R. HENDERSHOT, SUITE200 8181 PROFESSIONAL PL. LANDOVER MD 20785	PETROLEUM HEAT AND POWER CO		
Do	PHILADELPHIA GAS WORKS		
Do	PHILADELPHIA STOCK EXCHANGE		
CAROL C. HENDERSON, 110 MARYLAND AVE., NE, #101, BOX 54 WASHINGTON DC 20002	AMERICAN LIBRARY ASSN	753.00	
JOHN B. HENDERSON, SUITE 1100 1090 VERMONT AVE., NW WASHINGTON DC 20005	TEXTRON, INC	1,990.00	295.00
RICHARD DEAN HENDERSON, SUITE 310 1101 17TH ST., NW WASHINGTON DC 20036	PRIVATE TRUCK COUNCIL OF AMER, INC		40.00
TOM HENDERSON, 108 S. AKARD STREET DALLAS TX 75202	U.S. TELEPHONE COMMUNICATIONS, INC		
C. DAYLE HENINGTON, 1101 CONNECTICUT AVE., NW, #801 WASHINGTON DC 20036	CHICAGO MERCANTILE EXCHANGE		
EDMUND P. HENNELLY, 150 E. 42ND ST. NEW YORK NY 10017	MOBIL OIL CORP	1,500.00	
DAVID A. HENNIG, P.O. BOX 11110 ARLINGTON VA 22201	COMMITTEE TO STOP ILLEGAL IMMIGRATION		
GEORGE F. HENNRIKUS JR , 201 N. WASHINGTON ST. ALEXANDRIA VA 22314	RETIRED OFFICERS ASSN	5,071.00	
LEANN HENSCHE, 2550 M STREET, NW SUITE 770 WASHINGTON DC 20037	RJR INDUSTRIES, INC	263.74	63.30
BRUCE HEPPEN, 1016 16TH ST., NW WASHINGTON DC 20036	NATIONAL FEDERATION OF FEDERAL EMPLOYEES	19.41	1.40
STEPHEN HERM, 1016 16TH STREET, NW WASHINGTON DC 20036	NATIONAL FED OF FEDERAL EMPLOYEES		
LYLA M. HERNANDEZ, SUITE 210 5410 GROSVENOR LANE BETHESDA MD 20814	AMERICAN MEDICAL PEER REVIEW ASSN		6.10
CATHERINE L. HERON, 1775 K STREET, NW WASHINGTON DC 20006	INVESTMENT COMPANY INSTITUTE	151.24	91.00
HERRICK & SMITH, 100 FEDERAL STREET BOSTON MA 02110	SMITH COLLEGE		
CAROL M. HERRINGTON, 1235 JEFFERSON DAVIS HIGHWAY ARLINGTON VA 22202	EMERSON ELECTRIC CO		
ESTHER HERST, 1343 F ST., NE WASHINGTON DC 20002	NATIONAL COMM AGAINST REPRESSIVE LEGISLATION	3,510.00	
FRED HERVEY, P.O. BOX 20230 4500 S.40TH ST. PHOENIX AZ 85036	CIRCLE K CORPORATION		
Do	REDUCE OUR DEBT FOUNDATION		738.50
PAT I. HETH, SUITE 906 1625 K STREET, NW WASHINGTON DC 20006	KERR-MCGEE CORPORATION	2,500.00	362.74
KIM HETHERINGTON, 1724 MASSACHUSETTS AVENUE, NW WASHINGTON DC 20036	NATIONAL CABLE TELEVISION ASSN, INC	353.00	
HEUBLEIN, INC., C/O MAUREEN BRIGGS MUNSON RD. FARMINGTON CT 06032			22,370.00
TED ALLEN HEYDINGER, 1615 H ST., NW WASHINGTON DC 20062	CHAMBER OF COMMERCE OF THE U.S.	2,000.00	234.36
G. BROCKWEL HEYLIN, 1957 E STREET, NW WASHINGTON DC 20006	ASSOCIATED GENERAL CONTRACTORS OF AMERICA		
ANDREW I. HICKEY JR , 3900 WISCONSIN AVE., NW WASHINGTON DC 20016	FEDERAL NATIONAL MORTGAGE ASSN		
PAUL T. HICKS, RHODE ISLAND PETROLEUM ASSN 154 FRANCIS ST. PROVIDENCE RI 02903	AMERICAN PETROLEUM INST	126.00	
J. THOMAS HIGGINBOTHAM, MELLON BANK, N.A. PITTSBURGH PA 15230	MELLON BANK, N.A. & MELLON NATL CORP	2,000.00	783.43
LAWRENCE P. HIGGINS, 1850 K STREET, NW WASHINGTON DC 20006	AMERICAN COUNCIL OF LIFE INSURANCE, INC		
SHARON L. HILDEBRANDT, 444 N. CAPITOL STREET, NW WASHINGTON DC 20001	AMERICAN HOSPITAL ASSN	1,830.58	222.41
CLIFTON T. HILDERLY JR., SUITE 507 1025 CONNECTICUT AVENUE, NW WASHINGTON DC 20036	ASHLAND TECHNOLOGY, INC	2,000.00	
GERALD 'JERRY' HILL, 6 EXECUTIVE PARK DRIVE ATLANTA GA 30329	STANDARD OIL CO (INDIANA)		
J. ELDRED HILL JR , SUITE 603 600 MARYLAND AVE., SW WASHINGTON DC 20024	UBA, INC	2,000.00	
MORTON A. HILL, 475 RIVERSIDE DRIVE, #239 NEW YORK NY 10115	MORALITY IN MEDIA, INC		

Organization or Individual Filing	Employer/Client	Receipts	Expenditures
PATRICIA HILL, 1619 MASSACHUSETTS AVENUE, NW WASHINGTON DC 20036	AMERICAN PAPER INSTITUTE, INC		
ROBERT B. HILL, 2501 M STREET, NW WASHINGTON DC 20037	CHEMICAL MANUFACTURERS ASSOCIATION, INC	300.00	
HIMES & KETCHEY, P.A., 100 TWIGGS STREET 301 FOUNDERS LIFE BUILDING TAMPA FL 33602	PHH GROUP, INC	480.50	52.29
STEPHEN HITCHNER, 2030 M STREET, NW WASHINGTON DC 20036	COMMON CAUSE	12,037.50	296.44
LAWRENCE S. HOBART, 2301 M ST., NW WASHINGTON DC 20037	AMERICAN PUBLIC POWER ASSN	1,000.00	
CLAUDE E. HOBBS, 1801 K ST., NW WASHINGTON DC 20006	WESTINGHOUSE ELECTRIC CORP	3,700.00	95.00
JERALD E. HOBSON, 1050 CONNECTICUT AVENUE, NW WASHINGTON DC 20036	EL PASO COMPANY	2,500.00	129.46
HODGSON, RUSS, ANDREWS, WOODS & GOODYEAR, 1776 F STREET, NW WASHINGTON DC 20006	J. C. BROCK CORP	1,900.00	
HOWARD E. HOELTER, ILLINOIS PETROLEUM COUNCIL P.O. BOX 5034 SPRINGFIELD IL 62705	AMERICAN PETROLEUM INST	447.20	747.45
IRVIN A. HOFF, 20 N. LIVE OAK RD. HILTON HEAD ISLAND SC 29928	U.S. CANE SUGAR REFINERS' ASSN		
ELLEN S. HOFFMAN, 1520 NEW HAMPSHIRE AVE., NW WASHINGTON DC 20036	CHILDREN'S DEFENSE FUND OF THE WASH RESEARCH PROJECT, INC		
ELMO R. HOFFMAN, 57 W. PINE STREET, #101 ORLANDO FL 32801	CRAMER, HOFFMAN & HABER (FOR: GLOBAL EXPLORATION & DEVELOPMENT CORPORATION)		
THOMAS F. HOFFMAN, 1701 PENNSYLVANIA AVENUE, NW, #900 WASHINGTON DC 20006	CONSOLIDATION COAL COMPANY	100.97	16.00
WILLIAM L. HOFFMAN, 516 FIRST ST., S.E. WASHINGTON DC 20003	AMERICAN UNIVERSITY OF BEIRUT	9,900.00	1,280.79
F. NORDY HOFFMANN AND ASSOC., INC, SUITE 327 400 NORTH CAPITOL STREET, NW WASHINGTON DC 20001	ARCHER DANIELS MIDLAND COMPANY		
Do	EPIC		
Do	INTERNATIONAL TELEPHONE & TELEGRAPH		
Do	MARINE ENGINEERS BENEFICIAL ASSN		
Do	O'CONNOR & HANNAN		
Do	PAGE AIRWAYS		
Do	WESTINGHOUSE ELECTRIC		
HOGAN & HARTSON, 815 CONNECTICUT AVE., NW WASHINGTON DC 20006	AMERICAN ELECTRONICS ASSN		
Do	ATARI, INC		
Do	CHAMPLIN PETROLEUM COMPANY	2,141.25	
Do	COMPUTER & BUSINESS EQUIPMENT MANUFACTURERS ASSN		
Do	COUNCIL OF EUROPEAN & JAPANESE NATIONAL SHIPOWNERS' ASSN		
Do	DIGITAL EQUIPMENT CORPORATION		
Do	ETSI PIPELINE PROJECT		
Do	GLENDALE FEDERAL SAVINGS & LOAN ASSN		
Do	HEWLETT-PACKARD CO		
Do	INTEL CORPORATION		
Do	MEHARRY MEDICAL COLLEGE	140.00	
Do	MOTORCYCLE INDUSTRY COUNCIL, INC		
Do	NATIONAL FARMERS ORGANIZATION		61.59
Do	NATIONAL HOSPICE EDUCATION PROJECT		
Do	NATIONAL SOFT DRINK ASSN	735.00	
Do	NEWSPAPER-BROADCASTER COMMITTEE		
Do	SCIENTIFIC APPARATUS MAKERS ASSN		
Do	SEMICONDUCTOR INDUSTRY ASSOCIATION		
Do	TOYOTA MOTOR SALES, U.S.A., INC	10,415.00	38.50
JAMES F. HOGG, 8100 34TH AVENUE SOUTH MINNEAPOLIS MN 55440	CONTROL DATA CORPORATION		
RICHARD F. HOHLT, 1709 NEW YORK AVE., NW SUITE 801 WASHINGTON DC 20006	U.S. LEAGUE OF SAVINGS ASSOCIATIONS	5,062.50	4.20
WALTER HOLAN, 20 NORTH WACKER DRIVE CHICAGO IL 60606	PROFIT SHARING COUNCIL OF AMER		
WILLIAM J. HOLAYTER, 1300 CONNECTICUT AVENUE, NW WASHINGTON DC 20036	INTERNATIONAL ASSN OF MACHINISTS & AEROSPACE WORKERS	7,042.37	
BRUCE E. HOLBEIN, 111 POWDERMILL RD. (B79) MAYNARD MA 01754	DIGITAL EQUIPMENT CORPORATION	10,750.00	
MICHELE O'DONNELL HOLBROOK, 10 LAFAYETTE SQUARE ROOM 900 BUFFALO NY 14203	NATIONAL FUEL GAS DISTRIBUTION CORP., ET AL	792.00	2,043.68
NIELS HOLCH, THE POWER HOUSE 3255 GRACE STREET, NW WASHINGTON DC 20007	GRAY AND COMPANY (FOR: AMERICAN IRON & STEEL INSTITUTE)		
Do	GRAY AND COMPANY (FOR: AMERICAN MARITIME ASSN)		
Do	GRAY AND COMPANY (FOR: ANEUTRONIX, INC)		
Do	GRAY AND COMPANY (FOR: COMMONWEALTH OF PUERTO RICO)		
Do	GRAY AND COMPANY (FOR: QUIXOTE CORPORATION)		
Do	GRAY AND COMPANY (FOR: SHAKLEE CORPORATION)		
Do	GRAY AND COMPANY (FOR: U.S. BANKNOTE)		
HOLIDAY INNS, INC, 3742 LAMAR AVE. MEMPHIS TN 38195			2,050.00
PHILIP C. HOLLADAY, 1025 CONNECTICUT AVENUE, NW, #200 WASHINGTON DC 20036	SHELL OIL COMPANY	500.00	
HOLLAND & KNIGHT, 600 MARYLAND AVENUE, SW WASHINGTON DC 20024	RSV MINING EQUIPMENT B.V.		
Do	WACKENHUT CORPORATION		20.00
STEPHEN B. HOLLAND, 1747 PENNSYLVANIA AVENUE, NW WASHINGTON DC 20006	ARMCO, INC	250.00	240.00
WENDELL M. HOLLOWAY, 815 CONNECTICUT AVE., NW, #900 WASHINGTON DC 20006	FORD MOTOR CO	2,490.00	1,580.75
KAREN S. HOLLWEG, 444 BARKER ROAD MICHIGAN CITY IN 46360	NATIONAL AUDUBON SOCIETY	106.00	
HOLME, ROBERTS & OWEN, 1700 BROADWAY DENVER CO 80290	PARAHO DEVELOPMENT CORP	268.75	171.05
MOSES D. HOLMES JR , 1201 16TH ST., NW WASHINGTON DC 20036	NATIONAL EDUCATION ASSN	2,239.20	81.00
PETER E. HOLMES, 777 14TH ST., NW WASHINGTON DC 20005	GENERAL ELECTRIC CO	750.00	
E.Y. HOLT JR , 1111 NORTH 19TH ST., #700 ARLINGTON VA 22209	NATIONAL ASSN OF FEDERAL CREDIT UNIONS		
A. LINWOOD HOLTON JR , 1850 K ST., NW WASHINGTON DC 20006	AMERICAN COUNCIL OF LIFE INSURANCE, INC	500.00	
PAUL R. HOLTZ, 1101 17TH STREET, NW WASHINGTON DC 20036	AMERICAN DENTAL ASSN	3,000.00	
LOIS HOLWERDA - HOYT, SUITE 104 499 SOUTH CAPITOL STREET, NW, WASHINGTON DC 20003	AMERICAN OSTEOPATHIC ASSN	1,500.00	
HOME RECORDING RIGHTS COALITION, P.O. BOX 33576 1015 15TH STREET, NW WASHINGTON DC 20033		23,750.00	17,689.45
KAREN C. HONTZ, SUITE 940 1875 EYE STREET, NW WASHINGTON DC 20006	GULF & WESTERN MANAGEMENT COMPANY	875.00	253.37
JOHN C. HOOPER, 530 BUSH STREET SAN FRANCISCO CA 94108	SIERRA CLUB		
VIRGINIA E. HOPKINS, 21 DUPONT CIRCLE, NW, #600 WASHINGTON DC 20036	TAFT, STETTINIUS & HOLLISTER (FOR: MIAMI CONSERVANCY DISTRICT)		
Do	TAFT, STETTINIUS & HOLLISTER (FOR: SHERWIN-WILLIAMS CO)		
Do	TAFT, STETTINIUS & HOLLISTER (FOR: TAFT BROADCASTING COMPANY)		
Do	TAFT, STETTINIUS & HOLLISTER (FOR: TELEPHONE AND DATA SYSTEMS, INC.)		
Do	TAFT, STETTINIUS & HOLLISTER (FOR: WALD MANUFACTURING CO, INC)		
ROBERT JACK HORN, SUITE 480 1990 M ST., NW WASHINGTON DC 20036	DETROIT EDISON CO	730.00	357.86
HARRY J. HORROCKS II , 40 IVY STREET, SE WASHINGTON DC 20003	NATIONAL LUMBER & BUILDING MATERIAL DEALERS ASSN	7,999.98	119.01
JOHN F. HORTY, 1000 THOMAS JEFFERSON STREET, NW WASHINGTON DC 20007	NATIONAL COUNCIL OF COMMUNITY HOSPITALS		
WILLIAM J. HOTES, 919 18TH ST., NW, #400 WASHINGTON DC 20006	DIAMOND SHAMROCK CORPORATION	1,000.00	357.29
THOMAS B. HOUSE, 1700 OLD MEADOW RD. MCLEAN VA 22102	AMERICAN FROZEN FOOD INST	1,000.00	
HOUSLEY, GOLDBERG & KANTARIAN, P.C., SUITE 500 2301 M ST., NW WASHINGTON DC 20037			
JACK W. HOUSTON, 900 N. HAIRSTON ROAD, SUITE D STONE MOUNTAIN GA 30083	GEORGIA ASSOCIATION OF PETROLEUM RETAILERS, INC		518.87
MARY GREER HOUSTON, 1901 L ST., NW, #711 WASHINGTON DC 20036	WILSON E. HAMILTON & ASSOCS, INC (FOR: FARM LABOR RESEARCH COMM)		
ANNE L. HOWARD, ANNE L. HOWARD AND ASSOCIATES 888 17TH STREET, NW, #600 WASHINGTON DC 20006	PAN AMERICAN MANAGEMENT CO	17,900.00	1,299.07
HOWELL CORP, 1010 LAMAR SUITE 1800 HOUSTON TX 77002			
J. WILLIAM HOWELL, 1801 K ST., NW WASHINGTON DC 20006	INTERNATIONAL BUSINESS MACHINES CORP	1,012.00	
JACK M. HOWELL, 2029 K STREET, NW WASHINGTON DC 20006	AMERICAN SOCIETY OF MECHANICAL ENGINEERS		
MARY J. LYNCH HOWELL, SUITE 1100 1090 VERMONT AVE., NW WASHINGTON DC 20005	TEXTRON, INC	1,500.00	280.00
STEVEN K. HOWELL, SUITE 1800 1010 LAMAR HOUSTON TX 77002	HOWELL CORP		
JOHN B. HOWERTON, 1730 RHODE ISLAND AVE., NW, #209 WASHINGTON DC 20036	ASARCO INC	2,000.00	
JOANNE MASSEY HOWES, SUITE 303 1220 19TH STREET, NW WASHINGTON DC 20036	PLANNED PARENTHOOD FEDERATION OF AMERICA, INC	746.78	149.00
JOHN A. HOWES, SUITE 290 1050 17TH STREET, NW WASHINGTON DC 20036	CONSUMERS POWER CO	600.00	
MARY HOYER, P.O. BOX 7610, BF STATION WASHINGTON DC 20044	SENIOR EXECUTIVES ASSN		
PAUL R. HUARD, 1776 F STREET, NW WASHINGTON DC 20006	NATIONAL ASSN OF MANUFACTURERS	1,062.75	
MARGARET RENKEN HUDSON, 2550 M ST., NW SUITE 450 WASHINGTON DC 20037	KORF INDUSTRIES, INC		
DAVID EMERY HUGHES, 2211 CONGRESS ST. PORTLAND ME 04122	UNION MUTUAL LIFE INSURANCE CO	60.00	321.45
GARY E. HUGHES, 1850 K ST., NW WASHINGTON DC 20006	AMERICAN COUNCIL OF LIFE INSURANCE, INC		
HUGHES HUBBARD & REED, SUITE 300 1201 PENNSYLVANIA AVE., NW WASHINGTON DC 20004	BUSINESS ROUNDTABLE		
Do	CONTINENTAL AIR LINES, INC		
Do	FORD MOTOR COMPANY		
Do	GROCERY MANUFACTURERS OF AMERICA, INC	210.00	2.00
PETER W. HUGHES, 1909 K ST., NW WASHINGTON DC 20049	NATIONAL RETIRED TEACHERS ASSN/AMERICAN ASSN OF RET PERSONS	975.69	
VESTER T. HUGHES JR., HUGHES & HILL 1000 MERCANTILE DALLAS BUILDING DALLAS TX 75201	SAMMONS ENTERPRISES, INC		
VINCENT C. HUGHES, 1235 JEFFERSON DAVIS HIGHWAY, #500 ARLINGTON VA 22202	ITALIAN AEROSPACE INDUSTRIES (U.S.A.), INC	225.00	24.00
WILLIAM HUGHES, 1522 K ST., NW, #836 WASHINGTON DC 20005	NATIONAL ASSN OF FEDERAL VETERINARIANS	17.46	
CORDELL W. HULL, 50 BEALE ST., P O BOX 3965 SAN FRANCISCO CA 94119	BECHTEL POWER CORPORATION		
DAVID C. HULL, 1030 15TH ST., NW, #700 WASHINGTON DC 20005	NATIONAL COTTON COUNCIL OF AMER	2,910.00	62.80
GREGORY A. HUMPHREY, 11 DUPONT CIRCLE, NW WASHINGTON DC 20036	AMERICAN FED OF TEACHERS	11,638.34	188.00
DAVID A. HUNT, 1815 NORTH FORT MEYER DRIVE ARLINGTON VA 22209	AIR CONDITIONING & REFRIGERATION INSTITUTE	4,000.00	500.00
PETER C. HUNT, 195 MONTAGUE ST. BROOKLYN NY 11201	BROOKLYN UNION GAS CO		
RICHARD M. HUNT, 1150 CONNECTICUT AVE., NW, #1009 WASHINGTON DC 20036	NL INDUSTRIES, INC	4,775.00	
HARRIET HUNT-BURGESS, 82 2ND ST. SAN FRANCISCO CA 94105	TRUST FOR PUBLIC LAND	3,412.50	2,987.51

Organization or Individual Filing	Employer/Client	Receipts	Expenditures
JAMES C. HUNTER, 1747 PENNSYLVANIA AVENUE, NW, #300 WASHINGTON DC 20006	CITIES SERVICE COMPANY	3,848.00	
MICHAEL M. HUNTER, 1707 L ST., NW WASHINGTON DC 20036	INTERNATIONAL TELEPHONE & TELEGRAPH CORPORATION		10.00
WILLIAM J. HUNTER JR , SUITE 900 1730 PENNSYLVANIA AVE., NW WASHINGTON DC 20006	MEAD CORPORATION	747.50	40.05
MILTON F. HUNTINGTON, MAINE PETROLEUM ASSN 283 WATER ST. AUGUSTA ME 04330	AMERICAN PETROLEUM INST	420.00	755.08
HUNTON & WILLIAMS, P.O. BOX 1535 RICHMOND VA 23212	EDISON ELECTRIC INSTITUTE	7,087.50	
J. JAMES HUR, 1333 NEW HAMPSHIRE AVENUE, NW WASHINGTON DC 20036	ATLANTIC RICHFIELD COMPANY		
ADELE M. HURLEY, 112 ST. CLAIR AVE., WEST SUITE 504 TORONTO ONTARIO CANADA M4V 2Y3	CANADIAN COALITION ON ACID RAIN	424.20	246.70
GERARD F. HURLEY, 1625 I ST., NW, #609 WASHINGTON DC 20006	NATIONAL CLUB ASSOCIATION		
JOHN EDWARD HURLEY, SUITE 107 1101 NEW HAMPSHIRE AVE., NW WASHINGTON DC 20037			
Do	NATIONAL ASSN FOR FREE ENTERPRISE		
ROBERT R. HURT, SUITE 650 1050 17TH STREET, NW WASHINGTON DC 20036	MERCK & CO., INC.		
CATHY HURWIT, 1300 CONNECTICUT AVENUE, NW, #401 WASHINGTON DC 20036	CITIZEN/LABOR ENERGY COALITION	5,000.00	161.70
BENJAMIN MELVIN HURWITZ, SUITE 200 1925 K ST., NW WASHINGTON DC 20006	MITCHELL ENERGY & DEVELOPMENT CORP.		110.00
GEOFFREY B. HURWITZ, SUITE 743 1434 NEW YORK AVE., NW WASHINGTON DC 20005	ROHM AND HAAS COMPANY	500.00	40.50
DEWEY M. HUTCHINS, 1919 PENNSYLVANIA AVE., NW, #705 WASHINGTON DC 20006	EASTMAN KODAK CO	500.00	77.00
PHILIP A. HUTCHINSON, SUITE 2450 475 L'ENFANT PLAZA, SW WASHINGTON DC 20024	VOLKSWAGEN OF AMERICA, INC	250.00	
ROBERT E. HUTCHINSON, P.O. BOX 20230 4500 SOUTH 40TH STREET PHOENIX AZ 85036	CIRCLE K CORPORATION		
Do	REDUCE OUR DEBT FOUNDATION		738.50
RANDY HUWA, 2030 M ST., NW WASHINGTON DC 20036	COMMON CAUSE	8,560.02	296.97
B. F. HYDE, TENNESSEE PETROLEUM COUNCIL 211 7TH AVENUE, NORTH, 4TH FL. NASHVILLE TN 37219	AMERICAN PETROLEUM INSTITUTE	400.00	477.62
GARY HYMEL, THE POWER HOUSE 3255 GRACE STREET, NW WASHINGTON DC 20007	GRAY AND COMPANY (FOR: AMERICAN IRON & STEEL INSTITUTE)	135.00	
Do	GRAY AND COMPANY (FOR: AMERICAN MARITIME ASSN)		
Do	GRAY AND COMPANY (FOR: ANEUTRONIX, INC)		
Do	GRAY AND COMPANY (FOR: ASARCO)		
Do	GRAY AND COMPANY (FOR: BATUS)		
Do	GRAY AND COMPANY (FOR: BEVERLY ENTERPRISES)		
Do	GRAY AND COMPANY (FOR: COMMONWEALTH OF PUERTO RICO)		
Do	GRAY AND COMPANY (FOR: GENERAL TELEPHONE & ELECTRONICS)		
Do	GRAY AND COMPANY (FOR: HAMBROS BANK LIMITED)		
Do	GRAY AND COMPANY (FOR: HEALTH INSURANCE ASSN OF AMERICA)		
Do	GRAY AND COMPANY (FOR: HRH PRINCE TALAL BIN ABDUL AZIZ AL SAUD)		
Do	GRAY AND COMPANY (FOR: HTB CORPORATION)		
Do	GRAY AND COMPANY (FOR: MARTIN BAKER AIRCRAFT COMPANY LTD.)	270.00	
Do	GRAY AND COMPANY (FOR: MOTOROLA)		
Do	GRAY AND COMPANY (FOR: NATIONAL BROADCASTING COMPANY)	742.50	
Do	GRAY AND COMPANY (FOR: PAN AMERICAN NATIONAL BANK)	337.50	
Do	GRAY AND COMPANY (FOR: QUIXOTE CORPORATION)		
Do	GRAY AND COMPANY (FOR: SHAKLEE CORPORATION)		
Do	GRAY AND COMPANY (FOR: SHARPS, PIXLEY & COMPANY, LTD.)		
Do	GRAY AND COMPANY (FOR: RICHARD L. SINNOTT & COMPANY)		
Do	GRAY AND COMPAY (FOR: TOBACCO INSTITUTE)		
Do	GRAY AND COMPANY (FOR: U.S. BANKNOTE)		
Do	GRAY AND COMPANY (FOR: UNITED NATIONS CHILDREN'S FUND)		
ROBERT D. HYNES JR , SUITE 807 1825 K ST., NW WASHINGTON DC 20006	NATIONAL BROADCASTING CO, INC	500.00	
RICHARD H. ICHORD, SUITE 201 1140 CONNECTICUT AVE., NW WASHINGTON DC 20036	AAI CORPORATION	1,188.75	358.74
Do	EMERSON ELECTRIC CO	525.00	73.04
Do	MAGNAVOX GOVERNMENT & INDUSTRIAL ELECTRONICS CO	187.50	
Do	WASHINGTON INDUSTRIAL TEAM, INC.	600.00	
RONALD K. IKEJIRI, 1730 RHODE ISLAND AVE., NW, #204 WASHINGTON DC 20036	JAPANESE AMERICAN CITIZENS LEAGUE		
ANNELISE ILSCHENKO, 101 S. REYNOLDS STREET, #H-116 ALEXANDRIA VA 22304			
BERNARD J IMMING, 727 N. WASHINGTON ST. ALEXANDRIA VA 22314	UNITED FRESH FRUIT & VEGETABLE ASSN		
INDEPENDENT DATA COMMUNICATIONS MANUFACTURERS ASSOCIATION, 1735 NEW YORK AVE., NW WASHINGTON DC 20006.		934.38	934.38
INDEPENDENT INSURANCE AGENTS OF AMERICA, INC., 100 CHURCH ST. NEW YORK NY 10007		19,908.89	19,908.89
INDEPENDENT LUBRICANT MANUFACTURERS ASSN, 1055 THOMAS JEFFERSON STREET, NW WASHINGTON DC 20007			
INDEPENDENT PRODUCERS GROUP, 240 PAGE COURT 220 W. DOUGLAS WICHITA KS 67202			
INDEPENDENT TELECOMMUNICATIONS SUPPLIERS' COUNCIL, C/O PIERSON, BALL & DOWD 1200 18TH ST., NW WASHINGTON DC 20036.		2,000.00	3,209.67
INDUSTRIAL UNION DEPARTMENT, AFL-CIO, 815 16TH ST., NW WASHINGTON DC 20006		17,040.15	17,040.15
NANCY J. INGALSBEE, SUITE 300 1919 PENNSYLVANIA AVE., NW WASHINGTON DC 20006	U. S. SKI ASSOCIATION		
ANDREA L. INNES, COAL BUILDING WASHINGTON DC 20036	NATIONAL COAL ASSN	5,000.00	178.85
INSURANCE ECONOMICS SOCIETY OF AMERICA, SUITE 590 1700 PENNSYLVANIA AVE., NW WASHINGTON, DC 20006		1,337.44	
INTERLAKE, INC, 2015 SPRING RD. OAK BROOK IL 60521			17,134.95
INTERNATIONAL ASSN OF BRIDGE, STRUCT. & ORNAMENTAL IRON WKRS, 1750 NEW YORK AVE., NW WASHINGTON DC 20006.			10,800.00
INTERNATIONAL ASSN OF MACHINISTS & AEROSPACE WORKERS, 1300 CONNECTICUT AVE., NW WASHINGTON DC 20036			26,047.51
INTERNATIONAL BROTHERHOOD OF PAINTERS & ALLIED TRADES, 1750 NEW YORK AVE., NW WASHINGTON DC 20006			
INTERNATIONAL BROTHERHOOD OF TEAMSTERS, 25 LOUISIANA AVE., NW WASHINGTON DC 20001			35,696.70
INTERNATIONAL LONGSHOREMEN'S ASSOCIATION, AFL-CIO, 17 BATTERY PLACE SUITE 1500 NEW YORK NY 10004			50,751.28
INTERNATIONAL MARITIME ASSOCIATES, INC, 1800 K ST., NW WASHINGTON DC 20006	ALLIS-CHALMERS		91.30
INTERNATIONAL UNION OF BRICKLAYERS & ALLIED CRAFTSMEN, 815 15TH ST., NW WASHINGTON DC 20005			5,146.91
INVESTMENT COMPANY INSTITUTE, 1775 K ST., NW WASHINGTON DC 20006			14,992.68
INVESTMENT COUNSEL ASSN OF AMERICA, INC., 50 BROAD ST. NEW YORK NY 10004			175.00
CHARLES C. IRIONS, 400 ARMY-NAVY DR. ARLINGTON VA 22202	AMERICAN MOVERS CONFERENCE	485.27	
IRON ORE LESSORS ASSN, INC, 1500 FIRST NATL BANK BLDG. SAINT PAUL MN 55101		21,987.57	13,111.67
ITEL CORPORATION, CONTAINER DIVISION, #2 EMBARCADERO CENTER 24TH FLOOR SAN FRANCISCO CA 94111			756.88
JOSEPH S IVES, 1800 MASSACHUSETTS AVE., NW WASHINGTON DC 20036	NATIONAL RURAL ELECTRIC COOPERATIVE ASSN		
ROBERT A. JABLON, SPIEGAL & MCDIARMID 2600 VIRGINIA AVE., NW WASHINGTON DC 20037	FT. PIERCE UTILITIES AUTH OF THE CITY OF FT. PIERCE, ET AL		
CHARLES L. JACKSON, 1850 K STREET, NW WASHINGTON DC 20006	SHOOSHAN & JACKSON, INC (FOR: U.S. CABLESYSTEMS, INC)		
MERCER L. JACKSON, 1101 17TH ST., NW SUITE 700 WASHINGTON DC 20036	NATIONAL ASSN OF REAL ESTATE INVESTMENT TRUSTS, INC.	400.00	
ROBERT S. JACKSON, 1133 19TH STREET, NW WASHINGTON DC 20036	MCI COMMUNICATIONS CORP	12,375.00	22,379.70
WILLIAM P. JACKSON JR., JACKSON & JESSUP, P.C. P.O. BOX 1240 ARLINGTON VA 22210	OSBORNE TRUCK LINE, INC, ET AL	1,751.00	6,624.75
ROY T. JACOBSEN, GNAU, CARTER, JACOBSEN & ASSOC., INC. 1777 F STREET, NW WASHINGTON DC 20006	AMURCON CORPORATOIN		
Do	BEZTAK COMPANY		
Do	CAC ASSOCIATES		
Do	GRAND TRAVERSE DEVELOPMENT, INC.		
Do	POTTER INSTRUMENT CO., INC.		
Do	RJK CONSTRUCTION COMPANY		
Do	SANDERS CORPORATION		
Do	URBAN REVITALIZATION, INC.		
WALTER K. JAENICKE, 1619 MASSACHUSETTS AVE., NW WASHINGTON DC 20036	NATIONAL FOREST PRODUCTS ASSN	4,500.00	
E. A. JAENKE & ASSOCIATES, INC, 1575 EYE ST., NW, SUITE 230 WASHINGTON DC 20005	FARMLAND INDUSTRIES	500.00	
Do	UNIVERSITY OF KANSAS	250.00	
DANIEL L. JAFFE, SUITE 401 1225 CONNECTICUT AVENUE, NW WASHINGTON DC 20036	AMERICAN ADVERTISING FEDERATION		
CLARENCE L. JAMES JR., 444 N. CAPITOL ST., #711 WASHINGTON DC 20001	KEEFE COMPANY (FOR: WESTINGHOUSE ELECTRIC CORP)	1,500.00	
FRANK JAMES, 1016 16TH STREET, NW WASHINGTON DC 20036	NATIONAL FED OF FEDERAL EMPLOYEES		
MARGO L. JAMES, 1515 WILSON BLVD. ARLINGTON VA 22209	AMERICAN GAS ASSN		
JAPAN ECONOMIC INSTITUTE OF AMERICA, 1000 CONNECTICUT AVE., NW WASHINGTON DC 20036		2,909.26	2,909.26
JAPANESE AMERICAN CITIZENS LEAGUE, 1765 SUTTER STREET SAN FRANCISCO CA 94118			
JOSEPH J. JAQUAY, 5025 WISCONSIN AVE., NW WASHINGTON DC 20016	AMALGAMATED TRANSIT UNION , AFL-CIO		
T. DESTRY JARVIS, 529 TENNESSEE AVE. ALEXANDRIA VA 22305	NATIONAL PARKS & CONSERVATION ASSOCIATION	1,071.00	88.25
EVELYN JARVIS-FERRIS, 444 MARKET STREET SAN FRANCISCO CA 94111	SHAKLEE CORPORATION		
JERRY J. JASINOWSKI, 1776 F STREET, NW WASHINGTON DC 20006	NATIONAL ASSN OF MANUFACTURERS	2,000.00	
PATRICIA A. JEFFERS, SUITE 209 1025 CONNECTICUT AVENUE, NW WASHINGTON DC 20036	AMERICAN BUSINESS CONFERENCE	70.85	25.00
JOSEPH S. JENCKES, 1730 M ST., NW, #808 WASHINGTON DC 20036	ABBOTT LABORATORIES	5,000.00	245.00
LINDA JENCKES, 1750 K ST., NW WASHINGTON DC 20006	HEALTH INSURANCE ASSOCIATION OF AMERICA, INC.	126.00	10.00
JENKENS & GILCHRIST, 2200 FIRST NATIONAL BANK BLDG. DALLAS TX 75202	AMERICAN COLLEGE OF EMERGENCY PHYSICIANS		
KEMPTON B. JENKINS, SUITE 702 1747 PENNSYLVANIA AVE., NW WASHINGTON DC 20006	ARMCO	600.00	255.73
JAMES C. JENNINGS, 3255 GRACE ST., NW WASHINGTON DC 20007	GRAY AND COMPANY		
JENNINGS, STROUSS & SALMON, 111 WEST MONROE PHOENIX AZ 85003	SHAMROCK FOODS CO	125.80	
CHRIS L. JENSEN, FLORIDA PETROLEUM COUNCIL 111 NORTH GADSDEN ST. TALLAHASSEE FL 32301	AMERICAN PETROLEUM INST	1,560.00	1,005.62
JENSEN, SANDERS & MCCONNELL, SUITE 1275 1875 EYE ST., NW WASHINGTON DC 20006	CARMA-SANDLING GROUP		
Do	COUNTY OF ORANGE	10,000.00	569.00

Organization or Individual Filing	Employer/Client	Receipts	Expenditures
Do	NELCO PRODUCTS, INC.		
Do	ORANGE COUNTY TRANSPORTATION COMMISSION	6,000.00	347.00
Do	SANTA ANA RIVER FLOOD PROTECTION AGENCY	300.00	
Do	SANTA ANA VALLEY IRRIGATION CO.		
NANCY H. JESSICK, 425 13TH STREET, NW WASHINGTON DC 20004	HIRAM WALKER & SONS, INC.		
GUY E. JESTER, 2150 KIENLEN AVE. ST. LOUIS MO 63121	ASSOCIATION FOR THE IMPROVEMENT OF THE MISSISSIPPI RIVER		
CHARLES E. JOECKEL JR , 807 MAINE AVE., SW WASHINGTON DC 20024	DISABLED AMERICAN VETERANS	12,594.40	1,696.57
WALTER W. JOHN, RM. 1414 SOUTH BUILDING USDA WASHINGTON DC 20250	ORGANIZATION OF PROFESSIONAL EMPLOYEES OF USDA	786.30	
CALVIN P. JOHNSON, HOFFHEIMER & JOHNSON 1120 20TH STREET, NW, #520 WASHINGTON DC 20036	COMPUTER SCIENCES CORPORATION	6,000.00	
CARL T. JOHNSON, SUITE 1104 1800 K STREET, NW WASHINGTON DC 20006	CORNING GLASS WORKS	400.00	
CLIFFORD T. JOHNSON, 1700 NORTH MOORE STREET ROSSLYN VA 22209	BOEING MILITARY AIRPLANE COMPANY		
DAVID H. JOHNSON, MISSISSIPPI PETROLEUM COUNCIL 215 LAMAR LIFE BLDG., P.O. BOX 42 JACKSON MS 39205	AMERICAN PETROLEUM INST	400.00	1,197.37
GEORGE DEAN JOHNSON JR., JOHNSON SMITH & HIBBARD P.O. BOX 5524 SPARTANBURG SC 29304	MILLIKEN & COMPANY		
Do	WASTE MANAGEMENT, INC		
JESS JOHNSON JR , SUITE 200 1025 CONNECTICUT AVE., NW WASHINGTON DC 20036	SHELL OIL CO	500.00	
JOEL L. JOHNSON, 475 L'ENFANT PLAZA, SW, #4400 WASHINGTON DC 20024	AMERICAN LEAGUE FOR EXPORTS & SECURITY ASSISTANCE, INC	4,000.00	82.21
JOHN B. JOHNSON, ALABAMA PETROLEUM COUNCIL P.O. BOX 4220 MONTGOMERY AL 36195	AMERICAN PETROLEUM INST	1,608.75	610.52
JOHN D. JOHNSON, SUITE 1014 900 17TH STREET, NW WASHINGTON DC 20006	KAISER PERMANENTE MEDICAL GROUP	15,500.00	
L. WAYNE JOHNSON, P.O. BOX 7000-C TEXARKANA TX 75501		16,000.00	
LARRY W. JOHNSON, P.O. BOX 3000 LEESBURG VA 22075	VOCATIONAL INDUSTRIAL CLUBS OF AMERICA, INC		
LAWRENCE D. JOHNSON, 800 NORTH HIGHLAND AVENUE ORLANDO FL 32803	UNION NAVIGATION CORP, LTD (HONGKONG CORP)		
LINDA MEYER JOHNSON, 7700 LITTLE RIVER TURNPIKE ANNANDALE VA 22003	ROLM CORPORATION		
RADY A. JOHNSON, 1000 16TH ST., NW WASHINGTON DC 20036	STANDARD OIL CO (INDIANA)		
RICHARD W. JOHNSON JR., 219 N. WASHINGTON STREET ALEXANDRIA VA 22314	NON COMMISSIONED OFFICERS ASSN OF THE USA	5,417.04	
SPENCER A. JOHNSON, SUITE 411 1101 VERMONT AVE., NW WASHINGTON DC 20005	PAPERBOARD PACKAGING COUNCIL		
STANLEY L. JOHNSON, 1050 17TH ST., NW WASHINGTON DC 20036	TEXACO, INC.	110.00	
WILLIAM L. JOHNSON, SUITE 301 1050 17TH STREET, NW WASHINGTON DC 20036	MICHIGAN CONSOLIDATED GAS CO	1,000.00	
BARBARA W. JOHNSTON, 1150 CONNECTICUT AVE. NW #710 WASHINGTON DC 20036	UTAH INTERNATIONAL INC.		
DAVID JOHNSTON, 1957 E ST., NW WASHINGTON DC 20006	ASSOCIATED GENERAL CONTRACTORS OF AMERICA		
JAMES D. JOHNSTON, 1660 L ST., NW WASHINGTON DC 20036	GENERAL MOTORS CORP	3,600.00	7,255.45
JOINT CORPORATE COMM ON CUBAN CLAIMS, C/O LONE STAR INDUSTRIES, INC PO BOX 5050 GREENWICH CT 06830			180.00
JOINT TASK FORCE ON FEDERAL FINANCIAL ASSIST. FOR STUDENTS, C/O LAW SCHOOL ADMISSION COUNCIL 11 DUPONT CIRCLE, NW WASHINGTON DC 20036.			4,101.38
ALLAN R. JONES, 1616 P ST., NW WASHINGTON DC 20036	AMERICAN TRUCKING ASSNS, INC	9,000.00	1,271.69
CHARLIE W. JONES, SUITE 310 1150 17TH ST., NW WASHINGTON DC 20036	MAN-MADE FIBER PRODUCERS ASSN, INC	300.00	150.00
ERNEST W. JONES, 1957 E ST., NW WASHINGTON DC 20006	ASSOCIATED GENERAL CONTRACTORS OF AMERICA		
GERALD R. JONES, SUITE 810 2000 L STREET, NW WASHINGTON DC 20036	SPERRY CORPORATION		
JAMES E. JONES JR , 1110 VERMONT AVE., NW WASHINGTON DC 20005	ALLIANCE OF AMERICAN INSURERS	110.00	75.85
JAMES E. JONES, 40 FRANKLIN RD., SW P.O. BOX 2021 ROANOKE VA 24022	APPALACHIAN POWER COMPANY		
NORVILL JONES, 1620 EYE ST., NW WASHINGTON DC 20006	REYNOLDS METALS CO	250.00	
RANDALL T. JONES, 1030 15TH ST., NW, #700 WASHINGTON DC 20005	NATIONAL COTTON COUNCIL OF AMER	1,020.00	29.55
JONES, DAY, REAVIS & POGUE, 1735 I ST., NW WASHINGTON DC 20006	FOOD POLICY CENTER		
DE SOTO JORDAN, 229 PENNSYLVANIA AVE., SE WASHINGTON DC 20003	ELECTRONIC DATA SYSTEMS CORPORATION	264.00	198.00
DONALD L. JORDAN, 311 FIRST STREET, NW, #700 WASHINGTON DC 20001	ALLIANCE OF AMERICAN INSURERS		
JAMES V. JORDAN III, PO BOX 2563 BIRMINGHAM AL 35202	SOUTHERN NATURAL GAS CO		
JEFFREY H. JOSEPH, 1615 H ST., NW WASHINGTON DC 20062	CHAMBER OF COMMERCE OF THE U.S.	1,365.00	10.00
ARDON B. JUDD JR , 1100 CONNECTICUT AVE., NW, #310 WASHINGTON DC 20036	DRESSER INDUSTRIES, INC.		
ROBERT E. JULIANO, 1875 I ST., NW, #450 WASHINGTON DC 20006	HOTEL & RESTAURANT EMPLOYEES & BARTENDERS INTL UNION	16,238.64	461.83
BYRON E. KABOT, LEGAL DEPARTMENT - 43-33 77 WEST 45TH ST. NEW YORK NY 10036	INTERNATIONAL PAPER COMPANY	7,400.00	1,842.91
GEZA KADAR, 1750 K STREET, NW WASHINGTON DC 20006	HEALTH INSURANCE ASSOCIATION OF AMERICA, INC.	25.00	.65
LINDA HELLER KAMM, 1775 PENNSYLVANIA AVE., NW SUITE 1000 WASHINGTON DC 20006	FOLEY, LARDNER, HOLLABAUGH & JACOBS (FOR: CITY OF MINNEAPOLIS)		
Do	FOLEY, LARDNER, HOLLABAUGH & JACOBS (FOR: INDEPENDENT REFINERS ASSOCIATION OF AMERICA).		
Do	FOLEY, LARDNER, HOLLABAUGH & JACOBS (FOR: LAWYERS TITLE INSURANCE CORP).		
Do	FOLEY, LARDNER, HOLLABAUGH & JACOBS (FOR: NATIONAL GYPSUM CO./CEMENT DIV.).		
DONALD J. KANIEWSKI, 905 16TH ST., NW WASHINGTON DC 20006	LABORERS' INTL UNION OF NORTH AMERICA, AFL-CIO	6,647.49	76.50
CHARLES W. KARCHER, MIDLAND BLDG, ROOM 850 CLEVELAND OH 44115	STANDARD OIL CO (OHIO)		
FRED G. KAREM, SHUFFETT, KENTON, CURRY & KAREM 109 NORTH MILL STREET LEXINGTON KY 40507	LINCOLN PROPERTY CO		
Do	NATIONAL MULTI HOUSING COUNCIL		
MARYANN M. KASWELL, SUITE 1200 1300 NORTH 17TH STREET ARLINGTON VA 22209	CONSUMER BANKERS ASSN	1,300.00	1,489.51
PATRICIA L. KATSON, 11215 OAK LEAF DR. SILVERSPRING MD 20901	LIBERTY LOBBY	4,500.00	
HOWARD C. KATZ, 160 WATER ST. NEW YORK NY 10038	COFFEE, SUGAR & COCOA EXCHANGE, INC.		
LAWRENCE W. KATZ, 8283 GREENSBORO DR. MCLEAN VA 22102	SATELLITE BUSINESS SYSTEMS	500.00	
LINDA E. KATZ, 3350 HUNTLEY SQUARE DRIVE, T-2 TEMPLE HILLS MD 20748	WESTINGHOUSE	6,579.00	
ALAN C. KAUFFMAN, 2600 FIDELITY BUILDING PHILADELPHIA PA 19109	PHILADELPHIA STOCK EXCHANGE	6,000.00	
EVERETT E. KAVANAUGH, SUITE 800 1110 VERMONT AVE., NW WASHINGTON DC 20005	COSMETIC, TOILETRY & FRAGRANCE ASSN, INC		
KAYE, SCHOLER, FIERMAN, HAYS & HANDLER, 1575 I ST., NW SUITE 1150 WASHINGTON DC 20005	CHRIS CRAFT INDUSTRIES, INC.		
Do	AMERICAN PSYCHOANALYTIC ASSOCIATION		
Do	ELSEVIER SCIENTIFIC PUBLISHERS		
RICHARD F. KEATING, SUITE 502 1211 CONNECTICUT AVE., NW WASHINGTON DC 20036	ANHEUSER-BUSCH COMPANIES		
WILLIAM J. KEATING, 725 15TH ST., NW WASHINGTON DC 20005	NATIONAL GRAIN & FEED ASSN		
HOWARD B. KECK, 555 S. FLOWER ST. LOS ANGELES CA 90071	SUPERIOR OIL CO		300.00
ROBERT J. KEEFE, 444 N. CAPITOL STREET, #711 WASHINGTON DC 20001	KAPLAN RUSSIN & VECCHI (FOR: AMERICAN CHAMBER OF COMMERCE OF THE DOMINICAN REPUBLIC).		
Do	KEEFE COMPANY (FOR: AMERICAN FAMILY LIFE ASSURANCE CO)	2,500.00	
Do	THE KEEFE CO. (FOR: CORDAGE INSTITUTE)	6,100.00	
Do	KEEFE COMPANY (FOR: WESTINGHOUSE ELECTRIC CORP)	1,500.00	
JOSEPH D. KEEFER, SUITE 1050 1825 EYE STREET, NW WASHINGTON DC 20006	NATIONAL COUNCIL ON SYNTHETIC FUELS PRODUCTION		
DAVID A. KEENE, 919 PRINCE ST. ALEXANDRIA VA 22314	NATIONAL TAX LIMITATION COMMITTEE	300.00	10.00
KEITH KEENEY, SUITE 500-D 5775 PEACHTREE-DUNWOODY RD. ATLANTA GA 30342	ROBERT H. KELLEN CO (FOR: CALORIE CONTROL COUNCIL)	70.00	
ROBERT C. KEENEY, 727 N. WASHINGTON ST. ALEXANDRIA VA 22314	UNITED FRESH FRUIT & VEGETABLE ASSN	1,004.40	16.22
KEIKI KEHOE, 317 PENNSYLVANIA AVE., SE WASHINGTON DC 20003	ENVIRONMENTAL POLICY INSTITUTE	226.49	
JEFFERSON D. KEITH, 8100 OAK ST. DUNN LORING VA 22027	NATIONAL PEST CONTROL ASSN		
ROBERT H. KELLEN, 5775 PEACHTREE-DUNWOODY RD., #500-D ATLANTA GA 20342	ROBERT H. KELLEN CO (FOR: CALORIE CONTROL COUNCIL)		
KELLER & HECKMAN, 1150 17TH ST., NW WASHINGTON DC 20036	SPECIALTY ADVERTISING ASSN. INT'L	875.00	1,603.34
CANDACE KELLER, 624 9TH ST., NW 7TH FLOOR WASHINGTON DC 20001	GROUP HEALTH ASSOCIATION OF AMERICA, INC.	5,083.36	
DONALD W. KELLER, 601 JEFFERSON HOUSTON TX 77002	QUINTANA PETROLEUM CORP		
DONALD KELLERMANN, SUITE 1110 1875 EYE ST., NW WASHINGTON DC 20006	TIMES MIRROR COMPANY		
JOHN B. KELLEY, 1025 CONNECTICUT AVE., NW, #1200 WASHINGTON DC 20036	AVCO CORP	2,500.00	
PAUL J. KELLEY, 2727 NORTH CENTRAL AVE. PHOENIX AZ 85004	U-HAUL INTL, INC		
STEPHEN G. KELLISON, 1835 K ST., NW, #515 WASHINGTON DC 20006	AMERICAN ACADEMY OF ACTUARIES		
STEPHEN S. KELLNER, 1001 CONNECTICUT AVE., NW, #1120 WASHINGTON DC 20036	CHEMICAL SPECIALTIES MFGRS ASSN		
BRIAN F. KELLY, 1211 CONNECTICUT AVENUE, NW SUITE 802 WASHINGTON DC 20036	SEARS, ROEBUCK AND CO	500.00	52.40
EARL KELLY, 801 18TH STREET, NW WASHINGTON DC 20006	PARALYZED VETERANS OF AMERICA	7,708.50	
ERNEST B. KELLY III, 950 L'ENFANT PLAZA, SW WASHINGTON DC 20024	COMMUNICATIONS SATELLITE CORPORATION	1,250.00	237.28
HAROLD V. KELLY, 1101 15TH ST., NW WASHINGTON DC 20005	REPUBLIC STEEL CORP		
MICHAEL J. KELLY, 1775 PENNSYLVANIA AVENUE, NW WASHINGTON DC 20006	FOLEY & LARDNER (FOR: NATIONAL GYPSUM CO./CEMENT DIV.)		
MARK L. KEMMER, 1660 L STREET, NW WASHINGTON DC 20036	GENERAL MOTORS CORP	2,500.00	1,100.77
KEMPER INVESTORS LIFE INSURANCE CO, 120 SOUTH LASALLE STREET CHICAGO IL 60603			1,000.78
WILLIAM T. KENDALL, SUITE 210 1750 NEW YORK AVE., NW WASHINGTON DC 20006	ALLIANCE FOR FREE ENTERPRISE		
JOSEPH W. KENNEBECK, 475 L'ENFANT PLAZA, SW SUITE 2450 WASHINGTON DC 20024	VOLKSWAGEN OF AMERICA, INC	300.00	
ART KENNEDY, P.O. BOX 3576 ECB ANCHORAGE AK 99501	ALASKA RESOURCE ANALYSTS, INC	19,590.00	5,109.98
JOHN E. KENNEDY, VINSON & ELKINS 3300 FIRST CITY TOWER HOUSTON TX 77002	ASSOCIATION OF OIL PIPELINES		
MICHAEL E. KENNEDY, 1957 E STREET, NW WASHINGTON DC 20006	ASSOCIATED GENERAL CONTRACTORS OF AMERICA		
EDWARD E. KENNEY & ASSOCIATES, INC., SUITE 1610 1700 NORTH MOORE STREET ARLINGTON VA 22209	LOCKHEED-GEORGIA CORPORATION		
JEREMIAH J. KENNEY JR , 12TH FL. 1100 15TH ST., NW WASHINGTON DC 20005	UNION CARBIDE CORP		592.20
PETER B. KENNEY, 1825 K ST., NW WASHINGTON DC 20006	NATIONAL BROADCASTING CO, INC.	1,900.00	100.51
BRENDAN KENNY, 1709 NEW YORK AVE., NW WASHINGTON DC 20006	AIR TRANSPORT ASSN OF AMER	5,500.00	
J. H. KENT, KENT & O'CONNOR 1919 PENNSYLVANIA AVE., NW SUITE 300 WASHINGTON DC 20006	AMERICAN DENTAL HYGIENISTS ASSN	1,267.75	735.55
Do	AMERICAN SUPPLY ASSOCIATION	5,830.64	5,834.69
Do	AMERICAN WAREHOUSEMEN'S ASSOCIATION		

Organization or Individual Filing	Employer/Client	Receipts	Expenditures
Do	GOULD, INC.	3,000.00	1,514.07
Do	MOTOR CARRIER LAWYERS ASSN		
VYTAUTAS KERBELIS, 69 COTTAGE ST. BAR HARBOR ME 04609	ARAS		
PAUL A. KERSCHNER, 1909 K STREET, NW WASHINGTON DC 20049	NATIONAL RETIRED TEACHERS ASSN/AMER ASSN OF RETIRED PERSONS	736.15	58.30
ROBERT M. KETCHEL, 777 14TH ST., NW WASHINGTON DC 20005	GENERAL ELECTRIC CO		
GILBERT W. KEYES, PO BOX 3999 SEATTLE WA 98124	BOEING COMPANY		
EARLINE A. KEYSER, 1620 I ST., NW, #703 WASHINGTON DC 20006	BECHTEL POWER CORPORATION		
KIAWAH ISLAND COMPANY, P.O. BOX 12910 CHARLESTON SC 29142			
RICHARD F. KIBBEN, 200 PARK AVE. NEW YORK NY 10166	BUSINESS ROUNDTABLE		
MARJORIE CARROLL KICAK, 1735 JEFFERSON DAVIS HIGHWAY, #903 ARLINGTON VA 22202	POTATO CHIP/SNACK FOOD ASSOCIATION	80.00	
EDWARD J. KIERNAN, 412 FIRST STREET, SE WASHINGTON DC 20003	INTERNATIONAL UNION OF POLICE ASSOCIATIONS		
ROBERT W. KIERNAN, 1776 F STREET, NW WASHINGTON DC 20006	NATIONAL ASSN OF MANUFACTURERS		
MARYANN KILDUFF, 923 15TH ST., NW WASHINGTON DC 20005	TRANSPORTATION INSTITUTE	3,000.00	270.00
DANIEL L. KILEY, P.O. BOX 3609 NORFOLK VA 23514	NORFOLK SOUTHERN CORPORATION		
KILGORE & KILGORE, INC, 1800 FIRST NATIONAL BANK BLDG. DALLAS TX 75202	DEMINEX U.S. OIL CO	608.00	21,001.26
Do	TEXASGULF, INC		21,001.26
MARGARET A. KIMBALL, 1620 I ST., NW, #703 WASHINGTON DC 20006	BECHTEL POWER CORPORATION		
RICHARD H. KIMBERLY, 1000 WILSON BOULEVARD SUITE 2200 ARLINGTON VA 22209	KIMBERLY-CLARK CORP	973.07	474.96
KIMBERLY-CLARK CORP., 401 NORTH LAKE STREET NEENAH WI 54956			9,117.58
JAMES L. KIMBLE, 1025 CONNECTICUT AVE., NW, #415 WASHINGTON DC 20036	AMERICAN INSURANCE ASSN		
GENE KIMMELMAN, 215 PENNSYLVANIA AVENUE, SE WASHINGTON DC 20003	CONGRESS WATCH	3,000.00	
KING & SPALDING, 1915 I STREET, NW WASHINGTON DC 20006	CAPITAL HOLDING CORP	300.00	
Do	GEORGIA-PACIFIC CORP	32,554.00	1,816.27
Do			175.00
AUBREY C. KING, 1625 EYE STREET, NW, #609 WASHINGTON DC 20006	NATIONAL CLUB ASSOCIATION		
CHARLES L. KING, 1850 K ST., NW WASHINGTON DC 20006	AMERICAN COUNCIL OF LIFE INSURANCE, INC	520.00	
EDWARD H. KING, 200 WILMOT RD. DEERFIELD IL 60015	WALGREEN CO		
G. JACK KING, WASHINGTON NATIONAL AIRPORT WASHINGTON DC 20001	U.S. AIR, INC	1,000.00	
W. RUSSELL KING, SUITE 400 1730 RHODE ISLAND AVE., NW WASHINGTON DC 20036	FREEPORT MCMORAN, INC	300.00	92.50
ROGER P. KINGSLEY, 10801 ROCKVILLE PIKE ROCKVILLE MD 20852	AMERICAN SPEECH-LANGUAGE-HEARING ASSN		
FRANK J. KINNEY, 444 N. CAPITOL STREET, NW WASHINGTON DC 20001	AMERICAN HOSPITAL ASSN	3,120.81	389.09
JANIE A. KINNEY, #408 1015 18TH ST., NW WASHINGTON DC 20036	TWIN COAST NEWSPAPERS, INC		
Do	MERCK & CO, INC		
CECILIA ANNE KIRBY, 1101 CONNECTICUT AVENUE, NW, #1006 WASHINGTON DC 20036	AMERICAN HOTEL & MOTEL ASSN	996.92	
KIRBY, GILLICK, SCHWARTZ & TUOHEY, P.C., SUITE 303 600 MARYLAND AVENUE, SW WASHINGTON DC 20024	COMMUNITIES FOR AN EFFECTIVE AIR TRANSPORTATION SYSTEM		
Do	SLURRY TRANSPORT ASSN	1,250.00	33.51
ALAN G. KIRK II , 1900 PENNSYLVANIA AVE., NW WASHINGTON DC 20068	POTOMAC ELECTRIC POWER CO	53.01	
JOHN R. KIRK, BINGHAM, DANA & GOULD 100 FEDERAL ST. BOSTON MA 02110	FIRST NATIONAL BANK OF BOSTON		
PAUL G. KIRK JR., SULLIVAN & WORCESTER 1025 CONNECTICUT AVE., NW WASHINGTON DC 20036	NATIONAL FOOTBALL LEAGUE	1,587.50	
KIRKLAND & ELLIS, 1776 K ST., NW WASHINGTON DC 20006	AMERICAN NEWSPAPER PUBLISHERS ASSN		
SALLY ANN KIRKPATRICK, 1110 VERMONT AVE., NW WASHINGTON DC 20005	ALLIANCE OF AMERICAN INSURERS	588.00	250.92
KIRKPATRICK, LOCKHART, HILL, CHRISTOPHER & PHILLIPS, 1900 M ST., NW WASHINGTON DC 20036	COLUMBIA PICTURES INDUSTRIES, INC	1,690.00	
Do	COUNCIL OF STATE HOUSING AGENCIES		
Do	GROCERY MANUFACTURERS OF AMERICA		
Do	MICHIGAN STATE HOUSING DEVELOPMENT AUTHORITY		
Do	PILOT PETROLEUM CORPORATION		
Do	REPUBLIC NATIONAL BANK OF NEW YORK		
Do	WHITNEY NATIONAL BANK OF NEW ORLEANS		
KIRLIN, CAMPBELL & KEATING, SUITE 800 1150 CONNECTICUT AVENUE, NW WASHINGTON DC 20036	COUNCIL OF EUROPEAN & JAPANESE NATIONAL SHIPOWNERS' ASSN	23,448.86	480.96
ROBERT A. KIRSHNER, 1619 MASSACHUSETTS AVENUE, NW WASHINGTON DC 20036	NATIONAL FOREST PRODUCTS ASSN		
RICHARD L. KLASS, 1225 19TH ST., NW WASHINGTON DC 20036	DGA INTL. INC (FOR: DIR INTL AFF OF THE GEN DEL FOR ARMEMENTS)	137.15	167.85
RICHARD P. KLEEMAN, 2005 MASSACHUSETTS AVE., NW WASHINGTON DC 20036	ASSOCIATION OF AMERICAN PUBLISHERS		
RICHARD A. KLINE, 650 INDEPENDENCE AVE., SE WASHINGTON DC 20003	COUNCIL OF ACTIVE INDEPENDENT OIL & GAS PRODUCERS	7,629.00	
KLINE, KNOPF & WOJDAK, INC., 111 STATE STREET HARRISBURG PA 17101	GENERAL PUBLIC UTILITIES CORPORATION		
Do	HAHNEMANN MEDICAL COLLEGE & HOSPITAL	6,250.00	1,038.40
WILLIAM J. KLINEFELTER, 815 16TH ST., NW SUITE 706 WASHINGTON DC 20006	UNITED STEELWORKERS OF AMER	9,900.61	
JEFFREY W. KNIGHT, 1045 SANSOME ST. SAN FRANCISCO CA 94111	FRIENDS OF THE EARTH		
DANIEL F. KNISE, 1957 E STREET, NW WASHINGTON DC 20006	ASSOCIATED GENERAL CONTRACTORS OF AMERICA		
ROBERT L. KNOUS JR., SUITE A-201 1410 GRANT STREET DENVER CO 80203	COLORADO SKI COUNTRY USA		
RUTH E. KOBELL, SUITE 202 600 MARYLAND AVENUE, SW WASHINGTON DC 20024	FARMERS' EDUCATIONAL & CO-OPERATIVE UNION OF AMERICA	5,855.77	156.27
THOMAS G. KOBUS, SUITE 350 2000 K ST., NW WASHINGTON DC 20006	NATIONAL PARKING ASSOCIATION	14,249.95	
BRADLEY R. KOCH, 1800 MASSACHUSETTS AVE., NW WASHINGTON DC 20036	NATIONAL RURAL ELECTRIC COOPERATIVE ASSN	145.60	
GEORGE W. KOCH, 1010 WISCONSIN AVE., NW, #800 WASHINGTON DC 20007	GROCERY MANUFACTURERS OF AMERICA, INC	28.66	
PATRICK C. KOCH, 1724 MASSACHUSETTS AVENUE, NW WASHINGTON DC 20036	NATIONAL CABLE TELEVISION ASSN, INC	800.00	
STANLEY E. KOLBE JR , 1735 NEW YORK AVE., NW WASHINGTON DC 20006	AMERICAN INST OF ARCHITECTS	3,000.00	
MICHAEL S. KOLEDA, SUITE 1050 1825 EYE ST., NW WASHINGTON DC 20006	NATIONAL COUNCIL ON SYNTHETIC FUELS PRODUCTION		
KOMINERS, FORT, SCHLEFER & BOYER, 1776 F ST., NW WASHINGTON DC 20006	COMMITTEE FOR TITLE XI VESSEL FINANCING		55.61
Do	COUNCIL OF EDUCATIONAL SHIPOWNERS		
Do	CROWLEY MARITIME CORP AND SUBSIDIARIES	3,875.00	529.89
NICHOLAS KOMINUS, 1001 CONNECTICUT AVE., NW WASHINGTON DC 20036	U.S. CANE SUGAR REFINERS' ASSN	705.72	138.33
STEPHEN KOPLAN, 815 16TH ST., NW WASHINGTON DC 20006	AFL-CIO	14,441.31	296.94
EUGENE P. KOPP, SUITE 600 SOUTH 1120 20TH STREET, NW WASHINGTON DC 20036	UNION PACIFIC CORP	1,250.00	
STEVEN KOPPERUD, 1701 N. FT. MYER DRIVE ARLINGTON VA 22209	AMERICAN FEED MANUFACTURERS ASSN	3,240.00	
HORACE R. KORNEGAY, 1875 I ST., NW, #800 WASHINGTON DC 20006	TOBACCO INSTITUTE	800.00	37.00
KENNETH S. KOVACK, 815 16TH ST., NW, #706 WASHINGTON DC 20006	UNITED STEELWORKERS OF AMER	9,900.61	
JOAN M KOVALIC, SUITE 600 21 DUPONT CIRCLE, N.W. WASHINGTON DC 20036	TAFT, STETTINIUS & HOLLISTER (FOR: SHERWIN-WILLIAMS COMPANY)		
JEANNE P. KOWALSKY, SUITE 500 1828 L ST., NW WASHINGTON DC 20036	SOUTHERN PACIFIC COMMUNICATIONS COMPANY	4,500.00	104.41
MYLIO S. KRAJA, 1608 K ST., NW WASHINGTON DC 20006	AMERICAN LEGION	2,969.25	310.64
THOMAS G. KRAJEWSKI, SUITE 1100 1828 L STREET, NW WASHINGTON DC 20036	COOPERATIVE LEGAUE OF THE USA	235.00	
AMOS KRAMER, KANSAS PETROLEUM COUNCIL SUITE 1414 MERCHANTS BANK BLDG. 8TH & JACKSON STS. TOPEKA KS 66612.	AMERICAN PETROLEUM INST		
JOSEPH H. KRAMER III, THE POWER HOUSE 3255 GRACE STREET, NW WASHINGTON DC 20007	GRAY AND COMPANY (FOR: HTB CORPORATION)		
STEPHEN W. KRAUS, 1850 K ST., NW WASHINGTON DC 20006	AMERICAN COUNCIL OF LIFE INSURANCE, INC	450.00	
RAYMOND ROGER KRAUSE, SUITE 2700 1000 WILSON BLVD. ARLINGTON VA 22209	TRW, INC	1,000.00	
KROGER COMPANY, 1014 VINE ST. CINCINNATI OH 45201			1,908.48
JAMES C. KRONE, 1152 HASLETT ROAD P.O. BOX 99 HASLETT MI 48840	ROSES, INC	1,500.00	1,503.33
ARTHUR J. KROPP, 2029 K STREET, NW WASHINGTON DC 20006	NATIONAL SOCIETY OF PROFESSIONAL ENGINEERS	1,250.00	
NEIL B. KRUGMAN, SUITE 320 1050 17TH STREET, NW WASHINGTON DC 20036	FAMILY HEALTH PROGRAM, INC	1,875.00	189.45
K. H. KRUKE, 1776 MASSACHUSETTS AVENUE, NW WASHINGTON DC 20036	HIGHWAY USERS FED FOR SAFETY & MOBILITY		
PHILIP KUGLER, 11 DUPONT CIRCLE, NW WASHINGTON DC 20036	AMERICAN FED OF TEACHERS		
LLOYD R. KUHN, 1725 DESALES ST., NW WASHINGTON DC 20036	AEROSPACE INDUSTRIES ASSN OF AMER, INC	14,088.00	
THOMAS R. KUHN, 410 FIRST ST., SE WASHINGTON DC	AMERICAN NUCLEAR ENERGY COUNCIL	3,281.25	451.01
JUDITH KUNOFSKY, 530 BUSH STREET SAN FRANCISCO CA 94108	SIERRA CLUB	2,115.00	344.28
ESTER KURZ, SUITE 412 444 NORTH CAPITOL STREET, NW WASHINGTON DC 20001	AMERICAN ISRAEL PUBLIC AFFAIRS COMM	10,299.96	
JEFFREY KURZWEIL, WATT, TIEDER, KILLIAN, TOOLE & HOFFAR 1742 R STREET, NW WASHINGTON DC 20009	MARRIOTT CORPORATION	5,600.00	
DANIEL M. KUSH, 1615 H ST., NW WASHINGTON DC 20062	CHAMBER OF COMMERCE OF THE U.S.	2,000.00	400.00
E. J. KUSHAN, SUITE 500 1828 L STREET, NW WASHINGTON DC 20036	SOUTHERN PACIFIC COMMUNICATIONS CO	350.00	4,676.57
LEORA KUSHER, 1420 WALNUT STREET, #315 PHILADELPHIA PA 19102	INTERNATIONAL LEGAL DEFENSE COUNSEL		75.00
GARY JAY KUSHNER, P.O. BOX 3556 WASHINGTON DC 20007	AMERICAN MEAT INSTITUTE	1,000.00	
JAMES M. KUSZAJ, SUITE 700 SOUTH 1800 M STREET, NW WASHINGTON DC 20036	DOW CHEMICAL U.S.A.		
KUTAK, ROCK & HUIE, 1101 CONNECTICUT AVENUE, NW WASHINGTON DC 20036	ASSOCIATION OF LOCAL HOUSING FINANCE AGENCIES		4,515.91
Do	FIRST NATIONAL BANK OF OMAHA		
Do	HAYES, INC		3,262.98
KWAJALEIN ATOLL CORP, P.O. BOX 5220 KWAJALEIN EBEYE MARSHALL ISLAN			5,068.00
LABOR BUREAU, INC., SUITE 501 1346 CONNECTICUT AVENUE, NW WASHINGTON DC 20036			
LABOR-MANAGEMENT MARITIME COMMITTEE, 100 INDIANA AVE., NW WASHINGTON DC 20001		8,260.00	7,652.00
LABORERS' INTL UNION OF NORTH AMERICA, AFL-CIO, 905 16TH ST., NW WASHINGTON DC 20006			387.40
PHILLIP RAY LACKEY, 823 15TH ST., NW SUITE 1001 WASHINGTON DC 20005	INTERNATIONAL MASONRY INSTITUTE	1,362.00	
JOHN D. LACOPO, 229 PENNSYLVANIA AVENUE, SE WASHINGTON DC 20003	EDS CORPORATION	128.00	121.00
BRUCE C. LADD JR., 1776 K STREET, NW WASHINGTON DC 20006	MOTOROLA, INC	16,500.00	15.00
ROBERT A. LADIG, SCOTT PLAZA PHILADELPHIA PA 19113	SCOTT PAPER COMPANY	3,400.00	2,175.53
WALTER LAESSIG, 1101 VERMONT AVENUE, NW, #400 WASHINGTON DC 20005	NATIONAL ASSN OF REAL ESTATE INVESTMENT TRUSTS, INC		

Organization or Individual Filing	Employer/Client	Receipts	Expenditures
JACK L. LAHR, 1775 PENNSYLVANIA AVE., NW WASHINGTON DC 20006	FOLEY LARDNER HOLLABAUGH & JACOBS (FOR: INDEPENDENT REFINERS ASSN OF AMERICA).		
SARAH M. LAIRD, 1730 M ST., NW WASHINGTON DC 20036	LEAGUE OF WOMEN VOTERS OF THE U.S.	5,050.00	168.00
ERIC T. LAITY, 1800 FIRST NATIONAL BANK BLDG. DALLAS TX 75202	DEMINEX U.S. OIL CO	8,500.00	
Do	TEXASGULF, INC	8,500.00	
LAKE CARRIERS' ASSN, 1411 ROCKEFELLER BLDG. CLEVELAND OH 44113			
ROBERT LAMB, 2101 L STREET, N.W. WASHINGTON DC 20037	AMERICAN PETROLEUM INST	5,000.00	125.99
V. KIM LAMB, SUITE 515 1835 K STREET, NW WASHINGTON DC 20006	AMERICAN ACADEMY OF ACTUARIES		
DAVID F. LAMBERT III, 311 FIRST STREET, NW, #700 WASHINGTON DC 20001	NATIONAL ASSN OF INSURANCE BROKERS	650.00	
DAVID M. F. LAMBERT, 1000 POTOMAC STREET, NW, #302 SUITE 900 WASHINGTON DC 20007	FEDERATION EMPLOYMENT & GUIDANCE SERVICE		
DAVID R. LAMBERT, 1030 15TH ST., NW SUITE 964 WASHINGTON DC 20005	AMERICAN SEED TRADE ASSN	5,000.00	
LAMON, ELROD & HARKLEROAD, 2500 PEACHTREE CENTER - CAIN TOWER 229 PEACHTREE STREET, NE ATLANTA GA 30043	NATIONAL ASSN OF PENSION CONSULTANTS & ADMINISTRATORS	6,752.60	1,241.83
THOMAS LAMOTHE, 1525 NEW HAMPSHIRE AVENUE, NW WASHINGTON DC 20036	PUBLIC INTEREST ECONOMICS FOUNDATION		
L. CHARLES LANDGRAF, 1333 NEW HAMPSHIRE AVENUE, NW WASHINGTON DC 20036	LEBOEUF, LAMB, LEIBY & MACRAE		
THOMAS M. LANDIN, 1500 SPRING GARDEN ST. PHILADELPHIA PA 19101	SMITHKLINE CORP		
KARL S. LANDSTROM, 510 N. EDISON ST. ARLINGTON VA 22203	GEOTHERMAL RESOURCES INTL, INC		
BRUCE ALAN LANDY, 2700 VIRGINIA AVE., NW WASHINGTON DC 20037	B.A.L CO		
Do	CRYOGENIC VACUUM TECHNOLOGY CO		
Do			
LANE & EDSON, SUITE 400 SOUTH 1800 M ST., NW WASHINGTON DC 20036	CITY OF BALTIMORE	600.00	
Do	COUNCIL FOR RURAL HOUSING AND DEVELOPMENT	4,000.00	
ALBERT E. LANE, SUITE 537 1377 K STREET, NW WASHINGTON DC 20005	MEDCOM-MIC		
Do	PEOPLE OPPOSED TO ENERGY LOBBY - POTEL		
RICHARD F. LANE, 1957 E STREET, NW WASHINGTON DC 20006	ASSOCIATED GENERAL CONTRACTORS OF AMERICA		
J. STEVENS LANICH, 317 PENNSYLVANIA AVENUE, SE WASHINGTON DC 20003	ENVIRONMENTAL POLICY INSTITUTE	133.27	
ROBIN W. LANIER, 1000 CONNECTICUT AVE., NW WASHINGTON DC 20036	NATIONAL RETAIL MERCHANTS ASSN	150.00	10.00
WAYNE R. LAPIERRE JR , 1600 RHODE ISLAND AVE., NW WASHINGTON DC 20036	NATIONAL RIFLE ASSN OF AMER	1,125.00	495.00
CLIFFORD LAPLANTE, 777 14TH ST., NW WASHINGTON DC 20005	GENERAL ELECTRIC CO	10.30	
REED E. LARSON, 8001 BRADDOCK ROAD, #600 SPRINGFIELD VA 22160	NATIONAL RIGHT TO WORK COMM		
JAMES LASALA, 5025 WISCONSIN AVENUE, NW WASHINGTON DC 20016	AMALGAMATED TRANSIT UNION, AFL-CIO		
LASALLE NATIONAL BANK, 135 SOUTH LASALLE ST. CHICAGO IL 60690			
MICHAEL LASHBROOK, 1600 RHODE ISLAND AVENUE,NW WASHINGTON DC 20036	NATIONAL RIFLE ASSN OF AMER	1,000.00	
LATHAM, WATKINS & HILLS, SUITE 1200 1333 NEW HAMPSHIRE AVE., NW WASHINGTON DC 20036	WILSHIRE TERRACE COOPERATIVE HOUSING CORP	2,560.00	147.58
THEODORE A. LATTANZIO, 1600 RHODE ISLAND AVE., NW WASHINGTON DC 20036	NATIONAL RIFLE ASSN OF AMER	825.00	
LOUIS F. LAUN, 260 MADISON AVE. NEW YORK NY 10016	AMERICAN PAPER INST, INC		
DENNIS LAVALLEE, 1016 20TH ST., NW WASHINGTON DC 20036	NATIONAL ASSN OF PLUMBING-HEATING-COOLING CONTRACTORS	500.00	205.10
CHARLES B. LAVIN JR., 1016 20TH STREET, NW WASHINGTON DC 20036	NATIONAL ASSN OF PLUMBING-HEATING-COOLING CONTRACTORS		
JOAN H. LAVOR, 1957 E STREET, NW WASHINGTON DC 20006	ASSOCIATED GENERAL CONTRACTORS OF AMERICA		
KATHRYN M. LAVRIHA, 1730 M ST., NW WASHINGTON DC 20036	LEAGUE OF WOMEN VOTERS OF THE U.S.	3,165.00	100.00
GEORGE H. LAWRENCE, 1515 WILSON BLVD. ARLINGTON VA 22209	AMERICAN GAS ASSN	415.00	
HENRY J. LAWRENCE, 1735 NEW YORK AVENUE,NW WASHINGTON DC 20006	AMERICAN INST OF ARCHITECTS	2,500.00	
JOHN I. LE BERRE, 900 17TH ST., NW WASHINGTON DC 20006	KAISER ALUMINUM & CHEMICAL CORP	80.00	50.00
ERNEST M. LE SUEUR, 1700 NORTH MOORE ST. 1925 ROSSLYN CENTER BUILDING ARLINGTON VA 22209	BENEFICIAL MANAGEMENT CORPORATION OF AMERICA		
LEAD-ZINC PRODUCERS COMMITTEE, SUITE 3415 120 BROADWAY NEW YORK NY 10271			9,358.42
LEAGUE OF WOMEN VOTERS OF THE U.S., 1730 M ST., NW WASHINGTON DC 20036		37,003.00	37,003.00
LEAGUE TO SAVE LAKE TAHOE, 2197 LAKE TAHOE BLVD. P.O. BOX 10110 SOUTH LAKE TAHOE CA 95731		10,000.00	2,216.94
CORNELIUS J. LEARY, 2113 COUNTRYSIDE DRIVE SILVER SPRING MD 20904	AMERICAN COUNCIL OF INTERNATIONAL PERSONNEL, INC	2,000.00	
RICHARD J. LEASE, 2145 BOISE DRIVE LAS CRUCES NM 88001			
LEBOEUF LAMB LEIBY & MACRAE, 1333 NEW HAMPSHIRE AVE., NW, #1100 WASHINGTON DC 20036	SHIPPING CORP. OF INDIA, LTD		
Do	UNDERWRITERS AT LLOYD'S LONDON		
LECHNER & BUTSAVAGE, P.C., 3101 SOUTH ST., NW WASHINGTON DC 20007	NATIONAL ASSN OF POLICE ORGANIZATIONS		
THOMAS J. LEE JR., P.O. BOX 2628 HOUSTON TX 77001	ENTEX, INC		
RICHARD A. LEGATSKI, SUITE 700 1050 17TH ST., NW WASHINGTON DC 20036	NATIONAL OCEAN INDUSTRIES ASSN		
LEIGHTON CONKLIN LEMOV JACOBS & BUCKLEY, SUITE 800 2033 M ST., NW WASHINGTON DC 20036	ADHESIVE & SEALANT COUNCIL, INC		
Do	AMERICAN ASSN OF NURSE ANESTHETISTS		
Do	AMERICAN DENTAL ASSISTANTS ASSN		
Do	AMERICAN EXPRESS CO		
Do	CITY & REGIONAL MAGAZINE ASSN		
Do	CLOROX COMPANY		
Do	FEDERATION OF APPAREL MANUFACTURERS	9,579.50	685.95
Do	FIREMAN'S FUND AMER LIFE INSURANCE CO		
Do	GENERAL ATOMIC CO	4,750.00	604.00
Do	GENERAL INSTRUMENT CORPORATION		
Do	GREATER BOSTON REAL ESTATE BOARD		
Do	GROCERY MANUFACTURERS OF AMERICA, INC		
Do	INTRAOCULAR LENS MFRS ASSN		
Do	KAISER ALUMINUM & CHEMICAL CORP		
Do	MUTUAL SAVINGS CENTRAL FUND, INC	1,000.00	50.00
Do	NATIONAL BULK VENDORS ASSN		
Do	NATIONAL CABLE TELEVISION ASSN, INC		
Do	NATIONAL GLASS DEALERS ASSN		
Do	SAVINGS BANKS ASSN. OF MASSACHUSETTS	2,000.00	100.00
Do	TURNER BROADCASTING SYSTEM, INC		
Do	WHEY PRODUCTS INST		
TERRY L. LEITZELL, ONE THOMAS CIRCLE, NW, #900 WASHINGTON DC 20005	AMERICAN SHRIMPBOAT ASSOCIATION	1,000.00	
Do	MARINE CONSTRUCTION & DESIGN CO	750.00	
Do	PORT OF SEATTLE	1,000.00	
JOSEPH L. LEITZINGER, 900 4TH AVE. SEATTLE WA 98164	SIMPSON TIMBER CO	580.00	261.00
GILBERT LEKANDER, 1730 M STREET, NW, #607 WASHINGTON DC 20006	MONTANA POWER CO & WASHINGTON WATER POWER CO	300.00	
ELIZABETH LEMOND, 1111 19TH STREET, NW WASHINGTON DC 20036	EDISON ELECTRIC INSTITUTE	750.00	697.20
LYNETTE B. LENARD, 1800 M STREET, NW, #700S WASHINGTON DC 20036	DOW CHEMICAL CO	125.00	62.50
JOHN LENGEL, THE POWER HOUSE 3255 GRACE STREET, NW WASHINGTON DC 20007	GRAY AND COMPANY (FOR: COMMONWEALTH OF PUERTO RICO)		
DONNA LENHOFF, SUITE 400 2000 P STREET, NW WASHINGTON DC 20036	WOMEN'S LEGAL DEFENSE FUND		
ANN LENTS, VINSON & ELKINS 3000 FIRST CITY TOWER HOUSTON TX 77002	ASSOCIATION OF OIL PIPELINES		
BETTY JANE LEONARD, P.O. BOX 21368 GREENSBORO NC 27420	UNIFI, INC	2,500.00	38.00
EARL T. LEONARD JR , P.O. DRAWER 1734 ATLANTA GA 30301	COCA-COLA COMPANY	1,337.00	1,164.86
LLOYD LEONARD, 1730 M ST., NW WASHINGTON DC 20036	LEAGUE OF WOMEN VOTERS OF THE U.S.	3,768.00	67.00
RODNEY E. LEONARD, 1146 19TH ST., NW, #300 WASHINGTON DC 20036	COMMUNITY NUTRITION INSTITUTE		
CHARLES LEPPERT JR , 1801 K ST., NW, #230 WASHINGTON DC 20006	PROCTER & GAMBLE MANUFACTURING CO	50.03	
RICHARD L. LESHER, 1615 H ST., NW WASHINGTON DC 20062	CHAMBER OF COMMERCE OF THE U.S.		
ROBERT LESMEISTER, 2801 E. OAKLAND PARK BLVD. FT. LAUDERDALE FL 33306	NATIONAL ASSN OF FEDERALLY LICENSED FIREARMS DEALERS		
DALE LESTINA, 1201 16TH ST., NW WASHINGTON DC 20036	NATIONAL EDUCATION ASSN	2,239.20	461.74
LEVA HAWES SYMINGTON MARTIN & OPPENHEIMER, SUITE 1001 815 CONNECTICUT AVE., NW WASHINGTON DC 20006	BUSINESS ROUNDTABLE		
Do	COOPERATIVE FOR AMERICAN RELIEF EVERYWHERE, INC. (CARE)		
Do	DON LANGENEGGER, ET AL		
Do	FINNIGAN CORPORATION	1,706.25	29.80
Do	NATIONAL ASSN FOR HOSPITAL DEVELOPMENT		
Do	NATIONAL COUNCIL OF COMMUNITY HOSPITALS		
Do	UPPER HUMBOLDT RIVER WATER USERS ASSN		
ROBERT JOHN LEVERING, 1730 M ST., NW, #610 WASHINGTON DC 20036	DIRECT SELLING ASSOCIATION	300.00	22.45
S.R. LEVERING, 100 MARYLAND AVENUE, N.E. WASHINGTON DC 20002	U.S. COMMITTEE FOR THE OCEANS		
MORRIS J. LEVIN, 1050 17TH ST., NW WASHINGTON DC 20036	ASSOCIATION OF AMERICAN RAILROADS	2,500.00	
BARBARA W. LEVINE, 1015 15TH STREET, NW WASHINGTON DC 20005	AMERICAN PUBLIC HEALTH ASSN	634.50	
KENNETH S. LEVINE, SUITE 220 1201 PENNSYLVANIA AVE., NW WASHINGTON DC 20004	JOSEPH SEAGRAM & SONS, INC	896.25	
JAMES F. LEVY, 6016 NORTHRIDGE ROAD COLUMBIA SC 29266	DENTAL MANAGEMENT SERVICES, INC		
LESLIE LEVY, 444 NORTH CAPITOL STREET, NW WASHINGTON DC 20001	AMERICAN ISRAEL PUBLIC AFFAIRS COMMITTEE	6,608.32	
ROGER N. LEVY, 600 PENNSYLVANIA AVENUE, SE, #200 WASHINGTON DC 20003	INDEPENDENT INSURANCE AGENTS OF AMERICA, INC	16,153.90	
CHARLES L. LEWIS, 5203 LEESBURG PIKE, SUITE 400 FALLS CHURCH VA 22041	AMERICAN PERSONNEL & GUIDANCE ASSOCIATION	214.00	
E. DAVID LEWIS, 1401 WILSON BLVD., #205 ARLINGTON VA 22209	SOCIETY OF AMERICAN WOOD PRESERVERS, INC	200.00	250.00
MICHAEL R. LEWIS, 1133 15TH ST., NW SUITE 640 WASHINGTON DC 20005	INTERNATIONAL LONGSHOREMEN'S & WAREHOUSEMEN'S UNION	9,145.00	891.57
STUART A. LEWIS, SUITE 300 1919 PENNSYLVANIA AVE., NW WASHINGTON DC 20006	MANUFACTURERS HANOVER CORP	500.00	
Do	NATIONAL BANK OF DETROIT	400.00	
Do	SEATTLE FIRST NATIONAL BANK		

Organization or Individual Filing	Employer/Client	Receipts	Expenditures
BURTON LEWKOWITZ, 1410 N. 3RD STREET P.O. BOX 25489 PHOENIX AZ 85002	SAMARITAN HEALTH SERVICE		
JOHN F. LEYDEN, 815 - 16TH ST., N.W. WASHINGTON DC 20006	PUBLIC EMPLOYEE DEPARTMENT, AFL-CIO	3,478.76	
WILLIAM J. LHOTA, 301 CLEVELAND AVE., SW CANTON OH 44702	OHIO POWER CO	657.60	588.97
JUDITH LICHTMAN, SUITE 400 2000 P STREET, NW WASHINGTON DC 20036	WOMEN'S LEGAL DEFENSE FUND	318.14	
HERBERT LIEBENSON, 1604 K ST., NW WASHINGTON DC 20006	NATIONAL SMALL BUSINESS ASSN	5,625.00	
Do	SMALL BUSINESS LEGISLATIVE COUNCIL		
SANDRA COHEN LIEBERMAN, 1775 K STREET, NW WASHINGTON DC 20006	INVESTMENT COMPANY INSTITUTE		
WILLIAM C. LIENESCH, 238 10TH ST., SE WASHINGTON DC 20003	NATIONAL PARKS & CONSERVATION ASSOCIATION	397.80	23.10
RUSSELL B. LIGHT, 1700 NORTH MOORE ST. ARLINGTON VA 22209	BOEING COMPANY		
RICHARD A. LILLQUIST, SUITE 500 1090 VERMONT AVE., NW WASHINGTON DC 20005	FLEXIBLE PACKAGING ASSOCIATION		
DIANE PALMER LILLY, 2400 MULTIFOODS TOWER 33 SOUTH 6TH STREET MINNEAPOLIS MN 55480	NORTHWEST BANCORPORATION		
EDWARD J. LINCOLN, 1000 CONNECTICUT AVE., NW WASHINGTON DC 20036	JAPAN ECONOMIC INSTITUTE OF AMERICA	100.00	
STEPHEN R. LINDAUER, 1957 E STREET, NW WASHINGTON DC 20515	ASSOCIATED GENERAL CONTRACTORS		
KATHLEEN M. LINEHAN, 1025 CONNECTICUT AVE., NW, #700 WASHINGTON DC 20036	GULF OIL CORP	295.00	105.00
ELENA LINTHICUM, 1150 CONNECTICUT AVE., NW WASHINGTON DC 20036	ALLIED CHEMICAL CORP		
THOMAS LINTON L. , 1700 K STREET, NW #1204 WASHINGTON DC 20006	CHEVRON USA, INC	275.00	
LISBOA ASSOCIATES, INC., 3600 M ST., NW WASHINGTON DC 20007			
THOMAS A. LISK, 1600 RHODE ISLAND AVENUE,NW WASHINGTON DC 20036	NATIONAL RIFLE ASSN OF AMER		
ROBERT G. LITSCHERT, 1111 19TH ST., NW, 9TH FLOOR WASHINGTON DC 20036	EDISON ELECTRIC INSTITUTE	654.55	216.15
BARBARA A. LITTLE, SUITE 611 1155 15TH STREET, NW WASHINGTON DC 20005	ETHYL CORPORATION	900.00	
CHARLES B. LITTLE, SUITE 603 600 MARYLAND AVE., SW WASHINGTON DC 20024	UBA, INC	1,000.00	
WILLIAM F. LITTLE, 815 CONNECTICUT AVE., NW WASHINGTON DC 20006	FORD MOTOR CO	487.00	527.00
ROY LITTLEFIELD, 1343 L ST., NW WASHINGTON DC 20005	NATIONAL TIRE DEALERS & RETREADERS ASSN	375.00	24.00
THEODORE M. LITTMAN, 12214 LAKEWOOD BLVD. DOWNEY CA 90241	ROCKWELL INTL		
DAVID A. LITVIN, SUITE 600 1001 22ND ST., NW WASHINGTON DC 20037	STANDARD OIL COMPANY (OHIO)	625.00	199.10
E.F. LIVAUDAIS JR , 1333 NEW HAMPSHIRE AVE., NW WASHINGTON DC 20036	ATLANTIC RICHFIELD CO	90.00	
LIVESTOCK MARKETING ASSOCIATION, 301 E. ARMOUR BLVD. KANSAS CIT Y MO 64111			
LOBEL NOVINS & LAMONT, 1523 L ST., NW WASHINGTON DC 20005	GENERIC PHARMACEUTICAL INDUSTRY ASSN	5,518.00	114.65
ROBERT F. LOCKHART JR., 490 L'ENFANT PLAZA EAST, SW WASHINGTON DC 20024	TENNECO, INC		
CHARLES H. LOCKWOOD II , 300 NEW CENTER BUILDING DETROIT MI 48202	MOTOR VEHICLE MANUFACTURERS ASSN OF THE U.S., INC		
KAREN LOCKWOOD, 444 NORTH CAPITOL ST., NW WASHINGTON DC 20001	AMERICAN HOSPITAL ASSN	2,574.05	120.85
HAROLD D. LODEN, 1030 15TH ST., NW, #964 WASHINGTON DC 20005	AMERICAN SEED ASSN	4,000.00	
NILS LOFGREN, 1909 K ST., NW SUITE 300 WASHINGTON DC 20006	MOTOR VEHICLE MANUFACTURERS ASSOCIATION OF THE U.S., INC	25.00	
LAW OFCS OF SHELDON SUITE 401 1725 DESALES ST., NW WASHINGTON DC 20036	AMERICAN HARDWARE MANUFACTURERS ASSN	1,500.00	
THOMAS R. LONG, 299 PARK AVENUE NEW YORK NY 10171	WESTVACO CORPORATION		
JOHN H. LONNQUIST, 1025 CONNECTICUT AVE., NW SUITE 214 WASHINGTON DC 20036	JOHNS-MANVILLE CORPORATION	1,500.00	
LAURA LOOMIS, 419 N. NELSON STREET ARLINGTON VA 22203	NATIONAL PARKS & CONSERVATION ASSN	824.00	210.68
LOOMIS OWEN FELLMAN & HOWE, 2020 K ST., NW WASHINGTON DC 20006	ASSOCIATION OF BITUMINOUS CONTRACTORS		
Do	BOOK MANUFACTURERS' INSTITUTE, INC		
Do	CLASSROOM (PERIODICAL) PUBLISHERS ASSN		
Do	INDUSTRIAL DIAMOND ASSN		
Do	OPTICAL MFGRS ASSN		
Do	TEXTILE RENTAL SERVICES ASSN OF AMERICA		
SUSAN J. LOOMIS, 1957 E STREET, N.W. WASHINGTON DC 20006	ASSOCIATED GENERAL CONTRACTORS OF AMERICA	2,000.00	500.00
KENNETH T. LOPATKA, FOLEY, HOAG & ELIOT ONE POST OFFICE SQUARE BOSTON MA 02109	C & S WHOLESALE GROCERS, INC	2,300.00	
LORD, DAY & LORD, 1120 20TH ST., NW WASHINGTON DC 20036	BOWATER NORTH AMERICA CORPORATION	1,002.94	
Do	CARGILL, INC		
Do	CONTINENTAL GRAIN COMPANY		
PHILIP J. LOREE, 50 BROADWAY NEW YORK NY 10004	FEDERATION OF AMERICAN CONTROLLED SHIPPING	200.00	
ROBERT E. LOSCH, 1716 NEW HAMPSHIRE AVE., NW WASHINGTON DC 20009	AMERICAN DREDGING CO., ET AL	17,500.00	3,014.28
Do	PELICAN TERMINAL CORP & PORT OF GALVESTON		171.71
DAVID S. LOTT, 1775 PENNSYLVANIA AVE., NW WASHINGTON DC 20006	FOLEY & LARDNER (FOR: NATIONAL GYPSUM CO./CEMENT DIV.)		
CLAUDIA J. LOUIS, 1101 16TH ST., NW WASHINGTON DC 20036	NATIONAL SOFT DRINK ASSN		
JAMES F. LOVETT, 1801 K ST., NW WASHINGTON DC 20006	WESTINGHOUSE ELECTRIC CORP	500.00	200.00
RICHARD J. LOVETT, 2400 MULTIFOODS TOWER 33 S. 6TH STREET MINNEAPOLIS MN 55480	NORTHWEST BANCORPORATION		935.00
RODNEY W. LOWMAN, SUITE 700 1025 CONNECTICUT AVE., NW WASHINGTON DC 20036	GULF OIL CORPORATION	50.00	55.90
GERALD M. LOWRIE, 1120 CONNECTICUT AVE., NW WASHINGTON DC 20036	AMERICAN BANKERS ASSN	6,000.00	
DONALD C. LUBICK, 1776 F STREET, NW WASHINGTON DC 20006	TALISMAN FUND	17,512.40	7,512.40
MRS. FREDDIE H. LUCAS, 1660 L ST., NW WASHINGTON DC 20036	GENERAL MOTORS CORP	3,000.00	783.52
CHARLES EMMET LUCEY, MCDERMOTT, WILL & EMERY 1850 K STREET, NW, #500 WASHINGTON DC 20006	CATHOLIC PRESS ASSN		
PETER J. LUCIANO, 923 15TH STREET, NW WASHINGTON DC 20005	TRANSPORTATION INSTITUTE	5,000.00	17.00
LUMBERMENS MUTUAL CASUALTY COMPANY, LONG GROVE IL 60049			3,013.55
MILTON F. LUNCH, 2029 K ST., NW WASHINGTON DC 20006	NATIONAL SOCIETY OF PROFESSIONAL ENGINEERS	1,000.00	
LUND & O'BRIEN, 1625 EYE ST., NW WASHINGTON DC 20006	FEDERATION OF AMERICAN CONTROLLED SHIPPING	600.00	34.55
Do	NATIONAL PRODUCT LIABILITY COUNCIL	300.00	42.54
Do	PENNSYLVANIA POWER & LIGHT CO	1,196.91	6.54
CHRISTIAN J. LUND, 1825 I STREET, NW WASHINGTON DC 20006	UNITED TECHNOLOGIES CORPORATION	13,975.00	
W. FLETCHER LUTZ, SUITE 100 727 SOUTH 23RD STREET ARLINGTON VA 22202	ASSOCIATION OF GOVERNMENT ACCOUNTANTS		
JOHN C. LYNCH, 1615 H STREET, NW WASHINGTON DC 20062	CITIZEN'S CHOICE, INC	26,000.00	
TIMOTHY P. LYNCH, SUITE 910 1510 WILSON BLVD. ARLINGTON VA 22209	ROADWAY EXPRESS, INC	425.00	200.00
JAMES LYON, 317 PENNSYLVANIA AVENUE, SE WASHINGTON DC 20003	ENVIRONMENTAL POLICY INSTITUTE	33.55	
WILLIAM T. LYONS, SUITE 700 1747 PENNSYLVANIA AVE., NW WASHINGTON DC 20006	CIBA-GEIGY CORP	4,079.00	3,457.00
M.O.A./AIOA & SUBS, INC, SUITE 107 701 S. 22ND OMAHA NB 68102		5.00	
TIMOTHY MACCARTHY, 1909 K ST., NW, #300 WASHINGTON DC 20006	MOTOR VEHICLE MANUFACTURERS ASSOCIATION OF THE U.S., INC	1,064.00	
RUSSELL MACCLEERY, 1343 L ST., NW WASHINGTON DC 20005	NATIONAL TIRE DEALERS & RETREADERS ASSN		
JACK A. MACDONALD, SUITE 915 2600 VIRGINIA AVE., NW WASHINGTON DC 20037	NATIONAL COUNCIL OF HEALTH CARE SERVICES	1,250.00	70.07
JAMES E. MACK, 9005 CONGRESSIONAL COURT POTOMAC MD 20854	NATIONAL ASSN OF MIRROR MFGRS		
Do	PEANUT BUTTER & NUT PROCESSORS ASSN		
JAMES H. MACK, 7901 WESTPARK DR. MCLEAN VA 22102	NATIONAL MACHINE TOOL BUILDERS' ASSN	12,540.00	500.00
THOMAS L. MACK, 1620 I STREET, NW WASHINGTON DC 20006	BECHTEL POWER CORPORATION		
CURTIS T. MACKEY, 1025 VERMONT AVE., NW WASHINGTON DC 20005	NATIONAL INSULATION CONTRACTORS ASSN		
JOHN P. MACKEY, SUITE 302 605 14TH ST., NW WASHINGTON DC 20005	AD HOC COMM IN DEFENSE OF LIFE, INC	11,660.00	4,024.28
MARK J. MACKEY, 1775 K STREET, NW WASHINGTON DC 20006	INVESTMENT COMPANY INSTITUTE		
MARION M. MACRAE, 1800 K ST., NW, #920 WASHINGTON DC 20006	BANKAMERICA CORPORATION	58.31	969.55
J. LYNN MADDOX, SUITE 1204 1700 K STREET, NW WASHINGTON DC 20006	CHEVRON U.S.A., INC	128.00	
FRANCIS E. MAGUIRE JR., 1120 CONNECTICUT AVE., NW WASHINGTON DC 20036	AMERICAN BANKERS ASSN	2,000.00	25.00
W. TERRY MAGUIRE, BOX 17407 DULLES INTERNATIONAL AIRPORT WASHINGTON DC 20041	AMERICAN NEWSPAPER PUBLISHERS ASSN	1,125.00	
DAVID L. MAHAN, 1225 19TH STREET, NW WASHINGTON DC 20036	DGA INTERNATIONAL, INC. (FOR: AIRBUS INDUSTRIE)	412.50	
Do	DGA INTERNATIONAL, INC. (FOR: SOFREAVIA)		
THOMAS D. MAHER, 1775 K STREET,N.W. WASHINGTON DC 20006	INVESTMENT COMPANY INSTITUTE		
JOHN F. MAHONEY, 1101 VERMONT AVE., NW WASHINGTON DC 20005	AMERICAN MEDICAL ASSN	4,980.00	
MICHAEL C. MAIBACH, 1850 K STREET, NW, #925 WASHINGTON DC 20006	CATERPILLAR TRACTOR CO	2,500.00	279.55
ROBERT L. MAIER, SUITE 1000 900 17TH ST., NW WASHINGTON DC 20006	KAISER ALUMINUM & CHEMICAL CORP	35.00	
STEVEN R. MAIMON, 8200 TREEBROOK LN. ALEXANDRIA VA 22308			
F. ANTHONY MAIO, FOLEY, LARDNER, HOLLABAUGH & JACOBS 1775 PENNSYLVANIA AVE., NW, SUITE 1000 WASHINGTON DC 20006.	FIRST WISCONSIN NATIONAL BANK OF MILWAUKEE		
ANDRE MAISONPIERRE, 1110 VERMONT AVE., NW WASHINGTON DC 20005	ALLIANCE OF AMERICAN INSURERS	335.00	
DAVID L. MALLINO, 815 16TH ST., NW SUITE 706 WASHINGTON DC 20006	UNITED STEELWORKERS OF AMER	9,900.61	
J. WILSON MALLOY JR , 1919 PENNSYLVANIA AVE., NW WASHINGTON DC 20006	EASTMAN CHEMICAL PRODUCTS, INC	785.00	86.25
KURT L. MALMGREN, 1000 16TH STREET, NW, #800 WASHINGTON DC 20036	BETHLEHEM STEEL CORPORATION	74.00	
MARY JO MALONE, 1735 NEW YORK AVE., NW WASHINGTON DC 20006	AMERICAN INST OF ARCHITECTS	1,875.00	3,234.80
MAN-MADE FIBER PRODUCERS ASSN, INC, SUITE 310 1150 17TH ST., NW WASHINGTON DC 20036			600.00
CARTER MANASCO, 5932 CHESTERBROOK RD. MCLEAN VA 22101	NATIONAL COAL ASSN	7,500.00	206.32
MANATT, PHELPS, ROTHENBERG & TUNNEY, SUITE 200 1200 NEW HAMPSHIRE AVE., NW WASHINGTON DC 20036	ALLIED TUBE & CONDUIT CORP	500.00	
Do	AMERICAN PACIFIC INTERNATIONAL, INC		
Do	GATX CORP	875.00	
Do	GENERAL TELEPHONE CO. OF CALIFORNIA		
Do	IBAR		
Do	INSTITUTE OF ELECTRICAL & ELECTRONICS ENGINEERS		
Do	MANUFACTURERS HANOVER LEASING CORPORATION	1,300.00	
Do	MARLINE OIL CORP		
Do	MID ATLANTIC NEPHROLOGY CENTER, LTD		
Do	MUSIC CORPORATION OF AMERICA, INC	13,750.00	

Organization or Individual Filing	Employer/Client	Receipts	Expenditures
Do	NATIONAL INVESTMENT DEVELOPMENT CORPORATION		
Do	NATIONAL RESTAURANT ASSN		
Do	NORTHROP CORP	3,787.50	
Do	NORTHWEST ALASKAN PIPELINE CO		
Do	PHARMACEUTICAL MANUFACTURERS ASSN		
Do	TEXAS AIR CORPORATION		
Do	TOBACCO INSTITUTE		
MANCHESTER ASSOCIATES, LTD., 1155 15TH ST.,NW. SUITE 1010 WASHINGTON, DC 20005	NISSAN MOTOR COMPANY, LTD	3,800.00	3,915.00
FORBES MANN, 11128 TURTLE BEACH ROAD LOST TREE VILLAGE NORTH PALM BEACH FL 33408	LTV CORPORATION	500.00	20.00
RICHARD J. MANNIX, 195 MONTAGUE ST. BROOKLYN NY 11201	BROOKLYN UNION GAS CO		
CYNTHIA MANSFIELD, SUITE 520 600 MARYLAND AVE., SW WASHINGTON DC 20024	GPU SERVICE CORPORATION	2,000.00	433.70
ARMAND G MANSON, 1090 VERMONT AVE. N.W. STE 1100 WASHINGTON DC 20006	BELL AEROSPACE TEXTRON		
MANUFACTURED HOUSING INST, 1745 JEFFERSON DAVIS HIGHWAY ARLINGTON VA 22202		3,500.00	
JOHN V. MARANEY, 324 EAST CAPITOL ST., NE WASHINGTON DC 20003	NATIONAL STAR ROUTE MAIL CARRIERS' ASSN		
MARCH FOR LIFE, INC, PO BOX 2950 WASHINGTON DC 20013		88,716.95	87,799.30
CHARLES T. MARCK, 1800 M ST., NW, SUITE 700 SOUTH WASHINGTON DC 20036	DOW CHEMICAL CO	1,000.00	250.00
MARITIME INSTITUTE FOR RESEARCH & INDUSTRIAL DEVELOPMENT, SUITE 600 1133 15TH STREET, NW WASHINGTON DC 20005.			11,370.00
RICHARD P. MARKEY, 729 15TH ST., NW WASHINGTON DC 20005	ASSOCIATED BUILDERS & CONTRACTORS, INC		
E. VERNON MARKHAM III, SUITE 500 1101 CONNECTICUT AVE., NW WASHINGTON DC 20036	STEPHENS OVERSEAS SERVICES, INC	9.36	
LAWRENCE D. MARKLEY, PO BOX 3518 ANCHORAGE AK 99501	CHUGACH ELECTRIC ASSN, INC	6,210.00	8,310.25
NATHAN FRED MARKS, 685 N.W. 8TH STREET GRESHAM OR 97030			
RONALD ANTHONY MARKS, 1805 GARDEN AVENUE, APT. 26 EUGENE OR 97403			
LUTHER A. MARKWART, SUITE 1019 1156 15TH STREET, NW WASHINGTON DC 20005	AMERICAN SUGARBEET GROWERS ASSN		
HOWARD MARLOWE, 815 16TH ST., NW WASHINGTON DC 20006	AFL-CIO	14,691.30	419.90
CHALMERS H. MARQUIS, 955 L'ENFANT PLAZA, SW WASHINGTON DC 20024	NATIONAL ASSN FOR PUBLIC TELEVISION STATIONS	600.00	150.00
JOHN MARSH, 100 OAKVIEW DRIVE TRUMBULL CT 06611	RAYMARK CORPORATION	192.00	
C. TRAVIS MARSHALL, 1776 K ST., NW WASHINGTON DC 20006	MOTOROLA, INC	1,500.00	394.88
DAVID S. MARSHALL, 1600 RHODE ISLAND AVE., NW WASHINGTON DC 20036	NATIONAL RIFLE ASSN OF AMERICA	750.00	
DAVID O. MARTIN, NORTH LAKE ST. NEENAH WI 54956	KIMBERLY-CLARK CORP		
JOHN M. MARTIN JR., 6909 FORT HUNT ROAD ALEXANDRIA VA 22307	FOOD MARKETING INSTITUTE	100.00	
Do	JEWELRY INDUSTRY COORDINATING COMMITTEE		
Do	TENNECO, INC		
KATHERINE E. MARTIN, 412 FIRST ST., SE, #200 WASHINGTON DC 20003	ASSOCIATION OF AMERICAN RAILROADS	529.58	281.67
LARRY K. MARTIN, 1150 17TH ST., NW WASHINGTON DC 20036	MAN-MADE FIBER PRODUCERS ASSN, INC	150.00	
PEGGY L. MARTIN, 777 14TH STREET, NW WASHINGTON DC 20005	NATIONAL ASSN OF REALTORS	5,000.00	13.72
ERNEST MARTY, 85 RIDGE ST. NORTH SIDNEY, NSW 2060 AUSTRALIA			
JUDITH MARTY, 85 RIDGE ST. NORTH SYDNEY, NSW 2060 AUSTRALIA			
JOSEPH J. MARTYAK, 12TH FL. 1100 15TH ST., NW WASHINGTON DC 20005	UNION CARBIDE CORP		
MARYLAND SAVINGS-SHARE INSURANCE CORP, 901 NORTH HOWARD STREET BALTIMORE MD 21201			188.67
MIKE M. MASAOKA, SUITE 520, THE FARRAGUT BLDG. 900 17TH ST., NW WASHINGTON DC 20006	AMERICAN JAPANESE TRADE COMM		
Do	NISEI LOBBY		
Do	TOYOTA MOTOR SALES, U.S.A., INC	750.00	
Do	WEST MEXICO VEGETABLE DISTRIBUTORS ASSN	500.00	
W. A. MASON, P.O. BOX 21106 SHREVEPORT LA 71156	SOUTHWESTERN ELECTRIC POWER CO	207.84	
JAMES D. MASSIE, 1015 - 18TH STREET, N.W. WASHINGTON DC 20036	FERTILIZER INSTITUTE	5,000.00	2,655.37
WILLIAM F. MASSMANN, PO BOX 225086 DALLAS TX 75265	DR PEPPER CO		
RICHARD D. MATHIAS, SUITE 901 1660 L STREET, NW WASHINGTON DC 20036	PAN AMERICAN WORLD AIRWAYS, INC		
ROBERT A. MATTHEWS, 700 NORTH FAIRFAX ST. ALEXANDRIA VA 22314	RAILWAY PROGRESS INST	937.50	
JOANNE E. MATTIACE, 1211 CONNECTICUT AVE., NW, #802 WASHINGTON DC 20036	SEARS, ROEBUCK AND CO	100.00	47.32
MARSHALL L. MATZ, BARNETT & ALAGIA 1000 THOMAS JEFFERSON STREET, NW WASHINGTON DC 20007	AFFILIATED FOOD PROCESSORS, INC	3,890.00	
Do	AMERICAN BAKERS ASSOCIATION	2,268.97	
Do	GENERAL MILLS, INC	4,000.00	
C.V. & R.V. MAUDLIN, 1511 K STREET, NW, #535 WASHINGTON DC 20005	BRASS AND BRONZE INGOT INSTITUTE		
ANTHONY F. MAURIELLO, NEW YORK STATE PETROLEUM COUNCIL 551 FIFTH AVENUE, RM. 718 NEW YORK NY 10176	AMERICAN PETROLEUM INSTITUTE	1,065.12	646.63
THOMAS H. MAXEDON, KENTUCKY PETROLEUM COUNCIL 612-A SHELBY STREET FRANKFORT KY 40601	AMERICAN PETROLEUM INST		
MAXELL CORPORATION OF AMERICA, 60 OXFORD DRIVE MOONACHIE NJ 07074			
ALBERT E. MAY, 1625 K ST., NW WASHINGTON DC 20006	COUNCIL OF AMERICAN-FLAG SHIP OPERATORS	4,800.00	8.83
JAMES C. MAY, 700 ANDERSON ROAD PURCHASE NY 10577	PEPSICO, INC		
WALTER R. MAY, 7004 PARK TERRACE DRIVE ALEXANDRIA VA 22307	YELLOW FREIGHT SYSTEM, INC	9,750.00	2,600.03
ARNOLD MAYER, 1775 K ST., NW WASHINGTON DC 20006	UNITED FOOD & COMMERCIAL WORKERS INTL UNION	18,846.17	602.57
MAYER, BROWN & PLATT, 888 17TH ST., NW WASHINGTON DC 20006	AEROSPACE INDUSTRIES ASSN OF AMER, INC		
Do	COMDISCO, INC		
Do	ERISA INDUSTRY COMMITTEE		
Do	GATX CORPORATION		
Do	GENERAL TELEPHONE & ELECTRONICS CORP		
Do	JMB REALTY CORP		
Do	TRANSCANADA PIPELINES LTD		
C. H. MAYER, INC., SUITE 701 3421 NORTH CAUSEWAY BLVD. METAIRIE LA 70002	LANGHAM ENERGY CO	458.33	329.62
JEFFREY G. MAYS, SUITE 400E 600 MARYLAND AVENUE, SW WASHINGTON DC 20024	AMERICAN OPTOMETRIC ASSN		
WILLIAM J. MCAULIFFE JR , 1828 L ST., NW WASHINGTON DC 20036	AMERICAN LAND TITLE ASSN	762.00	
LARRY D. MCBENNETT, 15TH & M STREETS, NW WASHINGTON DC 20005	NATIONAL ASSN OF HOME BUILDERS OF THE U.S.	3,577.54	15.00
ANN MCBRIDE, 2030 M ST., NW WASHINGTON DC 20036	COMMON CAUSE	12,037.50	773.22
MARTHA MCCABE, 1828 L ST., N.W. SUITE 1100 WASHINGTON DC 20036	COOPERATIVE LEAGUE OF THE USA	2,500.00	8.00
MICHAEL J. MCCABE, ALLSTATE PLAZA NORTHBROOK IL 60062	ALLSTATE ENTERPRISES, INC		
Do	ALLSTATE INSURANCE COS		
JOHN A. MCCAHILL, 1250 CONNECTICUT AVE, NW WASHINGTON DC 20036	U.S. OLYMPIC COMMITTEE		
JULIE P. MCCAHILL, SUITE 715 1000 CONNECTICUT AVE., NW WASHINGTON DC 20036	MEAD CORPORATION	275.00	
A. R. MCCAMMON, TENNESSEE RAILROAD ASSN 501 UNION STREET, #506 NASHVILLE TN 37219	CLASS I RAILROADS		
LAW OFFICES OF R. C. MCCANDLESS, 1707 H ST., NW WASHINGTON DC 20006	MILLER & SCHROEDER MUNICIPALS, INC	3,000.00	
Do	TRANSAMERICA CORPORATION	15,258.00	1,486.31
Do	TRANSAMERICA-OCCIDENTAL INSURANCE CORP	42,306.00	8,390.45
KATHERINE S. MCCARTER, 1015 15TH STREET, NW WASHINGTON DC 20005	AMERICAN PUBLIC HEALTH ASSN	2,566.00	
CAROLYN KIM MCCARTHY, 7901 WESTPARK DRIVE MCLEAN VA 22102	NATIONAL MACHINE TOOL BUILDERS' ASSN	1,116.50	500.00
JAMES R. MCCARTHY, 2101 L STREET, NW WASHINGTON DC 20037	AMERICAN PETROLEUM INSTITUTE	200.00	
JAMES W MCCARTHY, 1515 WILSON BLVD ARLINGTON VA 22209	AMERICAN GAS ASSN	3,000.00	1,138.18
JOHN C. MCCARTHY, BOX 1300 MCLEAN VA 22102	MELAMINE CHEMICALS, INC	1,000.00	800.00
Do	STATE OF LOUISIANA	14,500.00	4,950.00
MCCARTY NOONE & WILLIAMS, SUITE 3306 490 L'ENFANT PLAZA EAST, SW WASHINGTON DC 20024	AMERICAN MEDICAL TECHNOLOGISTS	260.00	27.80
JAMES R. MCCAUL, 1800 K ST., NW WASHINGTON DC 20006	INTERNATIONAL MARITIME ASSOCIATES, INC		130.00
MCCLURE & TROTTER, SUITE 600 1100 CONNECTICUT AVE., NW WASHINGTON DC 20036	CIGAR ASSOCIATION OF AMERICA, INC		
Do	COCA-COLA COMPANY		
Do	GULF & WESTERN INDUSTRIES, INC		
Do	MOBIL OIL CORP		
ROBERT S. MCCONNAUGHEY, 1850 K ST., NW WASHINGTON DC 20006	AMERICAN COUNCIL OF LIFE INSURANCE, INC		
JOHN L. MCCORMICK, 317 PENNSYLVANIA AVE., SE WASHINGTON DC 20003	ENVIRONMENTAL POLICY INSTITUTE	1,145.41	
SALLY MCCORMICK, 2030 M ST., NW WASHINGTON DC 20036	COMMON CAUSE	7,757.52	78.50
MARIA S. MCCREA, SUITE 211 1825 CONNECTICUT AVE., NW WASHINGTON DC 20009	NATIONAL ASSN OF ARAB AMERICANS		
E. L. MCCULLOCH, 819 RAILWAY LABOR BLDG., 400 1ST ST., NW WASHINGTON DC 20001	BROTHERHOOD OF LOCOMOTIVE ENGINEERS	284.60	889.24
ALBERT L. MCDERMOTT, 1101 CONNECTICUT AVE., NW, #1006 WASHINGTON DC 20036	AMERICAN HOTEL & MOTEL ASSN	1,895.70	
MARK T. MCDERMOTT, JOSEPH, POWELL, MCDERMOTT & REINER, P.C. 1300 19TH STREET, NW, #400 WASHINGTON DC 20036.	CIVIL PILOTS FOR REGULATORY REFORM	471.50	
MCDERMOTT, WILL & EMERY, SUITE 500 1850 K ST., NW WASHINGTON DC 20006	FEDERATION OF JAPAN SALMON FISHERIES COOPERATIVE ASSN		
Do	OPPOSE	9,015.00	69.11
Do	TUNA RESEARCH FOUNDATION, INC		
MICHAEL D. MCDONALD, MARYLAND PETROLEUM ASSN 60 WEST ST. ANNAPOLIS MD 21401	AMERICAN PETROLEUM INST	150.00	
NORRIS MCDONALD, 317 PENNSYLVANIA AVENUE, SE WASHINGTON DC 20003	ENVIRONMENTAL POLICY INSTITUTE	104.61	
PATRICK J. MCDONOUGH, 5203 LEESBURG PIKE, SUITE 400 FALLS CHURCH VA 22041	AMERICAN PERSONNEL & GUIDANCE ASSOCIATION	3,483.00	
DINAH D. MCELFRESH, SUITE 1030N 1800 M ST., NW WASHINGTON DC 20036	HAUCK & ASSOCIATES (FOR: NATIONAL ASSN OF CHILD CARE MANAGEMENT)		
ROBERT H. MCFADDEN, 1909 K ST., NW SUITE 300 WASHINGTON DC 20006	MOTOR VEHICLE MANUFACTURERS ASSOCIATION OF THE U.S., INC	160.00	9.30
JAMES M. MCGARRY JR , 1750 K ST., NW WASHINGTON DC 20006	EATON ASSOCIATES, INC		
PAUL J. MCGEADY, 27 HAMPTON PL NUTLEY NJ 07110	MORALITY IN MEDIA, INC	13.74	
DONNA LEE MCGEE, 1800 M STREET,N.W. #870-S WASHINGTON DC 20036	BURLINGTON INDUSTRIES, INC		

Organization or Individual Filing	Employer/Client	Receipts	Expenditures
W. CURT MCGEE, 1620 I ST., NW, SUITE 703 WASHINGTON DC 20006	BECHTEL NATIONAL, INC		
P. ANNE MCGHEE, 1750 K ST., NW WASHINGTON DC 20006	FOOD MARKETING INSTITUTE	450.00	
ROBERT M. MCGLOTTEN, 815 16TH ST., NW WASHINGTON DC 20006	AFL-CIO	14,441.31	782.54
CHRISTOPHER C. MCGRATH, NEW YORK STATE PETROLEUM COUNCIL 551 FIFTH AVENUE, RM. 718 NEW YORK NY 10176	AMERICAN PETROLEUM INST		
JEROME J. MCGRATH, 1660 L ST., NW, #601 WASHINGTON DC 20036	INTERSTATE NATURAL GAS ASSOCIATION OF AMERICA	500.00	
JOSEPH M. MCGUIRE, 15TH & M STREETS, NW WASHINGTON DC 20005	NATIONAL ASSN OF HOME BUILDERS OF THE U.S.		
PETER E. MCGUIRE, 400 FIRST ST., NW WASHINGTON DC 20001	NATIONAL ASSN OF RETIRED & VETERAN RAILWAY EMPLOYEES	4,999.98	141.25
WILLIAM P. MCGUIRE, 1600 RHODE ISLAND AVE., NW WASHINGTON DC 20036	NATIONAL RIFLE ASSN OF AMER	650.00	
MCHALE, COOK & WELCH, P.C., 1122 CHAMBER OF COMMERCE BUILDING INDIANAPOLIS IN 46204	ESTATE OF MABEL R. LADD		50.00
CLARENCE M. MCINTOSH JR., 400 FIRST ST., NW WASHINGTON DC 20001	RAILWAY LABOR EXECUTIVES' ASSN	1,240.61	
ARBIN G. MCINTYRE, P.O. BOX 15947 FT. WORTH TX 76119			
ROBERT MCINTYRE, ROOM 200 2020 K ST., NW WASHINGTON DC 20006	CITIZENS FOR TAX JUSTICE	7,196.54	
CHRISTINE E. MCKECHNIE, 2550 M ST., NW SUITE 770 WASHINGTON DC 20037	RJR INDUSTRIES, INC	250.00	196.81
WILLIAM F. MCKENNA, SUITE 500 2301 M ST., NW WASHINGTON DC 20037	HOUSLEY, GOLDBERG & KANTARIAN		
MCKENNA, CONNER & CUNEO, 3435 WILSHIRE BOULEVARD LOS ANGELES CA 90010	AHMANSON FOUNDATION	800.00	11.04
Do	CALIFORNIA SAVINGS & LOAN LEAGUE	300.00	2.09
JAN E. MCKENZIE, 1111 19TH ST., NW SUITE 702 WASHINGTON DC 20036	ALLIED-GENERAL NUCLEAR SERVICES	1,210.00	446.55
Do	EDISON ELECTRIC INSTITUTE	1,210.00	446.55
ROBERT T. MCKERNAN, 1619 MASSACHUSETTS AVENUE, N.W. WASJINGTON DC 20036	AMERICAN PAPER INST, INC	120.00	
WILLIAM COLM MCKEVENY, 30 ROCKEFELLER PLAZA NEW YORK NY 10112	AMERICAN PULPWOOD ASSN		
JAMES D. MCKEVITT, SUITE 695 600 MARYLAND AVE., SW WASHINGTON DC 20024	NATIONAL FEDERATION OF INDEPENDENT BUSINESS	2,250.00	200.00
C. A. 'MACK' MCKINNEY, 219 NORTH WASHINGTON STREET ALEXANDRIA VA 22314	NON COMMISSIONED OFFICERS ASSN OF THE USA	7,123.14	6,998.37
JAMES D. MCLAUGHLIN, 1120 CONNECTICUT AVE., NW WASHINGTON DC 20036	AMERICAN BANKERS ASSN	525.00	257.75
WILLIAM F. MCMANUS, 777 14TH ST., NW WASHINGTON DC 20005	GENERAL ELECTRIC CO	340.00	
JAMES D. MCMILLAN, 1899 L ST., NW, #1100 WASHINGTON DC	EXXON CORPORATION		672.96
WILLIAM G. MCMURTRIE, 8150 LEESBURG PIKE VIENNA VA 22180	WILLIAM H. SULLIVAN JR.		
MCNAIR GLENN KONDUROS CORLEY SINGLETARY PORTER & DIBBLE, 1155 15TH ST., NW WASHINGTON DC 20005	AIRCO, INC		
Do	AMERICAN PETROLEUM INSTITUTE		
Do	BUSINESS ROUNDTABLE	2,294.50	325.62
Do	DAVIS POLK & WARDWELL	1,520.00	276.13
Do	GENERAL TELEPHONE & ELECTRONICS CORP	956.50	30.00
Do	GEORGIA PACIFIC CORP	11,513.00	635.64
Do	GROCERY MANUFACTURERS ASSN	9,753.00	113.40
Do	KLINE IRON & STEEL CO		
Do	NATIONAL ASSN OF REALTORS	1,000.00	
Do	NATIONAL FOOTBALL LEAGUE	288.12	288.12
Do	NATIONAL OFFICE MACHINE DEALERS ASSN		
Do	PHARMACEUTICAL MANUFACTURERS' ASSN	2,687.25	275.15
Do	SONY CORP OF AMERICA	1,727.50	164.34
Do	WESTINGHOUSE ELECTRIC CORP	450.00	
LARAMIE FAITH MCNAMARA, SUITE 2700 1000 WILSON BLVD. ARLINGTON VA 22209	TRW, INC	1,000.00	
PETER F. MCNEISH, 618 WASHINGTON BUILDING WASHINGTON DC 20005	NATIONAL ASSN OF SMALL BUSINESS INVESTMENT COS	3,000.00	
JAMES A. MCPHERSON, P.O. BOX 1160 KANSAS CITY KS 66117	MISSOURI-ARKANSAS BASINS FLOOD CONTROL & CONSERVATION ASSN		
MICHAEL J. MCSHANE, 1200 NEW HAMPSHIRE AVENUE, NW, #320 WASHINGTON DC 20036	TECHNOLOGY FOR ENERGY CORP		
ROBERT MCVICKER, 2001 JEFFERSON DAVIS HWY. ARLINGTON VA 22202	KOLLSMAN INSTRUMENT CO		
RONALD E. MCWILLIAMS, 1700 N. MOORE ST. ROSSLYN VA 22209	BOEING COMPANY		
GEORGE G. MEAD, 430 FIRST ST., SE WASHINGTON DC 20003	AMERICAN TRUCKING ASSNS, INC	10,000.00	
JOHN K. MEAGHER, 1155 15TH ST.,N.W. SUITE 1004 WASHINGTON DC 20005	LTV CORPORATION	2,500.00	640.00
FRANCIS X. MEANEY, SUITE 1025 1015 15TH ST., NW WASHINGTON DC 20005	MINTZ, LEVIN, COHN, FERRIS, GLOVSKY, AND POPEO (FOR: GOLDMAN SACHS & CO).		
Do	MINTZ, LEVIN, COHN, FERRIS, GLOVSKY, AND POPEO (FOR: NORTHERN ENERGY CORPORATION).		
Do	MINTZ, LEVIN, COHN, FERRIS, GLOVSKY, AND POPEO (FOR: REFUSE FUELS, INC.)		
Do	MINTZ, LEVIN, COHN, FERRIS, GLOVSKY, AND POPEO (FOR: SCA SERVICES)		
JOSEPH J. MEDER, SUITE 1100 1050 17TH ST., NW WASHINGTON DC 20036	INTERLAKE, INC	9,000.00	
MEEHAN & STOELKER, 2200 TWO GIRARD PLAZA PHILADELPHIA PA 19102	MILLIKEN RESEARCH CORP		
DAVID O. MEEKER, 1735 NEW YORK AVE., NW WASHINGTON DC 20006	AMERICAN INST OF ARCHITECTS	1,500.00	
WILLIAM H. MEGONNELL, 1111 19TH ST., NW, 9TH FLOOR WASHINGTON DC 20036	EDISON ELECTRIC INSTITUTE	730.20	49.25
RICHARD A. MEHLER, 1742 N ST., NW WASHINGTON DC 20036	AUTOMOTIVE PARTS REBUILDERS ASSN		
STEPHEN J. MELMAN, 15TH & M STREETS, NW WASHINGTON DC 20005	NATIONAL ASSN OF HOME BUILDERS OF THE U.S.		
HOWARD H. MENAKER, 600 MARYLAND AVE., SW SUITE 400 WASHINGTON DC 20024	AMERICAN OPTOMETRIC ASSN		
MENDELSOHN ASSOCIATES, INC., 1826 JEFFERSON PLACE, NW WASHINGTON DC 20036	AMERICAN PRESIDENT LINES		
Do	WOLF TRAP FOUNDATION FOR THE PERFORMING ARTS		
EDWARD L. MENNING, 1522 K STREET N.W. SUITE 836 WASHINGTON DC 20005	ASSOCIATION OF FEDERAL VETERINARIANS	30.82	
ELLIS E. MEREDITH, 1611 NORTH KENT ST. ARLINGTON VA 22209	AMERICAN APPAREL MANUFACTURERS ASSN, INC		
CHARLES L. MERIN, 1750 PENNSYLVANIA AVE., NW, #1204 WASHINGTON DC 20006	NATIONAL RURAL LETTER CARRIERS' ASSN	10,336.00	758.00
EDWARD A. MERLIS, 1010 WISCONSIN AVENUE, NW WASHINGTON DC 20007	GROCERY MANUFACTURERS OF AMERICA, INC		
ORREN MERREN, 1000 POTOMAC STREET, NW, #204 WASHINGTON DC 20007	PORTFOLIO OF AGRICULTURE AND CAYMAN TURTLE FARM LTD		
EDWARD L. MERRIGAN, 6000 CONNECTICUT AVE., NW WASHINGTON DC 20815	CENTRAL GULF LINES, INC	2,000.00	40.15
Do	NATIONAL ASSN OF RECYCLING INDUSTRIES, INC	15,000.00	957.42
MERRILL LYNCH & CO., INC., SUITE 906 1828 L STREET, NW WASHINGTON DC 20036		1,500.00	
SHARON L. MESSINGER, 3914 ASPEN STREET CHEVY CHASE MD 20815	DATAPOINT CORP		
JEAN L. MESTRES, 1747 PENNSYLVANIA AVENUE, NW, #300 WASHINGTON DC 20006	CITIES SERVICE OIL & GAS CORP	204.00	
BRIAN M. MEYER, 1120 CONNECTICUT AVE., NW WASHINGTON DC 20036	AMERICAN BANKERS ASSN		
M. BARRY MEYER, 818 CONNECTICUT AVE., NW WASHINGTON DC 20006	ALUMINUM ASSN		
LARRY D. MEYERS, 1015 18TH STREET, NW WASHINGTON DC 20036	INDEPENDENT CATTLEMEN ASSOCIATION	4,500.00	
Do	NATIONAL PEANUT GROWERS GROUP	1,500.00	
JAMES G. MICHAUX, 1801 K ST., NW, #903 WASHINGTON DC 20006	FEDERATED DEPT STORES, INC	500.00	
LAURIE L. MICHEL, 1629 K STREET, N.W. WASHINGTON DC 20006	NABISCO, INC	3,900.00	1,000.00
RONALD A. MICHIELI, SUITE 1032 425 13TH ST., NW WASHINGTON DC 20004	NATIONAL CATTLEMEN'S ASSN	1,000.00	
MID CONTINENT WILDCATTERS ASSN., 200 DOUGLAS BLDG. WICHITA KS 67202		93,772.67	7,729.00
MID-CONTINENT OIL & GAS ASSN, 711 ADAMS OFFICE BLDG. TULSA OK 74103		27,108.14	11,770.33
JOY MIDMAN, 1319 F ST., NW WASHINGTON DC 20004	NATIONAL ASSN OF PRIVATE PSYCHIATRIC HOSPITALS	100.00	
PAUL J. MIGNINI SR., 815 16TH STREET, NW WASHINGTON DC 20006	AMALGAMATED CLOTHING & TEXTILE WORKERS UNION	2,595.00	61.04
MILBANK, TWEED, HADLEY & MCCLOY, 1825 EYE ST., NW WASHINGTON DC 20006	CHASE MANHATTAN BANK	397.50	
Do	JOINT TASK FORCE ON FEDERAL FINAN. ASSIST. FOR LAW STUDENTS	4,101.38	
Do	LASALLE NATIONAL BANK		
MILES & STOCKBRIDGE, SUITE 500 1701 PENNSYLVANIA AVENUE, NW WASHINGTON DC 20006	BLACK AND DECKER MANUFACTURING COMPANY		50.00
Do	PEPSICO, INC		
Do	PIZZA HUT, INC		100.00
FRED MILLAR, 317 PENNSYLVANIA AVENUE, SE WASHINGTON DC 20003	ENVIRONMENTAL POLICY INSTITUTE	389.71	
ROY H. MILLENSON, 2005 MASSACHUSETTS AVE., NW WASHINGTON DC 20036	ASSOCIATION OF AMERICAN PUBLISHERS	2,215.00	65.25
MILLER & CHEVALIER CHARTERED, METROPOLITAN SQUARE 655 15TH ST., NW WASHINGTON DC 20005	ASSOCIATION OF PRIVATE PENSION & WELFARE PLANS, INC	3,107.50	
Do	BARKLEY COMPANY OF ARIZONA		
Do	CAPITAL HOLDING CORPORATION		
MILLER ASSOCIATES, INC., 2500 QUE ST.,NW WASHINGTON DC 20007	TOSCO CORPORATION	1,500.00	49.25
DALE MILLER, 4000 RENO ROAD, NW WASHINGTON DC 20008	GULF INTRACOASTAL CANAL ASSN		
Do	TEXASGULF, INC		
DAVID H. MILLER, 900 17TH STREET, NW WASHINGTON DC 20006	CHASE MANHATTAN BANK, N.A	500.00	8.51
DEBORAH IMLE MILLER, 15TH & M STS., NW WASHINGTON DC 20005	NATIONAL ASSN OF HOME BUILDERS OF THE U.S.	4,011.68	13.50
JAMES C. MILLER, 1616 H ST, NW WASHINGTON DC 20006	NATIONAL GRANGE	3,315.00	
JOHN R. MILLER, 1750 MIDLAND BUILDING CLEVELAND OH 44115	STANDARD OIL CO	367.00	
PAUL J. MILLER, 8000 SEARS TOWER CHICAGO IL 60606	INVESTMENT COUNSEL ASSN OF AMERICA, INC		
RICHARD L. MILLER, 1700 NORTH MOORE ST ARLINGTON VA 22209	BOEING COMPANY		
ROBERT H. MILLER, 490 L'ENFANT PLAZA EAST, SW, #2202 WASHINGTON DC 20024	TENNECO INC		
ROBERTA BALSTAD MILLER, SUITE 300 1755 MASSACHUSETTS AVENUE, NW WASHINGTON DC 20036	CONSORTIUM OF SOCIAL SCIENCE ASSNS	1,260.00	29.50
ROBIN MILLER, 1925 K STREET, NW WASHINGTON DC 20006	ALLIANCE TO SAVE ENERGY	242.19	
MILLER, CASSIDY, LARROCA & LEWIN, SUITE 500 2555 M ST., NW WASHINGTON DC 20037	NATIONAL PUBLIC RADIO	450.00	29.47
C.G. PETE MILLIGAN, 4360 N.E. JOE'S POINT STUART FL 33494	AMERICAN TELEPHONE & TELEGRAPH COMPANY		
CHRISTINE TOPPING MILLIKEN, 1717 MASSACHUSETTS AVE., #503 WASHINGTON DC 20036	NATIONAL ASSN OF INDEPENDENT COLLEGES & UNIVERSITIES	12,000.00	317.00
JOHN C. MILLINER P.O. BOX 1788 FOREST PARK GA 30051	SOUTHEASTERN LUMBER MANUFACTURERS ASSN	90.42	
RICHARD M. MILLMAN, P.C., SUITE 908 1730 M STREET, NW WASHINGTON DC 20036	FAIRCHILD INDUSTRIES, INC		
Do	HOUSE OF REPRESENTATIVES, SAN JUAN, PR		

Organization or Individual Filing	Employer/Client	Receipts	Expenditures
Do	SENATE OF PUERTO RICO		
JOHN F. MILLS, 1875 I ST., NW WASHINGTON DC 20006	TOBACCO INSTITUTE	1,275.00	47.00
RICHARD V. MINCK, 1850 K ST., NW WASHINGTON DC 20006	AMERICAN COUNCIL OF LIFE INSURANCE, INC	1,250.00	
MINERAL EXPLORATION COALITION, INC, P.O. BOX 15638 LAKEWOOD CO 80215		38,500.00	241.05
STAFFORD MICHAEL MISHOE, P.O. BOX 10383 DES MOINES IA 50306	NATIONAL PORK PRODUCERS COUNCIL	225.00	170.00
THOMAS F. MITCHELL, 1875 I ST., NW WASHINGTON DC 20006	GEORGIA-PACIFIC CORP		155.00
STACEY J. MOBLEY, 1701 PENNSYLVANIA AVE., NW WASHINGTON DC 20006	E. I. DU PONT DE NEMOURS & CO		
ROBERT M. MOLITER, 777 14TH ST., NW WASHINGTON DC 20005	GENERAL ELECTRIC CO		
JOHN V. MOLLER, 1155 15TH ST., NW SUITE 1010 WASHINGTON DC 20005	MANCHESTER ASSOCIATES, LTD. (FOR: NISSAN MOTOR COMPANY, LTD.)	1,500.00	10.00
ROBERT A. MOLOFSKY, 5025 WISCONSIN AVENUE, NW WASHINGTON DC 20016	AMALGAMATED TRANSIT UNION, AFL-CIO	5,000.00	188.46
MICHAEL J. MOLONEY, 1800 MASSACHUSETTS AVE., NW WASHINGTON DC 20036	NATIONAL RURAL ELECTRIC COOPERATIVE ASSN	60.00	
C. MANLY MOLPUS, P.O. BOX 3556 WASHINGTON DC 20007	AMERICAN MEAT INSTITUTE	1,000.00	
HERMAN J. MOLZAHN, 1600 WILSON BLVD., #1101 ARLINGTON VA 22071	AMERICAN WATERWAYS OPERATORS, INC		
CHRISTOPHER MONEK, 1957 E ST., NW WASHINGTON DC 20006	ASSOCIATED GENERAL CONTRACTORS OF AMERICA		
CHARLES A. MONFORT, SUITE 1101 1346 CONNECTICUT AVENUE, NW WASHINGTON DC 20036	UNION OF CONCERNED SCIENTISTS	1,104.17	4,549.18
JOHN M. MONLEY, SUITE 600 1090 VERMONT AVENUE, NW WASHINGTON DC 20005	TEXAS EASTERN TRANSMISSION CORP.		
ELIZABETH R. MONRO, 1709 NEW YORK AVE., NW WASHINGTON DC 20006	AIR TRANSPORT ASSN OF AMER	5,000.00	
MICHAEL MONRONEY, SUITE 2700 1000 WILSON BLVD. ARLINGTON VA 22209	TRW, INC	1,000.00	
JOHN C. MONSUL, 923 RIVA RIDGE DRIVE GREAT FALLS VA 22066			
STEVEN M. MOODIE, 910 16TH STREET ROOM 302 WASHINGTON DC 20006	FEDERATION OF AMERICAN CONTROLLED SHIPPING	200.00	
G. MERRILL MOODY, 412 FIRST ST., SE, #200 WASHINGTON DC 20003	ASSOCIATION OF AMERICAN RAILROADS		
JAMES P. MOONEY, 1724 MASSACHUSETTS AVE., NW WASHINGTON DC 20036	NATIONAL CABLE TELEVISION ASSN, INC	5,700.00	
ALAN J. MOORE, SUITE 840, 1100 CONNECTICUT AVE., NW WASHINGTON DC 20036	ATCHISON, TOPEKA & SANTA FE RAILWAY CO	1,000.00	
JANIS E. MOORE, 1776 F ST., NW WASHINGTON, DC 20006	NATIONAL ASSN OF MANUFACTURERS	250.00	
TIMOTHY X. MOORE, 1771 N STREET, NW WASHINGTON DC 20036	NATIONAL ASSN OF BROADCASTERS	1,500.00	343.00
MORALITY IN MEDIA, INC., 475 RIVERSIDE DRIVE SUITE 239 NEW YORK NY 10115		15.39	15.39
VINCENT L. MORELLI, 2550 M ST., NW SUITE 225 WASHINGTON DC 20037	CONGOLEUM CORPORATION	399.00	231.48
JOHN MORGAN, 1925 K ST., NW WASHINGTON DC 20006	COMMUNICATIONS WORKERS OF AMERICA		
MORGAN, LEWIS & BOCKIUS, SUITE 800 NORTH 1800 M ST., NW WASHINGTON DC 20036	COMMITTEE FOR CAP FORMATION THROUGH DIVIDEND REINVESTMENT		
Do	CONSOLIDATED NATURAL GAS CO		
Do	KNOLL FINE CHEMICALS, INC		
JEANNE MORIN, 1615 H STREET, NW WASHINGTON DC 20062	CHAMBER OF COMMERCE OF THE U.S.	700.00	83.24
ROBERT E. MORIN, 600 NEW HAMPSHIRE AVENUE, NW, #354 WASHINGTON DC 20037	SOCIETY OF REAL ESTATE APPRAISERS		
JAMES A. MORRILL, SCOTT PLAZA I PHILADELPHIA PA 19113	SCOTT PAPER COMPANY	2,250.00	730.04
GERALD A. MORRIS, 11 DUPONT CIRCLE WASHINGTON DC 20036	AMERICAN FEDERATION OF TEACHERS/AFL-CIO	10,140.36	148.00
MARGARET M. MORRIS, 1750 OLD MEADOW ROAD MCLEAN VA 22102	BRICK INSTITUTE OF AMERICA		
MARTIN S. MORRIS, 1957 E STREET, NW WASHINGTON DC 20006	ASSOCIATED GENERAL CONTRACTORS OF AMERICA		
MORRISON & FOERSTER, 1920 N STREET, N.W. WASHINGTON DC 20036	CITY AND COUNTY OF SAN FRANCISCO	8,600.00	
WILLIAM C. MORRISON, 2001 NORTH ADAMS ST. ARLINGTON VA 20001	MEAT IMPORTERS COUNCIL OF AMERICA, INC	875.00	
FRANK D. MORUZZI, SUITE 500 1235 JEFFERSON DAVIS HIGHWAY ARLINGTON VA 22202	ITALIAN AEROSPACE INDUSTRIES (U.S.A.), INC		
RUSSELL N. MOSHER, SUITE 160 950 N. GLEBE RD. ARLINGTON VA 22203	AMERICAN BOILER MANUFACTURERS ASSOCIATION, INC	170.17	60.85
SOL MOSHER, 1660 L ST., NW, #215 WASHINGTON DC 20036	CROWN ZELLERBACH CORPORATION		
BERNARD MOSS, 2440 VIRGINIA AVE., NW WASHINGTON DC 20037	ASSOCIATION OF BANK HOLDING COS	900.00	
ROBERT E. MOSS, SUITE 500 1899 L STREET, NW WASHINGTON DC 20036	AMERICAN NATURAL RESOURCES CO	7,444.00	63.00
MOSS, MCGEE & BELLMON, 1740 N STREET, NW WASHINGTON DC 20036	NATIONAL BANKERS ASSN	3,975.68	
Do	NATIONAL CENTER FOR APPROPRIATE TECHNOLOGY	3,027.71	
Do	NATIONAL COMMUNITY ACTION FOUNDATION	30,000.00	
Do	NATIONAL RURAL DEVELOPMENT & FINANCE CORP	2,500.00	
LYNN E. MOTE, 1015 15TH ST., NW, #900 WASHINGTON DC 20005	INTERNORTH	2,000.00	
MOTION PICTURE ASSN OF AMERICA, INC, 1600 EYE STREET, NW WASHINGTON DC 20006		31,937.46	31,937.46
JOHN J. MOTLEY, SUITE 695 600 MARYLAND AVE., SW WASHINGTON DC 20024	NATIONAL FEDERATION OF INDEPENDENT BUSINESS	2,250.00	200.00
MOTOR AND EQUIPMENT MANUFACTURERS ASSOCIATION, 1120 19TH ST., NW SUITE 333 WASHINGTON DC 20036			3,095.25
MOTOR VEHICLE MANUFACTURERS ASSOCIATION OF THE U.S., INC., 300 NEW CENTER BLDG. DETROIT MI 48202		1,489.16	1,489.16
KELLY HOLLEY MOUNTAIN, 1619 MASSACHUSETTS AVE., NW WASHINGTON DC 20036	AMERICAN PAPER INST, INC		
MOUNTAIN WEST ASSOCIATES, SUITE 880 2121 K ST., NW WASHINGTON DC 20037	GREAT NATIONAL CORPORATION	3,000.00	22.22
Do	UTAH POWER & LIGHT CO	17,623.00	5,403.10
HAROLD P. MUELLER III, P.O. BOX 7755 PHILADELPHIA PA 19101	TAXPAYERS FOR FEDERAL PENSION REFORM	8,750.00	308.21
FAREED A. MUHAMMAD, 2421 S. MICHIGAN ST. MICHIGAN CITY IN 46614	PRISONERS OF THE STATE OF INDIANA, ET AL		
WILLIAM G. MULLEN, 1010 WISCONSIN AVENUE, NW, #630 WASHINGTON DC 20007	THIRD CLASS MAIL ASSOCIATION	600.00	
RICHARD J. MULLER, 1100 CONNECTICUT AVE., NW WASHINGTON DC 20036	CHRYSLER CORPORATION	2,000.00	105.00
TRACY MULLIN, 1000 CONNECTICUT AVE., NW, #700 WASHINGTON DC 20036	NATIONAL RETAIL MERCHANTS ASSN	150.00	20.00
ROBERT J. MULLINS, SUITE 202 600 MARYLAND AVENUE, SW WASHINGTON DC 20024	FARMERS' EDUCATIONAL & CO-OPERATIVE UNION OF AMERICA	8,960.00	22.36
DANIEL J. MUNDY, 815 16TH ST., NW, #603 WASHINGTON DC 20006	BUILDING & CONSTRUCTION TRADES DEPT	14,481.87	6,648.07
K. R. MURPHY, 1025 CONNECTICUT AVENUE, NW WASHINGTON DC 20036	GULF OIL CORPORATION	1,000.00	
RICHARD E. MURPHY, 2020 K ST., NW, #200 WASHINGTON DC 20006	SERVICE EMPLOYEES INTL UNION, AFL-CIO	1,000.00	684.27
RICHARD W. MURPHY, 1133 20TH ST., NW WASHINGTON DC 20036	NATIONAL FOOD PROCESSORS ASSN	500.00	269.78
MURRAY & SCHEER, SUITE 695 2550 M ST., NW WASHINGTON DC 20037	AMERICAN INST OF ARCHITECTS		
Do	NATIONAL BUSINESS AIRCRAFT ASSN	500.00	
Do	JOSEPH SEAGRAM & SONS, INC		
Do	SWAZILAND SUGAR ASSN		
D. MICHAEL MURRAY, MURRAY AND SCHEER 2550 M STREET, NW WASHINGTON DC 20037	CHICAGO, MILWAUKEE, ST. PAUL & PACIFIC RRS	600.00	
Do	CLEVELAND CLIFFS IRON CO	250.00	
Do	FREEPORT MINERALS CO		
Do	IRON ORE LESSORS ASSN, INC	250.00	
Do	LTV CORPORATION	500.00	
Do	NATIONAL COUNCIL OF COAL LESSORS		
GORDON L. MURRAY, SUITE 1002 1911 JEFFERSON DAVIS HIGHWAY ARLINGTON VA 22202	LEAR SIEGLER, INC./ENERGY PRODUCTS DIV		
WILLIAM E. MURRAY, 1800 MASS. AVE., NW WASHINGTON DC 20036	NATIONAL RURAL ELECTRIC COOPERATIVE ASSN	179.50	
FRANK DOMINIC MUSICA, 1625 EYE STREET, NW WASHINGTON DC 20006	AMERICAN SOCIETY OF CIVIL ENGINEERS	2,500.00	
HAROLD D. MUTH, 1600 WILSON BLVD., #1000 ARLINGTON VA 22209	AMERICAN WATERWAYS OPERATORS, INC	300.00	
ROBERT J. MUTH, 120 BROADWAY NEW YORK NY 10271	ASARCO INC	300.00	
LAWRENCE P. MUTTER, 6849 OLD DOMINION DR. MCLEAN VA 22102	AUTOMOTIVE PARTS REBUILDERS ASSN		
FRED J. MUTZ, 1120 CONNECTICUT AVE., NW WASHINGTON DC 20036	AMERICAN BANKERS ASSN	1,000.00	60.00
GARY D. MYERS, 1015 18TH STREET, NW WASHINGTON DC 20036	NATIONAL COUNCIL OF FARMER COOPERATIVES	207.00	
LAW OFCS. OF TIMOTH 1850 K ST., NW, #1280 WASHINGTON DC 20006	BAYBANKS, INC		
CLIFFORD M. NAEVE, SUITE 503 1919 PENNSYLVANIA AVENUE, NW WASHINGTON DC 20006	MID-CONTINENT OIL & GAS ASSN	5,319.00	56.50
NANCY A. NAGY, SUITE 209 1025 CONNECTICUT AVENUE, NW WASHINGTON DC 20036	AMERICAN BUSINESS CONFERENCE	68.13	25.00
LINDA K. NAIDA, 1616 H STREET, NW WASHINGTON DC 20006	NATIONAL GRANGE	875.00	
BERNARD NASH, 1015 18TH ST., NW SUITE 408 WASHINGTON DC 20036	GENERAL ELECTRIC CO		
Do	MERCK & CO., INC		
Do	TIME, INC		
FRANCES E NATHAN, 455 FIFTH AVENUE NEW YORK NY 10016	NEW YORK PUBLIC LIBRARY	4,305.00	
RAYMOND NATHAN, 4242 EAST-WEST HWY CHEVY CHASE MD 20015	AMERICAN ETHICAL UNION	555.00	268.20
NATIONAL AGRICULTURAL CHEMICALS ASSN, 1155 15TH ST., NW WASHINGTON DC 20005		6,088.97	6,088.97
NATIONAL ASSN FOR FREE ENTERPRISE, SUITE 107 1101 NEW HAMPSHIRE AVE., NW WASHINGTON DC 20037			
NATIONAL ASSN FOR HUMANE LEGISLATION, INC, PO BOX 11675 ST. PETERSBURG FL 33733		14.02	105.77
NATIONAL ASSN FOR NEIGHBORHOOD SCHOOLS, INC, P.O. BOX 14887 COLUMBUS OH 43214		6,399.24	1,781.13
NATIONAL ASSN FOR UNIFORMED SERVICES, P.O. BOX 1406 5535 HEMPSTEAD WAY SPRINGFIELD VA 22151		2,088.51	1,572.92
NATIONAL ASSN OF AIRCRAFT & COMMUNICATIONS SUPPLIERS, INC, 7360 LAUREL CANYON BLVD. NORTH HOLLYWOOD CA 91605.		9,805.00	5,257.93
NATIONAL ASSN OF BEVERAGE IMPORTERS, 1025 VERMONT AVENUE, NW, #1205 WASHINGTON DC 20005			
NATIONAL ASSN OF FEDERAL VETERINARIANS, SUITE 836 1522 K ST., NW WASHINGTON DC 20005			48.28
NATIONAL ASSN OF HOMES FOR CHILDREN, 104 EAST 35TH ST. NEW YORK NY 10016			1,400.00
NATIONAL ASSN OF INDEPENDENT COLLEGES & UNIVERSITIES, SUITE 503 1717 MASSACHUSETTS AVE., NW WASHINGTON DC 20036.		11,669.00	196,378.00
NATIONAL ASSN OF INSURANCE BROKERS, INC, SUITE 700 311 FIRST STREET, NW WASHINGTON DC 20001			
NATIONAL ASSN OF MANUFACTURERS, 1776 F ST., NW WASHINGTON DC 20006		63,580.47	63,580.47
NATIONAL ASSN OF MUTUAL INSURANCE COS., 3707 WOODVIEW TRACE P.O. BOX 68700 INDIANAPOLIS IN 46268			
NATIONAL ASSN OF PENSION CONSULTANTS & ADMINISTRATORS, INC, SUITE 300 3 PIEDMONT CENTER ATLANTA GA 30042		10,650.00	7,352.58
NATIONAL ASSN OF PERSONNEL CONSULTANTS, 1432 DUKE ST. ALEXANDRIA VA 22314		10,400.00	6,100.00
NATIONAL ASSN OF PLUMBING-HEATING-COOLING CONTRACTORS, 1016 20TH ST., NW WASHINGTON DC 20036		3,127.81	3,127.81
NATIONAL ASSN OF PRIVATE ENTERPRISE, ALAMEDA ROOSEVELT 2827 SAN SALVADOR, EL SALVADOR			
NATIONAL ASSN OF REAL ESTATE INVESTMENT TRUSTS, INC., 1101 17TH ST., NW SUITE 700 WASHINGTON DC 20036		24,000.00	920.00

Organization or Individual Filing	Employer/Client	Receipts	Expenditures
NATIONAL ASSN OF STEVEDORES, SUITE 705 1899 L STREET, NW WASHINGTON DC 20036		39,500.00	14,029.00
NATIONAL ASSN OF TRUCK STOP OPERATORS, INC, SUITE 505 700 N. FAIRFAX ST. ALEXANDRIA VA 22314			
NATIONAL ASSN OF WHEAT GROWERS, SUITE 300 415 2ND ST., NE WASHINGTON DC 20002		5,693.50	5,602.06
NATIONAL AUDIO-VISUAL ASSN, INC, 3150 SPRING ST. FAIRFAX VA 22031		358,575.00	5,608.66
NATIONAL BENEFIT PROMOTIONS, P.O. BOX 28347 WASHINGTON DC 20005			
NATIONAL BROILER COUNCIL, 1155 15TH ST., NW WASHINGTON DC 20005		1,750.00	1,750.00
NATIONAL BUSINESS AIRCRAFT ASSN, ONE FARRAGUT SQUARE SOUTH WASHINGTON DC 20006			
NATIONAL CABLE TELEVISION ASSN, INC, 1724 MASSACHUSETTS AVE., NW WASHINGTON DC 20036		8,193.75	8,193.75
NATIONAL CATTLEMEN'S ASSN, 5420 S. QUEBEC ST. P.O. BOX 3469 ENGLEWOOD CO 80155			3,000.00
NATIONAL CLUB ASSOCIATION, 1625 EYE ST., NW, #609 WASHINGTON DC 20006			
NATIONAL COAL ASSN, COAL BLDG. WASHINGTON DC 20036		1,271,104.00	11,816.00
NATIONAL COAL CONSUMERS ALLIANCE, SUITE 800 1919 PENNSYLVANIA AVE., NW WASHINGTON DC 20006			
NATIONAL COALITION FOR MARINE CONSERVATION, INC., P.O. BOX 23298 SAVANNAH GA 31403		16,395.00	18,316.91
NATIONAL COALITION OF TELECOMMUNICATIONS USERS & PROVIDERS, SUITE 108 115 D STREET, SE WASHINGTON DC 20003.			
NATIONAL COALITION TO BAN HANDGUNS, 100 MARYLAND AVE., NE WASHINGTON DC 20002		84,021.18	80,765.83
NATIONAL COMM AGAINST REPRESSIVE LEGISLATION, 201 MASSACHUSETTS AVE., NE WASHINGTON DC 20002		5,407.79	7,758.73
NATIONAL COMM FOR A HUMAN LIFE AMENDMENT, INC, SUITE 400 1707 L ST., NW WASHINGTON DC 20036		353,346.00	9,237.00
NATIONAL COMM ON SMALL ISSUE INDUSTRIAL DEVELOPMENT BONDS, BOX 1, 900 SOUTH 1800 M ST., NW WASHINGTON DC 20036.		2,036.00	2,036.00
NATIONAL COMMERCIAL FINANCE CONFERENCE, ONE PENN PLAZA NEW YORK NY 10001		2,046.00	3,383.83
NATIONAL CONSUMER CENTER FOR LEGAL SERVICES, 3254 JONES COURT, NW WASHINGTON DC 20007			
NATIONAL COTTON COUNCIL OF AMER, P.O. BOX 12285 MEMPHIS TN 38112		12,200.60	12,200.60
NATIONAL COUNCIL FOR RESPONSIBLE FIREARMS POLICY, INC, 7216 STAFFORD RD. ALEXANDRIA VA 22307			
NATIONAL COUNCIL OF AGRICULTURAL EMPLOYERS, 435 SOUTHERN BLDG. 1425 H ST., NW WASHINGTON DC 20005		72,268.00	2,450.00
NATIONAL COUNCIL OF HEALTH CENTERS, SUITE 915 2600 VIRGINIA AVE., NW WASHINGTON DC 20037		6,096.51	3,738.68
NATIONAL COUNCIL OF TECHNICAL SERVICE INDUSTRIES, SUITE 1190 1850 K STREET, NW WASHINGTON DC 20006		290.45	729.31
NATIONAL COUNCIL ON SYNTHETIC FUELS PRODUCTION, SUITE 960 1875 EYE ST., NW WASHINGTON DC 20006			
NATIONAL ELECTRICAL MFGRS ASSN, 2101 L ST., NW WASHINGTON DC 20037		3,504.99	3,504.99
NATIONAL FEDERATION OF BUSINESS & PROFESSIONAL WOMEN'S CLUBS, 2012 MASSACHUSETTS AVE., NW WASHINGTON DC 20036.		62,140.00	19,090.15
NATIONAL FEDERATION OF FEDERAL EMPLOYEES, 1016 16TH ST., NW WASHINGTON DC 20036		20,378.51	20,378.51
NATIONAL FEDERATION OF INDEPENDENT BUSINESS, 150 W. 20TH AVE. SAN MATEO CA 94403		12,250.00	12,250.00
NATIONAL FERTILIZER SOLUTIONS ASSN, 8823 NORTH INDUSTRIAL ROAD PEORIA IL 61615		3,100.95	3,100.95
NATIONAL FOOD PROCESSORS ASSN., 1133 20TH ST., NW WASHINGTON DC 20036		2,059.28	2,059.28
NATIONAL GRAIN & FEED ASSN, 725 15TH ST., NW WASHINGTON DC 20005			
NATIONAL GRANGE, 1616 H ST., NW WASHINGTON DC 20006		12,500.00	9,662.50
NATIONAL LIMESTONE INST, INC, SUITE 500 3251 OLD LEE HWY. FAIRFAX VA 22030		20,314.68	20,314.68
NATIONAL LOTTERY ASSOCIATION, P.O. BOX 13365 LAS VEGAS NV 89112			
NATIONAL MARITIME COUNCIL, 1748 N ST., NW WASHINGTON DC 20036			
NATIONAL MILK PRODUCERS FEDERATION, 1840 WILSON BLVD. ARLINGTON VA 22201		8,723.95	130.20
NATIONAL OFFICE MACHINE DEALERS ASSOCIATION, 810 LIVELY BLVD., P.O. BOX 707 WOOD DALE IL 60191		26.04	24
NATIONAL OIL JOBBERS COUNCIL, INC., 1707 H ST., NW 11TH FLOOR WASHINGTON DC 20006		194,105.75	13,883.03
NATIONAL PARKING ASSOCIATION, 2000 K ST., NW, #350 WASHINGTON DC 20036			21,798.47
NATIONAL PEST CONTROL ASSN, 8100 OAK ST. DUNN LORING VA 22027			
NATIONAL PRODUCT LIABILITY COUNCIL, 20 N. WACKER DR. CHICAGO IL 60606			342.54
NATIONAL PUBLIC AFFAIRS CORP., ONE FARRAGUT SQUARE SOUTH WASHINGTON DC 20006	WESTINGHOUSE ELECTRIC CORP	300.00	
NATIONAL REALTY COMMITTEE, 2033 M ST., NW WASHINGTON DC 20036		2,411.50	2,411.50
NATIONAL REHABILITATION ASSN, 633 S. WASHINGTON ST. ALEXANDRIA VA 223L4			4,500.00
NATIONAL RESOURCE CENTER FOR CONSUMERS OF LEGAL SERVICES, 3254 JONES COURT, NW WASHINGTON DC 20007			
NATIONAL RETAIL MERCHANTS ASSN, 100 W. 31ST ST. NEW YORK NY 10001			4,050.00
NATIONAL RIGHT TO WORK COMMITTEE, SUITE 600 8001 BRADDOCK RD. SPRINGFIELD VA 22160		9,343.24	9,343.24
NATIONAL RURAL ELECTRIC COOPERATIVE ASSN, 1800 MASSACHUSETTS AVE., NW WASHINGTON DC 20036			3,597.14
NATIONAL RURAL LETTER CARRIERS' ASSN, SUITE 1204 1750 PENNSYLVANIA AVE., NW WASHINGTON DC 20006		13,346.00	13,010.00
NATIONAL SAVINGS & LOAN LEAGUE, SUITE 400 1101 15TH ST., NW WASHINGTON DC 20005		363,028.00	54.50
NATIONAL SECURITY TRADERS ASSN, INC, SUITE 4511 ONE WORLD TRADE CENTER NEW YORK NY 10048			3,750.00
NATIONAL SMALL BUSINESS ASSN, 1604 K ST., NW WASHINGTON DC 20006		5,000.00	162.18
NATIONAL SMALL BUSINESS INDEX, R.R. #1 AITKIN MN 56431			
NATIONAL SOCIETY OF PROFESSIONAL ENGINEERS, 2029 K ST., NW WASHINGTON DC 20006		12,500.00	8,850.00
NATIONAL SOFT DRINK ASSN, 1101 16TH ST., NW WASHINGTON DC 20036			33,344.73
NATIONAL SOLID WASTES MANAGEMENT ASSN, SUITE 930 1120 CONNECTICUT AVE., NW WASHINGTON DC 20036			
NATIONAL TAX EQUALITY ASSN, 1000 CONNECTICUT AVE., NW WASHINGTON DC 20036		5,509.60	6,093.62
NATIONAL TAX LIMITATION COMMITTEE, SUITE 600 1523 L STREET, NW WASHINGTON DC 20005		7,700.00	7,675.00
NATIONAL TIRE DEALERS & RETREADERS ASSN, 1343 L ST., NW WASHINGTON DC 20005		5,599.00	5,599.00
NATIONAL VICTIMS OF CRIME, 715 EIGHTH STREET, NW WASHINGTON DC 20003			
NATIONAL WATER RESOURCES ASSN, SUITE 1202 955 L'ENFANT PLAZA NORTH, SW WASHINGTON DC 20024		21,067.00	12,920.00
SUSAN BINGHAM NEAL, SUITE 695 600 MARYLAND AVE., SW WASHINGTON DC 20024	NATIONAL FEDERATION OF INDEPENDENT BUSINESS	2,250.00	200.00
KAREN J. NEALE, 2501 M STREET N.W. WASHINGTON DC 20037	CHEMICAL MANUFACTURERS ASSOCIATION, INC.	300.00	
ALAN M. NEDRY, 1111 19TH ST., NW, #303 WASHINGTON DC 20036	SOUTHERN CALIFORNIA EDISON CO	50.00	50.00
ALLEN NEECE JR., 1050 17TH STREET, NW WASHINGTON DC 20036	NEECE, CATOR & ASSOCIATES, INC (FOR: NATIONAL VENTURE CAPITAL ASSN)	1,500.00	1,500.00
Do	NEECE, CATOR & ASSOCIATES, INC (FOR: SMALL BUSINESS UNITED)	1,700.00	1,700.00
NEECE, CATOR & ASSOCIATES, INC, 1050 17TH STREET, NW WASHINGTON DC 20036	NATIONAL ASSN OF BUSINESS DEVELOPMENT CORPS	200.00	200.00
Do	NATIONAL ASSN OF DEVELOPMENT COMPANIES (NADCO)	250.00	250.00
Do	NATIONAL VENTURE CAPITAL ASSOCIATION	1,500.00	1,500.00
Do	SMALL BUSINESS UNITED	1,700.00	1,700.00
Do	SOUTHEASTERN LUMBER MANUFACTURERS ASSN (SLMA)	1,800.00	1,800.00
C. B. NEELY JR., P.O. BOX 829 RALEIGH NC 27602	BENEFICIAL MANAGEMENT CORP OF AMERICA		
FRANCES E. NEELY, 245 2ND ST., NE WASHINGTON DC 20002	FRIENDS COMMITTEE ON NATIONAL LEGISLATION	3,845.76	
MARY ELIZABETH NEESE, 1101 15TH ST., NW, #400 WASHINGTON DC 20005	NATIONAL SAVINGS & LOAN LEAGUE	1,000.00	54.50
STANLEY NEHMER, 1320 19TH ST., NW WASHINGTON DC 20036	LEAD-ZINC PRODUCERS COMMITTEE	500.00	350.00
NEILL & COMPANY, INC, SUITE 410 1100 17TH STREET, NW WASHINGTON DC 20036	ARAB REPUBLIC OF EGYPT		600.00
Do	GOVERNMENT OF EL SALVADOR		
NEILL & MULLENHOLZ, SUITE 410 1100 17TH STREET, NW WASHINGTON DC 20036	GOVERNMENT OF EL SALVADOR	40,000.00	600.00
Do	NATIONAL FARM & POWER EQUIPMENT DEALERS ASSN	1,500.00	
Do	SENIOR EXECUTIVES ASSN	3,000.00	150.00
MARK D. NELSON, SUITE 900 1701 PENNSYLVANIA AVE., NW WASHINGTON DC 20036	E. I. DU PONT DE NEMOURS & CO		
A. S. NEMIR ASSOCIATES, SUITE 1230 PENNSYLVANIA BUILDING WASHINGTON DC 20004	BRAZILIAN SUGAR & ALCOHOL INSTITUTE		1,869.04
MILTON E. NESHEK, THE GODFREY BLDG. 11 N. WISCONSIN ST. ELKHORN WI 53121	KIKKOMAN FOODS, INC.		
ELIZABETH NESS, 3024 WISCONSIN AVE. N.W. WASHINGTON DC 20016			
MAL NESTLERODE, SUITE 700 1111 NORTH 19TH STREET ARLINGTON VA 22209	NATIONAL ASSN OF FEDERAL CREDIT UNIONS	1,400.00	
NETWORK, 806 RHODE ISLAND AVE., NE WASHINGTON DC 20018		26,445.07	25,563.33
E. JOHN NEUMANN, SUITE 820 1100 CONNECTICUT AVE., NW WASHINGTON DC 20036	BALTIMORE GAS & ELECTRIC CO	1,104.81	515.81
CARLA NEUSCHEL, 1101 VERMONT AVE., NW WASHINGTON DC 20005	AMERICAN MEDICAL ASSN	2,047.00	70.06
ROBERT B. NEVILLE, 311 1ST ST., NW WASHINGTON DC 20001	NATIONAL RESTAURANT ASSN		
LOUIS H. NEVINS, 1709 NEW YORK AVE., NW, #200 WASHINGTON DC 20006	NATIONAL ASSN OF MUTUAL SAVINGS BANKS	5,781.75	
NEW YORK COMM OF INTL COMM OF PASSENGER LINES, 25 BROADWAY NEW YORK NY 10004			
BILL NEWBOLD, 1510 N. 12TH STREET, #204 ARLINGTON VA 22209	BILL NEWBOLD AND ASSOCIATES (FOR: AMERICAN PROTESTANT HOSPITAL ASSN.)	11,250.00	
Do	BILL NEWBOLD & ASSOCIATES (FOR: TEXAS HOSPITAL, ET AL)	5,100.00	
LESLIE F. NEWCOMER, 226 W. RITTENHOUSE SQUARE PHILADELPHIA PA 19103	PHILADELPHIA NATIONAL BANK	400.00	
KATHRYN L. NEWMAN, 1101 15TH ST., NW WASHINGTON DC 20005	REPUBLIC STEEL CORP		
THOMAS E. NEWMAN, 1719 ROUTE 10 PARSIPPANY NJ 07054	NATIONAL ASSN OF MANUFACTURERS	600.00	
WILLIAM B. NEWMAN JR., P.O. BOX 23451 WASHINGTON DC 20024	CONSOLIDATED RAIL CORPORATION	3,850.00	
JANET G. NEWPORT, 1707 H ST., NW, 11TH FL. WASHINGTON DC 20006	NATIONAL OIL JOBBERS COUNCIL	5,000.00	281.03
CHARLES E. NICHOLS, 101 CONSTITUTION AVE., NW WASHINGTON DC 20001	UNITED BROTHERHOOD OF CARPENTERS & JOINERS OF AMERICA	19,500.00	1,259.48
NICHOLAS JOHN NICHOLS, 1620 EYE ST., NW WASHINGTON DC 20006	AMERICAN INST OF CERTIFIED PUBLIC ACCOUNTANTS	1,000.00	950.00
ROBERT W. NICHOLS, 1146 19TH STREET, NW, 3RD FLOOR SUITE 1033 WASHINGTON DC 20036	CONSUMERS UNION OF U.S., INC.	7,500.00	5.00
NICKERSON INGRAM & ASSOCIATES, INC, 1150 17TH STREET, NW WASHINGTON DC 20036	FEDERAL LAW ENFORCEMENT OFFICERS ASSN	1,000.00	
Do	MASSACHUSETTS BAY TRANSPORTATION AUTHORITY	9,099.81	
Do	SYSTEMS CONTROL TECHNOLOGY, INC.		
WILLIAM W. NICKERSON, SUITE 607 1150 17TH ST., NW WASHINGTON DC 20036	MASSACHUSETTS BAY TRANSIT AUTHORITY	9,099.81	
PATRICK J. NILAN, 817 14TH ST., NW WASHINGTON DC 20005	AMERICAN POSTAL WORKERS UNION, AFL-CIO	13,176.54	3,080.49
STEWART E. NILES, 225 BARONNE ST. NEW ORLEANS LA 70112	SHIPBUILDERS COUNCIL OF AMERICA		
NISSAN MOTOR COMPANY, LTD., P.O. BOX 1606 560 SYLVAN AVENUE ENGLEWOOD CLIFFS NJ 07632			3,915.00

Organization or Individual Filing	Employer/Client	Receipts	Expenditures
NISSAN MOTOR CORPORATION IN U.S.A., 1919 PENNSYLVANIA AVENUE, NW, #707 WASHINGTON DC 20006			204.56
NL INDUSTRIES, INC, 1230 AVENUE OF THE AMERICAS NEW YORK NY 10020			11,163.16
LOIS A. NOACK, 1828 L STREET, NW, #906 WASHINGTON DC 20036	MERRILL LYNCH & CO, INC		
ROBERT W. NOLAN, 1303 NEW HAMPSHIRE AVE., NW WASHINGTON DC 20036	FLEET RESERVE ASSN	100.00	
WALKER F. NOLAN, 1111-19TH STREET,N.W. 9TH FLOOR WASHINGTON DC 20036	EDISON ELECTRIC INSTITUTE	2,475.00	991.75
H. CHRISTOPHER NOLDE, 2501 M ST.,NW WASHINGTON DC 20037	CHEMICAL MANUFACTURERS ASSOCIATION, INC	300.00	
Do	NATIONAL SOFT DRINK ASSN		
CHARLES M. NOONE, 490 L'ENFANT PLAZA EAST SUITE 3306 WASHINGTON DC 20024	NATIONAL ASSN OF SMALL BUSINESS INVESTMENT COS	1,800.00	188.23
M. KATHRYN NORDSTROM, SUITE 900 ONE THOMAS CIRCLE, NW WASHINGTON DC 20005	PACIFIC SEAFOOD PROCESSORS ASSN	3,750.00	140.01
JOSEPH M. NORMANDY III, 1101 17TH STREET, NW WASHINGTON DC 20036	PRIVATE TRUCK COUNCIL OF AMERICA, INC		40.00
JULIA J. NORRELL, 1850 K ST., NW WASHINGTON DC 20006	AMERICAN COUNCIL OF LIFE INSURANCE, INC	357.00	58.32
NORTH AMERICAN EXPORT GRAIN ASSN., INC., 1800 M ST., NW, SUITE 610-N WASHINGTON DC 20036			
NORTH AMERICAN TELEPHONE ASSOCIATION, 511 2ND ST.,NE WASHINGTON DC 20002		60,750.00	60,750.00
EVANS W. NORTH, 1216 16TH STREET, NW WASHINGTON DC 20036			
J. HALLOCK NORTHCOTT, 1101 15TH ST., NW WASHINGTON DC 20005	MINNESOTA MINING & MANUFACTURING CO	2,000.00	
NORTHEAST UTILITIES SERVICE CO, SELDEN ST. BERLIN CT 06037			3,232.45
EDWARD M. NORTON JR., 1901 PENNSYLVANIA AVENUE, NW WASHINGTON DC 20006	WILDERNESS SOCIETY		
MORGAN NORVAL, 1202 S. WASHINGTON ST., #2 ALEXANDRIA VA 22314	CITIZENS COMM FOR THE RIGHT TO KEEP & BEAR ARMS	300.00	
NOSSAMAN GUTHNER KNOX & ELLIOTT, 1140 19TH ST., NW, #600 WASHINGTON DC 20036	AETNA LIFE & CASUALTY		
Do	CALIFORNIA STUDENT LOAN FINANCE CORP		
Do	DIVIDEND SUPPORT GROUP		400.00
Do	FOOD MARKETING INSTITUTE	7,125.10	
Do	GENERAL ELECTRIC COMPANY		3,000.00
Do	HELIONETICS, INC		2,160.00
Do	INSTITUTE OF ELECTRICAL & ELECTRONICS ENGINEERS, INC		
Do	INSURANCE ASSOCIATION OF CONNECTICUT		800.00
Do	NEIL MCISAAC AND DON MCISAAC		
Do	NEW YORK LIFE INSURANCE COMPANY		
Do	PHOENIX MUTUAL LIFE INSURANCE COMPANY		
Do	UTOTEM, INC		
P. MICHAEL NUGENT, 229 PENNSYLVANIA AVENUE, SE WASHINGTON DC 20003	ELECTRONIC DATA SYSTEMS		
RALPH D. NURNBERGER, SUITE 412 444 NORTH CAPITOL STREET, NW WASHINGTON DC 20001	AMERICAN ISRAEL PUBLIC AFFAIRS COMMITTEE	9,575.64	
FRANKLIN W. NUTTER, 1025 CONNECTICUT AVE., NW, #512 WASHINGTON DC 20036	REINSURANCE ASSN OF AMER		
MARK J. NUZZACO, 7901 WESTPARK DR. MCLEAN VA 22102	NATIONAL MACHINE TOOL BUILDERS' ASSN	5,500.00	500.00
C.D. NYBERG, P.O. BOX 800 AUSTIN MN 55912	GEO. A. HORMEL & CO		
HUBERT K. O'BANNON, P.O. BOX 23451 WASHINGTON DC 20024	CONSOLIDATED RAIL CORPORATION	2,050.00	
GEORGE O'BEA JR , 815 16TH ST., NW, #304 WASHINGTON DC 20006	UNITED PAPERWORKERS INT'L UNION		
COLEMAN C. O'BRIEN, 1709 NEW YORK AVE., NW, #801 WASHINGTON DC 20006	U.S. LEAGUE OF SAVINGS ASSOCIATIONS	7,031.25	189.49
JOHN F. O'BRIEN, CONNECTICUT PETROLEUM COUNCIL 410 ASYLUM ST. HARTFORD CT 06103	AMERICAN PETROLEUM INST		
LAWRENCE F. O'BRIEN, BREED, ABBOTT & MORGAN 1875 EYE STREET, NW, #1000 WASHINGTON DC 20006	AMERICAN STOCK EXCHANGE, INC	2,348.50	
MARY EILEEN O'BRIEN, 1800 M ST., NW, SUITE 710 SOUTH WASHINGTON DC 20036	DOW CORNING CORPORATION		
RAYMOND V. O'BRIEN, 1707 L ST., NW, #200 WASHINGTON DC 20036	INTERNATIONAL TELEPHONE & TELEGRAPH CORPORATION		
DAVID S. O'BRYON, 1916 WILSON BLVD. ARLINGTON VA 22201	AMERICAN CHIROPRACTIC ASSN	450.00	146.95
TERRENCE M. O'CONNELL II , SUITE 505 1625 MASSACHUSETTS AVENUE, NW WASHINGTON DC 20036	KEEFE COMPANY (FOR: WESTINGHOUSE ELECTRIC CORP)	1,500.00	
WILLIAM B. O'CONNELL, 111 EAST WACKER DR. CHICAGO IL 60601	U.S. LEAGUE OF SAVINGS ASSOCIATIONS	17,500.00	3,009.84
O'CONNOR & HANNAN, 1919 PENNSYLVANIA AVE., NW, #800 WASHINGTON DC 20006	AMERICAN CLINICAL LABORATORY ASSN	550.00	
Do	AMERICAN FAMILY LIFE ASSURANCE CO		
Do	AMERICAN INST OF CERTIFIED PUBLIC ACCOUNTANTS		
Do	AUTOMOTIVE PARTS & ACCESSORIES ASSN		
Do	BLYTH EASTMAN PAINE WEBBER		
Do	BLYTH EASTMAN PAINE WEBBER HEALTH CARE FUNDING, INC		
Do	BORDEN, INC		
Do	CKLW RADIO BROADCASTING, LTD		
Do	CNA INSURANCE		
Do	ELECTRONIC DATA SYSTEMS CORP	1,485.00	
Do	FIRST NATIONAL MONETARY CORPORATION		
Do	GLASS PACKAGING INSTITUTE	332.00	
Do	GOLDEN GATEWAY CENTER		
Do	GOLDMAN SACHS & CO	3,000.00	
Do	GOVERNMENT OF THE COMMONWEALTH OF PUERTO RICO		
Do	HEALTH CARE FINANCING STUDY GROUP	3,000.00	
Do	HENNEPIN COUNTY		
Do	INDEPENDENT FEDERAL SAVINGS		
Do	INVESTMENT COMPANY INSTITUTE		
Do	INVESTORS DIVERSIFIED SERVICES, INC		
Do	J. C. PENNEY CO, INC	520.00	
Do	JOSEPH E. SEAGRAM & SONS, INC		
Do	KIMBERLY-CLARK CORP	1,317.00	
Do	LORD, BISSELL & BROOK		
Do	MERRILL LYNCH WHITE WELD CAPITAL MARKETS GROUP		
Do	NATIONAL COAL CONSUMERS ALLIANCE		
Do	NATIONAL COMM FOR QUALITY HEALTH CARE	2,600.00	
Do	NEIGHBORHOOD TV COMPANY, INC	150.00	
Do	PADDOCK PUBLICATIONS, INC		
Do	SECURITIES INDUSTRY ASSN	11,700.00	
Do	TENNESSEE-TOMBIGBEE WATERWAY DEVELOPMENT AUTHORITY	200.00	
GEORGE E. O'CONNOR, 600 NEW HAMPSHIRE AVENUE, NW WASHINGTON DC 20037	WESTINGHOUSE ELECTRIC CORP		
LEONARD F. O'CONNOR, 100 FEDERAL ST. BOSTON MA 02110	NEW YORK LIFE INSURANCE COMPANY		
PATRICK C. O'CONNOR, KENT & O'CONNOR 1919 PENNSYLVANIA AVE., NW, #300 WASHINGTON DC 20006	FIRST NATIONAL BANK OF BOSTON		
Do	AMERICAN DENTAL HYGIENISTS ASSN	1,267.75	722.08
Do	AMERICAN SUPPLY ASSOCIATION	5,830.64	5,716.45
Do	AMERICAN WAREHOUSEMEN'S ASSOCIATION		
GRADY O'CUMMINGS III, 2128 ATLANTIC AVE. BROOKLYN NY 11233	MOTOR CARRIER LAWYERS ASSN	6,273.10	3,021.04
JOHN B. O'DAY, SUITE 590 1700 PENNSYLVANIA AVE., NW WASHINGTON, DC 20006	NATIONAL COMMITTEE FOR POOR PEOPLE		
THOMAS A. O'DAY, 1110 VERMONT AVE., NW WASHINGTON DC 20005	INSURANCE ECONOMICS SOCIETY OF AMERICA		
ASHTON J. O'DONNELL, 50 BEALE ST., PO BOX 3965 SAN FRANCISCO CA 94119	ALLIANCE OF AMERICAN INSURERS	450.00	196.95
JANE O'GRADY, 815 16TH ST., NW WASHINGTON DC 20006	BECHTEL INC		
TERRI O'GRADY, 1600 RHODE ISLAND AVENUE, NW WASHINGTON DC 20036	AFL-CIO	14,441.31	72.27
BARBARA E. O'HARA, 4400 MACARTHUR BLVD., NW WASHINGTON DC 20007	NATIONAL RIFLE ASSN OF AMERICA	562.50	22.47
BARTLEY O'HARA, 25 LOUISIANA AVE., NW WASHINGTON DC 20001	AMERICAN SOCIETY OF TRAVEL AGENTS	100.00	
MATTHEW O'HARA, 1200 NEW HAMPSHIRE AVE., NW SUITE 370 WASHINGTON DC 20036	INTERNATIONAL BROTHERHOOD OF TEAMSTERS	12,208.23	
O'KEEFE ASHENDEN LYONS & WARD, ONE FIRST NATIONAL PLAZA - SUITE 5100 CHICAGO IL 60603	GENERAL MILLS, INC		
KATHLEEN O'LEARY, 1625 EYE ST., N. W. ROOM 301 WASHINGTON DC 20006	AMERICAN INVSCO CORPORATION		
O'MELVENY & MYERS, 1800 M ST., NW WASHINGTON DC 20036	COLUMBIA GAS DISTRIBUTION COMPANIES	3,500.00	127.59
Do	AIR TRANSPORT ASSN OF AMERICA	27,400.00	2,295.11
O'NEAL & CLAASSEN, CHTD., SUITE 952 600 NEW HAMPSHIRE AVE., NW WASHINGTON DC 20037	WARNER COMMUNICATIONS, INC	21,154.00	
Do	COMMODITY EXCHANGE, INC		
Do	INTERNATIONAL PRECIOUS METALS CORP		
Do	NATIONAL AIR TANKERS ASSN		
O'NEILL AND HAASE, P.C., SUITE 1110 1333 NEW HAMPSHIRE AVE., NW WASHINGTON DC 20036	NATIONAL REA TELEPHONE ASSN	1,980.00	
Do	ALLEGHENY COUNTY COMMISSION		
Do	BEER INDUSTRY ALLIANCE	3,600.00	
Do	COMMERCIAL UNION ASSURANCE COMPANIES		
Do	CRUISE AMERICA, INC		
Do	GLASS PACKAGING INSTITUTE	600.00	
Do	HARVARD MEDICAL CENTER		
Do	HOUSTON NATURAL GAS CORP		
Do	LEGISLATIVE ALLIANCE OF PHILATELISTS, HRD ASSET DLRS & CLTRS		
Do	TEXAS UTILITIES SERVICES, INC		
Do	U.S. FOOTBALL LEAGUE	1,600.00	
Do	WESTINGHOUSE ELECTRIC CORP		
Do	MILK INDUSTRY FOUNDATION	600.00	
DONALD K. O'NEILL, SUITE 2600 1000 WILSON BLVD. ARLINGTON VA 22209	TRW, INC	1,000.00	

Organization or Individual Filing	Employer/Client	Receipts	Expenditures
J. DENIS O'TOOLE, 1120 CONNECTICUT AVE., NW WASHINGTON DC 20036	AMERICAN BANKERS ASSN	4,500.00	
STEPHEN E. O'TOOLE, 1660 L STREET, N.W. WASHINGTON DC 20036	GENERAL MOTORS CORP	3,000.00	2,230.21
HARRY R. OBLEY, MELLON SQUARE PITTSBURGH PA 15230	MELLON BANK N.A. AND MELLON NATIONAL CORP	2,000.00	619.03
G. H. OCHENRIDER, 1000 WILSON BLVD. ARLINGTON VA 22209	GRUMMAN AEROSPACE CORPORATION	2,500.00	631.78
T. J. ODEN, 1619 MASSACHUSETTS AVE., NW WASHINGTON DC 20036	NATIONAL FOREST PRODUCTS ASSN	4,500.00	
BRADFORD C. OELMAN, 900 17TH ST., NW WASHINGTON DC 20006	OWENS-CORNING FIBERGLAS CORPORATION		
OIL INVESTMENT INST, PO BOX 8293 WASHINGTON DC 20024			
R.Q. OLD AND ASSOCIATES, INC., 205 THE STRAND ALEXANDRIA VA 22314	FORD AEROSPACE & COMMUNICATIONS CORP		
Do	GENERAL ELECTRIC CO		
Do	GRUMMAN AEROSPACE CORPORATION	200.00	
Do	SPERRY DIVISION	100.00	
ROBERT A. OLEXY, P.O. BOX 3151 HOUSTON TX 77001	BROWNING-FERRIS INDUSTRIES, INC		
ALVIN E. OLIVER, 725 15TH ST., NW WASHINGTON DC 20005	NATIONAL GRAIN & FEED ASSN		
AUSTIN P. OLNEY, 1333 NEW HAMPSHIRE AVE., NW, #1100 WASHINGTON DC 20036	LEBOEUF, LAMB, LEIBY & MACRAE (FOR: SHIPPING CORP OF INDIA, INC)		
DENNIS M. OLSEN, 485 E STREET IDAHO FALLS ID 83402	AETNA INSURANCE CO	18.85	2.27
Do	AMERICAN BANKER'S INSURANCE CO OF FLORIA	119.72	14.46
Do	CENTENNIAL INSURANCE COMPANY	8.98	1.10
Do	CHARTER OAK INSURANCE	9.11	1.10
Do	FLORISTS' MUTUAL INSURANCE CO	44.81	5.43
Do	FOREMOST INSURANCE CO	238.82	28.93
Do	GREAT AMERICAN INSURANCE COMPANY	25.59	3.07
Do	MINNEHOMA INSURANCE COMPANY	8.24	1.01
Do	MONSANTO CO	899.25	134.94
Do	NATIONAL FARMERS UNION PROPERTY & CASUALTY INSURANCE CO	42.19	5.13
Do	STATE FARM FIRE AND CASUALTY CO	20.72	2.49
Do	STATE FARM INSURANCE COMPANY	172.15	20.85
Do	STATE FARM MUTUAL AUTOMOBILE INSURANCE CO	280.02	33.92
Do	TRAVELER'S INDEMNITY OF RHODE ISLAND	11.11	1.31
Do	TRAVELERS	248.19	30.03
VAN R. OLSEN, 1156 15TH ST., NW, #1019 WASHINGTON DC 20006	U.S. BEET SUGAR ASSN		
ROY E. OLSON, 260 MADISON AVE. NEW YORK NY 10016	AMERICAN PAPER INST, INC		
ALAN M. OLSZEWSKI, 1608 K STREET, NW WASHINGTON DC 20006	AMERICAN LEGION	5,874.00	26.70
CLARK ONSTAD, SUITE 300 1201 PENNSYLVANIA AVE., NW WASHINGTON DC 20004	TEXAS AIR CORP. AND CONTINENTAL AIR LINES		
PHILIP C. ONSTAD, 500 WEST PUTNAM AVE. GREENWICH CT 06830	CONTROL DATA CORPORATION	50.00	257.33
ORGANIZATION OF PROFESSIONAL EMPLOYEES OF USDA, RM. 1414 S. BUILDING U.S. DEPT OF AGRICULTURE WASHINGTON DC 20250.		2,542.73	1,302.38
ABRAHAM ORLOFSKY, 1016 16TH STREET, NW WASHINGTON DC 20036	NATIONAL FEDERATION OF FEDERAL EMPLOYEES	1,100.88	
HIDEAKI OTAKA, SUITE 600 919 18TH STREET, NW WASHINGTON DC 20006	TOYOTA MOTOR SALES, USA, INC	136.00	312.65
ROLAND A. OUELLETTE, 1660 L ST., NW, #501 WASHINGTON DC 20036	GENERAL MOTORS CORP	3,600.00	2,322.42
CLIFF OUSE, 1800 MASSACHUSETTS AVE., N.W. WASHINGTON DC 20036	NATIONAL RURAL ELECTRIC COOPERATIVE ASSN	50.00	
OUTDOOR POWER EQUIPMENT INSTITUTE, SUITE 700 1901 L ST., NW WASHINGTON DC 20036			
CORDELL OVERGAARD JR , ONE FIRST NATIONAL PLAZA CHICAGO IL 60602	BIG PRAIRIE FARMS, INC		
JACK W. OWEN, SUITE 500 444 NORTH CAPITOL STREET, NW WASHINGTON DC 20001	AMERICAN HOSPITAL ASSN		426.87
THOMAS J. OWENS, P.O. BOX 12266 SEATTLE WA 98102	DOLLAR SAVINGS BANK AND WASHINGTON MUTUAL SAVINGS BANK	7,200.00	3,707.00
WILLIAM H. OWENS JR , SUITE 1002 1101 17TH ST., NW WASHINGTON DC 20036	AMERICAN DENTAL ASSN	1,000.00	
KATHERINE ANN OZER, 2000 P STREET, NW, #300 WASHINGTON DC 20036	U.S. STUDENT ASSN	1,500.00	75.00
R. RAY PAABO, SUITE 840 1100 CONNECTICUT AVENUE, NW WASHINGTON DC 20036	SANTA FE INDUSTRIES, INC	1,000.00	
JOHN N. PACKS, 1425 S STREET, NW WASHINGTON DC 20009	CITIZENS FOR A NUCLEAR FREEZE		
RONALD C. PADDOCK & COMPANY, 7025 N. CAMINO CANDELAS TUCSON AZ 85718	I.T.T. MEDTRONICS		
LEE W. PADEN, P.O. BOX 201 TULSA OK 74102	PUBLIC SERVICE COMPANY OF OKLAHOMA		
W. D. PAGE, SUITE 6 1581 PHOENIX BLVD. ATLANTA GA 30349	AMERICAN PLYWOOD ASSN		
GERI PALAST, SUITE 200 2020 K STREET, NW WASHINGTON DC 20006	SERVICE EMPLOYEES INTL UNION, AFL-CIO, CLC	5,000.00	444.02
JOHN M. PALATIELLO, 210 LITTLE FALLS STREET FALLS CHURCH VA 22046	AMERICAN CONGRESS ON SURVEYING & MAPPING	7,407.72	4,294.79
HENRY S. PALAU, 201 N WASHINGTON ST. ALEXANDRIA VA 22314	RETIRED OFFICERS ASSN	839.00	
WILLIAM STEVEN PALEOS, P.O. BOX 57466-0466 WASHINGTON DC 20037			
BRADLEY D. PALMER, 3238 WYNFORD DRIVE FAIRFAX VA 22031	U.S. DEFENSE COMMITTEE	1,200.00	
GERARD PAUL PANARO, WEBSTER & CHAMBERLAIN 1747 PENNSYLVANIA AVE., NW WASHINGTON DC 20006	RETAIL BAKERS ASSN	200.00	
FRED PANZER, 1875 EYE ST., NW, #800 WASHINGTON DC 20006	TOBACCO INSTITUTE	200.00	71.50
PAPERBOARD PACKAGING COUNCIL, SUITE 411 1101 VERMONT AVENUE, NW WASHINGTON DC 20005			
G. OLIVER PAPPS, N.J. PETROLEUM COUNCIL 170 W. STATE ST. TRENTON NJ 08608	AMERICAN PETROLEUM INST	205.00	307.14
PARAHO DEVELOPMENT CORPORATION, SUITE 300A 183 INVERNESS DRIVE WEST ENGLEWOOD CO 80112			439.80
HARRIET PARCELLS, 317 PENNSYLVANIA AVE., S.E. WASHINGTON DC 20003	ENVIRONMENTAL POLICY INSTITUTE	181.83	
HERSCHELL E. PARENT, ARKANSAS PETROLEUM COUNCIL 302 COMMERCIAL NATL. BANK BLDG. LITTLE ROCK AR 72201	AMERICAN PETROLEUM INST	562.50	839.35
JOHN N. PARKER, 1100 CONNECTICUT AVE., NW SUITE 620 WASHINGTON DC 20036	MOBIL OIL CORP	375.00	
KEN PARMELEE, 1155 15TH ST., NW SUITE 611 WASHINGTON DC 20005	ETHYL CORPORATION	2,000.00	
JACK PARTRIDGE, 1014 VINE ST. CINCINNATI OH 45201	KROGER COMPANY	2,000.00	956.48
ROBERT D. PARTRIDGE, 1800 MASSACHUSETTS AVE., NW WASHINGTON DC 20036	NATIONAL RURAL ELECTRIC COOPERATIVE ASSN	635.00	
PASKUS, GORDON & HYMAN, 2005 MASSACHUSETTS AVE., NW WASHINGTON DC 20036	NATIONAL MUSIC PUBLISHERS' ASSN	700.00	
RICHARD M. PATTERSON, 1800 M ST., NW, #700 SOUTH WASHINGTON DC 20036	DOW CHEMICAL CO	500.00	239.50
WILLIAM H. PATTERSON, 777 14TH ST., NW WASHINGTON DC 20005	GENERAL ELECTRIC CO	95.00	
KENTON H. PATTIE, 3150 SPRING ST. FAIRFAX VA 22031	NATIONAL AUDIO-VISUAL ASSN, INC	3,337.50	
DAVID J. PATTISON, 1750 K ST., NW WASHINGTON DC 20006	HEALTH INSURANCE ASSOCIATION OF AMERICA, INC		
PATTON BOGGS & BLOW, SUITE 800 2550 M ST., NW WASHINGTON DC 20037	AIWA AMERICA, INC	167.67	1.36
Do	AKAI AMERICA, LTD	382.40	3.08
Do	AMERICAN COLLEGE OF MORTGAGE ATTORNEYS	2,100.00	
Do	AMERICAN CONGRESS OF SURVEYORS AND MAPPERS	877.50	
Do	AMERICAN INTERNATIONAL AUTOMOBILE DEALERS ASSN		
Do	AMERICAN MARITIME ASSN	1,390.00	363.80
Do	AMERICAN MOVERS CONFERENCE		
Do	AMERICAN SOCIETY OF ASSN EXECUTIVES		
Do	ARTPAC		
Do	ASOCIACION DE AZUCAREROS DE GUATEMALA		
Do	ASSOCIATION OF TRIAL LAWYERS OF AMERICA	7,370.00	101.75
Do	BURLINGTON INDUSTRIES, INC	72.50	
Do	BUSINESS ROUNDTABLE	200.00	
Do	CASTLE & COOKE, INC		
Do	CHICAGO BOARD OPTIONS EXCHANGE		
Do	CHRYSLER CORPORATION		
Do	COUNCIL OF STATE CHAMBERS OF COMMERCE		
Do	DUTY FREE SHOPPERS, LTD	250.00	
Do	ENERGY RESEARCH CORPORATION	125.00	
Do	FLUOR CORPORATION		
Do	FUJI PHOTO FILM U.S.A., INC	611.83	4.93
Do	HITACHI SALES CORP OF AMERICA	2,559.11	20.64
Do	E.F. HUTTON LIFE INSURANCE COMPANY	750.00	
Do	INDECO, INC		
Do	INSTITUTE OF SCRAP IRON & STEEL, INC	605.00	
Do	KENWOOD U.S.A. CORPORATION	176.49	1.43
Do	KONISHIROKU AMPEX CO, LTD	329.45	2.65
Do	LASCO SHIPPING COMPANY		
Do	LITTON INDUSTRIES, INC		
Do	LOCKHEED AIRCRAFT		
Do	LOOP, INC	3,055.00	
Do	LOSS RESERVE DEDUCTION COMMITTEE		
Do	MARATHON OIL CO		
Do	MARS, INC	625.00	
Do	MATSUSHITA ELECTRIC CORP OF AMERICA	994.23	8.02
Do	MAXELL CORP OF AMERICA	861.86	6.95
Do	MCI TELECOMMUNICATIONS, INC		
Do	MITSUSHITA ELECTRIC CORP OF AMERICA	8,339.15	67.27
Do	MOCATTA METALS CORP		
Do	NAKAMICHI U.S.A. CORP	173.55	1.40
Do	NATIONAL ASSN OF RETAIL DRUGGIST	500.00	

Organization or Individual Filing	Employer/Client	Receipts	Expenditures
Do	NATIONAL ASSN OF SMALL BUSINESS INVESTMENT COS		
Do	NATIONAL CABLE TELEVISION ASSN., INC	500.00	
Do	NATIONAL COALITION FOR PORT PROGRESS		
Do	NATIONAL MARINE MFRS ASSN	1,500.00	54.63
Do	NATIONAL SOFT DRINK ASSN		
Do	NEC ELECTRONICS (USA) INC	761.85	6.14
Do	NEW PROCESS CO		
Do	OCEAN MINERALS CO	4,465.00	
Do	OSG BULK SHIPS, INC		
Do	PENN CENTRAL CORPORATION		
Do	PIONEER ELECTRONICS (U.S.A.) INC	355.92	2.87
Do	PPG INDUSTRIES, INC	12,442.50	
Do	READER'S DIGEST ASSN, INC	5,000.00	
Do	REDWOOD INDUSTRY PARK COMM	625.00	
Do	RETAIL TAX COMMITTEE	750.00	167.50
Do	ROCKWELL INTERNATIONAL CORP		
Do	SANSUI ELECTRONICS CORP	147.08	1.19
Do	SANYO ELECTRIC INC	2,685.59	21.66
Do	SHARP ELECTRONICS CORP	1,208.96	9.75
Do	SLURRY TRANSPORT ASSN	28,500.00	373.95
Do	SONY CORPORATION OF AMERICA	4,529.91	36.54
Do	ST. JOE MINERALS CORP	125.00	
Do	STATE OF LA, DEPT OF CONSERVATION		
Do	SULTANATE OF OMAN	3,125.00	
Do	SUMITOMO 3M LTD	352.98	2.84
Do	TDK U.S.A. CORP	994.23	8.02
Do	TEAC CORP	329.45	2.65
Do	TEKNIKA ELECTRONICS CORP	5.88	.03
Do	TOSHIBA AMERICAN, INC	1,214.84	9.80
Do	US JVC CORPORATION	1,879.62	8.92
Do	VICTOR MAGNETAPE CO, LTD	358.86	2.89
Do	ZEISS AVIONICS SYSTEMS, INC	892.50	
ANDREW R. PAUL, 1875 EYE STREET, NW, #940 WASHINGTON DC 20006	GULF & WESTERN INDUSTRIES, INC	1,000.00	76.35
CARL F. PAUL, 1320 19TH STREET, NW, #200 WASHINGTON DC 20036	BURCH & ASSOCIATES, P.C. (FOR: M.A.N. TRUCK & BUS CORP)		
PAUL HASTINGS JANOFSKY & WALKER, 6TH FLOOR 1050 THOMAS JEFFERSON ST., NW WASHINGTON DC 20007	AMERICAN TELEPHONE & TELEGRAPH CO		
Do	CALIFORNIA PORTLAND CEMENT CO	14,109.00	
Do	GAF CORPORATION		
Do	SECURITY LIFE OF DENVER	5,001.61	71.25
PAUL WEISS RIFKIND WHARTON & GARRISON, 345 PARK AVE. NEW YORK NY 10154	COLT INDUSTRIES, INC		
LARRY E. PAULICK, 2000 K ST., NW WASHINGTON DC 20006	NATIONAL SPA & POOL INSTITUTE		
RICHARD A. PAYSOR, SUITE 135 1415 ELBRIDGE PAYNE RD. ST. LOUIS MO 63017	FIRST CAPITOL ASSOCIATES - GATEWAY, INC		
PEABODY, LAMBERT & MEYERS, 1150 CONNECTICUT AVENUE, NW WASHINGTON DC 20036	MICHIGAN KNIFE CO	1,486.00	
JAMES M. PEIRCE JR., 1016 16TH ST., NW WASHINGTON DC 20036	NATIONAL FEDERATION OF FEDERAL EMPLOYEES	1,613.62	
PELTON RESEARCH CENTER, 1400 S. JOYCE STREET ARLINGTON VA 22202	HELP, INC		
ELIN PELTZ, 723 INVESTMENT BUILDING WASHINGTON DC 20005	HAWAIIAN SUGAR PLANTERS' ASSN	300.00	95.00
HUMBERTO R. PENA, 1155 15TH ST., NW WASHINGTON DC 20005	BRISTOL-MYERS CO	500.00	
ANDREW PENN, 918 16TH STREET, NW WASHINGTON DC 20006	AMERICAN LOGISTICS ASSN		
PENNSYLVANIA POWER & LIGHT CO, 2 N. 9TH ST. ALLENTOWN PA 18101			1,203.45
DONALD PENNY, SUITE 250 2020 K ST., NW WASHINGTON DC 20006	WARNER COMMUNICATIONS INC		3,470.00
DOMINIC V. PENSABENE, 1700 K ST., NW WASHINGTON DC 20006	CHEVRON USA, INC	1,100.00	
GREGORY M. PENSABENE, 1100 CONNECTICUT AVE., NW, #840 WASHINGTON DC 20036	SANTA FE INDUSTRIES, INC	2,056.00	
PENSION RIGHTS CENTER, 1346 CONNECTICUT AVE., NW WASHINGTON DC 20036			74.53
PEPPER & CORAZZINI, 1776 K ST., NW WASHINGTON DC 20006	SOUTHERN SATELITE SYSTEMS INC	500.00	8.00
PEPPER HAMILTON & SCHEETZ, 1777 F STREET, NW WASHINGTON DC 20006	ALARM DEVICE MANUFACTURING CO		
Do	ALARM IND TELECOMM COMM OF NATL BURGLAR & FIRE ALARM ASSN	4,891.25	
Do	COALITION OF CONCERNED CHARITIES		
Do	COLD FINISHED STEEL BAR INST	552.51	20.00
Do	DIRECT BROADCAST SATELLITE CORP		
Do	FOCUS		
Do	GENERAL DYNAMICS CORP	437.50	
Do	SOUTHERN PACIFIC COMMUNICATION CO		
Do	STROMBERG-CARLSON CORPORATION	1,687.50	
Do	TRT TELECOMMUNICATIONS CORPORATION		
Do	TURNER BROADCASTING SYSTEM, INC		
Do	U.S. CANE SUGAR REFINERS' ASSN		
Do	UNITED TECHNOLOGIES COMMUNICATIONS COMPANY	3,120.75	
BARBARA K. PEQUET, 1921 KALORAMA RD., NW, #103 WASHINGTON DC 20009	NATIONAL CONSUMERS LEAGUE		
VICTOR J. PERINI JR., 1776 MASSACHUSETTS AVE., NW WASHINGTON DC 20036	HIGHWAY USERS FEDERATION FOR SAFETY & MOBILITY		
PERITO, DUERK, CARLSON & PINCO, P.C., 1140 CONNECTICUT AVE., NW WASHINGTON DC 20036	ADVANCED HEALTH SYSTEMS, INC		
Do	COMBINED HEALTH RESOURCES, INC	625.00	100.00
Do	NATIONAL ASSN OF ALCOHOLISM TREATMENT PROGRAMS, INC		
Do	SAMARITAN HEALTH SERVICE	625.00	100.00
Do	SOCIETY OF REAL ESTATE APPRAISERS	1,192.50	181.00
PERKINS COIE STONE OLSEN & WILLIAMS, SUITE 1200 1110 VERMONT AVENUE, NW WASHINGTON DC 20005	BURLINGTON NORTHERN, INC		
Do	DEPARTMENT OF NATURAL RESOURCES		
TONY PERKINS, 1800 MASSACHUSETTS AVE., NW WASHINGTON DC 20036	NATIONAL RURAL ELECTRIC COOPERATIVE ASSN	100.00	
GARY J. PERKINSON, 1700 NORTH MOORE STREET 1925 ROSSYLN CENTER BUILDING ARLINGTON VA 22209	BENEFICIAL MANAGEMENT CORPORATION OF AMERICA		
ERNEST MICHAEL PERLEY, 112 ST CLAIR AVENUE, WEST, #504 TORONTO, ONTARIO N4V 2Y3	CANADIAN COALITION ON ACID RAIN	424.20	270.02
JEFFRY L. PERLMAN, 1615 H ST., NW WASHINGTON DC 20062	CHAMBER OF COMMERCE OF THE U.S.	2,420.00	154.21
LEONARD PERLMAN, SUITE 400 5203 LEESBURG PIKE FALLS CHURCH VA 22041	AMERICAN PERSONNEL & GUIDANCE ASSN	7,450.00	301.96
MARK PERMAR, P.O. BOX 12910 CHARLESTON SC 29142	KIAWAH ISLAND COMPANY	80.00	883.25
SUSAN PERRY, 1025 CONNECTICUT AVENUE, NW WASHINGTON DC 20036	AMERICAN BUS ASSN	2,687.50	75.00
JOHN J. PESCH, 3422 STONEYBRAE DRIVE FALLS CHURCH VA 22044	NORTHROP CORPORATION		
EDWARD B. PETERSEN, SUITE 700 1025 CONNECTICUT AVENUE, NW WASHINGTON DC 20036	GULF OIL CORP	50.00	47.00
A. HAROLD PETERSON, 715 CARGILL BLDG. MINNEAPOLIS MN 55402	NATIONAL R.E.A. TELEPHONE ASSN	1,500.00	810.21
GEOFFREY G. PETERSON, SUITE 1300 425 13TH ST., NW WASHINGTON DC 20004	DISTILLED SPIRITS COUNCIL OF THE U.S.	2,000.00	400.00
KENNETH PETERSON, 815 16TH ST., NW WASHINGTON DC 20006	AFL-CIO	14,385.70	147.41
LARS E. PETERSON, 1750 K STREET, NW WASHINGTON DC 20006	FOOD MARKETING INSTITUTE	450.00	
MARY B. PETERSON, 1660 L ST., NW WASHINGTON DC 20036	GENERAL MOTORS CORP	3,000.00	1,329.88
RUSSELL W. PETERSON, 950 THIRD AVENUE NEW YORK NY 10022	NATIONAL AUDUBON SOCIETY		
PETERSON, ENGBERG & PETERSON, SUITE 907 1730 M ST., NW WASHINGTON DC 20036	FEDERATED RESEARCH CORP	18,000.00	452.42
SUSAN F. PETNIUNAS, SUITE 214 1025 CONNECTICUT AVENUE, NW WASHINGTON DC 20034	JOHNS-MANVILLE CORPORATION	500.00	
MICHAEL J. PETRINA JR., 1155 15TH ST., NW WASHINGTON DC 20005	PHARMACEUTICAL MANUFACTURERS ASSN	4,000.00	104.95
PAUL F. PETRUS, 1100 CONNECTICUT AVE., NW WASHINGTON DC 20036	MOBIL OIL CORP	1,200.00	
H. WILLIAM PETRY, P.O. BOX 1927 SPARTANBURG SC 29304	MILLIKEN RESEARCH CORP		
JAMES R. PHALEN, 1100 CONNECTICUT AVE., NW SUITE 820 WASHINGTON DC 20036	MAPCO INC	3,250.00	196.81
PHARMACEUTICAL MANUFACTURERS ASSN., 1100 15TH STREET, NW WASHINGTON DC 20005		30,705.26	30,705.26
GWEN PHARO, 1101 S. ARLINGTON RIDGE RD., #1213 ARLINGTON VA 22202	OILFIELD INDUSTRIAL LINES, INC		
MARSHALL A. PHARR, P.O. BOX 1261 AMARILLO TX 79170	SOUTHWESTERN PUBLIC SERVICE CO	2,631.60	187.41
PHELPS, DUNBAR, MARKS, CLAVERIE & SIMS, 1300 HIBERNIA BANK BUILDING NEW ORLEANS LA 70112	ESTATE OF SYLVIA S. BURING		
DEBORAH M. PHILLIPS, SUITE 320 1200 NEW HAMPSHIRE AVE., NW WASHINGTON DC 20036	GENERAL INSTRUMENT CORP		
JOHN D. PHILLIPS, SUITE 503 1717 MASSACHUSETTS AVE., NW WASHINGTON DC 20036	NATIONAL ASSN OF INDEPENDENT COLLEGES & UNIVERSITIES	15,000.00	455.00
RICHARD F. PHILLIPS, 1825 K STREET,N.W. SUITE 1107 WASHINGTON DC 20006	PHILLIPS PETROLEUM COMPANY		
SUSAN L. PHILLIPS, 815 16TH ST., NW WASHINGTON DC 20006	INDUSTRIAL UNION DEPARTMENT, AFL-CIO	3,199.50	23.65
WILLIAM G. PHILLIPS, D.C. ASSOCIATES, INC. 402 THIRD STREET, SE WASHINGTON DC 20003	ASSOCIATION OF UNIV. PROGRAMS IN OCCUPA HEALTH & SAFETY	4,500.00	132.65
Do	ASSOCIATION OF UNIVERSITY ENVIRONMENTAL HEALTH CENTERS		
Do	HARVARD SCHOOL OF PUBLIC HEALTH	1,475.00	403.54
Do	METAL TRADES DEPARTMENT, AFL-CIO	700.00	67.80
SAM PICKARD, 1101 17TH ST., NW, #604 WASHINGTON DC 20036	MONSANTO CO	500.00	
BILL PICKENS, 1111 19TH ST., NW SUITE 900 WASHINGTON DC 20036	EDISON ELECTRIC INSTITUTE	1,750.00	58.48
W.D. PICKETT, 400 FIRST ST. WASHINGTON DC 20001	BROTHERHOOD OF RAILROAD SIGNALMEN	350.00	
PIERSON BALL & DOWD, 1200 18TH ST., NW WASHINGTON DC 20036	ASPEN SYSTEMS CORPORATION	2,001.11	
Do	COMMUNITY PSYCHIATRIC CENTERS	1,282.00	

Organization or Individual Filing	Employer/Client	Receipts	Expenditures
Do	DUN & BRADSTREET CORP		
Do	GENENTECH, INC	1,562.00	
Do	GENERAL TIRE & RUBBER COMPANY	1,750.00	
Do	INDEPENDENT TELECOMMUNICATIONS SUPPLIERS' COUNCIL	3,209.67	
Do	INFECTIOUS DISEASES SOCIETY OF AMERICA	4,617.31	
Do	INTERNATIONAL FUTURES EXCHANGE (BERMUDA) LTD		
Do	INTEX HOLDINGS (BERMUDA) LTD		
Do	NATIONAL ASSN OF CASUALTY & SURETY AGENTS	7,105.56	
Do	NATIONAL MUSIC PUBLISHERS ASSN	1,670.67	
Do	PHARMACEUTICAL MANUFACTURERS ASSN	2,218.96	
Do	SATELLITE BUSINESS SYSTEMS	2,500.00	
Do	WESTERN FARMERS ELECTRIC COOPERATIVE		
PIERSON SEMMES CROLIUS & FINLEY, 1054 31ST., NW WASHINGTON DC 20007	AMERICAN LAND TITLE ASSN	2,907.50	328.23
STUART F. PIERSON, VERNER, LIIPFERT, BERNHARD, & MCPHERSON 1660 L ST., NW, #1100 WASHINGTON DC 20036	PAN AM, ET AL		
RENA S. PIES, 1611 N. KENT ST., #900 ARLINGTON VA 22209	AMERICAN FOOTWEAR INDUSTRIES ASSN		
DANIEL J. PILIERO II , 1750 PENNSYLVANIA AVENUE, NW WASHINGTON DC 20006	AD HOC COMMITTEE FOR RESPONSIBLE TAX POLICY	1,250.00	770.00
PILOTS RIGHTS ASSOCIATION, P.O. BOX 7000-367 REDONDO BEACH CA 90277		8,519.00	7,540.10
PINEAPPLE GROWERS ASSN OF HAWAII, P.O. BOX 3829 HONOLULU HI 96813			
LINDA PINEGAR, 1709 NEW YORK AVE., NW WASHINGTON DC 20006	AIR TRANSPORT ASSN OF AMER	3,000.00	
LILLIAN M.S. PITCAITHLY, SUITE 209 1025 CONNECTICUT AVENUE, NW WASHINGTON DC 20036	AMERICAN BUSINESS CONFERENCE	120.00	25.00
PLAINS COTTON GROWERS, INC, PO BOX 3640 LUBBOCK TX 79452			
PLANNED PARENTHOOD FEDERATION OF AMERICA, INC., SUITE 303 1220 19TH STREET, NW WASHINGTON DC 20036		1,788.51	1,788.51
PLANNED PARENTHOOD OF NEW YORK CITY, INC, 380 SECOND AVENUE NEW YORK NY 10010			89.00
WYLL W. PLEGER, 1730 RHODE ISLAND AVENUE, N.W. # 213 WASHINGTON DC 20036	BROWN & ROOT, INC		
RONALD L. PLESSER, BLUM & NASH 1015 18TH ST., NW, #408 WASHINGTON DC 20036	TWIN COASTS NEWSPAPER, INC	125.00	4.00
MICHAEL PODHORZER, SUITE 401 1300 CONNECTICUT AVENUE, NW WASHINGTON DC 20036	CITIZEN/LABOR ENERGY COALITION		
SHERMAN S. POLAND, ROSS, MARSH & FOSTER 888 16TH STREET, NW WASHINGTON DC 20006	DORCHESTER GAS PRODUCING CO		
NANCY POLIKOFF, 2000 P STREET, NW, #400 WASHINGTON DC 20036	WOMEN'S LEGAL DEFENSE FUND		
RICHARD J. POLLACK, 444 NORTH CAPITOL STREET, NW WASHINGTON DC 20001	AMERICAN HOSPITAL ASSN	3,703.11	654.17
FRANCES A. POLLAK, SUITE 390 1850 K STREET, NW WASHINGTON DC 20006	UNION CAMP CORPORATION	923.04	883.71
ALFRED M. POLLARD, SUITE 702 1901 L STREET, NW WASHINGTON DC 20036	SECURITY PACIFIC NATIONAL BANK		
KAREN POLLITZ, 2030 M STREET, NW WASHINGTON DC 20036	COMMON CAUSE	4,173.02	
NATHANIEL POLSTER, 2128 WYOMING AVE., NW WASHINGTON DC 20008	AMERICAN CANCER SOCIETY, ET AL		250.00
RAYMOND K. POPE, 1639 K ST., NW, #800 WASHINGTON DC 20006	AMFAC, INC	3,437.49	261.40
PAULA D. PORPILIA, 1120 CONNECTICUT AVENUE, N.W. SEVENTH FLOOR WASHINGTON DC 20036	AMERICAN BANKERS ASSN	850.00	117.92
PORT OF SEATTLE, P.O. BOX 1209 SEATTLE WA 98111			
PHILLIP PORTE & ASSOCS., INC., SUITE 208 1301 ARLINGTON RIDGE RD. ARLINGTON VA 22202	NATIONAL ASSN OF MEDICAL DIRECTORS OF RESPIRATORY CARE	3,000.00	
Do	AMERICAN ASSN FOR RESPIRATORY THERAPY	9,000.00	
PORTER, WRIGHT, MORRIS & ARTHUR, 37 WEST BROAD STREET COLUMBUS OH 43215	COALITION FOR ENVIRONMENTAL-ENERGY BALANCE		2,637.44
SHARON T. PORTNOY, ONE PENN PLAZA NEW YORK NY 10001	NATIONAL COMMERCIAL FINANCE CONFERENCE	3,052.50	70.41
JOHN MICHAEL POWDERLY, 815 16TH ST., NW, #706 WASHINGTON DC 20006	UNITED STEELWORKERS OF AMER	9,900.61	
POWELL GOLDSTEIN FRAZER & MURPHY, SUITE 1050 1110 VERMONT AVE., NW WASHINGTON DC 20005	AHRENS AIRCRAFT, INC		
Do	ASSOCIATION OF EXECUTIVE SEARCH CONSULTANTS, INC		
Do	COALITION FOR EMPLOYMENT THROUGH EXPORTS		
Do	COMMITTEE AGAINST REGULATION OF VIDEO ENTERPRISES		
Do	CORNING ASSOCIATES	600.00	
Do	COUNCIL OF STATE HOUSING AGENCIES	250.00	
Do	FEDERAL NATIONAL MORTGAGE ASSN		
Do	GOVERNMENT OF NICARAGUA	600.00	
Do	INTERGRAPH CORPORATION		
Do	INTERNATIONAL PAPER COMPANY	12,690.00	47.85
Do	JACQUES BOREL ENTERPRISES, INC	4,900.00	11.40
Do	MARYLAND SAVINGS-SHARE INSURANCE CORP		
Do	NATIONAL COUNCIL FOR INDUSTRIAL INNOVATION		
Do	NATIONAL MULTI HOUSING COUNCIL		
Do	SECURITY LIFE OF DENVER		
Do	WESTINGHOUSE ELECTRIC CORPORATION		
RICHARD M. POWELL, 7315 WISCONSIN AVE. WASHINGTON DC 20014	INTERNATIONAL ASSN OF REFRIGERATED WAREHOUSES		297.51
ROBERT D. POWELL, SUITE 400 1300 19TH ST., NW WASHINGTON DC 20036	NATIONAL BUSINESS AIRCRAFT ASSN		
JANET POWER, 1620 I ST., NW WASHINGTON DC 20006	VISA USA, INC		
JOHN J. POWER, 815 16TH ST., NW WASHINGTON DC 20006	AFL-CIO	13,573.69	
GRAYDON R. POWERS JR , 1101 16TH ST., NW WASHINGTON DC 20036	SCIENTIFIC APPARATUS MAKERS ASSN		
BRAINARD E. PRESCOTT, 670 MAIN ST. EAST AURORA NY 14052	SECURITY NEW YORK STATE CORPORATION	2,250.00	25.00
LLOYD T. PRESLAR, 1225 19TH ST., NW WASHINGTON DC 20036	DGA INTL, INC (FOR: AIRBUS INDUSTRIE)		
Do	DGA INTERNATIONAL, INC. (FOR: SOFREAVIA)		
PRESTON THORGRIMSON ELLIS & HOLMAN, 1776 G ST., NW, #500 WASHINGTON DC 20006	AMERICAN PRESIDENT LINES	375.00	
Do	AMERICAN WATERWAYS SHIPYARD CONFERENCE		
Do	BELLINGHAM COLD STORAGE		
Do	BOEING COMPANY		
Do	CALISTA CORP		
Do	CHUGACH NATIVES, INC	337.50	
Do	CITIES FOR CABLE		
Do	COMMERCIAL UNION ASSURANCE COMPANIES		
Do	COUNCIL OF AMERICAN-FLAG SHIP OPERATORS	10,993.00	
Do	DRAVO CORPORATION		
Do	GENERAL TELEPHONE & ELECTRONICS	690.00	
Do	MOORE MCCORMACK RESOURCES, INC	528.00	
Do	NORTHERN TIER PIPELINE CO		
Do	PHARMACEUTICAL MANUFACTURING ASSN	437.50	
Do	PORT OF SEATTLE	416.50	
Do	ST. JOE MINERALS CORP		
Do	TENNESSEE GAS PIPELINE CO		
Do	TRANSPORTATION INSTITUTE		
Do	U.S. CRUISES, INC		
Do	WESTERN RESOURCE ALLIANCE	2,181.95	
Do	WOMETCO ENTERPRISES, INC	1,903.00	75.77
Do	YARDARM KNOT CORPORATION		
Do	ALASKA LUMBER & PULP CO./LOUISIANA PACIFIC OF KETCHIKAN		
KEITH A. PRETTY, 322 W. OTTAWA LANSING MI 48933	STANDARD OIL CO (INDIANA)		
FORREST J. PRETTYMAN, 730 15TH ST., NW WASHINGTON DC 20005	ASSOCIATION OF BANK HOLDING COS	1,031.25	
BARBARA J. PRICE, SUITE 1107 1825 K STREET, NW WASHINGTON DC 20006	PHILLIPS PETROLEUM COMPANY		
WOODRUFF M. PRICE, 840 WASHINGTON BLDG. 15TH ST. & NEW YORK AVE. WASHINGTON DC 20005	CSX CORPORATION	3,000.00	400.40
PATRICIA PRIDE, 1129 20TH ST., NW WASHINGTON DC 20036	FINANCIAL ACCOUNTING STANDARDS BOARD	264.04	91.11
BEVERLY HINES PRINCE, 1620 EYE STREET N.W. WASHINGTON DC 20006	VISA USA, INC		
GWENYTH PRITCHARD, SUITE 695 600 MARYLAND AVE., SW WASHINGTON DC 20024	NATIONAL FEDERATION OF INDEPENDENT BUSINESS	2,250.00	200.00
JERRY C. PRITCHETT, SUITE 750 5530 WISCONSIN AVE., NW WASHINGTON DC 20015	MECHANICAL CONTRACTORS ASSN OF AMER, INC		
PRO-LIFE CDAC 12, P.O. BOX 7145 MENLO PARK CA 94025		162.60	1,327.65
PRO-LIFE CONGRESSIONAL DIST ACTION COMM, IN/2, 208 TINKLER LAFAYETTE IN 47901			
SYDNEY PROBST, 729 15TH STREET, NW WASHINGTON DC 20005	ASSOCIATED BUILDERS & CONTRACTORS, INC	2,500.00	
STUART PROCTOR, 600 MARYLAND AVE., SW WASHINGTON DC 20024	AMERICAN FARM BUREAU FED	5,188.00	100.00
PROFIT SHARING COUNCIL OF AMER, 20 N. WACKER DRIVE CHICAGO IL 60606			
PROJECT ADVISORY GROUP, 1029 VERMONT AVE., NW SUITE 860 WASHINGTON DC 20005			
PROPRIETARY ASSN, 1700 PENNSYLVANIA AVE., NW WASHINGTON DC 20006			2,837.50
PROSKAUER ROSE GOETZ & MENDELSOHN, 1150 CONNECTICUT AVENUE, NW WASHINGTON DC 20036	TORONTO STOCK EXCHANGE		
DAVID P. PROSPERI, 1725 K STREET, NW, #909 WASHINGTON DC 20006	SUPERIOR OIL COMPANY & SUPERIOR FARMING COMPANY		
PRUDENTIAL-BACHE SECURITES INC., 100 GOLD ST. NEW YORK NY 10272	BACHE, HALSEY, STUART, SHIELDS INC		750.00
JAMES C. PRUITT, SUITE 500 1050 17TH STREET, NW WASHINGTON DC 20036	TEXACO, INC	78.00	
STEVEN L. PRUITT, SUITE 308 815 16TH STREET, NW WASHINGTON DC 20006	PUBLIC EMPLOYEE DEPARTMENT, AFL-CIO	10,499.97	
PUBLIC EMPLOYEE DEPARTMENT, AFL-CIO, 815 16TH ST., NW WASHINGTON DC 20006		39,396.36	21,716.29
DAVID E. PULLEN, 1025 CONNECTICUT AVE., NW, #214 WASHINGTON DC 20036	JOHNS-MANVILLE CORPORATION	1,000.00	
F. EUGENE PURCELL, 1919 PENNSYLVANIA AVE., N.W. SUITE 300 WASHINGTON DC 20036	LONE STAR INDUSTRIES, INC	1,000.00	205.00
WILLIAM E. PURSLEY, 1025 CONNECTICUT AVENUE, NW WASHINGTON DC 20036	SHELL OIL COMPANY	500.00	
EARLE W. PUTNAM, 5151 WISCONSIN AVE., NW WASHINGTON DC 20016	AMALGAMATED TRANSIT UNION, AFL-CIO		

Organization or Individual Filing	Employer/Client	Receipts	Expenditures
HOWARD PYLE III, 4930 QUEBEC ST., NW WASHINGTON DC 20016	HOUSTON LIGHTING & POWER COMPANY	3,600.00	
ROBERT N. PYLE, P.O. BOX 3731 WASHINGTON DC 20007	INDEPENDENT BAKERS ASSN	3,000.00	
JOHN R. QUARLES JR , MORGAN, LEWIS & BOCKIUS 1800 M ST., NW WASHINGTON DC 20036	NATIONAL ENVIRONMENTAL DEVELOPMENT ASSN CLEAN AIR ACT PROJ.	2,000.00	50.00
JAMES M. QUIGLEY, SUITE 540 1875 EYE STREET, NW WASHINGTON DC 20006	CHAMPION INTERNATIONAL CORPORATION		
WILLIAM A. QUINLAN, 3045 RIVA RD. RIVA MD 21140	NATIONAL CANDY WHOLESALERS ASSN, INC.		
Do	RETAIL BAKERS OF AMERICA		
QUINTANA REFINERY COMPANY, P.O. BOX 3331 HOUSTON TX 77001			
CLIFFORD RABER, ONE MCDONALD'S PLAZA OAK BROOK IL 60521	MCDONALD'S SYSTEMS, INC.		
ALEX RADIN, 2301 M ST., NW WASHINGTON DC 20036	AMERICAN PUBLIC POWER ASSN	533.64	
TESS A. RAE, 1850 K STREET, NW WASHINGTON DC 20006	AMERICAN COUNCIL OF LIFE INSURANCE		
RICHARD W. RAHN, 1615 H ST., NW WASHINGTON DC 20062	CHAMBER OF COMMERCE OF THE U.S.	1,416.00	212.06
TOM RAILSBACK, 1600 EYE STREET, NW WASHINGTON DC 20006	MOTION PICTURE ASSN OF AMERICA, INC	2,030.00	618.59
RAILWAY LABOR EXECUTIVES' ASSN, 400 FIRST ST., NW SUITE 804 WASHINGTON DC 20001		67,550.00	123,008.26
RAILWAY PROGRESS INST, 700 NORTH FAIRFAX ST. ALEXANDRIA VA 22314			
JOYCE RAMONAS, SUITE 480 1990 M ST., NW WASHINGTON DC 20006	DETROIT EDISON COMPANY	225.00	115.00
DONALD A. RANDALL, SUITE 1205 1625 K ST., NW WASHINGTON DC 20006	AUTOMOTIVE SERVICE COUNCILS, INC	850.00	
ROBERT RANDALL, 709-A 8TH ST., SE WASHINGTON DC 20003	ALLIANCE FOR CANNABIS THERAPEUTICS	1,047.00	
RANDALL, BANGERT & PRICE, 1625 K ST., NW WASHINGTON DC 20006	BUSINESS ROUNDTABLE	1,200.00	
Do	GROCERY MANUFACTURERS OF AMERICA	300.00	
Do	NATIONAL INDEPENDENT DAIRY-FOODS ASSN	1,200.00	
Do	PHARMACEUTICAL MANUFACTURERS ASSN		
CAROL RANDLES, 1771 N STREET, NW WASHINGTON DC 20036	NATIONAL ASSN. OF BROADCASTERS	1,500.00	571.00
R. RAY RANDLETT, 1150 CONNECTICUT AVE., NW, #700 WASHINGTON DC 20036	ALLIED CORP	275.00	4.00
D. MICHAEL RAPPOPORT, P.O. BOX 1980 PHOENIX AZ 85001	SALT RIVER PROJECT	1,680.00	3,464.49
RARE ANIMAL RELIEF EFFORT, INC, C/O NATIONAL AUDUBON SOC 950 THIRD AVE. NEW YORK NY 10022			
CARL L. RASAK, 8301 FORT HUNT ROAD ALEXANDRIA VA 22308			
MAGDA RATAJSKI, 920 15TH ST., NW WASHINGTON DC 20005	NORFOLK SOUTHERN CORPORATION	1,000.00	
HELEN RAUCH, 1755 MASSACHUSETTS AVENUE, NW, #300 WASHINGTON DC 20036	CONSORTIUM OF SOCIAL SCIENCE ASSOCIATIONS	898.38	
CAROL L. RAULSTON, 1619 MASSACHUSETTS AVE., NW WASHINGTON DC 20036	AMERICAN PAPER INST, INC	2,850.00	92.00
G. DAVID RAVENCRAFT, SUITE 507 1025 CONNECTICUT AVE., NW WASHINGTON DC 20036	ASHLAND OIL, INC	2,000.00	
EILER C. RAVNHOLT, 723 INVESTMENT BLDG. WASHINGTON DC 20005	HAWAIIAN SUGAR PLANTERS' ASSN	450.00	208.50
W. RANDALL RAWSON, 3251 OLD LEE HIGHWAY, #501 FAIRFAX VA 22030	NATIONAL LIMESTONE INST, INC	7,017.23	
RAYMARK CORPORATION, 100 OAKVIEW DRIVE TRUMBULL CT 06611			200.00
J. GENE RAYMOND, 1016 16TH ST., NW WASHINGTON DC 20036	NATIONAL FEDERATION OF FEDERAL EMPLOYEES	1,135.21	
RBC ASSOCIATES, 324 FOURTH STREET, NE WASHINGTON DC 20002	BANGOR & AROOSTOOK RAILROAD	3,000.00	1,428.39
Do	BOSTON & MAINE RAILROAD	3,166.66	1,518.32
Do	CHICAGO & NORTH WESTERN TRANSPORTATION CORP	21,000.00	1,757.22
Do	DELAWARE OTSEGO SYSTEM	12,000.00	1,428.39
Do	GENESEE & WYOMING CORP	750.00	1,428.39
Do	PANDROL	1,500.00	1,428.39
Do	PITTSBURG & SHAWMUT RAILROAD	2,100.00	1,428.39
Do	SPENO RAIL SERVICES	4,500.00	1,428.39
Do	WESTINGHOUSE INFORMATION SYSTEMS	3,200.00	1,428.39
JULIAN O. READ, 807 BRAZOS, #901 AUSTIN TX 78701	CENTRAL AND SOUTH WEST CORP		
READING IS FUNDAMENTAL, INC., 600 MARYLAND AVE.,SW RM 500 WASHINGTON DC 20560			
SYDNEY C. REAGAN, NO. 10 DUNCANNON CT. DALLAS TX 75225	SOUTHWESTERN PEANUT SHELLERS ASSN		
LINDA S. REARICK, 5205 LEESBURG PIKE, #505 FALLS CHURCH VA 22041	NATIONAL BEER WHOLESALERS ASSN	5,000.00	
HARRY M. REASONER, VINSON & ELKINS 3000 FIRST CITY TOWER HOUSTON TX 77002	ASSOCIATION OF OIL PIPELINES		
ROBERT E REDDING, 425 13TH STREET N.W. SUITE 915 WASHINGTON DC 20004	SHIPPERS NATIONAL FREIGHT CLAIM		
TIMOTHY J. REDMON, 600 MARYLAND AVE., SW SUITE 400 WASHINGTON DC 20024	AMERICAN OPTOMETRIC ASSN		
DWIGHT C. REED, 1101 16TH ST., NW WASHINGTON DC 20036	NATIONAL SOFT DRINK ASSN		
JO REED, 1909 K STREET, NW WASHINGTON DC 20049	AMERICAN ASSOCIATION OF RETIRED PERSONS	332.31	123.13
CHARLES C. REELY, 3251 OLD LEE HIGHWAY,SUITE 500 FAIRFAX VA 22030	NATIONAL LIMESTONE INST, INC	2,734.38	
PAULINE B. REEPING, 1750 NEW YORK AVENUE, NW WASHINGTON DC 20006	NEW YORK SHIPPING ASSN, INC		
JOSEPH M. REES, SUITE 711 444 N CAPITOL ST WASHINGTON DC 20001	KEEFE COMPANY (FOR: CORDAGE INSTITUTE)	1,250.00	38.85
Do	DELTA DENTAL PLANS ASSOCIATION	1,500.00	78.77
Do	KAPLAN, RUSSIN (FOR AMER CHAMBER OF COMMERCE OF DOM REP)		
MARTHA L. REES, 1701 PENNSYLVANIA AVE., NW SUITE 1120 WASHINGTON DC 20006	E. I. DU PONT DE NEMOURS & CO		
ROBERT S. REESE JR , 1616 P ST., NW WASHINGTON DC 20036	AMERICAN TRUCKING ASSNS, INC	9,000.00	1,544.45
J. RONALD REEVES, WASHINGTON NATIONAL AIRPORT WASHINGTON DC 20001	U.S. AIR, INC	2,000.00	212.50
JOHN T. REGGITTS JR , 95 BOOTON AVE. P.O. BOX 470 BOONTON NJ 07005			
REID & PRIEST, 1111 19TH ST.,NW WASHINGTON DC 20036	B. ALTMAN & CO.	2,500.00	189.18
Do	AMERICAN EXPRESS COMPANY	2,250.00	400.38
Do	CSX CORP		
Do	EDISON ELECTRIC INSTITUTE	107.00	100.00
Do	FRED T. FRANZIA, JOHN G. FRANZIA & JOSEPH S. FRANZIA		
Do	KAMEHAMEH SCHOOLS/BERNICE P. BISHOP ESTATE	4,500.00	151.84
Do	PFIZER, INC	3,000.00	228.37
Do	SOUTH CAROLINA ELECTRIC & GAS COMPANY		
Do	TUCSON ELECTRIC POWER CO		
Do	UTILITY GROUP		2,507.91
Do	VELO-BIND, INC		
REID & RIEGE, P.C., ONE CONSTITUTION PLAZA HARTFORD CT 06103	WESLEYAN UNIVERSITY		
CHARLOTTE REID, 200 N. PICKETT ST. ALEXANDRIA VA 22304	MOTOROLA, INC	3,000.00	
MICHAEL W. REID, SUITE 507 1925 K STREET, NW WASHINGTON DC 20006	ALLIANCE TO SAVE ENERGY		
JERRY E. REIDER, 1235 JEFFERSON DAVIS HWY., #305 ARLINGTON VA 22202	EMERSON ELECTRIC CO		
LOUIS D. REILLY III, 517 N. SEGOE ROAD MADISON WI 53705	TELEPHONE & DATA SYSTEMS, INC.		
GARY B. REIMER, 1800 K ST., NW SUITE 600 WASHINGTON DC 20006	TIGER INTERNATIONAL, INC.	1,410.00	52.15
NOOLEY REINHEARDT, NOOLEY REINHEARDT & ASSOC. P.O. BOX 23190 WASHINGTON DC 20024	RURAL BUILDERS COUNCIL OF CALIFORNIA		
HARRY O. REINSCH, 50 BEALE ST. P.O. BOX 3965 SAN FRANCISCO CA 94119	BECHTEL POWER CORPORATION		
JACK REITER, 1800 K STREET, N.W. SUITE 600 WASHINGTON DC 20006	TIGER INTERNATIONAL, INC.	2,100.00	573.83
RELIGIOUS COALITION FOR ABORTION RIGHTS, INC., 100 MARYLAND AVENUE, N.E. WASHINGTON DC 20002		16,680.41	17,522.97
GEORGE E. RENAULT, 2108 YALE DRIVE ALEXANDRIA VA 22307	AMERICAN ENERGY PRODUCTS, INC		
JOHN W. RENDON JR., 1321 PENNSYLVANIA AVE., SE WASHINGTON DC 20003	RENDON COMPANY		
SARAH M. RENFORE, 3618 EASTPOINTE DR., APT. 104 NORTHWOOD OH 43619	BENCHMARK TECHNOLOGIES CORP	600.00	405.00
W. W. RENFROE, 69 FOUNTAIN PL. FRANKFORT KY 40601	KENTUCKY RAILROAD ASSN		
DIANE RENNERT, 2005 MASSACHUSETTS AVENUE, NW WASHINGTON DC 20036	ASSOCIATION OF AMERICAN PUBLISHERS	3,300.00	199.13
RESOURCES FUND, INC., 810 18TH ST., NW, #802 WASHINGTON DC 20006			
RETIRED OFFICERS ASSN, 201 N. WASHINGTON ST. ALEXANDRIA VA 22314		7,343.00	
FORREST I. RETTGERS, 1776 F ST., NW WASHINGTON DC 20006	NATIONAL ASSN. OF MANUFACTURERS		
JOHN H. REURS, 25 BROADWAY NEW YORK NY 10004	NEW YORK COMM OF INTL COMM OF PASSENGER LINES		
ALAN V. REUTHER, 1757 N STREET, NW WASHINGTON DC 20036	UAW	9,858.02	161.80
JOHN REUTHER, SUITE 810 1050 17TH STREET, NW WASHINGTON DC 20036	SATRA CORPORATION	3,200.00	300.00
ALLAN R. REXINGER, 1700 PENNSYLVANIA AVE., NW, #700 WASHINGTON DC 20006	PROPRIETARY ASSN	2,687.50	150.00
MARK E. REY, 1619 MASSACHUSETTS AVENUE, NW WASHINGTON DC 20036	NATIONAL FOREST PRODUCTS ASSN	800.00	
EDMUND B. RICE, 444 NORTH CAPITOL ST., NW, #500 WASHINGTON DC 20001	AMERICAN HOSPITAL ASSN	2,609.21	136.49
RICE GENOCIDE RESEARCH, 3046 ROOSEVELT STREET DETROIT MI 48216			176.28
GRACE ELLEN RICE, 600 MARYLAND AVE., SW WASHINGTON DC 20024	AMERICAN FARM BUREAU FED	4,825.00	82.00
THERON J. RICE, SUITE 900 1700 PENNSYLVANIA AVE., NW WASHINGTON DC 20006	CONOCO		
JAMES E. RICH JR., SUITE 200 1025 CONNECTICUT AVENUE, NW WASHINGTON DC 20036	SHELL OIL COMPANY	500.00	
STACY RICHARDS, SUITE 802 1015 15TH STREET, NW WASHINGTON DC 20005	AMERICAN CONSULTING ENGINEERS COUNCIL	375.00	
ALAN H. RICHARDSON, 2301 M ST., NW WASHINGTON DC 20037	AMERICAN PUBLIC POWER ASSN	1,000.00	
JOHN G. RICHARDSON, 2774 NORTH HILLS DRIVE, NE ATLANTA GA 30305	GEORGIA POWER COMPANY	16,212.00	6,172.99
RUSSELL W. RICHARDSON, 201 GRAYSON COURT SUN CITY CENTER FL 33570	LEAR SIEGLER, INC		
JUDY NOEL RIDDLE, 6630 W. BROAD STREET RICHMOND VA 23230	LAWYERS TITLE INSURANCE CORP		
LOWELL J. RIDGEWAY, NORTH DAKOTA PETROLEUM COUNCIL 418 EAST ROSSER, P.O. BOX 1395 BISMARCK ND 58502	AMERICAN PETROLEUM INST	512.00	
E. GEORGE RIEDEL, SUITE 200 1707 L STREET, NW WASHINGTON DC 20036	INTERNATIONAL TELEPHONE & TELEGRAPH CORP	1,800.00	95.00
MARK J. RIEDY, 1125 15TH ST., NW WASHINGTON DC 20005	MORTGAGE BANKERS ASSOCIATION OF AMERICA		
SIERT F. RIEPMA, SUITE 1024-A 1625 I ST., NW WASHINGTON DC 20006	NATIONAL ASSN OF MARGARINE MFGRS		
E. PHILIP RIGGIN, 1608 K ST., NW WASHINGTON DC 20006	AMERICAN LEGION	9,462.00	581.46
VALERIE M. RIGGINS, 1700 NORTH MOORE STREET 1925 ROSSYLN CENTER BUILDING ARLINGTON VA 22209	BENEFICIAL MANAGEMENT CORPORATION OF AMERICA		
PAT RILEY, 1016 16TH STREET, NW WASHINGTON DC 20036	NATIONAL FED OF FEDERAL EMPLOYEES	104.10	
SUSAN RILEY, 1150 17TH STREET, NW, #306 WASHINGTON DC 20036	NATIONAL MULTI HOUSING COUNCIL	5,800.00	252.11

Organization or Individual Filing	Employer/Client	Receipts	Expenditures
R. SCOTT RINN, 1850 K STREET, NW WASHINGTON DC 20006	AMERICAN COUNCIL OF LIFE INSURANCE, INC		
DALE P. RIORDAN, 3900 WISCONSIN AVENUE, NW WASHINGTON DC 20016	FEDERAL NATIONAL MORTGAGE ASSN	1,200.00	247.85
KEVIN J. RIORDAN, SUITE 700 1025 CONNECTICUT AVE., NW WASHINGTON DC 20036	GULF OIL CORP	316.00	110.00
JOHN S. RIPPEY, 730 15TH ST., NW WASHINGTON DC 20005	ASSOCIATION OF BANK HOLDING COS	937.50	27.00
CAROL A. RISHER, 2005 MASSACHUSETTS AVE., NW WASHINGTON DC 20036	ASSOCIATION OF AMERICAN PUBLISHERS	2,000.00	
ROBIN RISSO, 511 C STREET, NE WASHINGTON DC 20002	CONTINENTAL ASSN OF RESOLUTE EMPLOYERS (C.A.R.E.)		
JAMES E. RITCHIE & ASSOCIATES, SUITE 400 499 S. CAPITOL ST., SW WASHINGTON DC 20003	GAMING INDUSTRY ASSN OF NEVADA, INC	3,200.00	1,086.26
Do	LIBERTY FINANCIAL		
Do	NATIONAL ASSN OF OFF-TRACK BETTING	2,000.00	737.49
Do	NATIONAL ASSN OF OPTOMETRISTS & OPTICIANS, INC	3,000.00	297.94
Do	NEVADA RESORT ASSN	4,800.00	1,629.37
STARK RITCHIE, 2101 L ST., NW WASHINGTON DC 20037	AMERICAN PETROLEUM INST		
RIVKIN, SHERMAN AND LEVY, 900 17TH STREET, NW WASHINGTON DC 20006	SAVIN CORPORATION	637.50	12.00
Do	TOYOTA MOTOR CORPORATION	1,312.50	54.60
ROBERT ROACH, 317 PENNSYLVANIA AVE., SE WASHINGTON DC 20003	ENVIRONMENTAL POLICY INSTITUTE	243.07	
RAY ROBERTS & ASSOCIATES, 2224 PEMBROOKE DENTON TX 76201	J. W. BATESON & CO., INC	3,000.00	1,668.99
Do	NORTH TEXAS MUNICIPAL WATER DISTRICT	3,000.00	1,801.56
Do	TEXAS UTILITIES SERVICES, INC	2,000.00	1,698.31
PATRICIA L. ROBERTS, SUITE 1107 1825 K STREET, NW WASHINGTON DC 20006	PHILLIPS PETROLEUM CO		
PERRY A. ROBERTS, 8000 FLORISSANT ST. LOUIS MO 63136	EMERSON ELECTRIC CO		651.99
RICHARD R. ROBERTS, SUITE 403 1899 L ST., NW WASHINGTON DC 20036	OUTDOOR ADVERTISING ASSOCIATION OF AMERICA, INC	319.00	1,047.00
JOHN S. ROBERTSON, THE POWER HOUSE 3255 GRACE STREET, NW WASHINGTON DC 20007	GRAY AND COMPANY (FOR: COMMONWEALTH OF PUERTO RICO)		
BETTY S. ROBINSON, 1757 N ST., NW WASHINGTON DC 20036	UNITED AUTO, AEROSPACE & AGRICULTURAL IMPLEMENT WORKERS	9,744.84	235.25
CHARLES A. ROBINSON JR , 1800 MASSACHUSETTS AVE., NW WASHINGTON DC 20036	NATIONAL RURAL ELECTRIC COOPERATIVE ASSN	203.04	
THOMAS E. ROBINSON, SUITE 700 1101 17TH STREET, NW WASHINGTON DC 20036	NATIONAL ASSN OF REAL ESTATE INVESTMENT TRUST, INC	520.00	
ROBINSON, SILVERMAN, PEARCE, ARONSOHN & BERMAN, 230 PARK AVE. NEW YORK NY 10169	NATIONAL REALTY COMMITTEE		
BOB JOHN ROBISON, 1201 PENNSYLVANIA AVENUE, NW, #700 WASHINGTON DC 20004	HILL AND KNOWLTON, INC	3,250.00	227.00
HOWARD W. ROBISON, 10 WEST SIDE DRIVE REHOBOTH BEACH DE 19971	CONSOLIDATED RAIL CORPORATION		
ANTOINETTE K. ROCHE, 2021 K ST., NW, SUITE 709 ALBUQUERQUE NM 87103	GA TECHNOLOGIES, INC	1,000.00	200.00
RODEY, DICKASON, SLOAN, AKIN & ROBB, P.O. BOX 1888 ALBURQERQUE NM 87103	NAVAJO TRIBE		1,441.60
QUINCY RODGERS, 1200 NEW HAMPSHIRE AVE., NW SUITE 320 WASHINGTON DC 20036	GENERAL INSTRUMENT CORPORATION	600.00	505.89
WILLI ROELLI, VOLHART BROTHERS, INC. 120 WALL ST. NEW YORK NY 10005	COFFEE, SUGAR & COCOA EXCHANGE, INC		
ROGERS & WELLS, 1737 H STREET, NW WASHINGTON DC 20006	ALLIED TUBE & CONDUIT CORPORATION	380.00	
Do	CAMPAGNIE FINANCIERE DE PARIS ET DES PAYS-BAS		
Do	DESERT PALACE, INC		
Do	WILLIAM ANTHONY HOGAN		
Do	MAGIC PANTRY FOODS, INC		
Do	MERRILL LYNCH & CO		
Do	MERRILL LYNCH COMMODITIES, INC		
Do	MERRILL LYNCH LEASING, INC		
Do	NATIONAL COAL CONSUMERS ALLIANCE		
Do	SQUIBB CORP		
Do	TEACHERS INSURANCE & ANNUITY ASSN/COLLEGE RET. EQUITIES FUND		
BRUCE N. ROGERS, 1660 L ST., NW WASHINGTON DC 20036	GENERAL MOTORS CORP	2,500.00	3,548.33
DONALD L. ROGERS, 730 15TH ST., NW WASHINGTON DC 20005	ASSOCIATION OF BANK HOLDING COS	1,900.00	
ROGERS HOGE & HILLS, SUITE 301 1111 19TH STREET, NW WASHINGTON DC 20036	BACARDI CORPORATION		
Do	CONTACT LENS MANUFACTURERS ASSN		
JAMES T. ROGERS, 311 FIRST STREET, NW WASHINGTON DC 20001	NATIONAL RESTAURANT ASSN		
MARGARET ROGERS, 1730 NORTH LYNN ST. ARLINGTON VA 22209	PRINTING INDUSTRIES OF AMER, INC	1,000.00	
CAROLE M. ROGIN, 1800 M STREET, NW, #1030 WASHINGTON DC 20036	HAUCK & ASSOCIATES, INC (FOR: HEARING INDUSTRIES ASSN)		
Do	HAUCK & ASSOCIATES, INC. (FOR: NATIONAL ASSN FOR CHILD CARE MANAGEMENT)		
RICHARD A. ROHRBACH, 1625 I ST., NW SUITE 809 WASHINGTON DC 20006	BOISE CASCADE CORP	22,250.00	
JOHN F. ROLPH III, SUITE 350 1200 NEW HAMPSHIRE AVE., NW WASHINGTON DC 20036	CITIBANK, N.A	1,500.00	
KENNETH S. ROLSTON JR , 1619 MASSACHUSETTS AVE., NW WASHINGTON DC 20036	AMERICAN PULPWOOD ASSN		
EMIL A. ROMAGNOLI, 120 BROADWAY NEW YORK NY 10271	ASARCO INC	400.00	
TENO RONCALIO, P.O. BOX 1707 CHEYENNE WY 82001	ENERGY FUELS CORP	3,000.00	
TATIANA ROODKOWSKY, 4006 THORNTON STREET ANNANDALE VA 22003	CHAMBER OF COMMERCE OF THE U.S.		
NICHOLAS ROOMY JR , P.O. BOX 1986 CHARLESTON WV 25327	APPALACHIAN POWER COMPANY		
FRED B. ROONEY, 6TH FL. 1050 THOMAS JEFFERSON ST., NW WASHINGTON DC 20007	PAUL, HASTINGS, JANOFSKY & WALKER (FOR: AM GENERAL CORPORATION)		
Do	AMERICAN IRON AND STEEL INSTITUTE	125.00	
Do	ASSOCIATION OF AMERICAN RAILROADS	325.00	
Do	CALIFORNIA PORTLAND CEMENT COMPANY	125.00	
Do	CONRAIL	350.00	
Do	LONE STAR INDUSTRIES, INC	300.00	
Do	PAUL, HASTINGS, JANOFSKY & WALKER (FOR: SECURITY LIFE OF DENVER)	325.00	
JOHN C. ROOTS, SUITE 1001 1333 NEW HAMPSHIRE AVE., NW WASHINGTON DC 20036	ATLANTIC RICHFIELD CO	407.87	
ROPES & GRAY, SUITE 700 1001 22ND ST., NW WASHINGTON DC 20037	AMHERST COLLEGE; WELLESLEY COLLEGE		
BURT ROSEN, 1700 PENNSYLVANIA AVE., NW WASHINGTON DC 20006	PFIZER, INC	200.00	1,583.17
RICHARD ROSEN, SUITE 118 5010 WISCONSIN AVENUE, NW WASHINGTON DC 20016			
ALBERT B. ROSENBAUM III, 1616 P ST., NW WASHINGTON DC 20036	NATIONAL TANK TRUCK CARRIERS, INC		
SARA ROSENBAUM, 1520 NEW HAMPSHIRE AVENUE, NW WASHINGTON DC 20036	CHILDREN'S DEFENSE FUND	625.00	4.50
FRANCIS C. ROSENBERGER, 6809 MELROSE DRIVE MCLEAN VA 22101	NATIONAL CONFERENCE OF BANKRUPTCY JUDGES	3,750.00	
PETER ROSENSTEIN, SUITE 700 2341 JEFFERSON DAVIS HIGHWAY ARLINGTON VA 22202	AMERICAN ACADEMY OF PHYSICIAN ASSISTANTS	775.39	
ROGER C. ROSENTHAL, SUITE 600 806 15TH STREET, NW WASHINGTON DC 20005	MIGRANT LEGAL ACTION PROGRAM, INC	71.42	
ROSES, INC., 1152 HASLETT ROAD P.O. BOX 99 HASLETT MI 48840		979.77	4,353.33
JEREMY D. ROSNER, 2030 M STREET, NW WASHINGTON DC 20036	COMMON CAUSE	4,280.01	
GAIL E. ROSS, 918 16TH STREET, NW WASHINGTON DC 20006	PLANNED PARENTHOOD		
JOE ROSS, 927 DONAGHEY BLDG. LITTLE ROCK AR 72201			
WILLIAM F. ROSS, SOUTH CAROLINA PETROLEUM COUNCIL 716 KEENAN BLDG. COLUMBIA SC 29201	AMERICAN PETROLEUM INST	428.00	1,522.87
ALAN J. ROTH, SPIEGEL & MCDIARMID 2600 VIRGINIA AVE., NW WASHINGTON DC 20037	FT. PIERCE UTILITIES AUTH OF THE CITY OF FT. PIERCE, ET AL		
BARRY N. ROTH, 1750 K ST., NW, #350 WASHINGTON DC 20006	WILLIAMS COMPANIES	100.00	
DONALD D. ROUNDS, SOUTH DAKOTA PETROLEUM COUNCIL P.O. BOX 669 PIERRE SD 57501	AMERICAN PETROLEUM INST		
WILLIAM C. ROUNTREE, SUITE 600 1001 22ND ST., NW WASHINGTON DC 20037	STANDARD OIL CO (OHIO)		
PETER M. ROUSE, 1875 EYE STREET, NW, #1025 WASHINGTON DC 20006	ALASKA LUMBER & PULP CO	4,500.00	
MICHAEL O. ROUSH, CAPITAL GALLERY EAST, #695 600 MARYLAND AVE. WASHINGTON DC 20024	NATIONAL FEDERATION OF INDEPENDENT BUSINESS	2,250.00	200.00
MARK ROVNER, 2030 M ST., NW WASHINGTON DC 20036	COMMON CAUSE	4,473.02	
EUGENE F. ROWAN, 1156 15TH ST., NW WASHINGTON DC 20005	J. C. PENNEY CO, INC		
JAMES C. ROWLAND JR , 1100 15TH ST., NW WASHINGTON DC 20005	UNION CARBIDE CORP		
JOHN W. ROWLAND, 5025 WISCONSIN AVE.,NW WASHINGTON DC 20006	AMALGAMATED TRANSIT UNION, AFL-CIO		
KEVIN P. ROWLAND, 511 C STREET, NE WASHINGTON DC 20002	CONTINENTAL ASSN OF RESOLUTE EMPLOYERS (C.A.R.E.)		
TOBI Z. ROZEN, 910 17TH STREET, NW WASHINGTON DC 20006	INTERNATIONAL ASSN OF ICE CREAM MFRS & MILK IND. FOUNDATION		
ERIC M. RUBIN, SUITE 708 1730 M ST., NW WASHINGTON DC 20036	OUTDOOR ADVERTISING ASSOCIATION OF AMERICA, INC	2,500.00	
JAMES S. RUBIN, 1150 CONNECTICUT AVE., NW, #700 WASHINGTON DC 20036	ALLIED CHEMICAL CORP	612.00	
PAUL M. RUDEN, WILNER & SCHEINER 1200 NEW HAMPSHIRE AVE., NW WASHINGTON DC 20036	AMERICAN SOCIETY OF TRAVEL AGENTS	275.00	
DEBORAH K. RUDOLPH, 1225 CONNECTICUT AVE., NW WASHINGTON DC 20036	AMERICAN PUBLIC TRANSIT ASSN	5,800.00	
JOHN RUNYAN, 1730 NORTH LYNN STREET SUITE 409 ARLINGTON VA 22209	PRINTING INDUSTRIES OF AMERICA, INC	300.00	
LEONARD H. RUPPERT, NEW JERSEY PETROLEUM COUNCIL 170 W. STATE ST. TRENTON NJ 08608	AMERICAN PETROLEUM INST	75.00	29.00
CHARLOTTE RUSH, SUITE 700 1025 CONNECTICUT AVE., NW WASHINGTON DC 20036	GULF OIL CORP	75.00	15.50
ALBERT R. RUSSELL, PO BOX 12285 MEMPHIS TN 38112	NATIONAL COTTON COUNCIL OF AMER		
BARRY RUSSELL, 1101 16TH ST., NW WASHINGTON DC 20036	INDEPENDENT PETROLEUM ASSOCIATION OF AMERICA		31.50
CHRISTINE ANNE RUSSELL, 1615 H STREET, NW WASHINGTON DC 20062	CHAMBER OF COMMERCE OF THE U.S.	7,300.00	447.51
NANCY RUSSELL, 4921 SW HEWETT BLVD. PORTLAND OR 97221	FRIENDS OF THE COLUMBIA GORGE, INC		662.10
ROBERT M. RUSSELL, 2170 PIEDMONT RD., NE ATLANTA GA 30324	ORKIN EXTERMINATING CO	141.00	423.00
WALLY RUSTAD, 1800 MASSACHUSETTS AVE., NW WASHINGTON DC 20036	NATIONAL RURAL ELECTRIC COOPERATIVE ASSN	75.00	
HERMAN MAX RUTH, BOX 1000 OTISVILLE, NY 10963			
J. T. RUTHERFORD & ASSOCIATES, INC., SUITE 514 1660 L ST., NW WASHINGTON DC 20036	AMERICAN ASSN OF BIOANALYSTS/INTL SOC OF CLINICAL LAB TECHS		95.40
Do	AMERICAN COLLEGE OF RADIOLOGY		103.20
Do	AMERICAN OPTOMETRIC ASSN		101.20
ELLA MARICE RYAN, 1156 15TH ST. NW WASHINGTON DC 20005	J. C. PENNEY CO, INC	100.00	
FRANK T. RYAN, 1901 PENNSYLVANIA AVENUE, NW WASHINGTON DC 20006	RUBBER MANUFACTURERS ASSN	2,500.00	
GEORGE J. RYAN, 1411 ROCKEFELLER BUILDING CLEVELAND OH 44113	LAKE CARRIERS' ASSN		
JOHN F. RYAN, 1707 L ST., NW, #200 WASHINGTON DC 20036	INTERNATIONAL TELEPHONE & TELEGRAPH CORPORATION		

Organization or Individual Filing	Employer/Client	Receipts	Expenditures
JOHN G. RYAN, 1700 K STREET, NW WASHINGTON DC 20006	SQUIBB CORP		
JOSEPH RYAN, 1735 NEW YORK AVE., NW WASHINGTON DC 20006	GENERAL INSTRUMENT CORPORATION	137.50	25.00
SACHS, GREENBAUM & TAYLER, 1620 EYE STREET, NW WASHINGTON DC 20006	PHILLIPS COLLEGES; BETZ COLLEGE; DRAUGHONS JUNIOR COLLEGE		
PAUL R. SACIA, SUITE 202, WEST WING 600 MARYLAND AVENUE, SW WASHINGTON DC 20024	FARMERS' EDUCATIONAL & CO-OPERATIVE UNION OF AMERICA	4,523.06	9.72
DAVID J. SADD, 1825 CONNECTICUT AVE., NW WASHINGTON DC 20009	NATIONAL ASSN OF ARAB AMERICANS	3,000.00	350.00
THOMAS L. SAGER, 1701 PENNSYLVANIA AVE., NW SUITE 1120 WASHINGTON DC 20006	E. I. DU PONT DE NEMOURS & CO		
SAMARITAN HEALTH SERVICE, 1410 NORTH 3RD ST. P.O. BOX 25489 PHOENIX AZ 85002			15,150.91
SAMMONS ENTERPRISES, INC., 403 SOUTH AKARD DALLAS TX 75202			
JAMES H. SAMMONS, 535 NORTH DEARBORN STREET CHICAGO IL 60610	AMERICAN MEDICAL ASSOCIATION		
COLIN D. SANDISON, 1899 L STREET, NW, #1100 WASHINGTON DC 20036	EXXON CORPORATION		83.89
BETTY CAROLYN SANDLER, SUITE 505 700 N. FAIRFAX ST. ALEXANDRIA VA 22314	NATIONAL ASSN OF TRUCK STOP OPERATORS		
CHARLES E. SANDLER, 2101 L ST., NW WASHINGTON DC 20037	AMERICAN PETROLEUM INST	5,000.00	
PETER G. SANDLUND, 1725 EYE ST., NW, #315 WASHINGTON DC 20006	COUNCIL OF EUROPEAN & JAPANESE NATIONAL SHIPOWNERS' ASSN	300.00	
VINCENT R. SANDUSKY, 8224 OLD COURTHOUSE RD. VIENNA VA 22180	SHEET METAL & AIR CONDITIONING CONTRACTORS NATIONAL ASSN		
CHARLES SAPP, 3400 TEXAS COMMERCE TOWER HOUSTON TX 77002	HOUSTON ENDOWMENT, INC		1,015.15
KLARA B. SAUER, 9 VASSAR STREET POUGHKEEPSIE NY 12601	SCENIC HUDSON, INC		
ALBERT C. SAUNDERS, 1100 15TH ST., NW #900 WASHINGTON DC 20005	PHARMACEUTICAL MANUFACTURERS ASSN	4,000.00	33.85
SAVE OUR SECURITY, SUITE 222 1201 16TH STREET, NW WASHINGTON DC 20036		9,767.00	19,731.03
LAWRENCE H. SAWYER, 1200 NEW HAMPSHIRE AVE., NW SUITE 370 WASHINGTON DC 20036	GENERAL MILLS, INC		
HENRY SCHACHT, 3100 FERRY BLDG. SAN FRANCISCO CA 94106	CALIFORNIA CANNERS & GROWERS		
VICTORIA V. SCHAFF, SUITE 1014 1025 CONNECTICUT AVENUE, NW WASHINGTON DC 20036	ENSERCH CORPORATION	2,100.00	1,341.69
MARK L. SCHAFFER, ASHCRAFT & GEREL 2000 L STREET, NW, #700 WASHINGTON DC 20036	AMERICAN FED OF LABOR & CONGRESS OF INDUSTRIAL ORGANIZATIONS	1,638.00	10.00
JEROME D. SCHALLER, 1101 15TH ST., NW WASHINGTON DC 20005	MINNESOTA MINING & MANUFACTURING CO	10,000.00	
C. M. SCHAUERTE, P.O. BOX 3247 HOUSTON TX 77001	AMERICAN GENERAL CORP	6,250.00	1,419.08
RONALD A. SCHECHTER, GOLDFARB, SINGER & AUSTERN 918 16TH STREET, NW, #503 WASHINGTON DC 20006	WASHINGTON INDEPENDENT WRITERS, INC	120.00	
JAY T. SCHECK JR., SUITE 802 1101 CONNECTICUT AVENUE, NW WASHINGTON DC 20036	AMERICAN HOECHST CORPORATION		
DALE E. SCHELL, 1919 PENNSYLVANIA AVE., NW, #300 WASHINGTON DC 20006	GATX CORP		
JANE N. SCHERER, SUITE 1204 1700 K STREET, NW WASHINGTON DC 20006	CHEVRON U.S.A., INC	100.00	
JOSEPH SCHERER, 1801 NORTH MOORE ST. ARLINGTON VA 22209	AMERICAN ASSN OF SCHOOL ADMINISTRATORS		
SCHIFF HARDIN & WAITE, 1101 CONNECTICUT AVENUE, NW WASHINGTON DC 20036	CHICAGO BOARD OPTIONS EXCHANGE, INC		
JACQUES T. SCHLENGER, 1800 MERCANTILE BANK & TRUST BLDG. THE HOPKINS PLAZA BALTIMORE MD 21201	MARYLAND SAVINGS-SHARE INSURANCE CORP		188.67
JAMES P. SCHLICHT, 729 15TH STREET, NW WASHINGTON DC 20005	ASSOCIATED BUILDERS & CONTRACTORS, INC	2,500.00	
KENNETH D. SCHLOMAN, 1600 RHODE ISLAND AVENUE, N.W. WASHINGTON DC 20036	NATIONAL RIFLE ASSOCIATION OF AMERICA	915.00	58.28
SCHLOSSBERG-CASSIDY & ASSOCIATES, INC., 955 L'ENFANT PLAZA, S.W. SUITE 1401 WASHINGTON DC 20024	ATLANTA UNIVERSITY	600.00	
Do	BOSTON COLLEGE	400.00	
Do	BOSTON UNIVERSITY	600.00	33.00
Do	CATHOLIC UNIVERSITY OF AMERICA	2,000.00	
Do	COLUMBIA UNIVERSITY	400.00	9.00
Do	ELECTRONICS CORPORATION OF AMERICA	700.00	29.00
Do	INDIANA UNIVERSITY	500.00	15.00
Do	OCEAN SPRAY CRANBERRIES, INC	3,200.00	74.50
Do	PIRELLI CABLE CORPORATION	400.00	11.00
Do	PRATT INSTITUTE	200.00	
Do	TUFTS UNIVERSITY	2,800.00	75.00
FOREST S. SCHMELING, 1515 WILSON BLVD. ARLINGTON VA 22209	AMERICAN GAS ASSN	1,100.00	1,031.40
RICHARD M. SCHMIDT JR , SUITE 600 1333 NEW HAMPSHIRE AVE., NW WASHINGTON DC 20036	ASSOCIATION OF AMERICAN PUBLISHERS	500.00	
ARTHUR L. SCHMUHL, 1957 E ST., NW WASHINGTON DC 20006	ASSOCIATED GENERAL CONTRACTORS OF AMERICA		
FRANK SCHNELLER, 1957 E ST., NW WASHINGTON DC 20006	ASSOCIATED GENERAL CONTRACTORS OF AMERICA		
JACK J. SCHRAMM, SUITE 607 600 MARYLAND AVENUE, SW WASHINGTON DC 20024	WASTE MANAGEMENT, INC		
ROBERT I. SCHRAMM, 1725 K ST., NW, #909 WASHINGTON DC 20006	SUPERIOR OIL CO & SUPERIOR FARMING CO		
A. KOLBET SCHRICHTE, SUITE 500 1133 15TH STREET, NW WASHINGTON DC 20005	AMERICAN LOGISTICS ASSOCIATION		
N. DONALD SCHROEDER, MARYLAND PETROLEUM COUNCIL 60 WEST ST., #403 ANNAPOLIS MD 21401	AMERICAN PETROLEUM INST	280.00	175.59
JANET L. SCHUESSLER, 1000 16TH STREET, NW WASHINGTON DC 20036	AMERICAN IRON & STEEL INSTITUTE		200.00
MARK SCHULTZ, 1615 H ST., NW WASHINGTON DC 20062	CHAMBER OF COMMERCE OF THE U.S.	5,000.00	117.71
WILLIAM B. SCHULTZ, SUITE 700 2000 P ST., NW WASHINGTON DC 20036	PUBLIC CITIZEN, INC	100.00	5.00
ROBERT L. SCHULZ, C/O IOWA PETROLEUM COUNCIL 1012 FLEMING BLDG. DES MOINES IA 50309	AMERICAN PETROLEUM INST	940.00	749.40
WALTER A. SCHUMANN III, 1511 NATALIE JOY LN. MCLEAN VA 22101	POTOMAC OVERLOOK ASSOCIATES		
JAMES H SCHUYLER, 15TH & M STS., NW WASHINGTON DC 20005	NATIONAL ASSN OF HOME BUILDERS OF THE U.S.		
DONALD H. SCHWAB, 200 MARYLAND AVE., NE WASHINGTON DC 20002	VETERANS OF FOREIGN WARS OF THE U.S.	7,350.00	158.40
LYNDLEY M. SCHWAB, 410 1ST ST., SE WASHINGTON DC 20003	AMERICAN NUCLEAR ENERGY COUNCIL	925.00	66.62
SCHWABE, WILLIAMSON, WYATT, MOORE & ROBERTS, SUITE 302 1000 POTOMAC ST., NW WASHINGTON DC 20007	NATIONAL FOREST PRODUCTS ASSN	15,000.00	1,539.24
Do	NORTHWEST INLAND WATERWAYS COMMITTEE		
DEBORAH M. SCHWARTZ, 444 NORTH CAPITOL STREET, NW WASHINGTON DC 20001	AMERICAN HOSPITAL ASSN	299.02	31.65
HARRY K. SCHWARTZ, 1800 M ST., NW SUITE 400 SOUTH WASHINGTON DC 20036	TOSCO CORPORATION	6,000.00	
RICHARD SCHWARTZ, 880 S. PICKETT ST. ALEXANDRIA VA 22304	BOAT OWNERS ASSOCIATION OF THE U.S.	4,000.00	
STEVE AARON SCHWARTZ, 818 ROEDER ROAD SUITE 702 SILVER SPRING MD 20910	INTERNATIONAL FED OF PROFESSIONAL & TECHNICAL ENGINEERS	450.00	
RICHARD S. SCHWEIKER, 1850 K STREET, NW WASHINGTON DC 20006	AMERICAN COUNCIL OF LIFE INSURANCE, INC	143.71	
CARL F. SCHWENSEN, 415 2ND ST., NE SUITE 300 WASHINGTON DC 20002	NATIONAL ASSN OF WHEAT GROWERS	3,125.00	
SCIENTIFIC APPARATUS MAKERS ASSN, 1101 16TH ST., NW WASHINGTON DC 20036		6,789.57	3,642.32
MICHAEL SCIULLA, 880 S. PICKETT ST. ALEXANDRIA VA 22304	BOAT OWNERS ASSOCIATION OF THE U.S.	4,000.00	
HAROLD B. SCOGGINS, 1101 16TH ST., NW WASHINGTON DC 20036	INDEPENDENT PETROLEUM ASSOCIATION OF AMERICA		4.62
DOUGLAS W. SCOTT, 530 BUSH ST. SAN FRANCISCO CA 94108	SIERRA CLUB	4,633.00	558.06
JUDY SCOTT, 815 16TH STREET, NW WASHINGTON DC 20006	INDUSTRIAL UNION DEPT, AFL-CIO	6,366.75	
SCRIBNER HALL & THOMPSON, SUITE 700 1875 EYE STREET, NW WASHINGTON DC 20006	JEFFERSON-PILOT CORP. AND SUBSIDIARIES	10,000.00	
Do	OCCIDENTAL LIFE INSURANCE CO OF CALIFORNIA	25,000.00	
Do	PHILADELPHIA LIFE INSURANCE CO		
Do	PROVIDENT LIFE & ACCIDENT INSURANCE CO		
WILLIAM E. SEALE, SUITE 435 2020 K ST., NW WASHINGTON DC 20006	COMMODITY EXCHANGE, INC		
EARL W. SEARS, P.O. BOX 12285 MEMPHIS TN 38112	NATIONAL COTTON COUNCIL OF AMER	727.50	14.37
SANDY SEDACCA, 2030 M ST., NW WASHINGTON DC 20036	COMMON CAUSE	3,631.15	
CHARLES M. SEEGER III, SUITE 802 2000 L STREET, NW WASHINGTON DC 20036	POPHAM, HAIK ET AL.(FOR: CHICAGO MERCANTILE EXCHANGE)		
H. RICHARD SEIBERT JR , 1776 F ST., NW WASHINGTON DC 20006	NATIONAL ASSN OF MANUFACTURERS	705.00	
PAUL J. SEIDMAN, RUTTENBERG, PHELPS & SLOCUM 5201 LEESBURG PIKE, #906 FALLS CHURCH VA 22041	NATIONAL TOOLING & MACHINE ASSN	8,944.00	366.96
GEORGE M. SEITTS, SUITE 900 1015 15TH STREET, NW WASHINGTON DC 20005	INTERNORTH INC	2,000.00	
ARMISTEAD I. SELDEN, SUITE 4400 475 L'ENFANT PLAZA, SW WASHINGTON, DC 20024	AMERICAN LEAGUE FOR EXPORTS & SECURITY ASSISTANCE	5,000.00	72.12
STANTON P. SENDER, 1211 CONNECTICUT AVE., NW WASHINGTON DC 20036	SEARS, ROEBUCK AND CO	1,550.00	34.45
SERVICE MASTER INDUSTRIES, INC, 2300 WARRENVILLE ROAD DOWNERS GROVE IL 60515			1,150.00
SARAH SETTON, 1511 K ST., NW WASHINGTON DC 20005	SUGAR ASSOCIATION, INC	150.00	8.00
SEVEN MONTHS SESSION FOR CONGRESS, 3306 YELLOWPINE TERRACE AUSTIN TX 78757			569.00
SEWARD & KISSEL, 919 18TH ST., NW WASHINGTON DC 20006	A. I. LEASING CORP	29,476.89	302.76
Do	ALLIANCE CAPITAL MANAGEMENT CORPORATION	2,200.75	
Do	HALLAC ASSOCIATES, INC		
Do	MERRILL LYNCH MONEY MARKETS, INC	18.49	115.86
Do	ROSENBERG REAL ESTATE EQUITY FUND	723.08	
Do			
Do	VISA U.S.A., INC	2,200.75	
J. RICHARD SEWELL, 1111 19TH ST., NW, #1102 WASHINGTON DC 20036	FLORIDA POWER & LIGHT CO	240.00	445.21
SEYFARTH SHAW FAIRWEATHER & GERALDSON, 1111 19TH ST., NW WASHINGTON DC 20036	AGRICULTURAL PRODUCERS	12,291.82	
Do	NATIONAL MULTI HOUSING COUNCIL		
Do	SHIPBUILDERS COUNCIL OF AMERICA		
CLIVE SEYMOUR, P.O. BOX 2511 1010 MILAM, RM. 1657-B HOUSTON TX 77001	TENNESSEE GAS PIPELINE CO		
WILLIAM H. SHAKER, SUITE 600 1523 L STREET, NW WASHINGTON DC 20005	NATIONAL TAX LIMITATION COMMITTEE	2,500.00	40.00
JAMES M. SHAMBERGER, 1025 CONNECTICUT AVE., NW, #512 WASHINGTON DC 20036	REINSURANCE ASSN OF AMER		
SHAMROCK FOODS CO., 2228 N. BLACK CANYON PHOENIX AZ 85009			125.80
DEBBIE SHANNON, 5TH FLOOR 777 14TH STREET, NW WASHINGTON DC 20005	NATIONAL ASSN OF REALTORS	1,250.00	438.47
DAVID L. SHAPIRO, 729 15TH STREET, NW WASHINGTON DC 20005	ASSOCIATED BUILDERS & CONTRACTORS, INC		
HARRY D. SHAPIRO, 1800 MERCANTILE BANK & TRUST BLDG. TWO HOPKINS PLAZA BALTIMORE MD 21201	MARYLAND SAVINGS-SHARE INSURANCE CORP		188.67
NORMAN F. SHARP, SUITE 1210 1100 17TH ST., NW WASHINGTON DC 20036	CIGAR ASSN OF AMERICA, INC		
KAREN DOLMATCH SHAW, SUITE 920 1800 K ST., NW WASHINGTON DC 20006	BANKAMERICA CORPORATION	669.08	1,418.75
LUTHER W. SHAW, SUITE 514 1155 15TH ST., NW WASHINGTON DC 20005	NATIONAL AGRICULTURAL CHEMICALS ASSN	5,625.00	19.95
SHAW PITTMAN POTTS & TROWBRIDGE, 1800 M ST., NW, #900-S WASHINGTON DC 20036	ASSOCIATION FOR THE IMPROVEMENT OF THE MISSISSIPPI RIVER	1,053.00	5.00
Do	ATLAS MINERALS DIVISION	829.00	
Do	EMERSON ELECTRIC CO		

Organization or Individual Filing	Employer/Client	Receipts	Expenditures
Do	FARMERS FOR FAIRNESS		
Do	INSTITUTE OF FOREIGN BANKERS	2,000.00	
Do	INVESTMENT COMPANY INSTITUTE	1,363.00	2.70
Do	INVESTMENT COUNSEL ASSN OF AMERICA, INC.	175.00	
Do	NATIONAL COMM ON SMALL ISSUE INDUSTRIAL DEVELOPMENT BONDS	2,036.00	
Do	UTILITY NUCLEAR WASTE MANAGEMENT GROUP	1,261.00	28.43
SHEA & GOULD, 330 MADISON AVE. NEW YORK NY 10017	CHAMPION INTERNATIONAL CORP		17.75
Do	CINCINNATI MILACRON		
Do	DANVILLE RESOURCES, INC	7,500.00	
Do	DESERT GROUP, INC.		
Do	ELEANOR A. CLARK		123.81
Do	HOSPITAL CORP OF AMERICA		16.00
Do	NABISCO, INC.		
Do	PHILLIP MORRIS, INC.		
Do	SQUIBB CORPORATION		
SHEARMAN & STERLING, 153 EAST 53RD ST. NEW YORK NY 10005	BUSINESS ROUNDTABLE	5,000.00	118.85
JOHN J. SHEEHAN, 815 16TH ST., NW, #706 WASHINGTON DC 20006	UNITED STEELWORKERS OF AMER	12,765.85	
KATHLEEN SHEEKEY, 3RD FLOOR 2030 M STREET, NW WASHINGTON DC 20036	COMMON CAUSE	8,560.02	734.15
JOHN P. SHEFFEY, P.O. BOX 1406 5535 HEMPSTEAD WAY SPRINGFIELD VA 22151	NATIONAL ASSN FOR UNIFORMED SERVICES	746.25	
JONATHAN R. SHEINER, 410 FIRST ST., SE WASHINGTON DC 20003	CONSOLIDATED EDISON CO OF NEW YORK, INC.	512.50	
LOIS BURKE SHEPARD, 8602 HIDDEN HILL LANE POTOMAC MD 20854	REPUBLICANS ABROAD		
JOHN J. SHEPPARD, 267 WESTERVELT PLACE ENGLEWOOD CLIFFS NJ 07632	C. A. SHEA & COMPANY, INC.		
SEYMOUR SHERIFF, 1126 WOODWARD BLDG. WASHINGTON DC 20005	MAN-MADE FIBER PRODUCERS ASSN, INC.		
JAY SHERMAN, 2030 M STREET, NW WASHINGTON DC 20036	COMMON CAUSE	5,884.98	609.70
SHIPLEY SMOAK & HENRY, SUITE 820 910 17TH ST., NW WASHINGTON DC 20006	BLUEJAY OIL COMPANY		
Do	FLANIGAN'S ENTERPRISES, INC.		
Do	FORT SILL GARDENS, INC.		
Do	NATIONAL COMMITTEE OF DISCOUNT SECURITIES BROKERS		
Do	STEADMAN MUTUAL FUNDS		
Do	STEADMAN SECURITY CORPORATION		
Do	WBNO RADIO AND WLKM RADIO		
ELIZABETH SHIPLEY-MOSES, 1107 JACKSON COURT FALLS CHURCH VA 22046	SOCIETY FOR NUTRITION EDUCATION	100.00	
HARVEY A. SHIPMAN, 1776 G ST., NW, #502 WASHINGTON DC 20006	PENN CENTRAL CORPORATION		
FRED B. SHIPPEE, 1611 N. KENT ST., #800 ARLINGTON VA 22209	AMERICAN APPAREL MANUFACTURERS ASSN, INC		
SHIPPERS NATIONAL FREIGHT CLAIM COUNCIL, INC, 425 13TH STREET N.W. SUITE 915 WASHINGTON DC 20004			
W. RAY SHOCKLEY, 1101 CONNECTICUT AVE., NW, #300 WASHINGTON DC 20036	AMERICAN TEXTILE MFRS INST	2,550.00	12.15
DEBBIE LEILANI SHON, 1201 16TH ST., NW WASHINGTON DC 20036	NATIONAL EDUCATION ASSN		
SHOOSHAN & JACKSON, INC., 1850 K STREET, NW WASHINGTON DC 20006	U.S. CABLESYSTEMS, INC.	375.00	255.00
HARRY M. SHOOSHAN III, 1850 K STREET, NW WASHINGTON DC 20006	SHOOSHAN & JACKSON, INC (FOR: U.S. CABLESYSTEMS, INC)	40.00	
SCOTT SHOTWELL, 1619 MASSACHUSETTS AVE., NW WASHINGTON DC 20036	NATIONAL FOREST PRODUCTS ASSN	2,475.00	
A. Z. SHOWS, RM 203 1801 COLUMBIA RD., NW WASHINGTON DC 20007			
JOHN SHUEY, P.O. BOX 3151 HOUSTON TX 77007	BROWNING-FERRIS INDUSTRIES, INC.		
CANDICE J. SHY, 1025 CONNECTICUT AVE., NW, #1014 WASHINGTON DC 20036	ENSERCH CORPORATION	3,625.00	1,534.20
RICHARD H. SIEMSEN, 8000 FLORISSANT ST. LOUIS MO 63136	EMERSON ELECTRIC CO		
BERNARD H. SIERACKI, ILLINOIS PETROLEUM COUNCIL 79 W. MONROE ST., #514 CHICAGO IL 60603	AMERICAN PETROLEUM INST	468.96	572.90
MARK SILBERGELD, 1146 19TH STREET, NW WASHINGTON DC 20036	CONSUMERS UNION OF U.S., INC.	2,200.00	15.00
DAVID SILVER, 1775 K ST., NW WASHINGTON DC 20006	INVESTMENT COMPANY INSTITUTE	195.60	34.69
STEVEN W. SILVER, ROBERTSON, MONAGLE, EASTAUGH & BRADLEY 200 NATIONAL BANK OF ALASKA BLDG. P.O. BOX 1211 JUNEAU AK 99802.	ALASKA LUMBER & PULP	1,000.00	
SILVER USERS ASSN, INC, 1717 K ST., NW WASHINGTON DC 20006		3,645.00	3,421.44
BRUCE A. SILVERGLADE, 1755 S STREET, NW WASHINGTON DC 20009	CENTER FOR SCIENCE IN THE PUBLIC INTEREST		
SILVERSTEIN & MULLENS, 1776 K ST., NW WASHINGTON DC 20006	AMERICAN STOCK EXCHANGE		
Do	ASSOCIATION FOR ADVANCED LIFE UNDERWRITING	5,000.00	
Do	BRISTOL-MYERS CO		
Do	CHAMPION INTL CORP		
Do	F.W. WOOLWORTH CO		
Do	FEDERAL NATIONAL MORTGAGE ASSN.		
Do	GATX		
Do	HWL PROPERTIES		
Do	MEDAL DISTILLED PRODUCTS, INC.		
Do	MUSIC CORP OF AMER, INC.		
Do	NATIONAL ASSN OF HOME BUILDERS OF THE U.S.		
Do	NATIONAL SAVINGS & LOAN LEAGUE		
M. P. SIMMONS, P.O. BOX 860 VALLEY FORGE PA 19482	CERTAINTEED CORP		
GARY D. SIMMS, 1957 E STREET, NW WASHINGTON DC 20006	ASSOCIATED GENERAL CONTRACTORS OF AMERICA		
SIMON, DEITHCH, SIEFMAN, TUCKER & FRIEDMAN, PC, SUITE 1500 4000 TOWN CENTER SOUTHFIELD MI 48075	FIRST NATIONAL MONETARY CORP		
TALMAGE E. SIMPKINS, 100 INDIANA AVE., NW WASHINGTON DC 20001	AFL-CIO MARITIME COMM	300.00	330.60
Do	LABOR-MANAGEMENT MARITIME COMMITTEE	1,302.60	46.51
C. KYLE SIMPSON, 1515 WILSON BLVD. ARLINGTON VA 22209	AMERICAN GAS ASSN	3,250.00	1,095.33
WILLIAM G. SIMPSON, SUITE 424 1155 15TH STREET, NW WASHINGTON DC 20005	FIRST MISSISSIPPI CORPORATION	2,000.00	
Do	MISSISSIPPI POWER & LIGHT COMPANY	2,000.00	
Do	J.R. SCRIBNER ENTERPRISES	2,000.00	
Do	STATE OF MISSISSIPPI	4,000.00	
MARGARET SIMS, 2025 M STREET, NW WASHINGTON DC 20036	NATIONAL PUBLIC RADIO	7,302.00	76.93
JEAN SINDAB, 2480 16TH ST., NW, #610 WASHINGTON DC 20009	WASHINGTON OFFICE ON AFRICA	4,321.60	
ROBERT C. SINGER, 475 PARK AVE., SO. AT 32ND ST. NEW YORK NY 10016	SOAP & DETERGENT ASSN		
RICHARD L. SINNOTT & CO, SUITE 306 2021 K ST., NW WASHINGTON DC 20006	AMERICAN PRESIDENT LINES		
Do	NATIONAL FOOTBALL LEAGUE		
SISK, FOLEY, HULTIN & DRIVER, 2501 M ST., NW SUITE 380 WASHINGTON DC 20037	ASHLAND OIL, INC, ET AL	137.50	15.00
SKADDEN, ARPS, SLATE, MEAGHER & FLOM, 919 18TH STREET, NW WASHINGTON DC 20006	CITIES SERVICE OIL & GAS CORP	13,600.00	
GREGG P. SKALL, BLUM & NASH 1015 18TH STREET, NW WASHINGTON DC 20036	DAYTIME BROADCASTERS ASSN		8.00
Do	GENERAL ELECTRIC COMPANY		8.00
Do	TIME, INC.		8.00
Do	UNIDEN CORP OF AMERICA		8.00
WILLIAM J. SKINNER, 815 15TH ST., NW WASHINGTON DC 20005	U.S. PHARMACOPEIAL CONVENTION, INC	561.12	72.50
BARNEY J. SKLADANY JR., 1100 CONNECTICUT AVE., NW WASHINGTON DC 20036	MOBIL OIL CORP	1,125.00	
RUTH L. SKY, 2211 CONGRESS ST. PORTLAND ME 04122	UNION MUTUAL LIFE INSURANCE CO	320.00	1,324.93
SL SOMMER & ASSOCIATES,INC., 3129 WORTHINGTON ST., NW WASHINGTON DC 20015	NORTHROP CORP	1,500.00	863.25
CARSTENS SLACK, 1825 K ST., NW SUITE 1107 WASHINGTON DC 20006	PHILLIPS PETROLEUM COMPANY		
F. SLATINSHEK & ASSOCIATES, INC., 1102 BELLE VISTA DR. ALEXANDRIA VA 20007	GRUMMAN AERO CORP; D.L. LYNCH & ASSOCS. & GULFSTREAM AMER CO.	250.00	
MATTHEW B. SLEPIN, SUITE 1100 1828 L STREET, NW WASHINGTON DC 20036	COOPERATIVE LEAGUE OF THE USA	210.00	84.53
BARRY S. SLEVIN, 1000 POTOMAC STREET, NW WASHINGTON DC 20007	SEIFMAN, SEMO & SLEVIN, P.C. (FOR: UNITED FOOD & COMMERCIAL WORKERS INT'L UNION).		
CATHERINE REISS SLOAN, 1850 K STREET, NW WASHINGTON DC 20006	SHOOSHAN & JACKSON, INC (FOR: U.S. CABLESYSTEMS, INC)	45.00	
DAVID P. SLOANE, 1725 K STREET, NW, #710 WASHINGTON DC 20006	NATIONAL ASSN OF WHOLESALE-DISTRIBUTORS		
SMALL BUSINESS COUNCIL OF AMERICA, INC, P.O. BOX 4299 COLUMBUS GA 31904		36,425.00	11,218.48
SMALL BUSINESS LEGISLATIVE COUNCIL, 1604 K ST., NW WASHINGTON DC 20006		3,000.00	60.42
PETER SMALL, 400 MADISON AVENUE NEW YORK NY 10017	PETER SMALL & ASSOCIATES, INC. (FOR: WILLIAM M. MERCER, INC.)		
SMATHERS SYMINGTON & HERLONG, SUITE 400 1700 K ST., NW WASHINGTON DC 20006	AMERICAN HORSE COUNCIL	3,666.00	
Do	AMERICAN INLAND WATERWAYS COMM		
Do	FLORIDA EAST COAST RAILWAY CO	750.00	
Do	GOLDMAN SACHS & CO	1,500.00	
Do	NATIONAL HOCKEY LEAGUE	2,660.00	
Do	PENNZOIL CO	6,000.00	
Do	REPUBLIC OF SOUTH AFRICA	7,500.00	
DONALD E. SMILEY, 1899 L ST., NW, #1100 WASHINGTON DC 20036	EXXON CORPORATION		298.88
JAMES R. SMIRCINA, P.O. BOX 5000 CLEVELAND OH 44101	CLEVELAND ELECTRIC ILLUMINATING CO	448.46	641.55
DOUGLAS J. SMITH & ASSOCIATES, SUITE 704 1200 18TH ST., NW WASHINGTON DC 20036	INSTITUTE OF SIGNAGE RESEARCH		
Do	NATIONAL ELECTRIC SIGN ASSN		
Do	NORANDA MINING INC.		
Do	SPERRY GYROSCOPE		
ARTHUR J. SMITH, 1025 CONNECTICUT AVE., NW, #200 WASHINGTON DC 20036	SHELL OIL CO	500.00	
CATHERINE S. SMITH, 1025 CONNECTICUT AVENUE, N.W. SUITE 209 WASHINGTON DC 20036	AMERICAN BUSINESS CONFERENCE	122.63	25.00

Organization or Individual Filing	Employer/Client	Receipts	Expenditures
DEBORAH A. SMITH, 1101 14TH STREET, NW, #200 WASHINGTON DC 20005	AMERICAN NURSES' ASSN	4,998.75	368.66
DOUGLAS J. SMITH, 1200 18TH ST., NW #704 WASHINGTON DC 20036	DOUGLAS J. SMITH & ASSOCIATES (FOR: AMERICAN SIGN & INDICATOR CORP)		
ELIZABETH M. SMITH, 815 16TH ST., NW, #310 WASHINGTON DC 20006	AMALGAMATED CLOTHING & TEXTILE WORKERS UNION	4,744.48	348.87
GARY K. SMITH, 600 PENNSYLVANIA AVENUE, SE, #300 WASHINGTON DC 20003	NATIONAL ASSN OF GREETING CARD PUBLISHERS		
GORDON L. SMITH, 1201 PENNSYLVANIA AVE., NW, #700 WASHINGTON DC 20004	HILL & KNOWLTON, INC (FOR: FLORISTS' TRANSWORLD DELIVERY ASSN)	2,062.50	
GRACE H. SMITH, 1800 M STREET, NW WASHINGTON DC 20036	TELOCATOR NETWORK OF AMERICA	8,942.00	239.37
JEFFREY A. SMITH, SUITE 600 919 18TH STREET, NW WASHINGTON DC 20006	TOYOTA MOTOR SALES, USA, INC	726.00	156.93
JENNIFER L. SMITH, 900 17TH STREET, NW, #520 WASHINGTON DC 20006	WEST MEXICO VEGETABLE DISTRIBUTORS ASSN	300.00	
JULIAN H. SMITH JR., 600 NORTH 18TH STREET BIRMINGHAM AL 35291	ALABAMA POWER COMPANY	11,712.00	5,869.76
MICHAEL P. SMITH, 485 LEXINGTON AVE. NEW YORK NY 10017	NEW YORK STATE BANKERS ASSN	456.00	279.00
ROBERT BLAND SMITH JR , 1155 15TH ST., NW WASHINGTON DC 20005	PHARMACEUTICAL MANUFACTURERS ASSN	4,000.00	21.25
SHALAH SMITH, 1130 17TH STREET, NW WASHINGTON DC 20036	NATIONAL COAL ASSN	2,150.00	377.18
THOMAS BLAISDELL SMITH, 1146 19TH ST., NW WASHINGTON DC 20036	COMMUNITY NUTRITION INSTITUTE		
Do	PUBLIC VOICE FOR FOOD & HEALTH POLICY		
WILLIAM H. SMITH, 1120 CONNECTICUT AVE., NW WASHINGTON DC 20036	AMERICAN BANKERS ASSN		
WAYNE H. SMITHEY, 815 CONNECTICUT AVE., NW WASHINGTON DC 20006	FORD MOTOR CO	1,125.00	352.65
ARTHUR V. SMYTH, 1625 EYE ST., NW, #902 WASHINGTON DC 20006	WEYERHAEUSER CO	450.00	5.50
THOMAS M. SNEERINGER, 1050 31ST STREET, NW WASHINGTON DC 20007	ASSOCIATION OF TRIAL LAWYERS OF AMERICA	2,000.00	100.00
LEIGH SNELL, 510 C ST.,NE WASHINGTON DC 20002	NATIONAL ASSN OF CREDIT MANAGEMENT	300.00	
FRANK B. SNODGRASS, 1100 17TH ST., NW, #306 WASHINGTON DC 20036	BURLEY & DARK LEAF TOBACCO EXPORT ASSN	1,050.00	
LARRY S. SNOWHITE, 1015 15TH ST., N.W. WASHINGTON DC 20005	ENVIRITE CORPORATION	1,078.00	
Do	LIBERTY MUTUAL INSURANCE CO		20.93
Do	MINTZ, LEVIN, COHN, FERRIS, GLOVSKY & POPEO (FOR: LION LINES, LTD.)		
Do	MINTZ LEVIN COHN FERRIS GLOVSKY & POPEO (FOR: MASS. CONSTRUCTION INDUS. COUNCIL TRUCK WEIGHT COMM).		
Do	MINTZ, LEVIN, COHN, GLOVSKY AND POPEO (FOR: SCA SERVICES)	2,500.00	
Do	MINTZ LEVIN COHN FERRIS GLOVSKY & POPEO (FOR: SECURITIES INDUSTRY ASSN)		
SNYDER & BALL ASSOCS, INC, SUITE 1610 1700 N. MOORE ST. ARLINGTON VA 22209	AEROJET-GENERAL CORP		
Do	DSP, INC		
Do	GOULD, INC		
EDWARD F. SNYDER, 245 2ND ST., NE WASHINGTON DC 20002	FRIENDS COMMITTEE ON NATIONAL LEGISLATION	4,153.50	
J. R. SNYDER, 400 1ST ST., NW, #704 WASHINGTON DC 20001	UNITED TRANSPORTATION UNION		2,000.00
JOHN M. SNYDER, 600 PENNSYLVANIA AVE., S.E. SUITE 205 WASHINGTON DC 20003	CITIZENS COMM FOR THE RIGHT TO KEEP & BEAR ARMS	6,000.00	
SOCIETY FOR ANIMAL PROTECTIVE LEGISLATION, P.O. BOX 3719 GEORGETOWN STATION WASHINGTON DC 20007		11,080.25	12,367.78
SOCIETY FOR NUTRITION EDUCATION, 1736 FRANKLIN STREET OAKLAND CA 94612		102.24	150.80
STEVEN EDWARD SOME, SUITE 205 1333 NEW HAMPSHIRE AVENUE, NW WASHINGTON DC 20036	COASTAL CORPORATION		
EDMUND T. SOMMER JR , 1625 K ST., NW, #1200 WASHINGTON DC 20006	COUNCIL OF AMERICAN-FLAG SHIP OPERATORS	900.00	8.00
CHARLES R. SONNIER, P.O. DRAWER 1101 ABBEVILLE LA 70510	COUSHATTA TRIBE OF LOUISIANA		
SOUTHERN SATELLITE SYSTEMS, INC., P. O. BOX 45684 TULSA OK 74145			508.00
SOUTHWEST HOME FURNISHINGS ASSN, 4313 NORTH CENTRAL EXPRESSWAY P.O. BOX 64545 DALLAS TX 75205			
SOUTHWESTERN PEANUT SHELLERS ASSN, 10 DUNCANNON CT. DALLAS TX 75225			
SPECIALIZED CARRIERS & RIGGING ASSOCIATION, 733 15TH STREET, NW WASHINGTON DC 20005			
WILLIAM C. SPENCE, 3805 W. ALABAMA HOUSTON TX 77027	COLUMBIA GULF TRANSMISSION CO		
PHILIP SPESER, 1755 MASSACHUSETTS AVE., NW WASHINGTON DC 20036	CONSORTIUM OF SOCIAL SCIENCE ASSNS	12.00	
SPIEGEL & MCDIARMID, 2600 VIRGINIA AVE., NW WASHINGTON DC 20037	NORTHERN CALIFORNIA POWER AGENCY, ET AL		
GEORGE SPIEGEL, SPIEGEL & MCDIARMID 2600 VIRGINIA AVE., NW WASHINGTON DC 20037	NORTHERN CALIFORNIA POWER AGENCY		
NICHOLAS J. SPIEZIO, 3900 WISCONSIN AVENUE, NW WASHINGTON DC 20016	FEDERAL NATIONAL MORTGAGE ASSN	11,000.00	255.43
LARRY N. SPILLER, 1015 15TH ST., NW, #802 WASHINGTON DC 20005	AMERICAN CONSULTING ENGINEERS COUNCIL	900.00	
JOSEPH L. SPILMAN JR , 2101 L ST., NW WASHINGTON DC 20037	AMERICAN PETROLEUM INST	200.00	
FREDERICK C. SPREYER, SUITE 540 2501 M ST., NW WASHINGTON DC 20007	PACIFIC RESOURCES, INC	500.00	
SPRIGGS BODE & HOLLINGSWORTH, 1015 15TH ST., NW WASHINGTON DC 20005	INDEPENDENT INSURANCE AGENTS OF AMERICA, INC		
Do	INDEPENDENT TERMINAL OPERATORS ASSN		
Do	ENERGY CYCLE, INC		25.93
ELISABETH A. SQUEGLIA, BRICKER & ECKLER 1301 PENNSYLVANIA AVENUE, N.W. SUITE 1150 WASHINGTON DC 20515	AMERICAN SMALL AND RURAL HOSPITAL ASSOCIATION, OHIO CHAPTER		
MARK SQUILLACE, 317 PENNSYLVANIA AVENUE, SE WASHINGTON DC 20003	ENVIRONMENTAL POLICY INSTITUTE	4.07	
SQUIRE, SANDERS & DEMPSEY, 1201 PENNSYLVANIA AVE., NW WASHINGTON DC 20004	AMERICAN CHAMBER OF COMMERCE IN EUROPE & THE MEDITERRANEAN		
Do	AMERICAN CHAMBER OF COMMERCE IN ITALY, INC		
Do	AMERICAN CHAMBER OF COMMERCE IN SPAIN, INC		
Do	ASSOCIATION OF DATA PROCESSING SERVICE ORGANIZATIONS, INC	220.00	8.00
Do	INDEPENDENT DATA COMMUNICATIONS MFGRS. ASSN., INC	914.38	4.00
Do	NATIONAL COLLEGIATE ATHLETIC ASSN		
Do	PUBLIC SECURITIES ASSN		
JOHN W. SROKA, 1957 E ST., NW WASHINGTON DC 20006	ASSOCIATED GENERAL CONTRACTORS OF AMERICA		
ROBERT P. ST. LOUIS, 2550 M ST., NW, #225 WASHINGTON DC 20037	CONGOLEUM CORPORATION	1,000.00	351.48
DAVID E. STAHL, 15TH & M STS., NW WASHINGTON DC 20005	NATIONAL ASSN OF HOME BUILDERS OF THE U.S.		
MELVIN R. STAHL, SUITE 1410 1235 JEFFERSON DAVIS HWY. ARLINGTON VA 22202	MOTORCYCLE INDUSTRY COUNCIL		
LYNN E. STALBAUM, 1840 WILSON BOULEVARD ARLINGTON VA 22201	NATIONAL MILK PRODUCERS FED	2,610.00	24.45
STANDARD OIL CO (OHIO), MIDLAND BLDG. CLEVELAND OH 44115			23,231.08
MITCHEL STANFIELD, 1333 NEW HAMPSHIRE AVE., NW WASHINGTON DC 20036	COASTAL CORPORATION	400.00	
DAVID P. STANG, P.C., SUITE 601 1629 K ST., NW WASHINGTON DC 20006	AMERICAN TRUCK DEALERS		
Do	EMPLOYEE STOCK OWNERSHIP ASSN		
Do	INTERNATIONAL ASSN OF DRILLING CONTRACTORS		
Do	OCEAN MINERALS CO	51.83	
Do	OFFSHORE INDUSTRY COMMITTEE		
MICHAEL J. STANTON, 1909 K ST., NW, #300 WASHINGTON DC 20006	MOTOR VEHICLE MANUFACTURERS ASSOCIATION OF THE U.S., INC	160.00	
THOMAS H. STANTON, 3900 WISCONSIN AVENUE, NW WASHINGTON DC 20016	FEDERAL NATIONAL MORTGAGE ASSN	1,000.00	
MELVIN L. STARK, SUITE 321 1707 L ST., NW WASHINGTON DC 20036	HARTFORD FIRE INSURANCE CO	6,000.00	
WALTER M. STARKE, P.O. BOX 2563 BIRMINGHAM AL 35202	SOUTHERN NATURAL GAS CO		
LOIS STARKEY, SUITE 511 1745 JEFFERSON DAVIS HWY. ARLINGTON VA 22202	MANUFACTURED HOUSING INSTITUTE	700.00	100.00
ROBERT R. STATHAM, ROBERT R. STATHAM & ASSOCIATES 1000 VERMONT AVENUE, NW WASHINGTON DC 20005	COMMITTEE FOR COMMERCIAL ENERGY CONSERVATION		
JEAN C. STATLER, 1615 H STREET, NW WASHINGTON DC 20062	CHAMBER OF COMMERCE OF THE U.S	5,380.00	677.45
CHARLES D. STATTON, P.O. BOX 3965 SAN FRANCISCO CA 94119	BECHTEL POWER CORPORATION		
RANDOLPH J STAYIN, SUITE 600 21 DUPONT CIRCLE, N.W. WASHINGTON DC 20036	TAFT, STETTINIUS & HOLLISTER (FOR: AMERICAN HOT DIP GALVANIZERS ASSN.)		
Do	TAFT, STETTINIUS & HOLLISTER (FOR: MACHINERY DEALERS NATIONAL ASSOCIATION).		97.92
Do	TAFT, STETTINIUS & HOLLISTER (FOR: SHERWIN-WILLIAMS CO)	1,700.00	29.63
Do	TAFT STETTINIUS & HOLLISTER (FOR: SPECIAL COMM FOR WORKPLACE PRODUCT LIABILITY REFORM).		
ROBERT H. STEEL, 8401 ARLINGTON BOULEVARD FAIRFAX VA 22031	NATIONAL COMPUTER GRAPHICS ASSN		
DAVID J. STEINBERG, 7216 STAFFORD RD. ALEXANDRIA VA 22307	NATIONAL COUNCIL FOR RESPONSIBLE FIREARMS POLICY, INC		
STEPHENS OVERSEAS SERVICES, INC., SUITE 500 1101 CONNECTICUT AVE., NW WASHINGTON DC 20036	NATIONAL OFFICE MACHINE DEALERS ASSN	138.15	4.23
Do		48.36	57.85
MICHAEL K. STEPHENSON, SUITE 703 1620 EYE ST., NW WASHINGTON DC 20006	BECHTEL POWER CORP		
WILLIAM P. STEPONKUS, STEPONKUS & ASSOCIATES 815 CONNECTICUT AVE., NW, #810 WASHINGTON DC 20006	UNITED SERVICES AUTOMOBILE ASSN		
STEPTOE & JOHNSON, 1250 CONNECTICUT AVE., NW WASHINGTON DC 20036	ASSOCIATION OF PRIVATE PENSION & WELFARE PLANS, INC	2,702.50	
Do	COALITION FOR UNIFORM PRODUCT LIABILITY LAW		
Do	COMMITTEE FOR EFFECTIVE CAPITAL RECOVERY		300.00
Do	FOREST INDUSTRIES COMMITTEE ON TIMBER VALUATION & TAXATION		
Do	INTERNATIONAL PAPER CO		
Do	MASSACHUSETTS MUTUAL LIFE INSURANCE CO., ET AL	2,500.00	50.00
Do	RULE OF LAW COMMITTE		
RICHARD H. STERN, 2555 M ST., NW WASHINGTON DC 20037	INTEL CORPORATION		
RICHARD W. STERNBERG, 1800 MASSACHUSETTS AVE., NW WASHINGTON DC 20036	NATIONAL RURAL ELECTRIC COOPERATIVE ASSN	105.00	
HEATHER STEVENS-KITTNER, 1717 MASSACHUSETTS AVENUE, NW, #503 WASHINGTON DC 20036	NATIONAL ASSN OF INDEPENDENT COLLEGES & UNIVERSITIES		
MICHAEL E. STEWARD, 7957 REVENNA LANE SPRINGFIELD VA 22153	PUGET SOUND POWER & LIGHT CO	7,500.00	822.20
Do	VITRO ENGINEERING CORP	100.00	58.85
EUGENE L. STEWART, 1001 CONNECTICUT AVE., NW, #910 WASHINGTON DC 20036	ROSES, INC	750.00	250.41
IMAGENE STEWART, 214 P STREET, NW WASHINGTON DC 20001	AMERICAN WOMEN'S CLERGY ASSN		
TRAVIS B. STEWART, 1050 CONNECTICUT AVE., NW, #401 WASHINGTON DC 20036	HOFFMANN-LA ROCHE INC		
WALTER J. STEWART, SUITE 700 1100 15TH ST., NW WASHINGTON DC 20005	SONAT, INC		
VICTORIA STEWART-SHAIN, 1730 M STREET, NW, #808 WASHINGTON DC 20036	ABBOTT LABORATORIES	1,000.00	
WARREN E. STICKLE, SUITE 1120 1001 CONNECTICUT AVENUE, NW WASHINGTON DC 20036	CHEMICAL SPECIALITIES MANUFACTURERS ASSN	135.00	70.80
MICHAEL STIENTJES, 600 MARYLAND AVE., SW WASHINGTON DC 20024	AMERICAN FARM BUREAU FED	2,888.00	

Organization or Individual Filing	Employer/Client	Receipts	Expenditures
LAVERNE STILL, 1030 15TH ST., NW, #700 WASHINGTON DC 20005	NATIONAL COTTON COUNCIL OF AMER	375.00	9.98
STEPHEN W. STILL, 1100 15TH STREET, NW, #700 WASHINGTON DC 20005	SONAT, INC		
JOHN W. STILLWAGGON, ONE WORLD TRADE CENTER, #2265 NEW YORK NY 10048	COFFEE, SUGAR & COCOA EXCHANGE, INC		
EDWARD W. STIMPSON, SUITE 801 1400 K ST., NW WASHINGTON DC 20005	GENERAL AVIATION MANUFACTURERS ASSOCIATION	1,165.39	
KENNETH F. STINGER, 1616 P ST., NW WASHINGTON DC 20036	AMERICAN TRUCKING ASSNS, INC	9,000.00	919.43
JOHN J. STOCKER, 1110 VERMONT AVENUE, NW WASHINGTON DC 20005	SHIPBUILDERS COUNCIL OF AMERICA	13,750.00	
STOCKHOLDERS OF AMERICA, INC., 1625 EYE ST., N.W. # 724A WASHINGTON DC 20006		1,395.80	1,717.34
STEVEN F. STOCKMEYER, 1771 N STREET, NW WASHINGTON DC 20036	NATIONAL ASSN OF BROADCASTERS	3,000.00	238.00
PATTI A. STOLL, 100 FEDERAL STREET BOSTON MA 02110	FIRST NATIONAL BANK OF BOSTON		
Do	FIRST NATIONAL BOSTON CORPORATION		
GEORGE W. STONE, 12025 EAST 45TH AVE. DENVER CO 80251	FARMERS' EDUCATIONAL & CO-OPERATIVE UNION OF AMERICA	8,750.00	263.15
JOHN C. STONE, BOX 1300 MCLEAN VA 22102	MELAMINE CHEMICALS, INC	1,000.00	800.00
Do	STATE OF LOUISIANA	14,500.00	4,950.00
ALAN STOVER, 1735 NEW YORK AVENUE,NW WASHINGTON DC 20006	AMERICAN INST OF ARCHITECTS	2,500.00	
WILLIAM M. STOVER, 2501 M ST., NW WASHINGTON DC 20037	CHEMICAL MANUFACTURERS ASSOCIATION, INC	1,000.00	
DAVID E. STRACHAN, 1423 DUKE ST. ALEXANDRIA VA 22314	NATIONAL ASSN OF FERSONNAL CONSULTANTS	4,500.00	
TERRENCE D. STRAUB, 818 CONNECTICUT AVENUE, N.W. WASHINGTON DC 20006	U.S. STEEL CORPORATION	250.00	
RONALD J. STRECK, P.O. BOX 238 ALEXANDRIA VA 22313	NATIONAL WHOLESALE DRUGGISTS' ASSN	400.00	520.00
JAMES R. STREETER, 733 15TH STREET, NW WASHINGTON DC 20005	LEGAL SERVICES CORP		
RICHARD H. STREETER, 1729 H STREET, NW WASHINGTON DC 20006	CAST NORTH AMERICA LTD		
ROGER J. STROH, 727 N. WASHINGTON STREET ALEXANDRIA VA 22314	UNITED FRESH FRUIT & VEGETABLE ASSN		
GEORGE W. STRONG, 1211 HYDE PARK HOUSTON TX 77006	HOUSTON NATURAL GAS CORP		
STROOCK & STROOCK & LAVAN, 1150 17TH ST., NW WASHINGTON DC 20036	AMERICAN TRUCKING ASSOCIATIONS	115.00	
Do	CITY OF TUCSON	4,960.00	102.00
Do	DREYFUS LIQUID ASSETS		
Do	DREYFUS TAX EXEMPT BOND FUND		
Do	DREYFUS TAX EXEMPT MONEY MARKET FUND		
Do	J. ARON & CO, INC	2,300.00	45.00
Do	PUERTO RICO FEDERAL AFFAIRS ADMINISTRATION	700.00	25.00
Do	TENANT-OWNED APARTMENT ASSN., INC		
Do	WARNER COMMUNICATIONS, INC		
GEORGE STRUMPH, 624 9TH ST., NW, 7TH FL. WASHINGTON DC 20001	GROUP HEALTH ASSOCIATION OF AMERICA, INC		
NORMAN STRUNK, 111 E. WACKER DRIVE CHICAGO IL 60601	U.S. LEAGUE OF SAVINGS ASSOCIATIONS		
WALTER B. STULTS, 618 WASHINGTON BLDG. WASHINGTON DC 20005	NATIONAL ASSN OF SMALL BUSINESS INVESTMENT COS	4,000.00	
EUGENE F. STURGEON, 182 CRATER LANE KENSINGTON CT 06037	NORTHEAST UTILITIES SERVICE CO	2,190.47	1,041.98
SUBSCRIPTION TELEVISION ASSN, 1910 S ST., NW WASHINGTON DC 20009			
SULLIVAN & CROMWELL, 1775 PENNSYLVANIA AVE., NW WASHINGTON DC 20006	AMERICAN INTERNATIONAL GROUP, INC		
Do	GOLDMAN SACHS & CO		
Do	INCO UNITED STATES, INC		
Do	SECURITY LIFE OF DENVER		4.00
SULLIVAN & WORCESTER, 1025 CONNECTICUT AVE., NW WASHINGTON DC 20036	DOLLAR SAVINGS BANK & WASHINGTON MUTUAL SAVINGS BANK		
Do	MARION LABORATORES, INC	12,346.25	35.09
AUSTIN P. SULLIVAN JR , P.O. BOX 1113 MINNEAPOLIS MN 55440	GENERAL MILLS, INC		
GAEL M. SULLIVAN, SUITE 1004 1155 15TH STREET, NW WASHINGTON DC 20005	LTV CORPORATION	2,344.00	640.00
HAROLD R. SULLIVAN, 1750 K ST., NW WASHINGTON DC 20006	FOOD MARKETING INSTITUTE	900.00	
JUDY M. SULLIVAN, SUITE S-700 1120 20TH STREET, NW WASHINGTON DC 20036	NORTHWEST ENERGY CORP		
MARCIA Z. SULLIVAN, SUITE 1200 1300 N. 17TH STREET ARLINGTON VA 22209	CONSUMER BANKERS ASSN	825.00	1,487.68
MARGARET COX SULLIVAN, 1625 EYE ST., N.W. # 724A WASHINGTON DC 20006	STOCKHOLDERS OF AMERICA, INC		
MARY BETH SULLIVAN, 923 15TH ST., N.W. WASHINGTON DC 20005	TRANSPORTATION INSTITUTE	3,000.00	891.00
PATRICK J. SULLIVAN, 815 SIXTEENTH STREET, N.W. WASHINGTON DC 20006	INTERNATIONAL LONGSHOREMEN'S ASSOCIATION, AFL-CIO	7,722.41	1,424.29
RICHARD C. SULLIVAN, SUITE 409 110 MARYLAND AVE., N.E. WASHINGTON DC 20002	NATIONAL PEACE ACADEMY CAMPAIGN	5,250.00	29.51
GARY R. SUMMERS, SUITE 1014 900 17TH STREET, NW WASHINGTON DC 20006	KAISER FOUNDATION HEALTH PLAN	10,750.00	45.05
J. MITCHELL SUMMERS, 1747 PENNSYLVANIA AVE., NW WASHINGTON DC 20006	ARMCO INC	2,340.00	234.65
SUNSET DESIGNS, 3401 CROW CANYON ROAD SAN RAMON CA 94583			20,786.27
SURREY & MORSE, 1156 15TH ST., NW WASHINGTON DC 20005	BENDONE-DEROSSI	480.00	6.00
Do	BOEING COMPANY		
Do	GOVERNMENT OF THE REPUBLIC OF ZAIRE		
Do	PHARMACEUTICAL MANUFACTURERS ASSN		
Do	PIETRO BERETTA, S.P.A	125.00	
STEPHEN D. SUSMAN, SUSMAN, GODFREY & MCGOWAN 2400 ALLIED BANK PLAZA HOUSTON TX 77002	PLANTIFF CLASS, CORRUGATED CONT. ANTI-TRUST LIT		
SUTHERLAND ASBILL & BRENNAN, 1666 K ST., NW WASHINGTON DC 20006	AMERICAN INDUSTRIAL CLAY & GEORGIA KAOLIN	132.19	
Do	ANGLO-AMERICAN CLAYS CORP	132.19	
Do	ATLANTA LIFE INSURANCE COMPANY		
Do	CONSUMER CREDIT INSURANCE ASSOCIATION	825.00	18.45
Do	COUNCIL OF INDUSTRIAL BOILER OWNERS		
Do	ENGELHARD MINERALS & CHEMICALS CORP	132.19	
Do	EQUIFAX, INC	2,984.00	627.97
Do	FLATHEAD JOINT BOARD OF CONTROL	348.00	
Do	FREEPORT KAOLIN	132.19	
Do	HOLLYWOOD, INC		
Do	INDUSTRIAL OIL CONSUMERS GROUP		
Do	J. M. HUBER CORP	132.19	
Do	KANSAS FARM BUREAU LIFE INS CO; FARM BUREAU MUTUAL INS CO		
Do	KENTUCKY FARM BUREAU MUTUAL INSURANCE CO; FARM BUREAU INS CO		
Do	LIFETIME COMMUNITIES, INC	1,395.00	229.40
Do	LOYAL TRUST		
Do	MULLITE CO OF AMER	132.19	
Do	MUTUAL OF OMAHA INSURANCE CO		
Do	NATIONAL ASSN OF LIFE COS	2,000.00	
Do	NATIONAL HOME LIFE ASSURANCE COMPANY	737.00	32.98
Do	NORD RESOURCES CORP	132.19	
Do	SOUTHERN FARM BUREAU LIFE INS. CO., ET AL		
Do	STOCK INFORMATION GROUP	63,710.00	3,007.64
Do	THIELE KAOLIN CO	132.19	
Do	UNITED FARM BUREAU FAMILY LIFE INS CO, ET AL		
WILLIAM F. SUTHERLAND, 1750 K STREET, NW WASHINGTON DC 20006	FOOD MARKETING INSTITUTE	300.00	
DONNAE SUTHERLIN, 3845 FM 1960 WEST, SUITE 401 HOUSTON TX 77068	NATIONAL ASSN OF MANUFACTURERS	400.00	
SUTIN, THAYER & BROWNE, P.O. BOX 1945 ALBUQUERQUE NM 87103	TAXATION & REVENUE DEPARTMENT		
W. THOMAS SUTTLE, SUITE 4 1755 WILLARD STREET, NW WASHINGTON DC 20009	INSTITUTE OF ELECTRICAL & ELECTRONICS ENGINEERS	2,200.00	625.00
WILLIAM W. SUTTLE, 1025 CONNECTICUT AVE., NW SUITE 415 WASHINGTON DC 20036	AMERICAN INSURANCE ASSN		
IRVING W. SWANSON, 2600 VIRGINIA AVE., NW WASHINGTON DC 20037	HARRIS CORPORATION	8,625.00	984.83
DAVID A. SWEENEY, 25 LOUISIANA AVE., NW WASHINGTON DC 20001	INTERNATIONAL BROTHERHOOD OF TEAMSTERS	16,455.51	
ROSEMARIE SWEENEY, SUITE 770 600 MARYLAND AVE., SW WASHINGTON DC 20024	AMERICAN ACADEMY OF FAMILY PHYSICIANS	1,999.98	570.52
SWIDLER, BERLIN & STRELOW, CHTD., 1000 THOMAS JEFFERSON ST., NW #500 WASHINGTON DC 20007	TWENTIETH CENTURY-FOX FILM CORP		
TRICIA L. SWIFT, 1619 MASSACHUSETTS AVENUE, NW WASHINGTON DC 20036	NATIONAL FOREST PRODUCTS ASSN	1,200.00	
RUSSELL A. SWINDELL, P.O. BOX 2635 RALEIGH NC 27602	NORTH CAROLINA RAILROAD ASSOCIATION		
MERRIBEL SYMINGTON, SUITE 540 1875 EYE STREET, NW WASHINGTON DC 20006	CHAMPION INTERNATIONAL CORPORATION		
ALBERT S. TABOR JR., VINSON & ELKINS 3300 FIRST CITY TOWER HOUSTON TX 77002	ASSOCIATION OF OIL PIPELINES		
ROBERT TAFT JR , SUITE 600 21 DUPONT CIRCLE NW WASHINGTON DC 20036	TAFT, STETTINIUS & HOLLISTER (FOR: SHERWIN-WILLIAMS CO)		
Do	TAFT, STETTINIUS & HOLLISTER (FOR: AMERICAN HOSPITAL ASSN)		
Do	TAFT, STETTINIUS & HOLLISTER (FOR: AMERICAN HOT DIP GALVANIZERS ASSN)		
Do	TAFT, STETTINIUS & HOLLISTER (FOR: MACHINERY DEALERS NATIONAL ASSOCIATION).		
Do	TAFT, STETTINIUS & HOLLISTER (FOR: MIAMI CONSERVANCY DISTRICT)		
Do	TAFT, STETTINIUS & HOLLISTER (FOR: OHIO ASSN OF COMMUNITY ACTION AGENCIES).	2,500.00	
Do	TAFT, STETTINIUS & HOLLISTER (FOR: SPECIAL COMM FOR WORKPLACE PRODUCT LIABILITY REFORM).		
Do	TAFT, STETTINIUS & HOLLISTER (FOR: TAFT BROADCASTING COMPANY)	1,250.00	
Do	TAFT, STETTINIUS & HOLLISTER (FOR: TELEPHONE & DATA SYSTEMS, INC.)	1,200.00	
WALTER G. TALAREK, 1651 OLD MEADOW ROAD MCLEAN VA 22102	AMERICAN WOOD PRESERVERS INSTITUTE		
TALCOTT MCCABE & BOWSER, SUITE 302, WEST WING 600 MARYLAND AVENUE, SW WASHINGTON DC 20024	HOLIDAY INNS, INC	2,050.00	
Do	NATIONAL ASSN OF HOMES FOR CHILDREN	1,400.00	

Organization or Individual Filing	Employer/Client	Receipts	Expenditures
Do	SERVICEMASTER INDUSTRIES, INC	1,150.00	
JOE TALLAKSON, SUITE 421 1010 VERMONT AVE., NW WASHINGTON DC 20005	SENSE, INC (FOR: ONEIDA TRIBE OF WISCONSIN)		
Do	SENSE, INC. (FOR: QUINAULT INDIAN NATION)		326.53
TANAKA WALDERS & RITGER, 1919 PENNSYLVANIA AVE., NW WASHINGTON DC 20006	BRIDGESTONE TIRE CO., LTD		
Do	ELECTRONIC INDUSTRIES ASSN OF JAPAN		472.48
SUSAN TANNENBAUM, 2030 M ST., NW WASHINGTON DC 20036	COMMON CAUSE	4,217.52	76.50
LINDA TARR-WHELAN, 1201 16TH ST., NW WASHINGTON DC 20036	NATIONAL EDUCATION ASSN	1,375.00	54.50
DAN C. TATE, 1825 K STREET, NW WASHINGTON DC 20006	NATIONAL BROADCASTING CO., INC.		
JOHN F. TATE, 3238 WYNFORD DRIVE FAIRFAX VA 22031	U.S. DEFENSE COMMITTEE		
GRACE DA SILVA TAVARES, 17 PERKINS ST NEWTON MA 02165		20.00	15.00
TAXPAYERS FOR FEDERAL PENSION REFORM, P.O. BOX 7755 PHILADELPHIA PA 19101		2.80	353.19
CHARLES A. TAYLOR III, 499 SOUTH CAPITOL ST., SW, #401 WASHINGTON DC 20003	NATIONAL ASSN OF INDEPENDENT INSURERS	1,000.00	
FRANK A. TAYLOR, 1016 16TH ST., NW WASHINGTON DC 20036	NATIONAL FEDERATION OF FEDERAL EMPLOYEES	470.16	8.00
PEGGY TAYLOR, 815 16TH ST., NW WASHINGTON DC 20006	AFL-CIO	14,441.31	337.93
R. WILLIAM TAYLOR, 1575 EYE STREET, NW WASHINGTON DC 20005	AMERICAN SOCIETY OF ASSN EXECUTIVES		
STEPHANIE TEFF, 1730 M STREET, NW WASHINGTON DC 20036	LEAGUE OF WOMEN VOTERS OF THE U.S.	2,885.00	109.00
ELAYNE L. TEMPEL, 1016 16TH STREET, NW WASHINGTON DC 20036	NATIONAL FEDERATION OF FEDERAL EMPLOYEES	76.57	
PAUL M. TENDLER, 818 CONNECTICUT AVENUE, NW WASHINGTON DC 20006	PAUL TENDLER ASSOCIATES, INC (FOR: BASCOM, INC.)		
Do	PAUL TENDLER ASSOCIATES (FOR: NATIONAL FEDERATION OF LICENSED PRACTICAL NURSES).	2,000.00	2,000.00
Do	NATIONAL INCORPORATION OF TENANTS		
Do	PAUL TENDLER ASSOCIATES (FOR: RASCH ELEKTRONIK)		
Do	PAUL TENDLER ASSOCIATES, INC (FOR: SCHOENEMAN, INC)		
Do	ZENTEC, INC	250.00	250.00
TENNESSEE HOME MEDICAL PROVIDERS ASSOCIATION,INC., 424 NORTH CENTRAL AVENUE KNOXVILLE TN 37917			
BETTY-GRACE TERPSTRA, 918 16TH ST., NW, #402 WASHINGTON DC 20006	SOUTHERN FURNITURE MFGRS ASSN	750.00	633.99
EDWARD F. TERRAR JR., 499 SOUTH CAPITOL ST., S.W. ROOM 400 WASHINGTON DC 20003	WASHINGTON INDUSTRIAL TEAM, INC.	600.00	
JAY D. TERRY, LEONARD KOEHN ROSE & HURT, SUITE 317 1025 CONNECTICUT AVE., NW WASHINGTON DC 20036			
TEXASGULF, INC., HIGH RIDGE PARK STAMFORD CT 06904			
TEXTRON, INC., 40 WESTMINSTER ST. PROVIDENCE RI 02903			9,832.14
MARY KAY THATCHER, 600 MARYLAND AVENUE, SW WASHINGTON DC 20024	AMERICAN FARM BUREAU FEDERATION	5,062.00	50.00
BRUCE D. THEVENOT, 1155 15TH ST., NW, #424 WASHINGTON DC 20005	CASSON, CALLIGARO & MUTRYN (FOR: HUMANA, INC.)	1,850.00	
Do	OKLAHOMA STATE NURSING HOME ASSN	1,470.00	
Do	SPECTRUM EMERGENCY CARE, INC		
E. WAYNE THEVENOT, INC., 1120 CONNECTICUT AVE., NW, #1128 WASHINGTON DC 20036	HALLMARK CARDS, INC		
CRAIG G. THIBAUDEAU, 3251 OLD LEE HIGHWAY, #500 FAIRFAX VA 22030	NATIONAL LIMESTONE INST, INC	651.04	
BARBARA BRENDES THIES, RM. 330W 1500 PLANNING RESEARCH DR. MCLEAN VA 22102	PLANNING RESEARCH CORPORATION		357.44
THIRD CLASS MAIL ASSOCIATION, 1010 WISCONSIN AVENUE, NW, #630 WASHINGTON DC 20007		600.00	600.00
DORIS I. THOMAS, 15TH & M STS., NW WASHINGTON DC 20005	NATIONAL ASSN OF HOME BUILDERS OF THE U.S.		
JAMES M. THOMAS JR., 100 INDIANA AVENUE, NW, #403 WASHINGTON DC 20001	AMALGAMATED TRANSIT UNION, NATL CAPT LOCAL 689		
JOHN W. THOMAS, SUITE 828 1522 K ST., NW WASHINGTON DC 20005	AMERICAN VETERINARY MEDICAL ASSN		
Do	ASSOCIATION OF AMERICAN VETERINARY MEDICAL COLLEGES		
MESHALL THOMAS, SUITE 400 2000 P STREET, NW WASHINGTON DC 20036	WOMEN'S LEGAL DEFENSE FUND		
PATRICIA THOMAS, 1016 16TH STREET, NW WASHINGTON DC 20036	NATIONAL FEDERATION OF FEDERAL EMPLOYEES	6,125.82	
ROBERT L. THOMAS, 1319 F ST., NW WASHINGTON DC 20004	NATIONAL ASSN OF PRIVATE PSYCHIATRIC HOSPITALS	40.00	
THOMPSON & MITCHELL, SUITE 3400 ONE MERCANTILE CENTER ST. LOUIS MO 63101	AMERICAN INLAND WATERWAYS COMMITTEE	112.17	
Do	CROWN LIFE INSURANCE CO	9,000.00	4,691.52
Do	MIDLAND ENTERPRISES, INC.		
Do	VALLEY LINE COMPANY		
BOYD THOMPSON, SUITE 210 5410 GROSVENOR LANE BETHESDA MD 20814	AMERICAN ASSN OF FOUNDATIONS FOR MEDICAL CARE		
Do	AMERICAN MEDICAL PEER REVIEW ASSN		
GARY C. THOMPSON, 1126-16TH ST., N.W. WASHINGTON DC 20036	OIL, CHEMICAL & ATOMIC WORKERS INTERNATIONAL UNION	4,374.99	
JAMES F. THOMPSON JR., 1957 E STREET, N.W. WASHINGTON DC 20006	ASSOCIATED GENERAL CONTRACTORS OF AMERICA		
KENNETH W. THOMPSON, 1660 L ST., NW, #601 WASHINGTON DC 20036	INTERSTATE NATURAL GAS ASSOCIATION OF AMERICA	300.00	
LAW OFFICES OF FRED 1919 PENNSYLVANIA AVENUE, NW, #850 WASHINGTON DC 20006	CABLE AMERICA, INC		
Do	CENTRAL STATES SE & SW AREAS HEALTH, WELFARE & PENSION FUNDS	7,282.00	
Do	TENNESSEE SAVINGS & LOAN LEAGUE, INC		
Do	U.S. CABLESYSTEMS, INC	588.25	
Do	WESTINGHOUSE ELECTRIC CORP	5,808.50	
NANCY THOMPSON, 1600 EYE STREET, NW WASHINGTON DC 20006	MOTION PICTURE ASSN OF AMERICA, INC	57.00	
RICHARD L THOMPSON, 1730 M ST., NW, #808 WASHINGTON DC 20036	ABBOTT LABORATORIES	4,500.00	
ROGER G. THOMPSON, 1701 CENTRAL AVE. ASHLAND KY 41101	KENTUCKY POWER CO	3,000.00	2,556.61
SAMUEL C. THOMPSON JR., SCHIFF HARDIN & WAITE 1101 CONNECTICUT AVENUE, NW, #600 WASHINGTON DC 20036	CHIAGO BOARD OPTIONS EXCHANGE, INC		
W. REID THOMPSON, 1900 PENNSYLVANIA AVE., NW WASHINGTON DC 20068	POTOMAC ELECTRIC POWER CO	33.56	
WILLIAM D. THOMPSON, 1001 CONNECTICUT AVE., NW, #601 WASHINGTON DC 20036	LEAR SIEGLER, INC	3,000.00	101.16
CYNTHIA L. THORNBURG, P.O. BOX 3556 WASHINGTON DC 20007	AMERICAN MEAT INSTITUTE	1,500.00	278.23
JOHN A. THORNER, 1619 MASSACHUSETTS AVENUE, NW WASHINGTON DC 20036	NATIONAL FOREST PRODUCTS ASSN		
WILLIAM R. THORNHILL, P.O. BOX 2511 HOUSTON TX 77001	TENNESSEE GAS PIPELINE CO		26.84
MARGO THORNING, 1850 K STREET, NW WASHINGTON DC 20006	AMERICAN COUNCIL FOR CAPITAL FORMATION	210.00	
WALTER L. THREADGILL, 1220 19TH STREET, NW WASHINGTON DC 20036	STORER COMMUNICATIONS, INC	238.05	527.00
SAMUEL THURM, 1725 K ST., NW WASHINGTON DC 20006	ASSOCIATION OF NATL ADVERTISERS		
CYRUS C. TICHENOR III, 1050 17TH ST., NW, #1104 WASHINGTON DC 20036	A. H. ROBINS CO, INC	785.00	71.00
DREW V. TIDWELL, SUITE 1200 1300 N. 17TH ST. ARLINGTON VA 22209	CONSUMER BANKERS ASSN	2,250.00	30,648.49
ROBERT O. TIERNAN, 1800 M STREET, NW, #299 WASHINGTON DC 20036	PENN CENTRAL CORP		
TIETZ & O'CONNELL, 107 WEST JEFFERSON STREET ROCKVILLE MD 20850	Y & M STEEL CONTRACTORS, INC		
ROGER TILLES, SUITE 1050 1111 19TH ST., NW WASHINGTON DC 20036	FILMS, INC	1,623.50	97.79
Do	MICHIGAN DEPT OF EDUCATION	9,000.00	1,383.52
Do	NATIONAL CON-SERV, INC	7,055.00	524.62
Do	WASHINGTON PSYCHIATRIC SOCIETY	12,000.00	1,499.09
WALLACE TILLMAN, 1800 MASSACHUSETTS AVE., NW WASHINGTON DC 20036	NATIONAL RURAL ELECTRIC COOPERATIVE ASSN	150.00	
MARTIN R. TILSON JR , PO BOX 2563 BIRMINGHAM AL 35202	SOUTHERN NATURAL GAS CO	156.48	199.40
PATTI A. TILSON, SUITE 520 900 17TH STREET, NW WASHINGTON DC 20006	TOYOTA MOTOR SALES, U.S.A., INC	500.00	
C. H. TIMBERLAKE, 1825 K ST., NW, #1107 WASHINGTON DC 20006	PHILLIPS PETROLEUM COMPANY		
TIMMONS & CO, INC, 1850 K ST., NW, #850 WASHINGTON DC 20006	AMERICAN BROADCASTING COS., INC	1,768.13	
Do	ANHEUSER-BUSCH COS., INC	646.88	
Do	AMERICAN INLAND WATERWAYS COMM	630.00	
Do	AMERICAN PETROLEUM INST	665.63	
Do	ASSOCIATION OF TRIAL LAWYERS OF AMERICA	1,020.00	
Do	BROWN GROUP, INC	45.00	
Do	CHRYSLER CORPORATION	1,380.00	
Do	EASTERN AIR LINES, INC	720.00	
Do	G. D. SEARLE & CO	585.00	
Do	H. J. HEINZ CO	180.00	180.00
Do	MAJOR LEAGUE BASEBALL	905.63	95.98
Do	MIDDLE SOUTH SERVICES	630.00	
Do	NATIONAL RIFLE ASSN OF AMER	585.00	
Do	NORTHROP CORP	1,312.50	
Do	OFFICE OF THE GOVERNOR OF THE STATE OF AK		
Do	STANDARD OIL CO (INDIANA)	1,125.00	
MICHAEL L. TINER, 1775 K ST., NW WASHINGTON DC 20006	UNITED FOOD & COMMERCIAL WORKERS INTL UNION	11,038.44	1,055.21
EBEN S. TISDALE, 1101 16TH ST., NW SUITE 300 WASHINGTON DC 20036	SCIENTIFIC APPARATUS MAKERS ASSN	1,450.00	81.37
TITLE ASSOCIATES, INC., RT.2, BOX 89 COLUMBIA TN 38401			
TOBACCO ASSOCIATES, INC, SUITE 912 1101 17TH ST., NW WASHINGTON DC 20036			3,342.82
JAMES R. TOBIN, MACK CENTRE DR. PARAMUS NJ 07652	BECTON, DICKINSON & CO	2,000.00	
WILLIAM J. TOBIN, SUITE 600 1523 L STREET, NW WASHINGTON DC 20005	NATIONAL TAX LIMITATION COMMITTEE	1,500.00	25.00
DAVID G. TODD, 1025 CONNECTICUT AVE., NW, #507 WASHINGTON DC 20036	ASHLAND OIL, INC	2,000.00	
DAVID R. TOLL, SUITE 1100 1111 19TH STREET, NW WASHINGTON DC 20036	WESTERN UTILITIES CLEAN AIR GROUP		
WILLIAM R. TOLLEY JR , PO BOX 37 MELBOURNE FL 32919	HARRIS CORPORATION		102.25
SALLY AUSTEN TOM, SUITE 1120 1522 K STREET, NW WASHINGTON DC 20005	AMERICAN COLLEGE OF NURSE-MIDWIVES		
EDWARD TONAT, 6723 BRIGADOON DRIVE BETHESDA MD 20034	ROBERT GOFF & ASSOCIATES, INC		
ANN TONJES, 955 L'ENFANT PLAZA, SW WASHINGTON DC 20024	NATIONAL ASSN OF PUBLIC TELEVISION STATIONS	600.00	115.00
WILLIAM D. TOOHEY, 1899 L ST., NW, #600 WASHINGTON DC 20036	TRAVEL INDUSTRY ASSOCIATION OF AMERICA		
JOHN B. TOONE, P.O. BOX 970 FORT WORTH TX 76101	TEXAS ELECTRIC SERVICE CO	168.18	90.45

Organization or Individual Filing	Employer/Client	Receipts	Expenditures
WANDA TOWNSEND, 1724 MASSACHUSETTS AVE., NW WASHINGTON DC 20036	NATIONAL CABLE TELEVISION ASSN, INC	318.75	
JOHN P. TRACEY, 1801 K ST., NW, #1201 WASHINGTON DC 20006	U.S. INDEPENDENT TELEPHONE ASSN	1,000.00	
RICHARD L. TRACHTMAN, SUITE 500 1101 VERMONT AVE. NW WASHINGTON DC 20005	AMERICAN SOCIETY OF INTERNAL MEDICINE	2,088.78	28.70
JEFFREY B. TRAMMELL, 3255 GRACE STREET, NW WASHINGTON DC 20007	GRAY AND COMPANY (FOR: COMMONWEALTH OF PUERTO RICO)		
Do	GRAY AND COMPANY (FOR: HEALTH INSURANCE ASSN OF AMERICA)		
Do	GRAY AND COMPANY (FOR: MOTOROLA)		
Do	GRAY AND COMPANY (FOR: SHAKLEE CORPORATION)		
Do	GRAY AND COMPANY (FOR: RICHARD L. SINNOTT & COMPANY)		
Do	GRAY AND COMPANY (FOR: TOBACCO INSTITUTE)		
Do	GRAY AND COMPANY (FOR: NATIONAL BROADCASTING CO)	439.15	
TRANSPORTATION ASSN OF AMER, SUITE 1107 1100 17TH ST., NW WASHINGTON DC 20036		845.00	370.00
TRANSPORTATION INSTITUTE, 923 15TH ST., NW WASHINGTON DC 20005			26,241.00
HUBERT TRAVAILLE, SUITE 510 1090 VERMONT AVE., NW WASHINGTON DC 20005	POTLATCH CORPORATION	1,500.00	
TRAVEL & TOURISM GOVERNMENT AFFAIRS POLICY COUNCIL, SUITE 607 1899 L STREET, NW WASHINGTON DC 20036		1,635.00	1,635.00
TRAVEL INDUSTRY ASSOCIATION OF AMERICA, 1899 L ST., NW WASHINGTON DC 20036			
ERNEST B. TREMMEL, INC., 5908 ROSSMORE DRIVE BETHESDA MD 20014	BURNS AND ROE, INC	1,408.00	141.25
R. S. TRIBBE, 1000 16TH ST., NW WASHINGTON DC 20036	TRANS WORLD AIRLINES, INC	195.00	
LAURENCE H. TRIBE, P.C., 1525 MASSACHUSETTS AVENUE CAMBRIDGE MA 02138	MOTION PICTURE ASSN OF AMERICA, INC	8,500.00	
EUGENE M. TRISKO, 9817 ROSENSTEEL AVENUE SILVER SPRING MD 20910	STERN BROS., INC	7,304.00	1,080.00
MICHAEL G. TROOP, SUITE 700 1111 NORTH 19TH STREET, NW ARLINGTON VA 22209	NATIONAL ASSN OF FEDERAL CREDIT UNIONS	1,300.00	23.58
GEORGE G. TROUTMAN, SUITE 1100 1090 VERMONT AVE., NW WASHINGTON DC 20005	BELL HELICOPTER TEXTRON	150.00	
ALEXANDER B. TROWBRIDGE, 1776 F STREET, NW WASHINGTON DC 20006	NATIONAL ASSN OF MANUFACTURERS	1,885.00	
MARIAN TROYER, 1242 D STREET, SE WASHINGTON DC 20003	BONNEVILLE ASSOCS, INC (FOR: INTERMOUNTAIN HEALTH CARE)	1,525.00	
THOMAS L. TRUEBLOOD, 401 NORTH MICHIGAN AVE. CHICAGO IL 60611	INTERNATIONAL HARVESTER	1,000.00	99.06
TRUST FOR PUBLIC LAND, 82 SECOND ST. SAN FRANCISCO CA 94105			7,118.51
ANH TU, SUITE 860 1029 VERMONT AVE., NW WASHINGTON DC 20005	PROJECT ADVISORY GROUP		
TUCKER & BROWN, SUITE 1330 WESTERN FEDERAL SAVINGS BLDG. 718 17TH STREET DENVER CO 80202	JOHNS-MANVILLE CORP		
Do	PETRO-LEWIS CORPORATION		
Do	REGIONAL TRANSPORTATION AUTHORITY		
B. ELIZABETH TUNNEY, 124 SALEM CHURCH ROAD MECHANICSBURG PA 17015	RETAIL, WHOLESALE & DEPT STORE UNION (INT'L), ET AL	7,995.00	1,920.03
NORMAN B. TURE, 1100 CONNECTICUT AVENUE, NW, #550 WASHINGTON DC 20036			
WILLIAM J. TURENNE, 1901 L STREET, NW WASHINGTON DC 20036	ELI LILLY AND COMPANY	3,000.00	324.21
BRIAN TURNER, 815 16TH STREET, NW WASHINGTON DC 20006	INDUSTRIAL UNION DEPARTMENT, AFL-CIO	6,750.00	
RICHARD F. TURNEY, 1725 K ST., NW WASHINGTON DC 20006	COURTNEY, MCCAMANT & TURNEY	300.00	
W. GLENN TUSSEY, 600 MARYLAND AVE., SW WASHINGTON DC 20024	AMERICAN FARM BUREAU FED	6,850.00	16.00
ST. CLAIR J. TWEEDIE, SUITE 220 1575 EYE STREET, NW WASHINGTON DC 20005	AMERICAN CYANAMID COMPANY	4,500.00	150.00
EDGAR H. TWINE, 1333 NEW HAMPSHIRE AVE., NW WASHINGTON DC 20036	ATLANTIC RICHFIELD CO	500.00	6.40
U.S. CANE SUGAR REFINERS' ASSN, 1001 CONNECTICUT AVE., NW WASHINGTON DC 20036		2,645.00	1,112.47
U.S. CANTALOUPE GROWERS & IMPORTERS ASSN, P.O. BOX 366 HIDALGO TX 78557			
U.S. COMMITTEE FOR THE OCEANS, 100 MARYLAND AVE., NE WASHINGTON DC 20002			
U.S. DEFENSE COMMITTEE, 3238 WYNFORD DRIVE FAIRFAX VA 22031		2,559.58	2,559.58
U.S. HOUSING REFORM MOVEMENT, P.O. BOX 28347 WASHINGTON DC 20005			16.00
U.S. LEAGUE OF SAVINGS ASSOCIATIONS, 111 E. WACKER DR. CHICAGO IL 60601			105,989.11
U.S. SKI ASSOCIATION, SUITE 300 1919 PENNSYLVANIA AVE., NW WASHINGTON DC 20006			
LEWIS K. UHLER, SUITE 600 1523 L ST., NW WASHINGTON DC 20005	NATIONAL TAX LIMITATION COMMITTEE	1,500.00	25.00
ULLMAN CONSULTANTS, INC., 1000 POTOMAC ST., N.W. SUITE 302 WASHINGTON DC 20007	CONFEDERATED TRIBES OF THE WARM SPRINGS RESERVATION	2,300.00	
Do	INTERNATIONAL TITANIUM, INC	3,000.00	
Do	MERCK & CO., INC	7,500.00	
Do	OREGON METALLURGICAL CORP	1,500.00	
Do	PUBLIC UTILITY TAX COMMITTEE		
Do	SPRUELL DEVELOPMENT CORPORATION	1,500.00	
Do	U.S. LEAGUE OF SAVINGS ASSOCIATIONS	7,500.00	
Do	WESTERN FOREST INDUSTRIES ASSOCIATION		
MANYA S. UNGAR, 10 BRANDYWINE COURT SCOTCH PLAINS NJ 07076	NATIONAL CONGRESS OF PARENTS & TEACHERS		2,210.65
CHARLES K. UNGER, SUITE 601 307 YOAKUM PARKWAY ALEXANDRIA VA 22304	NATIONAL ASSN OF STEVEDORES	3,000.00	485.70
UNIFI, INC., 7201 W. FRIENDLY RD. P.O. BOX 21368 GREENSBORO NC 27420			2,734.00
UNION MUTUAL LIFE INSURANCE CO, 2211 CONGRESS ST. PORTLAND ME 04122			1,970.88
UNITED AUTO, AEROSPACE & AGRICULTURAL IMPLEMENT WORKERS, WORKERS OF AMERICA (UAW) 8000 E. JEFFERSON DETROIT MI 48214.		89,380.67	89,380.67
UNITED BROTHERHOOD OF CARPENTERS & JOINERS OF AMERICA, 101 CONSTITUTION AVE., NW WASHINGTON DC 20001			32,092.97
UNITED FRESH FRUIT & VEGETABLE ASSN, 727 N. WASHINGTON ST. ALEXANDRIA VA 22314		2,092.54	2,092.54
UNITED GAS PIPE LINE CO, PO BOX 1478 HOUSTON TX 77001			2,500.50
UNITED IRISH & AMERICAN SOCIETY OF ILLINOIS, BOX 219 3400 W. 111TH STREET CHICAGO IL 60655		1,062.00	1,259.17
UNITED SERVICES AUTOMOBILE ASSOCIATION, 9800 FREDERICKSBURG ROAD SAN ANTONIO TX 78288			
LLOYD N. UNSELL, 1101 16TH ST., NW WASHINGTON DC 20036	INDEPENDENT PETROLEUM ASSOCIATION OF AMERICA		29.25
A. RUSSELL UPSHAW JR., 1030 15TH STREET, NW WASHINGTON DC 20005	EASTERN AIRLINES		745.00
DREW A. UPTON, 1100 16TH ST., NW WASHINGTON DC 20036	SCIENTIFIC APPARATUS MAKERS ASSN		
MARIAN S. URNIKIS, 1120 CONNECTICUT AVENUE, NW WASHINGTON DC 20036	AMERICAN BANKERS ASSN		
YOSHINORI USUI, SUITE 600 919 18TH STREET, NW WASHINGTON DC 20006	TOYOTA MOTOR SALES, USA, INC	250.00	463.14
UTILITY NUCLEAR WASTE MANAGEMENT GROUP, C/O EDISON ELECTRIC INSTITUTE 1111 19TH ST., NW WASHINGTON DC 20036.		1,289.43	1,289.43
RONALD D. UTT, 1615 H STREET, NW WASHINGTON DC 20062	CHAMBER OF COMMERCE OF THE U.S	335.00	33.34
JACK J. VALENTI, 1600 EYE ST., NW WASHINGTON DC 20006	MOTION PICTURE ASSN OF AMER, INC	840.00	
VAN FLEET ASSOCIATES, SUITE 102 499 SOUTH CAPITOL ST., SW WASHINGTON DC 20003	FORD AEROSPACE	3,000.00	
Do	MARCONI ELECTRONICS	4,281.25	
Do	CADILLAC GAGE	11,250.00	
H. B. VAN GIESON, 1700 NORTH MOORE STREET ROSSLYN VA 22209	BOEING COMPANY		
C. D. VAN HOUWELING, P.O. BOX 69 CENTREVILLE VA 22020	NATIONAL PORK PRODUCERS COUNCIL	525.00	
NICK L. VAN NELSON, SUITE 540 1875 EYE STREET, NW WASHINGTON DC 20006	CHAMPION INTERNATIONAL CORPORATION		
VAN NESS, FELDMAN, SUTCLIFFE, CURTIS & LEVENBERG, 7TH FLOOR 1050 THOMAS JEFFERSON ST., NW WASHINGTON DC 20007.	ALLIED-GENERAL NUCLEAR SERVICES		
Do	AMERICAN ELECTRIC POWER CO., INC., ET AL	750.00	
Do	AMERICAN INST FOR CERTIFIED PUBLIC ACCOUNTANTS		
Do	AMERICAN PRESIDENT LINES, LTD	855.00	
Do	ARCTIC SLOPE REGIONAL CORP	125.00	
Do	ASHLEY, THOMAS LUDLOW (FOR GENERAL PUBLIC UTILIES)		
Do	BLISS & CRAFT		
Do	COLUMBIA GAS SYSTEM SERVICE CORP	600.00	
Do	FLORIDA AGRICULTURE COALITION, INC		
Do	HAWAIIAN ELECTRIC COMPANY	225.00	
Do	JACOBS ENGINEERING GROUP, INC		
Do	MCDONNELL DOUGLAS ASTRONAUTICS CORP	1,245.00	
Do	NATOMAS COMPANY		
Do	PEABODY COAL COMPANY		
Do	PENNSYLVANIA ELECTRIC CO; NEW YORK STATE ELECTRIC & GAS CO	600.00	
Do	REPUBLIC GEOTHERMAL, INC		
Do	REPUBLIC OF PALAU		
Do	JOSEPH SEAGRAM & SONS, INC		
Do	SLURRY TRANSPORT ASSN	5,820.00	6.00
Do	STATE OF ALASKA	350.00	
Do	TEXAS AIR CORP. AND CONTINENTAL AIR LINES		
Do	U.S. ETHANOL CORPORATION		
Do	UNION CARBIDE CORP		
Do	WHEELABRATOR-FRYE, INC		
Do	WINDFARMS, LTD		
GLENN R. VAN SCHOONEVELD, SUITE 702 1747 PENNSYLVANIA AVENUE, NW WASHINGTON DC 20006	ARMCO	1,997.25	282.87
DANIEL W. VANNOY, 1776 F ST., NW WASHINGTON DC 20006	NATIONAL ASSN OF MANUFACTURERS		
ELLEN JOSEPHSON VARGYAS, 1625 K ST., NW 8TH FLOOR WASHINGTON DC 20006	NATIONAL LEGAL AID & DEFENDERS ASSN	9,614.02	31.65
JAY N. VARON, SUITE 1000 1775 PENNSYLVANIA AVENUE, NW WASHINGTON DC 20006	FOLEY LARDNER HOLLABAUGH & JACOBS (FOR: LAWYERS TITLE INSURANCE CORPORATION).		
JENNIFER VASILOFF, 530 7TH STREET, SE WASHINGTON DC 20003	NATIONAL CLEAN AIR COALITION	1,002.04	
A. RANDALL VEHAR, 900 15TH ST., NW WASHINGTON DC 20005	UNITED MINE WORKERS OF AMERICA		
VELSICOL CHEMICAL CORP, 341 EAST OHIO ST. CHICAGO IL 60611			278.95

Organization or Individual Filing	Employer/Client	Receipts	Expenditures
VENABLE, BAETJER, HOWARD & CIVILETTI, SUITE 704 1301 PENNSYLVANIA AVENUE, NW WASHINGTON DC 20004	PHARMACEUTICAL MANUFACTURERS ASSN		
Do	WESTVACO CORPORATION	2,737.81	
JOSPEH T. VENTURA ENTERPRISES, INC, 1725 K STREET, NW, #401 WASHINGTON DC 20006	NATIONAL FOOTBALL LEAGUE		
C. JOHN VERMILYE, 818 CONNECTICUT AVE., NW WASHINGTON DC 20006	U.S. STEEL CORPORATION		
VERNER, LIIPFERT, BERNHARD & MCPHERSON, 1660 L ST., NW WASHINGTON DC 20036	PAN AMERICAN WORLD AIRWAYS, INC	1,725.00	
Do	TRAVELERS CORP	1,105.00	1,105.00
Do	TURNER BROADCASTING SYSTEM, INC		
LINDA VICKERS, 1706 23RD ST., SOUTH ARLINGTON VA 22202	COMMUNICATING FOR AGRICULTURE	800.00	
Do	NATIONAL ASSN OF CROP INUSRANCE AGENTS	8,750.00	
BRENDA R. VIEHE-NAESS, 1025 CONNECTICUT AVE., NW, #415 WASHINGTON DC 20036	AMERICAN INSURANCE ASSN		
DAVID VIENNA, 510 C ST., NE WASHINGTON DC 20005	NATIONAL ASSN OF CREDIT MANAGEMENT	650.00	
R. ERIC VIGE, SUITE 300 1747 PENNSYLVANIA AVENUE, NW WASHINGTON DC 20006	CITIES SERVICE CO	1,015.00	
HOWARD A. VINE, 1776 F ST., NW WASHINGTON DC 20006	NATIONAL ASSN OF MANUFACTURERS	400.00	
WALTER D. VINYARD JR , ALSTON MILLER & GAINES 1800 M ST., NW WASHINGTON DC 20036	CONTINENTAL INSURANCE COMPANIES	3,000.00	
Do	HARTFORD INSURANCE GROUP	15.00	
VIRGINIA ASSOCIATION OF RAILWAY PATRONS, P.O.BOX 867 RICHMOND VA 23207		82.33	82.33
ANDREW VITALI JR , 2101 L ST., NW WASHINGTON DC 20037	AMERICAN PETROLEUM INST	6,000.00	100.32
VOLKSWAGEN OF AMERICA, INC, SUITE 2450 475 L'ENFANT PLAZA, SW WASHINGTON DC 20024			600.00
DOUGLAS K. VOLLMER, 801 18TH ST., NW WASHINGTON DC 20006	PARALYZED VETERANS OF AMERICA	9,185.52	
VOLPE, BOSKEY & LYONS, SUITE 602 918 16TH STREET, NW WASHINGTON DC 20006	AMERICAN ASSN OF EQUIPMENT LESSORS		
VOLUME FOOTWEAR RETAILERS OF AMERICA, 1319 F ST., NW WASHINGTON DC 20004			
INGRID A. VOORHEES, 1957 E ST., NW WASHINGTON DC 20006	ASSOCIATED GENERAL CONTRACTORS OF AMERICA	2,000.00	500.00
VORYS, SATER, SEYMOUR & PEASE, SUITE 1111 1828 L ST., NW WASHINGTON DC 20036	CABOT CORPORATION	2,859.90	253.77
Do	COMMITTEE OF PUBLICLY OWNED COMPANIES	2,310.90	1,116.03
Do	DOMINION-CONSOLIDATED TRUCK LINES, LTD		
Do	GROCERY MANUFACTURERS OF AMERICA, INC	1,120.00	
Do	MOWSAFE PRODUCTS, INC		
Do	OHIO MFRS ASSN	12,600.00	401.13
Do	SMALL BUSINESS COALITION FOR POLLUTION CONTROL	2,000.00	1,564.88
Do	TOLEDO TRUST COMPANY	5,200.00	294.69
Do	WAGNALLS MEMORIAL		
W.A.W. WAR AGAINST WOMEN, 1224 FREEMONT ROSEBURG OR 97470			
CATHERINE WAELDER, 1016 16TH ST., NW WASHINGTON DC 20036	NATIONAL FEDERATION OF FEDERAL EMPLOYEES	26.46	1.30
ROBERT J. WAGER, 2020 K ST., NW, #850 WASHINGTON DC 20006	AMERICAN BAKERS ASSN	1,262.50	4.15
KERRI WAGNER, 1155 15TH STREET, NW WASHINGTON DC 20005	NATIONAL BROILER COUNCIL	750.00	
NANCY E. WAGNER, 1800 M STREET, NW, #295 NORTH WASHINGTON DC 20036	HUSKY OIL COMPANY		
SARAH L. WAGONER, 6TH FLOOR 1050 THOMAS JEFFERSON STREET, NW WASHINGTON DC 20007	AMERICAN SAMOA		
Do	ST. JOE MINERALS CORP		
Do	MARLINE OIL CORPORATION		
HOWARD W. WAHL, 777 E. EISENHOWER PKWY P.O. BOX 1000 ANN ARBOR MI 48106	BECHTEL POWER CORPORATION		
CHRISTINE M. WAISANEN, NEW MURPHY ROAD & CONCORD PIKE WILMINGTON DE 19897	ICI AMERICAS, INC		
HERBERT R. WAITE, 100 FEDERAL ST. BOSTON MA 02110	FIRST NATIONAL BANK OF BOSTON	3,800.00	4,438.50
Do	FIRST NATIONAL BOSTON CORPORATION		
WALD, HARKRADER & ROSS, 1300 19TH ST., NW WASHINGTON DC 20036	AMERICAN PAPER INSTITUTE		
Do	HARTFORD STEAM BOILER INSPECTION & INSURANCE CO	650.00	
Do	LIFELINE SYSTEMS, INC		
ANGELA S. WALDORF, N.C. PETROLEUM COUNCIL P.O. BOX 167 RALEIGH NC 27602	AMERICAN PETROLEUM INSTITUTE		
ROBERT E. WALDRON, ASSOCIATED PETROLEUM INDUSTRIES OF MICHI 930 MICHIGAN NATL TOWER, PO BOX 10070 LANSING MI 48901.	AMERICAN PETROLEUM INST	767.50	953.39
CHARLS E. WALKER ASSOCIATES, INC., 1730 PENNSYLVANIA AVE., NW WASHINGTON DC 20006	AGRICO CHEMICAL COMPANY, ET AL	1,000.00	
Do	AIR TRANSPORT ASSN OF AMER	500.00	
Do	ALUMINUM CO OF AMER	312.50	
Do	AMERICAN GUILD OF AUTHORS & COMPOSERS	3,000.00	
Do	AMERICAN TELEPHONE & TELEGRAPH CO	312.50	
Do	BECHTEL CIVIL & MINERALS, INC	312.50	
Do	BETHLEHEM STEEL CORP	750.00	
Do	CSX CORPORATION	750.00	
Do	DEALER BANK ASSN	833.33	
Do	DIMENSION BANCORP, INC	400.00	
Do	DRESSER INDUSTRIES, INC	312.50	
Do	FEDERAL NATIONAL MORTGAGE ASSN		
Do	FIRST CHICAGO CORP		
Do	FORD MOTOR CO		
Do	GENERAL PUBLIC UTILITIES CORPORATION		
Do	GENERAL TELEPHONE & ELECTRONICS	312.50	
Do	GOODYEAR TIRE & RUBBER CO	312.50	
Do	INLAND STEEL CORP	500.00	
Do	LONE STAR STEEL CO	3,750.00	
Do	MEAD CORPORATION		
Do	NORTHVILLE INDUSTRIES CORP		
Do	NORTHWESTERN MUTUAL LIFE INSURANCE CO		
Do	OWENS-ILLINOIS	312.50	
Do	PHELPS DODGE CORP	250.00	
Do	PROCTER & GAMBLE MANUFACTURING CO	312.50	
Do	SCOTT PAPER COMPANY		
Do	UNION CARBIDE CORP		
CHARLES W. WALKER, 1125 15TH ST., NW WASHINGTON DC 20005	INTERNATIONAL BROTHERHOOD OF ELECTRICAL WORKERS	14,425.00	
DOUGLAS K. WALKER, 1615 H STREET, NW WASHINGTON DC 20062	CHAMBER OF COMMERCE OF THE U.S.	967.50	50.00
R. DUFFY WALL & ASSOCIATES, INC, 11 DUPONT CIRCLE, NW, #630 WASHINGTON DC 20036	FREEPORT-MCMORAN, INC	300.00	100.00
Do	LIFE OF VIRGINIA, LIBERTY NATIONAL, ET AL	333.33	100.00
Do	VOLUME FOOTWEAR RETAILERS OF AMERICA	266.66	100.00
MARTIN A. WALL, 1025 VERMONT AVENUE, NW, #800 WASHINGTON DC 20005	AMERICAN OSTEOPATHIC HOSPITAL ASSOCIATION	1,950.00	1,095.20
R. DUFFY WALL, SUITE 400 1730 RHODE ISLAND AVE., NW WASHINGTON DC 20036	FREEPORT MCMORAN INC	117.00	75.91
DON WALLACE ASSOCIATES, INC., 232 E. CAPITOL ST. WASHINGTON DC 20003	ALABAMA FARM BUREAU FEDERATION	6,000.00	3,492.26
Do	AMERICAN SUGAR CANE LEAGUE OF THE USA, INC	6,000.00	4,219.55
Do	COTTON WAREHOUSE ASSOCIATION OF AMERICA	11,000.00	3,545.83
RAYMOND C. WALLACE, 5025 WISCONSIN AVENUE, NW WASHINGTON DC 20016	AMALGAMATED TRANSIT UNION, AFL-CIO		
NANCY WALLACE, INC., 5003 FORT SUMNER DRIVE BETHESDA MD 20816			
LIONEL L. WALLENROD, 260 MADISON AVE. NEW YORK NY 10016	AMERICAN PAPER INST, INC		
R. DOUGLAS WALLIN JR , 1235 JEFFERSON DAVIS HWY. ARLINGTON VA 22202	EMERSON ELECTRIC CO		
JAMES P. WALSH, 6TH FL. 1050 THOMAS JEFFERSON ST., NW WASHINGTON DC 20007	AMERICAN TUNABOAT ASSN	3,325.00	
ELEANOR WALTERS, 317 PENNSYLVANIA AVE., SE WASHINGTON DC 20003	ENVIRONMENTAL POLICY INSTITUTE	361.40	
HENRY L. WALTHER, 3238 WYNFORD DRIVE FAIRFAX VA 22031	U.S. DEFENSE COMMITTEE	600.00	
JOHN F. WANAMAKER, 201 N. WASHINGTON, ST. ALEXANDRIA VA 22314	RETIRED OFFICERS ASSN	1,433.00	
BARBARA WANNER, 1000 CONNECTICUT AVE., NW WASHINGTON DC 20036	JAPAN ECONOMIC INSTITUTE OF AMERICA	300.00	
ALAN S. WARD, 818 CONNECTICUT AVE., NW WASHINGTON DC 20006	BAKER & HOSTETLER (FOR: SOAP & DETERGENT ASSN)		
JOHN E. WARD, 182 SOUNDVIEW AVE. WHITE PLAINS NY 10606	MEAT IMPORTERS COUNCIL OF AMERICA, INC		
RICHARD D. WARDEN, 1757 N ST., NW WASHINGTON DC 20036	UNITED AUTO, AEROSPACE & AGRICULTURAL IMPLEMENT WORKERS	14,401.04	
JACK WARE, 2101 L ST., NW WASHINGTON DC 20037	AMERICAN PETROLEUM INST	8,090.00	439.35
MICHAEL O. WARE, 1701 PENNSYLVANIA AVENUE, NW WASHINGTON DC 20006	CONOCO	1,200.00	
PETER F. WARKER, SUITE 2700 1000 WILSON BOULEVARD ARLINGTON VA 22209	TRW, INC	1,250.00	
ERNEST R. WARNER JR , 1225 19TH ST., NW WASHINGTON DC 20036	DGA INTERNATIONAL, INC. (FOR: DIR INTL AFF OF THE GEN DEL FOR ARMEMENTS).	90.87	
Do	DGA INTERNATIONAL, INC. (FOR: AIRBUS INDUSTRIE)	424.06	408.97
Do	DGA INTERNATIONAL INC. (FOR: SOFREAVIA)	60.58	45.00
CHRISTINE M. WARNKE, SUITE 300 1101 CONNECTICUT AVENUE, NW WASHINGTON DC 20036	AMERICAN TEXTILE MANUFACTURERS INSTITUTE	400.00	254.10
WASHINGTON INDUSTRIAL TEAM, INC., 499 SOUTH CAPITOL ST.,S.W. ROOM 400 WASHINGTON DC 20003	BOEING COMPANY	450.00	419.35
Do	GENERAL DYNAMICS CORPORATION	450.00	419.35
Do	HUGHES AIRCRAFT COMPANY	450.00	419.35
Do	MCDONNELL DOUGLAS CORPORATION	450.00	419.35
Do	RAYTHEON COMPANY		
Do	ROCKWELL INTL	450.00	419.35
Do	TRW, INC	450.00	419.35

Organization or Individual Filing	Employer/Client	Receipts	Expenditures
Do	UNITED TECHNOLOGIES CORPORATION	450.00	419.35
Do	WESTINGHOUSE ELECTRIC CORP	450.00	419.35
WASHINGTON OFFICE ON AFRICA, 110 MARYLAND AVE., NE WASHINGTON DC 20002		18,250.03	20,489.52
WATT, TIEDER, KILLIAN, TOOLE & HOFFAR, 1742 R STREET, NW WASHINGTON DC 20009	OHIO CASUALTY INSURANCE CO		
CAROLYN HERR WATTS, 1800 MASSACHUSETTS AVE., NW WASHINGTON DC 20036	NATIONAL RURAL ELECTRIC COOPERATIVE ASSN	75.00	
GEORGE B. WATTS, 1155 15TH ST., NW WASHINGTON DC 20005	NATIONAL BROILER COUNCIL	1,000.00	
BRUCE H. WATZMAN, 1130 17TH STREET, N.W. WASHINGTON DC 20036	NATIONAL COAL ASSN	5,050.00	847.81
WILLIAM J. WAY, 1660 L ST., NW WASHINGTON DC 20036	GENERAL MOTORS CORP	2,500.00	5,187.90
RAYMOND J. WEATHERLY, SUITE 511 1745 JEFFERSON DAVIS HWY. ARLINGTON VA 22202	MANUFACTURED HOUSING INST	900.00	100.00
WILLIAM H. WEATHERSPOON, NORTH CAROLINA PETROLEUM COUNCIL PO BOX 167 RALEIGH NC 27602	AMERICAN PETROLEUM INST	1,200.00	1,243.94
VERNON WEAVER, SUITE 500 1101 CONNECTICUT AVE., NW WASHINGTON DC 20036	STEPHENS OVERSEAS SERVICES, INC	39.00	
HORACE S. WEBB, P.O. BOX 351 CEDAR RAPIDS IA 52406	IOWA ELECTRIC LIGHT AND POWER COMPANY		
FREDERICK L. WEBBER, 1111 19TH ST., NW WASHINGTON DC 20036	EDISON ELECTRIC INSTITUTE	4,065.00	183.00
WEBSTER AND SHEFFIELD, 1200 NEW HAMPSHIRE AVE., NW, #350 WASHINGTON DC 20036	ADAMS COUNTY, COLORADO		4,082.27
Do	FRAYDUN MANOCHERIAN	1,739.00	
Do	PENOBSCOT NATION		
Do	SKANSKA (U.S.A.), INC		
WEBSTER, CHAMBERLIN & BEAN, 1747 PENNSYLVANIA AVE., NW WASHINGTON DC 20006	AMERICAN PARATRANSIT INSTITUTE	300.00	
LEE J. WEDDIG, SUITE 700 1101 CONNECTICUT AVE., NW WASHINGTON DC 20036	NATIONAL FISHERIES INST	4,000.00	25.00
CHARLES W. WEGNER JR., 600 PENNSYLVANIA AVE., S.E. SUITE 202 WASHINGTON DC 20003	PROFESSIONAL INSURANCE AGENTS	300.00	450.00
JACK R. WEHRLY, 1800 M ST., NW SUITE 790 SOUTH WASHINGTON DC 20036	DOW CORNING CORPORATION		
THEODORE F. WEIHE, 1800 MASSACHUSETTS AVENUE, NW WASHINGTON DC 20036	ADVISORY COMM ON OVERSEAS COOPERATIVE DEVELOPMENT	2,812.00	
NANCY WEINBERG, 1434 NEW YORK AVENUE, NW, #743 WASHINGTON DC 20005	ROHM AND HAAS COMPANY	500.00	
DONALD G. WEINERT, 2029 K ST., NW WASHINGTON DC 20006	NATIONAL SOCIETY OF PROFESSIONAL ENGINEERS	1,500.00	
KENNETH W. WEINSTEIN, MCKENNA, CONNER & CUNEO 1575 EYE STREET, NW WASHINGTON DC 20005	NATIONAL AGRICULTURAL CHEMICALS ASSN		
ARTHUR E. WEISBERG, SUITE 675 NORTH 1800 M ST., NW WASHINGTON DC 20036	DORSEY & WHITNEY		
JOEL A. WEISS, 1730 N. LYNN ST. # 400 ROSSLYN VA 22209	ACUREX SOLAR CORPORATION	3,712.50	202.01
MICHAEL A. WEISS, 490 L'ENFANT PLAZA EAST, SW WASHINGTON DC 20024	TENNECO INC		150.00
MORTON N. WEISS, SUITE 4511 ONE WORLD TRADE CENTER NEW YORK NY 10048	NATIONAL SECURITY TRADERS ASSN, INC	3,750.00	
STANLEY A. WEISS, 2126 CONNECTICUT AVENUE, NW WASHINGTON DC 20008	BUSINESS EXECUTIVES FOR NATIONAL SECURITY		
JUDITH H. WEITZ, 122 C ST., NW WASHINGTON DC 20001	CHILDREN'S DEFENSE FUND	955.68	11.45
DON WELCH, P.O. BOX 841 ABILENE TX 79604	WEST TEXAS UTILITIES CO	600.00	2,242.31
WELLFORD, WEGMAN, KRULWICH, GOLD & HOFF, SUITE 450 1775 PENNSYLVANIA AVE., NW WASHINGTON DC 20006	CANADIAN EMBASSY	800.00	
Do	COUPON BOND TAX COMMITTEE	7,000.00	
Do	DEPARTMENT OF NATURAL RESOURCES, PROVINCE OF MANITOBA	1,200.00	
Do	JOHNS-MANVILLE	500.00	
Do	PETRO-LEWIS CORPORATION		
L. H. WELLS, SUITE 200 1025 CONNECTICUT AVENUE, NW WASHINGTON DC 20036	SHELL OIL CO	500.00	
FRED WERTHEIMER, 2030 M ST., NW WASHINGTON DC 20036	COMMON CAUSE	14,418.78	168.00
FRANK WEST, 777 14TH STREET, NW WASHINGTON DC 20005	NATIONAL ASSN OF REALTORS	1,250.00	248.56
WEST MEXICO VEGETABLE DISTRIBUTORS ASSN, PO BOX 848 NOGALES AZ 85621			1,000.00
W. P. WEST 1629 K ST., NW ROOM 204 WASHINGTON DC 20006	DELTA AIR LINES, INC	273.00	152.52
HARRY H. WESTBAY III, SUITE 805 1625 EYE ST., NW WASHINGTON DC 20006	ST. REGIS PAPER CO	1,600.00	800.00
WESTERN RESOURCE ALLIANCE, 2565 W. 23RD ST. EUGENE OR 97401			
JOSEPH J. WESTWATER, 10140 LINN STATION ROAD LOUISVILLE KY 40223	DAIRYMEN, INC	9,000.00	4,013.43
JOHN F. WETZEL, 1235 JEFFERSON DAVIS HWY. ARLINGTON VA 22202	MOTORCYCLE INDUSTRY COUNCIL, INC	250.00	5.00
WILLIAM WEWER, 1910 S ST., NW WASHINGTON DC 20009	SUBSCRIPTION TELEVISION ASSN		
WEXLER, REYNOLDS, HARRISON & SCHULE, INC, SUITE 600 1317 F STREET, NW WASHINGTON DC 20004	ARMCO INC	970.00	114.35
Do	BENEFICIAL MANAGEMENT CORP OF AMERICA		
Do	BENENSON REALITY COMPANY	720.00	5.00
Do	COMMITTEE FOR PRUDENT DEREGULATION	1,800.00	398.83
Do	GHK COMPANIES	8,250.00	929.09
Do	INDEPENDENT GAS PRODUCERS COMMITTEE (IGPC)	6,625.00	
Do	MOTION PICTURE ASSN OF AMERICA	5,875.00	57.10
Do	NATIONAL FOOTBALL LEAGUE	45.00	5.00
Do	NATIONAL RADIO BROADCASTERS ASSOCIATION	3,460.00	72.60
Do	TOSCO CORPORATION	300.00	5.00
ROBERT G. WEYMUELLER, 1101 VERMONT AVENUE, NW, #402 WASHINGTON DC 20005	AMERICAN LUNG ASSOCIATION	3,300.00	3,066.00
BRIAN B. WHALEN JR , 401 N. MICHIGAN AVE. CHICAGO IL 60611	INTERNATIONAL HARVESTER	1,250.00	730.48
CLYDE A. WHEELER JR , SUITE 820 1800 K ST., NW WASHINGTON DC 20006	SUN CO, INC	15,000.00	696.49
DALE J. WHEELER, 15TH & M STREETS, NW WASHINGTON DC 20005	NATIONAL ASSN OF HOME BUILDERS OF THE U.S.		
THOMAS E. WHEELER, 1724 MASSACHUSETTS AVE., NW WASHINGTON DC 20036	NATIONAL CABLE TELEVISION ASSN, INC	1,375.00	
JUNE M. WHELAN, SUITE 600 S 1120 20TH ST.,NW WASHINGTON DC 20006	UNION PACIFIC CORPORATION	1,250.00	1,994.87
WHITE & CASE, 1747 PENNSYLVANIA AVE., NW WASHINGTON DC 20006	REPUBLIC OF INDONESIA		
WHITE FINE & VERVILLE, SUITE 302 1156 15TH ST., NW WASHINGTON DC 20005	CENTRAL HUDSON GAS & ELECTRIC CORP		22.50
Do	TURLOCK IRRIGATION DIST. AND MODESTO IRRIGATION DIST	9,793.88	
JOHN S. WHITE, 1800 M ST., NW, #975 WASHINGTON DC 20036	MARATHON OIL CO		
JOHN THOMAS WHITE II , SUITE 2202 490 L'ENFANT PLAZA EAST, SW WASHINGTON DC 20024	TENNECO INC		
SAM WHITE, 412 FIRST STREET, SE WASHINGTON DC 20003	INDEPENDENT CATTLEMEN'S ASSN		
Do	NATIONAL PEANUT GROWERS GROUP		
Do	SAM KANE PACKING		
ALTON W. WHITEHOUSE JR , 1750 MIDLAND BLDG. CLEVELAND OH 44115	STANDARD OIL CO (OHIO)		
MARSHALL E. WHITENTON, SUITE 600 1001 22ND ST., NW WASHINGTON DC 20037	STANDARD OIL CO (OHIO)	180.00	63.00
W. EDWARD WHITFIELD, 840 WASHINGTON BUILDING 15TH STREET & NEW YORK AVENUE, NW WASHINGTON DC 20005	CSX CORPORATION		
BENNETT C. WHITLOCK JR , 1616 P ST., NW WASHINGTON DC 20036	AMERICAN TRUCKING ASSNS, INC	7,500.00	187.32
WHITMAN & RANSOM, 1333 NEW HAMPSHIRE AVE., NW, #650 WASHINGTON DC 20036	JAPAN EXTERNAL TRADE ORGANIZATION (JETRO)		157.97
WILLIAM F. WHITSITT, 1800 K ST., NW SUITE 820 WASHINGTON DC 20006	SUN CO, INC	3,200.00	829.41
WILLIAM E. WICKERT JR., 1000 16TH STREET, NW, #800 WASHINGTON DC 20036	BETHLEHEM STEEL CORPORATION	300.00	
RICHARD J. WIECHMANN, 1619 MASSACHUSETTS AVE., NW WASHINGTON DC 20036	AMERICAN PAPER INST, INC		
WILCOX & SHAROOD, SUITE 705 1899 L ST., NW WASHINGTON DC 20036	NATIONAL ASSN OF STEVEDORES	6,600.00	1,150.00
HARRY G. WILES II , 499 S. CAPITOL ST., SW SUITE 40L WASHINGTON DC 20003	NATIONAL ASSN OF INDEPENDENT INSURERS		113.00
GUENTHER O. WILHELM, SUITE 1100 1899 L STREET, NW WASHINGTON DC 20036	EXXON CORPORATION		
CARL B. WILKERSON, 1850 K STREET, NW WASHINGTON DC 20006	AMERICAN COUNCIL OF LIFE INSURANCE, INC		
JERRY C. WILKERSON, 1025 CONNECTICUT AVE., NW, #1005 WASHINGTON DC 20036	INTERNATIONAL FRANCHISE ASSN	650.00	200.00
SANDRA L. WILLETT, 624 C ST., SE WASHINGTON DC 20003	NATIONAL CONSUMERS LEAGUE		
RALPH E. WILLHAM, 1750 NEW YORK AVE., NW WASHINGTON DC 20006	SHEET METAL WORKERS' INTL ASSN	10,773.00	
WILLIAMS & CONNOLLY, 839 17TH ST., NW WASHINGTON DC 20006	BENENSON REALTY CO	247.50	141.21
Do	GADSDEN TIMES, INC		
Do	PUBLIC WELFARE FOUNDATION, INC		
Do	SPARTANBURG HERALD & JOURNAL, INC		
Do	TUSCALOOSA NEWS, INC		
Do	TWENTIETH CENTURY-FOX FILM CORP		
JAMES H. WILLIAMS, 3251 OLD LEE HIGHWAY # 500 FAIRFAX VA 22030	NATIONAL LIMESTONE INST, INC	3,175.78	
KAREN WILLIAMS, 1750 K STREET, NW WASHINGTON DC 20006	HEALTH INSURANCE ASSN OF AMERICA, INC	66.25	
LAWRENCE F. WILLIAMS, 330 PENNSYLVANIA AVENUE, SE WASHINGTON DC 20003	SIERRA CLUB	6,581.25	
LEONARD B. WILLIAMS, 1000 16TH STREET, NW, #800 WASHINGTON DC 20036	BETHLEHEM STEEL CORPORATION	130.00	
LUCINDA WILLIAMS, 1111 19TH ST., NW, #402 ARLINGTON VA 20036	FEDERATION OF AMERICAN HOSPITALS	5,500.00	
MARGIE R. WILLIAMS, 415 2ND ST., NE SUITE 300 WASHINGTON DC 20002	NATIONAL ASSN OF WHEAT GROWERS	955.85	
W.G. WILLIAMS, 1100 SEVENTEETH STREET, N.W. SUITE 1000 WASHINGTON DC 20036			
JOHN C. WILLIAMSON, SUITE 1402 1725 K ST., NW WASHINGTON DC 20006	MORTGAGE INSURANCE COMPANIES OF AMERICA	2,700.00	35.32
DAVID K. WILLIS, 1909 K ST., NW SUITE 300 WASHINGTON DC 20006	MOTOR VEHICLE MANUFACTURERS ASSOCIATION OF THE U.S., INC		
WILLKIE FARR & GALLAGHER, 818 CONNECTICUT AVENUE, NW WASHINGTON DC 20036	RELIANCE GROUP, INC		
CHARLOTTE M. WILMER, 1800 MASSACHUSETTS AVE., NW WASHINGTON DC 20036	NATIONAL RURAL ELECTRIC COOPERATIVE ASSN	125.00	
WILMER, CUTLER & PICKERING, 1666 K ST., NW WASHINGTON DC 20006	BUSINESS ROUNDTABLE		
Do	CBS, INC		182.31
Do	CITICORP	1,295.00	
Do	DEALER BANK ASSN		
Do	FORD MOTOR CO		
Do	G-4 CHILDREN'S COALITION	6,230.00	36.17
Do	HANDGUN CONTROL, INC		.80
Do	HAPAG-LLOYD, A.G.	500.00	32.60
Do	MORGAN GUARANTY TRUST CO		
Do	MOTOR VEHICLE MANUFACTURERS ASSOCIATION OF THE U.S., INC		

Organization or Individual Filing	Employer/Client	Receipts	Expenditures
Do	NATIONAL CORPORATION FOR HOUSING PARTNERSHIPS		
Do	OWENS-ILLINOIS		
CHARLES D. WILSON, 1850 K ST., NW, #390 WASHINGTON DC 20006	UNION CAMP CORP	894.21	925.90
DENA L. WILSON, SUITE 1000 1600 WILSON BLVD. ARLINGTON VA 22209	AMERICAN WATERWAYS OPERATORS, INC	1,500.00	166.49
DONNIE E. WILSON, 1800 M ST., NW, #295 WASHINGTON DC 20036	HUSKY OIL COMPANY	250.00	
DOROTHY WILSON, 4201 CATHEDRAL AVE., NW SUITE 1205E WASHINGTON DC 20016	COALITION OF CONCERNED CHARITIES		
JAMES E. WILSON JR , 1150 17TH ST., NW, #500 WASHINGTON DC 20036	MCDONNELL DOUGLAS CORPORATION		
JAMES E. WILSON, 1800 K STREET, NW WASHINGTON DC 20006	INTERNATIONAL MARITIME ASSOCIATES, INC		90.00
ROBERT C. WILSON, RM 400 499 S. CAPITOL ST., SW WASHINGTON DC 20003	RMI, INC	380.00	
Do	SOUTHWEST MARINE, INC	120.00	
Do	WASHINGTON INDUSTRIAL TEAM, INC	600.00	
ROSEMARY L. WILSON, MINNESOTA PETROLEUM COUNCIL 300 NORTHERN FEDERAL BLDG. ST. PAUL MN 55102	AMERICAN PETROLEUM INSTITUTE		
WILLIAM A. WILSON III, 8001 BRADDOCK ROAD SUITE 500 SPRINGFIELD VA 22160	NATIONAL RIGHT TO WORK COMM	750.00	
JUDY WINCHESTER, SUITE 304 1620 I ST., NW WASHINGTON DC 20006	CITY OF PHILADELPHIA		
WINDELS,MARX, DAVIES & IVES, SUITE 940 1701 PENNSYLVANIA AVENUE,NW WASHINGTON DC 20006	SOLITRON DEVICES, INC		
JOSEPH B. WINKELMANN, 777 14TH ST., NW WASHINGTON DC 20005	NATIONAL ASSN OF REALTORS	2,500.00	268.20
KATHLEEN J. WINN, 1155 15TH ST., NW SUITE 602 WASHINGTON DC 20005	PENNZOIL CO	475.00	
MARIE WINSLOW, 1016 16TH STREET, NW WASHINGTON DC 20036	NATIONAL FED OF FEDERAL EMPLOYEES		
WINSTON & STRAWN, #500 2550 M ST., NW WASHINGTON DC 20037	AMERICAN ASSN OF MUSEUMS		
Do	BEATRIC FOODS CO	460.00	
Do	BUILDING OWNERS & MANAGERS ASSN INC	375.00	
Do	CUMMINS ENGINE CO., INC		
Do	GIC FINANCIAL SERVICES CORP		
Do	GOULD, INC		
Do	INTERNATIONAL COUNCIL OF SHOPPING CENTERS	1,212.50	
Do	LEASE MANAGEMENT CORP		
Do	MIDWEST PENSION FUND OF CENTRAL STATES JOINT BOARD, AFL-CIO		
Do	TERSON COMPANY, INC		
MARK E. WINTER, 1828 L ST., NW WASHINGTON DC 20036	VOLVO OF AMERICAN CORP	962.50	
WINTHROP, WEINSTEIN & SEXTON, 1800 CONWED TOWER, 444 CEDAR STREET ST. PAUL MN 55101	AMERICAN LAND TITLE ASSN	3,223.00	
ALAN M. WISEMAN, SUITE 900 1730 PENNSYLVANIA AVE., NW WASHINGTON DC 20006	OTTO BREMER FOUNDATION	130.00	1,042.75
ROBERT V. WITECK, THE POWER HOUSE 3255 GRACE STREET, NW WASHINGTON DC 20007	MEAD CORPORATION	1,085.00	42.19
Do	GRAY AND COMPANY (FOR: ANEUTRONIX, INC)		
Do	GRAY AND COMPANY (FOR: HEALTH INSURANCE ASSN OF AMERICA)		
RICHARD F. WITHERALL, 420 DENVER CLUB BLDG. DENVER CO 80202	GRAY AND COMPANY (FOR: NATIONAL BROADCASTING COMPANY)		
WITKOWSKI, WEINER, MCCAFFREY & BRODSKY, SUITE 350 1575 I ST., NW WASHINGTON DC 20005	COLORADO RAILROAD ASSN		
Do	COMMERCIAL CREDIT CORP	14,610.00	429.97
Do	COORDINATING COUNCIL ON MANUFACTURED HOUSING FINANCE	4,684.00	232.06
Do	MERRILL LYNCH & CO., INC	9,307.75	10,532.75
Do	NATIONAL MANUFACTURED HOUSING FINANCE ASSN	250.00	
Do	NATIONAL TRUCK EQUIPMENT ASSN		
HERMAN C. WITTHAUS, 1660 L ST., NW WASHINGTON DC 20036	TASK FORCE ON CREATIVE FINANCE FOR MANUFACTURED HOUSING		
JAMES E. WOLF, 2020 14TH ST., NORTH ARLINGTON VA 22201	GENERAL MOTORS CORP	3,000.00	2,817.04
JAMES WOLF, 1925 K STREET, NW WASHINGTON DC 20006	TRANE COMPANY	1,000.00	
SIDNEY M. WOLFE, 2000 P ST., NW, #708 WASHINGTON DC 20036	ALLIANCE TO SAVE ENERGY		
BRUCE WOLPE, 2025 M STREET, NW WASHINGTON DC 20036	HEALTH RESEARCH GROUP		
RONALD WOLSEY, P.O. BOX 507 BALTIMORE MD 21203	NATIONAL PUBLIC RADIO	9,087.00	79.73
DON WOMACK, SUITE 303 1825 K ST., NW WASHINGTON DC 20006	AMOCO OIL COMPANY		
BURTON C. WOOD, 1125 15TH ST., NW WASHINGTON DC 20005	TEXAS UTILITIES SERVICES, INC	2,575.00	165.43
CHARLES A. WOOD, 10 LAFAYETTE SQUARE BUFFALO NY 14203	MORTGAGE BANKERS ASSOCIATION OF AMERICA	11,550.00	1,893.00
HUGH A. WOOD, 515 S. FLOWER STREET LOS ANGELES CA 92678	NATIONAL FUEL GAS DISTRIBUTION CORP., ET AL	99.20	255.04
JOHN L. WOOD, 2700 ONE MAIN PLACE DALLAS TX 75202	ATLANTIC RICHFIELD CO		
WILBUR S. WOOD, 1750 PENNSYLVANIA AVE., NW WASHINGTON DC 20006	CENTRAL AND SOUTH WEST CORP		
W. ALAN WOODFORD, 2501 M ST.,NW WASHINGTON DC 20037	NATIONAL RURAL LETTER CARRIERS' ASSN	5,984.00	
M. ALAN WOODS, 1225 19TH ST., NW WASHINGTON DC 20036	CHEMICAL MANUFACTURERS ASSOCIATION, INC	300.00	
Do	DGA INTL, INC (FOR: AIRBUS INDUSTRIE)		
Do	DGA INTL. INC (FOR: DIR INTL AFF OF THE GEN DEL FOR ARMEMENTS)		
RICHARD P. WOODS, 2501 M ST., N.W. SUITE 540 WASHINGTON DC 20037	DGA INTL. INC. (FOR: SOFREAVIA)		
KERRY WOODWARD, 3028 1/2 HILLEGASS BERKLEY CA 94705	PACIFIC RESOURCES, INC	500.00	
PERRY W. WOOFTER, SUITE 530 1800 K ST. NW WASHINGTON DC 20006	GAY RIGHTS NATIONAL LOBBY, INC		
EDWARD A. WOOLLEY, BEDFORD CONSULTANTS BUILDING P.O. BOX 605 BEDFORD NY 10506	TESORO PETROLEUM CORP	2,500.00	
LINDA ANZALONE WOOLLEY, 1707 L STREET, NW, #200 WASHINGTON DC 20036	CTI-CONTAINER TRANSPORT INTL., INC., ET AL	1,514.54	122.89
DEE WORKMAN, VALKYRIE ENTERPRISES, INC. 405 LEXINGTON AVE. NEW YORK NY 10017	CHAMBER OF COMMERCE OF THE U.S	2,500.00	
WORLD FEDERALIST POLITICAL EDUCATION COMM, 600 VALLEY RD. WAYNE NJ 07470	MOBIL OIL CORPORATION	18,750.00	1,600.00
WORLDWIDE INFORMATION RESOURCES, LTD, SUITE 304 1101 30TH ST., NW WASHINGTON DC 20007		13,737.07	9,285.52
Do	EQUITABLE LIFE ASSURANCE SOCIETY OF THE U.S		
Do	HEUBLEIN, INC		
Do	PAN AMERICAN WORLD AIRWAYS, INC		
Do	STATE OF MONTANA		
W. ROBERT WORLEY, 1736 CREEK CROSSING ROAD VIENNA VA 22180	TOYOTA MOTOR SALES U.S.A., INC		
DANIEL R. WRIGHT, 540 MADISON AVENUE NEW YORK NY 10022	SOUTHERN COMPANY SERVICES, INC	836.00	1,693.38
	BARON/CANNING & COMPANY, INC (FOR: ELECTRONIC INDUSTRIES ASSN OF JAPAN)		
FRANKLIN L. WRIGHT JR , 1709 NEW YORK AVE., NW, #200 WASHINGTON DC 20006	NATIONAL ASSN OF MUTUAL SAVINGS BANKS	3,312.50	
RICHARD E. WYCKOFF, 1771 N ST., NW WASHINGTON DC 20036	NATIONAL ASSN OF BROADCASTERS	1,500.00	269.00
FREDERICK S. WYLE, 3 GREENWOOD COMMON BERKELEY CA 94708	FEDERATED STATES OF MICRONESIA		
WYMAN, BAUTZER, ROTHMAN, KUCHEL & SILBERT, SUITE 580 600 NEW HAMPSHIRE AVE., NW WASHINGTON DC 20037	AMERICAN BOILER MANUFACTURERS ASSOCIATION, INC		
Do	AUTOMOTIVE DISMANTLERS & RECYCLERS ASSN		
Do	BRISTOL BAY NATIVE CORP		
Do	CARL M. FREEMAN ASSOCIATES		
Do	EKLUTNA, INC		
Do	FILMWAYS, INC		
MARC D. YACKER, 1619 MASSOCHUSETTS AVENUE, N.W. WASHINGTON DC 20036	AMERICAN PAPER INST, INC	315.00	36.01
DAVID V. YADEN, 1101 15TH STREET, NW, #200 WASHINGTON DC 20005	NERCO, INC	300.00	143.58
T. ALBERT YAMADA, SUITE 520 900 17TH ST., NW WASHINGTON DC 20006	TOYOTA MOTOR SALES, U.S.A., INC	500.00	
Do	WEST MEXICO VEGETABLE DISTRIBUTORS ASSN	500.00	
EDWARD R. YAWN, 1111 19TH ST., NW WASHINGTON DC 20036	EDISON ELECTRIC INSTITUTE	701.30	887.15
KIM YELTON, 8120 FENTON ST. SILVER SPRING MD 20910	AMERICANS UNITED FOR SEPARATION OF CHURCH AND STATE	4,846.08	242.16
JACK YELVERTON, 1303 NEW HAMPSHIRE AVE., NW WASHINGTON DC 20036	FLEET RESERVE ASSN		
D. SCOTT YOHE, 1629 K ST., NW, #204 WASHINGTON DC 20006	DELTA AIR LINES, INC	390.00	64.40
EDWARD A. YOPP, P.O. BOX 1072 EL PASO TX 79958	STATE NATIONAL BANK OF EL PASO		
ERIC YOUNG, 317 PENNSYLVANIA AVENUE, SE WASHINGTON DC 20003	ENVIRONMENTAL POLICY INSTITUTE	70.93	
G. REYNOLDS YOUNG, 1120 CONNECTICUT AVE., NW WASHINGTON DC 20036	AMERICAN BANKERS ASSN	1,000.00	
HUGH F. YOUNG JR , 1500 RHODE ISLAND AVE., NW WASHINGTON DC 20005	NATIONAL PAINT & COATINGS ASSN, INC	3,000.00	
JOHN ANDREW YOUNG, 1333 NEW HAMPSHIRE AVE., NW, #207 WASHINGTON DC 20036	COASTAL CORPORATION	1,000.00	
JUDITH A. YOUNG, 777 14TH ST., NW WASHINGTON DC 20005	NATIONAL ASSN OF REALTORS	1,500.00	96.85
THANE YOUNG, 777 14TH STREET, N.W. WASHINGTON DC 20005	NATIONAL ASSOCIATION OF REALTORS	2,000.00	228.39
BETSY YOUNKINS, SUITE 600 2101 L ST., NW WASHINGTON DC 20037	AMERICAN PETROLEUM INST	6,000.00	173.91
EUGENE A. YOURCH, 50 BROADWAY NEW YORK NY 10004	FEDERATION OF AMERICAN CONTROLLED SHIPPING	200.00	
RALPH ZAAYENGA, 1800 K STREET, NW, #820 WASHINGTON DC 20006	SUN COMPANY, INC	50.00	2.60
HARRY M ZACHEM, 1025 CONNECTICUT AVE., #507 WASHINGTON DC 20036	ASHLAND OIL, INC	2,000.00	
DONALD ZAHN, 8001 BRADDOCK RD., #600 SPRINGFIELD VA 22160	NATIONAL RIGHT TO WORK COMM		
LYNN ZAKUPOWSKY, 777 14TH ST., NW WASHINGTON DC 20005	GENERAL ELECTRIC CO	750.00	
STEVEN S. ZALEZNICK, 1909 K ST., NW WASHINGTON DC 20049	NATIONAL RETIRED TEACHERS ASSN/AMERICAN ASSN OF RET PERSONS	378.46	65.63
JOHN S. ZAPP, 1101 VERMONT AVE., NW WASHINGTON DC 20005	AMERICAN MEDICAL ASSN	4,500.00	110.57
JANICE ZARRO, SUITE 715-16 1660 L ST., NW WASHINGTON DC 20036	AVON PRODUCTS, INC		
L. ANDREW ZAUSNER, 1155 15TH ST., NW, #602 WASHINGTON DC 20005	PENNZOIL CO	1,000.00	43.50
PHILIP F. ZEIDMAN, 1025 CONNECTICUT AVE., NW, #900 # 900 WASHINGTON DC 20036	AMERICAN BUSINESS CONFERENCE		
DON J. ZELLER, SUITE 503 1000 16TH STREET, NW WASHINGTON DC 20036	STANDARD OIL CO (INDIANA)	1,700.00	406.25
RONALD L. ZIEGLER, SUITE 505 700 N. FAIRFAX ST. ALEXANDRIA VA 22314	NATIONAL ASSN OF TRUCK STOP OPERATORS		
MICHAEL J. ZIMMER, WICKWIRE, GAVIN & GIBBS 1828 L ST., NW WASHINGTON DC 20036	COGENERATION COALITION, INC		
KENNETH ZINN, 1837 WYOMING AVE., NW WASHINGTON DC 20009	WASHINGTON OFFICE ON AFRICA	3,000.00	

Organization or Individual Filing	Employer/Client	Receipts	Expenditures
ZIONTZ, PIRTLE, MORRISSET, ERNSTOFF, & CHESTNUT, METROPOLITAN PARK, 16TH FLOOR 1100 OLIVE WAY SEATTLE WA 98101.	CONFEDERATED TRIBES OF THE COLVILLE INDIAN RESERVATION		
Do	INUPIAT COMMUNITY OF THE ARCTIC SLOPE		
Do	LUMMI TRIBE OF INDIANS		
Do	MAKAH INDIAN TRIBE		
Do	METLAKATLA INDIAN COMMUNITY		
Do	NORTHERN CHEYENNE INDIAN TRIBE		
Do	QUILEUTE INDIAN TRIBE		
Do	TULALIP INDIAN TRIBE		
Do	UKPEAGVIK INUPIAT CORPORATION		
JOHN L. ZORACK, COOK, PURCELL, HANSEN, & HENDERSON 1015 18TH ST., NW WASHINGTON DC 20006	FEDERAL EXPRESS CORP		
ZUCKERT, SCOUTT, RASENBERGER & DELANEY, 888 17TH ST., NW WASHINGTON DC 20006	BUSINESS ROUNDTABLE	1,785.00	765.96
Do	DREYFUS CORPORATION		
Do	HARCOURT BRACE JOVANOVICH	4,870.00	662.88
Do	HAZARDOUS WASTE TREATMENT COUNCIL	1,100.00	954.97
Do	WORLD AIRWAYS, INC		
LEIGH ANN ZUNKE, 1133 20TH STREET, NW WASHINGTON DC 20036	NATIONAL FOOD PROCESSORS ASSN	375.00	
CHARLES O. ZUVER, 1120 CONNECTICUT AVE., NW WASHINGTON DC 20036	AMERICAN BANKERS ASSN	4,000.00	
CARL E. ZWISLER III, 1025 CONNECTICUT AVE., NW, #1005 WASHINGTON DC 20036	INTERNATIONAL FRANCHISE ASSN		
1ST PRO-LIFE CONG DISTRICT ACTION COMM (RI), 6 MAXFIELD CT. BARRINGTON RI 02806		613.17	607.21
23RD CONGRESSIONAL DISTRICT ACTION COMM., 575 CHARLES ST. ST. MARYS PA 15857			
32ND CONGRESSIONAL DISTRICT ACTION COMMITTEE/NY, 129 BELMONT AVE. BUFFALO NY 14223			15.28
39TH CONGRESSIONAL DISTRICT ACTION COMM, RD 2 ALLEGANY NY 14706			

QUARTERLY REPORTS*

*All alphanumeric characters and monetary amounts refer to receipts and expenditures on page 2, paragraphs D and E of the Quarterly Report Form.

The following reports for the fourth calendar quarter of 1982 were received too late to be included in the published reports for that quarter:

(NOTE.—The form used for report is reproduced below. In the interest of economy in the RECORD, questions are not repeated, only the essential answers are printed, and are indicated by their respective headings.)

FILE ONE COPY WITH THE SECRETARY OF THE SENATE AND FILE TWO COPIES WITH THE CLERK OF THE HOUSE OF REPRESENTATIVES:

This page (page 1) is designed to supply identifying data; and page 2 (on the back of this page) deals with financial data.

PLACE AN "X" BELOW THE APPROPRIATE LETTER OR FIGURE IN THE BOX AT THE RIGHT OF THE "REPORT" HEADING BELOW:

"PRELIMINARY" REPORT ("Registration"): To "register," place an "X" below the letter "P" and fill out page 1 only.

"QUARTERLY" REPORT: To indicate which one of the four calendar quarters is covered by this Report, place an "X" below the appropriate figure. Fill out both page 1 and page 2 and as many additional pages as may be required. The first additional page should be numbered as page "3," and the rest of such pages should be "4," "5," "6," etc. Preparation and filing in accordance with instructions will accomplish compliance with all quarterly reporting requirements of the Act.

Year: 19.....

REPORT

PURSUANT TO FEDERAL REGULATION OF LOBBYING ACT

P	QUARTER			
	1st	2d	3d	4th
(Mark one square only)				

NOTE ON ITEM "A".—(a) IN GENERAL. This "Report" form may be used by either an organization or an individual, as follows:
(i) "Employee".—To file as an "employee", state (in Item "B") the name, address, and nature of business of the "employer". (If the "employee" is a firm [such as a law firm or public relations firm], partners and salaried staff members of such firm may join in filing a Report as an "employee".)
(ii) "Employer".—To file as an "employer", write "None" in answer to Item "B".
(b) SEPARATE REPORTS. An agent or employee should not attempt to combine his Report with the employer's Report:
(i) Employers subject to the Act must file separate Reports and are not relieved of this requirement merely because Reports are filed by their agents or employees.
(ii) Employees subject to the Act must file separate Reports and are not relieved of this requirement merely because Reports are filed by their employers.

A. ORGANIZATION OR INDIVIDUAL FILING:

1. State name, address, and nature of business.

2. If this Report is for an Employer, list names of agents or employees who will file Reports for this Quarter.

NOTE ON ITEM "B".—*Reports by Agents or Employees.* An employee is to file, each quarter, as many Reports as he has employers, except that: (a) If a particular undertaking is jointly financed by a group of employers, the group is to be considered as one employer, but all members of the group are to be named, and the contribution of each member is to be specified; (b) if the work is done in the interest of one person but payment therefor is made by another, a single Report—naming both persons as "employers"—is to be filed each quarter.

B. EMPLOYER.—State name, address, and nature of business. If there is no employer, write "None."

NOTE ON ITEM "C".—(a) The expression "in connection with legislative interests," as used in this Report, means "in connection with attempting, directly or indirectly, to influence the passage or defeat of legislation." "The term 'legislation' means bills, resolutions, amendments, nominations, and other matters pending or proposed in either House of Congress, and includes any other matter which may be the subject of action by either House"—§ 302(e).
(b) Before undertaking any activities in connection with legislative interests, organizations and individuals subject to the Lobbying Act are required to file a "Preliminary" Report (Registration).
(c) After beginning such activities, they must file a "Quarterly" Report at the end of each calendar quarter in which they have either received or expended anything of value in connection with legislative interests.

C. LEGISLATIVE INTERESTS, AND PUBLICATIONS in connection therewith:

1. State approximately how long legislative interests are to continue. If receipts and expenditures in connection with legislative interests have terminated, place an "X" in the box at the left, so that this Office will no longer expect to receive Reports. ☐

2. State the general legislative interests of the person filing and set forth the *specific* legislative interests by reciting: (a) Short titles of statutes and bills; (b) House and Senate numbers of bills, where known; (c) citations of statutes, where known; (d) whether for or against such statutes and bills.

3. In the case of those publications which the person filing has caused to be issued or distributed in connection with legislative interests, set forth: (a) Description, (b) quantity distributed; (c) date of distribution, (d) name of printer or publisher (if publications were paid for by person filing) or name of donor (if publications were received as a gift).

(Answer items 1, 2, and 3 in the space below. Attach additional pages if more space is needed)

4. If this is a "Preliminary" Report (Registration) rather than a "Quarterly" Report, state below what the nature and amount of anticipated expenses will be; and if for an agent or employee, state also what the daily, monthly, or annual rate of compensation is to be. If this is a "Quarterly" Report, disregard this item "C4" and fill out items "D" and "E" on the back of this page. Do not attempt to combine a "Preliminary" Report (Registration) with a "Quarterly" Report.

AFFIDAVIT

[Omitted in printing]

PAGE 1

NOTE ON ITEM "D."—(a) *In General.* The term "contribution" includes *anything of value.* When an organization or individual uses printed or duplicated matter in a campaign attempting to influence legislation, money received by such organization or individual—for such printed or duplicated matter—is a "contribution." "The term 'contribution' includes a gift, subscription, loan, advance, or deposit of money, or anything of value, and includes a contract, promise, or agreement, whether or not legally enforceable, to make a contribution"—Section 302(a) of the Lobbying Act.

(b) IF THIS REPORT IS FOR AN EMPLOYER.—(i) *In General.* Item "D" is designed for the reporting of all receipts from which expenditures are made, or will be made, in accordance with legislative interests.

(ii) *Receipts of Business Firms and Individuals.*—A business firm (or individual) which is subject to the Lobbying Act by reason of expenditures which it makes in attempting to influence legislation—but which has no funds to expend except those which are available in the ordinary course of operating a business not connected in any way with the influencing of legislation—will have no receipts to report, even though it does have expenditures to report.

(iii) *Receipts of Multipurpose Organizations.*—Some organizations do not receive any funds which are to be expended solely for the purpose of attempting to influence legislation. Such organizations make such expenditures out of a general fund raised by dues, assessments, or other contributions. The percentage of the general fund which is used for such expenditures indicates the percentage of dues, assessments, or other contributions which may be considered to have been paid for that purpose. Therefore, in reporting receipts, such organizations may specify what that percentage is, and report their dues, assessments, and other contributions on that basis. However, each contributor of $500 or more is to be listed, regardless of whether the contribution was made solely for legislative purposes.

(c) IF THIS REPORT IS FOR AN AGENT OR EMPLOYEE.—(i) *In General.* In the case of many employees, all receipts will come under Items "D 5" (received for services) and "D 12" (expense money and reimbursements). In the absence of a clear statement to the contrary, it will be presumed that your employer is to reimburse you for all expenditures which you make in connection with legislative interests.

(ii) *Employer as Contributor of $500 or More.*—When your contribution from your employer (in the form of salary, fee, etc.) amounts to $500 or more, it is not necessary to report such contribution under "D 13" and "D 14," since the amount has already been reported under "D 5," and the name of the "employer" has been given under Item "B" on page 1 of this report.

D. RECEIPTS (INCLUDING CONTRIBUTIONS AND LOANS):

Fill in every blank. If the answer to any numbered item is "None," write "None" in the space following the number.

Receipts (other than loans)

1. $.....Dues and assessments
2. $.....Gifts of money or anything of value
3. $.....Printed or duplicated matter received as a gift
4. $.....Receipts from sale of printed or duplicated matter
5. $.....Received for services (e.g., salary, fee, etc.)
6. $.....TOTAL for this Quarter (Add items "1" through "5")
7. $.....Received during previous Quarters of calendar year
8. $.....TOTAL from Jan. 1 through this Quarter (Add "6" and "7")

Loans Received

"The term 'contribution' includes a . . . *loan* . . ."—Sec. 302(a).

9. $.....TOTAL now owed to others on account of loans
10. $.....Borrowed from others during this Quarter
11. $.....Repaid to others during this Quarter

12. $.....Expense money" and Reimbursements received this Quarter

Contributors of $500 or more (from Jan. 1 through this Quarter)

13. Have there been such contributors?

Please answer "yes" or "no": .....

14. In the case of each contributor whose contributions (including loans) during the "period" from January 1 through the last days of this Quarter total $500 or more:

Attach hereto plain sheets of paper, approximately the size of this page, tabulate data under the headings "Amount" and "Name and Address of Contributor"; and indicate whether the last day of the period is March 31, June 30, September 30, or December 31. Prepare such tabulation in accordance with the following example:

Amount	*Name and address of Contributor*
	(*"Period"* from Jan. 1 through....., 19.....)
$1,500.00	John Doe, 1621 Blank Bldg., New York, N.Y.
$1,785.00	The Roe Corporation, 2511 Doe Bldg., Chicago, Ill.
$3,285.00	TOTAL

NOTE ON ITEM "E".—(a) *In General.* "The term 'expenditure' includes a payment, distribution, loan, advance, deposit, or gift of money or anything of value, and includes a contract, promise, or agreement, whether or not legally enforceable, to make an expenditure"—Section 302(b) of the Lobbying Act.

(b) IF THIS REPORT IS FOR AN AGENT OR EMPLOYEE. In the case of many employees, all expenditures will come under telephone and telegraph (Item "E 6") and travel, food, lodging, and entertainment (Item "E 7").

E. EXPENDITURES (INCLUDING LOANS) in connection with legislative interests:

Fill in every blank. If the answer to any numbered item is "None," write "None" in the spaces following the number.

Expenditures (other than loans)

1. $.....Public relations and advertising services
2. $.....Wages, salaries, fees, commissions (other than item "1")
3. $.....Gifts or contributions made during Quarter
4. $.....Printed or duplicated matter, including distribution cost
5. $.....Office overhead (rent, supplies, utilities, etc.)
6. $.....Telephone and telegraph
7. $.....Travel, food, lodging, and entertainment
8. $.....All other expenditures
9. $.....TOTAL for this Quarter (Add "1" through "8")
10. $.....Expended during previous Quarters of calendar year
11. $.....TOTAL from January 1 through this Quarter (Add "9" and "10")

Loans Made to Others

"The term 'expenditure' includes a . . . *loan* . . ."—Sec. 302(b).

12. $.....TOTAL now owed to person filing
13. $.....Lent to others during this Quarter
14. $.....Repayment received during this Quarter

15. Recipients of Expenditures of $10 or More

In the case of expenditures made during this Quarter by, or on behalf of the person filing: Attach plain sheets of paper approximately the size of this page and tabulate data as to expenditures under the following heading: "Amount," "Date or Dates," "Name and Address of Recipient," "Purpose." Prepare such tabulation in accordance with the following example:

Amount	*Date or Dates—Name and Address of Recipient—Purpose*
$1,750.00	7-11: Roe Printing Co., 3214 Blank Ave., St. Louis, Mo.—Printing and mailing circulars on the "Marshbanks Bill."
$2,400.00	7-15, 8-15, 9-15: Britten & Blaten, 3127 Gremlin Bldg., Washington, D.C.—Public relations service at $800.00 per month.
$4,150.00	TOTAL

Organization or Individual Filing	Employer/Client	Receipts	Expenditures
A-K ASSOCIATES,INC., 1225 8TH STREET, STE 590 SACRAMENTO, CA 95814	CALIFORNIA AIR TANKER OPERATORS ASSN	9,999.99	2,746.71
Do	CALIFORNIA SOCIETY OF PATHOLOGISTS		2,393.23
Do	CITY OF SOUTH LAKE TAHOE	12,500.00	2,860.05
Do	PATHOLOGIST PRACTICE ASSOCIATION	18,000.00	3,911.95
Do	SISKIYOU COUNTY SUPERINTENDENT OF SCHOOLS	4,999.98	2,739.25
ACTION FOR CHILDREN'S TELEVISION, 46 AUSTIN ST. NEWTONVILLE MA 02160		56,293.08	696.36
AD HOC COMM FOR COMPETITIVE TELECOMMUNICATIONS, 415 SECOND ST., NE WASHINGTON DC 20002		35,261.39	35,261.39
CHARLES F. ADAMS, SUITE 700 1899 L ST., NW WASHINGTON DC 20036	AMERICAN ASSN OF ADVERTISING AGENCIES	2,500.00	750.00
ADVOATION, INC., 1127 11TH STREET, #925 SACRAMENTO CA 95814	FAIR CONG TASK FORCE OF THE FED OF AMER IMMIGRATION REFORM	18,024.58	6,000.00
ADVOCATES TO SAVE LEGAL SERVICES, INC., 1625 K STREET, N.W. 8TH FLOOR WASHINGTON DC 20006		125.00	
AGENCY FOR INSTRUCTIONAL TELEVISION, BOX A BLOOMINGTON IN 47401			
AIR TRANSPORT ASSN OF AMER, 1709 NEW YORK AVE., NW WASHINGTON DC 20006		34,667.00	34,667.00
SUSAN ALEXANDER, 1901 PENNSYLVANIA AVENUE, NW WASHINGTON DC 20006	WILDERNESS SOCIETY	1,137.19	53.70
ROBERT ALVAREZ, 317 PENNSYLVANIA AVE., SE WASHINGTON DC 20003	ENVIRONMENTAL POLICY INSTITUTE	829.34	
AMERICAN ASSN FOR RESPIRATORY THERAPY, 1720 REGAL ROW DALLAS TX 75235		1,781.98	19,705.26
AMERICAN ASSN OF CROP INSURERS, 209 W. JACKSON BLVD. CHICAGO IL 60606		6,000.00	6,000.00
AMERICAN ASSN OF UNIVERSITY WOMEN, 2401 VIRGINIA AVE., NW WASHINGTON DC 20037			184.05
AMERICAN CANCER SOCIETY, 777 THIRD AVE. NEW YORK NY 10017			14,800.00
AMERICAN COUNCIL ON ALCOHOL PROBLEMS, 6955 UNIVERSITY AVE. DES MOINES IA 50311			
AMERICAN DENTAL ASSN, 211 E CHICAGO AVE. CHICAGO IL 60611		19,492.36	19,492.36
AMERICAN FED OF STATE, COUNTY & MUNICIPAL EMPLOYEES, 1625 L ST., NW WASHINGTON DC 20036			68,529.49
AMERICAN FROZEN FOOD INST, 1700 OLD MEADOW ROAD MCLEAN VA 22101			6,000.00
AMERICAN GUARANTY LIFE INSURANCE CO, 1430 S.W. BROADWAY PORTLAND OR 97201			
AMERICAN HEALTH PLANNING ASSN, 1601 CONNECTICUT AVE., NW WASHINGTON DC 20036		64,200.44	4,698.91
AMERICAN HOSPITAL ASSN, 840 N. LAKE SHORE DR. CHICAGO IL 60611		25,461.59	25,461.59
AMERICAN HUMANE ASSOCIATION, 9725 EAST HAMPDEN DENVER CO 80231		3,000.00	10,187.45
AMERICAN LIBRARY ASSN, 50 E. HURON ST. CHICAGO IL 60611		3,310.13	5,631.56
AMERICAN SOCIETY FOR MEDICAL TECHNOLOGY, 1725 DESALES ST., NW, #403 WASHINGTON DC 20036		4,294.25	3,701.85
AMERICAN TEXTILE MACHINERY ASSN, 7297 N. LEE HWY. FALLS CHURCH VA 22042		24.75	
AMERICAN TEXTILE MFRS INST, SUITE 300 1101 CONNECTICUT AVE., NW WASHINGTON DC 20036		41,439.44	41,439.44
NANCY AMIDEI, SUITE 500 1319 F ST., NW WASHINGTON DC 20004	FOOD RESEARCH & ACTION CENTER		
SCOTT G. ANDERSON, 600 MARYLAND AVE. SW WASHINGTON DC 20024	BURLINGTON NORTHERN INC	1,900.00	1,070.07
STEVEN C. ANDERSON, 1700 OLD MEADOW RD. MCLEAN, VA 22101	AMERICAN FROZEN FOOD INST	5,000.00	
L. J. ANDOLSEK, 1533 NEW HAMPSHIRE AVENUE, NW WASHINGTON DC 20036	NATIONAL ASSN OF RETIRED FEDERAL EMPLOYEES	442.00	
ARKANSAS 2000, INC, P.O. BOX 1776 RUSSELLVILLE AR 72801			
W. STANLEY ARMSTRONG, 1920 N ST., NW WASHINGTON DC 20036	AMERICAN MINING CONGRESS	270.00	8.50
ARNOLD & PORTER, 1200 NEW HAMPSHIRE AVE., NW WASHINGTON DC 20036	LONDON COMMODITY EXCHANGE COMPANY, LTD	2,260.00	72.95
Do	LONDON GOLD FUTURES MARKET		
Do	LONDON INTERNATIONAL FINANCIAL FUTURES EXCHANGE, LTD	8,810.00	79.54
Do	LONE STAR INDUSTRIES, INC		169.50
Do	METAL MARKET & EXCHANGE CO., LTD		
Do	WERNER FLEISCHMANN	1,240.00	
NAN ARON, 600 NEW JERSEY AVENUE, NW WASHINGTON DC 20001	ALLIANCE FOR JUSTICE	57.29	
ASSOCIATION OF GOVERNMENT ACCOUNTANTS, SUITE 100 727 SOUTH 23RD ST. ARLINGTON VA 22202			
ASSOCIATION OF PRIVATE PENSION & WELFARE PLANS, INC., SUITE 340 1201 PENNSYLVANIA AVE., NW WASHINGTON DC 20004.		15,236.00	8,142.04
HOPE M. BABCOCK, 645 PENNSYLVANIA AVENUE, SE WASHINGTON DC 20003	NATIONAL AUDUBON SOCIETY	1,211.00	279.19
ROBERT A. BACHA, 1625 MASSACHUSETTS AVE., NW, #505 WASHINGTON DC 20036	THE KEEFE CO. (FOR: WESTINGHOUSE ELECTRIC CORP)	2,500.00	518.96
Do	KEEFE COMPANY (FOR: YOUNGS DRUG PRODUCTS CORP.)	1,500.00	
WILLIAM DOUGLAS BADGER, 12695 CASTILE CT. WOODBRIDGE VA 22192	CHRISTIAN ACTION COUNCIL, INC	5,850.78	5,673.59
ROBERT D. BANNISTER, 15TH & M STS., NW WASHINGTON DC 20005	NATIONAL ASSN OF HOME BUILDERS OF THE U.S	17,394.22	58.58
SAMUEL J. BAPTISTA, SUITE 603 1620 EYE STREET, NW WASHINGTON DC 20006	VISA U.S.A., INC	1,000.00	
BARAFF, KOERNER, OLENDER & HOCHBERG, P.C., SUITE 203 2033 M STREET, NW WASHINGTON DC 20036	NATIONAL BASKETBALL ASSN	1,000.00	
Do	NORTH AMERICAN SOCCER LEAGUE		
Do	COLLEGE FOOTBALL ASSOCIATION	200.00	
BARLEY AND MALT INSTITUTE, THE MARINE PLAZA 111 E. WISCONSIN AVENUE, #1052 MILWAUKEE WI 53202		8,644.12	5,350.00
BARNETT & ALAGIA, 1000 THOMAS JEFFERSON STREET, NW, #900 WASHINGTON DC 20007	CUBAN AMERICAN PUBLIC AFFAIRS COUNCIL		357.87
Do	FARM CREDIT BANKS	5,400.00	
Do	NATIONAL MILK PRODUCERS FEDERATION		
Do	PUBLICKER INDUSTRIES, INC		
LARRY P. BARNETT, 1709 NEW YORK AVE., NW WASHINGTON DC 20006	AIR TRANSPORT ASSN OF AMER	7,000.00	
NEIL D. BARON, BOOTH & BARON 122 EAST 42ND ST. NEW YORK NY 10168	STANDARD & POOR'S CORPORATION		
JAMES C. BARR, 1730 RHODE ISLAND AVE., NW, #810 WASHINGTON DC 20036	CREDIT UNION NATL ASSN, INC	300.00	41.81
DAVID M. BARRETT, BARRETT, HANNA, DALY & GASPAR 2555 M STREET, NW, #100 WASHINGTON DC 20037	ENERGY CONSUMERS AND PRODUCERS ASSN	6,000.00	1,922.46
Do	NATIONAL MEDICAL ENTERPRISES, INC	5,500.00	1,852.53
WELDON V. BARTON, 1625 MASSACHUSETTS AVENUE, N.W. # 202 WASHINGTON DC 20036	INDEPENDENT BANKERS ASSOCIATION OF AMERICA	10,000.00	347.27
ROSE F. BATES, 1050 THOMAS JEFFERSON ST., NW WASHINGTON DC 20007	AMERICAN SAMOA		
Do	OASIS PETROLEUM CO		
Do	ST. JOE MINERALS CORP		
Do	WESTWOOD ENERGY, INC		
BAYH, TABBERT & CAPEHART, SUITE 1025 1575 I STREET, NW WASHINGTON DC 20005	ALLIED FIDELITY CORP	1,000.00	175.00
JOSIAH BEEMAN, 1625 L ST., NW WASHINGTON DC 20036	AMERICAN FED OF STATE, COUNTY & MUNICIPAL EMPLOYEES	14,918.72	84.08
CATHERINE BENNETT, SUITE 730 1700 PENNSYLVANIA AVE., NW WASHINGTON DC 20006	PFIZER, INC	200.00	168.16
JAMES M. BENNETT, 3514 NORTH SUMMIT AVE. SHOREWOOD WI 53211			
GEORGE L. BERG JR., 600 MARYLAND AVENUE, SW WASHINGTON DC 20024	AMERICAN FARM BUREAU FEDERATION	5,100.00	
DAVID BERICK, 317 PENNSYLVANIA AVE., SE WASHINGTON DC 20003	ENVIRONMENTAL POLICY INSTITUTE	1,775.49	
ELLEN BERMAN, SUITE 320 2000 L ST., NW WASHINGTON DC 20036	CONSUMER ENERGY COUNCIL OF AMERICA		
GEORGE K. BERNSTEIN, 1730 K ST., NW WASHINGTON DC 20006	AMERICAN INSURANCE ASSN	2,500.00	
Do	CRUM & FORSTER INSURANCE COS		
ROBERT BETZ, 1101 14TH STREET, NW, #1100 WASHINGTON DC 20005	ROBERT BETZ ASSOCIATES, INC. (FOR: ALABAMA HOSPITAL ASSOCIATION)	3,000.00	172.70
WILLIAM M. BEUTE, 25 BROADWAY CLARK NJ 07066			
LEON G. BILLINGS, INC., SUITE 713 1660 L STREET, NW WASHINGTON DC 20036	STATE OF MONTANA	9,250.00	
BRENT BLACKWELDER, 317 PENNSYLVANIA AVE., SE WASHINGTON DC 20003	ENVIRONMENTAL POLICY INSTITUTE	1,300.14	
BARBARA S. BLAINE, P.C., 910 16TH STREET, NW WASHINGTON DC 20006	PHARMACEUTICAL MANUFACTURERS ASSN	4,908.40	513.74
NEAL B. BLAIR, SUITE 1400 1875 SOUTH STATE STREET OREM UT 84057	FREE THE EAGLE & TARGET, INC	12,000.00	
SMITH BLAIR, 1533 NEW HAMPSHIRE AVE., NW WASHINGTON DC 20036	NATIONAL ASSN OF RETIRED FEDERAL EMPLOYEES	1,769.00	
RICHARD W. BLISS, BLISS & CRAFT 1050 THOMAS JEFFERSON ST., NW, 6TH FL. WASHINGTON DC 20007	CONOCO, INC		
Do	FLUOR CORP		
Do	GOVERNMENT OF AMERICAN SOMOA	151.03	11.99
Do	MARLINE OIL CORP	752.75	63.41
Do	NORTHERN VIRGINIA SAVINGS & LOAN ASSN		
Do	OASIS PETROLEUM CO		
Do	SUNEDCO	900.00	70.39
Do	WESTWOOD ENERGY, INC		
Do	ST. JOE MINERALS CORPORATION	859.18	37.03
HOLTON E. BLOMGREN, SUITE 511 1745 JEFFERSON DAVIS HWY. ARLINGTON VA 22202	NATIONAL MANUFACTURED HOUSING FEDERATION	12,501.81	
WAYNE F. BOAN, 1776 F ST., NW WASHINGTON DC 20006	NATIONAL ASSN OF MANUFACTURERS	1,300.00	
BOASBERG HEWES FINKLESTEIN & KLORES, 2101 L ST., NW WASHINGTON DC 20037	COMMITTEE FOR FARMWORKER PROGRAMS		
EDWARD N. BOND, 1700 NORTH MOORE ST. ROSSLYN VA 22209	BOEING COMPANY	150.00	50.75
BONNEVILLE ASSOCIATES, SUITE 300 200 E. SOUTH TEMPLE SALT LAKE CITY UT 84102	WESTERN REGIONAL COUNCIL		
ROBERT N. BORENS, 1701 PENNSYLVANIA AVENUE, NW WASHINGTON DC 20006	GETTY OIL COMPANY	866.00	487.24
STEPHEN F. BOTSFORD, 4320 PAYNE AVE. CLEVELAND OH 44103	MIDWEST ALLIANCE FOR INDUSTRIAL FINANCING & RESTRUCTURING		
THERESA M. BRADY, 444 NORTH CAPITOL STREET, NW SUITE 801 WASHINGTON DC 20001	JOINT MARITIME CONGRESS	753.20	
MARK BRAND, SUITE 905 1625 K ST., NW WASHINGTON DC 20006	CREAMER DICKSON BASFORD, INC		
Do	KANSAS CITY, MISSOURI		
STEFANIE A. BRAND, 2000 L STREET, NW, #320 WASHINGTON DC 20036	CONSUMER ENERGY COUNCIL OF AMERICA	152.50	5.00
CAROLYN BRICKEY, SUITE 500 1319 F STREET, NW WASHINGTON DC 20004	FOOD RESEARCH AND ACTION CENTER	1,483.79	
ROBERT J. BRINKMANN, 1627 K STREET, NW, #400 WASHINGTON DC 20006	NATIONAL NEWSPAPER ASSN	21,050.00	6,550.00
PHILLIP W. BROOKS, VOLUNTEER STATE OIL COMM 18TH FLOOR, THIRD NATL BANK BLDG. NASHVILLE TN 37219	AMERICAN PETROLEUM INST		
BROWN & FINN, SUITE 510 1920 N STREET, NW WASHINGTON DC 20036	S.P.A.C.E	16,386.87	
Do	SUBURBAN CABLEVISION AND WAYNE CABLEVISION	3,732.92	
DONALD K. BROWN, 1127 11TH ST., #544 SACRAMENTO CA 95814	CROWLEY MARITIME CORPORATION		
Do	SUMMA CORPORATION	1,013.57	

Organization or Individual Filing	Employer/Client	Receipts	Expenditures
DOREEN L. BROWN, 1346 CONNECTICUT AVENUE, NW WASHINGTON DC 20036	CONSUMERS FOR WORLD TRADE		
JOHN J. BROWN, 1125 17TH ST., NW WASHINGTON DC 20036	INTERNATIONAL UNION OF OPERATING ENGINEERS	8,500.00	1,050.00
MARGUERITE BRACY BROWN, 1625 L ST., NW WASHINGTON DC 20036	AMERICAN FED OF STATE, COUNTY & MUNICIPAL EMPLOYEES	8,495.98	27.65
MARY ELIZABETH BROWN, 1201 16TH ST., NW WASHINGTON, DC 20036	NATIONAL EDUCATION ASSN		
RALPH BROWN, SUITE 107 701 S. 22ND STREET OMAHA NB 68102	M.O.A.A.I.O.A. & SUBS, INC	5.00	5.00
SHIRLE L. BROWN, P.O. BOX 663, GPO NEW YORK NY 10016	SLB ENTERPRISES		
BROWN TODD & HEYBURN, 1600 CITIZENS PLAZA LOUISVILLE KY 40202	BROWN & WILLIAMSON TOBACCO CORP	5,000.00	
THOMAS H. BROWNELL, P. O. BOX 3999 SEATTLE WA 98124	BOEING COMPANY		
CHRISTINE CAPITO BURCH, 1625 L STREET, NW WASHINGTON DC 20036	AMERICAN FED OF STATE, COUNTY & MUNICIPAL EMPLOYEES	8,931.19	187.47
THOMAS L. BURGUM & ASSOCIATES, SUITE 420 499 SOUTH CAPITOL STREET, SW WASHINGTON DC 20003	BELRIDGE CAPITAL CORP		
Do	E.M. GRAVES & CO., INC		
Do	FRUITDALE TELEPHONE CO		
Do	PUBLICKER INDUSTRIES, INC		
WILLIAM J. BURHOP, 1709 NEW YORK AVE., NW WASHINGTON DC 20006	AIR TRANSPORT ASSN OF AMER	10,000.00	
BUSINESS COUNCIL FOR IMPROVED TRANSPORT POLICIES, SUITE 200 1000 CONNECTICUT AVE., NW WASHINGTON DC 20036.			
WILLIAM A. BUTLER, 645 PENNSYLVANIA AVENUE, SE WASHINGTON DC 20003	NATIONAL AUDUBON SOCIETY	5,000.00	150.00
ARKIE BYRD, SUITE 400 2000 P STREET, NW WASHINGTON DC 20036	WOMEN'S LEGAL DEFENSE FUND		
CAIN & SMITH, P.O. BOX 78768 AUSTIN TX 78768	STATE BAR OF TEXAS, JUDICIAL SECTION		
CALIFORNIA HOUSING COUNCIL, 1225 8TH STREET, #325 SACRAMENTO CA 95814		5,000.00	4,500.00
CAMP, CARMOUCHE, BARSH, HUNTER, GRAY & HOFFMAN, P.C., 2550 M ST., NW, #275 WASHINGTON DC 20037	CHAMPLIN PETROLEUM COMPANY		
Do	NATURAL GAS SUPPLY ASSN	2,025.00	
Do	PENNZOIL CO	300.00	
Do	TEXACO, INC	225.00	
CANCER GROUP, 2128 WYOMING AVENUE WASHINGTON DC 20008			231.40
DAVID L. CANTOR, SUITE 1200 1133 15TH STREET, NW WASHINGTON DC 20005	COALITION FOR ENVIRONMENTAL ENERGY BALANCE (CEEB)	467.50	72.02
CAPITOL ADVOCATES, 1127 11TH ST., SUITE 605 SACRAMENTO CA 95814	CROWLEY MARITIME CORP	12,698.14	149.91
Do	DISTILLED SPIRITS COUNCIL OF THE U.S		
Do	PACIFIC MERCHANT SHIPPING ASSN		
Do	SUMMA CORPORATION	6,824.37	
HOLLYE E. CAPPLEMAN, 1701 PENNSYLVANIA AVENUE, NW WASHINGTON DC 20006	GETTY OIL COMPANY	476.00	117.56
DENISE A. CARDMAN, 1800 M ST., NW WASHINGTON DC 20036	AMERICAN BAR ASSN	400.00	50.00
PETER CARLSON, 317 PENNSYLVANIA AVE., SE WASHINGTON DC 20003	ENVIRONMENTAL POLICY INSTITUTE	379.69	
JANET B. CARROLL, SUITE 402 419 7TH STREET, NW WASHINGTON DC 20004	NATIONAL RIGHT TO LIFE COMMITTEE	4,550.00	73.45
WOODRUFF LEE CARROLL, 918 ONONDAGA SAVINGS BANK BLDG. SYRACUSE NY 13202	DAIRY FARMER DISTRIBUTORS OF AMERICA, INC		
DAVID C. CARTER, 1156 15TH ST., NW SUITE 1019 WASHINGTON DC 20005	U.S. BEET SUGAR ASSN		
DONATO CARUSO, LAMBOS, FLYNN, NYLAND & GIARDINO 29 BROADWAY, 9TH FL NEW YORK NY 10006	NEW YORK SHIPPING ASSN., INC		
GORDON CAVANAUGH, SUITE 800 1016 16TH STREET, NW WASHINGTON DC 20036	ROISMAN, RENO & CAVANAUGH (FOR: COUNCIL OF LARGE PUBLIC HOUSING AUTHORITIES).	8,820.00	50.00
Do	ROISMAN, RENO & CAVANAUGH (FOR: FIRST CENTRUM CORP.)		10.00
CENTER FOR LAW AND EDUCATION, INC., 6 APPIAN WAY CAMBRIDGE MA 02138		43,491.05	1,325.75
R. S. CHAMBERLIN, 1800 M ST., NW, SUITE 700 SOUTH WASHINGTON DC 20036	DOW CHEMICAL CO		
CHAMBERS ASSOCIATES, INC, 1411 K STREET, NW, #500 WASHINGTON DC 20005	AMERICAN POSTAL WORKERS UNION	1,750.00	
Do	COMMISSIONED OFFICERS ASSN OF THE PUBLIC HEALTH SERVICE		
Do	FACET, CORP		
WILLIAM U. CHANDLER, 317 PENNSYLVANIA AVE., SE WASHINGTON DC 20003	ENVIRONMENTAL POLICY INSTITUTE	1,137.28	
LESLIE CHEEK III, 1120 CONNECTICUT AVE., NW, #1142 WASHINGTON DC 20036	CRUM & FOSTER CORP	16,250.00	926.85
CHILDREN'S TELEVISION WORKSHOP, ONE LINCOLN PLAZA NEW YORK NY 10023			
CHARLES M. CLUSEN, 1901 PENNSYLVANIA AVE., NW WASHINGTON DC 20006	WILDERNESS SOCIETY	2,375.67	47.00
COALITION FOR FULL NUCLEAR ACCOUNTABILITY, 317 PENNSYLVANIA AVENUE, SE WASHINGTON DC 20003			
COALITION FOR LEGAL SERVICES, INC., 1625 K STREET, N.W. ROOM 908 WASHINGTON DC 20006		38,820.91	24,622.90
COHEN AND URETZ, 4TH FLOOR 1775 K ST., NW WASHINGTON DC 20006	CONTRACT STAFFING OF AMERICA, INC	11,808.75	407.51
Do	ESTATE OF SYLVIA S. BURING	11,284.25	125.12
Do	NORTHWEST ENERGY COMPANY	35,585.75	169.88
Do	STICHTING PHILIPS PENSIOENFONDS A AND B	1,881.25	20.70
LOIS D. COHEN ASSOCIATES, 360 EAST 65TH STREET NEW YORK NY 10021	NORTHEASTERN INTERNATIONAL AIRWAYS, INC		378.35
DAVID COHEN, 2010 MASSACHUSETTS AVE., NW WASHINGTON DC 20036	BUSINESS EXECUTIVES FOR NATL SECURITY		106.00
JERRY S. COHEN, SUITE 708 1776 K ST., NW WASHINGTON DC 20006	SERVICE STATION DEALERS OF AMERICA, INC	3,000.00	
MICHAEL J. COHEN, 1225 CONNECTICUT AVE, NW WASHINGTON DC 20036	AMERICAN INTERNATIONAL GROUP		
COLLIER, SHANNON, RILL & SCOTT, SUITE 308 1055 THOMAS JEFFERSON ST., NW WASHINGTON DC 20007	CSX CORPORATION	3,000.00	100.00
Do	NATIONAL HAIRDRESSERS & COSMETOLOGISTS ASSN		
Do	WEST TEXAS LAND & ROYALTY OWNERS ASSN		16.00
COLORADO SKI COUNTRY USA, INC., SUITE A-201 1410 GRANT STREET DENVER CO 80203		300.00	
COMMITTEE FOR DO-IT-YOURSELF HOUSEHOLD MOVING, SUITE 1000 1100 17TH ST., NW WASHINGTON DC 20036			
COMMITTEE FOR FARMWORKER PROGRAMS, SUITE 906 2101 L STREET, NW WASHINGTON DC 20037			
COMMITTEE FOR 806.30 AND 807, INC, SUITE 800 1611 NORTH KENT ST. ARLINGTON VA 22209		25,129.51	19,012.58
COMMUNITY SERVICE SOCIETY OF NEW YORK, 105 EAST 22ND STREET NEW YORK NY 10010			1,293.77
ROBERT J. CONLAN, 1630 CONNECTICUT AVE., NW WASHINGTON DC 20009	NATIONAL CONSUMER COOPERATIVE BANK	10,130.40	
JEFFREY B. CONLEY, NEDA/CAAP 605 14TH STREET, NW WASHINGTON DC 20005	E. BRUCE HARRISON COMPANY, INC		
GERALD R. CONNOR, 6500 WISCONSIN AVENUE CHEVY CHASE MD 20015	AMERICAN PUBLIC HEALTH ASSN		
Do	THOMAS E. BRYANT		12.64
Do	VOLUNTEER TRUSTEES OF NOT-FOR-PROFIT HSOPITALS	750.00	240.25
JERRY C. CONNORS, SUITE 511 1745 JEFFERSON DAVIS HWY. ARLINGTON VA 22202	MANUFACTURED HOUSING INSTITUTE	1,000.00	100.00
LORI CONSADORI, 1346 CONNECTICUT AVENUE, NW WASHINGTON DC 20036	CONSUMERS FOR WORLD TRADE	340.00	
CONSERVATIVES AGAINST LIBERAL LEGISLATION, 3124 NORTH 10TH ST., #5 ARLINGTON VA 22201		24.00	24.00
CONSULTANTS RESEARCH SERVICE, P.O. BOX 118 COLD SPRING HARBOR NY 11724			
CONSUMER ENERGY COUNCIL OF AMERICA, SUITE 320 2000 L ST., NW WASHINGTON DC 20036			152.50
CONSUMERS FOR WORLD TRADE, 1346 CONNECTICUT AVENUE, NW WASHINGTON DC 20036		524.55	524.55
COOK, PURCELL, HENDERSON & ZORACK, 11TH FLOOR 1015 18TH ST., NW WASHINGTON DC 20036	ALEUT CORPORATION	5,000.00	
Do	AMERICAN ACADEMY OF OPHTHALMOLOGY		
Do	AMERICAN MOTORCYCLIST ASSN	2,343.75	
Do	AMERICAN RICE, INC	14,218.74	
Do	ASHLAND OIL, INC		
Do	AUDIO RECORDING RIGHTS COALITION	2,100.00	
Do	B.A.T. INDUSTRIES, LTD	18,633.09	
Do	BENENSON CAPITAL COMPANY	5,287.50	
Do	CITIZENS DEPOSIT BANK		
Do	CNA INSURANCE CO OF CHICAGO, ILLINOIS	1,000.00	
Do	COMPREHENSIVE CARE CORP	2,400.00	
Do	CONSOLIDATED NATURAL GAS CO	500.00	
Do	EMPLOYEE ORGAN. FED. EMPLOYEES HEALTH BENEFITS PROGRAM ASSN	1,000.00	
Do	FIRST BANK AND TRUST COMPANY	8,825.00	
Do	GUAM AIRPORT AUTHORITY	3,675.00	
Do	HARLEY-DAVIDSON MOTOR CO, INC	725.00	
Do	HOME RECORDING RIGHTS COALITION		
Do	NATIONAL ASSN OF GOVERNMENT EMPLOYEES		
Do	OHIO VALLEY IMPROVEMENT ASSN, INC		
Do	PLANTERS PEANUTS	2,500.00	
Do	ROADWAY EXPRESS, INC		
Do	TANADGUSIX CORPORATION	1,500.00	
Do	TEXACO, INC		
Do	TEXAS GAS TRANSMISSION CORP	2,000.00	
Do	TOBACCO INSTITUTE	12,335.00	
EDWARD COONEY, SUITE 500 1319 F ST., NW WASHINGTON DC 20004	FOOD RESEARCH & ACTION CENTER		
C. WILLIAM COOPER, 159 TOWN HALL SQUARE FALMOUTH MA 02540	UNITED DISTRIBUTION COMPANIES		
MARK N. COOPER, 2000 L STREET, NW SUITE 320 WASHINGTON DC 20036	CONSUMER ENERGY COUNCIL OF AMERICA		
COOPERATIVE LEAGUE OF THE USA, SUITE 1100 1828 L ST., NW WASHINGTON DC 20036		5,144.84	3,371.46
PETER COPPELMAN, 1901 PENNSYLVANIA AVE., NW WASHINGTON DC 20006	WILDERNESS SOCIETY	2,322.32	37.00
PHILIP S. CORWIN, SUITE 202 1625 MASSACHUSETTS AVENUE, NW WASHINGTON DC 20036	INDEPENDENT BANKERS ASSN OF AMERICA	10,750.00	529.15
CLARK R. COSSE III, 2900 INDIANA AVE. KENNER LA 70062	SOUTHERN FOREST PRODUCTS ASSN	7,674.99	
COUDERT BROTHERS, ONE FARRAGUT SQUARE SOUTH WASHINGTON DC 20006	U.S. TELPHONE COMMUNICATIONS, INC	14,275.00	369.86
COUNCIL FOR A COMPETITIVE ECONOMY, INC., 410 FIRST ST., SE WASHINGTON DC 20003		4,833.26	14,193.89
COUNCIL FOR A LIVABLE WORLD, 11 BEACON ST. BOSTON MA 02108			24,724.30

Organization or Individual Filing	Employer/Client	Receipts	Expenditures
COUNCIL FOR RURAL HOUSING AND DEVELOPMENT, SUITE 400S 1800 M ST., NW WASHINGTON DC 20036		2,500.00	2,500.00
COUNCIL OF ENERGY RESOURCE TRIBES, 1140 CONNECTICUT AVE.,NW SUITE 310 WASHINGTON DC 20036			4,591.63
COUNCIL OF INDUSTRIAL BOILER OWNERS, 11222 SILVERLEAF DR. FAIRFAX STATION VA 22039			381.62
COUNCIL OF STATE HOSPITAL FINANCE AUTHORITIES, SUITE 2188 35 EAST WACKER DRIVE CHICAGO IL 60601			
COUNSELORS FOR MANAGEMENT, INC, 900 17TH ST., NW #504 WASHINGTON DC 20006	ENERGY RESOURCES OF AUSTRALIA, LTD		318.54
ERIC COX, SUITE W-219 1011 ARLINGTON BLVD. ARLINGTON VA 22209	WORLD FEDERALIST POLITICAL EDUCATION COMM	660.95	
W. O. CRAFT JR., BLISS & CRAFT 1050 THOMAS JEFFERSON ST., NW, 6TH FL. WASHINGTON DC 20007	FLUOR CORPORATION		
Do	GOVERNMENT OF AMERICAN SAMOA		
Do	MARLINE OIL CORPORATION		
Do	NAVAJO-HOPI RELOCATION COMMISSION	1,500.00	188.01
Do	ST. JOE MINERALS CORPORATION	859.18	37.03
Do	SUNOCO ENERGY DEVELOPMENT COMPANY (SUNEDCO)	900.00	70.39
Do	WESTERN GEOPHYSICAL	2,790.00	73.24
CREDIT UNION NATL ASSN, INC, SUITE 810 1730 RHODE ISLAND AVE. WASHINGTON DC 20036		300.00	512.60
CUBAN AMERICAN PUBLIC AFFAIRS COUNCIL, 1000 THOMAS JEFFERSON ST., NW WASHINGTON DC 20007			
CHARLES T. CUDLIP, 1100 CONNECTICUT AVENUE, NW WASHINGTON DC 20036	CHRYSLER CORPORATION	2,000.00	90.00
CURTIS, MALLET-PREVOST, COLT & MOSLE, SUITE 715 1735 I ST., NW WASHINGTON DC 20007	AIR TRANSPORT ASSN OF AMERICA		
RUDOLPH N. D'AGARIS, 15 W. MONTGOMERY AVENUE ROCKVILLE MD 20850			
DAMRELL, DAMRELL & NELSON, P.C., 911 13TH STREET P.O. BOX 3489 MODESTO CA 95353	TURLOCK IRRIGATION DISTRICT	495.00	
DANIELS, HOULIHAN & PALMETER, P.C., 1819 H ST., NW WASHINGTON DC 20006	AMERICAN ASSN OF EXPORTERS & IMPORTERS	3,000.00	343.49
JOHN C. DATT, 600 MARYLAND AVE., SW WASHINGTON DC 20024	AMERICAN FARM BUREAU FED	4,750.00	
CHERYL C. DAVIS, 510 C ST., NE WASHINGTON DC 20002	NATIONAL ASSN OF CREDIT MANAGEMENT	850.00	
THOMAS A. DAVIS, SUITE 407 499 S. CAPITOL ST., SW WASHINGTON DC 20003	AMERICAN HORSE COUNCIL	648.00	676.64
Do	ASSOCIATION FOR SPORTFISHING'S FUTURE		
Do	CHICAGO BOARD OF TRADE	11,979.00	390.23
Do	COUPON BOND COMMITTEE	1,185.25	
Do	FLORIDA POWER & LIGHT CO		
Do	FLORIDA SUGAR CANE LEAGUE, INC	675.00	
Do	NATIONAL CATTLEMEN'S ASSN		
Do	NATIONAL CORPORATION FOR HOUSING PARTNERSHIPS	707.50	
Do	NATIONAL LIFE & ACCIDENT INSURANCE CO	3,679.50	
DONALD S. DAWSON, 723 WASHINGTON BLDG. WASHINGTON DC 20005	OPTICIANS ASSN OF AMER	10,000.00	
Do	U.S. BREWERS ASSOCIATION, INC		
Do	VIRGIN ISLANDS GIFT & FASHION SHOP ASSN		
Do	VIRGIN ISLANDS MERCHANTS ASSOCIATION		
DAWSON, RIDDELL, FOX, HOLROYD & WILSON, 723 WASHINGTON BLDG. WASHINGTON DC 20005	ANHEUSER-BUSCH, INC		
J. EDWARD DAY, 5TH FL. 1201 PENNSYLVANIA AVE., NW WASHINGTON DC 20004	THIRD CLASS MAIL ASSOCIATION		
DELL, CRAIGHILL, FENTRESS & BENTON, 888 17TH ST., NW SUITE 1200 WASHINGTON DC 20006	CONSEJO ESTATAL DE DESAROLLO		
Do	GOVERNOR ROBERTO DE LA MADRID		
MARCIA L. DESMOND, 444 N. CAPITOL STREET, NW WASHINGTON DC 20001	AMERICAN HOSPITAL ASSN	402.59	95.63
DEWEY BALLANTINE BUSHBY PALMER & WOOD, 1775 PENNSYLVANIA AVE., NW WASHINGTON DC 20006	BENEFICIAL CORPORATION		
Do	GENERAL ELECTRIC PENSION TRUST		
Do	TEACHERS INSURANCE AND ANNUITY ASSN OF AMERICA		
Do	PHIBRO-SALOMON, INC		
DICKINSON, WRIGHT, MOON, VAN DUSEN & FREEMAN, 1901 L ST., NW SUITE 801 WASHINGTON DC 20036	GENERAL MOTORS CORP	8,985.00	161.30
Do	K MART CORP		
Do	OAKLAND COUNTY D.P.W		
Do	ROYAL HAWAIIAN CRUISES, INC		
JAMES J. DICKMAN, 12TH FLOOR 80 BROAD STREET NEW YORK NY 10006	NEW YORK SHIPPING ASSN, INC		
NANCY DIETZ, 45 EVERETT ST. NEWTON CENTER MA 02159	ACTION FOR CHILDREN'S TELEVISION	500.00	
DIRECT SELLING ASSOCIATION, 1730 M ST., NW WASHINGTON DC 20036			2,278.68
JOHN D. DOHERTY JR , 900 17TH ST., NW WASHINGTON DC 20006	CHASE MANHATTAN BANK, N.A.	112.50	7.93
ROBIN C. DOLE, SUITE 704 1000 16TH ST. NW WASHINGTON DC 20036	CENTURY 21 REAL ESTATE CORP		
CHARLENE DOUGHERTY, 645 PENNSYLVANIA AVENUE, SE WASHINGTON DC 20003	NATIONAL AUDUBON SOCIETY	8,000.00	2,200.00
DOW LOHNES & ALBERTSON, 1225 CONNECTICUT AVE., NW WASHINGTON DC 20036	EASTERN MICROWAVE, INC	581.00	
L. MICHAEL DOWLING, SUITE 320 1901 L STREET, NW WASHINGTON DC 20036	OGILVY AND MATHER PUBLIC RELATIONS		
JOHN C. DOYLE JR , 317 PENNSYLVANIA AVE., SE WASHINGTON DC 20003	ENVIRONMENTAL POLICY INSTITUTE	127.12	
MARY JANE C. DUE, 1920 N ST., NW WASHINGTON DC 20036	AMERICAN MINING CONGRESS	30.00	
DOUGLAS F. DUERR, 1730 RHODE ISLAND AVE. SUITE 810 WASHINGTON DC 20036	CREDIT UNION NATL ASSN, INC	300.00	
LOUISE C. DUNLAP, 317 PENNSYLVANIA AVE., SE WASHINGTON DC 20003	ENVIRONMENTAL POLICY INSTITUTE	875.55	
MICHAEL V. DURANDO, 600 MARYLAND AVE., SW WASHINGTON DC 20024	AMERICAN FARM BUREAU FED	2,563.00	21.35
JEAN DURNING, 1901 PENNSYLVANIA AVE., NW WASHINGTON DC 20006	WILDERNESS SOCIETY	2,536.66	593.85
HAROLD F. EBERLE, O'BRIEN & FIERCE 1828 L STREET, NW, #201 WASHINGTON DC 20036	AMERICAN ELECTRONICS ASSN	3,000.00	50.00
DANIEL J. EDELMAN, INC., SUITE 460 1730 PENNSYLVANIA AVE., NW WASHINGTON DC 20006	WHITTAKER CORPORATION		
ED EDMONDSON, BOX 11 MUSKOGEE OK 74401	AMERICAN INLAND WATERWAYS COMM		
Do	CHEROKEE NATION		
Do	DOSS AVIATION, INC		
Do	IU INTERNATIONAL MANAGEMENT CORP		
Do	OKLAHOMA ASSN OF ELECTRIC COOPS		
Do	U.S. MARITIME COMMITTEE, INC		
ELIAS AND MATZ, 12TH FL. 734 15TH ST., NW WASHINGTON DC 20005	NATIONAL ASSN OF STATE SAVINGS & LOAN SUPERVISORS		
C. M. ELKINS ASSOCIATES, SUITE 310 1100 17TH ST., NW WASHINGTON DC 20036	MISSOURI KANSAS TEXAS RAILROAD		
Do	PITTSBURGH & LAKE ERIE RAILROAD		
DOROTHY A. ELLSWORTH, 1300 CONNECTICUT AVE., NW WASHINGTON DC 20036	INTERNATIONAL ASSN OF MACHINISTS & AEROSPACE WORKERS	11,747.18	123.25
STEPHEN ENDEAN, 750 7TH ST., SE WASHINGTON DC 20003	GAY RIGHTS NATIONAL LOBBY, INC	4,740.29	
JONATHAN ERLITZ, 105 EAST 22ND STREET NEW YORK NY 10010	COMMUNITY SERVICE SOCIETY	357.00	
JOHN T. ESTES, 1150 CONNECTICUT AVE., NW #700 WASHINGTON DC 20036	ALLIED CHEMICAL CORP	650.00	40.00
BROCK EVANS, 645 PENNSYLVANIA AVENUE, SE WASHINGTON DC 20003	NATIONAL AUDUBON SOCIETY	2,000.00	337.00
DONALD C. EVANS, P.O. BOX 1496 SARASOTA FL 33577	EVANS INVESTIGATIVE & SECURITY SERVICE		
WILLIAM J. EVANS JR., SUITE 901 1660 L ST., NW WASHINGTON DC 20036	PAN AMERICAN WORLD SERVICES, INC	415.00	338.55
FARMERS FOR FAIRNESS, P.O. BOX 6288 CAMILLA GA 31730		10,500.00	10,500.00
FEDERAL EXPRESS CORP, BOX 727 MEMPHIS TN 38194			36,958.46
FEDERAL KEMPER LIFE ASSURANCE COMPANY, KEMPER BLDG. D-3 LONG GROVE IL 60049			1,981.69
MARK B. FELDMAN, DONOVAN, LEISURE, NEWTON & IRVINE 1850 K STREET, NW WASHINGTON DC 20006	MOTION PICTURE ASSN OF AMERICA		139.30
FENSTERWALD & ASSOCIATES, 1000 WILSON BLVD SUITE 900 ARLINGTON VA 22209	NATIONAL NUTRITIONAL FOODS ASSOCIATION	4,374.99	1,510.99
ALLEN R. FERGUSON, 1525 NEW HAMPSHIRE AVENUE, NW WASHINGTON DC 20036	PUBLIC INTEREST ECONOMICS FOUNDATION	468.96	
JACK FERGUSON ASSOCIATES, 203 MARYLAND AVE., NE WASHINGTON DC 20002	CITY OF UNALASKA PROJECTS OFFICE	4,500.00	91.55
Do	WESTERN FOREST INDUSTRIES ASSN	5,000.00	211.64
C. H. FIELDS, 600 MARYLAND AVE., SW WASHINGTON DC 20024	AMERICAN FARM BUREAU FED	4,550.00	43.00
DONALD L. FIERCE, O'BRIEN & FIERCE 1828 L STREET, NW, #201 WASHINGTON DC 20036	UTILITY GROUP	4,270.00	25.00
DAVID M. FITZGERALD, 206 KING ST. ALEXANDRIA VA 22314	GOODYEAR AEROSPACE CORPORATION	1,200.00	
Do	LITTON DATA SYSTEMS		
REV. MSGR. JAMES H. 15 COMPUTER DRIVE WEST ALBANY NY 12205	HOSPITAL ASSOCIATION OF NEW YORK STATE		
RUTH FLOWER, 245 SECOND ST., NE. WASHINGTON DC 20002	FRIENDS COMMITTEE ON NATIONAL LEGISLATION	3,047.64	
JOHN J. FLYNN, 1125 17TH STREET, NW WASHINGTON DC 20036	INTERNATIONAL UNION OF OPERATING ENGINEERS	7,500.00	658.00
FOOD RESEARCH & ACTION CENTER, C/O HELAINECOHEN SUITE 500 1319 F ST. NW WASHINGTON DC 20004			6,446.10
ALBERT A. FOX JR , 1150 CONNECTICUT AVE., NW, #700 WASHINGTON DC 20036	ALLIED CHEMICAL CORP	300.00	27.00
DONALD FRAHER, 810 18TH ST., NW WASHINGTON DC 20006	HANDGUN CONTROL, INC	4,725.00	20.00
MARIAN C. FRANZ, 2121 DECATUR PLACE, NW WASHINGTON DC 20008	NATIONAL COUNCIL FOR A WORLD PEACE TAX FUND	150.00	440.00
FREE THE EAGLE NATIONAL CITIZEN'S LOBBY, 757 S. MAIN ST. SPRINGVILLE UT 84663		80,905.94	95,689.81
CAROL FREEDMAN, 317 PENNSYLVANIA AVENUE, SE WASHINGTON DC 20003	ENVIRONMENTAL POLICY INSTITUTE	140.27	
FRIENDS COMMITTEE ON NATIONAL LEGISLATION, 245 2ND ST., NE WASHINGTON DC 20002			22,616.50
FRIENDS OF THE EARTH, 530 7TH ST., SE WASHINGTON DC 20003		314,665.00	57,859.47
OWEN V. FRISBY, 900 17TH ST., NW WASHINGTON DC 20006	CHASE MANHATTAN BANK, N.A.	300.00	31.70
FULBRIGHT & JAWORSKI, 1150 CONNECTICUT AVE., NW, #400 WASHINGTON DC 20036	ALAMO RENT A CAR		
Do	NATIONAL ASSN OF REAL ESTATE INVESTMENT TRUSTS		
NANCY H. FUSSELL, 1700 N. MOORE ST. ROSSLYN VA 22209	BOEING COMPANY	360.00	84.07
G-4 CHILDREN'S COALITION, ROOM 1100 1666 K STREET, NW WASHINGTON DC 20006		2,886.61	781.25
HARRY GANDERSON, P.O. BOX 2593 WASHINGTON DC 20013			
GARVEY, SCHUBERT, ADAMS & BARER, 1000 POTOMAC ST., NW WASHINGTON DC 20006	AMERICAN PYROTECHNICS ASSN		
Do	COMINCO AMERICAN, INC		
Do	ENERGY RESOURCES OF AUSTRALIA AND COUNSELORS FOR MANAGEMENT	1,125.00	
Do	GTE SERVICE CORPORATION		

Organization or Individual Filing	Employer/Client	Receipts	Expenditures
Do	JAPAN FISHERIES ASSN	12,385.00	
Do	NORANDA MINING INC	6,552.50	
Do	NORTHWEST MARINE IRON WORKS		
Do	PACCAR, INC	1,830.00	
Do	PACIFIC RIM TRADE ASSN		
Do	PORT OF TILLAMOOK BAY & TILLAMOOK COUNTY		
Do	TOTEM OCEAN TRAILER EXPRESS, INC	1,820.00	
Do	TRAILWAYS, INC		
Do	WASHINGTON CITIZENS FOR WORLD TRADE	362.50	
GAY RIGHTS NATIONAL LOBBY, INC, 750 7TH ST., SE WASHINGTON DC 20003		53,730.24	60,403.10
CLAIRE M. GEOGHEGAN, 415 2ND ST., NE WASHINGTON DC 20002	AD HOC COMM FOR COMPETITIVE TELECOMMUNICATIONS	7,807.73	
GEORGIA ASSN OF PETROLEUM RETAILERS, INC, 900 N. HAIRSTON ROAD, SUITE D STONE MOUNTAIN GA 30083			207.00
GERARD, BYLER & ASSOCIATES, INC., 1100 17TH ST., NW, #1100 WASHINGTON DC 20036	AK CHIN INDIAN COMMUNITY		
Do	COLVILLE BUSINESS COUNCIL	791.50	
Do	COMMISSIONED OFFICERS ASSN OF THE U.S. PUBLIC HEALTH SERVICE	125.00	
Do	DAMSON OIL CORPORATION	400.00	
Do	MINNESOTA CHIPPEWA TRIBE	866.00	
Do	PAPAGO TRIBE OF ARIZONA	3,571.40	
Do	TULALIP TRIBES	300.00	
GETTY OIL COMPANY, 3810 WILSHIRE BLVD. LOS ANGELES CA 90010			16,220.92
MICHAEL K. GIRE, BRICKER & ECKLER 100 E. BROAD ST. COLUMBUS OH 43215	AMERICAN SMALL AND RURAL HOSPITAL ASSOCIATION, OHIO CHAPTER		
JAMES T. GLENN, 840 WASHINGTON BUILDING 15TH STREET & NEW YORK AVE., NW WASHINGTON DC 20005	CSX CORPORATION	3,000.00	896.90
NEIL B. GOLDSTEIN, 228 E. 45TH ST. NEW YORK NY 10017	SIERRA CLUB	1,670.50	3,204.39
ALFONSO J. GONZALEZ, 7981 SILVER SPRING MD 20910	NATIONAL ASSN OF SOCIAL WORKERS	10,000.00	535.00
GORGE DEFENSE LEAGUE, P.O. BOX 780 STEVENSON WA 98648		65.00	729.97
JAMES M. GORMAN, 258 W. CLINTON AVENUE TENAFLY NJ 07670	C. A. SHEA & COMPANY, INC		
KEITH S. GORMEZANO, LE BEACON PRESSE 2511 1/2 E. YESLER WAY SEATTLE WA 98122			
GEORGE B. GOULD III, 100 INDIANA AVE., NW WASHINGTON DC 20001	NATIONAL ASSN OF LETTER CARRIERS	11,583.00	4,911.78
GOVERNMENT RELATIONS ASSOCIATES, INC., SUITE 401 1629 K STREET, NW WASHINGTON DC 20006			
JOHN K. GRAM, 714 OREGON BANK BLDG. PORTLAND OR 97204	PUBLIC TIMBER PURCHASERS GROUP	1,781.25	355.00
RUTH P. GRAVES, SUITE 500 600 MARYLAND AVE., SW WASHINGTON DC 20024	READING IS FUNDAMENTAL, INC		
GREAT WESTERN SUGAR CO, P.O. BOX 5308 DENVER CO 80217			
KAYLENE H. GREEN, SUITE 225 2550 M STREET, NW WASHINGTON DC 20037	CONGOLEUM CORP	210.00	288.89
EDWARD F. GREISSING JR , 1660 L ST., NW, #205 WASHINGTON DC 20036	UPJOHN COMPANY		
L. GEORGE GRIFFIN, 777 14TH ST., NW WASHINGTON DC 20005	NATIONAL ASSN OF REALTORS	2,000.00	223.14
DAVID B. GROSS, P.O. DRAWER 1120 7490 BROMPTON JACKSON MS 39265			
JEROME GROSSMAN, 11 BEACON ST. BOSTON MA 02108	COUNCIL FOR A LIVABLE WORLD	6,664.41	
LARRY GRUPP, BOX 8032 MOSCOW ID 83843	J. R. SIMPLOT CO		
GUAYULE RUBBER GROWERS ASSN., 840 SIERRA MADRE SAN MARINO CA 91108			
GUN OWNERS OF AMERICA, INC., 5881 LEESBURG PIKE FALLS CHURCH VA 22041		223,582.96	252,765.65
RICHARD E. GUTTING JR., 1101 CONNECTICUT AVENUE, NW, #700 WASHINGTON DC 20036	NATIONAL FISHERIES INSTITUTE	6,000.00	20.00
HARRY L. HALL, SUITE S-520 1120 20TH ST., NW WASHINGTON DC 20036	NATIONAL MULTIPLE SCLEROSIS SOCIETY	4,500.00	
HALT, INC, SUITE 319 201 MASSACHUSETTS AVE., NE WASHINGTON DC 20002			
HANDGUN CONTROL, INC., 810 18TH ST., NW WASHINGTON DC 20006		717,745.00	348,435.00
WILLIAM G. HARLEY, SUITE 606 1235 JEFFERSON DAVIS HIGHWAY ARLINGTON VA 22202	NATIONAL UTILITY CONTRACTORS ASSN		
JOHN L. HARMER, SUITE B-101 107 SOUTH MAIN STREET SALT LAKE CITY UT 84111		7,500.00	1,671.79
WILLIAM F. HARRIS, 7980 GALLOWS COURT VIENNA VA 22180	BOEING COMPUTER SERVICES		
HARRIS, BERG & CRESKOFF, 1100 15TH ST., NW WASHINGTON DC 20005	ASSOCIATION OF FOOD INDUSTRIES, INC	2,125.00	300.56
Do	COMMITTEE OF DOMESTIC STEEL WIRE ROPE & SPECIALTY CABLE MFRS		
Do	P.L. THOMAS & CO., INC		75.00
LYNN S. HART, 444 N. CAPITOL STREET, NW WASHINGTON DC 20001	AMERICAN HOSPITAL ASSN	1,452.30	337.09
HARTKE & HARTKE, 7637 LEESBURG PIKE FALLS CHURCH VA 22043	NATIONAL CULTURAL LIBERATION MOVEMENT & S.A. BLACK ALLIANCE		
BRUCE R. HAWLEY, 600 MARYLAND AVE., SW WASHINGTON DC 20024	AMERICAN FARM BUREAU FED	7,050.00	11.00
BILL HECHT, SUITE 501 499 SOUTH CAPITOL STREET, NW WASHINGTON DC 20003	BROWN & WILLIAMSON TOBACCO CORP		
Do	LOS ANGELES RAIDERS		2,284.25
Do	U.S. TOBACCO CO		
EDWARD D. HEFFERNAN, 1875 EYE ST., NW, # 1025 WASHINGTON DC 20006	HAZELTINE CORPORATION		
M. L. HEFTI, 1700 NORTH MOORE STREET, 20TH FL. ROSSLYN VA 22209	BOEING COMPANY	87.50	50.00
STEVEN B. HELLEM, NEDA/CAAP 605 14TH STREET, NW WASHINGTON DC 20005	E. BRUCE HARRISON COMPANY, INC		
WILLIS L. HELMANTOLER, CREAMER DICKSON & BASFORD 1625 K STREET, NW WASHINGTON DC 20006	CITY OF AUSTIN, TX		10.00
Do	CITY OF DALLAS, TX		10.00
Do	CITY OF HOUSTON, TX		10.00
Do	CITY OF SAN ANTONIO, TX		10.00
Do	MAYOR OF KANSAS CITY, MO	1,000.00	10.00
SCOTT HEMPLING, ROOM 401 1300 CONNECTICUT AVENUE, NW WASHINGTON DC 20036	CITIZEN/LABOR ENERGY COALITION		
THOMAS R. HENDERSHOT, SUITE200 8181 PROFESSIONAL PL. LANDOVER MD 20785	PARTNERSHIP PLACEMENTS, INC		
Do	PETROLEUM HEAT AND POWER CO		
Do	PHILADELPHIA GAS WORKS	15,950.00	
Do	PHILADELPHIA STOCK EXCHANGE	11,305.50	
TOM HENDERSON, 108 S. AKARD STREET DALLAS TX 75202	U.S. TELEPHONE COMMUNICATIONS, INC	15,000.00	1,051.65
THOMAS M. HENNESSY, 1701 PENNSYLVANIA AVE., NW WASHINGTON DC 20006	GETTY OIL COMPANY	1,375.00	714.84
HERCULES INC, 910 MARKET ST. WILMINGTON DE 19899			10,721.00
STEPHEN HERM, 1016 16TH STREET, NW WASHINGTON DC 20036	NATIONAL FED OF FEDERAL EMPLOYEES		
PAT L HETH, SUITE 906 1625 K STREET, NW WASHINGTON DC 20006	KERR-MCGEE CORPORATION	2,500.00	353.43
SHARON L. HILDEBRANDT, 444 N. CAPITOL STREET, NW WASHINGTON DC 20001	AMERICAN HOSPITAL ASSN	1,800.47	220.20
E. JOSEPH HILLINGS, 1627 K STREET, NW, #200 WASHINGTON DC 20006	FLUOR CORPORATION	10,000.00	2,257.00
MAUREEN K. HINKLE, 645 PENNSYLVANIA AVENUE, SE WASHINGTON DC 20003	NATIONAL AUDUBON SOCIETY	126.00	46.75
J.D. HITTLE, 3137 S. 14TH ST. ARLINGTON VA	VOUGHT CORP	3,000.00	341.45
HOBBS STRAUS DEAN & WILDER, 1735 NEW YORK AVENUE, NW WASHINGTON DC 20006	METLAKATLA INDIAN COMMUNITY		
Do	MICCOSUKEE TRIBE OF INDIANS OF FLORIDA		
LAWRENCE S. HOFFHEIMER, SUITE 520 1120 20TH STREET, NW WASHINGTON DC 20037	BRAZOS RIVER HARBOR NAVIGATION DISTRICT	7,450.00	
Do	NATIONAL MULTIPLE SCLEROSIS SOCIETY	5,100.00	
ELMO R. HOFFMAN, 57 W. PINE STREET, #101 ORLANDO FL 32801	CRAMER, HOFFMAN & HABER (FOR: GLOBAL EXPLORATION & DEVELOPMENT CORPORATION)		607.02
HOGAN & HARTSON, 815 CONNECTICUT AVE., NW WASHINGTON DC 20006	AMERICAN ELECTRONICS ASSN		
Do	ATARI, INC	4,755.00	84.23
Do	COMPUTER & BUSINESS EQUIPMENT MANUFACTURERS ASSN		
Do	DIGITAL EQUIPMENT CORPORATION	4,755.00	84.23
Do	HEWLETT-PACKARD CO	813.75	84.23
Do	INTEL CORPORATION		84.23
Do	SCIENTIFIC APPARATUS MAKERS ASSN		
Do	SEMICONDUCTOR INDUSTRY ASSOCIATION		
JAMES F. HOGG, 8100 34TH AVENUE SOUTH MINNEAPOLIS MN 55440	CONTROL DATA CORPORATION		
WILLIAM J. HOLAYTER, 1300 CONNECTICUT AVENUE, NW WASHINGTON DC 20036	INTERNATIONAL ASSN OF MACHINISTS & AEROSPACE WORKERS	6,460.87	
HOPKINS & SUTTER, SUITE 4200 THREE FIRST NATIONAL PLAZA CHICAGO IL 60602	CBI INDUSTRIES, INC	1,120.00	
Do	CHICAGO BOARD OF TRADE CLEARING CORP		
Do	COMMONWEALTH EDISON CO		
Do	CONGOLEUM CORPORATION	15,290.00	
Do	FIRST CHICAGO CORP		
Do	INLAND STEEL COMPANY	448.25	
Do	MANAGEMENT INSIGHTS, INC		
Do	NATIONAL ASSN OF INDEPENDENT INSURERS	1,315.00	
Do	NORTHWEST INDUSTRIES, INC		
Do	PEOPLES ENERGY CORPORATION		
Do	SEARS, ROEBUCK AND CO		
Do	TRANS UNION CORP		
KIM HOPPER, 105 EAST 22ND STREET NEW YORK NY 10010	COMMUNITY SERVICE SOCIETY	440.65	208.92
HOSPITAL ASSOCIATION OF NEW YORK STATE, 15 COMPUTER DRIVE WEST ALBANY NY 12205			
THOMAS B. HOUSE, 1700 OLD MEADOW RD. MCLEAN VA 22102	AMERICAN FROZEN FOOD INST	1,000.00	
JACK W. HOUSTON, 900 N. HAIRSTON ROAD, SUITE D STONE MOUNTAIN GA 30083	GEORGIA ASSOCIATION OF PETROLEUM RETAILERS, INC		
ANNE L. HOWARD, ANNE L. HOWARD AND ASSOCIATES 888 17TH STREET, NW, #600 WASHINGTON DC 20006	PAN AMERICAN MANAGEMENT CO	2,187.50	163.56
KARL T. HOYLE, SUITE 810 1730 RHODE ISLAND AVE., NW WASHINGTON DC 20036	CREDIT UNION NATL ASSN, INC	300.00	140.09
BETTY HUDSON, 1627 K STREET, NW, #200 WASHINGTON DC 20006	FLUOR CORPORATION	10,000.00	2,057.00

Organization or Individual Filing	Employer/Client	Receipts	Expenditures
HUDSON, CREYKE, KOEHLER & TACKE, 1744 R STREET, NW WASHINGTON DC 20009	JAMES P. PURVIS		55.79
HUDSON, LEFTWICH & DAVENPORT, SUITE 806 1101 15TH ST., NW WASHINGTON DC 20005	CITY OF DETROIT		
TONY R. HUERTA, 100 INDIANA AVE., NW WASHINGTON DC 20001	NATIONAL ASSN OF LETTER CARRIERS	5,153.97	
GREGORY A. HUMPHREY, 11 DUPONT CIRCLE, NW WASHINGTON DC 20036	AMERICAN FED OF TEACHERS	11,648.34	168.00
ROBERT R. HUMPHREYS, 1120 20TH STREET, NW S-520 WASHINGTON DC 20036	ARTHRITIS FOUNDATION	4,050.00	
LAWRENCE H. HUNT JR , SIDLEY & AUSTIN ONE FIRST NATL PLAZA CHICAGO IL 60603	HEINOLD COMMODITIES, INC		
RICHARD M. HUNT, 1150 CONNECTICUT AVE., NW, #1009 WASHINGTON DC 20036	NL INDUSTRIES, INC	4,755.00	
INDEPENDENT DATA COMMUNICATIONS MANUFACTURERS ASSOCIATION, 1735 NEW YORK AVE., NW WASHINGTON DC 20006.			
INDEPENDENT PRODUCERS GROUP, 240 PAGE COURT 220 W. DOUGLAS WICHITA KS 67202		378.15	7,250.24
G. CONLEY INGRAM, ALSTON, MILLER & GAINES 35 BROAD ST., #1200 ATLANTA GA 30335	CONTINENTAL INSURANCE COMPANIES		
INSTITUTE OF FOREIGN BANKERS, SUITE 303 EAST, RM. 23 200 PARK AVE. NEW YORK NY 10017		2,000.00	2,000.00
INTER-AMERICAN SERVICES, INC, 106 MOCKINGBIRD PLAZA I 5372 FREDERICKSBURG ROAD SAN ANTONIO TX 78229			
INTERLAKE, INC, 2015 SPRING RD. OAK BROOK IL 60521			16,226.71
INTERNATIONAL ASSN OF MACHINISTS & AEROSPACE WORKERS, 1300 CONNECTICUT AVE., NW WASHINGTON DC 20036			23,797.70
INTERNATIONAL UNION OF OPERATING ENGINEERS, 1125 17TH ST., NW WASHINGTON DC 20036		16,000.00	1,705.00
LEON E. IRISH, 1101 17TH STREET, NW, #1100 WASHINGTON DC 20036	CAPLIN & DRYSDALE, CHTD. (FOR: PERMANENTE MEDICAL GROUP, INC.)	54,445.00	4,724.82
IRON ORE LESSORS ASSN, INC, 1500 FIRST NATL BANK BLDG. SAINT PAUL MN 55101		11,949.77	14,215.69
JOHN ISAACS, 100 MARYLAND AVE., NE WASHINGTON DC 20002	COUNCIL FOR A LIVABLE WORLD	6,857.61	
ITEL CORPORATION, CONTAINER DIVISION, #2 EMBARCADERO CENTER 24TH FLOOR SAN FRANCISCO CA 94111			591.82
IVINS, PHILLIPS & BARKER, 1700 PENNSYLVANIA AVENUE, NW WASHINGTON DC 20006	ROCHESTER TAX COUNCIL		
E. A. JAENKE & ASSOCIATES, INC, 1575 EYE ST., NW, SUITE 230 WASHINGTON DC 20005	FARMLAND INDUSTRIES	500.00	
Do	UNIVERSITY OF KANSAS	250.00	
CLARENCE L. JAMES JR., 444 N. CAPITOL ST., #711 WASHINGTON DC 20001	KEEFE COMPANY (FOR: COMMONWEALTH OF PUERTO RICO)		
Do	KEEFE COMPANY (FOR: WESTINGHOUSE ELECTRIC CORP)	1,500.00	
FRANK JAMES, 1016 16TH STREET, NW WASHINGTON DC 20036	NATIONAL FED OF FEDERAL EMPLOYEES		
HERBERT N. JASPER, 415 2ND ST., NE WASHINGTON DC 20002	AD HOC COMM FOR COMPETITIVE TELECOMMUNICATIONS	27,453.66	
JOSEPH A. JEFFREY, 1920 N STREET, NW SUITE 300 WASHINGTON DC 20036	AMERICAN MINING CONGRESS	800.00	
PHILIP F. JEHLE, 1150 CONNECTICUT AVE., NW, #310 WASHINGTON DC 20036	SMITHKLINE BECKMAN CORP	500.00	150.00
KEMPTON B. JENKINS, SUITE 702 1747 PENNSYLVANIA AVE., NW WASHINGTON DC 20006	ARMCO	600.00	291.42
WALTER W. JOHN, RM. 1414 SOUTH BUILDING USDA WASHINGTON DC 20250	ORGANIZATION OF PROFESSIONAL EMPLOYEES OF USDA	786.30	
RONALD P. JOHNSEN, SUITE 303 1625 EYE ST., NW WASHINGTON DC 20006	COLUMBIA GAS SYSTEM SERVICE CORP	175.00	200.80
CALVIN P. JOHNSON, HOFFHEIMER & JOHNSON 1120 20TH STREET, NW, #520 WASHINGTON DC 20036	COMPUTER SCIENCES CORPORATION	18,000.00	250.00
DOUGLAS JOHNSON, SUITE 402 419 7TH STREET, NW WASHINGTON DC 20004	NATIONAL RIGHT TO LIFE COMMITTEE, INC	6,300.00	457.26
LAWRENCE D. JOHNSON, 800 NORTH HIGHLAND AVENUE ORLANDO FL 32803	UNION NAVIGATION CORP, LTD (HONGKONG CORP)		
SPENCER A. JOHNSON, SUITE 411 1101 VERMONT AVE., NW WASHINGTON DC 20005	PAPERBOARD PACKAGING COUNCIL		85.20
JOINT MARITIME CONGRESS, 444 N. CAPITOL ST. WASHINGTON DC 20001		17,591.88	17,591.88
JOJOBA GROWERS ASSOCIATION, 840 SIERRA MADRE SAN MARINO CA 91108			
CHARLIE W. JONES, SUITE 310 1150 17TH ST., NW WASHINGTON DC 20036	MAN-MADE FIBER PRODUCERS ASSN, INC	300.00	150.00
JONES, DAY, REAVIS & POGUE, 1735 I ST., NW WASHINGTON DC 20006	FOOD POLICY CENTER		
Do	PHARMACEUTICAL MANUFACTURERS ASSN		1,662.54
ARDON B. JUDD JR , 1100 CONNECTICUT AVE., NW, #310 WASHINGTON DC 20036	DRESSER INDUSTRIES, INC		
LAUREL B. KAMEN, SUITE 702 1700 K STREET, NW WASHINGTON DC 20006	AMERICAN EXPRESS CO		
PATRICIA L. KATSON, 11215 OAK LEAF DR. SILVERSPRING MD 20901	LIBERTY LOBBY	4,500.00	
KAYE, SCHOLER, FIERMAN, HAYS & HANDLER, 1575 I ST., NW SUITE 1150 WASHINGTON DC 20005	CHRIS CRAFT INDUSTRIES, INC		
Do	ELSEVIER SCIENTIFIC PUBLISHERS	1,730.00	1,730.00
ROBERT J. KEEFE, 444 N. CAPITOL STREET, #711 WASHINGTON DC 20001	KAPLAN RUSSIN & VECCHI (FOR: AMERICAN CHAMBER OF COMMERCE OF THE DOMINICAN REPUBLIC)		
Do	KEEFE COMPANY (FOR: AMERICAN FAMILY LIFE ASSURANCE CO)	2,500.00	
Do	THE KEEFE CO. (FOR: CORDAGE INSTITUTE)	6,100.00	
Do	KEEFE COMPANY (FOR: WESTINGHOUSE ELECTRIC CORP)	1,250.00	
ROBERT C. KEENEY, 727 N. WASHINGTON ST. ALEXANDRIA VA 22314	UNITED FRESH FRUIT & VEGETABLE ASSN	927.34	326.19
KEIKI KEHOE, 317 PENNSYLVANIA AVE., SE WASHINGTON DC 20003	ENVIRONMENTAL POLICY INSTITUTE	379.69	
CANDACE KELLER, 624 9TH ST., NW 7TH FLOOR WASHINGTON DC 20001	GROUP HEALTH ASSOCIATION OF AMERICA, INC	3,000.00	
PAUL J. KELLEY, 2727 NORTH CENTRAL AVE. PHOENIX AZ 85004	U-HAUL INTL, INC	5,000.00	
KEMPER INVESTORS LIFE INSURANCE CO, 120 SOUTH LASALLE STREET CHICAGO IL 60603			793.46
FRANCES ANN KENKEL, SUITE 340 1201 PENNSYLVANIA AVE., NW WASHINGTON DC 20004	ASSOCIATION OF PRIVATE PENSION & WELFARE PLANS, INC	1,750.00	
WILLIAM F. KENNEDY, 3125 EASTON TURNPIKE BLDG. WS-23 FAIRFIELD CT 06431	GENERAL ELECTRIC CO		
BRENDAN KENNY, 1709 NEW YORK AVE., NW WASHINGTON DC 20006	AIR TRANSPORT ASSN OF AMER	5,500.00	
PAUL A. KIEFER, KIEFER & MORRISON 1341 G ST., NW, #602 WASHINGTON DC 20005	AMERICAN FUR INDUSTRY, INC; FUR CONSERVATION INST OF AMER		159.82
WILLIAM S. KIES, 1750 K ST., NW WASHINGTON DC 20006	FOOD MARKETING INSTITUTE	150.00	
KIKKOMAN FOODS, INC, P.O. BOX 69 WALWORTH WI 53184			
AUBREY C. KING, 1625 EYE STREET, NW, #609 WASHINGTON DC 20006	NATIONAL CLUB ASSOCIATION		
FRANK J. KINNEY, 444 N. CAPITOL STREET, NW WASHINGTON DC 20001	AMERICAN HOSPITAL ASSN	2,356.43	475.31
PETER C. KIRBY, 1901 PENNSYLVANIA AVE., NW WASHINGTON DC 20006	WILDERNESS SOCIETY	575.81	18.00
DONALD R. KIRTLEY, 910 MARKET ST. WILMINGTON DE 19899	HERCULES INC		
RALPH W. KITTLE, 1620 EYE ST., NW, #700 WASHINGTON DC 20006	INTERNATIONAL PAPER CO	3,500.00	3,923.01
LAURENCE KLEIN, 105 EAST 22ND STREET NEW YORK NY 10010	COMMUNITY SERVICE SOCIETY	280.00	
MARK KLEINMAN, 2007 MASSACHUSETTS AVE., NW WASHINGTON DC 20036			
KLINE, KNOPF & WOJDAK, INC., 111 STATE STREET HARRISBURG PA 17101	GENERAL PUBLIC UTILITIES CORPORATION		
Do	MEDICAL COLLEGE OF PENNSYLVANIA	500.00	779.83
Do	HAHNEMANN MEDICAL COLLEGE & HOSPITAL	7,500.00	956.03
Do	ST. CHRISTOPHER'S HOSPITAL FOR CHILDREN	6,000.00	1,275.26
MARY G. KNOPKE, P.O. BOX 53369 WASHINGTON DC 20009	AMERICAN HUMANE ASSOCIATION	8,400.45	677.00
ROBERT L. KNOUS JR., SUITE A-201 1410 GRANT STREET DENVER CO 80203	COLORADO SKI COUNTRY USA		
PAUL E. KOHL, J.C. PENNY CO., INC. 1301 AVENUE OF THE AMERICAS NEW YORK NY 10019	18TH CONG. DIST. FOR PRO-LIFE ACTIVITIES		
KOMINERS, FORT, SCHLEFER & BOYER, 1776 F ST., NW WASHINGTON DC 20006	AMERICAN TANKSHIPS, INC. & INGRAM TANKSHIPS, INC		
Do	COMMITTEE FOR TITLE XI VESSEL FINANCING		35.38
Do	COUNCIL OF EDUCATIONAL SHIPOWNERS	9,000.00	
KROGER COMPANY, 1014 VINE ST. CINCINNATI OH 45201			2,286.00
JOSEPH A. KUCHLER, 444 NORTH CAPITOL ST., NW, #500 WASHINGTON DC 20001	AMERICAN HOSPITAL ASSN	2,327.36	14.20
RALPH D. B. LAIME, 1201 16TH ST., NW WASHINGTON DC 20036	NATIONAL EDUCATION ASSN		
LAKE CARRIERS' ASSN, 1411 ROCKEFELLER BLDG. CLEVELAND OH 44113			
JAMES H. LAKE, SUITE 420 1200 NEW HAMPSHIRE AVENUE, NW WASHINGTON DC 20036	CALIFORNIA WESTSIDE FARMERS		
Do	CHICAGO MERCANTILE EXCHANGE	2,000.00	
Do	NATIONAL POTATO COUNCIL		
Do	RSV MINING CO		
Do	SUNMAID RAISIN GROWERS OF CALIFORNIA		
Do	WESTERN COTTON GROWERS ASSN		
C. P. LAMBOS, 29 BROADWAY NEW YORK NY 10006	NEW YORK SHIPPING ASSN., INC		
MARCY LAMBOURNE, 777 14TH STREET, NW WASHINGTON DC 20005	NATIONAL ASSN OF REALTORS		
THOMAS LAMOTHE, 1525 NEW HAMPSHIRE AVENUE, NW WASHINGTON DC 20036	PUBLIC INTEREST ECONOMICS FOUNDATION	217.63	
ALBERT E. LANE, SUITE 537 1377 K STREET, NW WASHINGTON DC 20005	MEDCOM-MIC		
J. STEVENS LANICH, 317 PENNSYLVANIA AVENUE, SE WASHINGTON DC 20003	ENVIRONMENTAL POLICY INSTITUTE	191.43	
DAVID A. LEFF, 444 NORTH CAPITOL WASHINGTON DC 20001	JOINT MARITIME CONGRESS	3,219.00	
DONNA LENHOFF, SUITE 400 2000 P STREET, NW WASHINGTON DC 20036	WOMEN'S LEGAL DEFENSE FUND		2.75
KAYE CONNIFF LEONARD, SUITE 510 1090 VERMONT AVE., NW WASHINGTON DC 20005	POTLATCH CORPORATION	180.50	
JOSEPH A. LETORNEY, 1201 16TH ST., NW WASHINGTON DC 20036	NATIONAL EDUCATION ASSN		
LEVA HAWES SYMINGTON MARTIN & OPPENHEIMER, SUITE 1001 815 CONNECTICUT AVE., NW WASHINGTON DC 20006	COMMERZBANK AG		
Do	FINNIGAN CORPORATION		11.80
Do	GK TECHNOLOGIES, INC		
Do	SONY CORPORATION OF AMERICA	2,191.25	45.00
Do	UNION INVESTMENT GMBH		
S.R. LEVERING, 100 MARYLAND AVENUE, N.E. WASHINGTON DC 20002	U.S. COMMITTEE FOR THE OCEANS	100.00	
KENNETH S. LEVINE, SUITE 220 1201 PENNSYLVANIA AVE., NW WASHINGTON DC 20004	JOSEPH SEAGRAM & SONS, INC	896.25	
JUDITH LICHTMAN, SUITE 400 2000 P STREET, NW WASHINGTON DC 20036	WOMEN'S LEGAL DEFENSE FUND		
RUSSELL B. LIGHT, 1700 NORTH MOORE ST. ARLINGTON VA 22209	BOEING COMPANY		
RON M. LINTON, SUITE 200 1015 18TH ST., NW WASHINGTON DC 20036	DENVER TECHNOLOGICAL CENTER	4,188.00	
LINTON, MIELDS, REISLER & COTTONE, LTD., SUITE 200 1015 18TH ST., NW WASHINGTON DC 20036	AMBASSADOR BRIDGE CO	3,000.00	
Do	COUNCIL OF POLLUTION CONTROL FINANCING AGENCIES	3,000.00	
Do	LAKE SUPERIOR DISTRICT POWER CO	437.00	
Do	MADISON GAS & ELECTRIC CO	970.00	
Do	METROPOLITAN SANITARY DISTRICT OF GREATER CHICAGO	6,200.00	52.00

Organization or Individual Filing	Employer/Client	Receipts	Expenditures
Do	NATIONAL ASSN OF URBAN FLOOD MANAGEMENT AGENCIES	1,800.00	
Do	NORTHERN STATES POWER CO	1,311.00	
Do	OREGON DEPT OF TRANSPORTATION	3,000.00	
Do	STATE OF IL, DEPT OF TRANS, DIV OF WATER RES	7,725.00	69.05
Do	STATE OF IL, DEPT OF TRANSPORTATION	3,262.00	
Do	SUPERIOR WATER, LIGHT & POWER CO	262.00	
Do	WISCONSIN ELECTRIC POWER CO	4,253.00	62.00
Do	WISCONSIN POWER & LIGHT CO	1,820.00	
Do	WISCONSIN PUBLIC SERVICE CORP	1,759.00	
THEODORE M. LITTMAN, 12214 LAKEWOOD BLVD. DOWNEY CA 90241	ROCKWELL INTL		
CHARLES M. LOVELESS, 1625 L STREET, NW WASHINGTON DC 20036	AMERICAN FED OF STATE, COUNTY & MUNICIPAL EMPLOYEES, AFL-CIO	8,705.74	125.24
W. FLETCHER LUTZ, SUITE 100 727 SOUTH 23RD STREET ARLINGTON VA 22202	ASSOCIATION OF GOVERNMENT ACCOUNTANTS		
EDWARD LYLE, 1925 K STREET, NW WASHINGTON DC 20006	ALLIANCE TO SAVE ENERGY		
JAMES LYON, 317 PENNSYLVANIA AVENUE, SE WASHINGTON DC 20003	ENVIRONMENTAL POLICY INSTITUTE	373.61	
M.O.A./AIOA & SUBS, INC, SUITE 107 701 S. 22ND OMAHA NB 68102		5.00	5.00
SAMUEL A. MABRY, 1800 K ST., NW WASHINGTON DC 20006	HERCULES INC	2,475.00	1,237.00
MARION M. MACRAE, 1800 K ST., NW, #920 WASHINGTON DC 20006	BANKAMERICA CORPORATION		
LEE G. MAGNUSSEN, 250 S. WACKER DR. CHICAGO IL 60604	HEINOLD COMMODITIES, INC		
MAN-MADE FIBER PRODUCERS ASSN, INC, SUITE 310 1150 17TH ST., NW WASHINGTON DC 20036			600.00
MICHAEL J. MANNING, 1150 CONNECTICUT AVE., NW WASHINGTON DC 20036	PETRO-LEWIS CORPORATION	21,651.00	874.84
MANUFACTURED HOUSING INST, 1745 JEFFERSON DAVIS HIGHWAY ARLINGTON VA 22202		3,500.00	
PATRICIA MARKEY, SUITE 505 1899 L STREET, NW WASHINGTON DC 20036	UNITED DISTRIBUTION COMPANIES	1,639.00	40.00
CHALMERS H. MARQUIS, 955 L'ENFANT PLAZA, SW WASHINGTON DC 20024	AGENCY FOR INSTRUCTIONAL TELEVISION		
Do	CHILDREN'S TELEVISION WORKSHOP		
JAMES D. MARTIN, 4600 72ND AVENUE LANDOVER HILLS MD 20784	COMMUNICATIONS SATELLITE CORP	2,000.00	91.75
LARRY K. MARTIN, 1150 17TH ST., NW WASHINGTON DC 20036	MAN-MADE FIBER PRODUCERS ASSN, INC	150.00	
WILLIAM F. MASSMANN, PO BOX 225086 DALLAS TX 75265	DR PEPPER CO		
RICHARD D. MATHIAS, SUITE 901 1660 L STREET, NW WASHINGTON DC 20036	PAN AMERICAN WORLD AIRWAYS, INC		
HERBERT S. MATTHEWS, BOX 72 MECHANICSVILLE MD 20659	MARTIN-MARIETTA AEROSPACE	5,750.00	2,130.19
CHARLES H. MAUZY, 1201 16TH ST., NW WASHINGTON DC 20036	NATIONAL EDUCATION ASSN		
MAXELL CORPORATION OF AMERICA, 60 OXFORD DRIVE MOONACHIE NJ 07074			
DOUGLAS E. MCALLISTER, 1920 N ST., NW WASHINGTON DC 20036	AMERICAN MINING CONGRESS	120.00	11.55
JOHN L. MCCORMICK, 317 PENNSYLVANIA AVE., SE WASHINGTON DC 20003	ENVIRONMENTAL POLICY INSTITUTE	474.60	
DAVID F. MCDERMITT, SUITE 606 1235 JEFFERSON-DAVIS HIGHWAY ARLINGTON VA 22202	NATIONAL UTILITY CONTRACTORS ASSN		187.59
NORRIS MCDONALD, 317 PENNSYLVANIA AVENUE, SE WASHINGTON DC 20003	ENVIRONMENTAL POLICY INSTITUTE	163.32	
W. CURT MCGEE, 1620 I ST., NW, SUITE 703 WASHINGTON DC 20006	BECHTEL NATIONAL, INC		
JOHN E. MCGILL, P.O. BOX C-014 915 MAIN ST. VANCOUVER WA 98668	ALASCOM, INC		
Do	PACIFIC TELECOM, INC		
PHIL A. MCKEANEY, 11 DUPONT CIRCLE, NW WASHINGTON DC 20036	AMERICAN FED OF TEACHERS	8,258.64	248.00
MICHAEL R. MCLEOD, DAVIS & MCLEOD 499 SOUTH CAPITOL ST., SW WASHINGTON DC 20003	AMERICAN ASSN OF CROP INSURERS		
Do	CHICAGO BOARD OF TRADE	2,968.75	
Do	LEAF TOBACCO EXPORTERS ASSN	337.50	
Do	UNITED EGG PRODUCERS		
MICHAEL J. MCSHANE, 1200 NEW HAMPSHIRE AVENUE, NW, #320 WASHINGTON DC 20036	TECHNOLOGY FOR ENERGY CORP		
ROBERT MCVICKER, 2001 JEFFERSON DAVIS HWY. ARLINGTON VA 22202	KOLLSMAN INSTRUMENT CO		
NANINE MEIKLEJOHN, 1625 L ST., NW WASHINGTON DC 20036	AMERICAN FED OF STATE, COUNTY & MUNICIPAL EMPLOYEES	9,493.74	87.31
METZGER, SHADYAC & SCHWARZ, ONE FARRAGUT SQUARE SOUTH WASHINGTON DC 20006	PHILADELPHIA NATIONAL BANK		
KATHERINE A. MEYER, SUITE 700 2000 P STREET, NW WASHINGTON DC 20036	PUBILC CITIZEN, INC		
S. F. MIERS JR., BOX 300 TULSA OK 74102	CITIES SERVICE COMPANY		
SHARON MIHNOVETS, 2809 S. JOYCE ST. ARLINGTON VA 22202			
FRED MILLAR, 317 PENNSYLVANIA AVENUE, SE WASHINGTON DC 20003	ENVIRONMENTAL POLICY INSTITUTE	249.87	
MILLER & CHEVALIER CHARTERED, METROPOLITAN SQUARE 655 15TH STREET, NW WASHINGTON DC 20005	CAPITAL HOLDING CORPORATION	40,000.00	
Do	HERCULES INC	2,500.00	
Do	INVESTORS DIVERSIFIED SERVICES, INC		
CLINTON R. MILLER, 212 W. FOOTHILL BLVD. MONROVIA CA 91016	NATIONAL HEALTH FEDERATION	1,477.00	6,778.00
LINDA B. MILLER, 2550 M ST., NW SUITE 450 WASHINGTON DC 20037	VOLUNTEER TRUSTEES OF NOT-FOR-PROFIT HOSPITALS	3,000.00	
W. KIRK MILLER, THE MARINE PLAZA 111 E. WISCONSIN AVENUE, #1052 MILWAUKEE WI 53202	BARLEY AND MALT INSTITUTE	4,250.00	
RICHARD V. MINCK, 1850 K ST., NW WASHINGTON DC 20006	AMERICAN COUNCIL OF LIFE INSURANCE, INC	250.00	
JOSEPH A. MITCHELL, HOFFHEIMER, JOHNSON & PETERSON 1120 20TH STREET, NW, #520 WASHINGTON DC 20036	CHURCH WORLD SERVICE		
ELIZABETH R. MONRO, 1709 NEW YORK AVE., NW WASHINGTON DC 20006	AIR TRANSPORT ASSN OF AMER	5,000.00	
J. MICHAEL MORGAN, SUITE 802 2000 L STREET, NW WASHINGTON DC 20036	POPHAM, HAIK ET AL (FOR: AMAX, INC.)		
Do	POPHAM, HAIK ET AL (FOR: ROCKY MOUNTAIN ENERGY CO.)		
GERALD A. MORRIS, 11 DUPONT CIRCLE WASHINGTON DC 20036	AMERICAN FEDERATION OF TEACHERS/AFL-CIO	9,215.40	128.00
DANIEL J. MUNDY, 815 16TH ST., NW, #603 WASHINGTON DC 20006	BUILDING & CONSTRUCTION TRADES DEPT	16,709.85	6,744.13
NATA, SUITE 1200 1000 CONNECTICUT AVE., NW WASHINGTON DC 20006			
FRANCES E NATHAN, 455 FIFTH AVENUE NEW YORK NY 10016	NEW YORK PUBLIC LIBRARY	4,305.00	
NATIONAL ABORTION RIGHTS ACTION LEAGUE, 1424 K ST., NW WASHINGTON DC 20005		6,192.34	
NATIONAL ASSN OF AIRCRAFT & COMMUNICATIONS SUPPLIERS, INC, 7360 LAUREL CANYON BLVD. NORTH HOLLYWOOD CA 91605.		18,500.00	12,096.16
NATIONAL ASSN OF BEVERAGE IMPORTERS, 1025 VERMONT AVENUE, NW, #1205 WASHINGTON DC 20005			
NATIONAL ASSN OF HOME BUILDERS OF THE U.S., 15TH & M STS., NW WASHINGTON DC 20005		40,458.02	91,982.45
NATIONAL ASSN OF INSURANCE BROKERS, INC, SUITE 700 311 FIRST STREET, NW WASHINGTON DC 20001			
NATIONAL ASSN OF LETTER CARRIERS, 100 INDIANA AVE., NW WASHINGTON DC 20001		3,480,855.17	209,798.19
NATIONAL ASSN OF MARGARINE MFGRS, SUITE 1024-A 1625 I ST., NW WASHINGTON DC 20006			
NATIONAL ASSN OF REALTORS, 777 14TH ST., NW WASHINGTON DC 20005			43,016.40
NATIONAL ASSN OF RETIRED FEDERAL EMPLOYEES, 1533 NEW HAMPSHIRE AVE., NW WASHINGTON DC 20036		2,384.00	2,487.06
NATIONAL COAL ASSN, COAL BLDG. WASHINGTON DC 20036		1,221,783.55	26,472.00
NATIONAL COMMUNITY ACTION FOUNDATION, INC., 2101 L STREET, NW SUITE 906 WASHINGTON DC 20037		63,036.00	27,810.00
NATIONAL CONSUMER CENTER FOR LEGAL SERVICES, 3254 JONES COURT, NW WASHINGTON DC 20007			
NATIONAL CONSUMER FINANCE ASSN, 1101 14TH ST., NW WASHINGTON DC 20005			2,600.00
NATIONAL EDUCATION ASSN, 1201 16TH ST., NW WASHINGTON DC 20036		11,314.31	11,314.31
NATIONAL FAMILY FARM COALITION, 1151 MASSACHUSETTS AVE., NW WASHINGTON DC 20005			
NATIONAL FAMILY PLANNING & REPRODUCTIVE HEALTH ASSN, INC, 1110 VERMONT AVENUE, NW SUITE 950 WASHINGTON DC 20005.		96,386.00	248.00
NATIONAL FEDERATION OF BUSINESS & PROFESSIONAL WOMEN'S CLUBS, 2012 MASSACHUSETTS AVE., NW WASHINGTON DC 20036.		151,941.00	14,810.46
NATIONAL FEDERATION OF COMMUNITY DEVELOPMENT CREDIT UNIONS, SUITE 1804 16 COURT STREET BROOKLYN NY 11201.			
NATIONAL FOREST PRODUCTS ASSN, 1619 MASSACHUSETTS AVE., NW WASHINGTON DC 20036		15,775.00	15,775.00
NATIONAL MILITARY WIVES ASSN., INC., 2666 MILITARY RD. ARLINGTON VA 22207		5,111.00	27.63
NATIONAL NEWSPAPER ASSN, SUITE 400 1627 K ST., NW WASHINGTON DC 20006		21,050.00	6,550.00
NATIONAL RESOURCE CENTER FOR CONSUMERS OF LEGAL SERVICES, 3254 JONES COURT, NW WASHINGTON DC 20007			
NATIONAL RIFLE ASSOCIATION OF AMERICA, 1600 RHODE ISLAND AVE., NW WASHINGTON DC 20036		96,148.69	107,841.14
NATIONAL RIGHT TO LIFE COMMITTEE, INC., SUITE 402 419 7TH ST., NW WASHINGTON DC 20004		565,956.00	56,279.00
NATIONAL RURAL DEVELOPMENT & FINANCE CORP., SUITE 360 1300 19TH STREET, NW WASHINGTON DC 20036			2,500.00
NATIONAL TAX EQUALITY ASSN, 1000 CONNECTICUT AVE., NW WASHINGTON DC 20036		5,226.00	6,234.30
NATIONAL TAXPAYERS UNION, 325 PENNSYLVANIA AVE., SE WASHINGTON DC 20003		6,530.43	9,011.00
NATIONAL TOUR BROKERS ASSOCIATION, INC., 120 KENTUCKY AVE. LEXINGTON KY 40502		11,912.00	11,912.00
NATIONAL TURKEY FEDERATION, RESTON INTERNATIONAL CENTER SUITE 302 RESTON VA 22091			
FRANCES E. NEELY, 245 2ND ST., NE WASHINGTON DC 20002	FRIENDS COMMITTEE ON NATIONAL LEGISLATION	3,628.14	
NEILL & COMPANY, INC, SUITE 410 1100 17TH STREET, NW WASHINGTON DC 20036	ARAB REPUBLIC OF EGYPT	360,000.00	300.00
Do	GOVERNMENT OF EL SALVADOR		
NEILL & MULLENHOLZ, SUITE 410 1100 17TH STREET, NW WASHINGTON DC 20036	GOVERNMENT OF EL SALVADOR	80,000.00	200.00
Do	NATIONAL FARM & POWER EQUIPMENT DEALERS ASSN	1,500.00	
GAYLORD NELSON, 1901 PENNSYLVANIA AVE., NW WASHINGTON DC 20006	WILDERNESS SOCIETY	180.27	8.25
PETER M. NELSON, SUITE 920 1800 K STREET, NW WASHINGTON DC 20006	BANKAMERICA CORPORATION		
THOMAS C. NELSON, 1920 N STREET, NW WASHINGTON DC 20036	AMERICAN MINING CONGRESS	15.00	
FREDERICK H. NESBITT, 100 INDIANA AVENUE, NW WASHINGTON DC 20001	NATIONAL ASSN OF LETTER CARRIERS	7,375.94	946.15
WILLIAM W. NICKERSON, SUITE 607 1150 17TH ST., NW WASHINGTON DC 20036	MASSACHUSETTS BAY TRANSIT AUTHORITY		
NL INDUSTRIES, INC, 1230 AVENUE OF THE AMERICAS NEW YORK NY 10020			7,630.10
CLIFFORD R. NORTHUP, 1730 RHODE ISLAND AVE., NW, #810 WASHINGTON DC 20036	CREDIT UNION NATL ASSN, INC	300.00	330.70
EDWARD M. NORTON JR., 1901 PENNSYLVANIA AVENUE, NW WASHINGTON DC 20006	WILDERNESS SOCIETY		
JAMES NORTON, 1901 PENNSYLVANIA AVENUE, NW WASHINGTON DC 20006	WILDERNESS SOCIETY	225.97	37.30

Organization or Individual Filing	Employer/Client	Receipts	Expenditures
MORGAN NORVAL, 1202 S. WASHINGTON ST., #2 ALEXANDRIA VA 22314	CITIZENS COMM FOR THE RIGHT TO KEEP & BEAR ARMS	300.00	
NOSSAMAN GUTHNER KNOX & ELLIOTT, 1140 19TH ST., NW, #600 WASHINGTON DC 20036	BURLINGTON NORTHERN		
Do	MISSION RESOURCES		
O'BRIEN, FIERCE & EBERLE, INC, SUITE 201 1828 L STREET, NW WASHINGTON DC 20036	COMMITTEE FOR TITLE XI VESSEL FINANCING		100.00
TERRENCE M. O'CONNELL II , SUITE 505 1625 MASSACHUSETTS AVENUE, NW WASHINGTON DC 20036	KEEFE COMPANY (FOR: WESTINGHOUSE ELECTRIC CORP)	2,500.00	
O'CONNOR & HANNAN, 1919 PENNSYLVANIA AVE., NW, #800 WASHINGTON DC 20006	MINNEAPOLIS COMMUNITY DEVELOPMENT AGENCY		
Do	NATIONAL CITY BANCORPORATION		
JAMES W. O'DONNELL, 1601 CONNECTICUT AVENUE, NW WASHINGTON DC 20009	AMERICAN HEALTH PLANNING ASSOCIATION	1,875.00	60.00
KATHLEEN CASEY O'SULLIVAN, 8229 BOONE BLVD. VIENNA VA 22180	GTE TELENET INC.		
MARY E. OAKES, 1800 K ST., NW WASHINGTON DC 20006	HERCULES INC.	824.00	
BRADFORD C. OELMAN, 900 17TH ST., NW WASHINGTON DC 20006	OWENS-CORNING FIBERGLAS CORPORATION		
NEIL H. OFFEN, 1730 M ST., NW WASHINGTON DC 20036	DIRECT SELLING ASSOCIATION	1,000.00	251.42
OGILVY AND MATHER PUBLIC RELATIONS, SUITE 320 1901 L STREET, NW WASHINGTON DC 20036			
VAN R. OLSEN, 1156 15TH ST., NW, #1019 WASHINGTON DC 20006	U.S. BEET SUGAR ASSN		
CHARLES J. ORASIN, 810 18TH ST., NW WASHINGTON DC 20006	HANDGUN CONTROL, INC	5,406.00	24.00
ORGANIZATION OF PROFESSIONAL EMPLOYEES OF USDA, RM. 1414 S. BUILDING U.S. DEPT OF AGRICULTURE WASHINGTON DC 20250.		6,977.09	1,525.64
ELVIRA J. ORLY, 1701 PENNSYLVANIA AVENUE, NW WASHINGTON DC 20006	GETTY OIL COMPANY	1,895.00	881.03
JACK W. OWEN, SUITE 500 444 NORTH CAPITOL STREET, NW WASHINGTON DC 20001	AMERICAN HOSPITAL ASSN		361.79
WILLIAM H. OWENS JR., SUITE 1002 1101 17TH ST., NW WASHINGTON DC 20036	AMERICAN DENTAL ASSN	1,000.00	
GERI PALAST, SUITE 200 2020 K STREET, NW WASHINGTON DC 20006	SERVICE EMPLOYEES INTL UNION, AFL-CIO, CLC	5,000.00	121.25
GERARD PAUL PANARO, WEBSTER & CHAMBERLAIN 1747 PENNSYLVANIA AVE., NW WASHINGTON DC 20006	RETAIL BAKERS ASSN	210.00	
PAPERBOARD PACKAGING COUNCIL, SUITE 411 1101 VERMONT AVENUE, NW WASHINGTON DC 20005			85.20
HARRIET PARCELLS, 317 PENNSYLVANIA AVE., S.E. WASHINGTON DC 20003	ENVIRONMENTAL POLICY INSTITUTE	599.53	
JUDY E. PARK, 1533 NEW HAMPSHIRE AVE., NW WASHINGTON DC 20036	NATIONAL ASSN OF RETIRED FEDERAL EMPLOYEES	8,708.00	44.50
SARA LYNN PARKER, 1319 F. ST., NW SUITE 500 WASHINGTON DC 20004	FOOD RESEARCH & ACTION CENTER		
PRUDENCE H. PARKS, 1100 H STREET, NW WASHINGTON DC 20080	WASHINGTON GAS LIGHT CO	103.92	
PARRISH & CHAMBERS, INC., SUITE 1510 1300 17TH STREET ARLINGTON VA 22209	AEROSPATIALE HELICOPTER CORP.	4,990.70	2,824.93
Do	OY WARTSILA AB	8,666.67	2,824.93
Do	RAIN HARRELL EMERY YOUNG & DOKE	2,185.00	2,824.93
RENEE PARSONS, 530 7TH ST., SE WASHINGTON DC 20003	FRIENDS OF THE EARTH	1,029.60	
JACK PARTRIDGE, 1014 VINE ST. CINCINNATI OH 45201	KROGER COMPANY	2,000.00	148.02
PAUL WEISS RIFKIND WHARTON & GARRISON, 345 PARK AVE. NEW YORK NY 10154	REVLON, INC.	44,448.22	882.86
PEABODY, LAMBERT & MEYERS, 1150 CONNECTICUT AVENUE, NW WASHINGTON DC 20036	MICHIGAN KNIFE CO	785.00	40.00
Do	OPPOSE	850.00	3,865.73
Do	GUARDIAN AD LITEM, AIR CRASH DISASTER NEAR SAIGON		
DAVID PELTIER, 408 W. GORHAM MADISON WI 53703			
ELIN PELTZ, 723 INVESTMENT BUILDING WASHINGTON DC 20005	HAWAIIAN SUGAR PLANTERS' ASSN	300.00	130.00
A. HAROLD PETERSON, 715 CARGILL BLDG. MINNEAPOLIS MN 55402	NATIONAL R.E.A. TELEPHONE ASSN	1,500.00	869.65
EDWARD L. PETRINI, 236 MASSACHUSETTS AVENUE, NE WASHINGTON DC 20002	NATIONAL CONSUMER LAW CENTER, INC	145.02	6.00
JOAN PICCOLO, SUITE 435 2020 K ST., NW WASHINGTON DC 20006	COMMODITY EXCHANGE, INC.		
PIERSON BALL & DOWD, 1200 18TH ST., NW WASHINGTON DC 20036	NATIONAL ASSN OF CASUALTY & SURETY AGENTS	6,394.13	
Do	NATIONAL MUSIC PUBLISHERS ASSN	908.95	
Do	SATELLITE BUSINESS SYSTEMS	2,500.00	
DOUG PIKE, 1901 PENNSYLVANIA AVENUE, NW WASHINGTON DC 20006	WILDERNESS SOCIETY	61.28	7.20
LINDA PINEGAR, 1709 NEW YORK AVE., NW WASHINGTON DC 20006	AIR TRANSPORT ASSN OF AMER	3,000.00	
SUMNER PINGREE, 1901 PENNSYLVANIA AVENUE, NW WASHINGTON DC 20006	WILDERNESS SOCIETY	504.89	19.15
NANCY POLIKOFF, 2000 P STREET, NW, #400 WASHINGTON DC 20036	WOMEN'S LEGAL DEFENSE FUND		
RICHARD J. POLLACK, 444 NORTH CAPITOL STREET, NW WASHINGTON DC 20001	AMERICAN HOSPITAL ASSN	1,792.31	546.91
NATHANIEL POLSTER, 2128 WYOMING AVE., NW WASHINGTON DC 20008	CANCER GROUP	3,275.00	22.70
RAFE POMERANCE, 530 7TH ST., SE WASHINGTON DC 20003	FRIENDS OF THE EARTH	3,541.03	
PORT OF SEATTLE, P.O. BOX 1209 SEATTLE WA 98111			
JOHN POST, SUITE 201 1828 L ST., NW WASHINGTON DC 20036	BUSINESS ROUNDTABLE	200.00	40.00
POWELL GOLDSTEIN FRAZER & MURPHY, SUITE 1050 1110 VERMONT AVE., NW WASHINGTON DC 20005	COALITION FOR EMPLOYMENT THROUGH EXPORTS	175.00	
Do	INTERGRAPH CORPORATION	12,051.00	67.45
Do	INTERNATIONAL PAPER COMPANY	36,608.80	68.05
WOODRUFF M. PRICE, 840 WASHINGTON BLDG. 15TH ST. & NEW YORK AVE. WASHINGTON DC 20005	CSX CORPORATION	3,000.00	487.74
BEVERLY HINES PRINCE, 1620 EYE STREET NW WASHINGTON DC 20006	VISA USA, INC		
PRO/LIFE CONGRESSIONAL DISTRICT 11, P.O. BOX 727 SAN CARLOS CA 94070		1,128.92	733.50
STUART PROCTOR, 600 MARYLAND AVE., SW WASHINGTON DC 20024	AMERICAN FARM BUREAU FED	4,979.00	32.00
PROTECT THE INNOCENT, INC., 451 SOUTH INDIANA STREET MOORESVILLE IN 46158		200.00	274.27
PUBLIC TIMBER PURCHASERS GROUP, 714 OREGON BANK BLDG. 319 SW WASHINGTON ST. PORTLAND OR 97204		37,550.30	5,679.60
RICHARD W. RAHN, 1615 H ST., NW WASHINGTON DC 20062	CHAMBER OF COMMERCE OF THE U.S.	1,584.00	95.11
RANDALL, BANGERT & PRICE, 1625 K ST., NW WASHINGTON DC 20006	NATIONAL INDEPENDENT DAIRY-FOODS ASSN	2,820.00	
MAGDA RATAJSKI, 920 15TH ST., NW WASHINGTON DC 20005	NORFOLK SOUTHERN CORPORATION	1,000.00	
EILER C. RAVNHOLT, 723 INVESTMENT BLDG. WASHINGTON DC 20005	HAWAIIAN SUGAR PLANTERS' ASSN	400.00	193.45
READING IS FUNDAMENTAL, INC., 600 MARYLAND AVE., SW RM 500 WASHINGTON DC 20560			
RECORDING INDUSTRY ASSN OF AMER, INC, 888 SEVENTH AVE. NEW YORK NY 10106		5,275.00	5,275.00
ROBERT E REDDING, 425 13TH STREET, NW SUITE 915 WASHINGTON DC 20004	SHIPPERS NATIONAL FREIGHT CLAIM		
JOSEPH M. REES, SUITE 505 1625 MASSACHUSETTS AVENUE, NW WASHINGTON DC 20036	KEEFE COMPANY (FOR: CORDAGE INSTITUTE)	1,250.00	13.50
Do	DELTA DENTAL PLANS ASSOCIATION	1,500.00	56.75
Do	KAPLAN, RUSSIN (FOR AMER CHAMBER OF COMMERCE OF DOM REP)		
REID & PRIEST, 1111 19TH ST.,NW WASHINGTON DC 20036	B. ALTMAN & CO.	8,382.50	269.10
Do	AMERICAN EXPRESS COMPANY	10,575.00	171.00
Do	CSX CORP		
Do	FRED T. FRANZIA, JOHN G. FRANZIA & JOSEPH S. FRANZIA		223.55
Do	KAMEHAMEH SCHOOLS/BERNICE P. BISHOP ESTATE	15,783.15	346.18
Do	PFIZER, INC.	3,845.00	18.00
Do	VELO-BIND, INC		
CHARLOTTE REID, 200 N. PICKETT ST. ALEXANDRIA VA 22304	MOTOROLA, INC	3,000.00	
LOUIS D. REILLY III, 517 N. SEGOE ROAD MADISON WI 53705	TELEPHONE & DATA SYSTEMS, INC.		
RENEWABLE FUELS ASSOCIATION, 499 S. CAPITOL STREET, SW #420 WASHINGTON DC 20003		61,411.67	14,236.97
RESEARCH TO PREVENT BLINDNESS, INC, 598 MADISON AVE. NEW YORK NY 10022			3,512.00
JOHN REUTHER, SUITE 810 1050 17TH STREET, NW WASHINGTON DC 20036	SATRA CORPORATION	3,200.00	300.00
LYNNE REVO COHEN, SUITE 521 1010 VERMONT AVE., NW WASHINGTON DC 20005	FEDERALLY EMPLOYED WOMEN, INC.		
EDMUND B. RICE, 444 NORTH CAPITOL ST., NW, #500 WASHINGTON DC 20001	AMERICAN HOSPITAL ASSN	104.30	188.45
GRACE ELLEN RICE, 600 MARYLAND AVE., SW WASHINGTON DC 20024	AMERICAN FARM BUREAU FED	4,575.00	55.00
SIERT F. RIEPMA, SUITE 1024-A 1625 I ST., NW WASHINGTON DC 20006	NATIONAL ASSN OF MARGARINE MFGRS		
LEONARD I. RIPPA, 325 PENNSYLVANIA AVE., SE WASHINGTON DC 20003	NATIONAL TAXPAYERS UNION	3,125.00	
RJR INDUSTRIES, INC, 1100 REYNOLDS BLVD. WINSTON-SALEM NC 27106			9,625.42
ROBERT ROACH, 317 PENNSYLVANIA AVE., SE WASHINGTON DC 20003	ENVIRONMENTAL POLICY INSTITUTE	157.63	
GEORGE ROBERTS, 1201 16TH ST., NW WASHINGTON DC 20036	NATIONAL EDUCATION ASSN		
TOM ROBINSON, 1901 PENNSYLVANIA AVE., NW WASHINGTON DC 20006	WILDERNESS SOCIETY		
ROBINSON, SILVERMAN, PEARCE, ARONSOHN & BERMAN, 230 PARK AVE. NEW YORK NY 10169	NATIONAL REALTY COMMITTEE		
WILLI ROELLI, VOLHART BROTHERS, INC. 120 WALL ST. NEW YORK NY 10005	COFFEE, SUGAR & COCOA EXCHANGE, INC.		
ROGERS & WELLS, 1737 H STREET, NW WASHINGTON DC 20006	WILLIAM ANTHONY HOGAN		
ROGERS HOGE & HILLS, SUITE 301 1111 19TH STREET, NW WASHINGTON DC 20036	BACARDI CORPORATION		
Do	CONTACT LENS MANUFACTURERS ASSN		
JAMES T. ROGERS, 311 FIRST STREET, NW WASHINGTON DC 20001	NATIONAL RESTAURANT ASSN		
BURT ROSEN, 1700 PENNSYLVANIA AVE., NW WASHINGTON DC 20006	PFIZER, INC.	200.00	218.39
MARK ROTH, 100 INDIANA AVE., NW WASHINGTON DC 20001	NATIONAL ASSN OF LETTER CARRIERS	5,301.38	
EDWIN ROTHSCHILD, 2000 P ST., NW, #310 WASHINGTON DC 20036	CITIZEN/LABOR ENERGY COALITION		
ERIC M. RUBIN, SUITE 708 1730 M ST., NW WASHINGTON DC 20036	OUTDOOR ADVERTISING ASSOCIATION OF AMERICA, INC.	5,000.00	
GLORIA CATANEO RUDMAN, SUITE 801 444 N. CAPITOL ST., NW WASHINGTON DC 20001	JOINT MARITIME CONGRESS	1,390.20	
J. T. RUTHERFORD & ASSOCIATES, INC., SUITE 514 1660 L ST., NW WASHINGTON DC 20036	AMERICAN ASSN OF BIOANALYSTS/INTL SOC OF CLINICAL LAB TECHS		110.40
Do	AMERICAN COLLEGE OF RADIOLOGY		60.20
Do	AMERICAN OPTOMETRIC ASSN		230.50
GEORGE J. RYAN, 1411 ROCKEFELLER BUILDING CLEVELAND OH 44113	LAKE CARRIERS' ASSN		
VINCENT J. RYAN, 300 INDEPENDENCE AVENUE, SE WASHINGTON DC 20003	LIBERTY LOBBY, INC.		
V. ALARIC SAMPLE JR., 1901 PENNSYLVANIA AVENUE, NW WASHINGTON DC 20006	WILDERNESS SOCIETY	412.33	11.90
DONALD E. SANTARELLI, SUITE 700 2033 M ST., NW WASHINGTON DC 20036	EMPRESA BRASILEIRA DE AERONAUTICA, S.A.	500.00	310.00
Do	KINGS RIVER WATER USERS COMM.	1,000.00	230.00
Do	SAFARI CLUB INTERNATIONAL	1,500.00	255.00

Organization or Individual Filing	Employer/Client	Receipts	Expenditures
Do	STURM, RUGER COMPANY, INC.	500.00	150.00
MARK L. SCHAFFER, ASHCRAFT & GEREL 2000 L STREET, NW, #700 WASHINGTON DC 20036	AMERICAN FED OF LABOR & CONGRESS OF INDUSTRIAL ORGANIZATIONS	2,322.00	
HAROLD A. SCHAITBERGER, 1750 NEW YORK AVE. WASHINGTON DC 20006	INTERNATIONAL ASSN OF FIRE FIGHTERS	11,657.88	
JEROME D. SCHALLER, 1101 15TH ST., NW WASHINGTON DC 20005	MINNESOTA MINING & MANUFACTURING CO.	10,000.00	123.00
SCHNITZER INVESTMENT CORP., 3200 N.W. YEON AVE. PORTLAND OR 97210			
A. KOLBET SCHRICHTE, SUITE 500 1133 15TH STREET, NW WASHINGTON DC 20005	AMERICAN LOGISTICS ASSOCIATION		
SCHWABE, WILLIAMSON, WYATT, MOORE & ROBERTS, SUITE 302 1000 POTOMAC ST., NW WASHINGTON DC 20007	HELICOPTER LOGGERS ASSN.	12,887.00	4,727.84
Do	LITCHSTREET COMPANY		
Do	MOUNTAIN STATES ENERGY, INC	8,427.12	3,091.39
Do	OTIS ELEVATOR CO	3,585.25	1,315.46
Do	PIASECKI AIRCRAFT CORPORATION	5,152.14	1,890.02
Do	STATE OF OREGON, CITY OF PORTLAND, OREGON METRO	17,795.49	6,528.30
BARI SCHWARTZ, 1625 K STREET, NW WASHINGTON DC 20006	COALITION FOR LEGAL SERVICES	9,999.96	1,227.63
ELIZABETH NASH SCHWARTZ, 1700 N. MOORE ST. ROSSLYN VA 22209	BOEING COMPANY	960.00	985.81
WILLIAM E. SEALE, SUITE 435 2020 K ST., NW WASHINGTON DC 20006	COMMODITY EXCHANGE, INC	2,000.00	1,630.00
SEWARD & KISSEL, 919 18TH ST., NW WASHINGTON DC 20006	A. I. LEASING CORP.		1.96
Do	ALLIANCE CAPITAL MANAGEMENT CORPORATION	12,875.00	59.25
Do	HALLAC ASSOCIATES, INC.		
Do	MERRILL LYNCH MONEY MARKETS, INC.		
Do	ROSENBERG REAL ESTATE EQUITY FUND	5,853.08	493.63
Do			
Do	VISA U.S.A., INC.	12,875.00	59.25
YVONNE L. SHAFER, 1201 16TH ST., NW WASHINGTON DC 20036	NATIONAL EDUCATION ASSN		
RICHARD N. SHAROOD, 510 SEWARD SQUARE WASHINGTON DC 20003	CHEMICAL WASTE MANAGEMENT, INC.	7,875.00	
KAREN DOLMATCH SHAW, SUITE 920 1800 K ST., NW WASHINGTON DC 20006	BANKAMERICA CORPORATION	172.04	1,278.26
SHAW PITTMAN POTTS & TROWBRIDGE, 1800 M ST., NW, #900-S WASHINGTON DC 20036	FARMERS FOR FAIRNESS	10,050.45	449.55
RUSSELL H. SHAY, 6014 COLLEGE AVE. OAKLAND CA 94618	SIERRA CLUB	3,337.50	1,098.66
SHEARMAN & STERLING, 153 EAST 53RD ST. NEW YORK NY 10005	BUSINESS ROUNDTABLE	6,000.00	58.02
JOHN J. SHEPPARD, 267 WESTERVELT PLACE ENGLEWOOD CLIFFS NJ 07632	C. A. SHEA & COMPANY, INC.		
NELSON T. SHIELDS, 810 18TH ST., NW WASHINGTON DC 20006	HANDGUN CONTROL, INC.	10,664.00	
SHIPPERS NATIONAL FREIGHT CLAIM COUNCIL, INC, 425 13TH STREET NW SUITE 915 WASHINGTON DC 20004			
DEBBIE LEILANI SHON, 1201 16TH ST., NW WASHINGTON DC 20036	NATIONAL EDUCATION ASSN		
SIERRA CLUB, 530 BUSH ST. SAN FRANCISCO CA 94108		163,386.51	163,386.51
STEPHEN SILBIGER, 1625 L ST., NW WASHINGTON DC 20036	AMERICAN FED OF STATE, COUNTY & MUNICIPAL EMPLOYEES	11,528.28	361.18
TALMAGE E. SIMPKINS, 100 INDIANA AVE., NW WASHINGTON DC 20001	LABOR-MANAGEMENT MARITIME COMMITTEE	1,302.60	54.72
J. R. SIMPLOT CO., P.O. BOX 27 BOISE ID 83707			
RICHARD L. SINNOTT & CO, SUITE 306 2021 K ST., NW WASHINGTON DC 20006	AMERICAN PRESIDENT LINES		
Do	NATIONAL FOOTBALL LEAGUE	26,700.00	
Do	OAKLAND COLISEUM	40,008.38	40,008.38
Do	PORT OF OAKLAND		
SISK, FOLEY, HULTIN & DRIVER, 2501 M ST., NW SUITE 380 WASHINGTON DC 20037	ASHLAND OIL, INC, ET AL		
Do	TOSCO CORPORATION	1,230.00	
STEPHEN L. SKARDON JR , 1533 NEW HAMPSHIRE AVE., NW WASHINGTON DC 20036	NATIONAL ASSN OF RETIRED FEDERAL EMPLOYEES	7,702.00	33.50
BARRY S. SLEVIN, 1000 POTOMAC STREET, NW WASHINGTON DC 20007	SEIFMAN, SEMO & SLEVIN, P.C. (FOR: UNITED FOOD & COMMERCIAL WORKERS INT'L UNION).		
ROBERT N. SMITH, SUITE 210 255 EAST BROWN ST. BIRMINGHAM MI 48011	UNITED DISTRIBUTION CO.		
LEIGH SNELL, 510 C ST.,NE WASHINGTON DC 20002	NATIONAL ASSN OF CREDIT MANAGEMENT	475.00	
LARRY S. SNOWHITE, 1015 15TH ST., NW WASHINGTON DC 20005	MINTZ LEVIN COHN FERRIS GLOVSKY & POPEO (FOR: MASS. CONSTRUCTION INDUS. COUNCIL TRUCK WEIGHT COMM).	4,000.00	
Do	MINTZ, LEVIN, COHN, GLOVSKY AND POPEO (FOR: SCA SERVICES)	8,000.00	
EDWARD F. SNYDER, 245 2ND ST., NE WASHINGTON DC 20002	FRIENDS COMMITTEE ON NATIONAL LEGISLATION	3,918.39	
VINCENT R. SOMBROTTO, 100 INDIANA AVE., NW WASHINGTON DC 20001	NATIONAL ASSN OF LETTER CARRIERS	3,442.26	
TERRY SOPHER, 1901 PENNSYLVANIA AVE., NW WASHINGTON DC 20006	WILDERNESS SOCIETY	2,149.69	127.05
SOUTHERN FOREST PRODUCTS ASSN, P.O. BOX 52468 NEW ORLEANS LA 70152		39,359.88	39,359.88
SOUTHWEST HOME FURNISHINGS ASSN, 4313 NORTH CENTRAL EXPRESSWAY P.O. BOX 64545 DALLAS TX 75205			
CHARLES E. SOUTHWICK, 1627 K STREET, NW, #200 WASHINGTON DC 20006	FLUOR CORPORATION	10,000.00	3,168.00
SPEISER, KRAUSE & MADDOLE, 1216 16TH ST., NW WASHINGTON DC 20036	MRS. VERA C. CLEMENTE, ET AL		
ELISABETH A. SQUEGLIA, BRICKER & ECKLER 1301 PENNSYLVANIA AVENUE, NW SUITE 1150 WASHINGTON DC 20515	AMERICAN SMALL AND RURAL HOSPITAL ASSOCIATION, OHIO CHAPTER		
MARK SQUILLACE, 317 PENNSYLVANIA AVENUE, SE WASHINGTON DC 20003	ENVIRONMENTAL POLICY INSTITUTE		
LOIS STARKEY, SUITE 511 1745 JEFFERSON DAVIS HWY. ARLINGTON VA 22202	MANUFACTURED HOUSING INSTITUTE	700.00	100.00
WILLIAM N. STEELE, 1700 NORTH MOORE ST. ROSSLYN VA 22209	BOEING COMPANY	597.58	852.22
STEPTOE & JOHNSON, 1250 CONNECTICUT AVE., NW WASHINGTON DC 20036	ALLIANCE FOR CANNABIS THERAPEUTICS		317.72
MICHAEL STIENTJES, 600 MARYLAND AVE., SW WASHINGTON DC 20024	AMERICAN FARM BUREAU FED	2,737.00	
JACK MARK STOLIER, SUITE 500 1319 F STREET, NW WASHINGTON DC 20004	FOOD RESEARCH & ACTION CENTER		
RICHARD BOYLE STOREY, 455-B CARLISLE DR. HERNDON VA 22070	INTERNATIONAL MILITARY CLUB EXECUTIVES' ASSN		
TERRENCE D. STRAUB, 818 CONNECTICUT AVENUE, NW WASHINGTON DC 20006	U.S. STEEL CORPORATION	750.00	96.57
KAREN PELTZ STRAUSS, 600 NEW JERSEY AVENUE, NW WASHINGTON DC 20001	INSTITUTE FOR PUBLIC REPRESENTATION	100.00	
W. MELVIN STREET, SUITE 400 1627 K STREET, NW WASHINGTON DC 20006	NATIONAL NEWSPAPER ASSN		
GEORGE W. STRONG, 1211 HYDE PARK HOUSTON TX 77006	HOUSTON NATURAL GAS CORP		
JUDY M. SULLIVAN, SUITE S-700 1120 20TH STREET, NW WASHINGTON DC 20036	NORTHWEST PIPELINE CORP		
SUNMAID RAISIN GROWERS OF CALIFORNIA, SUITE 420 1200 NEW HAMPSHIRE AVE. WASHINGTON DC 20036			
SUTHERLAND ASBILL & BRENNAN, 1666 K ST., NW WASHINGTON DC 20006	COUNCIL OF INDUSTRIAL BOILER OWNERS		
Do	HOLLYWOOD, INC.		
Do	INDUSTRIAL OIL CONSUMERS GROUP		
Do	LOYAL TRUST		
Do	PROCESS GAS CONSUMERS GROUP	5,242.00	
Do	ROLLINS, INC.		455.25
JOHN R. SWEENEY, 800 SOLAR BLDG. 1000 16TH ST., NW WASHINGTON DC 20036	AMERICAN IRON & STEEL INSTITUTE		
SCOTT R. SWIRLING, SUITE 950 1110 VERMONT AVENUE, NW WASHINGTON DC 20005	NATIONAL FAMILY PLANNING AND REPRODUCTIVE HEALTH ASSOC., INC	227.00	
Z. MICHAEL SZAZ, 7202 BEVERLY PARK DR. SPRINGFIELD VA 22150	EMBASSY OF THE DEMOCRATIC REPUBLIC OF SOMALIA	2,700.00	
TARGET, INC., 2411 OLD CROW CANYON ROAD SAN RAMON CA 94583			6,000.00
C. MICHAEL TARONE, 2033 M ST., NW, #700 WASHINGTON DC 20036	EMPRESA BRASILEIRA DE AERONAUTICA, S.A.		
Do	SANTARELLI & GIMER (FOR: KINGS RIVER WATER USERS COMM)		250.00
TEAMSTERS FOR A DEMOCRATIC UNION, 2000 P ST., NW, #612 WASHINGTON DC 20036			
MARY KAY THATCHER, 600 MARYLAND AVENUE, SW WASHINGTON DC 20024	AMERICAN FARM BUREAU FEDERATION	4,688.00	24.00
BARBARA BRENDES THIES, RM. 330W 1500 PLANNING RESEARCH DR. MCLEAN VA 22102	PLANNING RESEARCH CORPORATION		587.14
MESHALL THOMAS, SUITE 400 2000 P STREET, NW WASHINGTON DC 20036	WOMEN'S LEGAL DEFENSE FUND		
THOMPSON & MITCHELL, SUITE 3400 ONE MERCANTILE CENTER ST. LOUIS MO 63101	AMERICAN INLAND WATERWAYS COMMITTEE	708.00	
Do	CROWN LIFE INSURANCE CO.	6,000.00	1,264.56
Do	MIDLAND ENTERPRISES, INC.		
Do	VALLEY LINE COMPANY		
CHARLES P. THOMPSON, P.O. BOX 21666 PHOENIX AZ 85036	ARIZONA PUBLIC SERVICE COMPANY	1,000.00	215.14
THOMPSON, HINE & FLORY, 1920 N ST., NW WASHINGTON DC 20036	GREAT WESTERN SUGAR COMPANY		
ROBERT N. THOMSON, ONE LANDMARK SQ. STAMFORD CT 06901	MOORE MCCORMACK RESOURCES, INC.		
GRACE F. THORPE, P.O. BOX 1517 TAHLEQUAH OK 74464			
GIL THURM, 777 14TH ST., NW WASHINGTON DC 20005	NATIONAL ASSN OF REALTORS	2,500.00	
SAMUEL THURM, 1725 K ST., NW WASHINGTON DC 20006	ASSOCIATION OF NATL ADVERTISERS		
TIETZ & O'CONNELL, 107 WEST JEFFERSON STREET ROCKVILLE MD 20850	Y & M STEEL CONTRACTORS, INC.		
RON TIPTON, 1901 PENNSYLVANIA AVE., NW WASHINGTON DC 20006	WILDERNESS SOCIETY	994.31	36.00
RICHARD L. TRACHTMAN, SUITE 500 1101 VERMONT AVE. NW WASHINGTON DC 20005	AMERICAN SOCIETY OF INTERNAL MEDICINE	1,910.46	343.96
THOMAS TRUAX, 1401 21ST STREET SACRAMENTO CA 95814	AMERICAN HEALTH CARE ASSN	3,000.00	
NORMAN B. TURE, 1100 CONNECTICUT AVENUE, NW, #550 WASHINGTON DC 20036			
WILLIAM A. TURNAGE, 1901 PENNSYLVANIA AVE., NW WASHINGTON DC 20006	WILDERNESS SOCIETY		
W. GLENN TUSSEY, 600 MARYLAND AVE., SW WASHINGTON DC 20024	AMERICAN FARM BUREAU FED	6,600.00	52.00
U.S. CANTALOUPE GROWERS & IMPORTERS ASSN, P.O. BOX 366 HIDALGO TX 78557			
U.S. COMMITTEE FOR THE OCEANS, 100 MARYLAND AVE., NE WASHINGTON DC 20002		100.00	
UNITED FRESH FRUIT & VEGETABLE ASSN, 727 N. WASHINGTON ST. ALEXANDRIA VA 22314		1,253.53	1,253.53
MATHEW VALENCIC, 201 MASSACHUSETTS AVE., NE SUITE 319 WASHINGTON DC 20002	HALT, INC.		
JOHN A. VANCE, 1050 17TH ST., NW, #1180 WASHINGTON DC 20036	PACIFIC GAS & ELECTRIC CO	3,997.00	2,437.81
RICHARD F. VANDER VEEN, 590 UNION BANK BLDG. 200 OTTAWA AVE., NW GRAND RAPIDS MI 49503	AMERICAN SEATING CO		
JOSPEH T. VENTURA ENTERPRISES, INC, 1725 K STREET, NW, #401 WASHINGTON DC 20006	NATIONAL FOOTBALL LEAGUE	3,237.00	1,975.00
VERNER, LIIPFERT, BERNHARD & MCPHERSON, 1660 L ST., NW WASHINGTON DC 20036	SEMICONDUCTOR INDUSTRY ASSOCIATION	1,450.00	257.00
DAVID VIENNA, 510 C ST., NE WASHINGTON DC 20005	NATIONAL ASSN OF CREDIT MANAGEMENT	3,575.00	

Organization or Individual Filing	Employer/Client	Receipts	Expenditures
CHRISTOPHER N. VISHER, SUITE 800 1016 16TH STREET, NW WASHINGTON DC 20036	ROISMAN, RENO & CAVANAUGH (FOR: NATIONAL HOUSING LAW PROJECT)	5,000.00	20.00
ABE J. VORON, 6204 WHITE OAK LANE TAMARAC FL 33319	NATIONAL RADIO BROADCASTERS ASSOCIATION	1,975.00	1,975.00
SARAH L. WAGONER, 6TH FLOOR 1050 THOMAS JEFFERSON STREET, NW WASHINGTON DC 20007	AMERICAN SAMOA		
Do	ST. JOE MINERALS CORP		
Do	MARLINE OIL CORPORATION		
WALD, HARKRADER & ROSS, 1300 19TH ST., NW WASHINGTON DC 20036	AMERICAN PAPER INSTITUTE		
ELEANOR WALTERS, 317 PENNSYLVANIA AVE., SE WASHINGTON DC 20003	ENVIRONMENTAL POLICY INSTITUTE	95.10	
WASHINGTON GAS LIGHT CO, 1100 H ST., NW WASHINGTON DC 20080			1,705.92
WASHINGTON INDEPENDENT WRITERS, INC., 525 NATIONAL PRESS BUILDING WASHINGTON DC 20045		893.38	
RAYMOND J. WEATHERLY, SUITE 511 1745 JEFFERSON DAVIS HWY. ARLINGTON VA 22202	MANUFACTURED HOUSING INST	900.00	100.00
VERNON WEAVER, SUITE 500 1101 CONNECTICUT AVE., NW WASHINGTON DC 20036	STEPHENS OVERSEAS SERVICES, INC.	30.25	
GEOFFREY WEBB, 530 7TH STREET, SE WASHINGTON DC 20003	FRIENDS OF THE EARTH	1,180.00	
WEBSTER AND SHEFFIELD, 1200 NEW HAMPSHIRE AVE., NW, #350 WASHINGTON DC 20036	FRAYDUN MANOCHERIAN		11.00
PAUL WECKSTEIN, SUITE 510 236 MASSACHUSETTS AVENUE, NE WASHINGTON DC 20002	CENTER FOR LAW AND EDUCATION, INC.	972.66	
STANLEY A. WEISS, 2126 CONNECTICUT AVENUE, NW WASHINGTON DC 20008	BUSINESS EXECUTIVES FOR NATIONAL SECURITY		
SHIRLEY H. WESTER, 1601 CONNECTICUT AVENUE, NW WASHINGTON DC 20009	AMERICAN HEALTH PLANNING ASSOCIATION	1,312.50	31.00
WESTERN COTTON GROWERS ASSN, SUITE 420 1200 NEW HAMPSHIRE AVE., NW WASHINGTON DC 20036			
STEPHEN M. WHEELER, 530 7TH STREET, SE WASHINGTON DC 20003	FRIENDS OF THE EARTH	662.97	
WICKWIRE, LEWIS, GOLDMARK, & SCHOOR, 500 MAYNARD BLDG. SEATTLE WA 98104	ARCTIC SLOPE REGIONAL CORP, ET AL	1,885.00	816.54
Do	PUBIC HEALTH HOSPITAL PRESERVATION & DEVELOPMENT AUTHORITY	1,162.50	62.33
Do	STATE OF ALASKA, TRANSPORTATION SECTION	1,047.50	425.99
WILLIAMS & CONNOLLY, 839 17TH ST., NW WASHINGTON DC 20006	COUNCIL OF STATE HOSPITAL FINANCE AUTHORITIES		
WILLIAMS & JENSEN, P.C., 1101 CONNECTICUT AVE., NW WASHINGTON DC 20036	AMERICAN PHYSICAL THERAPY ASSN	17.00	3.88
Do	BURGER KING CORP	735.00	77.70
Do	CENTURY 21 REAL ESTATE CORP	402.50	38.85
Do	CIGNA	420.00	38.85
Do	COMM. FOR THE IMPROVE. OF THE TAX LAWS ON ANNUITY TAXATION	236.67	25.90
Do	COMMITTEE FOR EMPLOYMENT OPPORTUNITIES		
Do	CONSOLIDATED FOODS CORP	2,990.00	
Do	ESTEE LAUDER, INC	55.00	7.77
Do	FEDERATION FOR AMERICAN IMMIGRATION REFORM	1,590.17	284.88
Do	FIRST BOSTON CORP	710.00	77.70
Do	GENERAL ELECTRIC		
Do	ERNEST W. HAHN, INC	225.00	12.95
Do	HIGHER EDUATION ASSISTANCE FOUNDATION	20.00	3.88
Do	HOUSTON ENDOWMENT, INC		9.06
Do	IU INTERNATIONAL MANAGEMENT CORP	3,855.00	401.43
Do	KELLOGG COMPANY	800.00	116.54
Do	KRAUSE MILLING CO	85.00	12.95
Do	MUSTANG FUEL CORPORATION		
Do	NATIONAL ASSN OF WATER COS	350.00	38.85
Do	NATIONAL CABLE TELEVISION ASSN		11.65
Do	NATIONAL SOFT DRINK ASSN		
Do	NATIONWIDE INSURANCE COMPANIES		
Do	OLYMPIA & YORK DEVELOPMENTS LTD.		
Do	OLYMPIA & YORK EQUITY CORP.		
Do	PARALYZED VETERANS OF AMERICA	127.50	25.90
Do	PFIZER, INC	2,200.00	12.95
Do	PROTECTIVE CORPORATION		
Do	RECORDING INDUSTRY OF AMERICA, INC	900.00	77.70
Do	SMITHKLINE BECKMAN CORP	3,645.00	
Do	SOUTHERN RAILWAY SYSTEM		
Do	SOUTHLAND ROYALTY CO	242.50	25.90
Do	STUDENT LOAN MARKETING ASSN	420.00	51.80
Do	U.S. TELEPHONE COMMUNICATIONS, INC		12.95
Do	UNIVERSAL FOODS , INC		
LAWRENCE F. WILLIAMS, 330 PENNSYLVANIA AVENUE, SE WASHINGTON DC 20003	SIERRA CLUB	6,500.00	
THOMAS C. WILLIAMSON, 38 IVY STREET, SE WASHINGTON DC 20003	AMERICAN CONSERVATIVE UNION		
WILLKIE FARR & GALLAGHER, 818 CONNECTICUT AVENUE, NW WASHINGTON DC 20036	RELIANCE GROUP, INC		
REBECCA WODDER, 1901 PENNSYLVANIA AVE., NW WASHINGTON DC 20006	WILDERNESS SOCIETY	1,113.72	12.40
ROBERT M. WOLCOTT, 1525 NEW HAMPSHIRE AVENUE, NW WASHINGTON DC 20036	PUBLIC INTEREST ECONOMICS FOUNDATION	472.68	
WORLDWIDE INFORMATION RESOURCES, LTD, SUITE 304 1101 30TH ST., NW WASHINGTON DC 20007	EQUITABLE LIFE ASSURANCE SOCIETY OF THE U.S.		
Do	HEUBLEIN, INC		
Do	PAN AMERICAN WORLD AIRWAYS, INC		
Do	STATE OF MONTANA		
Do	TOYOTA MOTOR SALES U.S.A., INC		
ERIC YOUNG, 317 PENNSYLVANIA AVENUE, SE WASHINGTON DC 20003	ENVIRONMENTAL POLICY INSTITUTE	19.32	
JANICE ZARRO, SUITE 715-16 1660 L ST., NW WASHINGTON DC 20036	AVON PRODUCTS, INC		
JEROME M. ZEIFMAN, 1525 NEW HAMPSHIRE AVENUE, NW SUITE 300 WASHINGTON DC 20036	NATIONAL SENIOR CITIZENS LAW CENTER		
Do	PUBLIC INTEREST ECONOMICS FOUNDATION	1,233.00	
ZERO POPULATION GROWTH, INC, 1346 CONNECTICUT AVE., NW WASHINGTON DC 20036		2,278.00	1,205.00
MICHAEL J. ZIMMER, WICKWIRE, GAVIN & GIBBS 1828 L ST., NW WASHINGTON DC 20036	COGENERATION COALITION, INC.		
ZIONTZ, PIRTLE, MORRISSET, ERNSTOFF, & CHESTNUT, METROPOLITAN PARK, 16TH FLOOR 1100 OLIVE WAY SEATTLE WA 98101.	CONFEDERATED TRIBES OF THE COLVILLE INDIAN RESERVATION		
Do	INUPIAT COMMUNITY OF THE ARCTIC SLOPE		
Do	LUMMI TRIBE OF INDIANS		
Do	MAKAH INDIAN TRIBE		
Do	METLAKATLA INDIAN COMMUNITY		
Do	NORTHERN CHEYENNE INDIAN TRIBE		
Do	QUILEUTE INDIAN TRIBE		
Do	TULALIP INDIAN TRIBE		
Do	UKPEAGVIK INUPIAT CORPORATION		
JOHN L. ZORACK, COOK, PURCELL, HANSEN, & HENDERSON 1015 18TH ST., NW WASHINGTON DC 20006	FEDERAL EXPRESS CORP	7,500.00	
5TH PRO-LIFE CONG DISTRICT ACTION COMM (FL), C/O MR. JOHN KELLEY 1120 MICHIGAN BLVD. DUNEDIN FL 33528			34.70

EXTENSIONS OF REMARKS

MEDAL OF MERIT RECIPIENTS

HON. WILLIAM D. FORD

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 11, 1983

● Mr. FORD of Michigan. Mr. Speaker, last weekend I had the privilege of presenting my annual Medal of Merit for Outstanding Youth to 23 young people from throughout the 15th Congressional District. The range of voluntarism, achievement, and commitment of these young people is an outstanding tribute to their families, schools, and communities and I want to call this event to your attention.

I also want to take this opportunity to commend the 17-member citizens volunteer committee, chaired by Mr. Doug Ritter of Canton Township, for their dedication and commitment in the selection of tomorrow's leaders.

The 1983 Medal of merit winners are:

Augusta Township: Felicia J. Chestnut, 17, daughter of James and Mary Chestnut, for volunteering musical entertainment to service clubs and churches, and for serving in a student leadership role on school millage issues.

Belleville: Kimberly Ann Fields, 17, daughter of Dave and Sandy Fields, also a gifted musician-violinist, who has donated free musical recitals to the Kiwanis, Rotary, senior citizens and church groups.

Canton Township: Catherine Kelly Baldrica, 17, daughter of Daniel J. and Katherine A. Baldrica, for planning and preparation assistance to the Canton Public Library; and for a broad range of volunteer work with Health-a-Rama, her neighborhood civic association, class fundraisers, the Canton County Festival, and as a special math and French tutor.

Garden City: Brian Petrucci, 17, son of Eno and Virginia Petrucci, for help with Jaycee projects, the youth athletic association, Little League, and for his involvement with the City Charter ballot issue.

Colleen Elliott, 18, daughter of Carol and Robert Elliott, for donating two summers to assist ninth graders in her high school band, for making Easter bunny visits to shut-ins, and also for her fundraising with the Muscular Dystrophy Telethon.

David V. J. Powierski, 19, son of Casimir and Leola Powierski, for his exceptional work as a leadership trainer in the Boy Scouts, as Assistant Scoutmaster to Troop 765, and as an Eagle Scout.

Huron Township: Cheryl Simpson, 17, daughter of Mr. and Mrs. James Simpson, for her leadership in student government, scholarship and in athletic competition.

Livonia: Caroline Kert, 16, daughter of Harry and Corrine Kert, for distinguished musical accomplishments and for assisting underprivileged families in Detroit and Haiti.

Romulus: James P. Holbrook, 18, son of James E. and Josephine M. Holbrook, for his volunteer renovation of the Oakwoods Metro Park Nature Center (Sky Come Down Trail).

Marlene Carpenter, 17, daughter of George and Kathleen Carpenter, for donating considerable time to the tutoring of fellow students, and for assisting the C.R.O.P. fundraising program in Romulus, which helps needy people throughout the world.

Saline: Susan Tracy Stanbridge, 18, daughter of Cynthia Stanbridge, for her leadership and involvement in student government, the Saline High School FHA Beautification Project, and her volunteer work as a Teen Advisor with the Young People's Bereavement Support Group Committee.

Southgate: Cheryl A. Jones, 18, daughter of Elwyn and Pearl Jones, for working with the local beautification committee, and for her assistance in redrafting the school constitution during the recent merger of the two Southgate high schools.

Lisa Zmijewski, 18, daughter of Robert and Sharon Zmijewski, for scholarship and for Candy Striper volunteer activities with Wyandotte General Hospital.

Superior Township: Mark D. Yenkel, 20, son of Ray and Marilyn Yenkel, for providing personal leadership and counsel to youth, for numerous hours of work with his community ice hockey rink, and for his work with the Boy Scouts.

Cheryl Rogers, 15, daughter of Edward and Mildred Rogers, for serving as a bilingual tutor for her Mexican-born neighbor, and for acting as an aide at Cheney Elementary School.

Ida Williams, 16, daughter of Karl and Kathleen Williams, for her exceptional work with the Special Olympics and other projects assisting retarded children.

Taylor: Toni Marie Amato, 18, daughter of Carol and John Subeck, for raising $700 during White Cane Week in conjunction with the Taylor Lions Club, and for her numerous other volunteer activities.

Phillip J. Antrassian, 18, son of Vincent and Mary Antrassian, for fundraising success with the school athletic program, and for his participation in student government.

Van Buren Township: Tami Harkai, 16, daughter of Mr. and Mrs. Robert Harkai, for serving as co-chair of the local blood bank drive and for contributing articles to local newspapers about her fellow students and school events.

Wayne: Jacqueline F. Poindexter, 17, daughter of Bennie D. and Lucille W. Poindexter, for several contributions, including the 8-10 hours weekly she donates to the Project Head Start preschool program, and her voluntarism with her church's summer reading program.

Westland: James J. Williams, 18, son of Thomas P. and Mary A. Ward, for numerous contributions over several years in performing musical presentations for the disabled, bereaved and imprisoned, and for donating time as a music tutor.

Ypsilanti: Donna Agnes Porter, 17, daughter of John and Lois Porter, for providing entertainment and assistance to the elderly, including monthly birthday celebrations, and for involving many of her classmates in visitations for the sick and aged.

Ypsilanti Township: Penny P. Foster, 21, daughter of Lyle and Vera Foster, for outstanding problem-solving as a member of the Eastern Michigan University Student Senate, and for her voluntarism with the Little League.

Mr. Speaker, this is one of the most rewarding events of every year for me. I am proud to call this year's winners to your attention and am proud to honor them by placing their names in the CONGRESSIONAL RECORD.●

THE 18TH CONGRESSIONAL DISTRICT RESPONDS TO CONGRESSIONAL POLL IN RECORD LARGE NUMBERS

HON. WM. S. BROOMFIELD

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 11, 1983

● Mr. BROOMFIELD. Mr. Speaker, each year I mail a congressional questionnaire to the residents of the 18th Congressional District of Michigan in an effort to learn their thinking on important national issues.

Nearly 40,000 individuals replied this year—by far the largest response ever to this program. Significantly, nearly three-quarters of those who replied said they would oppose repeal of the scheduled 10-percent personal income tax cut effective July 1.

As in past years, my questionnaire also was distributed to high schools throughout the area. The replies of the young people who participated were tabulated separately and present an interesting comparison to the views of the adults who replied.

Because of the importance of the issues involved and the unusually large number of replies received, I am including a tabulation of the results at this point in the RECORD.

1983 CONGRESSIONAL POLL RESULTS

[In percent]

	Adults [1]		Students	
	Yes	No	Yes	No
1. Do you believe further cuts can be made in the defense budget without endangering our national security?	70	28	69	31
2. Should social security benefits be taxed in order to help sustain the system?	21	78	22	78
3. Do you support the President's call for a freeze on Federal spending to help reduce the deficit?	92	6	74	26
4. Would you favor a system of reciprocal tariffs that would treat Japanese and other foreign imports as U.S. exports are treated overseas?	87	12	85	15

● This "bullet" symbol identifies statements or insertions which are not spoken by the Member on the floor.

1983 CONGRESSIONAL POLL RESULTS—Continued

[In percent]

	Adults [1]		Students	
	Yes	No	Yes	No
5. Would you favor repeal of legislation permitting the Internal Revenue Service to withhold 10 percent of dividend and interest payments?	77	21	58	42
6. Would you support a federally funded program to retrain unemployed workers in industries where jobs have been permanently lost to foreign competition?	46	51	66	34
7. Do you believe states with the highest unemployment should be given preference in the awarding of Federal contracts and grants?	73	26	82	18
8. Should Congress repeal the scheduled 10-percent personal income tax cut scheduled to take effect this summer?	26	72	41	59

[1] Balance equaling 100 percent undecided.●

A BILL TO EXTEND ANTITRUST IMMUNITY TO LOCAL GOVERNMENTS

HON. HENRY J. HYDE

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 11, 1983

● Mr. HYDE. Mr. Speaker, today I am pleased to introduce a bill in response to the decision of the Supreme Court in Community Communications Co., Inc. against city of Boulder, handed down in January 1982.

The Boulder decision has refocused attention on the relationship between the Federal antitrust laws and local government activities. In the wake of Boulder, many municipal officials fear that the threat of treble damage antitrust liability could inhibit their performance of legitimate governmental functions.

By their very nature, municipal actions often tend to have a major impact on competition, and usually involve discretionary decisions which have exclusionary effects. Over the past 5 years, municipalities have been charged with a number of antitrust violations associated with a wide range of franchising, licensing, zoning, and other regulatory activities.

By way of background, in Parker against Brown, decided in 1943, the Supreme Court upheld a California State agricultural marketing program which had been challenged as a restraint of trade. The Court held that the Sherman Act was never intended by the Congress to apply to State action or official action imposed and directed by a State. The key to the Court's holding was the determination that "nothing in the language of the Sherman Act or its history * * * suggests that its purpose was to restrain a State or its officers or agents from activities directed by its legislature." In the 1975 case of Goldfarb against Virginia State Bar, the Supreme Court stated that "the threshold inquiry in determining if an anticompetitive activity is State action of the type the Sherman Act was not meant to proscribe is whether the activity is required by the State acting as sovereign." In that case, the Court held that the publication and enforcement of a minimum fee schedule by State and local bar associations was not required by State law or the State supreme court, and thus was not State action for the purposes of the Sherman Act.

The Boulder decision held that municipal action, even by a home rule city with complete authority in local matters, is not immune from the antitrust laws unless: First, it constitutes the sovereign action of the State itself or, second, is authorized by a "clearly articulated and affirmatively expressed State policy" of substituting regulation for competition. A general grant of home rule authority does not meet that second standard—"mere neutrality" is not enough, the Court said. The Boulder Court also refused to distinguish proprietary from governmental actions by the municipality. In a somewhat similar case decided 4 years earlier, city of Lafayette against Louisiana Power and Light Co., the municipality's actions had been proprietary rather than governmental and Justice Burger had suggested in a concurring opinion that governmental action should be immune from antitrust challenge. But the Boulder Court, while acknowledging that the Parker doctrine reflects Congress intention to embody in the Sherman Act the federalist principle of State sovereignty, expressly held that the Federal system "has no place for sovereign cities."

As I said at the outset, municipal officials are concerned that their legitimate exercise of both their proprietary and governmental responsibilities will give rise to treble damage antitrust liability. It is not surprising, therefore, that the National League of Cities and the U.S. Conference of Mayors are advising us that they favor an amendment to the antitrust laws to extend the Parker State action exemption to cities and other political subdivisions of the State. I am advised that the Office of the Clerk of the House of Representatives has forwarded to the Judiciary Committee a number of resolutions adopted by city councils and local bodies requesting a legislative remedy. Many of us have also been hearing from individual municipalities in our districts.

I am convinced myself that this is a problem of sufficient importance to merit the prompt attention of the Judiciary Committees of both the House and the Senate. I understand that Senator THURMOND is having legislation prepared for introduction in the other body. The bill which I am introducing today is my contribution toward getting the legislative process underway in the House of Representatives. My bill provides that a unit of local government shall be liable under the antitrust laws for any conduct within the authority vested in such unit by any law only to the extent that a State, if such State were authorized by any law to engage in identical conduct, would be liable under the antitrust laws for such identical conduct. This may not be a perfect solution to the problem, but I believe it is a useful start. I invite other Members to join me in this important initiative by cosponsoring this bill.●

TRIBUTE TO AN OUTSTANDING NEWSPAPER PUBLISHER, IRA CAHN

HON. NORMAN F. LENT

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 11, 1983

● Mr. LENT. Mr. Speaker, I raise to call to the attention of my colleagues the achievements and accomplishments of an outstanding newspaper publisher in the Fourth Congressional District of New York, which I have the honor to represent.

I refer to Ira Cahn, publisher of the Massapequa Post, a newspaper serving some 8,000 families in the communities of Massapequa and Massapequa Park, and the Amityville Record serving the Amityville community. Ira Cahn founded the Massapequa Post in 1951. Throughout the more than three decades the newspaper has been published by Ira Cahn, it has been a strong and forceful voice for community betterment.

During those years, I have been a reader of the Massapequa Post and have long admired the high standards of journalism which have been established under Ira Cahn's supervision. This is in no small part due to the fact that Ira's lovely and talented wife Barbara, has served as the paper's managing editor during most of the years the Massapequa Post has been published. The newspaper has won more than 100 awards of journalistic excellence in every field of journalistic endeavor, and represents the very epitome of responsible community leadership and service.

Ira Cahn, now generally referred to as the dean of Long Island newspaper publishers and editors, has won substantial recognition from his peers. He has served as president of the New York Press Association, and is currently a member of the board of the Long Island Press Association. Always interested in the younger generation, Ira Cahn is an associate professor of community journalism at C. W. Post College in Greenvale, N.Y., and no better instructor in that field can be found.

Mr. Speaker, one would think that with all of these professional duties and responsibilities, Ira Cahn's days

would be fully occupied. But such is far from the truth. Few have devoted as much time to community and civic affairs as has Ira Cahn. For example, he has taken a most active interest in the history of the Massapequa area, and is a founding member of the Massapequa Historical Society. He also served as vice chairman of the bicentennial commission for the town of Oyster Bay.

In truth, Mr. Speaker, Ira Cahn is not only an outstanding newspaper editor and publisher, he is an outstanding citizen of this great Nation of ours. I know that my colleagues here in the House join me in offering our heartiest congratulations and our warmest best wishes to Ira and his lovely wife Barbara. Together, they have forged an exemplary record of community service and leadership which can serve as a most inspiring example for all of us.●

BIRMINGHAM, MICH., CELEBRATES GOLDEN ANNIVERSARY

HON. WM. S. BROOMFIELD

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 11, 1983

● Mr. BROOMFIELD. Mr. Speaker, next week the city of Birmingham, Mich., commences its celebration of the 50th anniversary of its incorporation. It has been my privilege to represent the city and its people throughout my years in the House of Representatives, and I wish to extend my sincerest congratulations and best wishes to them on their golden anniversary.

While the history of Birmingham as a city goes back 50 years, its real history extends back over 157 years when the first settlers built their cabins in the area. These were people who left the comfort, civilization, and confinement of the eastern States to seek opportunity and to build a new and better life for themselves and their families through hard work and true grit out west. These were the same people who eventually built a great nation that straddled a continent.

From this beginning, the history of Birmingham parallels the growth of our Nation. From the few log cabins along an Indian trail, a hard days travel from Detroit, Birmingham grew to become a small town that serviced the many farms in the area. In the 20th century with the improvement of roads and the means of travel, the face of Birmingham changed again to become first a bustling town and then the modern, attractive suburban community it is today.

While Birmingham today is part of the sprawling Detroit metropolitan community, it has been able to retain its own identity and historic charm.

The city today is one of nice homes, excellent schools, friendly people, and a good, responsive local government. It is a community of involved citizens taking an active role in helping each other and the community through a variety of clubs and organizations. It is a mature city that is aware and proud of its past and optimistic about its future.

Mr. Speaker, the people of Birmingham and their civic leaders deserve to be congratulated for their fine work in making Birmingham an excellent place to live. As the city readies itself for its golden anniversary celebration, I wish it continued success and prosperity in the decades to come.●

STATEMENT OF THE HONORABLE MARCY KAPTUR BEFORE THE COMMITTEE ON BANKING, FINANCE AND URBAN AFFAIRS IN THE U.S. HOUSE OF REPRESENTATIVES, MAY 9, 1983

HON. MARCY KAPTUR

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 11, 1983

● Ms. KAPTUR. Mr. Speaker, I would like to insert a copy of the statement which I made before the Committee on Banking, Finance and Urban Affairs, on May 9, 1983, during the consideration of the International Monetary Fund quota increase request. My statement follows:

STATEMENT OF THE HONORABLE MARCY KAPTUR BEFORE THE COMMITTEE ON BANKING, FINANCE AND URBAN AFFAIRS IN THE U.S. HOUSE OF REPRESENTATIVES, MAY 9, 1983

Mr. Chairman, I have spent a great deal of time thinking about the request for the IMF quota increase, and before we vote on this issue, I would like to explain my position. This is one of the more difficult votes with which I personally have been faced in my months in Congress. I intent to insert my full statement in the Record.

The extensive hearings involving witnesses on all sides of this issue, which I commend Congressman Neal, Chairman of the Subcommittee on International Trade, Investment and Monetary Policy, for holding, have aided me in my decision on this matter. I thank Congressman Neal and Chairman St Germain for their excellent work and for the excellent work of their staffs. I want to briefly share my ideas with the committee members.

I regrettably will not support the proposal to authorize an increase in the U.S. quota to the IMF. However, I do not want this to be interpreted as a vote against the American role in international development, but rather as a statement of deep concern that international financial institutions presently in place are not properly constituted to result in third world development that touches the masses of poor people in the host countries. No short-term financial band-aid in the form of IMF increases to provide so-called liquidity can begin to address the staggering long-term debt these nations have amassed as they embarked on development. Amendments being offered by several members to stretch-out repayments, though well-intentioned, are nothing more than attempts to make a "silk purse out of a sow's ear." No matter how hard we try to address the long-term debt issue, the IMF proves to be an inadequate institution.

First, I am disturbed by the fact that at best, the result of the banks and the IMF lending activities, as George Champion formerly from Chase Manhattan Bank stated, has been the creation of a heavy debt with little or no improvement in the living standards of the developing countries' needy people. Loaned funds, either directly or indirectly, should not be used for the expansion of recipient governments, nor for the purchase of military equipment, nor for investment in capital-intensive industries. Rather, loaned funds should aid people and small enterprises, including such entities as agricultural cooperatives, which address the real needs of the poor in developing nations. Unfortunately, it is common knowledge that IMF recommendations to developing nations have often adversely impacted on such development. As the Interreligious Task Force on U.S. Food Policy stated to the Subcommittee on International Trade, "by recommending policies that will restore a foreign exchange balance in the short-run, the IMF undermines the basis for long-term, self-reliant, needs-oriented development."

Essentially, IMF policy is a policy of staying the course. I believe that we must break the pattern of encouraging export-led development strategies for the developing nations. These strategies have resulted in the following scenario: 1) increased borrowing for longer periods of time; 2) massive debts; 3) IMF suggestions that these nations tighten monetary and fiscal policies; and finally 4) heightened political tensions and social unrest in host countries. Governments in developing nations must not have to resort the repressive economic policies in order to carry out IMF-encouraged financial arrangements.

I believe monetary and fiscal policies cannot be separated from development policies, and so we must work for major changes in global economic development and trade arrangements. Holding a conference, modeled after the original Bretton Woods Conference, that focuses on international fiscal and monetary policy and its relation to development policy, is crucial and timely. Most of our nation's current trade troubles—the falling exports, the disputes over other countries' trading tactics, the alleged decline of American industrial competitiveness—are the result of exchange rates fueling an overpriced dollar, lifted by high interest rates, as well as the problems of cash-rich banks that reacted to Mideast oil price hikes of the 1970s. The abnormally high dollar is doing irreparable harm to our economy—both to the export industries and to producers here that must compete with imports. Moreoever, it is devastating to debtor nations. Hence, the North and South must engage in a major dialogue to fundamentally alter current arrangements in the international fiscal and monetary systems, and address their relation to development policy. I will support all efforts to do this.

Finally, I believe that the major banks which loaned this money are entirely responsible for their own actions, and that greater regulation is not the answer. I believe these banks, on their own, should set up larger loan loss reserves. Their painful experience in the international lending

arena should be adequate impetus to do so. Unfortunately, the idea which Senator Dole (in the other body) floated of a progressive excise tax on deposits of commercial banks earmarked to the IMF to bolster its funds, while intellectually appealing, is not politically feasible. A useful albeit a modest proposal at first blush, would be to have the banks pay for the regulatory agency exams evaluating and commenting on their country risk, similar to a user fee. Under the current system, the U.S. government pays for the exams which the agencies perform on U.S. banks with significant foreign lending activities. The cost is not insignificant, and is borne equally by the U.S. taxpayers. We should see to it that the large banks which land abroad and benefit from the IMF, pay the Treasury the examination fee.

In conclusion, I oppose the request for the IMF quota increase for several reasons. First, I do not believe that the IMF lending activities address the problems faced by the poor in third world nations. Export-led development policies, encouraged by the IMF, have undermined the basis for long-term, needs-oriented development. Second, I believe that a worldwide conference is necessary to assess and alter international fiscal, monetary and development policies. I will support efforts to aid developing countries, not by increasing the IMF quota, but rather by pushing for a worldwide conference to work for major changes in global economic development and trade arrangements. Finally, I believe that the banks must be responsible for their own errors, and that the U.S. taxpayers should not be forced to pay for the mistakes of the large banks.

Mr. Chairman, I would like to thank you again for allowing me this time today to share my deeply-held views.●

BUSINESS PERSON OF THE YEAR

HON. CARL D. PURSELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 11, 1983

● Mr. PURSELL. Mr. Speaker, I am sharing with my colleagues a success story of Mr. R. Dale Moretz, the owner of a small business in Jackson, Mich. Mr. Moretz accomplished the impossible of keeping a small business alive and employees on its payroll during the most severe recession in the history of Michigan. For this accomplishment, Mr. Moretz was named Michigan Small Business Person of the Year by the U.S. Small Business Administration.

Mr. Moretz, coowner of the Mid-American Products Corp., accomplished this impossible task by using wise management practices and by attracting U.S. defense contracts. According to Mr. Moretz, the defense contracts gave his company a higher priority in securing raw materials that were in short supply during the 1972 Arab oil embargo.

I offer my congratulations to Mr. Moretz and urge my colleagues to read of his accomplishment as outlined in the following news article printed in the Jackson Citizen Patriot.

(The article follows:)

BUSINESS PERSON OF THE YEAR

CO-OWNER OF JACKSON FIRM USED DEFENSE CONTRACTS TO KEEP WHEELS TURNING

(By Dan Spickler)

R. Dale Moretz of Jackson, named Michigan Small Business Person of the Year, showed how to keep a fledgling business alive during a recession.

When the going got tough after his company formed in 1972, particularly because of the Arab oil embargo, Moretz went after defense contracts. That made the firm a high priority for obtaining petroleum-based materials.

Moretz, co-owner of Mid-American Products Inc., 1603 Wildwood, was named the state's Small Business Person of the Year by the U.S. Small Business Administration.

"The selection is an honor, but I was really most proud when I was nominated, because you are nominated by your peers," Moretz said. Advisory councils made up of small business owners in each state made nominations to the SBA, and one winner was selected in each state. Moretz was given the award for Michigan.

Moretz has been active in the Greater Jackson Chamber of Commerce Small Business Council and has testified before state and congressional representatives about pending legislation. He is also a director of the Independent Business Association, a statewide group representing 2,000 small employers.

He has served on the White House Conference on Small Business and the Michigan Conference on Small Business.

The Jackson man will receive the award at a luncheon Monday, May 9, in Lansing as part of National Small Business Week, May 8-14.

Moretz, 41, of 1123 Woodbridge, was honored for his demonstration "that a small entrepreneur, with a good product and the application of sound management principles, can be successful even under the most trying circumstances," said Raymond L. Harshman, Michigan director of the SBA.

Mid-American Products, founded in 1972, started with a handful of employees and has grown to a diversified thermoplastic molding firm with 44 workers and annual sales approaching $2 million. It makes parts for aerospace, automotive, electronic and home appliance firms and numerous other applications.

Harshman said Mid-American demonstrated resourcefulness when, shortly after beginning business, it faced trouble with the oil embargo and the subsequent recession.

Moretz said the company survived by securing U.S. defense contracts, which grew to account for 40 percent of its sales volume.

"Now it's more like 25 percent," he said.

The defense contracts gave Mid-American higher priority in securing polymer raw materials that were in short supply due to the oil embargo.

Moretz is one of three owners of Mid-American. He grew up in North Carolina and graduated from the University of North Carolina in 1967.

Although he came to Michigan and to Jackson to start the plastics firm, Moretz said the state's business climate is still negative due to increased taxation and higher than average employee costs.

"I see the national economy improving, so naturally Michigan's economy will improve, but we're still in a very negative climate," he said.

As for Mid-American Products, however, Moretz said he expects his firm to continue to grow.

"I think the whole future of Michigan really depends on small business people," he said. "We make up the most employement in the state."

SBA defines a small business as one that employs fewer than 500 employees. Such firms represent 98 percent of the 13.3 million firms in the country. Small businesses account for half of the country's total employement, about 50 million people. Nine out of 10 of these small firms employ fewer than 10 people.

Of the roughly 2,500 businesses in Jackson County, 1,800 of them employ fewer than 10 people, according to the U.S. Department of Commerce study of Jackson issued in 1979.

James Barrett, president of Michigan Chamber of Commerce, recently reported that between 1960 and 1976, 79 percent of all new jobs created in the state were by firms classified as small businesses.

A recent SBA report concludes that small businesses retain employees to a greater extent than larger firms and that the recession was not as damaging to smaller firms because of better cost controls.

Despite record bankruptcies of 65,807 in 1982, a 38 percent increase over the previous year, entrepreneurs are breaking into the business world at a record pace. Incorporation of new businesses totaled about 560,000 in 1982, double that of a decade ago, SBA officials said.●

A "SALUTE" TO THE WORCESTER, MASS., DISTRICT MEDICAL SOCIETY AND UNITED WAY

HON. JOSEPH D. EARLY

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 11, 1983

● Mr. EARLY. Mr. Speaker, last April 15, the district medical society in my home city of Worcester, Mass., initiated a program to give free medical care "as long as there's a need" to "recession-distressed patients" and their families who are now without health insurance. Dr. John P. Howe III, president of the district society, announced that more than 450 physicians have agreed to participate in this activity which will be conducted in cosponsorship with the United Way. I would like to express my wholehearted personal endorsement of this noble gesture and extend my congratulations and appreciation to everyone connected with it.

The loss of health insurance benefits, through no fault of their own, is one of the major tragedies being visited upon unemployed workers and their family members in every region of the country. Many authorities believe that widespread unemployment will continue to plague the Nation over an extended period and will affect several million Americans. The records around the country reveal that because they cannot pay, and because of pride, embarrassment, discourage-

ment, and other reasons, a very great number of afflicted individuals tend to avoid seeking needed medical treatment until an illness reaches an emergency, and sometimes an irreversible, stage.

The tremendous mental strain, physical harm, and declining morale being experienced by these distressed families is easy to imagine. No one understands the undermining potentialities and actualities of accelerating health deterioration in such a situation better than the doctors of medicine. But understanding and even good intentions are one thing; taking effective action is another. Such action requires organization, scheduling, the giving up of substantial compensation and family recreation time and unselfish cooperation between and among individuals and units. But above all else, it requires the actual application of genuine concern for a fellow human being and genuine compassion for the bad fortune of a neighbor.

Of course, Federal and State Governments and legislatures are trying to find ways and means to provide necessary health care to unemployed workers and their families. Unfortunately, these well meant efforts are too often regarded as being procedurally complex, lacking in the human touch and too long delayed for corrective impact upon a home crisis.

Mr. Speaker, some noted sociology writers have been emphasizing, over the past decade, their fears about a dangerously increasing withdrawal, among Americans, of any personal interest in the well-being of their neighbors residing in the same streets, in the same housing area, in the same community. The abstraction from a neighbor's difficulties; the wish "not to get involved"; the lack of response even in an obvious crisis, is becoming more and more the rule among Americans rather than the exception. This abstraction fosters a cool indifference to a neighbor's plight, which can lead to bias, which can lead to hostility, which can result in violence and much additional evil. It is a dread disease that can grow to epidemic proportions. It can sabotage the foundation unity of citizen effort which is essential to the reasonable accomplishment of community objectives for common progress and improvement in the quality of local life.

Beyond their immense contribution of free medical care for unfortunate fellow citizens, the members of the Worcester District Medical Society and the United Way have made an equally, if not more, important contribution to the revival and strengthening of our traditional neighborly spirit in our area. Such a revival can serve to restore trust and confidence and a high morale and a more general feeling of well-being and unity throughout a community. It can regenerate a true concern and compassion for a neighbor in distress which the Bible encourages us all to do second only to the primary directive to love God. The neighborly action of so many of our Worcester doctors could lead to the cure of more than just physical ills. It could inspire the spreading of greater good will among people in all neighborhoods everywhere which is the foundation of better understanding in a more peaceful country and world.

That is why I hope the generous gesture of our Worcester District Medical Society will be highly contagious and speedily imitated throughout the country.

That is why I will fully support this splendid program to "help thy neighbor."

That is why I believe the members of our district medical society and their associates merit a united "salute" from their fellow Americans.

Mr. Speaker, at this point, I would like to include an editorial about the district medical society's program that appeared in the April 19, 1983, issue of the Worcester, Mass., Evening Gazette. The article follows:

[From the Worcester (Mass.) Evening Gazette, Apr. 19, 1983]

RESPONDING TO CRISIS

The Worcester District Medical Society deserves praise for its program to help the jobless maintain adequate levels of medical care.

Some 450 physician members of the society have agreed to take part in a program designed for those who have lost health benefits because they have been out of work for an extended period. Doctors will see and treat patients who are referred through the First Call-United Way hotline.

In Worcester, as across the nation, doctors are finding that people who normally are covered by employers' health plans are being forced to forgo medical care when their coverage vanishes with a layoff notice or benefits run out. The program is planned to help out-of-work people and their families who do not immediately qualify for other aid programs. Similar programs have been set up in Michigan and other states where the jobless rate has been high, the American Medical Association says.

Worcester area hospitals, the city health department and the area pharmaceutical associations have been asked to lend their resources to the project as well. The program should be a boon to those in need.●

CONSTRUCTION DIFFERENTIAL SUBSIDY PAYBACKS

HON. MARIO BIAGGI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 11, 1983

● Mr. BIAGGI. Mr. Speaker, the Subcommittee on Merchant Marine recently held an oversight hearing on the controversial issue of the payback of construction differential subsidies, which is presently the subject of a Department of Transportation rulemaking. The proposed rule would permit tank vessels—that have been constructed with subsidies and that can only operate in our foreign trade—to operate in our domestic trade upon repayment of the unamortized subsidies that are owed plus interest.

After hearing extensive arguments both in favor of and against the proposed rule, I and the great majority of the Members present at the hearing concluded that issuance of the rule would not be in the Nation's best interest. We, therefore, transmitted our views to the Secretary of Transportation to be considered during the rulemaking process.

Recently, several major newspapers have published editorials favoring issuance of the proposed rule. Those editorials appear to have been written by people not familiar with all of the facts of this controversy. For that reason I was pleased to see in the New York Times a response to that paper's editorial on the subject. In my opinion, it accurately and forcefully points out that adoption of the proposed rule will cost the Government money, will reduce our defense capabilities, and will result in a loss of jobs. I would like to share this response with my colleagues.

[From the New York Times, Apr. 27, 1983]

PROTECT UNSUBSIDIZED TANKERS

(By Richard T. du Moulin)

(The wirter is vice president of Ogden Marine, Inc.)

By endorsing the Department of Transportation proposal to permit subsidized tankers to return to domestic service (editorial April 14), you condemn the unsubsidized domestic tanker industry so important to this nation's movement of oil and to national defense. Let me review some facts.

Of the 10 million tons of unsubsidized tankers in our domestic trade, over 1.6 million tons are now at anchor—unemployed. Thousands of sailors are on the beach. Shipowners are having difficulty paying their mortgages, and shipyards are not receiving any orders for new ships. This is the true picture of the domestic, unsubsidized market.

Private and publicly owned shipping companies, many based in New York, have invested $5 billion in the past 10 years, without subsidy and without guarantee of profit. They are not oversubsidized—they are not subsidized at all. They are not over-regulated—they operate in a free domestic market protected only from foreign-flag ships.

Because of the depressed market, 1 to 2 million tons of old tankers will soon be scrapped. This is unfortunate since most are in good condition, and of the "handy size" preferred by the Navy for military support. The British used 34 such vessels to support their 10,000-man Falklands force. We would need hundreds to support our Rapid Deployment Force. By the way, most of these old tankers are faster than modern tankers, having extra-horsepower engines.

The Transportation Department is now proposing 2 to 4 million tons of U.S. tankers, built with Government subsidy to compete abroad, be allowed to repay that subsidy and return to the unsubsidized domestic

trade. This was never intended in the Merchant Marine Acts of 1936 and 1970, and would force out of service 40 to 60 modern unsubsidized tankers—a quarter of our fleet.

This payback of an estimated $200 million of subsidy is not what it seems. First, it's tax-deductible! Second, the Government loses tax revenue from owners and their crews who go out of business or are unemployed. Third, many owners will be forced into bankruptcy, leaving the Government with up to $1.5 billion of guaranteed debt. In the end, the Government and the taxpayers lose. Upon close examination, subsidy payback provides windfalls to only a few shipowners and is destructive and unfair to all other shipowners, shipyards, merchant seamen and the national defense.

I hope the Department of Transportation and the White House realize this and withdraw their proposal.●

ANOTHER REASON TO DENY ROMANIA MFN STATUS

HON. MARK D. SILJANDER

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 11, 1983

● Mr. SILJANDER. Mr. Speaker, President Reagan has set a June 30 date for the loss of Romania's most-favored-nation trading status. Each spring a sort of unofficial bargaining process begins when the Communist country's trading status comes up for review. MFN is used as a tool to encourage socialist countries to adopt more acceptable emigration and human rights policies. It waives trade restrictions with Soviet bloc countries with which we do not have a bilateral trade agreement if they show some steps toward improvement in those areas.

The President imposed the deadline on MFN because of a new education tax implemented by the Romanian Government in November. The tax makes emigration practically impossible by requiring that anyone desiring to emigrate repay the Government for all secondary and postsecondary education received. The tax is usually inflated and must be paid in Western currency. The catch is that no Romanian citizen is permitted to possess such currency. Romanians pay income taxes that are supposed to cover education costs, but if they wish to emigrate they must pay again.

Another crackdown of concern to those interested in human rights in Romania is the Government's increased vigor at enforcing an old typewriter registration law. Hand-written documents can be easily traced, so the typewriter is a vital tool for the human rights and religious rights movements in Romania. The law is being enforced with new enthusiasm mainly to keep Romanian pastors from duplicating religious documents.

Most recently, Ioan Teodosiu was released from a Romanian prison after a Christian organization in Pennsylvania paid his education tax. Mr. Teodosiu has traveled to the United States to tell Americans about what is happening to the Christians who live in Romania.

Everyone knows that human rights are violated in Communist countries every day, so it really is not surprising that the press took little interest in Ioan Teodosiu's story. The press usually finds it more newsworthy to report on human rights violations in countries friendly to the United States. However, Teodosiu is thankful because many individual Congressmen and Senators took an interest in his human rights and he is now in America.

Teodosiu was imprisoned in Romania for his role as a spokesman for the Romanian Christian Committee for the Defense of Human Rights, a group that is not sanctioned by the Romanian Government and, therefore, has no legal right to exist. At a press conference on April 15, he described some of the conditions in the Bucharest prison where he was held. According to Teodosiu, prisoners were kept in a cell 7 feet long and 3 feet wide, where no light could get in. He left his cell only for interrogations during his entire 3-month stay. The interrogations are a story in themselves.

During one session, Teodosiu was questioned for 60 consecutive hours. He was not permitted to eat, drink, or sleep, and was strapped into a special chair with an apparatus that forced his eyes open the entire time. While lights flashed on and off, he was told to confess that he was working with the CIA. If he confessed, his sentence would be less than 20 years in prison; if he refused, his sentence would be more than 20 years, or execution.

Prisoners were not permitted to sit down in their cells between 5 a.m. and 10 p.m. They received only a piece of bread and hot water—called tea—for breakfast, a bowl of hot water with some beans or grains of rice for lunch, and a cup of hot water in the evening. To keep warm, Teodosiu would turn on a current of cold water in his cell that served as a shower. The cold water was warmer than the surrounding air.

Teodosiu was released on March 9, and recently came to America. At the press conference, he thanked the Senators and Congressmen who were willing to call and write the Romanian Embassy on his behalf, because without their intervention he said he would now be the victim of an executioner's gun. However, Teodosiu is just one success story in a long history of Communist persecution in Romania. He said he went to sleep each night in prison listening to the screams of other prisoners. His story may not be all that newsworthy to the American press, but it must be told over and over again by others who care if anything is ever going to be done to silence the rest of those screams.

It is of interest to note that the Romanian Government is the most pro-Western, least pro-Soviet in the Warsaw Pact.

The following is the text of an interview with the Washington Times published on Monday entitled, "Romania Reportedly Destroying Christianity." I urge all my colleagues to read this so that they will once again remind themselves of what is going on in the largest prison in the world, Eastern Europe.

The article follows:

ROMANIA REPORTEDLY DESTROYING CHRISTIANITY

(Ioan Teodosiu, former leader of Romanian Christian Committee for Human Rights, on persecution of Christians in Romania.)

Romania is a Warsaw Pact nation which has suppressed its citizens nearly as severely as the Soviet Union. Recently, a tax was passed on emigration requiring repayment to the state of all funds for education. The payment is required in hard currency, which is unavailable to Romanians. Therefore, the tax had to be paid by relatives or governments abroad.

Ioan (John) Teodosiu, 29, former leader of the Romanian Christian Committee for Human Rights, was one of the best sources of information for Helsinki Commission reporting on persecution of Christians and other human rights violations. In December 1981, Teodosiu was arrested and charged with high treason, espionage and cooperating with the CIA. Due to pressure from the West, he was released only hours before his trial was due to go on in March 1982.

Finally, one year later, Teodosiu was permitted to emigrate with his wife and 9-month-old child after paying $7,400 to the government which was provided by a Christian organization, East Watch International of Erwinna, Pa.

Teodosiu reponded to questions asked by Washington Times correspondent Stephen Goldstein.

Q. How are Romanian Christians persecuted by the government?

A. Christians are an impediment to communism. Romania wants to destroy Christianity. They try to use the official leaders of the church against the members. They try to control seminaries, also.

The persecution takes two aspects. First, they control the church and its activities. Second, they control individuals within the church. If they can't use a person or a church, the government sets out to destroy the individual or church.

The party newspaper, Scintea, has a weekly column attacking religion and the dissidents. Since many Romanians hear the truth about the dissidents on Radio Free Europe, the regime wants to present its side. They even printed an interview allegedly with my wife and me although they never spoke to us.

They say that religious freedom exists according to the constitution but in reality, it does not. They believe that Christianity destroys communism by leading to an influx of Western ideas.

Q. How did the Romanian Christian Committee for Human Rights get started and what are its activities?

A. Hans Stuckelberger of Christian Solidarity International began a contact group

in Romania in 1978. They got a spokesman, Pavel Nicolescu, a pastor in Bucharest, but he had to leave in 1979.

After that, Radu Capusan and myself and more than a dozen others have centered our work in the town of Cloch. Capusan was forced to leave the country in December 1980, and I took over the leadership of the committee.

Our main activity is gathering information about the persecution of Christians and other dissidents. We have given information to Radio Free Europe and the Helsinki Commission although we are not affiliated with either of these organizations.

Although there are many nationalities, German, Hungarian and Romanian, in my country, as dissidents they are all imprisoned together.

Since I left the country in March, the membership is growing and working underground. I would say that the situation for dissidents is worse now then a few years ago.

Q. What were the circumstances of your arrest and dentention?

A. In June 1981, my brother was killed by the communists in what they said was an accident. After that, I became more active with the committee and sent human rights information to the West which the Securitate (Romanian secret police) knew about. On December 16, I was arrested and charged with high treason, espionage, and cooperating with the CIA. Actually, it was for providing the information on human rights abuses of the regime.

Q. How were you interrogated and what kind of treatment did you recieve in prison?

A. I was taken by the secret police for a continuous 60-hour interrogation without food or water. I was kept in a dark room, placed on a special seat where I couldn't move. An apparatus kept my eyes open to prevent me from sleeping. The light became alternately very bright, then very dark.

During this time, a voice on tape repeatedly told me to confess I was a member of the CIA, and other crimes I was accused of.

Afterwards, I was put in a small dark cell in which I could take only two or three steps. From 5 a.m. to 10 p.m., I was made to stand or walk in my cell. No exercise or fresh air or work was given to political or Christian dissidents. The winter was very cold and there was no heat. I took a cold shower to get warm! Our food for the whole day was two cups of hot water, 5 ounces of bread, and a bowl of rice soup.

I was beaten very strongly as part of the program for dissidents. The worst part of my confinement, that caused me the most pain, was hearing people screaming for help at night.

Q. Was your family threatened?

A. My five brothers and my wife went to the secret police and to the prison and contacted the West to try to find out what had happened to me. My brothers were threatened with prison and the secret police began following my wife and mother-in-law. Their houses were searched, and Bibles and tape-recorders were confiscated.

When I was released, I was told not to say anything about what happened or my relatives would "have problems". My whole family, expecially my brother David, have been active Christians.

Q. Is the emigration tax applied fairly?

A. After I paid the tax, I met several other emigrees who did not have to pay it. When I asked the secret police why I had to pay while others did not, they said they couldn't give me an answer that would satisfy me.

I know of four or five people who had to pay to leave the country, but I was the first to pay. Many intellectuals want to leave but can't affort the $20,000 or more it would cost them to pay for their professional degrees.

Q. Is psychiatric treatment used on religious and political dissidents as it is in the Soviet Union?

A. Yes. One case is that of Filip Iulius who claimed to represent Polish Solidarity in Romania and spent eight years in prison.

When his wife came to visit him, she said he was drugged. She couldn't recognize him in his changed state. He didn't want to eat.

He, along with other political and Christian dissidents, was put in the prison hospital and administered drug "therapy."

Paulina Dragu and her family were trying to emigrate. She was told to quit her job so she could receive a passport. She did, but didn't receive her passport. She went on a hunger strike and was put in prison as a parasite. She had a heart attack and was then put in the psychiatric ward.

These are just representative examples of the psychiatric treatment of dissidents in Romania.

Q. What is the current status of the church in Romania?

A. There is a revival going on, and there are many open churches. The church is growing, especially Medias in Transylvania.

After hearing communist ideology for many years, people want another source of truth and love.

The secret police and government are strongly anti-religion. They conduct house searches, Nazi style. They tamper with the cars of religious believers to make the drivers sick from the exhaust fumes coming into the car.

The secret police are buying new technology from the West to use against dissidents. Every pastor must report to the secret police once a week on Monday, any visitors or unusual events that happened in his church.

There are no baptisms allowed of children under 18.

Q. What has become of the Orthodox priest, Father Gheorghe Calciu?

A. He is one of 10,000 Orthodox priests who are not recognized by the government. He was influential with young priests and seminarians. He has spent 16 years in prison.

I was imprisoned with a man who shared a cell with Calciu. Some other "criminals" were instructed to kill Calciu to get reduced sentences, but they refused.

Q. What is the Helsinki Commission doing in Romania?

A. No one is commissioned in Romania. I contacted the American Embassy and Christian organizations. Some of the groups we worked with were: Student Struggle for Soviet (and East European) Jewry. The Committee for Human Rights in Romania; the North American Coalition for Human Rights in Romania.

But it is hard to get into Romania or get information because of the tension there. There are many informers—perhaps every third person—.

Q. Are there economic problems in Romania and what is being done about it?

A. Of course, there are economic problems as in all communist regimes. But there is nothing organized like in Poland.

One man, Nicolae Litoiu, 20 years old, wrote on the walls of a factory: "We want milk and bread". Ten thousand workers were called in to compare their handwriting to that on the wall.

Litoiu was accused of being a terrorist and received 25 years in prison for this act.●

HEALTH PLANNING BLOCK GRANT ACT OF 1983

HON. RICHARD C. SHELBY

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 11, 1983

● Mr. SHELBY. Mr. Speaker, I rise to call to your attention to H.R. 2935, the Health Planning Block Grant Act of 1983, which I introduced this past Monday, May 9, 1983. I am pleased to note that two of our colleagues from the minority side have joined me as initial cosponsors of this legislation. I am pleased that the gentleman from Illinois (Mr. MADIGAN) and the gentleman from North Carolina (Mr. BROYHILL) saw fit to join in this effort.

Members should note that H.R. 2935 is precisely the same bill which passed this House last September 24 by a recorded vote of 302 to 14. For the purpose of refreshing our memories, H.R. 6173—as amended by H.R. 7040 on the House floor—was a bipartisan compromise to deal with the national health planning program in a rational and reasoned manner. This compromise was drafted and fully supported by both the chairman of the Health and Environment Subcommittee, Mr. WAXMAN; the chairman of the full Committee on Energy and Commerce, Mr. DINGELL; Mr. MADIGAN; Mr. BROYHILL; and me.

I am concerned that rapid increases in health care costs continue to bring significant increases in Federal outlays for our health care entitlement programs. Over the last decade, Federal medicare and medicaid outlays for hospital services alone have risen some 17 percent per year. Many economists believe that excessive investment in hospital construction and equipment is a major cause of the growth in hospital costs. In response to this, the Congress some 9 years ago enacted the Health Planning and Resources Development Act of 1984, Public Law 93-641.

This legislation created a system of State and local health planning agencies. It also required States to enact certificate of need legislation requiring State approval of hospital investment in new facilities, equipment, and services.

This health planning program came up for reauthorization last year. During 1982, our subcommittee held a series of hearings and received testimony from many varied witnesses.

As a result of the testimony presented in these hearings and subsequent discussions with key individuals, I was convinced that outright repeal of the health planning system without provision for some interim program, al-

though an ideologically desirable goal, was not feasible for the short term. Despite the fact that I have sponsored repeal legislation in both the 97th and 98th Congresses, I publicly acknowledge that some planning function may be necessary to help restrain health care costs growth in the immediate future.

Last year in our committee, we considered three varying approaches to the health planning question. My bill to outrightly repeal the planning system was not favorably considered. Mr. MADIGAN had a bill which would have created a block grant mechanism providing for an optional program of State certificate of need review. At the same time, our subcommittee chairman had his own bill which would have reauthorized and extended authorities for the existing title XV of the Public Health Service Act.

From these three quite distinct approaches to planning our committee was able to draft a balanced bill. As of last fall, the five sponsors of this bill believed this approach best addressed our immediate needs for a modest regulatory program.

As I stated above, the bill I have introduced this week is precisely the same bill passed by the House last September. The only alteration I made was to move the 2 authorized years back so that fiscal years 1984–85 are covered, rather than 1983–84 as in the original. Otherwise, I made no change in the House-passed bill.

H.R. 2935 would authorize grants to participating States to assist in the operation of certificate of need programs. These programs would be designed so that participating States would use State health plans as the decisionmaking basis for certificate of need review.

This bill also provides for discretionary grants for local health planning agencies. States could choose whether or not to use Federal funds to assist in the operation of local health planning agencies.

Further, the bill provides for a flexible transition period during which activities under the existing title XV of the Public Health Service Act and the new activities under this bill would be coordinated.

Finally, the bill contains a "sunset" provision under which this new section of title XIX would automatically be repealed following the end of the third fiscal year after enactment.

Mr. Speaker, I hope that this quick summary will assist Members of the House in their initial considerations of the health planning issue. I believe that we have given this program serious and considered attention. While I still retain some reluctance about continuing the health planning system, I believe that some Federal action is necessary to help restrain capital cost expenditures and their contribution to health care cost inflation. I urge your support for this bill, and hope that the distinguished chairman of our subcommittee will reconsider his position and become a cosponsor.

At this point in the RECORD I include a section-by-section analysis of H.R. 2935.

H.R. 2935—SECTION-BY-SECTION ANALYSIS

SECTION 1. Short title: "Health Planning Block Grant Act of 1982."

SEC. 2. Repeal of Title XV: Provides mechanism by which repeal of Title XV takes place on a State-by-State basis. Under the mechanism set forth in this Section, repeal will take place no more than 315 days after the date of enactment. During this period, on a State-by-State basis, funds appropriated under the new bill will be available for conforming actions under Title XV.

SEC. 3. Revision of State Certificate of Need Programs: Provides a flexible mechanism through which participating States are given varying periods of time to conform their Certificate of Need laws (to a maximum of nine months).

SEC. 4. Transition: Provides for an orderly transition period during which activities not inconsistent with the new Part D of Title XIX shall be allowed. Requires termination of Title XV requirements inconsistent with policies found in H.R. 2935. Repeals PHS Act grant cutoff required for States not conforming with Title XV CON program. Also provides for transfer of funds and equipment from existing HSAs to new Regional Health Planning Agencies should the particular State decide to participate in Subpart 3.

SEC. 5. Block Grants for Health Planning: PART D—HEALTH PLANNING BLOCK GRANTS

SUBPART 1—GRANTS TO STATES

SEC. 1941. Authorization of Appropriations: For payments under allotments, $432 million authorized for fiscal year 1984, $33.6 million authorized for fiscal year 1985.

SEC. 1942. Allotments: Provides for allotments to States on a population ratio basis.

SEC. 1943. Payments under Allotments: Provides for mechanism for payment of funds to participating States.

SEC. 1944. Use of Allotments. Allotments shall be used to develop and administer Certificate of Need program, and to develop a State Health Plan.

SEC. 1945. Application; Report on Intended Expenditures: Provides application mechanism for participating States. Also provides for report on intended expenditures and public comment period on such a report.

SEC. 1946. Reports and Audits: Provides for public reports and audits of State activities no less often than very two years.

SEC. 1947. Nondiscrimination: Provides for standard block grant nondiscrimination provisions as found elsewhere in Title XIX of the Public Health Service Act.

SUBPART 2—CERTIFICATE OF NEED PROGRAM REQUIREMENTS

SEC. 1951. Program Requirements: CON program to cover major medical equipment, institutional health services, and capital expenditures. Also provides for exemption of HMOs consistent with the existing exemption in Title XV. Also provides that States shall specify maximum amounts obligated under CONs, and for periodic review of such CONs.

SEC. 1952. Criteria for Review: CON decisions are to be based on State Health Plan for the State, and decisions on applications for CONs shall be based on the application's consistency with the State Health Plan. Provides for expedited application, review and approval process, including automatic approval on the meeting of certain conditions.

SEC. 1953. Procedural Requirements: Provides for hearings, administrative review and judicial review of administrative decisions.

SEC. 1954. State Health Plan: Describes coverage of the State Health Plan, requirements for the data on which it is based, and pre-issuance hearings.

SEC. 1955. Definitions: Mandatory Federal thresholds of $5 million for capital expenditures and equipment and $1 million for services are set. Provision is made for reduction of those thresholds to $1 million and $500,000 respectively. Definitions of these terms are provided.

SUBPART 3—GRANTS FOR REGIONAL HEALTH PLANNING AGENCIES

SEC. 1961. Grants: Sets up system of optional Regional Health Planning Agencies (RHPAs) within States which choose to participate. Provides for RHPA 15 percent match of Federal funds. Authorizations of $32 million for fiscal year 1984 and $33.6 million for fiscal year 1985 are made.

SEC. 1962. Designation of Health Planning areas: Provides mechnaism for Governors to designate areas in which RHPAs will operate.

SEC. 1963. Designation and Organization of RHPAs: Sets out requirements for RHPAs, including composition of governing board.

SEC. 1964. Functions of RHPAs: States that the functions of each agency will be to assist the designated State agency in developing the State Health Plan, and to encourage support for the State Health Plan. Specifies that RHPAs shall not exercise decision-making authority in the CON process.

SUBPART 4—TECHNICAL ASSISTANCE CENTER FOR HEALTH PLANNING

SEC. 1971. Secretary to designate a single center for technical assistance to State and regional health planning bodies. Provides that funds from sections 1941 and 1961 (not to exceed $1.5 million) may be spent in each fiscal year to support this program.

SEC. 6. Termination of Amendment: Provides that at the end of the third complete successive fiscal year following enactment of this Act, Part D of Title XIX is repealed.

SEC. 7. Effective Date: Amendments made by section 4(a)(1), 5 and 6(a) take effect on the date of enactment of this Act or October 1, 1982, whichever occurs later.●

ENCOURAGING, OVERLOOKED SIGNALS OF A NEW APPROACH TO DISARMAMENT

HON. JOEL PRITCHARD

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 11, 1983

● Mr. PRITCHARD. Mr. Speaker, for the past several weeks the House has been focused on the most serious issue of our time, the threat of nuclear war. A nuclear freeze, arms control, arms reduction—these are serious and complicated issues. One of the most articulate and clearest of thinkers in this area is George Weigel, the scholar-in-

residence, for the World Without War Council in Seattle, Wash. Mr. Weigel has been of great assistance to me in understanding the many issues involved and in developing a constructive approach to move us closer to peace. For the benefit of all my colleagues, I would like to share Mr. Weigel's thoughts as they appeared in the April 27, 1983, issue of the Weekly, a Seattle newspaper.

ENCOURAGING, OVERLOOKED SIGNALS OF A NEW APPROACH TO DISARMAMENT

(By George Weigel)

For some years now, it has been clear that beneath the surface of the nuclear-strategy debate there was profound dissatisfaction with the prevailing orthodoxies, and what they meant for both arms control and weapons modernization. The nervousness and frustration have been evident only in a paragraph or two in Kissinger's or Brzezinski's memoirs, in between the number-crunching in the foreign-policy journals, in off-the-record conversations with both strategists and politicians. But they have been growing over time, fueled by both the failures of arms control and the unsatisfactory products (the B-1, the MX missile) of the force-modernization process. What was really needed was not more sophisticated hardware analysis; what was needed was a basic reorientation of the whole debate, leading to a new framework that pointed a way out of, rather than further into, the nuclear peril.

That reorientation may now be underway. The evidence is the Report of the President's Commission on Strategic Forces (the Scowcroft Commission) and, several weeks earlier, an extraordinary set of speeches by President Reagan about the possibility of developing defensive weapons. The Scowcroft Commission report addresses short- and medium-term strategic and military problems, while the Reagan proposals suggest a long-term realignment of the security relationship between the superpowers. Taken together, these two sets of ideas are quite suggestive of where the nuclear debate really lies, and may be going in the future.

The Scowcroft Commission was originally born out of bureaucratic and political embarrassment. Two presidents had failed to find a home for the country's new ICBM, the MX, in which billions of dollars had been invested over the past decade. Both presidents Carter and Reagan agreed that there was a serious problem in the theoretical vulnerability of land-based American missiles to a preemptive Soviet attack (a possibility because of the Soviets' combination of heavy missiles with multiple, independently targetable warheads). Both presidents tried to find a way to base the MX that would give them the missile in quantity (Carter wanted 200, Reagan 100), and in a "survivable" basing mode.

The quest for MX survivability soon became quixotic, even fiarcical. Short of digging up Nevada and Utah, there just wasn't any place to put the thing that, in and of itself, guaranteed the MX wouldn't be simply a bigger sitting duck than the Minuteman III missiles it was to replace. After a half-hearted attempt at selling Congress on a "Densepack" scheme that even two of the five Joint Chiefs of Staff found ludicrous, President Reagan turned to what has increasingly become the way real business is done in the federal government: a blue-ribbon presidential commission, in this case chaired by former National Security Adviser Brent Scowcroft, with such luminaries as Henry Kissinger, Harold Brown, Alexander Haig, James Schlesinger, Donald Rumsfeld, John McCone, and Lloyd Cutler each having a formal say in the commission's deliberations and report.

That report was released on April 6. Most of the media and congressional attention since then has been focused on its weapons-procurement recommendations: that the US shift, over the next decade, away from MIRVed missiles to a land-based deterrent composed of small, single-warhead ICBMs; and that, as an interim step and an arms-control bargaining chip, 100 MX missiles be emplaced in super-hardened Minutemen silos throughout the Midwest. What can get lost in all the attention paid to MX and "Midgetman," though, is the commission's impressive rethinking of the doctrinal bases on which both US arms control and nuclear-force modernization should take place.

The commission report includes several important new doctrinal departures:

1. The commission argues that the twin great threats of our time—the threat of nuclear war and the threat of totalitarianism—must be addressed concurrently, rather than as independent variables (the typical approach of both the core of the nuclear-freeze movement and the "dismantle the Soviet Empire" types on the Right).

2. The commission also argues that, in considering these necessarily linked threats, the real problem is war itself, not nuclear weapons. "There can be no doubt that the very scope of the possible tragedy of modern nuclear war, and the increased destruction made possible even by modern non-nuclear technology, have changed the nature of war itself. This is not only because massive conventional war with modern weapons would be horrendously destructive . . . but also because conventional war between the world's major power blocs is the most likely way for nuclear war to develop. . . . Simply put, it is war itself that must concern us, not nuclear war alone."

3. The key standard that, in the commission's judgment, should guide our strategic policy toward the Soviet Union is stability: a situation in which neither side could reasonably fear a crippling first strike from its adversary. What needs to be maintained, the commission argues, is deterrent stability that will set the baseline from which deep arms reductions can be negotiated. That stability has been unravelling for the past decade, because of certain kinds of force modernizations (primarily high-accuracy MIRVs) and because of arms-control approaches that have made MIRVing more, rather than less, desirable (for example, counting "launchers" rather than warheads in SALT I and II).

4. Re-establishing strategic stability means getting our arms-reduction proposals and our force modernizations into sync with each other. "Our arms-control proposals and our strategic-arms programs should . . . be integrated and be mutually reinforcing," according to the commission. "They should work together to permit us, and encourage the Soviets, to move in directions that reduce or eliminate the advantage of aggression and also reduce the risk of war by accident or miscalculation . . . the commission believes that other objectives should be subordinated to the overall goal of permitting the United States to move—over time—toward more stable strategic deployments, and giving the strong incentive to the Soviets to do the same." The commission, composed of former senior government officials, in effect recognized that the US had been working at cross-purposes with itself over the past decade, with neither arms control nor force modernization contributing to stability or reductions. One result of this disjunction was the MX missile; another was the MIRVing of Soviet heavy missiles. Getting our military policy and our disarmament policy into tandem is, no doubt, a formidable bureaucratic and political task; but the commission's public confession of past failures suggests that at least some senior strategists may just be willing to take on that job right now, given the multiple messes into which a disjointed policy has led us.

It is out of this deterrence/stability/disarmament framework that the commission proposed the development of Midgetman, coupled with a new START negotiating formula whose chief aim would be to get Soviet agreement on de-MIRVing. It is less clear how the MX fits into the commission's new doctrinal scheme, and one suspects that the commissioners did not really expect the controversial missile-without-a-home to survive the congressional appropriations process. The key question, of course, is whether congressional rejection of the MX deployment plan can be turned into a wedge for getting Soviet agreement at START on a sharp reduction in their own SS-18 and SS-19 forces (perhaps by maintaining MX research, development, and flight-testing while holding off on deployment).

The Scowcroft Commission, in sum, imaginatively addresses on side of the current nuclear-doctrine dilemma: how we get offensive nuclear weapons back under the kinds of controls that would lead to deterrent stability, and thus set the stage for serious reductions. President Reagan's speeches on defensive systems last month suggest the other side of the new doctrinal puzzle.

Like the Scowcroft Commission, Reagan's proposals have been grilled at the hardware level, with editorial cartoonists having a Darth Vader field day about "Star Wars" and all the rest. Without denying at all that there are serious technological problems with a spacebased defensive system in this century, however, it seems a shame that the doctrinal roots of the Reagan proposals aren't getting the attention they deserve. For what the president was saying, remarkably, was that there is no good way out of the nuclear peril without a fundamental alteration in the security relationship between the United States and the Soviet Union. One dimension of this alteration has to do with the possibility of moving from offensive to defensive weapons; the other, even more stunning, suggestion is that such defensive systems should be developed in concert with the Soviet Union. Had a President Mondale suggested the latter, two things would have happened within a week: nomination by some Democrats in Congress for a Nobel Peace Prize, and introduction by some congressional Republicans of an impeachment resolution. Yet in all the Star Wars blather, there has been virtually no public comment or discussion on the president's tacit admission that there is literally no way we can solve our own security problems without concurrently solving the security problems of our principal adversary.

The Reagan suggestions fit neatly into the redesigned offensive package proposed by the Scowcroft Commission. For the paradox of arms reductions, of the sort envisioned by the commission after de-MIRVing, is that

the superpowers could reach a point of low-level nuclear capability (say, 100 to 200 missiles on each side) where the dangers of first-strike in a crisis could reemerge, because of the temptation to preemptive military action that would not end the planet at the same time. What is obviously needed in the long haul, therefore, is a mix of offensive and defensive systems, so that no new windows of vulnerability, real or imagined, open up during the disarmament process. Maintaining stability during arms reductions, in other words, means having effective shields as well as less lethal swords. No one knows, at the moment, just what those shields would be: technological, political, or a combination of the two. But there seems to be little doubt that the president identified the crucial flip side of the arms-control coin.

So some serious intellectual progress has been made. But does it mean anything at the policy level? Several flies in the ointment are immediately apparent.

There is no present guarantee that agreement within the United States on pursuing the twin paths suggested by the Scowcroft commission and the president would automatically lead to agreement with the Soviet Union. Soviet intransigence at Geneva, on both START and the intermediate-range nuclear force negotiations, is at high tide. Zero-option, the most reasonable arms-reduction proposal, has been flatly rejected. So has a common level of intermediate-range forces in Europe. The Soviets are clearly counting on anti-American-emplacement sentiment in the NATO countries to win the day for them. Meanwhile, Gromyko and Arbatov continue to make highly volatile suggestions about Soviet missile emplacements in the Western Hemisphere. In short, agreement within our own house is only half the problem; we still lack the means, through negotiations or initiative pressures, to get a deal with the USSR. And if Andropov's hold on the reins is as unsteady as some have recently speculated, matters could only get worse as the demands of the Soviet military gain further currency in the Kremlin infighting.

There is also no guarantee that the kind of calm, steady, deliberate policy suggested by the Scowcroft Commission can get started, much less last, in the Congress. The House of Representatives, in particular, seems incapable of dealing with these issues on anything beyond the most surface of levels. Nor has the congressional leadership made up its mind to seek a set of bipartisan agreements on arms control and force modernization that would do for our strategic policy what was done for Social Security. Meanwhile, members of both parties' extreme wings see these issues as grist for the partisan mill—hardly a situation in which carefully calibrated decisions can take place.

Congress, though, is just a mirror of the continued divisions within the country. Lack of confidence in the administration's foreign policy is one part of the problem; lack of agreement on the nature of the Soviet threat is another. At the end of its report, the Scowcroft Commission made what amounts to a religious plea for consensus: "The commission unanimously believes that a new consensus—requiring a spirit of compromise by all of us—is essential if we are to move toward greater stability and toward reducing the risk of war. If we can begin to see ourselves, in dealing with these issues, not as political partisans or as crusaders for one specific solution to a part of this complex set of problems, but rather as citizens of a great nation with the humbling obligation to persevere in the long-run task of preserving both peace and liberty for the world, a common perspective may finally be found." For which, as Lincoln would have said, fondly do we hope, and fervently do we pray.

But the odds seem awfully long just now. The core elements of the nuclear-freeze movement are unbudging in their resistance to anything but a "freeze now" policy. The New Right is already convinced that Reagan has been captured by the Eastern establishment wing of the Republican Party. The neoconservatives, whom one might expect to have been interested in the kind of intellectual reordering of the debate that has been quietly taking place, look askance at any Reagan move that hint at something beyond attempts to dismantle the USSR. Meanwhile, we are embarked on another presidential campaign, an 18-month cycle in which issue-crudification is at its very worst.

So the recasting of the nuclear debate comes down, finally, from hardware through doctrine to civics. We know there is no good way out through more number-crunching. We know that our doctrine has led us astray, and the outlines of a better set of doctrinal principles are in sight. But the great question that remains is whether our society can get enough agreement within itself so that the polity can act. That particular window of vulnerability remains very widely open just now.●

AN OIL IMPORT TAX WOULD BE TIMELY

HON. JOHN EDWARD PORTER

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 11, 1983

● Mr. PORTER. Mr. Speaker, at first glance the seemingly incurable affliction known as OPEC would appear to be on the verge of being eradicated. The magic of the marketplace is finally catching up to the market manipulators of the Middle East. But before the euphoria of the cartel's demise begins to spread we must quickly prescribe a large dose of preventative medicine if we are to insure the recovery of the industrialized world.

Now is the time to levy a tax on imported crude oil. This fee would be both painless and flexible by being subject to adjustment in lieu of any market-related change in the price of crude. Furthermore, no new legislation is needed. The President has the power to impose such a fee under the Trade Expansion Act of 1962.

The price of oil would be higher with a fee than without, but only temporarily. Through the following market responses, future price increases would be severely curtailed.

First, OPEC would lose its market leverage and would eventually pay for the import fee through lower prices. When faced with the choice of cutting production or price the feuding fiefdoms have had difficulty controlling their productive appetites.

Second, the fee could be used to encourage non-OPEC production of oil. A large part of OPEC's current dilemma is attributable to the huge growth in non-OPEC sources of production. The President, using his discretionary authority, could waive the fee on imports from secure neighborhood sources such as Mexico and Venezuela. The short-term benefits to those debt-ridden countries' shaky treasuries would be substantial, while the long-term goodwill engendered by such an act would help soothe strained United States-Latin relations.

Third, a fee would help to sustain domestic oil, natural gas, and coal production, while helping to maintain our great gains in conservation. The events of the past decade have shown that oil's great elasticity deems conservation a continued must.

The middle of a devastating recession, it can be argued, is not the time to raise taxes. Nevertheless, the overwhelming benefits from a diminished dependence on foreign oil and a widespread reduction in price outweigh all other considerations. Among the benefits are:

First, economic recovery in the industrialized world. Lower inflation, lower interest rates, lower balance of payment deficits, together with a shift of payments from oil to productivity increasing investment and consumption of durable goods will lead to higher employment and growth in the economies of the West.

Second, poorer nations would be granted a reprieve. Burdened by extortionary oil import payments, the half-starved, lesser developed nations of the world would be able to free vital foreign exchange earnings for desperately needed investment, consumption, and debt service—at a much lower interest rate.

Third, the Soviet Union would suffer a severe setback. Soviet energy exports account for almost 80 percent of its hard currency earnings which are needed to buy Western grain and technology. According to Wharton Econometrics, for every $1 a barrel decline in OPEC crude the Soviets lose $750 million a year in earnings. With domestic oil production virtually stagnant, the Kremlin would be forced to place an even tighter squeeze in its shaky Eastern bloc allies, demanding that shipments be paid for in hard currency instead of rubles. More importantly, any reduction in hard currency earnings makes it more difficult for Moscow to continue its massive arms buildup without placing unbearable strains on its people.

Fourth, lower prices increase our security. Together with the added windfall taxes from domestic producers on the difference between world and U.S. prices, the billions in oil import fees could be used to pay for filling the de-

pleted strategic petroleum reserves and for the Rapid Deployment Force, created to protect the Persian Gulf.

Above all, we must avoid the temptation to bask in the glory of the current glut and trust it will continue. Most experts believe the current situation to be only temporary. Worldwide economic growth together with the never-ending military conflicts plaguing the Middle East would easily place OPEC in the driver's seat once again.

Time and time again we have foolishly failed to protect ourselves from the whims of outside forces. The time to act is now, for if we do not, we will become a nation destined only to react to crises rather than a people courageous enough to prevent them.●

KIKK-FM RADIO HONORED BY ACADEMY OF COUNTRY MUSIC

HON. JACK FIELDS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 11, 1982

● Mr. FIELDS. Mr. Speaker, the Academy of Country Music has honored Houston's own KIKK-FM as Country Radio Station of the Year, a long overdue honor for one of the finest music stations anywhere.

KIKK's staff of 66 present fine music, news and sports, 24 hours a day. Their FM station was rated No. 1 in the Houston Arbitron cumulative ratings last winter; in any given week, nearly 600,000 Houstonians tune in to KIKK.

KIKK is owned by Viacom International. Its vice president and general manager is Mr. Nick Trigony. May they continue their tradition of public service and enjoyment to the people of Houston.●

INTERNATIONAL REGULATION AND SUPERVISION

HON. FERNAND J. ST GERMAIN

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 11, 1983

● Mr. ST GERMAIN. Mr. Speaker, yesterday, the Committee on Banking, Finance and Urban Affairs reported favorably, by a rollcall vote of 27 to 14, H.R. 2957 which combines in one bill provisions relating to the Export-Import Bank, the International Monetary Fund, and the multilateral development banks. Of special significance is the fact that the committee has recommended the strengthening of supervision of U.S. bank international lending and by its adoption of title II entitled "International Economic Recovery," has commenced the process of improving the effectiveness and consistency of the regulation and supervision of all international banking activities. This title is a concise version of House Joint Resolution 208, cosponsored by 28 committee members, concerning which I addressed the House on March 17 and made the subject of my March 22 letter to the President in connection with the upcoming Williamsburg economic summit.

The complexity of international regulation and supervision is well illustrated by a recent editorial appearing in the Financial Times of London, England. The editorial referred to together with my response follows:

[From the Financial Times, Apr. 19, 1983]

SNUB FOR U.S. REGULATORS

With the international banking system still in fragile condition there is bound to be some disquiet at the sight of Congress slugging it out with the U.S. bank regulatory authorities over the form of future curbs on foreign lending by American banks.

By Western European Standards the package of measures for tighter supervision and control put forward recently by the heads of the Federal Reserve Board, the Federal Deposit Insurance Corporation and the Comptroller of the Currency looked anything but tame. In addition to tougher monitoring of country risk and increased disclosure, the proposed guidelines covered new rules for accounting for fees on loans and a systematic approach to providing against questionable foreign loans—all this within the context of closer co-operation with foreign central banks and the International Monetary Fund.

Yet the Senate Banking Committee had little hesitation last week in dispatching the regulators unceremoniously with instructions to turn their guidelines into legislative form. When the House Committee on banking, finance and urban affairs conducts its hearings this week, hawkish noises can also be expected.

INCAUTIOUS

A big increase in the IMF authorization is widely felt in the U.S. to amount to a bail out for the banks, whose incautious lending to Mexico, Brazil, Argentina and others helped precipitate the problems to which the IMF is addressing itself. Few politicians are keen to be seen to rescue the banks—never a popular cause in the U.S.—without extracting an appropriate price.

Congressmen can scarcely be blamed for treating the regulators with something less than total respect. Much of the present malaise in banking stems from the growth of the Eurocredit market, which has resulted in excessive dollar lending by non-American banks, and the growth of the inter-bank market, which created the dangerous illusion among bankers during the period of petrodollar recycling that the maturity of loans could be lengthened at will.

The central bankers did not respond to these structural changes in the system with the natural conservatism and concern on which they pride themselves; and they cannot escape a share of the blame for the deflationary impulses that financial fear has now imposed on the world economy.

That said, there is indeed something worrying about a much increased role for Congress in banking supervision. The bankers may not have shown much prescience in sovereign lending; but there is no reason to believe that politicians are likely to be any better at making qualitative judgments about country risk. There is good reason, though, to be concerned about anything that threatens to curb the increase in the flow of resources to developing countries. Rigid statutory limits on country lending could well have that effect.

DISCRETION

Statutory ceilings on country lending might reduce the flexibility which is essential in trade financing. However, they would probably not have provided total protection against problems on the scale that the banking system now faces: some bad debts are inevitable. Moreover, the fixing of specific limits could well be accompanied by the political friction in relation to individual countries.

On balance, the case for leaving judgments about credit in the hands of bankers is more persuasive, even if past history appears to lend it only modest support. But it remains to be seen how much discretion any future legislation would concede to the American regulatory authorities. Ideally, statutory measures should add strength to the arm of the regulators in preventing a repeat of the present problem and imposing a more realistic approach among the banks to both provisions and disclosure.

They should also be seen within a wider framework. The problems of the world banking system have already led to increased co-operation between central banks over supervision, and indeed between private bankers who have set up the Institute of International Finance in Washington to identify potential liquidity problems. It would be unfortunate if Congress were to embark on legislation that reduced the capacity of American regulators to respond flexibly to the demands of international co-operation.

[Response letter]

U.S. HOUSE OF REPRESENTATIVES,
COMMITTEE ON BANKING, FINANCE AND URBAN AFFAIRS,
Washington, D.C., May 10, 1983.

EDITOR,
Financial Times, Bracken House,
London, England.

DEAR SIR: I could not help but raise an eyebrow at the concluding remarks in your April 19, 1983 editorial, "Snub for U.S. Bank Regulators". You said, "The problems of the world banking system have already led to increased cooperation between central banks over supervision." Though I have not seen evidence to this effect, I hope your observation is accurate. You went on to say, "It would be unfortunate if Congress were to embark on legislation that reduced the capacity of American regulators to respond flexibly to the demands of international cooperation." If cooperation, flexible or otherwise, substantially characterized the relationship among the world's bank regulators, I could fully share your concern about U.S. legislative actions. What concerns me, however, and should concern you too, is the apparent confusion among our bank authorities and what that reveals about the past and portends for the future.

I personally place a very high priority on the need for international supervisory cooperation. However, regarding how successful national authorities have been in the past in this respect, I concur with the finding of the Treasury and Civil Service Committee of the British House of Commons: ". . . in view of the evidence that banks unduly relaxed their traditional standards of prudence in their international risk lending without

being brought into line by the official supervisory authorities, we are not wholly satisfied with present arrangements for bank supervision." (Committee Report, March 15, 1983, p. xli)

The coordinating group for the banking authorities of the Group of Ten Nations and Switzerland, the Basle Committee on Banking Regulations and Supervision Practices, is often cited as a model of international cooperation. I find it difficult to understand such praise. The Committee meets in secret and its deliberations are confidential. Moreover, what little is known of the Committee's decisions suggests something quite different from a unified international perspective.

The Basle Committee is most often praised for the "Concordat of 1975". However, even regarding this the Committee's most significant action, there appears to be substantial disagreement. The Federal Reserve implied one interpretation of the "Concordat" in its 1980 request for comments on proposed reporting requirements to implement the 1978 International Banking Act. Regarding the Federal Reserve's interpretation, the Bank of England commented:

"In their present form these proposed requirements seem to us to imply an approach to supervision which runs counter to a basic principle agreed to by the Governors of the G-10 Countries and Switzerland in 1975—namely that the primary responsibility for supervising banks incorporated in a particular country rests with the central bank or other regulatory authorities of that country."

Regarding that same interpretation, the Deutsche Bundesbank commented:

"But the principles of the 'Concordat' endorsed by the Central Bank Governors of the G-10 Countries and Switzerland in 1975 should be applied, according to which the primary responsibility for supervising banks with establishments abroad rests with the supervisory authorities of the country in which the parent bank has its registered office."

And, the Swiss National Bank wrote:

"According to the principles worked out by the Committee and approved by the Governors in 1975, primary responsibility for the supervision of a foreign branch, subsidiary or agency, doubtlessly lies with the host authority."

Thus, we have four central banks and four different interpretations of a principle upon which agreement had purportedly been reached five years earlier! Clearly, and I trust you agree, supervisory cooperation is in need of improvement. Please rest assured that if the U.S. Congress legislates in this area, it will do so to encourage cooperation and not to hamstring it.

Sincerely,

FERNAND J. ST GERMAIN,
Chairman.●

COACH PAUL WOMACK'S RETIREMENT

HON. JERRY LEWIS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 11, 1983

● Mr. LEWIS of California. Mr. Speaker, on May 20, 1983, the Redlands Terrier Benchwarmers are sponsoring a testimonial dinner in honor of Coach Paul Womack's retirement as head coach of Redlands High School. I would like to take this opportunity to recognize and commend Coach Womack for his years of dedicated service in guiding and instructing our children.

Coach Paul Womack began his career as an assistant coach at Redlands High School in 1957 and later became the head coach in 1964. He will be leaving behind an impressive record that few to follow will be able to match. To his credit he has 125 winning games, 10 Citrus Belt League championships, 14 C.I.F. playoff games, 3 trips to the C.I.F. semifinals, and even a championship game.

Paul Womack has coached in over 250 high school football games and was named Shrine Bowl Coach in 1974. Over 3,000 young men have learned to play football under the supervision of this man and 96 have received college scholarships. He has dedicated his life to our youth and I believe he deserves our gratitude and thanks. He has taken our children, disciplined their minds and developed their bodies, and made them into men.

Mr. Speaker, I take great pride in commending to my colleagues Coach Paul Womack for his years of unselfish service. I believe he has taught us all the meaning of the words "leadership" and "dedication" and because of him, Redlands High School is a better educational institution.●

THE TIME TO ACT IS NOW

HON. JACK FIELDS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday May 11, 1983

● Mr. FIELDS. Mr. Speaker, as the debate and discussion continue on the issue of natural gas decontrol, I am disheartened to hear many of my colleagues advocating recontrol of gas prices. I fear such price recontrol will only lead to future supply shortages for the years ahead and will discourage further exploration and production of domestic natural gas reserves.

Although we are currently experiencing a surplus in the natural gas marketplace, this phenomenon is only temporary. Unless we act to restore some semblance of rationale to the gas market, we will be faced with even greater shortages than experienced in the seventies. With the current glut of gas in the market, there is no better time for us in Congress to act on this crucial issue. During this period of slack demand and excess supply, the time is now to provide economic balance and equilibrium to the gas market.

The only meaningful method of achieving a rational market is complete and total decontrol of all gas. Consumers of natural gas can no longer bear the economic burden associated with the 20-plus pricing categories of natural gas. These economic distortions have caused the premature development of high cost gas reserves as well as the continued flow of expensive imported gas from countries such as Canada and Algeria.

Economic theory dictates that the most efficient use of any resource is the orderly development of least costly reserves first. In other words, let us develop the less expensive gas first and then move to steadily produce and develop more expensive gas when the market demands this gas and when the market can absorb the cost of this gas, free from any Government-imposed subsidy. And so, the choice is ours to make. One which for many may be politically difficult but should be undertaken nonetheless on the premise that we are acting in the best interest of our country. Continued Government-controlled and dictated prices of natural gas has not ever been and will not ever be in the best interest of our Nation. We must strive to provide economic equity and balance to the natural gas market.

Toward this end, I bring to the attention of my colleagues three recent editorials, all of which advocate the decontrol of old gas. The New York Times, the Wall Street Journal, and the Washington Times all perceive the wisdom of moving toward a free market for natural gas. I commend these articles to my colleagues and urge their close consideration.

Thank you Mr. Speaker.

The articles follow:

[From the Wall Street Journal, Apr. 21, 1983]

THE PRICE OF PRINCIPLE

Let's say you're a poor person who drives a car, or let's say you're a rich person, a congressman, who feels sorry for a poor person who drives a car. Under either of these circumstances, which would you rather have—gasoline priced at $1.30 a gallon or at $1.05 a gallon?

There are two answers. The poor person, of course, wants the cheap gasoline because he knows a bargain when he sees it. But the congressman might very well have preferred the $1.30 pump price because he has principles. Now we know all of you out there—rich and poor—are saying, "You've gotta be kidding! What kind of principle is that?"

It's the famous principle of energy-price control, of course. The energy-price control principle holds that . . . aw, why don't we just skip it. All you have to know is that in January 1981, President Reagan lifted the remaining price controls on oil, the price went up for a while, producers sold off their inventories and then the price of gasoline went south. The congressfolk with the courage of their price-control principles had predicted $2 gasoline. It must have killed them to see those Camaros roaring into gas stations to chow down on cheap unleaded.

Yesterday brought yet more bad news for the principled price controllers of Congress. The Senate Energy Committee voted 10-8 to reject a proposal to keep a price lid on what is known as "old" natural gas. This vote is the first step in what will be a long fight over natural gas deregulation.

The principled price-control people say deregulation will blow the lid off prices. The other side, the people who brought you cheaper gasoline prices, say this:

That so-called "old" natural gas is what drillers found before 1977. In 1978, Jimmy Carter, the most principled energy-price controller since the discovery of fire, got Congress to pass the Natural Gas Policy Act, a legal jungle fixing prices on 17 categories of gas. There was no way producers could make money drilling for cheap gas, so they stopped looking. Then they sat on the cheap old gas they already had and ran straight for their larger profit opportunities—purchasing and selling expensive "deep" gas, LNG or imported gas whose prices weren't so well disciplined.

The result of that: higher gas prices. The result of that: Factories switched to cheaper, decontrolled oil. The result of that: Homeowners' gas prices rose even more because fewer factories were sharing overhead costs. The result of that: Principled congressmen said, "We'll never decontrol natural gas!" a motion now seconded by a good many gas producers who have learned to love the price control route to easy money.

But we think consumers would like decontrol better. Producers would sell their inventories, then they'd drill out our huge amounts of relatively cheap gas reserve, the industry would slug it out for markets based on price and the poor would know a good deal when they saw it.

The system is known as the free market. It, too, is a principle.

[From the New York Times, Apr. 26, 1983]

OLD GAS CAN'T SAVE CONSUMERS

Many who favor a free market for natural gas nonetheless gag on decontrolling the "old" gas that was discovered before 1977. Their view may wreck President Reagan's plan for deregulation on its first test in the Senate Energy Committee this week.

The hesitations are understandable. Decontrol of old gas is not necessary to gain some economic benefits from decontrolling newer gas. But there are good political reasons and solid economic ones for leaving the Administration plan intact.

First the easy argument: Dropping old gas from the decontrol bill would probably allow the owners of old gas to kill any deregulation this year.

There is now widespread agreement that the system created by the Natural Gas Policy Act in 1978 has allowed prices to skyrocket without creating efficient incentives to find more gas. But there is no consensus on what to do next.

The Reagan plan amounts to a clever compromise. It would eventually decontrol all prices, creating a single gas market and generating incentives to develop the best sources. But the transition to decontrol would still be restrained to make sure that pipelines got adequate supplies and that gas prices stayed competitive with coal and oil. If old gas is jetisoned from the compromise, its producers will probably block any legislation.

Now the harder part of the argument: From consumers' perspective, the decontrol of old gas would be, at worst, irrelevant. The price of gas at the burner will never again be markedly lower than that of competitive fuels. But without any legislation, it could actually be higher.

Under the present system, old natural gas—about half the total being sold—is under permanent controls; newer gas is being decontrolled in stages. The hope was that this would hold down consumer prices by providing a market mixture of old and new gas. In fact, this protection for old gas only encouraged pipelines to bid up the price of the relatively small supply of totally decontrolled gas from deep wells.

Remembering the shortages of the mid-70's, pipelines paying as little as 28 cents per 1,000 cubic feet for old gas sought to assure their supplies by contracting to pay $8 or $9 for deregulated gas. Thus nearly all the benefits of keeping old gas cheap have gone to producers of expensive newer gas. The system also perversely destroyed incentives to develop gas at intermediate prices from shallow wells. Locked into contracts at $8, pipelines can't switch to supplies available for $4.

There is a narrow logic for decontrolling all new gas without lifting controls on old gas: it would yield some production efficiencies without much effect on the price to consumers at the end of the pipeline. But conversely, the decontrol of all gas would not further harm consumers, would add efficiencies and would advance the political prospects of the entire package. It would provide a windfall for owners of old gas, but at the expense of the owners of now-decontrolled gas, not consumers.

It sounds complicated, and it is, but consumer interests are not now at risk. Legislators choosing sides should know they are choosing only among producers.

[From the Washington Times]

A NATURAL (GAS) CLIFF-HANGER

Uh-oh. The hopes and dreams of millions of consumers may be dashed if a Senate committee does what some members threaten. This would be to emasculate the administration's natural gas regulatory reform bill. The way they'd do it is to remove the provision that would decontrol the price of "old" gas.

The hopes and dreams we're talking about are for plentiful supplies, far into the future, of this cleanest-burning, most efficient of fuels. But you can't get there from here if you keep pricing the stuff below what people are willing to produce it for. Yet, perversely, federal regulation of natural gas now does just that.

If the Republican-controlled Senate Committee on Energy and Natural Resources drops old-gas decontrol from the bill, imagine what kind of snowball-in-you-know-where chance there will be of getting it restored in the Democrat-dominated House.

What we'd end up with is a sham, a largely pointless tinkering with the byzantine, self-defeating, regulatory structure the Carterites left us with in 1978. That's when, in "reforming" regulation already on the books, they defined "old gas" as what was in wells developed before 1977, which they declared forever subject to federal price ceilings.

New gas—i.e., from post-1977 wells—was allowed to rise in price gradually toward the equivalent world-oil price. This recognized the economic fact of life—that people won't spend truckloads of money searching for new gas if the government insists on artificially holding the price below that of competing fuels such as petroleum.

But if the Carter decontrol of new gas is scheduled for completion in 1986, why worry about old gas? After all, producers have already incurred the costs of developing the pre-1977 wells. Why will they need any extra incentive to produce gas from them, since they're already getting, under regulation, a price that equals cost plus a reasonable profit, adjusted for inflation?

Two reasons. The first you hear a lot about. It's common sense. What would you do if you have old gas that you can get only a government-set profit on and the possibility of developing and selling new gas, on which you're permitted a bigger profit? You'd concentrate on selling gas from new wells, which is just what producers are doing. Thus, the ceilings on old gas, meant both to insure below-market prices for the stuff and to keep producers from making "windfall" profits on the old gas, actually distort the market, inducing the greater production of new, higher priced gas.

The second reason price ceilings on old gas, in tampering with natural market forces, defeat everybody's purposes, goes beyond common sense—to a knowledge of the physics of gas production. Nothing mind-bendingly complicated, mind you; but simply this:

As you produce gas from most wells, the pressure put there by nature declines. As the pressure declines, so does the rate at which you can produce the gas. Finally, you reach a point where the cost of producing any further gas will equal the price you can sell it for—and unless you got your head screwed on wrong, you abandon the well.

If the market—or the Government—lets you get a higher price for the gas, you can afford to keep the well operating, even though it's yielding you less gas per day. That is, even though it's costing you more to produce gas from it.

What's this mean to consumers and to U.S. supplies of natural gas? A study released only last month finds that about 52 trillion cubic feet of natural gas could be added to our nation's reserves of "old" gas if Congress will only take its foot off the price.

Since we use about 17 trillion cubic feet of natural gas a year, ripping the price lid off old gas now would add about four years' worth of supplies to our reserves. This doesn't include the untold gobs of new gas that total decontrol will yield down the road as producers finally are liberated from investment and profit restraints.

The payoff to consumers is not only more natural gas available to them, and more of that produced by Americans in America, but lower energy prices in general. More natural gas "made in America" means comparatively less demand for oil, since the two fuels are interchangeable for many purposes. This will exert a perfectly lovely downward pressure on world oil prices. In other words, it's really the same as producing more oil at home every time foreign producers cut their oil production in order to try to prop up oil prices.

Decontrol of "old" natural gas in the United States is the worst thing that could happen to the foreign oil cartel. Don't you love it?●

JUSTICE ASSISTANCE ACT OF 1983

HON. LAWRENCE COUGHLIN

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 11, 1983

● Mr. COUGHLIN. Mr. Speaker, yesterday the House approved H.R. 2175, the Justice Assistance Act of 1983, which I was pleased to support. This bill would establish an Office of Justice Assistance to administer a modest program of grants for anticrime and criminal justice programs.

Eighty percent of the $170 million authorized for this purpose would go to the States on a formula basis requiring a 50-percent State match. The funds could be used only for a number of specified purposes which have proven effective in fighting crime. These include programs aimed at arson and career criminals, programs to relieve prison overcrowding, and programs designed for juvenile offenders. I am particularly pleased that one of the specific program categories for which the Federal funds may be used is community and police anticrime activities.

Neighborhood watch and town watch programs are local volunteer citizen efforts to reduce crime. The number of these organizations is growing steadily and the declining statistics on street crime suggest that they are having an impact. When functioning in cooperation with local law enforcement authorities, neighborhood and town watch programs are proving to be a valuable community asset. Yet they have little in the way of funding. H.R. 2175 would allow these groups to receive funds through their States to maintain and improve their services.

In addition to the 80 percent of the $170 million available for State grants, 20 percent would be used for national programs. One candidate for such funding might be the National Association of Town Watch, an organization whose executive director is Matt A. Peskin of Wynnewood, Pa. The National Association of Town Watch is working with citizen groups and law enforcement officials throughout the country to promote the town watch concept, to help interested citizens to organize new watch programs, and to share the experiences of existing programs in Montgomery County, Pa., and elsewhere.

That effective neighborhood and town watch programs are organizing throughout the Nation is in some measure due to the dedication, energy, and resourcefulness of people like Matt Peskin. The relatively small amount of anticrime assistance authorized by H.R. 2175 could strengthen their efforts enormously.●

DOES PROSPERITY CAUSE INFLATION?

HON. JACK F. KEMP

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 11, 1983

● Mr. KEMP. Mr. Speaker, my goal in life is to conquer root canal economic theory. These theories of austerity come in all shapes and sizes, but they have one thing in common: Stick it to the poor working man and woman and those who hope to achieve a better life for themselves and their family.

In Washington the root canal theory is usually embodied in the Phillips Curve tradeoff between inflation and unemployment. And every time an old guard conservative decides to fight inflation with higher unemployment, an old guard liberal comes along and says we should fight unemployment with inflation. The result has been unprecedented unemployment and inflation, simultaneously, something the Phillips Curve used to say cannot happen.

I have said, and I say it again today, that the idea is pernicious that you fight inflation with unemployment. I think it is an idea that is threatening the democracies of the West. I also believe that inflation is no answer to unemployment.

The supposed tradeoff between unemployment and inflation is something this body has to reject sooner or later. I want to commend the following essay to my colleagues by M. S. Forbes, Jr., one of the most outspoken political and economist journalists writing today. If we follow Mr. Forbes advice and pursue stable monetary and sound fiscal policies, I believe we can achieve the ultimate goal of full employment without inflation.

DOES PROSPERITY CAUSE INFLATION?

(By M. S. Forbes, Jr.)

This recent headline generated by Martin Feldstein, chairman of President Reagan's Council of Economic Advisers, underscores one of the glaring flaws of economics today, a theoretical shortcoming that has cost the economy, and investors, dearly—and could do so again.

It's the notion that there is a tradeoff between inflation and unemployment: If you want to bring down inflation, the price is high unemployment; conversely, if you want to reduce unemployment, you will get more inflation. Martin Feldstein reflects the notion well when he says: "One of the reasons (inflation won't come roaring back) is that we will have a moderate recovery. . . . A slower-than-average recovery strikes me as really very good in that it will keep the inflation rate from heating up."

In other words, good times cause inflation; bad times, stabler prices.

CURVE BALL

The tradeoff is known to economists as the Phillips Curve, and they were taught in school that policymakers should strive for an acceptable mix between the two. This meddling didn't "smooth out" economic cycles; instead, it sapped the economy's vitality. Neither the government nor the Federal Reserve can bring about "equilibrium," for reasons brilliantly explained in our cover story.

The Phillips Curve, fallacious though it may be, dominates the economic thinking even of those who might mistake the name for a baseball pitch.

For example, carefully read bond-market commentaries: If the economy appears buoyant, bond experts are bearish. Economic activity is equated with higher interest rates. If the economy looks sluggish, they're bullish.

Men like Federal Reserve Chairman Volcker and his probable successor, Alan Greenspan, share Feldstein's Phillips Curve mentality. That's why Volcker is loath to nudge interest rates down until he is convinced the recovery will be anemic. Too strong a bounce-back, he repeatedly intones, will "rekindle inflationary expectations."

This thinking has its roots in the Great Depression, a shattering experience which convinced thinkers that an economy would sputter if left to its own devices. Thus, to prevent stagnation, government would stimulate activity through increased spending, through manipulating interest rates.

So economists saw the economy as an engine—it wouldn't work without fuel, the fuel being money pumped in by Uncle Sam or the Federal Reserve.

To economic experts, then, inflation is a sign that people have too much money in their pockets; inflation, after all, is "too much money chasing too few goods." Stagnation and recession, on the other hand, mean people have too little money.

The stagflation of the 1970s—when we had both high inflation and high unemployment at the same time—should have prompted deep soul-searching. How could people simultaneously have too much money (inflation) and too little money (stagnation)? Experience may be a hard teacher to practical people in the everyday world, but theorists simply fault the world, not their philosophies, when things don't go according to the textbook.

IGNORING HISTORY

Contrary to what the Volckers and Feldsteins of the world may think, history shows prosperity doesn't cause inflation, and bad times don't mean lower interest rates. Most countries boomed as never before in the 1950s and through the mid-1960s with minimal inflation. The steep recession of 1980–82 saw real interest rates zoom.

One hopes Alan Greenspan, should he be appointed Volcker's successor, will be strong enough to overcome his education, that he will realize vigorous economic activity isn't a cause of inflation; that he will have the courage to examine the successful monetary systems of the past to see what their common denominator was. (Hint: It's a four-letter word.)●

INCREASING CRIMINAL PENALTIES FOR WASTE DUMPERS

HON. BOB EDGAR

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 11, 1983

● Mr. EDGAR. Mr. Speaker, JAMES J. FLORIO, our colleague from New Jersey, has taken a leadership role in the Congress for many years to tight-

en up the criminal provisions of the laws governing solid and hazardous waste.

For example, corporations now face fines up to $1 million—the highest fine for any Federal crime—for knowingly endangering an individual with toxic waste, as one result of Mr. FLORIO's previous work.

Currently, Mr. FLORIO is the author of legislation that soon will be voted on in the House that will put more teeth in the law. For example, the maximum prison sentence will be doubled, from 5 to 10 years, for anyone who knowingly endangers the health or life of another during the improper treatment, storage, transportation, or disposal of hazardous waste.

An editorial in the Philadelphia Inquirer yesterday made an excellent case why the Congress must approve Mr. FLORIO's amendments to the Resource Conservation and Recovery Act (RCRA). In order to bring it to the attention of my colleagues, I include the editorial in the RECORD at this time.

[From the Philadelphia Inquirer, May 10, 1983]

FLORIO'S BILL ON TOXIC WASTES

A bill sponsored by Rep. James J. Florio to increase criminal penalties for illegal hazardous waste dumping, and to provide for more effective enforcement, is expected to come before the House Energy and Commerce Committee this week. It should be approved and advanced for early action on the House floor.

The Florio bill would amend the 1976 Resource Conservation and Recovery Act, which is up for renewal this year. A Bucks County chemical company and its owners were recently indicted by a federal grand jury on charges of dumping hazardous wastes in violation of the act, but enforcement generally in the Philadelphia area, as nationwide, has been spotty at best. While that may be attributable largely to the highly publicized reluctance of the U.S. Environmental Protection Agency under the Reagan administration to effectively enforce laws related to hazardous waste dumping and cleanup, weaknesses in the law are also at fault.

Proposed changes by Rep. Florio would close loopholes such as one that apparently allows legal evasion of responsibility for improper dumping of hazardous substances in certain circumstances when chemical firms contract with independent haulers. Revisions also would increase the number and authority of enforcement personnel in EPA. Maximum prison terms for violators would be increased from five to 10 years. Penalties would apply specifically to persons involved in improper treatment, storage and transportation of hazardous wastes as well as to those who actually dispose of them.

A change in command at EPA won't automatically resolve all of its problems. Effective legal safeguards against hazardous handling of toxic wastes at every step, and strong enforcement in every part of the country, are required.

Congressman Florio, who has won national recognition, and deservedly so, for his leadership in strengthening the nation's legal arsenal to protect the public from toxic wastes, recognizes that existing law must not be the last word on the subject. His proposed amendments would sharpen the enforcement provisions.●

BANKRUPTCY FILINGS RISE DRAMATICALLY

HON. JACK FIELDS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 11, 1983

● Mr. FIELDS. Mr. Speaker, Federated Department Stores, which owns Foley's in Houston (14 stores, annual sales $598 million) and Sanger Harris in Dallas (14 stores, annual sales $330 million) has told me of the interest it shares with others in the retail industry in bankruptcy reform.

Since the new bankruptcy code became effective on October 1, 1979, personal bankruptcy filings have risen dramatically, and now run at an annual rate of approximately 450,000 or 200 percent of the rate for the 12 years prior to 1979. Although some of this increase is attributable to inflation, unemployment, lawyer advertising, and other factors, much is due to the fact that an increasing number of debtors are seeking chapter 7 or straight bankruptcy relief when a chapter 13 court supervised repayment plan would be more appropriate.

One study has estimates that of the $6 billion scheduled in bankruptcy in 1981, at least $1 billion was unnecessarily discharged.

Losses of this magnitude hurt the consumer credit industry by adversely affecting consumers who do pay their debts through higher interest charges and by restricting availability of unsecured credit.

There seems to be a growing consensus in the Congress that consumer reform legislation must be enacted by the 98th Congress. In the House of Representatives three different consumer bankruptcy reform bills have been introduced: First, H.R. 1169 by Representative MARILYN LLOYD; second, H.R. 1147 by Judiciary Committee chairman, PETER RODINO; and third, H.R. 1800, by Representative MIKE SYNAR.

Each of these bills represents a different approach. H.R. 1800 appears to be the least controversial. Among other things, it deals with credit card loading up by some debtors in anticipation of bankruptcy; creates standards for courts to follow in confirming repayment plans, and provides for court counseling of consumer debtors respecting their rights and protections. It also eliminates the future income, or threshold test and deals with the special problems of farmers caught in grain elevator bankruptcies.

Federated Department Stores, Inc., is one of America's largest employers—124,000 employees; 508 stores in 30 States; $7.7 billion in annual sales. We are pleased to have this multibillion-dollar diversified retail firm, which was founded in 1928, playing so important a role in the economic life of Texas.

Hopefully some version of bankruptcy reform will be passed in this Congress. I urge my colleagues to join in enacting bankruptcy legislation.●

NCEE

HON. HAROLD E. FORD

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 11, 1983

● Mr. FORD of Tennessee. Mr. Speaker, the National Commission on Educational Excellence (NCEE), appointed by the Secretary of Education to evaluate and report on our Nation's educational system, has spoken. The words are clear and the message is unmistakable. They send out resounding signals that should reverberate deep inside every responsible American who has concern for our children, who are the future of our country.

The NCEE report, entitled "A Nation at Risk: The Imperative for Educational Reform," is a frightening revelation of the astounding neglect suffered by the educational system in our country—a country which we regard as the greatest nation in the world. The Commission warns:

American education has deteriorated so drastically in the past two decades that our very future as a Nation and a people is threatened.

If an unfriendly foreign power had attempted to impose upon America the mediocre education performance that exists today, we might well have viewed it as an act of war.

There is shoddiness and a national sense of frustration as more and more young people emerge from high school ready neither for college nor for work.

These are indeed strong and troubling words, spoken unanimously by the 18-member Commission consisting of some of the topmost intellects from the educational community and other distinguished professions.

Yet, however frightening these words may be, President Reagan's response to the report is even more frightening. The President would offer a Band-Aid approach to a massive hemorrhage. He blames the problem on the Federal presence in education. His answer if not more Federal money, but prayer in the schools, tuition credits, vouchers, educational savings accounts, and the dismantling of the Department of Education.

It is hard to fathom a response to such a callous and irresponsible statement.

The road to educational excellence will not be paved by money alone. However there is no doubt that the Commission's recommendations for

educational reform call for greater spending for education.

In his January state of the Union message, the President acknowledged a gap in the educational areas of science and mathmatics. Yet, he sent forth to congress a budget for fiscal year 1984 whch proposes a $2 billion cut in spending for education, 12 percent below the 1983 level. Last year, the President proposed a 30-percent cutback in education spending, a proposal so ridiculous that it was almost completely ignored by Congress.

Mr. Reagan has continued to call for abolishing the Department of Education in his budget messages to Congress, and has reiterated that call in response to the NCEE report. What the President proposes is to build up our educational system by tearing down the very foundation upon which it rests.

Contrary to what Mr. Reagan thinks, the National Commission itself has concluded that "the Federal Government has the primary responsibility to identify the national interest in education. It should also help fund and support efforts to protect and promote that interest. It must provide the national leadership to ensure that the Nation's public and private resources are marshaled to address the issues discussed in this report".

In response to the NCEE report, I have cosponsored the following bills that will help to address the problems which beset our Nation's educational system.

House Concurrent Resolution 118. This bill would reaffirm Federal support for public education from the elementary through postsecondary levels.

H.R. 2483, The National Defense Education Act of 1983. The act calls for a full-scale national commitment to mathmatics, science, engineering, and foreign language education. The bill provides a multiphase package of competitive grants to primary, secondary, and postsecondary schools to improve their technical and foreign language programs, and scholarship aid to students who are interested in pursuing careers as teachers of math, science, and foreign languages.

H.R. 2708, foreign language for national security. This bill would authorize funds to conduct intensive language training and encourage more language classes in our elementary and secondary schools and in institutions of higher education.

House Joint Resolution 203, State commissions on teacher excellence. This bill would continue the efforts of the National Commission on Educational Excellence and seeks to increase the quality of our Nation's school systems. It calls for States to establish temporary commissions on teacher excellence to evaluate the preparation, certification, and retention of teaching professionals.

I ask that my colleagues sincerely and thoughtfully reflect upon the Commission's call for educators, parents, and public officials to all assist in bringing about needed educational reform in this country. The task which we face will not be easy; and the costs will be high in terms of time, energy, commitment, and money. But it is a task that we can ill afford to ignore.

I would like to submit for the RECORD an April 27 Washington Post article which provides excerpts from the NCEE report.

As stated so dramatically by the NCEE, "Excellence costs. But in the long run mediocrity costs far more".

RISING TIDE OF MEDIOCRITY THREATENS OUR VERY FUTURE AS A NATION

(Excerpts from the text of the National Commission on Excellence in Education's open letter to the American people, "A Nation at Risk: The Imperative for Educational Reform.")

Our nation is at risk. Our once unchallenged preeminence in commerce, industry, science and technological innovation is being overtaken by competitors throughout the world

This report is concerned with only one of the many causes and dimensions of the problem, but it is the one that undergirds American prosperity, security, and civility. We report to the American people that, while we can take justifiable pride in what our schools and colleges have historically accomplished and contributed to the United States and the well-being of its people, the educational foundations of our society are presently being eroded by a rising tide of mediocrity that threatens our very future as a nation and a people.

What was unimaginable a generation ago has begun to occur—others are matching and surpassing our educational attainments. If an unfriendly foreign power had attempted to impose on America the mediocre educational performance that exists today, we might well have viewed it as an act of war. As it stands, we have allowed this to happen to ourselves. We have even squandered the gains in student achievement made in the wake of the Sputnik challenge. Moreover, we have dismantled essential support systems which helped make those gains possible. We have, in effect, been committing an act of unthinking, unilateral educational disarmament.

Our society and its educational institutions seem to have lost sight of the basic purposes of schooling and of the high expectations and disciplined effort needed to attain them.

This report, the result of 18 months of study, seeks to generate reform of our educational system in fundamental ways and to renew the nation's commitment to schools and colleges of high quality throughout the length and breadth of our land. * * *

INADEQUACIES

We conclude that declines in educational performance are in large part the result of disturbing inadequacies in the way the educational process itself is often conducted:

Secondary school curricula have been homogenized, diluted and diffused to the point that they no longer have a central purpose. In effect, we have a cafeteria-style curriculum in which the appetizers and desserts can easily be mistaken for the main courses. Students have migrated from vocational and college preparatory programs to "general track" courses in large numbers. * * *

Twenty-five percent of the credits earned by general track high school students are in physical and health education, work experience outside the school, remedial English and mathematics, and personal service and development courses, such as training for adulthood and marriage. * * *

The amount of homework for high school seniors has decreased (two-thirds report less than one hour a night) and grades have risen as average student achievement has been declining.

In many other industrialized nations, courses in mathematics (other than arithmetic or general mathematics), biology, chemistry, physics and geography start in grade 6 and are required of all students. The time spent on these subjects, based on class hours, is about three times that spent by even the most science-oriented U.S. students. * * *

A 1980 survey reveals that only eight states require high schools to offer foreign language instruction; none requires students to take the courses. Thirty-five states require only one year of mathematics, and 36 require only one year of science for a diploma. * * *

Expenditures for textbooks and other instructional materials have declined by 50 percent over the past 17 years.

In England and other industrialized countries, it is not unusual for academic high school students to spend eight hours a day at school, 220 days per year. In the United States, by contrast, the typical school day lasts six hours and the school year is 180 days.

Too many teachers are being drawn from the bottom quarter of graduating high school and college students. The teacher preparation curriculum is weighted heavily with courses in "educational methods" at the expense of courses in subjects to be taught. * * *

The average salary after 12 years of teaching is only $17,000 per year, and many teachers are required to supplement their income with part-time and summer employment. * * *

Despite widespread publicity about an overpopulation of teachers, severe shortages of certain kinds exist: in the fields of mathematics, science, and foreign languages; and among specialists in education for gifted and talented, language minority and handicapped students.

Half of the newly employed mathematics, science, and English teachers are not qualified to teach these subjects; fewer than one-third of U.S. high schools offer physics taught by qualified teachers. * * *

RECOMMENDATIONS

We recommend that state and local high school graduation requirements be strengthened and that, at a minimum, all students seeking a diploma be required to lay the foundations in the five new basics by taking the following curriculum during their four years of high school; (a) four years of English; (b) three years of mathematics; (c) three years of science; (d) three years of social studies; and (e) one-half year of computer science. For the college bound, two years of foreign language in high school are strongly recommended in addition to those taken earlier. * * *

We recommend that schools, colleges and universities adopt more rigorous and measurable standards, and higher expectations,

for academic performance and student conduct, and that four-year colleges and universities raise their requirements for admission. * * *

Standardized tests of achievement (not to be confused with aptitude tests) should be administered at major transition points from one level of schooling to another and particularly from high school to college to work. The purpose of these tests would be to: (a) certify the student's credentials; (b) identify the need for remedial intervention; and (c) identify the opportunity for advanced or accelerated work. The tests should be administered as part of a nationwide (but not federal) system of state and local standardized tests.

We recommend that significantly more time be devoted to learning the new basics. This will require more effective use of the existing school day, a longer school day, or a lengthened school year. * * * School districts and state legislatures should strongly consider 7-hour school days, as well as a 200- to 220-day school year. * * *

Students in high schools should be assigned far more homework than is now the case . . . . Instruction in effective study and work skills should be introduced in the early grades and continued throughout the student's schooling. * * *

Persons preparing to teach should be required to meet high educational standards, to demonstrate an aptitude for teaching and to demonstrate competence in an academic discipline. * * *

Salaries for the teaching profession should be increased and should be professionally competitive, market-sensitive and performance-based. Salary, promotion, tenure and retention decisions should be tied to an effective evaluation system that includes peer review so that superior teachers can be rewarded, average ones encouraged and poor ones either improved or terminated.

School boards should adopt an 11-month contract for teachers. This would ensure time for curriculum and professional development, programs for students with special needs and a more adequate level of teacher compensation.

School boards, administrators and teachers should cooperate to develop career ladders for teachers that distinguish among the beginning instructor, the experienced teacher and the master teacher.

Substantial nonschool personnel resources should be employed to help solve the immediate problem on the shortage of mathematics and science teachers. Qualified individuals, including recent graduates with mathematics and science degrees, graduate students and industrial and retired scientists, could, with appropriate preparation, immediately begin teaching in these fields. * * *

Incentives, such as grants and loans, should be made available to attract outstanding students to the teaching profession, particularly in those areas of critical shortage. * * *

The federal government, in cooperation with states and localities, should help meet the needs of key groups of students such as the gifted and talented, the socio-economically disadvantaged, minority and language minority students and the handicapped. * * *

The federal government's role includes several functions of national consequence that states and localities alone are unlikely to be able to meet: protecting constitutional and civil rights for students and school personnel; collecting data, statistics, and information about education generally; supporting curriculum improvement and research on teaching, learning and the management of schools; supporting teacher training in areas of critical shortage or key national needs, and providing student financial assistance and research and graduate training.

The federal government has the primary responsibility to identify the national interest in education. It should also help fund and support efforts to protect and promote that interest. It must provide the national leadership to ensure that the nation's public and private resources are marshaled to address the issues discussed in this report.

This commission calls upon educators, parents and public officials at all levels to assist in bringing about the educational reform proposed in this report. We also call upon citizens to provide the financial support necessary to accomplish these purposes. Excellence costs. But in the long run mediocrity costs far more. * * *

[Source: The National Commission on Excellence in Education]

A NATION AT RISK

The indicators

International comparisons of student achievement, completed a decade ago, reveal that on 19 academic tests American students were never first or second and, in comparison with other industrialized nations, were last seven times.

Some 23 million American adults are functionally illiterate by the simplest tests of everyday reading, writing and comprehension.

About 13 percent of all 17-year-olds in the United States can be considered functionally illiterate. Functional illiteracy among minority youth may run as high as 40 percent.

Average achievement of high school students on most standardized tests is now lower than 26 years ago when Sputnik was launched.

The College Board's Scholastic Aptitude Tests (SAT) demonstrate a virtually unbroken decline from 1963 to 1980. Average verbal scores fell over 50 points and average mathematics scores dropped nearly 40 points.

College Board achievement tests also reveal consistent declines in recent years in such subjects as physics and English.

Many 17-year-olds do not possess the "higher order" intellectual skills we should expect of them. Nearly 40 percent cannot draw inferences from written material; only one-fifth can write a persuasive essay; and only one-third can solve a mathematics problem requiring several steps.

Average tested achievement of students graduating from college is also lower.

Business and military leaders complain that they are required to spend millions of dollars on costly remedial education and training programs in such basic skills as reading, writing, spelling and computation. The Department of the Navy, for example, reported to the commission that one-quarter of its recent recruits cannot read at the ninth-grade level, the minimum needed simply to understand written safety instructions. Without remedial work they cannot even begin, much less complete, the sophisticated training essential in much of the modern military.

The recommendations

Content: We recommend that state and local high school graduation requirements be strengthened and that, at a minimum, all students seeking a diploma be required to lay the foundations in the Five New Basics by taking the following curriculum during their 4 years of high school: (a) 4 years of English; (b) 3 years of mathematics; (c) 3 years of science; (d) 3 years of social studies; and (e) one-half year of computer science. For the college bound, 2 years of foreign language in high school are strongly recommended in addition to those taken earlier.

Standards and expectations: We recommend that schools, colleges and universities adopt more rigorous and measurable standards, and higher expectations, for academic performance and student conduct, and that 4-year colleges and universities raise their requirements for admission.

Time: We recommend that significantly more time be devoted to learning the New Basics. This will require more effective use of the existing school day, a longer school day, or a lengthened school year.●

IN SUPPORT OF H.R. 2174

HON. MICHAEL BILIRAKIS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 11, 1983

● Mr. BILIRAKIS. Mr. Speaker, on Monday, May 9, airline delays prevented me from being present to vote in support of H.R. 2174, the Federal Antitampering Act. I am pleased that this important legislation, which would make it a Federal crime to tamper with consumer products, mislabel products or make plausible threats to carry out tampering, was passed by this body.

The Tylenol tampering tragedy opened many eyes to the necessity for legislation of this nature. Those who would deliberately cause loss of life through tampering should receive severe penalties, which this legislation provides.

Additionally, I also want to voice my support of H.R. 2357, the Congressional Award Act, H.R. 2173, Contract Services for Drug Dependent Federal Offenders and S. 653, which will establish a Foundation for Advancement of Military Medicine.●

TRIBUTE TO RABBI HILLEL COHN

HON. JERRY LEWIS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 11, 1983

● Mr. LEWIS of California. Mr. Speaker, on Friday evening, May 20, 1983, the members of Congregation Emanu El will join with others from the San Bernardino community in paying tribute to the 20 years of dedicated service provided to them by Rabbi Hillel Cohn. I would like to take this opportunity to personally recognize and commend my friend Rabbi Cohn for his unselfish contributions of time and energy to both the Jewish

and the Christian community of San Bernardino.

Rabbi Hillel Cohn has served as rabbi of Congregation Emanu El in San Bernardino since 1963. A native of Germany, he was brought to the United States as an infant by his parents who were refugees from Nazism. Rabbi Cohn received his undergraduate degree (bachelor of arts) in political science from UCLA in 1959 and his rabbinical training was taken at Hebrew Union College in Cincinnati where he was ordained as a rabbi in 1963 and from which he received the master of arts and bachelor of Hebrew letters degrees. While studying for the rabbinate he served congregations in California, Iowa, and Ohio and also served as chaplain to Jewish inmates at Marion Correctional Institution of the Ohio State prison system.

Rabbi Cohn has been active in many community organizations in the San Bernardino area. He has served as president of the San Bernardino Area Mental Health Association and Family Service Agency. He has served on the boards of such organizations as the Inland Area Urban League, Planned Parenthood Association, Inland Adolescent Clinic, Kiwanis Club, American Red Cross, Arrowhead Social Planning Council, Arrowhead United Way, County Council of Community Services, and San Bernardino Community Hospital. He was appointed a member of the Adult Detention Commission for San Bernardino County and served in that position from 1974-78. From 1979 to 1982 he was a commissioner of the Juvenile Justice Commission and Delinquency Prevention Commission of San Bernardino County. Rabbi Cohn also serves as a member of the committees which approve research on human subjects at Patton State Hospital and San Bernardino County Hospital. He is a member of the president's advisory committee of Loma Linda University.

The rabbi has served as general chairman of the San Bernardino United Jewish Welfare Fund campaign. He established the program of resettling Soviet Jewish refugees for the San Bernardino area. He has also served as president of Paradise Lodge No. 237 B'nai B'rith.

From 1975 to 1977 Rabbi Cohn served as a member of the executive board of the Central Conference of American Rabbis and from 1973 to 1977 served as national chairman of the committee on resolutions of the CCAR. He has held all of the elected offices in the Pacific Association of Reform Rabbis and was its president during 1979. He is also a member of the Reconstructionist Rabbinical Association, the Board of Rabbis of Southern California (and a member of its media committee), National Association of Temple Educators and the San Bernardino Clergy Association. The rabbi serves as auxilary chaplain at Norton Air Force Base. He has served on the faculties of the University of Redlands, Calif., State college, San Bernardino, and San Bernardino Valley College.

In 1964 and again in 1975 Rabbi Cohn was awarded the Emanuel Gamoran Memorial Award of the National Association of Temple Educators for the best religious school curriculum design in the country. He has also been selected as the Outstanding Young Man of the Year for San Bernardino by the Jaycees, received the Scroll of Honor award of State of Israel bonds and has received commendations by San Bernardino city and county governments.

Rabbi Cohn has written for numerous publications. His sermons have been published repeatedly by the American Rabbi and he has edited a number of educational and liturgical texts. In 1977 he delivered the invocation here at a session of Congress. He is a frequent participant on KABC radio Religion on the Line and religious television broadcasts. He lectures frequently to church, community, and educational groups.

Mr. Speaker, I take great pride in commending to my colleagues Rabbi Hillel Cohn for his years of unselfish service to all the people of our community. I consider myself very fortunate to have Rabbi Cohn as a personal friend and I know his tireless hours of work have made San Bernardino a better place in which to live.●

A TRIBUTE TO "MO" MORLEY

HON. MARY ROSE OAKAR

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 11, 1983

● Ms. OAKAR. Mr. Speaker, I would like to take this opportunity to pay tribute to Mr. Howard W. "Mo" Morley. The U.S. Department of Labor announced his retirement on April 1, 1983. Mr. Morley was area director of the Cleveland Central Office of the Office of Federal Contract Compliance programs. He completed a distinguished career, in both the military and the Federal civil service, that spanned over 42 years.

Beginning in 1941, Morley spent 22 of those years as a naval aviator before finally closing the book on his military career in 1963. He retired from the Navy with the rank of captain. His career in the Federal Equal Employment Opportunity (EEO) program began later that year, and during the next 20 years "Mo" served as a Compliance Officer—6 years—and Deputy Chief—9 years—with the Department of Defense, and the final 5 years as Area Office Director with the Department of Labor. Morley received five outstanding performance awards during this time, as well as a special achievement award in 1979.

At his retirement dinner, held at the Guv'nor Pub in Cleveland on April 7, the awards continued. A certificate of meritorious service to "Mo" from myself along with resolutions from both the city of Cleveland and the State of Ohio, honoring his many years of distinguished service, were presented to him at the dinner attended by more than 100 of his friends, fellow workers, and well-wishers.

Morley intends to sharpen up his golf game and to do some part time consulting work for a law firm in Cleveland.●

FIGHTING COMMUNISM IN CENTRAL AMERICA

HON. J. KENNETH ROBINSON

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 11, 1983

● Mr. ROBINSON. Mr. Speaker, editorials have appeared recently in two Virginia dailies, the Richmond Times-Dispatch and the Winchester Star, opposing legislation pending before this body to prohibit U.S. support for military or paramilitary operations in Nicaragua.

As ranking minority member of the House Permanent Select Committee on Intelligence, I should like these commentaries brought to the attention of our colleagues through insertion in the CONGRESSIONAL RECORD at this point:

[From the Richmond Times-Dispatch, May 8, 1983]

ASSURING LIBERTY'S SUCCESS

In his inaugural address, President John F. Kennedy vowed that the United States would be the standard-bearer in freedom's fight against tyranny, promising that "we shall pay any price, bear any burden, meet any hardship, support any friend, oppose any foe to assure the survival and the success of liberty." That lofty rhetoric sputtered into a fiasco in South Vietnam, whose war against communism proved to be too high a price, too heavy a burden and too grueling a hardship for the United States to bear. Now Congress is balking at paying the price, bearing the burden and meeting the hardship of fighting communism in Latin America. The latest manifestation of this repudiation of the Kennedy promise was the House Permanent Select Committee's vote against further American financial and military aid for the guerrillas fighting the Marxist government of Nicaragua.

Now, it can be argued that American-backed forces in South Vietnam and in Central America were not and are not the most unimpeachable champions of liberty ever to appear among mankind. But in this imperfect world, there are few nations that practice the American version of democracy. Even so, there was more hope for liberty in non-communist South Vietnam, and there is more hope for liberty in non-communist Latin America, than there can ever be under

communism. Certainly the "survival and success of liberty" are not assured in any country by allowing it to fall under communist domination.

The United States recognizes this in Afghanistan, where anti-communist insurgents are waging a fierce and determined fight against a Marxist government protected by Soviet tanks and rifles. It would be fatuous to pretend that the insurgents are ardent exponents of Jeffersonian democracy. Yet, the United States is providing them with weapons and ammunition, as it should be doing. On the same day the House committee voted against continuing aid to Nicaraguan guerrillas, The New York Times dispatched a story saying the United States had increased it covery assistance to Afghan insurgents.

Demonstrably, the present government of Nicaragua, which seized power by force, is a foe of liberty. It promised the people of that hapless nation relief from the repressions of a right-wing dictatorship but has given them, instead, more repression. Moreover, it has become a base and haven for Marxist guerrillas seeking to topple the government of El Salvador. Those Nicaraguans who are now willing to fight to rescue their country from the clutches of communism would seem to be as deserving of American support as the guerrillas who are fighting to rout communism from Afghanistan.

Congress should reject the House Committee's recommendation and authorize the continuation of aid, covert or overt, to Nicaragua. If the United States is not prepared to redeem President Kennedy's pledge in Latin America, where in the world would it be willing to do so?

[From the Winchester Star, May 6, 1983]

PRESIDENT IS RIGHT

The House Intelligence Committee this week defied the Reagan Administration and voted along party lines to prohibit by law any United States involvement with guerrilla forces fighting the Communist government of Nicaragua. The vote of nine Democrats against five Republicans followed five hours of closed committee deliberation and a last minute warning from CIA Director William C. Casey that forcing the CIA to stop supporting the guerrillas inside Nicaragua could lead to a "blood bath".

In our judgment, the nine Democrats were wrong. The Nicaraguan government which came to power, not by election but by bullets, is a Marxist dictatorship seeking to export communism to its neighboring countries. President Reagan, we think, is right in attempting to prevent such action.●

SMALL BUSINESS WEEK

HON. DOUG BARNARD, JR.

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 10, 1983

● Mr. BARNARD. Madam Speaker, when it comes to innovation and hard work, I do not know of anyone who is doing a better job than the small businesses of our Nation.

Even during the recession, 1981 was a record year for new business starts. In my Sun Belt area, there was even an increase in 1982.

Statistics are nice, of course, but behind the numbers are dozens of men and women. Behind the numbers are countless hours of hard work and creativity that turned those ventures into success.

In my district in Georgia, for instance, there is a businessman named Tom Griffith. More than a dozen years ago, Tom got a loan to open one convenience store, the Golden Pantry. Tom did not have much of a formal education, but he had the skill and the insight to know what customers needed—and he provided that.

Now he has expanded his 1 store into a chain of 150 stores—and he has his eye on expanding into South Carolina.

I could tell you the stories of dozens of other men and women in my district, and they all exhibit the same traits of pluck and luck, energy, and enthusiasm.

As the economy is recovering, I am convinced that small business is going to lead in that recovery. I, for one, applaud their efforts.●

TRIBUTE TO SIX WASHINGTON ARTISTS

HON. WALTER E. FAUNTROY

OF THE DISTRICT OF COLUMBIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 11, 1983

● Mr. FAUNTROY. Mr. Speaker, a major review of the works of six Washington artists-painters Richard Dempsey, Lois Jones, Delilah Pierce, James Porter, Alma Thomas, and graphic artist James Wells, held at the Evans-Tibbs Collection is taking place this spring. Located at 1910 Vermont Avenue NW., the Evans-Tibbs Collection is a nonprofit tax-exempt organization primarily formed to preserve and exhibit works of art by and bibliographic material on African American artists. Located one-half block south of Washington, D.C.'s historic U Street corridor, the museum and research center are currently housed where Lillian Evans Tibbs lived. As an internationally acclaimed lyric soprano known professionally as Madame Evanti, Mrs. Tibbs sponsored many artists and art activities during her life. The six Washington masters exhibition is one of many such activities held by the collection in continuance of that tradition.

The six artists have lived in Washington for many years. Of this group Miss Thomas and Mr. Porter are now deceased. The important achievements made by each artist have been individually recorded in various publications over the years. However, a review of their work through a catalog exhibition specific to them as a group has never occurred. In filling a gap, this exhibit reveals their collective achievements in the visual arts. What is exciting is that these six managed to survive during a period when visual artists in the United States had a limited audience and the Afro-American artist in particular, had occasional if not rare outlets for artistic expression and review.

Our six Washington masters produced work not only reflective of the Afro-American perspective but survived artistically utilizing the most basic skills of self-promotion and professional growth. While none of these artists could have survived on sales alone, each utilized his or her teaching abilities to earn a living and to communicate respect for the profession to a younger group of artists now emerging. Moreover, socioeconomic conditions before 1960 not only fostered full-time jobs as educators, but also fostered internal support activities. At one time or another, each of these artists participated in Saturday workshops or studios as they were known. One of these was the Atelier run by Lois Jones and fellow artist Celene Tabary. This studio fostered professional exchanges as well as provided a social outlet for the artists. Equally important during this period was the development of Howard University's Art Department which depended so heavily on these talents, and the evolution of the Barnet-Aden Gallery which gave many of these artists first commercial exhibitions.

The contributions of the six are so great individually and collectively, that we must develop a sense of how they have been influenced by their environments. Like many Washington artists, our six masters, while influenced by a range of experiences, have spent a significant portion of their lives in an environment shaped under the classical design vocabulary. Washington's geometric street plan and its uniform building heights and designs have influenced their art. Significantly, the four living continue to create under these environmental conditions and as such there is a reason to suspect that their work provides clues about our behavior in this environment.

Richard Dempsey spent his early years in California under the influence of muralist and sculptor Sargent Johnson (1887-1967). Arriving in Washington during the New Deal, the east coast cityscapes consisting of row houses are reflected in his abstract art. Dempsey recalls the rear of homes that have provided the imagery in this art. In all of Dempsey's work there is concern for time and place as fourth dimensional pictorial qualities where color and line placement is based directly on where the work was done and at what time it evolved. Dempsey is therefore documenting time, place, and feelings in his work.

Born in Boston, Lois Jones attended the Museum of Fine Arts school on a

4-year scholarship from 1922-27. On request from Prof. James Herring at Howard University, she joined that department of art in 1930—a position she would hold for the next half century. A general education board grant (1937-39) allowed her to pursue further study at the Academy Julian in Paris. It was in 1941 that Jones won the Robert Woods Bliss Landscapes prize in oil painting from the Corcoran Gallery. Interestingly enough, a friend and fellow entered the painting and when the identity of the true artist was revealed there was some discussion of recalling the award in much the same manner that Afro-American artist Edward Bannister had been treated in Philadelphia at the 1876 National Centennial. By the early 1940's and through the suggestions of Dr. Alain Lock, Jones documented the Afro-American personality. She developed the Jones-Tabary studio representing the first Afro-American artist atelier or school where art ideas and techniques were exchanged. Her primary focus today is her documentation of the icons of Afro-America both in the United States and the Caribbean and is her design legacy.

Born in Washington, D.C., Delilah Pierce studied at Howard in the late 1930's with James Porter. In 1962 Pierce received an Agnes Meyer Fellowship to study and travel in several African countries. The realities of an American of part African ancestry visiting Africa was significant for it not only represented links to ethnicity in a historical sense, it provided for Pierce an opportunity to become one of a handful of African-American artists to travel to Africa and to do so before it became popular in the late 1960's. In doing so, Pierce was exposed to color esthetics and environmental design influences that would emerge in her late work as abstract surrealism to be called Post Modern Expressionist where color is as important as form. It is this expressionism that offers a fresh stylistic evolution essential to the artistic leadership Pierce is about to exert.

James Porter was an art historian and artist. His early life was marked by enormous success as a painter of scenes and portraits. His important literary work "Modern Negro Art" was published in 1943. The result of these scholarly activities was the development of an important group of documents which for the first time reported as well as interpreted the contributions of Afro-American artists. In fact, many of his publications continue to be the most complete account of an artists' work and as such so many cannot avoid referencing him in their research. In 1962-63 Porter traveled throughout west Africa. Work influenced by this travel documented the reacquaintance with Africa that many were indulging in during the late 1960's, concurrent with the rise in African sociopolitical expansion. As a result, this later work is of extreme cultural importance.

Alma Thomas moved to Washington in 1907. Like James Porter her enrollment at Armstrong Technical High School in Washington was significant. She developed her interests in art, architecture, and drawing under the philosophical guidance of organizer and first principal Wilson Bruce Evans whose belief in "work with the hand, the mind, and the spirit," set the atmosphere for the training available to his students. The work that Thomas pursued reflected this training philosophy. By the time she had retired from the public school system in 1960, Alma Thomas began to exhibit widely. Thomas was invited by Prof. James Porter, who directed Howard's Gallery of Art to exhibit a retrospective of her work. Late in life Thomas received her greatest recognition with exhibitions at the Whitney Museum and the Corcoran Gallery. Thomas donated a large body of her work to the National Museum of American Art which gave her a major retrospective last year.

Known as a master printmaker, James L. Wells' early religious training permanently influenced his art. In 1921, the 135th Street Branch Library in New York City sponsored his first exhibition, and later that year, the Alpha Phi Alpha fraternity also sponsored an exhibition of his art. These early exhibitions gave Wells encouragement. Wells first explored the raising interest in African imagery in his work paralleled the emergence of a cultural renaissance in the Afro-American community centered in Harlem. During his nearly 40 years as professor of graphics at Howard University, Wells' greatest achievement has been the leadership he has shown as the dean of printmaking in an institution where so many have developed their individual printmaking techniques under his guidance and encouragement. Wells' ever present concern with African themes, and on themes of man's reflection and isolation in a changing world are evident. His work forms a cohesive body of design statements, richly African-American, and a historical record for all humanity.●

RABBI ALFRED GOODMAN HONORED AT RETIREMENT PARTY IN COLUMBUS, GA.

HON. RICHARD RAY

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 11, 1983

● Mr. RAY. Mr. Speaker, it is a great honor for me to recognize an outstanding citizen upon the occasion of his retirement. Rabbi Alfred L. Goodman is being honored at a retirement party on Saturday, May 14, 1983, at the Columbus Country Club in Columbus, Ga.

Rabbi Goodman is that rarest of human beings—he can combine the majesty that makes people instinctively want to follow him in crowds, with the humility that makes people trust him and open up to him. His qualities of leadership are known not only throughout the Jewish community in Columbus, but also throughout the entire city, and across the State of Georgia.

Although he is retiring, his influence will continue to be felt. A spirit of involvement such as he has is not canceled simply by the passing of a chronological milepost. He will stay involved, and all the citizens of Columbus will be better for it.

Rabbi Goodman was born in Cleveland, Ohio, and educated in the public schools there. He is a graduate of Western Reserve University in Cleveland, Ohio, and the Jewish Institute of Religion in New York City, where, in 1945, he was ordained. In 1970, Rabbi Goodman was awarded a doctor of divinity degree from the Hebrew Union College-Jewish Institute of Religion.

Rabbi Goodman began his career in 1944 at the Temple Beth Israel in Lima, Ohio. After 2 years of military service, he returned to Temple Beth Israel and stayed until 1950, when he moved to Temple Israel in Columbus, Ga. In August 1983, Rabbi Goodman will retire after 33 years of service to Temple Israel.

Rabbi Goodman is currently serving as the president of the Family Counseling Center in Columbus, Ga.; the Jewish chaplain for the Warm Springs Foundation, Warm Springs, Ga.; executive board member of the Georgia Council on Human Relations; and the auxiliary chaplain at Fort Benning, Ga.

These are only a few of the organizations that Rabbi Goodman has been associated with throughout his many years in Georgia. He is truly a man to be admired and emulated and I am happy to take this opportunity to wish him an enjoyable and productive retirement.●

THE PONTIAC FIERO: QUALITY MADE IN AMERICA

HON. BOB CARR

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 11, 1983

● Mr. CARR. Mr. Speaker, the American auto industry is facing enormous challenges. How the industry meets those challenges means a great deal to our Nation's economic strength and to the jobs of hundreds of thousands of Americans. For cities such as Pontiac,

Mich., the largest city in my district, that response is particularly critical.

That is why I am pleased to bring to the attention of the House the commitment by the Pontiac Motor Division and the United Auto Workers to produce a new automobile with the most up-to-date technology and with the best quality workmanship and management. The Pontiac Fiero, and the commitment to quality which will go into it, are described in this editorial by Neil Munro of the Oakland Press.

[From the Oakland Press, May 1, 1983]

FIERO PLANT OFFICIALS TAKE UP QUALITY CHALLENGE

(By Neil Munro)

An impassioned response has come to questions raised in this space about quality problems with American cars.

You'll recall that a surprising number of readers are wary of U.S.-built vehicles on that score and that data indicates their quality—while vastly improved in the last couple of years—still falls somewhat short of the competition overall.

Now, in a letter to The Press, the top union and Pontiac Motor Division officials at the new Fiero plant promise flatly that the cars they will build will be better than, not merely as good as, the imports from Japan.

UAW shop committee chairman Gerry Lewis and plant manager Ernie Schaefer vow that "the people in our plant are committed to making it happen."

They add "now that we (union and management) have gotten our act together, we're going to give all our competition a run for their money. The Pontiac Fiero, built right here in Pontiac by Pontiac people, is going to be competitive both in terms of quality and price."

Lewis and Schaefer also say they've invited all of you who responded to the why-aren't-cars-selling question to visit the plant and "talk to the people about the quality of our new Fiero."

These guys are laying it on the line. They're serious.

There is no reason they can't do what they say they're going to do.

For one thing, the Fiero will be powered by the Pontiac-built engine that has benefited so enormously from Japanese-style quality control methods.

The division, you may remember, now employs the same man, an American, ironically, who taught the Japanese how to do it.

It has been demonstrated many times that American workers and managers are fully capable of turning out Japanese-level quality.

The Wall Street Journal tells, for example, of a Japanese-owned Sharp Electronics television and microwave oven plant in Memphis, Tenn., which meets their high standards.

Their secret is simple. They demand quality and get it. The workers are pleased with the Japanesee management style and are proud of what they do.

The story is not the same for some of Sharp's competitors.

For example, a supplier of plastic TV parts to the Sharp plant says "they demand jewelry. There just is not any comparison between the quality Sharp demands and that demanded by RCA and Zenith."

That tells you a lot.

If Sharp can do it in Memphis, the folks who run the Fiero plant can do it in Pontiac.

They intend to, and it would be foolish to doubt their resolve.

The "bottom line" obviously is that American automakers no longer have the option of turning out products of lesser quality than those turned out by the Japanese.

Too many would-be buyers are no longer in a mood to put up with it.

To be a success, to keep the workers on the job, the Fiero is simply going to have to be as good or better than the competition.●

PERSONAL EXPLANATION

HON. DAN COATS

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 11, 1983

● Mr. COATS. Mr. Speaker, Due to the death of former Congressman E. Ross Adair, I was not present on the House floor for the sessions of Monday, May 9, or Tuesday, May 10.

Had I been present, I would have voted as follows:

"Aye" on H.R. 2357, to provide for an increase in the number of members of the Congressional Award Board;

"Aye" on H.R. 2173, to amend the Contract Services for Drug Dependent Federal Offenders Act of 1978 to authorize additional appropriations;

"Aye" on H.R. 2174, to amend title 18 of the United States Code to prohibit certain tampering with consumer products;

"Aye" on S. 653, to amend title 10 of the United States Code to establish a Foundation for the Advancement of Military Medicine;

"Aye" on House Resolution 184, a bill providing for consideration of H.R. 2175, the Justice Assistance Act of 1983;

"Aye" on agreeing to the Speaker's approval of the Journal;

"Aye" on the amendment by the gentleman from Pennsylvania to add programs to help fight crimes against the elderly;

"Aye" on final passage of H.R. 2175, the Justice Assistance Act of 1983;

"Aye" on House Resolution 185, a bill providing for consideration of H.R. 2587, to authorize appropriations to the Department of Energy for civilian research and development programs;

"Aye" on House Resolution 183, a bill providing for consideration of H.R. 2066, to authorize appropriations to the National Science Foundation for fiscal years 1984 and 1985.●

INTERFAITH CONFERENCE OF METROPOLITAN WASHINGTON HONORS DAVID KREINDLER

HON. MICHAEL D. BARNES

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 11, 1983

● Mr. BARNES. Mr. Speaker, the Interfaith Conference of Metropolitan Washington is honoring David Kreindler, who is retiring after 2 years of exceptional service to the organization. Mr. Kreindler, approaching his 80th birthday, is a resident of my district in Maryland.

I have often had the privilege of working with the Interfaith Conference, and am pleased to have this opportunity to place their letter of appreciation to David Kreindler in the CONGRESSIONAL RECORD for the information of the Members of the Congress:

There is much talk these days about voluntarism. The spirit of voluntarism in the service of humanity takes many forms. One of them is epitomized by David Kreindler, retiring this month as the volunteer accountant for the Interfaith Conference of Metropolitan Washington and for the Coalition for the Homeless.

The Interfaith Conference brings together the religious leaders of the Protestant, Jewish, Roman Catholic, and Islamic faith communities in the Metropolitan Washington area, for interfaith dialogue and joint action on issues of social justice. The Coalition for the Homeless works as an advocate for the homeless.

Mr. Kreindler retired after 50 years as general manager and comptroller of a major hotel and moved to Washington to be near his family. In his late 70's, he stepped forward 2 years ago to help the Interfaith Conference. He brought our financial records into a more complete set of books with hundreds of hours of volunteer labor and has maintained the conference's books in perfect order. When the Coalition for the Homeless was spun off by the conference 16 months ago, he became its bookkeeper as well.

Now, as he approaches his 80th birthday, Mr. Kreindler is once more "retiring." He can never be replaced, only succeeded. The Interfaith Conference and the Coalition for the Homeless are deeply grateful to him for his selfless labors. We hold him up as a shining example of how a person's faith and interests can combine to satisfy both himself and the larger needs of society, and we give thanks to God for him.●

JOHN P. HRZICH: POLICEMAN OF THE YEAR

HON. STEPHEN J. SOLARZ

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 11, 1983

● Mr. SOLARZ. Mr. Speaker, this week the House of Representatives began debate on the Justice Assistance Act of 1983. Once enacted into law, the legislation will provide $170 million in grants to States and localities for anticrime programs, activities to control arson, to deal with career criminals, to respond to serious crimes by juveniles and the like. This is a worthy effort, and I intend to do all that I can to insure that this legislation passes the Congress in a timely fashion.

Ultimately, the success of our programs to control crime rest on the shoulders of a few individuals who have the courage and the commitment to make the fight against crime their profession. I am talking, of course, about our Nation's police. All too often their contribution, a contribution more important than all others, receives an insufficient amount of recognition. From time to time, community groups help bring to the attention of the public efforts by policemen which really should not go without notice. I am pleased to bring to the attention of my House colleagues one such instance.

On Thursday, May 12, Police Officer John P. Hrzich will be honored by the Greenpoint Lions Club, the Greenpoint Merchants Association, and the New York State Assembly as the 1983 Policeman of the Year. Police Officer Hrzich, after 10 years of valiant and meritorious service, is winning the kind of recognition that he, as a dedicated public servant, richly deserves.

Mr. Hrzich is a lifelong resident of New York City. He attended Martin Van Buren High School where he lettered in baseball and basketball. After high school, John worked for 6 years at the Chase Manhattan Bank, though his tenure was interrupted by a 2-year absence during which he served in the military.

His Army career lasted from 1967 to 1969; he served 1 year in Vietnam. During this period, he was awarded the Army Commendation Medal. Wishing to further his education, he enrolled at the New York Institute of Technology, from which he graduated in 1976 with a B.S. degree in behavioral science.

On April 30, 1973, Mr. Hrzich realized a dream: He received appointment as a probationary officer in the New York City Police Department. During his 10-year career, he received three departmental decorations. Among these, he was awarded the Meritorious Service Medal for capturing an armed burglar on a crowded street—he did so while endangering his own life for the benefit of his community.

This has been the hallmark of John Hrzich's career: Sacrificing himself, putting his life and his livelihood on the line, for the benefit of others. For this reason, the organizations in Greenpoint which are taking time to honor him deserve to be honored themselves.

We as a society owe so much to our courageous police officers. And we as citizens, who owe so much to this courageous few, should seize every opportunity to respond, at least with a thank you, for the great work they do.

As the Congressman from Greenpoint, I salute Officer Hrzich for his service as 1983 Police Officer of the Year.●

SMALL BUSINESS WEEK

HON. OLYMPIA J. SNOWE

OF MAINE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 10, 1983

● Ms. SNOWE. Mr. Speaker, National Small Business Week is an appropriate time for us to reflect on the important contributions small businesses and small business people make to our society and our way of life. It is also a time to focus our attention on some of the problems facing the small business community and to concentrate our efforts on finding ways to alleviate them.

As President Reagan has correctly pointed out, small business is the cornerstone of our free enterprise system. Small businesses account for nearly 40 percent of our gross national product; they employ over half of the American work force; and they provide an overwhelming majority of the new jobs created each year in this country. The small business sector is the source of many of our most creative ideas and new inventions. In fact, according to the National Science Foundation, small businesses provide 25 times more innovation per research dollar than larger firms. In addition, the small business community provides invaluable opportunities for women and minorities to fulfill their goals of economic self-reliance.

Since America's small businesses play such a vital role in our society, we cannot afford to turn our backs on the problems that many are now facing. Small firms, with their narrow profit margins and limited capital reserves, have been particularly hard-hit by recent high interest rates, economic recession, and overly restrictive Federal regulation.

We must take steps now to create a more favorable climate for the small businesses of this country. We have already made progress in lowering the rates of interest and identifying burdensome Federal regulations. We must now pursue this course in order to allow the small business people of this country to make the best possible use of their creativity, imagination, and hard work. Such an effort is absolutely critical to the future health of our economy and our society in general.●

A SALUTE TO OUR CIVIL SERVICE SYSTEM

HON. FRANK J. GUARINI

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 11, 1983

● Mr. GUARINI. Mr. Speaker, I rise in tribute to the civil service system, which has supplied our communities and Nation with an army of dedicated servants of the people.

On January 4, 1983, Public Law 97-420 of the 97th Congress, in joint resolution, adopted the following, designating January 17, 1983 as Public Employees Appreciation Day:

Whereas public employees have made great contributions to American society in many areas including health care, crime prevention, science, transportation, agriculture, housing, energy, and the national defense;

Whereas public employees are the often forgotten individuals who make government run smoothly;

Whereas professionals in the public work force provide continuity and security in government operations in times of national emergency and stress;

Whereas the merit system of employing public employees has provided our Federal, State, and local governments with the finest public work force in the world; and

Whereas the Congress of the United States recognizes the dedication, talents, and contributions made by public employees at all levels of government; Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, that January 17, 1983 is designated as "Public Employees' Appreciation Day" and the President is requested to issue a proclamation inviting the Governors of the several States, the chief officials of local governments, and the people of the United States to observe that day with appropriate ceremonies and activities.

The U.S. civil service system is celebrating its 100th anniversary this year, while in New Jersey the 75th anniversary is being celebrated.

To further honor these dedicated employees, I have asked the U.S. Postal Service to issue a commemorative stamp, which would pay tribute as well as being inspirational.

The New Jersey State Civil Service Commission is composed of Eugene J. McCaffrey, Sr., president, and commissioners S. Howard Woodson, Jr., of Trenton, Mercer County; Charles M. Walther, Jr., Upper Montclair, Essex County; Barbara Claman, of West-

field, Union County; and Philip Matalucci of Middle Township, Cape May County.

An important arm of assuring the proper administration of laws and regulations to the employees in New Jersey is its excellent New Jersey Civil Service Association, whose officers are: president, John Lazzarotti of Mount Holly; first vice president, Charles King of New Brunswick, second vice president, Olga Sachenski of Clark; third vice president, Richard D'Elena of Delran; fourth vice president, Paul Kalnas of Phillipsburg; fifth vice president, Thomas Tammaro of Vineland; sixth vice president, Virginia Clancy of Monmouth; recording secretary, Carol Cash of Burlington; treasurer, Theresa Long of Williamstown, financial secretary, Isadore G. Padula, Jr. of Belleville; sergeant-at-arms, William Carter of Jersey City.

The presidents of the local councils of the New Jersey Civil Service Association are Essex No. 1, Tally Talbot; Hudson No. 2, Frank Basillo; Passaic No. 3, Charles Arangio; Mercer No. 4, Norman Leavens; Bergen No. 5, Agnita Hastings; Morris No. 6, Betty Lisovsky; Middlesex No. 7, Ann Montanti; Union No. 8, Olga Sachenski; Monmouth No. 9, Virginia Clancey; Camden, No. 10, William James; Kearny No. 11, Raymond Duger; Ocean No. 12, Mary McDonald; Hunterdon No. 15, Andrew Weiman; Burlington No. 16, Richard D'Elena, Warren No. 17, Paul Kainas, Cumberland No. 18, Thomas Tammaro; Cape May No. 19, Andrew Cipaldo (acting); Sussex No. 29, Edward Sanders; Salem No. 21, Mary Spaulding.

The watchdog of the civil service in New Jersey is the Shield, a viable newspaper, which was founded in 1935 by Irving "Steve" Brody, a former Hudson Dispatch reporter. He was covering the State House in Trenton at the time he began the paper.

After Brody's death in 1948, Milton E. Goldman, who had been advertising manager of the Shield assumed command of the paper. He died in 1979.

Editor of the Shield, since 1947, is Leo W. Steiner, who has been a newspaperman for the past six decades.

The Shield staff is composed of Beatrice Z. Goldman, publisher, Leo W. Steiner, editor, Caye Bolte Jehn, staff writer and graphic arts coordinator, Stephen R. Goldman, general manager, Jack Hasbrouck, assistant editor, Russell T. Jehn, circulation manager, and Madeline Goldman, office administrator.

Civil servants have manned our hospitals, operated our vehicles, provided programs of social, cultural, recreational, historical, and economic enrichment.

They have fed our Nation, they have participated in America's battles, in its social, economic, religious, and historical growth. They have given thousands of hours and millions of dollars in voluntary efforts to aid causes aimed at relieving human suffering.

They have worked in the causes of peace, knowing that this is the noblest work of God-fearing men and women. They have worked for the success of our State and Nation, knowing that if they make this a great land to live in, reflecting our energy and strength and vitalities throughout the world, then and only then, will the cause of freedom, human dignity, and freedom of opportunity be strengthened.

The Shield, in its editorial of April 2, 1983, reminds us:

> The dramatic adoption of Civil Service for the national public workforce—a direct result of the murder of President Garfield by a disappointed office seeker—showed in the clearest of terms how the U.S.A. was shocked by the powerplay of job seeking and job rewards for political services. As an antidote America wanted merit, competence, as shown in competitive examinations.
>
> States, counties, municipalities, school districts joined the procession—all by popular referendum, thus proving that what the people wanted was not politics as usual but appointees to public jobs who deserved their appointments because of their competence, not because they could line up votes or contribute large sums of money for campaign purposes or even worse, to line pockets.

It is my privilege to prepare this tribute in time for the New Jersey Civil Service 72d Annual Convention, which will be conducted at Atlantic City from May 21 to May 25, 1983.

I am asking all my colleagues in the House of Representatives to join me in this salute to my fellow New Jerseyites who will spotlight their diamond jubilee at the convention, while joining their fellow civil service workers on a Federal level, working in the system, which has helped America work so effectively for the past 100 years.●

JUDICIAL REFORM

HON. JACK FIELDS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 11, 1983

● Mr. FIELDS. Mr. Speaker, today I am introducing a proposed amendment to the Constitution requiring that Federal judges be reconfirmed by the U.S. Senate every 10 years.

Mr. Speaker, presently Federal judges, once appointed, serve life terms. The only constitutional mechanism for removal of these judges is impeachment. And as we all know, impeachment is a long and arduous process which historically has been exercised on only nine occasions, resulting in actual removal from office of only four judges.

In the absence of any other effective formal procedure for dismissal, Federal judges have been elevated to a stature unprecedented and unequaled by any other Federal official. Unfortunately, as a consequence, there is no procedure for removal of a judge who may be senile, disabled, dishonest, or in any other way unfit to fulfill his or her constitutional responsibilities.

According to article III of the Constitution, Supreme and inferior court judges are appointed to their office for a term of good behavior. I certainly recognize and compliment the wisdom of the framers of the Constitution who, by separating judicial officials from the political process, preserved and defined the principle of separate but equal branches of Government. However, I continue to believe that this separation has resulted not in a more effective judicial system but rather in a greater disparity between the various branches of Government. The life tenure of these judges has made them less, not more accountable for their actions and decisions.

Furthermore and more significantly, is the increasing use by judges of their judicial power as a forum for legislating social policy. Our judicial system was established to interpret law, not to formulate national policy. However, in the last several years, many of our Federal judges have taken to backdoor legislating on such controversial issues as school prayer, abortion, and school busing.

I sincerely believe that neither this legislative body nor the American public can stand by and watch this transgression of constitutional authority. National policy decisions should not be formulated in our courts but rather should be duly deliberated and decided by the people's elected Representatives in Congress.

Mr. Speaker, I urge expeditious consideration of this legislation so that our Nation can once again be assured of three separate but equal branches of Government.●

DEBT CEILING RULE

HON. DAN ROSTENKOWSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 11, 1983

● Mr. ROSTENKOWSKI. Mr. Speaker, I take this opportunity to inform my colleagues that the Committee on Ways and Means will be considering legislation tomorrow to further extend the temporary limit on the national debt.

I wish to serve notice, pursuant to the rules of the Democratic Caucus that when this measure is reported from the committee, it is anticipated that we will seek other than an open rule.●

STUDENTS AT KINDER ELEMENTARY SCHOOL IN MIAMISBURG, OHIO, RAISE MONEY TO RESTORE STATUE OF LIBERTY

HON. TONY P. HALL

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 11, 1983

● Mr. HALL of Ohio. Mr. Speaker, the Statue of Liberty will be 100 years old October 28, 1986, and millions of schoolchildren are raising money to help restore this landmark for her birthday. This is particularly appropriate because it was the pennies of our schoolchildren which paid for the statue's pedestal a century ago.

I would like to bring to the attention of my colleagues one special effort to raise money for this cause by the students in Florell Shaffer's second grade class at Kinder Elementary School in Miamisburg, Ohio, within my district.

Kinder is the oldest school building in Miamisburg, located in the center of the city. Many parents of Kinder's students are out of work; yet, the 25 students in the class have so far raised a total of $152.16 to pay for Miss Liberty's repairs.

What makes this effort even more special is that the diverse backgrounds of these children have given them an unusually personal understanding of the statue and its message to millions of Americans who sought freedom on our shores.

An article in the April 1, 1983, issue of the Dayton Daily News tells the story. The text follows:

STUDENTS PITCHING IN FOR STATUE'S RESTORATION

(By Mary Sikora)

The Statue of Liberty is falling down ... well, at the least it needs extensive repairs. And students in Florell Shaffer's second-grade class at Kinder Elementary School in Miamisburg want to be part of its restoration.

Five of the second-graders—Phet Phong, Jimmy Osborne, Casey Holp, Robert Gibson and Aaron Sparks—have put in considerable time researching the statue's history, making posters and collecting the money needed to help repair the New York harbor landmark.

Mrs. Shaffer said that the students read of the statue's plight in their edition of Scholastic News.

Phet Phong, a Laotian citizen, and Robert Gibson asked her if they could help save it, she added.

"The teacher asked us," Phet explained, "'Do you want to draw a poster to hang up and do you want to go around collecting money?' I asked Robert and Aaron (Sparks), then we went out to collect money."

It really wasn't that simple but, before long, the students set a goal of $100 to send on to the statue repair fund. They solicited the help of their other classmates. They made posters. They decorated small cups for money collection and, every day, they made the rounds of the classrooms at Kinder in their search for donations.

One of the big contributors was classmate Jimmy Osborne. "I told my family about it and they all gave money," he said, adding that he brought in a total of $10.10.

Casey Holp helped make the posters placed throughout the school. She said that the students read as much as they could about the statue and learned that, not only had France given it to the United States as a gift in the 1870s, but the statue's base was made possible by gifts from American school children.

She further explained that the second-graders discussed the present state of affairs and decided that "we were afraid if we didn't repair it, that France would get mad."

Last week, the students surpassed their goal and collected more than $126. "It's big—a big amount of money," Phet said with a self-satisfied grin.

The money and bookkeeping were taken care of by school secretary Arlene Suttman, Mrs. Shaffer said, adding that "She has been our accountant and helped the children keep the records straight.

"Schools have done similar things, but it's the first time a class of mine did something like this," she said. "I never dreamed—I thought maybe (they'd collect) $25. I think it's really kinda neat."●

ECONOMIC INJURY DISASTER LOANS

HON. CHARLES W. STENHOLM

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 11, 1983

● Mr. STENHOLM. Mr. Speaker, in September of last year, a 38-county area in west Texas was declared a disaster area for purposes of offering assistance to legitimate small businesses indirectly injured by a natural disaster. Severe hail and rain storms earlier in the year had led to the declaration. Because economic intervention was necessary, the assistance that was ordered into the area included economic injury disaster loans, also known as EIDL's—pronounced idles.

As you know, EIDL's are provided by the Small Business Administration to firms that have suffered economic damage when normal free market forces are disrupted by a declared natural disaster. For example, when crops are damaged in such a disaster, gins, implement dealers, and others not assisted by direct FmHA aid qualify for EIDL's if their business is adversely affected by poor crop performance.

To qualify for assistance, an entity must meet size standard regulations (13 CFR 121) to insure that only small concerns are assisted. Agricultural co-ops, however, are not considered businesses by the SBA. Instead, despite obvious differences, SBA officials have said that:

Co-ops are nonprofit in the same sense that the American Heart Association is nonprofit.

Therefore, they can receive such aid only if each and every member of the co-op completes the SBA's form 355 and is certified as being small.

To anyone who understands the nature of agricultural co-ops and the statute establishing them—the Capper-Volstead Act, Public Law 67-146—it is clear that the SBA's requirements can often inequitably disqualify a co-op from EIDL assistance. For example:

Some co-ops have hundreds of members, many with only a tenuous relationship with the financial structure of the co-op itself, and it is unreasonable to require that each member provide financial statements to substantiate size; if 149 out of 150 members comply, the co-op remains ineligible.

Some members are passive, being landowners who are co-op members only because their tenants desire to market crops through a cooperative. Frequently, these landowner/members are substantial investors who do not, themselves, qualify as small; their affiliation, however peripheral, makes the entire co-op ineligible for an EIDL.

Therefore, for two gins located in the same town, having the same size and scope of operation, the result is that one gin, privately owned, receives a loan, while the other, cooperatively owned, cannot qualify.

In the past, some SBA regional offices have recognized these problems and have waived the every-member size standard requirement. Because the Small Business Act is unclear in its application to co-ops, however, size standard provisions were applied unevenly. Under its interpretation of the law, the present administration refuses to waive these paperwork requirements or change the regulations governing EIDL assistance.

For these reasons, I am today introducing legislation to amend section 7(b)(2) of the Small Business Act to clarify the standards of eligibility of farm co-ops for EIDL aid, for the purpose of preventing uneven or inequitable applications of this statute. This legislation would provide the necessary technical language to exempt farm co-op members from the size standard determination when being considered for an EIDL and would apply only to EIDL's.

I also believe it is important to note what this legislation would not do. First, it would not exempt the co-op itself from the requirement to meet SBA size standards. The waiver of size standard requirements would apply only to the members of a small agricultural co-op that otherwise would qualify for an EIDL.

It would not encourage corporate reorganization into cooperative form, since board members would have to resign or not be involved in the operation of the co-op; it prevents this type of abuse by still requiring size determination of a co-op's principals—such as board members or other governing officers.

It would not waive size standard determination for SBA assistance under

otherwise normal free market conditions; for aid other than disaster assistance, the SBA could still require size standard compliance by all co-op members.

Mr. Speaker, last year was not the first time and west Texas is not the only area in which the SBA's interpretation of an unclear law has resulted in the unjust disqualification of cooperatives from small business assistance. Now is the time to rectify this problem and the legislation I am submitting does so in a way that is fairest to all concerned: It will eliminate redtape, redress a present inequity, and speed relief to small businesses owned by hard-pressed farmers who are already suffering in today's weak economy.●

BEYOND THE FREEZE

HON. TOM LANTOS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 11, 1983

● Mr. LANTOS. Mr. Speaker, my friend and distinguished colleague, Mr. GORE, a recognized authority on strategic issues, recently made a valuable contribution to the debate on our Nation's future in an article called "Beyond the Freeze."

The article was published in the May 9 issue of the Washington Post, and I commend it to the attention of my colleagues.

BEYOND THE FREEZE

(By Albert Gore, Jr.)

The House freeze debate, mobilizing scores of congressmen on both sides and delaying many other urgent actions, demonstrated that preventing nuclear war has become a premier mainstream concern.

For decades, the public by and large left strategic issues to the executive branch. No one in government, least of all Congress, foresaw the stunning growth of the freeze idea, particularly at a time when bread-and-butter issues were becoming more intense.

What took place was a kind of chain reaction. After the glow of détente began to fade, Americans slowly realized that U.S.-Soviet relations were deteriorating. Soviet military power continued to develop and, in Afghanistan, the Soviets drove home to a new political generation the fresh lesson that they were prepared to use naked power.

Most Americans still believed our leaders would manage disagreements with the Kremlin in a fashion to avoid any flirtation with nuclear war. But the Reagan administration's bellicose anti-Soviet rhetoric, combined with its careless and often uninformed references to nuclear war, gave rise to a fear that the distance between political conflict and nuclear catastrophe was narrowing.

There remained an abiding faith that good old American technology would come up with the design for invulnerable nuclear forces and with the means to use them to intimidate the Soviets at minimal risk to ourselves. That idea also died a hand death, as successive schemes for basing the MX were unveiled and dismissed, and as MX proponents made clear its importance to them as the centerpiece in nightmare scenarios for "nuclear war fighting."

The freeze concept was born in the minds of analysts conversant with nuclear strategy and exasperated by the failure of traditional approaches to arms control. It was an idea simple, audacious and available at a time when the American people realized that humanity was in profound danger.

Whether or not its intellectual premises have been vindicated, freeze forces have challenged the foundations of orthodoxy and shown that the freeze compares favorably to the Byzantine scenarios that led to "dense pack" and "racetrack" before it. They have forced the experts to revisit the essence of the issue: not how best to design imaginary geopolitical scenarios but how best to save civilization from the horror of nuclear destruction.

Sophisticated critics of the freeze resolution seized upon qualifications made in the debate as evidence that the idea and the movement behind it suffered an intellectual and moral defeat. But that the freeze remained unacceptable to the president in a sense confirms its victory. The final vote in the House was therefore the closest we can come to a vote of no confidence.

Were this to be the only outcome, we would now be facing a bleak prospect: yet another president at bay, and unable to lead; a country polarized and unable to support coherent policy; the Soviets at liberty to develop their strengths and play on our weaknesses.

Fortunately, however, something else has occurred. The House has realized that the freeze was not an end in itself but a proposal for a new beginning. Moreover, there now appears to be a consensus that in this new beginning we must try not only to reduce the number of nuclear weapons in the world but also to ensure that nuclear relationships are kept stable. All sides of the debate seem to realize we must eliminate the conditions that would make either superpower fear the other has the means and, therefore, may be harboring the ambition, to carry out a nuclear coup: a first strike that would leave the victim with choice of submission or suicide.

The president, perhaps to his own surprise, now finds himself approaching the sames idea, albeit from his own perspective. Because Congress proposed to choose between his conduct of arms control and the audacious freeze, it was imperative for him to make his conduct in arms control and arms planning more persuasive. That led him to expand the charter of the Scowcroft Commission to encompass arms control, and to embrace its recommendations, even though they are in many ways contrary to his original goals.

I believe, along with many of my colleagues, that the long-term recommendations of the report are correct. Arms control and nuclear weapons decisions needs to be integrated into a common strategy focused on the pursuit of stability. Stability requires that neither the United States nor the Soviet Union possess the means to conduct even a theoretically advantageous first strike. Insofar as the development of increasingly more numerous and accurate MIRVed warheads leads toward first-strike capabilities, we must reverse that trend. We can do so by moving toward less threatening nuclear forces with fewer warheads on each side compared to the number of missiles silos on the other side, ideally in a transition orchestrated through arms control.

The president still wants the MX, although he asserts that its deployment is now needed as part of a strategy for achiving the longer-term objectives of the commission report. How this can be so, he has not demonstrated. He correctly sees the idea of a small, single-warhead ICBM as a way to move toward nuclear stability, but the Pentagon suggests that this idea is a price it is willing to pay only under duress, in order to get the MX.

The president asserts that he intends eventually to blend these ideas into a new approach to START, but he states that his existing proposals in Geneva are completely consistent with the Scowcroft recommendations, which they are not.

Once again, the initiative and the burden fall to the Congress and especially to the House. There, a vote in favor of the president's proposals is far more difficult, given all that has happened, than in the Senate. But the Congress, too, has changed. Because of the freeze, there is now some of the same sense of nuance and detail in nuclear matters that formerly was reserved for tax laws and highway construction bills.

Ronald Reagan now has what no other president has had: a Congress that is able to engage in a dialogue on the problems of the nuclear age and that is motivated to support a line of march that makes sense.

Last Monday, two letters—one from a group of senators, the other from a group of representatives—went to the president. Consistent on basic points, they say that agreement is possible with the president on the basis of the Scowcroft Commission report, but that Congress must have at the beginning and at critical points along the way (1) his assurances of support for the report and (2) evidence that he is moving vigorously on arms control and on serious technical questions hanging over MX and the single-warhead ICBM.

The self-education of the House was the result of a political imperative. It makes possible, together with the Scowcroft report and the president's endorsement of it, the beginning of a second round of informed and constructive debate. This debate must turn on a crisply defined objective: stability through arms control. It provides the basis for a durable bipartisan consensus. That, too, should be counted as a victory for the freeze.●

A TRIBUTE TO HEAD COACH JOHN GURSKI

HON. GUS YATRON

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 11, 1983

● Mr. YATRON. Mr. Speaker, it is a distinct privilege to bring to the attention of my colleagues in the U.S. Congress, the achievements of Mr. John Gurski, who is retiring this year as head football coach at Wilson High School.

In recognition of John's outstanding record and achievements as head coach for 19 seasons, many of his admirers, friends, colleagues, and students will be hosting a dinner in his honor to be held June 12 at Stokesay Castle. It is my pleasure to pay tribute to John through these remarks.

Under Coach Gurski's direction the Wilson High School Bulldogs have brought distinction and a high level of success to this school and the community. As head football coach, John's teams have a record of 144 wins, 41 losses, and 3 ties. He was named coach of the year last season by his fellow coaches in the Lancaster-Lebanon League and of Berks County.

For 4 consecutive years he has led his team to the championship of section 1 of the Lancaster-Lebanon League. His 1981 team was ranked third in Pennsylvania. In the last three seasons his teams have attained the outstanding record of 43 wins and 2 losses. His 1980 and 1981 teams tied the Wilson High School record set by the 1978 and 1979 teams for the longest winning streak with 22 consecutive wins. The 1978 team coached by Mr. Gurski finished with an undefeated record of 11 and 0 and was ranked No. 1 in the Middle Atlantic ratings and No. 4 in the State. His 1967 and 1969 teams were also undefeated with 10 and 0 records and they won the championship of the Tri-County Football League. His 1974 team was cochampions of this league. John Gurski was also named coach of the year in 1969 and 1978 by the Reading Eagle and Reading Times newspapers. He also achieved the honor of being selected as one of the east coaches of the Pennsylvania Big 33 game played at Hershey in 1970 and the P.I.A.A. Big 33 game played in Wilkes-Barre in July 1980.

Coach Gurski began his career at Coal Township High School where he served as assistant football coach and head wrestling coach. He then became the head football coach at Minersville High School, which he left to become head football coach at Wilson High School. He had achieved 100 wins as a head football coach by 1971 and reached this goal at Wilson High School in 1977. In 1974, he was selected as the Coach from the State of Pennsylvania to be the recipient of the Master Coaching Award presented by the National Football Clinic in Atlantic City, in recognition of his outstanding achievements.

Mr. Gurski graduated from the University of Pennsylvania with a degree in economics and received his masters degree in education from Bucknell University. He received honorable mention All-American honors in college football. Coach Gurski has always stood as an inspiration to the members of his teams, who have sought his advice and have learned from his years of service and excellence.

He will be sorely missed by his players and all those who love the sport of football. I know that my colleagues will join me in paying tribute to John Gurski on the outstanding job he has done in coaching and working with young people. He is a man of principle and determination, a man of compassion and dedication—truly a remarkable American. It has been an honor to bring his achievements to the attention of this body and to have the opportunity to wish him success in all his future endeavors.

TRIBUTE TO JOE PARKER

HON. NORMAN SISISKY

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 11, 1983

● Mr. SISISKY. Mr. Speaker, today I rise to share with my colleagues the achievements of a very special person, Mr. Joe Parker.

Joe Parker had a vision. As a child, he dreamed that his poor, crime-ridden neighborhood could be a safe, respectable community. He dreamed that the decaying houses of his city of Portsmouth, Va., could become homes that families would be proud to own.

But Joe Parker was more than a dreamer, he was a worker and an achiever. Through this one man's force of will, one of the city of Portsmouth's worst neighborhoods, Mount Hermon, has become a national success story.

Joe Parker distrusted urban renewal, fearing it would destroy black neighborhoods and merely shift ghettos from one site to another.

Instead, he inspired his neighbors, making them believe in the resurrection of their community. He motivated them by example, telling them that belief was not enough, that they had to work to make things possible.

Today, that community serves as a monument to Joe Parker's energy and commitment. Mount Hermon boasts 150 new single-family homes, 40 rehabilitated homes, a new 90-unit cottage development for the elderly and handicapped, and a 296-unit family apartment building.

In all, Mount Hermon has 600 new residential units. Yet the figures cannot show the new streets, and the fierce pride taken by each resident in their own home and in their community. Theirs is not a typical Government operation. In this community, the residents run the program themselves. Thanks to Joe Parker's efforts, 75 percent of the original families stayed to rebuild.

To work the miracle, Joe Parker persuaded the city to apply for Federal urban renewal funds to help his neighbors rebuild. The private investors were willing to take a chance because of Joe Parker's drive and vision. In all, $16.9 million came from community funding.

In 1980, Joe Parker received an award for the community's design from the U.S. Department of Housing and Urban Development. Communities across the Nation called upon him for help in rejuvenating their own communities.

We lost Joe Parker not long ago. He passed away at the age of 55. He will be sorely missed by his family, by his community, and by those of us who worked with him. But he has left behind a fitting tribute, Mount Hermon. Thanks to Joe Parker, it is a living community, with a sense of pride and purpose.●

AN INFORMED VIEW ON CENTRAL AMERICA

HON. TRENT LOTT

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 11, 1983

● Mr. LOTT. Mr. Speaker, I recently had the opportunity to read the views of our former colleague, Bob McClory of Illinois, concerning problems in Central America.

He writes of the difficulties involved in having congressional committees oversee covert intelligence operations. As a former member of the House Select Committee on Intelligence, he knows his subject intimately. I believe our colleagues can benefit from reading his sage advice.

At this point, I wish to insert in the RECORD, "Congress Should Act With Restraint on Central American Issue," by Robert McClory.

CONGRESS SHOULD ACT WITH RESTRAINT ON CENTRAL AMERICAN ISSUE

(By Robert McClory, Former Member of Congress from Illinois)

Well-grounded fears of an ever-increasing involvement in the political and military battles being waged in Nicaragua and El Salvador are giving rise to demands for the Congress to assume a larger role in covert intelligence decisionmaking.

From the time, the Central Intelligence Agency was established in 1947 until 1974, covert (or secret) projects of our intelligence agencies were undertaken with no accountability whatever to the Congress.

In 1974, the Hughes-Ryan amendment was attached to the Foreign Assistance Authorization bill which required the CIA to report all covert projects to a total of eight House and Senate Committees. Restrained by that kind of requirement, covert actions came virtually to a standstill.

The action taken by the Congress in 1980 reducing the reporting requirement of the intelligence agencies to the two Select Committees on Intelligence, i.e., the House and Senate Select Committees on Intelligence, was intended as a permanent solution to the problems of excessive or ill-conceived "covert" projects.

The specific statutory authority adopted at that time imposes upon the President of the United States the requirement to report all covert activities to these two Congressional Committees "in a timely fashion." Former President Carter interpreted this language to permit him to postpone the reporting of the abortive hostage rescue mission of 1980 until after that covert project

had ended in a stark and humiliating disaster. Despite the tragedy and Carter's inexcusable delay in informing the Members of the House and Senate Intelligence Committees, several members who are sharply critical of President Reagan's present reporting practices were noticeably silent when Carter's representatives finally tried to explain why the mission had been so poorly planned and so miserably executed.

Still, there was no demand then, as there appears to be now that Congressional oversight of covert actions should be subject to approval or "veto" by one or the other of the Congressional intelligence committees.

Too often members of the intelligence committees of the House and Senate are plagued by one or two members who utilize their committee positions for publicity or political ends. This should be particularly noticeable today while great national attention is focused on covert actions in Central America which seem to be largely misunderstood and where the "cover" of some of those participating in the covert actions has been blown by media zealots who regard the public's right to know above the need to protect the identity of those whose safety is endangered by media exposure.

It is or should be no secret that numerous covert actions may be deemed necessary in order to protect our vital national security interests. That responsibility is necessarily vested in the President and the Executive Branch of our government. Any temporary public, Congressional, or media dissatisfaction with decisions relating to our national security should not justify substituting judgments formulated by a committee of the Congress (the legislative branch) for what is necessarily an executive department prerogative.

Some may even question the wisdom of the establishment of the two intelligence committees in the House and Senate. It might be preferable to vest that entire authority in the Executive Branch and then hold the Executive accountable for intelligence failures and abuses. A temporary Congressional committee could then investigate and report its findings. This was the purpose of the Pike and Church Committees which the Congress created in 1975.

A more logical oversight committee for keeping a constant check on the CIA is the President's Foreign Intelligence Advisory Board (PFIAB), currently headed by the very capable Anne Armstrong, former Ambassador to Great Britain and former Presidential Assistant. Such other members of PFIAB as Allan Greenspan and Eugene Rostow are fully competent to review proposed covert actions and probably better able to do so than are the members of the Congressional intelligence committees, all of whom have other committee assignments to attend to.

Individual or committee inspired letters protesting a proposed covert project can be fraught with potentially dangerous consequences as occurred a little over a year ago when erroneous information from such a letter was "leaked" to a newsman. We should be thankful that Qaddafi (who was erroneously identified as the subject of a covert action) did not retaliate militarily or with a terrorist mission.

Another abortive effort to frustrate policy positions in Central America occurred when a "staff report" was published following the initiative of a few members of the House Intelligence Committee. This may have strained relations between the Committee and the CIA but it did nothing to advance our national interests.

The more recent suggestion is for a Congressional "veto" or the substitution of the judgment of the House or Senate Intelligence Committee for what is clearly a responsibility reposed in the President and the intelligence agencies of our nation. Such is not the law today, and it seems unlikely that a Committee of the Congress could fulfill such a role.

Several additional observations seem to me to be pertinent. First, there is the question as to why a policy should be implemented by covert as opposed to overt action. The CIA and other intelligence agencies have a great preference for secret, undercover activity. Even when overt and aboveboard military or economic aid would have broad public acceptance, the intelligence community seems bent on concealing its actions.

Still, in other instances, the beneficiaries of our aid frequently insist that the aid must be furnished clandestinely. When this develops—as it does—we are left with no alternative but to help our cooperating friends or allies in the manner in which they choose to be aided. That attitude could explain some not so covert actions taking place today in which the American public and the President may be overtly supportive.

At any rate, committees of the Congress can do little or nothing to ease this dilemma as I learned the hard way as a Member of the House Select Committee on Intelligence since its creation in 1976 and until my retirement from the Congress in January of this year.●

PASSAGE OF THE NUCLEAR FREEZE A MISTAKE

HON. RICHARD RAY

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 11, 1983

● Mr. RAY. Mr. Speaker, while I think that the nuclear freeze resolution has been improved by the 40-plus hours of congressional debate which have been devoted to it, I am still of the opinion that its passage by the House of Representatives is a mistake.

In my judgment, this is not just the right time in our history to approve a nuclear freeze resolution.

The action that we take is important not only for the provisions it contains, but also for the signal that it sends. History tells us that both Tokyo and Berlin closely monitored congressional debate on national defense in the years preceding World War II. Encouraged by the strength of the "peace movement" and by the defeat of numerous rearmament measures, the Axis powers seriously misread America's will and resolve. The consequence was World War II.

I fear that this House is sending the Soviet Union much the same message that it sent Germany and Japan in the late 1930's. Only recently, Mr. Andropov has proposed to the President that warheads as well as missiles should be counted in the START talks as a means of determining a balance between Soviet and NATO nuclear forces. The Soviet Union seems now to be reluctantly moving toward the conception of reducing arms and not simply strengthening them. I am convinced that this program is the direct result of their perception that the United States has the will and the strength of purpose required to maintain an adequate and creditable deterrent.

There are other problems with a freeze. First among them is verification. It is relatively easy to determine whether or not a nation has specifically reduced the arms and weapons systems it promised to cut back. A freeze is a different proposition. It is very difficult to examine the whole spectrum of a defense complex as intricate as that of the Soviet Union and guarantee that it is maintaining a status quo.

This problem in verification must be measured against the backdrop of the Soviet record of breaking every international agreement they have entered since Yalta.

Mr. Speaker, I honestly believe that we are not debating the question of world peace. All of us are dedicated to that goal with equal fervor and commitment. The difficulty here concerns the best way of getting there.

I firmly believe that mutually agreed upon reduction talks conducted in an atmosphere of respect provide our most viable option. I intend to work as hard as I can to achieve that goal in my service on the special panel appointed by the Armed Services Committee on disarmament. No one will work harder than I will to this end but I think we are making a mistake today and I cannot support House Joint Resolution 13.●

COMMEMORATING ITALIAN-AMERICAN WEEK

HON. DON RITTER

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 11, 1983

● Mr. RITTER. Mr. Speaker, I am happy to announce that this week is being celebrated as Italian-American week in Allentown, Pa., and I, as the Representative of the Lehigh Valley, would like to extend that Italian-American week throughout our Lehigh Valley cities, townships, and boroughs. To culminate the celebration of this week's activities, a special concert presented by the I Paesani Italian Singers and Dancers of the Lehigh Valley, will feature tenor Walter Rinaldi, soprano Patricia Jensse, and accompanist Carl Suppa in a special celebration of America's favorite Italian music "From Verdi to Volare." The event, to be held in Allentown's Symphony Hall on May 14, will be a fitting way to end the week-long celebration dedicated to a people

who have contributed much to the greatness of our Nation.

I have the pleasure of representing an area in Pennsylvania which is ethnically diverse. The steel mills, slate quarries, cement factories, foundries, truck assembly lines, and other industries attracted settlers from many parts of the world. They came seeking a better life and chance to start anew in a land filled with hope and promise. Their toil and sweat helped to build a community that was proud and strong. In doing so, they ingrained in their children the knowledge that hard work and dedication paid off, but they also instilled in them an undying love for their heritages. This is what will make May 14 so special. It is a celebration of Italian-American history and culture, of friendships and good times—an event which will be remembered for some time to come.

The Italian-American community throughout the Lehigh Valley can boast of many favorite sons who have risen to the top in their fields. they are the products of a strong foundation laid by the generations that preceded them. Italians began arriving in the Lehigh Valley in the late 19th century and continued coming until the time of the Great Depression. It was not surprising to find many members from the same region or towns in Italy living in close proximity to one another in the Lehigh Valley.

Bethlehem inherited a large number of artisans, who contributed to the growth and welfare of the city. Some became small shopowners dealing in groceries, clothing, and other dry goods. Others became barbers, tailors, and bankers, creating a strong merchant class. Many of these shops became meeting places for recently arrived immigrants to talk of the land they left behind and the dreams they brought with them. Their hard work and desire to get ahead epitomizes the classic American dream; this was the message that was handed to the next generation, and what a generation that was.

I wish I could, for the benefit of my colleagues, list the many Americans of Italian descent who have blessed the Lehigh Valley with their personal, professional, business, political, and artistic success. They range from distinguished professionals to the Nation's top automobile industry executive to successful businessmen and union leaders who have given greatly to our economy and our communities, to nationally renowned artists, to champion athletes, to religious leaders, and to distinguished elected officials—judges, State representatives, and mayors. These many people who have risen to the top in their fields had the benefit of building on the strong foundations laid by the hard work of their forebearers.

We in the Lehigh Valley are proud of the I Paesani singers and dancers and their dedication in preserving the rich and colorful heritage of Italy. The term "I Paesani" means fellow townspeople and is a fitting name to a group whose members' ancestors, no doubt, came from the same villages and towns in Italy. Today, many of their names do not reveal the heritage they honor and love. Yet, when they appear on stage with the men in black trousers and white shirts complemented with a red scarf and the women adorned in their peasant blouses with brightly colored skirts, one can close their eyes and dream of the land which has given the world the vision of a perfect civilization.

I salute the many Americans in the Lehigh Valley of Italian heritage and am proud to share in the commemoration of Italian-American week in the Lehigh Valley. You have contributed to the greatness of our community and individually you have passed on to your children the values of strong family, work ethic, honesty, and integrity. May God bless you.●

LETTER EXCERPTS FROM SISTER RAQUEL PINAL, OF OCOTAL, NICARAGUA

HON. GEORGE MILLER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 11, 1983

● Mr. MILLER of California. Mr. Speaker, Sister Margaret Cafferty of San Francisco recently delivered a very moving eulogy at the funeral of our late colleague, Phillip Burton. In her eulogy, Sister Cafferty talked about the continuing violence and disorder in Central America, and particularly about the situation in Nicaragua.

Sister Margaret based her remarks on the letters of another member of her order, the Sisters of the Presentation, Sister Raquel Pinal, P.B.V.M., who is living and working in Ocotal, Nueva Segovia, Nicaragua.

The words of Sister Raquel's letters communicate the sense of intimidation and disorder which the continuing war in Nicaragua brings to the innocent citizens of that country. Her letters also illustrate the personal courage of dedication of this dedicated person who is risking her life daily.

These letters contain more than a message of courage. They contain, too, a message of concern about the covert actions which our own Government is undertaking in Nicaragua, actions which have the effect of worsening the crisis and increasing the jeopardy of thousands of innocent victims. This message should be read and weighed by every Member of this body before we vote on further military aid and on legislation to terminate such covert actions.

Following are excerpts from the letters of Sister Raquel from December 14, 1982, January 13, 1983, March 22, 1983, and April 13, 1983. They were prepared by Sister Margaret.

DEAR MARGARET: * * * Crimes and kidnappings at the border continue almost daily. * * * The couple that hosted the delegation of religious last September in Esteli were both kidnapped (with five others) cutting coffee. The others managed to escape. We know these two have been tortured. This particular couple are very lovely and very dedicated. Had worked in the cursillo movement for years, at present are on the diocesan council. * * * They could have been home with their families and grandchildren. Instead they responded (as we do each Sunday—and go with an armed guard) to pick the coffee that has fallen on the ground. In that the counter-revolutionaries have succeeded—scared off our professional pickers.

We definitely have an undeclared war going on here now. It is getting closer and closer to us physically. The counter-revolutionaries were all over the hills where we were for Easter. Twenty people from our area were kidnapped. The people are understandably frightened. Our frontier units are just heroic. Our own Ocotal Batallion has been at Jalapa for two months: 6 dead, 28 wounded—the last two were kids aged 13 and 15. I have learned to rage within myself—and ask God to help me forgive all those responsible. * * *

Meantime, Nicaragua goes on paving streets, e.g., to the Mercado in Ciudad Sandino, promoting community gardens in the empty Managua lots (so people won't go hungry), building roads, putting in telephones where there never were any, etc. And the poor who appreciate it really appreciate it. It's in their eyes, in their smiles. * * * if I die of a broken heart * * * it won't be because of a loved one, but rather because of the violence of the jealous outsider. * * *

You can't help think many thoughts, so I share the following * * * I hope, if anything happens, that I go bravely, not like a coward. As far as I am concerned, if anything should happen, just promise me you'll raise a big stink for Nicaragua—my life is too precious for me to give it away so lightly and I don't * * * No, it's been marvelous, especially since I turned forth. * * * Believe me, I shall sing and dance to the Lord in gratitude for the resurrection he granted me in Nicaragua.●

THE APARTHEID POLICIES OF SOUTH AFRICA MUST END

HON. ROBERT G. TORRICELLI

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 11, 1983

● Mr. TORRICELLI. Mr. Speaker, this past week the House Committee on Foreign Affairs took up consideration of the foreign aid package for fiscal year 1984. As part of our recommendation, the committee established a set of legally enforceable fair employment standards for U.S. firms op-

erating in South Africa to combat apartheid policies. The fair employment principles adopted by the Foreign Affairs Committee were inspired by the standards drawn up by Rev. Leon Sullivan. The Sullivan principles are currently adhered to voluntarily by many American firms in South Africa. The committee's action prescribes penalties for noncompliance. On May 10, 1983, an article by Reverend Sullivan appeared in the Washington Post. It discusses the history and progress made by the acceptance of the Sullivan principles by some American firms and focuses on the course to take in the future. The article poignantly portrays the injustice and inhumanity of apartheid and poses important steps that can be taken to end this brutal practice of the South African Government. In light of the Foreign Affairs Committee's recent action regarding the Sullivan principles I commend Reverend Sullivan's essay to my colleagues.

[From the Washington Post, May 10, 1983]

IT'S TIME TO STEP UP THE PRESSURE ON SOUTH AFRICA

(By Leon H. Sullivan)

(The writer, pastor of the Zion Baptist Church in Philadelpia in 1977 drew up the Sullivan principles, a code of employment practices for American firms operating in South Africa.)

The so-called Sullivan principles that I initiated six years ago were intended to bring the actions and influences of American companies in South Africa to bear against the racist practices and apartheid laws of that country. It was my hope that the principles would initiate similar efforts by multinational companies from other parts of the world, thereby creating a global multinational campaign in South Africa against the racial injustices that have existed there for 300 years. It was also my intent that the principles would serve as a catalyst to help change segregation practices in other private and public places throughout the country.

I have attempted to make it clear from the beginning that the principles are not the total solution to the South African problem, and that even if they were implemented to the optimum, the principles alone could not end apartheid. Apartheid is a ruthless, inhumane system of practices and laws deeply embedded in the world's most racist society, and in order for apartheid to be completely eradicated, it requires the combined efforts of many forces, including governments, companies, churches, unions, the United Nations, those who believe in justice within the country, and world public opinion. But it is my firm opinion that the multinational corporations have a major role to play. In the past they have been the main beneficiaries of cheap labor and profits from this evil and unjust system and among its main supporters. It should be the responsibility of these companies to help change that system. Otherwise, they have no moral justification for remaining in South Africa, and should be compelled to leave the country.

The principles were never intended to be a camouflage for corporation to hide behind, but were meant, along with other thrusts, to help end race discrimination and apartheid in South Africa. It was hoped this could be done by peaceful means, without the need for devastating war and the loss of millions of lives and the pedictable involvement of most of the rest of the world, particularly the superpowers, that could lead to an atomic confrontation.

Though progress is still limited in comparison to the enormous size of the problem, the principles are beginning to work. Starting from where we began six years ago, at a near "zero" base where blacks were not even legally considered "employees" in that country, some significant changes are occuring:

Throughout South Africa, plants are being desegregated in spite of the laws.

Blacks and other nonwhites are being upgraded for the first time, to administrative and supervisory jobs.

Blacks are supervising whites, for the first time, in South Africa.

Blacks and nonwhites are being trained for skilled jobs in ever increasing numbers.

Black representative registered and unregistered trade unions are now beginning to be recognized.

Technical schools training blacks and other nonwhites are being built.

Black businesses, in increasing numbers, are being initiated.

Equal pay for equal work is beginning to be instituted.

Companies are beginning to improve the quality of life for blacks and other nonwhites outside the workplace: in housing, health care, and education.

For the first time, some company executives are beginning to lobby for an end to all racial discriminatory laws and the apartheid system.

Also, the principles have led the way in the initiation of similar codes of conduct for companies operating in South Africa from around the world, including a group of South African companies that employ nearly 1 million workers, most of them black.

In conjunction with the principles, the Arthur D. Little Co. has formulated the most stringent and comprehensive measurement requirements for fair employment and social responsibility practices ever developed for multinational corporations operating in a foreign country.

As a result of the principles, the last six years have marked the beginning of a revolution in industrial race relations in South Africa.

Unfortunately, even considering these beginnings, the vast changes necessary are not happening fast enough. The necessity for greater changes—visible, broad, effective and quick—is imperative. No one is more aware than I that the principles and other codes must be pushed harder for greater and faster results. It is my view that if the principles and codes of other nations are enforced and vigorously implemented and monitored, they can work for change, but in order to bring this about, more pressure is needed on the companies for fuller and swifter compliance.

In my opinion, the voluntary support of the principles has been effective, but is not getting the desired results quickly enough. More enforcement is needed. As I have testified before congressional committees on several occasions: "the full compliance with the principles of *all* American companies with operations in the Republic of South Africa should be made mandatory by the United States government, and backed up with embargoes, tax penalties, sanctions, loss of government contracts and any other effective means."

There are 150 American companies operating in South Africa that have not as yet signed the Sullivan principles, and against those companies there should be immediate divestment actions by stockholders, institutions, pension funds, government bodies and other fiduciaries. These companies represent 20 percent of the investments of American companies in South Africa.

Of the remainaing 150 companies that have signed the principles, one-third are receiving "failing grades" in compliance, according to the annual Arthur D. Little report. These companies should be contacted by stockholders and fiduciaries and asked for written assurances they will do better in the coming year, accompanied by a plan for doing so. Otherwise there should be targeted divestment actions against those companies. Companies receiving "passing grades" according to the Little Report should be urged by stockholders to remain in their top categories, or face divestment.

American companies employ less than 1 percent of the workers in South Africa. For these efforts on the part of multinational companies to be broadly visible and effective, participation will have to be global. I have traveled abroad and have urged divestment actions against foreign companies in South African subsidiaries that are not living up to their codes. I have appealed for strong government action by the nations and their parliaments as pressure against company noncompliance.

Foremost, I see the necessity for the recognition of the rights of association for black workers, and the recognition of their representative registered and unregistered trade unions, thereby empowering black workers to speak out for their rights on the job, as they will one day speak out for their rights in society. The growing strength of the black worker is one of the greatest hopes for peaceful change in South Africa.

It is clear that the main problem in South Africa is not just fair employment practices, or equal opportunity, or better schools, as important as all these needs are. The main problem is freedom, including the end to influx control, and end to the incredible homeland policy, and full political equality for the black population. Therefore, beyond the principles, it is my position that until apartheid ends and full equality is achieved for blacks, there should be no new expansion in South Africa by American companies, no new bank loans to the South African government, and no sales to the South African police or military.

Perhaps the Sullivan principles and the other codes in the world will only do so much, and only go so far. Perhaps the only way South Africa can be fundamentally changed is by massive conflict and a devastating war. But I believe that attempts must be made to find peaceful means for change if it is still possible.

If these world multinational company efforts are aggressively initiated, and broadly and effectively applied and closely monitored, they will have to make a difference.

None of us can be sure the total goals of the principles will ultimately be attained; but things are beginning to happen in South Africa as a result of the principles. They are a catalyst for social change in South Africa.

In this endeavor, powerful support will be needed beyond the companies, including unrelenting and much clearer commitments to racial justice in South Africa from the presi-

dent of the United States, Congress and other government leaders and nations. But I have faith that with God's help, and with all the forces for human justice—within and without South Africa—aggressively pursuing their aims, there is still hope for a nonviolent solution to the elimination of apartheid. Considering the awesome consequences and magnitude of death and destruction and international upheaval should these efforts fail, somehow we must succeed.●

LEWIS LEHRMAN: LET US TALK MONEY AT WILLIAMSBURG

HON. JACK F. KEMP

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 11, 1983

● Mr. KEMP. Mr. Speaker, the economic summit meeting this month in Williamsburg, Va., provides an unparalleled opportunity to begin to end the worldwide economic misery which began with the breakdown of Bretton Woods, the last stable international monetary system, in 1971.

One of the foremost advocates of such international monetary reform has been Lewis Lehrman, who was both a distinguished academic and a successful entrepreneur, before becoming an equally dynamic political leader. In an article in today's Wall Street Journal, Lehrman writes:

The evidence is compelling that reconsideration of the world monetary system is overdue. One need only review the history of the last few years in America, Britain, Germany and France, as their economies declined under the weight of the monetary and interest rate disorders engendered by central bank money market manipulation.

The failure of attempts to solve an international problem with national methods is apparent, Lehrman argues: Diligently pursued austerity programs have left 35 million workers unemployed in the major industrial countries. "And so the West sways between expansionist central bank credit policies that lead to the euphoria of inflation, and austerity policies of credit contraction, which lead to the despair of unemployment, and spiritual poverty"—a tradeoff which "has impoverished us all." The economic contraction and monetary instability leads directly to protectionist tendencies which worsen the problem.

Lehrman continues:

The truth is that there is only one economy. It is the integrated world economy. Therefore, national economies need a monetary coordinating mechanism. And that is why an integrated world economy needs a common monetary standard, which is the best neutral international coordinating device. But no national currency will do; only a world currency will work. That is why having national currencies convertible to gold—an international money—has worked in the past and will work again.

Without such a mechanism, Lehrman concludes:

We shall never restore sustained price stability, long-term capital markets at low interest rates, and the investment boom which alone can lead to reasonably full employment. Only the U.S. can take that lead. We must begin at Williamsburg.

Mr. Speaker, I commend this excellent article to my colleagues and thank Lew for his leadership on this vital issue.

The article follows:

LET'S TALK MONEY AT WILLIAMSBURG

(By Lewis E. Lehrman)

Williamsburg is an economic summit without an agenda. That shouldn't be surprising, for the West today has no coherent economic order—unless you count austerity and sacrifice.

Recently, I returned from a trip to European capitals. Central-bank officials and ministers of trade did acknowledge the profound problems of monetary disorder, exchange-rate fluctuations and their protectionist effects. Yet, while the French government now calls for a return to the Bretton Woods system—profoundly flawed itself but certainly more effective than the present float—no minister with whom I spoke believed international monetary problems would be formally discussed at Williamsburg. This pessimism about the possibilities of reform is striking, coming only six months after Treasury Secretary Regan called for a monetary conference.

The issue of international monetary reform and the new arguments for different systems of fixed exchange rates arise from the failures of the managed currency float of the past 10 years. During this period, economies of the West declined and protectionism intensified. Ideas of reform originated in the 1960s, with the purpose of curing the primary defect of Bretton Woods—the reserve currency status of the dollar, which led to a permanent balance-of-payments deficit in the U.S. These ideas have not yet been sufficiently considered. Now is the time to do so.

The evidence is compelling that reconsideration of the world monetary system is overdue. One need only review the history of the last few years in America, Britain, Germany and France, as their economies declined under the weight of the monetary and interest rate disorders engendered by central bank money market manipulation.

In Britain in 1979, Margaret Thatcher's Conservatives campaigned against the Keynesian credit policy of the Bank of England and the sterling depreciations of the Labor government. Mrs. Thatcher's campaign called for a stable currency, economic growth, low interest rates and financial order. After nearly four years of austerity and an unapologetically monetarist central banking policy, Britain still has 13 percent unemployment. Output is no higher than four years ago. Meanwhile, the pound's value fell from $2.50 to $1.45—beneath the lowest level under the Labor. The cost of credit, the touchstone of economic growth, hovers at real rates of 8 percent to 10 percent, depending on the quality of the borrower, even as the public-sector borrowing requirement has diminished as a percentage of GNP.

FRANCE'S CURRENCY COLLAPSED

In France, Francois Mitterrand's Socialist campaigned in 1981 against the credit and budget austerity of President Giscard. They promised a statist industrial program of economic expansion. However, Mr. Mitterrand's conventional neo-Keynesian policies of government spending and credit expansion led to the collapse of France's currency. The trade deficit grew to $14 billion a year and domestic inflation intensified. Now, the new Mitterrand policy of austerity, designed to deal with the crisis is, of all things, Thatcherite monetary targeting joined to the most draconian inequity of all—wage and price controls aimed at lowering real wages. Despite the stringency of the Mitterrand austerity, interest rates have risen and unemployment is over 9 percent. He has repudiated the very goals of economic expansion and job growth for which his government was elected.

In Germany in 1982, Helmut Schmidt's Social Democrats also presided over rapidly rising unemployment occasioned by the government-sponsored Bundesbank policy of credit austerity, monetary targeting and high interest rates. By the summer of 1982, Mr. Schmidt's coalition fell apart as his Free Democrat allies, sensing repudiation, switched affiliation to the Christian Democrats. What made Hans Dietrich Genscher and his Free Democrats jump ship was massive defections from the Schmidt economic policy, as measured by opinion polls. Germans of both parties rejected the policies of austerity.

Capitalizing on discontent with austerity, Helmut Kohl's CDU negotiated a deal with the FDP and shrewdly called for early elections in March 1983. They won those elections by a decisive margin, campaigning for a program of economic recovery.

In the U.S., President Reagan came to office in 1980 after a brilliantly successful campaign based on job creation, new investment, stable money, lower interest rates and economic growth. It is true that inflation has come down. And it is true that, unlike most of his Western European counterparts, Mr. Reagan has significantly reduced marginal tax rates. But the real cost of credit for homes and business is still unacceptably high. Industrial production does not yet exceed 1979 levels. There are still over 11 million unemployed.

The credit policy of Fed Chairman Paul Volcker has brought down inflation while producing one of our greatest recessions, a world banking crisis, and a political setback for the Republicans in November 1982. But the policy of monetary austerity, and the recession it caused, was not President Reagan's program of 1980. It was instead the policy of the Fed and the Office of Management and Budget. Like Mrs. Thatcher, Mr. Reagan unwittingly fell into the trap of his advisers who advocated credit austerity.

And so the West sways between expansionist central bank credit policies that lead to the euphoria of inflation, and austerity policies of credit contraction, which lead to the despair of unemployment and spiritual poverty. In a larger sense, and to some practical extent, this stop-go economics has improverished us all. European and American workers are punished by Socialists and Conservatives for the "sin" of wanting wages that keep up with inflation.

In the meantime, because of unemployment, Western governments are preoccupied with the balance of trade—an all-time fallacy. The specter of protectionism is on the rise. But our disorders in the world trading system cannot be cured by GATT or by trade agreements. Those disorders are monetary in origin. Protectionism thrives on competitive exchange-rate policies, brought about by the abrupt currency depreciation

and appreciations of well-meaning but uncertain central bankers and politicians.

Many central bank officials in Europe speak with pride about the new austerity. They look with equanimity on the 35 million unemployed of the OECD countries. The question is: Must policy makers put 2.5 million people out of work in Germany, 3 million in Britain, 11 million in the U.S.—in order to reduce inflation? Surely those who still believe in the future of the Free World and in the American dream must answer: No, there is a better way. Only national and international monetary reform can cure our monetary disorders.

It was the German monetary reform of 1948, based on a new convertible currency—a deutschemark tied to gold—that along with deregulation produced the German Miracle. It was the creation in 1959 of a convertible gold franc, which brought forth the savings and investment, that made the Fifth Republic of De Gaulle rich enough to create both nuclear defense and national prosperity. The gold convertibility of the dollar, and multilateral convertibility in Europe—the hallmarks of the Bretton Woods system—created the conditions for postwar prosperity. But the Bretton Woods system had the great flaw of being based on the official reserve currency status of the dollar.

SYSTEM IS IN DEEP TROUBLE

The monetary order of Bretton Woods was never reformed in this repect. As a result, when the dollar collapsed in 1971, Bretton Woods collapsed too, just as Prof. Jacques Rueff and Robert Triffin forecast in 1959.

There is no major country yet willing to look at the fundamental flaw of the international economic system: the notion of political leaders that national economic and monetary policy can be made independent of the world economy.

The truth is that there is only one economy. It is the integrated world economy. Therefore, national economies need a monetary coordinating mechanism. And that is why an integrated world economy needs a common monetary standard, which is the best neutral international coordinating device. But no national currency will do; only a world currency will work. That is why having national currencies convertible to gold—an international money—has worked in the past and will work again.

Even Mrs. Thatcher was recently quoted as saying: "It's absolutely vital for us to jointly pursue policies which enable us to get and keep interest rates down and to keep inflation down." There is such a policy. The policy of convertible currencies, linked to an international monetary standard, is the only one which has worked reasonably well in the past. The policy is imperfect, as are all human institutions; but a system of fixed exchange rates which is the incidental by product of the real international gold standard is the least imperfect of the international monetary systems we know. Without such a free-world monetary order we shall never restore sustained price stability, long-term capital markets at low interest rates, and the investment boom which alone can lead to reasonably full employment.

Without a reformed monetary system of multilateral, unrestricted convertibility of the major Western currencies into gold, we shall continue in a topsy-turvy world, oscillating between autarky and entropy. Incredibly, Socialists will talk of reducing the real wages of workers to increase profits and end trade imbalances, as they do now in France. And self-styled anti-Keynesian Conservatives will rely on neo-Keynesian central bank credit expansion to create economic booms in order to end austerity and get reelected.

The international monetary system is in deep trouble; we won't just muddle along much longer. The time to deal with the so-called "structural" problems of our monetary order is now. If we do, we can once again create conditions of rapid non-inflationary growth. If we don't make the reforms, sooner or later the world economy will founder.

Only the U.S. can take the lead. We must begin at Williamsburg.●

UNCTAD RESOLUTION

HON. DON BONKER

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 11, 1983

● Mr. BONKER. Mr. Speaker, I am today introducing a concurrent resolution relating to U.S. participation in the sixth meeting of the United Nations Conference on Trade and Development (UNCTAD), which will take place in June in Belgrade, Yugoslavia. The purpose of the resolution is to highlight American interests in UNCTAD and to place the Congress on record regarding various issues UNCTAD will address next month.

The Western industrialized countries have tended to view UNCTAD as another acronym in the alphabet soup of U.N. agencies. The developing nations, on the other hand, attach considerable importance to this organization. The developing countries sparked the creation of UNCTAD in 1964. They regard it as the principal world forum for debating international economic matters. UNCTAD has played a pivotal role in shaping the agenda for North-South economic discussions, and is, in fact, a barometer for judging the developing nations' attitudes toward key international trade, monetary and development issues.

The United States has a vital stake in the economic health of the developing countries. They represent a larger export market for American commodities, goods and services than Western Europe; the level of their imports from the United States is four times that of Japan. The developing nations are also the only source of supply for a number of raw materials critical to our industries. They are becoming an increasingly important source for our finished products.

UNCTAD has wielded significant influence in the economic dialog between the First and Third Worlds, and has taken a surprising number of actions in the last 19 years that affect the conduct of U.S. foreign economic relations today.

One hundred and thirty-three countries participated in the first UNCTAD meeting in 1964. At UNCTAD I, 77 developing nations joined together in support of a common program. This block was christened the Group of 77. The G-77, as it is called in U.N. parlance, often sets the agenda for U.N. conferences.

The second UNCTAD conference, held in 1968, adopted a resolution urging the industrialized nations to contribute at least 1 percent—now 0.7 percent—of their annual GNP to development in the Third World. This figure is the benchmark against which the Third World judges the First World's commitment to development.

The 1972 UNCTAD meeting gave birth to the concept of the least of the less-developed countries, or LLDC's, whose annual per capita income is $340 or less. Two years later, the Congress drew upon this notion for the new directions mandate in the U.S. Foreign Assistance Act: Our foreign aid should be directed toward meeting the basic human needs of the poorest of the world's poor.

The U.N. General Assembly's sixth special session in 1974 endorsed the developing world's call for a new international economic order (NIEO)—an idea spawned at UNCTAD's II and III. The NIEO continues to serve as the Third World's international economic platform. NIEO has, in turn, generated calls for other, new international orders, such as the new world information order being debated in UNESCO.

In addition to these products, which have become common currency in discussing global economic matters, the generalized system of preferences (GSP), the integrated program for commodities (IPC), and the Common Fund—which seeks to stabilize price fluctuations for selected commodities—and the codes of conduct on line (shipping) conferences, the transfer of technology, and restrictive business practices are all children of UNCTAD. Whether the United States chooses to acknowledge the decisions and standards set by UNCTAD, the developing countries use these yardsticks to measure our actions in the international economic arena. Our increasing dependence upon the global economy and particularly upon trade with the Third World argue in favor of the United States pursuing a constructive dialog with the developing nations in UNCTAD.

The extent to which the U.S. economy is linked to those of the developing nations is readily underscored by the following:

U.S. exports to the Third World have tripled during the last 5 years;

Our exports to developing nations exceed our exports to all of industrialized Europe and are four times greater than our exports to Japan;

Developing countries buy nearly 40 percent of U.S. manufactured exports, and some 6 percent of all our manu-

facturing jobs produce for exports to the Third World;

About 2 million American jobs are generated by all U.S. exports to developing nations;

One out of every 10 acres of our farmland produces solely for food exports to the developing world, and over the past 10 years, the Third World has increased the amount of farm products bought from the United States by 35 percent: From $2 billion to more than $14 billion;

We import roughly 50 billion dollars worth of commodities annually from the nonoil producing developing nations; and

The United States depends upon the Third World for 100 percent of our national rubber needs, 96 percent of our tin—essential to the electronics industry—88 percent of our bauxite—vital to our aircraft industry—and 75 percent of our cobalt—needed by the steel and nuclear industries.

Healthy economies in the developing countries serve our national interest. As these nations develop, they become larger and better customers for our farm and industrial products, larger and better markets for American investments, and more accessible and reliable sources of raw materials essential to our economy and national defense. In short, our growing economic interdependence with the developing countries would dictate that we not sit on the sidelines in Belgrade next month, but that the United States assume a forthcoming, positive, and active role in the debate over issues of vital importance to both the developed and developing nations.

Mr. Speaker, the resolution I am introducing encourages U.S. cooperation, not confrontation with the more than 160 countries that will gather at UNCTAD VI. However, some proposals on the UNCTAD VI agenda are simply incompatible with our interests. We do not, for example, agree with the need to create additional international institutions, nor are we in a position at this time to commit massive amounts of resources to new commodity price support programs. Moreover, there are items on the agenda that are clearly outside the organization's mandate. While we must resist such measures, there are a number of areas in which the United States can make a positive contribution.

The resolution urges the U.S. delegation to UNCTAD VI to pursue a constructive exchange of views with the developing countries on world trade, monetary and development issues, and to resist decisions that are the responsibility of other international organizations, such as the GATT, the IMF, and the World Bank. The operative sections of the resolution urge the President: First, to pursue consultations with our allies and other like-minded states for the purpose of formulating common positions for and to seek practical and mutually beneficial solutions at UNCTAD VI; second, to designate a high-level U.S. delegation to represent us at UNCTAD VI; and third, to instruct our delegation to engage in broad and serious discussions with other countries on the state of the world economy, major problems and issues affecting both industrialized and developing nations, and to explore solutions which will enhance global peace, prosperity, and development.

The state of the world economy has changed drastically since the last UNCTAD session in Manila in 1979. UNCTAD VI should be viewed as an opportunity to review the events of the past 4 years, to explore areas of common concern to the First and Third Worlds, and to seek mutually beneficial solutions. The actions taken at UNCTAD VI could have profound consequences for vital U.S. interests. It is incumbent upon the United States to play a leading role in the debate in Belgrade next month.●

BOLD INITIATIVE ON SEMICONDUCTOR TARIFF POLICY

HON. FORTNEY H. (PETE) STARK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 11, 1983

● Mr. STARK. Mr. Speaker, on May 5, the Semiconductor Industry Association testified before the Ways and Means Trade Subcommittee on H.R. 1953, a bill I have introduced to eliminate the tariff on six items of the Tariff Schedules of the United States (687.70, 687.72, 687.74, 687.77, 687.81, and 687.85).

The bill is designed to improve the competitiveness of the U.S. semiconductor industry by reducing tariff and personnel costs and to induce Japan to reciprocate. As the SIA witness, Mr. Roger C. Damm, Motorola's director of sector business planning, testified:

It is estimated that the benefits of duty elimination for our customers and the semiconductor industry would amount to roughly $100 million annually. As compared with some other recent proposals for U.S. Government support to U.S. electronics producers through research projects funded by the Government, duty elimination is a much more efficient and equitable method for achieving similar objectives. Instead of creating more bureaucracy, it eliminates some existing bureaucracy.

Mr. Speaker, because of the importance of this industry and the importance of ensuring its future competitiveness with Japan, I would like to include at this point in the RECORD the full text of the SIA's testimony:

STATEMENT OF ROGER C. DAMM, DIRECTOR OF SECTOR BUSINESS PLANNING, MOTOROLA, INC.

SIA has been and remains a strong advocate of free market competition. We welcome a world with no barriers or distortions to trade in our products, where individual companies are free to compete solely on the basis of their individual competences. At the same time, we recognize that we are a long way from that ideal and that our industry needs to continue to work actively with the U.S. Government toward this objective. SIA believes that the elimination of U.S. semiconductor duties as proposed by Representative Stark in H.R. 1953 would be a constructive step in the right direction.

Members of this Subcommittee will recall the recent U.S.-Japanese agreement to accelerate the full MTN tariff reductions on semiconductors, which took effect in 1982. This agreement was a major negotiating accomplishment made possible only with your support. At the time of that negotiation, SIA urged that the two governments commit to the additional step of duty elimination. We understand that Japan balked at that idea and has indicated it is unwilling to negotiate further tariff reductions unless the European Community reduces its 17 percent duty on semiconductors (which it refused to do during the MTN). While we understand Japan's concern about that high tariff barrier, we do not believe that a European policy that inflicts damage on its own semiconductor consumers should determine United States and Japanese tariff levels.

Unless Japan's negotiating position changes we think it will be difficult if not impossible for the United States to negotiate further tariff reductions on semiconductors. By setting an example ourselves we believe there is a good prospect Japan can be induced to also unilaterally eliminate its tariff. The Japanese Government has been under great pressure to further open the Japanese market, which undoubtedly will continue in the face of the deteriorating bilateral United States trade balance with Japan. Their response has been a series of "liberalization" packages consisting mainly of tariff cuts and relaxation of technical barriers. We believe that one component of a future package can be semiconductor duty elimination if the United States indicates it will unilaterally eliminate its tariff.

U.S. duty elimination alone would make 40 percent of the world semiconductor market duty-free. If Japan follows that will rise to 65 percent. With Europe as the only significant exception to duty-free trade, it is quite possible that internal pressures would develop from European semiconductor consumers to join the United States and Japan. Certainly, a 17 percent components cost disadvantage in highly competitive industries like computers and telecommunications will cause concern in European nations that already are lagging behind foreign competition.

From the standpoint of future negotiations on semiconductor tariffs with Europe or Japan, United States duty elimination would maintain United States negotiating leverage because it would not be bound in the GATT. Thus the United States could return the duty back to 4.2 percent at any time without cause for retaliation. This lack of binding in the GATT also may be another inducement for Japan to act unilaterally if we do.

Beyond promoting freer trade in semiconductors there are two sound national interest reasons for duty elimination.

First, it would improve the competitiveness of our customers by lowering their costs as the tariff savings are passed through to the U.S. market. This would be an advantage in the kind of intensive international competition our customers face due to the targeting of their industries by Japan and other nations.

Second, it would improve the world competitiveness of the U.S. semiconductor industry in at least three respects. Most U.S. producers perform final assembly of semiconductors offshore and pay duties under 806-807. To some extent those duty savings would be retained by U.S. firms for use in research and investment, at a time when the industry's capital requirements are high. Savings would also be realized from the elimination of the substantial duty-related paperwork burden and similar savings would occur for the Government. Finally, lower semiconductor prices are likely to generate additional customers and business revenues.

I don't believe that duty elimination will cause any significant manufacturing operations to move offshore. The effective duty is too small to be the decision factor on plant location. Other factors are far more critical. In fact, the increasing capability to automate production is leading some companies to do more final assembly in the United States. In our own case, we are nearing completion of a state-of-the-art manufacturing plant in Chandler, Arizona.

It is estimated that the benefits of duty elimination for our customers and the semiconductor industry would amount to roughly $100 million annually. As compared with some other recent proposals for U.S. Government support to U.S. electronics producers through research projects funded by the Government, duty elimination is a much more efficient and equitable method for achieving similar objectives. Instead of creating more bureaucracy, it eliminates some existing bureaucracy.

An inevitable question that arises is how SIA can propose duty elimination while complaining about the damaging effects of Japan's targeting practices in the United States market as detailed in our recent study—the results of which have been presented to you on other occasions. The answer is simple. The 4 percent tariff clearly has not had any effect in deterring such practices. When Japanese producers cut 64K RAM prices from $25-30 per unit to about $5 per unit in a little over a year, or when exchange rates shift by 20-40 percent in a short period of time, a 4 percent duty is irrelevant. Besides an MFN duty is a very dull tool for dealing with problems caused by a single country. Such particular problems are better pursued in a more focused manner, as we have been doing most recently in the context of the United States/Japan high tech group.

Mr. Chairman, SIA asks the Committee to give urgent consideration to Representative Stark's bill or the equivalent thereof and to act favorably upon it.●

HUGH AND DOROTHY DE LACY: LIFELONG ACTIVISTS FOR SOCIAL JUSTICE

HON. LEON E. PANETTA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 11, 1983

● Mr. PANETTA. Mr. Speaker, I would like to take this opportunity to pay tribute to the lifelong struggles of two of my constituents, Hugh and Dorothy De Lacy, who have spent many many years working in the causes of freedom, equality, and social justice.

The De Lacy's struggle extends back to the ravages of the Great Depression and the valiant but unsuccessful effort to prevent fascism from triumphing in Spain. During the 1940's, Hugh and Dorothy worked for the causes of full employment, peace, and prosperity—Dorothy as an organizer and activist, Hugh as a city councilman in Seattle and Member of Congress from 1944 to 1946. In the late 1940's and 1950's, their commitment to the goals of world peace, an end to the nuclear arms race, and racial integration was tested by the dark forces of McCarthyism. Their continued dedication to the struggle in the face of the most severe obstacles serves as a continuing inspiration to all of us who know the De Lacy's. Their work has continued to this day, taking the form of activism and fundraising on behalf of local political causes in the Santa Cruz area.

Mr. Speaker, Hugh and Dorothy De Lacy's lifelong activism is evidence of a faith in progress and in our democratic system which we can all share and admire. The causes to which they have dedicated their lives—peace, jobs, an end to race and sex discrimination, a halt to the costly and dangerous arms race—are causes for which we are still working today. The struggle of the De Lacy's, their commitment and their integrity, reinforce our own faith and conviction that the cause of social justice will triumph in the end. I commend their work, and I join in their hope and their belief in a better tomorrow for all of us.●

TAX REFORM AND THE OIL INDUSTRY

HON. FORTNEY H. (PETE) STARK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 11, 1983

● Mr. STARK. Mr. Speaker, last Thursday and Friday, the Ways and Means Oversight Subcommittee held 2 days of hearings on the special tax subsidies available to oil producers.

One of the best pieces of testimony was provided by Mr. Robert S. McIntyre, director of Federal tax policy for Citizens for Tax Justice.

It is clear, Mr. Speaker, that this Nation could afford both guns and butter, if everyone paid their fair share of taxes. But oilmen, who love to wrap themselves in the flag of national security and energy independence, do almost nothing to support the National Treasury.

Mr. McIntyre's testimony shows once again the truth of FDR's statement in his second inaugural:

We have always known that heedless self-interest was bad morals; we know now that it is bad economics.

The most economically inefficient and morally corrupt part of the United States Tax Code is the section on oil. Mr. McIntyre describes oil taxation as the greasy situation it is. I would like to enter portions of his excellent statement at this point in the RECORD.

A look at the annual reports to stockholders of some of the publicly held independent producers provides fascinating, concrete insights into the benefits they have gained from their political investments. The nine randomly chosen companies in the accompanying chart, for example, earned a total of $476 million in 1982, but only three of them paid any federal income taxes at all. As a group, they received a net tax refund of $17.5 million. Of the nine, five paid no federal income taxes in 1981, and four of these paid nothing in 1980.

These companies are not likely to be paying taxes in the future either. Many of them note that they are carrying excess deductions and credits forward for use in later years. For example, Mesa Petroleum says it has $129 million in "loss" carryforwards and $29 million in investment tax credit carryforwards; Inexco has $164 million in excess deductions and $9 million in excess credits. Some of the companies took advantage of "tax leasing" last year to make use of the overflow of tax concessions. For example, Mesa sold tax breaks for $19 million in 1982; Lear Petroleum sold an unspecified amount. Last year's Treasury report on leasing found that, through the end of 1981, crude oil producers had sold tax breaks for $164 million (and this figure does not include another $138 million in sales by petroleum refiners).

Last December, at the request of Representatives Pease and Dorgan, the staff of the Joint Committee on Taxation took a look at the 1981 taxes of five large crude oil producers. The companies studied were Occidental Petroleum, MAPCO, Superior Oil, Natomas, and Louisiana Land & Exploration, which together earned $3.9 billion world-wide before-tax in 1981, and about $1 billion in the United States. Overall, the staff found a federal income tax rate on domestic income of 3.1 percent, including, apparently, Occidental's zero rate and Louisiana Land's 10 percent rate.

1982 FEDERAL INCOME TAXES (OR REFUNDS) FOR NINE RANDOMLY SELECTED INDEPENDENT OIL PRODUCERS

Company	Pretax income (millions)	Federal income tax (millions)	Effective tax rate (percent)
Mesa Petroleum Corp.[1]	$195.5	0	0
Louisiana Land & Exploration Co.	111.3	($19.7)	−17.7
Apache Corp.	44.4	.2	.4
Adobe Oil & Gas Co.[1]	37.4	1.9	5.0
Inexco Oil Co.[1]	26.7	0	0
Felmont Oil Corp.	22.7	3.0	13.3
Dyco Petroleum Corp.	21.7	(2.9)	−13.2
Damson Oil Corp.[1]	10.0	0	0
Lear Petroleum Corp.[1]	6.3	0	0
Total	476.0	(17.5)	−3.7

[1] Zero Federal tax in 1981.

Note: Pretax income refers to net income before Federal income taxes (but after deducting any State or foreign taxes paid). Federal income tax refers to taxes actually paid, that is, "current" Federal taxes (and does not include so-called deferred taxes, which are taxes not paid due to various shelters.

Source: 1982 annual reports.

Currently, the federal government faces a fiscal crisis. Huge deficits as far as the eye

can see threaten to keep long-term interest rates high and abort whatever recovery we experience this year. Much of the blame for those deficits rests on the special-interest politics that dominated tax writing in much of the 1970s and especially in 1981. Corporate "tax expenditures," which were only $7 billion in 1970, are estimated to total $56 billion this year, and $83 billion by 1986. In fiscal 1983, the federal government will provide $1.60 in corporate loopholes for every dollar it collects in corporate income taxes, up from 60 cents on the dollar in 1979 and only 20 cents on the dollar in 1970. At the same time that the business tax base has been eroded, "bracket creep" and rising social security taxes have pushed up taxes on average Americans, most of whom will continue to pay a higher share of their income in taxes than they did in 1980 despite the so-called "across-the-board" tax reductions of 1981.

Many members of Congress are now searching for ways to increase federal revenues that make the tax system more rather than less fair. That is, they would like to raise money, while avoiding further increases in the tax burdens on middle-and lower-income Americans.

As the 1982 tax act proved, such a result can be achieved, but only by targeting tax hikes on those taxpayers who currently are failing to contribute adequately to the support of the government. These hearings, therefore, come at an auspicious time, since one industry that we know is not paying its fair share of income taxes is the independent oil producers.

The stated purpose of these hearings is to evaluate whether continued tax breaks for oil income make sense in the current environment (or indeed if they ever made any sense). In light of the pressing need to raise revenues and to improve tax fairness, the burden should be on the proponents of these tax loopholes to justify their retention.

What do defenders of oil loopholes offer to support the special tax concessions? Typically, they have three things to say: First, they argue that exploring for oil is a risky business. Second, they say that independent oil producers are fine examples of American entrepreneurship. And, third, they maintain that tax shelters are essential to attract sufficient capital to the oil business.

What these arguments boil down to is just one assertion: that the marketplace on its own provides insufficient return to encourage drilling for oil. Or, put another way, the bottom-line defense of oil tax breaks is apparently that a dollar's worth of oil is worth more than a dollar.

Economist Arnold Harberger once calculated that the various oil tax breaks made it profitable to spend $1.95 to drill $1 worth of oil. A 1968 Treasury study found that the depletion allowance at that time was costing average taxpayers more than $9 for every dollar in added oil reserves. A recent Congressional Research Service study (April 13, 1983) found that effective tax rates on independent oil producers are still "negative," that is, profits are higher after-tax than before-tax (a fact reflected in the chart above).

One need not be a hide-bound free-market capitalist to wonder why it makes sense to encourage spending more money to drill for oil than the oil is worth. Such activities are usually called "waste."

1. For a fuller examination of the tax-shift policies of the past several years, and how they have hurt both tax fairness and the economy, we recommend CTJ's new book, Inequity & Decline, just published by the Center on Budget and Policy Priorities.

What waste means in these circumstances is that the tax laws encourage the diversion of capital funds toward oil and away from other investments. It's easy to understand why U.S. Steel prefers to buy Marathon Oil rather than invest in modern steel plants, but it's not so easy to understand why the federal government wants to provide incentives for such activity.

A closer look at the two major oil-specific tax breaks—percentage depletion and the expensing of intangible drilling costs—raises further questions. For example, without expensing for IDCs, risky exploratory drilling would be encouraged, since dry holes would be entitled to an immediate write-off in any case. By extending the same treatment to successful wells, the tax laws discourage exploratory drilling in favor of punching new holes in old fields. Percentage depletion, which is only available for successful wells, has a similar impact.

Some have suggested that now might be a bad time to raise oil taxes, since falling oil prices have created difficulties for some producers. This is a false argument. Added income taxes will not affect those producers which have no income. What we are talking about is requiring those companies which are profitable to contribute a fair share of their income to help support the federal government. This does not seem too much to ask.

These hearings could help give the Ways and Means Committee and the Congress an opportunity to close or narrow oil tax loopholes that for years have proven to be both extremely expensive and economically counterproductive. Scaling back or phasing out percentage depletion, requiring intangible drilling costs to be amortized over the useful life of productive wells, extending the depreciation period for oil refineries to 10 years (instead of the current five years), tightening the rules on oil foreign tax credits further, and so on are the kind of steps we suggest. They could contribute to a 1983 tax bill that protects middle- and lower-income Americans from further increases in their tax burdens, while at the same time moving back toward federal fiscal responsibility.●

TERESA HEFFERNAN IS HONORED AT MATER DEI HIGH SCHOOL

HON. JERRY M. PATTERSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 11, 1983

● Mr. PATTERSON. Mr. Speaker, I invite my colleagues to join me in commending a constituent of mine who has been a major positive influence in the lives of many students at Mater Dei High School.

Teresa Heffernan is being honored on May 26, 1983 for her 25 years of dedicated service to Mater Dei High School. Mrs. Heffernan has contributed greatly to the home economics department by her pioneering spirit in the dissemination of education through the various forms of media and by demonstrating her patience and challenging spirit in opening this field to the young men at Mater Dei.

Mrs. Heffernan has exemplified the spirit of Mater Dei to both faculty and students by her continued loyalty, support, and service. She has shown great concern for each individual student's growth, interests, and values as deemed necessary to shape their educational goals. Mrs. Heffernan's dedicated efforts on behalf of the youth of Mater Dei have earned her the highest respect from all of those who have had the pleasure of working with her.

For her outstanding dedication on behalf of both the students and fellow teachers of Mater Dei High School, Teresa Heffernan is to be commended. Mr. Speaker, it is with pride that I ask my colleagues to join me and my community in honoring Teresa Heffernan for her 25 years of dedicated service.●

WATSONVILLE'S DEBT TO BILL JOHNSTON

HON. LEON E. PANETTA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 11, 1983

● Mr. PANETTA. Mr. Speaker, I would like to pay tribute today to Bill Johnston, who is retiring after a distinguished tenure as mayor of Watsonville, Calif.

Bill Johnston has served the citizens of Watsonville in various capacities for over 30 years. First as a member and leader in various community service groups; then as a city councilman; and finally elected mayor by wide margins for three 4-year terms, Bill has contributed enormously to Watsonville's development, to its growth and its progress. Watsonville's residents have taken a new pride in their city under his leadership, because he has always understood and relied on the basic qualities that make Watsonville what it is—energetic, hard working, and independent.

Mr. Speaker, Bill Johnston exemplifies the best traditions of public service. He has dedicated himself to the interests of the Watsonville community, and the community and its citizens have prospered as a result. His contribution will be felt for a long time to come, and his record will continue to serve as a model and an inspiration for all of us.

I would like to take this opportunity to wish Bill the greatest success and happiness in all his future endeavors, and to hope as well that we will continue to benefit from his wisdom, his experience, and his guidance.●

PROFESSOR WILLIAM J. QUIRK TESTIFIES ON IMF BEFORE HOUSE BANKING SUBCOMMITTEE

HON. CARROLL A. CAMPBELL, JR.

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 11, 1983

● Mr. CAMPBELL. Mr. Speaker, on April 27, William J. Quirk, professor of law at the University of South Carolina, testified before the Subcommittee on International Trade, Investment and Monetary Policy of the House Committee on Banking, Finance and Urban Affairs. I believe his remarks make very interesting reading, and I would like to take this opportunity to share his statement with my colleagues:

STATEMENT BY WILLIAM J. QUIRK, PROFESSOR OF LAW, SCHOOL OF LAW, UNIVERSITY OF SOUTH CAROLINA

Mr. Chairman, and members of the committee, I am honored to accept your invitation to appear before you today.

Over the past 10 years the West has given away its wealth to Reds, Arabs and Third Worlders in the greatest transfer of capital in the history of the world. We have given away some $800 billion of accumulated wealth and all the figures are not in.

To be sure, they were not called gifts when they were made—no Congress appropriated the foreign aid—they were called loans and they were made by international bankers. The bankers had figured out a way to profit from brokering away the West's wealth.

They had two cover stories—called "Détente" and "Recycling." What was "Détente"? The American public was highly skeptical about détente; but, since Congress never appropriated any money or passed any laws, and since there was no apparent cost, the opposition had nothing to grab onto. To the Russians it was not vague at all—it had a very clear and concrete purpose. In the late 1960s, after 50 years of Party rule, the Soviet economy was bust. In 1968 the Red tanks rolled into Prague to snuff out the beginnings of freedom. The Reds knew that economic freedom had to lead to political freedom and, ultimately, the overthrow of the Party. At the same time, they had to raise standards of living and increase military spending. The solution was "detente"—the importation of Western technology and credit—at no cost, since they were not going to pay back the loans; and at no risk to Party rule, since the new technology was simply grafted onto the centrally planned economy. Lenin said the capitalists would sell him the rope with which he would hang them. Brezhnev wanted the rope on easy credit.

It could not be done constitutionally—no Congress could vote funds to give welfare to Russia, but David Rockefeller thought it could be arranged. With the bankers providing the money, the Comecon debt to Western bankers rolled from $8 billion in 1973 to $80 billion in 1981. David Rockefeller, in 1979, explained his theory: "Just because a country is technically called Communist doesn't mean a capitalist institution such as the Chase bank can't deal with them on a mutually beneficial basis; and, indeed, we do deal with most of the so-called Communist countries of the world on a basis that has worked out very well, I think, for both of us."

The bankers' money financed the Soviet armaments build-up. Any dollar you give your enemy frees up his other resources and permits him to spend more on missiles. In some cases, the military aid has been direct. Chase loaned $150 million dollars to construct the Kama Ford truck plant. The world watched these trucks move the Red Army into Afganistan. The multi-billion dollar Hula Katowice steel works in Poland is served by one railroad—the railroad heads straight East. Mr. Thomas Theobold, head of citibank's international division, puts the issue simply: "Who knows which political system works? The only thing we care about is: can they pay their bills?" Taking a page from Mr. Theobold's book and putting things simply—the simple phrase that comes to mind is economic treason.

Then there was OPEC and "Recycling." Again the public was in the dark and the Congress was by-passed. In 1973, the Arabs decided to go out of the oil business and into the tax collection business. They sought to extend their corner on oil to all of the West's capital and real wealth. The bankers financed the tax collection. Poor countries couldn't pay their tax, so the banks loaned money to Zaire so it could pay its tax to the Arabs, who then deposited their tax collections back in the banks. That set up a classic debt merry-go-round or Ponzi scheme. Each year the banks had to lend Zaire more for that year's tax collection, plus interest on the old principal. Every Ponzi scheme depends on new money, and new money in accelerating amounts as the debt snowballs. The figures show we are now in the last stages. In 1978 the total volume of international debt of developing nations was $340 billion; in 1982 it was $640 billion. Already we hear the IMF appropriation will not be enough. Third Worlders say the only insurance company that would be enough is the U.S. treasury.

In 1972, the Arabs received $24 billion from the rest of the world; in 1982, they received $230 billion. The Saudis—with a lifting cost of 50 cents a barrel—were collecting $40 a barrel. Since all oil prices followed OPEC up in the United States, the cost of oil went from $20.3 billion in 1972 to $225 billion in 1981. The extra cost came to $820 per person or $3,300 for a family of four. An incredible foreign tax imposed upon Americans and financed by the banks (the price of oil bases on the 1952-60 standard—adjusted for CPC—is $6.46 per barrel). The extra-territorial tax was imposed upon us not only by OPEC, but by non-OPEC producers who followed the cartel price—the Mexicans, the British, the Russians. The United States, which in 1972 had the world's highest standard of living, was tied with France for tenth in 1982.

Recycling and Détente are closely related. Recycling, essentially, is a price support system for oil. The banks guaranteed that OPEC would receive the cartel price. The main beneficiary is the world's largest producer of oil—the Soviet Union. In 1982 the Soviet's received $16 billion in oil revenues; in essence, a Russian tax on the west. Oil provided 60 percent of Moscow's hard currency reserves. A drop in the price of oil to market levels would be a severe blow to the Reds. The Administration, however, does not grasp the opportunity. Instead, it is engaged in a coordinated effort to keep the price of oil up. One example is the IMF appropriation before you which will provide funds so the poor countries can continue to pay the cartel price for oil. The IMF even provides direct support to the OPEC cartel. Venezuela, the Wall Street Journal reports, will soon apply for funds; Ecuador already has an IMF agreement. Nigeria may soon appear. The absurdity of providing funds to OPEC countries to tide them over a bad time should be clear to any reasonable person. U.S. policy, instead of financing the cartel, should be aimed at destroying it, which would give American business a strong boost without inflation. If Venezuela has a debt problem, let them sell some oil at market prices; same for Nigeria.

By financing the OPEC oil tax beginning in 1973-74, the bankers killed U.S. business with a double blow—first the oil tax itself and then to finance it, they shipped the money overseas—creating a shortage of money at home and driving interest rates up. In 1972, the rate on prime commercial paper was 4.7 percent and mortgages were 8 percent.

At the same time the bankers were rolling over Poland, Romania, Yugoslavia, Hungary, and Argentina, they—in 1982 alone—drove 50,000 American businesses into bankruptcy. The owners of established businesses could not make them go at 20 percent interest and $40 a barrel oil. The results were devastating: in the 1970s American labor lost 30-40 million private sector jobs; 70 percent of private sector jobs existing in 1970 were gone by 1980. The bankers turned down meritorious domestic borrowers with the simple, unanswerable question: "Why should I lend money to you when I can make so much more lending to Mexico."

The United States has undergone "deindustrialization," which means that low-capital service industries—like McDonalds—boom (service is now two-thirds of GNP). On the other hand, capital intensive industry can't make it; a basic one, steel, is dead; and another, autos, is dying. Clearly, you cannot have a serious country without a steel industry. Economists said that American management and labor could not compete with foreign competition and that was it.

Businessmen, such as W. P. Tippett, chairman of American Motors, said it was not a straight deal; you could not "compete against government-subsidized foreign competition." Which was true enough, but Mr. Tippett missed the real irony—that we were giving the foreigners the money to subsidize the competition against us; we provided the subsidy used against ourselves. The recipients of the banker's largesse, say Brazil, has zero capital cost because there was never any payback.

Back to the debt merry-go-round—with interest piling upon interest, and the tremendous increase in rates, in a short time the figures were outlandish. Mexico owes $250 million a week in interest alone. Brazil the same. Those figures should be remembered when the Administration tells us that an economic recovery will solve the debt problem. The bankers always have a theory about how the debt will be repaid. One theory was that sovereign governments never default. Another was the famous umbrella theory under which the Soviet Union would pay off any debt of the satellites. Now we hear the economic recovery will save the day.

The debt rolled on, in June 1982, according to Secretary Regan, the poor countries owed the bankers $265 billion. Counting in loans from Western governments and international agencies, by the Regan figures, the

poor countries owe $500 billion. The American Express private capital model projects developing country debt at $1 trillion in 1986; it projects debt service payments due the banks in 1986 at $345 billion. Last year, of $140 billion bank payments due, about a third, $45 billion, was not paid. In 1983, bank payments of over $220 billion are due. In 1983, Mexico alone has $43 billion due.

Both the Reds and the Third Worlders expect more in the future; the Reds have budgeted in a new $70 billion from the West for Comecon by 1986. The Russians don't care how the West pays—it can use the IMF as a front to funnel money to Rumania, Yugoslavia, Hungary and, probably soon, Poland—but it has to pay.

The first real issue now is the future payments. The outstanding debt is largely gone; the money is not coming home. The policy decision now is do we give away more money to our enemies? The continuing erosion of Western wealth to keep in power Communist governments who threaten our liberties is suicidal.

The second real issue is who will bear the losses from the existing bad loans. The bankers—who made them—are desperately trying to "socialize" the loss by shifting it from themselves to the American taxpayer. The Administration has signed on to this effort to take yet another bite out of the middle class American. The banks made a simple business mistake—they took a gigantic short position against the dollar as we headed into disinflation and a strong dollar. They placed a large bet on inflation and lost. Now they want some partners. The whole scheme was set up to evade constitutional procedures and congressional approval, but now it has gone bad the taxpayer should pay for it. Capitalism, of course, does not work if bad management is unrestrained.

The banks made mistakes in the hundreds of billions and now say we're too big, if we go down we bring the house down; you've got to bail us out. In selling to us the IMF appropriation, the Administration has followed the old Roman precept, "If reason will not persuade, let fear compel." Trade will collapse, grass will grow in the streets. All because the bankers will have to own up to their losses. The loans are bad now and yet they continue to balance the books. Major financial institutions cannot be based on fictitious assets. The banks, like the Emperor in the Hans Christian Andersen story, are highly vulnerable to any small boy in the crowd.

It is not in the national interest to give away any more money. The banks have been holding up the oil prices and interest rates. If they recognize their losses, we may end up with 6 percent interest and $6 a barrel oil. There's nothing wrong with American business and labor that would not be cured by 6 percent interest and $6 a barrel oil. An end to over-expensive oil is what the West's idling factories have needed for 10 years. Between 1948 and 1973 the gross world produce quadrupled. Since 1973 we have been on a slow walk.

The Administration offers more of the same—more bankruptcies, more unemployment and more zero growth. They say, let's keep the same people in charge who've gotten us this far—the big banks, Volcker's Fed, the IMF—give them a little more money, let them manage it.

The Administration offers the IMF solution—which starts with a first payment of $8.4 billion. A main thrust of the Administration is that this is a jobs bill. American workers, they say, will benefit. This is accurate only in a very peculiar way—if you believe that it makes sense to give poor countries money so they can buy goods from you. If that is reasonable it should be done domestically rather than internationally. The insincerity of this argument is also plain since the IMF, who is supposed to lead us out of the wilderness, premises its programs for poor countries on cutting back imports and increasing exports.

It is bad morality to pretend that institutions and countries which are bankrupt are not bankrupt. Obviously, loaning more money to overburdened debtors is not a solution. The Schumer Plan is, I think, a thoughtful approach to the problem. It is similar to what is already required under Financial Accounting Standards Rule 15 (FASB) for Troubled Debt Restructurings. It would not require an immediate write off, but would affect future earnings. A major problem with the IMF approach is that, once funded with taxpayers' money, the IMF is beyond congressional control. I would recommend adding to the Schumer Plan a requirement that, if the IMF intends to make any loan to a Communist or OPEC country, it must first secure congressional approval.

In conclusion, the banks have been acting adversely to the interests of the United States and continue to do so. If they are candid with this committee, they must admit that the bad loans can be made good only by a major reinflation. Only then can the banks float off the rocks on a rising tide of a debased currency—a tide which may drown the rest of us. Inflation would, of course, shift the loss from the banks to the holders of money and other liabilities issued by the banks and government. High inflation and high oil prices will aid the banks, but they will be disastrous for the United States and the West. The country should not be dragged into the hole the bankers have dug for themselves. Thank you for your consideration.●

SOME HARD TRUTHS ABOUT THE SOVIET UNION

HON. JAMES G. MARTIN

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 11, 1983

● Mr. MARTIN of North Carolina. Mr. Speaker, I wish to insert in the RECORD an article by Seweryn Bialer, one of the country's preeminent specialists on the Soviet Union.

To have a sincere devotion to arms control and peace without a practical understanding of the grim realities of world politics is as dangerous as having a one-sided emphasis on military power. This is a fault of many in the freeze movement and was exposed in our lengthy, vigorous debate on the freeze.

I ask my colleagues to note Dr. Bialer's comment that massive nuclear power is really all the Soviet Union has, and that, consequently, meaningful arms control will be very difficult to achieve.

[From the Washington Post, May 8, 1983]

THE SOVIETS REALLY NEED THEIR NUKES

(By Seweryn Bialer)

In the great debate over nuclear weapons and how to control them, one key fact gets too little attention: The Soviet Union depends on its nuclear arsenal not only to protect itself and to threaten others, but for its very status as a great power. Without nuclear weapons, the Soviet Union would not be a superpower.

Perhaps we shy away from this fact because its implications are so depressing. Obviously, if the Soviet leaders believe that they depend on nuclear weapons for their international status, they are unlikely to consider giving them up. This state of affairs cannot be wished way.

More depressing still, the nuclear revolution that has transformed international politics gives the Soviet Union considerable advantages over the West in the competition for global influence. The very "unusability" of nuclear weapons makes them more useful to the Soviets than they can ever be to us.

Nuclear weapons are much more than weapons. They are the overriding political and psychological factor in Soviet-American relations, and in today's global politics generally. The fact that nuclear weapons exist has created an international situation without precedent in history.

The existence of nuclear weapons has also given the United States and the Soviet Union a set of compelling common interests, beginning, of course, with their mutual need to avoid a nuclear war. But common interests are far from either superpower's only interests.

If avoiding a nuclear war and the confrontations that could lead to one was both superpowers' fundamental goal, their chances for success would be very high.

Even if the nuclear arms race continues indefinitely, one can argue—however ironically—that both sides believe they are accumulating new weapons to avoid the sort of strategic imbalance that could tempt one superpower to attack the other.

But the prevention of a nuclear holocaust and the survival of humanity is not the only fundamental goal of either America or of Russia. Both have other international ambitions, and the Soviet Union has an unsatisfied hunger for global influence that pushes it toward a highly activist foreign policy.

It's no use shying away from this uncomfortable fact. Soviet nationalism and pride, history and ideology, its military might combined with the docility of its population, its late arrival on the superpower stage all encourage this activism. The Soviet Union is still in the ascending stage of its international ambitions.

In this stage the Soviet leadership is hoping it will be able to turn Western Europe away from its alliance with the United States. The Soviets are committed to support radical changes in the Third World, even if this involves direct and indirect Soviet military engagement. While the overriding Soviet goal is to protect its own Russian-Soviet system and its "internal" and "external" multinational empire, its key tactical aims as a latecomer to the "game" of global politics are offensive.

For the United States, this is clearly the descending stage of political, economic and military ambitions. America now views the international system with the attitudes of a status-quo power. Its long-term policy direction is best expressed in "containment"—a

concept with basically defensive connotations.

American key goals are the preservation of the independent industrial democracies, which requires a balance of at least strategic parity with the Soviet Union; the defense of vital economic and strategic American and allied interests in such areas as the Persian Gulf, which requires the preservation or creation of a conventional Soviet-American balance in some regions of the world; and finally, the preservation—at best—of the existing configuration of forces in the Third World. Where change cannot be avoided, the U.S. wants gradual evolution, not revolutionary upheavals.

This is a dangerous situation. Although each superpower wants to achieve its goals without using nuclear weapons—that is, in the rational way—this may not prove to be so easy. The asymmetry of goals which each superpower pursues and the fact that one is still ascendant while the other is retrenching increases the perils of an unintended escalation of their conflict to the threshold of nuclear war.

To put it simply, the nuclear revolution in weaponry and warfare and its military, political and psychological consequences give the Soviet Union a better opportunity than the United States to achieve its international goals without a nuclear war. This is true for four reasons:

First, nuclear weapons act as a great equalizer of the actual, conventional military potential of the Western and Soviet alliances, and therefore are a guarantor of the security of the Soviet Union. Far from being an equal, the Soviet Union and its bloc are far behind the Western alliance in conventional military potential.

At the beginning of the 1980s the combined gross national product (GNP) of the industrial democracies was more than three times larger than the combined GNP of the Warsaw Pact countries. (This is about the same relationship that existed between the West European and Soviet economic military potential on the eve of World War II, and is only marginally different than the comparative potential of NATO and the Warsaw Pact in the 1950s). Technologically, recent studies have shown that the lopsided superiority of the West is at least as great today as it was in 1953, the year when Stalin died.

But nuclear weapons—strategic, theater, and tactical—act as a great equalizer of the military potential and actual strength of the competing blocs, who without them are not equal at all. Once strategic parity has been achieved, it provides a degree of security to the Soviet Union that it never enjoyed in the past.

And of course, nuclear weapons enhance the psychological-political effectiveness of any threat from Soviet conventional forces on Soviet borders or in remote corners of the globe.

Second, the nuclear revolution led to the the once-justified but now pernicious concept of an American nuclear umbrella over Western Europe, and the "bigger bang for the buck" military policy of the United States. The idea of an American umbrella led to much lower levels of conventional military spending by the industrial democracies than at any time in their 20th-century history. The idea of "more bang," and the attendant American preoccupation with the nuclear balance, led to a deterioration of conventional U.S. forces and to the dissipation of the American military-industrial base. And of course, these changes occurred at a time when Soviet conventional forces were growing steadily. The resulting superiority of mobilized conventional strength gave the Soviets freedom of military action below the level of nuclear war.

Third, the Soviet leadership is able to exploit the balance of terror more effectively than the United States can because of the nature of the Soviet political system. Soviet leaders do not feel great pressure from public opinion in formulating their military and foreign policies and calibrating their use of military threats towards their opponents. At the same time, Soviet leaders can manipulate the legitimate fear of nuclear weapons in the populations of the industrial democracies. This asymmetry lets the Soviet leadership reap the political rewards of nuclear parity and leaves them freer to employ military threat or actual military forces.

Fourth, the nature of Third world conflicts and of popular aspirations in the developing countries favors military conflicts and revolutions—best suited to Soviet purposes—rather than gradualism and the evolution of democratic institutions that America would prefer. When nuclear parity eliminates the danger of retribution to their own homeland and empire, the Soviets can engage in low-risk and low-cost adventures to help accelerate the "historical process" in the Third World.

On the other hand, any American attempts to intervene to preserve the status quo are likely to require large-scale involvement at a high cost. The unpopularity of such interventions, the difficulties of making them work, and the danger of their escalation into confrontations with the Soviet Union makes them extremely difficult for the United States to undertake.

So nuclear weapons give the Soviets clear advantages. Of course the present balance of nuclear terror also presents the Soviet Union with terrible dangers. But it would be foolish to ignore the fact that the same balance of terror also gives the Soviet leaders opportunities for global assertiveness that are unprecedented in the entire history of the Soviet Union.

On the other hand, the advantages created for the Soviet Union by the nuclear revolution do not assure the success of Soviet policies. Those advantages may well be balanced by the Soviets' problems: internal weaknesses, difficulties inside the East European empire, and the Soviets' inability to match their military capabilities with the political, economic and cultural power that could produce practical advantages for the U.S.S.R. around the world. The restoration of an effective American-West European alliance could also help frustrate Soviet ambitions.

In the area of strategic weapons, the Soviet leadership's oft-proclaimed desire for arms control and stability is at least as sincere as President Reagan's repeated statements of interest in nuclear arms reduction. But if nuclear weapons were ever abolished or decisively reduced in number, it is the Soviet Union that would really suffer—militarily, politically and psychologically. This is an important reason why the total elimination of nuclear weapons is an unattainable goal, and why even their substantial reduction will be very difficult to achieve, though we must strive to achieve it.●

THE SITUATION IN GUATEMALA—PART I

HON. DAVID R. OBEY

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 11, 1983

● Mr. OBEY. Mr. Speaker, recent news about Central America has focused on El Salvador and Nicaragua. But Guatemala is another key country in that troubled region and it is important that we understand the developments taking place there as we debate U.S. policy toward Central America.

In March 1982, a military coup brought the Rios Montt government to power. At first there was hope that the new government would be an improvement over the previous brutal regime, but that hope was short lived.

While killings and disappearances seemed to recede in the cities, reports of official violence against civilians and massacres in the countryside began to appear frequently. Throughout 1982 and the first part of this year, respected organizations such as Amnesty International, the U.S. Catholic Conference, and Americas Watch, among others, have been describing the terror and death carried out by Guatemalan forces against Indians and peasant farmers, including men, women, and children.

Unfortunately the administration decided to play down these reports and increased support for a government making war on its own people. It increased U.S. foreign aid to the Rios Montt regime, including $10 million in nondevelopment economic aid, and allowed the Guatemalan Government to purchase military equipment for the first time since 1977. In late 1982, President Reagan met with Rios Montt in Central America and said that the Guatemalan President was getting a "bum rap" from human rights critics. Several months later, however, the Reagan administration itself had to protest to the Guatemalan Government the death of a USAID worker and friends at the hands of Guatemala's security forces. The reality of the regime's brutality had finally hit home.

I would like to place in the RECORD at this time summaries of several reports describing the situation in Guatemala.

AMNESTY INTERNATIONAL REPORTS MASSACRES IN NEW GUATEMALAN SECURITY DRIVE

Guatemalan forces massacred more than 2,600 Indians and peasant farmers in a new counterinsurgency program launched after General Efraín Ríos Montt came to power in March this year, Amnesty International said today (Monday, October 11, 1982).

Military and newly formed "civil defense" units destroyed entire villages, tortured and mutilated local people and carried out mass executions in at least 112 separate incidents

between March and July, the worldwide human rights movement said.

Reports still coming in show the pattern has continued in more recent months. Amnesty International said exact details of all the incidents were hard to establish but it believed the death toll was probably higher than the figures reported to it so far.

In one Indian village in Quiché province on April 5 troops were reported to have forced all the inhabitants into the courthouse, raped the women and beheaded the men, and then battered the children to death against rocks in a nearby river. Raids elsewhere on the same day left some 100 people dead in the village of Mangal and 35 at Covadonga.

In other localities, people were burned alive in their huts, hacked to death by machete and machine-gunned. Amnesty International said information about other atrocities was still coming in.

Government forces have cleared all local people from several areas where insurgents were reported, killing many and driving others away.

Guatemalan officials maintain that the dead are guerrillas who died in clashes with government forces or civilians killed by guerrillas. But Amnesty International said its information repeatedly pointed to government responsibility for a program of mass killing of unarmed civilians in rural areas.

Amnesty International previously reported the existence of a government-run assassination program under former President Romero Lucas García in which "death squads" eliminated suspected opponents of the government, many of them in Guatemala's cities. "Now," said an Amnesty International official today, "wholesale massacres are reported from the countryside."

The victims have included pregnant women, small children and the elderly. In a house-to-house operation in Quiché province in May, armed agents killed 25 children between the ages of 4 months and 14 years, 15 women and 3 men.

The Amnesty International statement coincides with the movement's annual "Prisoners of Conscience Week" whose theme this year is human rights violations in rural areas around the world.

Bishops' President Urges Administration To Withhold Military Aid to Guatemala

Washington.—The President of the National Conference of Catholic Bishops has urged the Administration to withhold military assistance to Guatemala until "substantial and verifiable" proof is given that the pattern of violent repression of human rights in that country has ended.

Archbishop John R. Roach of St. Paul and Minneapolis said Church sources and other reliable witnesses in Guatemala have stated that human rights abuses, especially campaigns of intimidation and displacement directed against the Indian population, have increased dramatically in the last six months.

This contradicts statements by Administration sources suggesting that Guatemala's human rights record is improving.

"Our impression is entirely different," Archbishop Roach stated.

"It is not our role either to judge the intentions of the present Guatemalan government or to assess its true ability to control events throughout the country," the Archbishop said, "But we must insist that the extensive data available to us suggest that the previous pattern of violations has altered in recent months only by becoming worse.

"We respectfully urge the Administration, therefore, to withhold any further military assistance to Guatemala until substantial and verifiable proof is given that the pattern has been truly broken."

The present Administration has indicated its desire to renew U.S. military aid to Guatemala, which ended in 1977. A military training program has been requested for fiscal year 1983, and considerable military aid for Guatemala was included in the proposal for the Caribbean Basin Initiative.

The bishops of the United States reiterated their longstanding opposition to military aid to Guatemala in a Statement on Central America issued in November, 1981. The statement said U.S. diplomacy in Guatemala should be directed towards enhancing the protection of human rights and assisting the meeting of basic human needs.

During the past year they have made statements of solidarity with the Catholic Bishops of Guatemala, who said last May that the level of assassinations in their country has reached the level of genocide.

An Americas Watch Report

Summary and Findings

It is the view of the Americas Watch, based on direct testimony and other relevant information that we have gathered, that the human rights situation in Guatemala has not improved, but, if anything, has deteriorated since November, 1982. We arrive at this conclusion for the following reasons:

1. The Guatemalan Government's counterinsurgency program, begun in early 1982, has been continued and expanded by the Rios Montt government and remains in effect at this time.

2. A principal feature of this campaign is the systematic murder of Indian noncombatants (men, women and children) of any village, farm or cooperative, that the army regards as possibly supportive of the guerrilla insurgents or that otherwise resists army directives.

3. Although civilian men of all ages have been shot in large numbers by the Guatemalan army, women and children are particular victims; women are routinely raped before being killed; children are smashed against walls, choked, burned alive or murdered by machete or bayonet.

4. There is growing evidence that civilian males, including teenagers are being conscripted, under threat of death into "civil patrols," which are controlled by local army commanders. A principal function of the civil patrols is to kill other civilians suspected of being "subversive" or otherwise objectionable to local army commanders.

5. Incidental to its murder of civilians, the army frequently destroys churches, schools, livestock, crops, food supplies and seeds belonging to suspect villages, cooperatives or private farms. An apparent purpose, and clear effect is to deprive entire villages and farm communities of food necessary for survival.

6. Unable to live in their villages or on their farms, or to survive in the mountains to which they flee, an increasing number of Guatemalan Indians (estimated at between 70,000 and 100,000) have sought refuge in southern Mexico. The Guatemalan army has created a free-fire zone along its border with Mexico and routinely pursues and tries to kill many refugees to prevent them from reaching Mexico.

7. Through the period of our visit to southern Mexico in March, 1983, Guatemalan ground and air forces have repeatedly crossed into Mexican territory to intimidate refugees and to carry out surveillance of refugee camps. During our delegation's visit, one armed Guatemalan force crossed several kilometers over the border near the Chajul refugee camp and another force opened fire at refugees at the Puerto Rico refugee camp.

8. The Guatemalan armed forces make extensive and conspicuous use of helicopters, mortars and incendiary bombs in attacking rural villages in destroying and burning crops, and in harassing refugees seeking to escape, and routinely use helicopters for surveillance of refugee camps in Mexico.

9. The Guatemalan government continues to execute prisoners (11 men since January 1, 1983) tried in secret by special courts whose procedures and composition *prima facie* violate its international treaty obligations.

10. It is widely known within the refugee community, and among displaced Indians in Guatemala, that the principal supplier of such helicopters—and the principal supporter of the Rios Montt government—is the United States.

Recommendation

These findings indicate that the Rios Montt government continues to engage in a consistent pattern of gross violations of internationally recognized human rights. Accordingly, as U.S. law prohibits military assistance to such governments, Americas Watch calls for the immediate suspension of all existing military sales and the withholding of requested military assistance to the Guatemalan government. Continued U.S. military and diplomatic support for the Rios Montt government will lead, and in fact, is already leading the Guatemalan people to view the United States as an accomplice to the massive and unspeakable human rights violations that are being committed by the Rios Montt government.●

FLORIDA ATTORNEY GENERAL URGES ACTION ON LEGISLATION TO DEAUTHORIZE THE CROSS-FLORIDA BARGE CANAL

HON. BUDDY MacKAY

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 11, 1983

● Mr. MacKAY. Mr. Speaker, on April 21, 1983, I introduced H.R. 2695, a bill to deauthorize the Cross-Florida Barge Canal.

This bill is supported by the Governor of Florida, as well as the elected cabinet of Florida. As the Congress begins to consider this legislation, I wanted to share with my colleagues the text of a letter I have received from the Honorable Jim Smith, attorney general of Florida, which outlines the legal situation in which the State of Florida currently finds itself with

regard to the canal. In his letter, he points out the need for swift action on this bill.

I insert the text of this letter at this point in the RECORD and strongly urge my colleagues to review it. I believe it very succinctly outlines the legal reasons for passing H.R. 2695.

DEPARTMENT OF LEGAL AFFAIRS,
OFFICE OF THE ATTORNEY GENERAL,
Tallahassee, Fla., May 3, 1983.

Hon. BUDDY MACKAY,
U.S. Congressman,
Cannon House Office Building,
Washington, D.C.

DEAR CONGRESSMAN MACKAY: I am aware that bills have been introduced in both houses of Congress which would deauthorize the Cross-Florida Barge Canal Project. There are several matters which need to be considered in relation to this proposed legislation. Therefore, this letter is being sent to each member of Florida's Congressional delegation.

As you know, in 1971 President Nixon ordered a halt to construction of the canal project. After extensive studies, which included consideration of an alternative completion route, the U.S. Army Corps of Engineers in 1977 recommended against completion of the canal because of an unfavorable cost benefit analysis. That same year the Governor and Cabinet of Florida, sitting as the head of the Florida Department of Natural Resources, adopted a resolution recommending that Congress deauthorize the canal.

In 1979, in anticipation of deauthorization, the Florida Legislature enacted Chapter 79-167, Laws of Florida. This law will become effective only if the canal is deauthorized. Some of the salient features of the 1979 legislation are:

It requires preparation of a land management plan which will decide future uses of lands now owned by the Canal Authority (a state agency composed of the Governor and Cabinet which owns most of the lands acquired for the canal project).

It provides for sale to the federal government of a large area which includes most of Lake Ocklawaha (Rodman Pool) and lands along the Oklawaha River which were to have become Eureka Pool. These lands are to be sold at fair market value for inclusion in an expanded Ocala National Forest. Their use must be consistent with the land management plan for that area.

The Florida Department of Natural Resources is empowered to acquire by purchase, exchange or eminent domain the fee simple interest in lands to be included in the Ocala National Forest where the Canal Authority originally acquired less than the fee.

Lands determined to be surplus by the management plan are to be offered for sale at fair market value—first to the original owner, then to the county, then to the public at auction.

The six counties of the Cross Florida Canal Navigation District—Duval, Clay, Putman, Marion, Levy and Citrus—are to be refunded with interest the ad valorem tax revenues contributed to the Canal Authority for land acquisition. (The principal amount of the counties' contribution was $9,340,720.94. Principal and interest now total some $32 million and is accumulating at the rate of 8 per cent per year.)

The primary mechanism for repaying the six counties is the sale of surplus Canal Authority lands.

As a result of recent circuit court decisions in Florida, this orderly plan for disposition of Canal Authority lands, and even the possibility of completion should Congress choose that, are threatened by further delay. In May, 1982, the circuit court in Marion County held in suits filed by eleven former land owners that the canal project has been effectively abandoned and that the former owners of land should be revested with title. Appeals of those judgments are now pending before the Fifth District Court of Appeal in Daytona Beach. Although we firmly believe that legal precedent is against the circuit court's rulings, one cannot discount the possibility that the judgments may be affirmed. However, we do not anticipate having a decision from the Fifth District Court of Appeal for at least several months.

Since those cases were tried, Florida Power and Light Company has filed suit in Marion County seeking to recover title to over nine thousand acres of land the Canal Authority owns in fee simple. Of this, 3,248 acres are under or around Lake Ocklawaha, and 5,900 acres boarder the Oklawaha River in the proposed Eureka Pool area. All of this land is environmentally sensitive and is part of the area proposed for inclusion in the Ocala National Forest. Unfortunately, we expect the circuit court will follow its previous rulings at the trial of this case which is now scheduled for June 24, 1983.

The implications of the courts' decisions in these cases are serious. First, if all or most of the Canal Authority lands are returned to private ownership, the protection of sensitive ecological resources contemplated by the 1979 legislation, or any degree of restoration, will be vastly complicated if not made impossible. Present and future recreational uses may also be thwarted. Further, should Congress decide to complete the Canal, it is obvious enormous duplicative expenditures would be necessary if the land reverts to private ownership.

The circuit court also decided that the former land owners were entitled to the land upon their repayment of the 1960s purchase price, not current fair market value. The effect of this may well be to deprive the six counties of the navigation district—Duval, Clay, Putnam, Marion, Levy and Citrus—of some portion of the amount they are to be paid under the 1979 legislation. Although the land management plans are not complete, there appears to be just sufficient land available for sale at fair market value to repay the interest. It is doubtful however that these lands are appreciating at the rate of eight percent per year. Thus, the longer deauthorization is delayed the more difficult it will be to repay the counties. If the land should revert to previous owners for the 1960s prices, full repayment to the six counties and their taxpayers will not be possible.

I trust you will find this helpful in your decision regarding the canal. I believe that delay in resolving the fate of the canal will further complicate an already complex situation. Therefore, your prompt action on this bill is highly desirable. If I may provide you any more information, please call on me.

Sincerely,

JIM SMITH
Attorney General.●

PRESIDENT REAGAN PAYS TRIBUTE TO THE MEMORY OF JOHN M. ASHBROOK

HON. DELBERT L. LATTA

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 11, 1983

● Mr. LATTA. Mr. Speaker, I would like to submit for the RECORD a stirring eulogy to the memory of John M. Ashbrook given by President Reagan on May 9, 1983, at Ashland College, Ashland, Ohio.

Though the first anniversary of John's untimely death has just passed, his memory and his commitment to Ashland College and quality education throughout this country endure.

The President also used this occasion to give the Nation an update on his economic program.

The text of the President's speech follows:

REMARKS OF THE PRESIDENT AT THE JOHN M. ASHBROOK MEMORIAL DINNER

THE PRESIDENT. Thank you. [Applause]. Thank you, Fred, Dr. Schultz, Jean Ashbrook, and distinguished guests, we are here this evening to honor a man who, though he died at a tragically young age, garnered himself a remarkable record of public service as a state assemblyman, a distinguished congressman, a candidate for the United States Senate and, for a brief time, a candidate for the presidency of the United States.

There is sadness and surprise in recounting these titles of office either held or sought by John Ashbrook. Sadness, of course, because a man who made such an enormous contribution to American political life is now gone. Surprise, because all of us who followed closely the career of John Ashbrook remember him for his youthful and vigorous advocacy of traditional American principles. When he entered the state legislature, he was 28, the second youngest member at that time of that body. When he went to Congress, he was 32, the second youngest member of that body. And when he died, a candidate for the United States Senate, he was only 53.

It was never quite possible to say of John Ashbrook that he was typical—even though he was very much one of a breed of midwestern congressmen, those who over the course of several decades fought a long, hard, and frequently losing battle against the encroachments and intrusions of big government. As early as 1960, John Ashbrook warned against "unbridled national power with a resultant loss of individual freedom and local autonomy." He warned against "the state planners, the economy wreckers, the spenders and the destroyers of local government." He was a founder and chairman of distinguished conservative organizations including the American Conservative Union. In standing up for these views, he was remarkably consistent—his lifetime voting record garnered him a 97 out of a possible 100 percent on the conservative voting scale.

Yes, John Ashbrook was one of those honored few, those officeholders in the fifties and sixties who warned against the current trends and fashions, who predicted that someday the massive spending schemes and

higher and higher taxes of the federal government would stall and depress the American economy, immobilize state and local government and endanger personal freedom.

But if John Ashbrook was a rock solid conservative he was also a conservative who broke the mold. He hardly fit the image of the stuffy or parochial reactionary some tried to attach to him. A graduate of Harvard, an adept and effective public speaker, the concise eloquence he brought to his views made the liberal establishment take notice. And, most important, he was willing to take the kind of chances that few older and more traditional members of his party would ever have dared. He even challenged an incumbent President of his own party when he felt that President needed to be reminded of his original mandate.

In John Ashbrook's youth, his erudition, and his willingness to challenge long-established political precedents, we saw a new kind of Republican, a new kind of conservative. It was in this sense that he was ahead of his time, a forerunner of many conservative officeholders to come.

And the voters of Ohio, even those who didn't agree with him on every point, saw in him a man to be trusted, a leader who had clearly charted out the future and knew the direction he wanted it to go. Even those who view the world from a different political perspective can honor this man's utter devotion to principle, and his understanding of the essence of political leadership. John Ashbrook knew that the first duty of public life is to responsibly speak the truth—even if the moment's fashion is against the truth. For it's through such consistency and coherence, such constant attention to principle, that the public trust is eventually won and a political consensus mobilized.

In many ways, John Ashbrook symbolized the beginnings of a new conservative movement in America. As he grew in prominence, so did the movement he helped to lead. In the 50's and 60's, it was labeled a lost cause, in the 70's it was thought of as another pressure group, and in the 80's many could argue it was the dominant force in American political and intellectual life. [Applause].

We mourn John Ashbrook's loss to this movement and to his country. But as his longtime friend and fellow activist in that movement, William Rusher reminded us: Surely our highest consolation is knowing that John Asbrook did live to see his political principles victorious and his public career vindicated. [Applause].

Yet we do this memory and ourselves a disservice if we too exclusively identify John Ashbrook's political principles with one man, one party, or one political movement. Through all of his writings and speeches, it was John Ashbrook's insistent claim that opposition to the cult of state power—the cult that has so badly infected our century—was deeply and irrevocably part of America's past and that the principles of limited government was America's greatest contribution to constitutional and political history.

He spoke movingly of America's traditional values and how too often in recent years we as a nation had drifted from those values. At the beginning of his second term in 1963, John was one of the senior members of a special five-man committee investigating the Ku Klux Klan and its involvement in the murder of civil rights workers in the South.

"The minute I walk into those hearings," he said, "it is like entering another world where all of the values which are meaningful to me, law and order, respect for your fellow human being, justice go out the window—(where) traditional values are scoffed at."

It was a long-standing American consensus based on these traditional values that John Ashbrook struggled to reinstitute in this country, a struggle we continue today.

And in searching for the solution of our social or economic problems today, we can speak of a matrix, a formula that unlocks the solutions to many different problems. And I believe it is in the political wisdom and the social consensus that began this country, the consensus that still abides here in the heartland of America and was so evident in the career of a John Ashbrook, it is this consensus that holds the key to our modern dilemmas.

From their own harsh experience with intrusive, overbearing government, the Founding Fathers made a great breakthrough in political understanding: They understood that it is the excesses of government, the will to power of one man over another, that has been a principal source of injustice and human suffering through the ages. The Founding Fathers understood that only by making government the servant, not the master, only by positing sovereignty in the people and not the state can we hope to protect freedom and see the political commonwealth prosper.

In 1776, the source of government excess was the crown's abuse of power and its attempt to suffocate the colonists with its overbearing demands. In our own day, the danger of too much state power has taken a subtler but no less dangerous form. Out of the best of intentions, government has intervened in areas where it is neither competent nor needed nor wanted by the mass of Americans. [Applause].

There is no better example of the wisdom of limited government and the price paid by societies that forgot that wisdom than the economic problems we've encountered in recent years. The notion that government planners could fine-tune the economy from Washington led to a vicious cycle of boom and bust, periods of high inflation followed by periods of high unemployment.

Ohio has suffered from the practice of Washington-based meddling more than almost any other state. Today, because of this vicious cycle and following decades of growth in government, there are 13 percent unemployed in your state. And in states [1] like Canton, the rate is as high as 17.5 percent and in Youngstown, 20.1 percent.

These are not just statistics. They represent human hardship and suffering, they stand for unhappy families with lifetime savings eaten up and dreams for the future destroyed.

Now all of us hope, of course, that the unemployment situation will ease much more quickly than current predictions suggest. But if past recessions were the rule, unemployment will remain a lagging indicator in an otherwise brightening economy so the unemployed will be among the last to feel the benefits of the recovery.

But those who have for so long preached the benefits of bigger government should be asked to acknowledge that the economic conditions that led to recession and unemployment were created by years of growth in government and the climate of government expansion and interference. When this administration took office, federal spending had tripled in the preceding 10 years and taxes had doubled in the preceding five years. The national debt was hitting a trillion dollars—social spending had quadrupled in one decade. The budget for the Department of Health and Human Services became the third largest entity in the world, just behind the national budgets of the United States and the Soviet Union. One social program, food stamps, had grown from a $70 million experimental program in 1965 to an $11.25 billion program in 1981—an incredible 16,000 percent increase.

The government was draining off America's productivity and placing an enormous drag on the economy. Higher and higher taxes and inflation were discouraging work, risk, and the willingness of business and labor to invest time or money in economic expansion.

Now this tremendous slowdown in the economy was more than a statistical event. It hurt those who could least afford to be hurt. Particularly hard hit were those traditionally lower income groups that make up such a high percentage of the unemployed. Minimum wage laws—with no allocation made or allowance made for young people doing marginal work—kept many young people from gaining the entry level positions that mean invaluable job training and eventually fulltime careers.

Or take the slowdown in economic progress made by those with low incomes. As pointed out in a recent article by Charles Murray in The Public Interest magazine, the great expansion of government programs that took place under the aegis of the Great Society coincided with an end to economic progress for America's poor people. From 1949 until just before the Great Society got underway in 1964, the percentage of American families in poverty fell dramatically—from nearly 33 percent to only 18 percent. But by 1980, with the full impact of the Great Society's programs being felt, the trend had reversed itself and there was an even higher proportion of people living in poverty than in 1969.

The simple truth is that low inflation and economic expansion in the years prior to the Great Society meant enormous social and economic progress for the poor of America. But after the gigantic increases in government spending and taxation, that economic progress slowed dramatically. If we had maintained the economic progress made from 1950 through 1965, black family income in 1980 would have been nearly $3,000 higher than it was.

The great social spending schemes failed for the vast majority of poor Americans. They remain trapped in economic conditions no better than those of a decade-and-a-half ago. The poverty programs failed precisely because they grew without regard for the burden they and other social programs were imposing on the overall economy. As social spending multiplied, economic growth slowed, and the economy became less and less able to generate the jobs and incomes needed to lift the poor out of poverty. Not to mention the fact that inflation stimulated by government growth hit the poor the hardest—the hardest especially by devaluating the payments of those on welfare.

The growth of government programs did little for the poor, they were sometimes even counterproductive. From 1965 to '74 for example, the Federal Urban Renewal Program spent more than $7 billion and ended a total failure, destroying more housing units than it replaced. The federal regulations and grants of the Model Cities Pro-

[1] Cities.

gram in the late 1960's spent more than $2.5 billion and didn't halt urban decay. But all of these programs—while they did fund jobs for an army of federal bureaucrats and consultants, put a huge burden on the productive sector of the American society. It was the working people who had to pay the taxes, carry the burden of inflation and get thrown out of work when the inevitable economic slowdown occurred.

Today because of our attempts to restrict and cut back on government expansion and to retarget aid toward those most in need, and away from those who can manage without federal help, the working people of America are directly benefiting. We have brought inflation down from double—I can't get that out—double-digit—[laughter]—I stumble over inflation all the time. [Laughter, applause]. But it was double-digit levels. And now for the last six months, it has been less than one-half of one percent. [Applause]. I have less trouble saying that. [Laughter]. For a family on a fixed income of $20,000, the improvement in inflation has meant about $1,700 more in purchasing power. And because of our tax program a median-income family of four in 1983 will pay $700 less in federal income taxes. And if they try to do anything about that third tax cut, I sleep with a veto pen under my pillow. [Applause].

But beyond all this, however, cutting back on government instrusions into the marketplace and its drain on the economy has meant the beginning of a solid recovery.

Auto production is up 40 percent in the first quarter over the same time a year ago. And in March, new home sales were up over 50 percent, building permits were up more than 70 percent and building starts were up by 75 percent over the same time last year. [Applause]. Consumer confidence has had its best monthly gain in nine years, all the way to 77 percent as measured by the Conference Board. We now have the lowest prime interest rate in 4½ years, inflation is better than the double-digit figures of a few years ago and the stock market is healthy again.

And this need not be a temporary recovery. If we can continue to cut the growth in spending, if we can continue to hold the line on taxes, consumer and business confidence will remain high and the recovery will be sustained over a long period of time. Once again, America's working people will know that hard work, saving and sound investment will pay off for them and their children in the future. And this will mean far more to the lower income groups that have been so badly hit by unemployment and inflation than all the government programs of the past. It will mean economic growth and expanding opportunity over a long period of time. Instead of having government trying to redistribute a shrinking economic pie, that pie will be expanding and everyone will have a chance at a larger share.

But if we are to continue this progress, we must resist that well-intentioned statism of those who urge even more spending and higher taxes. The British political philosopher, Michael Oakeshott, has warned us about the dangers of government that tries to do too much: "To some people, government appears as a vast reservoir of power which inspires them to dream of what use might be made of it. They have favorite projects of various dimensions which they sincerely believe are for the benefit of mankind. They are thus disposed to recognize government—an instrument of passion, the art of politics to enflame and direct desire."

Well, here I would submit is the central political error of our time. Instead of seeing the people and their free institutions as the principle means of social and economic progress, our political opposition has looked at government and bureaucracy as the primary vehicle of social change. And this marked the on-slaught of special interest politics, the notion that every noble social goal is the business of government, that every pressure group has its claim on the tax dollars of working people, that national legislation means brokering and bartering with the largest share going to the most powerful of the noisiest political constituency.

This is the antithesis of fair government, of democratic rule and orderly government. As Mr. Oakeshott has observed, it is the conjunction of utopian dreaming and government power that degenerates into tyranny. Even beyond the raids on the national treasury, the huge deficits, the high inflation and taxation—the very abuses that brought down so many empires and nations in the past—this trend toward well-intentioned but overwhelming government also diminishes personal freedom and the autonomy of those branches of government closest to the people.

Even two centuries ago, the founding fathers understood this. They anticipated the danger. John Adams wrote that government tends to run every contingency into an excuse for enchancing power in government. And Thomas Jefferson put it more directly when he predicted happiness for America but only "if we can prevent the government from wasting the labors of the people, under the pretense of taking care of them . . ."

Now, some, of course, mistake this to mean the negation of government. Far to the contrary, it is by clearly restricting the duties of government that we make government efficient and responsive. By preventing government from overextending itself we stop it from disturbing that intricate but orderly pattern of private transactions among various institutions and individuals who have different social and economic goals. In short, like the founding fathers, we recognize the people as sovereign and the source of our social progress. We recognize government's role in that progress but only under sharply defined and limited conditions. We remain aware of government's urge to seek more power, to disturb the social ecology and disrupt the bonds of cooperation and interchange among private individuals and institutions through unnecessary intrusion or expansion.

When new management takes over a failing business or a coach tries to revitalize a sports team, both will frequently find that the key to success is cutting out the extraneous or extravagant, while returning to basics and emphasizing those resources that have been traditionally successful.

Well, this is precisely what we're trying to do to the bloated federal government today: Remove it from interfering in areas where it doesn't belong, but at the same time strengthen its ability to perform its constitutional and legitimate functions. In the area of public order and law enforcement, for example, we're reversing a dangerous trend of the last decade. While crime was steadily increasing, the federal commitment in terms of personnel was steadily shrinking. This administration has reversed this trend by adding more than 1,000 new investigators and prosecutors to law enforcement rolls and we have redirected our resources for a frontal assault on drugs and organized crime. Or take our federalism proposals: We want to cut back on federal intrusions to local and state governments, and so those local and state governments can be more responsive to the people.

Or take the national security area, where we're trying to make up for years of neglect when spending declined from 40 percent of the budget in 1970 to less than 24 percent in 1980. And let me take a moment here for an important aside. During the past 10 years, the Soviet Union has improved, developed and deployed more than a dozen large new ICBM systems while the United States has been thinking about developing one, much smaller Intercontinental Ballistic Missile.

The debate over a new ICBM and our entire strategic triad has cost the country millions of man hours and billions of dollars and it still hasn't been decided.

I wanted to get some answers, once and for all. So I created a blue-ribbon, bipartisan commission this past January to study the strategic forces of the United States. The commission conferred with over 200 experts and consulted closely with the Congress and produced a thorough report that made three basic recommendations. First, that we continue with our strategic modernization program; second, that we build and deploy the MX missile and develop a single—simple, single-warhead missile; and, third, that we continue ambitious arms control negotiations that promote nuclear arms stability and reduction of nuclear arms. [Applause].

Eighteen senior officials from the three previous administrations, including six former Secretaries of State and Defense, agree that all three parts of this commission's recommendations are essential to the future security of our country. The National Security Council agrees. The Joint Chiefs of Staff agree. And I agree.

But I more than agree. I believe with every fiber of my being that these steps are essential to ensuring arms control progress and our nation's future safety and security. Only when the Soviets are convinced that we mean business will arms control agreements become a reality. We're not building missiles to fight a war; we're building missiles to preserve the peace. [Applause].

And that's why the Congress must act soon on these recommendations, especially the MX. If the Congress rejects these proposals it will have dealt a blow to our national security that no foreign power would ever have been able to accomplish. I call on the Congress to support this bipartisan program, a program that combines vigorous arms control with the modernization of our strategic forces.

Now, discussion of Justice Department personnel or economic statistics may seem a long way from the insights of Michael Oakeshott or the lofty thoughts of the founding fathers. But I would argue that John Ashbrook would never have found it so. For him, conservatism was not so much a political pressure group as it was a modern reflection of the insights and wisdom that began the American Republic.

His career as a public servant is testimony to this kind of enlightened conservatism. John Ashbrook believed in study and thought. He was close to Ashland College, he did all in his power to encourage the growth of conservative think tanks and policy groups.

But he was a practical man as well. In the face of redistricting and an unfavorable political climate for conservative candidates,

he won 11 consecutive terms in the House of Representatives. He believed in political action—he was among those select few who began the Draft Goldwater movement in 1963 and stunned the political world by succeeding a year later.

I first came to John's district at a dinner here with Bill Buckley the spring after that election. He was not discouraged. John looked at the Goldwater campaign as a first step toward the eventual triumph of his political principles. Those principles are in the ascendency today in large part due to his efforts. [Applause.]

We owe it to him, to ourselves, to our children to stand by those principles, to persevere until—as it was said that night in 1964 in San Francisco by the presidential candidate John Ashbrook had worked so hard to nominate—"until our cause has won the day, inspired the world, and shown the way to a tomorrow worthy of all our yesterdays."

Thank you all and God bless you. [Applause].●

STATEMENT FOR THE RECORD BY REP. MANUEL LUJAN, JR.

HON. MANUEL LUJAN, JR.

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 11, 1983

● Mr. LUJAN. Mr. Speaker, I am introducing a bill today to provide for the addition of about 20 acres to the Sandia Mountain Wilderness within the Cibola National Forest of New Mexico.

This legislation is similar to a bill which I introduced in the 97th Congress, and was opposed by the Department of Agriculture because of misinformation about a proposed flood control project in the designated wilderness area.

When the Endangered American Wilderness Act of 1978 was being considered and subsequently enacted by Congress, approximately 20 acres of the then proposed Sandia Mountain Wilderness were excluded to provide for ultimate construction and maintenance of a flood control project immediately above the city limits of Albuquerque, N. Mex.

Since that time the city of Albuquerque, on close study after citizen groups questioned its basis and value, discarded the proposed flood control project. Because the project will not now be built, there is no longer any reason for excluding this acreage from the wilderness area.

The area proposed for wilderness designation is referred to as Sunset Canyon, which lies literally in the backyard of many residents of Albuquerque.

At the present time a structure called a diversion dam exists in the canyon. It was built in 1964 for flood control and has been maintained only once since then. Further maintenance work is now in the process of being approved by the Forest Service regional office in Albuquerque, but this consists mainly of silt removal in order to keep the channel open. Such maintenance would in no way interfere with a wilderness designation.

This proposed wilderness area is directly behind an area known as the Glenwood Hills subdivision in Albuquerque. The homes in the area back up to the area I am proposing for the wilderness area.

The flood control requirement came about because of the housing development, which was built in the 1960's. In 1974 a bond issue was passed for flood control, but none of the money was specifically allocated to enlarging this dam. Then in 1976 the Glenwood Hills Homeowners Association was informed by the Forest Service that the city planned to build a new dam in Sunset Canyon. It was to have been about 30 feet high at grade level and 50 feet from the basin floor. The catch basin was to be riprapped and a road built high on the hillside to go over the top of the dam structure.

This planned action was protested and the Forest Service requested the city to reconsider its plans. In March 1980 the city council passed a resolution whereby the city's policy is to upgrade the existing structure and line the North Glenwood Hills Aroyo channel with concrete.

My bill will insure that no greater action is taken by the city. It will preserve the existing character of the area and prevent destruction of the canyon. I will work for early passage of this bill and I will be requesting hearings shortly.●

COUNTRY OVEN BAKERY NAMED SMALL EMPLOYER OF THE YEAR FOR 1983

HON. BEVERLY BYRON

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 11, 1983

● Mrs. BYRON. Mr. Speaker, I would like to take this opportunity to congratulate the Appalachian Center and Country Oven Bakery of Oakland, Md., for being named the Small Employer of the Year for 1983 through the President's Committee on Employment of the Handicapped.

The Country Oven Bakery began operating in 1980 with the assistance of a HUD block grant. Since then, the bakery has become virtually self-sufficient, and has established an excellent reputation in the Garrett County community.

Of the nine employees, seven are handicapped. The bakery has given them an outlet for their energy and enthusiasm, and also an opportunity to succeed in business and to contribute to the community. The Country Oven Bakery is a tribute to their determination, dedication, and talent, and I am sure that there is even more success in its future.

Executive director Charlotte Griffith, bakery supervisor Maureen Sweitzer, and employees Helen Ravenscroft, Teri Roy, Trina Bray, Margie Bell, Mildred Crone, Paul Miller, Rich Buckingham, and Mary Lucas are all to be commended for this outstanding achievement. I hope that their fine example will inspire other handicapped individuals throughout the country.●

ETHIOPIA IN NEED OF FOOD AID

HON. BARNEY FRANK

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 11, 1983

● Mr. FRANK. Mr. Speaker, Ethiopia is experiencing its most severe drought since 1973. An estimated 3 million people, in the Gondar, Tigray, Welo, and Eritrea regions, are in desparate need of emergency food relief.

During the 1972-73 drought, 200,000 people and millions of livestock perished. This year, 90 people and nearly 200,000 cattle have already died in the Gondar region alone. With the government's treasury strained, emergency stockpiles nearly depleted, logistical headaches, and attendant health problems, Ethiopia has been forced to turn to the world community for assistance.

The Agency for International Development has already granted food requests from Catholic Relief Services and the World Food Program, both of which have been operating in the impacted areas. Another request is still pending and more supplies may be requested in the future.

I urge my colleagues to read the following article from the Baltimore Sun which provides a useful overview of the crisis. For those who wish to further involve themselves in this unfolding tragedy, I would suggest a letter to the Director of the Agency for International Development in support of humanitarian and food relief requests.

[From The Sun, May 2, 1983]

ETHIOPIA, IN GRIPS OF SEVERE DROUGHT, HAS "CRITICAL" NEED OF FOOD, SUPPLIES

(By Ian Steele)

EBINAT, ETHIOPIA.—From the air, the country is the color of scorched parchment stretching as far as the eye can see beyond the Simien mountains. A vast network of slate-gray riverbeds testifies to prospects for irrigation and bountiful harvests, but on the ground this year is nothing.

Drought has robbed the northern provinces of their crops and watering places and hundreds of square miles of cornfields and rangelands have merged into a virtual desert stretching from the Sudan to the Red Sea.

Tens of thousands of people have become totally dependent on foreign food aid deliv-

ered to relief stations and refugee camps. Help for uncounted thousands more, who live beyond the nation's airstrips and roads, is nowhere in sight. An estimated 3 million people are said to be in serious need of food and, in some places, water.

For most of the northern country the rains came too early, too late or not at all last year, and the little corn that did break ground failed to mature. Even before the harvest, which is due about now, thousands of families have abandoned their fields and pegged their survival to towns and refugee camps.

The World Food Program has estimated a 250,000-ton national grain deficit for 1983, but says American satellite projections of a 2 million-ton shortfall are probably more accurate.

The government has declared a state of emergency, and Trevor Page, head of the program's emergency service in Geneva, and other foreign observers believe the drought to be worse than the one in 1972-73, when about 200,000 people and millions of livestock perished.

"We just know the situation is critical, but we just don't know how critical," said Martin Moch, the program's senior adviser in Addis Ababa, the Ethiopian capital. Mr. Moch says that the country's limited transportation system had defied efforts to reach the most distant northern settlements, and says estimates of casualties and needs were based conservatively on an outdated population count of 31 million people.

Here on the flat, dusty outskirts of Ebinat in the southeastern Gondar region, a relief station set up for a few hundred refugees last October has become a permanent settlement for 10,000.

People have walked for up to a week to get here, carrying a few personal possessions and their youngest children on their backs. They have stripped the landscape of vegetation, and gathered every rock within the radius of a mile to build low stone corrals and brush shelters against the sun and dust. No one knows when they will be able to leave.

In their brown, tattered robes, they move across the landscape in grim camouflage with their surroundings, collecting firewood for cooking and foraging for a few goats and donkeys. As the camp has grown older, larger and more demanding on the environment, the daily trek for these basics has grown from a few hundred yards to a round trip of several miles.

The Ebinat River, which has been the camp's only source of water, is so polluted from overuse that government relief officials have restricted access for drinking only.

There have been no medicines or medical personnel at Ebinat since it opened, and every second child appears to have an eye infection, sores or respiratory problems. There is little movement in the camp. Families conserve their energy huddled beneath their shelters, and apart from the low, constant whimper of small children, a visitor is struck by the eerie silence of the place.

The maximum food ration in camps like this across the north this year is 66 pounds of grain and 11 pounds of milk and soys meal for a family of five. That is the equivalent of about 360 grams of protein a person per day, against the 400-gram minimum United Nations agencies say is necessary for survival in drought conditions. The ration ignores the fact that a family of 5 is only average in Ethiopia and that the allowance must sometimes be shared among 9 or 10.

There are said to be 450,000 severely drought-affected people in the Gondar region, and government officials say they have counted 600,000 people in similar circumstances in Tigray, 566,000 in Welo and more than 530,000 in Eritrea, where the situation is complicated by continued fighting between government and rebel forces.

A drought report and letter requesting emergency food aid that was distributed to foreign embassies in Addis Ababa last October has drawn a limited response, and the nation's current emergency food reserve in the capital stands at about 15,000 tons of grain provided through the World Food Program and the United Nations Food and Agriculture Organization.

However, the emergency in Gondar alone could swallow the nation's emergency stockpile, and Adane Mumuye, chief of the government's Relief and Rehabilitation Commission in Gondar, has requested 15,000 tons of wheat and 3,700 tons of powdered supplements and vegetable oils to carry his 450,000 people for the next six months alone. He says that even if he receives his quota, he will only be able to reach 60 to 70 percent of those in need.

"We don't have the trucks and we can only supply those who come to the relief stations," he said. "Those people have to travel two to four days on foot, and the weak cannot make it."

The death toll directly attributable to drought in Gondar so far this year is about 90 people and 177,000 cattle. By Mr. Adane's projection, between 135,000 and 180,000 people could perish in Gondar this year if food is not forthcoming.

Shimelis Adugna, the Relief Commissioner in Addis Ababa, said that the Communist states that supported the overthrow of Emperor Haile Selassie in 1974 have given next to nothing in the way of assistance. He said the military government of Mengistu Haile Mariam was hopeful that the United States would forget differences and help fill the food gap.

He said he was certain that Western governments would have responded more generously if Ethiopia were not a socialist state. Since the revolution, he said, the nation had averaged only $8 per head of population in foreign aid, compared with a $22 average for other developing countries with similar problems.

U.S. aid and humanitarian assistance to Ethiopia slowed to a trickle when the revolutionaries seized American property in 1974 and refused to pay compensation. The Dutch, who also have a strong record of foreign aid to developing countries, have similar claims outstanding, and Italy's contribution this year has been facilitated only by the settlement of its claims by a National Compensation Commission that was established recently in Addis Ababa.

Ethiopia's treasury is feeling the pinch of a military budget that according to the U.S. State Department drains 27.8 percent of its annual gross national product for arms against Somalia in the Ogaden region and rebel armies in Eritrea.

HIGH SCHOOL HONORING STUDENTS' ACADEMIC ACHIEVEMENTS

HON. ALAN WHEAT

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 11, 1983

● Mr. WHEAT. Mr. Speaker, tomorrow Hickman Mills High School is honoring the outstanding academic achievements of its students. At a ceremony at the school the students will receive awards ranging from scholastic scholarships to perfect attendance. I would like to take this opportunity to commend those students. These young men and women have not been content with the mediocre, but have demonstrated perseverance and dedication in the pursuit of excellence. The awards are the culmination of their excellent achievement.

But the meaning of excellence is found not in its accomplishment, but in its pursuit. Excellence is a quality acquired not at the end of the race and not at the starting line. Excellence is attained in slow degree that requires fierce dedication, persistence, and determination. I know that these exemplary students learned that valuable lesson.

It is true that American public education faces constant criticism, sometimes deservedly so. But it is also true that American public schools have undertaken a unique challenge—to educate all Americans and to give every student the opportunity to pursue excellence. I am encouraged to see that these students at Hickman Mills have made the most of that opportunity. I would also like to commend the efforts of Principal Douglas M. Lawrence and the school's faculty.

The awards issued will remind each and every student of the rewards of the dogged pursuit of excellence. I am proud to acknowledge their achievements and I wish them the best of luck in their future endeavors.

AT LAST A NUCLEAR FREEZE

HON. THOMAS J. RIDGE

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 11, 1983

● Mr. RIDGE. In 1945, the United States led mankind into the atomic and nuclear age. The United States is the only country that has ever used such weapons. The United States has a special responsibility, a moral imperative, to do whatever it can to put that destructive genie back in the bottle.

During the course of the debate on the House floor, a debate consuming several weeks, I monitored practically every minute of dialog, talked to sever-

al experts, read numerous studies and reports, and attempted to answer one basic question: Does the United States in May 1983 have a credible nuclear deterrent capability? In other words, if the Russians and the United States entered into a complete bilateral freeze on production and deployment of nuclear weapons, would this country find itself at a strategic and military disadvantage during the course of subsequent arms reduction talks?

I conclude that the answer is "No." Each country has an identifiable advantage with various elements of its nuclear capability. Neither country has a superior position overall. It is my belief that deterrent does not mean parity. We have sufficient nuclear capability to deter the Soviet Union from initiating a nuclear conflict and will be able to maintain that capability during the next several years.

From time to time Congress will be called upon to review different weapons and delivery systems in order to insure that such deterrent is not lost simply through the passage of time. We cannot wait indefinitely for bilateral agreements freezing and/or reducing nuclear weapons, but we can be assured that our efforts to do so in the next few years can be done from a position of real strength.

Working together, a bipartisan group of Congressmen—Republicans and Democrats alike—succeeded in writing specific language into the freeze resolution to do two critically important things:

First, to state explicity that is a bilateral, not a unilateral freeze, that is, we do not freeze unless and until the Russians do; and,

Second, to guarantee our right to on-site inspections within the Soviet Union to see for ourselves that they are doing all that any agreement requires them to do.

Critics of the freeze also argued that such a resolution would tie the hands of the President and his negotiators. That criticism is unjustified, in my view, because I do not know of a single Member of Congress—whether for or against the freeze—who believes that the United States should be represented at a bargaining table by 435 negotiators. And that is what we would be doing if we were to lock our negotiators into specific positions ahead of time as a result of individual votes taken in the House.

The nuclear freeze is intended as a statement—as a symbol—of the U.S. willingness and desire to call a halt to the nuclear arms race. It is not a treaty—the Senate, not the House, approves treaties. It is not a diplomatic instruction—those come from the White House or the State Department. No, the nuclear freeze does not tie the hands of the President or his negotiators. In my view, in fact, it strengthens their hands by sending them to the bargaining table with pretty persuasive evidence of how strongly the American people and their elected representatives feel about reducing the danger of nuclear war.

Finally, some observers have suggested that the freeze resolution was weakened during the long congressional debate be the many amendments the House added to it. On the contrary, I do not believe those amendments weakened the freeze, I think they strengthened it. I think it was important to clear up some of the many ambiguities in the documents as it was originally drafted.

During the first day or two of the debate, even the chief sponsors of the freeze resolution admitted that in many ways they themselves could not agree on how the freeze would work, or which weapons systems they mean for it to apply to in actual practice.

All too often, I think, Congress is too vague about what it really intends in the legislation it passes. So the bipartisan effort to make the freeze resolution a bit more precise was, in my view, a critically important effort to strengthen it.

Above all, however, the most important thing about this whole debate is that here in America, in May 1983, we have taken the first step toward reducing—and hopefully removing—the threat of nuclear war from the face of the Earth.●

NO DISCRIMINATION AGAINST NONWORKING SPOUSE

HON. MANUEL LUJAN, JR.

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 11, 1983

● Mr. LUJAN. I am today introducing legislation which would increase from the current level of $250 to $2,000 the amount of nonworking spouse can invest in an individual retirement account.

In my legislation, the married couple can invest up to $4,000 in an IRA, $2,000 for each partner. It would encourage savings and provide an incentive for an additional $1,750 in tax deductions from income. There is no reason to discriminate against the nonworking spouse by limiting the amount of money that can be invested. The only condition in this bill is that the working spouse must earn at least the amount being invested in the IRA. As an example, if the working spouse earns only $3,500 in a taxable year, that is the maximum that can be invested in the IRA by both partners. It is my belief that the IRA is a very important tool in assisting a person in providing for the future. With the state of various retirement systems, this would insure the investor of a comfortable future with funds he or she invested earlier in life.●

DEFENSE SPENDING: I

HON. LEE H. HAMILTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 11, 1983

● Mr. HAMILTON. Mr. Speaker, I would like to insert my Washington Report for Wednesday, May 11, 1983, into the CONGRESSIONAL RECORD:

Futuristic talk of particle beams and other exotic weapons has animated debate on the year's most controversial issue, defense. However, the main argument centers on money.

The present defense buildup really began when the Carter administration initiated a program to address the post-Vietnam neglect of our military. A firm consensus emerged in the Nation on the need to strengthen our Armed Forces. The growth of Soviet military power and the increasing military demands on the United States in the world combined to pose the central question for our defense policy today: not whether we should toughen up our defenses, but how much we should spend on a buildup and what we should buy.

President Reagan's answer has been to expand and accelerate the spending plans formulated by President Carter. For the period from 1984 to 1988, President Reagan has requested more than $1,800 billion in defense budget authority. If approved, this will result in a real rise of 50 percent in defense spending over the previous 5 years.

The cost of the President's defense plan is attributable in part to a new definition of the American military's role in the world. His basic strategy envisions simultaneous military action on several fronts, including a major war against the Soviets in Europe and a simultaneous conflict with them in the Persian Gulf. Such a strategy means more spending for larger conventional forces. Furthermore, the Reagan administration wants strategic modernization. Both these policies have helped swell the percentage of the Pentagon's budget going to procure military hardware. Ambitious procurement programs will modernize our Army divisions, supply four new tactical Air Force wings, and provide a 600-ship Navy and several new strategic systems by the end of the decade.

In 1981, President Reagan's defense proposals sailed through Congress. In 1982, he pushed through another big increase in defense spending. As the economy languished in recession, however, the consensus behind the buildup began to erode. Stagnant business activity and high unemployment have reduced tax revenues and raised Federal outlays for jobless benefits. There

have been fears that large deficits could prevent sustained economic recovery. Experts wonder if the defense budget has been thoroughly reviewed or if the economy can absorb the buildup in so short a time.

The defense buildup probably will not have adverse effects as long as our economy is not recovering from the recession. If the economy recovers strongly, however, the civilian sector could begin to take up capacity and credit. This competition for capacity and credit could lead to shortages of capital, manpower, and materials. Some crowding out of private investment is likely, and cost increases in the defense sector may spill into the larger economy and cause a resurgence of inflation.

The defense budget has always frustrated Congress, and indications are that the frustration will last. In practice, Congress has been able to exert only limited influence on defense policy. Members of Congress are seldom privy to the kind of information required to evaluate a weapon system. Much of Congress action on the defense budget takes place after the military has already decided that a weapon system should be built.

One problem making consistent funding of defense difficult for Congress is the volatility of public opinion. Congress tends to fund defense in roller-coaster fashion—big increases in some years and drastic declines in others—depending on public thinking at the time. This problem may arise again in connection with the Reagan defense program. Americans now seem to be more concerned about the economy and rising Federal deficits, and they want Congress to cut the defense request.

This public opinion is reflected in changes that the Pentagon constructed defense budgets too hastily and that almost all of the weapon plans conceived during the past three administrations were included despite their ineffectiveness. To the extent that these charges are believed, Mr. Reagan will find it hard to convince the public that his defense programs make sense.

Another problem Congress constantly faces is explosive growth in the cost of defense systems. Waste in some programs and cost overruns due to delays and steeply rising prices are aspects of the problem. The Reagan administration tried to contain this cost growth, but the most recent report on its procurement initiatives is not encouraging. The defense sector is so inflationary that cost increases are beginning to stymie the progress we have made in strengthening our conventional forces. Also, many weapon systems that should be canceled because of cost survive because of the jobs they create. The effect of these jobs should not be underestimated. By nature, Congress likes to spread defense contracts around to as many places as possible. After it approves a weapon system, management, labor, and the system's friends in government fight to keep the program alive. During the 1970's, Congress chose to kill few weapon systems.

The search for defense savings leads Congress into another problem: an old, established pattern of cutting first and most the funding for spare parts, fuel, ammunition, depot repair, and other elements of the operations and maintenance accounts—items affecting military readiness. Cutting these items yields the biggest near-term budget savings, but these items are essential to fighting a sustained conventional war. Thus, readiness suffers and our forces are not as prepared as they should be.

Congress will face a new problem as procurement and modernization take a larger share of the defense budget. It will be hard for Congress to cut the readiness-related accounts, as it has in the past, since these moneys will be needed to maintain the new weapon systems being delivered. We approach what many experts call an outyear dilemma in which Congress either must cut ongoing procurement programs or must face a very serious erosion of military readiness.●

REV. LEON SULLIVAN SAYS IT IS TIME FOR A MANDATORY FAIR EMPLOYMENT CODE FOR AMERICAN FIRMS OPERATING IN SOUTH AFRICA

HON. STEPHEN J. SOLARZ

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 11, 1983

● Mr. SOLARZ. Mr. Speaker, since 1977, the Reverend Leon H. Sullivan, pastor of the Zion Baptist Church in Philadelphia has led a valiant and tireless campaign to encourage American firms operating in South Africa to voluntarily adopt a fair employment code that would eliminate discriminatory, racist, and unjust practices toward their black employees. But for some time Reverend Sullivan has been saying, to all who would hear, that it is now time to mandate a fair employment code for U.S. firms operating in South Africa and to impose heavy penalties on firms which would continue to discriminate or exploit their black workers.

Yesterday in the Washington Post, Reverend Sullivan published an Op-Ed piece eloquently explaining why he now favored the adoption of a mandatory code and why he supports legislation that I had introduced—H.R. 1693—which is cosponsored by 44 of my colleagues.

In testimony before the House Foreign Affairs Committee last year, Reverend Sullivan urged quick action on a mandatory code. He expressed dismay that while some 146 companies has signed the Sullivan code, another 142 U.S. firms operating in South Africa had not. In addition, over one-third of the signatory companies had failed to make any progress in implementing the six principles of the code:

Nonsegregation of the races in All Eating, Comfort, Locker Rooms, and Work Facilities

Equal and Fair Employment Practices for All Employees

Equal Pay for All Employees Doing Equal or Comparable Work for the Same Period of Time

Initiation and Development of Training Programs that Will Prepare Blacks, Coloreds, and Asians in Substantial Numbers for Supervisory, Administrative, Clerical, and Technical Jobs

Increasing the Number of Blacks, Coloreds, and Asians in Management and Supervisory Positions

Improving the Quality of Employees' Lives Outside the Work Environment in Such Areas as Housing, Transportation, Schooling, Recreation, and Health Facilities.

Mr. Speaker, since many of my colleagues are deeply concerned about the plight of South Africa's blacks who suffer under the most systematic, legally enshrined system of discrimination, known as apartheid, I ask that Reverend Sullivan's article be reprinted in today's CONGRESSIONAL RECORD. I would also like to take this opportunity to say that this Nation owes a debt of gratitude to Reverend Sullivan and his supporters for the tremendous work that they have done over the years to improve the condition of South Africa's 24 million black inhabitants.

May I also urge my colleagues to join me in cosponsoring H.R. 1693 and in working for the passage of legislation in this House which would indicate to the world that the United States is willing to act against the day-to-day horrors of the apartheid system.

[From the Washington Post, May 10, 1983]

IT'S TIME TO STEP UP THE PRESSURE ON SOUTH AFRICA

(By Leon H. Sullivan)

The so-called Sullivan principles that I initiated six years ago were intended to bring the actions and influences of American companies in South Africa to bear against the racist practices and apartheid laws of that country. It was my hope that the principles would initiate similar efforts by multinational companies from other parts of the world, thereby creating a global multinational campaign in South Africa against the racial injustices that have existed there for 300 years. It was also my intent that the principles would serve as a catalyst to help change segregation practices in other private and public places throughout the country.

I have attempted to make it clear from the beginning that the principles are not

the total solution to the South African problem, and that even if they were implemented to the optimum, the principles alone could not end apartheid. Apartheid is a ruthless, inhumane system of practices and laws deeply embedded in the world's most racist society, and in order for apartheid to be completely eradicated, it requires the combined efforts of many forces, including governments, companies, churches, unions, the United Nations, those who believe injustice within the country, and world public opinion. But it is my firm opinion that the multinational corporations have a major role to play. In the past they have been the main beneficiaries of cheap labor and profits from this evil and unjust system and among its main supporters. It should be the responsibility of these companies to help change that system. Otherwise, they have no moral justification for remaining in South Africa, and should be compelled to leave the country.

The principles were never intended to be a camouflage for corporations to hide behind, but were meant, along with other thrusts, to help end race discrimination and apartheid in South Africa. It was hoped this could be done by peaceful means, without the need for devastating war and the loss of millions of lives and the predictable involvement of most of the rest of the world, particularly the superpowers, that could lead to an atomic confrontation.

Though progress is still limited in comparison to the enormous size of the problems, the principles are beginning to work. Starting from where we began six years ago at a near "zero" base where blacks were not even legally considered "employees" in that country, some significant changes are occurring:

Throughout South Africa, plants are being desegregated in spite of the laws.

Blacks and other nonwhites are being upgraded, for the first time, to administrative and supervisory jobs.

Blacks are supervising whites, for the first time, in South Africa.

Blacks and nonwhites are being trained for skilled jobs in ever increasing numbers.

Black representative registered and unregistered trade unions are now beginning to be recognized.

Technical schools training blacks and other nonwhites are being built.

Black businesses, in increasing numbers, are being initiated.

Equal pay for equal work is begining to be instituted.

Companies are beginning to improve the quality of life for blacks and other nonwhites outside the workplace: in housing, health care, and education.

For the first time, some company executives are beginning to lobby for an end to all racial discriminatory laws and the apartheid system.

Also, the principles have led the way in the initiation of similar codes of conduct for companies operating in South Africa from around the world, including a group of South African companies that employ nearly 1 million workers, most of them black.

In conjunction with the principles, the Arthur D. Little Co. has formulated the most stringent and comprehensive measurement requirements for fair employment and social responsibility practices ever developed for multinational corporations operating in a foreign country.

As a result of the principles, the last six years have marked the beginning of a revolution in industrial race relations in South Africa.

Unfortunately, even considering these beginnings, the vast changes necessary are not happening fast enough. The necessity for greater changes—visible, broad, effective and quick—is imperative. No one is more aware than I that the principles and other codes must be pushed harder for greater and faster results. It is my view that if the principles and codes of other nations are enforced and vigorously implemented and monitored, they can work for change, but in order to bring this about, more pressure is needed on the companies for fuller and swifter compliance.

In my opinion, the voluntary support of the principles has been effective, but is not getting the desired results quickly enough. More enforcement is needed. As I have testified before congressional committees on several occasions: "the full compliance with the principles of all American companies with operations in the Republic of South Africa should be made mandatory by the United States government, and backed up with embargoes, tax penalties, sanctions, loss of government contracts and any other effective means."

There are 150 American companies operating in South Africa that have not as yet signed the Sullivan principles, and against those companies there should be immediate divestment actions by stockholders, institutions, pension funds, government bodies and other fiduciaries. These companies represent 20 percent of the investments of American companies in South Africa.

Of the remaining 150 companies that have signed the principles, one-third are receiving "failing grades" in compliance, according to the annual Arthur D. Little report. These companies should be contacted by stockholders and fiduciaries and asked for written assurances they will do better in the coming year, accompanied by a plan for doing so. Otherwise there should be targeted divestment actions against those companies. Companies receiving "passing grades" according to the Little Report should be urged by stockholders to remain in their top categories, or face divestment.

American companies employ less than 1 percent of the workers in South Africa. For these efforts on the part of multinational companies to be broadly visible and effective, participation will have to be global. I have traveled abroad and have urged divestment actions against foreign companies in South African subsidiaries that are not living up to their codes. I have appealed for strong government action by the nations and their parliaments as pressure against company noncompliance.

Foremost, I see the necessity for the recognition of the rights of association for black workers, and the recognition of their representative registered and unregistered trade unions, thereby empowering black workers to speak out for their rights on the job, as they will one day speak out for their rights in society. The growing strength of the black worker is one of the greatest hopes for peaceful change in South Africa.

It is clear that the main problem in South Africa is not just fair employment practices, or equal opportunity, or better schools, as important as all these needs are. The main problem is freedom, including the end to influx control, an end to the incredible homeland policy, and full political equality for the black population. Therefore, beyond the principles, it is my position that until apartheid ends and full equality is achieved for blacks, there should be no new expansion in South Africa by American companies, no new bank loans to the South African government, and no sales to the South African police or military.

Perhaps the Sullivan principles and the other codes in the world will only do so much, and only go so far. Perhaps the only way South Africa can be fundamentally changed is by massive conflict and a devastating war. But I believe that attempts must be made to find peaceful means for change if it is still possible.

If these world multinational company efforts are aggressively initiated, and broadly and effectively applied and closely monitored, they will have to make a difference.

None of us can be sure the total goals of the principles will ultimately be attained; but things are beginning to happen in South Africa as a result of the principles. They are a catalyst for social change in South Africa.

In this endeavor, powerful support will be needed beyond the companies, including unrelenting and much clearer commitments to racial justice in South Africa from the president of the United States, Congress and other government leaders and nations. But I have faith that with God's help, and with all the forces for human justice—within and without South Africa—aggressively pursuing their aims, there is still hope for a nonviolent solution to the elimination of apartheid. Considering the awesome consequences and magnitude of death and destruction and international upheaval should these efforts fail, somehow we must succeed.●

MEDICARE REFORM BILL INTRODUCTION

HON. BILL GREEN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 11, 1983

● Mr. GREEN. Mr. Speaker, today I am introducing the Medicare Reform Act of 1983, which seeks to extend coverage under the medicare program. I am pleased to be the sponsor of this bill, which is aimed at providing more services to senior citizens and designed to reduce the cost of the program by including some preventive measures. I hope that my colleagues in the House will give this legislation serious and thoughtful consideration. In the past, I have introduced and seen passed provisions of my bill extending coverage. This bill is a continued effort to enact reforms in our system.

I realize that many of us here today are concerned about the Federal budget and are trying to balance fiscal restraint with adequate funding levels for social services and health care. I feel, however, that health care for seniors is not an area in which we are spending unnecessarily. Our seniors are a resource and, as their numbers grow with our demographic changes, are an active and important part of our Nation. Because their health is vital to them and to their participation in all sectors of society, I think it

is important for us to aid seniors in paying for health care. They, more than any other sector of our population, utilize health care services more frequently and extensively. The cost of this health care is fast becoming prohibitive. My bill would include coverage under the program for the fitting, prescribing, and cost of eyeglasses, hearing aids, and dentures. It also provides coverage for dental work, annual physical examinations, and routine foot care. It liberalizes the requirement for reimbursement for home health care and includes "routine chore services" as part of a home health program, as well as eliminating the $60 deductible under part B of the program and authorizing reimbursement for orthopedic shoes.

Over the long term, many of my proposals would decrease costs for the program by decreasing the need for hospitalization. For instance, if the medicare program covered annual physical exams, beneficiaries would be more likely to go have the exam, which would result in inexpensive early detection and treatment of a problem instead of requiring more serious and extensive treatment later. We would keep the program from institutionalizing people who do not have the capacity to live totally independently but who do not need the 24-hour care of a costly institution by liberalizing home health requirements. Coverage for routine foot care and orthopedic shoes could, again, reduce costs over the long run by preventing the occurrence of problems which have the potential to become more serious later in life and, in the end, put more financial strain on the system.

I do feel that this is an area in which we have a responsibility to provide support, and I am hopeful that we shall give some time to discussing this issue during the 98th Congress.●

THE 75TH ANNIVERSARY OF SOUTH PHILADELPHIA HIGH SCHOOL

HON. THOMAS M. FOGLIETTA

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 11, 1983

● Mr. FOGLIETTA. Mr. Speaker, today I want to commend the students and Alumni of South Philadelphia High School on this the 75th anniversary of the school.

Few schools in this Nation, let alone in this city, have contributed more to every sector of our society. This list of graduates who have made their marks on the canvas of America's landscape is awesome, to say the least.

The arts, government, science, medicine, business, the field of education and the field of sports—all have been profoundly influenced by the sons and daughters of South Philadelphia High School.

As they gather on May 11, 1983, to celebrate those 75 years of glory and triumph, we can only hope that the next 75 years are as generous to the Philadelphia area and to America as were the previous 75.

Again, Mr. Speaker, I offer my congratulations.●

THREE CELEBRATE 25 YEARS IN PRIESTHOOD

HON. ROY DYSON

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 11, 1983

● Mr. DYSON. Mr. Speaker, it is with great pleasure that I recognize three dedicated Catholic priests in the First District of Maryland, all of whom will be celebrating the 25th anniversary of their ordination to the priesthood on May 31, 1983.

A native Washingtonian, Father Paul F. Liston attended St. Paul's (now Mackin) High School, Catholic University, and Christ the King Seminary in St. Bonaventure, N.Y. He was ordained to the priesthood by Cardinal Patrick A. O'Boyle on May 31, 1958, at St. Matthew's Cathedral.

Following ordination he was assigned to St. Hugh's Parish, Greenbelt, and was transferred to Blessed Sacrament in 1962. He was on the faculty of Cathedral Latin School from 1964 until 1971 when he was appointed a chaplain in the campus ministry at American University, with residence at Annunciation Parish.

After a year of sabbatical study from 1979 to 1980, Father Liston was assigned to St. Francis Xavier Parish, Washington, as associate pastor. He was appointed pastor of Holy Face Parish, Great Mills, in 1981.

Father Richard J. Smola, a native of Cleveland, Ohio, attended John Carroll University there and St. Mary's Seminary in Baltimore. He was ordained to the priesthood by Cardinal Patrick A. O'Boyle on May 31, 1958, at St. Matthew's Cathedral.

Father Smola's first assignment was to St. Ignatius Parish, Oxon Hill; and he has also served as an associate pastor at St. Peter's, Washington; St. Mark's, Hyattsville; Holy Angels, Avenue; St. Ambrose, Cheverly; and Holy Redeemer, Kensington.

In 1974 he was assigned as pastor to Holy Face Parish, Great Mills, and in 1976 was appointed the vicar for St. Mary's County. In 1981 he became pastor of St. Aloysius Parish, Leonardtown, and dean of St. Mary's County.

Father Francis J. Murphy was born in Jersey City, N.J., and attended schools in New York City and St. Pius X College, Saranac Lake, N.Y. He received his seminary training at Regina Cleri Seminary, Saskatchewan, and was ordained by Cardinal O'Boyle on May 31, 1958, at St. Matthew's Cathedral.

He was an associate pastor at St. Anthony's Parish for 3 years following ordination, then joined the faculty of Cathedral Latin School, where he was chairman of the religious education department. He remained there until 1967, and from 1963 until 1967 was also assistant director of the Archdiocesan Confraternity of Christian Doctrine Office.

From 1970 until 1973 Father Murphy was on the faculty of the University of San Francisco, and on returning to the Washington Archdiocese was appointed director of the Archdiocesan Office of Education, a post he held for 3 years. In 1975 he was appointed director of the Archdiocesan Office for Research, Planning and Development, and in 1977 was named assistant to Bishop Eugene Marino on the Archdiocesan Evangelization Coordinating Committee.

In 1978 he accepted a 1-year appointment as a visiting professor at the University of San Francisco, and in 1980 he became administrative assistant to the president of the National Catholic Educational Association.

Following an appointment as associate pastor of Blessed Sacrament Parish in 1979, Father Murphy was named administrator pro tem of St. Mary's, Bryantown. Since June of 1982 he has been on the faculty of Holy Name College, Oakland, Calif.

Each of these priests has devoted 25 selfless years to the church, and it is with deep appreciation that I congratulate them on their long record of service to humanity.●

BILATERAL FOREIGN AID: THE CHINESE LESSON

HON. JACK KEMP

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 11, 1983

● Mr. KEMP. Mr. Speaker, it is always gratifying to have other nations follow our example of generosity. Unfortunately, in the field of foreign aid there appears to have been a problem in translation.

The People's Republic of China, a vast and underdeveloped Communist economy has initiated a bilateral foreign aid program. On the eve of his visit to Yugoslavia, Communist Party Secretary Hu Yaobang has announced a foreign aid package of $120 million to that nation. The Financial Times reports that the aid package is being used as a foreign policy tool to "pave the way for a cordial reception." While this is normally one of the aims of foreign aid, I question the financing mechanism being used by the PRC.

Many of our colleagues will recall that the PRC has recently begun borrowing substantial amounts from the World Bank, including the interest-free, 50-year loans disbursed by the International Development Association. In 1983, this lending will amount to $260 million, with about half in the interest-free category. In other words, the PRC will borrow, free of interest with 50 years to repay, exactly the funds which it is using to "pave the way" for Mr. Hu.

It may surprise many of our colleagues to know that they are financing the PRC's foreign aid program. It may further surprise them to know that their generosity is about to increase. The supplemental appropriation bill reported out of the Foreign Operations Subcommittee includes an extra $245 million for IDA. This is in addition to the $700 million already provided for fiscal year 1983.

Of course, not all of these additional IDA funds will be provided for relending in foreign aid programs. The World Bank's Monthly Operational Summary for March indicates that funds will be made available for improving facilities for mining, petroleum production and petrochemicals, all of which are owned by nationalized industries and compete directly with our domestic, privately owned industries.

So that my colleagues may review the lessons to be drawn, I ask that the Financial Times article be printed in the RECORD.

[From the Finance Times, May 10, 1983]

CHINA LENDS YUGOSLAVIA $120 MILLION ON EVE OF HU VISIT TO BELGRADE

(By Aleksander Lebl in Belgrade and David Buchan in London)

China has taken the unusual step of making Yugoslavia a short-term hard currency loan of $120m, thereby helping pave the way for a cordial reception in Belgrade today of Hu Yaobang, its top party leader, on the second leg of his East European tour.

Hu's first trip abroad in his new capacity as general secretary of the Chinese Communist Party is clearly designed to reward nonaligned Yugoslavia and maverick Romania for maintaining friendly ties with Peking, even during the worst of Sino-Soviet hostilities. It also seems aimed at sounding out reaction to current reconciliation moves between China and the Soviet Union.

The Chinese official is confining his trip to Yugoslavia and Romania, where he held weekend talks with President Nicolae Ceausescu. But senior members of his entourage are due to go on to the other five East European countries that are close allies of Moscow.

China has now joined 15 Nato and neutral governments in the West, as well as Kuwait, in giving Yugoslavia financial loans and trade credit extensions worth $1.3bn to help it overcome its debt servicing crisis. Peking, like the rest apparently judges Yugoslavia to be a valuable buffer between Nato and the Warsaw Pact.

Unlike the Western countries, whose aid to Yugoslavia is in the form of government agreements, the Chinese loan is a short-term deposit with the Yugoslav national bank.

This move follows on a trade protocol signed by Mr. Mijat Sukovic, the Yugoslav Vice-Premier, in Peking in March. This calls for a substantial increase in two-way trade, from only $50m last year to a surprising $1.2bn in 1984. Yugoslavia has also agreed to reconstruct Chinese factories in Tientsin, in return for oil which China is owed in barter deals from the Middle East and Africa.

Cutting Yugoslavia's oil import bill settled in hard currency is a Government priority. On his trip to Belgrade in March, Mr. Nikolai Tikhonov, the Soviet Prime Minister, promised a 20 per cent increase this year in Soviet oil shipments under the bilateral clearing arrangement between the two countries.

In fanning out across Eastern Europe, Chinese officials are also giving their version of remaining obstacles to Sino-Soviet rapprochement. At a Bucharest dinner in his honour late last week, Hu made only an oblique reference to past hostilities with the Soviet Union by thanking Romania for invaluable support in China's defence of "just norms of international relations and of relations between Communist parties."

In an interview with Tanjug, the Yugoslav news agency, however, Hu said that Indochina, where Moscow and Peking are backing rival claimants for power in Kampuchea, was "obviously" the main obstacle. He also criticised the "military occupation of one socialist country by another," an apparent reference to the Red Army's presence in Afghanistan.

RABBI LANDSBERG—FIFTEEN YEARS OF DEDICATED SERVICE

HON. BERNARD J. DWYER

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 11, 1983

● Mr. DWYER. Mr. Speaker, it is an honor and privilege to call to the attention of my colleagues the many achievements of Rabbi Alfred B. Landsberg who is celebrating his 15th anniversary at Temple Emanu-El in Edison, N.J.

Rabbi Landsberg is a humanitarian in the truest sense of the word. He has made a vast contribution not only to the synagogue, but to our community as well.

He has served twice as president of our local clergy association and has also presided over the Rabbinic Association of Middlesex County, N.J.

Among his special interests is his work as chaplain of the Woodbridge State School where his example and guidance have enhanced student life.

At Temple Emanu-El, he is a most caring and responsive rabbi, serving his congregation with a sense of purpose and compassion for people that is truly inspiring.

Our community is celebrating Rabbi Landsberg's 15 years of dedicated service and showing our appreciation through "A Gala Evening of Song," a most fitting tribute to a man whose unselfish efforts and spiritual guidance have been a gift to us all.●

SACRAMENTO'S LARRY WREYFORD

HON. VIC FAZIO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 11, 1983

● Mr. FAZIO. Mr. Speaker, I rise today in the House of Representatives to pay tribute to Larry Wreyford, an Air Logistics Command management specialist at McClellan Air Force Base. I am pleased to announce that Mr. Wreyford has recently been honored with the Department of Defense Individual Value Engineering Award for fiscal year 1982. This award honors a valued engineering proposal that will save the Air Force nearly $110 million in equipment and fuel costs over a 2-year period. The plan proposes switching support generators, now used to generate power for bomber and cargo aircraft on the ground, to the same use for fighter aircraft. These generators burn 38 gallons of fuel an hour, but Wreyford found that generators burning 7 gallons per hour would produce adequate power for the bomber and cargo aircraft. The fighter aircraft, which have greater power demands, will make more efficient use of these generators, and new fuel efficient generators can be purchased for the bomber and cargo aircraft.

Congress is now engaged in a crucial debate over the adequacy of our Nation's defense capabilities, a debate that is often overwhelmed with discussions of weapons research and development, and the procurement of billion dollar weapons systems. This timely recognition of Larry Wreyford serves to illustrate the important role that our people in operations and maintenance play in securing our Nation's defense. We can look with pride on the contribution of Larry Wreyford in insuring that the funds appropriated by Congress are used to build a defense that is second to none in strength and efficiency.

Mr. Wreyford has compiled a distinguished record of service to his country, beginning in World War II as a B-17 pilot and continuing for 21 years in the logistics field, before retiring in 1963. Mr. Wreyford began a second career in 1964 at McClellan Air Force Base, where he has advanced steadily to his present position of program manager for aircraft ground support generators and other equipment. Larry Wreyford has set a high standard of cost consciousness in Government service for his colleagues and all Federal employees to emulate.●

"YOU'RE LOOKING GOOD CHAPPIE" WESTCHESTER COUNTY, N.Y., DEMOCRATS HONOR "CHAPPIE" POSILLIPO

HON. RICHARD L. OTTINGER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 11, 1983

● Mr. OTTINGER. Mr. Speaker, I rise today to call to the attention of my colleagues the distinguished career of Anthony "Chappie" Posillipo, who is retiring after 15 consecutive years as supervisor of the town of Rye, N.Y. I am proud to be among those who will honor Chappie at the annual Westchester County Democratic dinner on May 21 at the Rye Hilton in New York.

During his administration, Chappie always satisfied both the desires and needs of his constituents. Under Chappie's 30 years of leadership, the town of Rye has grown and matured, yet has maintained the personal and orderly character of a small New England village. With Chappie's guidance, the town of Rye has become the home of sophisticated shopping centers, the beautiful Rye Town Hilton, and most recently, the new world headquarters for the General Foods Corp. He has brought prosperity and pride to the people of Rye.

When Chappie Posillipo picked up the gavel of town supervisor, he laid aside the mason tools he had used for more than 30 years. At the age of 11, he had to abandon his plans to enter the priesthood and assume the head of a household of six sisters and one brother. His father was a master stonemason and Chappie followed in his footsteps by apprenticing to his father's union local 48.

In a few years, Chappie was an adroit mason. Having grown up attending mass in a small one-room basement chapel, Chappie supervised the construction of the Corpus Christi Church, which stands today as a monument to Chappie's dedication to helping his fellow citizens and his skills in planning and masonry.

Steadily, Chappie moved up the leadership of his union and at 18 years of age was elected corresponding secretary of the local in 1926. In 1937 he was elected as the union's full-time business agent and financial secretary and held these positions until his election as town supervisor in November 1953. He then resigned the position of business agent, but has continued to this day as the financial secretary of local 48. Many times, Chappie has used his mediating abilities and knowledge of industrial relations to resolve difficult labor problems in Westchester County.

Yet, for all his time devoted to work, Chappie found time in his youth to be both athlete and sports manager. In the early 1930's his management of the Corpus Christi Church teams built them into a semi-pro club that had a working arrangement with the New York Yankees as a farm club. So successful were their games that Chappie agreed to design a 2,000-seat ball park with an advanced night lighting system.

Any tribute to Chappie suffers from the fault of leaving out so many of his accomplishments. In Westchester County, Chappie's work on behalf of others and his popularity are legend. I can only conclude by saying, as Chappie has always been fond of saying to the legions of people whose lives he has touched, that you, Chappie, are indeed "looking good."●

WORKING TOGETHER FOR EQUALITY

HON. MARJORIE S. HOLT

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 11, 1983

● Mrs. HOLT. Mr. Speaker, today I would like to take the time to recognize recent actions of the Human Rights Commission of Howard County condemning hate groups and their activities. As a representative of a portion of Howard County, I would like to commend the commission for its important work and voice my strong opposition to activities of hate groups across the country. This resurfacing of racial and ethnic hatred surely represents the baser side of humanity. A side of mankind we cannot afford to ignore and just hope it will go away.

I feel we in the State of Maryland are taking some positive steps toward reducing the incidence of hate group activities. The Maryland General Assembly has increased the penalties for certain hate group activities and made many of them felonies. The commission in its resolution also offered several constructive ideas as to how the Howard County government can reduce the activities of hate groups. For instance, the resolution calls upon the county executive and county council to enact legislation that prohibits distribution of hate group literature on county-owned or supported property and makes such actions grounds for dismissal for county employees.

I encourage the county executive and county council to take the necessary steps to insure that this legislation is passed. In addition, I would encourage other Members of this body to work with local elected officials and concerned citizens to combat the repulsive acts perpetrated by these vicious hate groups.●

VICTOR POPOVSKY

HON. TOM HARKIN

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 11, 1983

● Mr. HARKIN. Mr. Speaker, I am honored and obligated to raise my voice on behalf of a family denied the right to emigrate freely from the Soviet Union, contrary to the Universal Declaration of Human Rights. The Soviets are a signatory to this and the Final Act of the Helsinki Accords, which guarantees expeditious handling of requests to emigrate. Their behavior in the case of Victor Popovsky and his family of Sukhumi, Georgia, contravenes this international agreement.

Almost 8 years have passed since the Popovskys and their six children first applied for visas to leave the country. This request was unjustly denied. The reason was that Mr. Popovsky's passport stated his nationality as "Russian," despite the fact that his birth certificate shows his mother is of Jewish origin. Regardless of this national classification, Mr. Popovsky and his family should be allowed to live in the country of their choice. Bureaucratic subterfuge is being used to deny the Popovskys this internationally recognized human right.

I extend my hand toward Victor Popovsky and his family. May the Soviet Union abide by the treaties it has signed and allow them to emigrate.●

ANTI-SEMITISM IN NICARAGUA

HON. PHILIP M. CRANE

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 11, 1983

● Mr. PHILIP M. CRANE. Mr. Speaker, as the House continues to deliberate our policy in Central America, I would like to call to the attention of my colleagues a little known but nonetheless disturbing element in the increasingly restive situation in Nicaragua. To those who consider the Sandinistas a group of gentle agrarian reformers interested in social justice, their treatment of the populace exposes them for what they are—totalitarians, replete with repression every bit as bad as any other totalitarian state behind the Iron Curtain.

Mr. Speaker, the Sandinistas' persecution of minorities and denial of religious freedom should be as disturbing to our liberal, elitist friends in this country as to freedom-lovers. In a zeal to hold to account the Government of El Salvador, which at this very moment is battling an assault on democracy mounted from the capital of

Nicaragua, many individuals seem to have lost their perspective.

I have just received, and would like to insert in the RECORD at this point, a profoundly disturbing report which contains the following statement by Rabi Morton Rosenthal, Latin American director for the Anti-Defamation League of B'nai B'rith, concerning the overtly antisemitic aspects of the Sandinista takeover in Nicaragua:

Nicaraguan Jews say that the main reason for their flight is the fact that they were treated in a discriminatory manner by the revolutionary government. They claim that their properties were among the first to be confiscated; Jews who owned factories and stores were summarily ejected from the homes and places of business and the properties turned over to workers. Many accusations were made against them, without proof. Often, their individual safety was threatened.

After the earthquake, the Jewish community built a synagogue to replace that which had been destroyed. In September 1978, the doors of the synagogue were torched by Sandinista supporters while the congregation was worshipping. Now, the synagogue is a Sandinist building with propaganda posters covering the religious symbols at the front entrance and anti-Zionist posters on the walls.

To any student of history, this development should come as no surprise. Collectivist-statist totalitarians of every stripe, be they Fascist, Nazi, or Communist, have consistently persecuted Jews and other minorities. The Sandinistas clearly fall into the same category as all the memorable thugs in history who taught them everything they know when it comes to the commission of crimes against humanity.●

TRIBUTE TO MR. STEVE OWENS

HON. HOWARD L. BERMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 11, 1983

● Mr. BERMAN. Mr. Speaker, I rise today to call to the Members' attention the distinguished service given to the community of Mission Hills, Calif., by Mr. Steve Owens. Mr. Owens has given freely of his time and energy in the last year as president of the Mission Hills Chamber of Commerce.

During his term as president, Steve Owens has brought a greater sense of political knowledge and awareness to the Mission Hills Chamber of Commerce. Members have had opportunities to become more familiar with the issues of utility rate increases, immigration, gun control, and crime through his efforts. Steve Owens has also worked to create a closer relationship between the chamber and local schools and community groups. He helped to organize area cleanup efforts, and assisted in the refurbishment of a building in nearby Pacoima. And, of some note in this time of austerity, he guided the chamber through 1982 with a balanced budget.

Steve Owens' commitment to the community does not stop there, however. He serves as a member of the board of directors of the United Chambers of Commerce, as the advisory group legislative chairman of the North Valley Occupational Center, and on the Police Athletic League Association, the San Fernando Valley Board of Realtors, the Valleywide Committee Executive Board, the San Fernando Valley Business and Professional Association, the Parent and Teachers Association, and the Holy Cross Hospital Century Club.

Steve Owens has been honored by the San Fernando Valley Board of Realtors, and, in 1977, was named Man of the Year by the Mission Hills Chamber of Commerce. He has served as a director, as vice president and as secretary before becoming president of the chamber in 1982.

It is a pleasure, Mr. Speaker, to join with the members of the Mission Hills Chamber of Commerce in commending Steve Owens for his outstanding year of service as president. I would like to take this opportunity to extend to him my personal congratulations, and best wishes in all of his future endeavors.●

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate on February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place, and purpose of the meetings, when scheduled, and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Any changes in committee scheduling will be indicated by placement of an asterisk to the left of the name of the unit conducting such meetings.

Meetings scheduled for Thursday, May 12, 1983, may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

MAY 13

9:30 a.m.
Finance
Taxation and Debt Management Subcommittee
To hold hearings on S. 137, to permit the continued issuance of mortgage revenue bonds after December 31, 1983, and S. 1061, to revise certain IRS provisions relating to the tax treatment of bonds guaranteed by certain Federal agencies.
SD-215

* Labor and Human Resources
Business meeting, to mark up S. 772, proposed Smoking Prevention Health and Education Act, S. 1129, proposed Community Volunteer Service Act, S. 564, proposed U.S. Academy of Peace Act, Senate Concurrent Resolution 22, expressing the sense of the Congress with respect to implementing the objectives of the United States Decade of Disabled Persons (1983-92), an original bill authorizing funds for fiscal years 1984, 1985, and 1986 for the Education for the Handicapped Act, and an original bill authorizing funds for fiscal years 1984, 1985, and 1986 for the Rehabilitation Act.
SD-430

10:00 a.m.
Energy and Natural Resources
Business meeting, to consider pending calendar business.
SD-366

MAY 16

9:00 a.m.
Judiciary
To hold hearings on the substance of S. 66, proposed Cable Telecommunications Act.
SD-226

9:30 a.m.
Finance
Health Subcommittee
To hold hearings on the administration's budget proposals for fiscal year 1984 to revise beneficiary cost-sharing requirements under the medicare and medicaid programs.
SD-215

10:00 a.m.
Commerce, Science, and Transportation
Surface Transportation Subcommittee
To resume hearings to examine the effects of coal slurry pipelines on the rail industry, shippers, and consumers.
SD-253

Labor and Human Resources
Aging Subcommittee
To hold hearings to discuss the progress made in the treatment of Alzheimer's disease.
SD-430

MAY 17

9:30 a.m.
Banking, Housing, and Urban Affairs
To hold oversight hearings on the International Monetary Fund's gold reserves.
SD-538

Energy and Natural Resources
Public Lands and Reserved Water Subcommittee
To hold hearings on S. 285, to designate certain lands in New Mexico as the Bisti Badlands Wilderness, S. 626, to designate certain lands in Arizona as the Aravaipa Canyon Wilderness, S. 862, revising certain provisions of the Omitted Lands Act of 1962 with respect to omitted lands along the Snake River in Idaho, and S. 1042, to convey certain lands in Lane County, Oreg.
SD-366

Rules and Administration
To hold hearings on S. 85, to provide for public financing of U.S. Senate general election campaigns, S. 151, to limit contributions to U.S. Senate campaigns by certain multicandidate political committees, S. 732, to increase individual and party participation, to provide for the adjustment of contribution limits, and to allow candidates to control expenditures made on their behalf, S. 810, to provide for certain adjustments in campaign contribution limits, and other pending legislation.
SR-301

10:00 a.m.
Environment and Public Works
To hold hearings on the water resources provisions of S. 267, to facilitate the development of interstate coal pipeline distribution systems by granting the Federal power of eminent domain to those interstate pipelines which are determined to be in the national interest.
SD-406

Judiciary
Business meeting, to consider pending calendar business.
SD-226

10:30 a.m.
Select on Intelligence
Closed briefing on intelligence matters.
S-407, Capitol

2:00 p.m.
Environment and Public Works
Water Resources Subcommittee
To hold hearings on proposals to provide for the operation, maintenance, and construction of national waterways, including S. 196, S. 207, S. 433, S. 455, S. 456, S. 635, S. 674, S. 812, S. 850, S. 878, S. 912, S. 987, S. 1028, S. 1073, S. 1075, S. 1112, and S. 1131.
SD-406

Foreign Relations
To hold hearings on the nomination of David F. Emery, of Maine, to be Deputy Director of the U.S. Arms Control and Disarmament Agency.
SD-419

Governmental Affairs
To hold hearings on the nomination of Stephen F. Eilperin, to be an associate judge of the Superior Court of the District of Columbia.
SD-342

3:00 p.m.
Judiciary
Separation of Powers Subcommittee
Business meeting, to mark up S. 462, to clarify certain provisions of the Hobbs Act relating to Federal jurisdiction over labor extortion matters.
SD-226

MAY 18

9:30 a.m.
Governmental Affairs
Governmental Efficiency and the District of Columbia Subcommittee
To resume hearings on the status of emergency preparedness in the Washington, D.C., metropolitan area.
SD-562

10:00 a.m.
Banking, Housing, and Urban Affairs
Consumer Affairs Subcommittee
To hold hearings to examine credit and debit card fraud and its impact on the cost and availability of consumer credit.
SD-538

Energy and Natural Resources
Business meeting, to consider pending calendar business.
SD-366

Foreign Relations
To resume hearings on Senate Resolution 43 and Senate Joint Resolution 28, resolutions calling for negotiations prohibiting the testing, deployment, production or use of all weapons based in space.
SD-419

Judiciary
Criminal Law Subcommittee
To resume hearings on S. 829, to strengthen law enforcement in the area of violent crime and drug trafficking.
SD-226

Veterans' Affairs
To hold oversight hearings to review adverse health effects from exposure to agent orange, and other related matters.
SD-628

1:30 p.m.
Foreign Relations
To hold hearings on the nominations of Myles R. R. Frechette, of Washington, to be Ambassador to the United Republic of Cameroon, and Robert E. Keating, of the District of Columbia, to be Ambassador to the Democratic Republic of Madagascar and to serve concurrently and without additional compensation as Ambassador to the Federal and Islamic Republic of the Comoros.
SD-419

2:00 p.m.
Judiciary
To hold hearings on pending nominations.
SD-226

Veterans' Affairs
To continue oversight hearings to review adverse health effects from exposure to agent orange, and other related matters.
SD-628

MAY 19

9:30 a.m.
Commerce, Science, and Transportation
To resume hearings on S. 372, to promote interstate commerce by prohibiting discrimination in the writing and selling of insurance contracts.
SR-253

Governmental Affairs
To resume oversight hearings on the management policies of the Department of Defense, focusing on the implementation of cost accounting standards.
SD-342

Judiciary
Criminal Law Subcommittee
To continue hearings on S. 829, to strengthen law enforcement in the area of violent crime and drug trafficking.
SD-226

Judiciary
Patents, Copyrights and Trademarks Subcommittee
To hold hearings on S. 1201, to provide copyright protection for the semiconductor chip industry.
SD-562

Joint Economic
To hold hearings to review the administration's future position on farm policy.
SD-124

9:45 a.m.
Labor and Human Resources
To hold hearings on health care cost.
SD-430

10:00 a.m.
Environment and Public Works
Environmental Pollution Subcommittee
To hold hearings on S. 696, to provide for the ratification of the Memorandum of Agreement between the U.S. Department of the Interior and the State of Texas for the Management of the Matagorda Island State Park and Wildlife Management Area A Unit of the National Wildlife Refuge System in Calhoun County, Tex.
SD-406

Foreign Relations
Arms Control, Oceans, International Operations, and Environment Subcommittee
To hold hearings to examine the growing trend within various international organizations to produce draft international guidelines and regulations which restrict or impede U.S. exports.
SD-419

Judiciary
Courts Subcommittee
To hold hearings to discuss bankruptcy matters relating to the Manville Corp. in Denver, Colo.
SR-418

10:30 a.m.
Energy and Natural Resources
To hold oversight hearings on the geopolitics of strategic and critical minerals
SD-366

2:00 p.m.
Foreign Relations
To hold hearings on the nomination of Curtin Winsor, Jr., of the District of Columbia, to be Ambassador to Costa Rica.
SD-419

MAY 20

9:30 p.m.
Finance
Oversight of the International Revenue Service Subcommittee
To hold hearings on efforts to reduce taxpayer burdens.
SD-215

10:00 a.m.
Foreign Relations
To hold hearings on the nomination of Richard B. Stone, of the District of Columbia, to be Ambassador at Large.
SD-419

Judiciary
To resume oversight hearings on organized crime in the United States.
SD-226

Judiciary
Constitution Subcommittee
To hold hearings on the constitutionality of private lobbying with public funds.
SD-628

MAY 23

9:30 a.m.
Judiciary
Criminal Law Subcommittee
To resume hearings on S. 829, to strengthen law enforcement in the area of violent crime and drug trafficking.
SD-562

10:00 a.m.
Appropriations
HUD-Independent Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1984 for certain programs under the subcommittee's jurisdiction.
SD-124

Judiciary
To resume hearings on S. 610, to encourage college student-athletes to complete their undergraduate education before becoming professional athletes.
SD-226

1:30 p.m.
Finance
Energy and Agricultural Taxation Subcommittee
To hold hearings on S. 237, to allow surface mine operators to establish a reserve for mining land reclamation costs and to deduct additions to such reserve, and S. 1006, to repeal the 15-percent reduction in percentage depletion for iron ore and coal.
SD-215

2:00 p.m.
Judiciary
Patents, Copyrights and Trademarks Subcommittee
To hold hearings on patent term restoration.
SD-226

MAY 24

9:30 a.m.
Banking, Housing, and Urban Affairs
Housing and Urban Affairs Subcommittee
To hold hearings on certain provisions of the proposed Mortgage Retirement Account Act.
SD-538

Labor and Human Resources
Labor Subcommittee
To hold oversight hearings on the Employee Retirement Income Security Act (ERISA).
SD-430

10:00 a.m.
Appropriations
HUD-Independent Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1984 for certain programs under the subcommittee's jurisdiction.
SD-124

Energy and Natural Resources
Business meeting, to consider pending calendar business.
SD-366

Governmental Affairs
Permanent subcommittee on Investigations
To resume hearings to investigate the use of offshore banks, trusts, and companies to facilitate criminal activity in the United States.
SD-342

Judiciary
Business meeting, to consider pending calendar business.
SD-226

MAY 25

9:00 a.m.
Office of Technology Assessment
To meet to consider pending Board matters.
EF-100, Capitol

9:30 a.m.
Banking, Housing, and Urban Affairs
Securities Subcommittee
To hold hearings on S. 1174, proposed Public Utility Holding Company Act Amendments.
SD-538

Judiciary
Juvenile Justice Subcommittee
To hold hearings on the problem of parental kidnaping.
SD-226

Labor and Human Resources
To continue hearings on health care cost.
SD-430

10:00 a.m.
Energy and Natural Resources
Business meeting, to consider pending calendar business.
SD-366

Governmental Affairs
Permanent Subcommittee on Investigations
To continue hearings to investigate the use of offshore banks, trusts, and companies to facilitate criminal activity in the United States.
SD-342

Governmental Affairs
Energy, Nuclear proliferation and Government Processes Subcommittee
To hold oversight hearings to review Federal debt collection policy.
Room to be announced

Select on Intelligence
To hold closed hearings on intelligence matters.
S-407, Capitol

Joint Economic
Agriculture and Transportation Subcommittee
To hold hearings to review farm policy in the post-PIK era.
SD-124

10:30 a.m.
Judiciary
Separation of Powers Subcommittee
To resume hearings to explore certain Federal court procedures relating to the exclusionary rule, habeas corpus, and related matters.
SD-628

2:00 p.m.
Judiciary
To hold hearings on pending nominations.
SD-226

Labor and Human Resources
Education, Arts, and Humanities Subcommittee
To hold joint hearings with the House Subcommittee on Postsecondary Education of the Committee on Education and Labor on consolidation of student loans, focusing on findings of GAO studies mandated under Public Law 97-301, Sallie Mae Technical Amendments Act of 1982.
2175 Rayburn Building

MAY 26

9:30 a.m.
Banking, Housing, and Urban Affairs
Securities Subcommittee
To continue hearings on S. 1174, proposed Public Utility Holding Company Act Amendments.
SD-538

Judiciary
Constitution Subcommittee
To hold hearing on Senate Joint Resolution 10, proposing an amendment to the Constitution of the United States relative to equal rights for women and men, and on related measures.
SD-628

10:00 a.m.
Energy and Natural Resources
Business meeting, to consider pending calendar business.
SD-366

Judiciary
Administrative Practice and Procedure Subcommittee
To hold hearings on title XIII, relating to Federal Tort Claims Act amendments, of S. 829, proposed Comprehensive Crime Control Act.
SD-226

Joint Economic
Agriculture and Transportation Subcommittee
To hold hearings to review the future direction in farm policy.
SD-124

2:00 p.m.
Judiciary
To hold hearings on plea bargaining matters.
SD-226

MAY 27

9:00 a.m.
Finance
Taxation and Debt Management Subcommittee
To hold hearings on miscellaneous tax measures, including S. 654, S. 738, S. 1147, S. 1194, and S. 1195.
SD-215

9:30 a.m.
Judiciary
Constitution Subcommittee
To hold hearings on S. 81 and S. 141, bills to revise current law relating to civil actions for the deprivation of rights.
SD-562

10:00 a.m.
Judiciary
Separation of Powers Subcommittee
To resume hearings to explore certain Federal court procedures relating to the exclusionary rule, habeas corpus, and related matters.
SD-226

JUNE 6

9:30 a.m.
Labor and Human Resources
Labor Subcommittee
To hold hearings on the proposed Single-Employer Pension Plan Termination Insurance Improvements Act.
SD-430

JUNE 7

10:00 a.m.
Judiciary
Business meeting, to consider pending calendar business.
SD-226

JUNE 8

9:30 a.m.
Labor and Human Resources
To hold hearings on food safety.
SD-430

10:00 a.m.
Judiciary
To hold hearings on S. 915, proposed Taxpayer Antitrust Enforcement Act.
SD-226

Veterans' Affairs
To hold hearings on proposed legislation providing for certain veterans' compensation.
SR-418

JUNE 9

9:30 a.m.
Labor and Human Resources
To continue hearings on food safety.
SD-430

JUNE 10

9:30 a.m.
Labor and Human Resources
To continue hearings on food safety.
SD-430

10:30 a.m.
Judiciary
Separation of Powers Subcommittee
To resume hearings to explore certain Federal court procedures relating to the exclusionary rule, habeas corpus, and related matters.
SD-226

JUNE 13

9:30 a.m.
Finance
To hold hearings to examine the tax structure applicable to property and casualty insurance companies.
SD-215
Labor and Human Resources
To hold hearings on home health care services.
SD-430

JUNE 14

9:30 a.m.
Labor and Human Resources
Labor Subcommittee
To hold hearings on proposed legislation revising certain provisions of the Labor-Management Reporting and Disclosure Act (Landrum-Griffin Act).
SD-430

10:00 a.m.
Commerce, Science, and Transportation
Aviation Subcommittee
To hold oversight hearings on airline deregulation.
SR-253

JUNE 15

9:30 a.m.
Judiciary
Patents, Copyrights and Trademarks Subcommittee
To resume oversight hearings on activities of the Patent and Trademark Office, Department of Commerce.
SD-226
Labor and Human Resources
Business meeting, to consider pending calendar business.
SD-430

10:00 a.m.
Commerce, Science, and Transportation
Aviation Subcommittee
To continue oversight hearings on airline deregulation.
SR-253
Veterans' Affairs
To hold oversight hearings to review certain health care and other services provided Vietnam veterans.
SR-418

10:30 a.m.
Labor and Human Resources
To hold hearings on the nominations of Ford B. Ford, of California, to be Under Secretary of Labor, and Madeleine C. Will, of Maryland, to be Assistant Secretary for Special Education and Rehabilitative Services, Department of Education.
SD-430

2:00 p.m.
Judiciary
To hold hearings on pending nominations.
SD-226

JUNE 16

9:30 a.m.
Judiciary
Juvenile Justice Subcommittee
To hold hearings on the deinstitutionalization of certain status offenders.
SD-226
Labor and Human Resoruces
Labor Subcommittee
To resume hearings on proposed legislation revision certain provisions of the Labor-Management Reporting and Disclosure Act (Landrum-Griffin Act).
SD-430

JUNE 20

9:30 a.m.
Finance
To hold hearings on S. 19 and S. 888, bills to revise current Federal pension law with respect to the rights and benefits of working and nonworking women.
SD-215

10:00 a.m.
Judiciary
Immigration and Refugee Policy Subcommittee
To hold hearings on proposed authorizations for refugee programs.
SD-226

JUNE 21

9:30 a.m.
Finance
To continue hearings on S. 19 and S. 888, bills to revise current Federal pension law with respect to the rights and benefits of working and nonworking women.
SD-215

JUNE 22

9:30 a.m.
Judiciary
Patents, Copyrights and Trademarks Subcommittee
To hold hearings on S. 737, proposed Joint Research and Development Ventures Act.
SD-226
Labor and Human Resources
Business meeting, to consider pending calendar business.
SD-430

10:00 a.m.
Labor and Human Resources
Family and Human Services Subcommittee
To resume oversight hearings on the breakdown of the traditional family unit, focusing on causes and remedies.
SD-430
Veterans' Affairs
To hold oversight hearings on certain health care services for veterans.
SR-418

2:00 p.m.
Judiciary
To hold hearings on pending nominations.
SD-226

JUNE 23

10:00 a.m.
Labor and Human Resources
Family and Human Services Subcommittee
To continue oversight hearings on the breakdown of the traditional family unit, focusing on the role of Federal policy.
SD-430

JUNE 27

10:00 a.m.
Judiciary
Immigration and Refugee Policy Subcommittee
To resume hearings on proposed authorizations for refugee programs.
SD-226

JUNE 28

9:30 a.m.
Labor and Human Resources
Labor Subcommittee
To hold hearings on S. 1173, proposed Federal Mine Safety and Health Amendments.
SD-430

JUNE 29

9:30 a.m.
Judiciary
Patents, Copyrights and Trademarks Subcommittee
To hold hearings on Federal Government patent policy.
SD-226

10:00 a.m.
Veterans' Affairs
Business meeting, to consider proposed legislation providing for certain veterans' compensation.
SR-418

JUNE 30

9:30 a.m.
Judiciary
Juvenile Justice Subcommittee
to hold hearings on juvenile offenders of serious and violent crimes.
SD-226

10:00 a.m.
Judiciary
Administrative Practice and Procedure Subcommittee
To hold oversight hearings on activities of the Office of Administrative Law Judges, Department of Agriculture.
SD-562

JULY 6

9:30 a.m.
Labor and Human Resources
Business meeting, to consider pending calendar business.
SD-430

JULY 13

9:30 a.m.
Labor and Human Resources
Business meeting, to consider pending calendar business.
SD-430

JULY 20

9:30 a.m.
Labor and Human Resources
Business meeting, to consider pending calendar business.
SD-430

JULY 27

9:30 a.m.
Labor and Human Resources
Business meeting, to consider pending calendar business.
SD-430

SEPTEMBER 20

11:00 a.m.
Veterans' Affairs
To hold hearings to receive legislative recommendations for fiscal year 1984 from the American Legion.
SR-325

CANCELLATIONS

MAY 12

9:30 a.m.
Judiciary
Juvenile Justice Subcommittee
To hold hearings on certain tragedies involving children.
SD-226

MAY 13

10:00 a.m.
Labor and Human Resources
To hold hearings to examine fire safety matters.
SD-430

MAY 19

2:00 p.m.
Judiciary
Immigration and Refugee Policy Subcommittee
To consult with administration officials on the midyear refugee numbers.
SD-226

MAY 20

9:30 a.m.
Labor and Human Resources
To hold hearings on the effects of chemotherapy in the treatment of cancer.
SD-430

JUNE 15

10:00 a.m.
Labor and Human Resources
Education, Arts, and Humanities Subcommittee
To hold hearings on the proposed Alien Education Assistance Act.
SD-430

JUNE 20

9:30 a.m.
Labor and Human Resources
To hold oversight hearings on activities of the Equal Employment Opportunity Commission.
SD-430

SENATE—*Thursday, May 12, 1983*

(Legislative day of Monday, May 9, 1983)

The Senate met at 10 a.m., on the expiration of the recess, and was called to order by the President pro tempore (Mr. THURMOND).

The PRESIDENT pro tempore. Our prayer today will be offered by Rabbi Efry Spectre, from the Adat Shalom Synagogue, Farmington Hills, Mich., who is sponsored by Senator CARL LEVIN, of Michigan.

PRAYER

Rabbi Efry Spectre offered the following prayer:

Our God and God of our ancestors:

As this august legislative body, the U.S. Senate, once more assembles we call to mind at this season Your giving of the Law thousands of years ago to the Children of Israel at Mount Sinai.

Ever conscious that You have decreed us made in Your image, and seeking anew some understanding for applying meaningfully that concept, we remind ourselves that, with all the possible attributions of glory and power which might invoke Your Name, You have chosen to identify Yourself in those Ten Commandments as "the * * * God Who brought You forth out of * * * the House of Bondage."

O Lord, may these Senators, our great country's leaders, in like manner find the fortitude within them to make this their touchstone—that the law issuing forth from these revered Chambers find its source and inspiration in the ideal of responsible freedom. May we be worthy, thereby, to walk with You in Your "ways of pleasantness" and know Your "paths of peace." Amen.

RECOGNITION OF THE MAJORITY LEADER

The PRESIDENT pro tempore. The majority leader is recognized.

Mr. BAKER. I thank the Chair.

PROPOSALS FOR THE SENATE'S BICENTENNIAL

Mr. BAKER. Mr. President, the 200th anniversary of the Senate is less than 6 years away. With this singular event in view, the Senate in 1980 established a Study Group on the Commemoration of the U.S. Senate Bicentenary. I was privileged to serve on that 16-member panel along with the distinguished minority leader, the chairman and ranking member of the Rules Committee, and our colleagues Senators WARNER, GORTON, and PELL. We were joined by former Senators Hugh Scott, Milton Young, and Wendell Anderson, as well as the Secretary of the Senate, the Librarian of Congress, the Archivist of the United States, and three scholars of national distinction.

In December 1982, the study group issued its final report with 14 specific recommendations including ceremonial events, exhibitions, conferences, and publications. The study group requested that each current and former Member and officer of the Senate have the opportunity to comment on the report. Those comments now have been received and appended to the report.

Mr. President, the study group also recommended that its final report be published as a Senate document to insure widest possible dissemination to the American public. Accordingly, Mr. President, I ask unanimous consent that the final report of the Study Group on the Commemoration of the U.S. Bicentenary be printed as a Senate document, and I also ask unanimous consent that it be printed in the RECORD.

The PRESIDENT pro tempore. Without objection, it is so ordered.

The document is as follows:

FINAL REPORT: STUDY GROUP ON THE COMMEMORATION OF THE UNITED STATES SENATE BICENTENARY

BACKGROUND

On March 5, 1980, Senator Robert C. Byrd introduced for himself and for Senators Howard Baker, Ted Stevens, and Harry Byrd, Jr., Senate Resolution 381 which provided for the establishment of a Study Group on the Commemoration of the United States Senate Bicentenary. The sponsors expressed their desire to observe the Senate's 200th anniversary in 1989 in an appropriate manner. Senator Byrd suggested publications, ceremonial observances, conferences, and exhibits. Senator Stevens added that he believed current members of the Senate have the responsibility "to make certain that the institution of the Senate, as such, is recognized, and that this anniversary date is appropriately brought to the attention of the public." By creating the Study Group well in advance of the bicentennial, the Senate could also capitalize on the economics of careful advance planning, draw as much as possible on existing resources, and keep expenses to a reasonable minimum.

The Senate agreed to S. Res. 381 on August 1, 1980 and amended it on January 28, 1982 (S. Res. 285) to extend the Study Group's reporting date to December 31, 1982. The Study Group held three meetings in Washington, on March 24, September 14, and December 2, 1982. Members of the offices of the Senate Historian and Senate Curator, under the jurisdiction of the Secretary of the Senate, served as staff to the Study Group, further minimizing operating expenses. Staff consulted with representatives of the Library of Congress and National Archives, with professional historians, museum curators, and filmmakers, and with those involved in planning for the 200th anniversary of the United States Constitution and formation of the federal government. In this latter connection, the Senate passed S. 2671 on October 1, 1982 providing for a sixteen-member presidential commission "to promote and coordinate activities to commemorate the bicentennial of the Constitution."

RECOMMENDATIONS

The Study Group recommends a coordinated program of publications, ceremonial events, conferences, and a film to inform the nation on the role of the Senate in the workings of the federal government, from its historical beginnings through two hundred years of growth, challenge, and change. Throughout its deliberations, the Study Group considered the most appropriate means for the Senate to inspire and support such commemorative activity. It is the strongly held view of the Study Group that the Senate promote only those meritorious projects that could not be undertaken more effectively by individuals and organizations independent of the Senate. By beginning planning now, the Senate can also minimize the costs of these important undertakings while maximizing their results.

These recommendations are of several types. First are the recommended projects requiring specific additional funding. They include a biographical directory of the Senate's members from 1789 to 1989, a guide to the Senate's records at the National Archives, microform publication of selected heavily-used 18th and 19th century Senate records, two bicentennial conferences, exhibits for display in the Capitol and throughout the nation. Second are recommended projects that can be undertaken within the Senate through existing resources. These include a Senate historical almanac, a guide to locations of all former senators' manuscript collections, and a single volume collection of memoirs of Senate officials since 1789. Other projects, such as a documentary film on the Senate's history and functions, the issuance of a commemorative postage stamp and medals, and exhibits at the National Archives and Library of Congress, can be conducted independently of the Senate.

PROJECTS REQUIRING SPECIAL FUNDING

(1) *Biographical Directory of the United States Senate, 1789-1989.*—The Study Group proposes a single, up-to-date comprehensive biographical guide to the more than 1,750 individuals who have served in the Senate since 1789. This guide would replace and expand upon the now out-of-print "Biographical Directory of the American Congress, 1774-1971." Although that directory appeared in eleven editions since 1859, its format had become unwieldy and prohibitively expensive, and there are no plans to update or reprint it. That publication also

suffers major shortcomings: it provides information on members only prior to and after their service in Congress, with no reference to their committee chairmanships or legislative accomplishments; it also lacks citations to biographies and other books by and about members. The proposed biographical guide would incorporate this additional information as well as newly written profiles of members who have arrived since 1971.

The Study Group proposes a 600-page directory containing 200-500 word sketches and bibliographical citations for all senators serving in the first one hundred Congresses. The Study Group considered and rejected a proposal to commission scholars to write new accounts of all former senators similar to those for approximately 500 members appearing in the "Dictionary of American Biography." This would entail great expense and would tend to duplicate articles in the Dictionary, even though many of them, prepared in the 1930s, are dated.

Should the House of Representatives decide to undertake a similar revision for its ten thousand former members, these projects could be easily coordinated.

This project could readily take advantage of the Senate's existing computer facilities. The Senate Historical Office maintains a computer data file with information on books and articles on most former senators. Enrichment of this data file with biographical information should prove to be a simple and cost-effective operation.

(2) *Guide to Senate Records at the National Archives.*—The Study Group proposes the preparation and publication of a guide to the approximately twenty thousand linear feet of non-current permanent records of the United States Senate at the National Archives. Dating from 1789, these materials are fundamental sources for the study and understanding of the Senate's history and role in the legislative process and of the general history of the American people. They are a basic component in the Senate's institutional memory.

Currently there is no useful guide to this important collection. As an outgrowth of the Study Group's belief that these records constitute a vital portion of the nation's documentary heritage, action was initiated after the Group's March 1982 meeting to institute a preservation program for deteriorating 18th and 19th century records. The National Archives submitted a comprehensive plan under which it would contribute 25 percent of the rehabilitation costs. The Senate approved this plan, and funding was made available through the Supplemental Appropriations Act for Fiscal Year 1982. A guide to the full collection would greatly promote its use.

The National Archives can utilize its present computer system to facilitate the necessary revision and updating of its preliminary inventory to Senate records, published nearly four decades ago. That agency estimates this project could be accomplished over a five-year period at a cost of $90,000 per year.

(3) *Exhibitions and Ceremonial Events.*—The Study Group recommends a series of exhibits to be installed in the Capitol or Senate office buildings. The first would highlight notable events in the first century of the Senate's history through display of a wide selection of original documents. A second exhibit would focus on works of American graphic artists depicting the Senate's formative years to the present. Drawings, engravings, architectural renderings, and photographs could all play a prominent role in illustrating the Senate's legislative, cultural, social, architectural, and artistic heritage. Since 1975, the Senate Commission on Art and Antiquities has acquired over two hundred engravings of the Senate that originally appeared in mid-to-late 19th century periodicals. This collection as well as the extensive photographic resources of the Senate Historical Office, will be invaluable to the development of this exhibition.

With the selection in the late 1950s of Henry Clay, Daniel Webster, John C. Calhoun, Robert M. LaFollette, Sr., and Robert A. Taft as outstanding former senators and the subsequent commissioning of their portraits for the Senators' Reception Room, a special gallery was created near the Senate chamber. Because it is one of the most popular rooms in the Capitol, it is proposed that a series of exhibits, which chronicle the periods in which these members served, be installed adjacent to the portraits in the Reception Room. The exhibit cases, although somewhat limited in size, would feature memorabilia related to the subjects as well as noteworthy documents and graphics.

Traveling Exhibitions: The Study Group recommends further consideration be given to circulating throughout the country exhibits based on special displays that are scheduled for installation in the Capitol building during the bicentennial period. Exhibits telling the story of the Senate through the works of American graphic artists and political cartoonists would lend themselves to this format.

The Study Group recommends that March 4, 1989 be observed in a joint session in the House of Representatives chamber. April 6, 1989 marks the two hundredth anniversary of the day the Senate achieved its first quorum and got down to business. The Senate could convene either in the Old Senate Chamber, or in its present chamber, on that date for a brief ceremonial program. Additional ceremonies associated with the signing and ratification of the Constitution might be planned for Independence Hall in Philadelphia.

(4) *Microfilm Publication of Key Senate Records.*—The National Archives recommends four specific projects for microfilming Senate records. The first would involve completing a longstanding plan to film the records of the precedent-setting first fourteen Congresses (1789-1817). The remaining projects (see appendix) were suggested because they involve records of greater historical interest that complement existing filmed collections of Executive and Judicial Branch records. The Study Group recommends that the filming of the first fourteen Congress' records be given a higher priority than the other three projects, but believes that all are worthy of Senate funding.

The records of the first fourteen Congresses have great precedential value and have been used extensively in research on constitutional, legislative, and administrative topics. Most of the earliest documents of the Executive and Judicial branches have already been microfilmed. In contrast, Senate records for the period have been filmed only in part. Filming Senate records for the first fourteen Congresses would prevent further wear and tear on materials vitally important for an understanding of our nation's history, besides making them more widely accessible to the American public.

PROJECTS REQUIRING NO SEPARATE FUNDING

(5) *Senate Historical Almanac.*—During its two hundred year existence, the Senate has been at the heart of the nation's political and constitutional development. Its 1,800 members have confronted a full range of public issues, from the profound to the ephemeral, with varying degrees of imagination and success.

The Study Group proposes a historical almanac that will capture in a chronological narrative the major issues, events, and personalities that have illuminated the Senate's past. Consisting of two sections, the almanac would include brief descriptions of major legislative confrontations, as well as of the development of institutional customs and precedents. The second section would provide lists, charts, and tables compiled within the Senate Historical Office in response to frequently asked questions related to characteristics of members' service and legislative performance.

The almanac, scrupulously non-partisan in substance and tone, would be published in an inexpensive paperbound edition of approximately 120 pages for widespread public distribution through members' offices.

In this connection, the Study Group wishes to take notice of a recent publication of the Library of Congress' Congressional Research Service, "Major Acts of Congress and Treaties Approved by the Senate, 1789-1980" (September 1982, 255 pages, Report No. 82-156 GOV).

(6) *A Guide to the Research Collections of Former United States Senators: 1789-1982.*—The Study Group is pleased to observe that the first volume in the projected series of bicentennial publications will soon be available. Work on the guide to the research collections of former senators has been underway for the past five years. The Senate Historical Office has surveyed 350 institutions believed to hold senatorial manuscripts and memorabilia, and has located information on more than 1,400 of the 1,659 former members. The result of the extensive search will be contained in a volume of approximately 500 pages to be published at the end of 1982. Included will be detailed information on locations of all known senatorial papers, oral histories, portraits, photographs, and memorabilia.

Arranged alphabetically by senator, the guide will provide a useful starting point for anyone contemplating research on the Senate and its many members. Several appendices will list senators by state with party affiliations, birth and death dates, and dates of Senate and House service. Another appendix lists individual repositories by state and city along with the senators whose collections they hold.

(7) *Staff Memoirs: The Senate From Inside.*—The Study Group recommends a single-volume publication that would bring together selected reminiscences, including letters, diaries, memoirs, and oral histories, of long-time Senate staff members. These long-serving staff, some of whose Senate careers spanned more than sixty years, bring a unique perspective to the institution through their close-range observations. The letters and diaries of three men alone encompass almost a century and a half of the Senate's history: Lewis Machen, 1809-1860; Isaac Bassett, 1831-1895; and Carl Loeffler, 1889-1949. For recent years, the Senate Historical Office has conducted an oral history program with former staff members, including Floyd Riddick, Parliamentarian Emeritus; Darrell St. Claire, former Assistant Secretary of the Senate; and several other senior staff whose Senate service predated World War II.

The single-volume edited publication would include annotations and appropriate

illustrations to enhance its usefulness and interest to scholars and the general public. Consisting exclusively of primary materials gleaned from public and private manuscript and oral history sources, the book would be approximately 400 pages in length.

(8) *Senator Robert C. Byrd's History of the United States Senate.*—The Study Group recommends the publication of the collected addresses on the history and traditions of the United States Senate, which Senator Robert C. Byrd began in March 1980. Carefully researched and cast from the party leader's unique perspective, these addresses are, in the Study Group's estimation, worthy of separate publication and wide distribution.

Projects recommended for further study (The Study Group strongly supports the objectives of proposals in this category, but lacks unanimity on the manner in which they would be accomplished).

(9) *Minutes of Democratic and Republican Party Caucuses.*—Since the beginning of this century both major Senate parties have held formal caucuses and have kept minutes of those sessions. Over the past twenty years these minutes have become more detailed, often including verbatim transcriptions. Although not official Senate records, the minutes are important documentary resources for an understanding of Senate operations and of great interest to researchers. The Republican party has generally granted access on a case by case basis, particularly for records more than two decades old.

The Study Group considered a proposal to publish, in edited form, party minutes more than twenty years old. It was argued that this would make them available to a wider audience than just those who could afford to travel to Washington and that participating senators would have the opportunity for review before publication.

After careful consideration, the Study Group found itself divided on this proposal, with some contending that the minutes were never intended to be made public, regardless of age. The Study Group believes this is a matter appropriate for determination by the Senate leadership. Although the Group makes no specific recommendation, it does not wish thereby to relegate this proposal to a secondary status.

(10) *Conferences and Symposia.*—The Study Group recommends that the Senate sponsor a minimum of two conferences between 1984 and 1989 related to development of the Senate's constitutional responsibilities and legislative role. The initial conference might be directed to an examination of alternative methods and approaches leading to publication of a scholarly history of the Senate. The second conference should be involved with substantive themes and issues of the Senate's past, present, and future. It might be appropriate to invite the oldest living former member of the Senate to preside at the 1989 conference. Specific topics should be formulated in cooperation with the Library of Congress, the Senate Historical Office, and "Project '87" of the American Historical Association and the American Political Science Association (see Appendix B), as well as other interested scholarly bodies.

(11) *A History of the United States Senate.*—In 1938 Professor George H. Haynes concluded a thirty-year research effort with the publication of his two volume "The Senate of the United States." Haynes' work focuses on the development of Senate procedure and precedents. After nearly a half-century it is very much out of date.

A new history is clearly in order and the Senate bicentennial provides an appropriate occasion for such an undertaking. Such a project obviously requires careful additional study. A positive step in that direction would involve convening a small conference of congressional scholars to discuss questions such as methods of research and writing, funding, single or multiple authorship, biographical as distinguished from institutional developments, and treatment of related topics such as the role of political parties. It might be useful subsequently to hold two or more conferences, wherein preliminary chapters could be presented, as a means of preparing such a history.

INDEPENDENT PROJECTS

(12) *Committee Histories.*—The Study Group recommends that individual standing committees consider expanding their existing histories, or commissioning new ones by drawing on the resources of the Library of Congress or retaining the services of independent professional historials. The Senate Historical Office could assist with preparation of outlines and related preliminary activities to ensure that projects are carefully delineated and kept within reasonable bounds of cost and completion schedule.

Research into the activities of individual Senate committees has been sporadic and generally unsatisfactory. Special investigative committees serve as the focus of the best existing historical studies. Most notable among them are the Truman War Investigating Committee, the Kefauver Crime Committee, and the LaFollette Civil Liberties Committee. There is no competent general history of any Senate standing committee. Several committees have published "histories" that are confined largely to lists of former members with brief accounts of legislative activities.

The Study Group considered a proposal for special Senate funding to commission or otherwise encourage the production of distinguished studies. After due consideration, the study group decided against such a plan. High quality studies require major research effort over extended periods of time. Ideally, these activities are conducted by graduate students writing doctoral dissertations or mature scholars whose interest in related fields is already well developed. The Study Group believes the process of identifying and "rewarding" such individuals would be complex and beyond the Senate's proper role. There is no reason for confidence that studies begun in the optimism inspired by special subsidy would be completed on time, or at all. The expense involved, in these austere times, simply eliminates this proposal as a realistic option. The Study Group believes the Senate could effectively encourage private sector research through the medium of bicentennial conferences that offer the prospect of modest honoraria and publication.

(13) *Film: "The United States Senate Over Two Centuries".*—The Study Group recommends support of a privately funded and historically based film focusing on the Senate's institutional development over the past two hundred years. The film should be designed for viewing on public television and for use in schools and colleges, public discussion groups, and within the Senate itself.

The American Political Science Association is preparing a "telecourse" entitled "Congress: We the People" (see Appendix B). Funding for the telecourse is provided by a grant from the Corporation for Public Broadcasting and the Annenberg School of Communication. The telecourse will draw upon the considerable library of footage gathered by Washington public television station WETA for its public affairs program "The Lawmakers," and from its regular coverage of Congress over the last decade. One theme of the telecourse will be to distinguish between the Senate and House, drawing upon the resources of the WETA public affairs production staff and a group of congressional scholars. Working within this format, it should be feasible to develop a program covering the Senate as a national institution and as an institution representing the states, picturing the Senate as both an integrated organization and a collection of its individual members. The Study Group believes the Senate should serve as a source of ideas and documentation, but not of direction, funding, or editorial control.

(14) *Commemorative Stamps and Medals.*—The Study Group has initiated action through the Postmaster General to have the Citizen's Stamp Advisory Committee consider a Senate commemorative stamp when it begins planning for the 1989 stamp program. The Study Group encourages further consideration of an appropriate process for design and issuance of national commemorative medals in conjunction with the House of Representatives.

IMPLEMENTATION OF RECOMMENDATIONS

(1) The Study Group recommends that its final report be distributed for comment to all current and former members and officers of the Senate. It further recommends that the report and a digest of members' comments be published as a Senate report or document and inserted in the CONGRESSIONAL RECORD to ensure widest possible dissemination.

(2) The Secretary of the Senate, in his capacity as executive secretary of the Senate Commission on Art and Antiquities and as supervisor of the Senate Historical Office should be responsible for pursuing the Study Group's individual recommendations through appropriate Senate channels. In this respect, he should consult with the Senate Commission on Art and Antiquities, the Senate leadership, and the Senate Historical Office Advisory Committee.

(3) The Senate may wish to establish a special bicentennial commission that would begin in the year 1987, at the start of the 100th Congress, to coordinate specific activities of the bicentennial period 1987–1989.

Respectfully submitted,

Hugh Scott, Chairman, Howard H. Baker, Jr., Robert C. Byrd, Charles McC. Mathias, Jr., Claiborne Pell, John Warner, Wendell Ford, Slade Gorton, Milton Young, Wendell Anderson, William F. Hildenbrand, Daniel Boorstin, Robert M. Warner, Forrest C. Pogue, Harold M. Hyman, William E. Leuchtenburg.

APPENDIX A: PROJECTS REQUIRING SPECIAL FUNDING

RECOMMENDATION NO. 1: BIOGRAPHICAL DIRECTORY OF THE UNITED STATES SENATE, 1789–1989

Proposal

There is no single, up-to-date comprehensive biographical guide to the more than 1,750 individuals who have served in the Senate since 1789. Several publications currently serve this function, although their shortcomings are significant. The Study Group proposes a 600-page directory containing 200–500 word sketches for all senators serving in the first 100 Congresses.

Each entry would include, at a minimum, the following information:

Name, party, and state represented.
Birth date and place.
Parents' occupation.
Education and military experience.
Previous occupations and political experience.
Name of spouse and number of children.
Congressional service dates.
Party leadership positions.
Major legislation, notable accomplishments and controversies.
Committee chairmanships.
Subsequent career.
Place and date of death and burial.
Books and articles by or about.

Much of the work for the proposed publication has already been accomplished. The out-of-print "Biographical Directory of the American Congress, 1774-1971" contains sketches for approximately 1,500 senators. Its entries, corrected and revised, would be placed in the Senate Historical Office's computer data base, which already includes information on the location of former senators' manuscript collections and books by and about former members. Categories not included in the Biographical Directory, such as committee chairmanships, notable accomplishments, and family information, would be added. Recently the Joint Committee on Printing decided not to undertake its customary ten-year revision of the "Biographical Directory of the American Congress, 1774-1971" in view of cost considerations. Apparently this was due in part to the large number of entries for House members, nearly 10,000. Should the House decide, as part of its Bicentennial commemoration, to publish its own biographical directory, such a volume easily could serve as a companion to that proposed for the Senate's.

Existing Congressional Biographical Reference Books

The Biographical Directory of the American Congress, 1774-1971.—This 1,972-page volume contains 200-word profiles of approximately 10,800 senators and representatives. It has appeared in eleven editions since 1859. The most recent three were published in 1949, 1961, and 1971. As noted above, the 1981 edition will not be published due to projected expense. Staff of the Joint Committee on Printing have prepared new sketches and revisions for 2,000 members in the event the House and Senate decide to issue future directories.

This volume has a number of shortcomings. Its most serious is that it tells virtually nothing of members' careers while they were in Congress. Many of its entries bear marks of 19th century authorship, as in that for Senator Blanche K. Bruce who is described as being "of the Negro race." The entry for Senator Joseph R. McCarthy includes nothing of his controversial career and 1954 Senate censure.

The Dictionary of American Biography.—The first of the Dictionary's twenty-six volumes appeared in 1928 and the most recent in 1982. The set includes notable Americans who have been dead for at least fifteen years and contains profiles, ranging from 500 to 4,000 words, of approximately one-third of all former senators. The Study Group considered a project that would commission scholars to write fresh accounts of all former senators based on this model. This effort would include the one thousand senators not in the Dictionary as well as updated profiles, for many of those in the Dictionary were written in the 1930's. After careful consideration, the Study Group rejected this approach as too costly, and essentially duplicative of the Dictionary. By expanding entries in the "Biographical Directory of the American Congress" and adding information on existing book-length biographies to the proposed volume's citations, the Study Group believes a useful, cost-effective, and appropriate publication would result.

RECOMMENDATIONS NO. 2: GUIDE TO SENATE RECORDS AT THE NATIONAL ARCHIVES

The Senate maintains approximately twenty thousand linear feet of its noncurrent records at the National Archives. Dating from 1789, the collection includes both floor and committee papers. These materials are basic sources for the study and understanding of the Senate's history and role in the legislative process, and of the general history of the American people. They contain evidence of each committee's organization and functions, furnish a complete legislative history of individual bills and laws, and serve as a rich source of reference material for topics within a committee's jurisdiction. Committee and related records are a vital component of the Senate's "institutional memory."

In 1937, the Senate transferred its records from various Capitol basement and attic storerooms to the then newly-opened National Archives for preservation and public use. Upon completion of a project to arrange the Senate's collection, the National Archives issued a 250-page "preliminary inventory" describing briefly the collection's major components through 1946. At that time the Archives expected to prepare a more detailed inventory, but has never done so. As a result, there is currently no reliable and comprehensive guide to Senate records. Since publication of the 1946 inventory, the pre-World War II collection has expanded and parts of it have been rearranged, rendering portions of the earlier inventory obsolete. No guide exists for materials deposited over the past four decades.

The Study Group believes that preparation of a comprehensive guide to Senate records at the National Archives, along with the soon-to-be-published catalog of former senators' research collections, would be a fitting project with which to commemorate the Senate's 200th anniversary.

The National Archives has a computer system that will facilitate revising and expanding the existing guide. That agency estimates that the cost of such a revision and updating would be approximately $450,000.

RECOMMENDATION NO. 3: EXHIBITIONS AND CEREMONIAL EVENTS

In the past decade, the Commission on Art and Antiquities has sponsored fifteen exhibitions devoted to the rich heritage of the Senate. For the most part, these exhibits have been installed in the Crypt area of the Capitol Building. Their subjects have been as diverse and multi-faceted as the institution itself and have ranged from a display of original documents illustrating the Senate's relationship with the presidency under the advice and consent clause of the Constitution, to an exhibit featuring the numerous U.S. commemorative postal issues which have been based on paintings and sculpture in the Senate's collection.

The bicentennial of the Senate provides an opportunity to produce a series of commemorative exhibits which would be installed in the Capitol or Senate office buildings. The first exhibition would highlight notable events in the first century of the Senate's history through the display of a wide selection of original documents. These might include the following examples:

George Washington's 1789 message to the U.S. Senate, nominating the first cabinet members.

Farewell message to the Senate from Vice President Thomas Jefferson on his assumption of the presidency, February 28, 1801.

Letter from President Madison to the president of the Senate, September 17, 1814, on the subject of accommodations for Congress after the burning of Washington.

Annual message of President James Monroe, December 2, 1823, containing the Monroe Doctrine.

Tabulation of the vote of the Senate to elect a vice president, February 8, 1837, the only time such an election has occurred. Richard Johnson of Kentucky defeated Francis Granger of New York, 33 to 16.

Letter of Millard Fillmore to the Senate, July 10, 1850, addressed by way of Secretary of the Senate Asbury Dickins, giving formal notice that he would no longer "occupy the chair of the Senate" due to his accession to the presidency on the death of Zachary Taylor.

Message from Abraham Lincoln, February 28, 1863, transmitting copies of addresses to him of meetings of workers in Manchester and London, England, expressing appreciation for preliminary emancipation of slaves.

Papers relating to the impeachment of President Andrew Johnson, including original transcripts of testimony taken by the House managers, May-June 1868, exhibits used in the trial, ballots taken in the Senate, and a letter from Chief Justice Salmon P. Chase with observations on the proper mode of conducting the trial in the Senate.

Petition signed by Susan B. Anthony and Elizabeth Cady Stanton as officers of the National Woman Suffrage Association, Janaury 22, 1873, asking for legislation "to protect women citizens . . . in their right to vote."

Tabulation of the 1876 electoral vote as counted in the Senate on March 1, 1877, showing Rutherford B. Hayes as the winner by one vote.

Transcripts of hearings held by the Senate Committee on Civil Service and Retrenchment on S. 133, Forty-seventh Congress, the bill which became the Pendleton Act (1883) and established the Civil Service Commission.

Omnibus Statehood Bill (S. 185), Fiftieth Congress. The different copies of this bill reflect its changing versions before final passage on February 22, 1889, when it provided for the admission of North Dakota, South Dakota, Montana, and Washington. Earlier drafts would have admitted "Dakota" only, and organized a new territory to be known as "Lincoln" or would have admitted the state of South Dakota only.

In the second exhibit, we would turn from the legislative and political story, as reflected in the significant documents of the Senate's first century, to a different study of the institution, spanning the period of its formative years to the present. Here the works of America's graphic artists would dominate. Drawings, engravings, architectural renderings and photographs could all play a prominent role. While the legislative integrant would be included, so too would the exhibit feature the cultural, social, architectural and artistic lives of the Senate. Since 1975, the Commission on Art and Antiquities has acquired over 200 engravings of

the Senate which originally appeared in mid-to-late 19th century periodicals. The collection, as well as the extensive photographic resources of the Senate Historical Office, will be invaluable to the development of this exhibition.

With the selection in the late 1950s of Henry Clay, Daniel Webster, John C. Calhoun, Robert M. LaFollette, Sr., and Robert A. Taft as outstanding former senators and the subsequent commissioning of their portraits for the Senator's Reception Room, a special gallery was created near the Senate Chamber. Because it is one of the most popular rooms in the Capitol, it is proposed that a series of exhibits, which chronicle the periods in which these members served, be installed adjacent to the portraits in the Reception Room. The exhibit cases, although somewhat limited in size, would feature memorabilia related to the subjects as well as noteworthy documents and graphics.

Traveling Exhibitions

Consideration should be given to circulating throughout the country exhibits based on special displays which are scheduled for installation in the Capitol building during the bicentennial period. These traveling exhibits would be mounted on a series of panels designed to withstand the rigors of shipment over a five year travel schedule. Selections of the state institution hosting the exhibit would be made by the senators from each state. Design and production of the exhibits would be scaled to accommodate buildings with limited display areas. State offices of individual senators might be considered fitting locations, as well as local historical societies or museums.

Of the exhibitions planned for the Capitol between 1987-92, two subjects would seem to be particularly appropriate for travel. The first exhibit would be devoted to the story of the Senate as seen through the works of American graphic artists. Engraved views of the Senate, architectural renderings, and photographic studies would be featured. Among the resources from which material would be drawn is the collection of 19th century Senate engravings acquired under the direction of the Commission on Art and Antiquities, and the extensive photographic files of the Senate Historical Office.

A second subject worthy of consideration would trace the history of the Senate from the perspective of the political cartoonist. The marriage of the editorial cartoonist's artistic style and humor has made cartoons a popular—and sometimes painful—portrayal of the United States Senate. Not only would this exhibit serve as a history of the Senate and the principal issues it has faced, but it would also trace the development of technology that made the production of cartoons possible. Paralleling these changes is the shift in style and approach that occurred through several generations of American political cartoonists. While the Senate has a limited number of political cartoons in its collection, it is recommended that efforts be made over the next four years to increase its holdings in order to enhance the quality of this traveling exhibit.

As described, both traveling exhibit topics lend themselves to additional forms of interpretation. For example, a folio of reproductions of several 19th century engraved views of the Senate featured in the display, could be sold through the Government Printing Office during the exhibits' traveling schedule. Also of interest might be a publication on Senate political cartoons, discussing their significance in greater detail than the space on the exhibit panels could provide. The "Story of the Senate" exhibit, employing prints, photographs, and drawings, would also be an ideal subject for a poster. Revenue realized from the sale of these publications could be used to defray expenses associated with producing exhibits.

Recent interviews were held with staff members of the Smithsonian Institution Traveling Exhibition Service (SITES) in order to develop funding projections for this program. A moderate-size exhibit, consisting of between 15-20 panels, could involve expenditures totaling about $20,000. This would include design and production costs, covering silkscreening, photographs, mounting, typesetting, etc. It is intended that, wherever possible, Senate staff would be involved in the development and fabrication of these exhibits.

Ceremonial Events

The two most significant dates during the bicentennial period which should be considered for ceremonial observances are March 4, 1989 and April 6, 1989.

March 4, 1789 was the day appointed for the beginning of the government under the new Constitution. Although eleven state conventions had ratified the Constitution and would thus be represented in the Senate, only eight out of twenty-two senators took their seats on the first day. Of the fifty-nine representatives, only thirteen had arrived in New York's Federal Hall by that time. Nonetheless, March 4, 1789 is considered the first day of the first session of the first Congress. It would seem fitting that this date be commemorated jointly in ceremonies with the House of Representatives here in the Capitol.

It was not until April 6, 1789 that the Senate, after long delay, achieved a quorum and could be formally organized. (The House had reached a quorum on April 1, 1789). The Senate might wish to convene in the Old Senate Chamber, or in its present chamber, on April 6, 1989, to celebrate this signal anniversary.

RECOMMENDATION NO. 4: MICROFILM PUBLICATION OF KEY SENATE RECORDS

The National Archives recommends four specific projects for microfilming Senate records. The first would involve completing a longstanding plan to film the records of the precedent-setting first fourteen Congresses (1789-1817). The remaining projects were suggested because they involve records of great historical interest that complement existing filmed collections of Executive and Judicial Branch records. The Study Group recommends that the filming of the first fourteen Congresses' records be given a higher priority than the other three projects, but believes that all are worthy of Senate funding.

Records of the First Fourteen Congresses.—The records of the first three decades of the federal government have great precedential value and have been used extensively in research on constitutional, legislative, and administrative topics. Filming these records will facilitate their use in libraries across the nation and minimize wear and tear on the originals. Only a small portion of Senate records for the period have as yet been filmed. Estimated cost to complete this project would be $39,000.

Indian Relations—Executive Proceedings, 1st to 41st Congresses (1789-1871).—From 1789 to 1871, the Senate dealt with negotiated Indian treaties under the "advice and consent" provisions of the Constitution. The records generated by this process consist of Executive Branch correspondence and memoranda relating to negotiation of the treaties, as well as unique materials that reflect the Senate's deliberations. These files constitute an historically valuable record of the Senate's exercise of its responsibilities on Indian relations. Estimated cost to complete this project would be $13,000.

Foreign Relations—Executive Proceedings, 1st to 79th Congresses (1789-1947).—This is an important and heavily-used collection, which complements a more extensive set of State Department records. Filming would eliminate wear and chances of theft of irreplaceable documents. Estimated cost to complete this project would be $33,000.

Senate Impeachment Proceedings..—The Senate has sat as a court of impeachment on twelve occasions since 1798. The records created by the Senate in the exercise of this unique constitutional function occupy thirty trays and could be arranged, filmed, and described at a relatively modest cost as indicated below. Estimated cost to complete this project would be $10,000.

APPENDIX B: RECOMMENDATIONS OF "PROJECT '87" OF THE AMERICAN POLITICAL SCIENCE ASSOCIATION AND THE AMERICAN HISTORICAL ASSOCIATION

I. INTRODUCTION

Project '87, a joint endeavor of the APSA and the AHA, was inaugurated in 1978 to support scholarship, enhance teaching, and promote public examination of the Constitution on the occasion of its 200th anniversary. Project '87 enthusiastically welcomes the plan of the Senate to engage in scholarly projects and public programs as an observance of its bicentennial and the 200th anniversary of the adoption of the Constitution. It is Project '87's hope to be able to assist the Senate in its plans, and to collaborate in the development of commemorative programs.

II. SCHOLARSHIP

The Joint Committee which governs Project '87 conceived of its work in three stages, the first of which focuses on research. In the past years, as part of Stage I, Project '87 has awarded fifty-one research grants and fellowships and organized five conferences on constitutional topics. For each of the last four conferences, Project '87 oversaw the publication of a volume of collected pieces. In addition, several articles and books have appeared, authored by the scholars who received financial awards from Project '87's fellowship competitions.

In calling to public attention the singular character of our national institutions, the bicentennial offers an opportunity for the Senate to highlight its special role in the structure of the government, and the unique character of its resources for scholars. The biographical directory of the Senate, the creation of tools permitting greater access to Senate records in the National Archives, microfilming of heavily-used Senate records, guides to senators' papers, plans for conferences, all will assist scholars and encourage work which will explicate the history of the Senate for the academic community and ultimately for the public.

To the extent possible and desirable, Project '87 looks forward to cooperating with the Senate in fostering the use of such resources and in executing its programs. Possible vehicles for doing so included the following suggestions:

(A) Through its own activities in holding conferences and producing written materi-

als, and through the publications of its two founding organizations, the American Political Science Association and the American Historical Association, Project '87 has established a wide network of scholars who specialize in constitutional issues. Project '87 can use this network to distribute special announcements regarding the availability of the new scholarly resources the Senate plans to create.

(B) In addition, Project '87 could work with the Senate to organize a series of conferences with the goal of developing a one- or two-volume history of the Senate. The conferences could be organized in the following manner:

1. The Senate Historical Office and Project '87 would issue a call for proposals on Senate history and politics.

2. A committee comprised of representatives of the Senate Historical Office, its Advisory Board, and members of Project '87's Joint Committee of scholars would choose from among the best applicants and invite them to a preliminary meeting.

3. The preliminary meeting would include the applicants chosen through the competition and members of the committee that selected them. This body would then review the proposed papers and decide upon themes and organization of the volume/s/.

4. The body would also decide upon additional papers to be solicited from scholars who did not participate in the competition, in order to produce a superior, comprehensive, collection of essays.

5. At a time to be determined, a full-scale conference would be held in Washington, which Project '87 would convene, drawing upon its experience in holding conferences on constitutional subjects.

6. After revision, the scholars would return the papers for review by an editorial board composed of representatives of Project '87, the Senate Historical Office, and its Advisory Board.

7. The volume then would be published through the offices of the Senate and Project '87, in a manner acceptable to all parties.

(C) A fellowship competition, co-sponsored by Project '87 and the Senate, is another activity that would encourage research on the Senate. In the past four years, Project '87 has held four rounds of fellowship competition, and is now investigating funding for competitions based on topics more focused than the former competitions. Scholarship focusing on the Senate would be one such area.

Project '87 is prepared to run the competition, using its Joint Committee of scholars to referee the applications. Such a competition could be structured to permit scholars already engaged in research on the Senate to bring their manuscripts to completion, and/or explore specific topics proposed by scholars in order to fill gaps in the research.

Funding For Scholarly Activities

Project '87 has supported all of its scholarly activities through specific program grants from the Lilly Endowment, the National Endowment for the Humanities, the Mellon Foundation, the Rockefeller Foundation, and the Ford Foundation. If the Senate is interested in collaborating with Project '87 on any of the programs included in this proposal, funds would have to be acquired from either public or private sources. The Senate may wish to fund these programs directly through an allocation to a bicentennial commission or through the Senate Historical Office, or funds could be solicited from private sources. Project '87 would be willing to work with the Senate to come to a mutually agreeable arrangement.

III. EDUCATIONAL ACTIVITIES

Stage II of Project '87's program focuses on the production of educational materials for use by teachers at all grade levels and by educators in other institutions such as libraries and museums. Our present projects include the development of a sourcebook on the Constitution for secondary school teachers, which is now nearing completion, and a series of regional conferences for high-school educators, conducted by the American Historical Association. Project '87 hopes that the Senate bicentennial program would also provide for the publication of materials which will be useful to this clientele.

Project '87 urges the Senate to solicit the views of secondary school teachers, librarians and museum officials to plan the format and scope of such materials, and the design of exhibits. Not only will prior consultation with such officials help the Senate prepare suitable publications for this audience, and then increase its impact, but would alert the Senate to specific items these educators feel are lacking, and could tailor-make exhibits or pamphlets with this audience in mind. Project '87, which has had extensive contracts with secondary school teachers, curriculum supervisors and school administrators, can direct the Senate to key educators, with experience in developing instructional materials in this field, who are in positions which enable them to reach their colleagues through their professional associations.

IV. PUBLIC PROGRAMS—STAGE III OF PROJECT '87'S PROGRAM

(A) *Film/Video Presentations.*—Communication in American society is conducted very much through visual images and film/video media. Consequently, film or video programs are very appealing. Project '87 itself has spent three years gathering information about current and planned films and television programs on constitutional issues. On the basis of this experience and in view of the considerable cost and complexity of film production, we suggest that the Senate bicentennial planning committee give careful consideration to identifying the intended audience(s) for the film, including one or all of the following:

a. The Senate itself (as an orientation for freshmen senators and for staff).

b. The American public (as general information and entertainment).

c. Public/citizen discussion groups (as information for further reflection and study through, for example, the programs of the League of Women Voters or programs of local public libraries).

d. Instructional use—in high schools and colleges. Decisions about film production should be based upon the objectives and intended audience for the film. Once the decision is made about the audience the Senate wishes to reach with film, it would be in a position to consider alternative presentations which would fulfill its objectives.

If the planning committee has an educational objective in mind—either for the schools or for the Senate itself—we would like to suggest an approach to the creation of a film or video cassette program. WETA/26 and the APSA are preparing a telecourse entitled, "Congress: We the People." Funding for the telecourse is provided by a grant from the Corporation for Public Broadcasting/Annenberg School of Communication.

The telecourse will draw upon the considerable library of footage gathered by WETA for its public affairs program, "The Lawmakers," and from its continual coverage of Congress over the last decade. One theme of the telecourse will be to distinguish between the Senate and the House. The telecourse is being developed by the public affairs production staff of WETA in close cooperation with a group of congressional scholars including: Herbert B. Asher, Charles S. Bullock, Roger Davidson, I. M. Destler, Richard F. Fenno, Charles O. Jones, David R. Mayhew, Bruce I. Oppenheimer, Robert L. Peabody, Nelson Polsby, Randall S. Ripley, Barbara Sinclair, and James L. Sundquist.

It should be possible to draw upon the same production staff and a special group of scholars to develop a program about the Senate. Such a program could draw upon WETA's extensive archives and the scholarly research of the telecourse for current coverage of the Senate and then add footage and material on the history and evolution of the Senate, possibly using the speeches of Robert Byrd on the history of the Senate. Additional footage should cover the Senate both as a national institution and as an institution representing the states, and should picture the Senate as both an integrated organization and a collection of its individual members.

(B) *A Bicentennial Chronicle.*—As a major part of its public program, Project '87 plans to publish a quarterly magazine designed to serve as a chronicle of the American constitutional bicentennial. Supported by a planning grant from the National Endowment for the Humanities, the first issue of the magazine will represent a prototype for a quarterly journal which will contain three basic sections: substantive articles on constitutional issues, a center section of documents relating to the Constitution, and a resource section containing information for scholars and agencies planning bicentennial celebrations. This section will incude information on available grants, news about grant recipients and the projects they plan, lists of scholars able to act as consultants on bicentennial projects, bibliographies, descriptions of documents and manuscript collections, a calendar of bicentennial events, a chronology of historic dates relating to the bicentennial, successful bicentennial events from 1976 and, as the bicentennial era progresses, model programs about the Constitution.

Project '87 hopes to include extensive coverage in the magazine on the Senate's bicentennial activities ranging from listings to feature articles on Senate programs, and pieces on substantive issues of governance growing out of the Senate's scholarly activities.

Project '87 applauds the Senate bicentennial study group's plans for commemorating the forthcoming anniversaries by its proposals for substantive and enduring projects. Observed in this manner, the bicentennial of the founding of our government can indeed evoke a renewed sense of commitment to democratic and republican principles, and help to make the public aware of the meaning and vitality of the nation's history.

APPENDIX C: DIGEST OF COMMENTS RECEIVED FROM CURRENT AND FORMER MEMBERS AND OFFICERS OF THE SENATE

GENERAL SUGGESTIONS

Special illustrated publication on art and artists in the Capitol. Possible update of Charles E. Fairman, "Art and Artists of the Capitol of the United States of America" (Washington: Government Printing Office,

1927) Senate Document 95, 69th Congress, 1st Session.

Develop commemorative programs with other parliamentary bodies to emphasize Senate's deeper roots.

Include all living former senators in at least one of the commemorative events to give a heightened public perception of the Senate's institutional continuity.

SPECIFIC COMMENTS

Exhibitions and Ceremonial Events

I would definitely agree that the first act should be for the two houses to meet and join together in a joint session on March 4, 1989. However, instead of using the chamber of the House of Representatives, I would recommend that they assemble on the West Front of the Capitol in a celebration patterned after the 1981 inauguration. The House of Representatives cannot accommodate many guests whereas the West Front can. With the Marine Band and several vocalists the occasion would be more festive. I would suggest short speeches by the President of the United States, the Speaker of the House of Representatives, and the President Pro Tempore of the Senate. Television recommended.

On April 6th the Senate could then meet in its chamber with remarks first by the Vice President of the United States and then by the Majority and Minority Leaders. They in turn would be followed by the two former senators who had the most seniority and who had served elective terms of at least six years; one a woman and the other a man. As of today one would be Margaret Chase Smith of Maine and the other Lister Hill of Alabama. Television recommended.

My last suggestion would be that all of the historical material referred to be put on exhibition for the full year of 1989 at the Smithsonian Institution. From what I have observed over the years that location seems to be logical from visitor attendance, knowledge of presentation, security, and exhibition space.

Minutes of Democratic and Republican Party Caucuses

It would seem reasonable to permit those minutes predating the Senate service of the oldest living senator, or ex-senator to be studied by recognized scholars and historians under specific conditions. Each request could be evaluated on its merits and careful criteria established to prevent access by the curious, non-serious students, or the media. The Historian of the Senate may be tasked with screening requests and making appropriate recommendations. It is almost certain that party minutes will be made available to historians at some point and the Bicentenary could well provide an appropriate and meaningful vehicle.

I believe the number of years in which they should be kept confidential should be minimized. I would not give an estimate of the number of years but believe the principle of minimization to be important. We believe in the Senate of letting the people know as much as humanly possible and realistically practical about our work.

Guide To Research Collections of Former United States Senators, 1789-1982

I believe this is very long overdue and very desirable. These collections are critically important to scholars and students and for the history of our country. I believe they should be encouraged in every way by having them known about generally which this Guide will accomplish. I also believe the inclusion in the Guide of books written by members about their own careers and written about members is an extremely important bibliography.

ORDER OF PROCEDURE

Mr. BAKER. Mr. President, after the time for the two leaders under the standing order has been yielded back or expired, there will be a period for the transaction of routine morning business in which Senators may speak for not more than 2 minutes each to expire at 10:30 a.m., and at that time the Senate will resume consideration of Senate Concurrent Resolution 27, at which time the Domenici-Baker amendment in the nature of a substitute, No. 1243, will be the pending question.

Mr. President, the distinguished Senator from Maine (Mr. COHEN) has indicated to me that he has a need for time this morning beyond the 2 minutes allocated in morning business.

Since I do not have 10 minutes which he needs but I probably do have 8 minutes, I am about to yield the remainder of my time to the distinguished Senator from Maine, but first I ask unanimous consent that it may be aggregated together with the 2 minutes available to him on morning business so he may deliver an address of 10 minutes in length.

The PRESIDING OFFICER (Mr. HECHT). Without objection, it is so ordered.

Mr. BAKER. Mr. President, I yield the floor.

RECOGNITION OF THE ACTING MINORITY LEADER

The PRESIDING OFFICER. The acting Democratic leader is recognized.

Mr. DIXON. Mr. President, I yield 5 minutes to my distinguished friend from Washington.

The PRESIDING OFFICER. The Senator from Washington is recognized.

TOWARD A LONG-TERM POLICY FOR CENTRAL AMERICA

Mr. JACKSON. Mr. President, as Congress and the rest of the country wrestle over U.S. policy in Central America, at least one issue has been settled: The region is of immense strategic importance to the United States. Whatever policy options might be available to us, ignoring threats to the stability of Central America and refusing to engage ourselves in the problems of the region are not among them.

The commonly cited figures bear a quick mention.

Almost half of our shipping tonnage and imported oil passes through the Caribbean shipping lanes. Sixty-five percent of our supply requirements during a general European military mobilization would be shipped from gulf ports through the Florida Straits.

Controlled immigration through our southern frontier can only become possible with stability in Central America. When one-of-eight persons born in the Caribbean and alive today resides on the mainland United States, our southern and southwestern States are rightly concerned about preventing a flood of the impoverished and the discontented into this country.

A sequence of crises leading to Castro-type regimes throughout Central America, including Mexico, would have disastrous strategic ramifications which we all recognize. None of us relishes the prospect of living in a garrison state, unable to meet our commitments to our NATO allies and others, nor do we like to contemplate the threat such a course of events poses to the fundamental nature of American society and her democratic institutions.

Even with the high stakes involved, it is not unexpected that some American citizens and some American politicians harbor wistful thoughts that somehow the United States might not have to engage itself in Central America. The problems in the region are enormous; the policies to address them involve difficult choices; and most important, the problems are not going to go away. There are no quick fixes. Piecemeal proposals and frantic, ad hoc programs are inadequate. The United States faces a profound, long-term challenge in Central America and must devise a set of long-term policies to match it.

The nations of Central America share many differences: Different histories, different geographies, different ethnic compositions, different patterns of landholding, and different degrees of democratization. But if we look at the entire Central American isthmus, two facts present themselves. The economic and social crises confronting all of the nations are real and Mexico with 79 percent of the total land mass and 76 percent of the population is a key to maintaining stability in the region.

In good times life was hard, but after almost 3 years of recession, all Central American nations are hurting and hurting bad. Commodity prices are still too low, interest rates still too high, and servicing foreign debts casts a long shadow over hopes for economic recovery, much less hopes for economic development.

In Mexico, Mr. President, the economic crisis is particularly acute.

At the end of 1977, things looked bright: The growth rate was 8 percent, new oil was coming into production and being sold at high prices, employment prospects were improving, and foreign loans fueled a vigorous program of industrial development. But that was 5 years ago, before the addition of another 12 million mouths to

feed, before a persistent worldwide recession, and before the collapse of oil prices.

Now Mexico faces almost $90 billion in combined private and public foreign debt, and is attempting to implement an IMF economic adjustment program. Her unemployment hovers near 50 percent, and the agricultural sector is in decline forcing more and more rural people into the cities where the middle class is becoming increasingly disenchanted.

The economic problems are not just cyclical, but structural. Many of the large industrial projects which were to be financed by the oil money turned sour, unable to be completed because of chronic mismanagement and corruption. And in spite of Mexico's historical commitment to land reform, fully one-third of the agricultural population remains landless with tremendous inefficiencies in the land under cultivation. With some 40 percent of the labor force devoted to agriculture, that sector produced only 8.5 percent of the gross domestic product in 1980.

Fortunately, Mexico, along with Costa Rica, enjoys political stability under a regime that is more or less democratic. But the institution responsible for Mexican stability since the revolution—the PRI, the Institutionalized Revolutionary Party—has never confronted such a challenging set of circumstances as it does today or is likely to in the near future.

The other nations of Central America face similar economic problems, but suffer under authoritarian regimes of varying degrees of repressiveness. The economic and social injustices abound. In Guatemala, 3 percent of the population owns 70 percent of the land, and until the recent land reform, the pattern of landholding in El Salvador was the same. Adult literacy in Guatemala is under 50 percent, and a Guatemalan Army campaign against a handful of subversives has terrorized the Mayan Indians forcing over 30,000 of them to cross the border into Mexico.

Given the poverty and the unremitting patterns of social injustice in the region, Marxist revolutionary promises of a better future understandably prove attractive to many of the peoples of Central America. But the promises are false. The history of Cuba and the evolution of the Sandinista regime in Nicaragua, not to mention the horrors which have transpired in Indochina since 1975, demonstrate clearly that Marxist-Leninist regimes will not offer the people of these countries a democratic future or expanded economic opportunities. Quite the opposite. Cuba exports her human problems to the United States and requires $4 billion annually in subsidies from the Soviet Union. And in Nicaragua the standard course of Marxist totalitarian control and repression proceeds apace.

How are we then to approach the security needs of the United States in Central America?

One thing should be very clear, Mr. President: Military approaches alone are inadequate to deal with the economic crises and social injustices of the region.

Some security assistance will, obviously, be required in the face of armed Communist insurgencies, but our security aid should be understood in one way: It is a shield behind which endangered nations can protect themselves from external threats as they work to rectify injustices, build democratic institutions, and hold free and fair elections. Our security assistance ought not to be the main focus of national debate, for it ought not to be the main focus of national debate, for it ought not to be the foundation of our policy toward Central America. The shield protecting Central Americans from Communist insurgency and domination will crumble unless we address the serious social and economic dislocations and injustices in the region.

A second thing should also be clear: America's best minds need to address the problem of security and economic development of the Central American isthmus. Mr. President, we must realize that our policies can no longer follow the patterns which have arisen from the United States traditional neglect of Latin America—sporadic attention when we see our immediate security interests at stake by coup or revolution, and then abandonment and unconcern. Central America needs to be the focus of a large, long-term, steady effort by the United States, and should have a top spot on America's national security agenda.

What sort of effort are we talking about? I can best describe it as one of Marshall plan proportions. The long-term security of our southern frontier is as vital to U.S. interests as the long-term security of Western Europe, and it deserves the same level of American energy and commitment.

Mr. President, I recommend that serious consideration be given to convening a national bipartisan commission for Central America. Composed of respected leaders of government, business, labor, education, and the Hispanic and religious communities in this country, the commission's charge would be to chart a course of hope for the peoples of Central America.

Such a commission is not without precedent. The Marshall committee, headed by Henry Stimson, and drawn from the leadership of all sectors of American society, was more responsible than any other factor for forging consensus in the country to get the Marshall Plan for European Recovery through Congress and underway.

I believe it is high time for the President to bring in the major sectors of American society, particularly labor, to play key roles in the formulation and implementation of our Central American foreign policy.

The proposed commission would function as the instrument to help build the necessary consensus on a long-term, comprehensive policy for this region.

The commission could communicate to Americans from all regions and all walks of life that their lives are inextricably linked to events in that region—be it the price of coffee, the future of the American labor force, and ultimately the security of their nation.

The commission would consult with governmental and other leaders of Central America, invite their views and receive their recommendations on the policies which would best assist them in their long-range security needs and economic development.

The commission could also serve an important oversight role for the nongovernmental international actors that should be a part of an effective U.S. policy for Central America. Labor unions, political parties, churches, and voluntary organizations can often do more to help build democratic institutions than the public diplomacy gestures of governments.

Mr. President, I am convinced that unless the United States works with Mexico and other Central American nations in addressing their chronic economic and political crises, none of the nations of North and Central America can face the future with calm confidence, secure in the inviolability of their borders, and assured of maintaining peace with one another.

The commission's task will not be easy, and its recommendations will likely require sacrifice from the American people. But over time its work could prove, as the Marshall plan has proven, to be one of the wisest investments our Nation ever made.

Mr. President, I yield the floor.

Mr. DIXON. Mr. President, I yield back the remainder of my time.

ROUTINE MORNING BUSINESS

The PRESIDING OFFICER. Under the previous order, there will now be a period for the transaction of routine morning business for not to extend beyond the hour of 10:30 a.m. with statements therein limited to 2 minutes each.

The Senator from Maine.

Mr. BAKER. Mr. President, will the Senator yield to me for a moment?

Mr. COHEN. Yes.

Mr. BAKER. Mr. President, under the order previously entered I believe the Senator now has 2 minutes plus

the remainder of my time under the standing order; is that correct?

The PRESIDING OFFICER. That is correct.

Mr. BAKER. What is the total time?

The PRESIDING OFFICER. Ten minutes and thirteen seconds.

Mr. BAKER. I thank the Chair.

The PRESIDING OFFICER. The Senator from Maine.

UNITED STATES-ISRAELI RELATIONS—A NEED FOR UNDERSTANDING

Mr. COHEN. Mr. President, United States-Israeli relations, long viewed as special, have reached one of their lowest points since the creation of the State of Israel in 1948. Over the past few years, the relationship of our country and Israel has been marked by mutual mistrust, differing perceptions of basic strategic goals, and a breakdown of effective communication on matters of common interest.

The deterioration which has taken place is especially troubling, since Israel remains our closest ally in the Middle East. Israel is a geostrategic linchpin for any U.S. defense planner. She has the potential to contribute in three theaters: the Persian Gulf, the eastern Mediterranean, and NATO's southern flank. Further, Israel's democratic institutions and the inherent stability of her government insure that she will be a reliable ally over the long term.

For these and other reasons, we cannot allow what has been a family squabble to grow into a serious fissure between our two nations. The strains in United States-Israel relations today have dimensions unique in the history of our alliance, and the importance of easing those strains is also unparalleled. It is essential that we work with the Israelis, rather than at cross purposes, in pursuit of our mutual interests in the region.

When I was in Israel earlier this year, I found a dual focus. One was on the report of the Commission of Inquiry, which on the day the delegation I headed met with Prime Minister Begin recommended that Defense Minister Sharon and several military leaders be relieved of their positions.

That report, which, of course, produced considerable pain and anguish for the government of Prime Minister Begin demonstrated the finest aspect of the democratic system which we and the Israelis share. Few other world governments would have had the courage, in my opinion, to establish that kind of inquiry board and to followthrough on its recommendations to the extent the Israelis did.

But the other major focus dealt with what the Israelis perceived, and I believe correctly, as a difficult attitude on the part of the United States toward their country. The incident involving a U.S. Marine captain and an Israeli tank was being used by some in our country to serve as a representation of the level of tensions between the United States and Israel. This, Israeli officials repeatedly told me, was unfair and extremely troubling to them.

In the months which have followed my visit to Israel, I have seen little which would indicate any improvement in the situation. Our Government resisted working with the Israelis on a memorandum of agreement to share information gained by their forces during the Lebanon incursion. It has held up the sale of F-16's to Israel, something about which many of us in this body have expressed strong concern. And the resolution of the Lavi fighter plane issue had also served to complicate, rather than smooth, the situation.

The handling of the Memorandum of Agreement controversy serves almost as a model of how two nations should not deal with each other if they wish to maintain their close alliance. The Israelis wanted to share with us the benefit of the information, as they had following the 1967 and 1973 wars, but they found themselves repeatedly rebuffed.

At virtually every hearing I have attended this year, I have been told, by defense and intelligence people alike, that this information could be extremely valuable to us. Commanders from every service emphasized just how much they would like to have the benefit of what the Israelis had learned.

Yet administration officials said that signing an MOA was unnecessary between allies. Then it was said that such an MOA would be unprecedented. Finally, it was argued that the MOA as proposed by Israel placed onerous burdens on the United States and that we would have to pay too high a price for information that we really did not need anyway.

Of course, we discovered that an MOA was not unprecedented. In fact, memorandums of agreement had been signed between our two countries on two prior occasions. More importantly, the proposed MOA was not substantially different in its provisions to the 1967 and 1973 agreements.

Ultimately, the Israelis, in their desire to reach an accommodation with us, simply capitulated and supplied our Nation with the information in the absence of an agreement. Moshe Arens, who left his post as Israel's Ambassador to the United States to replace Ariel Sharon as his country's Defense Minister, told me personally of his frustration with the attitude of our Government on this issue and of his personal commitment to looking for a resolution to this problem.

That commitment on the part of this brave and dedicated man was, in my view, the key factor in Israel's decision. It reflected the desire he expressed to me that we remove the roadblocks to cooperation between the United States and Israel. But no sooner had this issue been resolved than the United States placed a hold on the sale of F-16's to Israel. It almost seemed that our Government was bent on keeping the level of tensions with Israel higher than they ought to be.

One recent development—Secretary of State Shultz' mission to reach an accord for the withdrawal of Israel and Syrian troops from Lebanon—lends encouragement that we are looking for ways in which we can work together in pursuit of our common interests and goals. The Israelis have consistently said that they wanted to withdraw their forces, but that they wanted assurances that their national security interests would be preserved in the process.

The Lebanon peace agreement could, as the Washington Post suggested in a May 8 editorial, be the administration's "biggest diplomatic success." That a basic agreement between Israel and Lebanon was reached is, I believe, a tribute to President Reagan and Secretary Shultz and their willingness to devote so much energy and attention to reaching an accord. Rather than taking an antagonistic or overly demanding approach, Secretary Schultz concentrated on the key considerations and concerns and went about the task of seeking solutions.

This approach, unfortunately, has not always been taken in our Middle East policy. What we all too often have, it seems to me, is a tendency to emphasize our differences with the Israelis rather than trying to correct those differences and building on our long and fruitful alliance. The problem will only be exacerbated if some negative attitudes are not changed soon. We are allies and friends. Our goals are common ones. What differences we have are not, and should not be, insurmountable.

In adopting a confrontational posture with the State of Israel, we may be sacrificing the strategic interests of our country. For if allies do not talk with each other—and if the conversations they do have are adversarial and not truly communicative—problems are certain to occur and to grow greater.

Discouraging effective communication with a strategic ally at whatever level is not a tenable policy, in my view. We have to start talking, both at the diplomatic level between the highest officials of our countries and at the military level with our troops on the ground.

The energies which are going into straining United States-Israeli relations must be redirected toward strengthening our traditional alliance. If they are not, there are dangerous implications for the cause of peace in the Middle East and for the relations we have with all our allies throughout the world. We must demonstrate that we work to resolve disagreements and to strengthen bonds, rather than acting in ways which only raise questions about our reliability as allies.

To understand the dimensions of the problem, we must look at the elements which are involved. Both sides bear responsibility, and both have an obligation to work for improvement and change. This change is needed to correct the following:

The fundamental lack of trust among the top political leadership of both the United States and Israel. Both Washington and Jerusalem have begun, the first time, to question the good intentions of the other.

The absence of an overall coordinated strategy, which marked relations for years. The United States must bear some responsibility for this, since it has not been as clear and precise as it needs to be in indicating to Israel the areas of agreement and disagreement between the two countries.

A pattern of independent actions by the Begin government which have been seen by the United States as unduly provocative and insufficiently sensitive to U.S. interests in the area.

The natural divergence of some long-term interests and goals of the United States and Israel. This is particularly evident in U.S. attempts to improve security ties to moderate Arab states through the provision of sophisticated weapons, which Israel views as a threat to her security.

The danger signs of a major confrontation, then, are apparent in United States-Israeli relations. The conflicting objectives make it incumbent on both countries to be scrupulous about maintaining ties and to strive harder to understand each other. It is in the mutual interest of both Israel and the United States to make a major effort to assure that a pattern of understanding and cooperation is reestablished.

It is within this context—the need for better understanding between the people, and the leaders, or our two countries—that I would like to share with my colleagues a letter which I received recently from a friend in Israel. The letter provides some critical insights into Israeli thinking and offers some recommendations for improved relations between our Nation and Israel.

My friend, Dan Bavly, noted that Israel is the only country in the world which is expected by almost all the international community to pay a price for recognition by its neighbors. The atmosphere of automatic and unconditional ostracism on the international scene, he said, cannot but stiffen the policies of any Israeli Government.

"When it comes to our relations with the Western democracies, even our friends with a very good general picture of the Israeli scene do not realize just how suspicious and bitter our disappointments have made us," he told me. "Israel no longer dares expect a fair deal from the international community."

I will ask to place the full text of the letter in the RECORD at the conclusion of this statement, but I would like to highlight five specific recommendations which my friend suggested might engender a more positive approach to questions regarding Israel and the Middle East:

First. Agreements are not technical documents, certainly not in the Middle East. Creating attitudes of trust is far more important and fertile than any stark, readymade mechanical solution. And it is with help toward this general climate of mutual confidence that friends, from both Europe and North America, can contribute.

Second. Do not rush to arm the Arab states. Rather than as a deterrent, the weapons are purchased to be used. The chief aim of the massive Arab military buildup is against Israel and will inevitably lead to more bloodshed.

Third. Accept Arab demands only if you feel bound to do so out of conviction, not out of fear.

Fourth. Help Israel not to become an outcast. Rather than ostracizing the country or allowing it to be banished, make it feel at home in the international community.

Fifth. Please stop moralizing. Apply the same standards you would if you had similar obstacles to those Israel faces. You might discover that Israel shows up rather well after such an exercise.

There is, I believe, much wisdom in my friend's recommendations. Applying the five principles he outlines could do much to improve understanding and to lead toward a better working relationship between our two nations.

If our interests, and the interests of peace, are to be effectively served in the Middle East, we need better communication, openness, and cooperation with our most important ally in the region. This will only be achieved if we give full recognition to the kinds of issues which Dan Bavly raised in his letter to me.

It is well and good for us to increase our level of assistance to Israel, as we did last year and are in the process of doing again this year. But that is not enough.

We need a strong commitment at the highest levels to work with the Israelis on behalf of our common interests. In his meeting with me before returning to Israel to take over the post of defense minister, Moshe Arens pledged to do all he could to reduce tensions and improve communications. Israel's decision to share its Lebanon experience information soon after his return to Jerusalem is a reflection of his personal commitment.

As one Member of the Senate, I will do all I can to see that Minister Arens' efforts are reciprocated. That is a message I passed on to him in the meeting we held. Earlier, in my February visit in my role as head of the liaison between the Senate Armed Services Committee and its counterpart committee in the Israeli Knesset, I attempted to convey a similar message.

But this commitment must extend beyond any group of Senators, any committee, or any group of individuals either in Congress or the administration. It must be a reflection of national will and of national policy.

If we take heed of my friend's letter—and of the five specific points he raised—we can go a long way toward achieving this essential goal. I commend the letter to the attention of my colleagues.

Mr. President, I ask unanimous consent that the letter be printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

APRIL 29, 1983.

DEAR BILL: In this mixed-up world, in which almost everyone knows what is wrong with Israel, our friends in the West often tell us how difficult it has become to defend the country nowadays; they find it hard to identify with it in general and with the positions of our Government in particular. On the subject, herewith are some comments you may find of interest:

To many foreigners, even the splendid performance of the judicial tribunal investigating the extent of Israel's involvement in the Sabra and Shatilla massacres was dimmed by what they saw as the failure of the Government to respond to the verdict as fully as they would have wanted. But the fact is that we did maintain our high standards and Begin was politically correct in removing Sharon from the Defense Ministry rather than fire him from the Cabinet. Out of government, Sharon could attract and organize the radical nationalist opposition into a group far more threatening than Rabbi Kahane's lunatic fringe; the danger of violence between Jew and Jew would substantially increase. Sharon cannot be put away in jail—having him in government without portfolio, stripped of the power he previously wielded, is the safest way. The great majority of Israelis, including the Opposition, are satisfied with the Government's response.

Israel is the only country which is expected by almost all the international community to pay a price for recognition by its neighbors. For a reversible exchange of ambassadors with Egypt, Israel last year irreversibly returned the whole of the Sinai peninsula; no one said thank you, but insisted that the Israelis continue to pay for recognition all round, with the minimum cost being

the complete return to the pre-1967 armistice lines. Such an atmosphere of automatic and unconditional ostracism on the international scene cannot but stiffen the policies of any Israeli government. There is no other country or similar body in the world that shares this experience.

When it comes to our relations with the Western democracies, even our friends with a very good general picture of the Israeli scene do not realize just how suspicious and bitter our disappointments have made us. Israel no longer dares expect a fair deal from the international community. The problems of the Middle East are not only endlessly aired over the media but in national and international political assemblies as well. Thus, the Security Council is busy with Israel, in one way or another, in about a third to one half of its sessions, the BBC spends twice as much time on the Middle East as on European security and the General Assembly of the United Nations spends a good part of its sessions on condemnations of Israel, with the moral rectitude of the international community represented by a range of countries from Uganda, Libya and Grenada (very often), to the nations of Western Europe, by way of the Communist bloc.

When European countries make proposals for Mideastern settlements which by-pass the Camp David accords and tend to outdo the United States in meeting Arab demands, Israelis believe that principles are being sacrificed to political or economic expediency and feel correspondingly disillusioned. To them, it is clear that the European Economic Community is in no position to assume any responsibility for whatever allowance it has made in its proposals for the safety of Israel. Europe has defence problems of its own, with which it is hard put to cope. Western eagerness to please the Arabs only enhances Arab intransigence and encumbers any progress towards accommodation. That, at least, is how it looks to Israeli eyes.

An Israeli friend offered the following recommendations, which might engender a more positive approach to these and other questions of the moment:

1. Agreements are not technical documents, certainly not in the Middle East. Creating attitudes of trust is far more important and fertile than any stark, ready-made, mechanical solution. And it is with help towards this general climate of mutual confidence that friends, from both Europe and North America, can contribute.

2. Do not rush to arm the Arab states. Rather than as a deterrent, the weapons are purchased to be used. The chief aim of the massive Arab military build-up is against Israel and will inevitably lead to more bloodshed.

3. Accept Arab demands only if you feel bound to do so out of conviction, not out of fear.

4. Help Israel not to become an outcast. Rather than ostracising the country or allowing it to be banished, make it feel at home in the international community.

5. Please stop moralizing. Apply the same standards you would if you had similar obstacles to those Israel faces. You might discover that Israel shows up rather well after such an exercise.

Towards these ends do not hesitiate to write or speak.

With best wishes,

Yours sincerely,

DAN BAVLY.

Mr. PROXMIRE addressed the Chair.

The PRESIDING OFFICER. The Senator from Wisconsin.

A RESOLUTION WITHOUT RESOLVE

Mr. PROXMIRE. Mr. President, later today we will settle our position on the budget resolution. I am going to vote against the Domenici-Baker substitute amendment for the budget resolution. Despite the long hours of debate and despite all of the commendable efforts of those involved, we are voting on an irresponsible, misguided compromise resolution that obviously reflects a lack of will to do what we must do, which is to cut spending and raise taxes.

Let us be clear about it. This resolution endorses deficits of about $200 billion a year as far into the future as we can reasonably see. We will be incurring these deficits during a period of economic recovery.

What does that mean? It means that millions of consumers will not be buying new houses, cars, and consumer durables. It means that many businesses will be trying to find credit to finance an expansion. And they will not find it. These private borrowers will run head-on into the Federal Government, which will be financing those staggering deficits. That collision will either damage the recovery, by raising interest rates, directly, or set off another bout of inflation, which also would skyrocket interest rates.

Mr. President, we find ourselves in this situation because a number of Senators evidently believe that deficits are less damaging than either increasing revenues or decreasing spending. That belief, over the past two decades, is what got us into the mess we now face. The Senate should have learned by now that these deficits will have to be paid for—one way or another.

Economists seldom reach a consensus on anything but nearly every economist agrees that deficits approaching $200 billion during the middle of a recovery are poison. Nearly every Senator agrees that deficits should be reduced. Yet when the resolution reaches the Senate floor, we move in exactly the opposite direction.

We scale back needed revenue increases, ostensibly because raising taxes now would harm the recovery. Little is said, however, about higher interest rates, caused by higher deficits, and how that will torpedo the recovery.

We add money to spending to appease the White House and powerful special interest group while, in the next breath, excoriating large deficits.

Mr. President, the Senate has made a choice, and a wrong one, I believe. We could have asked the American people directly to pay for these deficits. That would have meant more taxes and less spending.

The economy will have to absorb deficits which are unprecedented in peacetime. In 1968, at the height of the Vietnam war, the deficit reached 2.9 percent of GNP. Many people believe that deficit sparked the inflation which bedeviled the economy during the last decade. During the recession of 1974-75, the deficit reached 3.9 percent of GNP. During the late seventies, inflation once again exploded and the prime rate went over 20 percent.

We may now be slowly recovering from another recession. But the deficit this year will be 6.5 percent of GNP. This is a far higher percent of GNP than the deficit recorded in 1933, the worst year of the Great Depression when unemployment climbed to 25 percent. In percentage terms, this deficit is two-thirds higher than the one incurred in 1976 during the last major recession.

Mr. President, because deficits of this size are unprecedented, it is difficult to predict what their influence will be. Are credit-sensitive industries to be put through the wringer once again? Will the Federal Reserve, under political pressure, buy the Treasury debt, pump large amounts of money into the economy and ignite another round of inflation? Or will the recovery slow and sputter under the weight of these deficits?

We will be able to go home tomorrow and reassure the defense contractor that the money will continue to flow, make points with the teachers because of more money for education, and comfort the taxpayers by promising another tax cut in July. But 2 or 3 years from now, after the next election, how many of us will be willing to accept the blame when industry cannot find money to invest in new plant and equipment. How many will step forward to accept the blame when inflation begins its insidious growth. How many will explain to the frustrated couple looking for a new home: "Those large deficits I voted for 2 years ago are the root cause of your being unable to buy that new house."

How many? We all know the answer to that question—none.

Mr. President, we seem to have fallen rather casually into the habit of breaking new records. Unemployment hit a postwar high and we continue with business as usual. We run up more of a deficit in 6 months than we have incurred in any preceding year—any preceding year, Mr. President. That fact merits only a passing glance. Federal spending, as a percentage of GNP, reaches a peacetime high. Another ho-hum.

Business as usual will no longer serve, Mr. President. We need to stiffen our resolve and squarely face the Nation's economic problems. But with this resolution we continue to evade,

to procrastinate, and to hide. The Nation deserves better of us.

NUCLEAR ARMS CONTROL DOES NOT REQUIRE TRUSTING THE RUSSIANS

Mr. PROXMIRE. Mr. President, perhaps the most troublesome obstacle in the way of nuclear arms control is the widespread conviction in this country and in this Senate that we cannot trust the Russians. Many Americans are convinced they will cheat. So the question: "How can you make a contract or an agreement with a nation that will flaunt the agreement, that will not keep it?" But, Mr. President, as "Living With Nuclear Weapons," the Harvard study group's recent book points out, this is a half truth about arms control. The fact is that we do not have to trust the Russians.

What we have to do is to be able to verify that the Soviets are or are not keeping their promises. On Monday the Senate Defense Appropriations Subcommittee took several hours of testimony on arms control as a military strategy. At that hearing, I asked William Colby, the former head of the Central Intelligence Agency, whether we could verify a comprehensive nuclear freeze agreement with the Soviet agency. Few people in this country can speak with the authority of Mr. Colby on the capability of our intelligence system and the extent to which we can or cannot verify an arms agreement with the Soviets. For years his job was exactly this: to determine what the U.S.S.R. and especially its military forces were doing. He said that any cheating on a comprehensive nuclear freeze would have to be so substantial in order to give the Russians any kind of significant advantage that we would be able to tell.

I asked Colby this hypothetical question. "Suppose the Soviets were to construct a massive underground factory and turn out hundreds or thousands of cruise missiles and conceal these missiles deep underground. The cruise missile carries a tremendous nuclear wallop. But it is small."

Colby said that such a production effort would be detected by our intelligence even if it were far underground, because of the many activities and supplies necessary to feed such an operation and to carry off the necessary wastes. He said that we would not need onsite inspection to verify such an agreement.

Furthermore, as the Harvard study indicates, modern arms control agreements between superpowers usually include specific provisions to enhance verification of compliance. The study gives these examples:

1. The Antarctic Treaty (1959) guarantees that designated observers will have access to all areas of the Antarctic.

2. The non-proliferation treaty (1968) provides for international safeguards including on-site inspections to deter diversion of nuclear materials from civilian to military use.

3. The SALT I (1972) agreements prohibit deliberate concealment measures and other forms of interference with national technical means of verification including photographic satellites.

And the Harvard study also points out that:

Soviet secrecy would be an even greater problem for U.S. defense planners without the bonus of information that comes with verifiable arms control agreements.

REMEMBERING THE VICTIMS OF THE HOLOCAUST

Mr. PROXMIRE. Mr. President, for many years I have urged this body to ratify the Genocide Convention. I live in constant wonder why over the past 34 years the Senate has failed to act on this important treaty.

I am only left to think that despite atrocities of Nazi Germany, Cambodia, Surinam, East Timor, Iran, Armenia, and other countries that I and other Senators have detailed on the floor of the Sente, genocide remains too far removed, too elusive a concept for the Senate to grasp and deal with. Perhaps it is because of the magnitude of the horror that we fail to realize its tremendous consequences. Perhaps we can gain some perspective if we view the Holocaust as 6 million individual examples of brutal and premeditated murder.

A book, previously published in Europe and now available in this country, may help my colleagues to overcome the elusiveness that this difficult topic seems to carry.

The book, "Memorial to the Jews Deported from France—1942-1944," documents the personal histories of 80,000 Jews who were sent from France to Nazi death camps.

The book was compiled by Serge and Beate Klarsfeld, two noted Nazi hunters. At a press conference marking the American publication of this extraordinary volume, Serge Klarsfeld noted that 78 convoys traveled from France to the Auschwitz concentration camp between 1940 and 1944, carrying a human cargo that included Jews from 67 countries, many of these children separated from their parents.

In a small, yet important way, each time one of us reviews these photographs and life histories, we remember and reaffirm that each one of these victims lived.

I urge my colleagues to look at this book, and I do so in the hope that the personal histories of those killed may make the horrible act of genocide a little less elusive, a little more real, so that the Senate can get on with its duty and ratify the Genocide Convention.

SOVIET SPYING ACTIVITY

Mr. THURMOND. Mr. President, I have become increasingly concerned over the recent global upsurge of Soviet spying activity.

In the first 4 months of 1983 alone, 10 Western nations have expelled approximately 70 Soviet diplomats, journalists, and other officials on charges of espionage.

Sweden has recalled its Ambassador to the Soviet Union and protested through diplomatic channels Moscow's violations of Swedish territorial integrity in two recent cases of suspected Russian naval maneuvering.

This past April, France expelled 47 Soviet officials on charges of espionage, the largest Soviet group expelled since England deported 105 Russian citizens in 1971.

The United States, in addition to expelling three Soviet officials in April, deported members of Cuba's United Nations delegation on charges of intelligence activities. According to FBI estimates, there are approximately 1,000 Communist intelligence agents operating in the United States. Through their combined espionage efforts, the Soviets have allegedly been successful in acquiring details of American secrets dealing with: Radar system for the B-1 and Stealth bombers, F-15 look-down, shoot-down systems, and Phoenix air-to-air missile systems.

Soviet successes at obtaining both information and hardware for development of their own new weapons systems have reportedly saved that country billions of dollars in research costs, and have cut their weapons development time by several years.

Mr. President, the current rash of expulsions should serve as notice that the Soviets have not abandoned their goals of worldwide disruption and domination. All this activity comes at a time when there are those who argue that the Soviet Union is playing a minimal role in the crisis in Central America. Unfortunately, the truth of the matter is that, at this very moment, Cuban and Soviet intelligence personnel are feverishly aiding those who wish to oppress the citizens of Latin America and disrupt the lifestyles of those who strive for democracy in that area.

Mr. President, we should not take lightly this recent surge of Soviet spying activity. We should realize that the Soviet Union is enhancing its efforts to gain military and technical superiority over those who oppose their totalitarian system. Additionally, we should support the President's efforts to convince the leaders of other Western nations of the need for increased coordinated efforts aimed at preventing the Soviets from obtaining their goals through espionage.

Mr. President, I recently came across an article in the U.S. News & World

Report that describes this problem in some detail. I ask unanimous consent that a copy of this article appear in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From U.S. News & World Report, Nov. 8, 1982]

BEHIND LATEST SURGE IN SOVIET SPYING

Item: An allegation surfaces of a Soviet "mole" penetrating British intelligence and pinpointing nuclear weapons of Britain and the United States.

Item: A KGB spy master defects to the West with dossiers on Soviet secret agents in Europe and the Near East.

Item: A Polish banker operating as an undercover agent seeks asylum in the U.S. and provides the CIA and FBI with new details of Soviet-bloc intelligence operations.

Three spy thrillers in a matter of days have stripped bare Soviet-bloc espionage of a scale and gravity that is shaking counter-intelligence services around the world.

The disclosures in late October showed Soviet agents are tapping the free world's closest-held military and industrial secrets—often with alarming ease.

One report—of lax security at a top-secret British communications intelligence center—threatens to weaken U.S. cooperation with Britain in intelligence operations.

In this scandal, translator Geoffery Prime is accused of giving Moscow secrets that damaged the West as badly as the notorious English traitor Kim Philby did in the 1950s.

Offsetting Prime's alleged betrayal somewhat are the defections of Polish banker Andrezj Treumann and the KGB's top man in Iran, Vladimir Kuzichkin, who reportedly have exposed subversion plans of the Kremlin.

Sweden's recent effort to force a presumed Soviet-bloc submarine to surface in its waters showed just the military aspect of the espionage threat. No less worrying for Western authorities is the Kremlin drive to steal industrial secrets. Japan is a prime target for Soviet acquisition of high technology that cannot be obtained directly from the U.S.

The brazenness of the U.S.S.R.'s spying campaign is underscored by the growing number of expulsions of Soviet agents in diplomatic clothing from embassies worldwide—at least 21 from 11 nations in the first six months of 1982. Among them—

Last February Norway expelled two Soviet trade officials who tried to buy secrets from employees at plants producing components for the American-designed F-16 fighter.

Bangladesh in April kicked out two Soviet Embassy attachés who were tracked into a jungle where they tried to burn 588 reels of film.

In April, Spain deported two Soviet airline employees for trying to infiltrate the Spanish Air Force.

On October 2, Switzerland caught a KGB colonel and his wife using the neutral country as a base for spy missions.

U.S. News & World Report correspondents in major capitals find grave concern about Moscow's spying. This picture emerges in talks with intelligence exports and diplomats:

London

Britain has been shaken by what appears to be the most damaging penetration of Western intelligence since the time of traitors Kim Philby, Guy Burgess and Donald Maclean.

The latest treachery centers on charges against Geoffrey Prime, 44, who worked from 1968 to 1977 as a translator at the heart of Britain's electronic-intelligence network.

Prime reportedly stole secrets that enabled Moscow to locate all British and U.S. nuclear warheads, to learn day-by-day readiness of every NATO division, to identify Western spies, to discover which Soviet codes had been broken by the west and to plant false information.

Prime's role was leaked by U.S. officials who were angry about sloppy British security. One former employee of the British spy operation said security at the center—which works closely with America's supersecret, code-breaking National Security Agency—is "just about good enough to fend off a well-meaning drunk."

Prime Minister Margaret Thatcher faced heated questioning about the charges in Parliament. And one Conservative member, Geoffrey Dickens, said: "Our computers in this country appear to be leaking like sieves."

Aside from the penetration of the electronic-intelligence center, Russian spies in Britain are striving to obtain computer-technology secrets as well as details of operations in the North Sea oil fields. Of particular worry is the vulnerability of data in government computers. Civil-service operators are usually more poorly paid than those in the commercial field; many leave for better salaries, taking with them intimate knowledge of government techniques and becoming targets for subversion.

Tokyo

Soviet-bloc spies have focused in the past two years on prying into Japan's advanced industrial technology. Officials say this trend was accelerated by President Reagan's toughened embargo against the Soviet Union because of Russia's support for the martial-law takeover in Poland.

Targets of Soviet agents are Japanese technologies in ceramics, electronics, robots, optical fiber, genetic engineering, lasers, biotechnology, nuclear fission and fast-breeder reactors. Japanese ceramic materials, for example, could replace steel in the manufacture of lighter and stronger tanks, ships and planes.

Efforts by Tokyo to guard against espionage seem half-hearted. Stripped of military power after World War II, Japan has no antiespionage laws to back a crackdown.

In the past 37 years, Tokyo has uncovered only nine spy cases involving Russians, who safely fled while the prosecution focused on their Japanese accomplices. The spies are reportedly helped by 2,000 Japanese citizens recruited by Moscow while being held prisoners after World War II.

In one notable case in 1980, a major general in Japan's Self-Defense Force was given a one-year prison term for passing classified information to Soviet military attachés.

Bonn

West Germany is a hotbed of Soviet-directed spying, and authorities assume that Communist agents here number in the thousands. In 1980 alone, 33 persons were convicted of spying and more than 50 were arrested.

Last month, Bonn's annual official intelligence report detailed thwarted attempts by Poland's Deploma trading office in Düsseldorf to obtain plans for the electronic-guidance system for an American-made rocket. And the report said the Bulgarian Embassy tried to evade embargoes by ordering small quantities of a product from a range of companies. Eyed by the Bulgarians: Microelectronics, laser optics, radiation technology and semiconductors.

In March, the Bonn parliament learned of the expulsion of 10 Eastern European agents posing as businessmen. Investigators said much of the spying was done by "mixed firms" in which the agents operated businesses jointly with West German partners.

Authorities say Soviet-bloc agents increasingly use a technique of recruiting jobless workers who advertise for employment in West German newspapers. The job hunter is usually contacted by phone or mail and offered an expenses-paid trip to East Berlin, where he is pressured to start spying. Officials say 70 percent of all Communist espionage is handled by East German intelligence.

Paris

Soviet-bloc agents in France have a special mission. French police say that for the past two years they have focused on disinformation and destabilization.

One part of the strategy: Discrediting exiles and dissidents from Eastern-bloc nations. Action against exiles ranges from surveillance to beatings and even murder. Officials say the problem is growing because of pressures for human rights in Soviet-bloc countries and struggles against corrupt Eastern regimes.

Exiles working for Radio Free Europe have been beaten or sent parcels containing bombs. A Romanian journalist was stabbed 22 times in a Paris underground garage in 1981.

In the two decades before 1980, the French regularly expelled Soviet diplomats who were often caught with photocopies of classified French or NATO documents. One of the most ambitious plots, though never proved, involved the acquisition of plans of the French supersonic airliner Concorde that helped the Soviets to build the Tupolev 144.

The latest expulsion involved an assistant Soviet air attaché caught stealing equipment from an exhibit at a Le Bourget air show.

The French secret service, DST, has a special branch protecting some 400 "sensitive" firms here, both advising and shielding them from spies. But DST says that at least 70 percent of the "sensitive" information can be collected legally by spies without their resorting to breaking into offices or planting electronic snooping equipment.

Severe punishment has been meted out in a few cases of industrial espionage brought to light here. Last February, Marcel Abel was sentenced to five years in prison for mailing specialized pharmaceutical publications to East German security services—even though there was no proof his work had harmed French military or economic interests.

Geneva

Switzerland—traditionally a mecca for international spying—is a springboard for Communist espionage in Western Europe, and the counterintelligence task here is awesome. Geneva hosts a number of international organizations with a total of more than 15,000 employees and frequent personnel changes. One third of all persons involved in Swiss spy cases are diplomats or officials of international agencies.

Yet some "deserters" cast doubt on the effectiveness of KGB people in Geneva. One difficulty: They are poorly briefed and live

isolated in Soviet diplomatic quarters amid nepotism and bureaucratic game playing.

KGB operatives here reportedly become competitive in an unproductive way, trying to impress superiors and to prolong their stay in wealthy Switzerland.

Stockholm

Tens of thousands of shortwave-radio messages are now being beamed to Communist agents in Scandinavia, according to Swedish intelligence. The sensation in October over the suspected presence of a Soviet submarine in Swedish waters is only the latest in a long history of such incidents. Soviet-bloc submarines continually violate Swedish sovereignty to spy on defense installations and reconnoiter places that could serve as military bases in time of war.

Controls were tightened after a Soviet sub was found aground in 1981 in restricted waters near a Swedish naval base. But still, the Swedish military has investigated more than 50 reports of suspected foreign submarines since June. Unconfirmed reports say Soviet subs recently put ashore spies in the Stockholm archipelago.

Last October, Denmark expelled Valdimir Merkulov, a KGB case officer working under the guise of a diplomat. Merkulov arranged through a local KGB agent of influence to have 150 Danish artists sign an appeal calling for a Nordic nuclear-weapons-free zone and supplied money to place the appeal in newspaper advertisements.

Ottawa

A former security official of the Canadian government charges that the Soviet Union is deeply involved in at least two Canadian industries. Edmund R. M. Griffiths, now president of Sterling Risk Assessment Corporation, says the Soviets are locked into farm-machinery and auto firms.

He also says Parliament has shown little concern.

Griffiths—a former assistant to the Minister of Justice, the Attorney General and the Solicitor General—also complains that Soviet spies "get sanctuary in universities, but the educators don't want to allow counterespionage agents the luxury of competing on campus."

Canada expelled a Soviet diplomat in April for tryting to buy high-technology communications products that Western nations agreed not to sell to Moscow. Mikhail Abramov, the Soviet trade representative here, offered large sums of money to an unidentified Canadian businessman in an attempt to illegally export fiber-optic and other items.

In January, 1980, Soviet military attaché Igor Bardeev and two of his staff were expelled for trying to find out the electronic "black box" secrets of the American-made F-18A Hornet fighter plane that Canada was considering buying for its forces.

Singapore

Soviet spies are keenly interested in the Western Pacific and Indian Ocean because of increasing U.S. military activity in the region and because Russians now operate out of the former U.S. base at Cam Ranh Bay, Vietnam.

Attention on espionage in this area sharpened last year when three Soviet diplomats were expelled by the Malaysian government after the Prime Minister's political secretary was arrested and accused of spying.

Singapore in February expelled two more Russians on espionage charges, including Anatoliy Larkin, the second secretary at the Soviet Embassy.

Also in February, two Russians were kicked out of Indonesia. Intelligence sources say the two were getting oceanographic information on Indonesian waters from an Indonesian military officer. This information included details on water depths and density that would be invaluable to Soviet submarines seeking to enter the Indian Ocean without being detected.

The expulsion of Larkin is cited as a classic example of how Western governments often work at cross-purposes in combatting the KGB. Some sources say that Larkin, a senior KGB man, was ousted from Singapore to show the solidarity of Southeast Asian nations against Moscow—and not because he has picked up critical information.

In fact, Larkin, a playboy type who liked the good life, reportedly had already been tabbed as a potential defector. The CIA was about to approach him with an offer when the Singapore arrest came—blowing the whole operation.

THE WIDE NET OF SOVIET ESPIONAGE IN AMERICA

Wherever Soviet-bloc spies operate around the world, their No. 1 target is American military and industrial technology.

Enough cases have come to light in recent months to indicate the extent of their efforts in the U.S.

Gen. Vasiliy Ivanovich Chitov, a top espionage agent working out of the Soviet Embassy in Washington, was caught in February making a pickup at a message-exchange point. He was expelled the next day.

Two Cuban diplomats at the United Nations were expelled in July after customs agents intercepted a TV-satellite monitoring system they were trying to get out of the country.

A Polish espionage officer and a former executive of a defense plant in Southern California were sentenced to long prison terms last December in what the FBI called "one of the most damaging espionage cases uncovered in the country in over a decade."

A defector told the FBI last year that Soviet engineers who visited aircraft plants in this country as guests of the State Department wore special shoes that picked up metal shavings to be analyzed for their alloy content.

But publicized cases such as these are the exception. Most of the espionage-counterespionage war between the U.S. and Russia is hidden from public view. Sometimes spies are protected from prosecution by diplomatic immunity and are quietly sent home. More often, the FBI tries to get them to work for it.

In late October, the highest-ranking Polish banker in the U.S. defected and reportedly provided the FBI with valuable inside information on the Soviet-bloc espionage apparatus.

If it is not possible to convince a spy to defect or act as a double agent, he may still be permitted to operate but under FBI surveillance. "Otherwise," says FBI Director William H. Webster, "we run the risk that he will be replaced by someone that we do not know."

The number of Soviet-bloc spies active in this country certainly runs into the thousands.

More than a thousand espionage officers are known to be attached to embassies, consulates and to the U.N. in New York. They often work quite openly in efforts to gather information and recruit Americans as agents.

At technology conferences, they mingle, shake hands and avidly collect business cards.

How many Americans they have recruited is not known. Also hidden from view is the number of "sleepers"—spies sent here to remian quiet until they are activated for a particular espionage job.

The Soviet effort is also aided by more than 20 firms in this country owned by Russia or its Eastern European allies—serving as conduits for U.S. technology.

Although Soviet espionage agents sometimes seem to act as vacuum cleaners, scooping up anything they can get, the CIA says they work from lists of most-wanted technology carefully compiled by the Soviet State Committee for Science and Technolgy.

Says the FBI's Webster: "I do not think there's been another time in our history when our country has been under such a sophisticated espionage assault."

JERRY W. COOPER, TENNESSEE'S SMALL BUSINESS PERSON OF THE YEAR

Mr. SASSER. Mr. President, this is National Small Business Week, a week in which both the public and private sectors take note of the entrepreneurial spirit which has not only made our country great, but which serves also as the very backbone of our Nation's economy.

Indicative of that spirit is Jerry W. Cooper of McMinnville, Tenn. He is the State's Small Business Person of the Year. This honor is bestowed on an individual only after a rigorous process of nomination and review by councils, committees, and the Small Business Administration (SBA).

In order to receive recognition as Tennessee's Small Business Person of the Year, Jerry Cooper and his business—Cooper Manufacturing, Inc., a firm that designs and manufactures furniture and furniture parts—were judged on the following criteria:

First, the business' "staying power," that is, its substantiated history as an established business; second, the growth in the number of its employees, a benchmark by which to judge the business' impact on the job market; third, an increase in sales or unit volume, which is an indication of continued business growth; fourth, evidence of the improved financial condition of the business as reflected in its current and past financial reports; fifth, examples of the creativity and imagination of the business as demonstrated in the innovativeness of the product or service which it offers; sixth, how the business responds to adversity, as seen in the problems faced by the business and the solutions taken in resolving those problems; seventh, evidence of contributions by the business to aid community-oriented projects as illustrated through the personal time or other resources contributed to such projects; and finally, any initiatives the busi-

ness took to create new jobs, help reduce inflation, employ the handicapped or disadvantaged, save energy, or improve the environment.

In the explanation that accompanied the award to Jerry Cooper, the SBA outlined just why he managed to succeed and become Tennessee's Small Business Person of the Year:

In April 1973, Jerry W. Cooper and a partner founded Cooper Manufacturing Inc. to design and manufacture furniture and furniture parts and to buy and sell lumber and wood products. The partners found that although they purchased log-run lumber—the full product of the log—the furniture they wanted to make required only the middle grades, so they set out to locate customers who could use the upper grades for cabinet stock and lower grades for pallets and skids. A kiln that took six months to build and had been installed less than two months was destroyed by fire and completely rebuilt in 16 days. The company has been successful in marketing its kiln-dried lumber; sales in 1982 were $1.4 million, and employment is up to 42. Jerry Cooper is deeply involved in community projects. As President of the Jaycees in 1982. he worked on a project to build a camp for physically and mentally handicapped people of all ages at Cordell Hull Lake in Jackson County.

Mr. President, I am proud to know and represent Tennesseans such as Jerry W. Cooper, and I am pleased that he has been honored for his outstanding business record. It is a standard by which other businesses ought to measure themselves. It is also a good example of the reasons we have a National Small Business Week, because it has provided a forum for recognizing in people like Jerry W. Cooper the entrepreneurial spirit which serves as an inspiration to us all.

SOIL CONSERVATIONIST WINS NATIONAL HONOR

Mr. SASSER. Mr. President, my colleagues and I are very pleased to learn that a fellow Tennessean, Mr. E. B. Dyer of the USDA Soil Conservation Service in Nashville, has been selected to receive 1 of 10 Gulf Oil Corp., awards for professional conservationists in 1983. Mr. Dyer and his wife Sarah were in Washington this past Thursday evening to receive the honor.

He has been a career civil servant in the cause of soil and water conservation for 26 years, all of that time in Tennessee. His accomplishments are of lasting benefit not only to Tennessee and the Nation but extend even to other nations as well.

E. B.'s relationship to my family goes back many years when my father, Mr. Ralph Sasser, served as State conservationist of the Soil Conservation Service. I have had the pleasure of knowing E. B. and working closely with him on many issues over the years. He is truly an outstanding individual and an outstanding conservationist. He has demonstrated his professionalism and leadership abilities in many varied activities and in varied responsibilities including his present role as assistant State conservationist.

Within Tennessee, he has been a really innovative producer of useful information and ideas about natural resource issues—and an effective catalyst in motivating employees of SCS and other agencies, conservation district leaders, and farmers and their organizations to recognize the problems and work together to resolve them.

He has contributed as well to national programs through his model efforts in river basin planning, in watershed and rural clean water activities, and in targeting of information, education, and technical assistance toward solving critical soil and water problems through voluntary programs.

Because of his professionalism in the many aspects of soil and water conservation, he was selected by USDA in 1981 to represent the United States as a member of a four-person team to review and advise the People's Republic of China about soil and water problems. Not only were his recommendations in China helpful in designing programs over there, but also he escorted a group of Chinese conservation and agricultural officials on a 6-week tour of the United States.

He is a member of many professional, civic, and church groups, and has given extra measure to each of them just as he has on his regular job. He has given hundreds of lectures, speeches, and programs—and has helped many of these groups find a common purpose so that they can accomplish more working together than by their separate actions.

In fact, he helped form the Natural Resource Conservation Societies of Tennessee that provides a coordination and communication function for five professional conservation societies in the State. I participated in that group's conservation field day last fall that was attended by more than 500 people. The result is many more people who are active in caring for our State's natural resources.

E. B. was graduated from the University of Tennessee at Knoxville, in agronomy and soils. He also has received a master's degree in economics from North Carolina State University. He has combined technical knowledge with a love of people and the land and an ability to lead. He truly represents the best in Federal programs, and he has worked unstintingly to improve these programs.

I am glad that Gulf Oil Corp., itself has the kind of active interest in soil and water conservation that it devotes so much attention to recognizing dedicated people in the field—and I am glad that Gulf Oil saw fit to recognize E. B. Dyer.

THE MEMORIAL PLAQUE FOR THE AMERICANS WHO DIED ON THE IRAN RESCUE MISSION

Mr. THURMOND. Mr. President, the United States recently honored the eight brave Americans who gave their lives in the ill-fated Iranian rescue mission, a ceremony I and many of my colleagues had the high honor of attending.

Ambassador Bruce Laingen, who headed up our Embassy in Teheran and has since taken up the cause of honoring the Americans who died trying to free the 53 hostages, gave, perhaps, one of the most inspiring and moving addresses I have heard.

He spoke eloquently of freedom and of the bravery of the men on the Iranian rescue mission, soldiers who were ready to make the supreme sacrifice for their country. The recurrent theme in Ambassador Laingen's speech, however, was self-sacrifice, and how this Nation has always been blessed with men and women of great courage—people who give of themselves so that the torch of freedom will continue to burn brightly.

Mr. President, my colleagues who attended the unveiling and dedication of the plaque in honor of those who died in the Iranian rescue mission will long remember the ceremony. Indeed, it was one that we should never forget; and the plaque honoring the eight brave men who died in that tragic event will be a silent and stirring reminder to us and our children that freedom costs, and that there are those who have paid the price.

In order to share more about the dedication of the plaque and the ceremony at Arlington National Cemetery, I ask unanimous consent that the address by Ambassador Bruce Laingen, commemorating this historic event, be included in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

REMARKS BY AMBASSADOR BRUCE LAINGEN AT CEREMONY IN ARLINGTON NATIONAL CEMETERY

Mr. Secretary, Members of Congress, distinguished guests, families of those we honor, colleagues from the Tehran hostage group:

Three years ago those whose memory we honor today were members of a small band of valorous men, embarked on a mission of almost incredible complexity. Men persuaded by hope and filled with the exuberance of youth, bright eyed in a spirit of adventure and daring, confident and committed in teamwork.

But more than that—they were also men joined together because they cared; because they cared about something much larger than themselves. Because they cared about freedom; because they cared with special fervor about the freedom and welfare of 53 of their countrymen; and because they cared about the dignity of the human spirit.

Renewing in this way their commitment to those very fundamentals of individual freedom that have always been at the core of the American experience; reminding us of the commitment of all who respond to the call of public service. Reminiscent of an expression from Thomas Paine that those who expect to reap the blessings of freedom must undergo the fatigue of supporting it. Reminiscent also of a maxim attributed to another American patriot, Andrew Jackson, that one man with courage makes a majority. Courage was not in short supply at Desert One. The men on that mission three years ago made courage contagious.

This is not the time or place to make a judgment of the technical or political wisdom of what those men were asked to do, and of the resources made available to them. Their mission has been termed a failure. And it did fail, in the sense that none of those men reached their goal. And it was a terrible tragedy in the loss of these eight men.

But it was not a failure in other respects: in what was learned, and in the demonstrated readiness of that group of men to try, and to try against almost impossible odds. Nor was it a failure in the way they reaffirmed in that way America's espousal of freedom and in the example they set for all of us of personal courage and sacrifice.

Today we come to this place, so symbolic of sacrifice in our nation's history, to dedicate a simple plaque to their memory, and to their heroism; yes, and also to commemorate the courage and spirit of all who went on that mission, and the love of families that gave them the strength to try.

A plaque that can do little to ease the pain of the families of those who did not return. A plaque inevitably inadequate in terms of what we owe them. But let this plaque, this monument, be seen as something more as well; let this plaque—and its dedication today—be also a reminder of the sacrifice of those many unsung heroes in a far larger sense. All those in public service who give of themselves and, not infrequently, their very lives in responding to the call of duty; all those whose lives are lost in the daily task of training and exercises in maintaining our military deterrent in times of peace, at sea and on land (including those who died in the Indian Ocean while we were held in Iran), but whose loss sees so little public notice.

Yes, those too who man and who seek to protect our Embassies abroad in so many areas of risk—all of us reminded this past week by the tragedy of Beirut of what too often we take for granted in such service and where examples of heroism too often go unnoticed. Unsung, all of them, but heroes too, just as much as those we honor here today.

So let this memorial be a continuing memorial, one that is alive in our minds and preserved in our hearts, to all who even today risk their lives, their homes, their sacred honor in the defense of those ideals that have made us proud to be called Americans.

And now to you, eight brave countrymen, who tried to reach out to us; from 53 fellow Americans who did not and now can never know you, but whose freedom when it finally came was brighter because of what you tried to do and what your memory means to us; over the distance of that great unknown that in death divides you from us, but within the faith that unites us all; we salute you, we reach out to you in a spirit of undying respect, we will not forget.

I now ask Secretary Weinberger to join me in unveiling the memorial plaque.

TRIBUTE TO MAJ. GEN. ALBERT AKERS, THE COMMANDING GENERAL OF FORT JACKSON IN SOUTH CAROLINA

Mr. THURMOND. Mr. President, I rise today to call to the attention of the Senate an excellent example of civilian and military relations.

Recently, Maj. Gen. Albert Akers, the commanding general of Fort Jackson, S.C., was presented the Ambassador of the Year Award by the Greater Columbia Chamber of Commerce. General Akers received this award in recognition of his dedicated service to both Fort Jackson and the city of Columbia, S.C.

General Akers has epitomized the motto of Fort Jackson, which is "Victory Starts Here." Not only does victory begin with tough basic training, its bedrock is strong civilian support of the military.

His pursuit of excellence in training soldiers carries over to the fine relationship Fort Jackson enjoys with the city of Columbia.

Mr. President, General Akers is to be commended for the outstanding job he has done as commanding general of Fort Jackson and in developing a strong relationship between the fort—the Army's largest and most active training center—and the city of Columbia, and I ask unanimous consent that an article from the Columbia Record newspaper, concerning General Akers, receipt of the Ambassador of the Year Award, be included in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

AWARD DESERVED

Fort Jackson has enjoyed a sometimes capricious but largely fruitful relationship with the city of Columbia since World War I.

A beneficial reciprocity has occurred because there has been a consensus and an understanding on the part of the military and civilian communities that to have it otherwise would be merely an uneasy state of coexistence.

Through the years, Fort Jackson and Columbia have been fortunate to have as commanding generals civic-minded individuals who have blended well with the community outside the army installation.

None has fitted in better than the current commander, Maj. Gen. Albert B. Akers. For his community work, he was presented last week the annual Ambassador of the Year Award of the Greater Columbia Chamber of Commerce. Al Akers deserved it.

"Good relations are a must," Akers said in a recent interview. "Anything less is time consuming and debilitating and detracts from our mission. It's like a man who is quarreling with his wife. It's going to affect his job."

What he really said goes without saying, of course, but sometimes the obvious needs stating lest passivity and a "taking-it-for-granted" attitude allow relations between the civilian and military communities to degenerate imperceptibly into alienation and suspicion.

What may have begun as a marriage of convenience has for Columbia and Fort Jackson evolved through active good faith into a union of genuine respect and, yes, even affection.

REPORT ON BILATERAL TALKS WITH LEADERS OF MEXICO, PERU, AND BRAZIL

Mr. SYMMS. Mr. President, from March 25 to March 31, I participated in bilateral talks with political leaders, central bank chiefs, diplomats, and businessmen of Mexico, Peru, and Brazil in their respective homelands.

I returned with great admiration for the leaders I met, and I remain impressed by their courage in the face of distressing economic and social conditions. However, I must also report that I saw little to justify an expansion of the U.S. quota in the International Monetary Fund.

No matter how determined Latin American leaders may be toward correcting their problems, I do not believe that Government action alone can impose enough discipline to solve the economic and institutional inefficiencies that have led to the debt crisis. We would merely be throwing good money after bad, while doing nothing to promote efficiency and free enterprise in Latin America.

All Latin American governments are top heavy. That is, they maintain inefficient civil bureaucracies and lavish pension plans that sap the vitality of the private sector. With each loan we offer, the larger the public sector seems to get. This inefficiency is exacerbated by the continuing practice of political leaders to make the popular move and nationalize foreign investment while discouraging new investment. Denationalizing industries is an essential ingredient in encouraging foreign and domestic equity development.

It is not my intention to be smug, or to rudely lecture my recent hosts. The economic difficulties of Latin America—subsidies, protectionism, distorted prices, inefficient state enterprises, uncontrolled government expenditures, swollen deficits, and inflationary money growth—are also features of our own economy. Indeed, if we continue on the path we are on, it will be the debtor nations who provide the model of the future for the lending nations.

Mr. President, with this concern in mind, I would like to recount a report of my observations as a member of the delegation to Latin America lead by Deputy Secretary of the Treasury, R. T. McNamar.

I might say, Mr. President, as an American, I was extremely proud of

the job Mr. McNamar and Mr. Tom Conover, Comptroller of Currency, and Mr. Tom Dawson, Deputy Assistant Secretary for Developing Nations, did in representing the United States of America. I should also mention the marvelous support of Assistant Secretary W. Dennis Thomas. Each of these public servants and their staffs demonstrated their considerable talent in putting together such a tight and rigorous schedule.

We departed Andrews Air Force Base on Friday, March 25, and arrived in Mexico City 4½ hours later. Even the most worldly traveler has to gape at the Mexican capital, a sprawling metropolis of some 15 to 20 million souls. The wide avenues and promenades of the city are a sight to behold. And, of course, the capital is world famous for its unsurpassed anthropological museums and cultural attractions. Unfortunately, Mexico City is also known for its crowded, unsanitary conditions. The massive population is too great a burden, straining city services beyond capacity. Pollution is severe. It seems to me that any effort to restore the Mexican economy might do well to begin with a reformation of this great city.

Of course, Mexican urban problems do not concern us directly. However, we must note that there is an ominous potential for unrest in urban Mexico. The last Mexican Revolution was lead, in myth if not in fact, by the campesinos. Today, Mexican stability faces a potential threat not from the villages, but from the city—where un- or underemployment afflicts half of the adult population. We must support the Mexican Government in its efforts to alleviate this poverty, not just for humanitarian reasons, but to bolster the stability of our nearest and most important neighbor.

Yet, I cannot accept that the IMF offers the best channel for achieving this. Mexico had the opportunity with the high world price for oil and international lending in the last decade to industrialize efficiently.

This opportunity was squandered.

It does not appear to me that the Mexicans can even pay the interest on their loans, much less begin to pay the principal. It is a Catch-22 situation. If we continue to give them handouts, the inefficient practices will only be bolstered. If we fail to aid them, the Mexican economy might collapse, causing us a legion of immigration and economic problems. Recognizing this, I can only conclude that further aid would be counterproductive—until the Mexican Government reforms the public sector.

On Saturday, March 26, I attended a briefing on United States-Mexican relations from Ambassador John Gavin. Mr. Gavin is certainly an Ambassador the President can be proud of. Fluent in Spanish and well-known in Mexico, Mr. Gavin excelled as a graduate student under Dr. John Johnson, one of the great Latin Americanists of our time, at Stanford University. And, despite some U.S. press reports to the contrary, Mr. Gavin is well thought of in Mexico. He has earned the confidence of the Mexican Government.

In all, Mr. Gavin is a can-do man who eagerly assumes weighty responsibilities with joy. I compliment the President on his choice.

On that same morning, I heard the concerns of many American businessmen, worried about closed doors to their products. There were reciprocal concerns from the Mexican business community that protectionism was a growing issue in the next U.S. election.

To both groups, I stressed that most Americans believe that free trade and open markets would ultimately benefit both societies.

At the National Palace, we met with Jesus Silva-Herzog, the Mexican Finance Minister, and with Bernardo Sepulveda Amor, the Mexican Foreign Minister. I took the opportunity to ask several officials why Mexico expects assistance from the United States, but is unwilling to join our Government in an unequivocal denunciation of Nicaraguan and Cuban proxies of the Soviet Union operating in Central America?

The answer I received was inadequate.

Leaving Mexico on Sunday, our delegation arrived at Howard Air Force Base in Panama, where a quick inspection of the Panama Canal was arranged. This was not my first trip to the Canal Zone; I felt better about the zone in 1982 than now.

While I opposed the Panama Canal Treaty, I have to compliment the State Department on its administration of the transfer agreement. I am especially impressed by the fine performance of the Panama Canal Commission, under the able direction of Retired Gen. D. P. McAuliffe and his resourceful deputy, Fernando Manfredo, Jr.

With such competent administration, more tonnage passed through the Canal in 1982 than ever before.

But the housing of the Canal, under Panamanian stewardship, is deteriorating. The railroad remains in disrepair. The Panamanians are short on capital because much of their Canal profits are paid on international loans. Panama has high unemployment and a low average age for the population; not a recipe for social stability. While Panama is second only to Costa Rica as a model of stability for the region, I am not confident that it will remain so. Havana makes its presence felt throughout Central America. Indeed, there are some 6,000 Communists in Panama itself.

Arriving in Lima in the evening, we attended a reception at the National Palace hosted by President Fernando Bellaunde Terry, a former architect with bold ideas for rebuilding Peru. The President escorted us to a palace room where we saw displays of impressive public works projects. With obvious pride, he showed us plans for great highways to connect the urban coast with the vast interior east of the Andes. He spoke of agricultural expansion. And he told us of a project, now underway, to bore a tunnel through the mountains to open a mammoth hydroelectric and irrigation project.

On Monday, I was impressed by the free-market attitude of the Peruvian Finance Ministry officials. They have made truly heroic efforts to anticipate IMF conditions and to abide by them. One example of Peruvian fiscal sense, in contrast to Mexican practice, stands out in my mind. The Peruvians charge the going rate for the use of their transportation system. Such a frugal cut in state subsidies is unpopular, but it is eventually fairer to everyone.

That afternoon, we conferred with U.S. businessmen and our Ambassador, Frank Ortiz, an outstanding and capable diplomat.

Yet I cannot say that I left Peru entirely satisfied with everything I had seen. As a Peruvian official confided in me, the military, a client of the Soviet Union, casts a long shadow over the National Palace. As you might expect, any criticism of the military by Government officials is made in hushed tones.

I would recommend that those Americans who have qualms about selling U.S. arms to foreign government should visit Peru. Taxiing down the runway at the Lima Airport, sightseers can take in an impressive catalog of Russian weapons, jets, and helicopter gunships. Wherever there are many Soviet weapons, there are also Soviet advisers. And wherever there are Soviet advisers, there are sure to be Soviet KGB agents. Thus, the Soviet Union, in Peru, maintains a constant and malignant presence for all of South America. Oh, how I wish the Peruvian military had U.S. equipment, sans advisers.

Nor is the military the only threat to the Peruvian Government. Since my recent visit, terriorism has markedly increased there. The Sendero Luminoso, a group of self-styled Communist revolutionaries, massacred 80 villagers in the nation's central highlands.

Arriving in Brasilia on Monday, I participated in bilateral talks with the Brazilian Minister of the Economy, the Central Bank President, the Minister of Planning, and many legislators on the following day, But one man dominated my impression of Brazil, President Figueiredo—an impressive man with any title.

In fact, the Brazilian President reminds me greatly of our own President. He is robust, charismatic, an attentive listener, and he has a marvelous sense of humor. He is also direct and uneqivocal in his belief in the urgent need to keep Soviet influence out of Central America, and the Americas in general.

I was also delighted by the quality of our representation by Mr. Langhorne A. Motley. Mr. Motley, like Mr. Gavin and Mr. Ortiz, is fluent in the language of his hosts. Mr. Motley spent the first 18 years of his life in Brazil; in fact, his mother still lives in Rio de Janeiro. He was a dual citizen until the time of his confirmation. You could not ask for a better representative than that. But Mr. Motley has more to recommend him than his birthright. He is a capable and decisive ambassador of great service to the United States.

If you fly across Brazil, an awesome expanse of pristine forests, tropical jungle, and rolling savannah opens up before you. Brazil is larger than the continental United States. One can hardly call this South American giant a Third-World country. Already a booming commerical center when Jamestown was a primitive village, Brazil is now an industrialized nation of 120 million people. Brazil has marshaled its potential to create the world's largest hydroelectric power project at Itaipu, to build automobiles, to produce steel and synthetic fuels. As Brazil continues to focus its energies inward, toward its largely untapped resources, I can't help but wonder how much commercial and industrial competition they will some day pose for us.

And, I expect, there will be considerable competition from Brazilian agriculture. Given the inexhaustable amount of land, the enormous water resources of the Amazon River basin and their propitious climate, we may well see Brazil become a leading agricultural exporter as well.

Brazilian economic progress has, historically, been hampered by the tendency for its inhabitants to cling to the coast. I believe that the Brazilian economy will reach the take-off point when a truly continental highway and railroad network is constructed. With such a network, the infrastructure for mass movements of resources will be open. Only then, will Brazil's potential as a superpower be realized.

Returning from Brazil that Thursday, March 31, I concluded that I had seen nothing to justify the $8 billion International Monetary Fund extension that was eventually favored in the Senate Budget Committee, without my vote.

I am not callous to the hardships experienced by these three nations. But it is apparent that the IMF is offering no creative solution to the structural problems inherent in Latin American economics. Indeed increased indebtedness is likely to be the only result of further loans under current IMF policies.

The IMF should seek to tighten lending conditions. These countries must, if they are going to accept IMF aid, begin to implement economic policies in their countries which will encourage foreign and domestic investment. They must denationalize industries, reduce tariffs on imports, eliminate the rigid exchange rates and, cut their excessive spending on social programs.

The closed doors to our farmers, our oil producers, and our businessmen must open up.

Also, nations that accept our support must carry their weight to protect our security and the hemispheric integrity of the Americas.

Ultimately, it is the strategic priority that must come first. We should seek support among our southern neighbors to root out the insidious influence of Soviet-backed revolution. This is not to say we should ignore Latin American social conditions—or the abuse of human rights in Central America. These problems also represent a threat to stability in Central America.

In the end, there is only one way to encourage respect for human rights. That is to encourage prosperity and independence—the prime results of the free-enterprise system. It is only with a free market and respect for property rights, that we will ever see a system in Latin America that respects individual rights. And, the development of a free-market economy in Latin America is the only, and I mean the only, way to make our loans sound.

I remain unconvinced that an extension of U.S. participation will address this need for fundamental change. Only the Latin Americans themselves can opt for free enterprise and growth.

Mr. PROXMIRE. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll

The assistant legislative clerk proceeded to call the roll.

Mr. BAKER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Is there further morning business? If not, morning business is closed.

FIRST CONCURRENT BUDGET RESOLUTION—FISCAL YEAR 1984

The PRESIDING OFFICER. Under the previous order, the hour of 10:30 a.m. having arrived, the Senate will now resume consideration of the unfinished business which the clerk will state.

The legislative clerk read as follows:

A Senate concurrent resolution (S. Con. Res. 27) revising the congressional budget for the U.S. Government for the fiscal year 1983 and setting forth the congressional budget for the U.S. Government for the fiscal years 1984, 1985, and 1986.

The Senate resumed consideration of the concurrent resolution.

AMENDMENT NO. 1243

The PRESIDING OFFICER. The pending question is on the Domenici-Baker amendment No. 1243 in the nature of a substitute.

The majority leader is recognized.

Mr. BAKER. Mr. President, the distinguished chairman of the Budget Committee and the distinguished ranking minority member of the committee are deep in conversation. I have no idea what will come of that, but I gather from that conversation they are not ready to go yet. I have discussed with them the request I am about to make next and they have no objection. I hope other Senators will not.

Mr. President, I ask unanimous consent that it may be in order to suggest the absence of a quorum with the time charged equally against both sides.

Mr. DOMENICI. Reserving the right to object, I just want to tell the leader what we were talking about.

Mr. BAKER. I am probably happier not knowing.

Mr. DOMENICI. The distinguished Senator from Florida went turkey hunting this morning, and he got a turkey. We were talking about turkeys.

Mr. BAKER. I am tempted beyond all measure of restraint to remark on the other turkeys that we have to deal with.

Mr. DOMENICI. I commented knowing full well that the Senator might, but I beg him not to.

Mr. BAKER. All right. I agree.

Mr. President, I put the request.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. BAKER. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BAKER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

RECESS UNTIL 11:30 A.M.

Mr. BAKER. Mr. President, there are Members absent from the Chamber who are engaged in other matters that are important, and for a variety of reasons it does not appear possible to proceed with the consideration of this resolution at the moment.

I ask unanimous consent that the Senate stand in recess until 11:30 a.m. today.

There being no objection, the Senate, at 11:06 a.m., recessed until 11:30 a.m.; whereupon, the Senate reassembled when called to order by the Presiding Officer (Mr. DOMENICI).

RECESS UNTIL 11:45 A.M.

Mr. BAKER. Mr. President, the same circumstances that suggested the desirability of a recess earlier until 11:30 a.m. still obtain. It is unlikely that we are going to be able to do anything before 12 o'clock noon, but since there is a possibility we can and since there are certain Members I know of on this side of the aisle who are anxious to leave at 12 noon for another commitment off the floor, what I am about to do is to recess until 11:45 a.m. with the understanding if we need to recess longer than that we will.

But for the moment, Mr. President, I ask unanimous consent that the Senate stand in recess until 11:45 a.m. today.

There being no objection, the Senate, at 11:31 a.m., recessed until 11:45 a.m.; whereupon, the Senate reassembled when called to order by the Presiding Officer (Mr. PRESSLER).

RECESS UNTIL 12 NOON

Mr. BAKER. Mr. President, we are still not ready. That is what it boils down to. There are good reasons for this. A number of Senators are directly involved in these negotiations, the complex issues which must be resolved with respect to the next steps to be taken by the Senate.

Mr. President, I think it is not unreasonable to ask the Senate to stand in recess until 12 noon, which I now do.

There being no objection, the Senate, at 11:45 a.m., recessed until 12 noon; whereupon, the Senate reassembled when called to order by the Presiding Officer (Mr. GARN).

RECESS UNTIL 12:15 P.M.

Mr. BAKER. Mr. President, I regret to say that the principals involved in the debate need a little more time once again. I ask unanimous consent the Senate stand in recess until 12:15.

There being no objection, the Senate, at 12:01 p.m., recessed until 12:15 p.m.; whereupon, the Senate reassembled when called to order by the Presiding Officer (Mr. ARMSTRONG).

RECESS UNTIL 1 P.M.

Mr. BAKER. Mr. President, by way of advising the Senate on the current status of the situation, the minority Members of the Senate are at this moment in caucus, or about to go into caucus. I am advised by the minority leader that they will require approximately 45 minutes.

Therefore, I ask unanimous consent that the Senate stand in recess until 1 p.m.

There being no objection, the Senate, at 12:15 p.m., recessed until 1 p.m.; whereupon, the Senate reassembled when called to order by the Presiding Officer (Mr. GORTON).

RECESS UNTIL 1:20 P.M.

Mr. BAKER. Mr. President, it has been brought to my attention that the caucus of Democratic Members of the Senate is still in progress. I have received a request from that side to extend the recess for 15 minutes. Therefore, I ask unanimous consent that the Senate stand in recess until 1:20 p.m.

There being no objection, the Senate, at 1:01 p.m., recessed until 1:20 p.m.; whereupon, the Senate reassembled when called to order by the Presiding Officer (Mr. DURENBERGER).

Mr. BAKER. Mr. President, I believe the principals are now here and we are ready to proceed, and I see the manager of the bill, the chairman of the committee, is on deck.

It has been pointed out to me that for a variety of reasons not all related to time of debate, but in part related to the charging of that time for quorums and the like, there exists a substantial advantage of time in favor of the minority and against the majority.

I do not wish to preempt the chairman's position, but I wonder if I might inquire of the minority leader if there would be some disposition, now that we are coming to the home stretch, to move toward equalization of time for the remainder of time remaining?

The PRESIDING OFFICER. The minority leader.

Mr. BYRD. How much time remains on each side on the budget resolution?

The PRESIDING OFFICER. The Senator from New Mexico has 1 hour and 40 minutes and the Senator from Florida has 3 hours and 46 minutes.

Mr. BYRD. He has 2 hours and 6 minutes more than the Senator from New Mexico.

The Senator from Florida (Mr. CHILES) and I have discussed this with others and we are willing to yield 45 minutes of our time on the resolution to the majority.

Mr. BAKER. Very well.

Mr. President, I thank the Senator and I assume there is no further requirement for action by unanimous consent. The Senator may do that under the act.

The PRESIDING OFFICER. The Senator is correct.

Mr. BAKER. I thank the minority. It is a very generous gesture and will expedite the proceedings at hand.

Mr. President, the pending question is the Domenici substitute, is it not?

The PRESIDING OFFICER. It is.

Mr. BAKER. We have spent a fair amount of time today not talking about the Domenici substitute, and I wonder if there is much reason to not talk about it much longer or if we can get on with a vote or some sort of thing on that amendment?

Mr. DOMENICI. Mr. Leader, from my standpoint might I first join you in thanking the distinguished minority leader and the distinguished Senator from Florida for yielding us 45 minutes to somewhat equalize the time.

Having said that, I am prepared, Mr. Leader, to yield back the remainder of my time on the Domenici substitute.

I had a request from Senator ABDNOR who wanted to speak for 1 minute.

Mr. ABDNOR. Mr. President, we are all well aware that this compromise budget resolution does not have overwhelming support from anyone, but it is the best concensus at which we can hope to arrive. As we all know, the President is not very satisfied with either the levels of defense spending or social spending which it contains. On the other hand, those who favor reducing the deficit through additional taxes are not totally satisfied either. Still, this alternative is both a reasonable and fiscally responsible version of a budget. It is my hope that it is something upon which we can agree.

The 7.5-percent figure for real growth in defense spending recognizes the serious situation we face in light of the massive Soviet military buildup of the last two decades. While this figure is entirely reasonable and defensible in its own right, the truth of the matter, as we all realize, is that whatever number we settle on will be our starting point when we go to conference with the House.

The House approved only a 2.3-percent increase. That means the final figure will be somewhere between the House and Senate figures. We should bear in mind that the President originally requested more than 10 percent in real terms.

It is interesting to note that the debate on defense spending has shifted significantly during the past 2 years. Hardly anyone in Congress is calling for defense cuts. The real debate involves how much of an increase should be granted. This indicates that Members of Congress understand the nature of the formidable threat facing this country.

As a more general rule, we would do well to keep in mind that whatever budget resolution this distinguished body finally approves will have to be taken to conference with the House. The resolution passed by that body threatens to destroy virtually every bit of progress achieved in recent years.

The House would raise social spending to the point that 97 percent of the

savings we have been able to make in social welfare programs in the last couple of years would be lost. This would be a huge step backward. Funding for many of these programs has actually been increasing, but the actions we have taken in the recent past have successfully slowed the rate of this increase from what it otherwise would have been.

To finance all of this extra spending, the House would raise taxes $315 billion over existing law for the next 6 years. That is $315 billion that would come straight out of the pockets of American workers who are trying to support their families. The massive taxes and huge deficits the House would have us approve so that we can return to the big-spender policies of the past is a prescription that is guaranteed to destroy economic recovery. The spending restraint Congress has shown in the last 2 years has finally instilled some confidence in the private sector of the economy. Whatever kind of resolution we pass here is going to have to be compromised with a House budget that would obliterate the confidence of the financial community so essential for a return to prosperity.

As far as total outlays are concerned, this substitute includes the savings achieved by the Senate Budget Committee. On the revenue side, however, it does away with the requirement that we somehow come up with some $30 billion in short order for fiscal 1984. Unless we succeed in modifying this mandate, it would seem that there are only a limited number of ways to make this money appear.

We can either increase existing taxes, impose new ones, repeal the third year of the tax cut, do away with indexing, or resort to a combination of some or all of these. While the desire to reduce the size of the massive Federal deficit is certainly admirable, in fact some of us have been voicing our concerns about deficits for years, these alternative ways of increasing revenues are simply not acceptable under current economic conditions.

The problem with adding new taxes or increasing the ones we have is that the American taxpayer is already taxed to the hilt. In recent months we have added a nickel to the gas tax and raised contributions to social security. If taxes are now raised even more, the standard of living of workers will decrease. Even more disturbing, many more Americans are going to find themselves without a job as the economy suffers distortions brought about by excessive taxation.

In recognition of the heavy burden on the taxpayer and on the economy as a whole, Congress passed the 3-year program of tax relief. The Nation now is beginning to reap the benefits of that action. Unemployment is on its way down, productivity is increasing, interest rates, although still too high, are at their lowest point in years, and this is all happening during a time when inflation is at a relative snail's pace. There still is a long way to go, and we should hesitate to change direction by junking the third-year cut at such an early stage of recovery.

The most serious mistake we could make, however, would be to eliminate or delay the indexing of personal income tax rates presently slated to begin January 1985. Dropping indexing would enable us to levy more taxes on the public without having to face them with the truth of what was happening. As a matter of fact, the lack of indexing is to a large extent responsible for the economic problems which are now confronting us. As long as we had rapid inflation as in the late sixties and all through the seventies, Congress did not need to raise taxes to increase revenues—it happened automatically as taxpayers who were making no more in terms of constant dollars nevertheless found themselves vaulted into higher tax brackets.

With such "painless taxes," and by that I mean painless only in the sense Members of Congress did not have to admit voting for tax increases, Congress did not have to control spending. Instead, a herd of new programs was set loose, and you can be sure the resulting backdoor tax increases have been plenty painful for the average American. Now this herd of new programs is threatening to trample us all in the form of huge deficits.

Doing away with indexing may be a short-term way to raise a few extra dollars, but it is also the best way to assure that we will soon return to the free-spending policies which got us into trouble in the first place.

The best way to deal with the serious deficit problem is through economic recovery which both increases revenues and cuts spending. But, the best way to kill economic recovery while still in its early stages is to tax it to death. The alternative resolution we are now considering avoids this serious mistake. All in all, it is a very workable and responsible approach to a very serious fiscal problem. I urge my colleagues to support it.

Mr. DOMENICI. Mr. President, I thank my friend. I might say with all the things that have been said about the substitute here, the Senator's words are very kind and I appreciate it.

I say to the distinguished Senator from Florida that I had one request from Senator TOWER, and we just want to check real quick to see if he still wishes to speak, if we could have a couple of minutes.

Mr. President, the request that the distinguished Senator from Texas (Mr. TOWER) made of me was on yesterday, and I understand that if he has a statement he will place it in the RECORD and, therefore, I have no further requests, and I am prepared to yield back my time that I have on the substitute, and I do so.

The PRESIDING OFFICER. The Senator from Florida has 58 minutes remaining.

Mr. CHILES. Mr. President, I had one request from the Senator from Oklahoma.

Mr. BOREN. Mr. President, this proposal before us will add $1,800,000,000 to the national debt between now and 1988. There is no way that my conscience will allow me to vote for it. Even the most elementary understanding of economics would lead one to conclude that deficits of this size will force such huge Government borrowing that interest rates will be pushed up and any fledging economic recovery will be choked off.

All of us know the facts. The argument in both the Democratic and Republican cloakrooms is, When will the interest rates be forced up? Politicians are wondering whether the interest rates will go up before or after the 1984 elections. They are not asking "if" it will happen but only "when" it will happen.

When will we stop playing politics? When will we try to stop pretending that deficits do not matter? When will we stop trying to fool the people by saying that we can write a responsible budget without affecting revenues, defense, or entitlement programs. We cannot exempt from consideration 100 percent of the income and 80 percent of the spending and still write a responsible budget.

We are underestimating the understanding and patriotism of the American people. They understand that deficits do matter. They know that without controlling the budget, there can be no real economic recovery. They are willing to make sacrifices as long as they are reasonable and are shared by all. Congress and the President, including members of both parties, are failing to provide the leadership which is now desperately needed.

The Hollings proposal and the Johnston-Nunn proposals for sharply reduced deficits brought about by a fairly distributed and shared sacrifice should be reconsidered by the President and by others who in the past have professed to be for balanced budgets.

DEFICITS, DEFICITS, DEFICITS

Mr. EAGLETON. Mr. President, in August 1981, we enacted the Kemp-Roth tax bill and instituted the era of Reaganomics. Today, as we vote on the 1984 budget, we are reaping the bitter harvest of that fundamentally flawed economic policy.

Today's and tomorrow's colossal deficits should come as no surprise. When you deplete Federal revenues by $1 trillion 1984-88 and massively in-

crease defense spending to $1.7 trillion 1984-88, you do not have to be a Price-Waterhouse accountant to see that you are creating a giant sea of red ink. Senator DOMENICI and Senator BAKER in their version of the budget anticipate accumulated deficits of $1,008 trillion from 1984 to 1988.

I remember the shock that ran through this place when President Carter submitted his fiscal year 1981 budget with a deficit of $16 billion. Imagine that—a $16 billion deficit from a President who had come to office on a pledge of balancing the budget.

We forthwith made him take that budget back. In fact, he submitted three budgets that year in an effort to calm the alarm that deficit figure was creating in Congress and in the financial markets.

I served on Majority Leader BYRD's task force which was charged with the painful duty of trying to bring the budget into balance. I think we did a respectable job, but the Iranian Revolution and the explosion of OPEC oil prices that followed undid most of our work. We finished the year with a $57 billion deficit and Ronald Reagan entered the White House.

Candidate Reagan told the American people he would balance the budget if not in 1983 then certainly in 1984.

Thus, when President Reagan submitted his version of the fiscal year 1982 budget, he projected the following deficit picture.

Fiscal year:	*Billions*
1982	−$45.0
1983	−23.0
1984	−+.5

Instead, we have the following:

Fiscal year:	*Billions*
1982	−$110
1983 (estimated)	−204
1984 (estimated)	−200
1985 (estimated)	−185

Put another way, Ronald Reagan in his term of office will add more than two-thirds as much to the national debt as all of his predecessor Presidents put together. The debt was $1 trillion when he began his term and it will be over $1.7 trillion when he completes it. Pretty neat trick from a man who used to balance the budget every night while he was on the General Electric banquet circuit.

Well, what is the significance of all this? Is it just a big numbers game that has no real meaning? Is this just another great American con job?

There is enormous significance, I submit. I will mention but two major consequences of all of this deficit business.

First. Aborting the recovery: With an economy as dead as ours, with factories, equipment, and people so terribly underutilized, the impact of these deficits will not be directly felt in 1983 and 1984. There is little risk of "crowding out" in 1983 and 1984 because businesses will not be massively in the credit markets in those years. But in 1985 and thereafter, you run the almost certain risk of crowding out galore.

Under the resolution before us, 65 percent of the investment capital in the Nation's capital markets will be absorbed by the Federal Government in 1983 just to cover the deficit. In 1984, it will be 57 percent, and 51 percent in 1985 if all goes well. But, how can all go well? What is left for business and industry to rebuild? What is left for housing? What is left for investment in all those high-tech industries the President says is our best hope to provide jobs?

In the past 25 years, Federal participation in the credit markets averaged only 20 percent. Today it is 38 percent, tomorow it will be 65 percent, and under this resolution it will be 51 percent in 1985 when business may want to do some very substantial borrowing.

When and if that occurs, interest rates will climb upward and we could be plummeted into yet another recession.

Second. Shackling the future: By creating an unending sea of big, bigger, and biggest deficits for the remainder of the decade of the eighties we are, by delayed paralysis, crippling future Congresses and future Presidents. Mandrake the Magician would have trouble working around this deficit stranglehold. Cutting the defense budget will be very hard with many new, expensive weapons cramming the pipeline. Entitlements will continue on their merry, uncontrolled way. If inflation returns, you will have the mad momentum of indexing causing expenditures to ratchet up and revenues to ratchet down.

The 1984 election will tell us whether Ronald Reagan or some Democrat is the political inheritor of the delayed miseries of Reaganomics. Whatever the electoral case may be, I perceive the inheritance to be a haunted legacy.

Mr. MITCHELL. Mr. President, I intend to vote against this budget resolution for the simple reason that it fails to meet the test of responsible budgeting.

The process of drafting a budget for fiscal year 1984 began in a bipartisan fashion in the Senate Budget Committee. There, Republicans joined Democrats in reporting out a budget that, while not perfect by most standards, represented a good start on a 1984 budget.

The most critical element of a 1984 budget is a demonstration of Congress intent to reduce Federal deficits, particularly after the economy recovers from the recession. According to most economists, it is the prospect of continuing massive deficits in the foreseeable future that is preventing interest rates from falling further. This prospect is making investors reluctant to commit funds at reasonable rates of interest. As long as interest rates remain at high levels, economic recovery will be weak. Consequently, the most important contribution that Congress can make to a sustained recovery is to show a serious commitment to reduce deficits in the next several years.

The bipartisan budget reported by the Budget Committee, although its deficits were still too high, achieved significant progress in reducing future deficits. The fiscal year 1988 deficit represented a 54-percent reduction from the deficit that would occur with no action. Furthermore, the 1988 deficit would have been 22 percent below that recommended by President Reagan. Thus, whatever the faults of the Budget Committee's resolution, it endorsed policies that would have substantially reduced deficits. Furthermore, the bipartisan nature of the budget would have given some assurance to the financial markets that these policies would have been implemented.

Rather than continue this bipartisan process, Senate Republicans retreated behind closed doors and drafted their own budget. This was necessary, not because the original budget was inadequate, but because some of its provisions were embarrassing to President Reagan.

Most budget analysts agree that recent congressional actions taken in defense spending and tax cuts are major factors in projected Federal deficits. By addressing these causes of high deficits, the Budget Committee's resolution was a responsible effort. Specifically, that budget scaled back future tax cuts, but retained those tax cuts that are already in place. The budget also moderated defense growth, which allows us to meet our security needs within our Nation's fiscal capacity. By achieving significant savings in these areas, this budget was able to reject the administration's proposals for further deep cuts in domestic programs.

The Republican substitute does not have this balance. While it retains the original budget recommendations for domestic programs, it reverses the savings in the defense and tax areas. Rather than engage in debate over the appropriate level for defense spending, Senate Republicans have engaged in a numbers game that is designed to save face for the President. A similar situation exists regarding revenues, where the question of the role that revenues can play in reducing deficits is overshadowed by the symbolic importance of the 1981 tax cut.

The inevitable consequence of these budget policies is massive deficits. The policies recommended by the Republi-

can budget will produce a 1988 deficit of $220 billion, which exceeds the committee budget deficit by 77 percent. This is exactly the wrong fiscal policy, if we want a stronger recovery. This budget sends a message to the financial markets that Congress, for political reasons, cannot agree on ways to reduce the deficit.

The Republican substitute attempts to paper over this defect in two ways. First, the budget presents forecasts for only 2 years, in order to avoid admitting to the consequences of its policies for the deficit. Second, language is included that states Congress intent to lower the deficit in future years.

This approach is wholly inadequate. It reinforces the attitude held by many in the financial community and in the public in general that Congress is unable to agree on specific measures to lower the deficit. Moreover, it reflects a misunderstanding of the task confronting Congress. What is needed is action to be taken now to reduce the deficit over the next several years, not a vague commitment to take action at some point in the future. Under the Republican substitute, those in business, labor, and the financial community must continue to deal with the uncertainty over future Federal budget policies.

In sum, this resolution is not a responsible answer to our economic and budgetary needs. I am hopeful that the conference with the House will produce a better budget plan.

Mr. TOWER. Mr. President, one of the continuing problems of American Government, a problem central to the debate in the Senate on this year's budget resolution, is the increasingly difficult time we seem to have in establishing a national policy course and staying on it. Americans are by nature impatient. This impatience has generally been an asset, for it has caused our people not to accept the status quo and to always work energetically to improve life in our country. But impatience when continually applied to basic national public policy tends to create only uncertainty; it tends to undermine confidence in our Government and in our economy.

For one of the few times in the last 20 years in the United States, Americans made a clear choice in 1980 when they elected a President about the direction in which this country should move. When they went to the polls just 2 years ago, a majority of Americans seemed to say these things:

First. We must insure our national security at any price.

Second. We must leave with each wage earner the maximum possible percentage of the money he or she earns. The strength of America has always assumed that people would have the broadest discretion in the use of their income, not that Government would confiscate unfairly large portions of income to spend for its own purposes.

Third. We can no longer afford to offer an excessively large range of domestic programs, though we will not compromise our obligations to elderly Americans, to the disabled, and to the most needy in our society.

This was a clear message. It was a message that set our country on a course, a course which in my view was thoughtful and prudent. The question before the Senate today as it debates this budget resolution is whether that course is right or whether a new direction is now needed. I am fervently of the opinion that the principles about government which dictated the outcome of the 1980 Presidential election are still the fundamental principles in the minds of most Americans. Thus, I believe that the Domenici-Baker amendment to this budget resolution more nearly reflects the aspirations and priorities of the American people than do the resolutions passed in the House or reported in the Senate, and I support the proposal of Senators DOMENICI and BAKER.

Let us look briefly at the course upon which we set in 1980, and at the benefits to the country which that national direction has achieved. First, we announced a commitment to upgrade our national defenses. We would modernize strategically and conventionally. We would improve readiness and sustainability. We would, for the first time in more than a decade, respond convincingly to a massive Soviet military buildup that had spanned 20 years. For we as a nation recognized that our forces in 1980 were not adequate to meet our obligations throughout the world.

For 2 years we stayed on this course. As a result, we are now in a better position to respond to conventional contingencies than we were when President Reagan took office. Moreover, we have undertaken an essential strategic modernization effort that is critical to insure our national security. As a result of this defense program, we may soon be in a position to have sufficient credibility with the Soviets to achieve meaningful arms control agreements. We are already achieving greater stability in weapons systems production and are driving down the unit costs of various programs. And finally, as we enhance our defenses, we are in a position to conduct foreign policy from a position of strength.

Second, the President proposed and the Congress adopted a significant plan for tax reduction. The last reduction in individual income tax rates will take effect on July 1. The Congress has also enacted tax provisions which will automatically index the tax rates to account for future inflation.

There are many who argue that this was an ill-conceived fiscal policy which has been unsuccessful. But look at the facts. Inflation is one-third what it was in the Carter administration. Interest rates have been cut in half. We have pulled out of a long, difficult recession and are seeing promising economic growth, including recoveries in major industrial sectors such as automobiles and homebuilding. The stock market is at an alltime high and has been setting new records almost daily. The undeniable lesson is that the fiscal policy of the last 2 years has created confidence among Americans in the country's economy, and that confidence is reflected by virtually every economic measurement.

Third, President Reagan proposed and the Congress adopted substantial reductions in domestic programs in 1981. The domestic programs which we cut were not essential governmental obligations; they were not solemn responsibilities to groups of Americans, such as social security or medicare. They were remnants of the so-called Great Society, remnants of an era when the conventional wisdom was that the Federal Government ought to solve every social problem. That view has reflected in the real growth of domestic expenditures, not counting interest on the national debt, by 200 percent from 1963 to 1983 while real growth in defense for this same period was only 18 percent.

The effect of these domestic program reductions has also been positive. These reductions have helped to hold down deficits. The reductions have limited the long-term obligations of the Federal Government and have signaled the public that we cannot look to Government to solve every individual's problem. There are some groups—the elderly, the handicapped—to whom Government has special obligations. But this country was built on self-reliance, not on governmental support for large groups of individuals with no special need.

These were the principles which dictated public policy for the last 2 years. They were and are sound principles which the American people endorsed in 1980 and which the American people, I deeply believe, continue to subscribe to.

But what do the budget resolutions passed in the House and reported in the Senate do? They move away from each of the basic principles of American policy we have followed since President Reagan was elected. They signal a shift in the direction of our country—a shift toward military inadequacy, toward confiscatory taxation, and toward unnecessary governmental spending. It is a shift that is not called for and that does not serve the interests of the country. I shall be disappointed if the Senate as a whole chooses to abandon a successful and consistent program of the last 2 years to move in different directions. And I

am pleased that the distinguished chairman of our Budget Committee and the distinguished majority leader have offered the Senate an alternative that keeps the country moving in the right direction.

How does the Domenici-Baker amendment keep the country on the course I have described? First, the amendment increases the defense budget ceiling by $8 billion in budget authority—from $267 billion in the committee-reported resolution to $275 billion under the amendment. This amount is still not fully adequate, but it is a material improvement and is generally consistent with our commitment to guaranteed national security. I testified at length before the Budget Committee on these matters on March 7 of this year and, therefore, will not take the Senate's time to review the points I made before the committee. I do ask unanimous consent that my statement from March 7 be inserted in the RECORD at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit No. 1.)

Mr. TOWER. Second, the amendment does not require a large increase in taxes for fiscal year 1984 and succeeding years, as the reported budget resolution does. That resolution would do away with the third year of tax reduction and stop indexing. This proposed tax increase could not come at a worse time. The economic recovery is just starting; for it to continue, a pickup in consumer spending must occur. According to many economists, a tax increase of this size will severely reduce consumer purchasing power and could stop the recovery dead in its tracks.

But economic performance in this country is based on at least one important factor which no econometrician can factor into his computer model. It is based on the confidence of Americans in the underlying strength of the economy, and that confidence is created and maintained when Americans believe that there is a consistent, sensible policy upon which they can rely. The confidence wanes when policy direction shifts, when promises are broken, and when national leaders seem not to be in control. Nothing could do more to destroy the confidence that Americans now have in the economy than to rescind a tax reduction which has been promised for 2 years. It is a reduction which consumers expect, which business has anticipated, and which the financial markets are responding to. If we renege on commitments about national tax policy, then those Senators who vote for these tax increases can have the responsibility for what the economy does.

Finally, what does the Senate-reported budget resolution do with domestic programs? In almost every category of domestic spending, it provides for increases above what President Reagan requested. In energy; natural resources and environment; agriculture; community and regional development; education, training, employment, and social services; health; income security; and veterans' benefits, the budget resolution exceeds the administation's proposal. At a time when we need to continue to limit governmental obligations, this is the wrong direction in which to move.

There is probably no decision which the Congress makes each year that is more important than the decision about the size and composition of the Federal budget. The budget is the summary expression of the priorities of the American people.

There are some Members of Congress who believe that the Federal Government should receive a larger percentage of individuals' income, that relatively small increases in defense spending are sufficient, and that major growth in domestic programs of all types is appropriate.

There are other Senators and Representatives who believe that we should leave more hard-earned dollars with people to spend in whatever way they choose, that our national defenses need substantial investment now, and that many domestic programs are nonessential and can be reduced or abandoned.

The resolution reported by the Budget Committee reflects the views of the first group. It does not reflect my views, nor, I think, the views of the American people. The American people experienced for too long the shortsighted fiscal policy reflected in the House-passed budget proposal and that reported in the Senate. That policy resulted in national double-digit inflation; it provided us with interest rates that reached 21.5 percent by 1980. That fiscal policy did not work then and it will not work now.

I would make one final point. There are some who say that the priorities that I and other Senators may establish are insensitive to human needs. Nothing could be less true. As I said previously, I do not know of a single Senator who would not honor our longstanding obligations under the social security program, under medicare, and under a series of other programs that have historically been obligations of our Government to those most in need.

But there are at least four reasons that many of us believe that a growing Federal domestic program effort is no longer prudent. First, we are in a period of severely limited Federal resources. We simply cannot do everything we might like to do if our revenues were greater.

Second, we need to be fair to all taxpayers. A family which has taxable income of $20,000 a year is already paying one-quarter of the next dollar of income to the Federal Government. When State and local tax obligations are added to this, we see that Americans who are not earning excessive amounts of money are paying more than one-third of their income in taxes. If we increase governmental obligations, then we will have to ask such Amerians to give up even more or their income.

Third, national security must be the first priority. Every other part of governmental activity becomes meaningless unless the long-term security of the United States against external threat is assured.

Fourth, more money is not necessarily the answer to many domestic problems. For example, a commission recently reported on substantial problems with American education. While I share the concerns of this commission, I am reasonably convinced as one who was formerly a college professor that more Federal spending on education is not going to solve the problem. In fact, we have spent increasingly larger amounts on education since 1960, and the problem has become increasingly more serious.

We have been on a course for the last 2 years—with respect to taxation, national defense, and national priorities—which is fundamentally sound and which ought to be continued. It is a course that reflects the view of the majority of Americans. If we pass the budget resolution now before us, we will have shifted course for no apparent reason and when there is no demand to do so. I hope that we will make a more responsible choice by adopting the Domenici-Baker amendment and enabling the country to continue on a policy course which I am convinced is sound and will produce the economic results we all want.

EXHIBIT NO. 1

STATEMENT OF SENATOR JOHN TOWER BEFORE THE SENATE COMMITTEE ON THE BUDGET

[Charts and graphs not reproducible in RECORD.]

Good morning, Mr. Chairman. I appreciate the opportunity to present my personal views on the President's FY 84 request for National Defense.

When I appeared before this Committee last year, I indicated my belief that it would be a grave error to make near-term and long-term reductions in the President's proposed defense program. My convictions in this regard have only strengthened.

During the course of this hearing, I will review significant trends in the global situation and how our military forces are being used every day to support our foreign policy commitments. In addition, I will discuss the improvements which have recently been made in our defense posture, the magnitude of our outstanding requirements, and some recent changes in the economic situation which bear on our ability to fund our national security requirements.

These issues should be considered of fundamental importance to the Budget Com-

mittee as we assess our national priorities and our global responsibilities over the next five years.

CHANGES IN THE GLOBAL SITUATION

During the ten-year period which ended in 1980, the task of protecting U.S. worldwide interests became exceedingly more complex and demanding. The rapid expansion of Soviet military might during the decade of the 1970's put considerable pressure on U.S. allies in Europe and Asia and fundamentally altered the strategic nuclear balance. Challenges facing U.S. military forces were also magnified by growing international instability and the geographic expansion of threats to Western interests, often the result of Soviet or Soviet-inspired activity.

For example, in the 1970's, we saw Cubans involved in conflict in Angola and Ethiopia, the Vietnamese invasion of Kampuchea, and Soviets engaged in brutal warfare against the people of Afghanistan. In addition to these open conflicts, the Soviets moved aggressively to expand their influence in Syria, Iraq, South Yemen, and Libya. Moreover, Cuba revived its policy of supporting radical elements in the Western Hemisphere.

Since 1980, the destabilizing activities of the Soviets and their surrogates have not lessened. The world is certainly no more stable today than it was in 1980.

To date, the change in the Kremlin's leadership following the death of Leonid Brezhnev has not resulted in any alteration in the aggressive international behavior of the Soviet Union. The brutal warfare in Afghanistan continues as does Soviet repression in Poland. Most troubling has been the skill of Mr. Andropov to play upon the fears of West Europeans in an effort to divide the United States from her European allies.

Within the Western Hemisphere, there are many causes for concern. The insurgency in El Salvador is continuing. Nicaragua continues a military build-up unprecedented in the region and has initiated border clashes with Honduras.

Major events of the past year confirm the trends toward declining global stability. Three major conflcits occurred during this period: the battle over the Falkland Islands, the Israeli incursion into Lebanon, and the second phase of the Iran-Iraq war. While many lessons can be drawn from these conflicts—including the value of advanced technology weapons—the major conclusion is the continuing trend of nations to turn to military means to solve international disputes. The ongoing Iran-Iraq war is particularly troubling, given its potential to destabilize the entire, oil-rich Persian Gulf region.

There are a number of forces within the Middle East that remain a serious threat to U.S. interests. Key among these is Libya.

We have no reason to be complacent about the global situation. It is true that our economic problems are real and severe; they must be addressed. However, we must caution against a myopia about budget deficits which severely handicaps our ability to deal with some very serious international security issues. We cannot permit ourselves to be distracted from our global responsibilities, while the Soviets and their surrogates, facing their own economic problems, continue to pursue an aggressive foreign policy.

The global situation which I have described requires that the President have adequate foreign policy tools to meet the challenges that face Western security. Among these is an adequate foreign assistance program—both its military and economic components. However, one of the President's chief foreign policy tools is a capable military force. Essential to the value of this tool is the perception by our Allies and adversaries not only that the United States has the will to use these forces in support of its foreign policy objectives, but also that we can prevail should deterrence fail.

DEFENSE AS AN INSTRUMENT OF FOREIGN POLICY

In urging the Budget Committee to support the full range of foreign-policy related programs in FY 1984, I do not want to leave the impression that the United States has not responded to these crises or that our Armed Forces have been idle during the last twelve months. In fact, our forces have been quite active, both in response to international crises and in the pre-planned execution of operations and training in support of U.S. foreign policy.

For example, Figure 1 depicts naval operations during the two-month period from the end of September through November, 1982. During this period, eight of our fourteen carriers were at sea in support of U.S. policy. The scope of our global commitments required adjustments in the movement of carrier battle groups in every ocean to meet our commitment in Lebanon while fulfilling all other international obligations. This flexibility is not easily acquired or sustained. The Navy modified the deployments of seven carriers to place two on-station in the eastern Mediterranean Sea. The incremental cost of the Lebanon commitment in FY 1983, which will have to be absorbed through a decline in other operations or maintenance, is in excess of $100 million.

The pace of operations in the other Services is just as impressive. Funding approved by the Congress supports our foreign policy on a daily basis. Any decrease from the current level of effort is certain to have at least one of the following effects: a reduction of our ability to perform these same missions more efficiently in the future and to meet the projected threat; a reduction in our ability to support foreign policy objectives this year; or a reduction in the manpower and materiel support base necessary to carry out these operations.

If substantial "meat ax" reductions are to be made, we must first ask our civilian policy-makers which commitments they are prepared to compromise. It is unreasonable to ask the Services to give us a list enumerating any substantial cuts until we tell them which commitments, or which roles and missions assigned them by civilian authority, will now have a lower priority.

DEFENSE IMPROVEMENTS SINCE 1980

In 1980 there are serious concern among the American people that our military capability was rapidly declining relative to that of the Soviet Union. The American people were outraged that our defense posture had been neglected and permitted to deteriorate. In America, people understand well that a weak military or even a perception of weakness will undermine the very purpose of a strong military—namely, to deter aggression—and that such weakness will increase, not decrease, the likelihood of conflict. They were also angered that our military might not be able to prevail should deterrence fail. Let's look at what the state of our military was in 1980.

In late 1980, the readiness of U.S. forces was at an all-time post-war low. Personnel retention had become critical. The Army was short 515 infantry squads and 6,000 combat arms non-commissioned officers. Ships could not sail for lack of specialized personnel. The materiel readiness of our forces was also critical. Shortages of spare and repair parts restricted operations and training.

Across the entire range of military investment, the rate of modernization was too slow. Moreover, even the less than adequate levels of procurement proposed were underfunded. Through the unwillingness of previous administrations—both Republican and Democrat—to apply proper estimates to its budgets, the entire defense program was wracked by inflation.

Overall, our capabilities in 1980 were insufficient to meet our minimum peacetime requirements and the foreign policy crises of that period. More importantly, we had not laid a sufficient foundation for the improvements necessary to meet a more technically capable threat in the context of an increasingly unstable global environment.

Let's now look at the return on investment we have realized during the last two years.

Since 1980, the number of units reporting themselves fully or substantially combat-ready has increased by 30 percent. Personnel retention is still a serious long-term problem, but previous trends have been reversed. In 1982, nearly 70 percent of all eligible personnel chose to reenlist compared to only 55 percent two years earlier. Except for specialized areas, this problem is no longer critical. Materiel readiness is somewhat improved, and further improvements are in sight as the spare part investments of FY 1981 and FY 1982 reach the flight lines and storage bins.

The pace of modernization has increased, but not as much as desired. Inefficient rates of production can still be found in the modernization of tactical air and ground forces. In order to maintain the current inventory of tactical aircraft at an acceptable average age, we need to procure 603 aircraft every year. The FY 1984 request contains only 449.

Overall, our military capabilities are still short of requirements. However, in gross terms, improvements in capability will be achieved sooner than previously estimated.

We in Congress should feel good about these improvements. In most areas, the trends are clearly positive.

However, we cannot make up for over ten years of neglect in just two budget cycles. It is important to keep in mind the cumulative size of Soviet military investments built up over the years.

As indicated in the net assessment briefing we received last week, the gap between the military capital stocks of the United States and the Soviet Union, which is already considerable, will continue to widen in the Soviets' favor, even if the President's five-year plan is fully funded.

During the course of the President's current procurement plan, which is much maligned in Congress for being too ambitious, the Soviets will out-produce us: over 2-to-1 in tanks, 3-to-1 in armored vehicles, 8-to-1 in artillery and rocket launchers, 2-to-1 in tactical combat aircraft, 3-to-1 in major warships and submarines, and 2-to-1 in theater nuclear delivery systems.

It is this level of disparity which is, in large measure, responsible for unfavorable regional balances, such as that depicted for Europe in Figure 2.

In the total scheme of our geographic disadvantages, our social preferences for domestic programs, Soviet production rates, serious regional military imbalances, and a

very dynamic technological environment, I cannot stress enough the importance of maintaining our current modernization program.

Our adversaries are not standing still and, in fact, have achieved qualitative preeminence on the battlefield in many areas. Thus, the Army's modernization program is not only a response to a quantitatively superior threat, but to a qualitatively superior one as well. Figure 3 indicates that, by the end of this decade, the Army's introduction of new combat systems will reverse most of the qualitative, system-on-system disadvantages we now face. The outcome of any future conflict may be subject to debate; but the Congress should have confidence that, in both new doctrine and new systems, we are changing the character of the modern battlefield in ways that favor U.S. forces. Despite the complex engineering problems we constantly face in the development of high-quality weapon systems, technology is still our strong suit and we must exploit this advantage.

OUTSTANDING DEFENSE REQUIREMENTS

Let me turn to another issue of some concern in Congress—the absolute need for every program in the President's request.

This Committee has expressed its skepticism over Secretary Weinberger's vigorous defense of every dollar within his budget. We on the Armed Services Committee understand that skepticism. Every year, the authorizing and appropriating committees make literally hundreds of changes to the budget which result in net reductions from the Administration's request. We will continue to do so.

However, we must not confuse this microcosm of Congressional oversight with the larger issues of paramount importance in the budget process. In my judgment, every dollar in the President's defense program can be used to fulfill validated military requirements. Consider the scope and magnitude of the unmet defense requirements we still face.

Figure 4 indicates that, when the President's FY 1983-1987 five-year plan is finally delivered to the field (about 1991), and assuming it is totally funded, the Army will have achieved the following levels of its inventory objectives: 59% for tanks, 79% for self-propelled Howitzers, 69% for Light Armored Vehicles, 64% for personnel carriers and fighting vehicles, and 85% for five-and ten-ton trucks.

In the area of combat sustainability, Figure 5 shows that by about 1989, we will have on hand less than 80 percent of war reserve requirements for ammunition, only 70 percent of the requirement for tactical missiles, a full 96 percent of needed secondary items, but only 61 percent of the requirement for petroleum derivatives.

The acquisition cost of combat sustainability in these high consumption areas is estimated at $1 billion per day. The cost for major equipment reserves is, of course, much higher. In 1980, the Army's war reserve inventory for equipment was below ten days of supply. By the end of 1984, it will be over twenty days. This clearly represents progress, but we are not yet approaching acceptable levels of staying power.

Yes, there are places where defense can use every dollar it can get to meet long-standing deficiencies. But another factor of legitmate concern is the state of our economy.

ECONOMIC CONSIDERATIONS

It is apparent that many of our colleagues will make their decisions concerning the appropriate level for defense spending based on considerations other than those of national security. In the last few years, it has even become popular in certain quarters to equate reduced defense spending with increased economic health. Let's look at the facts.

Under the Administration's plan, defense spending will increase to about 31 percent of total federal unified budget outlays in 1988. This 31 percent share was exceeded each peacetime year from 1954 to 1972. During this period, both unemployment and the prime interest rate averaged about five percent.

Between 1979 and 1983, defense spending has average only 25 percent of federal outlays whiled unemployment averaged 8.1 percent and the prime rate 14.4 percent.

In trying to find the cause of high unemployment, high interest rates, and economic stagnation, defense per se is not the place to look.

In her testimony before the House Armed Services Committee, Alice Rivlin, Director of the Congressional Budget Office, concluded that:

"The Congress must ultimately determine the need for defense spending by weighing alternative uses of resources against the threats to U.S. national interests and resulting defense requirements. Clearly, the U.S. economy can support the defense build-up proposed by the Administration * * * Moreover, the economy can sustain the defense build-up with little risk of rekindling inflation, at least in the next few years, and no overall adverse effects on employment."

The only caveat offered by Mrs. Rivlin in this and other testimony has been the warning that growing Federal deficits could slow economic growth and rekindle inflation.

The Administration has heeded this warning by proposing a budget which, if approved, would cut the deficit (both in real terms and as a percentage of GNP) to less than half of the CBO baseline projection in 1988.

However, the Administration's budget has one major flaw—its overly pessimistic economic forecast. The most recent information available shows the leading economic indicators in January up 3.6 percent, the largest increase in 33 years. Durable goods, housing starts, and automobile production are all up.

I am not here to argue for a particular set of economic assumptions, but it seems apparent that the economy will recover more strongly, and deficits will probably be smaller than previously projected. To those Members who last December or January publicly committed themselves to make significant reductions in defense based on the most pessimistic economic forecasts, I ask you to reconsider your position. In my view, the Budget Committee should not be basing its mark-up materials on anything but the most recent economic forecasts.

In addition to the macroeconomic factors which may influence Members' views on defense spending, there is a microeconomic view. In anticipation of the defense cuts called for by so many Members, I recently sent a letter to each Senator asking that he or she provide me a list of those programs in his or her state that could be reduced without an adverse impact on national security. To date, I have received responses from only six Senators, whose recommendations would amount to reductions in their states totaling less than $200 million in fiscal year 1984 and only $1 billion over the next five years.

Wittingly or unwittingly, my colleagues—by opting not to respond to my letter—have sent all of us a message: First, that there is more Congressional support for defense than has been reported in the media; and second, once we put the political rhetoric aside, the vast majority of my colleagues recognize that defense spending provides a tangible economic benefit to their states. Put more succinctly, reductions in defense spending places at risk *Jobs* for constitutents in their states in a time of high unemployment. They obviously do not subscribe to the ludicrous assertion of a few that somehow it is higher defense that will impede ecomomic recovery.

ARBITRARY REAL GROWTH PATTERNS

It is obvious, Mr. Chairman, that economic considerations are driving Members of this Committee to simplistic and rather arbitrary solutions to a formidable national security problem.

In his March 1 letter to the Budget Committee, Secretary Weinberger has already indicated the fundamental problems associated with arbitrary and fixed percentages of real growth. I would only highlight some additional points which reinforce his conclusion.

Some have suggested that five percent real growth for defense would be a more appropriate level of effort. CBO has estimated that this would amount to a reduction in budget authority of $129 billion over the next five years. This is a considerable sum of money In fact, $129 billion is the equivalent size of one and one-half FY 1984 procurement budgets: more than 1,000 tanks, more than 600 tactical aircraft, and about 24 warships. Over a five-year period, the reductions each year may appear small to some, but they can represent real combat capabilities.

A more honest approach might suggest that we find less expensive substitutes for major systems. But in this case, military capabilities are sacrificed and "savings" quickly disappear.

As Figure 6 shows, if the Army's "big five" [1] were eliminated in FY 1984, the savings would amount to nearly $6 billion in budget authority. But if they were replaced by current substitutes, the net savings would be less than half that amount. Of course, I should also note that the newer systems are generally easier to maintain, are safer, and require less manpower to operate. In addition, the Army's air-land battle doctrine, of such special interest to many within the so-called reform movement, cannot be fully implemented unless supported by these new systems.

Finally, Mr. Chairman, I would like to clear the record concerning the joint hearing held by the Budget and Armed Services Committees on cost growth in the defense program. Much has been written about the role of Mr. Spinney's work in the so-called military reform movement. Unfortunately, a false connection has been made between Mr. Spinney's analysis and calls for reductions in defense.

Many have misinterpreted some significant conclusions contained in Mr. Spinney's testimony. Clearly, the authors of the recent Time Magazine article missed the mark. Unfortunately, I do not have time today to challenge the many erroneous assertions reflected in that article—particularly, the sophistication versus simplicity arguments. At least, however, let me summarize for you what Mr. Spinney said in his testi-

[1] M-1, M-2/3, Divad, Patriot, AH-64

mony before the Armed Services and Budget Committees ten days ago.

The hearing record indicates that it is Mr. Spinney's view that: (1) defense needs more dollars; (2) it is desirable to have a stable production environment; (3) increased production rates can be expected to drive down costs; (4) program stretch-outs cause costs to go up; and (5) reducing the defense budget would not cure cost growth problems—it would make things worse.

It is significant that these conclusions are similar to those of the service Secretaries and military Chiefs of Staff concerning the potential impact of significant reductions in the defense program.

Several Members of the Budget Committee, including you, Mr. Chairman, indicated that the Spinney report made a convincing case for the adverse effect that reductions in defense spending (particularly in the procurement accounts) would have on the cost of modernizing our forces.

SUMMARY

In the 1970's, our reason for not funding the required level for defense was a mood of anti-militarism. In 1983, the reason given by some is that we simply cannot afford it. Irrespective of the reason given in the 1970's or the reasons given today, the result is the same. While we slow down, the Soviets continue to expand, which in turn skews the military balance even further toward the Soviets.

Mr. Chairman, in key regions of the world where the United States has vital interests, our political-military situation is eroding. The demands on our foreign policy and national security establishment are increasing.

Continued long-term political competition with the Soviet Union is a virtual certainty. Military conflict, with either the Soviet Union or its proxies, cannot be ruled out.

At less than 7 percent of GNP and only 26 percent of federal outlays, the United States can afford this defense program—I know it, and I believe you know it.

We have made important progress in defense during the past two years. We must not falter, we must not weaken nor tire.

At his own momentary political peril, the President has chosen a prudent course for the rebuilding of our nation's defense. I stand with him.

There is no national security justification for doing less than he has asked.

FIGURE 4.—SELECTED ARMY EQUIPMENT OBJECTIVES AND INVENTORIES

	Objective		Inventory (end-fiscal year)			
	Long-range planning	End-fiscal year 1987 FDP [1]	On-hand	Projected		
			1982	1982 FDP [1]	1983 FDP [1]	1984 FDP [1]
Tanks, 105 mm	[2] 17,748	[2] 10,423	11,093	11,433	12,684	13,305
Self-propelled howitzers	4,188	3,315	2,978	3,249	3,249	3,361
Light armored vehicles	708	488	0	0	36	212
Carriers and fighting vehicles [3]	30,169	19,218	11,593	13,336	14,456	15,456
5 ton trucks	73,631	63,161	33,987	39,802	43,999	46,527
10 ton trucks	13,828	11,390	1,168	3,249	5,722	7,020

[1] Funded delivery period.
[2] Mixed tank fleet objective.
[3] Includes M113 and Bradley FVS (M-2 and M-3).
Source: DOD Force Readiness Report for fiscal year 1984, vol. 1.

FIGURE 5.—PERCENTAGE OF COMBAT SUSTAINABILITY REQUIREMENT ON-HAND AT END-FDP [1]

[In percent]

Item	Fiscal year—	
	1983 FDP [1]	1987 FDP [1]
Ammunition	40	79
Tactical missiles	39	70
Secondary items	42	96
All POL	59	61

[1] Funded delivery period.
Source: OSAD (MRA&L), OSD (PA&E).

Figure 6.—Comparative fiscal year 1984 costs of selected Army programs and potential substitutes

[In millions of dollars]

System:	*Budget authority*
M-1	$1,722
M-60A3 [1]	1,331
Difference	391
M-2/M-3	815
M-113	116
Difference	699
Divad	671
Pivads [1]	148
Difference	523
Patriot	1,212
Hawk [1]	906
Difference	306
AH-64	1,298
AH-1	615
Difference	683
Total:	
New Systems	5,718
Substitutes	3,116
Difference	2,602

[1] Systems out of production.

Mr. BYRD. Mr. President, for the second year in a row, the Senate is being asked to reject the budget resolution only recently reported by its own Budget Committee, and to give its approval instead to a hastily conceived Republican substitute written behind closed doors without consultation or so much as a passing concern for the views—or the votes—of the Democratic minority. Once again, the statutory deadlines established by the Budget Act have been pushed aside, so that the President, insistent upon a budget the priorities of which are not supported by a majority of the Congress, and his Republican colleagues in the Senate, can scramble to improvise a budget without regard to the traditional bipartisan process of open debate and deliberation. All the while, reports persist that at least some members of the administration and the Senate continue to argue for no budget at all, if they cannot prevail in winning the Senate over to support their own position.

I do not believe that this kind of process serves the best interests of either the Senate or of the country.

The Senate has a long and proud tradition of bipartisan debate and compromise. In the past, we have been successful in forging bipartisan solutions to pressing national questions. Until very recently, the history of the budget process in the Senate has been one of bipartisanship. But that spirit has been sorely missing from the budget debates of the last few years. The resultant budgets, in my view, have suffered grievously from its absence.

I cannot support the budget proposed by Senators DOMENICI and BAKER. The Domenici-Baker budget, with the blessings of the White House, would send the deficits soaring through the stratosphere. The deficits under this budget proposal would amount to a staggering $192.4 billion next year and would rise to $220 billion in fiscal year 1988. That is $306 billion more in deficit spending than would occur under the budget reported by the Senate Budget Committee. Deficits of this magnitude will send interest rates spiralling upward and threaten to abort the fragile economic recovery now underway.

The Domenici-Baker budget would increase the national debt by $1 trillion in just 5 years. That is more debt than the Republic accumulated in its first 205 years. It is indeed ironic that the party which was swept into the White House and control of the Senate in 1980 pledging a balanced budget would now propose a budget with the highest deficits in the history of the Republic.

This budget would have us mortgage our future, and the future of our children, in order to retain an unfair and unwise tax policy which we cannot afford.

The President's tax program has been grossly unfair to the average American taxpayer. To date, under the Reagan program, the tax liability of a family of four with a yearly income of $100,000 has been permanently slashed $3,454 a year. On the other hand, a family of four earning $20,000 a year has received an annual tax cut of only $300.

The tremendous inequities contained in the President's tax program would only be made worse if the scheduled final installment of the Reagan tax plan is allowed to go into effect.

The third-year tax cut contained in the President's rate-reduction program would permanently reduce the tax liability of a family of four with an income of $100,000 by a staggering $2,363 a year, or $11,840 over the next 5 years. In sharp contrast, a family of four earning $20,000 would receive a tax break of only $164 a year, or $820

over the next 5 years, from the President's third-year tax cut.

The central question now before the Congress is not whether taxes should be raised, but rather whether the American people are best served by continuing to cut taxes for the third year in a row in such an extreme and unfair manner at a time when the Federal deficit is skyrocketing out of control. Democrats believe it is time to call a halt to President Reagan's inequitable and discredited supply-side tax program. It is not fair and it has not worked. I recognize that it is not realistic to expect Congress to repeal the third year of the Reagan-Kemp-Roth tax program, given the President's often repeated threat to veto any such legislation. But I continue to hope that my Republican colleagues will listen to reason and heed the call of basic fairness by agreeing at least to put a cap on the amount of the tax cut which any one taxpayer can receive so that the lower- and middle-income people will get a full 10-percent tax cut, and so that no one would receive more than their fair share and so that the rich would no longer receive a windfall tax reduction far in excess of what the ordinary American taxpayer can receive.

Failure to modify the counterproductive Reagan tax program will virtually guarantee slow economic growth, high interest rates, high unemployment, and record budget deficits for the remainder of this decade. That is the heart of the argument over this budget. That is why I urge my colleagues to join me in voting against the Domenici-Baker budget.

Mr. CHILES. Mr. President, I know of no other requests for time on our side, so I will yield back the remainder of my time on the Domenici-Baker substitute. I move to table the substitute and I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second? There is a sufficient second.

The yeas and nays were ordered.

Mr. BYRD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll to ascertain the presence of a quorum.

The bill clerk proceeded to call the roll.

Mr. BYRD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

VOTE ON MOTION TO TABLE AMENDMENT NO. 1243

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Florida (Mr. CHILES) to table the amendment of the Senator from New Mexico (Mr. DOMENICI). The yeas and nays have been ordered and the clerk will call the roll.

The legislative clerk called the roll.

The PRESIDING OFFICER. Are there any other Senators in the Chamber wishing to vote?

The result was announced—yeas 52, nays 48, as follows:

[Rollcall Vote No. 85 Leg.]

YEAS—52

Andrews	Ford	Mitchell
Baucus	Glenn	Moynihan
Bentsen	Hart	Nunn
Biden	Hatfield	Packwood
Bingaman	Hollings	Pell
Boren	Huddleston	Proxmire
Bradley	Inouye	Pryor
Bumpers	Jackson	Randolph
Burdick	Johnston	Riegle
Byrd	Kennedy	Sarbanes
Chafee	Lautenberg	Sasser
Chiles	Leahy	Stafford
Cranston	Levin	Stennis
DeConcini	Long	Tsongas
Dixon	Mathias	Weicker
Dodd	Matsunaga	Zorinsky
Eagleton	Melcher	
Exon	Metzenbaum	

NAYS—48

Abdnor	Grassley	Nickles
Armstrong	Hatch	Percy
Baker	Hawkins	Pressler
Boschwitz	Hecht	Quayle
Cochran	Heflin	Roth
Cohen	Heinz	Rudman
D'Amato	Helms	Simpson
Danforth	Humphrey	Specter
Denton	Jepsen	Stevens
Dole	Kassebaum	Symms
Domenici	Kasten	Thurmond
Durenberger	Laxalt	Tower
East	Lugar	Trible
Garn	Mattingly	Wallop
Goldwater	McClure	Warner
Gorton	Murkowski	Wilson

So the motion to lay on the table amendment No. 1243 was agreed to.

Mr. CHILES. Mr. President, I move to reconsider the vote by which the amendment was laid on the table.

Mr. METZENBAUM. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. BAKER. Mr. President, will the manager of the resolution yield to me for a minute, please?

Mr. DOMENICI. I am pleased to yield to the distinguished majority leader.

Mr. BAKER. Mr. President, I do not know how many more amendments there will be, but there are a number of hours left on the resolution. I believe it is urgently important that we try to finish this matter one way or the other way. Let me advise Members, as I have already advised the minority leader, that I expect not to ask Members to stay longer than 6:30 p.m. today. I think we can finish, I hope we can finish by 6:30 p.m. If we do not finish by 6:30 p.m., it will be my intention to ask the Senate to continue with the consideration of this measure tomorrow.

Mr. BUMPERS. Will the majority leader yield for a parliamentary inquiry?

Mr. BAKER. Yes, I yield the floor, Mr. President.

Mr. BUMPERS. Mr. President, how much time is left?

The PRESIDING OFFICER. There are 5 hours and 22 minutes remaining.

Mr. BUMPERS. Would the majority leader yield for a question?

Mr. BAKER. Yes, Mr. President, I shall be happy to yield.

Mr. BUMPERS. Mr. President, the Chair has just said there are 5 hours and 20 minutes left on the resolution. Will it be the majority leader's intention to use all that time up today?

Mr. BAKER. Mr. President, I hope not. I hope we can finish well in advance of that time. I would like us to be able to get to final disposition of this measure, whatever that is.

Mr. BUMPERS. That will take us until 7:10 p.m., as I understand it.

Mr. BYRD. Not necessarily.

Mr. BAKER. That does not include rollcall votes, Mr. President.

Mr. DOMENICI. And quorum calls immediately preceding the votes.

AMENDMENT NO. 1262

Purpose: Revising the congressional budget for the United States Government for the fiscal year 1983 and setting forth the congressional budget for the United States Government for the fiscal years 1984, 1985, and 1986

Mr. WEICKER. Mr. President, on behalf of Senators CHAFEE, MATHIAS, HATFIELD, STAFFORD, and myself, I send an amendment to the desk and ask that it be stated.

Mr. DOMENICI. May we have order, Mr. President?

The PRESIDING OFFICER. The Senate will be in order. The clerk will state the amendment.

The assistant legislative clerk read as follows:

The Senator from Connecticut (Mr. WEICKER), for himself and Mr. CHAFEE, Mr. MATHIAS, Mr. HATFIELD, and Mr. STAFFORD, proposes an amendment numbered 1262.

Mr. WEICKER. Mr. President, I ask unanimous consent that further reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

Strike out all after the resolving clause and insert in lieu thereof the following:

"That the Congress hereby determines and declares that the concurrent resolution on the budget for fiscal year 1983 is hereby revised, the first concurrent resolution on the budget for fiscal year 1984 is hereby established, and the appropriate budgetary levels for fiscal years 1985 and 1986 are hereby set forth:

"(a) The following budgetary levels are appropriate for the fiscal years beginning on October 1, 1982, October 1, 1983, October 1, 1984, and October 1, 1985:

"(1) The recommended levels of Federal revenues are as follows:

"Fiscal year 1983: $603,325,000,000.

"Fiscal year 1984: $670,300,000,000.

"Fiscal year 1985: $746,175,000,000.

"Fiscal year 1986: $812,900,000,000.

and the amounts by which the aggregate levels of Federal revenues should be changed are as follows:

"Fiscal year 1983: +$125,000,000.
"Fiscal year 1984: +$14,900,000,000.
"Fiscal year 1985: +$22,675,000,000.
"Fiscal year 1986: +$34,000,000,000.

and the amounts for Federal Insurance Contributions Act revenues for hospital insurance within the recommended levels of Federal revenues are as follows:

"Fiscal year 1983: $35,900,000,000.
"Fiscal year 1984: $39,700,000,000.
"Fiscal year 1985: $44,200,000,000.
"Fiscal year 1986: $50,900,000,000.

and the amounts for Federal Insurance Contributions Act revenues and other revenues pursuant to Public Law 98-21 for old age, survivors, and disability insurance within the recommended levels of Federal revenues are as follows:

"Fiscal year 1983: $148,500,000,000.
"Fiscal year 1984: $166,500,000,000.
"Fiscal year 1985: $187,700,000,000.
"Fiscal year 1986: $204,400,000,000.

"(2) The appropriate levels of total new budget authority are as follows:

"Fiscal year 1983: $875,925,000,000.
"Fiscal year 1984: $915,149,000,000.
"Fiscal year 1985: $985,524,000,000.
"Fiscal year 1986: $1,050,349,000,000.

"(3) The appropriate levels of total budget outlays are as follows:

"Fiscal year 1983: $807,325,000,000.
"Fiscal year 1984: $850,899,000,000.
"Fiscal year 1985: $915,224,000,000.
"Fiscal year 1986: $970,749,000,000.

"(4) The amounts of the deficits in the budget which are appropriate in the light of economic conditions and all other relevant factors are as follows:

"Fiscal year 1983: $204,000,000,000.
"Fiscal year 1984: $180,599,000,000.
"Fiscal year 1985: $169,049,000,000.
"Fiscal year 1986: $157,849,000,000.

"(5) The appropriate levels of the public debt are as follows:

"Fiscal year 1983: $1,383,900,000,000.
"Fiscal year 1984: $1,608,399,000,000.
"Fiscal year 1985: $1,828,148,000,000.
"Fiscal year 1986: $2,043,597,000,000.

and the amounts by which the temporary statutory limits on such debt should be accordingly increased are as follows:

"Fiscal year 1983: $93,700,000,000.
"Fiscal year 1984: $224,499,000,000.
"Fiscal year 1985: $219,749,000,000.
"Fiscal year 1986: $215,449,000,000.

"(6) The appropriate levels of total Federal credit activity for the fiscal years beginning on October 1, 1982, October 1, 1983, October 1, 1984, and October 1, 1985, are as follows:

"Fiscal year 1983:
"(A) New direct loan obligations, $55,400,000,000.
"(B) New loan guarantee commitments, $94,500,000,000.
"Fiscal year 1984:
"(A) New direct loan obligations, $48,200,000,000.
"(B) New loan guarantee commitments, $94,500,000,000.
"Fiscal year 1985:
"(A) New direct loan obligations, $48,100,000,000.
"(B) New loan guarantee commitments, $97,400,000,000.
"Fiscal year 1986:
"(A) New direct loan obligations, $48,700,000,000.
"(B) New loan guarantee commitments, $101,000,000,000.

"(b) The Congress hereby determines and declares the appropriate levels of budget authority and budget outlays, and the appropriate levels of new direct loan obligations and new loan guarantee commitments for fiscal years 1983 through 1986 for each major functional category are:

"(1) National Defense (050):
"Fiscal year 1983:
"(A) New budget authority, $244,100,000,000.
"(B) Outlays, $214,300,000,000.
"(C) New direct loan obligations, $0.
"(D) New loan guarantee commitments, $0.
"Fiscal year 1984:
"(A) New budget authority, $270,700,000,000.
"(B) Outlays, $214,600,000,000.
"(C) New direct loan obligations, $0.
"(D) New loan guarantee commitments, $0.
"Fiscal year 1985:
"(A) New budget authority, $299,500,000,000.
"(B) Outlays, $272,300,000,000.
"(C) New direct loan obligations, $0.
"(D) New loan guarantee commitments, $0.
"Fiscal year 1986:
"(A) New budget authority, $331,500,000,000.
"(B) Outlays, $301,600,000,000.
"(C) New direct loan obligations, $0.
"(D) New loan guarantee commitments, $0.
"(2) International Affairs (150):
"Fiscal year 1983:
"(A) New budget authority, $24,900,000,000.
"(B) Outlays, $11,500,000,000.
"(C) New direct loan obligations, $11,700,000,000.
"(D) New loan guarantee commitments, $9,200,000,000.
"Fiscal year 1984:
"(A) New budget authority, $18,200,000,000.
"(B) Outlays, $12,700,000,000.
"(C) New direct loan obligations, $11,200,000,000.
"(D) New loan guarantee commitments, $10,300,000,000.
"Fiscal year 1985:
"(A) New budget authority, $16,500,000,000.
"(B) Outlays, $12,800,000,000.
"(C) New direct loan obligations, $11,500,000,000.
"(D) New loan guarantee commitments, $10,300,000,000.
"Fiscal year 1986:
"(A) New budget authority, $15,900,000,000.
"(B) Outlays, $12,800,000,000.
"(C) New direct loan obligations, $11,600,000,000.
"(D) New loan guarantee commitments, $10,300,000,000.
"(3) General Science, Space, and Technology (250):
"Fiscal year 1983:
"(A) New budget authority, $7,900,000,000.
"(B) Outlays, $7,700,000,000.
"(C) New direct loan obligations, $200,000,000.
"(D) New loan guarantee commitments, $0.
"Fiscal year 1984:
"(A) New budget authority, $8,500,000,000.
"(B) Outlays, $8,200,000,000.
"(C) New direct loan obligations, $37,000,000.
"(D) New loan guarantee commitments, $0.
"Fiscal year 1985:
"(A) New budget authority, $8,500,000,000.
"(B) Outlays, $8,500,000,000.
"(C) New direct loan obligations, $0.
"(D) New loan guarantee commitments, $0.
"Fiscal year 1986:
"(A) New budget authority, $8,400,000,000.
"(B) Outlays, $8,400,000,000.
"(C) New direct loan obligations, $0.
"(D) New loan guarantee commitments, $0.
"(4) Energy (270):
"Fiscal year 1983:
"(A) New budget authority, $4,000,000,000.
"(B) Outlays, $4,600,000,000.
"(C) New direct loan obligations, $13,100,000,000.
"(D) New loan guarantee commitments, $200,000,000.
"Fiscal year 1984:
"(A) New budget authority, $3,900,000,000.
"(B) Outlays, $4,100,000,000.
"(C) New direct loan obligations, $13,900,000,000.
"(D) New loan guarantee commitments, $200,000,000.
"Fiscal year 1985:
"(A) New budget authority, $3,600,000,000.
"(B) Outlays, $2,900,000,000.
"(C) New direct loan obligations, $14,300,000,000.
"(D) New loan guarantee commitments, $0.
"Fiscal year 1986:
"(A) New budget authority, $3,200,000,000.
"(B) Outlays, $2,700,000,000.
"(C) New direct loan obligations, $14,400,000,000.
"(D) New loan guarantee commitments, $0.
"(5) Natural Resources and Environment (300):
"Fiscal year 1983:
"(A) New budget authority, $12,500,000,000.
"(B) Outlays, $12,800,000,000.
"(C) New direct loan obligations, $100,000,000.
"(D) New loan guarantee commitments, $0.
"Fiscal year 1984:
"(A) New budget authority, $12,000,000,000.
"(B) Outlays, $12,500,000,000.
"(C) New direct loan obligations, $27,000,000.
"(D) New loan guarantee commitments, $0.
"Fiscal year 1985:
"(A) New budget authority, $12,200,000,000.
"(B) Outlays, $12,600,000,000.
"(C) New direct loan obligations, $27,000,000.
"(D) New loan guarantee commitments, $0.
"Fiscal year 1986:
"(A) New budget authority, $12,5000,000,000.
"(B) Outlays, $12,200,000,000.
"(C) New direct loan obligations, $27,000,000.
"(D) New loan guarantee commitments, $0.
"(6) Agriculture (350):
"Fiscal year 1983:
"(A) New budget authority, $24,200,000,000.
"(B) Outlays, $24,000,000,000.
"(C) New direct loan obligations, $18,600,000,000.
"(D) New loan guarantee commitments, $5,500,000,000.
"Fiscal year 1984:
"(A) New budget authority, $11,600,000,000.

"(B) Outlays, $11,400,000,000.
"(C) New direct loan obligations, $12,100,000,000.
"(D) New loan guarantee commitments, $3,800,000,000.
"Fiscal year 1985:
"(A) New budget authority, $14,000,000,000.
"(B) Outlays, $12,300,000,000.
"(C) New direct loan obligations, $11,700,000,000.
"(D) New loan guarantee commitments, $3,800,000,000.
"Fiscal year 1986:
"(A) New budget authority, $13,200,000,000.
"(B) Outlays, $13,100,000,000.
"(C) New direct loan obligations, $12,200,000,000.
"(D) New loan guarantee commitments, $3,800,000,000.
"(7) Commerce and Housing Credit (370):
"Fiscal year 1983:
"(A) New budget authority, $5,200,000,000.
"(B) Outlays, $2,700,000,000.
"(C) New direct loan obligations, $6,500,000,000.
"(D) New loan guarantee commitments, $48,700,000,000.
"Fiscal year 1984:
"(A) New budget authority, $5,900,000,000.
"(B) Outlays, $1,800,000,000.
"(C) New direct loan obligations, $6,400,000,000.
"(D) New loan guarantee commitments, $48,700,000,000.
"Fiscal year 1985:
"(A) New budget authority, $6,500,000,000.
"(B) Outlays, $0.
"(C) New direct loan obligations, $6,300,000,000.
"(D) New loan guarantee commitments, $48,700,000,000.
"Fiscal year 1986:
"(A) New budget authority, $6,500,000,000.
"(B) Outlays, −$300,000,000.
"(C) New direct loan obligations, $6,300,000,000.
"(D) New loan guarantee commitments, $48,700,000,000.
"(8) Transportation (400):
"Fiscal year 1983:
"(A) New budget authority, $26,800,000,000.
"(B) Outlays, $22,100,000,000.
"(C) New direct loan obligations, $200,000,000.
"(D) New loan guarantee commitments, $1,100,000,000.
"Fiscal year 1984:
"(A) New budget authority, $27,700,000,000.
"(B) Outlays, $25,900,000,000.
"(C) New direct loan obligations, $100,000,000.
"(D) New loan guarantee commitments, $600,000,000.
"Fiscal year 1985:
"(A) New budget authority, $28,400,000,000.
"(B) Outlays, $26,900,000,000.
"(C) New direct loan obligations, $100,000,000.
"(D) New loan guarantee commitments, $400,000,000.
"Fiscal year 1986:
"(A) New budget authority, $29,200,000,000.
"(B) Outlays, $27,800,000,000.
"(C) New direct loan obligations, $100,000,000.
"(D) New loan guarantee commitments, $300,000,000.
"(9) Community and Regional Development (450):
"Fiscal year 1983:
"(A) New budget authority, $8,300,000,000.
"(B) Outlays, $7,900,000,000.
"(C) New direct loan obligations, $2,100,000,000.
"(D) New loan guarantee commitments, $500,000,000.
"Fiscal year 1984:
"(A) New budget authority, $6,600,000,000.
"(B) Outlays, $8,100,000,000.
"(C) New direct loan obligations, $1,700,000,000.
"(D) New loan guarantee commitments, $300,000,000.
"Fiscal year 1985:
"(A) New budget authority, $7,100,000,000.
"(B) Outlays, $8,200,000,000.
"(C) New direct loan obligations, $1,800,000,000.
"(D) New loan guarantee commitments, $300,000,000.
"Fiscal year 1986:
"(A) New budget authority, $7,100,000,000.
"(B) Outlays, $7,600,000,000.
"(C) New direct loan obligations, $1,800,000,000.
"(D) New loan guarantee commitments, $400,000,000.
"(10) Education, Training, Employment, and Social Services (500):
"Fiscal year 1983:
"(A) New budget authority, $28,000,000,000.
"(B) Outlays, $26,800,000,000.
"(C) New direct loan obligations, $600,000,000.
"(D) New loan guarantee commitments, $6,500,000,000.
"Fiscal year 1984:
"(A) New budget authority, $31,800,000,000.
"(B) Outlays, $27,250,000,000.
"(C) New direct loan obligations, $700,000,000.
"(D) New loan guarantee commitments, $6,600,000,000.
"Fiscal year 1985:
"(A) New budget authority, $28,500,000,000.
"(B) Outlays, $28,400,000,000.
"(C) New direct loan obligations, $700,000,000.
"(D) New loan guarantee commitments, $6,600,000,000.
"Fiscal year 1986:
"(A) New budget authority, $28,500,000,000.
"(B) Outlays, $28,400,000,000.
"(C) New direct loan obligations, $800,000,000.
"(D) New loan guarantee commitments, $6,600,000,000.
"(11) Health (550):
"Fiscal year 1983:
"(A) New budget authority, $25,325,000,000.
"(B) Outlays, $29,825,000,000.
"(C) New direct loan obligations, $47,000,000.
"(D) New loan guarantee commitments, $200,000,000.
"Fiscal year 1984:
"(A) New budget authority, $32,749,000,000.
"(B) Outlays, $32,749,000,000.
"(C) New direct loan obligations, $29,000,000.
"(D) New loan guarantee commitments, $300,000,000.
"Fiscal year 1985:
"(A) New budget authority, $35,724,000,000.
"(B) Outlays, $35,224,000,000.
"(C) New direct loan obligations, $28,000,000.
"(D) New loan guarantee commitments, $300,000,000.
"Fiscal year 1986:
"(A) New budget authority, $37,849,000,000.
"(B) Outlays, $37,249,000,000,
"(C) New direct loan obligations, $28,000,000.
"(D) New loan guarantee commitments, $300,000,000.
"(12) Medical Insurance (570):
"Fiscal year 1983:
"(A) New budget authority, $46,100,000,000.
"(B) Outlays, $53,100,000,000.
"(C) New direct loan obligations, $0.
"(D) New loan guarantee commitments, $0.
"Fiscal year 1984:
"(A) New budget authority, $61,400,000,000.
"(B) Outlays, $60,300,000,000.
"(C) New direct loan obligations, $0.
"(D) New loan guarantee commitments, $0.
"Fiscal year 1985:
"(A) New budget authority, $69,400,000,000.
"(B) Outlays, $68,300,000,000.
"(C) New direct loan obligations, $0.
"(D) New loan guarantee commitments, $0.
"Fiscal year 1986:
"(A) New budget authority, $79,100,000,000.
"(B) Outlays, $75,600,000,000.
"(C) New direct loan obligations, $0.
"(D) New loan guarantee commitments, $0.
"(13) Income Security (600):
"Fiscal year 1983:
"(A) New budget authority, $121,700,000,000.
"(B) Outlays, $110,200,000,000.
"(C) New direct loan obligations, $1,000,000,000.
"(D) New loan guarantee commitments, $14,600,000,000.
"Fiscal year 1984:
"(A) New budget authority, $126,000,000,000.
"(B) Outlays, $104,100,000,000.
"(C) New direct loan obligations, $1,000,000,000.
"(D) New loan guarantee commitments, $14,700,000,000.
"Fiscal year 1985:
"(A) New budget authority, $127,500,000,000.
"(B) Outlays, $105,500,000,000.
"(C) New direct loan obligations, $800,000,000.
"(D) New loan guarantee commitments, $16,500,000,000.
"Fiscal year 1986:
"(A) New budget authority, $131,400,000,000.
"(B) Outlays, $108,600,000,000.
"(C) New direct loan obligations, $500,000,000.
"(D) New loan guarantee commitments, $18,100,000,000.
"(14) Social Security (650):
"Fiscal year 1983:
"(A) New budget authority, $184,100,000,000.
"(B) Outlays, $167,600,000,000.
"(C) New direct loan obligations,, $0.
"(D) New loan guarantee commitments, $0.
"Fiscal year 1984:
"(A) New budget authority, $174,900,000,000.
"(B) Outlays, $177,100,000,000.

"(C) New direct loan obligations, $0.
"(D) New loan guarantee commitments, $0.
"Fiscal year 1985:
"(A) New budget authority, $194,700,000,000.
"(B) Outlays, $188,400,000,000.
"(C) New direct loan obligations, $0.
"(D) New loan guarantee commitments, $0.
"Fiscal year 1986:
"(A) New budget authority, $211,000,000,000.
"(B) Outlays, $200,800,000,000.
"(C) New direct loan obligations, $0.
"(D) New loan guarantee commitments, $0.
"(15) Veterans Benefits and Services (700):
"Fiscal year 1983:
"(A) New budget authority, $25,200,000,000.
"(B) Outlays, $24,500,000,000.
"(C) New direct loan obligations, $1,000,000,000.
"(D) New loan guarantee commitments, $8,000,000,000.
"Fiscal year 1984:
"(A) New budget authority, $25,700,000,000.
"(B) Outlays, $25,700,000,000.
"(C) New direct loan obligations, $800,000,000.
"(D) New loan guarantee commitments, $9,000,000,000.
"Fiscal year 1985:
"(A) New budget authority, $26,800,000,000.
"(B) Outlays, $26,400,000,000.
"(C) New direct loan obligations, $699,000,000.
"(D) New loan guarantee commitments, $10,500,000,000.
"Fiscal year 1986:
"(A) New budget authority, $27,300,000,000.
"(B) Outlays, $26,700,000,000.
"(C) New direct loan obligations, $700,000,000.
"(D) New loan guarantee commitments, $12,500,000,000.
"(16) Administration of Justice (750):
"Fiscal year 1983:
"(A) New budget authority, $5,200,000,000.
"(B) Outlays, $5,100,000,000.
"(C) New direct loan obligations, $0.
"(D) New loan guarantee commitments, $0.
"Fiscal year 1984:
"(A) New budget authority, $6,000,000,000.
"(B) Outlays, $6,000,000,000.
"(C) New direct loan obligations, $0.
"(D) New loan guarantee commitments, $0.
"Fiscal year 1985:
"(A) New budget authority, $5,800,000,000.
"(B) Outlays, $5,900,000,000.
"(C) New direct loan obligations, $0.
"(D) New loan guarantee commitments, $0.
"Fiscal year 1986:
"(A) New budget authority, $5,900,000,000.
"(B) Outlays, $5,000,000,000.
"(C) New direct loan obligations, $0.
"(D) New loan guarantee commitments, $0.
"(17) General Government (800):
"Fiscal year 1983:
"(A) New budget authority, $5,600,000,000.
"(B) Outlays, $5,700,000,000.
"(C) New direct loan obligations, $0.
"(D) New loan guarantee commitments, $0.
"Fiscal year 1984:
"(A) New budget authority, $5,700,000,000.
"(B) Outlays, $5,700,000,000
"(C) New direct loan obligations, $0.
"(D) New loan guarantee commitments, $0.
"Fiscal year 1985:
"(A) New budget authority, $6,000,000,000.
"(B) Outlays, $5,000,000,000.
"(C) New direct loan obligations, $0.
"(D) New loan guarantee commitments, $0.
"Fiscal year 1986:
"(A) New budget authority, $6,200,000,000.
"(B) Outlays, $5,900,000,000
"(C) New direct loan obligations, $0.
"(D) New loan guarantee commitments, $0.
"(18) General Purpose Fiscal Assistance (850):
"Fiscal year 1983:
"(A) New budget authority, $6,400,000,000.
"(B) Outlays, $6,400,000,000.
"(C) New direct loan obligations, $300,000,000.
"(D) New loan guarantee commitments, $0.
"Fiscal year 1984:
"(A) New budget authority, $7,100,000,000.
"(B) Outlays, $7,000,000,000.
"(C) New direct loan obligations, $300,000,000.
"(D) New loan guarantee commitments, $0.
"Fiscal year 1985:
"(A) New budget authority, $7,200,000.000.
"(B) Outlays, $7,100,000,000.
"(C) New direct loan obligations, $300,000,000.
"(D) New loan guarantee commitments, $0.
"Fiscal year 1986:
"(A) New budget authority, $7,500,000.000.
"(B) Outlays, $7,500,000,000.
"(C) New direct loan obligations, $300,000,000.
"(D) New loan guarantee commitments, $0.
"(19) Net Interest (900):
"Fiscal year 1983:
"(A) New budget authority, $87,600,000.000.
"(B) Outlays, $87,600,000,000.
"(C) New direct loan obligations, $0.
"(D) New loan guarantee commitments, $0.
"Fiscal year 1984:
"(A) New budget authority, $96,000,000.000.
"(B) Outlays, $96,000,000,000.
"(C) New direct loan obligations, $0.
"(D) New loan guarantee commitments, $0.
"Fiscal year 1985:
"(A) New budget authority, $104,400,000.000.
"(B) Outlays, $104,400,000,000.
"(C) New direct loan obligations, $0.
"(D) New loan guarantee commitments, $0.
"Fiscal year 1986:
"(A) New budget authority, $108,400,000.000.
"(B) Outlays, $108,400,000,000.
"(C) New direct loan obligations, $0.
"(D) New loan guarantee commitments, $0.
"(20) Allowances (920):
"Fiscal year 1983:
"(A) New budget authority, $800,000.000.
"(B) Outlays, $900,000,000.
"(C) New direct loan obligations, $0.
"(D) New loan guarantee commitments, $0.
"Fiscal year 1984:
"(A) New budget authority, $600,000,000.
"(B) Outlays, $600,000,000.
"(C) New direct loan obligations, $0.
"(D) New loan guarantee commitments, $0.
"Fiscal year 1985:
"(A) New budget authority, $1,900,000,000.
"(B) Outlays, $2,000,000.000.
"(C) New direct loan obligations, $0.
"(D) New loan guarantee commitments, $0.
"Fiscal year 1986
"(A) New budget authority, $3,200,000,000.
"(B) Outlays, $3,400,000,000.
"(C) New direct loan obligations, $0.
"(D) New loan guarantee commitments, $0.
"(21) Undistributed Offsetting Receipts (950):
"Fiscal year 1983:
"(A) New budget authority, −$18,000,000,000.
"(B) Outlays, −$18,000,000,000.
"(C) New direct loan obligations, $0.
"(D) New loan guarantee commitments, $0.
"Fiscal year 1984:
"(A) New budget authority, −$17,900,000,000.
"(B) Outlays, −$17,900,000,000.
"(C) New direct loan obligations, $0.
"(D) New loan guarantee commitments, $0.
"Fiscal year 1985:
"(A) New budget authority, −$18,700,000,000.
"(B) Outlays, −$18,700,000,000.
"(C) New direct loan obligations, $0.
"(D) New loan guarantee commitments, $0.
"Fiscal year 1986:
"(A) New budget authority, −$23,500,000,000.
"(B) Outlays, −$23,500,000,000.
"(C) New direct loan obligations, $0.
"(D) New loan guarantee commitments, $0.

"RECONCILIATION

"SEC. 2. (a) Not later than June 6, 1983, the Senate committees named in subsections (b) through (f) of this section shall submit their recommendations to the Senate Committee on the Budget and not later than June 6, 1983, the House committees named in subsections (g) through (l) of this section shall submit their recommendations to the House Committee on the Budget. After receiving those recommendations, the Committees on the Budget shall report to the House and Senate a reconciliation bill or resolution or both carrying out all such recommendations without any substantive revision.

"SENATE COMMITTEES

"(b) The Senate Committee on Agriculture, Nutrition, and Forestry shall report changes in laws within the jurisdiction of that committee, (A) to require reductions in appropriations for programs authorized by that committee so as the achieve savings in budget authority and outlays, or (B) which provide spending authority as defined in section 401(c)(2)(C) of Public Law 93-344, sufficient to reduce budget authority and outlays, or (C) any combination thereof, as follows: $1,243,000,000 in budget authority and $1,243,000,000 in outlays in fiscal year 1984; $1,332,000,000 in budget authority and $1,332,000,000 in outlays in fiscal year 1985; and $1,327,000,000 in budget authority and $1,327,000,000 in outlays in fiscal year 1986.

"(c)(1) The Senate Committee on Finance shall report changes in laws within the jurisdiction of that committee which provide spending authority as defined in section 401(c)(2)(C) of Public Law 93-344, sufficient to reduce outlays by $856,000,000 in fiscal year 1984; to reduce outlays by $2,024,000,000 in fiscal year 1985; and to reduce outlays by $2,484,000,000 in fiscal year 1986.

"(2) The Senate Committee on Finance shall report changes in laws within the jurisdiction of that committee sufficient to increase revenues as follows: $14,900,000,000 in fiscal year 1984; $22,675,000,000 in fiscal year 1985; and $34,000,000,000 in fiscal year 1986.

"(d) The Senate Committee on Governmental Affairs shall report changes in laws within the jurisdiction of that committee which provide spending authority as defined in section 401(c)(2)(C) of Public Law 93-344, sufficient to reduce budget authority by $258,000,000 and outlays by $534,000,000 in fiscal year 1984; to reduce budget authority by $368,000,000 and outlays by $834,000,000 in fiscal year 1985; and to reduce budget authority by $636,000,000 and outlays by $1,486,000,000 in fiscal year 1986.

"(e) The Senate Committee on Small Business shall report changes in laws within the jurisdiction of that committee to require reductions in appropriations for programs authorized by that committee so as to achieve savings in budget authority and outlays as follows: $139,000,000 in budget authority and $287,000,000 in outlays in fiscal year 1984; $555,000,000 in budget authority and $466,000,000 in outlays in fiscal year 1985; and $544,000,000 in budget authority and $443,000,000 in outlays in fiscal year 1986.

"(f) The Senate Committee on Veterans' Affairs shall report changes in laws within the jurisdiction of that committee which provide spending authority as defined in section 401(c)(2)(C) of Public Law 93-344, sufficient to reduce budget authority by $202,000,000 and outlays by $201,000,000 in fiscal year 1984; to reduce budget authority by $117,000,000 and outlays by $115,000,000 in fiscal year 1985; and to reduce budget authority by $118,000,000 and outlays by $118,000,000 in fiscal year 1986.

"HOUSE COMMITTEES

"(g) The House Committee on Agriculture shall report changes in laws within the jurisdiction of that committee, (A) to require reductions in appropriations for programs authorized by that committee so as to achieve savings in budget authority and outlays, or (B) which provide spending authority as defined in section 401(c)(2)(C) of Public Law 93-344, sufficient to reduce budget authority and outlays, or (C) any combination thereof, as follows: $1,243,000,000 in budget authority and $1,243,000,000 in outlays in fiscal year 1984; $1,332,000,000 in budget authority and $1,332,000,000 in outlays in fiscal year 1985; and $1,327,000,000 in budget authority and $1,327,000,000 in outlays in fiscal year 1986.

"(h) The House Committee on Energy and Commerce shall report changes in laws within the jurisdiction of that committee which provide spending authority as defined in section 401(c)(2)(C) of Public Law 93-344, sufficient to reduce outlays by $816,000,000 in fiscal year 1984; to reduce outlays by $1,538,000,000 in fiscal year 1985; and to reduce outlays by $1,979,000,000 in fiscal year 1986.

"(i) The House Committee on Post Office and Civil Service shall report changes in laws within the jurisdiction of that committee which provide spending authority as defined in section 401(c)(2)(C) of Public Law 93-344, sufficient to reduce budget authority by $258,000,000 and outlays by $534,000,000 in fiscal year 1984; to reduce budget authority by $368,000,000 and outlays by $834,000,000 in fiscal year 1985; and to reduce budget authority by $636,000,000 and outlays by $1,486,000,000 in fiscal year 1986.

"(j) The House Committee on Small Business shall report changes in laws within the jurisdiction of that committee to require reductions in appropriations for programs authorized by that committee so as to achieve savings in budget authority and outlays as follows: $139,000,000 in budget authority and $287,000,000 in outlays in fiscal year 1984; $555,000,000 in budget authority and $466,000,000 in outlays in fiscal year 1985; and $544,000,000 in budget authority and $443,000,000 in outlays in fiscal year 1986.

"(k) The House Committee on Veterans' Affairs shall report changes in laws within the jurisdiction of that committee which provide spending authority as defined in section 401(c)(2)(C) of Public Law 93-344, sufficient to reduce budget authority by $202,000,000 and outlays by $201,000,000 in fiscal year 1984; to reduce budget authority by $117,000,000 and outlays by $115,000,000 in fiscal year 1985; and to reduce budget authority by $118,000,000 and outlays by $118,000,000 in fiscal year 1986.

"(l)(1) The House Committee on Ways and Means shall report changes in laws within the jurisdiction of that committee which provide spending authority as defined in section 401(c)(2)(C) of Public Law 93-344, sufficient to reduce outlays by $849,000,000 in fiscal year 1984; to reduce outlays by $1,481,000,000 in fiscal year 1985; and to reduce outlays by $2,077,000,000 in fiscal year 1986.

"(2) The House Committee on Ways and Means shall report changes in laws within the jurisdiction of that committee sufficient to increase revenues as follows: $14,900,000,000 in fiscal year 1984; $22,675,000,000 in fiscal year 1985; and $34,000,000,000 in fiscal year 1986.

"MISCELLANEOUS PROVISIONS

"SEC. 3. It shall not be in order in either the House of Representatives or the Senate to consider any bill or resolution, or amendment thereto, providing—

"(1) new budget authority for fiscal year 1984; or

"(2) new spending authority described in section 401(c)(2)(C) of the Budget Act first effective in fiscal year 1984,

within the jurisdiction of any of its committees unless and until such committee makes the allocations or subdivisions required by section 302(b) of the Budget Act, in connection with the most recently agreed to concurrent resolution on the budget.

"SEC. 4. It is the sense of the Congress that the President and the Congress, through the appropriations process, should limit the on-budget new direct loan obligations of the Federal Government to an amount not to exceed $37,600,000,000 in fiscal year 1983 and $29,300,000,000 in fiscal year 1984; off-budget new direct loan obligations to an amount not to exceed $17,800,000,000 in fiscal year 1983 and $18,900,000,000 in fiscal year 1984; and new loan guarantee commitments to an amount not to exceed $94,500,000,000 in fiscal year 1983 and $94,500,000,000 in fiscal year 1984. It is further the sense of the Congress that the President and the Congress should limit total Federal Financing Bank origination of direct loans guaranteed by other Federal agencies to $16,200,000,000 in fiscal year 1983 and $17,300,000,000 in fiscal year 1984, and Federal Financing Bank purchases of certificates of beneficial ownership from Federal agencies to $11,500,000,000 in fiscal year 1983 and $13,200,000,000 in fiscal year 1984. It is further the sense of the Congress that direct borrowing transactions of Federal agencies should be, to the maximum extent possible, restricted to the Federal Financing Bank.

SEC. 5. (a) The joint explanatory statement accompanying the conference report on this resolution shall include an estimated allocation, based upon the first section of this resolution as recommended in such conference report, of the appropriate levels of total new direct loan obligations and new loan guarantee commitments for fiscal year 1983 and fiscal year 1984, among each committee of the House of Representatives and the Senate which has jurisdiction over bills and resolutions providing such new obligations and commitments.

"(b) As soon as practicable after this resolution is agreed to, every committee of each House, after consulting with the committee or committees of the other House to which all or part of the allocation has been made, shall subdivide among its subcommittees the allocation of new direct loan obligations and new loan guarantee commitments for fiscal year 1983 and fiscal year 1984, allocated to it in the joint explanatory statement accompanying the conference report on this resolution.

"SEC. 6. It is the sense of the Congress that the budgets of Federal agencies initiating Federal Financing Bank purchases of certificates of beneficial ownership and originations of guaranteed loans should include the budget authority and outlays resulting from the transactions. The Congress recommends that the committees with jurisdiction over the Federal Financing Bank Act of 1973 consider expeditiously legislation to require that the budgetary impact of such Federal Financing Bank transactions be included in the budgets of the initiating agencies beginning with the fiscal year 1985 budget.".

Mr. WEICKER. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. WEICKER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. (Mr. GRASSLEY), Without objection, it is so ordered.

Who yields time?

Mr. WEICKER. Mr. President, I rise to speak on behalf of the amendment offered——

Mr. STENNIS. Mr. President, will the Senator yield? May we have order, Mr. President? This is an important matter.

The PRESIDING OFFICER. The Senator from Mississippi has raised a point of order. We are reconvened to consider the Weicker amendment, and Senator WEICKER deserves the attention of the Senate.

The Senator from Connecticut.

Mr. WEICKER. I thank my distinguished colleague from Mississippi.

I rise to speak on behalf of the amendment offered by Senators CHAFEE, HATFIELD, MATHIAS, STAFFORD, and myself. As is customary at this time of year, the Senate is awash with budget numbers, and many Members find themselves looking for dry land.

What this amendment provides is a positive middle ground between the Budget Committee's numbers and those offered by its able chairman, Senator DOMENICI, and the distinguished majority leader, the so-called Republican substitute.

In origin, this, too, is a Republican substitute, but one we sincerely believe addresses serious and widespread bipartisan concerns about correct numbers for defense, deficits, and domestic spending.

(Mr. KASTEN assumed the chair.)

Mr. WEICKER. This amendment is a compromise but a compromise in the best sense of the word. To begin with, ours is the only alternative which incorporates the three budget amendments which the full Senate has passed to date, adding funds for education, health care for the unemployed, and prenatal care for low-income mothers. As such it demonstrates this body's continued commitment to health care and educational opportunity for all Americans, especially those hardest hit by the economic recession.

Second, the amendment offers a middle way on defense spending. The Budget Committee's resolution advocates a 5-percent real growth for 1984. The Domenici-Baker substitute came in at 7.5 percent, and we propose a 6-percent real increase for 1984, 5 percent for 1985 and 1986. This spending level would allow us to compensate for the no-growth years in the seventies, without yielding to the temptation to throw money at every weapons system that comes down the pike.

Instead, we seek to encourage the administration to come up with a clear set of spending priorities within which the Congress can work.

While we are on the subject of priorities, our amendment assumes that the greater share of reductions from the President's request will come from the accounts of hardware rather than readiness.

On the revenue side of our compromise, we advocate a moderate revenue increase of $14.9 billion in 1984, $22.7 billion in 1985, and $34 billion in 1986.

We allow the Finance Committee considerable elbow room within which to achieve these goals.

Our amendment would cut the Federal deficit by about $30 billion more over the course of the next 2 years than would the Domenici-Baker substitute.

A final word on deficits: once upon a time officials within this administration made a career out of preaching balanced budgets. These days the subject is barely accorded a passing reference in a 60-minute speech.

I am no believer in the balanced budget as the great panacea, but I know that big deficits are dangerous, and recovery can only come through the private sector. It can only come through people building and buying homes, buying automobiles and other consumer goods, and if the Federal Government continues to crowd borrowers out of the credit markets to the tune of $200 billion a year, recovery will never come. What will come will be interest rates, the likes of which we have never seen before. Two years of high interest rates have already helped to put thousands of small concerns out of business and millions of Americans out of work.

So when we are talking about the budget and its bottom line we are really talking about people, their lives and their futures. That is why I strongly urge my colleagues to support this compromise amendment. It is not just an exercise in numbers crunching. It has the needs and aspirations of all Americans in mind.

I realize the difficulties that confront all of us, certainly the difficulties that confront this Senator and my colleagues within our party, and the difficulties that confront my colleagues on the other side of the aisle in terms of what they perceive as being political opportunity.

But it seems to me there comes a time when partisanship is set aside and we at least make some attempt to do what is right for the constituency that we serve, in this instance the entire Nation.

Now, the bottom line is the fact that there are 12 million people out of work and theirs is a terrible tragedy. It seems to me, each one of the 100 in this Chamber owe it to that 12 million to get them back on the job as fast as possible.

The bottom line—and I can speak personally to this, as chairman of the Small Business Committee—is that you had in 1981, 50 percent more bankruptcies than in 1980 and in 1982, 50 percent more than in 1981 of small businesses' doors closed forever.

The fact is, as chairman of the Appropriations Subcommittee that handles the health care and education of this Nation, in terms of the effect of this recession on the poor in the sense of health care, it is devastating. We had testimony from the commissioner of health from the city of Philadelphia the other day and their infant mortality rate has gone up to 27 per thousand. There are just a few hospitals serving those that are indigent, seeing the mothers that come in for the first time, if you will, at the time of delivery and, yes, lives are being lost. Now, that is the situation while we continue this debate in the Senate.

I think everybody has made their point and there will probably be more to be made in the hours and the days ahead. But let us get on with this business. Let us put a budget together.

There is no way this is going to pass except with both Democratic and Republican votes. We all know that. There has been considerable moderation of the amendment which I have before the body at this time due to the wishes of other Members on this side. And I am sure there are ideas relative to this matter that emanate from the Democratic side.

But let us put the budget together and let us get on with the entire constitutional process, because the only people that are paying right now are the ones that are out of work, the ones that are being hurt in the sense of their education, being hurt in the sense of health care, and the businesses that are closing, et cetera. Everybody can sit on their prerogatives until kingdom come, but nobody is hurting in this Chamber. They are on the streets of America.

The President is not going to get his way, not as far as this Republican is concerned, but neither should the Democrats get their way. What we want is a way which, in effect, discharges our obligations to an entire constituency. And they do not give a damn whether they are Republicans or Democrats, they are human beings.

Mr. METZENBAUM. Will the Senator from Connecticut yield for a question?

Mr. WEICKER. I yield to my good friend from Ohio.

Mr. METZENBAUM. Mr. President, would my good friend from Connecticut be kind enough to indicate some of the specifics that we use around here? What are the defense numbers—not the numbers specifically—but what are the percentages? What economic assumptions are being made? What are the revenue increases that are provided for? And any other pertinent data of that kind, I believe, would help in the debate.

Mr. WEICKER. I would say to my friend from Ohio—and he is just that, and has been over the years—I will be very brief in my reply, because I only have a few minutes left and there are other Senators that want to talk on behalf of the proposal.

In the defense, the real increase is 6 percent, 5 percent, and 5 percent. On the matter of increased revenues, the increased revenues are $14.9 billion, $22.7 billion, and $34 billion over the 3-year span. And it includes those matters we have already passed, the Hollings-Stafford amendment, the Dole amendment, and the Cranston amendment. All of them are included in this bill.

Mr. METZENBAUM. What economic growth assumptions are made?

Mr. WEICKER. The same as the budget resolution.

Mr. President, I yield at this time to the distinguished Senator from Rhode Island, Senator CHAFEE.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. CHAFEE. Mr. President, the proposition that is on the floor today, in effect a substitute for the committee resolution, as has been mentioned, would leave the nondefense spending amounts intact. It would include, as the Senator from Connecticut mentioned, the Stafford-Hollings education amendment, the Dole health benefits amendment, and the Cranston-Hatfield medicare amendment.

On defense, as has been mentioned, it would increase the real rate of growth in defense spending to 6 percent for fiscal year 1984 and the following years at 5 percent each.

On revenues, as the Senator from Connecticut mentioned, it would be $14 billion additional in 1984, $22 billion in 1985, and $34 billion in 1986.

Like all compromises, this does not represent what everybody would like. It does not go as far in reducing the budget deficits as some would like. However, it is obvious that in this Chamber there are a good number of people who feel that the budget resolution figures, as far as revenue goes, are too steep and the only way they can be achieved is through getting rid of the third-year tax cut and indexing, getting rid of both of those for which there is good deal of support in this Chamber. So this is indeed a compromise.

Now, let me also say, Mr. President, that there has been some suggestion that we may not even have a budget resolution. Certainly I do not subscribe to that and it is safe to say that none of the sponsors of this amendment wish to do away with the budget resolution. They want a budget resolution. I just believe very strongly that a budget resolution has been a salutary instrument during the appropriations process as far as holding down spending and, indeed, achieving savings in the operations of our Government.

Mr. President, what really is driving us, as has been touched on here earlier, is the concern over the deficits. The deficits that are projected under the President's budget are really very, very significant. There is no way for us to overlook those. They are in the neighborhood of $200 billion in 1984 and very close to that, just a few billion dollars less than that, in 1985, and then they hover in the same area in the outyears.

So, Mr. President, I hope that we could all get behind this resolution and support it. There may be some changes presented, perhaps there will be, and perhaps those will go on to further support this suggestion that we have before the Chamber today. However, whatever it is, I think that they point in the same direction of the significant factor that is driving my interest in this process, Mr. President, in seeing a decline in the deficits in the outyears. True, I would like to achieve them in 1984 and in 1985 in more significant proportions than has been addressed here. But certainly in 1986 and 1987, we have to have something significant out there.

I was one of those who voted to table the Domenici resolution, primarily because that did not, in my judgment, address in 1984 or 1985 the deficits significantly enough, or in 1986. Of course, that was left a question mark.

Let me just say one final word regarding the deficits. These, of course, are larger in dollar terms and relative to the size of the economy than anything we have known since the end of World War II. I would hope that we could start this direction of bringing those down.

I thank the Chair.

The PRESIDING OFFICER. Who yields time?

Mr. CHILES. Mr. President, I yield such time to the distinguished Senator from Ohio as he might desire.

The PRESIDING OFFICER. Is the Senator from Florida yielding time off the resolution?

Mr. CHILES. I am yielding time off of the amendment.

The PRESIDING OFFICER. The time on the amendment is controlled by the Senator from Connecticut and the Senator from New Mexico.

Mr. DOMENICI. I yield to the distinguished Senator from Ohio.

Mr. METZENBAUM. I thank the Senator from New Mexico.

Mr. President, I rise to address myself to this issue, not as an advocate of the amendment nor as an opponent of the amendment, But it is fair to say that I intend to vote for the amendment.

However, I do not rise for that purpose. I rise to address myself to my colleagues on the floor of the Senate as to the question of responsibility of this body to come up with a budget proposal.

Frankly, Mr. President, I am very disturbed when I read the report of the action that we just took a little bit ago defeating the Baker-Domenici proposal, when the report comes over the wire service that "a Reagan spokesman said yesterday that the President would rather have no budget at all than have Congress tamper with the tax cut, the third slice of the 25 percent approved on his urging in 1981."

Mr. President, I think this body has a statutory obligation, but beyond its statutory obligation, I believe it has a far greater obligation, to come up with a budget proposal. I think to do less than that would be irresponsible on our part. I think it would send the wrong message to the marketplace as far as this country is concerned and the marketplace throughout the world.

I am concerned also that my friends on the other side are also talking at this time that the majority leadership on that side "conceded for the first time that the Senate might be so deadlocked over the budget fight that it might be unable to produce a spending and revenue plan for 1984 because of the continuing family feud among the Senate Republicans."

Mr. President, I just think that is illogical. I think it is ill-considered. I do not think it will reflect well upon this body if we fail to come up with a budget. But in all fairness, I think much of the responsibility must be laid at the President's doorstep because the President who ran for office and promised this Nation that there would be a balanced budget is now saying that he is more concerned about protecting some future tax cut than he is about balancing the budget.

It is an accepted fact now that the deficits in the 4 years of this administration will pretty much equal the entire deficits that were accumulated over the history of this Nation. But having said that, do we not have any further concern at the White House about balancing the budget? We only talk about tax cuts. As a matter of fact, this is the same President who has already tripled telephone taxes, doubled the cigarette taxes, added a nickel to the gasoline tax, wants to add another 12 cents to the gasoline tax, and wants to add another 5-percent surcharge. But he is talking about not raising taxes. Well, he has already raised taxes.

The question is whether we are going to be responsible, whether the President of the United States is going to be responsible. Nobody is really talking about raising taxes. The most that anybody has talked about on the floor of this Senate or in the Congress is repealing some of the tax cuts that are talked about for tomorrow, not raising taxes. It is a totally different kettle of fish.

I just want this body to understand. I am not sure whether the Chafee, Weicker, Stafford, Hatfield, and Mathias amendment is the right answer. I voted for the budget resolution when it came out of committee, and I must say that I do not buy everything that is in it. I would have accepted a smaller defense number. I would be willing to have a substantially higher revenue number. If we would close some tax loopholes, we would indeed have that.

But sometimes we have to make a compromise in order to do that which we are obligated to do as U.S. Senators, whether we are Republicans or Democrats. We are supposed to have a sense of responsibility, and the Presi-

dent of the United States is supposed to have a sense of responsibility and not just make another speech about not raising taxes.

I commend the five who have offered this proposal, and I understand that the Senator from Washington has a proposal that he intends to offer if this does not pass. If it is what I expect it to be, I would expect to vote for that.

I would say that those voices that are being raised at this moment saying that we do not need a budget are not being responsible. That, in my opinion, is the height of irresponsibility.

We can fight about how much the defense figures ought to be, we can fight about what the revenue numbers ought to be, we can argue about what the domestic spending numbers ought to be, but if we have no solution at all, if we turn our backs on our responsibility and think we are playing a cute game of politics, we are not being the kind of Senators that the people of this Nation think they have representing them in the city of Washington.

Mr. RANDOLPH. Will my colleague yield?

Mr. METZENBAUM. I yield.

Mr. RANDOLPH. The Senator just made a very important statement and I believe in what he said. That is the reason I interrupted. In any corporate structure of this country, those officials of the company act on a budget, do they not?

Mr. METZENBAUM. They certainly do.

Mr. RANDOLPH. They do. And so the Federal Government, through the Congress, with those advisers within the committee structure, we do less than we should do. There is really a proper condemnation that would fall upon us if we fail to act as the Senator indicated we should act.

Mr. METZENBAUM. I very much appreciate those remarks from my good friend from West Virginia, he being a Member of Congress who has served longer than any other Member of Congress. His remarks are particularly relevant as to the responsibilities of a Member of the Congress.

Mr. President, I know there are others who wish to be heard. I thank you.

Mr. WEICKER. I yield to the distinguished Senator from Washington.

The PRESIDING OFFICER. The Senator from Washington.

Mr. GORTON. Mr. President, I intend now to discuss a modification to the amendment by the distinguished Senator from Rhode Island and to ask his acceptance of that modification to the amendment which is before us at the present time.

Mr. President, we are in the very last hours and moments of this extended debate over a budget resolution. If one fact is clear, it is that every proposal before us has been an orphan, an orphan with almost no claim to parentage whatsoever.

It has been extremely easy for Members on both sides of the aisle to point out the defects in all of the proposals which we have discussed, but that clarity has not led us any closer to a solution.

The proposal of my close friend and distinguished colleague, the Senator from New Mexico, has been tabled.

The proposal reported by the Budget Committee, with reservations by many of its members, cannot possibly get anything like a sufficient number of votes to be adopted.

A single proposal which I felt to be most responsible, that of the Senator from Louisiana (Mr. JOHNSTON), which had the lowest budget deficits of all, was overwhelmingly defeated, having received only 13 votes.

It is my sincere hope that with this modification I can present something to my colleagues which, while it will not satisfy any of them, myself included, at least will meet the minimum goals of the great majority of the Members of this body and can represent something from which we can move forward to the next and very difficult process of a conference with the House of Representatives.

Briefly described, this modification changes nothing in respect to the domestic spending programs outlined in the Chafee amendment, which, in turn, changes nothing from the figures which have been adopted by this body in the course of its debate over the last 2 weeks.

This amendment changes very slightly the numbers for national defense: 6 percent real growth in 1984, 5.5 percent in 1985, and 5 percent thereafter. It therefore represents a compromise between the lower figures proposed by the Budget Committee, the higher figures proposed by the Senator from New Mexico, and the almost identical figures proposed by my distinguished colleague from the State of Washington (Mr. JACKSON). It differs somewhat more significantly from the present amendment in respect to revenues in an attempt, as difficult as it may be, to bridge the deepest gap, the greatest chasm, between Members of the U.S. Senate, among themselves, and with the President of the United States. It does that in this way:

We propose tax increases or revenue increases in fiscal year 1984 of just under $8 billion, of just under $14 billion in fiscal year 1985, and of approximately $51 billion in fiscal year 1986.

My colleagues will notice that the very large increase in revenues takes place more than 2 years from now in this modification. In that respect, it follows the philosophy outlined as long ago as January by the President of the United States, who firmly has taken the position that to increase taxes at the beginning stages of a recovery would be counterproductive and might significantly harm the recovery. That Presidential position, however, recognizes the extreme dangers of huge $200 billion budget deficits for extended periods in the future and, therefore, recognizes the necessity to deal with those in part, at least, by revenue increases in years beginning with fiscal year 1986. My figures are those of the President, modified only by actions in respect to revenues which this body has essentially already taken.

What, now, would this result in from the point of view of budget deficits? The deficits in each year of this proposal are less than those of the Domenici amendment, which was tabled a little earlier today. As compared with the Chafee amendment, they are $1 to $3 billion higher in 1984 and 1985 as a result of lower taxes, but considerably, quite sharply, lower in the years beginning in 1986.

They show, therefore, if we accept the Congressional Budget Office's projections, budget deficits of $184 billion in 1984, gradually declining to $182 billion in 1988. If we accept the high-growth projections which all of us hope will be attained and so expect to be attained with a responsible budget, those deficits go from $146 billion in 1984 to relatively small deficits, likely below $50 billion, by 1988. They, therefore, will send an appropriate signal to the people of the United States and to the financial markets of the United States that we are indeed concerned about budget deficits, that we do recognize that high growth with relatively low inflation rates and increasing employment are not consistent with huge, almost $200 billion budget deficits from now to infinity while, at the same time, recognizing that this year is not an appropriate time not only not to have substantial tax increases, but even to cancel tax increases which are, in effect, already in place.

I must confess, of course, that this does not satisfy anybody here. It is not a proposal I would make could I pass a budget on my own that I think would be desirable, and I suspect I speak for 99 other Members as well in making that statement. But for those who feel high deficits are the most important disease to cure, this helps. It helps more than even the Chafee amendment at the present time and more than the President's budget.

For those who feel that we must cut the growth rate of spending in many programs, this helps, because, of course, it includes a fairly substantial reconciliation in a number of entitlement spending areas.

For those who wish to protect many or most Federal spending programs, it helps, because it appears to them to be

more reasonable than the proposals of the U.S. President.

For those who are concerned that we have cut too deeply into national defense, it helps as against the resolution proposed by the Senate Budget Committee.

In connection with the most controversial of all of the issues—taxes—it helps because it begins to bridge the gulf between those here. I and many others believe that at the very least, we ought to promise at some time in the future to pay for what we spend. At the same time, it allows those of us who are very concerned about the preservation of tax indexing and the third year of the tax cut to preserve those matters. Those who oppose them or want some changes in them have enough flexibility here to win that battle if, indeed, they can win it on the floor of the Senate. I preferred the proposal by Senator JOHNSTON, but it lost. I preferred the proposal by the Senator from New Mexico, but it lost.

There are all kinds of reasons to vote against this proposal. You can vote against it because you think it spends too much on defense or too little, that it has too many taxes or too few, that it spends too much or too little. You can defend a negative vote to any of your constituents, because each of you is articulate enough to do so.

There is only one reason to vote for it. That is that we are required by the law to have a budget resolution and we are required by our responsibilities to our constituents to have a responsible budget resolution, one which is consistent with economic growth, one which is consistent with low inflation, one which is consistent with jobs for the people of the United States. It may be difficult to explain a "yes" vote, but I submit to my colleagues that a "yes" vote is the only responsible way in which to go at this point in this debate in this budget year with this budget resolution.

I thank the Senator from Connecticut.

Mr. WEICKER. Mr. President, I wonder if the distinguished Senator from Washington would provide me with a copy of the changes.

Mr. GORTON. Yes, Mr. President.

Mr. WEICKER. Having reviewed these earlier in detail, Mr. President, I might add, they are acceptable to the sponsors of the amendment.

Mr. President, I sent a modification of our amendment to the desk.

The PRESIDING OFFICER. The Senator has the right to modify his amendment. The amendment is so modified.

The amendment No. 1262, as modified, follows:

S. CON. RES. 27

Strike out after the resolving clause and insert in lieu thereof the following: "That the Congress hereby determines and declares that the concurrent resolution on the budget for fiscal year 1983 is hereby revised, the first concurrent resolution on the budget for fiscal year 1984 is hereby established, and the appropriate budgetary levels for fiscal years 1985 and 1986 are hereby set forth:

"(a) The following budgetary levels are appropriate for the fiscal years beginning on October 1, 1982, October 1, 1983, October 1, 1984, and October 1, 1985:

"(1) The recommended levels of Federal revenues are as follows:

"Fiscal year 1983: $603,325,000,000.

"Fiscal year 1984: $664,300,000,000.

"Fiscal year 1985: $736,175,000,000.

"Fiscal year 1986: $829,900,000,000.

and the amounts by which the aggregate levels of Federal revenues should be changed are as follows:

"Fiscal year 1983: +$125,000,000.

"Fiscal year 1984: +$8,900,000,000.

"Fiscal year 1985: +$12,675,000,000.

"Fiscal year 1986: +$51,000,000,000.

and the amounts for Federal Insurance Contributions Act revenues for hospital insurance within the recommended levels of Federal revenues are as follows:

"Fiscal year 1983: $35,900,000,000.

"Fiscal year 1984: $39,700,000,000.

"Fiscal year 1985: $44,200,000,000.

"Fiscal year 1986: $50,900,000,000.

and the amounts for Federal Insurance Contributions Act revenues and other revenues pursuant to Public Law 98-21 for old age, survivors, and disability insurance within the recommended levels of Federal revenues are as follows:

"Fiscal year 1983: $148,500,000,000.

"Fiscal year 1984: $166,500,000,000.

"Fiscal year 1985: $187,700,000,000.

"Fiscal year 1986: $204,400,000,000.

"(2) The appropriate levels of total new budget authority are as follows:

"Fiscal year 1983: $875,925,000,000.

"Fiscal year 1984: $911,899,000,000.

"Fiscal year 1985: $986,074,000,000.

"Fiscal year 1986: $1,052,709,000,000.

"(3) The appropriate levels of total budget outlays are as follows:

"Fiscal year 1983: $807,325,000,000.

"Fiscal year 1984: $848,699,000,000.

"Fiscal year 1985: $914,574,000,000.

"Fiscal year 1986: $972,369,000,000.

"(4) The amounts of the deficits in the budget which are appropriate in the light of economic conditions and all other relevant factors are as follows:

"Fiscal year 1983: $204,000,000,000.

"Fiscal year 1984: $184,399,000,000.

"Fiscal year 1985: $178,399,000,000.

"Fiscal year 1986: $142,469,000,000.

"(5) The appropriate levels of the public debt are as follows:

"Fiscal year 1983: $1,383,900,000,000.

"Fiscal year 1984: $1,612,199,000,000.

"Fiscal year 1985: $1,841,298,000,000.

"Fiscal year 1986: $2,041,367,000,000.

and the amounts by which the temporary statutory limits on such debt should be accordingly increased are as follows:

"Fiscal year 1983: $93,700,000,000.

"Fiscal year 1984: $228,299,000,000.

"Fiscal year 1985: $229,099,000,000.

"Fiscal year 1986: $200,069,000,000.

"(6) The appropriate levels of total Federal credit activity for the fiscal years beginning on October 1, 1982, October 1, 1983, October 1, 1984, and October 1, 1985, are as follows:

"Fiscal year 1983:

"(A) New direct loan obligations, $55,400,000,000.

"(B) New loan guarantee commitments, $94,500,000,000.

"Fiscal year 1984:

"(A) New direct loan obligations, $48,200,000,000.

"(B) New loan guarantee commitments, $94,500,000,000.

"Fiscal year 1985:

"(A) New direct loan obligations, $48,100,000,000.

"(B) New loan guarantee commitments, $97,400,000,000.

"Fiscal year 1986:

"(A) New direct loan obligations, $48,700,000,000.

"(B) New loan guarantee commitments, $101,000,000,000.

"(b) The Congress hereby determines and declares the appropriate levels of budget authority and budget outlays, and the appropriate levels of new direct loan obligations and new loan guarantee commitments for fiscal years 1983 through 1986 for each major functional category are:

"(1) National Defense (050):

"Fiscal year 1983:

"(A) New budget authority, $244,100,000,000.

"(B) Outlays, $214,300,000,000.

"(C) New direct loan obligations, $0.

"(D) New loan guarantee commitments, $0.

"Fiscal year 1984:

"(A) New budget authority, $270,650,000,000.

"(B) Outlays, $242,600,000,000.

"(C) New direct loan obligations, $0.

"(D) New loan guarantee commitments, $0.

"Fiscal year 1985:

"(A) New budget authority, $300,950,000,000.

"(B) Outlays, $272,550,000,000.

"(C) New direct loan obligations, $0.

"(D) New loan guarantee commitments, $0.

"Fiscal year 1986:

"(A) New budget authority, $333,060,000,000.

"(B) Outlays, $302,420,000,000.

"(C) New direct loan obligations, $0.

"(D) New loan guarantee commitments, $0.

"(2) International Affairs (150):

"Fiscal year 1983:

"(A) New budget authority, $24,900,000,000.

"(B) Outlays, $11,500,000,000.

"(C) New direct loan obligations, $11,700,000,000.

"(D) New loan guarantee commitments, $9,200,000,000.

"Fiscal year 1984:

"(A) New budget authority, $18,200,000,000.

"(B) Outlays, $12,700,000,000.

"(C) New direct loan obligations, $11,200,000,000.

"(D) New loan guarantee commitments, $10,300,000,000.

"Fiscal year 1985:

"(A) New budget authority, $16,500,000,000.

"(B) Outlays, $12,800,000,000.

"(C) New direct loan obligations, $11,500,000,000.

"(D) New loan guarantee commitments, $10,300,000,000.

"Fiscal year 1986:

"(A) New budget authority, $15,900,000,000.

"(B) Outlays, $12,800,000,000.

"(C) New direct loan obligations, $11,600,000,000.

"(D) New loan guarantee commitments, $10,300,000,000.

"(3) General Science, Space, and Technology (250):

"Fiscal year 1983:

"(A) New budget authority, $7,900,000,000.

"(B) Outlays, $7,700,000,000.

"(C) New direct loan obligations, $200,000,000.

"(D) New loan guarantee commitments, $0.

"Fiscal year 1984:

"(A) New budget authority, $8,500,000,000.

"(B) Outlays, $8,200,000,000.

"(C) New direct loan obligations, $37,000,000.

"(D) New loan guarantee commitments, $0.

"Fiscal year 1985:

"(A) New budget authority, $8,500,000,000.

"(B) Outlays, $8,500,000,000.

"(C) New direct loan obligations, $0.

"(D) New loan guarantee commitments, $0.

"Fiscal year 1986:

"(A) New budget authority, $8,400,000,000.

"(B) Outlays, $8,400,000,000.

"(C) New direct loan obligations, $0.

"(D) New loan guarantee commitments, $0.

"(4) Energy (270):

"Fiscal year 1983:

"(A) New budget authority, $4,000,000,000.

"(B) Outlays, $4,600,000,000.

"(C) New direct loan obligations, $13,100,000,000.

"(D) New loan guarantee commitments, $200,000,000.

"Fiscal year 1984:

"(A) New budget authority, $3,900,000,000.

"(B) Outlays, $4,100,000,000.

"(C) New direct loan obligations, $13,900,000,000.

"(D) New loan guarantee commitments, $200,000,000.

"Fiscal year 1985:

"(A) New budget authority, $3,600,000,000.

"(B) Outlays, $2,900,000,000.

"(C) New direct loan obligations, $14,300,000,000.

"(D) New loan guarantee commitments, $0.

"Fiscal year 1986:

"(A) New budget authority, $3,200,000,000.

"(B) Outlays, $2,700,000,000.

"(C) New direct loan obligations, $14,400,000,000.

"(D) New loan guarantee commitments, $0.

"(5) Natural Resources and Environment (300):

"Fiscal year 1983:

"(A) New budget authority, $12,500,000,000.

"(B) Outlays, $12,800,000,000.

"(C) New direct loan obligations, $100,000,000.

"(D) New loan guarantee commitments, $0.

"Fiscal year 1984:

"(A) New budget authority, $12,000,000,000.

"(B) Outlays, $12,500,000,000.

"(C) New direct loan obligations, $27,000,000.

"(D) New loan guarantee commitments, $0.

"Fiscal year 1985:

"(A) New budget authority, $12,200,000,000.

"(B) Outlays, $12,600,000,000.

"(C) New direct loan obligations, $27,000,000.

"(D) New loan guarantee commitments, $0.

"Fiscal year 1986:

"(A) New budget authority, $12,500,000,000.

"(B) Outlays, $12,200,000,000.

"(C) New direct loan obligations, $27,000,000.

"(D) New loan guarantee commitments, $0.

"(6) Agriculture (350):

"Fiscal year 1983:

"(A) New budget authority, $24,200,000,000.

"(B) Outlays, $24,000,000,000.

"(C) New direct loan obligations, $18,600,000,000.

"(D) New loan guarantee commitments, $5,500,000,000.

"Fiscal year 1984:

"(A) New budget authority, $11,600,000,000.

"(B) Outlays, $11,400,000,000.

"(C) New direct loan obligations, $12,100,000,000.

"(D) New loan guarantee commitments, $3,800,000,000.

"Fiscal year 1985:

"(A) New budget authority, $14,000,000,000.

"(B) Outlays, $12,300,000,000.

"(C) New direct loan obligations, $11,700,000,000.

"(D) New loan guarantee commitments, $3,800,000,000.

"Fiscal year 1986:

"(A) New budget authority, $13,200,000,000.

"(B) Outlays, $13,100,000,000.

"(C) New direct loan obligations, $12,200,000,000.

"(D) New loan guarantee commitments, $3,800,000,000.

"(7) Commerce and Housing Credit (370):

"Fiscal year 1983:

"(A) New budget authority, $5,200,000,000.

"(B) Outlays, $2,700,000,000.

"(C) New direct loan obligations, $6,500,000,000.

"(D) New loan guarantee commitments, $48,700,000,000.

"Fiscal year 1984:

"(A) New budget authority, $5,900,000,000.

"(B) Outlays, $1,800,000,000.

"(C) New direct loan obligations, $6,400,000,000.

"(D) New loan guarantee commitments, $48,700,000,000.

"Fiscal year 1985:

"(A) New budget authority, $6,500,000,000.

"(B) Outlays, $0.

"(C) New direct loan obligations, $6,300,000,000.

"(D) New loan guarantee commitments, $48,700,000,000.

"Fiscal year 1986:

"(A) New budget authority, $6,500,000,000.

"(B) Outlays, −$300,000,000.

"(C) New direct loan obligations, $6,300,000,000.

"(D) New loan guarantee commitments, $48,700,000,000.

"(8) Transportation (400):

"Fiscal year 1983:

"(A) New budget authority, $26,800,000,000.

"(B) Outlays, $22,100,000,000.

"(C) New direct loan obligations, $200,000,000.

"(D) New loan guarantee commitments, $1,100,000,000.

"Fiscal year 1984:

"(A) New budget authority, $27,700,000,000.

"(B) Outlays, $25,900,000,000.

"(C) New direct loan obligations, $100,000,000.

"(D) New loan guarantee commitments, $600,000,000.

"Fiscal year 1985:

"(A) New budget authority, $28,400,000,000.

"(B) Outlays, $26,900,000,000.

"(C) New direct loan obligations, $100,000,000.

"(D) New loan guarantee commitments, $400,000,000.

"Fiscal year 1986:

"(A) New budget authority, $29,200,000,000.

"(B) Outlays, $27,800,000,000.

"(C) New direct loan obligations, $100,000,000.

"(D) New loan guarantee commitments, $300,000,000.

"(9) Community and Regional Development (450):

"Fiscal year 1983:

"(A) New budget authority, $8,300,000,000.

"(B) Outlays, $7,900,000,000.

"(C) New direct loan obligations, $2,100,000,000.

"(D) New loan guarantee commitments, $500,000,000.

"Fiscal year 1984:

"(A) New budget authority, $6,600,000,000.

"(B) Outlays, $8,100,000,000.

"(C) New direct loan obligations, $1,700,000,000.

"(D) New loan guarantee commitments, $300,000,000.

"Fiscal year 1985:

"(A) New budget authority, $7,100,000,000.

"(B) Outlays, $8,200,000,000.

"(C) New direct loan obligations, $1,800,000,000.

"(D) New loan guarantee commitments, $300,000,000.

"Fiscal year 1986:

"(A) New budget authority, $7,100,000,000.

"(B) Outlays, $7,600,000,000.

"(C) New direct loan obligations, $1,800,000,000.

"(D) New loan guarantee commitments, $400,000,000.

"(10) Education, Training, Employment, and Social Services (500):

"Fiscal year 1983:

"(A) New budget authority, $28,000,000,000.

"(B) Outlays, $26,800,000,000.

"(C) New direct loan obligations, $600,000,000.

"(D) New loan guarantee commitments, $6,500,000,000.

"Fiscal year 1984:

"(A) New budget authority, $31,800,000,000.

"(B) Outlays, $27,250,000,000.

"(C) New direct loan obligations, $700,000,000.

"(D) New loan guarantee commitments, $6,600,000,000.

"Fiscal year 1985:

"(A) New budget authority, $28,500,000,000.

"(B) Outlays, $28,400,000,000.

"(C) New direct loan obligations, $700,000,000.

"(D) New loan guarantee commitments, $6,600,000,000.

"Fiscal year 1986:

"(A) New budget authority, $28,500,000,000.

"(B) Outlays, $28,400,000,000.

"(C) New direct loan obligations, $800,000,000.

"(D) New loan guarantee commitments, $6,600,000,000.

"(11) Health (550):

"Fiscal year 1983:

"(A) New budget authority, $25,325,000,000.
"(B) Outlays, $29,825,000,000.
"(C) New direct loan obligations, $47,000,000.
"(D) New loan guarantee commitments, $200,000,000.
"Fiscal year 1984:
"(A) New budget authority, $32,749,000,000.
"(B) Outlays, $32,749,000,000.
"(C) New direct loan obligations, $29,000,000.
"(D) New loan guarantee commitments, $300,000,000.
"Fiscal year 1985:
"(A) New budget authority, $35,724,000,000.
"(B) Outlays, $35,224,000,000.
"(C) New direct loan obligations, $28,000,000.
"(D) New loan guarantee commitments, $300,000,000.
"Fiscal year 1986:
"(A) New budget authority, $37,849,000,000.
"(B) Outlays, $37,249,000,000.
"(C) New direct loan obligations, $28,000,000.
"(D) New loan guarantee commitments, $300,000,000.
"(12) Medical Insurance (570):
"Fiscal year 1983:
"(A) New budget authority, $46,100,000,000.
"(B) Outlays, $53,100,000,000.
"(C) New direct loan obligations, $0.
"(D) New loan guarantee commitments, $0.
"Fiscal year 1984:
"(A) New budget authority, $61,400,000,000.
"(B) Outlays, $60,300,000,000.
"(C) New direct loan obligations, $0.
"(D) New loan guarantee commitments, $0.
"Fiscal year 1985:
"(A) New budget authority, $69,400,000,000.
"(B) Outlays, $68,300,000,000.
"(C) New direct loan obligations, $0.
"(D) New loan guarantee commitments, $0.
"Fiscal year 1986:
"(A) New budget authority, $79,100,000,000.
"(B) Outlays, $75,600,000,000.
"(C) New direct loan obligations, $0.
"(D) New loan guarantee commitments, $0.
"(13) Income Security (600):
"Fiscal year 1983:
"(A) New budget authority, $121,700,000,000.
"(B) Outlays, $110,200,000,000.
"(C) New direct loan obligations, $1,000,000,000.
"(D) New loan guarantee commitments, $14,600,000,000.
"Fiscal year 1984:
"(A) New budget authority, $126,000,000,000.
"(B) Outlays, $104,100,000,000.
"(C) New direct loan obligations, $1,000,000,000.
"(D) New loan guarantee commitments, $14,700,000,000.
"Fiscal year 1985:
"(A) New budget authority, $127,500,000,000.
"(B) Outlays, $105,500,000,000.
"(C) New direct loan obligations, $800,000,000.
"(D) New loan guarantee commitments, $16,500,000,000.
"Fiscal year 1986:
"(A) New budget authority, $131,400,000,000.
"(B) Outlays, $108,600,000,000.
"(C) New direct loan obligations, $500,000,000.
"(D) New loan guarantee commitments, $18,100,000,000.
"(14) Social Security (650):
"Fiscal year 1983:
"(A) New budget authority, $184,100,000,000.
"(B) Outlays, $167,600,000,000.
"(C) New direct loan obligations, $0.
"(D) New loan guarantee commitments, $0.
"Fiscal year 1984:
"(A) New budget authority, $174,900,000,000.
"(B) Outlays, $177,100,000,000.
"(C) New direct loan obligations, $0.
"(D) New loan guarantee commitments, $0.
"Fiscal year 1985:
"(A) New budget authority, $194,700,000,000.
"(B) Outlays, $188,400,000,000.
"(C) New direct loan obligations, $0.
"(D) New loan guarantee commitments, $0.
"Fiscal year 1986:
"(A) New budget authority, $211,000,000,000.
"(B) Outlays, $200,800,000,000.
"(C) New direct loan obligations, $0.
"(D) New loan guarantee commitments, $0.
"(15) Veterans Benefits and Services (700):
"Fiscal year 1983:
"(A) New budget authority, $25,200,000,000.
"(B) Outlays, $24,500,000,000.
"(C) New direct loan obligations, $1,000,000,000.
"(D) New loan guarantee commitments, $8,000,000,000.
"Fiscal year 1984:
"(A) New budget authority, $25,700,000,000.
"(B) Outlays, $25,700,000,000.
"(C) New direct loan obligations, $800,000,000.
"(D) New loan guarantee commitments, $9,000,000,000.
"Fiscal year 1985:
"(A) New budget authority, $26,800,000,000.
"(B) Outlays, $26,400,000,000.
"(C) New direct loan obligations, $600,000,000.
"(D) New loan guarantee commitments, $10,500,000,000.
"Fiscal year 1986:
"(A) New budget authority, $27,300,000,000.
"(B) Outlays, $26,700,000,000.
"(C) New direct loan obligations, $700,000,000.
"(D) New loan guarantee commitments, $12,500,000,000.
"(16) Administration of Justice (750):
"Fiscal year 1983:
"(A) New budget authority, $5,200,000,000.
"(B) Outlays, $5,100,000,000.
"(C) New direct loan obligations, $0.
"(D) New loan guarantee commitments, $0.
"Fiscal year 1984:
"(A) New budget authority, $6,000,000,000.
"(B) Outlays, $6,000,000,000.
"(C) New direct loan obligations, $0.
"(D) New loan guarantee commitments, $0.
"Fiscal year 1985:
"(A) New budget authority, $5,800,000,000.
"(B) Outlays, $5,900,000,000.
"(C) New direct loan obligations, $0.
"(D) New loan guarantee commitments, $0.
"Fiscal year 1986:
"(A) New budget authority, $5,900,000,000.
"(B) Outlays, $5,800,000,000.
"(C) New direct loan obligations, $0.
"(D) New loan guarantee commitments, $0.
"(17) General Government (800):
"Fiscal year 1983:
"(A) New budget authority, $5,600,000,000.
"(B) Outlays, $5,700,000,000.
"(C) New direct loan obligations, $0.
"(D) New loan guarantee commitments, $0.
"Fiscal year 1984:
"(A) New budget authority, $5,700,000,000.
"(B) Outlays, $5,700,000,000.
"(C) New direct loan obligations, $0.
"(D) New loan guarantee commitments, $0.
"Fiscal year 1985:
"(A) New budget authority, $6,000,000,000.
"(B) Outlays, $5,800,000,000.
"(C) New direct loan obligations, $0.
"(D) New loan guarantee commitments, $0.
"Fiscal year 1986:
"(A) New budget authority, $6,200,000,000.
"(B) Outlays, $5,900,000,000.
"(C) New direct loan obligations, $0.
"(D) New loan guarantee commitments, $0.
"(18) General Purpose Fiscal Assistance (850):
"Fiscal year 1983:
"(A) New budget authority, $6,400,000,000.
"(B) Outlays, $6,400,000,000.
"(C) New direct loan obligations, $300,000,000.
"(D) New loan guarantee commitments, $0.
"Fiscal year 1984:
"(A) New budget authority, $7,100,000,000.
"(B) Outlays, $7,000,000,000.
"(C) New direct loan obligations, $300,000,000.
"(D) New loan guarantee commitments, $0.
"Fiscal year 1985:
"(A) New budget authority, $7,200,000,000.
"(B) Outlays, $7,100,000,000.
"(C) New direct loan obligations, $300,000,000.
"(D) New loan guarantee commitments, $0.
"Fiscal year 1986:
"(A) New budget authority, $7,500,000,000.
"(B) Outlays, $7,500,000,000.
"(C) New direct loan obligations, $300,000,000.
"(D) New loan guarantee commitments, $0.
"(19) Net interest (900):
"Fiscal year 1983:
"(A) New budget authority, $87,600,000,000.
"(B) Outlays, $87,600,000,000.
"(C) New direct loan obligations, $0.
"(D) New loan guarantee commitments, $0.
"Fiscal year 1984:
"(A) New budget authority, $96,300,000,000.
"(B) Outlays, $96,300,000,000.
"(C) New direct loan obligations, $0.
"(D) New loan guarantee commitments, $0.
"Fiscal year 1985:
"(A) New budget authority, $105,500,000,000.

"(B) Outlays, $105,500,000,000.
"(C) New direct loan obligations, $0.
"(D) New loan guarantee commitments, $0.
"Fiscal year 1986:
"(A) New budget authority, $109,200,000,000.
"(B) Outlays, $109,200,000,000.
"(C) New direct loan obligations, $0.
"(D) New loan guarantee commitments, $0.
"(20) Allowances (920):
"Fiscal year 1983:
"(A) New budget authority, $800,000,000.
"(B) Outlays, $900,000,000.
"(C) New direct loan obligations, $0.
"(D) New loan guarantee commitments, $0.
"Fiscal year 1984:
"(A) New budget authority, $600,000,000.
"(B) Outlays, $600,000,000.
"(C) New direct loan obligations, $0.
"(D) New loan guarantee commitments, $0.
"Fiscal year 1985:
"(A) New budget authority, $1,900,000,000.
"(B) Outlays, $2,000,000,000.
"(C) New direct loan obligations, $0.
"(D) New loan guarantee commitments, $0.
"Fiscal year 1986:
"(A) New budget authority, $3,200,000,000.
"(B) Outlays, $3,400,000,000.
"(C) New direct loan obligations, $0.
"(D) New loan guarantee commitments, $0.
"(21) Undistributed Offsetting Receipts (950):
"Fiscal year 1983:
"(A) New budget authority, −$18,000,000,000.
"(B) Outlays, −$18,000,000,000.
"(C) New direct loan obligations, $0.
"(D) New loan guarantee commitments, $0.
"Fiscal year 1984:
"(A) New budget authority, −$21,400,000,000.
"(B) Outlays, −$21,400,000,000.
"(C) New direct loan obligations, $0.
"(D) New loan guarantee commitments, $0.
"Fiscal year 1985:
"(A) New budget authority, −$20,700,000,000.
"(B) Outlays, −$20,700,000,000.
"(C) New direct loan obligations, $0.
"(D) New loan guarantee commitments, $0.
"Fiscal year 1986:
"(A) New budget authority, −$23,500,000,000.
"(B) Outlays, −$23,500,000,000.
"(C) New direct loan obligations, $0.
"(D) New loan guarantee commitments, $0.

"RECONCILIATION

"SEC. 2. (a) Not later than June 6, 1983, the Senate committees named in subsections (b) through (f) of this section shall submit their recommendations to the Senate Committee on the Budget and not later than June 6, 1983, the House committees named in subsections (g) through (l) of this section shall submit their recommendations to the House Committee on the Budget. After receiving those recommendations, the Committees on the Budget shall report to the House and Senate a reconciliation bill or resolution or both carrying out all such recommendations without any substantive revision.

"SENATE COMMITTEES

"(b) The Senate Committee on Agriculture, Nutrition, and Forestry shall report changes in laws within the jurisdiction of that committee, (A) to require reductions in appropriations for programs authorized by that committee so as to achieve savings in budget authority and outlays, or (B) which provide spending authority as defined in section 401(c)(2)(C) of Public Law 93-344, sufficient to reduce budget authority and outlays, or (C) any combination thereof, as follows: $1,243,000,000 in budget authority and $1,243,000,000 in outlays in fiscal year 1984; $1,332,000,000 in budget authority and $1,332,000,000 in outlays in fiscal year 1985; and $1,327,000,000 in budget authority and $1,327,000,000 in outlays in fiscal year 1986.

"(c)(1) The Senate Committee on Finance shall report changes in laws within the jurisdiction of that committee which provide spending authority as defined in section 401(c)(2)(C) of Public Law 93-344, sufficient to reduce outlays by $856,000,000 in fiscal year 1984; to reduce outlays by $2,024,000,000 in fiscal year 1985; and to reduce outlays by $2,484,000,000 in fiscal year 1986.

"(2) The Senate Committee on Finance shall report changes in laws within the jurisdiction of that committee sufficient to increase revenues as follows: $8,900,000,000 in fiscal year 1984; $12,675,000,000 in fiscal year 1985; and $51,000,000,000 in fiscal year 1986.

"(d) The Senate Committee on Governmental Affairs shall report changes in laws within the jurisdiction of that committee which provide spending authority as defined in section 401(c)(2)(C) of Public Law 93-344, sufficient to reduce budget authority by $258,000,000 and outlays by $534,000,000 in fiscal year 1984; to reduce budget authority by $368,000,000 and outlays by $834,000,000 in fiscal year 1985; and to reduce budget authority by $836,000,000 and outlays by $1,486,000,000 in fiscal year 1986.

"(e) The Senate Committee on Small Business shall report changes in laws within the jurisdiction of that committee to require reductions in appropriations for programs authorized by that committee so as to achieve savings in budget authority and outlays as follows: $139,000,000 in budget authority and $287,000,000 in outlays in fiscal year 1984; $555,000,000 in budget authority and $466,000,000 in outlays in fiscal year 1985; and $544,000,000 in budget authority and $443,000,000 in outlays in fiscal year 1986.

"(f) The Senate Committee on Veterans' Affairs shall report changes in laws within the jurisdiction of that committee which provide spending authority as defined in section 401(c)(2)(C) of Public Law 93-344, sufficient to reduce budget authority by $202,000,000 and outlays by $201,000,000 in fiscal year 1984; to reduce budget authority by $117,000,000 and outlays by $115,000,000 in fiscal year 1985; and to reduce budget authority by $118,000,000 and outlays by $118,000,000 in fiscal year 1986.

"HOUSE COMMITTEES

"(g) The House Committee on Agriculture shall report changes in laws within the jurisdiction of that committee, (A) to require reductions in appropriations for programs authorized by that committee so as to achieve savings in budget authority and outlays, or (b) which provide spending authority as defined in section 401 (c)(2)(C) of Public Law 93-344, sufficient to reduce budget authority and outlays, or (C) any combination thereof, as follows: $1,243,000,000 in budget authority and $1,243,000,000 in outlays in fiscal year 1984; $1,332,000,000 in budget authority and $1,332,000,000 in outlays in fiscal year 1985; and $1,327,000,000 in budget authority and $1,327,000,000 in outlays in fiscal year 1986.

"(h) The House Committee on Energy and Commerce shall report changes in laws within the jurisdiction of that committee which provide spending authority as defined in section 401(c)(2)(C) of Public Law 93-344, sufficient to reduce outlays by $816,000,000 in fiscal year 1984; to reduce outlays by $1,538,000,000 in fiscal year 1985; and to reduce outlays by $1,979,000,000 in fiscal year 1986.

"(i) The House Committee on Post Office and Civil Service shall report changes in laws within the jurisdiction of that committee which provide spending authority as defined in section 401(c)(2)(C) of Public Law 93-344, sufficient to reduce budget authority by $258,000,000 and outlays by $534,000,000 in fiscal year 1984; to reduce budget authority by $368,000,000 and outlays by $834,000,000 in fiscal year 1985; and to reduce budget authority by $636,000,000 and outlays by $1,486,000,000 in fiscal year 1986.

"(j) The House Committee on Small Business shall report changes in laws within the jurisdiction of that committee to require reductions in appropriations for programs authorized by that committee so as to achieve savings in budget authority and outlays as follows: $139,000,000 in budget authority and $287,000,000 in outlays in fiscal year 1984; $555,000,000 in budget authority and $466,000,000 in outlays in fiscal year 1985; and $544,000,000 in budget authority and $443,000,000 in outlays in fiscal year 1986.

"(k) The House Committee on Veterans' Affairs shall report changes in laws within the jurisdiction of that committee which provide spending authority as defined in section 401(c)(2)(C) of Public Law 93-344, sufficient to reduce budget authority by $202,000,000 and outlays by $201,000,000 in fiscal year 1984; to reduce budget authority by $117,000,000 and outlays by $115,000,000 in fiscal year 1985; and to reduce budget authority by $118,000,000 and outlays by $118,000,000 in fiscal year 1986.

"(l)(1) The House Committee on Ways and Means shall report changes in laws within the jurisdiction of that committee which provide spending authority as defined in section 401(c)(2)(C) of Public Law 93-344, sufficient to reduce by $849,000,000 in fiscal year 1984; to reduce outlays by $1,481,000,000 in fiscal year 1985; and to reduce outlays by $2,077,000,000 in fiscal year 1986.

"(2) The House Committee on Ways and Means shall report changes in laws within the jurisdiction of that committee sufficient to increase revenues as follows: $8,900,000,000 in fiscal year 1984; $12,675,000,000 in fiscal year 1985; and $51,000,000,000 in fiscal year 1986.

"MISCELLANEOUS PROVISIONS

"SEC. 3. It shall not be in order in either the House of Representatives or the Senate to consider any bill or resolution, or amendment thereto, providing—

"(1) new budget authority for fiscal year 1984; or

"(2) new spending authority described in section 401(c)(2)(C) of the Budget Act first effective in fiscal year 1984, within the jurisdiction of any of its committees unless and until such committee makes the allocations or subdivisions required by section

302(b) of the Budget Act, in connection with the most recently agreed to concurrent resolution on the budget.

"SEC. 4. It is the sense of the Congress that the President and the Congress, through the appropriations process, should limit the on-budget new direct loan obligations of the Federal Government to an amount not to exceed $37,600,000,000 in fiscal year 1983 and $29,300,000,000 in fiscal year 1984; off-budget new direct loan obligations to an amount not to exceed $17,800,000,000 in fiscal year 1983 and $18,900,000,000 in fiscal year 1984; and new loan guarantee commitments to an amount not to exceed $94,500,000,000 in fiscal year 1983 and $94,500,000,000 in fiscal year 1984. It is further the sense of the Congress that the President and the Congress should limit total Federal Financing Bank origination of direct loans guaranteed by other Federal agencies to $16,200,000,000 in fiscal year 1983 and $17,300,000,000 in fiscal year 1984, and Federal Financing Bank purchases of certificates of beneficial ownership from Federal agencies to $11,500,000,000 in fiscal year 1983 and $13,200,000,000 in fiscal year 1984. It is further the sense of the Congress that direct borrowing transactions of Federal agencies should be, to the maximum extent possible, restricted to the Federal Financing Bank.

"SEC. 5. (a) The joint explanatory statement accompanying the conference report on this resolution shall include an estimated allocation, based upon the first section of this resolution as recommended in such conference report, of the appropriate levels of total new direct loan obligations and new loan guarantee commitments for fiscal year 1983 and fiscal year 1984, among each committee of the House of Representatives and the Senate which has jurisdiction over bills and resolutions providing such new obligations and commitments.

"(b) As soon as practicable after this resolution is agreed to, every committee of each House, after consulting with the committee or committees of the other House to which all or part of the allocation has been made, shall subdivide among its subcommittees the allocation of new direct loan obligations and new loan guarantee commitments for fiscal year 1983 and fiscal year 1984, allocated to it in the joint explanatory statement accompanying the conference report on this resolution.

"SEC. 6. It is the sense of the Congress that the budgets of Federal agencies initiating Federal Financing Bank purchases of certificates of beneficial ownership and originations of guaranteed loans should include the budget authority and outlays resulting from the transactions. The Congress recommends that the committees with jurisdiction over the Federal Financing Bank Act of 1973 consider expeditiously legislation to require that the budgetary impact of such Federal Financing Bank transactions be included in the budgets of the initiating agencies beginning with the fiscal year 1985 budget.".

The PRESIDING OFFICER. The Senator from Connecticut is recognized.

Mr. WEICKER. Mr. President, how much time does the Senator from Connecticut have?

The PRESIDING OFFICER. The Senator from Connecticut has 3 minutes and 10 seconds remaining.

Mr. STAFFORD. Will the distinguished Senator yield me about 1 minute?

Mr. WEICKER. Mr. President, I ask for the yeas and nays on my amendment as modified.

The PRESIDING OFFICER. Is there a sufficient second? There is a sufficient second.

The yeas and nays were ordered.

Mr. WEICKER. Mr. President, I yield a minute to the distinguished Senator from Vermont.

Mr. STAFFORD. Mr. President, I think the amendment now pending before the Senate, with the modification which we have accepted from the distinguished Senator from Washington (Mr. GORTON), gives the Senate an opportunity to decide whether or not it really wants a budget resolution this year. This is the key question: Do we want to vote a budget resolution, or do we want to end up in a rather chaotic state, appearing in front of the country as unable to resolve the issues that go into a budget resolution?

I say we have reached the time when the Senate is going to be put to the test: do we want a budget resolution this year or do we not? I believe the majority on both sides of the aisle want a budget resolution. I hope that the Senate will adopt the amendment that has been offered by my colleagues and myself.

The PRESIDING OFFICER. The Senator's time has expired. Who yields time?

The Senator from Connecticut.

Mr. WEICKER. I yield to the Senator from Rhode Island.

Mr. CHAFEE. Mr. President, I would like to make a couple of points about the proposition that is at the desk now. One, it is a 3-year reconciliation, which I think is extremely important; second, the revenues as provided by the amendment of Senator GORTON are basically the same as that at the desk.

Defense is only slightly more. It is 6 percent, 5.5 and 5. Finally, Mr. President, I do believe this sends a signal of responsibility to the financial markets on the part of the Senate and the Congress.

The PRESIDING OFFICER. Who yields time?

Mr. CHILES. Mr. President, I yield myself such time as I might need off the bill.

The PRESIDING OFFICER. Does the Senator yield time off the amendment or the resolution?

Mr. CHILES. Off the resolution.

The PRESIDING OFFICER. The Senator has that right. The Senator from Florida is recognized.

Mr. CHILES. Mr. President, we are getting down to the late hour. We have been talking for a long time that we were going to come down to this. It is kind of like the shot clock in basketball; we are getting down to whether we are going to take the last shot. That is where we are now. I think we have time to take the last shot. I am afraid that that is the last shot—whether we are going to have a budget and whether we are going to have a budget process. When we see the remarks that come out of the White House that we do not care whether we have a budget or not, that we can have a veto strategy, we can run against Congress and we do not need a budget when we know there are individuals down there that say we will be able to do better with our defense numbers because Congress will never go and cut the particular weapons systems, when we see people that say if we do not have a budget, then we will not have to worry about raising any revenue, we will be able to get by there, all of those things tell me that the process is in great jeopardy.

I have supported for a number of weeks now the bipartisan budget that came out of the committee, which I felt was the best thing that we could possibly do because we would be reducing revenues, we would be reducing the deficit, we would begin bringing that deficit down to 2.6 percent of the gross national product in 1988, we would be saying that we should not be going out and borrowing more money now to give people a red ink tax cut at a time that we are trying to hold interest rates down.

I strongly believe in that proposition. Democrats in the Budget Committee strongly believed in that proposition. We held firm with what we thought the number should be, and ultimately we were successful. If I thought that we could hold firm longer in the Senate and be successful, I would be holding firm now.

I am convinced, Mr. President, that there are not enough votes to pass the committee budget. I am convinced that there are no votes for the committee budget on the Republican side of the aisle. I have tried to talk to colleagues over there, and I find no votes. I am convinced that we have some Democrats over here that are nervous about voting for $30 billion additional revenue.

Knowing that and feeling that there is no way that we can pass what I think is the best plan and what I would like to support, then I am going to look in every way I can to find what is the next best thing to try to reduce those deficits. What I find is the next best thing is the Chafee amendment as modified by Senator GORTON, with the other distinguished five Senators that are the cosponsors of that amendment.

When I look and see what it actually does, it is $22 billion below the President's deficits in the 5 years; it produces $21 billion lower interest than we will pay if we have the President's

budget. The interest rate is terribly important because every dollar that we have to borrow is jeopardizing the recovery. It is jeopardizing whether interest rates are going to go up or not. It follows the principle that we tried to lay down in the Budget Committee, and that is that you have to get some revenue in the first 2 years. I would like to get a lot more revenue than this budget actually picks up in the first 2 years, but now with the Gorton compromise it does help make up for some of that revenue by going to $51 billion in tax increases in year No. 3. That is higher than the President's $46 billion contingency number. It is a 3-year reconciliation. I have described the Domenici-Baker substitute at one time in irreverent terms, and I apologize to my good friend from New Mexico. That word kind of slipped out—I guess I am kind of prone to saying something like that—when I said it was "rinky dink." My concern was that that budget was only a 2-year reconciliation. My concern was the signal that would send to the markets if we were only talking about the revenue, small revenue that the President was talking about over the first 2 years, doing nothing about increases in the third year even though the President had wanted to do that; that it would be the worst of all signals that we could send.

Mr. DOMENICI. Will the Senator yield?

Mr. CHILES. I yield.

Mr. DOMENICI. Since the Senator indicated that he did not have to say it, why did he say it again?

Mr. CHILES. I was only repeating what the Senator said yesterday. And I will go wash my mouth out with soap when we leave. That is what my mother used to do with me when I used some terms that she did not wish me to use.

Because we have been talking about whether there is going to be a budget process or not and we have on our side been critical of the administration and some other Republicans that we have said do not want that process, I want to say to my good friend and the distingusihed chairman of the committee that I do not think anybody has worked harder to see that we have a budget process and to see that it continues, and I know of no one that feels stronger about it than the Senator from New Mexico. He met me bright and early this morning to express his concern that we were going to get into a situation today where we might see the whole thing blown up. He said, "How can we set the procedure so that we save as much time as we can, so that we take the steps we can to accommodate all of the votes than can be taken in this body to see whether there is a majority for a plan?" He has certainly done that. He gave back his time on the tabling motion on Domenici-Baker. He has accommodated the Senators that are moving this proposition, and he has accommodated our side of the aisle, all of that while I do not think he agreed with this particular proposition and probably is not going to support it.

I know of his desire. If everyone felt exactly as he did, I would not be as concerned as I am that we might lose the process. But I dreadfully am concerned about that.

This amendment that we are talking about now gives us a 3-year reconciliation, provides a good source of revenue in the third year, reduces deficits, reduces the interest rate below the President's budget, and I think it is a good step for us to take to the House and to go to conference with and see what is the best budget that we can produce at that time.

If we fail to produce this, I do not know where we go from there. But knowing that the White House is against even this, knowing the White House has been intransigent in anything that we tried to do to produce meaningful compromise, has been against any kind of revenue numbers, is not concerned as to whether we have a budget process or not, I think it is a dreadful risk that we run.

I say to my many Democratic friends who have the feeling the Republicans have a majority here, why should they not be responsible for producing a budget, the Republicans have failed to allow us to particulate up until today, why should we be trying to pull their ox out of the ditch today, I think we need to do it today because it is good for the country. I think we need to forget about what we would think about any kind of politics. I always think the best politics is what is best for the country anyway. What is best for the country today is to have the Senate produce a budget, to have the Senate come up with numbers that show that we are concerned about this deficit, we are trying to get one lower than the President, we are concerned about interest rates, and we are concerned about new revenues. That I think is all of the things that this particular substitute will give us today.

Without that, we would not have a 3-year reconciliation, and for that reason it seems to me to make sense.

Mr. President, I am not alone in this thinking. I ask unanimous consent to have printed in the RECORD today an editorial from Hobart Rowen talking about the "Dead Hand of the Deficit." He is talking about the importance of reducing the deficit.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

DEAD HAND OF THE DEFICIT

(By Hobart Rowen)

Political forces are making it extremely doubtful that much is going to be done about the massive federal budget deficit. If not, budget director David Stockman's warning that the deficit "will be stuck at $200 billion as far as the eye can see" is right on the mark.

As Wall Street analyst Sam Nakagama pointed out in a recent commentary, "With the 1984 elections looming ahead, neither the Republicans nor the Democrats are eager to make further large cutbacks in non-defense spending."

For the same reasons, despite heroic efforts by Sen. Bob Dole (R-Kan.), no one is really willing to bite the bullet on tax increases. On the contrary, Congress is rolling over and playing dead for the banking-industry lobby, reversing last year's effort to install a modest and proper withholding procedure for taxes owed on dividends and interest.

The only organized effort that will help in the reduction of the budget deficit is the bipartisan refusal of Congress to go along with the president's request for a 14 percent increase—10 percent real—in defense spending. But even this only cuts the five-year costs for arms from $1.8 trillion to $1.6 trillion.

Yet the importance of reducing the budget deficit can hardly be exaggerated. In the recent euphoria associated with the booming stock market, it's almost been forgotten. But the deficit is one of three main elements—the others being what he calls the "international debt blockage" and the failure of any major nation to encourage economic expansion—that cause economist Henry Kaufman serious concern.

At best, Kaufman said in an interview, worldwide economic recovery "is flying at a low level, and you've got to be sure you don't hit the trees when you're flying at a low level." He sees debt problems piling up, not being solved.

And although bankers like to say that the problem is just one of "liquidity"—a temporary shortage of cash—Kaufman believes that many of the debtor nations could be heading into "solvency" problems, that is, going broke or bankrupt.

Robert V. Roosa and William M. Reichert of Brown Bros. Harriman, a private New York banking firm, recently delivered a rather grim analysis of budget prospects. They pointed out that deficits of the magnitudes that Stockman and other realists now foresee almost surely negate the possibility of a sustained economy recovery.

They say the conflict between the deficits—which absorb most of the nation's savings—and growth "would extend beyond U.S. borders, for the rest of the world is extremely sensitive to U.S. economic growth and interest rates." This point has also been made forcefully in the discussions in Paris this week at the Organization for Economic Cooperation and Development.

Europeans agree with Roosa and Reichert that once the American economy emerges from recession—and the Reagan administration insists that the recovery in the United States is broader than Europe has yet conceded—"large deficits become restraining rather than stimulative."

They argue, as well, that the deficit will eventually push up real interest rates (unless the Federal Reserve softens monetary policy considerably). That will continue to keep the dollar overvalued in foreign exchange markets, which in turn depresses American exports.

Because both Democrats and Republicans find it politically difficult to do more than trim around the edges of the deficit via fiscal policy, economic policy resides—by de-

fault—mostly in the hands of the Federal Reserve. That makes all the more interesting recent White House complaints about the "independence" of the present chairman, Paul Volcker. It begins to sound as if the way is being paved to dump him.

"If the Fed pursues a non-inflationary path and is forced to curtail the expansion of credit, real interest rates might go higher . . . possibly aborting the recovery," say Roosa and Reichert. "If, on the other hand, the Fed monetizes a significant portion of the deficits by allowing the money supply to grow rapidly . . . inflation may reemerge. . . . This leaves economic policy between a rock and the hard place."

Their net conclusion, after making allowance for the probability that no projections are ever exact, is that in the years that lie ahead, taxes will have to be boosted (further reversing the giveaways of Reaganomics), defense spending will come to be reduced, and inflation and interest rates will still be higher than anyone wants. That means the prognosis for economic growth and jobs is poor. In turn, that suggests that the sooner politicians get up their courage to regain control of the budget, the better.

Parsing the transcript of President Reagan's extemporaneous mini-press conference the other day was scary enough. But what must have triggered my nightmare, as best I can reconstruct it, was a background briefing the same day by a senior European diplomat (you don't become senior by going public) on the utility of the upcoming summit meeting of the seven Western industrial nations at Williamsburg.

"There is huge benefit," he argued, in the opportunity for "practical politicians" to meet even briefly by themselves with no aides "shoving notes in front of them"; to let their hair down and "take each other's measure."

That did it. It was the thought of Ronald Reagan having his measure taken by six sharp-eyed, seasoned veterans of parliamentary rough-and-tumble, with their keen ear for nuance and their necessary sensitivity to every twist and turn in U.S. policy—and of him talking the way he talked to those six reporters in the Oval Office.

I am not even thinking of the quickly corrected slips of the tongue about Salvadoran "freedom fighters" or the muddled presentation of his Nicaraguan policy, which attracted most of the notice. Rather, my nightmare vision is of polite coughs, fleeting exchanges of glances, and perhaps abrupt changes of subject (nothing rude) as the president takes off on one or another of the fundamental flights from reality to be found in the press conference transcript. For example:

China: He was "not at all sure" that Jimmy Carter had "added anything" to what "a previous president to the previous administration" (that would be Richard Nixon) had already accomplished. What Carter added, of course, was the hard part—the 1979 "normalization" agreement establishing full diplomatic relations with the People's Republic, at the expense of downgrading relations with Taiwan to the level of "unofficial." In Carter's time, a military aid relationship was also struck up with Peking, while limitations were imposed on such aid to Taiwan.

* * * * *

The Mideast: Conceding that Jimmy Carter "started" the Camp David agreement, he argued that the Reagan administration has "gone a step beyond [by] trying to have an overall peace in the entire area—that has never been proposed."

The reality: it has been proposed in the so-called Rogers Plan under Nixon, and regularly by Henry Kissinger, it is the bedrock of the Camp David Accords (which Reagan takes as the basis for his own Mideast "initiative"). They are subtitled "A Framework for Peace in the Middle East." The preamble states: "The parties are determined to reach a just, comprehensive, and durable settlement of the Middle East conflict."

The Alliance: "I do not believe that the NATO alliance has ever been more solid than it is now, or that there has been a better relationship between us and our allies." If Reagan tries that in the free-form shoptalking sessions, his best hope would be that it would be taken as a joke to break the ice so apparent in the summit preparations on East-West trade, on Western economic relations, on arms control, on assessments of the Soviets.

These are fundamental misapprehensions. The familiar post-mortem rationalizations—that the president was "having an off day" or perhaps didn't quite catch the question—don't persuade. White House aides, conceding a problem, talk about the need for better briefing, more structured formats, tighter wraps, all of which helped Ronald Reagan out of trouble in the 1980 campaign.

But that's only a formula for cleaning up the act. It can have the effect of improving the performance. But it can't alter the evidence that to "let Reagan be Reagan" is to invite the conclusion that his attention/retention span for foreign affairs is short—that, left on his own devices, he is either out of date or out of touch.

Mr. CHILES. Our work would have probably been easier if we had to do our budget 3 months ago, 5 months ago, but now with the stock market going up every day and the news getting better and better, I know a lot of the troops say:

Why in the world should we be worrying about these deficits now? The good times are rolling. We do not have to be concerned about further cuts in spending. We do not have to be concerned about revenues. I am running this year. What is it going to do in the Presidential election next year?

Everybody is kind of feeling that way.

Goodness knows, you only have to look at that chart and look at the numbers on either of those budgets, the Republican substitute or the bipartisan committee budget, and see the kind of problems we are facing. We will face those problems unless we can send a signal that we are producing a deficit that at least is going down.

The substitute has the deficit going down. It shows that 1984 will be better. It shows that 1985, 1986, 1987, and 1988 will be going down on a declining curve. That is essential if we want to see the recovery continue, if we want to see interest rates stay where they are or go down further.

With 10 percent unemployment, there is no way we will get those people back to work. They are the ones who have suffered. They are the ones who are really the victims of it. If we care about those people, and I think we do, if we care about this country and trying to put us on our feet again, we have to show that we can produce a blueprint in the direction of lower deficits and lower interest rates.

That is the responsibility each of us has, as a Member of the Senate, representing our State and our country. I hope everybody will think about that when they vote on this particular deficit.

Mr. President, I hope the Senate will adopt this substitute. I hope the Democrats will see that it is to our advantage and to the advantage of the country to produce votes to see that we adopt this particular substitute.

Mr. BYRD. Mr. President, will the Senator yield?

Mr. CHILES. I yield.

Mr. BYRD. Mr. President, I fully support the statement made by the ranking minority member of the Budget Committee, Mr. CHILES.

After all, it was, I guess, under Democratic administrations in the Senate that the budget process was created. I think the budget process has been emasculated and greatly abused in the last 2 years. I do not like that.

However, that is not to say that I am for ditching or deep-sixing the budget process today. I support the Senator from Florida, who has just stated that it is important to retain that budget process. As I understand him, this amendment as modified would result in lower deficits than the President's budget.

Mr. CHILES. That is correct.

Mr. BYRD. And lower deficits than contained in the Baker-Domenici substitute.

Mr. CHILES. That is correct.

Mr. BYRD. And would establish a trend that would encourage the American people to believe that, indeed, we are going to try to keep deficits down.

Mr. CHILES. That is right.

Mr. BYRD. So I support this amendment, and I express the hope that we will have bipartisan support. There has not been very much that was bipartisan in this matter until today.

Mr. CHILES. No.

Mr. BYRD. But now I hope we will have bipartisan support on this amendment.

Of course, it is going to have some bipartisan support because it is being offered by some of our good friends on the other side.

I hope there will be a strong showing of votes from the other side as well as a strong showing of votes from our side.

Mr. CHILES. Mr. President, I certainly concur with the statements of the distinguished minority leader.

With respect to the remarks I am trying to make on our side of the aisle, I do not know that I can make them to the other side of the aisle, but I hope

there will be enough concern over there about how important this process is, how important it is that we get a budget out. They have had an opportunity to stand up for the President. They have had an opportunity to vote for their leadership resolution. That has failed.

Now I hope they will join what is a move from their side of the aisle and produce the votes to see that we have a bipartisan budget that we can take to conference with the House.

The PRESIDING OFFICER. Who yields time?

Mr. DOMENICI. Mr. President, I understand that the Senator from Kansas desires 5 minutes in opposition, and I yield to him.

Mr. DOLE. Mr. President, since we have been debating about 2 weeks what the Senate Finance Committee should do, perhaps I ought to speak.

I say at the outset that I am perfectly willing to go the extra mile so far as revenues are concerned. But I think the record should be made clear that we had a vote here last year on $100 billion in new revenues, and that did not get a single vote on the other side of the aisle, until the conference report came up.

Mr. CHILES. Mr. President, will the Senator yield?

Mr. DOLE. I yield.

Mr. CHILES. The distinguished ranking minority member is not here now, but as I recall, that package was presented to the Democrats who sit on the Finance Committee after it had all been worked out. No hearings were held. It was just brought in and sort of laid on the table; and it was said, "Here is the revenue." The Republicans voted it out, and we did not get a chance to participate at all.

As I recall, the Democrats were ready to raise some revenue last year, had several propositions on how to do it, but did not get any consideration on those. That was totally a Republican package. You produced your votes and you passed that.

The same thing was being done this time. Thank goodness, there were a few people on the Republican side of the aisle who thought it was the wrong thing to do.

I think we are willing to participate in the landing any time we get a chance to participate in the takeoff.

Mr. DOLE. That is the point I want to make. I do not know whether we are going to have a takeoff. Those of us who have to raise the revenue should have some passengers on the plane.

The last time we took off—on the withholding debate—we gave away $20 billion in revenue on this floor. I did not see anybody jumping up on either side saying, "We should not give away $20 billion."

If we had that $20 billion, it would make these deficit numbers look better.

I will say, to the credit of those offering the substitute on our side, that every one of them voted to retain that money.

The only point I make is that if there are those who say we should raise $75 billion, I hope they are all with us when we vote on the legislation to raise the $75 billion, and not just vote for a budget and when the revenue bill comes to the floor say, "I didn't mean that when I voted for $75 billion. I meant something else. I meant taking away the third year of the tax cut, or indexing."

So far as I am concerned, those are not negotiable. But there are a lot of things we can do to raise revenue.

There are a lot of loopholes that should be addressed. There is a lot of tax compliance that should be addressed.

We should have some agreement in this Chamber that we are going to try to make the system fair and protect the tax cuts for the working people by closing loopholes and exacting more compliance. About $100 billion that is due in taxes is not being paid, and there are $296 billion in tax expenditures that should be looked at.

So far as I am concerned, I would not quarrel with the revenue numbers. I do not think they are unrealistic, at least in the first 2 years, if we could come back from conference with the numbers. But then the problem is whether or not we can get any votes on the Senate floor for a revenue bill.

It just seems to this Senator, based on last year and then earlier this year, when the bankers took over the Senate, we ought to be careful that what we say we are going to raise in revenue in the budget resolution we can pass on the floor, and then maintain. The Senator from Kansas is perfectly willing to carry out his responsibilities, and has the greatest respect for the Senate Budget Committee, having served on that committee. And I know the task of the Senator from Florida and the Senator from New Mexico has been very difficult. But I just cannot be silent since all the debate is over how the Senate Finance Committee is going to raise all this revenue.

If, in fact, these revenue numbers are accepted, we will do the best we can. But I am concerned with the high-revenue numbers on the House side. Therefore, I believe that these revenues offered by the distinguished Senator from Washington are too high.

So it would seem to me the best we could hope for is to send this budget back to the Budget Committee, and hope they can come back with a better resolution.

(Mr. WILSON assumed the Chair.)

Mr. BAKER. Mr. President, will the Senator yield to me for a moment?

Mr. DOMENICI. I would be pleased to yield to the distinguished majority leader.

Mr. BAKER. Mr. President, it is now 3:20 p.m. I announced earlier that I hoped we could finish this matter one way or the other by 6:30 p.m., and I am still hopeful in that regard.

Let me say, that I have no quarrel with the Senator from Washington for his initiative nor that of the Senator from Connecticut, the Senator from Rhode Island, the Senator from Vermont, the Senator from Oregon, and others, who have made this proposal. But, Mr. President, let me point out that what we are going to do, as the chairman of the Finance Committee remarks, is lay on the Finance Committee an uncertain obligation to do what the Senate has not been willing to do until now—raise even a modest amount of revenue.

I regret that the Budget Committee got locked up to the place where it was required, with the assistance of the vote of the chairman, to report a resolution that he did not want, that the Democrats included 30 billion dollars' worth of new revenue, and which assumes the repeal of the third year of the tax cut.

Now, there is an effort now to characterize this as a compromise. I want to say right now if there is to be a compromise, the way to compromise is to take this resolution back to the committee. If there is a way to find a bipartisan solution, it is to do it within that committee and to report it to us on a basis that will permit us in the regular course of affairs to consider it on its merits as a resolution from that committee.

Mr. President, the day is growing short, and I do not know whether this amendment will pass or not. I hope it does not pass and I will vote against it. But, if it does not pass, Mr. President, it is my full intention to ask the manager of this resolution, the chairman of the Budget Committee, to make a motion to recommit this resolution to his committee so that we can get on with the business at hand and try to find a solution to the questions involved.

It is often said "Well, you know the President has no role to play here, he doesn't have to sign a resolution, he can't veto it. It is purely congressional action." Of course that is true. But, Mr. President, it is certainly a matter of interest to the President of the United States whether or not there are additional revenues to be raised and how they are to be raised.

So, Mr. President, I suggest we should take account of the concern, and I believe the legitimate concern, of the President of the United States in this respect: we should send this

resolution back to committee and we should try to make an accommodation with the White House on what basis we will design a budget for this country in the years ahead.

We have spent much more time than I had hoped we would spend on this resolution. A lot of the time was spent doing nothing at all, sitting around waiting for each other and I regret that. But we have just about used up the 50 hours allocated under the statute and I am just about ready, Mr. President, to say that the thing to do is for the Senate to acknowledge that the work of the Budget Committee needs to continue and if this matter is recommitted under the act it must return in 3 legislative days. It would be my intention then not to ask the Senate to be in session on Friday, to count today, Monday, and Tuesday and we would take this resolution up, as it must be reported by the Budget Committee then, either on Tuesday evening or if there was not time to complete it, then on Wednesday.

Mr. President, I urge that we not accept this initiative, that we defeat it and send this thing back to the Budget Committee for one more try.

Mr. DOMENICI addressed the Chair.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. DOMENICI. Mr. President, I hope that the Senate will not adopt this amendment at this point. I do, however, feel as if it would be grossly unfair, as chairman of the Budget Committee, if I did not commend those who were involved in the amendment as it finally finds itself before the Senate. I think that considering how polarized the sides were to begin with it has come a long way, a tremendously long way. The leader has suggested that if the amendment fails we have time to recommit. The resolution, then, comes back here with only the small amount of time remaining on the resolution. He suggested that we could use that time for accommodation.

I have suggested to the distinguished leader, my friend from Tennessee, that indeed if the resolution is recommitted we are going to have to have some accommodation from the White House. He has assured me that he will work on that. I have asked my good friend, the chairman of the Finance Committee and he told me he would work on that. I say that only because I have had my share of attempting to accommodate with the White House on the defense issue and I did not get anywhere in 3 weeks. It looks like I am going to have 3 days this time but, nonetheless, frequently when you are under the gun, people accommodate. I am hopeful they will.

Simply, I do not believe that this amendment is good policy. I really do not think the House and Senate are going to end up enacting the taxes proposed here. I do not think you are going to get the full $73 billion in new taxes over 3 years, which is what is proposed. So I have a lot of doubt about that kind of reconciliation which seems to give us a euphoric feeling that we are doing a lot about deficits, because the likelihood is that the Congress will not follow through with the necessary laws.

Let me close where I started by complimenting those who have participated, the distinguished junior Senator from Washington who has been very helpful on the committee, and those who voted to table my side amendment. They have now joined, most of them, in this proposal. It is a rather significant step forward. I thank them for their willingness to compromise and I think it means that there is a growing feeling that we have got to get a resolution. But I do not think this is the amendment to pass.

Unless there is additional time sought I am ready to yield back and I assume we will vote.

Mr. BYRD. Mr. President, I would like to have 1 or 2 minutes.

Mr. WEICKER. How much time do I have?

The PRESIDING OFFICER. The Senator has 44 seconds remaining.

Mr. WEICKER. I certainly yield my 44 seconds.

Mr. BYRD. I would like to ask Mr. GORTON a question. The revenues involved in his modification, in his amendment to the amendment which was accepted as a modification, would amount to $8.9 billion, I believe, in fiscal year 1984. Is that about what a $500 cap on the third year would raise?

Mr. GORTON. I will say to my friend, the minority leader, to the best of my knowledge it is approximately that amount. I would defer to the better judgment which the chairman of the Finance Committee might come up with. I must say to the Senator that that was not my assumption in this respect but it would be quite consistent with doing that.

Mr. BYRD. Yes. Under such a cap, then, every family of four with an adjusted gross income up to $39,000 would receive the full 10-percent cut; is that correct?

Mr. GORTON. The Senator is correct.

Mr. BYRD. If the Finance Committee chose to move in that direction?

Mr. GORTON. The Senator is correct.

Mr. BYRD. And those persons with incomes above $39,000 would all get a tax cut but it would be capped at $500; is that not correct, give or take?

Mr. GORTON. The Senator is correct.

Mr. BYRD. So instead of a tax cut of $2,368 that a family of four earning $100,000 would otherwise receive, they will receive $500?

Mr. GORTON. I think I would defer to the chairman of the Finance Committee with regard to those figures but I believe the figures are substantially correct.

Mr. BYRD. In any event, this would not be a tax increase. It would simply be a way in which, if the Finance Committee chose and the Ways and Means Committee chose, it would be a way in which lower and middle income people would receive their full 10-percent cut while those who are above that line would receive a tax cut but it would be limited to $500, give or take a little.

Mr. GORTON. I believe the minority leader to be correct. Of course, as the chairman of the Finance Committee pointed out in his own remarks, this is simply a number and the Finance Committee literally has any number of numbers.

Mr. BYRD. I do not argue with the Senator from Kansas on that. But at least those figures could accommodate such a cap.

Mr. GORTON. The Senator is correct.

Mr. BYRD. And that would come out about right.

Mr. BAKER. Will the Senator yield to me?

Mr. DOMENICI. I am pleased to yield to the distinguished majority leader.

Mr. BAKER. Mr. President, what I am about to say next is certainly not meant as any slight to the minority leader or the distinguished author of the amendment. But I think just now, with the questions by the minority leader, that we have established the real confrontation that exists, the real essence—and I do not think this was meant by the Senator from Connecticut or the Senator from Rhode Island or the Senator from Washington. Maybe it was, I do not know. But what we are really about to decide is whether we are going to tinker with the third year of the tax cut. Eight point nine billion dollars is not enough to repeal the third year of the tax cut, but $8.9 billion, as the minority leader, I think, implies, is enough to cap the third year of the tax cut.

Just so I am sure I understand, I believe that that is the real issue between us on this vote. Are we going to change the third year of the tax cut or leave it intact? If we are going to change the third year of the tax cut—and I expect many Democrats will support this amendment—if we are going to do that, the vote would be yes. If we are going to vote against changing it, the vote would be no.

Obviously, this lends itself to other configurations and other interpretations. The Senator from Washington has pointed out that these were just numbers and that is not what he in-

tends. But I think the questions put by the minority leader sharpen that issue. I think we should assume what we are deciding right now is whether to leave the third year of the tax cut intact.

Mr. GORTON. Will the distinguished majority leader yield?

Mr. BAKER. I yield the floor.

Mr. BYRD. Will the Senator yield to me?

Mr. CHILES. I yield to the minority leader.

Mr. BYRD. Mr. President, the distinguished majority leader—and I say this with all due deference—is accurate in his own mind, but probably not accurate in the minds of even those who are sponsoring the amendment. It is merely one approach that could be taken. I feel that approach would be good because it would be fair to the middle and lower income people of this country. But I do not know what the motivation is or what approach would be preferred by Mr. WEICKER or Mr. GORTON or others. I am simply saying that a cap is one approach which could be taken. I personally believe it is the right approach.

Mr. CHILES. Mr. President, I yield some time to the distinguished Senator from Washington.

Mr. GORTON. Mr. President, with all due respect to my own esteemed leader, since I am the author of this particular figure, I wish to say that I do not regard it as appropriate to characterize this vote as a vote on the third year of a tax cut. I support it. I support the retention of indexing. I am absolutely convinced that the distinguished Senator from Kansas is quite imaginative enough and successful enough to come up with revenues which would meet this figure without changing the basic structure of the income Tax Code at all, except in the field of deductions, exemptions, tax preferences, and the like. And, for what it is worth, the author of this amendment would hope that he would do precisely that.

Mr. CHILES. Mr. President, I ask my distinguished colleague from Washington, the number $8.9 billion has a ring to it. Is that original from the Senator from Washington or have I heard that number somewhere else? Did someone else speak of that number, saying that was the amount of revenue they could pick up without tampering with the third year, or something?

Mr. GORTON. The Senator from Florida is very shrewd and very wise in this respect. As a matter of fact, the number comes from a figure to which both the chairman of the Finance Committee and the chairman of the Ways and Means Committee in the House have spoken of as a practical revenue number; that is, $8 billion, together with the revenue effect of decisions which we have already made in the course of this debate.

Mr. CHILES. I thank the distinguished Senator from Washington.

Mr. BAKER. Will the Senator yield?

Mr. DOMENICI. I am pleased to yield to the majority leader.

Mr. BAKER. Mr. President, I want to make it absolutely clear to the Senator from Washington, the Senator from Connecticut, and others, I have never said it was their intention to do that. What I said was that the only fair import of the remarks by the distinguished minority leader suggests that it is a part of the consideration involved here in voting on this measure as to whether we are going to keep the third year of the tax cut.

Mr. BYRD. Will the Senator yield?

Mr. BAKER. Yes.

Mr. BYRD. I say to the distinguished majority leader that I have a right to support this amendment for whatever reason I may wish to support it and I would assume that other Senators who vote for it or against it would do so for whatever reasons they choose.

I personally would like to see a cap. I think that would be fair to the middle and lower income people of this country. But that is no directive to the distinguished Senator from Kansas, the chairman of the Finance Committee. There is just a dollar figure here. He can go in that direction; he can go in other directions.

But I do not think that the majority leader would dispute the fact that that is about the same dollar figure. That is what I was asking the Senator from Washington, that, roughly the same figure could be involved in a cap.

Mr. BAKER. Mr. President, I find it extraordinarily difficult for me to stand up and to ever, ever express anything other than gratitude to the minority leader for his embrace of a Republican initiative. But I have to confess that when that infrequent occurrence happens, I wonder why I am being embraced. [Laughter.]

In this case, I suspect the reason for it was implied, at least, in the minority leader's suggestion about the third year of the tax cut.

Mr. DOLE. Mr. President, will the Senator yield?

Mr. DOMENICI. I am pleased to yield to the Senator from Kansas.

Mr. DOLE. Since I am getting all of this advice on what this revenue number does or does not mean, I might say that it also could mean a $5 a barrel oil import fee, which I know would be popular in some quarters. That would raise about $9 billion. I have all kinds of options here to get $8.9 billion.

Mr. BYRD. Will the Senator yield?

Mr. DOLE. Yes.

Mr. BYRD. Does the Senator forget that most vigorous filibuster that ever occurred in the United States which occurred in 1977? It was the deregulation of natural gas.

Mr. DOLE. How does that give me $9 billion? [Laughter.]

Mr. BYRD. I do not know, but the Senator talked about some increase or some taxes on oil.

Mr. DOLE. I just threw that out. Everybody interprets this, as they wish. This is just a giant crap game anyway and you just shoot until you win around here. But I think you are about to shoot the Finance Committee chairman.

This amendment raises about $76 billion in revenue. If we can put in this amendment that it is going to be raised by closing loopholes and tax compliance, you might have a lot of support. But I do not know why we have to take it from the working people, by tampering with the third year of the tax cut. The fair way is to close loopholes and raise tax compliance.

I know the Senator from Ohio has supported me in that effort, one of the few on that side that did, I might add.

SEVERAL SENATORS. Vote.

The PRESIDING OFFICER. Who yields time?

Mr. METZENBAUM. Mr. President, will the Senator from New Mexico yield?

Mr. DOMENICI. I would be pleased to yield.

Mr. METZENBAUM. Mr. President, will the majority leader be good enough to yield for a question?

Mr. BAKER. I am happy to yield.

Mr. METZENBAUM. The Senator from Ohio has a lot of respect for the majority leader and knows that the majority leader never embarks upon a course of action without knowing where his ship is going. Would the Senator from Tennessee, therefore, be good enough to advise the Members of the Senate what alternatives he is thinking about or talking about or suggesting in the event this amendment is defeated in order to bring about a compromise solution of the whole question of getting a budget out of the Senate in the event the additional 3 days are provided? I would just like to know what his thoughts are, what he is really suggesting that this body should be doing.

Mr. BAKER. I think that is the answer.

Mr. President, seriously, I indicated earlier, I will say to my friend from Ohio, that I think, one way or the other, we have to preserve the budget system and I think the way to do that is to demonstrate whether anything is going to pass here or not. This may pass. I hope it does not pass. But if it is passed, the Senate has spoken.

But I am not about to stand here and say we ought not to have a budget resolution. I am determined to try to get a budget resolution.

I am not going to gladly see the Senate leave without doing that. So if this amendment fails, it is my intention to ask the distinguished chairman of the committee, or I am prepared to do it by myself if he wishes, it make a motion to recommit to the Budget Committee, with the request that they report back within the 3 days provided by statute, and to debate within the time remaining. It would not be a new 50 hours. Then to dispose of this matter after the committee takes a fresh start.

Presumably, the committee would approach this matter on the basis of the preferences expressed by the Senate so far. That would be on the votes, relative strength or lack of strength, of the several proposals that have been discussed, and to bring back to us a resolution.

But just so there is no misunderstanding about it, I do not share the sentiments expressed by an official of the White House yesterday, that we might be better off without a budget resolution. I do not believe that. I think we should have a budget resolution. I am committed to get a budget resolution. It is not my plan to try to thwart that. Indeed, if this amendment fails, as I hope it does, it would be my intention to ask the Senate to give the committee a fresh start.

Mr. STEVENS. Will the chairman yield?

The PRESIDING OFFICER. Who yields time?

Mr. DOMENICI. I yield to the Senator from Alaska.

Mr. STEVENS. I will be brief. I am constrained to make a couple of remarks. Having been here during the period of the development of the budget process, I cannot remember a time when the Senator from Maine (Mr. Muskie) or the prior chairman from South Carolina could have gotten a budget through this body without bipartisan support. I read that because of five or six Members on this side having a disagreement with the balance of 48, that for some reason or other that means that the budget process is coming to a halt.

If it comes to a halt, it is because the budget process is becoming a partisan matter. Again I say to my friends on the other side of the aisle, the pendulum swings, and the time is going to come, perhaps, during your service here in the Senate when support will be needed from this side of the aisle. Having been one of those who supported Senator Muskie and supported Senator HOLLINGS in the past, with a plea for bipartisan support on budgets, I wonder where that support is now. Where is the bipartisan support for the budget process? Or is this a process of just holding the feet of the majority to the fire until somehow or other we coerce five people who happen to disagree with the majority on our side to change their mind?

Is the budget process a bipartisan process or is it a partisan process? If it is a partisan process, this Senator would like to know now. I think I am learning now that it is.

Mr. METZENBAUM. Will the Senator yield?

Mr. STEVENS. I yield the floor.

Mr. CHILES. Mr. President, I yield myself a couple of minutes.

The PRESIDING OFFICER. The Senator from Florida.

Mr. CHILES. I will have to say this: I just heard the most incredulous statement I have heard since I have been on the Senate floor in the last 12 years. If I had not heard it, I would not believe it. My distinguished and good friend from Alaska is talking about the budget process fails because of partisanship. We have been on this floor for a week now asking every day when could we participate in the process.

Do you call it bipartisanship when your side agrees to something and they come up with your substitute, we are not consulted, and we do not get a chance to say anything, that you worked for 2 or almost 3 weeks to try to get 51 votes on your side, and then when you did not get 51 votes on your side and we are trying to participate in a bipartisanship compromise now—my friend, is that partisanship on our side?

You talked about Muskie and Bellmon. Do you remember who was in the majority then? We were in the majority then, the Democrats were. At the time we were in the majority, everything that went through the Budget Committee was taken up function by function, category by category. There were no caucuses that went in and presented a plan at 3:30 in the afteroon that was voted out at 10, as happened last year on the budget. There was no Democratic plan that came out. It was a process that we went through.

We had a majority. And we came to the floor and Senator Muskie and Senator Bellmon stood back to back and fought for the committee position. That is something that the Senator from Florida has asked for, the ability to do that in the Budget Committee, asked for that on this floor, talked about that for weeks.

Now you are talking about this as a partisan process on this side of the aisle?

Mr. STEVENS. It appears that way to this Senator. What you recite is interesting history, I say to my friend. But what led to those positions that came out of the Budget Committee this year? Solid opposition from your side to the concepts that came in the President's budget, solid opposition here. Why is it with 48 people on this side there are no people over there in agreement with our side?

Mr. CHILES. I believe the Senator from Alaska smokes the same pipe maybe that the President does. That is bipartisanship means "You follow what I say." That is bipartisanship. But if you disagree with it at all, you are being partisan.

You said the President's plan. The President said in his state of the Union speech that he wanted a bipartisan economic policy. Until today, until today, we have not had any opportunity to participate in that bipartisan policy, and by golly you are trying to take it away from us today. I am reminded of the old farmer who they put out of the room because he smelled. He had manure in his hair. He said, "Gosh, you can kick me out for smelling, but don't rub it in my hair."

It is kind of like you are talking with us that way.

No, we want to participate. We have some concern.

Mr. STEVENS. All I will say to my friend, and again I am saying the pendulum swings and, believe me, this process will be political unless what we are going through now comes to a halt.

Mr. MELCHER addressed the Chair.

The PRESIDING OFFICER. Who yields time?

Mr. DOMENICI. I was just going to say to my good friend from Florida, I used the word "incredulous" the other day, and they told me it was incredible, not incredulous. Is that what you meant?

Mr. CHILES. I just repeated what I heard my good friend from New Mexico say.

Mr. DOMENICI. Then you meant incredible.

Mr. CHILES. I am delighted that he has corrected us.

Mr. MELCHER addressed the Chair.

The PRESIDING OFFICER. Who yields time?

Mr. DOMENICI. The Senator indicated he would like to have 2 minutes?

Mr. MELCHER. Yes.

Mr. DOMENICI. I yield 2 minutes.

The PRESIDING OFFICER. The Senator from Montana.

Mr. MELCHER. It has been difficult to find out what the deficit is if this amendment is adopted. But as I understand from the author of the modification which was accepted by the author of the amendment, the first year deficit would be $184 billion. We voted on whether or not we would accept $192 billion and rejected that.

The second year the modification would be $178 billion in deficit. We just rejected $186 billion.

The third year would be $142 billion, and we just rejected $147 billion.

In each case the budget deficits in this amendment are still too high and it ought to be rejected.

I would also like to comment on the discussion about the bipartisanism of this budget debate.

On our side, the term rinky-dink was used and on the other side I just heard the chairman of the Finance Committee talk about a big crap game. If that is bipartisanship applying to this budget process, it is a pretty loose term.

I think the figures we are being asked to vote on are pretty loose and they are just shoved out here, off the floor. I dare say the chairman of the Budget Committee does not have these figures. Is that true? Does the chairman of the Budget Committee have these figures I just read off?

Mr. DOMENICI. I apologize to my good friend.

Mr. MELCHER. I was reading off the deficit figures which would exist if this amendment, as modified, were agreed to.

Mr. DOMENICI. Let me say while all this staff is here which assisted the Senator form his numbers, I do not vouch for them. If I were offering the amendment, they would be prepared in the same way. The numbers offered by the distinguished Senator were prepared by the professional staff. If he wants to give them to me, I will give them to the distinguished Senator.

Mr. MELCHER. I will save the time of the body. I read them off and they are in the record.

It does point out that these figures are just out here and penciled in and are really not very firm.

The chairman of the Finance Committee just brought out another one, $20 billion which was supposed to be lost from the modification of the withholding tax provision.

Mr. DOLE. It is $18.6 billion.

Mr. MELCHER. The figure of $18.6 billion. That points out how these figures are thrown around loosely. The Joint Taxation Committee, that guided the chairman of the Finance Committee while we were debating that issue, came to me afterward and said the true figures——

The PRESIDING OFFICER. The Senator's 2 minutes have expired.

Mr. DOMENICI. I yield 2 more minutes.

Mr. MELCHER. The chairman of the Finance Committee said $20 billion, then $18.6 billion. After the hassle was over, 5 days after that hassle and debate were over on withholding, the staff of the Joint Taxation Committee came to me to describe what the official figures were. I will inform the chairman of the Committee on Finance, they said that they are $13.5 billion. During the course of that debate, we went from $20 billion to $18 billion and I guess to $13.5 billion, although it has not caught up yet with the chairman of the Finance Committee.

The point is when Treasury gives you a figure, it may be changed the next day. The Office of Management and Budget may give you a figure that varies from the Treasury on the same day. But the fact is that these figures are not firm and when they are thrown out here as if they are firm, everyone can take it with a huge grain of salt. I don't think this is the way to approve a budget.

I do not like that, Mr. President. I think it is misleading. It is misleading to the Senate and misleading to the public to throw these figures out as if they are firm figures and you can hang your hat on them. You cannot hang your hat on them; they are just an estimate. Particularly are they an estimate on revenue gains when you get them from the Treasury on something they support, because they are likely to mislead us by 10 or 20 percent on any of their estimates of what the adjustments are in taxes after it is enacted.

Mr. GORTON. Will the Senator yield to me for one moment?

Mr. DOMENICI. I am pleased to yield.

Mr. GORTON. Mr. President, I wish to say to the Senator from Montana that the figures involved in this amendment are calculated in precisely the same way as are the figures in the resolution before us from the Budget Committee and all other proposals which have been before this body for the past 2 weeks. They are exactly as precise as those.

The Senator is, of course, correct: No one knows precisely what is going to happen in 2 or 3 years. The real point is all of them are comparable. The revenue figures are not supplied by the Treasury. They are the figures which we as sponsors of this amendment have deemed to be necessary to carry out the purposes of the amendment. They have nothing to do with the Treasury at all. They are comparable to all of the other figures on which the Senator from Montana has voted or will vote on the budget resolution.

Mr. MELCHER. I thank the Senator from Washington. That is a positive statement. I accept his figures as the most accurate that are available at this time. Even with that the deficits in this amendment are too high.

Mr. EXON addressed the Chair.

The PRESIDING OFFICER. Who yields time?

Mr. CHILES. Mr. President, I yield 3 minutes to the distingushed Senator from Nebraska.

Mr. EXON. Mr. President, as a member of the Budget Committee, I have been listening to the debate with keen interest. In fact, yesterday afternoon, I came to the conclusion that we would never ever have a chance of getting a budget out of the Senate and I felt it would be proper for me to reconsider this for the consideraton of the Budget Committee and tell the Budget Committee to do our work right. We did not do our work right and maybe we ought to do it all over again.

Mr. DOLE. May we have order, Mr. President?

The PRESIDING OFFICER. The Senate will be in order.

The Senator from Nebraska.

Mr. EXON. I thank the Chair.

Before we consider going back into the budget session again, I hope that, in the spirit of bipartisanship, we would give some instructions to the Budget Committee that the Republicans would not caucus and the Democrats would not caucus, that we would go into the Budget Committee and spend 3 days, if necessary, in that Budget Committee in open session, working out our difficulties. I may be in a position to support an appeal, if made at a later date, to recommit this to the Budget Committee.

I would simply say that we talk about bipartisanship all too often, but we do very little about it. The record will show that this Senator has been on the floor the last 2 days offering to cooperate, as I have frequently, to bring out a true bipartisan budget.

I think one thing that we are continually overlooking, and if there is one thing that has been hardly mentioned, it is the key matter with regard to the budget; that is the deficit. I do not know how many people in the country understand budgets, but they all know what deficits are.

Instead of talking about a budget that would produce the lowest deficit that may help get this country back on track, that may insure lowering interest rates to something reasonable, we hear the continual talk about partisanship, about the fact that we lack cooperation, about the fact that we are debating here tax increases. I think we should be debating—in my opinion—deficits and how the deficits are going to affect the economy of this country and this world in the years ahead.

I look at the Weicker-Gorton amendment before us and, from the figures that have been presented to me, Mr. President, the Weicker-Gorton amendment, as compared with the resolution that was reported out of the Budget Committee, would increase the deficits by $21 billion in 1984, $31 billion in 1985, $11 billion in 1986, $18 billion in 1987, and $28 billion in 1988. It may be a significant step in the right direction that the Weicker-Gorton proposal is $22 billion lower in deficits than the President's budget as submitted and $199 billion lower than the Domenici-Baker compromise.

I have been trying to concentrate on deficits. I think it is important, that we have a responsibility here.

The PRESIDING OFFICER. The Senator from Nebraska has used the 3 minutes yielded to him.

Mr. CHILES. I yield 2 additional minutes.

Mr. EXON. I think it is important here, Mr. President, that we do focus in on the budget, but while focusing in on the budget, I think we should ask ourselves, what is the budget all about? It is to support in the most responsible way the functions of Government and with no deficit at all. Yet, here we are, considering passing a resolution that will skyrocket the deficits to the $200 billion level and keep them there nearly as long as we can see into the future.

There were two interesting stories printed on the editorial page of the Washington Post this morning, one by Mr. George F. Will and the other by Mr. Hobart Rowan, that tied into the heart of this matter. I would hope that whatever we do here, we should base it primarily on what we can do to reduce the deficit—whether we can do it here, whether we have to recommit this to the Budget Committee with some instruction to bring something back that can get 51 votes. Whatever it is, I think it is important that we try to protect the budget process. Without it, I think we are going to have a worse deficit in the future than the deficit I see on the board behind me.

I certainly hope that, whatever action the Senate takes on the amendment presently before us, the Senate will oppose it because it does not get the deficits down to even the unacceptable high level that we came out of the Budget Committee with.

I yield the floor.

● Mr. MATHIAS. Mr. President, today huge budget deficits hang in front of America's economy like stoplights, stoplights that threaten to halt a sustained recovery. Continued long-term deficits will confirm expectations of rekindled inflation, hold interest rates high, depress investment, and limit job opportunities.

It is an axiom of budget arithmetic that a responsible budget resolution will result in budget deficits that decline from each year to the next. We must now accept the hard corollary of this budgetary axiom: Some revenues need to be raised to support the military and domestic outlay that Congress, by its votes, has deemed reasonable and appropriate for our great Nation.

To modify the revenue program is not to repudiate the past. In 1981 we simply went too far. To reverse our excesses and to raise some revenues will actually improve our chances of restoring a healthy economy.

When this budget debate is over, the American people will look at our bottom line. What size deficits will they see? Will deficits be stuck at nearly $200 billion as far as the eye can see? Or will they see deficits beginning downward toward our traditional economic patterns?

Let us consider the size of the deficits in relation to the economy as a whole. The fiscal 1983 deficit will be 6.4 percent of the gross national product. This represents a post-World War II high. In fiscal 1976, in the aftermath of the worst postwar recession up to that time, the deficit reached only 4 percent of GNP. The time to address this issue is now.

I submit for the RECORD a table showing the actual deficits as a percentage of GNP over the last decade and projected deficits under our new proposal.

The choices now are clear: We can have no budget at all. The Nation can have unending, unacceptable deficits. Or we can act to bring deficits under control.

Our proposal offers real hope for a sustained recovery and increased employment, for a decade of investment in the future, and for growing prosperity and global influence. Failure to make the hard decision—to increase revenues—would set in motion a train of forces that will be impossible to control later on.

The table follows:

BUDGET DEFICIT AS A PERCENTAGE OF THE GROSS NATIONAL PRODUCT

	GNP	Deficit	Deficit as percent of GNP
Fiscal year:			
1973	1,252.0	14.8	1.2
1974	1,379.4	4.7	0.3
1975	1,479.9	45.2	3.1
1976	1,640.1	66.4	4.0
1977	1,862.8	44.9	2.4
1978	2,091.3	48.8	2.3
1979	2,357.7	27.7	1.2
1980	2,573.9	59.6	2.3
1981	2,871.8	57.9	2.0
1982	3,033.0	110.7	3.6
1983 (estimate)	3,193.7	204.0	6.4
1984 (estimate)	3,498.7		
New alternative		180.6	5.2
1985 (estimate)	3,821.5		
New alternative		169.0	4.4
1986 (estimate)	4,142.2		
New alternative		157.8	3.8

●

Mr. MITCHELL. I am pleased that the pending amendment provides sufficient budget authority to enable the Environmental Protection Agency to fulfill its mandated responsibilities.

This amendment would simply return the budget of the EPA to its 1981 level.

If we are to restore the ability of this agency to function, the provision of adequate funding is an essential precondition.

The budget and personnel levels at the EPA have been drastically reduced over the last 2 years. The agency's operating budget would be 44 percent lower in inflation-adjusted terms, and its personnel levels would be 29 percent below 1981 levels if the administration's proposed 1984 budget were accepted.

The budget resolution as reported takes a small step to correcting that situation: It provides for an increase in the Superfund authorization for hazardous waste clean up, and it raises the research and development budget slightly over the 1983 funding level.

But this small increment, sound as it is, does not go sufficiently far to repair the damage done to the agency over the last 2 years.

It is now clear that this agency bore the brunt of the administration's desire for regulatory reform, and it was a goal approached in the most meat-ax fashion imaginable. It finally resulted in the resignation of the top management of EPA and what we all hope will be a revival of its capacity and its commitment to carry out the laws as they are written, under the direction of the new Administrator.

But we cannot expect the new Administrator to succeed unless we give him adequate tools with which to do the job. And the resolution before us now simply would not do that.

The 2-year-long assault on the EPA is now over. The administration is now faced with the need to regain both its credibility and the initiative in upholding the environmental laws on the books. This amendment is designed to provide the agency and its staff with the resources they will need to do that credibly and effectively. We cannot afford yet another year in which the commitment of the EPA to its job remains in question. We cannot afford yet another year in which the hazardous potential of a new Times Beach may be realized. We cannot afford another year in which needed environmental controls are delayed for want of adequate research while funding for that needed research is cut.

The EPA has identified 419 hazardous waste sites nationwide which demand priority attention. These are not minor inconveniences which may be easily avoided by the people living near them. These are dump sites which have the potential to contaminate the Earth and the ground water; these are dump sites which can be a clear and present danger to the health of the local communities.

If the agency had identified 419 fires burning out of control across the Nation, we would not have waited for over 2 years before taking action. But these hazardous waste sites are every bit as dangerous as uncontrolled fires. Indeed, because they are not always perceived as an active threat, they are even more dangerous, because people in local communities are not clearly forewarned of the dangers and have no direct way to protect themselves.

This amendment would provide that at least half the available funds in the Superfund account be spent to deal with those waste sites.

The Superfund program was established 2½ years ago, and it is surely not too much to expect, midway through the program, that its provisions be implemented for the purposes set forth in the law.

But it became clear in the course of hearings on the progress of Superfund implementation, that there existed in the top administrators of EPA, an unstated, but effectively implemented desire to limit the expenditures from Superfund in order to make certain that sufficient funds remained when the law expired to give plausibility to the notion that the law was unnecessary in the first place.

Whether that was an actual policy goal explicit in the intentions of those formerly in charge of the agency is now a moot point. What is not moot, however, is the fact that this deliberate slowdown policy, implicit or explicit, has severely curtailed the rate at which Congress anticipated the law would operate. That is a result that should now be corrected as speedily as possible.

The record of cleanups to date is paltry. Of the 419 sites identified as priority sites, EPA has provided funding to help clean up just 78. The other 341 sites have been left just as they were found: Deadly hazards to close-by communities, potential threats to the ground water above which they are located, and a serious concern to each of 44 states in which they are located. It is well past time that these identified hazards are eliminated. The amendment we propose today would move us a substantial step toward that goal.

In addition to adequately funding the crucial Superfund cleanup effort, this amendment would lay the foundation for rebuilding the capacity of the EPA to define, regulate and aid in the cleanup of other pollutants.

The situation with respect to the States is particularly important. As the States are given more and broader responsibilities for environmental protection and cleanup, the resources devoted to helping them fulfill that task are in danger of being seriously diminished.

The administration's budget figures for 1984 would represent a 36-percent decrease from 1981 for the grants which States use to carry out environmental laws. At a time when State government budgets are every bit as tight as the National Government's, a continued decrease in these grant programs will simply result in delays in granting permits, reductions in essential staff to enforce requirements, and retard the delegation of added responsibilities to the State level.

Such an overall outcome will not have an effect limited to the single budgetary year of this resolution; it will have a lasting and cumulative effect on the entire nationwide effort to maintain existing laws in force, to strengthen the enforcement of current standards and to overcome the results of past pollution as well as prevent new technologies from adding to it. Such an outcome would have an effect on the health and lives of Americans in future years well beyond its effect in this one budgetary year. And it is an effect we cannot afford to permit.

The most fundamental responsibility of a national government is to protect the well-being of its people. To that end, we devote billions of dollars for the national security. We devote billions to income support programs to assure that no American lives in deprivation. It is no less fundamental a responsibility of the National Government to assure that Americans need not fear that the air they breathe and the water they drink as a threat to their health.

Increased funding is a way to carry out that responsibility effectively. The funding for EPA in this amendment represents the most minimal commitment we can and should make to carrying out the laws which protect our people from the hazards of our industrial society.

The funds in this amendment cannot, alone and immediately, make up for the last 2 years of mismanagement at EPA. They cannot overcome, immediately, the suspicion that has been fostered. But this is a downpayment we can make now to indicate our seriousness and our commitment to restoring the traditional, bipartisan Federal responsibilty for the national environment. I urge my colleagues to vote for it.

SEVERAL SENATORS. Vote.

The PRESIDING OFFICER. Who yields time?

Mr. DOMENICI. I yield back any remaining time I have on the opposition side.

Have the yeas and nays been ordered?

The PRESIDING OFFICER. All time has been yielded. The yeas and nays have been ordered. The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. CRANSTON. I announce that the Senator from Arkansas (Mr. PRYOR) is necessarily absent.

The PRESIDING OFFICER (Mr. QUAYLE). Are there any other Senators in the Chamber wishing to vote?

The result was announced—yeas 46, nays 53, as follows:

[Rollcall Vote No. 86 Leg.]

YEAS—46

Andrews	Bradley	Cranston
Biden	Byrd	D'Amato
Bingaman	Chafee	Danforth
Boschwitz	Chiles	Dixon
Dodd	Johnston	Pressler
Durenberger	Kassebaum	Riegle
Eagleton	Kennedy	Rudman
Ford	Lautenberg	Sarbanes
Gorton	Leahy	Sasser
Hart	Mathias	Specter
Hatfield	Matsunaga	Stafford
Heinz	Metzenbaum	Stennis
Hollings	Mitchell	Tsongas
Huddleston	Moynihan	Weicker
Inouye	Packwood	
Jackson	Pell	

NAYS—53

Abdnor	Goldwater	Nickles
Armstrong	Grassley	Nunn
Baker	Hatch	Percy
Baucus	Hawkins	Proxmire
Bentsen	Hecht	Quayle
Boren	Heflin	Randolph
Bumpers	Helms	Roth
Burdick	Humphrey	Simpson
Cochran	Jepsen	Stevens
Cohen	Kasten	Symms
DeConcini	Laxalt	Thurmond
Denton	Levin	Tower
Dole	Long	Trible
Domenici	Lugar	Wallop
East	Mattingly	Warner
Exon	McClure	Wilson
Garn	Melcher	Zorinsky
Glenn	Murkowski	

NOT VOTING—1

Pryor

So Mr. WEICKER's amendment (No. 1262), as modified, was rejected.

Mr. DOMENICI. Mr. President, I move to reconsider the vote by which the amendment was rejected.

Mr. CHILES. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. HOLLINGS. Mr. President, I would like to classify my vote for the Gorton-Weicker substitute amendment to the budget.

My vote was not in support of the tax or spending policies included in that amendment. And my vote was certainly not in support of or in favor of the tremendous deficits included in that proposal. As I explained to the Senate during our deliberations these past 2 weeks, there is an alternative budget that is fair, effective, and that would return us to a balanced budget in the near future. All it would require is the courage of Congress to move to a freeze on Federal spending. I lost that battle but I am convinced now, more than ever, that the deficits must be reduced and that a freeze is the most practical way to achieve that.

But my vote for this amendment was a vote for the budget process. It is necessary that the Senate pass a budget resolution. Returning this resolution to the committee is not the answer; it is instead an abdication by the Senate of its responsibilities. For this reason, I reluctantly supported this amendment. I did not support the policies included therein, but it is now important for the Congress to demonstate that it can administer to our budget process and that it can pass a budget resolution.

The PRESIDING OFFICER. The majority leader is recognized.

Mr. BAKER. I thank the Chair.

Mr. President, if the Senator from New Mexico, the chairman of the committee, will yield to me for a moment, as I indicated in my remarks earlier, I think it is time now to recommit this resolution to the committee with the request that they use their tender mercies to come together on a true bipartisan basis and produce a resolution that we can support.

It happens that the act already provides a time limitation, so we do not need to worry about that. It is 3 days. It may be that in those days that calm and reason will prevail and we can find something.

I repeat that I am determined to the extent that it is possible to do so to get a budget resolution.

As soon as the committee reports back, it is my intention, of course, to ask the Senate to turn once again to its consideration. It is privileged, and we will take it up and there will be time remaining.

I inquire of the Chair: How many hours now remain for debate on the resolution?

The PRESIDING OFFICER. Three hours and twelve minutes remain.

Mr. BAKER. When it comes back then there will be more than 3 hours, assuming there is no debate on the motion to recommit. As far as I am concerned there is no requirement for a rollcall vote on the motion to recommit. Of course, we can have one if the Members wish.

If it is recommitted, it is my intention to confer with the minority leader to see if we can take up once again as the order requires the immigration bill, and there may be one vote on an amendment to the immigration bill. After that is disposed of it will be my intention to ask the Senate to go out until Monday.

I see the Senator from Wyoming is nodding his head. That may not be possible.

While we focus on the other matter, then, of the motion to recommit, I wonder if the Senator from Wyoming would permit me to confer with him, with the Senator from Arizona, and with the minority leader and we will try to arrange that sequence.

Mr. SIMPSON. Very good.

Mr. SARBANES. Mr. President, will the majority leader yield for a question?

Mr. BAKER. I yield.

Mr. SARBANES. It is the majority leader's intention to recommit the resolution and after it is brought back by the committee to be a completely different resolution, I take it, in the Chamber, than before and open to amendment, I assume at that point. But that whole process would then be compressed into 3 hours. Is that correct?

Mr. BAKER. Mr. President, I believe that is what the act provides.

Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. BAKER. Does the act provide that if a motion to recommit prevails and the committee reports in not more than 3 days the time remaining for debate on the resolution so reported is the time remaining at the time of recommittal?

The PRESIDING OFFICER. That is the interpretation of the Chair.

Mr. BAKER. I thank the Chair.

Mr. SARBANES. Mr. President, does the majority leader feel that that would provide the Senate with a reasonable opportunity to act on whatever the committee may bring back to us at that point?

Mr. BAKER. I am perfectly willing to change that time. I have no desire to limit the Senate in the amount of time that it wishes to debate that measure.

I am simply saying that by statute Senators are guaranteed that time, and I will confer with the minority leader and with the two managers. If they wish to extend that time I am perfectly willing to ask the Senate to do that.

Mr. MOYNIHAN. Mr. President, will the Senator yield for a question?

Mr. BAKER. I yield.

Mr. MOYNIHAN. Did I hear the majority leader correctly that he looks forward to a bipartisan solution to the budget, in effect a bipartisan budget resolution?

Mr. BAKER. Yes, I do. I have other remarks I will make on that subject to the Senator in private. I likened it to the effort of early Christians to find the Holy Ghost, but at this moment I will not proceed on that subject.

Mr. MOYNIHAN. I only wish to congratulate the majority leader and say he has the support of many Senators on this side of the aisle for that, even though he can only discuss it in the most secret recesses of the Capitol.

Mr. BAKER. I beg to differ with the Senator. I am perfectly happy to discuss it in public. It is only that I do not wish to shock the conscience of the Senator from New York.

Mr. President, if I may, I now yield to the Senator from New Mexico so that he may make the motion and then we can decide if we need a rollcall vote.

The PRESIDING OFFICER. The Senator from New Mexico is recognized.

MOTION TO RECOMMIT SENATE CONCURRENT RESOLUTION 27

Mr. DOMENICI. Mr. President, on behalf of myself and the distinguished Senator from Florida (Mr. CHILES) I move to recommit Senate Concurrent Resolution 27 to the Budget Committee with an instruction to the committee that the resolution be reported back within 3 days, not counting any days on which the Senate is not in session.

Mr. CHILES. Mr. President, I join with the distinguished chairman on that. I am delighted with what the majority leader said, that we can sit down and determine what would be a fair amount of time to come out, and I certainly do not wish to see us have another 50 hours. We do not need that. But I think we need adequate time to discuss it.

Mr. BAKER. Mr. President, if the Senator will yield to me, I am sincere about that and I will talk to the two managers and the minority leader on that subject.

I wish to say more seriously than I said a moment ago that I really do believe the two managers, the chairman and the ranking minority member, have an opportunity now to go back to the committee and their members and say, "Look, you know that two or three sides to this issue had their day, and it is time now that we sit down together and see what we can work out."

I am anxious to do that. If I can be helpful in that respect I offer my services in the effort.

Mr. CHILES. Mr. President, let me say we are delighted to hear of an offer of having a bipartisan effort in the committee. I think our Democratic members will certainly be there looking to participate.

Mr. BAKER. I thank the Senator.

Mr. DOLE. Mr. President, will the Senator from New Mexico yield?

Mr. DOMENICI. I yield.

Mr. DOLE. Mr. President, I hope that if the Budget Committee is going to solve this on a bipartisan basis and they wish to know how much taxes we raise they consult with the Senator from Kansas and the Senator from Louisiana and other members on the Finance Committee. I think it is going to go back to decide what the revenue numbers are, and we are very happy to do that. In fact, we are reconciled to some revenue figure. We would certainly be willing to cooperate with the Budget Committee in advance.

Mr. DOMENICI. Mr. President, let me say to my good friend from Kansas that I appreciate his comments. I think he would acknowledge that as far as the Senator from New Mexico is concerned when it comes to matters within his committee on such things as reconciliation I have regularly consulted with him and his expert staff, and I do not intend to change that policy.

Mr. SYMMS. Mr. President, will the Senator from New Mexico yield?

Mr. DOMENICI. I yield.

TOWARD A BALANCED BUDGET

Mr. SYMMS. Mr. President, I deeply regret that the Senate has not been able to fundamentally restructure America's budgetary priorities. The American economy profoundly needs

deficit reductions leading to a balanced budget soon. We need to get to a balanced budget by one fundamental course of action—reductions in Government spending. While reducing Government spending, we also need to reapportion Federal spending to increase our defense and military capabilities. We simply have no choice but to rebuild America's defenses. The Soviet Union will not allow us to continue in the old ways of the past—increasing entitlements and other domestic spending while cutting back defense spending.

Moreover, while cutting domestic spending, increasing defense, and reducing deficits, we must avoid raising taxes. Not only will tax increases not balance the budget themselves, but they will choke off increasing economic growth which has been resulting in net increases in revenues. The American Republic was founded on the principle of resisting excessive taxation, and we must remain true to our historic principles by unleashing the miraculous American economic engine. The American economy, properly freed from too heavy a tax burden, too large deficits, and too much domestic spending, is admired all over the world as the best means of producing the most good for the most people. American free enterprise, too often hampered by excessive taxes or high interest rates induced by large deficits, is the best means of providing for the general welfare and the general prosperity of the Nation.

Our free society is sustained by our free enterprise economic system. Incentives to produce and sell and grow are what makes America great. Our budgetary priorities must reflect our desire to preserve the fundamental strength of America—the free enterprise economic system.

In sum, Mr. President, we must reduce our deficits by cutting spending while increasing defense, and by avoiding new taxes. Spending cuts are the only way to quickly reduce deficits. Unfortunately, Congress has continually increased spending, rather than reducing it. The old politics of spend and tax, tax and spend are still with us. These politics are difficult to change.

The budget which most closely approached what I consider to be the sound fiscal principles which have historically made America strong, prosperous, and free was the Hatch-Gramm budget. This budget only attracted 23 votes, but it did lead to a balanced budget by 1989 by cutting domestic spending, increasing defense, with marginal increases in taxes. All other budgets fail to satisfy the fundamental principles of sound fiscal policy.

Mr. MITCHELL. Mr. President, a major question which must be addressed in this debate concerns the military budget. We must ask: How much defense spending is enough to guarantee our Nation's security? And how can we most efficiently use that money?

I served in Berlin, Germany, as army intelligence officer at the height of the cold war in the 1950's. As a result of that experience, I am under no illusions about the seriousness of the threat posed by the Soviet Union to U.S. security and to the security of the members of the Atlantic Alliance.

I am an advocate of a strong national defense, based on a strategy of deterring aggression and protecting our Nation's vital interests at home and abroad.

Since coming to the Senate in 1980, I have consistently supported DOD authorization and appropriations bills which have provided for real growth in our national defense. I have done so because our security is threatened by the Soviet Union's continuing substantial investment in its armed forces. We run a considerable risk unless we respond to this challenge by improving our own Armed Forces and by simultaneously pressing for verifiable and balanced international agreements to limit and reduce arms.

We run a similar kind of risk, however, if we indiscriminately throw money at defense efforts which are not part of a defined strategy or at weapons systems which underperform, do not work, or are unneeded.

President Reagan's defense budget for fiscal year 1984 is not based on a defined set of priorities derived from a sound military strategy.

Gen. David C. Jones, former Chairman of the Joint Chiefs of Staff, during February 2 Budget Committee hearing, described the all-encompassing nature of the administration's defense plan:

> It is a little hard to go in and figure out just what is the strategy, because the strategy document that is written sort of emphasizes everything, and then the Services take that and are sort of able to pick and choose.

In response to the Budget Committee's questions about the strategy which the President proposes to implement, General Jones said:

> Even though I applaud the fact that the rhetoric has been toned down this year compared to the past, programs have not changed. But the guidance that we received was to prepare for protracted nuclear war, to provide enduring survivability over a long period of time, to do much more in space, to do much more in air defense, and in the whole strategic area to go beyond. Then it says let us be able to fight the Soviets any place in the world and implies simultaneity rather than a one-and-a-half war or whatever; and it says let us be able to fight a long war; and let us be able to have a maritime superiority with a 600 ship Navy; and let us be able to go to Southwest Asia; and let us improve our mobilization base; and let us improve our industrial preparedness.
>
> You can make a good case for each one of these—no question about it. But you cannot do it all.

The administration's apparent desire to do it all follows a revealing exercise in one upsmanship. During the closing days of the 1980 Presidential campaign when the annual defense budget totaled $158 billion, Ronald Reagan promised to increase defense spending by 5 percent in real terms. Following the election, President Carter submitted to Congress a budget for fiscal year 1982 in excess of $200 billion. Not to be outdone, President Reagan then decided to seek a 7-percent increase to the already large Carter budget. As Steven R. Weisman noted in the New York Times Magazine, the result was a "new growth rate [of] 11 percent after inflation, more than twice what Reagan had promised."

This year the President has come to us asking that he be given an 11-percent increase in defense spending over the 25 percent in defense increases he has received since he took office. He asks this at the same time that he proposes to hold constant or reduce most domestic programs. Moreover, the President remains adamant in opposing elimination of the third-year tax cut.

This is a formula which will jeopardize rather than promote a strong America. It is a formula which overemphasizes the military component of security while it dangerously disregards the economic component of security.

In our debates on national defense we often fail to acknowledge how important to our Nation's security are such things as the rate of economic growth, the strength of the nonmilitary industrial base and the level of productivity.

I share the view of Robert S. McNamara, former Secretary of Defense and World Bank President, who, with McGeorge Bundy, Cyrus Vance, and Elmo Zumwalt, has written:

> * * * that the economic foundations of our national security, which are every bit as important as the defense component, have been undermined. The United States faces an economic problem of immense proportions, the solution to which has not yet been put into place. Not only has our nation, for many years, been favoring consumption over investment by a wide margin, it has lost its competitive edge in world markets; and real interest rates are at such high levels as to make any rapid and sustained reduction in unemployment very unlikely.

The situation outlined by McNamara and his colleagues will get worse, not better, as long as we continue to ignore the problem of the deficit. As a nation, we simply cannot afford to keep increasing the amount of deficit each year.

The administration's own estimate of the deficit for fiscal year 1984 is $200 billion, an amount equivalent to

over 6 percent of our gross national product. This level is unacceptable. It will inevitably result in the diversion of private savings to Government use, driving interest rates up and leaving American business starved for the capital it requires to expand and prosper.

While the administration defense program will not be exclusively responsible for the anticipated 1984 deficit, it is certain to be the major contributor. And, if the administration is successful in carrying out an unrealistic 5-year defense plan, the deficits in the late 1980's and early 1990's will be even greater in real terms.

A major reason for this is the fact that the President's defense budget is unwisely weighted heavily in favor of weapons procurement instead of readiness spending. For example, the administration's budget increases nuclear force funding by 37 percent while general-purpose forces funding is limited to an 8-percent increase. It proceeds with extremely expensive yet unnecessary programs such as the B-1 bomber while it cuts training exercises, and forces reductions in such things as annual flying hours per naval aircrew.

What this Congress approves for the Pentagon as part of the fiscal year 1984 budget will be paid for by American taxpayers during much of the next decade. In fiscal year 1982, 30 percent, roughly $57 billion, of actual defense spending occurred as a result of authority granted by Congress in prior fiscal years. During the coming fiscal year—1984—the rate of actual spending as a result of prior commitments will climb to 35 percent, or $77 billion. According to an analysis conducted by the Federation of American Scientists, by the close of fiscal year 1984 the administration "will have committed $146 billion for spending in future years."

I cannot express strongly enough my concern over the future procurement commitments we are making this year. When the bills for all these weapons systems become due in the late 1980's and early 1990's, enormous deficits resulting from high defense procurement outlays will be avoided only if the size of the forces are reduced, or if cuts are made in important operations and maintenance accounts.

After purchasing all this weaponry, I doubt seriously whether we will curtail operations, cut back on proper maintenance, or reduce the size of our uniformed services. The only course of action available will be to raise taxes.

Rudolf G. Penner, in a December 1982 Wall Street Journal opinion article entitled "The War Over Pentagon Spending" characterized the situation this way:

> While the high deficits projected for 1984 and 1985 represent a severe problem, I believe that the financial markets would take a more sanguine view of them if the long-term growth of defense spending and the major domestic entitlement programs were slowed so that the deficit is put on a sharp downward path in the late 1980s.
>
> And if after a reasonable debate, it appears that it would not be wise to slow defense spending growth significantly, then there is no other responsible decision but to commit ourselves to a higher tax burden in the longer run unless nondefense programs are cut more than seems likely.
>
> Put another way, the debate over weapons procurement in the 1983 and 1984 budgets is really a debate over appropriate tax policy in the 1985-90 period. That point should be emphasized again and again until it is seared into our consciousness.

Mr. President, I cannot accept the administration defense program with its lack of a defined strategy, with its overemphasis on nuclear systems and its underemphasis on conventional war readiness and sustainability. Though I believe in the need for a stronger defense, I do not feel I responsibly can support a budget, the defense portions of which promise either an enormous deficit burden or substantially increased taxes later in this decade. Accordingly, I have sought, and will continue to seek, a more realistic increase of about 5 percent in defense spending in each of the next 3 years. That is the level of defense spending best calculated to enhance our national security, at home and abroad.

Mr. GLENN. Mr. President, I support the first concurrent budget resolution as reported by the committee, primarily because I believe it is of great urgency that we cut the deficit of this Government. I believe the committee's resolution, as amended by the Senate to accommodate the needs in the areas of education, health care for the unemployed, and medicaid for low-income women, is the best proposal we have seen.

The amendment offered by my colleagues from the other side, particularly as modified by the Senator from Washington (Mr. GORTON), represents a significant improvement over the other alternative presented by the Republican leadership, which I believe the Senate wisely tabled. Nevertheless, I voted against that amendment because it was, in my judgment, second best to the one reported by the committee. And I will vote, Mr. President, to recommit this resolution to the Committee on the Budget in the hope that the Senate will go ahead and pass a resolution which does the most to cut the deficit and help put this economy on the march again.

SENATE SCHEDULE

Mr. BYRD. Mr. President, I ask the majority leader what the program is for the remainder of the day. I have a feeling that many Members may be under the impression that this will be the last rollcall vote if it is a rollcall vote, and it is perfectly all right with me if we have a voice vote on it. But I have a feeling, after discussing the circumstance earlier with the majority leader, there may be another rollcall vote today.

Mr. BAKER. As the minority leader and I discussed the hope that when this matter is disposed of, I trust by recommittal, that the Senate will return to the consideration of the immigration bill, and one amendment, the DeConcini amendment, might be disposed of yet today. But I have been getting furious hand signals, one from the Senator from Wyoming and the other from the Senator from Arizona.

Mr. SIMPSON. Mr. President, I certainly do not want to stay over here on this side of the aisle too long. In view of that, let me just say——

Mr. BYRD. Will the Senator use his microphone?

Mr. SIMPSON. I thank the Senator. There are some amenities over here we do not have on our side. [Laughter.]

Let me say, Mr. President, I believe we would not have the necessity of a rollcall vote this evening if the Senator wished to lay down that particular measure and address it on Monday or Tuesday. But I think we are going to reach an accord, I can assure you, with Senator DeConcini's proposal, which is a transitional work program, a key part of the immigration legislation. I do not believe there will be a requirement for a rollcall vote tonight, and that issue will be accepted.

Mr. BAKER. Mr. President, on the basis of that representation, then may I say to the minority leader that if there is no rollcall vote on the motion to recommit, I would not expect any further rollcall votes today, and I do not anticipate asking the Senate to be in session tomorrow.

Mr. KENNEDY. Mr. President, if this is accepted and recommitted, is it the intention then of the leader that we lay down the immigration bill this evening and what, then, would be the program for the early part of next week? I welcome the opportunity to work toward completion of the immigration legislation, but I think it is important since there are, I believe, in excess of 15 Members that I know about who have amendments and who wish to be present when there is a vote on that legislation.

Mr. BAKER. I thank the Senator.

What I would like to do is provide, after we go on that measure today, to lay down and perhaps debate the DeConcini amendment, and that we go out until Monday, and that on Monday the Senate will resume consideration of the immigration bill, following the conclusion of the debate on the nomination of Mr. Ruckelshaus, which will be called up on Monday.

There is a proposal I have not yet cleared with the minority leader. But in answer to the Senator's request, I

would hope that would be the sequence of events we would cover on Monday.

Then there would be final passage on the immigration bill which would occur no later than 10 p.m. on Tuesday, May 17.

Mr. CHILES. Mr. Leader, may we have some time in which we would not have votes before sometime on Monday, and I would hope it would be as late as it possibly could be to give the Budget Committee time to work and people who have traveling time, time to get back?

Mr. BAKER. I am happy to include that. I would be glad to say that there would be no votes before 2 p.m.

Mr. CHILES. Make that 4 p.m.

Mr. BAKER. All right, 4 p.m.

Let me say that a unanimous-consent agreement we are circulating at this time provides that any votes that are ordered on Monday would be stacked to occur on Tuesday so that the Senator from Florida will be protected absolutely on that day.

Mr. KENNEDY. Mr. President, I would like to see a time proposed, and I hope we will be able to continue debate on the immigration bill and complete it. Is it the intention of the leader to complete the immigration bill before we bring up the budget resolution or will it be set aside?

Mr. BAKER. I would hope we would finish and, indeed, this order would provide that we would finish immigration no later than 10 p.m. Tuesday, and if the Budget Committee does report it would not be my intention to ask us to turn back to the budget resolution until after we finish immigration on Tuesday night.

Mr. KENNEDY. I would just want to indicate that I welcome the opportunity to return to the immigration bill and hope we can finish it expeditiously.

Mr. HATFIELD. I wonder if the majority leader would settle on whether there will be a rollcall vote on the motion to recommit so that we in the Appropriations Committee can get back to work.

Mr. BAKER. I think the point is extremely well taken. I hope the Senator from New Mexico will put his motion. In that case, I would encourage the Chair to put the question to the Senate.

The PRESIDING OFFICER. Do the Senators yield back all remaining time?

Mr. DOMENICI. I yield back all of our time.

Mr. CHILES. I yield back my time.

The PRESIDING OFFICER. All time having been yielded back, the question is on agreeing to the motion of the Senator from New Mexico to recommit the resolution.

The motion to recommit was agreed to.

Mr. BAKER. I move to reconsider the vote by which the motion to recommit was agreed to.

Mr. BYRD. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. BAKER. Mr. President, there will be no more rollcall votes today.

ROUTINE MORNING BUSINESS

Mr. BAKER. Mr. President, I am unsure as to what business is pending before the Senate. The unanimous-consent order I guess automatically makes the immigration bill pending after disposition of the budget resolution. I am not sure a motion to recommit constitutes disposition. If it does not, I ask unanimous consent that there now be a period for the transaction of routine morning business in which Senators may speak for not more than 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

DR. BEN T. LANHAM, JR.

Mr. HEFLIN. Mr. President, on Tuesday, March 29, 1983, Alabama lost one of its most outstanding citizens when Dr. Ben T. Lanham, Jr., passed away. Dr. Lanham, a retired vice president for administration at Auburn University, served for more than 40 years as a teacher and administrator at Auburn. I know that I join his many friends and admirers in expressing sympathy to his wife, Bernice, his son, Ben, and his daughter, Betty.

There is no question that Dr. Lanham was a great scholar as well as administrator. He held a bachelor's degree from Clemson University, a master's degree from the University of Tennessee, the doctorate from Michigan State University, and did postdoctoral work at Iowa State University. In 1939, Dr. Lanham joined the Auburn faculty as an assistant professor of agriculture economics. He would become head of the department in 1956.

In teaching and research, Dr. Lanham's principal areas of professional interest included farm management, production economics, agricultural policy, and economic development. His expertise in the academic realm led him into memberships and offices in academic and professional organizations. Among these positions were vice president of the Alabama Environmental Quality Council, chairman of the Alabama Water Resources Research Institute Council and chairman of the editorial board of the Journal of Alabama Academy of Science, to name just a few.

In addition to teaching, his contributions to Auburn University were made through serving as the elected president of the general faculty and chairman of the faculty council in 1954 through 1955. A few years later, Dr. Lanham was the associate director of the Agricultural Experiment Station and in 1964 became the assistant dean of the school of agriculture; 1966 found Dr. Lanham serving as Auburn's first vice president for research and then in 1972, he was named vice president for administration. His influence in Auburn University's School of Agriculture, which was deep and spanned several decades, will not be forgotten.

Indeed, Dr. Lanham will be greatly missed—by his friends, colleagues, the university, and the community, both local and academic. Those who knew him were fortunate to experience his guidance, leadership, and warm friendship.

I thank the Chair.

FORT McCLELLAN WINS ARMY ENVIRONMENTAL QUALITY AWARD

Mr. HEFLIN. Mr. President, I was extremely pleased and proud to recently learn that Fort McClellan, Ala. has been chosen to receive the Army Environmental Quality Award for 1982. This award is presented annually to the Army installation that has demonstrated the Nation's most outstanding environmental protection program.

Fort McClellan's noteworthy achievements in improving local water quality, preventing soil erosion, attaining effective pest control, and developing numerous environmental training programs helped the fort earn the first place award, in competition with eleven other installations.

In Alabama, we are very proud of our natural environment. Fort McClellan is located near Anniston, just a few miles from the beautiful Talladega National Forest, in one of the many naturally beautiful areas of our State. I know that I am speaking for all Alabamians when I say thank you to the people of Fort McClellan for their efforts in environmental protection in the past year.

I do not mean to imply, however, that this is the first year that Fort McClellan has been concerned with environmental quality. In fact, for some 4 years prior to 1982, Fort McClellan had been chosen as the first runner-up in the Army competition.

The installation was also honored in 1982 by being awarded the Governor of Alabama's Environmental Award. This latest designation marks the fifth consecutive year the fort has been chosen to receive this distinction.

Specific highlights of the environmental program at Fort McClellan include environmental research projects which use computer models, television inspection of sewer lines, use of solar heating systems, and remote sensing techniques, as well as an environmental assessment of a proposed chemical

decontamination training facility. The program also placed a great deal of stress on the importance of environmental education, for both the military and civilian population.

Again, I am very proud of the people of Fort McClellan for their performance in the field of environmental protection. I wish them the very best as they enter the Secretary of Defense Environmental Award competition, along with representatives from the Air Force, Navy, and Marine Corps. I am sure they will do well.

I thank the Chair.

HAPPY 100TH BIRTHDAY TO MEMO, IN ST. LOUIS

Mr. DANFORTH. Mr. President, Mrs. C. M. Pearson will be 100 years old Saturday. Known to the many who love her as Memo, she will celebrate her big day at a family party in St. Louis.

Memo was born in Pennsylvania. Having raised her two children in Indiana, she moved to Missouri after World War II. Her daughter, Marjorie, is Mrs. John J. McAtee of St. Louis, and her son, Robert, lives in Hawaii. She has long divided her time between their homes.

Memo is a champion mother and grandmother. It is said that she can beat anyone in dominoes and that she is a first-rate gin rummy player as well.

I have been privileged to know Memo since she was a youthful 70 or so. I am not sure what she would say is the secret to a long and full life, but to this observer, she has at least two notable attributes. First, she stays active. She drove a car until well into her 90's, and she keeps and trains parakeets. Second, she has a heart full of love which she shares freely with her family and friends, and which they return in kind.

Mr. President, Memo Pearson is one of the most beloved people I have known. She is a great citizen of our State. I join her many friends and her family in wishing her a happy 100th birthday.

ALASKA'S STRUGGLE FOR STATEHOOD

Mr. STEVENS. Mr. President, today marks one of the important steps in the story of Alaska's struggle for statehood.

On May 12, 1958, just 25 years ago, Representative Clair Engle moved to bring the Alaska statehood bill to the floor of the House.

He sought a special privileged status reserved for statehood bill, cricumventing the Rules Committee, so that the bill could be taken up by the House for debate.

Bills for Alaska statehood had been before Congress since 1916, when Territorial Delegate James Wickersham introduced the first bill.

By 1958, there had been at least 3,500 pages of printed hearings held by the House and Senate in the years spanning 1946 to 1957. The House Insular Affairs Committee reported in 1957 that "Alaska is in all ways ready for statehood."

As public support mounted for Alaska to become a part of the Union, the press, across the 48 States and in Alaska, showed their support for Alaska's dream.

As one who was here in Washington, D.C. at the time of our statehood fight, I would like to share with you some of those articles printed in the Nation's newspapers 25 years ago that gave the case for Alaska statehood. I ask unanimous consent that some of them be printed in the RECORD at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. STEVENS. Alaska's history as a State is not long, but its story, the culture of its Native people, the determination and vitality of all its residents, and its contributions to the Nation and the world are all already legendary.

As we approach the 25th anniversary of the admission of our "Great Land," Alaska, into the Union, I want to make certain we remember the day Alaska became a State as one that will go down in history for Alaskans as well as all Americans.

The articles follow:

EXHIBIT 1

[From the Seattle Post-Intelligencer, May 19, 1958]

A VITAL COUNT-DOWN

There will be a count-down on the floor of the House of Representatives Wednesday vital to Alaska and important to everyone in the United States.

It will be a simple poll on whether the House undertakes immediate consideration of the bill to make Alaska the forty-ninth state.

Underneath, it is a vote on accepting the bill from the Interior Committee and bypassing autocratic chairman Howard Smith (D, Va.), who has it locked in a one-man pigeon hole in the Rules Committee. The Rules Committee normally determines when all bills go to the floor.

Alaskan bills have been before Congress for 42 years; Alaska has been awaiting statehood since it became a territory 91 years ago.

The President wants the bill. So does Speaker Rayburn.

There seems little question that the Senate will vote for it.

Both Democratic and Republican parties in their 1956 platforms pledged "immediate statehood" for Alaska.

Public opinion polls show that the American People favor statehood by 12 to 1.

A majority of members of the Rules Committee itself by private count are reported for the bill.

Thus Wednesday's count-down for Alaska is not voting to bypass the Rules Committee so much as it is voting to bypass Chairman Smith, who has said the bill will get out "over my dead body."

And every representative's vote to take up the bill will be a vote for the good of all except Mr. Smith, for he seems the only obstacle in America to statehood for Alaska in this session of the Congress.

[From the Washington Post, May 22, 1958]

HOUSE AGREES TO ACT ON ALASKA STATEHOOD

(By Richard L. Lyons)

The Alaska statehood bill passed its first big test yesterday when the House agreed to act on it, but its fate was still much in doubt.

By a 217-172 margin, the House voted to bypass its Rules Committee which had blocked the bill for 11 months. It then started debate which set off a series of stalling maneuvers and other tactics that could tie up the House for days.

The vote to go around the powerful Rules Committee was unusual. The committee is a legislative traffic cop which sets rules for floor action on most major bills. It can kill bills by pigeonholing them. Not often does the House interfere with it.

A statehood bill is one of a few types of legislation that can be taken to the floor without a rule. Backers were reluctant to do this because the bill will be acted on under general rules of the House which theoretically let each of the 435 members speak for one hour. Also, it could be amended to death.

The Rules Committee could have given it the protection of a rule limiting debate and barring crippling amendments. Statehood supporters took yesterday's action as a last resort, with the backing of Speaker Sam Rayburn, when they decided the Rules Committee would not act.

Rep. Howard W. Smith (D-Va.), Rules Committee chairman and a leading opponent of Alaska statehood, tried to head off the bill yesterday on a technical point that its "privileged" status was destroyed because this general legislation contained appropriations, in violation of House rules. Rayburn overruled him.

On the motion to take up the bill, 133 Democrats and 84 Republicans voted to act on it, while 100 Republicans joined 72 Democrats, mostly from the South, in voting to do nothing. Defeat of this motion probably would have killed the bill for this session.

All 10 Virginia Congressmen voted against considering the bill. All Maryland members voted for its except Reps. Edward T. Miller (R) and James P. S. Devereux (R).

Next hurdle for the statehood backers will be to limit debate. It could consume three months if each member took his hour. But a majority vote can cut it off at any time. Rep. Leo W. O'Brien (D-N.Y.) floor manager of the bill, said he plans to try to close debate this afternoon and vote on amendments Friday. Smith talked of "a couple weeks" of debate.

Four times during the afternoon opponents cut into the debate with demands for quorum calls. Each meant that fewer than 100 members were on the floor at the time.

If O'Brien is able to limit debate, opponents still can offer amendments as long as they want. Most feared by statehood backers is an effort to tack on the Hawaii statehood bill, a maneuver which in the past has always killed both. The Senate has an Alaska statehood bill on the floor, waiting for the House to act.

O'Brien told the House that statehood is necessary for full development of Alaska's resources. He said the territory is ready and wants statehood and that all polls show the American people do, too.

Rep. John R. Pillion (R-N.Y.) led off debate for the opponents with the big-state argument that statehood would give 200,000 Alaskans as much representation in the Senate as the biggest states. Addition of more states would dilute representation of the 48 states in both houses, he said.

[From the Washington Post, Apr. 2, 1958]

ACT ON ALASKA

Chairman Howard Smith of the House Rules Committee has had three months in this session of Congress, as well as several months in the last, to grant a rule on the Alaska statehood bill. This bill was reported by the House Interior Committee in June 1957. When Mr. Smith finally got around to holding a hearing last week, the meeting was adjourned for want of a quorum. This may not have been Mr. Smith's fault because of the unusual demands of the day. But Mr. Smith has voiced his own irreconcilability, and enough of his tactics has become evident to show that he envisages prolonged hearings to delve into all matters already gone into *ad nauseam* by the Interior Committee. This is a tyrannical abuse of the function of the Rules Committee, which is supposed to be a traffic director, not a dictatorial suppressor. If Speaker Rayburn means to stand by his pledge to help obtain passage of the statehood bill, it is time for him personally to take a hand.

[From the Washington Post, Mar. 30, 1958]

WHO WANTS ALASKA?

The people of Alaska, I know, greatly appreciate the support which The Washington Post has given our Alaska statehood cause, both through its excellent editorials and the always effective Herblock cartoons.

I would like to suggest one amendment, however, to your editorial of March 20, "Who Wants Alaska?"

For while you are correct in stating that 73 percent of the persons questioned in a recent Gallup Poll favor immediate statehood for Alaska, really that figure does not give an adequate idea of the overwhelming popular support which the poll showed. For while 73 percent favored immediate statehood for Alaska, only 6 percent were opposed and 21 percent had no opinion.

In reckoning the majority for statehood, clearly those who had no opinion are excludable. The pertinent figures, therefore, are 73 percent for and 6 percent against, a ratio of just over 12-1. This is overwhelming and is, perhaps, as close to unanimity as is ever attainable on almost any public issue.

It is therefore to be hoped that the Congress will not, as Dr. Gallup and The Post pointed out, lag "far behind public opinion," but will respond as an elective body under our democracy is expected to do. I doubt whether the 85th Congress could enact any legislation which would be more popular at home, and more useful abroad in demonstrating that the United States practices what it preaches.

[From the Washington Post, May 4, 1958]

THE CASE FOR ALASKA . . . REASONS FOR GRANTING STATEHOOD SUMMARIZED

(By Roscoe Drummond)

The outlook now is that Alaska will become the 49th state in the Union before the present Congress has run its course. The statehood bill has cleared the committees. An early vote in the House is in sight.

It has been before Congress since 1916 and its supporters are convinced that at last the votes are at hand to make Alaskan statehood a reality. Should Congress again say no:

It would be reneging on the most explicit commitment both parties ever put into their national platforms. In 1956 the Democrats and Republicans pledged "immediate statehood" for Alaska.

It would violate the manifest wishes of the American people who in a series of public opinion polls running from 1946 to 1958 have increased their support of Alaskan statehood from 5 to 1 to 12 to 1.

It would dishonor the promise of the 91-year-old treaty by which Alaska became an American territory and in which we pledged to give its inhabitants "all the rights, advantages, and immunities of the United States." The right to self-government is one of them. The right to be free from taxation without representation is another.

The more one examines the merits of Alaskan statehood, the more persuasive the case becomes. Obviously there are great advantages to the citizens of Alaska whose elected Representatives in the Territorial Legislature only last year voted unanimously for statehood. There are also many advantages to the United States, particularly when you consider that on this round earth Alaska is the doorstep to the American Continent and the most strategic outpost of our defenses as the alert-flights to the Arctic demonstrate.

All may not be familiar with such basic facts as these:

The Alaska people—85 per cent of the Alaskans are of the stock of the American pioneers who trekked across the plains and mountains to build the western United States. About 15 per cent are Eskimos, Aleuts and Indians. They are a sturdy, worthy and resourceful people.

The Alaskan population—At present it stands at 212,500. But the most significant fact is the rate of growth. Between 1950 and 1956 the population increased by 53,000 or 48.6 percent. Alaska has shown a greater percentage population growth than any state in the Union for 17 years.

At least 22 of our states had fewer people when Congress granted them admission.

Alaskan loyalty—Only in Alaska did the enemy invade North America in World War II. No more loyalty, no more patriotism, no more willingness, to sacrifice were displayed by any part of our people than by the Alaskans.

Alaskan communism—The last report made by the Federal Bureau of Investigation in 1951 stated that there were 10 Communists in Alaska. There is no reason to believe there are any more today, probably fewer. Would that we did as well in continental United States.

The Alaskan land—Business Week puts it this way: "Picture a land mass stretching from Maine to Florida, from the Great Lakes to the Gulf of Mexico, embracing 20 easternmost states. Wrap around it a coastline greater than that of the United States itself, and you have an image of Alaska, twice the size of Texas and one fifth as large as all the 48 states together."

Alaskan resources—The United States has already gotten back 425 times over the $7 million purchase price it paid to imperial Russia, in metals, minerals, timber and oil. Alaska is rich in resources. Geologists conservatively estimate that Alaska is one of the four great petroleum basins in the world, no wonder Alaska isn't developed when you consider that the Federal Government owns 99 per cent of the land.

[From the Anchorage Daily Times, May 8, 1958]

STATEHOOD, OIL, PLANES HIGHLIGHTED

Millions of readers the nation over have been reading newspaper stories on Alaska in the Scripps-Howard chain.

The stories, written by Scripps-Howard staff writer Albert M. Colegrove, were pegged to statehood, oil development, federal government red tape, fishing and "success stories."

Scripps-Howard owns a chain of 19 newspapers in the following cities: New York, Cleveland, Pittsburgh, San Francisco, Indianapolis, Columbus, Cincinnati, Knoxville, Denver, Birmingham, Memphis, El Paso, Houston, Fort Worth, Albuquerque, Evansville, Ind., and Washington, D.C.

Colegrove's first article appearing under an Anchorage dateline said:

"The air almost crackles with excitement today in Alaska's biggest city. Topics A, B and C (you hear them everywhere) are: oil, aviation, Alaska's chances for statehood . . . There's an oil hunt here that just may make the old gold rush look like penny ante stuff."

Colegrove's articles were written from many points in Alaska, including Anchorage, Fairbanks, Seward, Juneau, Ketchikan and Petersburg. From Ketchikan, Colegrove wrote:

"Alaskans, led by Gov. Mike Stepovich, are working desperately today to get more year-round business here. But they say the federal government's grip makes it tough."

From Petersburg, he wrote: "It is almost impossible to exaggerate the dislike most Alaskans feel today for the federal government overlords who rule this territory's lifeblood industry—fishing. They believe Washington's experts have all but ruined them."

Another story from Anchorage said: "Alaska is playing the oil game today for stakes higher than most people back in the states dream. . . . If this territory has even half the available oil that conservative businessmen and geologists suspect, world political strategy is due to be altered."

Colegrove, who is a former executive editor of the San Francisco News and a former Washington, D.C., correspondent for the newspaper chain, spent about two weeks in the territory last month.

During World War II he was stationed at Adak and Kodiak in the military service.

Using Anchorage contractor Walter Hickel as an example, Colegrove reported "success stories" of Alaskans who have made good in the business world. He wrote: "He's (Hickel) one of a whole breed of young Alaskans who, with ingenuity and guts, have changed the territory into the kind of a place they think merits a 49th star on the U.S. flag."

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Chirdon, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session, the Acting President pro tempore laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the Committee on Armed Services.

(The nominations received today are printed in the end of the Senate proceedings.)

MESSAGES FROM THE HOUSE

At 10:26 a.m., a message from the House of Representatives, delivered by Mr. Berry, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 2175. An act to amend the Omnibus Crime Control and Safe Streets Act of 1968, and for other purposes.

At 5:09 p.m., a message from the House of Representatives, delivered by Mr. Berry, announced that the House has agreed to the following concurrent resolution, in which it requests the concurrence of the Senate:

H. Con. Res. 101. Concurrent resolution expressing the sense of the Congress that the people of the United States should observe the month of May 1983 as Older Americans Month.

HOUSE BILL REFERRED

The following bill was read the first and second times by unanimous consent, and referred as indicated:

H.R. 2175. An act to amend the Omnibus Crime Control and Safe Streets Act of 1968, and for other purposes; to the Committee on the Judiciary.

HOUSE CONCURRENT RESOLUTION REFERRED

The following concurrent resolution was read and referred as indicated:

H. Con. Res. 101. Concurrent resolution expressing the sense of the Congress that the people of the United States should observe the month of May 1983 as Older Americans Month; to the Committee on the Judiciary.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, which were referred as indicated:

EC-1037. A communication from the Secretary of the Senate, transmitting, pursuant to law, a full and complete statement of the receipts and expenditures of the Senate, showing in detail the items of expense under proper appropriations, the aggregate thereof, and exhibiting the exact condition of all public moneys received, paid out, and remaining in his possession from October 1, 1982 through March 31, 1983; ordered to lie on the table.

EC-1038. A communication from the Assistant Secretary of Defense (Comptroller), transmitting, pursuant to law, a report of the value of property, supplies, and commodities provided by the Berlin Magistrate and under the German Offset Agreement for the quarter January 1 through March 31, 1983; to the Committee on Appropriations.

EC-1039. A communication from the General Counsel of the Department of Defense, transmitting a draft of proposed legislation to amend chapter 157 of title 10, United States Code, to authorize the Secretary of Defense to provide transportation for next of kin of certain persons who are unaccounted for, to attend annual national meetings sponsored by the National League of Families of American Prisoners and Missing in Southeast Asia; to the Committee on Armed Services.

EC-1040. A communication from the Assistant Secretary of the Air Force (Manpower, Reserve Affairs, and Installations), transmitting a draft of proposed legislation to amend title 10, United States Code, to clarify the authority of the Armed Forces to conduct safety investigations of accidents involving aircraft of the Armed Forces and to protect from public disclosure certain parts of reports of such investigations; to the Committee on Armed Services.

EC-1041. A communication from the Administrator of the Energy Information Administration, Department of Energy, transmitting, pursuant to law, the 1982 Annual Energy Review; to the Committee on Energy and Natural Resources.

EC-1042. A communication from the Secretary of Agriculture, transmitting a draft of proposed legislation to modify the boundary of the Pike National Forest in the State of Colorado, and for other purposes; to the Committee on Energy and Natural Resources.

EC-1043. A communication from the Acting Administrator of the Environmental Protection Agency, transmitting a draft of proposed legislation to amend and extend the Toxic Substances Control Act, as amended, for 2 years; to the Committee on Environment and Public Works.

EC-1044. A communication from the Director of the Resources, Community, and Economic development Division, General Accounting Office, transmitting, pursuant to law, a report entitled "The Costs and Benefits of Single Family Mortgage Revenue Bonds: Preliminary Report"; to the Committee on Finance.

EC-1045. A communication from the Secretary of Health and Human Services, transmitting a draft of proposed legislation to amend the Social Services Block Grant Act, to authorize consolidation of certain block grants to Indian tribes, and for other purposes; to the Committee on Finance.

EC-1046. A communication from the Chairman of the Foreign Claims Settlement Commission, Department of Justice, transmitting, pursuant to law, the annual report of the Commission for calendar year 1982; to the Committee on Foreign Relations.

PETITIONS AND MEMORIALS

The following petitions and memorials were laid before the Senate and were referred or ordered to lie on the table as indicated:

POM-157. A joint resolution adopted by the Legislature of the State of Utah; to the Committee on Agriculture, Nutrition, and Forestry:

"MILK PRODUCTION TAX RESOLUTION

"Whereas, Congress recently authorized the Department of Agriculture to impose a 50 cents per hundredweight assessment on milk production;

"Whereas, an additional 50 cents per hundredweight will be imposed on April 1, 1983, if surpluses are not below an acceptable level;

"Whereas, this assessment will cost a small dairyman up to $40 per day for every 100 cows, or more than $14,000 per year;

"Whereas, the stated purpose of the assessment is to reduce production, but is in fact counterproductive to reducing milk surpluses and unfairly penalizes the small dairyman;

"Whereas, most family dairy operations are experiencing very difficult economic times and this assessment will be devastating to dairy operators in Utah; and

"Whereas, a proper means of stopping overproduction would be to phase out the Price Support Program and let the free market prevail. Now, therefore, be it

"Resolved by the General Session of the 45th Legislature, That the Congress of the United States be requested to repeal this repressive assessment on dairy production and develop a plan to phase out the price support system.

"Be it further resolved, That the Lieutenant Governor forward a certified copy of this resolution to the Speaker of the House of Representatives and to the President of the Senate of the Congress of the United States and to each member of Utah's delegation to Congress."

POM-158. A resolution adopted by the Tinian Land Owner's Association requesting the Trusteeship Council of the United Nations to assist the people of Tinian, Northern Mariana Islands in obtaining just compensation for the taking of their private property by the United States Military; to the Committee on Energy and Natural Resources.

POM-159. A resolution adopted by the Senate of the State of Massachusetts; to the Committee on the Judiciary:

"RESOLUTIONS MEMORIALIZING THE PRESIDENT AND THE CONGRESS OF THE UNITED STATES TO ESTABLISH INTERNATIONAL FLAG WEEK

"Whereas, the hope of world peace is shared by the citizens of all nations; and

"Whereas, the flag of each nation represents the reliefs and policies of that nation; and

"Whereas, the promotion of world peace would be motivated by a display of the flags of all nations illuminated by a "light of peace"; and

"Whereas, throughout the world each nation, at a designated period of time, would fly all national flags at its national capitol; now therefore be it

"Resolved, That the Massachusetts Senate hereby memorializes the President and the Congress of the United States to establish an 'International Flag Week' to coincide with our flag week in June of each year and urges all nations to participate in the display of the flags of all nations during said period in order to promote world peace; and

"Be it further resolved, That copies of these resolutions be transmitted forthwith by the clerk of the Senate to the President of the United States, to the Presiding Officers of each branch of Congress and to the Members of each branch of Congress from the Commonwealth of Massachusetts."

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. ROTH, from the Committee on Governmental Affairs:

Special Report entitled "Federal Identification Fraud" (Rept. No. 98-84).

● Mr. ROTH. Mr. President, today, on behalf of the entire Senate Governmental Affairs Committee, I submit a report entitled: "Federal Identification Fraud." This report, the result of a yearlong investigation conducted by the Permanent Subcommittee on Investigations (PSI), is both timely and important because of its relevancy to the immigration reform legislation pending before Congress.

As chairman of PSI I have taken a very active interest in the problem of false indentification and, at my direction, hearings were held on June 15 and 16, and again on September 23, 1982, on fraud and abuse in the issuance of Federal identity documents. We also addressed the topic of the misuse of Federal identification to penetrate entitlement and other benefit programs. From these hearings we learned that false identification fraud is a growing underground industry within the United States, an industry which serves fugitives, terrorists, illegal aliens, and various other felons who are seeking to defraud Federal and State governments out of billions of dollars annually. Further, PSI's investigation revealed that the resolution of this enormous problem is one which requires modifications in our procedures for issuing identification documents, changes in the documents themselves, and an effective law enforcement effort directed at the criminal use of these documents.

This report identifies the need for more information sharing where Federal benefit programs are concerned. We were shocked to learn, as we did at our hearings, that even when a Federal law enforcement agency had information concerning false identities, that this information was not passed on to other law enforcement agencies.

Since PSI's 1982 hearings, Congress passed the False Identification Crime Control Act of 1982, Public Law 97-398, which establishes penalties for certain less false-identification-related crimes. Based on my review of the effectiveness of Federal agencies in combatting the problem of false identification, I am of the opinion that the U.S. Secret Service is expertly qualified to enforce Public Law 97-398, and should do so concurrent with other Federal law enforcement agencies. For the record, I am also submitting a copy of a letter I recently sent to the Attorney General expressing this viewpoint.

Finally, immigration reform legislation pending before Congress addresses many important social concerns, one of which is of particular interest to PSI. That is the requirement that the administration develop an identification card system so that employers can determine who is legally entitled to work in the United States. Based upon this subcommittee's demonstration of the failings and weaknesses of current Federal identification, I believe we have a responsibility to examine current and proposed plans in this area, and to insure that this effort is headed in the right direction.

Mr. President, I ask unanimous consent that the letter earlier mentioned be printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

U.S. SENATE,
PERMANENT SUBCOMMITTEE
ON INVESTIGATIONS,
Washington, D.C.

Hon. WILLIAM FRENCH SMITH,
Attorney General,
U.S. Department of Justice,
Washington, D.C.

DEAR MR. ATTORNEY GENERAL: Recently Congress passed the False Identification Crime Control Act of 1982 (P.L. 97-398) and President Ronald Reagan signed this legislation into law thereby establishing penalties for certain false identification related crimes.

As Chairman of the Senate Permanent Subcommittee on Investigations, I have taken a very active interest in this area and, at my direction, the Subcommittee staff recently conducted a year-long investigation into the false identification problem. On September 23, 1982, the Subcommittee completed hearings on the fraud and abuse involved in the use of false federal identification documents and the threat it poses to entitlement and other benefit programs. The Subcommittee's investigation supported a 1976 Department of Justice study which estimated that the impact of false identification on government and business translated to a $15,000,000,000 loss to the American public. Adjusted to reflect inflation increases, this figure rises to a $24,000,000,000 lost in 1982. Our investigation further revealed that the resolution of this enormous problem is one which requires modifications in our procedures for issuing identification documents, changes in the documents themselves, and an effective law enforcement effort directed at the criminal use of these documents. The passage of P.L. 97-398 provides a real opportunity to address the lack of effective enforcement by collectively applying resources from the family of federal law enforcement agencies.

It is my understanding that this legislation does not assign law enforcement jurisdictional authority. In this regard, I would like to express my opinion that concurrent jurisdiction by all federal law enforcement agencies would not only be appropriate but would greatly enhance the effective enforcement of the laws created by this legislation. Assigning enforcement jurisdiction to one agency would be counterproductive to the control of a criminal problem of this magnitude.

The Subcommittee's year-long investigation of the false identification problem included interviews with numerous federal law enforcement officials. These interviews were designed to determine, among other things, the effectiveness of the various agencies in combating the problem of false identification. As a result we discovered several agencies which are both well qualified and willing to enforce the laws created by P.L. 97-398.

Expressing a particularly enthusiastic interest in this area of investigation was the U.S. Secret Service. We found the Secret Service to be eminently qualified to enforce false identification laws. Historically, they have over one hundred years of experience in the investigation of crimes relating to the counterfeiting and forgery of obligations of the United States. The Secret Service has found that individuals who engage in the counterfeiting of currency often engage in the counterfeiting of items of identification. Additionally, the negotiation of counterfeited or stolen U.S. government checks and bonds is most often accomplished using false identification documents. These factors result in substantial contact, during the course of their investigations, with criminals who manufacture or use false identification. As part of its effort to combat crimes of counterfeiting and forgery, the Secret Service maintains laboratory facilities, employee expertise, and liaison with the printing industry. These attributes could easily be applied to the investigation of false identification crimes.

I chose to highlight the Secret Service because of my personal knowledge of their interest in this matter, however they are but one example of the various federal law enforcement agencies whose experience, expertise, and resources would be invaluable in contending with the enormous problem of false identification. This problem, because of its magnitude, will potentially defy the efforts of any single law enforcement agency—especially at a time when resources are at a premimum. For this reason and because crimes involving false identification cross existing jurisdictional lines, I have concluded that concurrent law enforcement jurisdictional authority would result in the most effective application of enforcement effort to this problem.

I urge you to seriously consider these considerations in arriving at your decision on the question of law enforcement jurisdiction and encourage some form of concurrent jurisdiction be assigned to the law created by the False Identification Crime Control Act of 1982.

Sincerely,

WILLIAM V. ROTH, Jr.,
Chairman.●

EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of committees were submitted:

By Mr. HELMS, from the Committee on Agriculture, Nutrition, and Forestry:

Daniel G. Amstutz, of New York, to be Under Secretary of Agriculture for International Affairs and Commodity Programs.

(The above nominations was reported from the Committee on Agriculture, Nutrition, and Forestry with the recommendation that it be confirmed, subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.)

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second time by unanimous consent, and referred as indicated:

By Mr. DURENBERGER:

S. 1267. A bill to transfer from the Director of the Office of Management and Budget to the Administrator of General Services the responsibility for publication of the catalog of Federal domestic assistance programs, and for other purposes; to the Committee on Governmental Affairs.

By Mr. SPECTER:

S. 1268. A bill to amend the Immigration and Nationality Act to provide for the adjustment of status to that of aliens lawfully admitted to the United States for permanent residence for certain alien parents of children born in the United States; to the Committee on the Judiciary.

S. 1269. A bill for the relief of Shailesh K. Patel and Premlata Patel; to the Committee on the Judiciary.

By Mr. DECONCINI (for himself and Mr. HATCH):

S. 1270. A bill to amend title 17, United States Code, regarding the Copyright Royalty Tribunal; to the Committee on the Judiciary.

By Mr. CHAFEE (for himself, Mr. STAFFORD, Mr. RANDOLPH, Mr. BENTSEN, Mr. DOMENICI, Mr. MITCHELL and Mr. BAKER):

S. 1271. A bill to encourage citizen participation in wildlife conservation programs and to establish the National Fish and Wildlife Foundation; to the Committee on Environment and Public Works.

By Mr. ROTH:

S. 1272. A bill to amend the Internal Revenue Code of 1954 to impose a use tax with regard to the use of the services of the Commodity Futures Trading Commission; to the Committee on Finance.

By Mr. SYMMS (for himself, Mr. MCCLURE, Mrs. HAWKINS, Mr. COHEN and Mr. GORTON):

S. 1273. A bill to direct the Secretary of Agriculture to conduct, in accordance with law and the intent of the Congress, the pilot project study of alternative means of providing assistance under the school lunch program previously authorized by law, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. ABDNOR:

S. 1274. A bill for the relief of Martin Navarro; to the Committee on the Judiciary.

By Mr. HEFLIN:

S. 1275. A bill to establish a specialized corps of judges necessary for certain Federal proceedings required to be conducted, and for other purposes; to the Committee on the Judiciary.

By Mr. MITCHELL:

S. 1276. A bill to provide that the pensions received by retired judges who are assigned to active duty shall not be treated as wages for purposes of the Social Security Act; to the Committee on Finance.

By Mr. MELCHER:

S. 1277. A bill to amend the joint resolution making further continuing appropriations and providing for productive employment for the fiscal year 1983, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. MELCHER (for himself, Mr. TSONGAS, Mr. STENNIS, and Mr. COCHRAN):

S. 1278. A bill to provide for an accelerated program of research, development and demonstration with respect to the production of electricity from magnetohydrodynamics, leading to the construction and operation of at least one major proof of concept demonstration project in connecton with an existing electric powerplant, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. HELMS (for himself, Mr. MCCLURE, Mr. EAST and Mr. NICKLES):

S. 1279. A bill to amend the Food Stamp Act of 1977 to establish a State block grant option for the food stamp program; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. DODD (for himself and Mr. WEICKER):

S.J. Res. 99. A joint resolution designating May 1983 as "Purple Heart Month", and honoring the three original recipients of the Purple Heart; to the Committee on the Judiciary.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. BAKER (for himself, Mr. RANDOLPH, Mr. HELMS, Mr. HOLLINGS, Mr. STENNIS, Mr. FORD, Mr. SASSER, Mr. HEFLIN, Mr. BURDICK, Mr. STAFFORD, Mr. HATFIELD, and Mr. HUDDLESTON):

S. Res. 140. A resolution to celebrate the 50th anniversary of the Tennessee Valley Authority, a public enterprise that works; to the Committee on Environment and Public Works.

By Mr. BAKER (for himself and Mr. BYRD):

S. Res. 141. A resolution to authorize the testimony of Vince Thomas; considered and agreed to.

By Mr. HUDDLESTON:

S. Res. 142. A resolution to limit multiple warhead ICBM's; to the Committee on Foreign Relations.

By Mr. CRANSTON:

S. Con. Res. 34. A concurrent resolution expressing the sense of the Congress in support of a call for jobs with peace; to the Committee on Appropriations.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. DURENBERGER:

S. 1267. A bill to transfer from the Director of the Office of Management and Budget to the Administrator of General Services the responsibility for publication of the catalog of Federal domestic assistance programs, and for other purposes; to the Committee on Governmental Affairs.

PUBLICATION OF CATALOG OF FEDERAL DOMESTIC ASSISTANCE PROGRAMS

Mr. DURENBERGER. Mr. President, today I am introducing a bill to transfer from the Director of the Office of Management and Budget (OMB) to the Administrator of the General Services Administration (GSA) part of the responsibility for publication of the Catalog of Federal Domestic Assistance. This legislation would also make certain improvements to the data base underlying the catalog.

In the Federal Program Information Act of 1977, the Director of OMB is charged with responsibility for the efficient and regular distribution of current information on Federal domestic assistance programs. It requires the Director to establish a data base and to develop a data retrieval system for domestic programs. It further charges him with responsibility for disseminating program information to the public and State and local governments. The Catalog of Federal Domestic Assistance was developed pursuant to this act. It is a compendium of Federal programs, projects, services, and activities which provide assistance or benefits to the American public. It contains financial and nonfinancial assistance programs administered by departments and establishments of the Federal Government. It is the most comprehensive coverage of Federal programs available.

The bill I am introducing today grew out of a desire by OMB to transfer most of the functions connected with the Program Information Act out of the Office and assign them to the General Services Administration. Such a total transfer of responsibility would have been a mistake.

Under current law, the Director is solely responsible for the catalog and its underlying data base—from initial collection of the data, verification and correction of the data, to designing the catalog's format, to its actual publication. It is understandable that OMB would like to move the production responsibilities out of the Office. But, it is essential that the Director remain responsible for actually collecting the data from the agencies, for final approval of the data as it goes into the catalog, and for the format of the catalog.

After extensive consultations with OMB, it was agreed that the actual preparation, printing, and distribution of the catalog would be permitted to move over to GSA. Oversight, validation and correction of data submitted by the agencies, and policy setting concerning implementation of the act would remain the responsibility of OMB. Moreover, OMB would remain responsible for collecting the data from the agencies.

This legislation is the result of these discussions. It permits a transfer of actual production responsibilities at the same time it insures that OMB will continue to be responsible for overseeing the implementation of the Program Information Act. Under this bill, OMB will continue to maintain day-to-day control over the program information system and will continue to serve as the central contact of the

line agencies with respect to Federal assistance program information.

Finally, Mr. President, the bill I am introducing today tightens up the definition of "allocation formula" as presently used in the Federal Program Information Act, and establishes standards for compiling information on formulas and the associated data and statistical estimates. It is a great improvement over the existing situation where the information on formulas is not reported on a standardized basis.

By Mr. SPECTER:

S. 1268. A bill to amend the Immigration and Nationality Act to provide for the adjustment of status to that of aliens lawfully admitted to the United States for permanent residence for certain alien parents of children born in the United States; to the Committee on the Judiciary.

S. 1269. A bill for the relief of Shailesh K. Patel and Premlata Patel; to the Committee on the Judiciary.

IMMIGRATION LEGISLATION

● Mr. SPECTER. Mr. President, I rise today to reintroduce a bill to grant permanent residency to immigrants who have lived in this country continuously for at least 7 years, have American-born children, and have no criminal record. I have also sent to the desk special legislation on behalf of an immigrant family in Pennsylvania now facing deportation who would qualify for permanent residency under my general legislation which I have today submitted.

I offer this legislation fully hoping that passage of S. 529, the Immigration Reform and Control Act, will render my legislation unnecessary. However, with its passage still uncertain and the family in question facing imminent deportation, this legislation is timely now.

These bills recognize that millions of immigrants who have entered or remained in the United States in technical violation of our immigration laws, after having lived here for many years, have become for all practical purposes contributing, productive, and dedicated citizens of this country. During their long period of residence in the United States, they have accrued undisputed equitable interests in remaining here, the most important of which is their American-born children.

The children born in this country to illegal immigrants are eligible for full American citizenship. Frequently, this is the only home they have ever known, or wish to know. It is grossly inconsistent with any notions of humanitarianism to deport these children or to force their separation from their parents. Whatever the legal status of the parents' presence in this country, it does not justify uprooting these children from their only real home to be sent to foreign lands where their adjustment must inevitably be painful, if not impossible.

An egregious example of the consequences of our present laws is the case of the Patel family in suburban Philadelphia. Shailesh Patel has lived in this country for 17 years, since leaving India. His wife, Premlata, has been here for 11 years. They have three young children who attend school here and have made close friends.

The Patel family have been good citizens. The children have absolutely no familiarity with India and cannot speak their parents' native dialect and cannot possibly succeed in school there. Mr. Patel is well liked in his community and has operated a successful service station for many years.

I have taken the time and had occasion to visit the Patels in their home in suburban Philadelphia, a beautiful home, indicative of the contribution which they have made to this country. I have visited Mr. Patel's service station and can personally attest to the fact that Mr. Patel is a productive, law-abiding citizen.

The Patels are now faced with a deportation order under which they will be forced to return to India. Their American dream will be brought to an abrupt and painful end if that deportation order is carried out.

The forced exclusion of such hard-working, conscientious, and community-spirited people is certainly not what our immigration laws were designed to accomplish. This is certainly the case when their effect is to permanently disrupt the lives of young, American-born children.

Last year, the Senate passed an immigration bill which included a provision which would have allowed the Patels to remain in the United States. Unfortunately, this bill died in the House of Representatives, necessitating the reintroduction of these measures this Congress.

Mr. President, I am the son of immigrants. My parents came to this country with little more than an ambition of making a better life for their family than they had known themselves. Shailesh Patel—and thousands of immigrants like him who have lived and worked in this country for many years—harbors the same ambition for himself and his family.

Through hard work and initiative, he and his wife have come far toward realizing their ambition, and in doing so have enriched the lives of their community and the United States.

We are a Nation that has grown great by opening its doors. To allow immigrants who have made a productive life for themselves here and who seek to contribute to their communities to join us as citizens is to the benefit of all and to the benefit of the United States.

I urge early consideration and passage of these bills.

Mr. President, I ask unanimous consent to have the bills printed in the RECORD.

There being no objection, the bills were ordered to be printed in the RECORD, as follows:

S. 1268

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Alien Parental Amnesty Act of 1983".

SEC. 2. (a) The Immigration and Nationality Act is amended by inserting after section 244 of such Act the following:

"ADJUSTMENT OF STATUS OF CERTAIN ALIEN PARENTS OF CHILDREN BORN IN THE UNITED STATES

"SEC. 244A. (a) Notwithstanding any other provision of law and except as provided in subsection (b), the Attorney General shall adjust the status to that of an alien lawfully admitted for permanent residence an alien who—

"(1) makes an application for such adjustment;

"(2) has been physically present in the United States (excluding Puerto Rico, Guam, and the Virgin Islands) for a continuous period of not less than seven years immediately preceding the date of such application; and

"(3) is the parent of a child born in the United States.

"(b) The provisions of subsection (a) shall not apply to any alien who—

"(1) is inadmissible under section 212(a) insofar as it relates to criminals, procurers, and other immoral persons, subversives, violators of the narcotic laws or smugglers of aliens; or

"(2) ordered or participated in the persecution of any person because of race, religion, national origin, sex, or political opinion.

"(c) Upon the approval of an application for adjustment made under subsection (a), the Attorney General shall record the alien's lawful admission for permanent residence as of the date of such approval.

"(d) Any adjustment of status made by the Attorney General under this section shall be without regard to, and shall have no effect on, any numerical limitation contained in this Act."

(b) The table of contents for such Act is amended by inserting after the item relating to section 244 the following:

"Sec. 244A. Adjustment of status of certain alien parents of children born in the United States".

S. 1269

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That notwithstanding paragraph (14) of section 212(a) of the Immigration and Nationality Act, for purposes of such Act, Shailesh K. Patel and Premlata Patel shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this Act upon payment of the required visa fees. Upon the granting of permanent residence to such aliens as provided for in this Act, the Secretary of State shall instruct the proper officer to reduce by the proper number, during the current fiscal year or the fiscal year next following, the total number of immigrant visas which are made

available under section 203(a) of the Immigration and Nationality Act to natives of the countries in which the aliens were born or, if applicable, the total number of immigrant visas which are made available under section 202 of such Act to natives of the countries in which the aliens were born.●

By Mr. DECONCINI (for himself and Mr. HATCH):

S. 1270. A bill to amend title 17, United States Code, regarding the Copyright Royalty Tribunal; to the Committee on the Judiciary.

FREE MARKET COPYRIGHT ROYALTY ACT OF 1983

● Mr. DECONCINI. Mr. President, today I am introducing a bill that amends the Copyright Act to bring equity to the relationship between the copyright holders and one group of users of copyrighted material. This bill, the Free Market Copyright Royalty Act of 1983, is designed to substitute a free market alternative to an artificial Government-imposed relationship between parties, and improve decisionmaking at an agency that we, the Congress, created in 1976, the Copyright Royalty Tribunal.

When we created the Tribunal, it was our hope that this agency would serve, among other functions, as an effective and fair referee in a legally and economically complex area, the determination, adjustment, and distribution of royalty rates for the retransmission of over-the-air broadcast signals. The CRT was charged by Congress in 1976 to adjust the royalty rates set by statute for the retransmission of distant Nonnetwork television programing under a compulsory license if certain rules and regulations of the Federal Communications Commission were changed. When such adjustment became necessary, as it did in 1981, Congress expected that the CRT would balance the interests of copyright holders in receiving a fair return for their creative work against the interests of the copyright user in receiving a fair income from such use while considering the public interest in access to such copyrighted material. In at least one area addressed by the CRT rate adjustment decision, I believe that the CRT has erred in its balancing responsibility. The legislation I introduce today will correct this error. Because I believe that the CRT's error was caused at least in part by Congress failure to provide it adequate professional staff, particularly lawyers and economists, I have included provisions in my legislation which reform the basic structure of the CRT.

On November 19, 1982, the CRT issued a decision which increased the royalty and the amount the cable system must pay for carriage of the signal of any distant broadcast station it was not permitted to carry under FCC rules in effect as of June 24, 1981. Parties who believed themselves aggrieved by this decision were able to get its effect delayed by Congress until March 15, 1983. I resisted the efforts in Congress to stay the CRT decision because I support the general principle that copyright holders are entitled to just compensation for use of their creative works. I was not then, and am not now, persuaded that the CRT decision does not represent a proper balancing of the economic interest involved in this dispute. The CRT decision is an appeal before the Federal courts and they shall determine the reasonableness and fairness of the basic issue of the adjustment of royalty rates.

I am convinced, however, that the CRT erred in not allowing the free market to work to determine compensation in the one area that it is already doing so. If a broadcast television station has become a national cable broadcast network with a sufficiently large national audience and advertiser base to require payment of equitable copyright licensing fees to program suppliers in direct marketplace negotiations, then the CRT and Congress should recognize and sanction such negotiations. In the presence of such direct licensing practices, there is no need for the supplementary fee imposed by the CRT. Moreover, program suppliers will receive a windfall if, in addition to the marketplace licensing fee, they receive a second large payment based on the CRT's increased royalty rate.

The effect of the CRT decision has been to deny access to one or more distant broadcast stations to millions of Americans. While I reiterate my belief in fair compensation, I believe that a mechanism must be found to insure such compensation while maximizing public access to creative works. I have been disturbed to read literature put out by a very interested party to this dispute, trumpeting the CRT decision as a great victory because it will lessen competition for its members. While considering the bill I introduce today, I believe the new Judiciary Subcommittee on Patents, Copyrights, and Trademarks should closely examine the anticompetitive aspects of the CRT decision and the statute upon which it was based.

Let me urge my colleagues to support this bill's free market alternative. There is no need for an artificial Government-imposed relationship between the parties involved in this copyright use. My bill will bring equity to this relationship between copyright holders and national cable broadcast networks and will halt the windfall which some program suppliers have gained by this decision. I ask unanimous consent that the bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 1270

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SHORT TITLE

SECTION 1. This Act may be cited as the "Free Market Copyright Royalty Act of 1983".

FINDINGS

SEC. 2. The Congress hereby finds that—

(1) in order to promote the availability and diversity of nationally distributed television programing for the public, national cable broadcast networks are needed that will provide to cable subscribers a full range of news, information, sports, and entertainment services; and

(2) the Copyright Royalty Tribunal lacks adequate professional staff to perform effectively its statutory functions.

DISTANT SIGNAL ROYALTIES

SEC. 3. Section 801(b)(2) of title 17, United States Code, is amended by—

(1) striking out "; and" in subparagraph (D) and inserting in lieu thereof a period; and

(2) inserting at the end thereof the following new subparagraph:

"(E)(i) Notwithstanding the provisions of subparagraph (B), the Tribunal shall exempt from any adjustments in copyright royalty rates made pursuant to this subsection the carriage by any cable system (including functional equivalents thereof), as defined in section 111(f) of this title, of any national cable broadcast network signal. Carriage of a national cable broadcast network signal pursuant to such exemption shall be subject solely to the royalty rate provisions of section 111(d)(2)(B), as adjusted in accordance with section 801(b)(2)(A), and shall not count against the complement of signals referred to in clauses (i) and (ii) of subparagraph (B). For purposes of this subsection, the term 'national cable broadcast network' means a television broadcast station that has been classified as such by the Tribunal. The Tribunal shall so classify any television broadcast station that requests such classification upon the certification by the station that—

"(I) the station's signal is distributed nationally for carriage by cable systems and the station promotes such carriage;

"(II) the station's commercial practices and rates seek to compensate the station for its national audience;

"(III) the station's share of the national viewing audience is measured regularly by the major national rating measurement services; and

"(IV) copyright owners who supply works for performance or display over the station are aware of the national distribution of the station's signal.

"(ii) The Tribunal shall issue, within thirty days after its receipt of such certification, its classification of the station as a national cable broadcast network if it finds that the certification meets the standards set forth in this section. The decision of the Copyright Royalty Tribunal to deny classification as a national cable broadcast network shall be reviewable de novo in Federal district court; and".

MEMBERSHIP OF THE TRIBUNAL

SEC. 4. (a) Upon expiration of the terms of office of the three commissioners of the Copyright Royalty Tribunal whose terms expire on September 27, 1984, no person shall be appointed to fill either of two of

such offices after such date. Such two offices shall be abolished effective on September 28, 1984.

(b) Effective on the date on which the offices of two Tribunal commissioners are abolished pursuant to subsection (a) of this section, section 802(a) of title 17, United States Code, shall be amended by striking out "five" the first place it appears in the first clause and inserting in lieu thereof "three".

STAFF OF THE TRIBUNAL

SEC. 5. (a) Section 805 of title 17, United States Code, is amended by adding at the end thereof a new subsection as follows:

"(c) The Tribunal shall appoint, and fix appropriate compensation for a General Counsel and a Chief Economist to carry out the functions customarily performed by persons with such titles.".

(b) The appointments mandated by section 805(c) of title 17, United States Code, as added by subsection (a) of this section shall commence no earlier than the date on which the membership of the Tribunal is reduced from five commissioners to three commissioners, pursuant to section 4 of this Act.●

THE COPYRIGHT ROYALTY TRIBUNAL REFORM ACT OF 1983

● Mr. HATCH. Mr. President, in June 1981, the General Accounting Office issued a report entitled, "The Operation of the Copyright Royalty Tribunal," which noted several problems with the Copyright Royalty Tribunal requiring congressional attention. These problems have persisted, making the GAO's recommendations equally relevant today. The Copyright Royalty Tribunal Reform Act of 1983 addresses some of the GAO identified problems. For instance, there has been some concern over the need for five CRT commissioners, while there is a clear need for access by commissioners to technical legal assistance and economic analysis.

This CRT reform bill directs the CRT to appoint a general counsel and chief economist. But, rather than increase appropriations for the CRT, funds for these added personnel will be provided by reducing the number of commissioners from five to three. These changes are welcome, and will remove the CRT from past criticisms regarding its limited workload and the professional quality of its work, and are consistent with GAO recommendations.

Many of my colleagues also share my concern over the limited expertise brought to the CRT by past commissioners. I wish to express my hope that further vacancies at the Commission will be filled by individuals with expertise or with extensive experience in those issues which the CRT must address. In its study, the GAO compared the CRT with six other Federal rate setting and adjudicatory organizations. In only one case, however, did legislation establish criteria for the selection of commissioners; and in every organization, appointments of individuals with appropriate expertise was the rule. This "rule" should also apply to the appointment of CRT commissioners.

The CRT reform bill also addresses a limited, but significant inhibition of market forces aggravated by the CRT's recent increases in the compulsory license royalty rates cable systems pay for the right to retransmit the signals of certain distant broadcast stations. As a result of the wide distribution on cable of some signals, broadcast stations have the potential to become national cable broadcast stations. Such stations, with a large national audience and advertiser base, are fully capable of paying copyright licensing fees to program suppliers in direct, marketplace negotiations. Where this is the practice, there is no need for a second, supplementary fee based on the CRT's increased compulsory license for cable. This bill will require the CRT to undertake certification of broadcast stations seeking classification as a national cable broadcast station, and thus being capable of providing licensing royalties directly to program suppliers rather than through the artificial compulsory license mechanism.

This bill does not purport to address the impact of cable's compulsory license rights on the competitiveness between local broadcasters and local cable distribution services. Indeed, the necessity of the compulsory license mechanism in this context is the subject of some dispute. The Register of Copyrights, David Ladd, has expressed the belief that "the cable compulsory license is no longer justifiable." The CRT, however, has stated that "a cable compulsory license is necessary." I believe that no unfair competitive advantage should be enjoyed by either local broadcasters or by local cable operators, and favor the benefits of direct, marketplace negotiations, when feasible.

Mr. President, this bill will streamline the CRT and significantly enhance its ability to professionally carry out its responsibilities. At the same time, it will promote feasible, direct marketplace negotiations between suppliers and broadcasters in limited circumstances. I would like to commend Senator DECONCINI for his interest in copyright matters and his interest in the effective operation of the Copyright Royalty Tribunal.●

By Mr. CHAFEE (for himself, Mr. STAFFORD, Mr. RANDOLPH, Mr. BENTSEN, Mr. DOMENICI, and Mr. MITCHELL):

S. 1271. A bill to encourage citizen participation in wildlife conservation programs and to establish the National Fish and Wildlife Foundation; to the Committee on Environment and Public Works.

NATIONAL FISH AND WILDLIFE FOUNDATION ESTABLISHMENT ACT

● Mr. CHAFEE. Mr. President, today I am introducing along with Senators STAFFORD, RANDOLPH, BENTSEN, DOMENICI, and MITCHELL, legislation to establish a Fish and Wildlife Foundation. The impetus for this legislation is the generosity of Ted Gianoutsos, an employee of the Department of the Interior, and his wife, Francoise, who have offered to provide the initial funding to establish the foundation.

The legislation is modeled after similar legislation for the National Park Foundation and would establish a charitable and nonprofit corporation which accepts and administers gifts from private citizens for the purposes of fish and wildlife conservation.

The foundation would have a board of nine members, all appointed by the Secretary of the Interior, who would serve 4-year terms. The terms of the initial board are to be staggered and the legislation requires that the board represent diverse points of view relating to fish and wildlife conservation. At least 3 of the members must be educated and experienced in the principles of fish and wildlife conservation.

Mr. President, I hope this legislation will encourage citizens participation in our wildlife conservation programs. The responsibilities of the Fish and Wildlife Service are great and, like most agencies, they face tight budget requirements. Wildlife habitat acquisition, public education about wildlife, endangered species recovery, hunter ethics, and a number of other programs enjoy broad public support but limited funding.

The foundation will provide a means for those concerned with wildlife conservation to lend a hand in a direct and meaningful way. I urge my colleagues to join me in supporting this legislation and thanking Mr. and Dr. Gianoutsos for their hard work, dedication, and generosity.

Mr. President, I ask unanimous consent that text of the bill be printed in the RECORD.

S. 1271

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "National Fish and Wildlife Foundation Establishment Act".

SEC. 2. ESTABLISHMENT AND PURPOSES OF FOUNDATION.

(a) ESTABLISHMENT.—There is established the National Fish and Wildlife Foundation (hereinafter in this Act referred to as the "Foundation"). The Foundation is a charitable and nonprofit corporation and is not an agency or establishment of the United States.

(b) PURPOSES.—The purposes of the Foundation are—

(1) to encourage, accept, and administer private gifts of property for the benefit of, or in connection with, the activities and

services of United States Fish and Wildlife Service; and

(2) to undertake and conduct such other activities as will further the conservation and management of the fish and wildlife resources of the United States, and its territories and possessions, for present and future generations of Americans.

SEC. 3. BOARD OF DIRECTORS OF THE FOUNDATION.

(a) ESTABLISHMENT AND MEMBERSHIP.—The Foundation shall have a governing Board of Directors (hereinafter referred to in this Act as the "Board"), which shall consist of 9 Directors, each of whom shall be a United States citizen and—

(1) 6 of whom must be knowledgeable or experienced in fish and wildlife conservation; and

(2) 3 of whom must be educated and experienced in the principles of fish and wildlife management. The membership of the Board, to the extent practicable, shall represent diverse points of view relating to fish and wildlife conservation. The Director of the United States Fish and Wildlife Services shall be an ex officio nonvoting member of the Board. Appointment to the Board shall not constitute employment by, or the holding of an office of, the United States for the purposes of any Federal law.

(b) APPOINTMENT AND TERMS.—By December 31, 1983, the Secretary of the Interior (hereinafter referred to in this Act as the "Secretary") shall appoint the Directors of the Board. The Directors shall be appointed for terms of four years; except that the Secretary, in making the initial appointments to the Board, shall appoint 3 Directors to a term of 2 years, 3 Directors to a term of 4 years, and 3 Directors to a term of 6 years. A subsequent vacancy on the Board shall be filled within 60 days of said vacancy in the manner in which the original appointment was made.

(c) CHAIRMAN.—The Chairman shall be elected by the Board from its members for a two-year term.

(d) QUORUM.—A majority of the current membership of the Board shall constitute a quorum for the transaction of business.

(e) MEETINGS.—The Board shall meet at the call of the Chairman at least once a year. If a Director misses three consecutive regularly scheduled meetings, that individual may be removed from the Board and that vacancy filled in accordance with subsection (b).

(f) REIMBURSEMENT OF EXPENSES.—Members of the Board shall serve without pay, but may be reimbursed for the actual and necessary travelling and subsistence expenses incurred by them in the performance of the duties of the Foundation.

(g) GENERAL POWERS.—(1) The Board may complete the organization of the Foundation by—

(A) appointing officers and employees;

(B) adopting a constitution and bylaws consistent with the purposes of the Foundation and the provisions of this Act; and

(C) undertaking of other such acts as may be necessary to carry out the provisions of this Act.

(2) The following limitations apply with respect to the appointment of officers and employees of the Foundation:

(A) Officers and employees may not be appointed until the Foundation has sufficient funds to pay them for their service. Officers and employees of the Foundation shall be appointed without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, and may be paid without regard to the provisions of chapter 51 and subchapter III of chapter 53 of such title relating to classification and General Schedule pay rates, except that no individual so appointed may receive pay in excess of the annual rate of basic pay in effect for grade GS-18 of the General Schedule.

(B) The first officer or employee appointed by the Board shall be the Secretary of the Board who (i) shall serve, at the direction of the Board, as its chief operating officer, and (ii) shall be knowledgeable and experienced in matters relating to fish and wildlife conservation.

SEC. 4. RIGHTS AND OBLIGATIONS OF THE FOUNDATION

(a) IN GENERAL.—The Foundation—

(1) shall have perpetual succession;

(2) may conduct business througout the several States, territories, and possessions of the United States;

(3) shall have its principal offices in the District of Columbia; and

(4) shall at all times maintain a designated agent authorized to accept service of process for the Foundation.

The serving of notice to, or service of process upon, the agent required under paragraph (4), or mailed to the business address of such agent, shall be deemed as service upon or notice to the Foundation.

(b) SEAL.—The Foundation shall have an official seal selected by the Board which shall be judicially noticed.

(c) POWERS.—To carry out its purposes under section 2, the Foundation shall have, in addition to the powers otherwise given it under this Act, the usual powers of a corporation acting as a trustee in the District of Columbia, including the power—

(1) to accept, receive, solicit, hold, administer and use any gift, devise, or bequest, either absolutely or in trust, of real or personal property or any income therefrom or other interest therein;

(2) to acquire by purchase or exchange any real or personal property or interest therein;

(3) unless otherwise required by the instrument of transfer, to sell, donate, lease, invest, reinvest, retain or otherwise dispose of any property or income therefrom;

(4) to borrow money and issue bonds, debentures, or other debt instruments;

(5) to sue and be sued, and complain and defend itself in any court of competent jurisdiction, except that the Directors of the Board shall not be personally liable, except for gross negligence;

(6) to enter into contracts or other arrangements with public agencies and private organizations and persons and to make such payments as may be necessary to carry out its function; and

(7) to do any and all acts necessary and proper to carry out the purposes of the Foundation.

For purposes of this Act, an interest in real property shall be treated as including, among other things, easements or other rights for preservation, conservation, protection, or enhancement by and for the public of natural, scenic, historic, scientific, educational, inspirational, or recreational resources. A gift, devise, or bequest may be accepted by the Foundation even though it is encumbered, restricted, or subject to beneficial interests of private persons if any current or future interest therein is for the benefit of the Foundation.

(d) CERTAIN LANDS, WATERS, AND INTERESTS NOT SUBJECT TO CONDEMNATION.—No lands or waters, or interests therein, that are owned by the Foundation and are determined by the Director of the United States Fish and Wildlife Service or the Migratory Bird Conservation Commission, as the case may be, to be valuable for purposes of fish and wildlife conservation or management shall be subject to condemnation by any State or political subdivision, or any agent or instrumentality thereof.

SEC. 5. EXEMPTIONS FROM TAXATION.

The Foundation and any income or property received or owned by it, and all transactions relating to such income or property, shall be exempt from all Federal, State, and local taxation with respect thereto. The Foundation may, in the discretion of the Board, contribute toward the costs of local government in amounts not in excess of which, as a charitable and nonprofit corporation, it would be obligated to pay such government if it were not exempt from taxation under this section, and may agree to so contribute with respect to property transferred to it and the income derived therefrom if such agreement is a condition of the transfer. Contributions, gifts, and other transfers made to the Foundation shall be regarded as contributions, gifts, or transfers to the United States. The conveyance of any qualified real property interest to the Foundation shall be deemed to further a governmental conservation policy and yield a significant public benefit for purposes of section 170(h) of the Internal Revenue Code of 1954 (relating to qualified conservation contributions).

SEC. 6. ADMINISTRATIVE SERVICES AND SUPPORT.

The Secretary may provide personnel, facilities, and other administrative services to the Foundation, including reimbursement of expenses under section 3, not to exceed then current Federal Government per diem rates, for a period of up to five years from the date of enactment of this Act, and may accept reimbursement therefor, to be deposited in the Treasury to the credit of the appropriations then current and chargeable for the cost of providing such services.

SEC. 7. VOLUNTEER STATUS.

The Secretary may accept, without regard to the civil service classification laws, rules, or regulations, the services of the Foundation, the Board, and the officers and employees of the Board, without compensation from the Department of the Interior, as volunteers in the performance of the functions authorized herein, in the manner provided for under section 7(c) of the Fish and Wildlife Act of 1956 (16 U.S.C. 742f(c)).

SEC. 8. AUDITS, REPORT REQUIREMENTS, AND PETITION OF ATTORNEY GENERAL FOR EQUITABLE RELIEF.

(a) AUDITS.—For purposes of the Act entitled "An Act for audit of accounts of private corporations established under Federal law", approved August 30, 1964 (Public Law 88-504, 36 U.S.C. 1101-1103), the Foundation shall be treated as a private corporation established under Federal law.

(b) REPORT.—The Foundation shall, as soon as practicable after the end of each fiscal year, transmit to Congress a report of its proceedings and activities during such year, including a full and complete statement of its receipts, expenditures, and investments.

(c) RELIEF WITH RESPECT TO CERTAIN FOUNDATION ACTS OR FAILURE TO ACT.—If the Foundation—

(1) engages in, or threatens to engage in, any act, practice, or policy that is inconsistent with its purposes set forth in section 2(b); or

(2) refuses, fails, or neglects to discharge its obligations under this Act, or threatens to do so;

the Attorney General of the United States may petition in the United States District Court for the District of Columbia for such equitable relief as may be necessary or appropriate.

SEC. 9. UNITED STATES RELEASE FROM LIABILITY.

The United States shall not be liable for any debts, defaults, acts, or omissions of the Foundation nor shall the full faith and credit of the United States extend to any obligation of the Foundation.

SEC. 10. AMENDMENT AND REPEAL.

The Congress expressly reserves the right to repeal or amend this Act at any time.

SEC. 11. AUTHORIZATION OF APPROPRIATIONS.

For the 10-year period beginning on October 1, 1983, there are authorized to be appropriated to the Department of the Interior not to exceed $1,000,000 to be made available to the Foundation—

(1) to match, on a one-for-one basis, private contributions made to the Foundation; and

(2) to provide administrative services under section 6.●

● Mr. MITCHELL. Mr. President, today I am very pleased to cosponsor legislation to establish the National Fish and Wildlife Foundation. The Foundation will increase opportunities for private citizens to contribute to fish and wildlife conservation.

Appropriately, the idea, hard work, and initial funding provided to establish the foundation has come from dedicated private citizens. Ted and Francoise Gianoutsos are avid outdoors people who wish to contribute to the programs of the U.S. Fish and Wildlife Service. Through their generosity, a trust will be established to enhance programs at the Service that are dedicated to hunter education and ethics, and to the conservation of raptors—birds of prey. They have stipulated that should a Fish and Wildlife Foundation be established by an act of Congress, their trust shall terminate and the proceeds shall be given to the Foundation. It is just such a foundation that we have the opportunity to institute here today.

This legislation is modeled after similar legislation for the Park Service Foundation and would establish a charitable and nonprofit corporation which accepts and administers gifts from private citizens for purposes of fish and wildlife conservation. The Foundation would have a board of nine members to be appointed by the Secretary of the Interior. Members of the board must represent diverse points of view in relation to wildlife conservation and at least three members must be educated and experienced in the principles of fish and wildlife management. The legislation authorizes $1 million to be expended over a 10-year period to match, on a 1-to-1 basis, private contributions to the Foundation. Use of these matching funds and additional private contributions are not restricted to hunter or raptor programs and may be used for other appropriate fish and wildlife conservation activities.

Mr. President, the legislation we are introducing today is an important initiative in fish and wildlife conservation. I join the Gianoutsos in hoping that the Foundation will be a focal point for those citizens and organizations who want to help the Fish and Wildlife Service in its important work. I know that my colleagues will want to join me in thanking the Gianoutsos for their contribution to this effort.●

By Mr. ROTH:

S. 1272. A bill to amend the Internal Revenue Code of 1954 to impose a use tax with regard to the use of the services of the Commodity Futures Trading Commission; to the Committee on Finance.

TAX USER FEE FOR SERVICES OF COMMODITY FUTURES TRADING COMMISSION

● Mr. ROTH. Mr. President, last year I introduced a measure which would impose a small fee on commodity futures trades. Funds generated from the imposition of this so-called user fee were to defray operating costs of the Commodity Futures Trading Commission. I, along with Senators RUDMAN, STEVENS, MURKOWSKI, and PROXMIRE, felt that this industry should contribute to the Federal authority which allows them to operate in the public trust. We saw no reason why an industry which has tripled in size in the last 10 years could not shoulder some of its own weight, rather than continuing to allow the general population to pay for its regulation.

Unfortunately, the commodity user fee legislation did not become law. And what was the onerous fee that was deemed to harsh for the poor commodity industry to bear? That fee was a mere 6 cents per trade, when the average cost of a contract is in the tens of thousands of dollars. I must say that I find it incredible that millions of Americans with no relation to the commodity markets must finance their regulation while the traders, individuals willing to take massive risks on expensive contracts, refuse to pay less than the cost of a postage stamp.

I therefore, wish to introduce a bill which provides for a tax to be levied upon the execution of such qualified commodity contract or option on any contract market or board of trade as defined by section 5 or the Commodity Exchange Act. This user fee in the form of a tax will generate revenue to the general treasury which will offset the expenses undertaken by the Commodity Futures Trading Commission in its regulation of the trading of commodity futures and commodity option contracts. While this tax in the form of a user fee is similar to the user fee proposal in that it provides that the commodity traders and brokers who benefit from regulation help fund that regulation, the tax differs from the user fee in that its implementation will be regulated by the Secretary of the Treasury.

The amount of this tax would be 5 cents for every qualified commodity contract or option executed for the account or benefit of a commodity association member. Thus, a member of the National Futures Association, the self-regulatory commodity trading authority, pays a nickle for each contract traded. A commodity trader who is not under the jurisdiction of this self-regulatory body must pay 10 cents for each contract or option so executed. The difference exists because those traders not under the effective control of the NFA will require more of the resources of the CFTC, while NFA members require substantially less attention by the Federal regulator of commodity trading. The tax difference also will serve to convince nonmembers to join the NFA and to encourage members to remain within the self-regulatory body.

This bill would also set a $3 tax upon dealer option and leverage transactions. The traders of these instruments are not members of the NFA and enjoy special exclusivity provisions under the Commodity Exchange Act. Otherwise unregulated, the traders of these contracts should be responsible for the regulation which promotes their legitimacy and therefore customer participation.

There are those who will argue that this tax will burden the industry, hinder self-regulation and unfairly lays the burden of regulatory costs upon the trader. To these persons I would point out that the securities industry has done reasonable well over the last 50 years while supporting a self-regulatory body and requiring traders to pay a fee for each transaction undertaken. There is no unique characteristic of the commodity industry which renders it incapable of providing a portion of its own support.

When my user fee bill was defeated in the Senate last year, a compromise provision was included in section 31 of S. 2109, the CFTC Reauthorization bill which called for a study to be conducted by the CFTC to determine what the effect of a user fee would be. No similar provisions existed in the House version. The Conference committee on this bill derived section 237 of the CFTC Reauthorization bill which called for a "study of the regulatory experience of the NFA." Section 237 specifies that service fees will be considered but there is no specific mention of user fees, nor does the Joint Statement of the Managers of the Conference Committee include any reference to user fees specifically.

Even if a user fee study could be inferred from this language, the ques-

tion is then, why undertake such a study? I find it hard to believe that a 5-cent tax per trade will cripple the massive commodity industry. At the same time, such a study would doubtlessly cost hundreds of thousands of dollars. A CFTC study on insider trading cost $200,000 and a CFTC portion of the financial industry study is estimated at almost $1 million. Do we really need to spend hundreds of thousands of dollars to show that the commodity industry can afford to pay 5 cents for every trade executed?

With each new contract and new exchange, the responsibilities of the CFTC have grown accordingly. Philip Johnson, the recent resigned chairman of the Commission, as well as his predecessor Jim Stone, have provided strong leadership and extremely competent administration in an agency rendered beleaguered by budgetary and manpower limitations. The industry has grown tremendously while the tiny agency has attempted to promote both growth and effective regulation.

The Commission will have more to do as time progresses to the increasing volume and complexity of commodity trading. An effective Federal regulatory agency will insure that business is conducted fairly, thereby promoting increased customer participation. The industry therefore directly benefits from CFTC regulation and accordingly should be expected to provide some of the support for the Commission.

This tax in the form of a user fee would thus promote and insure NFA memberships, and would result in those who benefit most from regulation helping to pay for their benefits at a minimal cost to themselves.

Mr. President, I ask unanimous consent that a section-by-section analysis be printed in the RECORD.

There being no objection, the analysis was ordered to be printed in the RECORD, as follows:

SECTION-BY-SECTION ANALYSIS

Section 1. (a) of the bill provides that Chapter 33 of the Internal Revenue Code is amended by inserting 5 sections before subchapter B to facilitate a tax upon the execution of certain commodity contracts. These five sections would be numbered section 4241 through 4245.

Section 4241—This section describes what will be taxed, how much the tax will be and who shall be liable for the tax.

Subsection (a)—The tax shall be imposed on the execution of qualified commodity or option contracts that are traded on any contract market or board of trade as defined by Section 5 of the Commodity Exchange Act.

Subsection (b)—If the contract is executed for the account or benefit of a commodity association member, the tax will be five cents for each contract or option executed. If the contract is executed for any other account or benefit the tax will be ten cents for each contract or option executed.

Subsection (c)—The tax shall be paid by the contract market or board of trade on which the contracts were executed.

Section 4242—This section describes the imposition of and liability for a tax upon the granting of a dealer option and the execution of a leverage contract.

Subsection (a)—A three dollar tax shall be imposed on the granting of each dealer option contract as described by section 4c(d) of the Commodity Exchange Act and on the execution of each leverage transaction offered as described by section 19 of the Commodity Exchange Act.

Subsection (b)—The tax shall be paid by the entity which granted the commodity option or offered the leverage transaction.

Section 4243—This section defines the terms used for the purposes of this subchapter.

Section 4244—Subsection (a) of this section provides that the taxes shall be paid on the basis of a return filed within 45 days after the close of taxable period. Section (b) provides that the Secretary of the Treasury shall provide a receipt for a properly executed return and full payment of any taxes imposed.

Section 4245—This section provides for a reduction of the tax in special cases.

Subsection (a)—The Secretary may issue an order to adjust the imposition of the tax in accordance with that order.

Subsection (b)—If the Secretary finds, after notice and opportunity for a hearing, that the impositon of this tax will create a significant adverse effect upon a person or market, the Secretary may issue an order reducing the tax, but not below zero, with respect to that transaction by that person or on Section (b) of the bill provides for the creation, membership, function and termination of an advisory committee to assist and advise the Secretary of the Treasury on the implementation of this tax.

Section (c) of the bill provides for conforming existing statutory sections with this bill.

Section 2 of the bill provides for the date upon which the provisions of the Act take effect.●

By Mr. SYMMS (for himself, Mr. MCCLURE, Mrs. HAWKINS, Mr. COHEN, and Mr. GORTON):

S. 1273. A bill to direct the Secretary of Agriculture to conduct, in accordance with law and the intent of the Congress, the pilot project study of alternative means of providing assistance under the school lunch program previously authorized by law, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

SCHOOL LUNCH PILOT PROJECT ACT OF 1983

Mr. SYMMS. Mr. President, today I am introducing legislation which is necessary only because the Department of Agriculture directly and flagrantly ignored the legislative will of the Congress. My bill directs the USDA to do what the Congress told them to do 2 years ago—test cash in lieu of donated commodities and a commodity letter of credit in lieu of donated commodities as an alternative to the present commodity component of the national school lunch program.

Public Law 96-528, authored by my senior Senator from Idaho, JIM MCCLURE, stated that the USDA was directed to test an all cash in lieu of commodities system and an all commodity letter of credit system in lieu of the present program in 60 school districts throughout the Nation. Our legislative directive did not say to the Department test a part cash and part commodity system against the present system. Our directive was, we thought, absolutely clear—test all cash and all commodity letters of credit in lieu of the present system.

A colloquy which took place on the Senate floor when this pilot project was adopted directed the USDA to publish notice of the pilot project in the Federal Register and submit to the Congress the methodology for the study in advance of its implementation. Our colloquy also directed that certain aspects of the study be clearly evaluated so that the Congress would learn whether there was a better way to get the benefits of American agriculture to our school lunch program and still meet the agricultural and nutritional objectives of the national school lunch program.

Those of us who supported the pilot project legislation were fearful that the USDA would not set up or operate the pilot project properly, and it was for that reason that we were so specific in the legislation and in our colloquy on the legislation on the floor of the Senate. This effort was supported by both Democrats and Republicans, liberals and conservatives, and rural as well as urban legislators.

USDA went out and got school districts to participate, some 64 school districts in 29 States of the Nation. USDA entered into agreements with these school districts based on a study methodology which followed the congressional will and the pilot project began. The Congress appropriated substantial moneys for the evaluation itself, and we all said to ourselves—it looks like our fears were wrong, the USDA is going to set up and run a fair study which will give us some answers.

The Congress, in setting up the pilot project, assumed that the USDA would not change the rules of the pilot project in midstream and cost participating school districts substantial moneys in return for their good faith effort to help the Congress and the Department get some answers. We were wrong there. In December, after the Congress had adjourned, USDA summarily announced to the school districts participating, and to selected Members of Congress after the fact, that a decision had been reached to change tne methodology for the pilot project from an all cash in lieu of commodities and all commodity letters of credit in lieu of commodities study to a hybrid system where the results would be clouded, participating school districts affected adversely, and the will of the Congress thwarted.

In making its decision, the Department explained they did not have the money to provide cash in lieu of commodities or commodity letters of credit

in lieu of commodities for the so-called bonus commodities which are provided to school lunch programs over and above regular commodities they receive. USDA, in its wisdom, had decided that if the bonus commodities came in the form of cash or letters of credit for the pilot project no one would be upset. They were wrong there too. I am upset and I know that a large number of my colleagues on both sides of the aisle in the Senate as well as in the other body are upset. Of equal importance, the school districts in the pilot project feel betrayed and believe USDA has reneged on the contract under which they agreed to participate.

USDA argues that they must give the pilot project school districts dairy commodities rather than dairy bonus letters of credit or bonus cash because they have the commodities in storage and that will save money. Is there any Member of this body who believes that by not following the letter of the law we passed setting up the demonstration that $1 will be saved? In fact, what USDA has done is assure that the study will not come to any conclusions, established a hybrid study of marginal value, and deprived the Congress, the administration, and the American public of the opportunity to learn if there is a better, more cost-effective way to run this program.

As far as I know, the USDA is still buying dairy products under the price support program and still donating commodities to schools. Does the USDA really expect me and other Senators and Members of the other body to believe that they will somehow buy less dairy products because they gutted the pilot project we mandated?

I and my colleagues who have joined me in sponsoring this legislation being introduced today believe that the Congress and the American people are entitled to know the answers to all the questions we asked when we mandated the test. That is all this legislation seeks to do—assure us all that we will get the answers.

My bill expands the number of school districts in the pilot project from 60 to 200; directs where USDA will get the funds to provide cash or commodity letters of credit for all commodities involved in the test; provides that the USDA shall pay to the school districts now participating monetary damages for the costs they incurred due to the arbitrary USDA action changing the methodology of the test; and assures that the Congress will get a test of an all cash in lieu of commodities and all commodity letter of credit system in a sufficient number of school districts and for a sufficient time frame to tell us whether there is a better way to insure the same nutritional quality in school lunches at a lower cost to the taxpayer.

I have taken the unusual step in the legislation of directing that the General Accounting Office ride herd on the USDA in this effort to assure that the Department does not try to scuttle the project again. I have done this deliberately, and I assure my colleagues that this approach is necessary to preserve the integrity of the study.

Mr. President, I would like at this time to insert into the RECORD a listing of the school districts who have been affected by the USDA decision on the study methodology, along with their estimate of the damages they have incurred through the USDA action. School districts in the study from which we have not heard as yet are included, but their damages are identified as "unknown." In addition, control school districts which are receiving commodities, but which will be compared to pilot districts receiving cash and letters of credit are identified as "control" districts.

The Congress cannot let the bureaucracy ignore our legislation or our clearly stated intent. I urge all Senators with affected school districts in their States to talk with their local constituents as I have. When they have, I am sure they will want to consider joining those of us who are introducing this legislation today and work for its prompt enactment.

Mr. President, I ask unanimous consent that the bill be printed in the RECORD.

There being no objection, the bill and letter were ordered to be printed in the RECORD, as follows:

S. 1273

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled. That this Act may be cited as the "School Lunch Pilot Project Act of 1983".

DEFINITIONS

SEC. 2. As used in this Act—

(1) the term "basic commodities" means commodities, other than bonus commodities, provided to school districts under the school lunch program;

(2) the term "bonus commodities" means commodities donated under section 416 of the Agricultural Act of 1949 (7 U.S.C. 1431) for use in the school lunch program; and those commodities provided in the above entitlement under Section 32 of the Act entitled "An Act to amend the Agricultural Adjustment Act, and for other purposes," approved August 24, 1935 (7 U.S.C. 612c);

(3) the term "school lunch pilot project study" means the study provided for in the last proviso of the matter under the heading "CHILD NUTRITION PROGRAMS" in title III of the Act entitled "An Act making appropriations for Agriculture, Rural Development, and Related Agencies programs for the fiscal year ending September 30, 1981, and for other purposes", approved December 15, 1980 (94 Stat. 3113);

(4) the term "school lunch program" means the program established by the National School Lunch Act (42 U.S.C. 1751 et seq.); and

(5) the term "Secretary" means the Secretary of Agriculture.

FINDINGS

SEC. 3. The Congress finds that—

(1) the school lunch program was established to safeguard the health and well-being of the children of the United States and to encourage the domestic consumption of perishable agricultural commodities;

(2) in order to enable the Congress to determine whether there are more cost-effective means of meeting these objectives, the Secretary was directed to conduct over a three-year period a school lunch pilot project study under which sixty school districts would be provided, in lieu of commodities provided under the school lunch program, all cash assistance or all commodity letters of credit assistance;

(3) the Secretary established the methodology for the study, with prior consultation with the Congress, and contracted with school districts to participate in the study;

(4) during the school year ending June 30, 1983, the Secretary altered the methodology for the study in a manner which was inconsistent with law, the intent of the Congress, and fairness to the school districts;

(5) the Secretary altered the study methodology without prior consultation with the Congress in contravention of the intent of the Congress, expressed during floor debate in the Senate on the study, that the Secretary should consult with the Congress on the study methodology;

(6) the Secretary altered the study methodology after having contracted with school districts to participate in the study and without prior consultation with the districts and, as a consequence, imposed severe financial hardship on the participating school districts;

(7) the Secretary altered the study methodology in a manner that prevents the study of an all cash assistance program or all commodity letters of credit assistance program as required by law; and

(8) the Secretary altered the study methodology in a manner that provides for a one year study rather than a three year study required by law, thereby preventing an adequate program evaluation.

SCHOOL LUNCH PILOT PROJECT STUDY

SEC. 4. (a) In carrying out the school lunch pilot project study, the Secretary shall—

(1) provide to participating school districts, in lieu of commodities provided for the school lunch programs operated in the districts, all cash assistance or all commodity letters of credit assistance;

(2) continue the study through June 30, 1986;

(3) increase the number of school districts participating in the study so that, in lieu of commodities provided for the school lunch programs operated in the districts, one hundred districts receive cash assistance and one hundred districts receive commodity letters of credit assistance;

(4)(A) use appropriated funds to carry out the evaluation for this study;

(B) in meeting expenses incurred in providing cash assistance or commodity letters of credit assistance to participating school districts in lieu of basic commodities, use funds available under section 32 of the Act entitled "An Act to amend the Agricultural Adjustment Act, and for other purposes", approved August 24, 1935 (7 U.S.C. 612c), in an amount (as determined by the Secretary) that would have been expended, except for the enactment of this Act, for the purchase and distribution of basic commodities to participating school districts; and

(C) in meeting expenses incurred in providing cash assistance or commodity letters of credit assistance to participating school districts in lieu of bonus commodities, use funds which would have been spent by the Commodity Credit Corporation (as determined by the Secretary) for the purchase, processing, storage, and distribution of bonus commodities that would have been made available to the districts except for the enactment of this Act including such bonus commodities which would have been purchased and donated to such school districts under Section 32 of the Act entitled "An Act to amend the Agriculture Adjustment Act, and for other purposes," approved August 24, 1935 (7 U.S.C. 612c);

(5) maintain separate accounts on the amount and use of cash assistance and commodity letters of credit assistance provided to participating school districts in lieu of basic commodities and bonus commodities;

(6) consult with, and obtain the approval of, the Comptroller General of the United States before establishing or altering the policy or methodology of the study; and

(7) no later than December 15, 1986, submit a report of the results of the study to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate.

(b) The Comptroller General of the United States shall—

(1) consult with, and consider requests for approval from, the Secretary concerning the establishment and alteration of the policy and methodology of the school lunch pilot project study as provided in subsection (a)(6); and

(2) no later than six months after the date of the enactment of this Act, and each six months thereafter until June 30, 1986, submit a report on the administration of the study to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate.

COMPENSATION FOR STUDY METHODOLOGY

SEC. 6. (a) Upon request of a participating school district and with the approval of the Comptroller General of the United States, the Secretary shall compensate a school district which was participating in the school lunch pilot project study on or before the date of the enactment of this Act for losses sustained by the district as a result of the alteration of the methodology used to conduct the study before the date of the enactment of this Act, as described in section 3.

(b) There are authorized to be appropriated such sums as may be necessary to carry out this section.

CONFORMING AMENDMENT

SEC. 5. The last proviso of the matter under the heading "CHILD NUTRITION PROGRAMS" in title III of the Act entitled "An Act making appropriations for Agriculture, Rural Development, and Related Agencies programs for the fiscal year ending September 30, 1981, and for other purposes", approved December 15, 1980 (94 Stat. 3113), is amended by striking out "a 3-year pilot project study in 60 school districts" and inserting in lieu thereof ", in accordance with section 4 of the School Lunch Pilot Project Act of 1983 and in two hundred school districts, a pilot project study through June 30, 1986".

PILOT SCHOOL DISTRICTS—DAMAGES INCURRED FROM CHANGE IN USDA'S PILOT PROJECT STUDY INTO ALTERNATIVES TO COMMODITY DISTRIBUTION UNDER THE NATIONAL SCHOOL LUNCH PROGRAM

[Prepared by the National School Board Association]

School district	Estimated costs	Total student enrollment	Students participating
Flowing Wells School, Tuscon, Ariz. 85707	$3,231.96	3,500	2,600
Nogales Unified School District No. 1, Nogales, Ariz. 85621	(2)		
Page Unified School District No. 8, Page, Ariz. 86040	(3)		
Elaine School District, Elaine, Ariz. 72333	(3)	966	925
Green Forest School District, Green Forest, Ariz	(3)		
Smackover School District, Smackover, Ariz. 71762	(2)		
Castro Valley Unified School District, Castro Valley, Calif. 94546	(2)		
Gilroy Unified School District, Gilroy, Calif. 95020	4,000.00	7,000	2,424
Huntington Beach City School District, Huntington Beach, Calif	4,500.00	6,797	1,848
San Diego Unified School District, San Diego, Calif. 92103	(2)		
Adams County School District No. 12, North Glen, Colo. 80233	(2)		
Adams County School District No. 50, Westminster, Colo. 80030	1,650	11,026	4,629
Weld County School District, Greeley, Colo. 80631	1,300.00		
Enfield Public Schools, Enfield, Conn. 06082	(2)		
Greenwich Publich Schools, Greenwich, Conn	6,000.00	7,701	1,672
Total	20,681.96	36,990	13,198
Windsor Public Schools, Windsor, Conn. 06095	(3)	4,179	3,862
Broward County School District, Fort Lauderdale, Fla. 33310	(2)		
Monroe County Public School, Key West, Fla. 33310	26,000	74,000	70,372
Jefferson County School District, Monticello, Fla. 32344	(2)		
Hernando County School District, Brooksville, Fla. 33512			
Dublin Independent School District, Dublin, Ga. 31021	(2)		
Laurens County School District, Dublin, Ga. 31021	5,400.00	3,500	2,975
Worth County Public Schools, Sylvester, Ga. 31791	13,311.28	3,825	3,260
Mount Vernon Community School, Mount Vernon, Iowa 52314	250.00		
Parkersburg Community School, Parkersburg, Iowa 50665	(3)	567	362
Urbana Community School, Urbana, Iowa 52345	(2)		
Fruitland Idaho Public Schools, Fruitland, Idaho 83619	965.00	1,049	700
Grace Joint School District 148, Grace, Idaho 83241			
Parma School District No. 137, Parma, Idaho 83660	(2)		
Crestwood School District No. 4, Paris, Ill. 61944	409.56		
Egyptian Community Unit School District No. 5, Tamms, Ill. 62988	1,400.00		
Pleasant Hill Community Unit School District No. 3, Pleasant Hill, Ill. 62366	(2)		
Total	68,417.80	124,100	94,729
Caddo Parish School District, Shreveport, La. 71130	73,879.16		
DeSota Parish School District, Mansfield, La. 71052	(2)		
Iberville Parish School District, Plaquemine, La. 70764		6,600	6,500
School Administration District No. 6, Bar Mills, Maine 04004	10,323.00	4,000	2,300
School Administration District No. 54, Showhegan, Maine 04976	(2)		
Portland Service Direct or, Portland, Maine 04103	16,000.00		
Troy School District, Troy, Mich. 48098			
Woodhaven School District, Romulus, Mich. 48174	23,770.00	4,823	3,756
Union City School District, Union City Mich. 49094	(2)		
Menagha School District No. 821, Menagha, Minn. 56464	(3)	654	435
Gonvick-Trail Community School, Gonvick, Minn. 56644	(3)		
Granite Falls Public Schools, Granite Falls, Minn. 56241	(2)		
Shamong Township School District, Vincetown, N.J. 08088			
Waterford Township School District, Atco, N.J. 08004	600.00	685	388

PILOT SCHOOL DISTRICTS—DAMAGES INCURRED FROM CHANGE IN USDA'S PILOT PROJECT STUDY INTO ALTERNATIVES TO COMMODITY DISTRIBUTION UNDER THE NATIONAL SCHOOL LUNCH PROGRAM—Continued

[Prepared by the National School Board Association]

School district	Estimated costs	Total student enrollment	Students participating
Burlington Township School District, Burlington, N.J. 08016	(2)		
Elba Central School District, Elba, N.Y. 14058			
Cambridge Central School District, Cambridge, N.Y. 12816			
Galway, Central School District, Galway, N.Y. 12074	(2)		
Total	192,989.96	140.862	108,108
Esmeralda County School District, Goldfield, Nev. 89013			
White Pine County Schools, East Ely, Nev. 89315	1,200.00	1,590	550
Washoe County School District, Reno, Nev. 89520	(2)		
Nye County School District, Tonopah, Nev	(2)		
Dayton Public Schools, Dayton, Ohio 45402	55,000.00	42,000	35,700
Northwestern Local School District, Springfield, Ohio 45502	2,118.60	2,100	1,200
Norton City Schools, Barberton, Ohio 44203			
Highland Local School District, Medina, Ohio 44256			
Buckeye Local School District, Rayland, Ohio 43943	(2)		
Archdiocese of Philadelphia, Philadelphia, Pa. 19103	20,000.00	11,000	5,000
School District of Lancaster, Lancaster, Pa. 17603	34,930.00	9,615	4,298
Reading School District, Reading, Pa. 19601			
Indiana Area School District, Indiana, Pa. 15701	(3)	3,245	1,884
Mifflin County Public Schools, Lewiston, Pa. 17044	(2)		
Edgefield County School District, Edgefield, S.C. 29824			
Lexington School District No. 3, Batesburg, S.C. 29006	3,500.00	2,400	1,850
Lexington School District No. 4, Swansea, S.C. 29112	(2)		
Oldham School District No. 38–4, Oldham, S. Dak. 57051			
Elk Point School District No. 61–3, Elk Point, S. Dak. 57025	900.00	577	406
Sully Buttes School District No. 58–2, Onida, S. Dak. 57564	(2)		
Total	310,637.96	223,389	158,986
Humphreys County School District, Waverly, Tenn. 37180			
Knox County School District, Knoxville, Tenn	26,690.00		
Loudon County School District, Loudon, Tenn. 37774			
Marshall County School District, Lewisburg, Tenn.	(2)		
Amarillo Independent School District, Amarillo, Tex	79547.41	26,865	16,130
Pharr-San Juan Alamo Independent, Pharr, Tex. 78577	(2)		
Tyler Independent School District, Tyler, Tex. 75710	12,833.00	15,730	5,814
Victoria Independent School District, Victoria, Tex. 77901	12,076.00	686	467
Fredericksburg City Schools, Fredericksburg, Va. 22401			
Harrisonburg City Schools, Harrisonburg, Va. 22801	(2)		
Alleghany County School District, Covington, Va	2,400.00	2,900	2,465
Fairfax County School District, Fairfax, Va. 22030	153,000.00		
Harrisonburg City Schools, Harrisonburg, Va. 22801	(2)		
Morrisville School District, Morrisville, Vt. 05661	4,027.32	988	862
Lydon Town School District, Lydonville, Vt. 05851			
Twinfield Union No. 33, Plainfield, Vt. 05667	(2)		
Bremerton Public Schools, Bremerton, Wash. 98310	11,411.20		
Shoreline Public Schools, Seattle, Wash. 98155	1,696.84		
Longview School District, Longview, Wash. 98632			
Medical Lake School District No. 326, Medical Lake, Wash. 99022	(2)		
Total	614,329.73	260,558	184,724
Brodhead School District, Brodhead, Wis. 53520			

PILOT SCHOOL DISTRICTS—DAMAGES INCURRED FROM CHANGE IN USDA'S PILOT PROJECT STUDY INTO ALTERNATIVES TO COMMODITY DISTRIBUTION UNDER THE NATIONAL SCHOOL LUNCH PROGRAM—Continued

[Prepared by the National School Board Association]

School district	Estimated costs	Total student enrollment	Students participating
Merrill School District, Merrill, Wis. 54452	(3)		
River Falls School District, River Falls, Wis. 54022	1,098.49		
Westby Public Schools, Westby, Wis.	(2)		
Grant County Schools, Petersburg, W. Va.	7,532.00	2,146	1,114
Pendleton County School District, Franklin, W. Va.	1,150.00		
Hampshire County Schools, Romney W. Va. 26757	(2)		
Converse County School District No. 2, Grenrock, Wyo.	750.00	1,300	1,105
Washakie Community Consolidated School District No. 2	(3)		
Hot Springs County School District No. 1, Thermopolis, Wyo. 82443	(2)		
Grand total	624,861.22	264,004	186,943

[1] Students in type A lunch program.
[2] Control.
[3] Unknown.

By Mr. HEFLIN:

S. 1275. A bill to establish a specialized corps of judges necessary for certain Federal proceedings required to be conducted and for other purposes; to the Committee on the Judiciary.

ADMINISTRATIVE LAW JUDGE CORPS ACT

Mr. HEFLIN. Mr. President, I rise today to introduce legislation to establish a unified Administrative Law Judge Corps. Today, administrative agencies have wide-ranging powers which touch almost every aspect of our lives. When administrative disputes between the Federal Government and individuals arise, administrative law judges appointed from within the department or agency are utilized to resolve the dispute.

As ranking minority member of the Subcommittee on Administrative Practice and Procedures, I believe that these disputes should be adjudicated in an independent atmosphere free of bias, in order to insure fairness and give credence to these decisions. These judicial officers must be free from any association or personal obligation to any party in order that every litigant to the process be afforded due process. In one of our most significant Federal enforcement agencies every administrative law judge was a prosecutor, in that agency, before becoming an ALJ for that agency. The mere appearance of bias and prejudice smacks at the vital concept of an independent judiciary.

Administrative law judges are a significant part of our Federal adjudicating system. Our Federal judiciary consists of 515 active U.S. district court judges, yet there are presently 1,147 administrative law judges. In 1947, there were only 196 administrative law judges. The number of judges in the Social Security Administration in 1947 was 13. There are now 820 administrative law judges in the Social Security Administration. As the number of agencies proliferated and their scope of authority expanded, the jurisdiction of administrative law judges significantly increased, such that today an administrative law judge may levy penalties against individuals up to $100,000.

The Administrative Law Judge Corps created by this legislation would consist of all current administrative law judges. Judges would continue to have jurisdiction over proceedings and adjudications as granted under the Administrative Practice and Procedure Act. In addition, these Corps judges may accept any other case referred to the Corps by any Federal agency or court desiring to make a decision based on records developed at a hearing conducted by an administrative law judge. Future judges would continue to be selected under the present merit system, but instead of the "rule of three," selection would be from the top five persons on the register. This reform provides a greater diversity in the selection of judicial officers.

The chief administrative law judge shall be appointed by the President with the advice and consent of the Senate and serve for a 5-year term as chief administrative officer of the Corps and preside over the Council of the Corps. A Judicial Nomination Commission, consisting of five leading members of the bench and bar, would recommend to the President three candidates for the position. The integrity of the merit system is maintained by requiring the candidate to be an administrative law judge for the first 5 years preceding the appointment.

The Corps would be divided into not more than 10 and not less than 4 divisions, in keeping with the major specialities of administrative law with each administrative law judge assigned to a division after consideration of the judge's experience and expertise. Each division shall be headed by a division chief judge nominated by the Judicial Nomination Commission and appointed by the President with the advice and consent of the Senate, who shall exercise administrative supervision over the division. This bill establishes seven division areas which may be modified as necessary by the Council.

The policymaking body of the Corps shall be the Council of the Corps which will be composed of the chief judge and the division chief judges. This Council would have authority over all major policy decisions, the creation of divisions, and the appointment, assignment, transfers, and reassignment of judges thereto. The Council may also prescribe the rules of practice and procedure for the conduct of proceedings and business before the Corps.

This measure further provides for the appointment of a five-member Judicial Nomination Commission for the Administrative Law Judge Corps which shall submit the names of qualified nominees for appointment to the position of chief judge and division chief judges. Also contained in this bill are procedures for more effective removal and discipline of administrative law judges.

The chief administrative law judge will submit an evaluation report on each division to the President and Congress not later than 2 years after the effective date of this act. Provision is also made for the transfer of all functions performed by administrative law judges to the Corps, as well as personnel, assets, liabilities, property, and unexpended funds.

Any pending procedures shall be continued before the Administrative Law Judge Corps.

This concept is supported by the Judicial Administration Division of the American Bar Association, the National Conference of Administrative Law Judges, Federal Administrative Law Judges, Federal Administrative Law Judges Conference, and the Association of American Law Judges.

Several States have implemented similar systems under which administrative law judges are no longer assigned to individual agencies, but are instead assigned to a single, central panel that provides trial services to various agencies as needed. Substantial cost savings and efficiencies have been achieved in each of those States. More importantly, each State has witnessed improved public perception of administrative law judges as members of a truly independent administrative judiciary, It is now time that these advantages are brought to the Federal Government.

This structural reform is necessary to insure truly independent adjudications. This system will result in significant cost savings and permit more flexible use of the administrative law judges presently employed by 30 separate agencies and departments. Also under this system, the merit selection system is preserved and the expertise possessed by administrative law judges will continue to be utilized.

I urge my colleagues in the Senate to support this vital legislation.

Mr. President, I ask unanimous consent that the text of this bill be printed following my remarks.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 1275

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Administrative Law Judge Corps Act".

ESTABLISHMENT OF ADMINISTRATIVE LAW JUDGE CORPS

SEC. 2. Title 5, United States Code, is amended by redesignating subchapter III of

chapter 5 as subchapter IV and by inserting a new subchapter III to read as follows:

"SUBCHAPTER III—ADMINISTRATIVE LAW JUDGE CORPS

"§ 561. Definitions

"For the purposes of this subchapter—

"(1) 'agency' means an authority referred to in section 551 (1) of this title;

"(2) 'Corps' means the Administrative Law Judge Corps of the United States established under section 562 of this title;

"(3) 'administrative law judge' means an administrative law judge appointed under section 3105 of this title on or before the effective date of the Administrative Law Judge Corps Act or under section 567 of this title after such effective date;

"(4) 'chief judge' means the chief administrative law judge appointed and serving under section 563 of this title;

"(5) 'Council' means the Council of the Administrative Law Judge Corps established under section 565 of this title;

"(6) 'Nomination Commission' means the Judicial Nomination Commission for the Administrative Law Judge Corps established under section 566 of this title;

"(7) 'Board' means the Complaints Resolution Board established under section 569 of this title; and

"(8) 'division chief judge' means the chief administrative law judge of a division appointed and serving under section 564 of this title.

"§ 562. Establishment; membership

"(a) There is established an Administrative Law Judge Corps consisting of all current administrative law judges, and such Corps shall be located at the seat of Government.

"(b) An administrative law judge serving as such on the date of the commencement of the operation of the Corps shall be transferred to the Corps as of that date. An administrative law judge who is appointed on or after the date of the commencement of the operation of the Corps shall be a member of the Corps as of the date of such appointment.

"§ 563. Chief administrative law judge

"(a) The chief administrative law judge shall be the chief administrative officer of the Corps and shall be the presiding judge of the Corps. The chief judge shall be nominated as prescribed in section 566 of this title and shall be appointed by the President, by and with the advice and consent of the Senate. The chief judge must be an administrative law judge who has served as an administrative law judge for at least five years preceding the date of appointment as chief judge. The chief judge shall serve for a term of five years or until a successor is appointed and qualifies to serve. A chief judge may be reappointed upon the expiration of his term, by and with the advice and consent of the Senate, if nominated for reappointment in accordance with section 566 of this title.

"(b) If the office of chief judge is vacant, the division chief judge who is senior in length of service as a judge shall serve as acting chief judge until such vacancy is filled.

"(c) The chief judge shall, within 90 days after the end of each fiscal year, make a written report to the President and the Congress concerning the business of the Corps during the preceding fiscal year. The report shall include information and recommendations of the Council concerning the future personnel requirements of the Corps.

"§ 564. Divisions of the Corps; division chief judges

"(a) The Corps shall have not more than ten and not less than four divisions. Each judge of the Corps shall be assigned to a division. The assignment of a judge who was an administrative law judge on the date of commencement of the operation of the Corps shall be made after consideration of the areas of specialization in which the judge has served. Each division shall be headed by a division chief judge appointed by the President, by and with the advice and consent of the Senate who shall exercise administrative supervision over the administrative law judges assigned to such division.

"(b) Except as provided in subsection (a), and after the initial appointment and establishment of each division, the number of divisions and the jurisdiction of each division shall be determined by the Council. Until changed by the Council, the divisions of the Corps shall be as follows:

"(1) Division of Communications, Public Utility, and Transportation Regulation.

"(2) Division of Health, Safety and Environmental Regulation.

"(3) Division of Labor.

"(4) Division of Labor Relations.

"(5) Division of Benefits Programs.

"(6) Division of Securities, Commodities, and Trade Regulation.

"(7) Division of General Programs and Grants.

"(c) Each division chief judge shall be nominated as prescribed in section 566 of this title and shall be appointed by the President, by and with the advice and consent of the Senate. To be eligible for nomination and appointment as division chief judge, a person must possess experience and expertise in the specialty of that division and have served as an administrative law judge for at least five years.

"§ 565. Council of the Corps

"(a) The policymaking body of the Corps shall be the Council of the Corps. The chief judge and the division chief judges shall constitute the Council. The chief judge shall preside over the Council. If the chief judge is unable to be present at a meeting of the Council, or if there is a vacancy in the office of chief judge, the division chief judge who is senior in length of service as a member of such Council shall preside.

"(b) A majority of the judges present at a meeting of the Council shall constitute a quorum for the purpose of transacting business. The affirmative vote by a majority of all the members of the Council shall be required to approve a matter on behalf of the Council. Each member of the Council shall have one vote.

"(c) Meetings of the Council shall be held at least once a month at the call of the chief judge or by a majority of the Council.

"(d) The Council is authorized—

"(1) to approve or disapprove the assignment of judges to divisions and the transfer or reassignment of judges from one division to another, subject to the provisions of section 567 of this title;

"(2) to approve or disapprove the creation, reconstitution, or abolition of divisions of the Corps;

"(3) to approve or disapprove the reassignment of a division chief judge who heads a division specified in section 564 (b) of this title;

"(4) to appoint a person to be an administrative law judge and a member of the Corps under section 567 of this title;

"(5) to approve or disapprove the filing of charges seeking adverse action against an administrative law judge under section 569 of this title;

"(6) to approve or disapprove the establishment or abolition of regional offices of the Corps and the assignment and reassignment of personnel thereto;

"(7) to prescribe the rules of practice and procedure for the conduct of proceedings before the Corps, except that, with respect to a class of proceedings adjudicated by an agency before the effective date of the Administrative Law Judge Corps Act, the Council may not amend or revise the rules of practice and procedure prescribed by that agency during the two years following such date without the approval of that agency;

"(8) to approve or disapprove rules and regulations pertaining to the assignment of cases to administrative law judges;

"(9) to determine all other matters of general policy of the Corps;

"(10) to issue such rules and regulations as may be appropriate for the efficient conduct of the business of the Corps and the implementation of this subchapter;

"(11) subject to the civil service and classification laws and regulations, to select, appoint, employ, and fix the compensation of the employees (other than administrative law judges) that they deem necessary to carry out the functions, powers, and duties of the Corps and to prescribe the authority and duties of such employees;

"(12) to establish, disestablish, alter, consolidate, and maintain such regional, district, and other field offices as are necessary to carry out the functions, powers, and duties of the Corps and to assign and reassign employees to such field offices;

"(13) to procure temporary and intermittent services under section 3109 of title 5, United States Code;

"(14) to enter into, to the extent or in such amounts as are authorized in appropriation Acts, without regard to section 3709 of the Revised Statutes of the United States (41 U.S.C. 5), contracts, leases, cooperative agreements, or other transactions that may be necessary to conduct the business of the Corps;

"(15) to delegate any of the chief judge's functions or powers to one or more division chief judges or to other officers or employees of the Corps, and to authorize the redelegation of any of those functions or powers;

"(16) to make suitable arrangements for continuing judicial education and training for judges of the Corps; and

"(17) to provide for the training of other employees of the Corps.

"(e) The Council shall select an official seal for the Corps which shall be officially noticed.

"§ 566. Judicial Nomination Commission

"(a) There is established a Judicial Nomination Commission for the Administrative Law Judge Corps. The Nomination Commission shall consist of five members selected as provided in subsection (b). The Nomination Commission shall submit the names of qualified nominees for appointment to the position of chief judge and positions as division chief judges.

"(b) Each of the following persons shall appoint one member to the Nomination Commission within 30 days after the effective date of the Administrative Law Judge Corps Act:

"(1) The chief judge of the United States Court of Appeals for the District of Columbia Circuit.

"(2) The chief judge of the United States District Court for the District of Columbia.

"(3) The Chairman of the Administrative Conference of the United States.

"(4) The Chairman of the Administrative Law Section of the American Bar Association.

"(5) The President of the Federal Administrative Law Judges Conference.

"(c)(1) The persons first appointed pursuant to paragraphs (1) and (2) of subsection (b) shall each serve for a term of three years.

"(2) The person first appointed pursuant to paragraph (3) of subsection (b) shall serve for a term of two years.

"(3) The persons first appointed pursuant to paragraphs (4) and (5) of subsection (b) shall each serve for a term of one year.

"(d)(1) Subject to the provisions of this subsection, a vacancy on the Nomination Commission shall be filled in the same manner as the original appointment. An officer or employee of the United States may be a member of the Commission. The Commission shall select one of its members to be the Chairman.

"(2) Any member appointed to serve an unexpired term which has arisen by virtue of the death, disability, retirement, or resignation of a member shall be appointed only for such unexpired term, but shall be eligible for reappointment.

"(3) Each person appointed pursuant to this section after the initial appointments made in accordance with subsection (c) shall be appointed for a term of 3 years.

"(e) (1) For the initial appointment of the chief judge or, in the event of a subsequent vacancy in such position prior to the end of the term of such judge, the Nomination Commission, within 90 days after the effective date of the Administrative Law Judge Corps Act or 60 days after notification by the acting chief judge that a vacancy has occurred, as the case may be, shall submit to the President for appointment a list of the names of three persons qualified to fill the vacancy.

"(2) Not less than 60 days before the term of the chief judge expires, the Nomination Commission shall submit to the President for appointment a list of the names of three persons, one of whom may be the incumbent chief judge, who are qualified to be the chief judge.

"(3) For the initial appointment of the division chief judges, the Nomination Commission, within 90 days after the effective date of the Administrative Law Judge Corps Act, shall submit to the President for appointment, a list of the names of three persons qualified to fill such positions.

"(4) If there is a vacancy in a position of division chief judge, the chief judge shall notify the Chairman of the Nomination Commission within 10 days after such vacancy occurs. Within 60 days after such notice, the Nomination Commission shall submit to the President for appointment a list of the names of three persons qualified to fill the vacancy.

"(5) The President shall appoint judges, by and with the advice and consent of the Senate, pursuant to this subsection from the lists provided by the Nomination Commission. The President may, however, reject any list provided for any position and request that such Commission submit another list for any such position.

"(f) (1) A member of the Nomination Commission who is an officer or employee of the United States shall not receive additional compensation while serving as a member of the Nomination Commission. Other members of the Commission shall receive compensation at the daily equivalent of the rate provided for employees in grade GS-18 of the General Schedule established under section 5332 of this title, for each day, including traveltime, he or she is engaged in the actual performance of his or her duties as a member of the Commission. A member shall not be deemed an officer or employee of the United States solely by reason of his or her service as a member of the Nomination Commission.

"(2) All agencies of the United States shall provide, to the extent allowed by law, to the Nomination Commission the assistance and facilities that the Nomination Commission requests, including access to records and other information pertaining to prospective nominees, to enable the Nomination Commission to perform its functions. Records and information so furnished shall be treated as privileged and confidential by the Nomination Commission.

"(3) Funds appropriated to conduct the general operations of the Corps may be expended to defray the expenses of the Nomination Commission.

"§ 567. Appointment, compensation, and transfer of administrative law judges

"(a) After the initial establishment of the Corps, the Council shall appoint new or additional judges as may be necessary for the efficient and expeditious conduct of the business of the Corps. Appointments shall be made from a register maintained by the Office of Personnel Management under subchapter I of chapter 33 of this title. Upon request by the chief judge, the Office of Personnel Management shall certify enough names from the top of such register to enable the Council to consider five names for each vacancy. Notwithstanding section 3318 of this title, a vacancy in the Corps may be filled from the highest five eligible individuals available for appointment on the certificate furnished by the Office of Personnel Management.

"(b) A judge of the Corps may not perform or be assigned to perform duties inconsistent with the duties and responsibilities of an administrative law judge.

"(c) A judge of the Corps on the date of commencement of operation of the Corps may not thereafter be involuntarily reassigned to a new permanent duty station that is beyond commuting distance of the judge's permanent duty station on that date. A judge may be temporarily detailed, once in a 24-month period, to a new duty station, at any location, for a period of not more than 120 days.

"§ 568. Jurisdiction

"(a) Except as provided in subsection (c), an administrative law judge who is a member of the Corps shall hear and render a decision upon—

"(1) every case of adjudication subject to the provisions of section 554 of this title;

"(2) every case in which hearings are required by law to be held in accordance with section 554 or section 556 of this title; and

"(3) every other case referred to the Corps by an agency or court in which a determination is to be made on the record after an opportunity for a hearing.

"(b) When a case under subsection (a) arises, it shall be referred to the Corps. Under regulations issued by the Council the case shall be assigned to an administrative law judge. Administrative law judges shall be assigned to cases within their division in rotation, so far as practicable.

"(c) Notwithstanding subsection (a) or (b)—

"(1) the agency, or one or more members of the body that comprises the agency, may hear the case and render the decision thereon; or

"(2) an agency may provide for omission of the decision of the administrative law judge in accordance with section 557(b)(2) of this title.

"(d) Federal agencies and courts are hereby authorized to refer to the Corps any other case where a determination on the record after an opportunity for a hearing by a judge of the Corps is found by such court or agency to be desirable and appropriate.

"§ 569. Removal and discipline

"(a) Except as provided in subsection (b) of this section—

"(1) an administrative law judge may not be removed, suspended, reprimanded, or disciplined except for misconduct, incompetence, or neglect of duty but may be removed or suspended for physical or mental disability; and

"(2) an action specified in paragraph (1) of this subsection may be taken against an administrative law judge only after the Council has filed a notice of adverse action against the administrative law judge with the Merit Systems Protection Board and the Board has determined, on the record after an opportunity for a hearing before the Board, that there is good cause to take such action.

"(b) Subsection (a) does not apply to—

"(1) the replacement or reassignment of a division chief judge as provided in section 564(c) of this title; and

"(2) an action initiated under section 1206 of this title.

"(c) Under regulations issued by the Council a Complaints Resolution Board shall be established within the Corps to consider and to recommend appropriate action to be taken upon complaints against the official conduct of judges.

"(d) The Board shall consist of two judges from each division of the Corps. Each Board member shall be elected by the administrative law judges who are assigned to the division for a term of two years. The chief judge and the division chief judges may not serve on the Board.

"(e) A complaint of misconduct on the part of an administrative law judge must be made in writing. The complaint shall be filed with the chief judge, or it may be originated by the chief judge on his own motion. The chief judge shall refer the complaint to a panel consisting of three members of the Board selected by the Council, none of whom serves in the same division as the administrative law judge who is the subject of the complaint. The complaint must be referred as it was originally received or drawn and may not be accompanied by any other matter. The administrative law judge who was the subject of the complaint shall be given notice of the complaint and the composition of the panel. The administrative law judge may challenge peremptorily not more than two members of the panel. The Council shall replace a challenged member with another member of the Board who is eligible to serve on such panel.

"(f) The panel shall inquire into the complaint and shall render a report thereon to the Council. A copy of the report shall be provided concurrently to the administrative law judge who was the subject of the com-

plaint. The report shall be advisory only, except that if the report recommends that no action should be taken against the administrative law judge who was the subject of the complaint, the Council may file charges with the Merit Systems Protection Board or take other action against that administrative law judge based on the matters contained in the complaint only upon a finding by the Council that extraordinary circumstances warrant such action.

"(g) The proceedings, deliberations, and reports of the Board and the contents of complaints under this section shall be treated as privileged and confidential. Documents considered by the Board and reports of the Board are exempt from disclosure or publication under section 552 of this title. Section 552b of this title does not apply to the Board.".

AGENCY REVIEW STUDY AND REPORT

SEC. 3. The chief administrative law judge of the Administrative Law Judge Corps of the United States shall make a study of the various types and levels of agency review to which decisions of administrative law judges are subject. A separate study shall be made for each division of the Corps. The studies shall include monitoring and evaluating data and shall be made in consultation with the division chief judges, the Chairman of the Administrative Conference of the United States, and the agencies that review the decisions of administrative law judges. Not later than two years after the effective date of this Act, the Council shall report to the President and the Congress on the findings and recommendations resulting from the studies. The report shall include recommendations, including recommendations for new legislation, for any reforms that may be appropriate to make review of administrative law judges' decisions more efficient and meaningful and to accord greater finality to such decisions.

TRANSITION AND SAVINGS PROVISIONS

SEC. 4. (a) There are transferred to the administrative law judges of the Administrative Law Judge Corps established by section 562 of title 5, United States Code (as added by section 2 of this Act), all functions performed on the day before the effective date of this Act by the administrative law judges appointed under section 3105 of such title before the effective date of this Act.

(b) With the consent of the agencies concerned, the Administrative Law Judge Corps of the United States may use the facilities and the services of officers, employees, and other personnel of agencies from which functions and duties are transferred to the Corps for so long as may be needed to facilitate the orderly transfer of those functions and duties under this Act.

(c) The personnel, assets, liabilities, contracts, property, records, and unexpended balances of appropriations, authorizations, allocations, and other funds employed, held, used, arising from, available or to be made available, in connection with the functions, offices, and agencies transferred by this Act, are, subject to section 1531 of title 31, United States Code, correspondingly transferred to the Corps for appropriate allocation.

(d) The transfer of personnel pursuant to subsection (b) of this section shall be without reduction in classification or compensation for one year after such transfer.

(e) The Director of the Office of Management and Budget, at such time or times as the Director shall provide, may make such determinations as may be necessary with regard to the functions, offices, agencies, or portions thereof, transferred by this Act, and to make such additional incidental dispositions of personnel, assets, liabilities, grants, contracts, property, records, and unexpended balances of appropriations, authorizations, allocations, and other funds held, used, arising from, available to, or to be made available in connection with such functions, offices, agencies, or portions thereof, as may be necessary to carry out the provisions of this Act. The Director shall provide for such further measures and dispositions as may be necessary to effectuate the purposes of this Act, and for the termination of the offices and agencies specified in this Act.

(f) All orders, determinations, rules, regulations, certificates, licenses, and privileges which have been issued, made, granted, or allowed to become effective in the exercise of any duties, powers, or functions which are transferred under this Act and are in effect at the time this Act becomes effective shall continue in effect according to their terms until modified, terminated, superseded, set aside, or repealed by the Administrative Law Judge Corps of the United States or a judge thereof in the exercise of authority vested in the Corps or its members by this Act, by a court of competent jurisdiction, or by operation of law.

(g) This Act shall not affect any proceeding before any department or agency or component thereof which is pending at the time this Act takes effect. Such a proceeding shall be continued before the Administrative Law Judge Corps of the United States or a judge thereof, or, to the extent the proceeding does not relate to functions so transferred, shall be continued before the agency in which it was pending on the effective date of this Act.

(h) No suit, action, or other proceeding commenced before the effective date of this Act shall abate by reason of the enactment of this Act.

AUTHORIZATION OF APPROPRIATIONS

SEC. 5. There are hereby authorized to be appropriated such sums as may be necessary to carry out the provisions of this Act and subchapter III of title 5, United States Code (as added by section 2 of this Act).

TECHNICAL AND CONFORMING AMENDMENTS

SEC. 6. Title 5, United States Code, is amended as follows:

(1) Section 573(b) is amended by redesignating paragraphs (4), (5), and (6) as paragraphs (5), (6), and (7), respectively, and inserting a new paragraph (4) to read as follows:

"(4) the chief administrative law judge of the Administrative Law Judge Corps of the United States;".

(2) Section 3105 is amended to read as follows:

"§ 3105. Appointment of administrative law judges.

"Administrative law judges shall be appointed by the Council of the Administrative Law Judge Corps pursuant to section 567 of this title.".

(3) Section 3344 and any references to such section are repealed.

(4) The table of sections for chapter 33 is amended by striking out the item relating to section 3344.

(5) The tables of contents of this title and of chapter 5 thereof each are amended by—

(A) redesignating subchapter III as subchapter IV; and

(B) inserting after the item relating to section 559 the following:

* * * * *

(6)(A) Subchapter III of chapter 75 of title 5, United States Code, is repealed.

(B) The table of sections at the beginning of chapter 75 of title 5, United States Code, is amended—

(i) by striking out the items relating to subchapter III and section 7521;

(ii) by striking out "Subchapter IV" and inserting in lieu thereof "Subchapter III"; and

(iii) by striking out "Subchapter V" and inserting in lieu thereof "Subchapter VI".

(7) Section 5314 is amended by adding at the end thereof the following:

"Chief Administrative Law Judge of the Administrative Law Judge Corps".

(8) Section 5315 is amended by adding at the end thereof the following:

"Division Chief Judges of the Administrative Law Judge Corps".

(9) Section 5316 is amended by adding at the end thereof the following:

"Administrative Law Judges in the Administrative Law Judge Corps".

(10)(A) Section 5372 is repealed.

(B) The table of sections at the beginning of chapter 53 of such title is amended by striking out the item relating to section 5372.

"SUBCHAPTER III—ADMINISTRATIVE LAW JUDGE CORPS

"Sec.
"561. Definitions.
"562. Establishment; membership.
"563. Chief administrative law judge.
"564. Divisions of the Corps; division chief judges.
"565. Council of the Corps.
"566. Judicial Nomination Commission.
"567. Appointment, compensation, and transfer of administrative law judges.
"568. Jurisdiction.
"569. Removal and discipline.".

OPERATIONS OF THE CORPS

SEC. 7. Operation of the Corps shall commence on the date the first chief administrative law judge of the Corps takes office.

EFFECTIVE DATE

SEC. 8. Except as otherwise provided, this Act and the amendments made by this Act shall take effect on the date of enactment.

By Mr. MITCHELL:

S. 1276. A bill to provide that the pensions received by retired judges who are assigned to active duty shall not be treated as wages for the purposes of the Social Security Act; to the Committee on Finance.

TREATMENT OF PENSIONS OF CERTAIN JUDGES

● Mr. MITCHELL. Mr. President, the Social Security Amendments of 1983 constituted a major congressional achievement. I am concerned, however, that a minor provision, dealing with the taxation of payments made to retired Federal judges who continue to handle cases, will have a severe adverse impact on the judiciary.

The bill I am introducing today would reinstate the provisions that were in effect prior to this year's social security bill. Under these provisions, payments made to retired Federal judges would not be treated as earned income.

Upon retirement, Federal judges can choose to enter senior status. When

they do so they voluntarily offer to continue performing their judicial services. These services are a major contribution to the Federal judiciary, as retired judges share the ever-increasing workload of the Federal courts.

Title I of the social security amendments extends social security coverage to Federal judges. I do not disagree with that. What I do disagree with, however, is the provision that treats as wages, for purposes of the social security system, compensation paid to retired judges who continue in active duty. This creates significant financial disincentives for retired judges to continue their judicial work. First, most obviously, they will be subject to the social security payroll tax, beginning in 1984. Second, because of the earnings limit, most retired judges between the ages of 65 and 70 will not receive whatever social security benefits they are entitled to receive.

Because of these disincentives, I am concerned that we run the risk of losing the services of many retired judges. To compensate for the loss of these services, Congress may well have to add additional judgeships to cope with existing caseloads, at a considerably greater expense. In addition to these undesirable effects on the judicial system and on the budget, this provision is simply unfair as it applies to current retired judges, who had agreed to continue service on terms that did not include social security coverage.

I believe that a more appropriate treatment would view compensation of retired Federal judges in active service as retirement income, not as earned income, and would acknowledge that these judges are performing their services voluntarily. This was the position taken in the Senate version of the social security legislation.

The provision in the final version of the bill was included with little study of its potential impact on the judicial system or of the unique status of Federal judges. My legislation represents a more reasonable interpretation of the services provided by retired Federal judges.●

By Mr. MELCHER:

S. 1277. A bill to amend the joint resolution making further continuing appropriations and providing for productive employment for the fiscal year 1983, and for other purposes; to the Committee on Energy and Natural Resources.

ENERGY CONSERVATION GRANTS TO LOCAL GOVERNMENT AND PUBLIC CARE INSTITUTIONS ACT OF 1983

Mr. MELCHER. Mr. President, in the fiscal year 1983 continuing resolution, Senator WARNER added an amendment which directed the Department of Energy to use up to $200 million in moneys obtained in settlements with oil companies for pricing violations and to distribute these funds by an allocation formula to the States. The States are permitted to apply these funds to any of the Federal energy conservation—and low-income energy assistance—programs in their State. The one exception was that in listing the eligible Federal programs the Warner amendment left out the program in the Energy Policy and Conservation Act under which buildings owned by units of local government and public care institutions may receive funds for energy audits and technical assistance. That Federal program does not permit funds to be used to purchase and install energy conservation measures—in contrast to the schools and hospitals program, which does permit the purchase and installation of energy conservation measures.

I am introducing an amendment which:

First, amends the Warner amendment to include the program for buildings of local government and public care institutions as an eligible activity; and

Second, provides that, for the purposes of the Warner amendment, States not only may apply the funds to the program for buildings of local government and public care institutions, they may also spend the funds for purchase and installation of energy conservation measures in those buildings. Again, expenditures for energy conservation measures are not normally permitted in this program.

I would expect that, as other overcharge funds accrue, the Warner amendment will be used as a model for distribution for those funds as well, so this proposed amendment, if adopted, may affect the use of more than $200 million.

I ask unanimous consent that the text of the bill be printed at this point.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 1277

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be referred to as the "Energy Conservation Grants to Local Government and Public Care Institutions Act of 1983."

SEC. 2. Amend Sec. 155(e)(2) of the Joint Resolution Making Further Continuing Appropriations and Providing for Productive Employment for FY 1983 (Public Law 97-377) to add a new subparagraph (F) as follows:

"(F) the program under Part H of Title III of the Energy Policy and Conservation Act (Public Law 94-163); except that for purposes of this Act the term "technical assistance" may include undertakings to acquire and to install one or more energy conservation measures (as defined in Sec. 400-A of the Energy Policy and Conservation Act (Public Law 94-163) in buildings owned by units of local government and public care institutions."

By Mr. MELCHER (for himself, Mr. TSONGAS, Mr. STENNIS, and Mr. COCHRAN):

S. 1278. A bill to provide for an accelerated program of research, development, and demonstration with respect to the production of electricity from magnetohydrodynamics, leading to the construction and operation of at least one major proof of concept demonstration project in connection with an existing electric powerplant, and for other purposes; to the Committee on Energy and Natural Resources.

THE MHD RESEARCH, DEVELOPMENT AND DEMONSTRATION POLICY ACT OF 1983

Mr. MELCHER. Mr. President, today I am introducing, for myself, Senator TSONGAS, Senator STENNIS, and Senator COCHRAN, the "Magnetohydrodynamics Research, Development and Demonstration Policy Act of 1983." This act establishes a cooperative program of research, development and demonstration with respect to magnetohydrodynamics (MHD) in the Department of Energy. The act also provides that, if sufficient support from the private sector can be obtained, the Secretary of Energy would undertake a proof of concept demonstration of MHD technology in connection with an existing electric powerplant.

A major proof of concept demonstration is the next logical step in MHD development. Carrying out this demonstration at an existing powerplant site will provide all the reliability and operational testing of data needed for commercial evaluation of MHD technology at a fraction of the cost of a new, full-scale demonstration plant.

Over the past several years Congress has supported a program of MHD research and development through the appropriations process. It is time that this support was translated into a definitive statutory program with specific agreed-upon objectives and milestones for the development of the technology. This will greatly facilitate congressional oversight, help insure a tightly run program, and provide for a far more rapid realization of the goal we all seek: expanded use of domestic coal to produce more electricity efficiently and in full compliance with applicable environmental laws and regulations.

MHD offers tremendous promise with respect to this goal. MHD is a technique for generating electricity that extracts double duty from the fuel it uses. Consequently, efficiencies approximately twice those achieved in ordinary electric powerplants are achievable with MHD. In addition, the environmental consequences of electric power generation—releases of carbon dioxide, sulfur dioxide, and oxides of nitrogen—are all below, and is some cases substantially below, applicable environmental limits in the

case of a powerplant that makes use of the technology of MHD.

As presently envisioned, an MHD facility would involve a conventional steam electric powerplant and an MHD "topping cycle." Both elements produce electricity from the same physical effect—the motion of charged particles that are free to move under the influence of a magnetic field. Oppositely charged particles moving in the same direction in a magnetic field tend to be forced apart. This charge separation can be exploited for the production of electric power. In a conventional powerplant the charged particles are free electrons in a conducting loop. The loop is made to spin in a magnetic field to produce the electric power. The heat from the combustion of fossil fuel is used to drive a turbine, which turns the conducting loop.

In an MHD channel the moving charged particles are ionized atoms contained in a blast of hot gases produced from the combustion of coal. The jet of ionized atoms passes through a magnetic field that separates oppositely charged particles and leads to the production of direct current electric power. Double duty use of the original fuel is accomplished because the jet of ionized gases, after passing through the MHD channel, provides the power to run a conventional turbine. In this way, the hot gases produced from the original combustion of coal are used twice to produce electricity.

Fuel-to-electricity efficiences for a typical MHD-assisted powerplant are expected to be 50 to 60 percent. This should be compared to a national average electric powerplant efficiency of approximately 32 percent and approximately 40 percent for typical new steam electric powerplants. Because much more electricity is produced from each unit of fossil fuel with MHD, the effects of all environmental pollutants from an MHD-assisted plant are automatically reduced on a per-kilowatt-hour basis. This means that the inevitable impact of waste heat, carbon dioxide loading of the atmosphere, acid rain and all other environmental effects of electricity generation and fossil fuel use are immediately reduced, and the cumulative impacts of these pollutants are pushed much farther into the future when, we hope, we will possess the know-how, the resources and, most importantly, the will to effectively and directly address these environmental issues.

Thus, the high efficiency of MHD power systems should significantly reduce thermal pollution. Only half as much cooling water is needed for MHD systems as compared to a conventional coal-fired unit of the same output, and only one quarter the amount of cooling water is needed to produce a kilowatt of electricity from MHD as compared to present nuclear power systems.

MHD power systems will have a substantial impact in reducing acid rain. Sulfur emissions are much, much lower in an MHD system than in a conventional coal-fired powerplant, because of the use of potassium as a "seed" for the MHD channel. Potassium carbonate is injected to serve as a source of the ionized atoms that act as the charge carriers in the MHD process. After serving this purpose, the potassium is available to combine with any sulfur released during coal combustion. The potassium sulfate produced is easily isolated and removed, carrying with it over 90 percent of the sulfur in the coal. This process is far more effective at sulfur removal than any flue gas sulfur removal technique now available. The capture of this much sulfur dramatically reduces acid rain from MHD powerplant emissions.

MHD has been tested in pilot-plant facilities in Massachusetts, Montana, and Tennessee. The Soviet Union has the most operating experience with MHD technology and also has the most ambitious plans for new construction of commercial facilities. According to testimony presented to the Senate Committee on Energy and Natural Resources, the Soviet Union is proceeding with the design and construction of a 500-megawatt electric power commercial utility plant that is expected to be on line in the mid-1980's.

Now is the time for the United States to undertake a proof of concept demonstration of MHD technology in connection with an existing electric powerplant. The addition of a MHD topping cycle to an existing electric powerplant will insure close cooperation with the private sector, will reduce the overall cost of the project and will maximize the practical operating experience obtained from the demonstration.

The bill I am introducing today authorizes the Secretary of Energy to enter into an agreement for such a demonstration if sufficient private sector interest in the project exists. This proof of concept facility would be capable of generating at least 50 megawatts of electric power from the MHD portion of the dual cycle arrangement that will come into existence when the MHD channel is added to the existing electric powerplant. The Secretary is also required to provide Congress with a comprehensive program management plan that integrates this proof of concept demonstration into a coordinated program for the development of MHD technology to the point of commercial acceptance.

The Federal Government could assume no more than 60 percent of the project costs of the proof of concept demonstration. Operation of the completed facility would be planned for 1992.

Mr. President, I am introducing this bill to initiate a discussion of policy for MHD research, development and demonstration. At the present time we are undergoing a reappraisal of fossil fuel RD&D priorities. Congress has, I think, conclusively demonstrated that it has no interest in the current administration's proposals to essentially eliminate fossil fuel research, development, and demonstration. I am hopeful that the administration will come to see the value of a much more ambitious program of Federal involvement in the development of alternative ways of using our vast resources of fossil fuel, particularly coal, which comprises the largest share of these reserves.

MHD deserves an important place in that program. I hope that the debate we are beginning with the introduction of this bill will lead to a wider recognition of that fact.

I ask unanimous consent that the text of the bill and a section-by-section analysis of its provisions appear in the RECORD at this point.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

S. 1278

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be referred to as the "The Magnetohydrodynamics Research, Development and Demonstration Policy Act of 1983".

FINDINGS AND PURPOSES

SEC. 2. (a) FINDINGS—Congress hereby finds and declares that—

(1) the energy policy of the United States must emphasize the development, as rapidly as is feasible, of a diverse array of technologies capable of usir.g domestic coal efficiently and in an environmentally acceptable manner;

(2) technology for the production of electricity from coal making use of magnetohydrodynamics has the potential for substantially higher efficiencies than can be achieved with other technologies and also promises to meet major environmental requirements applicable to electric powerplants;

(3) commercial acceptance of magnetohydrodynamic technology for the production of electricity will significantly augment the ability of the United States to make use of domestic coal and to reduce its reliance on imported energy, thereby enhancing national security and offering benefits to the Nation as a whole;

(4) although the basic technology of magnetohydrodynamics is available, commercial acceptance of this technology is inhibited by the lack of an adequate Federal program for research, development and demonstration with respect to magnetohydrodynamics;

(5) magnetohydrodynamic technology is ready for a proof of concept demonstration on a scale sufficient to provide reliability and operational data to support commercial evaluation of the technology;

(6) the Federal Government must aggressively support research, development and demonstration of technology for the production of electricity making use of magnetohydrodynamics;

(7) the Federal Government must provide support for the early proof of concept demonstration of magnetohydrodynamic technology in connection with an existing electric powerplant so as to provide reliability and operational data for the technology in a manner that achieves the highest practicable testing and operational flexibility at a cost significantly below the cost of a full-sized demonstration powerplant; and

(8) an adequate program of research, development and demonstration of magnetohydrodynamic technology will require an increased commitment by the Federal Government.

(b) PURPOSES—The purposes of this Act are to—

(1) establish a definitive Federal program of research, development and demonstration with respect to the technology for producing electricity making use of magnetohydrodynamics;

(2) set forth specific goals for the program, including a target date of 1992 for routine operation in connection with an existing electric powerplant of a proof of concept demonstration facility incorporating magnetohydrodynamic components;

(3) authorize the Secretary of Energy to make financial commitments to, and to enter into a cooperative agreement with private firms for the financing of, a proof of concept demonstration of magnetohydrodynamic technology; and

(4) provide adequate authorization for appropriations for the program established under this Act.

DEFINITIONS

SEC. 3. As used in the Act the term—

(1) "demonstration" includes the addition of magnetohydrodynamic components to an existing electric powerplant in order to obtain operational experience with magnetohydrodynamic technology;

(2) "magnetohydrodynamics" means a system that uses a plasma composed of ionized gases at high temperatures in the presence of an external magnetic field to induce voltages sufficient for the production of electric power; and

(3) "Secretary" means the Secretary of Energy.

ACTIVITIES OF THE SECRETARY

SEC. 4. (a) DUTIES OF THE SECRETARY—

(1) The Secretary shall conduct and provide support for such research and development as he determines will most expeditiously clarify the scientific and technical issues that directly affect the development and commercial acceptance of magnetohydrodynamic technology.

(2) Research and development under paragraph (1) may include work on—

(A) magnet technology;

(B) instrumentation and diagnostics;

(C) materials properties and behaviour under conditions associated with operation of magnetohydrodynamic components;

(D) improved recovery and reprocessing of seed materials added to the magnetohydrodynamic plasma to improve conductivity;

(E) continued improvement of electrodes and channels capable of continuous operation for periods of one year or more;

(F) continued improvement of magnetohydrodynamic combustors; and

(G) such other matters as the Secretary determines will further the purposes of this Act.

(3) The Secretary shall accelerate research and development activities with respect to magnetohydrodynamics under the program in existence on the date of the enactment of this Act.

(b) COMPREHENSIVE PROGRAM MANAGEMENT PLAN—The Secretary, after consultation with representatives of the electric utility industry, design and construction firms, component suppliers, university and industrial research scientists and engineers, and other appropriate private sector organizations and firms, shall prepare a comprehensive program management plan for the conduct of research, development and demonstration activities under this Act. Such plan shall include—

(1) a presentation of the program strategy that will be used to achieve the purposes of this Act;

(2) a program implementation schedule, including identification of detailed milestone goals and associated budget and program resources requirements;

(3) a discussion of the principal alternative strategies and schedules under paragraphs (1) and (2) respectively and a statement of the reasons why these alternatives were rejected;

(4) a plan for financing the proof of concept demonstration project under section 5;

(5) identification of the supporting research and development needed to solve the scientific and engineering problems likely to arise with magnetohydrodynamic technology in meeting the 1992 target date; and

(6) an analysis of the institutional, environmental and economic considerations that affect the development and commercial acceptance of magnetohydrodynamic technology;

(c) TRANSMITTAL—The Secretary shall transmit the comprehensive program management plan under this section to the appropriate committees of the House of Representatives and the Senate not later than 180 days after the date of the enactment of this Act.

(d) INTERNATIONAL COOPERATION—The Secretary shall seek to enter into international cooperative agreements for the conduct of magnetohydrodynamic research and development of mutual benefit to the parties to any such agreement that the Secretary determines will further the purposes of this Act.

PROOF OF CONCEPT DEMONSTRATION

SEC. 5. (a) AGREEMENT—The Secretary shall offer to enter into an agreement in accordance with this section with the owner of an existing, coal-fired, electric powerplant, and with such other persons as the Secretary deems appropriate, for a proof of concept demonstration of magnetohydrodynamic technology in connection with such powerplant. Within 270 days after the date of the enactment of this Act, the Secretary shall publish notice soliciting bids for an agreement under this section.

(b) PROVISIONS.—The agreement under paragraph (a) shall provide for—

(1) the construction, operation and maintenance of a magnetohydrodynamic component of capacity of no less than 50 megawatts of electric power in connection with the existing electric powerplant referred to in paragraph (a);

(2) assumption by the Federal government of no more than sixty per centum of project costs under this section;

(3) a target date of January 1, 1992, for operation of the completed facility; and

(4) disposition of patents and other rights or privileges resulting from the project under this section in accordance with section 9 of the Federal Nonnuclear Research and Development Policy Act of 1974.

(c) COMPETITIVE BIDS.—Within one year after the date of the enactment of this Act the Secretary shall select the parties to the agreement under this section competitively, based on the bids available on the date thirty days prior to selection. In making the award of the selection under this section the Secretary shall weigh and take into account—

(1) estimated project costs to the Federal government;

(2) the prospects, as determined by the Secretary, for successful completion and operation of the project in accordance with the agreement;

(3) the extent, as determined by the Secretary, to which the project will contribute to the development and commercial acceptance of magnetohydrodynamic technology; and

(4) such other factors as the Secretary deems appropriate.

REVIEW PANEL

SEC. 6. (a) ESTABLISHMENT OF PANEL.—Within 90 days after the date of the enactment of this Act, the Secretary shall establish, and with the concurrence of the Energy Research Advisory Board shall appoint at least seven members to, a Technical Review Panel for Magnetohydrodynamics.

(b) MEMBERSHIP.—Each Member of the panel under subsection (a) shall be a person who by virtue of training and experience is especially qualified to review and comment on magnetohydrodynamic technology in relation to the electric utility industry and to review and comment on the ongoing programs and projects of the Secretary with respect to magnetohydrodynamic technology, including the proof of concept demonstration under section 5.

(c) PROCEDURES.—Activities of the panel under this section shall be in accordance with the laws and regulations, including provisions for compensation, governing activities of technical and fact-finding groups reporting to the Energy Research Advisory Board.

(d) DUTIES.—The panel under this section shall meet at least twice annually and shall review and make such recommendations as the panel deems appropriate on—

(1) the research and development programs of the Secretary with respect to magnetohydrodynamics;

(2) the comprehensive program management plan under section 4(b), the extent to which the plan is being followed and any needed amendments to the plan;

(3) the type of experiments and facilities needed to achieve the purposes of this Act;

(4) the progress in implementing section 5;

(5) the adequacy of cooperation with domestic private industry, including the electric utility industry, and the adequacy of cooperation internationally in research, development and demonstration with respect to magnetohydrodynamic technology;

(6) institutional, environmental and economic factors affecting the development and commercial acceptance of magnetohydrodynamic technology; and

(7) such other matters as the panel deems appropriate.

(e) Reports—The panel under subsection (a) shall report annually to the Energy Research Advisory Board. Such report shall include any recommendations under subsection (d). The Energy Research Advisory Board shall consider each report under this

subsection and shall promptly transmit the report along with the comments of the Board to the Secretary and to Congress.

REPORT TO CONGRESS

SEC. 7. As a separate part of the annual report submitted under section 801 of the Department of Energy Organization Act (Public Law 95-91), the Secretary shall submit to Congress an annual report on activities under this Act.

AUTHORIZATION OF APPROPRIATIONS

SEC. 8. (a) AUTHORIZATION—There is hereby authorized to be appropriated to the Secretary for the fiscal years ending September 30, 1984, September 30, 1985 and September 30, 1986, such sums as may be necessary to achieve the purposes of this Act.

(b) CONTRACTS—In carrying out the provisions of this Act, the Secretary may enter into contracts only to such extent or in such amounts as may be provided in advance in appropriations Acts.

SECTION-BY-SECTION ANALYSIS

THE MAGNETOHYDRODYNAMICS RESEARCH, DEVELOPMENT AND DEMONSTRATION POLICY ACT OF 1983

Section 1. This section establishes the title of the Act as "The Magnetohydrodynamics Research, Development and Demonstration Policy Act of 1983".

SEC. 2. This section sets forth Congressional findings and the purposes of the Act.

The former include a finding that magnetohydrodynamic technology is ready for a proof of concept demonstration on a scale sufficient to provide reliability and operational to support commercial evaluation of the technology.

The purposes include the provision of authority for the Secretary of Energy to make financial commitments to a proof of concept demonstration of magnetohydrodynamics under a cooperative financing agreement with the private sector.

SEC. 3. This section contains the definition of terms used in the Act, including "demonstration" and "magnetohydrodynamics".

SEC. 4. This section sets forth the duties of the Secretary under the Act. These duties include the conduct and support of a research and development program in magnetohydrodynamics and the preparation of a comprehensive program management plan for activities under the Act. The plan is to be transmitted to Congress not later than 180 days after the date of the enactment of the Act. The Secretary is directed to seek to enter into certain international cooperative agreements in magnetohydrodynamic research and development.

SEC. 5. This section describes the proof of concept demonstration authorized by the Act and requires the Secretary, within 270 days after the date of the enactment of the Act, to offer to enter into an agreement with the owner of an existing, coal-fired, electric powerplant for purposes of the demonstration.

The agreement must contain a number of provisions, including a requirement of a target date of January 1, 1992, for operation of the completed facility. The parties to the agreement are to be selected by the Secretary on a competitive basis using criteria set forth in the section.

SEC. 6. This section requires the Secretary to establish a Technical Review Panel for Magnetohydrodynamics. The membership, procedures and duties of the panel are set forth in the section. The duties include review of, and recommendations as the panel deems appropriate on, the progress in implementing the proof of concept demonstration under section 5.

SEC. 7. This section requires the Secretary to report annually to Congress on activities under the Act.

SEC. 8. This section authorizes such appropriations as may be necessary for fiscal years 1984, 1985 and 1986, and limits the Secretary's authority to enter into contracts to the aggregate amounts provided in advance in appropriations Acts.

By Mr. HELMS (for himself, Mr. MCCLURE, Mr. EAST, and Mr. NICKLES):

S. 1279. A bill to amend the Food Stamp Act of 1977 to establish a State block grant option for the food stamp program; to the Committee on Agriculture, Nutrition, and Forestry.

FOOD STAMP OPTIONAL BLOCK GRANT ACT OF 1983

Mr. HELMS. Mr. President, I send to the desk legislation to permit States to operate a low-income nutrition assistance block grant in lieu of the present food stamp program.

This is the same legislation as that included within the Senate version of the Omnibus Budget Reconciliation Act of 1982. Unfortunately, the House conferees on the bill did not agree to include this provision in the 1982 reconciliation bill.

This forthright, sensible approach to nutritional assistance merits the careful consideration and support of my colleagues, as it did last year. We need not be confined to the issues of the past in determining how best to manage food assistance in the future.

Providing the States with the discretion on how to operate their programs will enable those States which wish to strike out in a new direction the option to do so without any coercion to those States who do not want to take such initiatives. This optional block grant approach allows federalism to work at its best, with maximum State flexibility.

BACKGROUND

In 1981, the Committee on Agriculture, Nutrition, and Forestry recommended, and the Congress enacted, a mandatory block grant for Puerto Rico, which is funded at $825 million annually.

Many State and local officials have suggested to me for years that for numerous reasons they feel the need for greater flexibility in the administration of the food stamp program.

The current food stamp program is caught between two competing interests. On the one hand, administrators at all levels of government—Federal, State, and local—desire that the program be as administratively simple and efficient as possible, an objective I share.

However, the additional Federal interest is that of insuring responsibility by the States in the operation of the current program. This is needed because under the present system the Federal Government bears 100 percent of the costs of the program; that is, the actual food stamp benefits distributed to individual households. Therefore, States have often concentrated on increasing the number of food stamp recipients; to do so did not cost the State, but rather was financed by the Federal Government.

Additionally, there has been all too little concern with efficient administration because, again, costs for failures in the system largely are being borne by the Federal Government. Administrative costs associated with the program are shared, 50-50, between the Federal Government and State governments.

The present system, however, provides little to no incentive for States to operate an effective and efficient program. As a consequence, many safeguards have been added to the law and regulations to insure that States will be required to do effective administration, stress important verification procedures, detect and prosecute fraudulent participation, and so forth. In essence, the Federal Government has been forced to establish every jot and tittle of procedure in order to be certain that such measures are implemented by the States.

After hearing many suggestions from local and State officials, I have attempted to merge these two interests in a way that will benefit all interested parties—Federal, State, and local governments as well as recipients.

I believe this proposal will provide for the right mix of State responsibility—with a set amount of Federal funds each year—and State flexibility—by providing significant State discretion and independence—which should prove to be a successful approach.

FUNDING FORMULA

Under the State option block grant, each State would have the option of operating its own nutrition assistance program in lieu of the food stamp program. Federal funding would continue, based on the percentage of the national expenditures which have been going to each State. The block grant allocation to each State during any fiscal year would be based on the State's share of funding—both benefit costs and the Federal share of State administrative expenses—during the 12-month period ending March 31, 1983. No State would receive less than one-quarter of 1 percent of the total appropriation.

A State's initial allocation is based on the State's cost of operating the food stamp program between April 1, 1982, and March 31, 1983. A tentative outline of approximate percentages compiled by the Department of Agriculture follows, based on the 12 months ending December 31, 1982:

Ratio of operating costs—January 1, 1982 to December 31, 1982

[Percent of food stamp program during fiscal year 1982]

Alabama	2.92
Alaska	.29
Arizona	1.36
Arkansas	1.40
California	6.31
Colorado	.85
Connecticut	.68
Delaware	.27
District of Columbia	.47
Florida	4.67
Georgia	2.97
Guam	*.17
Hawaii	.69
Idaho	.38
Illinois	5.59
Indiana	2.18
Iowa	.87
Kansas	.58
Kentucky	2.80
Louisiana	2.59
Maine	.67
Maryland	1.74
Massachusetts	1.96
Michigan	4.67
Minnesota	.89
Mississippi	2.40
Missouri	1.93
Montana	.25
Nebraska	.34
Nevada	*.21
New Hampshire	.26
New Jersey	2.87
New Mexico	.87
New York	8.76
North Carolina	2.68
North Dakota	*.13
Ohio	5.44
Oklahoma	.83
Oregon	1.45
Pennsylvania	5.11
Rhode Island	.37
South Carolina	2.09
South Dakota	.25
Tennessee	3.27
Texas	5.91
Utah	.33
Vermont	*.20
Virgin Islands	*.20
Virginia	2.02
Washington	1.48
West Virginia	1.17
Wisconsin	1.13
Wyoming	*.08

Note: Figures may not add due to rounding.

*Under the block grant funding formula, a minmum of 0.25% would be provided to each State.

Source: Food and Nutrition Service, U.S. Department of Agriculture.

The provision requires the Secretary to pay each block grant State the total allotment of funds for a fiscal year to which the block grant State is entitled immediately after the Secretary has determined the amount of such an allotment at the beginning of the fiscal year. A State would thus know its minimum level of funding at the onset of the fiscal year. Any subsequent funding during a fiscal year, such as a supplemental appropriation, also would be allocated according to the formula.

The formula has been designed in such a way that neither States opting for the block grant nor those continuing under the Federal system will be disadvantaged. The legislation also requires the Secretary of Agriculture to work with the Comptroller General of the United States to develop alternative formulas for the distribution of funds and report to Congress on such alternative formulas by June 30, 1984.

As with many of the block grants established in other programs in 1981, the provision permits the Secretary to allocate funds directly to Indian tribes from the allotment of the block grant States, if the tribes so request and if the Secretary determines that a direct allocation would better serve the members of the tribe or tribal organization.

STATE FLEXIBILITY

Maximum flexibility would be granted to each State to establish nutritional assistance programs designed to meet the needs of that State. Regulatory involvement by the Department of Agriculture would be minimal. The Department would not be permitted to override State plans of operation which meet the guidelines of the legislation.

Each block grant State would have exclusive authority to make determinations concerning standards of or requirements for eligibility to receive assistance under funds furnished through the block grant, and the Secretary may not interfere with such determinations. The State's eligibility standards may include a requirement for work—such as workfare—or a requirement for financial contribution by the recipient.

The amount and form of assistance granted to individuals within the State would be determined by the State. A State must, however, follow through and implement the type and distribution of such assistance as it describes in its annual application.

A State wishing to operate a low-income nutritional assistance block grant during any fiscal year would notify the Secretary at least 30 days before the beginning of the first fiscal year it elects to operate a grant program. A State's election to operate a subsequent year is renewable at the State's option.

USDA OVERSIGHT

Protections that were incorporated in the 1981 block grants against discrimination and prohibiting the use of funds for construction purposes are included.

A State wishing to operate a block grant must submit an application to the Secretary of Agriculture which must include assurances that the State will comply with the purposes and restrictions of the low-income nutritional assistance block grant.

A State wishing to operate a low-income nutritional assistance block grant would be required to:

Conduct public hearings at least biennially by the legislature in order to insure public and legislative involvement in the operation of the block grant;

Certify that it will assess on a regular basis the food and nutrition needs of needy persons residing in the State;

Use the funds provided to raise the level of nutrition among low-income households residing in the State;

Designate a single agency which should be responsible for the administration, or supervision of the administration, of the program for which funds are provided;

Provide that fiscal control and fund accounting procedures will be established to assure the proper disbursal of and accounting for Federal funds, including procedures for monitoring the program carried out by the State with the assistance provided;

Provide for an audit, not less than biennially, of the State expenditures of funds received under the block grant;

Describe how the block grant State will carry out the above protections, and provide a description of the assistance to be provided and the receipients who will be eligible under the program, and the administering agency.

As with block grants adopted in 1981, the General Accounting Office would evaluate expenditures to assure that they are consistent with the requirements of the block grant legislation.

The Secretary's primary role with block grant States is one of oversight. He may, at the request of a State, provide technical assistance to a State considering a block grant, including any analysis of the feasibility and potential shortcomings of specific block grant plans under consideration by the State.

The Secretary would also be responsible for assuring that States opting for a block grant use the funds for the purposes for which they certified the funds would be used. The legislation requires the Secretary to respond expenditiously to complaints of a substantial or serious nature that a block grant State has failed to use funds in accordance with the enacting legislation.

The Secretary may institute fiscal sanctions against block grant States which fail to utilize their allotments in accordance with this legislation in several ways. He may withhold funds, require a State to repay the Federal Government, or offset the amounts against future allocations to the State.

The Secretary and the Comptroller General may request, and the block grant State would be required to furnish, information about the operation of the block grant within that State. However, the Secretary and the Comptroller General may not require States to compile information not already available within the State.

Fines and imprisonment penalties are established for anyone who know-

ingly and willingly embezzles, misappropriates, steals, or obtains by fraud, false statements, or forgery, funds, assets, or property provided or financed under the legislation.

Two recent articles have drawn attention to the attractiveness of the State option block grant. I ask unanimous consent that an article on food stamp reform by Robert J. Valero that was published by the Heritage Foundation in Agenda 1983 and an article on food stamp fraud by Randy Fitzgerald that was published in the February 1983 issue of Reader's Digest be printed at his point in the RECORD.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

FOOD STAMP REFORM

(By Robert J. Valero)

The Food Stamp program is in desperate need of reform. The Administration, deeply committed to the New Federalism, had toyed with the idea of transferring food stamps back to the states, but gave in to the opposition of state governors. Thus far, this omission has been one of the major weaknesses of the Administration. A concerted effort to return to the states the responsibility of providing nutritional assistance to those with low incomes should be the Administration's top priority for the Food Stamp program in 1983.

The Administration made a major attempt to restrain the rapid growth of the Food Stamp program is 1982, but its proposals have been resisted on Capitol Hill. The White House proposed reforms that would have resulted in a savings of $2.3 billion in FY83, but Congress reauthorized the program for three years with budget cuts totaling only $1.9 billion over the extended period. Funding has been authorized at levels of $12.87 billion in FY83, $13.15 billion in FY84, and $13.93 billion in FY85. The savings enacted by Congress, thus, amount to less than 5 percent of the total cost of the program, and only one-fifth of the Administration's requested cost savings. Moreover, great care was taken to avoid terminating eligibility of any of the 22 million recipients of the program.

Congress' actions continue to turn away from the original purpose of the Food Stamp program. Designed to provide nutritional assistance to low-income families and to supplement farm incomes, it has mushroomed beyond recognition in its two decades of operation. In 1965, only 400,000 people received food stamps at a cost of $35 million. By 1981, the program was serving 22.4 million Americans—one out of every ten—at a cost of over $11 billion. Food stamps can no longer be considered a nutritional assistance program; in fact, they have evolved into more of an income subsidy. Studies show that less than 40 cents out of every food stamp dollar is used to purchase more food, while over 60 cents is used by recipients to buy other goods and services.

Senator Jesse Helms (R-North Carolina), Chairman of the Senate Agriculture Committee, proposed a state option block grant that would be a step in the right direction. Under the Helms proposal, each state would be given the opportunity to choose either to remain in the Food Stamp program or to implement its own nutritional assistance program. Any state opting to coordinate its own programs would continue to receive the same proportion of federal dollars that it had been receiving under the Food Stamp program. Such a proposal should be considered by the Administration as a starting point for fundamental reform.

The block grant approach corrects some of the fundamental weaknesses of the Food Stamp program. The Food Stamp program is administered by the USDA and operated by state public assistance agencies through their local offices, creating a multi-tiered bureaucracy. Eligibility, benefit levels, and regulations are determined by Congress. Thus, despite differences in conditions and living standards among the states and the fact that state and local agencies must handle the day-to-day operation of the program, one set of rules applies nationwide. Additionally, the excess of federal regulations and paperwork requirements increases costs and decreases efficiency. The USDA reports that it costs the federal government an average of $14 to provide one household's monthly benefit check.

The block grant approach would give the states the needed flexibility that the Food Stamp program sorely lacks. Each state would be permitted to design its own nutritional assistance program and to determine eligibility, benefit levels, and the necessary regulations. State and local officials, because of their proximity to the people they serve, are more aware of the needs and the will of their citizens. Greater public participation in the decision-making process will result, because citizens have more direct control over state and local affairs than they have over national affairs. Additionally, removing the federal government from all but the most essential regulatory oversight would substantially reduce red tape and administrative costs, resulting in higher efficiency and the availability of more funds to those in genuine need of assistance.

State responsibility for providing nutritional assistance will also encourage greater innovation. The Food Stamp program has no major competitors; thus, despite numerous changes in the structure of the program, fundamental change has been lacking. While giving the states the opportunity to devise programs that best meet the needs of their citizens, a block grant would create a more positive environment for experimentation. Successful state innovations could then be adapted by other states and tailored to their own situations.

Another advantage of a block grant would be the increased financial responsibility imposed on the states. In 1981, the average state error rate was 10.6 percent, translating into over $1 billion wasted. States have had little incentive to reduce waste, fraud, and abuse since the federal government pays 100 percent of the benefit cost and about 50 percent of state and local administrative costs. While the states have technically been held liable for excessive errors, the Secretary of Agriculture has waived every liability incurred thus far. Turning complete responsibility of administering nutrition programs to the states would encourage states to scrutinize their programs much more closely. Again, more efficient administration would be encouraged.

One of the criticisms of the block grant approach to nutrition aid is that the states and localities will not be willing or able to provide the required services. This argument is largely outdated. States have undergone major structural changes in the past twenty years, and the powers of local jurisdictions have increased. The states already administer a number of federal social programs such as Medicaid, welfare, housing assistance, nutrition for children and the elderly, and most significantly, operation of the Food Stamp program.

The Reagan Administration insists that the states and localities can better manage social welfare programs. A reaffirmation of that commitment is of fundamental importance for food and stamp reform in 1983.

TIME TO CRACK DOWN ON FOOD-STAMP FRAUD

(By Randy Fitzgerald)

In Kentucky undercover policemen discover that federal food stamps are being traded for automobiles, drugs and automatic weapons. Among 30 suspects arrested is a 62-year-old man convicted of selling the sexual services of a 14-year-old boy for $6,000 in food stamps and $1,000 in cash.

In Chicago a 34-year-old woman is convicted of defrauding food-stamp and related welfare programs of $92,000 over eight years. A Justice Department official estimates food-stamp fraud in the Chicago area totals $36 million annually.

In New York City five members of a family are sentenced to prison for participation in a conspiracy involving the theft of between $4 million and $5 million in food stamps, and laundering them through meat markets.

The food-stamp program has been one of the fastest-growing of all federal programs—escalating from a $30.5-million budget and 367,000 recipients in 1964 to $11.3 billion and 22.5 million recipients today. It is also one of the most fraud-ridden and poorly run programs. Federal investigators calculate that up to $1.6 billion a year is wasted as a result of recipient fraud, administrative error, and organized theft and counterfeiting. In many parts of the country, food stamps have literally become a second currency, used to support a thriving black market in stolen and illicit goods. Says Sen. William L. Armstrong (R., Colo.). "Theft, abuse and error in the program are not just a rip-off of taxpayers; they are a crime against the poor."

What happened? How did an altruistic program, intended to supplement the diet of needy families, become such a morass of problems?

Under the Food Stamp Act, the U.S. Department of Agriculture sets uniform national standards for eligibility in the program and distributes the money in the form of food stamps to the states. It is left to the states to set up certification and delivey systems to ensure that qualified persons receive the assistance.

Tragically, many administrators of state agencies and of local welfare departments neglected to police the program. In 1981 more than $1 billion of federal food-stamp money was misspent as a result of poor state and local administration.

New York City, for example, found itself issuing as many as 27,000 replacement cards for stamp allotments a month to people claiming not to have received their original ones. With neither the resources nor perhaps the inclination to verify these claims, total costs to the city from replacement cards alone reached $15 million a year.

Once word got out that the food-stamp program was easy pickings, fraud losses rose dramatically. Ways in which the system is being defrauded:

Some recipients understate their income and overstate family size to increase their allotments of stamps. Much of this fraud goes undetected because most welfare offices lack facilities to verify claims. Cheats

have also concocted phony names, worn disguises, invented entire families, and collected benefits for years from more than one welfare office or county or state. Between April and September 1981, a Minneapolis man was on the foodstamp rolls of 13 counties in Iowa, Minnesota, North and South Dakotas and Wisconsin.

In Iowa, where recipients receive their food stamps through the mail, investigators discovered that from June 1979 to June 1981, thefts of the stamps from within the mail-distribution system soared 282 percent. In Cook County, Illinois, 26 welfare caseworkers were convicted for creating and servicing fictitious households. With wider acceptance of food stamps as a second currency, counterfeiting has become more common. In Chicago in late 1980, investigators charged two men with counterfeiting $1.1 million in coupons.

Even in 1980, when Congress enacted 14 anti-fraud provisions, slow-moving bureaucrats in the Food and Nutrition Service failed to respond. Nearly two years passed before FNS regulations implemented all the anti-fraud measures.

In September 1981, with the food-stamp program beset by problems, the Justice Department created a Food Stamp Fraud Task Force to undertake a nationwide crackdown. Meanwhile, in the areas of the country where computers matched lists of stamp recipients with tax and unemployment rolls, prosecutors began obtaining even more fraud indictments and convictions. There were 83 convictions as a result of computer matching in Memphis, Tenn. In Los Angeles a substantial portion of 1600 possible fraud cases referred for investigation every month are identified by computer matches. Concedes Jeffrey Rush, Jr., Midwest regional inspector general for the Department of Agriculture, "The court system can't accommodate the hundreds of cases we have under review. But indictment puts cheats on notice that we are serious about going after fraud."

A more pragmatic reason for the change in attitude among state and local officials: on January 12, 1982, Agriculture officials informed the 13 states with the highest error rates that unless they sharply reduce the mistakes, heavy fines will be levied against them.

The following changes mandated by Congress should have an equally profound effect:

Since November 1, 1982, recipients in 16 project areas with the largest numbers of participants—including Los Angeles, New York and Chicago—have been required to present plastic laminated cards bearing their photographs in order to acquire food stamps. This should drastically reduce theft and trafficking in stolen stamps.

As of January 1, 1983, all states must check wage information from tax or unemployment offices against the food-stamp rolls. This should help weed out ineligibles by revealing under-reported and unreported income.

By October 1, 1983, states must require that food-stamp households report monthly on changes in family size and income. This should enable caseworkers to monitor changes in eligibility.

Experiments are also under way to bring the entire food-stamp system into the computer age. Pilot projects in New York City and Detroit are experimenting with a magnetically encoded photo identification card that can be checked through a central computer to ensure that the holder receives the proper quota of stamps. The Detroit system already is saving Michigan an estimated $863,000 a year.

While all of these changes show signs of reducing fraud, waste and confusion, Congress should make even more far-reaching reforms. They include:

BLOCK GRANTS

On July 1, Puerto Rico became the first U.S. territory to receive a block grant to replace its participation in the food-stamp program. Congress had voted to eliminate Puerto Rico from the program in an attempt to cut costs; nearly 60 percent of the population, 1.8 million people, were receiving stamps at an annual cost of $900 million. It is hoped that the block grant of $825 million will force Puerto Rican officials to be more cost-effective.

"If the Puerto Rico experiment proves advantageous," predicts Samuel Cornelius, the Reagan Administration's appointee as administrator of the Food and Nutrition Service, "I suspect that we will move as soon as possible toward the states' receiving block grants for food stamps, depending upon the states' acceptance."

CASHING OUT

Sending recipients a check instead of stamps would remove food stamps from the black market as a second currency and virtually stop counterfeiting. Other savings would come from eliminating the $41.5-milion-a-year cost for printing, distributing and ultimately destroying stamps.

Critics contend that recipients would spend the cash on everything but food. Yet Vermont, which gives cash to low-income persons to buy heating fuel, found that fewer than one percent use the money for other purposes.

Until a system making all paper transactions obsolete can be implemented nationally, cashing out food-stamp benefits, along with block grants, is the most sensible approach if we are to combat fraud and achieve long-term savings. We can accept no less from a program whose abuses for too long have fattened the greedy, deprived the needy and robbed the taxpayer.

Mr. HELMS. Mr. President, I also ask unanimous consent that the text of the bill be printed at the conclusion of my remarks.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 1279

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Food Stamp Optional Block Grant Act of 1983".

SEC. 2. (a) The Food Stamp Act of 1977 (7 U.S.C. 2011 et seq.) is amended by adding at the end thereof the following new section:

"STATE BLOCK GRANT OPTION

"SEC. 21. (a) As used in this section, unless the context otherwise requires, the term—

"(1) 'Attorney General' means the Attorney General of the United States.

"(2) 'Block grant State' means a State which is operating a low-income nutritional assistance program in accordance with this section.

"(3) 'Comptroller General' means the Comptroller General of the United States.

"(4) 'State' means the fifty States, the District of Columbia, Guam, and the Virgin Islands of the United States.

"(b)(1) A State may elect—

"(A) to operate a low-income nutritional assistance block grant program to finance expenditures for food assistance for needy persons within the State in accordance with this section, or

"(B) to have the Secretary operate the food stamp program within the State in accordance with sections 2 through 18 and section 20.

"(2) If a State elects to operate a low-income nutritional assistance block grant program pursuant to paragraph (1)(A), the State shall give notice to the Secretary of such election at least thirty days before the beginning of the first fiscal year it elects to operate the program.

"(3) The Secretary shall make grants to block grant States in accordance with this section.

"(4) The Secretary shall retain each fiscal year, out of funds appropriated pursuant to the authorization contained in section 18(a)(1) for such fiscal year (other than the amount apportioned pursuant to section 19(a)), an amount which bears the same ratio to the total amount appropriated pursuant to such authorization as the amounts received by and benefits distributed in block grant States for the period beginning April 1, 1982, and ending March 31, 1983, under this Act and section 8 of the Act of December 31, 1973 (Public Law 93-233; 42 U.S.C. 1382e note), bears to the total amount received by all States for such period under this Act and such section.

"(c)(1)(A) The Secretary shall allot to each block grant State in each fiscal year, out of funds retained under subsection (b)(4) for such fiscal year, an amount which bears the same ratio to the total amount of funds retained under such subsection as the amount received by and benefits distributed in such block grant State for the period beginning April 1, 1982, and ending March 31, 1983, under this Act and section 8 of the Act of December 31, 1973 (Public Law 93-233; 42 U.S.C. 1382e note), bears to the total amount received by all such block grant States for such period under this Act and such section.

"(B) Notwithstanding subparagraph (A), no block grant State may receive for any fiscal year an amount less than one-quarter of 1 per centum of the amount appropriated pursuant to the authorization contained in section 18(a)(1) for such fiscal year which remains after the apportionment required by section 19(a). If one or more block grant States receive minimum allotments by virtue of this subparagraph, the total amount of funds available to other States shall be reduced by the total amount of allotments received by virtue of this subparagraph.

"(2)(A) If, with respect to any block grant State, the Secretary—

"(i) receives a request from the governing body of an Indian tribe or tribal organization with the block grant State that assistance under this section be made directly to the tribe or organization; and

"(ii) determines that the members of the tribe or tribal organization would be better served if grants to provide benefits under this section were made directly to such tribe or organization,

the Secretary shall reserve, from amounts which would otherwise be allotted to the block grant State under this section for the fiscal year, the amount determined under subparagraph (B).

"(B) The Secretary shall reserve for the purpose of subparagraph (A) from sums

that would otherwise be allotted to the block grant State an amount which bears the same ratio to the block grant State's allotment for the fiscal year involved as the population of all eligible Indians for whom a determination has been made under this paragraph bears to the population of all individuals eligible for assistance under this section in the block grant State.

"(C) The sums reserved by the Secretary under this paragraph shall be granted to Indian tribes and tribal organizations on the basis of the relative number of individuals contained in the Indian tribes and tribal organizations for whom a determination has been made under this paragraph.

"(D) To be eligible for a grant under this paragraph in any fiscal year, an Indian tribe or tribal organization must submit to the Secretary a plan for the fiscal year which meets such criteria as the Secretary may prescribe by regulation.

"(d)(1) To be eligible for a grant under this section in any fiscal year, a block grant State must submit an application to the Secretary for the fiscal year. Each application shall be submitted at such time and in such form as the Secretary shall require.

"(2) No funds may be allotted to a block grant State for any fiscal year after the fiscal year in which such block grant State received funds under this section unless the legislature of the block grant State conducts public hearings, not less often than biennially, on the proposed use and distribution of funds to be provided under this section.

"(3) As part of the application required by paragraph (1), the chief executive officer of each block grant State shall certify in writing that the block grant State will—

"(A) assess on a regular basis the food and nutrition needs of needy persons residing in the block grant State;

"(B) use the funds made available to it under this section to raise the level of nutrition among low-income households residing in that block grant State;

"(C) designate a single agency which shall be responsible for the administration, or supervision of the administration, of the program for which funds made available under this section are used;

"(D) provide that fiscal control and fund accounting procedures will be established to ensure the proper disbursal of and accounting for Federal funds paid to the block grant State under this section, including procedures for monitoring the program carried out by the block grant State with the assistance provided under this section;

"(E) provide for an audit (pursuant to paragraph (8)), not less often than biennially, of the block grant State's expenditures of amounts received under this section;

"(F) describe how the block grant State program will operate to carry out this paragraph, including a description of the assistance to be provided under the program, the recipients who will be eligible under the program, and the administering agency; and

"(G) comply with all the requirements of this paragraph and the public hearing requirement of paragraph (2).

"(4) The Secretary may not prescribe the manner in which the block grant States comply with paragraph (3). Each block grant State may prescribe, and the Secretary may not limit, standards of or requirements for eligibility for benefits under this section. Such standards or requirements may include a requirement for work or household contributions, or both, as a condition of eligibility for benefits under this section.

"(5) A grant made under this section may not be used by the block grant State, or by any person with whom the block grant State makes arrangements to carry out this section, for the purchase or improvement of land, or the purchase, construction, or permanent improvement of a building or other facility.

"(6)(A) The chief executive officer of each block grant State shall prepare and furnish to the Secretary a plan which describes how the block grant State will implement the assurances specified in paragraph (3). The chief executive officer of each block grant State may revise a plan prepared under this subparagraph and shall furnish a copy of the revised plan to the Secretary before its implementation.

"(B) A plan, including any revision of a plan, prepared under subparagraph (A) shall be made available for public inspection within the block grant State in a manner that will facilitate the review of, and comment on, the plan.

"(C) An Indian tribe or tribal organization which receives a grant under subsection (c)(2) shall not be a part of the plan submitted under this paragraph.

"(7) The Secretary may, upon a block grant State's request, provide technical assistance with respect to programs for the provision of assistance under this section, including technical assistance for the purpose of determining the feasibility of specific block grant plans udner consideration by the block grant State.

"(8) Each block grant State shall provide for an annual audit of the funds provided to such block grant State under this section and shall have such audit conducted by an entity independent of the agency administering activities or services under this section. The audit shall be conducted in accordance with generally accepted accounting principles. Within thirty days after the completion of the audit, the chief executive officer of the block grant State shall submit a copy of the audit to the legislature of the block grant State and the Secretary.

"(9) The Comptroller General shall from time to time evaluate expenditures by block grant States of grants made under this section in order to ensure that expenditures are consistent with this section and to determine the effectiveness of the block grant State in accomplishing the purposes of this section.

"(e)(1) No person may on the ground of race, color, national origin, or sex be excluded from participation in, be denied the benefits of, or be subjected to discrimination under, a program or activity funded with funds made available under this section. Any prohibition against discrimination on the basis of age under the Age Discrimination Act of 1975 (42 U.S.C. 6101 et seq.) or with respect to an otherwise qualified handicapped individual as provided in section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794) shall also apply to such a program or activity.

"(2) Whenever the Secretary determines that there has been a failure to comply with paragraph (1) or any applicable regulation pertaining to paragraph (1), the Secretary shall notify the chief executive officer of the block grant State and request the chief executive officer to secure compliance. If within a reasonable period of time, not to exceed sixty days, the chief executive officer fails or refuses to secure compliance, the secretary may—

"(A) refer the matter to the Attorney General with a recommendation that an appropriate civil action be instituted;

"(B) exercise the powers and functions provided under title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d et seq.), the Age Discrimination Act of 1975 (42 U.S.C. 6101 et seq.), or section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794), as may be applicable; or

"(C) take such other action as may be provided by law.

"(3) When a matter is referred to the Attorney General pursuant to paragraph (2)(A), or whenever the Attorney General has reason to believe there has occurred a pattern or practice in violation of this subsection, the Attorney General may bring a civil action in an appropriate United States district court for such relief as may be appropriate, including injunctive relief.

"(f)(1) The Secretary shall pay each block grant State the total allotment of funds for a fiscal year to which the block grant State is entitled under subsection (c) immediately after the Secretary has determined the amount of such allotment.

"(2) Payments made to block grant State under this section for any fiscal year may be expended by the block grant State only in such fiscal year or in the succeeding fiscal year.

"(3) Any funds paid to a block grant State under subsection (c) which are not expended by the block grant State in the fiscal year for which they are paid or in the succeeding fiscal year may be expended by the block grant State on other social services provided pursuant to Federal law. The block grant State shall inform the Secretary of all such funds expended on other social services. If the block grant State elects not to expend all or part of the funds on other social services, the unexpended funds shall be returned to the Secretary and added to the amount made available for allotment to all the block grant States under subsection (b)(4) for the following fiscal year.

"(g)(1)(A)(i) A block grant State shall repay to the United States any amounts not expended other than in accordance with this section.

"(ii) The Secretary shall (in the absence of repayment by the block grant State under clause (i)) offset the amounts against any other amount to which the block grant State is or may become entitled under this section.

"(B)(i) The Secretary shall respond in an expeditious and speedy manner to complaints of a substantial or serious nature that a block grant State has failed to use funds in accordance with this section or an assurance made under subsection (d)(3).

"(ii) The Secretary, after adequate notice and an opportunity for a hearing conducted within the affected block grant State, shall withhold funds from a block grant State which fails to utilize its allotment substantially in accordance with this section or fails to meet an assurance made on behalf of the block grant State under subsection (d)(3).

"(C) Any funds repaid, offset, or withheld under this paragraph in any fiscal year shall be added to the amount made available for allotment to all the block grant States under subsection (b)(4) for the following fiscal year.

"(2) The Comptroller General may conduct investigations of the use of funds received under this section by a block grant State in order to ensure compliance with this section.

"(3)(A) In connection with an investigation conducted under this subsection, a block grant State shall make appropriate books, documents, papers, and records avail-

able to the Secretary and the Comptroller General, upon a reasonable request, for examination, copying, or mechanical reproduction on or off the premises of the entity concerned.

"(B) The Secretary and the Comptroller General may not request information not readily available to a block grant State or require that information be compiled, collected, or transmitted in a form not already available.

"(h) Whoever knowingly and willfully embezzles, misapplies, steals, or obtains by fraud, false statement, or forgery, any funds, assets, or property provided or financed under this section shall be fined not more than $10,000 or imprisoned for not more than five years, or both. If the value of the funds, assets, or property involved is not over $200, the penalty shall be a fine of not more than $1,000 or imprisonment for not more than one year, or both.

"(i)(1) The Secretary, in consultation with the Comptroller General, shall evaluate possible alternate formulas for the allotment of funds to block grant States under subsection (c). The formulas shall provide for the equitable distribution of the funds to block grant States and take into account the population, number of low-income households, financial resources, levels of unemployment, and such other factors within the block grant States which the Secretary deems appropriate.

"(2) The Secretary shall report to the Congress on the evaluation conducted pursuant to paragraph (1) no later than one year after the date of enactment of the Food Stamp Optional Block Grant Act of 1983.".

(b) Section 3 of the Food Stamp Act of 1977 (7 U.S.C. 2012) is amended by striking out "As" in the matter preceding subsection (a) and inserting in lieu thereof "Except as provided in section 21(a), as".

(c) The amendments made by this section shall be effective on October 1, 1983.

By Mr. DODD (for himself and Mr. WEICKER):

S.J. Res. 99. Joint resolution designating May 1983 as "Purple Heart Month," and honoring the three original recipients of the Purple Heart; to the Committee on the Judiciary.

PURPLE HEART MONTH

● Mr. DODD. Mr. President, I am today introducing a joint resolution which would designate May 1983 as Purple Heart Month. My colleague, Mr. WEICKER, joins me in this effort. In the House of Representatives, an identical measure has been introduced by Congresswoman BARBARA KENNELLY and cosponsored by all the other members of the Connecticut delegation.

There is a very good reason why those of us who represent the State of Connecticut have a special interest in this subject. In America's early military history, the Purple Heart was awarded for conspicuous bravery. George Washington established it on August 7, 1782, and it was soon thereafter awarded to three Connecticut men, all of them sergeants, fighting in the war for American independence.

Sgt. Elijah Churchill of Enfield, Sgt. William Brown of Stamford, and Sgt. Daniel Bissell of East Windsor thus became the first of more than 1 million Americans to earn this honor.

Today, of course, the Purple Heart is awarded to members of the Armed Forces or civilians serving with them who are wounded while defending the interests of our Nation. It thus symbolizes the personal sacrifice which Americans have always made when their country has needed them.

This is a truly significant part of our heritage and it is only fitting that we should reflect upon its meaning by observing Purple Heart Month and honoring the tradition which began some two centuries ago in the heroic actions of three soldiers from Connecticut.●

● Mr. WEICKER. Mr. President, today I join my colleague from Connecticut (Mr. DODD) in introducing a joint resolution that would set aside this month, May 1983, as Purple Heart Month. Last week, Congresswoman KENNELLY introduced an identical resolution on behalf of the entire Connecticut delegation.

Connecticut is proud to have been home to the three original recipients of the Purple Heart, which was at that time called the "Badge of Military Merit." Sgts. Elijah Churchill of Enfield, William Brown of Stamford, and Daniel Bissell of East Windsor all served during the American Revolutionary War. They were awarded this honor for their conspicuous bravery.

The first Purple Heart was presented to Sergeant Churchill on May 3, 1783. Two hundred years later, the medal still stands as a symbol of both stouthearted bravery and selfless commitment by individuals to their country. Today the Purple Heart is awarded to civilians as well as military who are wounded by the action of an opposing force. More than 1 million Americans have received it since World War I—and many of these died without seeing the medal their actions earned them.

I think important for the whole Nation to pause and remember these Purple Heart recipients, the living and the dead, and their valor on behalf of the Nation.●

ADDITIONAL COSPONSORS

S. 17

At the request of Mr. DOLE, the names of the Senator from Arkansas (Mr. BUMPERS), and the Senator from South Carolina (Mr. HOLLINGS) were added as cosponsors of S. 17, a bill to expand and improve the domestic commodity distribution program.

S. 29

At the request of Mr. GRASSLEY, the name of the Senator from North Carolina (Mr. EAST), was added as a cosponsor of S. 29, a bill to strengthen law enforcement in the areas of child exploitation and pornography, and for other purposes.

S. 45

At the request of Mr. SYMMS, the names of the Senator from North Carolina (Mr. HELMS), was added as a cosponsor of S. 45, a bill to amend title 18, chapter 44, United States Code, to provide clarification of limitations on controls of the interstate movement of firearms, and to prohibit the use of Federal funds to political subdivisions which implement certain gun control ordinances.

S. 108

At the request of Mr. GRASSLEY, the name of the Senator from South Carolina (Mr. THURMOND) was added as a cosponsor of S. 108, a bill to amend the Internal Revenue Code of 1954 to encourage contributions of equipment to postsecondary vocational education programs and to allow a credit to employers for vocational education courses taught by an employee without compensation and for temporary employment of full-time vocational educational instructors.

S. 212

At the request of Mr. PRESSLER, the name of the Senator from Washington (Mr. JACKSON) was added as a cosponor of S. 212, a bill to authorize funds for the U.S. Travel and Tourism Administration.

S. 416

At the request of Mr. HATFIELD, the name of the Senator from Oregon (Mr. PACKWOOD) was added as a cosponsor of S. 416, a bill to amend the Wild and Scenic Rivers Act by designating a segment of the Illinois River in Oregon and the Owyhee River in Oregon as components of the National Wild and Scenic River System.

S. 427

At the request of Mr. BAUCUS, the name of the Senator from Kentucky (Mr. HUDDLESTON) was added as a cosponsor of S. 427, a bill to amend the Internal Revenue Code of 1954 to remove certain limitations on charitable contributions of certain literary, musical, or artistic compositions.

S. 462

At the request of Mr. GRASSLEY, the name of the Senator from Virginia (Mr. WARNER) was added as a cosponsor of S. 462, a bill to amend section 1951 of title 18 of the United States Code, and for other purposes.

S. 476

At the request of Mr. LEVIN, the names of the Senator from Ohio (Mr. GLENN), the Senator from Georgia (Mr. NUNN), the Senator from Wisconsin (Mr. KASTEN), and the Senator from New York (Mr. MOYNIHAN) were added as cosponsors of S. 476, a bill to amend title II of the Social Security Act to require a finding of medical improvement when disability benefits are terminated, to provide for a review and right to personal appearance prior to termination of disability benefits, to

provide for uniform standards in determining disability, to provide continued payment of disability benefits during the appeals process, and for other purposes.

S. 578

At the request of Mr. SIMPSON, the names of the Senator from Minnesota (Mr. BOSCHWITZ), the Senator from Pennsylvania (Mr. HEINZ), the Senator from California (Mr. CRANSTON), the Senator from West Virginia (Mr. RANDOLPH), the Senator from Hawaii (Mr. MATSUNAGA), the Senator from Arizona (Mr. DECONCINI), the Senator from Maine (Mr. MITCHELL), the Senator from Maryland (Mr. SARBANES), the Senator from Pennsylvania (Mr. SPECTER), and the Senator from Hawaii (Mr. INOUYE) were added as cosponsors of S. 578, a bill to amend title 38, United States Code, to provide for adult day health care services for veterans, to authorize the Veterans' Administration to administer a community residential care program, to establish a presumption of service-connection for former prisoners of war suffering from dysthymic disorder and to revise and clarify eligibility for reimbursement of expenses of travel for Veterans' Administration health care.

S. 591

At the request of Mr. INOUYE, the names of the Senator from Rhode Island (Mr. PELL), the Senator from North Carolina (Mr. HELMS), and the Senator from New Hampshire (Mr. HUMPHREY) were added as cosponsors of S. 591, a bill to amend the Internal Revenue Code of 1954 to provide a mechanism for taxpayers to designate $1 of any overpayment of income tax, and to contribute other amounts, for use by the U.S. Olympic Committee.

S. 815

At the request of Mr. HATFIELD, the names of the Senator from Oklahoma (Mr. BOREN), the Senator from Delaware (Mr. ROTH), the Senator from Iowa (Mr. JEPSEN), and the Senator from Wisconsin (Mr. KASTEN) were added as cosponsors of S. 815, a bill to provide that it shall be unlawful to discriminate against any meetings of students in public secondary schools and to provide the district courts with jurisdiction.

S. 870

At the request of Mr. ARMSTRONG, the name of the Senator from Wyoming (Mr. WALLOP) was added as a cosponsor of S. 870, a bill entitled "The Federal Contractor Employees Flexitime Bill."

S. 880

At the request of Mr. PRESSLER, the name of the Senator from Idaho (Mr. MCCLURE) was added as a cosponsor of S. 880, a bill to amend the Communications Act of 1934 to provide equity to daytime radio broadcasters.

S. 980

At the request of Mr. WALLOP, the name of the Senator from North Carolina (Mr. HELMS) was added as a cosponsor of S. 980, a bill to amend the Federal Mine Safety and Health Amendments Act of 1977 to provide that the provisions of such act shall not apply to the surface mining of stone, clay, and sand work.

S. 986

At the request of Mr. PRESSLER, the name of the Senator from Florida (Mrs. HAWKINS) was added as a cosponsor of S. 986, a bill to repeal employer reporting requirements with respect to tips.

S. 995

At the request of Mr. EXON, the names of the Senator from Nebraska (Mr. ZORINSKY), and the Senator from Virginia (Mr. WARNER) were added as cosponsors of S. 995, a bill to amend title 38, United States Code, to modify the rule for the commencement of the period of payment of certain adjustments in compensation in the case of hospitalized veterans.

S. 1000

At the request of Mr. TRIBLE, the names of the Senator from New York (Mr. D'AMATO), and the Senator from Ohio (Mr. METZENBAUM) were added as cosponsors of S. 1000, a bill to promote increased ocean transportation of bulk commodities in the foreign commerce of the United States in U.S.-flag ships, to strengthen the defense industrial base, and for other purposes.

S. 1033

At the request of Mr. SIMPSON, the names of the Senator from Pennsylvania (Mr. SPECTER), the Senator from Minnesota (Mr. BOSCHWITZ), the Senator from California (Mr. CRANSTON), the Senator from West Virginia (Mr. RANDOLPH), the Senator from Hawaii (Mr. MATSUNAGA), the Senator from Arizona (Mr. DECONCINI), and the Senator from Vermont (Mr. STAFFORD) were added as cosponsors of S. 1033, a bill to amend title 38, United States Code, to establish an emergency job training program for wartime veterans.

S. 1080

At the request of Mr. GRASSLEY, the names of the Senator from South Carolina (Mr. THURMOND), the Senator from Nevada (Mr. LAXALT), the Senator from Texas (Mr. TOWER), and the Senator from Idaho (Mr. MCCLURE) were added as cosponsors of S. 1080, a bill to amend the Administrative Procedure Act to require Federal agencies to analyze the effects of rules to improve their effectiveness and to decrease their compliance costs, to provide for a periodic review of regulations, and for other purposes.

S. 1090

At the request of Mr. WALLOP, the names of the Senator from Illinois (Mr. DIXON), and the Senator from California (Mr. WILSON) were added as cosponsors of S. 1090, a bill to establish a National Outdoor Recreation Resources Review Commission to study and recommend appropriate policies and activities for Government agencies at the Federal, State, and local levels and for the private sector, to assure the continued availability of quality outdoor recreation experiences in America to the year 2000, and for other purposes.

S. 1094

At the request of Mr. DODD, the names of the Senator from Montana (Mr. MELCHER), and the Senator from North Dakota (Mr. BURDICK) were added as cosponsors of S. 1094, a bill to amend the Vocational Education Act of 1963 to make grants to the States for high-technology vocational education programs.

S. 1145

At the request of Mr. DENTON, the names of the Senator from Minnesota (Mr. BOSCHWITZ), the Senator from Minnesota (Mr. DURENBERGER), and the Senator from North Carolina (Mr. HELMS) were added as cosponsors of S. 1145, a bill to recognize the organization known as the Catholic War Veterans of the United States of America, Incorporated.

SENATE JOINT RESOLUTION 19

At the request of Mr. INOUYE, the name of the Senator from Arizona (Mr. DECONCINI) was added as a cosponsor of Senate Joint Resolution 19, a joint resolution to authorize and request the President to designate the period August 26, 1983, through August 30, 1983, as "National Psychology Days."

SENATE JOINT RESOLUTION 74

At the request of Mr. GARN, the name of the Senator from North Carolina (Mr. HELMS) was added as a cosponsor of Senate Joint Resolution 74, a joint resolution to express the sense of the Congress that the United States should promote the goal of strategic stability and reduce the risk of nuclear war through a balanced program of force modernization together with negotiations to achieve substantial, verifiable and militarily significant reductions to equal levels in the nuclear arsenals of both superpowers.

SENATE JOINT RESOLUTION 94

At the request of Mr. MATTINGLY, the name of the Senator from Ohio (Mr. METZENBAUM) was added as a cosponsor of Senate Joint Resolution 94, a joint resolution to authorize and request the President to designate May 8, 1983 to June 19, 1983, as "Family Reunion Month."

SENATE JOINT RESOLUTION 97

At the request of Mr. BOSCHWITZ, the names of the Senator from Kansas (Mr. DOLE), the Senator from South Dakota (Mr. ABDNOR), the Senator from Alaska (Mr. MURKOWSKI), the

Senator from New Mexico (Mr. DOMENICI), and the Senator from Oklahoma (Mr. NICKLES) were added as cosponsors of Senate Joint Resolution 97, a joint resolution to authorize the erection of a memorial on public grounds in the District of Columbia, or its environs, in honor and commemoration of members of the Armed Forces of the United States and the allied forces who served in the Korean war.

SENATE CONCURRENT RESOLUTION 30

At the request of Mr. BAUCUS, the name of the Senator from Maryland (Mr. SARBANES) was added s a cosponsor of Senate Concurrent Resolution 30, a concurrent resolution to reject the medicare cuts contained in the President's fiscal year 1984 budget.

SENATE RESOLUTION 119

At the request of Mr. D'AMATO, the name of the Senator from Indiana (Mr. QUAYLE) was added as a cosponsor of Senate Resolution 119, a resolution expressing the sense of the Senate that the United States should proceed with the sale and delivery of F-16 aircraft to Israel.

SENATE CONCURRENT RESOLUTION 34—SUPPORTING A CALL FOR JOBS WITH PEACE

Mr. CRANSTON submitted the following concurrent resolution, which was referred to the Committee on Appropriations:

S. CON. RES. 34

Resolved by the Senate (the House of Representatives concurring),

Whereas in November 1982 over fifty cities and towns in the United States voted for cuts in military spending and greater funding of human services and civilian jobs programs, and the average "yes" vote was an extraordinarily high 66 percent, including Milwaukee, Wisconsin, registering 78 percent "yes"; Lansing, Michigan, 72 percent "yes"; and San Jose, California, a center of military industries, 62.3 percent "yes";

Whereas all Americans, including those subsisting on a fixed income or without an adequate source of income, should have the right to a decent standard of living with adequate nutrition, housing, health care, education, and other essential services;

Whereas the Nation's cities, counties, and communities are in desperate need of Federal action that generates jobs and services for their residents, and spending on weaponry is essentially nonproductive and generates fewer jobs per dollar than other Federal spending;

Whereas President Reagan has proposed military spending from fiscal year 1983 through fiscal year 1988 that would total some $2 trillion;

Whereas these proposed increases in military spending would require still deeper cuts in domestic programs in future years, fuel inflation, and further undermine our economy; and

Whereas the Reagan Administration is relentlessly increasing production of nuclear and conventional weapons far beyond the security needs of our Nation: Now, therefore, be it

Resolved, That it is the sense of the Congress that greater Federal funding should be made available for jobs and programs designed to meet the human needs of all segments of our population in an equitable fashion in the areas of education, job training and retraining, housing, health care, transportation, public health and safety, and other human services, including vocational rehabilitation, day care, nutrition and feeding programs, and child and spouse abuse prevention, by significantly reducing the amount of our tax dollars spent on weapons; and that these spending priorities will promote a healthier economy, greater national security, and more jobs with peace; and be it further

Resolved, That the Congress, in support of this call for jobs with peace, endorses the National Jobs With Peace Week of Sunday, April 15, to Saturday, April 21, 1984, and will publicize this week and explore other ways to assist in this effort, and urges the President to issue a proclamation calling upon the people of the United States, Federal, State, and local government officials, and other interested groups and organizations to set aside this week for appropriate observances, ceremonies, and other forms of recognition.

Mr. CRANSTON. Mr. President, I am today submitting Senate Concurrent Resolution 34, a concurrent resolution expressing the sense of the Congress in support of a call for jobs with peace. I believe that the text of the concurrent resolution speaks quite clearly for itself.

SENATE RESOLUTION 140—RELATING THE FIFTIETH ANNIVERSARY OF THE TENNESSEE VALLEY AUTHORITY

Mr. BAKER (for himself, Mr. RANDOLPH, Mr. HELMS, Mr. HOLLINGS, Mr. STENNIS, Mr. FORD, Mr. SASSER, Mr. HEFLIN, Mr. BURDICK, Mr. STAFFORD, Mr. HATFIELD, and Mr. HUDDLESTON) submitted the following resolution; which was referred to the Committee on Environment and Public Works:

S. RES. 140

Whereas May 18, 1983, marks the 50th anniversary of the signing, by President Franklin Delano Roosevelt, of the Act of Congress creating the Tennessee Valley Authority;

Whereas TVA soundly has demonstrated the wisdom of Congress and the President in creating a unique corporation "clothed with the power of government but possessed of the flexibility and initiative of a private enterprise;"

Whereas TVA's varied efforts are primarily carried out in a seven-state region, they also include many features that contribute to the national interest;

Whereas TVA for a half-century has helped achieve the integrated conservation and development of the Tennessee Valley's natural resources, successfully demonstrating this concept for the Nation and the world;

Whereas TVA has perfected flood control and hydropower development on the once raging Tennessee River and its tributaries, whose watershed receives an average annual rainfall of 52 inches, annually producing an average of 16 billion kilowatt hours of pollution-free, low cost electric power and annually preventing an average of $140 million in estimated flood damages on the Tennessee, Ohio, and Mississippi Rivers;

Whereas TVA has developed the transportation potential of the Tennessee River through 10 dams with navigation locks, providing direct employment of more than 45,000 persons in waterfront industries, annual transport of over 30 million tons of barge traffic and $100 million in annual transportation savings;

Whereas TVA economically and dependably, through 110 municipal electric utilities and 50 rural electric cooperatives, provides more than 100 billion kilowatt hours of electric power each year for 7 million people in 7 States, at rates 27 percent below the national average;

Whereas the TVA Power System is self-financed, at no cost to the Nation's taxpayers, and TVA has created an $18 billion Power asset owned by the taxpayers;

Whereas TVA has made repayments to the United States Treasury of $1.9 billion, $.5 billion more than the original Federal power-system investment;

Whereas TVA has led the Nation in energy conservation, surveying more than 700,000 homes and providing more than 310,000 interest-free loans for home weatherization;

Whereas TVA, one of the largest coal and nuclear power suppliers in the country, is strongly committed to clean air and nuclear safety and to research and demonstration of new methods to attain cleaner air and nuclear safety;

Whereas TVA equally is committed to demonstrating effective use of solar, biomass and other renewable energy sources;

Whereas TVA diligently has improved fertilizer technology for the Nation and the world, originating and transferring to use three-fourths of the Nation's present fertilizer technology through 661 licensed TVA innovations utilized by 389 fertilizer companies in 39 States:

Whereas TVA has improved farming productivity throughout the region, especially for the small farmer, through cooperative demonstrations;

Whereas TVA responsibly has conserved and developed the region's natural resources, reforesting 1.7 million acres of land, restoring fish and wildlife, improving the quality of air and water, and providing recreation for millions of people;

Whereas TVA has established a partnership in recreation on TVA lakes and lands, producing $70 million in annual recreation visit benefits and $630 million in government and business recreation development;

Whereas TVA's partnership with people over five decades has helped increase Valley per capita income from $168 in 1933 to $7,378 in 1980;

Whereas under the specific direction of the TVA Act to employ its personnel without regard to the civil service laws and to establish a system of organization to fix responsibility and promote efficiency, many TVA employees have become leaders in their particular fields and have contributed not only to TVA's efforts, but consistent with TVA's contribution to the national interest, have benefitted both business and governmental interests;

Whereas TVA has strenghened its partnership with its constituent States of Alabama, Georgia, Kentucky, North Carolina, Mississippi, Tennessee and Virginia, and hundreds of local communities, to enhance the region's economic future by increasing

the self-reliance of localities and the job skills of Valley residents; and

Whereas independent auditors confirm TVA's management is working to assure efficiency, accountability and openness in all activities;

Whereas TVA is indeed appropriately described as "Shaping Tomorrow Today;" and

Whereas TVA on May 18th will enter its 51st year of successful stewardship for the region, example for the United States and inspiration for developing nations throughout the world: Now therefore, be it

Resolved, That the United States Senate congratulates the directors, managers and employees—past and present—of the Tennessee Valley Authority on the occasion of its 50th Anniversary.

SEC. 2. The Secretary of the Senate is directed to transmit a copy of this resolution to the Chairman of the Board of Directors of the Tennessee Valley Authority.

Mr. BAKER. Mr. President on May 18 TVA will celebrate the 50th anniversary of signing of the act of Congress which created the Tennessee Valley Authority. To commemorate that occasion, I am submitting a resolution today which gives a thumbnail sketch of TVA's many accomplishments which are a resource for the people of this country.

I have always maintained—and rightly so—that TVA is a national resource—a national demonstration, an experiment which has worked. The benefits from TVA's many and varied activities are shared across this country and are expanding throughout the world. I, for one, want to congratulate the many people who have worked at TVA throughout the years, the present and former Board members, and the people in the Tennessee Valley who have been served by the TVA for the past 50 years.

We in Congress can be proud that some of the experiments which we work so hard to establish actually work—and work well. TVA is one of the success stories. Aptly described as "Shaping Tomorrow Today"—that is TVA.

Mr. RANDOLPH. Mr. President, I am pleased to join with my friend and colleague the able majority leader (Mr. BAKER) in submitting this resolution acknowledging the 50th anniversary of the Tennessee Valley Authority.

I was privileged a half-century ago to be involved in the development of the original TVA legislation. It was one of a wide variety of measures enacted during the troubled days of the Great Depression as a nation struggled to pull itself together and restructure its devastated economy.

One has but to visit the seven-State TVA region to know that success has flowed from what some said was a radical experiment 50 years ago. Although TVA is often seen only as a producer of electricity, its character and its operations are much more varied. TVA is indeed the Nation's largest electric utility but it is also heavily involved in such activities as economic development, recreation, conservation, and the production of fertilizer. It is, in effect, an active regional planning authority in its service area.

Today TVA is a vital force in the life and economy of the region. Its impact is widely felt and it is a responsible and often innovative neighbor. It has grown and matured in the last half century. It has charted new courses in helping to develop the region. It has encouraged scientific innovation. It has proven the validity of the original TVA concept enunciated in 1933.

Mr. President, together with the people of the valley, I look back with pride to 50 years of accomplishments by TVA. I also look forward to the future for I know that this now mature organization will continue to move forward to create a better life and a stronger economy in the Tennessee Valley.

SENATE RESOLUTION 142—LIMITING NUCLEAR WARHEAD ICBM'S

Mr. HUDDLESTON submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 142

Resolved, That the President should call on the leadership of the USSR to enter immediately into a bilateral moratorium on the testing and deployment of "new types" of ICBMs or new variants of "existing types" of ICBMs armed with more than one warhead, as a supplement to existing formal and informal limitations on strategic offensive arms.

No funds shall be expended under this or any other act for the testing or production of the MX for six months or until such time as the President certifies to the Congress that the USSR has tested or is deploying a "new type" of ICBM or a new variant of an "existing type" ICBM with more than one warhead after the date the bilateral moratorium comes into force.

The President is urged to propose to the USSR the following arms limitations: a. the two parties be allowed to test, deploy and produce one "new type of ICBM of a very small size armed with a single warhead; b. all future variants of "existing types" of ICBM be tested with single warheads; and c. a schedule be established for the phased reduction to an agreed ceiling of currently deployed MIRVed ICBMs.

The terms "new" and "existing" types of ICBMs are used herein as defined in Article IV. 9 of the SALT II Treaty. An "existing type" is an ICBM flight-tested as of May 1, 1979; a "new type" is a system tested after that date.

● Mr. HUDDLESTON. Mr. President, earlier today in the Senate Appropriations Committee, I voted "present" on Senate Concurrent Resolution 26, the MX resolution. I did so as a protest to this administration's arms control policy and its handling of the MX itself. If we are to proceed with the MX, then I believe we must have true arms control. I am encouraged by the letter which Senator NUNN received today from the White House, and I intend to study it closely. Personally, however, I hope that the Congress can look at some stronger proposals, either through a resolution or in conjunction with the defense authorization bill.

Consequently, I am submitting a resolution which proposes that the United States refrain from testing and deploying the MX if the Soviet Union will refrain from further testing of the SSX-24 or any other new MIRV'd ICBM. If the Soviet Union fails to refrain or if there is no response within 6 months, then the President could move ahead. The resolution would also urge the President to propose to the Soviet Union that we move toward single warhead missiles and set a phased reduction of currently deployed MIRVed ICBM's. If the Soviets fail to respond to a plan for reductions of existing MIRV's, the Congress could also authorize a go ahead on MX testing and production.●

AMENDMENTS SUBMITTED

IMMIGRATION AND NATIONALITY ACT REVISION

HATFIELD AMENDMENT NO. 1261

(Ordered to lie on the table.)

Mr. HATFIELD submitted an amendment intended to be proposed by him to the bill (S. 529) to revise and reform the Immigration and Nationality Act, and for other purposes; as follows:

On page 108, line 11, strike out "Within" and insert in lieu thereof "Except as provided in paragraph (3), within".

On page 110, between lines 8 and 9, insert the following:

"(3)(A) Before the President implements any change in or addition to the requirements of subsection (b) which would require an individual to present a card or other document (designed specifically for use for this purpose) at the time of hiring, recruitment, or referral, he shall prepare and transmit to the Committee on the Judiciary of the House of Representatives and the Committee on the Judiciary of the Senate a report setting forth his proposal to implement such a change or addition. No such change or addition may be implemented if, within 30 calender days after receiving such report, the Congress adopts a concurrent resolution stating in substance that it objects to the implementation of such change or addition.

"(4)(A) Any such concurrent resolution shall be considered in the Senate in accordance with paragraph (5).

"(B) For the purpose of expediting the consideration and adoption of concurrent resolutions under paragraph (3), a motion to proceed to the consideration of any such concurrent resolution after it has been reported by the appropriate committee shall be treated as highly privileged in the House of Representatives.

"(5)(A) For purposes of paragraph (3), the continuity of a session of Congress is broken only by an adjournment of the Congress sine die, and the days on which either House is not in session because of an adjournment of more than three days to a day certain are excluded in the computation of the period indicated.

"(B) Subparagraphs (C) and (D) of this subsection are enacted—

"(i) as an exercise of the rulemaking power of the Senate and as such they are deemed a part of the rules of the Senate, but applicable only with respect to the procedure to be followed in the Senate in the case of concurrent resolutions referred to in paragraph (3), and supersede other rules of the Senate only to the extent that such paragraphs are inconsistent therewith; and

"(ii) with full recognition of the constitutional right of the Senate to change such rules at any time, in the same manner and to the case of any other rule of the Senate.

"(C)(i) If the committee of the Senate to which has been referred a resolution relating to a certification has not reported such resolution at the end of ten calendar days after its introduction, not counting any day which is excluded under subparagraph (A), it is in order to move either to discharge the committee from further consideration of the resolution or to discharge the committee from further consideration of any other resolution introduced with respect to the same certification which has been referred to the committee, except that no motion to discharge shall be in order after the committee has reported a resolution with respect to the same certification.

"(ii) A motion to discharge under clause (i) may be made only by a Senator favoring the resolution, is privileged, and debate thereon shall be limited to not more than 1 hour, to be divided equally between those favoring and those opposing the resolution, the time to be divided equally between, and controlled by, the majority leader and the minority leader or their designees. An amendment to the motion is not in order, and it is not in order to move to reconsider the vote by which the motion is agreed to or disagreed to.

"(D)(i) A motion in the Senate to proceed to the consideration of a resolution shall be privileged. An amendment to the motion shall not be in order, nor shall it be in order to move to reconsider the vote by which the motion is agreed to or disagreed to.

"(ii) Debate in the Senate on a resolution, and all debatable motions and appeals in connection therewith, shall be limited to not more than 10 hours, to be equally divided between, and controlled by, the majority leader and the minority leader or their designees.

"(iii) Debate in the Senate on any debatable motion or appeal in connection with a resolution shall be limited to not more than 1 hour, to be equally divided between, and controlled by, the mover and the manager of the resolution, except that in the event the manager of the resolution is in favor of any such motion or appeal, the time in opposition thereto shall be controlled by the minority leader or his designee. Such leaders, or either of them, may, from time under their control on the passage of a resolution, allot additional time to any Senator during the consideration of any debatable motion or appeal.

"(iv) A motion in the Senate to further limit debate on a resolution, debatable motion, or appeal is not debatable. No amendment to, or motion to recommit, a resolution is in order in the Senate.

Mr. HATFIELD. Mr. President, the United States cannot continue to absorb unregulated flows of immigrants to this country. Our economy is distressed, our social services budgets are severely strained, and our capacities for compassion are fatigued. I would be negligent if I failed to acknowledge the outstanding leadership Senator SIMPSON has exhibited by bringing to the Senate floor at this early date a major immigration reform proposal, S. 529. This bill is the end product of exhaustive research and negotiation efforts by Senators SIMPSON, KENNEDY, and their colleagues on the Judiciary Committee, and I congratulate all of these Members for presenting to the Senate a very fair and balanced approach to the pressing immigration problems which continue to confront our communities.

However, there is a provision innocently tucked away in the 120-plus pages of S. 529 that poses a serious threat to the civil liberty and personal privacy of all of us. Section 274a(c)(1) permits the President to implement changes in or additions to the identification procedures mandated in the employer sanctions section to establish a secure system to determine employment eligibility.

Indeed, the bill does not require the issuance of a national ID card. It merely leaves the door wide open for the President to unilaterally implement a nationwide ID card without any congressional oversight or input or consultation.

Mr. President, I do not believe we can wash our hands of this matter quite so easily. The amendment that I am offering to the immigration bill will require the consent of both Houses of Congress to any changes in the law pertaining to a national identifier. My amendment does not forbid such a card from being instituted—it merely requires Congress to vote up or down on such a novel break in the tradition of our democracy.

There is no consensus among our citizens, let alone among the Members of Congress, that a national ID card is desirable. There are many of us who deeply resent the extent to which the social security card has become a national identifier. The social security numbering system, instituted to provide a speedy account system for the Social Security Board, is now used for draft registration purposes, college ID's, Senate ID's, driver's licenses, and as a cross-reference for every business and governmental personnel or credit system imaginable. And much of this can be traced to November of 1943, when President Roosevelt issued an Executive order which kicked the door wide open to allow the expansion of the use of the social security number in society.

Of course, the argument follows: Since we have an identification card of such broad use, why not standardize and broaden it a little more? Why not institute a simple national ID card? Well, Mr. President, the answer is very clear to me. To the extent the social security card has become a national ID card, that broad application must be curtailed—not expanded. We must not be blind to the Orwellian evils which operate below the surface of seemingly innocuous proposals such as those which suggest secure systems of identification. The principles of expedience, convenience, and uniformity which have allowed social security numbers to become a cornerstone in this Nation's identification process must give way to more enlightened views of personal privacy and human integrity.

What I find troublesome is the blind obedience to the notion that the more centralized the identification process, the more uniform the numbering system, the more mandatory the requirement, the better. More is not always better. In the case of the liberties and individual freedoms that distinguish Americans from other members of the human family, the more identification, the more uniformity, and the more centralization of information, the greater the relinquishment of these very liberties and freedoms we hold so dear. I suggest that the same forces which have pushed the size of Government to its present proportions are operating behind beguiling initiatives like national identification proposals.

The arguments in favor of formalizing what has effectively occurred with social security numbers are seductively simple. These arguments maintain that nothing will change and that there are no other alternatives. It is asked, "How else can you tell who is a lawful resident and who is not unless you have a noncounterfeitable, universal card?" Well, the issue cannot be framed in such simplistic terms. Each time a citizen is asked to prove that he is lawfully present, each time that a human being is equated with a number, and each time society pressures good citizens to comply with identification requirements mandated or even suggested by government fiat, then America becomes less free for all of us.

This computer age has spawned a tremendous reliance upon numbers and upon identifying persons and institutions through numerical data. We give our social security number reflexively—to anyone who asks—without even a passing thought about what such practices are doing to our individual or collective freedom. We all would be well-advised to consider how far we have come in such a short time in universalizing citizen identification. There are alternatives, certainly not as convenient or expeditious, as

present identification procedures, and these alternatives must be explored so that a line can be drawn between proper and improper identification practices.

The immigration pressures that have devastated Texas, Florida, California and other regions of this country make a national ID card a very attractive, expedient solution. However, we must thoughtfully approach such proposals, regardless of their short-term appeal.

Mr. President, this is not the first time the issue of a national ID card has been discussed. In 1976, the Department of Justice's report of the Federal Advisory Committee on False Identification thoroughly examined the possibility of adopting a national identification document. After extensive deliberation and study, this committee strongly advised against such a document. The National Commission on Immigration and Refugee Policy voted 9 to 7 in favor of an identification system based on existing documents. And I assure you, the citizens in my State have made themselves very clear about whether they want the Government to implement a costly new identification system.

Mr. President, one can oppose the implementation of a national ID card and still be in support of a strong employer's sanction provision in the bill. I have been supportive of the efforts of Senator SIMPSON and the many who have consumed years of service in the Senate in search of a rational immigration policy. Further, I take issue with anyone who suggests that my amendment would cripple the enforcement of strong immigration controls against employing illegal aliens.

The amendment that I am offering only requires Congress to examine whatever changes the President would like to implement with respect to nationwide documents of identification, and to vote it up or down. I believe Congress must not abdicate its responsibility here. There are issues of concern to Americans that run far deeper than control of our borders. All of these interests must be examined and balanced, and it would be irresponsible for us as a deliberative body to hand the President a blanket consent on the issue of whether America wants a national ID card.

Proponents of this section of the bill cannot have it both ways. They cannot claim that the bill most certainly does not require or even suggest a national ID card, and then simultaneously argue that if the President decides to implement such a card, Congress must not delay him. I am also unimpressed by the arguments which cite the laundry list of restrictions which would attend any employment eligibility document that may arise.

Mr. President, once in place, a national ID card would have a momentum all of its own. Restrictions would give way to expedience and simplicity, as it has in the case of a social security card, and the threat that all of this centralized information could be abused by private interests, or governmental interests, would acquire new, sobering dimensions.

In closing, Mr. President, I want to stress that this amendment is a precautionary measure and nothing more. It does not affect current enforcement of employer sanctions. It does not prevent the President from making changes in Subsection (B), provided those changes do not entail the implementation of a national ID card. What is more, this amendment does not prevent the President from actually implementing a national ID card system.

All the amendment does is stipulate a procedure to be followed allowing an expedited review by Congress of any proposal to institute a national ID card. This procedure is similar to the many that are in place in certain arms sales arrangements, and it has been carefully drafted so as to steer clear of constitutional challenges. In effect, all the amendment does is require Congress to sign off on any plan to implement a national ID card. I do not believe that is an unreasonable requirement, and I am hopeful my colleagues will support this amendment.

FIRST CONCURRENT RESOLUTION ON THE BUDGET

WEICKER (AND OTHERS) AMENDMENT NO. 1262

Mr. WEICKER (for himself, Mr. CHAFEE, Mr. HATFIELD, Mr. MATHIAS, and Mr. STAFFORD) proposed an amendment (subsequently modified) to the concurrent resolution (S. Con. Res. 27) revising and replacing the congressional budget for the U.S. Government for the fiscal year 1983, and setting forth the congressional budget for the U.S. Government for the fiscal years 1984, 1985, and 1986; as follows:

Strike out all after the resolving clause and insert in lieu thereof the following:

"That the Congress hereby determines and declares that the concurrent resolution on the budget for fiscal year 1983 is hereby revised, the first concurrent resolution on the budget for fiscal year 1984 is hereby established, and the appropriate budgetary levels for fiscal years 1985 and 1986 are hereby set forth:

"(a) The following budgetary levels are appropriate for the fiscal years beginning on October 1, 1982, October 1, 1983, October 1, 1984, and October 1, 1985:

"(1) The recommended levels of Federal revenues are as follows:

"Fiscal year 1983: $603,325,000,000.
"Fiscal year 1984: $664,300,000,000.
"Fiscal year 1985: $736,175,000,000.
"Fiscal year 1986: $829,900,000,000.

and the amounts by which the aggregate levels of Federal revenues should be changed are as follows:

"Fiscal year 1983: +$125,000,000.
"Fiscal year 1984: +$8,900,000,000.
"Fiscal year 1985: +$12,675,000,000.
"Fiscal year 1986: +$51,000,000,000.

and the amounts for Federal Insurance Contributions Act revenues for hospital insurance within the recommended levels of Federal revenues are as follows:

"Fiscal year 1983: $35,900,000,000.
"Fiscal year 1984: $39,700,000,000.
"Fiscal year 1985: $44,200,000,000.
"Fiscal year 1986: $50,900,000,000.

and the amounts for Federal Insurance Contributions Act revenues and other revenues pursuant to Public Law 98-21 for old age, survivors, and disability insurance within the recommended levels of Federal revenues are as follows:

"Fiscal year 1983: $148,500,000,000.
"Fiscal year 1984: $166,500,000,000.
"Fiscal year 1985: $187,700,000,000.
"Fiscal year 1986: $204,400,000,000.

"(2) The appropriate levels of total new budget authority are as follows:

"Fiscal year 1983: $875,925,000,000.
"Fiscal year 1984: $911,899,000,000.
"Fiscal year 1985: $986,074,000,000.
"Fiscal year 1986: $1,052,709,000,000.

"(3) The appropriate levels of total budget outlays are as follows:

"Fiscal year 1983: $807,325,000,000.
"Fiscal year 1984: $848,699,000,000.
"Fiscal year 1985: $914,574,000,000.
"Fiscal year 1986: $972,369,000,000.

"(4) The amounts of the deficits in the budget which are appropriate in the light of economic conditions and all other relevant factors are as follows:

"Fiscal year 1983: $204,000,000,000.
"Fiscal year 1984: $184,399,000,000.
"Fiscal year 1985: $178,399,000,000.
"Fiscal year 1986: $142,469,000,000.

"(5) The appropriate levels of the public debt are as follows:

"Fiscal year 1983: $1,383,900,000,000.
"Fiscal year 1984: $1,612,199,000,000.
"Fiscal year 1985: $1,841,298,000,000.
"Fiscal year 1986: $2,041,367,000,000.

and the amounts by which the temporary statutory limits on such debt should be accordingly increased are as follows:

"Fiscal year 1983: $93,700,000,000.
"Fiscal year 1984: $228,299,000,000.
"Fiscal year 1985: $229,099,000,000.
"Fiscal year 1986: $200,069,000,000.

"(6) The appropriate levels of total Federal credit activity for the fiscal years beginning on October 1, 1982, October 1, 1983, October 1, 1984, and October 1, 1985, are as follows:

"Fiscal year 1983:
"(A) New direct loan obligations, $55,400,000,000.
"(B) New loan guarantee commitments, $94,500,000,000.
"Fiscal year 1984:
"(A) New direct loan obligations, $48,200,000,000.
"(B) New loan guarantee commitments, $94,500,000,000.
"Fiscal year 1985:
"(A) New direct loan obligations, $48,100,000,000.
"(B) New loan guarantee commitments, $97,400,000,000.
"Fiscal year 1986:
"(A) New direct loan obligations, $48,700,000,000.
"(B) New loan guarantee commitments, $101,000,000,000.

"(b) The Congress hereby determines and declares the appropriate levels of budget authority and budget outlays, and the appro-

priate levels of new direct loan obligations and new loan guarantee commitments for fiscal years 1983 through 1986 for each major functional category are:

"(1) National Defense (050):

"Fiscal year 1983:

"(A) New budget authority, $244,100,000,000.

"(B) Outlays, $214,300,000,000.

"(C) New direct loan obligations, $0.

"(D) New loan guarantee commitments, $0.

"Fiscal year 1984:

"(A) New budget authority, $270,650,000,000.

"(B) Outlays, $242,600,000,000.

"(C) New direct loan obligations, $0.

"(D) New loan guarantee commitments, $0.

"Fiscal year 1985:

"(A) New budget authority, $300,950,000,000.

"(B) Outlays, $272,550,000,000.

"(C) New direct loan obligations, $0.

"(D) New loan guarantee commitments, $0.

"Fiscal year 1986:

"(A) New budget authority, $333,060,000,000.

"(B) Outlays, $302,420,000,000.

"(C) New direct loan obligations, $0.

"(D) New loan guarantee commitments, $0.

"(2) International Affairs (150):

"Fiscal year 1983:

"(A) New budget authority, $24,900,000,000.

"(B) Outlays, $11,500,000,000.

"(C) New direct loan obligations, $11,700,000,000.

"(D) New loan guarantee commitments, $9,200,000,000.

"Fiscal year 1984:

"(A) New budget authority, $18,200,000,000.

"(B) Outlays, $12,700,000,000.

"(C) New direct loan obligations, $11,200,000,000.

"(D) New loan guarantee commitments, $10,300,000,000.

"Fiscal year 1985:

"(A) New budget authority, $16,500,000,000.

"(B) Outlays, $12,800,000,000.

"(C) New direct loan obligations, $11,500,000,000.

"(D) New loan guarantee commitments, $10,300,000,000.

"Fiscal year 1986:

"(A) New budget authority, $15,900,000,000.

"(B) Outlays, $12,800,000,000.

"(C) New direct loan obligations, $11,600,000,000.

"(D) New loan guarantee commitments, $10,300,000,000.

"(3) General Science, Space, and Technology (250):

"Fiscal year 1983:

"(A) New budget authority, $7,900,000,000.

"(B) Outlays, $7,700,000,000.

"(C) New direct loan obligations, $200,000,000.

"(D) New loan guarantee commitments, $0.

"Fiscal year 1984:

"(A) New budget authority, $8,500,000,000.

"(B) Outlays, $8,200,000,000.

"(C) New direct loan obligations, $37,000,000.

"(D) New loan guarantee commitments, $0.

"Fiscal year 1985:

"(A) New budget authority, $8,500,000,000.

"(B) Outlays, $8,500,000,000.

"(C) New direct loan obligations, $0.

"(D) New loan guarantee commitments, $0.

"Fiscal year 1986:

"(A) New budget authority, $8,400,000,000.

"(B) Outlays, $8,400,000,000.

"(C) New direct loan obligations, $0.

"(D) New loan guarantee commitments, $0.

"(4) Energy (270):

"Fiscal year 1983:

"(A) New budget authority, $4,000,000,000.

"(B) Outlays, $4,600,000,000.

"(C) New direct loan obligations, $13,100,000,000.

"(D) New loan guarantee commitments, $200,000,000.

"Fiscal year 1984:

"(A) New budget authority, $3,900,000,000.

"(B) Outlays, $4,100,000,000.

"(C) New direct loan obligations, $13,900,000,000.

"(D) New loan guarantee commitments, $200,000,000.

"Fiscal year 1985:

"(A) New budget authority, $3,600,000,000.

"(B) Outlays, $2,900,000,000.

"(C) New direct loan obligations, $14,300,000,000.

"(D) New loan guarantee commitments, $0.

"Fiscal year 1986:

"(A) New budget authority, $3,200,000,000.

"(B) Outlays, $2,700,000,000.

"(C) New direct loan obligations, $14,400,000,000.

"(D) New loan guarantee commitments, $0.

"(5) Natural Resources and Environment (300):

"Fiscal year 1983:

"(A) New budget authority, $12,500,000,000.

"(B) Outlays, $12,800,000,000.

"(C) New direct loan obligations, $100,000,000.

"(D) New loan guarantee commitments, $0.

"Fiscal year 1984:

"(A) New budget authority, $12,000,000,000.

"(B) Outlays, $12,500,000,000.

"(C) New direct loan obligations, $27,000,000.

"(D) New loan guarantee commitments, $0.

"Fiscal year 1985:

"(A) New budget authority, $12,200,000,000.

"(B) Outlays, $12,600,000,000.

"(C) New direct loan obligations, $27,000,000.

"(D) New loan guarantee commitments, $0.

"Fiscal year 1986:

"(A) New budget authority, $12,500,000,000.

"(B) Outlays, $12,200,000,000.

"(C) New direct loan obligations, $27,000,000.

"(D) New loan guarantee commitments, $0.

"(6) Agriculture (350):

"Fiscal year 1983:

"(A) New budget authority, $24,200,000,000.

"(B) Outlays, $24,000,000,000.

"(C) New direct loan obligations, $18,600,000,000.

"(D) New loan guarantee commitments, $5,500,000,000.

"Fiscal year 1984:

"(A) New budget authority, $11,600,000,000.

"(B) Outlays, $11,400,000,000.

"(C) New direct loan obligations, $12,100,000,000.

"(D) New loan guarantee commitments, $3,800,000,000.

"Fiscal year 1985:

"(A) New budget authority, $14,000,000,000.

"(B) Outlays, $12,300,000,000.

"(C) New direct loan obligations, $11,700,000,000.

"(D) New loan guarantee commitments, $3,800,000,000.

"Fiscal year 1986:

"(A) New budget authority, $13,200,000,000.

"(B) Outlays, $13,100,000,000.

"(C) New direct loan obligations, $12,200,000,000.

"(D) New loan guarantee commitments, $3,800,000,000.

"(7) Commerce and Housing Credit (370):

"Fiscal year 1983:

"(A) New budget authority, $5,200,000,000.

"(B) Outlays, $2,700,000,000.

"(C) New direct loan obligations, $6,500,000,000.

"(D) New loan guarantee commitments, $48,700,000,000.

"Fiscal year 1984:

"(A) New budget authority, $5,900,000,000.

"(B) Outlays, $1,800,000,000.

"(C) New direct loan obligations, $6,400,000,000.

"(D) New loan guarantee commitments, $48,700,000,000.

"Fiscal year 1985:

"(A) New budget authority, $6,500,000,000.

"(B) Outlays, $0.

"(C) New direct loan obligations, $6,300,000,000.

"(D) New loan guarantee commitments, $48,700,000,000.

"Fiscal year 1986:

"(A) New budget authority, $6,500,000,000.

"(B) Outlays, −$300,000,000.

"(C) New direct loan obligations, $6,300,000,000.

"(D) New loan guarantee commitments, $48,700,000,000.

"(8) Transportation (400):

"Fiscal year 1983:

"(A) New budget authority, $26,800,000,000.

"(B) Outlays, $22,100,000,000.

"(C) New direct loan obligations, $200,000,000.

"(D) New loan guarantee commitments, $1,100,000,000.

"Fiscal year 1984:

"(A) New budget authority, $27,700,000,000.

"(B) Outlays, $25,900,000,000.

"(C) New direct loan obligations, $100,000,000.

"(D) New loan guarantee commitments, $600,000,000.

"Fiscal year 1985:

"(A) New budget authority, $28,400,000,000.

"(B) Outlays, $26,900,000,000.

"(C) New direct loan obligations, $100,000,000.

"(D) New loan guarantee commitments, $400,000,000.

"Fiscal year 1986:

"(A) New budget authority, $29,200,000,000.

"(B) Outlays, $27,800,000,000.

"(C) New direct loan obligations, $100,000,000.

"(D) New loan guarantee commitments, $300,000,000.

"(9) Community and Regional Development (450):
"Fiscal year 1983:
"(A) New budget authority, $8,300,000,000.
"(B) Outlays, $7,900,000,000.
"(C) New direct loan obligations, $2,100,000,000.
"(D) New loan guarantee commitments, $500,000,000.
"Fiscal year 1984:
"(A) New budget authority, $6,600,000,000.
"(B) Outlays, $8,100,000,000.
"(C) New direct loan obligations, $1,700,000,000.
"(D) New loan guarantee commitments, $300,000,000.
"Fiscal year 1985:
"(A) New budget authority, $7,100,000,000.
"(B) Outlays, $8,200,000,000.
"(C) New direct loan obligations, $1,800,000,000.
"(D) New loan guarantee commitments, $300,000,000.
"Fiscal year 1986:
"(A) New budget authority, $7,100,000,000.
"(B) Outlays, $7,600,000,000.
"(C) New direct loan obligations, $1,800,000,000.
"(D) New loan guarantee commitments, $400,000,000.
"(10) Education, Training, Employment, and Social Services (500):
"Fiscal year 1983:
"(A) New budget authority, $28,000,000,000.
"(B) Outlays, $26,800,000,000.
"(C) New direct loan obligations, $600,000,000.
"(D) New loan guarantee commitments, $6,500,000,000.
"Fiscal year 1984:
"(A) New budget authority, $31,800,000,000.
"(B) Outlays, $27,250,000,000.
"(C) New direct loan obligations, $700,000,000.
"(D) New loan guarantee commitments, $6,600,000,000.
"Fiscal year 1985:
"(A) New budget authority, $28,500,000,000.
"(B) Outlays, $28,400,000,000.
"(C) New direct loan obligations, $700,000,000.
"(D) New loan guarantee commitments, $6,600,000,000.
"Fiscal year 1986:
"(A) New budget authority, $28,500,000,000.
"(B) Outlays, $28,400,000,000.
"(C) New direct loan obligations, $800,000,000.
"(D) New loan guarantee commitments, $6,600,000,000.
"(11) Health (550):
"Fiscal year 1983:
"(A) New budget authority, $25,325,000,000.
"(B) Outlays, $29,825,000,000.
"(C) New direct loan obligations, $47,000,000.
"(D) New loan quarantee commitments, $200,000,000.
"Fiscal year 1984:
"(A) New budget authority, $32,749,000,000.
"(B) Outlays, $32,749,000,000.
"(C) New direct loan obligations, $29,000,000.
"(D) New loan guarantee commitments, $300,000,000.
"Fiscal year 1985:
"(A) New budget authority, $35,724,000,000.
"(B) Outlays, $35,224,000,000.
"(C) New direct loan obligations, $28,000,000.
"(D) New loan guarantee commitments, $300,000,000.
"Fiscal year 1986:
"(A) New budget authority, $37,849,000,000.
"(B) Outlays, $37,249,000,000.
"(C) New direct loan obligations, $28,000,000.
"(D) New loan guarantee commitments, $300,000,000.
"(12) Medical Insurance (570):
"Fiscal year 1983:
"(A) New budget authority, $46,100,000,000.
"(B) Outlays $53,100,000,000.
"(C) New direct loan obligations, $0.
"(D) New loan guarantee commitments, $0.
"Fiscal year 1984:
"(A) New budget authority, $61,400,000,000.
"(B) Outlays, $60,300,000,000.
"(C) New direct loan obligations, $0.
"(D) New loan guarantee commitments, $0.
"Fiscal year 1985:
"(A) New budget authority, $69,400,000,000.
"(B) Outlays, $68,300,000,000.
"(C) New direct loan obligations, $0.
"(D) New loan guarantee commitments, $0.
"Fiscal year 1986:
"(A) New budget authority, $79,100,000,000.
"(B) Outlays, $75,600,000,000.
"(C) New direct loan obligations, $0.
"(D) New loan guarantee commitments, $0.
"(13) Income Security (600):
"Fiscal year 1983:
"(A) New budget authority, $121,700,000,000.
"(B) Outlays, $110,200,000,000.
"(C) New direct loan obligations, $1,000,000,000.
"(D) New loan guarantee commitments, $14,600,000,000.
"Fiscal year 1984:
"(A) New budget authority, $126,000,000,000.
"(B) Outlays, $104,100,000,000.
"(C) New direct loan obligations, $1,000,000,000.
"(D) New loan guarantee commitments, $14,700,000,000.
"Fiscal year 1985:
"(A) New budget authority, $127,500,000,000.
"(B) Outlays, $105,500,000,000.
"(C) New direct loan obligations, $800,000,000.
"(D) New loan guarantee commitments, $16,500,000,000.
"Fiscal year 1986:
"(A) New budget authority, $131,400,000,000.
"(B) Outlays, $108,600,000,000.
"(C) New direct loan obligations, $500,000,000.
"(D) New loan guarantee commitments, $18,100,000,000.
"(14) Social Security (650):
"Fiscal year 1983:
"(A) New budget authority, $184,100,000,000.
"(B) Outlays, $167,600,000,000.
"(C) New direct loans obligations, $0.
"(D) New loan guarantee commitments, $0.
"Fiscal year 1984:
"(A) New budget authority, $174,900,000,000.
"(B) Outlays, $177,100,000,000.
"(C) New direct loan obligations, $0.
"(D) New loan guarantee commitments, $0.
"Fiscal year 1985:
"(A) New budget authority, $194,700,000,000.
"(B) Outlays, $188,400,000,000.
"(C) New direct loan obligations, $0.
"(D) New loan guarantee commitments, $0.
"Fiscal year 1986:
"(A) New budget authority, $211,000,000,000.
"(B) Outlays, $200,800,000,000.
"(C) New direct loan obligations, $0.
"(D) New loan guarantee commitments, $0.
"(15) Veterans Benefits and Services (700):
"Fiscal year 1983:
"(A) New budget authority, $25,200,000,000.
"(B) Outlays, $24,500,000,000.
"(C) New direct loan obligations, $1,000,000,000.
"(D) New loan guarantee commitments, $8,000,000,000.
"Fiscal year 1984:
"(A) New budget authority, $25,700,000,000.
"(B) Outlays, $25,700,000,000.
"(C) New direct loan obligations, $800,000,000.
"(D) New loan guarantee commitments, $9,000,000,000.
"Fiscal year 1985:
"(A) New budget authority, $26,800,000,000.
"(B) Outlays, $26,400,000,000.
"(C) New direct loan obligations, $600,000,000.
"(D) New loan guarantee commitments, $10,500,000,000.
"Fiscal year 1986:
"(A) New budget authority, $27,300,000,000.
"(B) Outlays, $26,700,000,000.
"(C) New direct loan obligations, $700,000,000.
"(D) New loan guarantee commitments, $12,500,000,000.
"(16) Administration of Justice (750):
"Fiscal year 1983:
"(A) New budget authority, $5,200,000,000.
"(B) Outlays, $5,100,000,000.
"(C) New direct loan obligations, $0.
"(D) New loan guarantee commitments, $0.
"Fiscal year 1984:
"(A) New budget authority, $6,000,000,000.
"(B) Outlays, $6,000,000,000.
"(C) New direct loan obligations, $0.
"(D) New loan guarantee commitments, $0.
"Fiscal year 1985:
"(A) New budget authority, $5,800,000,000.
"(B) Outlays, $5,900,000,000.
"(C) New direct loan obligations, $0.
"(D) New loan guarantee commitments, $0.
"Fiscal year 1986:
"(A) New budget authority, $5,900,000,000.
"(B) Outlays, $5,800,000,000.
"(C) New direct loan obligations, $0.
"(D) New loan guarantee commitments, $0.
"(17) General Government (800):
"Fiscal year 1983:
"(A) New budget authority, $5,600,000,000.
"(B) Outlays, $5,700,000,000.
"(C) New direct loan obligations, $0.

"(D) New loan guarantee commitments, $0.
"Fiscal year 1984:
"(A) New budget authority, $5,700,000,000.
"(B) Outlays, $5,700,000,000.
"(C) New direct loan obligations, $0.
"(D) New loan guarantee commitments, $0.
"Fiscal year 1985:
"(A) New budget authority, $6,000,000,000.
"(B) Outlays, $5,800,000,000.
"(C) New direct loan obligations, $0.
"(D) New loan guarantee commitments, $0.
"Fiscal year 1986:
"(A) New budget authority, $6,200,000,000.
"(B) Outlays, $5,900,000,000.
"(C) New direct loan obligations, $0.
"(D) New loan guarantee commitments, $0.
"(18) General Purpose Fiscal Assistance (850):
"Fiscal year 1983:
"(A) New budget authority, $6,400,000,000.
"(B) Outlays, $6,400,000,000.
"(C) New direct loan obligations, $300,000,000.
"(D) New loan guarantee commitments, $0.
"Fiscal year 1984:
"(A) New budget authority, $7,100,000,000.
"(B) Outlays, $7,000,000,000.
"(C) New direct loan obligations, $300,000,000.
"(D) New loan guarantee commitments, $0.
"Fiscal year 1985:
"(A) New budget authority, $7,200,000,000.
"(B) Outlays, $7,100,000,000.
"(C) New direct loan obligations, $300,000,000.
"(D) New loan guarantee commitments, $0.
"Fiscal year 1986:
"(A) New budget authority, $7,500,000,000.
"(B) Outlays, $7,500,000,000.
"(C) New direct loan obligations, $300,000,000.
"(D) New loan guarantee commitments, $0.
"(19) Net Interest (900):
"Fiscal year 1983:
"(A) New budget authority, $87,600,000,000.
"(B) Outlays, $87,600,000,000.
"(C) New direct loan obligations, $0.
"(D) New loan guarantee commitments, $0.
"Fiscal year 1984:
"(A) New budget authority, $96,300,000,000.
"(B) Outlays, $96,300,000,000.
"(C) New direct loan obligations, $0.
"(D) New loan guarantee commitments, $0.
"Fiscal year 1985:
"(A) New budget authority, $105,500,000,000.
"(B) Outlays, $105,500,000,000.
"(C) New direct loan obligations, $0.
"(D) New loan guarantee commitments, $0.
"Fiscal year 1986:
"(A) New budget authority, $109,200,000,000.
"(B) Outlays, $109,200,000,000.
"(C) New direct loan obligations, $0.
"(D) New loan guarantee commitments, $0.
"(20) Allowances (920):
"Fiscal year 1983:
"(A) New budget authority, $800,000,000.
"(B) Outlays, $900,000,000.
"(C) New direct loan obligations, $0.
"(D) New loan guarantee commitments, $0.
"Fiscal year 1984:
"(A) New budget authority, $600,000,000.
"(B) Outlays, $600,000,000.
"(C) New direct loan obligations, $0.
"(D) New loan guarantee commitments, $0.
"Fiscal year 1985:
"(A) New budget authority, $1,900,000,000.
"(B) Outlays, $2,000,000,000.
"(C) New direct loan obligations, $0.
"(D) New loan guarantee commitments, $0.
"Fiscal year 1986:
"(A) New budget authority, $3,200,000,000.
"(B) Outlays, $3,400,000,000.
"(C) New direct loan obligations, $0.
"(D) New loan guarantee commitments, $0.
"(21) Undistributed Offsetting Receipts (950):
"Fiscal year 1983:
"(A) New budget authority, −$18,000,000,000.
"(B) Outlays, −$18,000,000,000.
"(C) New direct loan obligations, $0.
"(D) New loan guarantee commitments, $0.
"Fiscal year 1984:
"(A) New budget authority, −$21,400,000,000.
"(B) Outlays, −$21,400,000,000.
"(C) New direct loan obligations, $0.
"(D) New loan guarantee commitments, $0.
"Fiscal year 1985:
"(A) New budget authority, −$20,700,000,000.
"(B) Outlays, −$20,700,000,000.
"(C) New direct loan obligations, $0.
"(D) New loan guarantee commitments, $0.
"Fiscal year 1986:
"(A) New budget authority, −$23,500,000,000.
"(B) Outlays, −$23,500,000,000.
"(C) New direct loan obligations, $0.
"(D) New loan guarantee commitments, $0.

"RECONCILIATION

"SEC. 2. (a) Not later than June 6, 1983, the Senate committees named in subsections (b) through (f) of this section shall submit their recommendations to the Senate Committee on the Budget and not later than June 6, 1983, the House committees named in subsections (g) through (l) of this section shall submit their recommendations to the House Committee on the Budget. After receiving those recommendations, the Committees on the Budget shall report to the House and Senate a reconciliation bill or resolution or both carrying out all such recommendations without any substantive revision.

"SENATE COMMITTEES

"(b) The Senate Committee on Agriculture, Nutrition, and Forestry shall report changes in laws within the jurisdiction of that committee, (A) to require reductions in appropriations for programs authorized by that committee so as to achieve savings in budget authority and outlays, or (B) which provide spending authority as defined in section 401(c)(2)(C) of Public Law 93-344, sufficient to reduce budget authority and outlays, or (c) any combination thereof, as follows: $1,243,000,000 in budget authority and $1,243,000,000 in outlays in fiscal year 1984; $1,332,000,000 in budget authority and $1,332,000,000 in outlays in fiscal year 1985; and $1,327,000,000 in budget authority and $1,327,000,000 in outlays in fiscal year 1986.

"(c)(1) The Senate Committee on Finance shall report changes in laws within the jurisdiction of that committee which provide spending authority as defined in section 401(c)(2)(C) of Public Law 93-344, sufficient to reduce outlays by $856,000,000 in fiscal year 1984; to reduce outlays by $2,024,000,000 in fiscal year 1985; and to reduce outlays by $2,484,000,000 in fiscal year 1986.

"(2) The Senate Committee on Finance shall report changes in laws within the jurisdiction of that committee sufficient to increase revenues as follows: $8,900,000,000 in fiscal year 1984; $12,675,000,000 in fiscal year 1985; and $51,000,000,000 in fiscal year 1986.

"(d) The Senate Committee on Governmental Affairs shall report changes in laws within the jurisdiction of that committee which provide spending authority as defined in section 401(c)(2)(C) of Public Law 93-344, sufficient to reduce budget authority by $258,000,000 and outlays by $534,000,000 in fiscal year 1984; to reduce budget authority by $368,000,000 and outlays by $834,000,000 in fiscal year 1985; and to reduce budget authority by $636,000,000 and outlays by $1,486,000,000 in fiscal year 1986.

"(e) The Senate Committee on Small Business shall report changes in laws within the jurisdiction of that committee to require reductions in appropriations for programs authorized by that committee so as to achieve savings in budget authority and outlays as follows: $139,000,000 in budget authority and $287,000,000 in outlays in fiscal year 1984; $555,000,000 in budget authority and $466,000,000 in outlays in fiscal year 1985; and $544,000,000 in budget authority and $443,000,000 in outlays in fiscal year 1986.

"(f) The Senate Committee on Veterans' Affairs shall report changes in laws within the jurisdiction of that committee which provide spending authority as defined in section 401(c)(2)(C) of Public Law 93-344, sufficient to reduce budget authority by $202,000,000 and outlays by $201,000,000 in fiscal year 1984; to reduce budget authority by $117,000,000 and outlays by $115,000,00 in fiscal year 1985; and to reduce budget authority by $118,000,000 and outlays by $118,000,000 in fiscal year 1986.

"HOUSE COMMITTEES

"(g) The House Committee on Agriculture shall report changes in laws within the jurisdiction of that committee, (A) to require reductions in appropriations for programs authorized by that committee so as to achieve savings in budget authority and outlays, or (B) which provide spending authority as defined in section 401(c)(2)(C) of Public Law 93-344, sufficient to reduce budget authority and outlays, or (C) any combination thereof, as follows: $1,243,000,000 in budget authority and $1,243,000,000 in outlays in fiscal year 1984; $1,332,000,000 in budget authority and $1,332,000,000 in outlays in fiscal year 1985; and $1,327,000,000 in budget authority and $1,327,000,000 in outlays in fiscal year 1986.

"(h) The House Committee on Energy and Commerce shall report changes in laws within the jurisdiction of that committee which provide spending authority as defined in section 401(c)(2)(C) of Public Law 93-344, sufficient to reduce outlays by $816,000,000 in fiscal year 1984; and to reduce outlays by $1,538,000,000 in fiscal year 1985; and to reduce outlays by $1,979,000,000 in fiscal year 1986.

"(i) The House Committee on Post Office and Civil Service shall report changes in laws within the jurisdiction of that committee which provide spending authority as defined in section 401(c)(2)(C) of Public Law 93-344, sufficient to reduce budget authority by $258,000,000 and outlays by $534,000,000 in fiscal year 1984; to reduce budget authority by $386,000,000 and outlays by $834,000,000 in fiscal year 1985; and to reduce budget authority by $636,000,000 and outlays by $1,486,000,000 in fiscal year 1986.

"(j) The House Committee on Small Business shall report changes in laws within the jurisdiction of that committee to require reductions in appropriations for programs authorized by that committee so as to achieve savings in budget authority and outlays as follows: $139,000,000 in budget authority and $287,000,000 in outlays in fiscal year 1984; $555,000,000 in budget authority and $466,000,000 in outlays in fiscal year 1985; and $544,000,000 in budget authority and $443,000,000 in outlays in fiscal year 1986.

"(k) The House Committee on Veterans' Affairs shall report changes in laws within the jurisdiction of that committee which provide spending authority as defined in section 401(c)(2)(C) of Public Law 93-344, sufficient to reduce budget authority by $202,000,000 and outlays by $201,000,000 in fiscal year 1984; to reduce budget authority by $117,000,000 and outlays by $115,000,000 in fiscal year 1985; and to reduce budget authority by $118,000,000 and outlays by $118,000,000 in fiscal year 1986.

"(l)(1) The House Committee on Ways and Means shall report changes in laws within the jurisdiction of that committee which provide spending authority as defined in section 401(c)(2)(C) of Public Law 93-344, sufficient to reduce outlays by $849,000,000 in fiscal year 1984; to reduce outlays by $1,481,000,000 in fiscal year 1985; and to reduce outlays by $2,077,000,000 in fiscal year 1986.

"(2) The House Committee on Ways and Means shall report changes in laws within the jurisdiction of that committee sufficient to increase revenues as follows: $8,900,000,000, in fiscal year 1984; $12,675,000,000 in fiscal year 1985; and $51,000,000,000 in fiscal year 1986.

"MISCELLANEOUS PROVISIONS

"SEC. 3. It shall not be in order in either the House of Representatives or the Senate to consider any bill or resolution, or amendment thereto, providing—

"(1) new budget authority for fiscal year 1984; or

"(2) new spending authority described in section 401(c)(2)(C) of the Budget Act first effective in fiscal year 1984,

within the jurisdiction of any of its committees unless and until such committee makes the allocations or subdivisions required by section 302(b) of the Budget Act, in connection with the most recently agreed to concurrent resolution on the budget.

"SEC. 4. It is the sense of the Congress that the President and the Congress, through the appropriations process, should limit the on-budget new direct loan obligations of the Federal Government to an amount not to exceed $37,600,000,000 in fiscal year 1983 and $29,300,000,000 in fiscal year 1984; off-budget new direct loan obligations to an amount not to exceed $17,800,000,000 in fiscal year 1983 and $18,900,000,000 in fiscal year 1984; and new loan guarantee commitments to an amount not to exceed $94,500,000,000 in fiscal year 1983 and $94,500,000,000 in fiscal year 1984. It is further the sense of the Congress that the President and the Congress should limit total Federal Financing Bank origination of direct loans guaranteed by other Federal agencies to $16,200,000,000 in fiscal year 1983 and $17,300,000,000 in fiscal year 1984, and Federal Financing Bank purchases of certificates of beneficial ownership from Federal agencies to $11,500,000,000 in fiscal year 1983 and $13,200,000,000 in fiscal year 1984. It is futher the sense of the Congress that direct borrowing transactions of Federal agencies should be, to the maximum extent possible, restricted to the Federal Financing Bank.

"SEC. 5. (a) The joint explanatory statement accompanying the conference report on this resolution shall include an estimated allocation, based upon the first section of this resolution as recommended in such conference report, of the appropriate levels of total new direct loan obligations and new loan guarantee commitments for fiscal year 1983 and fiscal year 1984, among each committee of the House of Representatives and the Senate which has jurisdiction over bills and resolutions providing such new obligations and commitments.

"(b) As soon as practicable after this resolution is agreed to, every committee of each House, after consulting with the committee or committees of the other House to which all or part of the allocation has been made, shall subdivide among its subcommittees the allocation of new direct loan obligations and new loan guarantee commitments for fiscal year 1983 and fiscal year 1984, allocated to it in the joint explanatory statement accompanying the conference report on this resolution.

"SEC. 6. It is the sense of the Congress that the budgets of Federal agencies initiating Federal Financing Bank purchases of certificates of beneficial ownership and originations of guaranteed loans should include the budget authority and outlays resulting from the transactions. The Congress recommends that the committees with jurisdiction over the Federal Financing Bank Act of 1973 consider expeditiously legislation to require that the budgetary impact of such Federal Financing Bank transactions be included in the budgets of the initiating agencies beginning with the fiscal year 1985 budget.".

EMERGENCY FARM CREDIT

BAUCUS AMENDMENT NO. 1263

(Ordered to lie on the table.)

Mr. BAUCUS submitted an amendment intended to be proposed by him to the bill (S. 24) to provide emergency credit to farmers, and for other purposes; as follows:

At the end of the bill, add the following new section:

FARM SUPPLY BUSINESS LOANS

SEC. 5. Effective for the period beginning with the date of the enactment of this Act and ending September 30, 1984, section 310B(a) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1932(a)) is amended by adding at the end thereof the following new subsection:

"(f) Notwithstanding any other provision of law—

"(1) The Secretary shall make and insure loans under this subsection to small businesses which—

"(A) are located in rural areas;

"(B) are engaged in furnishing to farmers and ranchers machinery, supplies, and services directly related to the production of commodities diverted from production under payment-in-kind land diversion programs carried out by the Secretary; and

"(C) establish by substantial evidence that they are experiencing severe economic hardship directly attributable to the operation of such programs.

"(2) A loan shall be made or insured under this subsection for the purpose of assisting an eligible borrower to continue to operate the business of the borrower during the period of economic hardship described in paragraph (1)(C).

"(3) The principal amount of a loan made or insured under this subsection may not exceed $50,000.

"(4) The period of repayment of a loan made or insured under this subsection shall be twelve months.

"(5) The rate of interest on a loan made or insured under this subsection shall be the rate of interest applicable to an operating loan under section 316(a)(1), reduced by 3 per centum.

"(6) To the extent necessary to make or insure loans to eligible borrowers who have applied for assistance under this subsection, no less than 10 per centum of the funds appropriated under the heading "RURAL DEVELOPMENT INSURANCE FUND" in title II of the Act entitled "An Act making appropriations for Agriculture, Rural Development, and Related Agencies programs for the fiscal year ending September 30, 1983, and for other purposes", approved December 18, 1982 (96 Stat. 1799), for the purpose of guaranteeing industrial development loans, shall be made available to make or insure loans under this subsection.

"(7) No later than sixty days after the date of the enactment of the Emergency Agricultural Credit Act of 1983, the Secretary shall issue regulations to carry out this subsection.".

● Mr. BAUCUS. Mr. President, this amendment to the Emergency Agricultural Credit Act would allow small businesses affected by the payment-in-kind (PIK) program to apply for insured loans from the Farmers Home Administration.

The PIK program is a unique and creative approach to address the problems in the farm economy. We all hope that the program will help reduce surplus U.S. grain stocks and stimulate an increase in farm commodity prices. However, the overwhelming response by farmers to participate in the program may be bad news for the small businesses that support agriculture.

In Montana, over a third of the total wheat base acreage—2.3 million acres—have been taken out of production under the PIK program, the acreage reduction program and the paid diversion program. My concern is that this reduction in crop plantings is likely to have a negative impact on other segments of the agricultural economy—the main street businesses in rural America that supply products and services to family farmers.

The U.S. Department of Agriculture estimates seed purchases will decline 12 to 15 percent this year, fertilizer purchases will fall 12 to 14 percent and pesticide purchases will drop 12 to 15 percent.

Mr. President, my amendment would help soften the impact of these expected losses for farm supply businesses. The amendment would make businesses eligible to receive an operating loan from the Farmers Home Administration if they can show that they suffered severe financial hardship from the PIK program. The maximum amount of the loan would be $50,000 and the rate of interest would be the same as the operating loan rate under USDA's limited resource program. The Secretary of Agriculture would develop the guidelines for the loan program.

My amendment does not ask for any new money to be appropriated or authorized. It simply allows broader use of existing funds within the FmHA business and industry loan program.

I am sure those of you who have farmers participating in the PIK program have also heard from farm support businesses worried about the impact of the PIK program. I urge my colleagues to support this modest proposal.●

IMMIGRATION AND NATIONAL ACT REFORM

WILSON AMENDMENT NO. 1264

(Ordered to lie on the table.)

Mr. WILSON submitted an amendment intended to be proposed by him to the amendment No. 1220 proposed by Mr. DECONCINI to the bill S. 529, supra; as follows:

On page 1, after 14, insert the following:

(c) During the transition program described in subsection (b), and annually thereafter, the Secretary of Labor shall include in the annual reports provided under section 214(c)(4) specific findings, based upon consultations with the Secretary of Agriculture, on the impact of the certification requirements of sections 214(c)(2)(A) and 214(c)(3)(A) upon the ability of agricultural employers to produce perishable commodities, as defined by the Secretary of Agriculture. The Attorney General shall extend the transition program for the perishable commodities industry for a period not to exceed two years, if, based upon the Secretary of Labor's findings and the experience under the transition program, the Attorney General has reason to believe that the requirements for importing an alien as a section 101(a)(15)(H)(ii) nonimmigrant have had an adverse impact upon the ability of agricultural employers to produce perishable commodities, or upon the price or availability of such commodities to American consumers. The extension shall be implemented through a rulemaking procedure during the third year of the transition program, but no later than October 31 of that year, under such terms as are necessary to remedy such adverse impact.

Page 1, line 15, replace "(c)" with "(d)".

Page 1, line 18, replace "(d)" with "(e)".

Page 1, line 22, replace "(e)" with "(f)".

Page 1, line 3, replace "(f)" with "(g)".

Page 2, line 11, replace "(g)" with "(h)".

Page 2, line 16, replace "(h)" with new "(i)".

D'AMATO (AND HAWKINS) AMENDMENT NO. 1265

(Ordered to lie on the table.)

Mr. D'AMATO (for himself and Mrs. HAWKINS) submitted an amendment intended to be proposed by them to the bill, S. 529, supra, as follows:

SEC. 2. (a) The Attorney General shall reimburse a State for the costs incurred by such State for the imprisonment of any alien described in subsection (a) who is convicted of a felony by such State.

(b) An alien referred to in subsection (a) is any alien, as defined in section 101(a)(3) of the Immigration and Nationality Act, other than—

(1) an alien who was issued an immigrant visa or who otherwise acquired the status of an alien lawfully admitted for permanent residence, and who was subject to the numerical limitations contained in section 201(a) of the Immigration and Nationality Act (other than an alien accorded the status of a temporary or permanent resident under section 245A of such Act);

(2) an alien who is an immediate relative within the meaning of section 201(b) of such Act; and

(3) an alien who is a nonimmigrant within the meaning of subparagraph (A) or (G) of section 101(a)(15).

(c) There are authorized to be appropriated such sums as are necessary to carry out the purposes of this Act.

AGRICULTURAL INVESTMENT EQUITY AND MARKET EXPANSION ACT OF 1983

BOREN (AND OTHERS) AMENDMENT NO. 1266

(Ordered to lie on the table.

Mr. BOREN (for himself, Mr. BAUCUS, Mr. HUDDLESTON, Mr. EXON, Mr. JOHNSTON, Mr. MELCHER, and Mr. ZORINSKY), submitted the following amendment intended to be proposed by them to the bill (S. 822) to expand markets for United States agricultural commodities, expand authority for the use abroad of Commodity Credit Corporation stocks, require the export sale of Commodity Credit Corporation dairy products, improve programs under Public Law 480, and for other purposes; as follows:

On page 23, after line 15, insert the following new title:

"TITLE VI: EARLY ANNOUNCEMENT OF COMMODITY PROGRAMS

SEC. 601. Effective only for the 1984 and 1985 crops of wheat, feed grains, upland cotton, and rice, the Agricultural Act of 1949 is amended by inserting after section 107C (7 U.S.C. 1445b-2) the following new section:

"'EARLY ANNOUNCEMENT OF PROGRAMS

"'SEC. 107C. Notwithstanding any other provision of this Act, the Secretary shall announce the terms and conditions for each of the annual programs for the 1984 and 1985 crops of wheat, feed grains, upland cotton, and rice (including the applicable loan rate and established price, and the details of the acreage reduction program, if any) according to the following schedule:

"(1) For wheat, by June 15 of the calendar year preceding the calendar year in which the crop is harvested:

"'(2) For feed grains, by September 15 of the calendar year preceding the calendar year in which the crop is harvested;

"'(3) For upland cotton, by September 1 of the calandar year preceding the calendar year in which the crop is harvested;

"'(4) For rice, by November 30 of the calendar year in which the crop is harvested.'"

NOTICES OF HEARINGS

COMMITTEE ON SMALL BUSINESS

Mr. WEICKER. Mr. President, I would like to announce that the Senate Small Business Committee's markup on pending legislation dealing with the Small Business Administration's programs scheduled for May 12, 1983 at 9:30 a.m. in room 428A SR has been rescheduled for May 13, at 11 a.m. in room 428A SR. For further information, please contact Mike Haynes of the committee staff at 224-8487.

AUTHORITY FOR COMMITTEES TO MEET

SUBCOMMITTEE ON INTERGOVERNMENTAL RELATIONS

Mr. BAKER. Mr. President, I ask unanimous consent that the Subcommittee on Intergovernmental Relations, of the Committee on Governmental Affairs, be authorized to meet during the session of the Senate on Thursday, May 12, at 3:30 p.m., to hold a hearing to consider transferring the catalog of Federal Domestic Assistance from OMB to GSA.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FINANCE

Mr. BAKER. Mr. President, I ask unanimous consent that the Committee on Finance be authorized to meet during the session of the Senate on Thursday, May 12, to hold a markup on S. 544, CEI; S. 836, Enterprise Zones; and the 1984 Trade Agency authorization bill.

The PRESIDING OFFICER. Without objection, it is so ordered.

SELECT COMMITTEE ON INDIAN AFFAIRS

Mr. BAKER. Mr. President, I ask unanimous consent that the Select Committee on Indian Affairs be authorized to meet during the session of the Senate on Thursday, May 12, to hold a markup of S. 856, an Indian housing bill.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY

Mr. BAKER. Mr. President, I ask unanimous consent that the Committee on Agriculture, Nutrition, and Forestry be authorized to meet during the session of the Senate on Thursday, May 12, for the purpose of voting on the nomination of Daniel Amstutz to be Under Secretary for International Affairs and Commodity programs at USDA.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON PATENTS, COPYRIGHTS, AND TRADEMARKS

Mr. BAKER. Mr. President, I ask unanimous consent that the Subcommittee on Patents, Copyrights, and Trademarks, of the Committee on the Judiciary, be authorized to meet during the session of the Senate on May 16, at 2 p.m., to hold an oversight hearing on patent term restoration.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADDITIONAL STATEMENTS

REGISTRATION AWARENESS MONTH

● Mr. CHILES. Mr. President, on May 3, Gov. Robert Graham of Florida signed a resolution designating May as Registration awareness Month for Floridians. Governor Graham, in the company of his cabinet, issued this proclamation to insure that men turning 18 in Florida would be aware of their legal requirement to register with the Selective Service System within 30 days of their 18th birthday. Noting that the registration program is an important signal to our allies of this country's defense commitment, and that it enhances our readiness posture in the event of a national emergency, Governor Graham affirmed his support of Selective Service registration. He urged all the young men in the State of Florida to express pride in their country and belief in its rights and freedoms by registering with the Selective Service

Present at the cabinet meeting while Governor Graham signed the resolution was Maj. Gen. Thomas K. Turnage, the Director of Selective Service, and Mr. Willie E. Jenkins, the Selective Service State Director of Florida. I ask that the resolution be printed in the RECORD.

The resolution follows:

RESOLUTION

Whereas, the continuation of the program for peacetime registration for the Selective Service System contributes to National readiness by reducing up to two months the time required for a full defense mobilization; and

Whereas, the registration program is an important signal to our allies and to our potential adversaries of the seriousness of the United States defense commitment at home and abroad; and

Whereas, over one million United States citizens have sacrificed their lives in military service to protect the rights and freedoms of all Americans and registration for Selective Service is an integral part of current preparedness to preserve these rights and freedoms in the future; and

Whereas, nearly 10 million men, representing 96 percent of potential registrants, have registered with the Selective Service System since the resumption of registration and by so registering have enhanced United States national defense preparedness; and

Whereas, the Selective Service System has been tasked with assisting in the process of improving our readiness posture by calling upon eighteen-year-old male citizens to identify themselves by simply registering their name, address, date of birth and social security number with that System by spending five minutes at the Post Office within thirty days of their eighteenth birthday; and

Whereas, there is no penalty for registering after the required time, but there is a severe penalty for failure to register,

Now, therefore, be it resolved that the Governor and Cabinet of the State of Florida do support continuation of registration with the Selective Service and hereby declare May 1983 as Registration Awareness month in Florida and urge all the young men in our State to express pride in their country and belief in its rights and freedoms by registering with the Selective Service System in accordance with the Military Selective Service Act.●

EMERGENCY PREPAREDNESS AT COMMERCIAL NUCLEAR POWERPLANTS

● Mr. SIMPSON. Mr. President, the New York Times, in an excellent editorial published on May 7, 1983, succinctly summarized many of the problems that we have been grappling with in hearings before the Subcommittee on Nuclear Regulation of the Committee on Environment and Public Works on the subject of emergency preparedness at commercial nuclear plants. Over the course of the next few days and weeks these and other issues related to emergency planning will be the subject of careful scrutiny by myself and others, in an effort to resolve the nettlesome questions related to Federal, State, and local responsibilities in this area. As I stated in hearings before the Subcommittee on Nuclear Regulation on April 15 of this year, Congress, in adopting a requirement for emergency planning at newly licensed commercial nuclear powerplants, certainly expected that State and local governments would be called upon to assist in the preparation and implementation of emergency plans, and, in most instances, that cooperation has been forthcoming.

It was certainly not this Senator's intent, however, nor do I think it was the intent of the other Senators and Congressmen involved in the drafting of Public Law 96-295, to confer upon State or local governments what amounts to a de facto authority to veto the operation of nuclear powerplants. If that is in reality where we are, with emergency planning as we know it today, then as the New York Times so forcefully states, "the devolution of power over nuclear power from the Federal to local level has gone too far."

Mr. President, I commend this editorial to my colleagues, and urge all of us to consider where we are and where we might wish to go on this issue. I ask that it be printed in the RECORD.

The editorial follows:

WHO SHOULD VETO NUCLEAR POWER?

Suddenly, there's a surprising threat to the two nuclear power plants at Indian Point, N.Y.—from the Nuclear Regulatory Commission. It says they must shut down unless a better emergency evacuation plan can be devised by June 9.

If that deadline is meant as a dramatic way to force a better plan, fine. But there's a larger problem implicit in the threat: It appears to give local authorities a veto over reactors by refusing to approve or cooperate in evacuation plans. If so, the devolution of power over nuclear power from the Federal to local level has gone too far.

In the wake of the 1979 accident at Three Mile Island, plant operators were told by the commission to draw up standby plans for emergency evacuations. What would happen if local authorities refused to cooperate? When the owners of the two plants at Indian Point twice failed to meet deadlines for producing workable plans, the commission allowed the reactors to continue operating.

Given the Administration's avowed support for the nuclear industry and its dislike of regulation, the deadlines seemed to be indefinitely elastic. But now the Nuclear Regulatory Commission has shown its teeth. It voted unanimously this week to close the plants unless improvements are made.

The decision will get attention at the 37 other nuclear plants now operating without approved plans, and particularly at the nearly completed plant at Shoreham, owned by the Long Island Lighting Company. Peter Cohalan, the Suffolk County Executive, believes that no evacuation plan is feasible and that the $3.2 billion plant must be abandoned.

Should such immense investments be forsaken because of inadequacies in a theoretical plan designed to meet an improbable threat? In New York, the commission's decision gives Governor Cuomo a leading role. Mr. Cuomo has said he would not impose an independently devised plan on Suffolk County. He is appointing a fact-finding panel on Shoreham, and has also asked for a report on the issues at Indian Point.

The commission's June 9 deadline seems designed to focus attention on the costs of a shutdown and help Mr. Cuomo off the fence. Under his leadership, if he chooses to exert it, the utilities will improve safety or planning enough to assuage local concerns and allow the plants to operate.

Neither Indian Point, 35 miles north of Times Square, nor Long Island appear today as the best places to situate nuclear reactors. But since the plants have already been built, the presumption should be that they may operate provided they can do so safely.

Emergency evacuation plans are a welcome regulatory afterthought to nuclear safety, but cannot yet be defined so precisely that they should be imposed as an abso-

lute goal. Yes, government at all levels should work to create the most practical evacuation plans possible. Yes, local authorities should have a strong voice in nuclear affairs. But no, they should not be handed a veto.●

PROPOSED ARMS SALES

● Mr. PERCY. Mr. President, section 36(b) of the Arms Export Control Act requires that Congress receive prior notification of proposed arms sales under that act in excess of $50 million or, in the case of major defense equipment as defined in the act, those in excess of $14 million. Upon such notification, the Congress has 30 calendar days during which the sale may be prohibited by means of a concurrent resolution. The provision stipulated that, in the Senate, the notification of proposed sales shall be sent to the chairman of the Foreign Relations Committee.

In keeping with the committee's intention to see that such information is available to the full Senate, I ask to have printed in the RECORD at this point the notifications which have been received. The classified annexes referred to in several of the covering letters are available to Senators in the office of the Foreign Relations Committee, room SD 427.

The material follows:

DEFENSE SECURITY ASSISTANCE AGENCY,
Washington, D.C., May 4, 1983.

Hon. CHARLES H. PERCY,
Chairman, Committee on Foreign Relations, U.S. Senate, Washington, D.C.

Re in reply refer to: I-01117/83ct.

DEAR MR. CHAIRMAN: Pursuant to the reporting requirements of Section 36(b) of the Arms Export Control Act, we are forwarding herewith Transmittal No. 83-32 and under separate cover the classified annex thereto. This Transmittal concerns the Department of the Army's proposed Letter of Offer to Egypt for defense articles and services estimated to cost $27 million. Shortly after this letter is delivered to your office, we plan to notify the news media of the unclassified portion of this Transmittal.

Sincerely,

PHILIP C. GAST,
Lieutenant General, USAF, director.

[Transmittal No. 83-32]

NOTICE OF PROPOSED ISSUANCE OF LETTER OF OFFER PURSUANT TO SECTION 36(b) OF THE ARMS EXPORT CONTROL ACT

(i) Prospective Purchaser: Egypt.

(ii) Total estimated Value in millions:

Major defense equipment [1]	$24
Other	3
Total	27

[1] As defined in Section 47(6) of the Arms Export Control Act.

(iii) Description of Articles or Services Offered: A quantity of 39,492 rounds of 105mm tank ammunition consisting of 18,177 rounds of M735 APFSDS-T and 21,315 rounds of M456 HEAT-T.

(iv) Military Department: Army (UEN and UEP).

(v) Sales Commission, Fee, etc., Paid, Offered, or Agreed to be Paid: None.

(vi) Sensitivity of Technology Contained in the Defense Articles or Defense Services Proposed to be Sold: See Annex under separate cover.

(vii) Section 28 Report: Included in report for quarter ending 31 December 1982.

(viii) Date Report Delivered to Congress: May 4, 1983.

POLICY JUSTIFICATION

EGYPT—AMMUNITION

The Government of Egypt has requested the purchase of a quantity of 39,492 rounds of 105mm tank ammunition consisting of 18,177 rounds of M735 APFSDS-T and 21,315 rounds of M456 HEAT-T at an estimated cost of $27 million.

This sale will contribute to the foreign policy objectives of the United States by helping to improve the security of a friendly country, thereby increasing the stability of the Middle East region as a whole. U.S.-Egyptian cooperation remains critically important to the pursuit of a comprehensive peace in the Middle East. Egypt has also been a key supporter of U.S. efforts to enhance the security of moderate states in the Middle East and Southwest Asia regions.

The purchase of this ammunition supports equipment already purchased by the Egyptians. They have previously purchased this type of ammunition, thus they have the ability to absorb the additional materiel.

The sale of this equipment and support will not affect the basic military balance in the region.

The prime contractor will be Martin Marietta, operators of the Milan Army Ammunition Plant, Milan, Tennessee.

Implementation of this sale will not require the assignment of any additional U.S. Government or contractor personnel to Egypt.

This sale will require diversion from Army stocks and will have minimal impact on Army readiness during the period in which the stocks are being replenished.

DEFENSE SECURITY ASSISTANCE AGENCY,
Washington, D.C., May 9, 1983.

Hon. CHARLES H. PERCY,
Chairman, Committee on Foreign Relations, U.S. Senate, Washington, D.C.

Re in reply refer to: I-00832/83ct.

DEAR MR. CHAIRMAN: Pursuant to the reporting requirements of Section 36(b) of the Arms Export Control Act, we are forwarding herewith Transmittal No. 83-33 and under separate cover the classified annex thereto. This Transmittal concerns the Department of the Navy's proposed Letter of Offer to Pakistan for defense articles and services estimated to cost $38 million. Shortly after this letter is delivered to your office, we plan to notify the news media of the unclassified portion of this Transmittal.

Sincerely,

PHILIP C. GAST,
Lieutenant General, USAF, Director.

[Transmittal No. 83-33]

NOTICE OF PROPOSED ISSUANCE OF LETTER OF OFFER PURSUANT TO SECTION 36(b) OF THE ARMS EXPORT CONTROL ACT

(i) Prospective Purchaser: Pakistan.

(ii) Total estimated value in millions:

Major defense equipment [1]	$22
Other	16
Total	38

[1] As defined in Section 47(6) of the Arms Export Control Act.

(iii) Description of Articles or Services Offered: Four MK 15 MOD 1 single-gun VULCAN-PHALANX Close-In Weapon Systems with ammunition, spares, repair parts, and training.

(iv) Military Department: Navy (LAI, ABF, and TAW).

(v) Sales Commission, Fee, etc., Paid, Offered, or Agreed to be Paid: None.

(vi) Sensitivity of Technology Contained in the Defense Articles or Defense Services Proposed to be Sold: See Annex under separate cover.

(vii) Section 28 Report: Included in report for quarter ending 31 December 1982.

(viii) Date Report Delivered to Congress: May 9, 1983.

POLICY JUSTIFICATION

PAKISTAN—VULCAN-PHALANX CLOSE-IN WEAPON SYSTEMS

The Government of Pakistan has requested the purchase of four MK 15 MOD 1 single-gun VULCAN-PHALANX Close-In Weapon Systems with ammunition, spares, repair parts, and training at an estimated cost of $38 million.

This sale will contribute to the foreign policy objectives of the United States by enabling Pakistan to increase its capability to provide for its own security and defense. Pakistan plays an increasingly greater role as a stabilizing force in the Indian Ocean region. It is strategically important in the defense of sea lines of communication in the Arabian Sea and approaches to the Persian Gulf.

These VULCAN-PHALANX systems will be used as defensive weapons in the ongoing modernization of existing ships of the Pakistan Navy. The sale of this equipment and support will not affect the basic military balance in the region.

The prime contractor will be the General Dynamics Corporation of Pomona, California.

Implementation of this sale will require the assignment of three additional U.S. Government personnel to Pakistan for 15 weeks.

There will be no adverse impact on U.S. defense readiness as a result of this sale.●

THE WHITE HOUSE CONFERENCE ON SMALL BUSINESS—A STATUS REPORT ON ITS RECOMMENDATIONS

● Mr. NUNN. Mr. President, this week is Small Business Week, 1983. It is a time that we have taken annually to recognize the contributions that small business makes to our economic and social environment, and to encourage the entrepeneur to continue to actively participate in the free enterprise system.

Since I came to the Senate in 1973, I have had the privilege of serving on the Senate Small Business Committee; and since 1981 I have been its ranking Democratic member. In my view, the Senate Small Business Committee functions best as an advocate within the Senate for the interests and concerns of the 14 million businesses in this Nation that we consider small business.

This is not an easy task, for as we look at the characteristics of the small

business community, we see a very different composition if we look at Boston's Route 128 hi-tech corridor, or Georgia's small manufacturers and farmers, or the west coast timber industry.

We know that the small business community is not a monolithic entity by any means, and at times it has been difficult to assess the impact of particular Federal policies and programs on them.

But over time, I believe that we on the Small Business Committee, far better than most, have been able to reach out to that community and, under their guidance, develop a series of policies and programs that have made the business of being a small business a little easier.

Mr. President, most of our legislative efforts in the past were the products of a consensus among legislators about the most pressing problems facing small business. While we had the background developed through the hearing process, both in Washington and in the field, there was frequently a question raised about "what did small business really want."

In 1978, under the leadership of the former chairman of the Senate Small Business Committee, the distinguished Senator from Wisconsin, Gaylord Nelson, the committee reported a resolution to the Senate, which was adopted, requesting the President to convene a national White House Conference on Small Business. To his credit, President Carter heeded Senator Nelson's recommendation, and approved the request.

That action set in motion the mechanism for over 55 State and regional meetings in 1978 and 1979. With the imprimatur of the White House as a backdrop, and with the commitment of the Congress, the White House and the Small Business Administration, over 45,000 small business men and women owners, their advocates and supporters, met in State capitols around this Nation to discuss the critical issues facing small business, to identify those Federal actions and inactions which had the most far-reaching impact on their ability to be a small business, and to propose ideas that, in their view, would improve the relationship between the Federal Government and the small business community so as to foster their continued growth and development.

Those State and regional meetings culminated in the convening of the first White House Conference on Small Business, in Washington, in January 1980. During that 4-day national assembly, over 1,600 elected delegates, representing all 50 States, the District, and Puerto Rico, refined the issues that had been developed through the State and regional forums, and developed their own agenda of issues, and solutions, to the problems they perceived as having the greatest impact on their business lives.

When the Conference concluded, the delegates had voted on a series of 60 recommendations, 5 in each of 12 major topical areas.

Following the Conference, the White House Conference Commissioners, who had the day-to-day management responsibility for the Conference under the chairmanship of Arthur Levitt, Jr., president of the American Stock Exchange, prepared the report of the delegates, and submitted the text of the 60 recommendations to the President and the Congress.

Both the House and Senate leaderships established task forces, composed of key committee and subcommittee chairmen, to take responsibility for analyzing those 60 recommendations, and moving expeditiously on putting into legislation as many as possible. There was a flurry of activity in the early months after the White House Conference, and a number of significant recommendations were signed into law. But, Mr. President, while the fanfare may have subsided, the legislative and administrative efforts to see that 1980 agenda fully implemented has not ceased. Nor has the enthusiasm waned in the small business community to have their agenda enacted.

Over the past 2 years, as I meet with small business groups from around the country, I am repeatedly asked the question of the status of the White House Conference agenda. To my surprise, and disappointment, it appeared that there was no previous comprehensive effort to bring up-to-date the scorecard of accomplishments from that milestone White House Conference on Small Business.

Mr. President, for the benefit of my colleagues in the Congress, the men and women who participated in that 1980 conference, and those who are advocates for small business both within and outside of Government, I am honored to be able to provide that report today, and will include in my statement a detailed analysis of the 60 recommendations.

This analysis was prepared, almost singlehandedly, by Alan Chvotkin, my chief counsel on the Small Business Committee. Alan has served me in that capacity since January 1981. Prior to that time, he served as majority legal counsel to the committee under Senator Nelson. He was intimately involved in the development of the White House conference and served as its senior counsel during the conference.

Additional research was provided by Miss Amy Cantor who was an intern with the Small Business Committee last year, and Mary T. Bates, the staff assistant to the minority. Terri also deserves most of the credit for the production of this report.

As with any analysis, this one is, to a degree, subjective. Judgments had to be made as to the appropriate legislative coverage of certain recommendations that had only a general statement. Where there are multiple parts to one recommendation, each is dealt with separately, to the extent possible. The analysis is, to the best of our ability, nonpartisan, and accurate through the end of the 97th Congress; that is December 1982.

If there is a bias in this analysis, it would be that, to the extent recommendations have not been enacted into law, greater attention is focused on the interim efforts of the Senate rather than the House. It is an area we are more familiar with, but should not be interpreted as a lack of action by the House. I would welcome a careful review of this analysis, and comments for improvement or corrections.

Mr. President, based on this review, 38 of the 60 recommendations adopted in 1980 have been adopted in whole or significant part. In fact, since at least five of the recommendations Nos. 6, 23, 26, 30, and 37) are virtually duplicative, it is fair to state that 38 of 56 recommendations have been put into place. Furthermore, since the delegates ranked 15 recommendations as among their top priority, 11 of those 15 have been substantially complied with.

For example, in the area of economic policy and Government programs, all five recommendations have been adopted. In the areas of energy, Government regulations and paperwork, women in business, procurement, and international trade, four of the five recommendations in each of these areas have been substantially adopted legislatively or administratively. In the critical area of capital formation, three of the five recommendations have been enacted into law.

Mr. President, I would like to insert at this point in the RECORD a brief chart which recaps the progress made in implementing the 60 White House conference recommendations.

Summary of White House conference recommendations

Conference topic area:	*Completed* [1]
(a) Capital formation	3
(b) Minority business enterprise	2
(c) Innovation and technology	3
(d) Inflation	2
(e) Veterans	1
(f) Procurement	4
(g) Energy	4
(h) Women in business	4
(i) Government regulation and paperwork	4
(j) Economic policy and Government programs	5
(k) International trade	4

(l) Education	2
Total number of recommendations implemented of 60 [2]	38

[1] Number of recommendations completed of five proposed.

[2] Five recommendations appear duplicative (6, 23, 26, 30, and 37).

At the risk of being optimistic, in my review of the unfinished agenda, I believe it is possible for another 10 recommendations to be put into place within this coming year.

Mr. President, in addition to these recommendations, it should be clear that the small business community has not stopped at these recommendations in their efforts to improve the environment for small business. Nor has the Congress. For example, the Congress initiated the so-called Prompt Payments Act which requires the Government to pay its bills within a fixed period or pay interest on the outstanding balance. We approved a two-tiered fee structure for smaller businesses who file patent applications to protect their inventions. Last year, at Congress insistence, the Securities and Exchange Commission held its first annual Forum on Small Business Capital Formation, during which an additional 37 recommendations for legislative and administrative action in this critical area of access to capital were developed.

The significant progress that has been made to date, and the growth in the small business community's participation in the development of policies and programs to aid in their development, leads me to strongly recommend that the President reconvene another White House Conference on Small Business. This should be another nonpartisan conference, with the delegates chosen through a legitimate selection process. The agenda, and issues, should be of their choosing. I remember concerns were expressed by some of the Washington "pros" that the first Conference should not pass what they thought best for small business, but what some perceived as that which could be enacted. Fortunately, the delegates chose the former course, and Congress and the executive branch paid attention and took action. The next conference should take a similar approach.

Another White House conference would serve to rejuvenate the efforts to complete the first conference agenda, assess the progress made by the small business community as a whole, and develop another plan for action.

I will be joining with many of my colleagues in a letter to the President on this suggestion.

Mr. President, I ask that the complete analysis of the 60 recommendations of the 1980 White House Conference on Small Business be printed in full at this point in the RECORD.

The analysis follows:

THE WHITE HOUSE CONFERENCE ON SMALL BUSINESS

CAPITAL FORMATION AND RETENTION

Recommendations No. 1

At the White House Conference on Small Business, the delegate's primary concern was with the problems of finding and retaining capital. This is always difficult, especially for smaller companies. Inflation and expensive credit have made it increasingly difficult both to find outside capital and to preserve capital through retained earnings. In the ideal situation, a small business would have a variety of financing alternatives readily available to meet different needs at different times in its economic life cycle. Start-up capital usually comes from the entrepreneur's savings or from friends and relatives. Later, a young company may need venture capital from investors, Small Business Investment Companies, and similar institutions. Eventually, the company can sell shares through a public offering in order to raise equity capital.

On the debt side, commercial banks and finance companies provide short-term loans to finance inventories and accounts receivable and intermediate-term loans to buy equipment. Banks and savings and loan companies provide long-term debt money mostly by taking mortgages. Life insurance companies rarely lend to small businesses. Federal tax policy is the single most important instrument for encouraging or discouraging the flow of capital to small businesses. Taxes both on business income and on capital gains influence where investors choose to place this money.

"Replace the present corporate and individual income tax schedules with more graduated rate scales specifying the graduation corporate tax scale up to $500,000."

This recommendation was substantially enacted in the Economic Recovery Tax Act of 1981 (Public Law 97-34) in the following manner.

Cumulative reductions were made in individual income tax rates of 1¼ percent in 1981, 10 percent in 1982, 19 percent in 1983 and 23 percent in 1984. The top marginal rate for individuals was reduced from 70 to 50 percent on January 1, 1982, and the maximum tax rate on long-term capital gains was reduced to 20 percent for sales or exchanges after June 9, 1981.

In addition, the Economic Recovery Tax Act reduced the rate on corporate taxes. Under the law existing prior to the enactment of Public Law 97-34, the corporate rates were:

Corporate rate reduction taxable income	Rate (percent)
Under $25,000	17
$25,000 to $50,000	20
$50,000 to $75,000	30
$75,000 to $100,000	40
Over $100,000	46

Specific provisions in ERTA reduced the corporate tax rate on taxable incomes below $50,000 to:

Taxable income	Rate (percent)
In 1982:	
less than $25,000	16
$25,000 to $50,000	19
In 1983 and later years:	
less than $25,000	15
$25,000 to $50,000	18

Furthermore, although no action was taken on it during the 97th Congress, section 111 of S. 360, the Omnibus Small Business Capital Formation Act of 1981 (introduced by Senators Weicker, Nunn and 22 others on February 3, 1981), portions of which were included in the Economic Recovery Tax Act, would have increased the number of corporate tax brackets from five to seven, and would have further reduced the pre-ERTA marginal tax rates, particularly for small businesses, as follows:

Taxable income	Tax rate
Pre-ERTA law:	
$0 to $25,000	17
$25,000 to $50,000	20
$50,000 to $75,000	30
$75,000 to $100,000	40
Over $100,000	46
S. 360:	
$0 to $25,000	15
$25,000 to $50,000	17
$50,000 to $75,000	25
$75,000 to $100,000	30
$100,000 to $150,000	35
$150,000 to $200,000	40
Over $200,000	44

The revised rate schedule would allow smaller companies to put more of their profits back into their businesses for necessary improvements and expansion.

Recommendation No. 2

"Adopt a simplified accelerated capital cost recovery system to replace the present complex Asset Depreciation Range (ADR) regulations with provisions such as (A) immediately expensing capital costs less than a specified amount (B) immediately expensing government mandated capital costs, and (C) the creation of a maximum annual annual benefit that may be derived from the system."

This recommendation was substantially enacted in the Economic Recovery Tax Act (P.L. 97-34). The Asset Depreciation Range (ADR) provisions of prior law were designed to allocate depreciation deductions from gross income over the period the asset would be used in business, the so-called "useful-life", so that deductions for the cost of an asset were matched with the income likely to be produced by that asset.

In the Economic Recovery Tax Act, ADR was replaced by the Accelerated Cost Recovery System (ACRS). Under ACRS, the cost of an asset would be recovered over a pre-determined period, generally shorter than the useful life of the asset or the period the asset is used to produce income.

The Act provides that the cost of eligible personal (and certain real) property is recovered over 3, 5, 10 of 15 years, depending on the classification of the property. In addition, under the Act taxpayers have the option to use the straight-line method of depreciation, a prescribed accelerated recovery period, or an optional recovery period. Under the Tax Equity Act (P.L. 97-248) the faster recovery percentages scheduled to become effective in 1985 and 1986 have been eliminated. In addition, if property is financed in part by an industrial development bond, ACRS deductions are slowed.

With respect to that part of the recommendation for direct expensing certain capital costs, previously a deduction was provid-

ed for "bonus" first-year depreciation up to 20 percent of up to $10,000 of eligible property. ERTA repeals the "bonus" depreciation provisions and replaces it with an election to expense the cost of new or used personal property used in a trade or business. The maximum annual amount a person can expense is $5,000 for 1982 and 1983, $7,500 for 1984 and 1985, and $10,000 for years after 1985. No investment tax credit is allowed for expensed property, however. For a further discussion of a research and development tax credit, see recommendation 11.

No action has been taken regarding parts C of this recommendation.

Recommendation No. 3

"Revise estate tax laws to ease the tax burden on family-owned businesses and encourage the continuity of family ownership."

Previously, it was difficult for heirs to maintain family ownership of businesses. In order to pay the estate taxes, families were frequently left with no choice except to liquidate the business. Some larger firms bought the more growth-oriented businesses, which resulted in greater concentration rather than greater competition. Revisions to the estate and gift tax laws that have been included in the Economic Recovery Tax Act make it easier for survivors to retain a family business.

For example, under the Economic Recovery Tax Act (Public Law 97-34):

1. Estate and gift taxes are unified under the Act so that a simple, progressive rate schedule is applied to cumulative gifts and bequests.

Estate and gift tax rates range from 18 percent for the first $10,000 in taxable transfers to 70 percent on transfers exceeding $5 million. Under the Act, for decedents who died in 1982, the unified credit is set as $47,000, so that there would be no estate or gift tax liability on estates up to $175,625. In addition, the law provides for an increase in the unified credit in steps through 1987, so that the equivalent amount of transfers on which no estate or gift tax need be paid increases to $600,000. Furthermore, the maximum estate and gift tax rate is reduced by 5 percentage points each year over a four year period beginning in 1982 from 70 to 50 percent.

2. Marital deductions.—ERTA eliminates the previous quantitative limits on both the gift and estate tax marital deductions so that it is possible for one spouse to transfer an unlimited amount of property tax-free to the other spouse. Transfers of community property and of certain terminable interests also qualify for the marital deduction. With respect to property held in joint tenancy by spouses with right of survivorship, only half of the property is included in the estate of the first to die. A transition rule continues for marital deduction clauses in wills executed before 30 days after the date of enactment and not subsequently amended to specifically indicate an intent to adopt an unlimited marital deduction.

3. Gifts made within three years of death.—Several sections of the prior law are combined into one provision which permits the deferred payment of estate taxes if interests in closely held businesses exceed 35 percent of adjusted gross estate. The new law also permits redemption of stock in a closely held business to pay estate taxes, funeral expenses and administration expenses, and provides that the remaining unpaid tax balance won't be accelerated upon the death of the decedent's heir or a subsequent transferee, provided that the interests in that closely held business are passed to a member of the heir's family.

4. Annual gift tax exclusion.—The annual gift tax exclusion is increased from the prior law level of $3,000 to $10,000 per donee. An unlimited gift tax exclusion is provided for amounts paid directly to the service provider for the benefit of the donee of medical expenses and school tuition. A transition rule allows present law to continue to apply to existing trusts which contain provisions referring to the maximum annual exclusion amount.

5. Annual filing of gift tax returns.—The filing of the gift tax return is required only on an annual basis rather than quarterly.

6. Generation-skipping transfer tax.—Trusts created by wills or revocable trusts in existence on June 11, 1976 are exempt from tax-generation trusts if (1) they were not amended after that date to create or increase the amount of a generation-skipping transfer, and (2) the testator or trust grantor died before January 1, 1983.

Recommendation No. 4

"Provide for a tax credit for initial investment in a small business, and permit deferral of taxes for roll-overs of investments affecting small businesses."

Section 101 of S. 360, the "Omnibus Small Business Capital Formation Act of 1981", provides for a 10% tax credit (up to $4,000 per person) for investment in the stock of small and medium sized corporations. Section 104 of that bill permits sellers of small business stock to sell their interest for cash and defer any capital gains tax they may owe as a result of the sale provided they reinvest the proceeds from the sale in another small business within 18 months of the date of sale. In the House, H.R. 4242 has many provisions similar to those found in S. 360.

One hearing was held in the Senate Finance Committee on this proposal.

However, no legislative action has been taken to provide a direct tax credit for initial investments in a small business. Congress did pass the "Subchapter S Revision Act of 1982" which, among other things, increased the number of permitted shareholders from 25 to 35.

For a further discussion of related issues, see other recommendations dealing with capital formation.

With respect to a deferral of taxes for "roll-overs" of investments affecting small business, several bills have been introduced in both the House and Senate. No action has been taken on these generic proposals. In October, 1982, the Senate Finance Committee reported enterprise zone legislation which would provide for the establishment of 25 enterprise zones in each of three fiscal years. Among the tax incentives included in the bill are:

The existing investment tax credit of 10 percent would be increased to 20 percent;

The capital gains tax on the sale of certain property within a zone would be eliminated; and

A jobs tax credit would be provided for employment in the zone: 10 percent for wages paid to zone residents, and 50 percent for disadvantaged workers.

Recommendation No. 5

"Provide tax incentives in the form of a new security called a Small Business Participating Debenture (SBPD) to provide a source of capital for small businesses."

Small Business Participating Debentures are seen as a way to raise capital for small business without the entrepreneurs sacrificing a substantial portion of their equity. Although proposals take several forms, they generally provide that the SBPD will have a fixed rate of interest, be redeemable at a predetermined price on a future date certain and involve no ownership interest. The share of earnings would be taxed to the investor as a long-term capital gain, but deductible by the issuing company as an expense. The SBPD is designed to combine the benefits of equity and debt financing that is acceptable to both the small business and investment community.

Section 102 of S. 360 would provide the legislative authority for such a security. In the House, two bills have been introduced (H.R. 4015, H.R. 5078) which, although somewhat different in their provisions, would also provide the needed authority.

However, no legislative action has been taken on any of these proposals.

MINORITY BUSINESS DEVELOPMENT

Recommendation No. 6

It has become increasingly difficult for minorities to start and operate small businesses.

Minority businesses are often concentrated in low-growth and low-margin industries such as retail trade, services, and non-industrial construction. These entrepreneurs are often "handicapped" by inadequate capital, limited opportunities to buy businesses, insufficient management training, disjointed and diffused government assistance programs, and difficulty in marketing outside minority communities. Federal efforts to help minority enterprise center around financial aid and procurement opportunities. The SBA does have specific programs to aid minority owned businesses. However, the delegates were concerned with obtaining additional assistance. The recommendations offered in this area focus heavily on mandating specific percentage goals for federal monies and opportunities to go to small, minority, and women-owned businesses.

Public Law 95-507 was signed by the President on October 24, 1978. Before 1978, various executive orders were the basis for the Federal government's support for minority businesses. For 1977, the Public Works Employment Act of 1977 was passed by Congress, and required that at least 10 percent of Federal funds granted for local public works projects must be used to procure supplies from minority owned businesses. The constitutionality of this provision was questioned many times, and in 1980, the Supreme Court ruled that Congress did have the constitutional power to enact the 10 percent set-aside provisions. The passage of Public Law 95-507, which amended section 8(a) of the Small Business Act, now allows the SBA to enter into contracts with other government agencies, and to subcontract to small businesses owned by socially and economically disadvantaged people for services and supplies necessary to perform the contracts.

Public Law 95-507 also amended the Small Business Act to require that in the case of contracts over $1,000,000 for the construction of any public facility, or $500,000 for any other contract, the successful offeror must negotiate a plan that provides the "maximum practicable opportunity" for small business subcontracting.

"The President, by Executive Order, and Congress, by legislation, shall establish mandatory goals for all Federal procurements and Federal funds or grants to States, localities, and public and private institutions, on a contract-by-contract or agency-wide basis for small businesses (35

percent); minority-owned (Black-Hispanic, Native American, Asian Pacific American, and other racial minorities) businesses (15 percent); and women in business (10 percent)."

For a detailed review of this item, see recommendation 37 in particular. Recommendations 23, 26, and 30 are similar.

Recommendation No. 7

"The President shall direct the Office of Management and Budget (OMB) to establish, as part of the budget process, a formal reporting and goal-setting system, requiring all departments and agencies to specify and separately make public the resources they plan to make available to small business, minority-owned (Black, Hispanic, Native American, Asian Pacific American, and other racial minorities) businesses, and women in business. The departments and agencies shall also be mandated to publicly report the levels of attainment of these goals."

No specific action has been taken on this recommendation. Although agency budget justifications will frequently identify program goals and resource allocations there is no single reporting or goal-setting system for all resources.

Public Law 95-507 does require that each agency which has procurement authority must set goals for the utilization of small business in their procurement activities. For a further discussion of this issue, see recommendation 37.

In addition Public Law 97-219, the Small Business Innovation Development Act, requires that each Federal agency that has a research and development budget in excess of $20 million in any fiscal year shall establish goals for funding agreements for R&D to small business concerns, and no goal established shall be less than the percentage of the agency's R&D budget spent with small business in the preceding fiscal year. For a further discussion of this issue, see recommendation 11.

Recommendation No. 8

"Congress and the Executive Branch shall ensure the effective implementation and enforcement of Public Law 95-507 by adopting the following changes/recommendations: (1) requiring the law or implementing regulations to provide that the prime contractor set forth a narrative description of the subcontract or subcontract item; and (2) giving the Associate Administration for Minority Business, within the SBA, the clear authority to enforce and monitor compliance with Public Law 95-507."

No action has been taken to implement part one of this recommendation. Provisions were made for part two in Public Law 96-481.

Section 104 of Public Law 96-481 states that the SBA Associate Administrator for Minority Small Business and Capital Ownership Development (AAMSB-COD) shall manage all services and activities authorized under Section 7(j) and 8(a) of the Small Business Act.

Section 105 of that law states that all determinations of eligibility for the 8(a) program made with respect to whether a group has been subjected to prejudice or bias (i.e. whether there is the qualification for "social" disadvantage as required by the Small Business Act) shall be made by the SBA Administrator after consultation with the AAMSB-COD. All other determinations required for program eligibility shall be made by the AAMSB-COD under the supervision of, and responsible to, the Administrator.

NOTE.—Under Public Law 96-481, the AAMSB-COD only has the authority to enforce the provisions of Public Law 95-507 dealing with minority business development programs. He does not have the authority over the other general procurement provisions of Public Law 95-507. Of course, the Administrator of the Small Business Administration does have the overall management responsibility for the agency's implementation of procurement programs under the agency's jurisdiction.

Recommendation No. 9

"Congress shall (1) adopt an SBIC and MESBIC Investment Tax Credit Act to provide a 50 percent tax credit for corporations and individuals who invest in any issue of equity securities of SBICs and licensed MESBICs; and (2) authorize MESBICs to borrow long-term loans from the Federal Financing Bank at subsidized interest rates."

No action has been taken on this recommendation. Part of the impetus for part two of this recommendation is to insure an adequate and cost-effective source of financing for MESBICs. The House has passed legislation (H.R. 6086) which would, among other things, increase the authorization for SBA participation in MESBICs from its current statutory ceiling of $35 million to $41 million. Similar increases have also been passed by the House of Representatives as an amendment to a Senate-approved bill (S. 1947) relating to improving the small business procurement community's use of the Commerce Business Daily. Similar legislation (S. 2408) has been favorably reported by the Senate Small Business Committee. Both bills would also increase the present ceiling on guarantees of debentures issued by SBICs. Current law authorizes $160 million. The House bill would increase that level to $250 million; the Senate bill raises the ceiling to $225 million.

Recommendation No. 10

"The President, by Executive Order, or Congress by legislation, shall establish a National Minority Economic Commission to provide a centralized focus to the Federal effort to assist minority business enterprise. This commission, a majority of which shall consist of non-government contractors, shall report directly to the President."

Public Law 95-507 statutorily established the Presidential Advisory Committee on Small and Minority Business Ownership (PAC-SMBO).

On February 1, 1980, by Executive Order 12190, President Carter created the Committee, implementing the statutory requirements. The purpose of the PAC-SMBO is to assist in monitoring and encouraging the placement of subcontracts by the private sector with eligible small business, particularly with small minority business. Also, the Committee is to study and propose the incentives and assistance needed by the private sector to help in the training, development, and upgrading of such businesses. The Committee, through its Chairman, reports annually and makes recommendations to the President and to the Congress on its activities during the previous year. Executive Order 12259 (Dec. 31, 1980) extended the life of the Committee to December 31, 1982.

By statute, the membership of the Presidential Advisory Committee is to be composed of five "high level officials" from five U.S. businesses, and five representatives of minority small businesses.

INNOVATION AND TECHNOLOGY

Recommendation No. 11

The U.S. is the world leader in science, engineering, and technology, but its leadership has been waning in recent years, especially as other nations have developed government policies to foster innovation.

Innovation is essential to improving productivity in every sector of the economy, to developing new industries, and to strengthening the U.S. balance of trade. Technology is also a key to revitalizing inner cities.

The government has embarked on a major overhaul of federal laws and practices to spur innovation. The options studied by the delegates concentrated largely on problems of finding capital, and were in many instances identical to proposals discussed in the Conference workshops on Capital Formation and Retention. The delegates were also concerned about streamlining the Patent Office, retaining rights to inventions made under federal research grants, and making the distribution of federal R&D funds more equitable and subject to fewer delays.

"Support and urge passage of S. 1860, the Small Business Innovation Act of 1979, and companion bill H.R. 5607, as presently drafted with flexibility for minor future amendments covering: small business research and development set-asides; small business innovation and research programs (as already encompassed by H.R. 5126 and S. 1074), patents (as already encompassed by S. 414 and S. 1679), capital formation and retention, amendments to the Internal Revenue Code, and regulatory flexibility."

The first two elements of this recommendation have been met through the enactment of Public Law 97-219, the Small Business Innovation Development Act of 1982. This legislation is similar to the substance of the specific legislative proposals which were pending in the Congress during January, 1980 when the Conference met.

The Small Business Innovation Development Act creates a national policy for greater utilization of federal research and development as a base for technological innovation while meeting particular agency needs.

The Act is intended to encourage participation of small science and high-technology firms in government research and also provides incentives for the conversion of research results into technological innovation and commercial applications. Follow-on private funding from venture capital and industrial firms will help pursue potential commercial applications of government R&D efforts.

Federal agencies which have a research and development budget of more than $100 million for outside work are required to establish Small Business Innovation Research (SBIR) programs. Through these programs, a percentage of the R&D budget will be set-aside for funding agreements with small business. Small businesses will compete among themselves for awards under these programs.

Funding for the SBIR programs in civilian agencies will be phased in over a four-year period, and over a five-year period for the Department of Defense.

Estimated amount of R&D funds to be set aside for fiscal year 1983-87 under SBIR programs

Fiscal year:	*Millions*
1983	$50
1984	150
1985	265
1986	405
1987	465

Patents

With respect to that portion of the recommendation dealing with patents, this element has been met through the enactment of Public Law 95-517, the "Patent and Trademark Amendments of 1980". With limited exceptions, this Act gives small businesses and non-profit organizations a first right of refusal to title in inventions they have made in the performance of Government grants and contracts. The Act takes precedence over approximately 26 different statutory and administrative provisions governing title in inventions. This law is similar in substance to the specific legislative proposals which were pending in the Congress during January, 1980 when the Conference met.

Beyond the specific recommendation of the delegates, legislation has been enacted (Public Law 97-247, the Patent and Trademark Office authorization) to statutorily establish certain fees to be charged by the Commissioner for patents and patent applications. However, this legislation also states that appropriated funds shall be used to reduce by half the fees which small businesses and certain others would otherwise be required to pay under the legislation.

Capital Formation

This recommendation is not specific on the delegate's suggestions on appropriate capital formation and retention action, or amendments to the Internal Revenue Code. For a discussion of specific delegate recommendation, see the section relating to capital formation and retention.

However, the Economic Recovery Tax Act (Public Law 97-34) does provide a 25 percent tax credit for certain research and experimental expenditures paid in carrying on a trade or business, but only to the extent that current year expenditures exceed an established "base period". This credit is scheduled to expire in 1985. There will be proposals to make the credit permanent.

Regulatory Flexibility

This recommendation is not specific on the delegates' suggestions on appropriate actions for regulatory flexibility. For a discussion of the specific regulatory recommendations, see items 41, 43 and 45.

Recommendation No. 12

"Existing Federal research and development procurement, assistance and tax laws and policies must be modified and new laws enacted to: (1) eliminate unfair advantages enjoyed by governmental agencies, nonprofit organization and educational institutions which compete with innovative small business in providing goods and services; (2) mandate statutority a national policy of reliance on small businesses; (3) prevent the Federal government from dissemination of proprietary information: (4) prevent the Federal government through the use of its own personnel, including Federal Research Centers, from competing with small business."

Part one of this recommendation is not specific on the delegate's suggestions for appropriate action to eliminate unfair advantages which may provide a competitive edge to certain institutions which compete with small business. For a number of significant actions which already have been taken to assist the innovative small business community, see the discussion under recommendation 11.

With respect to part two of this recommendation, legislation has been introduced in both the Senate (S.J. Res. 93 and S. 2278) and the House (H.J. Res. 294) to affirmatively state in law the general policy of the government of the U.S. to rely on competitive private enterprise to supply the products and services it needs whenever competitive industry prices are available. This policy shall be administered by the Director, Office of Management and Budget in coordination with the Administrator, Office of Federal Procurement Policy.

Although hearings have been held on this legislation, and the issue of contracting out generally, no legislative action has been taken on these specific proposals.

Federal departments and agencies operate under broad policy guidelines to examine their activities to determine which can be handed over to the private sector. OMB Circular A-76 outlines a method by which agencies can establish whether it is "more efficient and effective for the Government" to contract out for certain services and products or to perform the activity in-house. According to A-76, there are major cost advantages of contracting out such as cost-effectiveness, flexibility and the ability to increase technology transfers. However, despite the obvious advantages mentioned, A-76 states that purely "governmental functions" be performed in-house. The key issue, however, is determining what are "purely governmental functions". The loose wording of the present circular leaves the phrase open to interpretations which allows agencies to justify the activities performed by federal employees. The Office of Management and Budget is presently (November, 1982) revising OMB Circular A-76.

However, the fiscal year 1983 Department of Defense Authorization Act (S. 2248, Public Law 97-252) does contain several provisions prohibiting the contracting out of certain activities. Under the law, Congress imposed a six month (until April, 1983) limitation on any Defense Department cost-benefits analyses of contracting out commercial and industrial functions to the private sector, except for certain enumerated areas. In addition, the law prohibits the Department from entering into any new contract in fiscal year 1983 for performing firefighting or security guard functions:

Regarding Part 3 of this recommendation, sections 8 and 9 and S. 1730, the "Freedom of Information Reform Act", introduced by Senator HATCH, provides for the protection of "trade secrets and commercial research, or financial information, or other commercially valuable information obtained from any person and privileged or confidential where release may impair the legitimate private, competitive, financial, research, or business interests of any person or where release may impair the government's ability to obtain such information in the future".

This strong language was modified when the bill was considered by the Senate Judiciary Committee. As modified by the Committee, the legislation would limit public access to certain government files without creating an opportunity for excessive governmental secrecy. Specifically, the Judiciary Committee bill would require an agency to notify a business when anyone requests information on a business when that information is provided to the Government. Additional protections are provided to businesses to challenge, at both an agency level or in court, an agency's decision to release the information on the firm. The Senate Judiciary Committee reported this bill to the full Senate, but no action was taken on it.

Part four of this recommendation is similar in policy guidance to part two of this same recommendation.

For a more thorough discussion of the provisions on limitations on "contracting out", see recommendation No. 26.

Recommendation No. 13

"Increase the amount of Federal research and development prime contracts awarded through small business set-asides by one percent per year of each agency's research and development budget, until the dollar value of the set-asides reaches at least ten percent of that agency's total annual research and development budget."

It has been estimated that, for fiscal year 1982, total Federal research and development funds available to the agencies will total over $40 billion. A recent study by the Federal Government's Office of Federal Procurement Policy found that only 3.5 percent of the total Federal R&D funds are made available to small business. However, under prior Federal law, only the National Science Foundation has specific statutory authority to "set-aside" a portion of its budget for R&D prime contracts for small business. The Department of Defense did voluntarily establish a program similar to the NSF program in 1981.

In addition, the Small Business Innovation Development Act (Public Law 97-219) imposes an additional mandatory program on Federal agencies in an effort to increase small business participation in Federal R&D contracts. Under that law, at least nine Federal agencies (with an extramural R&D budget in excess of $100 million) are required to set-aside a fixed, pre-determined portion of their extramural R&D Budget for funding agreements with small business. The bill will phase-in the set-aside program over four years (five for the Department of Defense) to a maximum rate of 1.25 percent of the agency's budget. It is estimated that as much as $1.3 billion could be made available for small business awards over the next five years.

In addition, the Act requires Federal agencies with R&D budgets in excess of $20 million to establish goals for small business funding which shall not be less than the amount spent with small business in the preceding fiscal year.

For a further discussion, see recommendation No. 11.

Recommendation No. 14

"Clarify the 'prudent man rule' to broaden it and insure that securities of small issuers are not excluded from those securities eligible for purchase by funds subject to ERISA and exempt those securities from planned asset regulation issued by the Department of Labor."

The adoption of the Employee Retirement Income Security Act of 1974 ("ERISA") has had a significant impact upon the investment of private pension assets in small business. Employee plan asset managers, who were uncertain about their responsibilities under ERISA's prudent person rule, adopted an extremely conservative investment strategy following passage of the Act. Small business access to pension funds was reduced as plans invested more heavily in blue chip securities.

In January 1977, the Small Business Administration Task Force on Venture and Equity Capital for Small Business expressed its concern that ERISA's fiduciary standards had isolated $200 billion in pension assets from all but blue chip and fixed income securities. The Task Force suggested

an amendment to the ERISA prudent person rule to clarify its application to the total portfolio of pension fund in vestments rather than to individual investments.

The Department of Labor published, effective July 23, 1979, a final rule interpreting the investment duties of a fiduciary under the prudent person rule. The regulation adopted the total portfolio approach to evaluating investments and expressly permitted investments in small business under certain circumstances:

". . . [T]he prudence of an investment decision should not be judged without regard to the role that the proposed investment or investment course of action plays within the overall plan portfolio. Thus, although securities issued by a small or new company may be a riskier investment than securities issued by a 'blue chip' company, the investment in the former company may be entirely proper under the Act's 'prudence' rule."

Although issuance of the prudence regulation represented an important development in reopening small business access to pension funds, a number of difficulties have remained. The Department of Labor has not defined the parameters of prudence with respect to investment in small business. The Department is also in the process of drafting a definition of the term "plan assets" to repropose for comment. The design of that regulation could have a serious impact on the degree to which pension funds may be a viable source for venture pools that invest in small business.

In August 1979, approximately one month following the effective date of the revised prudence regulations, the Department of Labor proposed a definition of the term "plan assets" under ERISA. Under the Department's proposal, there would have been a "look-through" of the interest held in a venture capital pool by an employee plan so that pool assets would have been deemed to be plan assets under ERISA.

On February 27-28, 1980, the Department of Labor held hearings in Washington on the plan asset regulation. The Department of Labor, on June 6, 1980, proposed for comment a revised definition of the term "plan assets." The proposed revision provides that if certain conditions are met, an investment in a venture capital pool by a plan would not be considered to be a delegation of investment management authority and the venture pool assets would not be considered to be plan assets.

The Department has not yet adopted the revised plan assets definition as it applies to venture capital firms.

Although legislation was introduced in 1977 and 1978 to revise and clarify the prudent person rule, it was not adopted. No proposals progressed in the 97th Congress that would legislatively address this recommendation.

In 1982, however, the Department of Labor issued ERISA regulations that provided class-wide exemptions from the prohibited transaction provisions for investments in certain residential mortgage investments and mortgage pools. However, these exemptions have apparently not opened up pension plans as expected.

Legislation has been introduced in the Senate (S. 2918) and the House (H.R. 6781) that, although not identical, would both eliminate legal and regulatory barriers against pension funds investing in residential mortgages.

Recommendation No. 15

"Institute specialized capital gains treatment for generative capital invested in technology based firms starting with 25 percent in the first year, decreasing by 5 percent per year to zero after five years, further, defer taxation on such gains whenever the proceeds from sale of investments is reinvested into a small business within the next twelve months."

The special capital gains treatment has not been proposed per se. However, Senators Long, Roth, Bentsen and Wallop introduced S. 899, which would have increased the capital gains deduction from 60 to 80 percent for funds invested in a small business. Under S. 889, a minimum level of employee stock ownership would have been required, as well as a minimum level of R&D expenditures. As for the rollover of capital gains for funds invested in small business is concerned, such a proposal was contained in S. 360. Senator Bentsen also sponsored similar legislation. These measures have failed to gain approval.

INFLATION

Recommendation No. 16

The delegates in the Inflation workshops mainly concentrated on measures that would benefit the nation as a whole. These involved restricting growth in the money supply to the same rate as increases in national productivity; reforms in minimum wage standards and the Social Security System; revision in Civil Service employment practices; and as many as seven different approaches to balancing the federal budget.

Recommendation No. 16

"Balance the Federal Budget by statute in Fiscal Year 1981 by limiting total Federal spending to a percentage of the GNP, commencing with 20 percent and declining to 15 Percent."

Both Houses of Congress have frequently debated various forms of balanced budget proposals. These proposals have been offered as Constitutional amendments, regular bills, and incorporated into Congressional budget resolutions. In fact, at least three provisions in law now require a balanced budget. For example, one provision incorporated into Public Law 95-435, The International Monetary Fund supplemental financing authority (October 10, 1978) states that, beginning with fiscal year 1981, the "total budget outlays of the Federal government shall not exceed its receipts". Additional provisions have been adopted in sections of Public Law 95-523, (Oct. 27, 1978, the "Full Employment and Balanced Growth Act of 1978", the so-called Humphrey-Hawkins bill), and Public Law 96-58 (April 2, 1979) a bill to temporarily increase the Federal debt limit. However, despite the statutory provisions mandating a balanced budget, the Federal budget has been in balance only once in the past 21 years.

On August 4, 1982, the Senate approved S.J. Res. 58, a joint resolution proposing a Constitutional Amendment requiring a balanced Federal budget except during times of war, or if 3/5 of each House of Congress vote specifically to "unbalance" the budget. This proposed Constitutional amendment provides that, for purposes of determining the "receipts" to the Federal government, total estimated receipts shall generally not increase by a rate of increase "greater than the rate of increase in national income".

However, on October 1, 1982, the House of Representatives failed to secure the necessary two-thirds majority to pass a Constitutional amendment (H.R. Res. 350). Furthermore, federal spending as a percentage of GNP was 22.5 percent in 1981. In 1982, the percentage was 23.5 percent.

Recommendation No. 17

"Reform the Social Security System by including, where constitutionally possible, all public and private sector employees as contributors and more closely tie benefits to contributions to move the system toward actuarial soundness. Limit benefits to the original old-age and survivors benefits. Freeze the tax base and tax rate at the January, 1980 level. Eliminate double dipping."

At this juncture, none of these recommendations have been acted on. The Greenspan Social Security Commission made its recommendations to help improve the Social Security System at the end of 1982. It is anticipated that the Commission may recommend that the retirement age be increased, scheduled payroll tax increases be moved up, and the coverage extended to some degree to government workers. Apparently, no efforts are being made to completely overhaul the system itself.

Recommendation No. 18

"Revise minimum wage standards by freezing standards at January, 1980 levels and establishing a two-tier minimum wage by exempting teenagers, seasonal workers and part-time workers."

With respect to that portion of the recommendations to freeze the minimum wage at 1980 levels, no action has been taken.

With respect to that portion of the recommendation to establish a two-tiered minimum wage for teens and other workers, several bills have been introduced in Congress, but no further legislative action has been taken. Hearings were held in the Senate Labor and Human Resources Committee in March 1981, on a sub-minimum wage for youth.

Recommendation No. 19

Repeal the Davis-Bacon Act

The Davis-Bacon Act of 1931 requires that, on all construction contracts in excess of $2,000 paid for in whole or in part with Federal funds, wages paid to workers must be equal to, or in excess of, the "prevailing" wages in the community in which the Federal construction is to be performed.

No final legislative action has been taken on this recommendation, although several amendments have been proposed to raise the dollar threshhold, or to exclude certain types of construction activity from the application of that Act.

Recommendation No. 20

"Provide greater incentives for savings and investment by eliminating income tax on investments and interest income up to $10,000."

Under Public Law 97-34, the Economic Recovery Tax Act (ERTA), the number of permitted shareholders while still retaining eligibility to be treated as a Subchapter S corporation was increased from 15 to 25. On October 19, 1982 the President signed the Congressionally-passed "Subchapter S Revision Act", Public Law 97-354. Among other things, the law increased the number of permitted shareholders from 25 to 35.

In addition, the Tax Equity Act (Public Law 97-248) eliminates distinctions in prior law between qualified pension and profit-sharing plans of regular corporations, and those of self-employed individuals and Subchapter S corporations. In particular, the Tax Equity Act creates a new distinction between pension plans that favor owners and

key employees ("top-heavy plans") and others.

Several legislative proposals have been introduced in the 97th Congress to further increase tax exemption of interest and dividend income.

Partial Dividend and Interest Exclusion

ERTA reinstates the $100 dividend exclusion of prior law for 1982 and subsequent years; however, the $100 per taxpayer limitation for the reinstated dividend exclusion is replaced by a limitation of $100 per separate return and $200 per joint return. Effective in 1985, ERTA provides for a 15 percent net interest exclusion on up to $3,000 of net interest. For those who itemize deductions, the interest is eligible for the percentage exclusion only to the extent it exceeds the taxpayers "qualified" interest expense.

Under the Tax Equity Act (Public Law 97-248), for amounts paid or credited after June 30, 1983, withholding of a flat 10 percent will be required on payments of interest and of dividends out of earnings and profits. Withholding is not required where the payments of interest total less than $150 on an annualized basis.

Tax Exempt Savings Certificates

ERTA provides a tax exemption for an aggregate of $1,000 for interest received on a qualified savings certificate (the "all savers" certificates issued between October 1, 1981 and December 31, 1982). Interest, other than from a certificate, will not be eligible for exclusion after 1982 and the dividend exclusion will be limited to $100.

Individual Retirement Accounts

Under ERTA, benefits under a qualified individual retirement plan are taxed only when paid to the employee or a beneficiary and are not taxed if merely made available. Under ERTA, amounts invested in "collectibles" under an IRA or a self-directed account in a qualified plan will be treated as distributions for income tax purposes, however.

Under ERTA, the proceeds of a redeemed U.S. retirement bond which is distributed under a qualified bond purchase plan may be rolled over, tax free, to an IRA. Bonds purchased for an employee may be redeemed only after the employee attains age 59½, dies, or becomes disabled. ERTA provides that a divorced spouse is allowed a deduction for contributions to a spousal IRA established by the individual's former spouse at least five years before the divorce if the former spouse contributed to the IRA under the spousal IRA rules for at least 3 of the 5 years preceding the divorce.

Self-Employed Retirement Savings (Keogh Plans)

The deduction limit for employer contribution is increased from $7,500 to $15,000. The 15 percent limit on contributions remains unchanged. The compensation taken into account in determining permitted annual benefit accruals is increased from $50,000-$100,000. Under ERTA, the compensation taken into account in determining permitted annual benefit accruals for Keogh or Subchapter S corporations is similarly increased from $100,000 to $200,000. ERTA also permits early withdrawals from a terminated Keogh plan by an owner-employee without regard to the 5-year ban on Keogh plan contributions for the owner employee.

In view of the efforts to eliminate the distinction between self-employed and corporate plans with regard to contributions and benefits effective in 1984, the Tax Equity Act repeals the $15,000 and the 15 percent limitations on deductions of contributions. The $200,000 limitation on compensation that may be taken into account under a self-employment plan is also repealed.

Employee Stock Ownership Plans (ESOPs)

ERTA terminated (after 1982) the previous investment-based tax credit for ESOP contributions and replaces it with a payroll-based tax credit which is allowed for wages paid in 1983-87. For 1983-84, the credit is limited to .5 percent of compensation paid to employees under the plan and to .75 percent of such compensation for 1985, 1986, and 1987.

VETERANS IN BUSINESS

Recommendation No. 21

The Small Business Act amendments of 1975 (Public Law 93-237) requires the SBA to give "special consideration" to veterans. It was felt, however, that few attempts have been made to help veterans start and own small businesses. The delegates emphasized that disabled veterans have the greatest need for assistance, followed by Vietnam veterans in general. They were also concerned about receiving more procurement contracts and including disabled and Vietnam Veterans in all rules and legislation that pertain to "socially and economically disadvantaged" groups.

Recommendation No. 21

"The President shall issue an Executive Order providing for the full and effective implementation of the provisions of the Small Business Act providing for 'special consideration' for veterans (Part 116, Subpart A of title 87, U.S. Code, Public Law 93-237); to assist in carrying out the veterans 'special consideration' provisions. Such executive order shall establish within the SBA an internal Veterans' Business Committee, the majority of whose members shall be veterans and whose purpose shall be to advise and assist the SBA in the development and implementation of programs and the formulation of policies necessary and appropriate to carry out the veterans 'special consideration' provisions of the Small Business Act and regulations pertaining thereto.

"Such Executive Order shall require all appropriate agencies and departments of the Federal Government which engage in business assistance activities, such as procurement authority to provide 'special consideration' to veterans in order to significantly improve the quality of assistance to veterans and to provide support to veteran-owned businesses."

No Executive Order has been issued.

Public Law 93-237, effective Jan. 2, 1974 provided "special considerations" for veterans in all Small Business Administration programs.

By regulation SBA's definition of "special considerations" includes:

1. In-depth management assistance conseling on first interviews;

2. Emphasizing to SBA personnel designated as Veterans Affairs Officers the need for close cooperation with the local V.A. offices and organizations having direct interest in veterans affairs;

3. Directing SBA procurement personnel designated as Veterans Procurement Affairs Advisors to emphasize how veterans can obtain procurement contracts from the Government;

4. Local media campaigns to inform the veterans about SBA's ability and desire to help;

5. Special workshops and training;

6. Prompt processing of loan applications of any type;

7. Particular attention to giving maximum loan maturity to veterans;

8. Loans would not be declined solely because of the lack of collateral provided the Veteran, dependent, or survivor will provide any worthwhile collateral;

9. On all direct loans, placing a liberal interpretation on present deferment policy;

10. In the awarding of 8(a) contracts, veterans' status may be a contributing factor in establishing eligibility as socially and economically disadvantaged; and

11. In all district offices there shall be one or more loan specialist designated as veterans loan officers.

However, these provisions were either not fully implemented or were ineffective. The purpose of this recommendation is to implement and make effective the provisions in Public Law 93-237.

In May, 1982, SBA announced that it was taking additional action. The agency announced that SBA will establish within the Office of the Chief Counsel for Advocacy, a Veterans Business Enterprise Office to work as an advocate on behalf of veterans.

In addition, new regulations will be issued to clarify and assure that veterans are provided "special consideration" within programs. Agency officials will review their programs and activities and propose any required regulations within 60 days.

The agency will also develop programs in management assistance and business training for veterans, and insure that veterans affairs officers will be appointed in each SBA regional and district office to give assistance to veterans.

On November 3, 1981, Public Law 97-72, the "Veterans' Health Care, Training and Small Business Loan Act of 1981" was enacted. Under the law, the Administrator of the Veterans' Administration is authorized to establish a program of small business loans and loan guarantees for certain service-connected disabled, and Vietnam-era veterans to enable these veterans to acquire, start, or expand a small business. Twenty-five million dollars was authorized for this program.

In the President's statement on signing this legislation, he noted that, "because this program might duplicate a similar program in the Small Business Administration and would involve the Veterans Administration in an area in which it has no expertise, I intend to weigh carefully any efforts to fund this program."

An amendment was offered in the House to the Veterans Administration's fiscal year 1883 appropriations act to fund this program at $25 million. The amendment was withdrawn after its sponsor (Congressman Daschle) received assurances that funds would be made available for a veterans direct loan program through the Small Business Administration. A $25 million direct loan program for veterans was provided to SBA for fiscal year 1983 as part of the omnibus Continuing Resolution (Public Law 97-377).

Recommendation No. 22

"The President should establish an Interagency Committee on veterans in business. Not more than one-third of such committee shall be nonveterans."

No action has been taken on this recommendation.

Recommendation No. 23

Fifteen percent of all Federal procurement contracts and 15 percent of all SBA

Direct and Guaranteed Loan Program Funds shall be set aside for veterans applicants. The SBA shall be responsible for utilizing the Procurement Automatic Selection System (PASS) and other Federal procurement source listing to implement veteran's set-asides.

This recommendation proposed two set-asides for veterans. With respect to the recommendation that 15 percent of all Federal procurement contracts be set aside, see the discussion for recommendation 37. Recommendations 6, 26 and 30 are similar.

With respect to the recommendation that 15 percent of all SBA direct and guaranteed loans be set aside, see the discussion for recommendation 21. According to information provided by the Small Business Administration, direct loans and loan guarantees to veterans were:

[In millions of dollars]

	Direct	Guaranteed
1980	23.7	370.6
1981	24.8	501.8
1982	16.7	NA

In fiscal year 1983, Congress provided $25 million in the Continuing Resolution solely to be used by SBA for direct loans to veterans. In the first quarter of 1983, SBA indicated that $2.1 million in direct loans were made to veterans. No figures were available for guaranteed loans.

The SBA PASS system is a voluntary service offered by SBA to any small business interested in taking advantage of it. To the extent veteran-owned businesses provided the agency with the information requested, PASS can be utilized by other agencies in identifying procurement opportunities for qualified veteran-owned small businesses.

Recommendation No. 24

"All legislation or regulations affording special treatment for women, minorities, the socially and economically disadvantaged or other special groups, should be amended to also provide priority for qualified veterans, including disabled veterans. Qualified veteran status alone shall entitle the veteran to equal treatment and inclusion in any such category or class."

No legislative action has been taken on this recommendation. For a discussion of similar issues, see recommendation 21.

Recommendation No. 25

"SBA regulations shall include all disabled and/or Vietnam veterans in their definition of 'socially and economically disadvantaged.' "

No action has been taken on this recommendation.

FEDERAL PROCUREMENT

Recommendations No. 26

According to the Small Business Act of 1953, small businesses are supposed to receive a "fair proportion" of contracts from the Government. Since then, the share of federal procurements to small businesses has fluctuated. It is felt that the small businesses do not receive enough procurements. The proposals made by the delegates are aimed at improving the Federal procurement system generally and increasing the number and dollar value of contracts allotted to small businesses.

The Federal Government is one of the nation's largest purchasers of goods and services. In fiscal year 1981, its procurement budget was estimated to be $110 billion, and included items ranging from routine office supplies to massive defense weapons systems. Small business is an active participant in every phase of Federal procurement. In fiscal year 1980, small firms were awarded Federal prime contracts of $21.5 billion, approximately 24 percent of the total contracts awarded to business firms. In addition, for fiscal year 1981, it is estimated that small businesses were subcontractors to "other than small business" on $11.2 billion in Department of Defense contracts, and $2.6 billion in civilian awards.

However, the preliminary estimates of small business participation in total Federal contracting shows a decline in the percentage of dollar awards over the past several years.

Recommendation No. 26

"The Federal Government shall be required by statute to contract out to small business those supplies and services that the private sector can provide. The government should not compete with the private sector by accomplishing these efforts with its own or non-profit personnel and facilities. Small business generally—50 percent which shall include the following: minority-owned businesses 15 percent; businesses owned by women 10 percent."

Competition with private industries by government agencies has been a source of increasing concern over the past few years. According to General Accounting Office (GAO) estimates, federal employees currently perform 11,000 commercial or industrial activities that could be done by private firms. These activities cost taxpayers nearly $19 billion last year. Consequently, private firms are finding themselves increasingly competing not only with each other, but with the government as well—at taxpayers' expense.

A 1979 Small Business Administration (SBA) Task Force Report estimated that federal in-house activities in 1977 numbered 21,130, at an annual operation cost of nearly $10 billion. According to this study, the best estimate was that at least $2 billion annually might flow directly to small business if that $10 billion were contracted out in approximately the same proportion as other activities previously being contracted out. The Task Force also estimated the potential average annual savings to the taxpayer at $2.98 billion.

The current federal procurement policy on contracting out was first set forth in 1955, when the Eisenhower Administration issued a directive that the government should not provide services that put it in competition with private industry.

That policy was reaffirmed during the Johnson Administration by Circular A-76, issued by the Bureau of the Budget, predecessor of the Office of Management and Budget (OMB) (the Circular is now referred to as OMB Circular A-76).

Circular A-76 reiterated the government's general policy of reliance of the private enterprise system to supply its needs. It established the rule that goods and services were to be acquired from the private sector whenever feasible; the exception was to undertake activities "in-house" using federal employees.

Circular A-76 established new criteria for continuing or terminating in-house activity. It further provided that a government commercial or industrial activity may be authorized to provide goods or services only under certain conditions.

Legislation has been introduced in the Senate (S.J. Res. 93) and the House (H.J. 294) that would reaffirm and codify in statute the policy principles of the OMB Circular A-76. Several hearings have been held on these proposals and on the issue of "contracting out". No action has been taken on those proposals.

However, over the past few years, OMB Circular A-76's policy of reliance on the private sector effectively has been undercut administratively and legislatively. Circumvention of this policy has been achieved through loose agency constructions of what is or is not a "governmental functions". Under OMB Circular A-76, purely "governmental function" are to be performed in-house. This exception to reliance on the private sector has provided agencies with "justification" for many of the activities performed by federal employees, despite the Administration's support for A-76 and its full implementation. Recently, several legislative provisions have been adopted to restrict or inhibit the government's reliance on the private sector. For example, the Department of Defense Authorization bill fiscal year 1983 (Public Law 97-252) places a six month moratorium (until April 1, 1983) of the use of funds to undertake the cost-benefit studies to determine whether certain functions could be completed more economically in the private sector. The bill also prohibits for one year any contracting out of firefighting or security guard functions at a military installation.

On September 29, 1982 the House passed the Uniform Services Pay Act (H.R. 7166). The bill sets six criteria for barring activities from being contracted out to civilians. The Defense Department may bar contracting out for an activity which:

Must be performed by military personnel because they are in a direct combat support role, or subject to deployment;

Must be performed by military personnel because it is essential for training in skills exclusively military in nature;

Must be performed by military personnel because it is needed to provide work assignments for a rotation base for overseas or sea duty assignments;

Is necessary to ensure readiness requirements, or necessary to ensure that combat-support units are self-sufficient;

Is deemed to adversely affect national defense; or

Is essential to safety or security on installations.

The bill requires that, in the analysis of any cost comparison, the cost to the Government of undertaking the cost comparison process shall be attributable among the costs of performance by private contractors. Similar legislation was reported to the Senate by the Senate Armed Services Committee (S. 2936). No final action was taken on these bills during the 97th Congress.

Furthermore, Congress has provided other statutory exceptions to the general policy enunciated in OMB Circular A-76. For example:

The Veteran's Compensation, Education and Employment Amendments of 1982 (Public Law 97-306) prohibits the Veterans' Administration from contracting out to the private sector for patient care or activities incident to patient care. In addition, the law prohibits contracting out to the private sector unless at least 15 percent savings in the cost of performance over a five year period would be achieved, using costs to the Veterans' Administration for in-house performance, and charging all costs for undertaking the cost-comparison study of con-

tract performance as part of the contractor's cost.

The fiscal year 1983 Treasury Postal Service Appropriations Act (Public Law 97-369) prohibits the General Services Administration from contracting out custodial and other building-related custodial and security services to the private sector.

For a discussion of that portion of the recommendation concerning minimum percentages, see recommendation 37 in particular. Recommendations 6, 12, 23 and 30 are similar.

Recommendation No. 27

"Procurement agencies should break down large requirements (including those for research and development) into smaller parts where feasible to permit solicitation from, and award to, small businesses."

"Break out" can occur in two primary ways in the Federal procurement process. Under a "component" break out, a contracting agency will endeavor to procure a portion of a larger systems acquisition used in the manufacture, modification or repair of an end item directly under prime contracts (as opposed to subcontractors to a single prime contractor). "Spare parts" break out occurs when a replacement part from a concern other than the original manufacturer of that part.

In 1969, the Department of Defense established a "High Dollar Spare Parts Breakout Program" to determine the best approach to providing spare parts for its equipment from other than the original manufacturer. In addition, in late 1979 the Small Business Administration initiated a pilot program to increase small business awards by adding "breakout" procurement center representatives at three Air Force Air Logistics Centers. According to a recent GAO report (PLRD 82-104, Aug. 2, 1982), SBA's efforts are making a contribution toward breaking out parts for competition, but opportunities exist to improve the effectiveness, and the number of activities, subject to "breakout".

However, all of the DoD activities are undertaken administratively. There is legislation pending in the Senate (S. 2446) that, in part, would amend the Small Business Act to establish a government-wide policy in support of component breakout. While hearings were held on this legislation in the Senate Small Business Committee on September 16, 1982, no further action has been taken on this bill.

Recommendation No. 28

"The Federal Government should contract out supplies and services to private industry (particularly small minority business) and should not compete with the private sector either through the use of its own personnel or through non-profit organization such as the Federal Research Centers, educational institutions or other non-profit entities."

This recommendation is similar to recommendation 26. For a discussion of this issue, see recommendation 26.

Recommendation No. 29

"The Office of Federal Procurement Policy should develop a new set of procurement regulations applicable to procurements under a special amount from all businesses. This 'second-tier' regulation should eliminate clauses, procedures, reporting requirements etc., applicable to large systems procurements which are currently imposed on small businesses, as well; and to the extent possible, apply to subcontracts with small businesses."

Present law already requires that all procurements under $10,000 shall be reserved exclusively for small business unless the contracting officer is unable to obtain offers from two or more responsible small business concerns. In addition, both the Department of Defense and the civilian agency's procurement regulations provide a "small purchase" procedure for the acquisition from commercial sources of supplies, non-personal services or construction. For civilian agencies, that threshold is $10,000.

In addition, Public Law 97-86, the "Department of Defense Authorization Act of 1982" (December 1, 1981) permanently increased the Department of Defense threshold for the utilization of the small purchase procedures from $10,000 to $25,000. That Act also (a) increased from the threshhold for certain required certifications under the "Truth in Negotiations Act" from its prior limit of $100,000 to $500,000 and (b) increased $100,000 to $5 million the threshold below which the Service Secretaries have the power to authorize negotiations of contracts for experimental, development or research work, or for making or furnishing property for experiment, test, development or research.

In Section 222 of Public Law 95-507 (Oct. 24, 1978) Congress statutorily directed the Office of Federal Procurement Policy to promulgate a single, simplified Federal procurement regulation. In addition, in Public Law 96-83 (Oct. 10, 1979) Congress extended the sunset date on the Office of Federal Procurement Policy, and directed that office to develop a uniform, comprehensive Federal procurement system. On February 17, 1982, in compliance with their legislative mandate, OFPP submitted its "Proposal For a Uniform Federal Procurement System" to both the House and Senate. Although hearings have been held in both Houses, no further legislative action has been taken as of October 1982.

On March 17, 1982, President Reagan issued an Executive Order (No. 12352), titled "Federal Procurement Reforms" to direct agencies to make their procurement efforts more effective. The President directed procurement agencies to:

1. Establish programs to eliminate unnecessary regulations paperwork;
2. Strengthen their review of internal procurement programs and resources;
3. Establish criteria to improve the effectiveness of procurement systems.
4. Establish criteria to enhance competition.
5. Establish programs to simplify small purchases and minimize paperwork burdens.
6. Establish administrative procedures to ensure that contractors receive timely payment.
7. Establish clear lines of contracting authority and accountability.
8. Establish career management programs.
9. Designate a Procurement Executive with full responsibility for the procurement system.

The President also directed the Secretary of Defense, Administrator of General Services, and Administrator of NASA to continue their joint efforts to consolidate their procurement regulations into one simplified Federal Acquisition Regulation (FAR) by the end of 1982. Final action on the FAR was not completed in 1982, and work will continue into 1983.

Recommendation No. 30

"Congress should adopt legislation establishing separate mandatory goals for all federal procurements and Federal funds or grants to states, localities, and public and private institutions on a contract-by-contract basis or agency-wide basis for small business (35 percent), minority-owned (Black, Hispanic, Native American, Asian Pacific American or other racial minorities) businesses (15 percent), and women in business (10 percent)."

For a discussion of this item, see recommendation 37 in particular. Recommendations 6, 23 and 30 are similar.

Recommendation No. 31

"The Federal Government should open public lands to energy exploration and production under regulations which provide reasonable environmental protection with: (a) a 30 percent small business set-aside; (b) fixed time limits for statutory environmental analysis; and (c) a 5-year limit on lease terms to encourage rapid development."

The Reagan Administration has repeatedly stressed its commitment to opening the public lands for greater energy development. The Bureau of Land Management has concentrated efforts on processing the backlog of non-competitive onshore lease applications. In July, 1982, Interior Secretary Watt announced a new 5 year plan for leasing the entire Outer Continental Shelf—nearly 1 billon acres—by 1987. The Interior Department has also moved to approve leases in designated wilderness areas, despite the strong protests of many Members of Congress.

No set-aside programs for small businesses have been implemented. Reducing the time and resources committed to environmental impact analysis has been a goal of the Interior Department, but some shortened analyses have been challenged on the grounds that they are inadequate and do not fulfill the requirements of the National Environmental Policy Act. Rather than promoting shorter lease terms to speed development, the Administration has advocated longer lease terms for some OCS leases and weakened diligence requirements for federal coal leases, arguing that the industry needs additional incentives to explore and develop their leases. The Administration has opposed legislation (S. 60) which would place a 5 year term on onshore oil and gas leases and require all competitive bidding for these leases.

Recommendation No. 32

"Government must use any new tax income from energy production and development for the future production and development of energy in the private sector, until the U.S. is energy self-sufficient. Small business should have tax exemptions and appropriate set-asides."

In 1980, the Congress enacted the Crude Oil Windfall Profits Tax Act. That law provides that the "profit" on any barrel of crude oil cannot exceed 90 percent of the net income attributable to such barrel. However, the revenue generated by that Act, up to the maximum revenue fixed in law to be derived from that Act reverts to the general Treasury, and is not targeted towards any energy production and development. In addition, Congress has established the Synthetic Fuels Corporation, and provided loan guarantee authority to assist in the identification and development of synthetic fuels. No substantial progress has been made in identifying plausible energy products with responsible sponsors, however. No specific small business tax exemptions or set-asides have been provided.

Recommendation No. 33

"The U.S. Government shall encourage the immediate expansion of nuclear and coal-powered electric generating capacity. Research efforts directed toward power technology should be expanded."

Several bills in related areas have progressed in the legislative process. For example, during the 97th Congress, the Senate had pending legislation, the "Nuclear Property Insurance Act" (S. 1606), which would establish a supplemental insurance fund administered by the Secretary of Energy to pay the costs of necessary remedial action following damage to nuclear power plants. However, the bill did not progress in the Senate, and no companion bill had been reported in the House. The Congress has passed the "Nuclear Waste Policy Act", Public Law 97-425 which would establish a national policy on the methods for, and disposal of, nuclear waste. In addition, the Senate Environment and Public Works Committee has reported legislation (S. 1206 and S. 304) providing for an extension of the authorization for the Clean Air Act. No further significant House or Senate action has taken place on this legislation.

Recommendation No. 34

"Congress should encourage substantial direct and investment tax credits for the implementation of all forms of conservation and alternative energy. Additionally, investments of up to $150,000 per year should be expensed."

No direct or investment tax credits have been adopted. While the 1981 Economic Recovery Tax Act does provide for a gradual increase over 5 years of a $5,000 direct expense provision (see recommendation 2) it is not targeted to conservation or developing alternative energy sources.

Recommendation No. 35

"Action should be taken to immediately remove price and allocation controls on crude oil and all petroleum products."

In 1981, President Reagan removed all Federal price and allocation controls from petroleum and petroleum products.

WOMEN IN BUSINESS

Recommendation No. 36

Women business owners feel that the traditional business community is not yet ready to treat them on an equal basis, and frequently find it extremely difficult to enter markets and obtain commercial loans, government contracts, and management assistance. Attempts have been made to aid women-in-business, such as the policy established by President Carter's Executive Order 12138, which is being implemented by an Interagency Committee on Women's Business Enterprise. After much deliberation, the delegates at the Conference chose to focus on credit, procurement, training, bonding, and the performance of federal employees on behalf of women business owners.

"Private lending institutions should be required to provide equal access to commercial credit for women in business. The Federal Reserve Board should establish record keeping requirements for commercial loans to women which will permit effective monitoring of performance under the Equal Credit Opportunity Act. The Small Business Administration should make bank certification available to as many commercial banks and other lenders as possible and establish targets for increasing the dollar volume of loans made to minority-owned and women-owned businesses, as one of the criteria for recertification."

This recommendation should be analyzed from the individual accomplishments of the three separate elements. With respect to the requirement that private lending institutions should be required to provide equal access to commercial credit for women in business, the Congress has enacted the Equal Credit Opportunity Act. The Federal Reserve Board has implemented the Act through "Regulation B" (12 CFR Part 202) which prohibits discrimination in any aspect of a credit transaction, including business credit, on the basis of race, color, religion, national origin, sex, or marital status. The regulation sets forth certain actions that creditors must follow with respect to applications they receive.

With respect to that part of the recommendation that the Federal Reserve Board establish record-keeping requirements for commercial loans to women, no such reporting has been instituted. Section 340(d) of the Housing and Community Development Act of 1980 required the Federal Financial Institutions Examination Council, in consultation with the Small Business Administration, to conduct a study to assess the feasibility of requiring depository institutions which make small business loans to compile and publicly disclose information regarding such loans.

In its May 7, 1981 report, the Council concluded that legislation to require depository institutions to disclose publicly information on loans to small businesses is not justified because the possible benefits would be substantially outweighed by the costs of the affected institutions.

On October 26, 198, the Federal Reserve Board published for comment proposed amendments to its "Regulation B" implementing the Equal Credit Opportunity Act. Among the proposed amendments to that regulation was a requirement that creditors give written notice of adverse business credit action to the business applicant and retain those records for 25 months. Although this proposal would have not been as extensive as the requirement to report loans made (as opposed to denied) it would have provided factual information on access to credit. On June 1, 1982, the Board published notice of its intent to withdraw this proposed amendment and on October 15, 1982, the amendment was withdrawn.

With respect to the extension of the bank certification program, in 1982, over 500 banks were participating in this program. Under the Bank Certification program, the Small Business Administration will rely to a greater degree on the detailed credit and other analyses of loan applications made by those financial institutions which meet SBA's criteria for certification under the program. SBA will still do a credit review (as opposed to a complete credit analysis) and, theoretically, SBA should be able to affix the Federal guarantee in a shorter period of time. In February, 1981, the General Accounting Office reported (CED 81-23) that while the program was generally successful in reducing the time for loan processing, many SBA internal controls were lacking. Since that report, several of the GAO recommendations have been addressed. However, funding fluctuations by SBA for the guaranteed program have occasionally undercut the concept of SBA's rapid approval of loan application.

Although the agency has encouraged lending to minority and women-owned businesses, no specific targets for such lending has been included in the BCP guidelines for either initial certification or for recertification.

For a similar issue, see recommendation 49(b).

Recommendation No. 37

"The President should initiate by Executive Order and Congress should enact legislation establishing mandatory goals and reporting requirements for all Federal procurements and procurements resulting from Federal funds and grants to states, localities and public and private institutions for small businesses on the basis of 50 percent for small businesses. The 50 percent shall be distributed so that 15 percent of all procurements shall be targeted for businesses owned by socially and economically disadvantaged persons (i.e., those businesses owned and operated by blacks, hispanics, native Americans, Asian Pacific Americans and other racial minorities), and 10 percent of all procurements shall be targeted for women-owned businesses as defined in Executive Order 12138. And further, that Congress should amend the Small Business Act to provide incentives to Federal prime contractors for subcontracting with women-owned businesses; provided however, that such an act does not included women-owned businesses as a category or class of socially and economically disadvantaged small business."

There are two major parts to this recommendation: (1) mandatory goals, and (2) reporting requirements. Although there has been legislation directed towards reporting requirements, there have been only four statutes pertaining to mandatory Federal procurement set-asides.

With respect to that portion of the recommendation relating to reporting requirements, Congress has provided several types of reporting requirements on small business participation in Federal contracting.

Section 15(g) of the Small Business Act, as added by Public Law 95-507, requires the head of each Federal agency, after consultation with SBA, to establish mutually acceptable goals for the participation by small business, and socially and economically disadvantaged small business.

Section 15(h) of the Small Business Act, as added by Public Law 95-507, requires the Administrator of the Small Business Administration, to annually obtain reports from each of these agencies on the actual extent of agencies' activities in meeting their procurement goals, and to report this information to Congress.

Finally, the "Small Business Economic Policy Act of 1980", Public Law 96-302, requires the President to annually submit a "Report on Small Business and Competition", and to include a report, by agency, on the total dollar value of all Federal contracts, and the dollar value (including subcontracts) over $10,000 awarded to small, minority-owned, and female-owned businesses.

With respect to the mandatory goals for procurement set-asides in 1977, Congress enacted the Public Works Employment Act of 1977 (Public Law 95-28) authorizing $4 billion for public works grants. One section of that law provided, in part, that:

"Except to the extent that the Secretary (of Commerce) determines otherwise, no grant shall be made . . . unless the applicant gives satisfactory assurance to the Secretary that at least 10 percentum of the amount of each grant shall be expended for minority business enterprises. (Section 103 (f)(2); 42 USC 6705 (f)(2))."

On July 2, 1980, the Supreme Court upheld the constitutionality of the Congres-

sional action in establishing the set-aside. *Fullilove* v. *Klutznick* 448 U.S. 448, 100 S.Ct. 2758 (1980).

In 1978, Congress adopted amendments to the Small Business Act (Public Law 95-507) which provided, in part, that under certain circumstances 100 percent of the contracts for goods and services under $10,000 shall be reserved exclusively for small business.

In 1982, Congress established a phased-in small business set-aside for research and development awards in selected agencies through the Small Business Innovation Development Act of 1982 (Public Law 97-219).

On January 6, 1983, the President signed into law the Surface Transportation Assistance Act of 1982 (Public Law 97-424). Section 105 (f) of that Act provides that:

"Except to the extent that the Secretary (of Transportation) determines otherwise, not less than ten percent of the amounts authorized to be appropriated under this Act shall be expended with small business concerns owned and controlled by socially and economically disadvantaged individuals. . . ."

This provision is similar to the amendment adopted as part of the Public Works Employment Act of 1977, and would require the allocation of that ten percent primarily by recipients of funds from the Federal Highway Administration and the Urban Mass Transportation Administration within the Department of Transportation. The provision would apply to the allocation of funds made to recipients in fiscal year 1983.

While Congress statutorily established in the Small Business Administration an 8(a) minority business development program to provide an opportunity for sole-source contracts to qualified minority businesses, there is no statutory goal for awards provided for this program.

Although there were no other statutory procurement set-asides adopted, several Presidential Executive Orders and memoranda have directed agencies to meet certain minimum dollar levels of contract support for minorities and women. On August 13, 1982, President Reagan urged agencies to increase their fiscal year 1982 procurement from minority business by 10 percent, over their fiscal year 1981 levels.

On December 17, 1982, the President released a statement on minority business, announcing steps to "promote an economic environment" for minority business growth. Among the specific steps outlined by the President in that statement were:

SBA and the Commerce Department's Minority Business Development Agency will directly assist in the formation of at least 60,000 minority businesses over the next ten years;

the Federal Government will procure an estimated $15 billion in goods and services from minority business during fiscal years 1983-1985, with actual procurement objectives set annually;

approximately $1.5 billion in credit assistance, and $300 million in management and technical assistance, will be made available over that 3 year period;

departments and agencies are directed to develop incentives to encourage greater minority business subcontracting by Federal prime contractors;

the Vice President's Task Force on Regulatory Reform is to explore opportunities for reducing regulatory and other barriers to small and minority business expansion; and

directing Federal contracting agencies to increase minority business procurement objectives for 1983 by at least 10 percent over 1982 actual procurements.

With respect to that portion of the recommendation dealing with incentives, Congress amended the Small Business Act (Public Law 95-507) to provide specific authorization for an incentive award to large business Federal prime contractors. Section 8(d)(4)(E) of the Small Business Act now provides:

"Notwithstanding any other provision of law, every Federal agency, in order to encourage subcontracting opportunities for small business concerns owned and controlled by the socially and economically disadvantaged individuals as defined in paragraph (3) of this subsection, is hereby authorized to provide such incentives as such Federal agency may deem appropriate in order to encourage such subcontracting opportunities as may be commensurate with the efficient and economical performance of the contract: *Provided*, that, this subparagraph shall apply only to contracts let pursuant to the negotiated method of procurement.".

The conference delegates adopted similar recommendations in 6, 26 and 30.

Recommendation No. 38

"The Small Business Administration should identify existing public and private management training programs, evaluate their effectiveness for women entrepreneurs and increase funding to those found to be effective."

SBA has a diversified program of Management Assistance which offers business management courses, conferences, workshops, and clinics for people who are considering going into business, for new business owners, and for more experienced business owners who wish to update their skills, enlarge their operations, or enter new fields. These are frequently cosponsored with local Chambers of Commerce, banks and other lending agencies, universities, and colleges. Speakers are drawn from the business leadership of the community, the Service Corps of Retired Executives (SCORE), the Active Corps of Executives (ACE), SBA personnel, and counsellors at SBA-sponsored Small Business Development Centers. Attendance has always been open to both men and women.

In fiscal year 1982, the Office of Woman Business Enterprise had $1.3 million (of which $600,000 was for salaries and expenses). In fiscal year 1983, the budget request was for $1.1 million.

In a study, the General Accounting Office concluded that SBA had not determined whether existing Federal business assistance programs can meet the needs of women entrepreneurs. Rather GAO argued that SBA has concentrated on "conceptualizing" new programs for women. In 1982, the Office of Women Business Enterprise was moved from within the Office of Advocacy to the Office of Special Programs. The agency has been reviewing programs to determine their applicability to providing assistance to women business owners. In addition to funding directly from the Office of Women Business Enterprise, considerable resources and training are made available through SBA's regular management assistance programs.

Recommendation No. 39

"Evaluate all Federal government employees in positions which impact on women and minorities, particularly loan officers, procurement officers and management assistance officers, in part on the basis of their performance on behalf of women and minorities."

No action has taken on this recommendation.

Recommendation No. 40

"The Small Business Administration shall establish a bonding program that permits the waiver of bonding requirements for Federal contractors who are small business owners. This program shall be available to all small business owners who have been: (1) unable to obtain bonding from any other source; (2) certified as competent by the SBA."

Under current law, the Federal Government requires all construction contractors who perform work on Federal projects in excess of $25,000 to be bonded. SBA has statutory authority to assist such contractors by extending a guarantee to a surety bond company of up to 90 percent of the face value of a bond required by a small business, up to a maximum of $1 million. Guarantees may be issued on bid, performance, or payment bonds. Surety companies eligible to receive SBA's guarantees must be included in the U.S. Treasury's list of qualified sureties.

Under legislation enacted in 1978 (Public Law 95-507), the Small Business Administration was given two-year authority to waive Federal bonding requirements for start-up small business if they met four specific statutory requirements. The program was then extended for one additional year (until September 30, 1981, by Public Law 96-481). However, no bonds were waived during that time, in part because of the agency's delay in getting implementing regulations in place and in part because of the rigid statutory requirements.

In the 97th Congress, the House passed legislation (H.R. 4500) which would extend this program through fiscal year 1983. In addition, the House included a similar bond waiver program extension as part of more comprehensive amendments to a Senate-passed bill relating to the publication of procurement notices in the Commerce Business Daily. No further action was taken on the legislation in the 97th Congress.

GOVERNMENT REGULATIONS AND PAPERWORK

Recommendation No. 41

When small business people talk about wanting less government interference, the area that they emphasize most is regulations and paperwork. Rules and forms have become such a headache even to government itself that hundreds of proposals have emerged to cut back the workload. Steps have been taken by individual agencies to improve the situation, but the delegates' chief interest was making government more sensitive to the impact of regulations on small businesses. The main themes in the workshops concerned better management and oversight of regulatory agencies, thorough-going economic analysis of the effect of regulations, and ways to add flexibility to regulations, and reporting requirements for small businesses.

The Regulatory Flexibility Act is addressed to these very same concerns.

"Congress shall exercise its oversight function with the assistance of the General Accounting Office, instituting sunset review of all laws, regulations, and agencies, to ensure that none exceeds original congressional intent. Sunset reviews, in an appropriate time frame (not less than every five years) should include economic impact analysis and proposed agency budget reductions,

leading to re-enactment of each agency's enabling legislation to permit its continued existence, or to reduce its size and cost.

"(a) Establish a Regulatory Review Board composed of representatives from the Executive Branch, Congress and small business owners, with responsibility for impact statements and cost controls.

"(b) Congress shall exercise line-item veto over regulations within a specified time through congressional oversight committees, with one-house floor vote."

With respect to the periodic review of agency rules, under Public Law 96-354 the "Regulatory Flexibility Act", Congress directed that all agencies establish a plan which provides for the review of all agency existing rules within ten years of that date and for the review of such rules adopted after the effective date of this law within ten years of the publication of such rules as the final rule.

However, this requirement applies only to the termination of rules, and does not refer to laws or agencies. In the implementation of this requirement, each year, each agency publishes in the Federal Register a list of the rules which have a significant economic impact on a substantial number of smaller entities, which are to be reviewed during the succeeding twelve months. The list includes a brief description of each rule and the need for and the legal basis of such rules and invites public comment upon the rule.

Congress has periodically considered both comprehensive and specific "sunset" legislation. Sunset reviews provide for the establishment of a fixed schedule for legislative review and reauthorization of programs, under the threat of automatic termination if no reauthorization is enacted. Since 1976, roughly 32 states have passed their own version of sunset laws.

Most of the Congressional "sunset" measures call for legislative program review based on requirements of clear statements of program goals in new authorizing legislation and detailed reporting requirements to provide measures of program performance. Although legislation providing for the automatic "sunset" of certain programs and agencies is common, no comprehensive proposal applicable generally has been enacted.

In addition to legislating the sunset of an entire program or agency by a certain date, Congress retains the annual authorization and appropriations process of funding as a check of an agency's compliance with its statutory mandate.

In addition, President Reagan has issued an Executive Order (No. 12291, Feb. 17, 1981) with the stated purpose of, among other things, increasing agency accountability for regulatory actions. The Order has both substantive provisions (such as prohibiting regulations if the potential benefits exceed its potential cost, and that agencies take into account how particular industries would be affected) and procedural provisions (such as requiring agencies to forward to OMB for clearance all proposed and final rules as well as all regulatory analyses before such documents are published). This order is more detailed than similar Executive Orders issued by President Carter (E.O. 12044) or President Ford (E.O. 11821).

Sunrise Legislation

In regard to the phrase in the recommendation to ". . . ensure that none exceeds original congressional intent", sunrise legislation would require a statement of specific program objectives and planned annual accomplishments in all legislation establishing budget authority or tax expenditures. This would provide a clear standard by which to evaluate programs. This could require congressional reviews on a 5-year cycle by limiting authorizations to five years' duration. The "sunrise review" would enable policy makers to revise programs to better suit shifting needs.

Legislative Veto

With respect to the legislative veto portion of the recommendation, Congress has repeatedly considered, and adopted, a variety of legislative veto provisions for agency rules. Some legislative veto proposals authorize simple or concurrent resolutions to block an agency's authority to adopt a particular rule without the enactment of legislation which requires the President's signature. Other provisions, by contrast, require action by both Houses and approval by the President. The legislative veto is essentially a negative act because it allows one or both Houses of Congress to say that it doesn't like what an agency is doing, but it doesn't necessarily insure that Congress will provide any more clear directions of what appropriate course of action the agency should take. The constitutionality of one form of legislative veto is under consideration and review of the Supreme Court.

Beyond the individual, and scattered legislative veto provisions enacted in various laws; Congress has for several years considered comprehensive regulatory reform legislation. On March 24, 1982, the Senate passed S. 1080, the "Regulatory Reform Act". Among the provisions of that bill was the adoption of a statutory, Government-wide mechanism for Congressional review of major rules promulgated by agencies. Each agency is required to inform both Houses of Congress and their appropriate Committees of the publication of any proposed or final major rules. Thus, the Congress will have advance notice and will be able to determine whether the agency has acted within its bounds and in keeping with the intent of the statute the agency seeks to implement through these rules.

Similar regulatory reform legislation was pending in the House (H.R. 746, Sept. 1982), although the reported version of the House bill does not have as strong a legislative veto provision as the Senate-passed bill.

For a further discussion of similar recommendations, see recommendations 45 and 46.

Recommendation No. 42

"Small Business should be eligible for magistrate review of agency civil penalties and reimbursed for court costs, reasonable attorney's fees, and damages from administrative action, if successful in civil disputes with the Federal Government, including IRS.

"(a) Such costs and fees to come from the operating budget of the agency.

"(b) Magistrates will be appointed and be responsible to the judges in each Federal Judicial District.

"(c) With burden of proof on the agency to defend its action."

Congress found that many small businesses were deterred from seeking review of, or defending against unreasonable governmental action because of the expense involved. The Equal Access to Justice Act is designed to diminish this deterrent effect by providing in specified situations an award of attorney's fees, expert witness fees and other costs against the U.S.

The Equal Access to Justice Act, enacted in 1980 (Public Law 96-481), provides for the reimbursement of attorney's fees for qualified "parties in both regulatory and court proceedings."

With respect to agency administrative proceedings, the Act provides that "an agency that conducts an adversary adjudication shall award, to a prevailing party other than the U.S., fees and other expenses incurred by that party in connection with that proceeding, unless the adjudicative officer of the agency finds that the position of the agency as a party to the proceeding, was substantially justified or that special circumstances make an award unjust."

To be eligible for such fees, a party seeking an award of fees and other expenses shall, within thirty days of a final disposition in the adversary adjudication, submit to the agency an application which shows that the party is a prevailing party and is eligible to receive an award, the amount sought, including an itemized statement from any attorney, agent, or expert witness representing or appearing in behalf of the party stating the actual time expended and the rate at which fees and other expenses were computed. The party shall also allege that the position of the agency was not "substantially justified."

The adjudicative officer of the agency may reduce the amount to be awarded, or deny an award, to the extent that the party during the course of the proceedings engaged in conduct which unduly and unreasonably protracted the final resolution of the matter in controversy. (The decision of the adjudicative officer of the agency shall be made a part of the record containing the final decision of the agency and shall include written findings and conclusions and the reason for it.)

With respect to civil proceedings in Federal court, and, unless expressly prohibited by statute, a court may award reasonable fees and expenses of attorneys, in addition to the other costs which may be awarded. The U.S. is liable for such fees and expenses to the same extent that any other party is liable under the common law or under the terms of any statute which specifically provides for such an award.

Fees are to be paid by the agency out of its operating budget over which the party prevails or may be paid in the same manner as the payment of other court final judgments from Congressionally appropriated general judgments fund.

The authority to pay attorneys fees expires automatically on October 1, 1984 unless extended affirmatively by Congress.

Until recently, there was a question about the applicability of the Equal Access to Justice Act to litigation involving tax matters. While it was clear that attorney fees could be awarded if the matter of tax liability was litigated in any United States District Court, a taxpayer had to meet certain procedural steps before being able to sue in Federal district court. In addition, the Equal Access to Justice Act was not applicable to litigation in the U.S. Tax Court.

The 1982 Tax Equity and Fiscal Responsibility Act (Public Law 97-248, approved September 3, 1982) made important changes in permitting the award of attorneys fees in dealing with the IRS. Among the changes the 1982 Act made include:

Permitting fees and costs to be awarded in any Court (including the Tax Court) for any civil action or proceeding for the determination, collection or refund of any tax, penalty or interest.

Attorneys fees are not limited to any hourly fee (under the Equal Access to Justice Act there is a $75 hourly fee for attor-

neys), but there is a ceiling of $25,000 on the recovery of all fees, costs and expenses for each proceeding (whereas the Equal Access statute has no ceiling on recoveries approved by the court).

In order to prevail in any civil proceeding involving the determination, collection or refund of any tax, the "prevailing party" must show that the position of the United States was "unreasonable". Under the Equal Access to Justice Act (which until amended by this statute would govern tax matters litigated in Federal District Court) the standard that has to be met is a lesser one of "substantially justified".

With respect to the burden of proof, in tax cases under this law the burden of showing that the IRS position is "unreasonable" rests with the taxpayer. Under the Equal Access to Justice Act, the burden rests with the agency to show justification for its action.

These provisions will be effective for civil actions and proceedings commenced after February 28, 1983, and is automatically terminated with respect to any proceeding commenced after December 31, 1985.

Recommendation No. 43

"The Office of Management and Budget should be designated the lead agency for both Federal regulations and paperwork of all agencies and programs (specifically including IRS), with responsibility for forms clearance, paperwork reduction, simplification and elimination, coordinating regulations and cost controls oversight; requiring agencies to submit to OMB an economic analysis measuring administrative and compliance costs, particularly for small business, of all proposed regulations and paperwork."

In 1980, to address the growing "paperwork burden," Congress enacted Public Law 96-511 the "Paperwork Reduction Act of 1980."

Among the purposes of the Act are:

(1) To minimize the Federal paperwork burden for individuals, small businesses, state and local governments, and other persons;

(2) to minimize the cost to the Federal government of collecting, maintaining, using and disseminating information;

(3) to maximize the usefulness of information collected by the Federal government;

(4) to coordinate, integrate, and, to the extent practicable and appropriate, make uniform Federal information policies and practices;

(5) to ensure that automatic data processing and telecommunications technologies are acquired and used by the Federal government in a manner which improves service delivery and program management, increases productivity, reduces waste and fraud, and wherever practicable and appropriate, reduces the information processing burden for the Federal government and for persons who provide information to the Federal government; and

(6) to ensure that the collection, maintenance and dissemination of information by the Federal government is consistent with applicable laws relating to confidentiality, including the Privacy Act.

To carry out this law, the Office of Information and Regulatory Affairs (OIRA) has been created within the Office of Management and Budget.

OIRA, through the Director of the Office of Management and Budget, is charged with the responsiblity of providing an affirmative clearance of agencies' request for information from the public. No request for information may be valid for more than three years. In addition, OIRA is responsible for insuring that agencies conduct periodic reviews of Federal information activities. Finally, as an "enforcement" mechanism on the agencies, and as a precaution for the public, the Act contains a "public protection" section that makes clear that, unless a request for information contains an OMB-assigned control number, the form or request for information can be ignored.

The Paperwork Reduction Act became effective on April 1, 1981. The earliest priorities established by OMB were to set in place the organizational structure and processes.

During the first eleven months that the act was in effect (April 1981-March 1982) OMB reviewed 4,767 agency requests for approval of information. It denied 480 requests, including 18 that were deemed duplicative of other agency information collection efforts.

Another aspect of the Paperwork Reduction Act is the requirement that existing Federal paperwork be cut by a total of 25 percent over three years. OMB estimated that the total Federal paperwork "burden" in fiscal year 1980 was 1.5 billion "respondent hours". In the 1980-1982 period, that has been reduced by almost 250 million hours, for a 16.7 percent reduction.

While the Paperwork Reduction Act has been working reasonably well (particularly in its mandatory clearance through OMB) the IRS has unilaterally taken the position that its regulations which have already been issued are not subject to the clearance process. OMB believes it has such authority. The Administration has been seeking an internal solution to the agencies' disagreements, but as of December 1982, no agreement has been reached.

Recommendation No. 44

"All Federal agencies should have the power to implement a tiered system of regulation. This should include the power to minimize and exempt small business from various regulations and reporting requirements as well. All new regulations should be designed to take into account the size and nature of the regulated business. All present regulations should be reviewed to see if they are still required."

This recommendation has been enacted through the Regulatory Flexibility Act, Public Law 96-354. For a further discussion of this issue, see recommendations 41, 45 and 46.

Recommendation No. 45

"When developing rules, forms, and guidelines, regulatory agencies must consult with small business representatives from affected industries and advocates assigned to each agency.

"(a) Consult SBA Office of Advocacy and small business trade associations who should be given sufficient authority and time (90-180 days) prior to publication of notice of proposed rulemaking) to influence regulators if a proposed rule and/or form would have an impact on small business.

"(b) Such proposed rules should reflect less formal administrative procedures for small business.

"(c) Agencies make available timely information and assistance, within 30 days in writing."

Under Public Law 96-354, the Regulatory Flexibility Act, the agency promulgating any rule that is determined to have a significant impact on small entities must assure that small entities are given the opportunity to participate in the rule-making.

When an agency is required to published general notice of proposed rulemaking for any proposed rule, it must prepare and make available an initial regulatory flexibility analysis. This is published in the Federal Register at the time of the publication of the general notice. The agency must also transmit a copy of the initial regulatory flexibility analysis to the Chief Counsel for Advocacy of the SBA. When an agency promulgates a final rule, it shall also prepare a final regulatory flexibility analysis. Copies of this analysis are made available to the public and the Office of Advocacy and published in the Federal Register at the time that the final rule is published.

For a further discussion, see recommendations No. 41 and 46.

ECONOMIC POLICY AND GOVERNMENT PROGRAMS

Recommendation No. 46

In previous years, small business has not participated actively in policy making. Their views have not been made known in national policy making circles. The delegates at the Conference expressed that concern and made some constructive suggestions for federal action. they focused on strengthening the SBA's Office of Advocacy, elevating the SBA to higher levels within the federal hierarchy, and getting small business advocates assigned to federal agencies.

"Require that all government agencies which develop fiscal, monetary, legislative and regulatory policies/practices shall submit small business 'economic impact' statements that require the regulatory agencies to identify the anticipated benefits and to justify the costs of Federal regulatory requirements to small business. In addition, all regulatory policies shall be subject to sunset provisions to be reviewed every 5 years in order to insure that only cost effective regulations shall be maintained and retained in the future."

In enacting Public Law 96-354, the Regulatory Flexibility Act, Congress directed the agencies to take certain actions. In October and April of each year, each agency must publish in the Federal Register a regulatory flexibility agenda, including a description of the subject area of any rule which the agency expects to propose which is likely to have a significant economic impact on a substantial number of small entities.

In the preparation of any rule, an agency must undertake an initial regulatory flexibility analysis to determine the potential impact of the proposed rule on small entities. Each initial regulatory flexibility analysis shall also contain a description of any significant alternatives to the proposed rule which minimizes any significant economic impact of the proposed rule on small entities. This requirement is also included in the analysis that the agency must make before publishing a final rule.

In reviewing rules to minimize any significant economic impact of the rule on a substantial number of small entities in a manner consistent with the stated objectives of applicable statutes, the agency shall consider the following factors:

(1) The continued need for the rule;

(2) The nature of complaints or comments received concerning the rule from the public;

(3) The complexity of the rule;

(4) The extent to which the rule overlaps, duplicates or conflicts with other Federal rules, and, to the extent feasible, with state and local governmental rules;

(5) The length of time since the rule has been evaluated or the degree to which tech-

nology, economic conditions, or other factors have changed in the area affected by the rule.

Each year each agency shall publish in the Federal Register a list of rules that have a significant economic impact on small entities which are to be reviewed during the succeeding 12 months.

However, this statutory requirement is applicable to regulations only, and does not apply to fiscal monetary or legislative policies.

In addition, the Act mandates a review of all existing regulations within ten years after the enactment of the Regulatory Flexibility Act, and within ten years after the promulgation of any new rule adopted after the date of enactment. In the President's first Report to Congress on the State of Small Business (March, 1982) the President indicated that he intends to direct agencies to accelerate that review from ten years to five years. As of December 1982, however, no such directive had been issued.

For a further discussion, see recommendations 41 and 45.

Recommendation No. 47

"The Office of Advocacy must be maintained, reinforced and expanded so that activity be not less than 5% of the SBA salary and expense budget. The legislative mission of Advocacy must be considered the number one priority of SBA and the Office of Advocacy. The independence of that function of the Office of Advocacy must be protected so that it may continue to have the confidence of the small business community. SBA's Advocacy budget should be devoted to economic research and analysis, as well as small business advocacy. Small business advocates, under the direct supervision of the SBA Office of Advocacy, shall be assigned to OMB, Federal Reserve Board, Treasury, International Trade Policy Committee and other regulatory agencies."

The Office of Advocacy is responsible for the development and implementaiton of a Small Business Administration Advocacy program, including the representation of small business interests, the analysis of the effects of federal laws, regulation and activity on small business, the development and utilization of a small business data base to aid in this analysis, and liaison with small business and small business organizations, and the public.

The office, headed by a Presidentially appointed, and Senate confirmed Chief Counsel, has specific statutory authority in the legislation creating the Office to present the views of the Office directly to the Congress. In addition, several other recent statutes have given the Chief Counsel specific functional requirements, including reporting directly to Congress. There has been no legislative action that would diminish the Office's independence.

In fiscal year 1983, the budget request for the Office (including salaries and funds for all research) was $5.6 million, or approximately 2.5 percent of SBA's total non-disaster assistance salaries and expenses.

With respect to that portion of the recommendation concerning small business advocates, no other agency has advocates under the supervision of the Chief Counsel. SBA's regional offices each have a regional advocate that reports to the Chief Counsel. For a similar issue, see recommendation 49.

Recommendation No. 48

"The merger and acquisition anti-trust laws should be amended to: (1) inhibit monopoly and conglomerate growth of giant companies, provided safeguards are built in to protect the needs of small business; (2) prohibit dual distribution that adversely affects wholesalers, distributors, dealers, retailers, and franchises; and (3) prevent the termination or non-renewal of wholesalers, distributors, dealers, retailers and franchises without good legal cause."

With respect to the recommendations to amend laws to inhibit monopoly and conglomerate growth, although several bills have been introduced in both the House and Senate to prohibit mergers between and among companies which exceed a certain "size", no significant action has been taken on them.

The 1982 Tax Equity Act (Public Law 97-348) made changes in the tax laws relating to mergers and acquisitions. Under the new law, the partial liquidation provisions of prior laws are repealed with respect to distributions made to corporate shareholders. Such distributions will be treated as dividends unless one of the prior law exchange provisions is met. Distributions in redemption of stock made to noncorporate shareholders resulting from a partial liquidation (as defined under prior law) will still qualify for capital gain treatment under revised redemption rules. These changes are generally effective for distributions after August 31, 1982. The new tax law repeals most of the exceptions to the general rule that a corporation must recognize gain on a distribution of appreciated property in redemption of its stock, but does add new exceptions. The result of these changes is that a distributing corporation can no longer be assured of nonrecognition on an in-kind distribution.

Under the new provision, a corporate purchaser has 75 days, after a qualifying acquisition of 80 percent or more of the stock of an acquired corporation, to elect to treat the acquired corporation as if it had sold all of its assets in a complete liquidation generally resulting in nonrecognition on the date of the stock purchase. Once the election is made, the acquired corporation's tax attributes are terminated and the basis of its assets are adjusted, as of the stock acquisition date, to reflect the price paid for the stock.

Under the new law, where stock of one corporation is transferred to a second "controlled" corporation and, as part of the consideration for the transfer, the second corporation either assumes a liability or distributes stock (other than common stock) or property, for purposes of certain anti-bailout provisions, earnings and profits of the first corporation are attributed to the second corporation.

With respect to the prohibition on dual distribution, the Robinson-Patman Act already generally prohibits such action. In the 97th Congress, several committees in both the House and Senate, including both Small Business Committees, have held hearings on the Reagan Administration's enforcement of the antitrust laws.

With respect to the prevention of terminations, only two legislative proposals have been provided at the Federal level. In 1978, Congress enacted the Petroleum Marketing Practices Act (Public Law 95-297). Under that law, gasoline dealers are provided a statutory scheme that establishes procedures governing the termination or non-renewal of these dealer/franchisers.

In addition, in 1978, the Federal Trade Commission adopted "Disclosure Requirements and Prohibitions Concerning Franchising and Business Opportunity Ventures (16 CFR Part 436). The rule addresses the problems of nondisclosure and misrepresentation which arises when prospective franchisees purchase franchises. The rule requires disclosure of important facts about the franchise relationship, including terms relating to the termination, cancellation and renewal of the franchise agreement. The rule does not regulate the substantive terms of the franchise relationship, however.

In 1980, Congress enacted the Soft Drink Interbrand Competition Act (Public Law 96-308). Basically, this law permits soft drink bottlers to operate under clearly-defined territorial restraints against intrabrand competition without creating a violation of the antitrust laws.

During 1981 and 1982, Congress considered, but did not approve, the Retail Dealers Agreement Act (S. 1256; H.R. 7106). The bill would make it illegal for a manufacturer to fraudulently induce a dealer to enter into an agreement, to not act in good faith in terminating an agreement, and to fail to provide sixty days notice to existing dealers before appointing a new dealer in the same area. Hearings have been held on this proposal, and the Senate Commerce Committee favorably reported the proposal. No further Congressional action has been taken on the bill.

In addition, both the House and Senate considered the "Small Business Motor Fuels Marketer Preservation Act". In the Senate, this bill (S. 326) which was reported favorably by the Senate Judiciary Committee, is designed to promote the viability of small business engaged in gasoline marketing by eliminating direct competition from the major refiners.

Recommendation No. 49

"The SBA should be directed to implement the following changes:

"(a) The duties of the Administrator of the SBA shall include the additional function of chairing a new group, within the Executive Branch, to be known as the 'Economic Policy Planning Committee for Small Business' to advise the President of small business matters. The new committee shall consist of the following: high level representatives of the Department of Commerce, Treasury, and Council of Economic Advisors.

"(b) The SBA Bank Certification Program should be expanded so that the SBA can devote more of its resources in terms of personnel and funding to small business advocacy.

"(c) The Office of Advocacy must be maintained, reinforced and expanded so that activity be not less that 5 percent of the SBA salary and expense budget. The independence of the function of the Office of Advocacy must be protected so that it may continue to have the confidence of the small business community. Small Business Advocates should be assigned to OMB, the Federal Reserve Board, the Treasury Department, and regulatory agencies, under general guidelines from the Office of Advocacy of the SBA."

With respect to subsection (a) of this recommendation, no action has been taken. One resolution has been introducted in the Senate (S. Con. Res. 91) and the House (H. Con. Res. 332) that expressed the sense of the Congress that the President invite the Administrator of the Small Business Administration to participate fully in the meetings of the Cabinet Council on Economic Affairs. No action has been taken on these proposals.

With respect to subsection (b) of this recommendation see the discussion in recommendation 36.

With respect to subsection (c) of this recommendation, see the discussion in recommendation 47.

Recommendation No. 50

"Small business representation in economic and regulatory decision-making should be increased. This should include, but not be restricted to the following steps by the President:

"1. Seek the counsel of the SBA Administrator and representative small business executives in developing policy.

"2. Appoint a small business executive as a senior advisor on the White House Domestic Policy Staff.

"3. Direct that small business advocates be assigned to the OMB, FRB, Treasury Department and regulatory agencies, under general guidelines from the Office of Advocacy at the SBA.

"4. Appoint small business persons to all national boards, commissions and advisory committees whose work impacts on small business."

This recommendation provides suggestions on actions that the President should take to increase small business representation. This recommendation is similar to recommendation 49 which focuses on the Small Business Administration.

With respect to subsection (1) of the recommendation, no formal process has been established by the President. Of course, a consultation process with SBA and small business groups on an ad-hoc basis as issues warrant has occurred.

With respect to subsection (2) of this recommendation, although there is not a small business "executive" per se on the White House staff, the President has a Special Assistant for business within the Office of Public Liaison who serves as a contact for small business.

With respect to subsection (3) of this recommendation, no action has been taken. This portion of the recommendation has also been incorporated in recommendation 47.

With respect to subsection (4) of this recommendation, no specific action has been taken. However, small business representatives have been made members of advisory committees in agencies other that SBA on matters dealing with small business issues.

INTERNATIONAL TRADE

Recommendation No. 51

This issue received limited attention at the Conference because most delegates were unfamiliar with export opportunities. Increasing small business potential for contributing to exports, however, is a major source for reversing the U.S. trade balance.

At the Conference, delegates concerned about international trade discussed a wide variety of measures, from ways to focus national policy to specific tax incentives to stimulate small business trade in foreign markets. Their final recommendations focused on tax measures, better loan and educational programs, greater use of trade exhibits, and a more organized government approach to export programs.

Recommendation No. 51

"Congress should broaden the tax deferral options of the Domestic International Sales Corporation and provide for the development of an American Trading Company which would automatically qualify as a DISC. Tax deferral options should include the following additional provisions for DISCs: (1) allow for deduction of twice the monies expended for participation in any bona fide overseas trade fair by a DISC; (2) allow for deduction of twice the amount of premiums paid to Eximbank and FCIA, as legal deductions prior to payment of DISC taxes; (3) increase the $100,000 exemption clause to $500,000; (4) provide for a graduated tax on 'deemed distribution' from $500,000 for $50 million, and a standard rate of 50 percent levied on over $50 million; (5) exempt new DISCs from any 'deemed distribution' requirement for at least the first three years of operation; and (6) provide for the elimination of existing incremental provision of DISC regulations. Congress should provide within the tax structure an 'Exporter's Allowance' or tax deduction which would apply in the trade of all goods abroad by granting an allowance for 75 percent of the marketing expenditures incurred by the exporter."

A Domestic International Sales Corporation does not pay the U.S. tax, and its shareholders escape current tax on a portion of its earnings because only 50 percent of those earnings are deemed distributed to them each year. After figuring the DISC's taxable income, certain items taxed to shareholders under other provisions are subtracted from that income. Under the Code, 50 percent of the remainder is a deemed dividend distribution, which is taxable to the shareholder.

No action has been taken on the specific tax recommendations relating to DISC. In fact under the Tax Equity Act (Public Law 97-248), the "deemed distribution" is increased to 57½ percent. Furthermore, the Act characterized the tax "benefit" (either the 50 percent), or after tax year 1982 the 42½ percent) as a preference item for purpose of the corporate minimum tax.

Bills have been introduced in House (H.R. 5179) and the Senate (S. 2708) that would permit DISC benefits to be transferred to foreign corporations. No action has been taken on either of these proposals, however.

Congress has passed the Export Trading Company Act (Public Law 97-290), designed to encourage exports by facilitating the formation and operation of export trading companies. No provision in that legislation, however, confers automatic DISC status on any certified export trading company.

Recommendation No. 52

"Eximbank should establish a special small business funding program through commercial banks, and should consider discounting loans to support international sales and should develop a cooperative program with the SBA for pre-export financing."

The Export-Import Bank of the United States does have a loan program operated in conjunction with commercial banks.

The Discount Loan Program enables commercial banks to extend fixed-rate medium-term export loans by providing stand-by assurance that the banks can borrow from Eximbank against the outstanding value of medium-term export notes. Commercial banks are reluctant to provide fixed interest rates on medium-term transactions because of the substantial fluctuations in their cost of funds. In many instances, however, fixed rate financing is necessary for the U.S. exporter to obtain a foreign order.

Eximbank will issue advance commitments to make fixed-rate loans to eligible U.S. commercial banks when the applicant bank is not prepared to offer fixed-rate financing unless Eximbank provides a discount commitment.

Eximbank's loan commitment covers up to 65 percent of the contract price of an export sale financed by the U.S. bank on terms ranging from 366 days to 5 years. The U.S. bank either purchases the debt obligation from a U.S. exporter or receives it from the foreign purchaser if the U.S. bank finances the buyer directly.

Eximbank's loan commitment provides the applicant bank with the assurance that it can fund its own fixed rate loan with Eximbank should interest rates and the cost of money rise.

The Discount Loan Program is a standby mechanism. A bank will usually request disbursement from Eximbank when the cost of alternative sources of money is greater than Eximbank's committed discount loan rate. The bank can repay the loans as soon as the alternative cost of funds is less than Eximbank's lending rate. A commercial bank may draw the discount loan once for each commitment.

Special Discount Loan Guidelines for Small Manufacturers

Eximbank provides increased discount loan support to small U.S. manufacturing companies engaged in medium term exports. For small manufacturers, Eximbank will lend 85 percent of the U.S. contract value at the Direct Credit Rate in effect on the date a completed application is received at Eximbank. For small manufacturers, Eximbank's Discount Rate is currently equal to the Direct Credit Rate, 12 percent per annum.

For this Program only, small manufacturers are defined as companies which together with all affiliates, subsidiaries and parent companies had total gross annual sales of $25 million or less in the previous fiscal year. (Evidence of sales volume and company affiliations must be submitted with the applications.)

If a bank (as exporter of record) or supplier, agent, export management company, etc., is selling products of a "small manufacturer," the transaction will be eligible under this loan category if the eligibility of the manufacturer of the products is established.

In an effort to increase the level of U.S. exports and the number of U.S. exporters, Eximbank developed a Small Business Program in 1978 which offers increased coverage against the political and commercial risks of non-payment on a U.S. exporter's foreign sales. These incentives, available under Eximbank's Bank Guarantee Program and the Export Credit Insurance Program offered in cooperation with the Foreign Credit Insurance Association (FCIA), are available to firms with net worth of $2,000,000 or less who have had average annual export sales of $750,000 or less during the preceding two fiscal years and have not utilized Eximbank or FCIA program since January 1, 1975.

Little, if any lending for small businesses have been made through the Eximbank's direct loan program. Under one bill introduced in the Senate (S. 2781, the Export-Import Small Business Assistance Act of 1982) Exim would be required to set-aside 12 percent of its annual direct loan authority for loans of less than $5 million. However, no action has been taken on this proposal.

In addition, section 112 of the Small Business Export Expansion Act of 1980 (Public Law 96-481) establishes within the Small Business Administration an export revolving line of credit program to enable small business concerns to develop foreign markets and for pre-export financing this revolving line of credit may be made directly by SBA,

or through a guarantee for not to exceed eighteen months. The maximum amount of the line of credit is $500,000.

Recommendation No. 53

"The Federal Government should establish field one-stop service shops to include export service of all Federal agencies under the guidance of the Department of Commerce."

Status: Under Section 113 of Public Law 96-481, Congress established within SBA the Office of International Trade. This office is to promote sales opportunities for small business goods and services abroad. The law states that the Office is to provide:

(1) Access to current export information with the cooperation of the Department of Commerce;

(2) Current lists of financial institutions that finance export operations;

(3) A directory of current Federal, regional, state and private sector programs that provide export information and aid to small business; and

(4) Reports on market conditions, sources of financing, export promotion programs and other information pertaining to the needs of small business exporting firms.

This public law also directs that there be established an export promotion center in each of two district offices of the International Trade Administration of the Department of Commerce located in metropolitan areas where district offices of SBA and IRS exist. Each export promotion center shall serve as a one-stop information center or Federal Government export assistance, financing programs available to small business and other provisions of law governing exporting for small business. Representatives from Commerce, SBA, IRS, the Export-Import Bank and the Overseas Private Investment Corporation were all designated to provide staff for the centers

The statutory requirement for these centers expires on October 1, 1983.

The Department of Commerce established the two centers in Milwaukee, Wisconsin and Charleston, South Carolina. At Senate Small Business Committee hearings on August 19, 1982, the Department of Commerce reviewed the performance of these two centers, but recommended that the authority not be continued.

Recommendation No. 54

"The President and Congress should consolidate under an existing cabinet level department, a unified world trade administration. It would be responsible for all trade policy functions of the various agencies and departments. Its objective would be to maximize the international competitive strengths of U.S. Small Business with support and goals for minority, women-owned and disadvantaged business and specific programs developed to utilize their units of technological, educational, cultural, language and political expertise."

The trade functions of the United States Government, while having been consolidated in the past several years, still remains divided between several departments and agencies.

In January, 1980, President Carter reorganized ITA as part of a reorganization of trade functions in the Executive Branch. The trade reorganization consolidates in the Commerce Department the operation of the U.S. Government's nonagricultural trade functions. Commerce traditionally has had major responsibilities in export promotion, trade adjustment assistance and export control. The reorganization strengthens Commerce's lead role in export promotion in two ways. First, it assigns to Commerce the responsibility for commercial representatives abroad and transfers to Commerce the commercial attache positions in 65 countries abroad. Second, the reorganization assigns to Commerce responsibility for implementing the agreements resulting from the Multilateral Trade Negotiations (MTN) through education and promotion programs, technical assistance to the private sector, and development of data bases for monitoring purposes. These activities are overseen by the newly created Under Secretary for International Trade.

A key feature of the reorganization is the designation of an Assistant Secretary for Trade Development. This position creates a central management focus to ensure effective coordination of all ITA Trade Development responsibilities.

The reorganization transferred the functions of commercial officers in U.S. embassies abroad from State to Commerce. On April 1, 1980, the Department of Commerce inaugurated the new Foreign Commercial Service. The reorganization also consolidated all country marketing and international economic policy under an Assistant Secretary for International Economic Policy.

In an effort to specifically increase the flow of export information in a timely and useful form to small business, Congress legislatively established (Public Law 96-481) within the Small Business Administration an Office of International Trade. The purpose of this Office is to provide small business with access to current and complete export information, including the use of export development specialists in each SBA regional office, and encouraging greater small business participation in Commerce Department export in development programs.

Other departments and agencies which continue to play an important role in the area of export policy and trade development are the U.S. Trade Representative, the Departments of State, Justice and Agriculture, the Export-Import Bank and the Foreign Credit Insurance Association (these latter two specifically with respect to financial assistance).

Recommendation No. 55

"Congress should provide for support and expand the use of all officially recognized Trade Fairs, Exhibits, and Trade Centers abroad with small business participation; continue to encourage the Department of Commerce to increase the promotion of foreign buyer and foreign visitor travel to the United States; and develop a program utilizing the cultural, language and political expertise of all Americans, especially ethnic groups, to assist in preparing, implementing and utilizing a sales package for use in expanding International Trade in all world markets."

Considerable Congressional and Executive Branch action has been taken to increase exports generally and small business participation in particular in trade fairs and shows. For example, the Department of Commerce regularly provides three types of trade mission programs. The trade mission, with its one-on-one individual appointments arranged for each participant, provides a unique opportunity for a small business executive to meet potential agents, distributors and buyers in countries where the company has no commercial contacts.

The Specialized Trade Mission brings together a group of business executives, usually from seven to twelve, in a specific industrial sector for which market research has identified strong potential market opportunities in one or more countries. These executives normally travel to three countries with similar commercial needs in the same geographic area. The objective of a Specialized Trade Mission and the principal feature of the program is the preplanned individual business appointments reflecting the specific marketing objectives of each mission member.

The Trade Mission members identify their products/services and provide sales literature; pay their own transportation and subsistence expenses; and pay a contribution to the Department of Commerce to cover the shared operational, promotional and hospitality costs of the mission.

Seminar Missions

The seminar form of the trade mission technique is employed when the complexity of the product theme or other market-related factors indicate that the mission will be more effective as a promotional vehicle if it includes a technical orientation segment. A Seminar Mission program includes, therefore, a state-of-the-art seminar. In all other respects, the Seminar Mission is similar to the Specialized Trade Mission.

Catalog Exhibitions

Catalog Exhibitions represent the major part of the U.S. sales promotion activities in some remote small markets where major industrial equipment exhibitions are not feasible. Catalog exhibitions also serve industry as an American presence at international trade fairs and exhibitions.

The Catalog Exhibition Program is designed specifically to aid small businesses in the United States to obtain market exposure and develop contacts overseas. Requiring no expenditure of time or money by a company marketing executive, a firm that has no expertise in exporting can investigate the market for its products in one or more countries at extremely low cost.

The Small Business Administration has recently (July, 1982) signed separate interagency agreements with the International Trade Administration and the National Oceanic and Atmospheric Administration of the Department of Commerce, and the Agriculture Department's Foreign Agricultural Service.

The NOAA agreement stipulates that SBA will, in cooperation with the National Marine Fisheries Service, select 12 small U.S. fishery firms to take part in foreign trade shows designed to help small firms to sell fish and shellfish products abroad. The SBA will pay the small firms' trade show participation fees.

Under the agreement signed with FAS, SBA will fund participation and shipping fees connected with foreign trade shows of 20 small firms which produce agriculture products.

In addition, the Congress has passed the Export Trading Company Act of 1982 (Public Law 97-290). The law is designed to permit and encourage the formation of privately organized export trading companies which will assist businesses in overcoming the barriers to increasing export opportunities.

In addition, several department and agencies provide important information to small businesses on export opportunities. Primary governmental sources of information include the U.S. Commerce Service and the export promotion specialists in the Small Business Administration's regional offices.

For a further discussion of organization responsibilities, see recommendation 54.

The implementation of this recommendation requires a continuing commitment to increasing small business participation in exporting.

EDUCATION, TRAINING AND ASSISTANCE

Recommendation 56

Many small companies go out of business within five years, due primarily to a lack of managerial expertise. The delegates expressed a strong desire for management aid from the private sector instead of from government. There is a need for a systematic, national program of education to encourage entrepreneurship, one that would entail not only initial education, but also continuing management assistance and some means to update specific skills. Closely allied to education, in the delegates' view, is the need to improve public awareness of the problems and potential of small business.

"A Small Business Educational Task Force for entrepreneurial educational training shall be appointed by the President and coordinated by the Office of Advocacy. Task Force members shall come primarily from small business to initiate, promote and develop the incentives for demographically projectionable, formal, business planning and case history-type continuing education and public awareness (through all media) in small business. Mandate to the Task Force shall be to come up with self-liquidating (pay for themselves) programs for the benefit of small business. This should be achieved within 120 days."

No action has been taken on this recommendation.

Recommendation No. 57

"The Small Business Administration's management assistance program should be strengthened and expanded by allocating a greater portion of the Agency's total resources to reflect an increased emphasis on management assistance rather than the traditional emphasis on financial assistance."

The Small Business Administration, and the Congress, have given increased attention to the structure, and program delivery, of the management assistance programs of the agency. The regular management assistance programs of SBA, include direct counselling, the Small Business Institute, use of volunteers through SCORE and ACE, and a variety of pre-business workshops and cooperative management assistance with the private sector. This increased attention to the management assistance functions of the agency includes the 1980 creation of a statutory, pilot, small business development center program (lasting until 1984 under the terms of Public Law 96-302). However, in fiscal year 1983, the Small Business Administration's budget request for all management assistance programs (including SBDC's) was less than in fiscal year 1982 in both actual dollars and as a percentage of the non-disaster portion of the agency's total salaries and expenses.

As required by statute, SBA has contracted for an evaluation of the Small Business Development Center program in early 1983. It is likely that an extensive Congressional review of all of the Small Business Administration's management assistance programs will be conducted by Congress in 1983.

Recommendation No. 58

"A National Policy should be established for the support of entrepreneurial education and training, continuing education and management assistance, provided by the public and private sector, as an opportunity for every American who wishes to own his or her small business and should receive recognition as a priority from the highest levels of government."

No action has been taken on this recommendation. For a discussion of a related matter, see recommendation No. 57.

Recommendation No. 59

"Establish 'One-Stop Shops' under the coordination of SBA for small business assistance programs utilizing effective information systems and management assistance programs to serve the small business community on the local level, with primary implementation occurring through the private sector, existing agencies and existing organizations."

The Small Business Administration's various management assistance programs, particularly the pilot SBDC program, are designed to provide either one-stop, or on-site consultation for the small business. For a discussion of a related issue regarding exports, see recommendation 53.

Recommendation No. 60

"Congress should enact legislation that would provide tax credits or other tax incentives for: (a) Expenses incurred to educate small business owners and operators regarding the management of business; and (b) Expenses incurred to conduct continuing education and training and to provide on-the-job entrepreneurship experience."

While the general issue of labor training is receiving a great deal of attention, the specific measures proposed above have not been enacted. Concern over the lack of needed skills among the labor force is prompting debate over what needs to be done. As a result, new job training legislation was recently signed into law that will focus principally on the low income unemployed, and on permanently displaced workers. It is very likely that special tax incentives for private sector training of employees will receive attention in the next Congress.●

OFFICER OF THE YEAR AWARD TO GREG PARMAN AND THOMAS L. SMITH

● Mr. LUGAR. Mr. President, earlier this month, the congressional chapter of the Exchange Club honored two U.S. Capitol Police officers, Greg Parman, of Brownstown, Ind., and Thomas L. Smith.

They were honored for their courage and service to the community after a dangerous chase and capture of an armed shooting suspect in the vicinity of the Capitol.

The Officer of the Year Award was presented because of the special heroism they displayed on August 16, 1982, but their dedicated service throughout the year should not go unrecognized.

I have brought this award to the attention of the Senate for two reasons: I am proud of Greg Parman who was my constituent and because the award serves as a reminder of the courage each police officer must display daily.

We owe a debt of gratitude not only to Greg Parman and Thomas Smith, but to every police officer who has risked his life in the performance of duty.●

SCLERODERMA AWARENESS WEEK

● Mr. GOLDWATER. Mr. President, I am pleased to be a cosponsor of Senate Joint Resolution 75, introduced by my friend from Idaho (Mr. SYMMS), to designate the week of June 12 through June 18 of this year as "National Scleroderma Awareness Week." I wish to explain why we feel it is important to bring attention to this little-known disease, which is a form of arthritis.

First, I will mention the United Scleroderma Foundation, a nonprofit group, which was established in December of 1975, to educate and inform the public about scleroderma and to encourage more awareness within the medical profession itself. The foundation encourages patient contact and support through chapters from coast to coast, and through newsletters and informative workshops. Also, the foundation promotes medical research toward finding a cure for scleroderma by awarding grants to researchers who publish outstanding work on this and related diseases.

The foundation is the inspiration of Dianne Williams, who is afflicted with scleroderma. There are now 25 chapters of the foundation across the United States. Through chapter participation, patients work together to increase public awareness of the problems and needs of the scleroderma patient.

While seemingly rare, scleroderma is more prevalent than muscular dystrophy. In fact, over 300,000 people suffer the symptoms of this many-faceted disease.

In order to further promote awareness of this disease and the need for a national effort to search for an eventual cure, the Senator from Idaho and I, together with several other Members of the Senate, have introduced legislation calling for the designation of "National Scleroderma Disease Week." I urge my colleagues to join us in this cause.●

THE MOSCOW HELSINKI MONITORING GROUP: GREATER THAN THEIR NUMBERS

● Mr. DOLE. Mr. President, May 12, 1983, marks the seventh anniversary of the founding of the Moscow Helsinki Monitoring Group, a small group of courageous citizens who committed themselves to the task of monitoring soviet compliance with the human rights provisions of the Helsinki Final Act of 1975.

In a free society, such an occasion would probably rate no more than a brief notice in the major news media. But the founding of the Moscow Helsinki Group represented a milestone in the checkered history of human rights activity within the Soviet empire. Under the leadership of Dr. Yuri

Orlov, eleven persons placed their signatures on the statement declaring the group's existence and its goals. Subsequently, the group's ranks were joined by six more Soviet citizens commited to making the human rights provisions of the Helsinki accords a reality in their homeland.

In its declarative document, the Moscow Helsinki group stated that "its first goal is to inform all heads of state which signed the final act on August 1, 1975, and also to inform the public about cases in direct violation of the articles named above," that is, the humanitarian provisions of the Helsinki accords, particularly "respect for Human rights and fundamental freedoms" and "cooperation and exchanges in the area of culture." To this end, the group collected written complaints and information relating to violation of these articles, and produced a series of documents cataloging these violations. From May 12, 1976, until August 9, 1982, the Moscow Helsinki Group issued over 200 such documents covering such issues as political and religious repression, forced psychiatric confinement, emigration difficulties, the situation of prisoners of conscience in the Soviet penal system, to mention just a few of the major theme.

A short time after the founding of the Moscow Helsinki group, similar Helsinki monitoring groups were formed in other areas of the Soviet Union: Ukraine, Lithuania, Armenia, and Georgia. Other organizations subscribing to the ideals of Helsinki devoted themselves to examining specific issues such as psychiatric abuse, rights for the handicapped, religious liberty. All in all, the total membership of the Moscow Helsinki group came to 17 persons, with approximately 70 more in the associated organizations. "An insignificant minority of renegades" was how the Soviet press would characterize these human rights activists, but their influence was far beyond their numbers.

EVERY MAN'S CONSCIENCE IS A THOUSAND SWORDS

In signing the Helsinki Final Act of 1975, the Soviet Government agreed, along with the 34 other signatory nations, to respect freedom of thought, conscience, religion, and belief, among the many provisions of the document. Yet, those Soviet citizens who attempted to put these provisions into practice soon found themselves the object of persecution and harassment by Kremlin police and KGB agents. Needless to say, the same fate awaited an organization that sought to collect information on, and chronicle these violations of the Helsinki accords. Four Moscow Helsinki monitors were forced to emigrate from their homeland. Ten more are currently serving sentences that total 97 years in labor camps, prison, and internal exile. The group's founder, Dr. Yuri Orlov, is suffering officially condoned mistreatment at Perm Labor Camp No. 37. In October 1982, he was assaulted by a camp thug while camp authorities looked on. We are all familiar, I am sure, with the desperate hunger strike undertaken recently by Anatoly Shcharansky for the simple right to correspond with his family. Simply out of vindictiveness, prison authorities refused to allow Ivan Kovalev and Tatyana Osipova, a married couple belonging to the Moscow Helsinki group, meet while they were serving in the same prison camp complex. The treatment accorded the other imprisoned or internally exiled Moscow Helsinki monitors is hardly more humane. The three remaining group members who are still at liberty in the Soviet Union were forced to discontinue their public activities in August 1982. They had been, and still are, under the constant watch of the KGB, and subject to arbitrary interrogations and harassment. Nearly all of the other Helsinki groups have been suppressed into inactivity, their members either in prison or having at one time served sentences for Helsinki-related activities.

Mr. President, in Shakespeare's Richard III, one of that unfortunate sovereign's adversaries proclaims that "every man's conscience is a thousand swords." The consciences raised by the Moscow Helsinki monitoring group, and by their allies throughout the Soviet Empire, have been nonviolent swords, cutting through the lies and evasions of official propaganda on Soviet compliance with the human rights provisions of the Helsinki accords. Today we honor the efforts of the Moscow Helsinki monitoring group. Their efforts have not been in vain, nor will they be forgotten.●

CENTRAL AMERICAN POLICY

● Mr. EAST. Mr. President, the continuing debate over our policy in Central America continues to miss the point. The ultimate purpose of our support of the desperate defenders of freedom in the elected Government of El Salvador is not the conversion of that Government to our own form of government or our conceptions of what constitute human rights. The purpose is to prevent the forces of international communism from establishing another beachhead on the Central America isthmus in a country that is less distant from Texas than Texas is from New York. The struggle of the people and Government of El Salvador, Mr. President, is in every sense our struggle.

Two articles in today's Washington Times)—one an editorial criticizing both congressional "liberals" who are doing everything they can to undermine our help to El Salvador as well as certain elements in the Reagan administration that seem not to understand the stakes in Central America or what to do about the crisis there; and the other an opinion editorial by Michael McDonald analyzing the arguments of certain pundits in our media that are also seeking to undermine our defense of freedom—express the issues simply and clearly. I commend them both to my colleagues, and I ask that they be printed in full at the conclusion of these remarks in the RECORD.

The articles follow:

IT'S LATE AND GETTING LATER

Another day, another step closer to the precipice. We're losing in Central America. The latest is that the House has voted to give El Salvador a pathetic $30 million in aid—on condition that the government negotiates with the guerrillas. That means, in effect, to let the Soviet-backed opposition take over. Meanwhile, on the other side of the world, we are giving $10 million in aid to Sovietized Mozambique, with no strings and no questions asked.

It is time to give up and reconcile ourselves to Soviet entrenchment on our southern borders? Unless the president makes some radical changes in the way he handles foreign policy, it's hard to foresee anything else. Norman Podhoretz, in his penetrating analysis of what went wrong in Vietnam, talks about how successive presidents tried to deal with the problem "on the cheap." Kennedy, Johnson and Nixon all knew what needed to be done, but for fear of alienating the public, they tried to do it without spending much money and without taking the political risks of blunt talk to the people back home.

Much of the same thing is happening this time around. The president who, when he was a candidate, talked about the possibility of strong-arming Cuba as a way of forcing Soviet concessions to the Poles, hangs back from an openly stated global strategy of resistance to Soviet imperialism. Instead, he, like his predecessors, meets the well-coordinated advance of the adversary in a half-hearted and piecemeal way.

A few advisers for the Salvadoran army . . . American training for fewer Salvadoran soldiers than there are Salvadoran guerrillas regularly learning their trade in Nicaragua. And we say we're trying to prevent a Soviet-backed, Soviet-style government in San Salvador, but we have a hands-off rule when it comes to helping democratic forces that want to challenge the Soviet-backed, Soviet-style government in Managua.

It's not all the President's fault, of course. The liberal opposition in Congress has been ingenious in finding ways to stop him from implementing the strong-America principles that brought him to the White House in the first place. But, in the end, the responsibility is his. He has the power to convince the people of the United States of the true dangers confronting them in Central America and of what must be done to protect our interests and the principles we value.

The major point to be made is that damage limitation of the sort we've been aiming at ever since the Korean war won't do. We must have a strategy for winning.

The first step would be to get rid of the intellectual fuzz accumulated during the Carter administration. President Carter, in his idealism, said he was tired of supporting the wrong guys in Latin America. He failed to note that El Salvador was doing quite

well by Third World standards. Both economically and politically, things were getting better for the Salvadoran poor.

The Carter entourage had no patience with gradualism, however. Not only was American influence enlisted in ousting the comparatively mild Savadoran dictator, Romero; an American-designed land reform was, at American instigation, forced on the country by the bayonets of the Salvadoran army.

We see the results. We also see shocking continuations of Carter-style American behavior in that part of the world. The president of Costa Rica—a socialist—asks for American help to defend his borders against Sandinista incursions. He immediately becomes a fascist pariah to both the press and the State Department. We make $75 million in aid to Nicaragua contingent on the Managua government's not exporting terrorism. Even former Secretary of State Edmund Muskie says there's plenty of evidence to justify cutting off the aid. President Ronald Reagan hesitates.

And so it goes. Every evidence of faltering purpose on our part weakens the morale of democratic forces in Central America and, indeed, around the world. And convinces the totalitarian revolutionaries they don't have to compromise. When will we learn?

CENTRAL AMERICA: FOREVER RESTATING THE OBVIOUS

(By Michael McDonald)

At the outset of a favorable review of a new book by Betrand Russell, George Orwell remarked that "if there are certain pages . . . which seem rather empty, that is merely to say that we have now sunk to a depth at which the restatement of the obvious is the first duty of intelligent men."

At the time Orwell wrote—January 1939—the western democratices faced an implaceable, expanding totalitarian foe and were, to put it mildly, in serious trouble. Unhappily, the West finds itself in a similar situation today. And for similar reasons, now as then, the "restatement of the obvious" has once again become "the first duty" of western leaders and intellectuals.

In this regard, U.N. Ambassador Jeane Kirkpatrick's recent essay in The Washington Post ("This Time We Know what's Happening", April 17, 1983) was a welcome relief from the run-of-the-mill foreign policy analyses about Central America. In the space of a few thousand words she succeeded admirably in describing what communist objectives are in that part of the world, what choices lie ahead for Congress as it begins debate over whether to cut off continuing American aid to El Salvador, and what the political and moral consequences of its decision will be both for the United States and for our allies.

Unfortunately, critical response to the ambassador's remarks has been hostile and leaves one less than optimistic about the chances of achieving a domestic consensus on how best to ensure the survival and defense of freedom in this hemisphere.

Richard Cohen's reaction was typical. In an article that appeared in print two days later ("War Critics", The Washington Post,) Mr. Cohen somehow manages to achieve the next-to-impossible feat of ignoring everything Kirkpatrick had to say in the course of attempting to refute her.

According to Kirkpatrick, the Sandinistas and the guerrillas in El Salvador are committed. Marxist-Leninists. As such, their concern for instituting democracy and for ending human rights abuses is non-existent. Their interests are wholly inimical to our own, allied as they are to the Soviet Union, and they threaten an area of vital importance to us and to our allies.

Cohen disputes none of these facts. Instead he pleads for a completely amoral foreign policy, one indifferent to the attempts of foreign nations to resist external aggression. (So much for 200 years of American history and our role as leader of the Free World.) He then concludes his piece, incredibly, by arguing that for the United States the issue of whether to intervene in these types of situations should always hinge on whether there is (1) a compelling U.S. interest in the region and (2) whether the United States can make a difference.

What is incredible about this statement is not that it is incorrect but that Cohen makes it an attempt to justify *non-intervention.* Clearly there is a compelling U.S. interest in Central America and just as clearly, given our proximity to the region, we can make a difference.

Cohen, however, is not alone in his inability to relate geopolitical realities to our national interest.

Philip Geyelin also believes that we should ignore Kirkpatrick's "harrowing rationale" for thwarting communist subversion in Central America. (See "The Kirkpatrick Theory," *The Washington Post,* April 24, 1983.) Although he too refuses to argue with the distressing facts Kirkpatrick has provided, he nonetheless lends implicit support to the idea that the United States is capable of conducting a "diplomatic spectacular" in which all concerned parties, including the Soviet Union and Cuba, will negotiate an end to the conflict. The consequences of past "diplomatic spectaculars" with communist nations—most notably the Paris Peace Accords of 1973 and the 1975 Helsinki accords—apparently leave Geylin undaunted.

What is there left to say when the facts about Central America are presented in all their hard-edged concreteness and yet professional political observers willfully refuse to acknowledge them? Perhaps it is sunk to such a depth that even the restatement of the obvious is no longer sufficient to get people to begin to think clearly.●

THE RECENT MURDER OF THE TURKISH AMBASSADOR TO YUGOSLAVIA

● Mr. DENTON. Mr. President, I must express my shock and revulsion at yet another outrage perpetrated against a Turkish diplomat in the name of the so-called Armenian genocide.

On March 9, 1983, Ambassador Galip Balkar was murdered by two assassins while seated in his automobile at a traffic light in Belgrade, Yugoslavia, the country to which he was accredited.

Ambassador Balkar is the 26th victim of the terrorist campaign started in Los Angeles, Calif., in 1973 by the slayings of the Turkish Consul and the Turkish Consul General. In addition, a total of 60 bombing attacks have been directed against Turkish targets. Four of the murders and eight of the bombings took place in the United States, the remainder in Western Europe, Lebanon, Canada, and Australia.

In July 1981, the Subcommittee on Security and Terrorism, which I chair, held extensive hearings on international terrorism. During the hearings, Prof. Aydin Yalcin, from the University of Ankara, and Dr. Stefan T. Possony, of the Hoover Institution at Stanford University, testified in detail about terrorism in Turkey and about the Armenian terrorist groups operating outside of Turkey.

There are two major terrorist groups, the ASALA—Secret Army for the Liberation of Armenia—and the Justice Commandos of the Armenian Genocide. Both of those groups, one intentionally, the other perhaps unwittingly, serve the interests of the Soviet Union in the Eastern Mediterranean. ASALA, which is avowedly Marxist, regards the "reactionary, imperialist U.S." as the main enemy of Armenian nationalism and wants to attach the six eastern provinces of Turkey to Soviet Armenia, a part of the U.S.S.R.

As with other terrorist groups, its campaign is aimed as much at the media as it is at Turkish diplomats, their embassies, and missions. ASALA wants to blacken the international image of Turkey by bringing to the fore what it calls "the massacre of 1.5 million Armenians by the Ottoman Empire in 1915-16." Whatever may have been the errors of the Ottoman Empire during the intercommunal strife precipitated by the Armenian rising in 1915, the Empire did come to an end in 1920. I do not doubt that during 1915-16, many thousands of Armenians perished in battle and from hunger and exposure. Similarly, I do not doubt that thousands of Turks also died.

The Government of Turkey does not persecute Armenians. The grandchildren and great-grandchildren of the victims of a tragedy that took place more than 50 years ago cannot justify their criminal actions against Turkish diplomats and their families by the alleged misdeeds against their grandparents and great-grandparents by some tortured argument about justice or retribution.

The events of 1915-16 are not the cause but simply an excuse for the ASALA attempt to create a Marxist revolutionary mass movement among the Armenian youth of Lebanon, France, the United States, and Canada, where most of the Armenians in the free world now live. Although the ASALA only has a few hundred hardcore members, it has many misguided sympathizers, for otherwise its member could not successfully commit their heinous crimes.

As for the Justice Commandos, they are more nationalistic and radical, much like the Montoneros of Argentina and no less deadly. Just as ASALA, they have made it a practice not to

criticize the Soviet Union, which keeps in total subservience the 3.2 million Armenians now residing in Soviet Armenia, and an additional 1 million Armenians living in the Soviet Union outside of the Armenian S.S.R.

The overwhelming majority of the 500,000 Americans of Armenian heritage are law-abiding, God-fearing citizens. The terrorist often seek to exploit the legitimate desire of the Armenian people to express the their identity by infiltrating Armenian heritage groups, and so-called cultural exchanges, and by other methods. They often prey on the desire of Americans of Armenian descent who seek to preserve and encourage the nostalgia for the traditional culture of Armenia, a modicum of which is still being allowed in Soviet Armenia, allowed, that is, to the extend that it does not conflict with Soviet policies.

Mr. President, I ask that a list of the names of Turkish diplomats and members of their families assassinated by Armenian Terrorists since 1973 appear in the RECORD immediately following my remarks.

The list follows:

NAMES OF TURKISH DIPLOMATS AND MEMBERS OF THEIR FAMILIES ASSASSINATED BY ARMENIAN TERRORISTS

1. Mehmet Baydar, Consul General of Turkey, January 27, 1973, at Los Angeles, USA.
2. Bahadir Demir, Consul of Turkey, January 27, 1973, at Los Angeles, USA.
3. Danis Tunaligil, Ambassador of Turkey, October 22, 1975, at Vienna, Austria.
4. Ismail Erez, Ambassador of Turkey, October 24, 1975, at Paris, France.
5. Talip Yener, Driver of Ambassador, October 24, 1975, at Paris, France.
6. Oktar Cirit, First Secretary-Turkish Embassy, February 16, 1976, at Beirut, Lebanon.
7. Taha Carim, Ambassador of Turkey, June 9, 1977, at Holy See.
8. Necla Kuneralp, Wife of the Ambassador of Turkey, June 2, 1978, at Madrid, Spain.
9. Besir Balcioglu, Retired Ambassador of Turkey, June 2, 1978, at Madrid, Spain.
10. Ahmet Benler, Son of the Ambassador of Turkey, October 12, 1979, at The Hague, Netherlands.
11. Yilmaz Colpan, Counselor for Tourism-Turkish Embassy, December 22, 1979, at Paris, France.
12. Galip Ozmen, Attache-Turkish Embassy, July 31, 1980, at Athens, Greece.
13. Neslihan Ozmen, Daughter of Mr. Ozmen, Attache, July 31, 1980, at Athens, Greece.
14. Dr. Resat Morali, Labor Attache of the Turkish Embassy, March 4, 1981, at Paris, France.
15. Tecelli Ari, Religious Affairs Official at the Turkish Embassy, March 4, 1981, at Paris, France.
16. Mehmet Yerguz, Official at the Turkish Consulate General, June 9, 1981, at Bern, Switzerland.
17. Cemal Ozen, Security Official at the Turkish Consulate General, September 24, 1981 at Paris, France. (During a raid on the Consulate where they also held 40 people as hostages for more than 10 hours).
18. Sarik Ariyak, Consul General of Turkey, December 16, 1981, at Sydney, Australia.
19. Engin Sever, Attache at the Turkish Consulate General, December 16, 1981, at Sydney, Australia.
20. Kemal Arikan, Turkish Consul General, January 28, 1982, at Los Angeles, U.S.A.
21. Orhan Gunduz, Turkish Honorary Consul General, May 4, 1982, at Boston, Massachusetts, U.S.A.
22. Erkan Akbay, Attache-Turkish Embassy, June 7, 1982, at Lisbon, Portugal.
23. Nadide Akbay, Wife of Mr. Erkan Akbay, June 7, 1982, at Lisbon, Portugal.
24. Atilla Altikat, Military Attache-Embassy of Turkey, August 27, 1982, at Ottawa, Canada.
25. Bora Suelkan, Attache, Turkish Consulate General, September 9, 1982, at Burghaz, Bulgaria.
26. Galip Balkar, Ambassador of Turkey, March 9, 1983, Belgrade, Yugoslavia.●

COMPASSION INTERNATIONAL

● Mr. ARMSTRONG. Mr. President, I recognize Compassion International. This is a 31-year-old Christian organization functioning in 32 nations of the world, with headquarters in Colorado Springs, Colo.

Compassion is the link between two important groups of people: children in desperate need and caring people who want to help. Child sponsorship brings these two groups together in a unique, one-to-one way. More than 65,000 needy children are sponsored through Compassion. Their sponsorship makes it possible for these needy children to attend school, it provides books and clothing, and meets their spiritual needs as well as physical, emotional and mental needs.

Compassion also works with family, church, and community leaders to improve and enrich the environment for children of poverty and helps needy communities recognize their opportunities and mobilize their resources to provide for the development needs of the children.

Other areas of ministry include providing nourishing meals for childern, bringing clean, safe water to thousands of needy people, providing crisis relief to those victimized by major disasters, and distributing medicines, vaccines, blankets and health products to many depressed areas of poor countries.

To increase awareness of the problems of the world and appeal to the private sector of America to get involved physically and financially, Compassion is sponsoring Project Compassion. This fall, two men from Colorado will be walking from Colorado to southern Florida and then proceed on to Haiti, to document the feelings and impressions of grassroots America about national and international suffering and help to alleviate some of the problems.

It is almost impossible to imagine a more worthwhile undertaking than the enormous task to which Compassion International has dedicated itself. I congratulate those who are providing leadership in this significant effort.●

BOSTON GLOBE ON NUCLEAR WEAPONS FREEZE

● Mr. KENNEDY, Mr. President, on May 7 the Boston Globe editorialized in support of the nuclear weapons freeze and reductions initiative, which the House of Representatives approved on May 4 and which is now before the Senate for consideration and action.

As the Globe points out, "each Senator will have to take a stand" on this proposal to negotiate a comprehensive and verifiable halt to the nuclear arms race. I commend the editorial to my colleagues, and I request that it be printed at this point in the RECORD.

The editorial follows:

FREEZE: SENATE AND THE FUTURE

Those who have worked so diligently, first to create a national arms-control constituency and then to force an evasive Congress to take a stand on the nuclear freeze resolution, can take great satisfaction both in the debate they stimulated and the result it produced.

With House approval, it's time now for the freeze movement to take a hard look ahead. Sens. Kennedy and Hatfield are about to lead the battle in the Senate; last year they had 17 cosponsors and this year they have 34. Some assume they can't win Senate approval this year, but the freeze movement is still growing, and sooner or later they will. Meanwhile, with an election year in the offing, each senator will have to take a stand.

It's true, of course, that even if the Senate passed a freeze, this Administration would ignore it. The main focus of the movement, therefore, should be to further elaborate its program of public education on national security, enabling more and more hitherto uninvolved citizens to draw their own confident conclusions. This way the movement will continue to gather force.

A critical choice is close at hand. In the immediate future Congress will be facing dozens of votes on a variety of nuclear weapons systems. Among the first of these will be a committee vote on flight testing of the MX missile, perhaps as early as the end of this month.

It is utterly unrealistic to think that every legislator who favored the freeze will oppose every nuclear weapons system. Freeze proponents therefore must begin to sharpen their aim, concentrating on some weapons and relegating others to a lower priority.

Many freeze organizers think they owe their success to date to the simplicity of the original proposition. They fear that if they delve into complexities and pick and choose among weapons they will lose their popular support. They overestimate the difficulty of choosing and underestimate the public.

The freeze movement need not stumble and split or lose its following, if it moves decisively to establish some convincing organizing principle beyond "enough is enough." The systems to attack are the ones which are most destabilizing, either in a crisis because they might invite or trigger a first-strike attack; or chronically because, over the long haul, they will defy efforts at

counting and make treaty verification impossible. The MX is one of these. So is the surface-launched cruise missile. So is the fast-attack Pershing 2. So is the SS20 and the SS18. So is counterforce doctrine. And so, when carried to absurd extremes designed to manage, survive and endure protracted nuclear wars, are command systems.

If the freeze heightens its focus on the stability of the nuclear balance, and not merely on numbers or newness of weapons, there's no reason the movement will lose its momentum or dull its cutting edge.●

FEDERAL INSECTICIDE, FUNGICIDE, AND RODENTICIDE ACT

● Mr. LEAHY. Mr. President, yesterday, two of our Nation's leading newspapers carried articles on the severe problems with pesticide registration data at the Environmental Protection Agency (EPA).

These articles clearly show that the Office of Pesticide Programs has not been diligent in its effort to insure that the public health and safety is protected. Nor has it allowed full and open public participation in the pesticide registration process.

Mr. President, a report released by the Agency itself yesterday found that 15 percent of all pesticides now registered were allowed on the market on the basis of faulty data.

This is an intolerable situation.

Millions of tons of pesticides and herbicides are applied in this Nation each year. These chemicals are in our food, our water, and in our ground.

The American people have a right to know whether these chemicals pose a danger. The Federal Insecticide, Fungicide, and Rodenticide Act, which controls the use of these chemicals, will be up for reauthorization this year.

I urge my colleagues to read these articles carefully and consider the need to reform FIFRA. We must make every effort to insure that the public is protected from chemicals that pose a threat to their health and safety and that their right of access to this information is preserved.

I ask that these articles from the New York Times and the Wall Street Journal be printed in the RECORD.

[From the New York Times, May 12, 1983]

EPA FAULTS TESTS ON 200 PESTICIDES

(By Philip Sharecoff)

WORK BY A LABORATORY INVOLVES CHEMICALS NOW ON MARKET

WASHINGTON, MAY 11.—A study by the Environmental Protection Agency has found that two-thirds of all tests conducted by a big private research laboratory to establish the safety of pesticides and herbicides now on the market are scientifically invalid.

The report, which took five years to prepare, finds that virtually all 212 pesticides and herbicides cleared by Industrial Bio-Test Laboratories of Northbrook, Ill., were subjected to at least one invalid test. Many of the pesticides and herbicides are in wide use, including Captan, Paraquat, Lasso, Machete, Orthene and Carbofuran.

Agency officials said the report raised what one on them called "big questions" about the chemicals tested by the company that are still on the market.

But the officials, who asked not to be identified, said the fact that the tests were invalid did not necessarily mean the chemicals posed a threat to human health or safety. It did mean, they said, that new information had to be obtained about the health effects.

The data produced by the laboratory were used by manufacturers to gain Government approval for marketing the chemicals.

The 212 chemcials represent 15 percent of all chemicals registered by the E.P.A., so the invalid tests of the Chicago laboratory could pose a significant problem. There are 44 chemical manufacturing companies involved, many of them major ones such as DuPont, Dow, Monsanto, Ciba Geigy, Olin, Velsicol, and Hercules.

The tests were conducted to see if the chemicals posed threats of cancer, birth defects, genetic damage or other health problems.

The environmental agency officials said the agency did not have authority under the Federal Insecticide, Fungicide and Rodenticide Act to order those chemicals that were not adequately tested off the market. That cannot be done until the agency has made a finding that use of the chemicals poses a risk of "unreasonably adverse effects."

ALL WE HAVE ARE QUESTION MARKS

"All we have now are question marks," an official said.

The officials remarked, however, that the flawed testing at least raised the possibility that some of the chemicals could present unknown hazards to public health.

The officials said they had not finished evaluating their findings about the Industrial Bio-Test data and did not know how much more information they would need. They said that where the invalid tests were crucial to the information needed to validate the safety of the substances, the chemcial manufacturers would be asked to submit new data in support of keeping them on the market.

Four former directors of Industrial Bio-Test are now on trial in Federal District Court in Chicago on charges of misrepresenting data used by the chemical manufacturers to obtain Government approval for the chemicals.

The 212 chemicals tested by the Chicago laboratory are being examined by the environmental agency in cooperation with the Government of Canada, where many of the pesticides and herbicides are also used. The Ottawa Government has refused to permit the use of 16 of the chemicals until questions raised by the Industrial Bio-Test problems are resolved.

The World Health Organization is also examining the implications of the invalid tests.

But the E.P.A. officials said that the fact that the chemicals were subjected to one or more invalid tests by Industrial Bio-Test did not necessarily present a serious problem. In many cases, there was a wide base of data from other sources that provided sufficient assurances of their safety.

On the other hand, even if past tests on chemicals were scientifically valid, it does not mean they were adequate, they said, explaining that new standards often required different tests.

A number of companies voluntarily submitted new data to the agency after the allegations about the laboratory were made public, the officials said.

FAULTY PROCEDURES CHARGED

The report says only that the tests were invalid because they failed to adhere to accepted scienfitic procedures. It does not address allegations brought at the Chicago trial that test results presented by the laboratory were fraudulent.

Government lawyers have charged that the company falsified such things as the number of deaths among test animals that were subjected to the chemicals.

The E.P.A. officials said they would have reviewed most of the chemicals tested by Industrial Bio-Test in their normal routine of administering the pesticide law. But their five-year concentration on the laboratory's tests was out of the ordinary, they said.

One official said the pattern of invalid tests found at the Chicago laboratory was "unprecedented" and had "shocked" toxicologists around the country.

The existence of the E.P.A. report was mentioned at the Chicago trial. A copy of it was given to a reporter who requested it.

[From the Wall Street Journal, May 12, 1983]

EPA TURNS UP SAFETY QUESTIONS IN PESTICIDE PROBE

(By Bill Richards)

MOST TESTING OF NALCO'S IBT IS THROWN OUT, AFFECTING NEARLY 15 PERCENT OF MARKET

WASHINGTON.—The Environmental Protection Agency is completing a study that raises questions about the safety of nearly 15 percent of all the pesticide chemicals approved for use on the U.S. market.

According to EPA documents, the agency has invalidated 737 of the basic laboratory safety studies involving more than 200 pesticide chemicals tested by Industrial Bio-Test Laboratories Inc., a unit of Nalco Chemical Co., Oak Brook, Ill. Most of the tests were done during the 1970s for 44 chemical companies and concerned a variety of possible health problems that the chemicals could cause, including cancer, birth defects and reproductive hazards.

Industrial Bio-Test halted its commercial testing in 1978 after federal investigators questioned the validity of some of the laboratory's results. Four former IBT officials, including its founder and former president, Joseph C. Calandra, are currently on trial in federal court in Chicago on several criminal charges arising from the federal investigation. No charges have been filed against Nalco, although the chemical company, which bought IBT in 1966, said last week that it had set aside a $23 million reserve to cover the discontinuance of IBT's operations, including the settlement of several civil lawsuits against the lab. The reserve was set aside in 1978, and at the end of 1982, $12 million was added to the remaining reserve.

In the trial, Phillip Smith, a former IBT technician, has testified that officials of the laboratory falsified data in studies on TCC, an anti-bacterial agent widely used in deodorant soaps. Federal officials said later tests showed the material to be safe at levels used in soap products.

The EPA study, which is scheduled to be released late next month, is the first broad effort to determine the extent of the problems associated with the flawed IBT tests. In the study, investigators found invalid data used to support a number of widely used products such as Monsanto Co.'s herbi-

cides Roundup and Lasso, Chevron Chemical Co.'s Captan and FMC Corp.'s Furadan. Chevron is a subsidiary of Standard Oil Co. of California.

"The fallout from this single testing laboratory is quite broad," said Edwin L. Johnson, the EPA's director of pesticide programs. "We found ourselves in a position where we had a large hole in our judgment base because of the suspicious data."

In addition to testing for the EPA, a number of tests run by IBT were also submitted by drug manufacturers to the Food and Drug Administration. An FDA spokesman said yesterday that while nearly 200 major IBT tests were rejected by the agency, there were studies from other labs so that the agency didn't have to pull any drugs off the market.

The EPA study says IBT performed 1,205 major animal studies that chemical company clients submitted to the environmental agency in support of putting their pesticides on the market. About 66% of the studies have been thrown out as invalid by the EPA, with another 170 studies still being reviewed. The EPA study says only 19% of the IBT studies were judged acceptable.

Mr. Johnson and other EPA officials cautioned, however, that not all the pesticides may be lacking a valid scientific base, because the EPA may also have validation studies performed by other laboratories. The supplementary data hasn't been compiled yet, said Mr. Johnson, but it is expected to be included in the EPA's final report next month. Mr. Johnson declined to estimate how many pesticides on the market rest on tainted IBT data alone, but he said, "It's enough to make me uncomfortable."

None of the pesticides with invalid IBT tests has been withdrawn from the market, Mr. Johnson said. Under federal rules he said the pesticides can stay on the market until their makers retest them. If they are found to be harmful, proceedings can be started to remove them. Mr. Johnson said only a handful of retests have been completed, although a number of others are either under way or are being evaluated by the EPA.

Canada, which is jointly testing some IBT pesticides with the EPA, has taken two products, allidochlor and chlorbromuron, off the shelf. Canadian health officials also have recommended warning labels on 24 other pesticides until follow-up studies are done to replace the IBT tests. Information from the Canadian tests was incorporated into the EPA's report, agency officials said.

According to the Canadian reports, one widely used pesticide—Captan—was found to cause cancers in mice during follow-up tests. The health protection branch of Canada's agriculture agency, which has jurisdiction over the retesting of IBT studies in Canada, reported that studies by the U.S. National Cancer Institute and Chevron Chemical, a major manufacturer of Captan, "clearly demonstrated the induction of tumors in the small intestine of mice at high doses of Captan" and that the studies couldn't determine a "no-effects' minimum level at which the chemical didn't produce tumors.

Spokesmen for Chevron and several other chemical companies involved in IBT tests defended their products yesterday and said many were either already retested or being retested. A Chevron spokesman said his company had spent "in the millions" redoing many of the 156 major chemical tests Chevron commissioned from IBT since the early 1960s.

"Based on our retesting programs," the spokesman said, "we feel confident that Chevron products in question do not pose an unreasonably adverse affect to man or the environment when used according to the label instructions."

Monsanto said it had completed tests on both Roundup and Lasso, two of the 11 pesticides the company tested with IBT. "We see no data gaps, and we feel confident the data are adequate to support registration by the EPA," a spokesman said. he added that the other pesticides are also being retested in studies that could take two or more years to complete.●

ARKANSAS' SMALL BUSINESS MAN OF THE YEAR

● Mr. PRYOR. Mr. President, Arkansas' Small Business Man of the Year, Dr. Steven K. Wilson, of Fort Smith, had the wind taken out of his sails by his own son after the announcement of his selection for the honor. For when son Henry was told about his dad's sudden celebrity status as Small Business Man of the Year, son replied, "That's nice, dad, how tall are the rest of the them?"

But I can assure you that Dr. Wilson is not small in the eyes of the business community in Arkansas. A full-time urologist, Dr. Wilson also finds time to manufacture rolled glass, operate two restaurants, and participate in area restoration projects.

Founded in 1974 as a single retail store, Merry-Go-Round Glass in Fort Smith, began manufacturing rolled glass in 1978. The firm entered international markets that year and competed successfully in a stained glass market long dominated by its European originators. Sales have increased almost sevenfold to $3.38 million in 4 years, making it the fourth largest manufacturer of its kind. More than 30 franchises across the country offer stained glass supplies and classes.

His restoration of six buildings in the historic Belle Grove area of Fort Smith led him into the restaurant business. Wilson took over the operation of a restaurant, named it Tomfoolery, and quadrupled its previous sales in the first year. Wilson opened another restaurant, the Packet House, a graciously restored mansion, in Little Rock late last year.

Mr. President, Dr. Steven Wilson, typifies the aggressive spirit that exists among Arkansas businessmen and I want to join in the observance of Small Business Week by paying tribute to this native son.●

ESTATE TAX RELIEF

● Mr. JEPSEN. Mr. President, I express my strong support for the estate and gift tax provisions of the Economic Recovery Tax Act of 1981. These provisions have benefited farmers and small businessmen and women. They are of special importance to farm wives who have long worked as partners on the family farm. The change in estate tax provisions was one of the most important features of the 1981 act.

Excessive estate taxation had become discriminatory and extremely counterproductive. Because the very wealthy can often minimize the impact of estate taxation by sophisticated tax planning, the incidence of the tax was largely regressive, falling heaviest on relatively small estates, especially small businesses and farms.

The tax also encouraged older farmers and businessmen to sell out to large corporations and use the money to buy liquid investments. Excessive estate taxation had imposed a heavy burden on dynamic and successful business judgment and investment by closely held businesses.

The tax rates imposed by law were bad enough, but inflation caused bracket creep pushed by the tax take to almost confiscatory levels. As a result, many of the best and most productive farms and businesses were liquidated or dismembered.

Moreover, by undermining or even destroying farms and small businesses, the previous tax promoted economic concentration. It hindered accumulation of capital by farms and small businesses and thus insulated, to some extent, larger corporations from competition.

In addition, the tax discouraged savings and capital formation needed for a strong economy. Overall, the tax created many problems, and few, if any, benefits. Consequently, the Economic Recovery Tax Act of 1981 included sections which provide estate tax relief for many Americans. The tax rates are cut and the unified credit is increased over several years.

These changes in the estate tax will greatly benefit farmers and small businessmen, along with their wives and families. Fewer farms and businesses will be broken up or sold to meet estate tax liabilities. Wives and other family members will not have their grief compounded by tax problems.

Now, I understand that there are some here in Congress—supporters of the tax-and-spend school of Government—who are determined to prevent full implementation of estate tax relief. They want to renege on our commitment to make estate taxation less destructive.

I will oppose any effort to dilute enacted estate tax relief, whatever form it takes. For this reason, I am supportive of the resolution expressing the sense of the Senate that the ERTA tax changes not be tampered with.●

WHY WE MUST REMEMBER THE ARMENIAN GENOCIDE

● Mr. DODD. Mr. President, April 24 marked the 68th anniversary of the

start of what was to become the first genocide of the 20th century. On April 24, 1915, the Ottoman Empire began the process of eliminating the Armenian people from Turkey by arresting and killing the leaders of the Armenian community.

From May until October 1915, the government of the Ottoman Empire exterminated well over 1 million Armenian men, women, and children, through forced marches, starvation, and outright slaughter. The purpose of this policy was stated plainly enough at the time by the young Turkish Government: To expel or to kill everyone and everything non-Turkish from the provinces that are now called eastern Turkey, but which had been Armenia for thousands of years. A member of the Ottoman government said at the time: "The best way to finish with the Armenian question is to finish the Armenians."

The goal of the Turkish Government was to insure that Turkish-held Armenia would never be separated from the Ottoman Empire. The Armenians resisted when they could. In 1917, after the Russian armies left the Caucasian front, what was left of the Armenians fielded a volunteer force which kept the oilfields of Baku from Turkish occupation, an achievement which clearly had an effect on the German war effort. After the defeat of the Central Powers in World War I, a republic of Armenia was established; but it was destroyed by a joint Turkish-Soviet attack in 1920. The facts are plain: The Armenian people were systematically uprooted and ruthlessly eliminated from their homeland. As Winston Churchill put it, this horrible crime "was about as complete as such an act, on a scale so great, could well be."

Why revive the memory of such terrible events? For one thing, the U.S. State Department has been less than careful to keep the facts straight about this thoroughly documented atrocity. In August 1982, the State Department published a footnote to a paper on terrorism which referred to the historic record of the events in Asia Minor in 1915 as "ambiguous." If this is an example of the State Department's scholarship, we are in deep trouble.

There have indeed been incidents of terrorism by Armenians against Turkish diplomats in recent years. These incidents must be deplored. They must be resisted, and the perpetrators apprehended and prosecuted. But to recall the fact of the Armenian genocide is not to condone terrorism of any sort. Indeed, it is only by remaining mindful of the crimes and mistakes of the past that we can effectively avoid repeating them in the future. Of all people, it was Adolf Hitler who most clearly reminded of this fact. When Hitler told his cronies that he intended to exterminate the Jews, Gypsies, and the other non-Aryan peoples he despised, someone dared to suggest the world would not tolerate such a vast crime. Hitler then sneered perhaps the most chilling question of the 20th century: "Who still talks nowadays of the extermination of the Armenians?" The United States should respond to this and all similar questions, with a resounding condemnation of the crimes of the past, and with determination that genocide must be eliminated forever as something which a government could even consider as a means of extending its power.

In the Washington Post on Sunday, April 24, a survivor of Auschwitz made the point. It is fitting to close my remarks on this theme with the words of Allen Kiron "Look and ponder; learn and pray/Above all, remember well/ that silence and indifference/fuel the fires of living hell."●

SOIL STEWARDSHIP WEEK

● Mr. JEPSEN. Mr. President, this week, May 8 through May 15, has been celebrated across the country as Soil Stewardship Week. In churches and other places of worship, in civic centers, in educational settings, and in conservation districts, many are giving thanks and observing the 27th year of special appreciation for the soil and water resources of this Nation.

Every year since 1955, the National Association of Conservation Districts, in cooperation with the 3,000 local conservation districts throughout the Nation, has sponsored Soil Stewardship Week. This year's theme, "Living Waters," was chosen to emphasize concern over the quality and quantity of our water resources.

This comes appropriately at a time when the state of our soil and water resources has deteriorated significantly and when many are predicting that the future availability of those resources is in doubt.

Nonetheless, in my home State of Iowa and in other States, the public is participating in programs that will contribute to our overall respect for natural resources. I commend the National Association of Conservation Districts and all conservation districts for sponsoring and promoting these efforts. Additionally, I take particular pride in noting Iowa's Natural Heritage Foundation's soil stewardship program.

The soil stewardship program is a major coordinated effort to involve the private sector in soil conservation. It is the first project of its kind in the Nation, begun primarily because Iowans have such an appreciation for the land. Unfortunately, Iowa also has the highest soil erosion rate of any State in the Nation. Although Federal efforts have helped considerably, Iowans feel that involving the individual farmer, private organizations, and agribusiness is the only way a concerted and effective soil erosion control program can work.

As noted by the sponsors of the program, "Our soil erosion problem is so great that it must be viewed as everyone's responsibility. We must all share the stewardship of our land and water, and not simply wait for Government to act. Government programs will continue to be important, and deserve support from everyone's tax dollars. But it is also important that those who benefit from Iowa's intensive grain production be enlisted to assume special responsibilities."

It is in Congress with this spirit that I would like to close with a thought from Aldo Leopold, noted naturalist from Burlington, Iowa, and author of "a Sand County Almanac," among other works:

> We shall never achieve harmony with land any more than we shall achieve justice or liberty for people. In these higher aspirations the important thing, is not to achieve, but to strive. It is only in mechanical enterprises that we can expect that early or complete fruition of effort which we call "success." (Aldo Leopold, Conservation, from "Round River: The Journal of Aldo Leopold," 1953.)●

SOVIET ESPIONAGE ACTIVITIES

● Mr. D'AMATO. Mr. President, I rise this afternoon to voice my concern over Soviet espionage activities. During recent weeks, we have witnessed the expulsion of Soviet diplomats from a score of nations. These individuals, hiding under the cloak of diplomatic immunity, have been engaged in an extensive espionage campaign stimulated by a desire to acquire high techology. The Soviets have become increasingly dependent upon these covert acquisitions. While the Soviets have displayed a desire for a wide variety of technology, they have placed particular emphasis on any high-technology secrets which have possible military application.

Judge William Webster, Director of the Federal Bureau of Investigation, recently revealed that nearly 40 percent of the 3,000 East European diplomats in this Nation are involved in operations designed to transfer our military and industrial secrets to Moscow and the capitals of other Communist states. The theft of these secrets poses a clear threat to our national security. It is imperative that the governments of the West develop a comprehensive strategy to combat Soviet espionage.

I encourage my colleagues to read the article by Nicholas Daniloff which recently appeared in U.S. News & World Report. I ask that it be printed in the RECORD.

The article follows:

[From U.S. News & World Report, May 9, 1983]

WHY RUSSIANS WILL GO RIGHT ON SPYING

(By Nicholas Daniloff)

Moscow—The recent mass expulsion of Soviet spies by Western nations may have put a temporary dent in Moscow's espionage network, but the Kremlin has no intention of abandoning its effort to steal secrets from other countries.

Reason: Russia badly needs advanced military and industrial technology. And under Soviet leader Yuri Andropov, who headed the KGB intelligence service for 15 years before rising to this nation's No. 1 position in November, 1982, the Kremlin has the manpower and determination to take from the West the knowledge that its own scientists cannot provide.

After the U.S. expelled three Russians for spying in late April, Director William Webster of the Federal Bureau of Investigation estimated that up to 40 percent of 3,000 Soviet-bloc diplomats in America are trying to ferret out military and industrial secrets.

A LENGTHENING LIST

The U.S. expulsions were the latest in a series of incidents this year, mostly in Western Europe, that resulted in the eviction or arrest of more than 60 Soviet diplomats, officials and other Russians on charges of espionage.

France kicked out 47 Soviets in early April, the largest expulsion since 1971 when Britain ordered out 105 Russians. Other Soviet agents have been caught by Britain, West Germany, Denmark, Spain, Australia, Belgium, Switzerland, the Netherlands and Italy.

Sweden recalled its ambassador to Moscow when a government commission accused the Soviets on April 26 of operating six submarines in Swedish waters last October—a year after indignant Swedes discovered a Soviet submarine stranded in a snooping mission near a restricted Swedish naval base.

Western officials deny that the crackdown is a coordinated effort. But they concede that they keep each other informed of moves against Soviet agents and that the purge signals a tougher reaction to Soviet efforts to close an information gap through thievery.

Espionage gives the Soviet Union a relatively cheap, low-risk means to catch up in high-stakes competition.

Soviet science does well in theoretical mathematics, physics, seismology, astrophysics and oceanography and has made big gains in metallurgy, space exploration and nuclear-power generation.

But the Soviets trail in development of such military-related items as advanced computers and lasers. They also lag in cybernetics, microbiology, psychiatry and in some areas of medicine. They need modern oil-extraction equipment and agricultural aids.

The U.S. warned its European trading partners only last month that Western security was being eroded by Moscow's underhanded drive to obtain sensitive technology. A report by the Central Intelligence Agency says that illegal technology transfers are saving the Kremlin billions of research dollars and shortening the time needed to develop new military systems.

High-technology secrets taken from the West by spies and through illicit trade channels have helped Moscow improve its nuclear missiles, develop new aircraft and perfect stronger, lighter materials for its weapons.

For the past decade, Soviet planners also have counted on stolen scientific knowledge to help boost output from Soviet factories and farms in an effort to revive a seriously ailing economy.

Soviet agriculture, a virtual basket case, provides one illustration of how a technology gap has spurred Moscow to seek information by illicit means.

After years of mismanagement, Russia is chronically dependent on imports to feed its people and livestock. Such purchases, many from the U.S., take a quarter of the economy's hard currency.

Moscow, therefore, needs early and accurate forecasts of crop yields as it juggles limited resources. But crop predictions lag because secretive military operators of Soviet reconnaissance satellites are slow to free their pictures for nonmilitary purposes. As a result, the KGB orders its agents in Washington, many operating as diplomats, to seek data gathered by U.S. satellites that give speedy reports on Soviet crop prospects.

Why is Russia behind in technology? A major reason is that bureaucratic inertia hampers the growth of a Soviet project from conception to reality.

One Soviet scientist explains: "To get an idea into production, you must get the support of your boss. But he may withhold it because he did not think of the idea. If you go over his head, you may harm your career."

FRESH TWIST

According to another scientist, the Kremlin now is trying to encourage innovation through rewards and prizes. Yet difficulties abound. "Not least of these," he says, "is that a factory may be told to produce a new product, but not be relieved of its duty to fulfill its previously assigned plan."

Some Russians trace such attitudes back to the Stalin regime, which pooh-poohed the importance of significant branches of modern science.

But under Andropov, a demand for more potent military forces to counter the U.S. has spurred the emphasis on technology. Another critical need is to overhaul the staggering economy.

Western nations are under no illusion that kicking out a few spies will have a lasting effect on Soviet behavior. The Kremlin has too much technological ground to make up and limited means for doing so. Red-faced though Soviet leaders may be for a time over expulsion of their spies, Moscow still is certain to persist in its illegal hunt for Western discoveries and innovations.●

SOIL STEWARDSHIP WEEK

● Mr. HELMS. Mr. President, the National Association of Conservation Districts, in cooperation with the Nation's nearly 3,000 conservation districts, is sponsoring Soil Stewardship Week May 8–15, 1983. This has been an annual observance since 1955, and focuses national attention on the stewardship of our natural resources. The theme of this year's observance is "Living Waters."

The National Association of Conservation Districts (NACD) represents the Nation's nearly 3,000 conservation districts. Each conservation district is a local unit of government established for the special purpose of developing and directing soil and water conservation programs aimed at helping owners and users of non-Federal lands. Conservation districts assess conservation problems on the local level, set priorities for conservation work to be done and coordinate Federal, State, and local resources to carry out the programs.

NACD provides information and support services to aid its member conservation districts in the conservation, orderly development, and wise use of the Nation's natural resources. USCD represents the conservation districts at the national level.

Soil Stewardship Week, as sponsored by NACD, is carried out through church, civic, and educational groups to encourage good stewardship of our land and water resources. The theme of this year's observance, "Living Water," brings attention to the essential role of water in sustaining life and the responsibilities we all share in preserving this vital resource. Though we cannot destroy water, we can abuse, pollute, and misuse it, making it a curse rather than a blessing. It is ours to use, to enjoy, to keep clean, and to appropriate wisely so that is will give life to all it touches.

I would like to take this opportunity to applaud the efforts of the NACD, and each local conservation district, not only for this 1 week of special observance, but for their services and commitment to the Nation's resources throughout the year.●

SMALL BUSINESS WEEK

● Mr. GLENN. Mr. President, I am pleased today to cosponsor this resolution designating May 8–14 as Small Business Week. It is only fitting that we set aside 1 week annually to recognize the achievements of people who, for 52 weeks each year, immeasurably enhance the quality of life in this country by providing jobs, paying taxes, creating innovative products, supporting charities and building communities.

Unfortunately, this is an extremely difficult time for many small business owners who remember 1982 as the worst year since the Depression. According to Dun & Bradstreet, annual business failures increased 49 percent last year over 1981, and that statistic tells only part of the bleak story. For each of the 25,346 failures that involved losses to creditors, it is estimated that an additional 6 to 10 small businesses simply paid their bills and closed.

Recession and high interest rates, the twin killers of economic prosperity, have combined to push small businesses to the wall. Many of these entrepreneurs have been pushed not just to the wall, but off the ledge to bankruptcy. The situation is desperate—not just for the small business operators

struggling to pay their employees and their bankers, but also for the millions of Americans who depend on small businesses for reasonably priced, high-quality products in their everyday lives.

We cannot allow the deteriorating position of small business to continue. We need a well-coordinated Federal policy to control the disturbing number of small business bankruptcies and unleash the awesome potential economic power of America's estimated 14 million small businesses. We need to do this to make the best possible use of the brainpower, training, experience and desire represented by small business people who ask nothing more than a fair opportunity to test their ideas in the marketplace.

Just as small business cannot succeed without free enterprise, so free enterprise cannot succeed without small business. Statistics tell much of the story: Small and independent businesses account for 97 percent of all businesses; 40 percent of gross national product; and 50 percent of all major innovations and new technologies.

At a time of heavy unemployment, we must be particularly impressed by some estimates that small businesses account for more than 80 percent of all new jobs created in this country. From jet engines to zippers, from insulin to air conditioning, from penicillin to ballpoint pens, small businesses have demonstrated the creativity to develop new products that make life healthier, more prosperous and more comfortable.

Without being inclusive, I want to discuss some of the areas in which thoughtful congressional action could help small business.

These firms need ready access to available capital and they need it quickly. Capital needs vary from firm to firm. Some need short-term working capital and others require long-term funds to build plants or purchase equipment. Small business owners seeking financing are understandably concerned, as I am, by reports that Federal budget deficits under this administration will run dangerously close to $200 billion.

Deficits that high will force the Federal Government to borrow huge sums, driving up interest rates and making it impossible for small businesses to acquire the needed capital. Congress must act prudently to reduce the size of the projected deficit. I do not mean the meat-ax approach pursued by this adminstration that hurts those in genuine need, but rather a carefully tailored program of responsible cuts. This strategy, combined with responsible action by the Federal Reserve System, can help force down interest rates. At the same time, we must take the necessary, but politically painful, steps of eliminating both the third year of the tax cut and the schedule Federal income tax indexing in order to generate more revenues and reduce the size of the deficit.

My commitment to help small businesses obtain the capital they need is not new. In the past few years, for example, I have cosponsored the Capital Cost Recovery Act to liberalize depreciation schedules; and the Pollution Control Financing Act to increase the amount of low-interest money available to smaller firms to design, install and finance pollution control equipment.

One of the most creative capital formation proposals before the Congress this year would launch the Small Business Participating Debenture for firms hoping to expand. By using the SBPD, a cross between a stock and a bond, small business owners could retain total control of their operations while receiving much needed low cost, external capital.

I strongly support this concept as a means to create new jobs and thus increase the flow of tax revenues to the U.S. Treasury.

The Small Business Participating Debenture is a fine example of Government listening to the informed voice of small business and then acting responsibly. Congress can do more to restore the tarnished image of the Federal Government in the eyes of many business owners. With that goal in mind, I cosponsored the Delinquent Payments Act of 1981 to require the Federal Government to pay its bills on time. Many Federal agencies were dragging their feet, forcing businesses to absorb the cost associated with the Government's slow-pay practices. I also cosponsored the Small Business Innovation Act of 1981 to require Federal agencies to earmark 1 percent of their total research and development budgets for small business.

This year, I have cosponsored S. 44 to establish national uniform product liability rules. Currently, no two States have the same product liability laws. The inevitable result is confusion. Because this problem is national in scope, I support this effort to develop a national solution.

Individual pieces of legislation, however, cannot solve all the problems. The voice of small business will remain forever muffled in the highest reaches of national policymaking until its spokemen and spokewomen are included as members of the many advisory committees formed in the Nation's Capitol.

Too often, it seems, membership in Fortune's 500 is the required license to serve on these advisory bodies. Small businesses, for example, are labor-intensive and therefore contribute a disproportionately high share of payroll taxes to finance social security. Yet all the business members on the National Commission on Social Security represented giant financial and industrial interests. This kind of imbalance should never occur again. We must also maintain and strengthen the Small Business Administration as an independent agency with an increased role for the Office of Advocacy. To guarantee that the voice of small business is heard in the White House, I recommend the appointment of a special adviser to the President on small business matters.

We must also take positive steps to promote small business sales in international markets, a largely untapped source of new revenues and new jobs. Small businesses need help from the Federal Government to understand the intracacies of exporting. Specifically, they need timely marketing information at reasonable cost.

I cosponsored the Export Trading Company Act to make financing available to small business for export purposes because now less than 1 percent of this country's manufacturing firms account for 80 percent of all exports. Our small businesses can sell overseas, if given some assistance, but much more needs to be done in this field. The Export-Import Bank should make greater efforts to finance small business sales and our Special Trade Representative should act to insure greater participation of small businesses in foreign trade discussions.

These recommendations do not constitute a comprehensive program but they do reflect a fundamental principle of my economic policy: We must promote small business as a national priority not just because it is a matter of economic justice, but because it is a matter of economic survival for our free enterprise system. By fashioning a coordinated policy for small business, we demonstrate our faith in the managerial skills, innovativeness and commonsense of millions of men and women, who, together, represent the engine of American economic growth. It is time we recognize that small is not inferior and that bigger is not necessarily better. By designating May 8-14 as "Small Business Week," we recognize the excellence of the contributions that small businesses make to the lives of our communities and the prosperity of our Nation.●

ORDER OF BUSINESS

Mr. BAKER. Mr. President, I have a series of unanimous-consent requests that appear to be cleared on both sides, and I would like to state them now for the consideration of the minority leader and other Senators.

ORDER FOR ADJOURNMENT UNTIL MONDAY, MAY 16, 1983

Mr. BAKER. Mr. President, as I indicated earlier, it is not my intention to ask the Senate to be in tomorrow.

Therefore, I ask unanimous consent that when the Senate completes its business today it stand in adjournment until the hour of 12 noon on Monday, May 16.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

ORDERS FOR MONDAY, MAY 16, 1983

Mr. BAKER. Mr. President, I ask unanimous consent that when the Senate convenes on Monday, May 16, 1983, the reading of the Journal be dispensed with, no resolutions come over under the rule, the call of the calendar be dispensed with, and following the recognition of the two leaders under the standing order, there be a special order in favor of the Senator from South Carolina (Mr. THURMOND) and the Senator from Connecticut (Mr. WEICKER), for not to exceed 15 minutes each, to be followed by a period for the transaction of routine morning business not to exceed 30 minutes in length, with Senators permitted to speak therein for not more than 5 minutes each; and provided further that the morning hour be deemed to have expired.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER TO PROCEED TO THE CONSIDERATION OF NOMINATION OF WILLIAM D. RUCKELSHAUS TO BE ADMINISTRATOR OF THE ENVIRONMENTAL PROTECTION AGENCY ON MONDAY NEXT

Mr. BAKER. Mr. President, also as I indicated earlier, it is my hope that we can go to the Ruckelshaus nomination which has been reported from the Environment and Public Works Committee, which is on the calendar, and I will put now a request as in executive session:

Mr. President, I ask unanimous consent that on Monday, May 16, at 1 p.m., the Senate go into executive session to consider the nomination of William D. Ruckelshaus, of Washington, to be Administrator of the Environmental Protection Agency and it be considered under the following time agreement: Two hours on the nomination to be equally divided between the chairman of the Environment and Public Works Committee and the ranking minority member, or their designees.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER TO PROCEED TO NOMINATION OF ALFRED S. REGNERY TO BE ADMINISTRATOR OF OFFICE OF JUVENILE JUSTICE AND DELINQUENCY PREVENTION

Mr. BAKER. Also as in executive session, Mr. President, a matter that I believe is cleared on both sides.

I ask unanimous consent that, at 10 a.m. on Tuesday, May 17, the Senate go into executive session to consider the nomination of Alfred S. Regnery, of Virginia, to be Administrator of the Office of Juvenile Justice and Delinquency Prevention and it be considered under the following time agreement: 1 hour on the nomination to be equally divided between the chairman of the Judiciary Committee and the ranking minority member or their designees.

The PRESIDING OFFICER. Without objection, it is so ordered.

VOTING PROCEDURE NEXT WEEK

Mr. BAKER. Mr. President, I have another request. I indicated earlier that it would be my intention to ask the Senate to stack votes on Monday.

I now ask unanimous consent that any rollcall votes ordered on Monday, May 16 and Tuesday, May 17, prior to the hour of 2 p.m. on executive nominations as in executive session, amendments, and relative motions regarding S. 529, the immigration bill, be postponed to begin at 2 p.m. on Tuesday, May 17, to occur in sequence.

Mr. BYRD. Mr. President, reserving the right to object, would the majority leader provide a little time between each vote for an explanation of the amendment?

Mr. BAKER. Yes, Mr. President, I think that is a good idea. I modify the request so that there would be 5 minutes, equally divided, for discussion of the measure prior to the stacked votes.

The PRESIDING OFFICER. Without objection, it is so ordered.

THE IMMIGRATION BILL

Mr. BAKER. Mr. President, there is one other unanimous-consent request that I would like to propound which is going through the clearing process in respect to time for final passage on Tuesday of the immigration bill. As soon as that is cleared, I believe that will complete our requests at this time.

I am now told by the minority leader that has been cleared. Let me say before I put the request that I believe ample time has been provided for final disposition of the immigration bill, which I fully support. But I can assure the minority leader and the managers of the bill on both sides that if there are difficulties with it, I will join in an effort to make sure nobody gets cut out or there is not a compression of time that would prevent us from having a further debate on the issues.

Mr. President, I ask unanimous consent that, after the close of the time for the transaction of routine morning business today, the Senate proceed to the consideration of Calendar Order No. 98, S. 529, the immigration bill.

Mr. President, I further ask unanimous consent that the Senate resume consideration of the immigration bill following its return from executive session on Monday as previously ordered.

I further ask unanimous consent, Mr. President, that final passage on the immigration bill, S. 529, occur not later than 10 p.m. on Tuesday, May 17, and that paragraph 4 of rule XII be waived.

Before the Chair puts the request, since this was done in bits and pieces, may I inquire of the Chair, is there an order, as I believe I recall, that the Senate would go into executive session on Monday for not more than 2 hours of debate on the Ruckelshaus nomination?

The PRESIDING OFFICER. There is.

Mr. BAKER. And the request I have just put is that when the Senate returns to legislative session after consideration of the Ruckelshaus nomination on Monday the Senate would resume consideration of the immigration bill?

The PRESIDING OFFICER. The Senator is correct.

Mr. BAKER. I put the request.

The PRESIDING OFFICER. Is there objection? Hearing no objection, it is so ordered.

Mr. BYRD. Mr. President, does the majority leader include in the carrying over of votes for Monday to Tuesday a rollcall vote on the Ruckelshaus nomination?

Mr. BAKER. Yes, Mr. President, I believe that was included. I do not have the papers in front of me, but I believe that was included. I inquire of the Chair if his understanding is the same as mine.

The PRESIDING OFFICER. That was included.

Mr. BAKER. It was included?

The PRESIDING OFFICER. It was included.

Mr. BAKER. That votes ordered on Monday would include the Ruckelshaus nomination, if a vote is ordered on it, to occur on Tuesday?

The PRESIDING OFFICER. The Senator is correct.

Mr. BYRD. Mr. President, I ask the majority leader, the only exception is with reference to a possible rollcall vote to have the Sergeant at Arms arrest Members or compel their attendance?

Mr. BAKER. Mr. President, I modify my request so that votes ordered on Monday, with the exception of votes to require the attendance of absent Senators or other procedural motions, will be stacked to occur on Tuesday, as previously ordered.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BAKER. Mr. President, I believe that completes the list of requests that I have to make.

Mr. BYRD. The majority leader does not mean, "by other procedural motions," a motion to table.

Mr. BAKER. Only in respect to attendance of the absent Senators.

Mr. President, I have no further need for time in morning business. I know the Senator from Arizona is anxious to get to the immigration bill, as

is the Senator from Massachusetts and the Senator from Wyoming.

If anybody seeks time for the transaction of routine morning business, this is the time, or if we finish the immigration bill and there is further demand for morning business, I will be glad to provide for it.

I ask the Chair to inquire if there is further morning business.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Is there further morning business? If not, morning business is closed.

IMMIGRATION REFORM AND CONTROL ACT OF 1983

The PRESIDING OFFICER. The clerk will report S. 529.

The assistant legislative clerk read as follows:

A bill (S. 529) to revise and reform the Immigration and Nationality Act, and for other purposes.

The Senate resumed consideration of the bill.

Mr. SIMPSON. Mr. President, I do very much appreciate the efforts of the majority leader and the minority leader in the very excellent resolving of the situation so that we might proceed with the immigration reform legislation.

I express my deep personal appreciation to Senator BYRD and other Senators for their continuing accommodation with this Senator with regard to this very complex legislation we are resuming from last Tuesday. I also thank Senator KENNEDY's willingness and want to proceed. He has been more than accommodating not only this year but last year also. Indeed, we are very appreciative of that.

As we proceed with this legislation, Senator KENNEDY and I will be present to deal with the bill. The votes ordered will be stacked for later voting, but we will be here for a full day of debate. If Senators will, please bring their amendments to the Chamber.

I believe Senator DECONCINI wants to lay down his amendment.

The PRESIDING OFFICER. The DeConcini amendment is pending.

Mr. DECONCINI. Mr. President, I am shortly going to ask unanimous consent that that amendment be modified. Let me explain what the modification is.

In the course of the last week or so as we have been struggling on the budget, there have been negotiations with the office of the Senator from Massachusetts, the office of the Senator from California, and the office of the chairman and his staff, and we have come to a slight modification. It still provides for a 3-year transition, plus an additional 6-month period for the H-2 workers provision to be implemented for a partial certification.

AMENDMENT NO. 1220, AS MODIFIED

Mr. DECONCINI. Mr. President, at this time I send a modification to the desk and ask that my amendment be so modified.

The PRESIDING OFFICER. The amendment will be so modified.

The amendment, as modified, is as follows:

On page 184 of Committee Print No. 1, add the following new section:

"SEC. 214. (a) The Attorney General, in consultation with the Secretary of Labor and the Secretary of Agriculture, shall promulgate rules and regulations for the implementation of an agricultural labor transition program. The program shall be effective on the first day of the sixth month beginning after the date of enactment of this Act and shall last three years from the effective date.

(b) During the first year of the transition program, an agricultural employer, except as provided in subsection (c), (d), and (e) below, may, as provided by regulation, employ up to 100 percent of his seasonal agricultural worker need with transitional workers. During the second and third years of the program, the employer may employ up to 67 percent and 33 percent respectively, of his seasonal agricultural worker needs with transitional workers.

(c) Nothing in this section shall permit transitional workers to replace available U.S. workers or legal foreign workers admitted under the Immigration and Nationality Act.

(d) All workers employed under the provisions of this section shall be fully protected by all federal and state laws and regulations governing the employment of U.S. migrant and seasonal agricultural workers.

(e)(1) An undocumented alien in the United States shall be eligible to be a transitional worker under the provisions of this section if the person is employed or has been employed as a seasonal agricultural worker in the United States for at least 90 days during a period of time after January 1, 1980.

(2) An undocumented worker shall not be eligible to be a transitional worker and may not be registered under this section if the person is deportable for any reason other than those described in section 241 (a)(2) and (9), or on the basis, under section 241 (a)(1), of being excludable at the time of entry under paragraph (19) (20), or (26) of section 212(a). Only persons employed as transitional workers and registered as such by the Attorney General during the first year of the program shall be eligible during the second and third years.

(f) To employ transitional workers under the provisions of this section, an agricultural employer must—

(1) notify the Attorney General of said, employer's intention to participate in the transition program within 12 months from the effective date of this Act section, and

(2) provide to the satisfaction of the Attorney General a numerical count of the numbers of seasonal agricultural workers employed during the immediately preceding 12 month period by said employer.

(g) After an employer begins participation in the agricultural labor transition program the employer shall provide, upon request, to the Attorney General a numerical count of the number of transitional workers employed and the total number of seasonal agricultural workers employed by said employer.

(h) Any eligible employer under the transition program who employs nonimmigrant alien agricultural workers under the provisions of section 101(a)(15)(H)(ii)(a) shall provide wages and working conditions as required by section 214(c)(2)(A)(ii) to all similarly employed workers of that employer.

(i) Agreement by an alien to be a transitional worker would not preclude that alien from eligibility under the legislation provisions of title III.

(j) The Attorney General may require by regulation, as a condition of participation by an employer in the transition program, the payment of a fee to recover the reasonable costs of processing registrations under the transition program.

Mr. DECONCINI. Mr. President, it is my understanding that next week when this is resumed, the Senator from California intends to offer an amendment to that which will be debated in accord with the time agreement, and that there will be a vote, if necessary, on my amendment. Is that the chairman's understanding?

Mr. SIMPSON. That is my understanding of the situation.

Mr. DECONCINI. I thank the Senator for accommodating this Senator, as well as the Senator from Massachusetts accommodating me. I also appreciate the efforts of the Senator from California. I know he has some reservations on my amendment but he will have an opportunity to clarify that.

The PRESIDING OFFICER. The Senator from California.

Mr. WILSON. I thank the Chair.

Mr. President, I will be taking up the amendment of Senator DECONCINI on Tuesday. I do have a perfecting amendment to the DeConcini-Wilson amendment which I will put across the desk at this time. It is not my intention to lay it down today. Rather, in order to accommodate the Senator from Wyoming, I would simply lay the amendment down and we will then reserve debate on it until the appropriate time when we will be taking up the DeConcini amendment on Tuesday. Is that agreeable to the managers of the legislation?

The PRESIDING OFFICER. That would take a unanimous-consent request, or after yielding back all time on the DeConcini amendment or after the time has expired.

Mr. WILSON. Then I make a request by unanimous consent.

The PRESIDING OFFICER. Is there objection to the unanimous-consent request of the Senator from California?

Mr. SIMPSON. Mr. President, if I may say, the Senator from Arizona has a modified amendment which he has laid down and which will be the first order of business. That will be managed by Senator WILSON since Senator DECONCINI will not be present. Senator WILSON has a per-

fecting amendment. It would be all right to have a rollcall vote on the Wilson amendment to the DeConcini amendment, as modified, and then come back to the DeConcini amendment on a rollcall vote.

Mr. DECONCINI. If the Senator will yield, after the Wilson amendment is disposed of, if unanimous consent is granted, and I have no objection to it, if there is a necessity for a rollcall vote on the DeConcini-Wilson amendment I will leave up to the managers of the bill.

Mr. SIMPSON. That will be perfectly appropriate.

Mr. DECONCINI. It is in order now.

The PRESIDING OFFICER. Is there objection to the unanimous-consent request of the Senator from California? If not, without objection it is so ordered.

The Senator from Massachusetts.

Mr. KENNEDY. First of all, Mr. President, I want to express my appreciation to the Senator from Arizona for the work he has done in this area. He has taken a very keen interest on the issue of immigration reform and he has been very mindful of the needs of the people that he represents. I think those of us who follow this issue closely know of the very conflicting interests which are present not only in the State of Arizona but in many of the areas of this country where there are large agricultural communities.

I want to express both my appreciation and admiration of the Senator from Arizona for the way he has addressed this issue, and to again thank the Senator from Wyoming and the other interested groups that represented both the growers as well as the workers on this important issue.

It is my intention at the appropriate time to support the DECONCINI compromise. I must say I will do so, and I do not have any hesitation in doing so, although I am mindful that in this legislation there have been some rather important changes in the H-2 provisions which were included in the pending bill and which I do feel may very well threaten the protection for American workers in this area.

However, this amendment has been worked out over many weeks of discussion and compromise—which I have been pleased in joining with my colleagues from Arizona and Wyoming in promoting. I have done so because I am aware of the legitimate concerns of the agricultural growers of this country—especially those in the West who will be most affected by the new provisions contained in this legislation. I have also done so because I share the concerns of the American labor movement that we must not weaken the labor standards or protections of our law toward agricultural workers, either those here under temporary H-2 visas or for those Americans who are seasonal agricultural workers.

I believe the DeConcini amendment, as modified, will provide a transition period that is necessary to allow growers a reasonable opportunity to adjust to the new requirements of this legislation—both the employer sanctions provisions as well as the new H-2 temporary worker program.

There has been an understandable concern on the part of many agricultural employers that it will take them some period of time to adjust to these provisions—since under existing law they have tacitly been encouraged to hire undocumented aliens.

This amendment will allow a 3-year transition period, with important labor protections, for agricultural employers to implement the new law. It will serve as an encouragement for them to abide by the law, and make it easier for them to do so.

It provides for an orderly phasedown over 3 years of all undocumented aliens currently on the payroll of agricultural employers, requiring that these numbers be reduced by one-third each year, over the 3-year period—with the program ending at the end of 3 years. During this period the transitional workers would receive the same benefits and protections of H-2 temporary workers.

This will allow employers a period to both hire American workers as well as to apply for temporary workers if they cannot find American workers. It will do so without violating and compromising American labor laws or standards.

Mr. President, although I have supported the effort to reach this compromise over the amendment offered by Senator DECONCINI, I have, as I said at the outset, deep reservations over the other H-2 provisions contained in this legislation.

As last year, I believe these changes represent a serious erosion of existing labor protections and standards. Taken together, these changes will:

Delete the existing reference to nationwide recruitment before H-2 workers can be hired;

Prohibit U.S. workers from seeking terms above the minimum Department of Labor minimum wages;

Authorizes multicrop associations to be the sole employer, relieving important responsibilities from individual growers; and

Transfer final rulemaking authority on the H-2 program from the Secretary of Labor to the Attorney General, with statutory involvement of the Secretary of Agriculture for the first time.

Again, Mr. President, taken together, these and other changes in the existing H-2 program represent a step backward in our Nation's attempt to establish greater wage and labor standards for both American and foreign temporary workers.

Mr. President, I have had a preliminary discussion with the Senator from California (Mr. WILSON) who has taken a great interest in this issue as well, and who I know has given a good deal of time and attention to it. I must say I also have some serious reservations about his proposal, but I will look forward to the opportunity of debating that matter more completely on Monday, perhaps, with the final disposition on Tuesday.

Again, I think the time that we have had since this legislation was initially laid down has been used well. We have been able to address, I think in a very responsible way, some key matters which were then unresolved. I would hope that that spirit would continue through the rest of the debate.

Again, I look forward to joining with my colleague, the Senator from Wyoming, in addressing the rest of the amendments on Monday and hope and expect that we will get final disposition of the legislation on Tuesday.

I welcome the agreement of the Senator from Wyoming for a thorough and complete debate on one of the very important remaining items, and that is the issue of asylum judicial review. I believe we have been given assurances that we will have a 2-hour debate on that issue, 1 hour on each side. I know a number of my colleagues are very interested in that question. I would intend to offer that amendment after the disposition of the stacked rollcall votes. I would urge that those Members of the Senate who want to participate in that debate be prepared to do so on Tuesday afternoon.

Mr. SIMPSON. Mr. President, I thank my colleague from Massachusetts.

I pay particular tribute to Senator DECONCINI for what he has done, working doggedly to provide the agricultural growers of America with a transitional labor force which I have the same feelings about as Senator KENNEDY, that it is something that must not impinge upon legal workers in the United States. But after decades of tacitly permitting agricultural employers to use alien agricultural labor they have quite lawfully become dependent upon them, and lawfully so.

So, we are trying to wean them off, so to speak, from the illegal work force. I think this will do it and will actually assist in the enforcement of the employer sanction provisions of the bill by accommodating the growers as they become familiar with the H-2 program.

I look forward to the Monday activity and look forward, as always, to working with Senator KENNEDY. I commend Senator DECONCINI on a thoughtful approach to what has been one of the toughest issues we have had

on the question of immigration reform.

I thank the Chair.

Mr. MELCHER. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BAKER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered

THE CALENDAR

Mr. BAKER. Mr. President, I have four items on my calendar that appear to be cleared for action by unanimous consent.

May I inquire of the minority leader if he is in a position to similarly consider S. 884, Senate Resolution 133, Senate Resolution 90, and Senate Concurrent Resolution 24.

Mr. BYRD. Mr. President, this side of the aisle is ready to proceed.

Mr. BAKER. I thank the Senator.

Mr. President, I ask unanimous consent that the Senate proceed to the consideration of the items just enumerated.

The PRESIDING OFFICER. Without objection, it is so ordered.

USE AND DISTRIBUTION OF CERTAIN INDIAN JUDGMENT FUNDS

The Senate proceeded to consider the bill (S. 884) to provide for the use and distribution of funds awarded the Red Lake Band of Chippewa Indians in docket No. 15-72 of the U.S. Court of Claims; which had been reported from the Select Committee on Indian Affairs with amendments, as follows:

On page 3, line 1, strike "3.", and insert "2.";

On page 3, line 14, strike "4.", and insert "3.";

So as to make the bill read:

S. 884

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That notwithstanding any provision of the Act of October 19, 1973 (87 Stat. 466; 25 U.S.C. 1401, et seq.), or any other law, regulation, or plan promulgated pursuant thereto, the funds appropriated with respect to the judgment awarded the Red Lake Band of Chippewa Indians in docket numbered 15-72 of the United States Court of Claims (less attorney fees and litigation expenses), including all interest and investment income accrued thereon, shall be distributed and used as follows:

(1) Eighty per centum of such funds shall be distributed by the Secretary of the Interior (hereinafter in this Act referred to as the "Secretary") in the form of per capita payments (in sums as equal as possible) to all enrolled members of the Red Lake Band of Chippewa Indians who are living on the date of enactment of this Act.

(2) Twenty per centum of such funds, including any interest or income accrued thereon, shall be—

(A) held in trust and invested by the Secretary for the benefit of the members of the Red Lake Band of Chippewa Indians, and

(B) distributed from such trust, subject to the approval of the Secretary, to the governing body of such tribe for the purpose of making expenditures to meet common tribal needs or educational requirements.

SEC. 2. (a) Any payment of a per capita share of funds to which a living, competent adult is entitled under this Act shall be paid directly to such adult.

(b) Any per capita share of funds to which a deceased individual is entitled under this Act shall be paid, and the benificiaries thereof determined, under regulations prescribed by the Secretary.

(c) Any per capita share of funds to which a legally incompetent individual under eighteen years of age is entitled under this Act shall be paid in accordance with such procedures (including the establishment of trusts) as the Secretary determines to be necessary to protect the interests of such individuals.

SEC. 3. None of the funds distributed under this Act shall be—

(1) subject to Federal, State, or local income taxes, or

(2) considered income or resources in determining either eligibility for, or the amount of assistance under, Federal State, or local programs.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

Mr. BAKER. Mr. President, I move to reconsider the vote by which the bill was passed.

Mr. BYRD. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

SOLIDARITY SUNDAY

The Senate proceeded to consider the resolution (S. Res. 133) to express the sense of the Senate on support of "Solidarity Sunday."

The resolution was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 133

Whereas on May 22, 1983, the eighty-five constituent agencies of the Greater New York Conference on Soviet Jewry will sponsor the twelfth annual "Solidarity Sunday for Soviet Jewry" to reaffirm their resolve to secure freedom for Soviet Jews and beleaguered people everywhere; and

Whereas Americans of all faiths will join with the Conference in myriad activities on that day in expression of their solidarity with the almost three million Jews in the Soviet Union; and

Whereas the right to emigrate freely and to be reunited with their families abroad is being denied Jews and others in the Soviet Union; and

Whereas the Universal Declaration of Human Rights adopted by the General Assembly of the United Nations and the Helsinki Final Act clearly recognize those rights; and

Whereas the Government of the Soviet Union has implemented restrictive measures sharply reducing the number of people permitted to emigrate, bringing Jewish emigration from the Soviet Union to a virtual halt; and

Whereas the Government of the Soviet Union is persecuting its Jewish citizens and denying them even those rights and privileges accorded other recognized religions in the Soviet Union; and

Whereas the Government of the Soviet Union discriminates against Jewish cultural activities by banning and suspending Hebrew and Jewish cultural classes, by threatening Hebrew teachers, and by intimidating all Soviet Jews who seek only to practice their religion; and

Whereas leading Soviet Jewish activist and cultural figure, Mr. Anatoly Shcharansky, who was arrested in March of 1977 and falsely charged with espionage and "anti-Soviet agitation", continues to suffer exceptionally harsh treatment in Chistopol Prison; and

Whereas a virtulent anti-Semitic campaign continues unabated in the Soviet press and Soviet Jews are increasingly deprived of occupational and educational opportunities; and

Whereas thousands of innocent Jews and other persons, after applying to leave the Soviet Union, have been subjected to illegal induction into the armed forces, incarceration in mental institutions, expulsion from school and constant surveillance and harassment; and

Whereas the Government of the Soviet Union will not succeed in isolating Soviet Jews from their friends in the free world so long as those who cherish liberty continue to speak on behalf of beleaguered people everywhere; and

Whereas "Solidarity Sunday for Soviet Jewry" will serve as a vigorous expression of American determination to secure freedom for Soviet Jewish Prisoners of Conscience incarcerated solely because of their desire to emigrate, and veteran refuseniks who have awaited exit visas for as many as fourteen years; and

Whereas the Government of the Soviet Union refuses to permit the free exercise of religious beliefs and cultural expression and also refuses to remove all obstacles to the free emigration of its Jewish citizens and others who wish to leave and live in other countries: Now, therefore, be it

Resolved, That it is the sense of the Senate that the Congress supports "Solidarity Sunday for Soviet Jewry" in an effort to achieve these goals and encourages Americans to participate.

Mr. BAKER. Mr. President, I move to reconsider the vote by which the resolution was agreed to.

Mr. BYRD. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

RELEASE OF ANATOLY SHCHARANSKY

The resolution (S. Res. 90) expressing the sense of the Senate that the Soviet Government should immediately release Anatoly Shcharansky and allow him to emigrate, was considered, and agreed to.

The amendments to the preamble were agreed to.

The preamble, as amended, was agreed to.

The resolution, and the preamble, as amended, are as follows:

S. RES. 90

Whereas Anatoly Shcharansky, an eminent Soviet computer scientist, has been a leader of the Moscow Jewish community since 1973 when he first applied for and was denied permission to emigrate to Israel;

Whereas the Government of the Soviet Union has engaged in a systematic campaign of harassment and intimidation against Anatoly Shcharansky, culminating in his arrest in March 1977 on trumped-up charges of treason;

Whereas in July 1978, after sixteen months of being detained incommunicado, Anatoly Shcharansky was tried and sentenced to thirteen years of imprisonment;

Whereas since his conviction Anatoly Shcharansky has been subject to extremely harsh prison treatment, including isolation, severe cold, and inadequate food, sleep, and health care, resulting in a deterioration of his health;

Whereas from September 26, 1982, to January 14, 1983, Anatoly Shcharansky undertook a hunger strike to protest the severe prison conditions which have further harmed his health;

Whereas Anatoly Shcharansky symbolizes the plight of Soviet Jewry whose level of emigration is at its lowest point in a decade and who is increasingly harassed by Soviet authorities; and

Whereas by its treatment of Anatoly Shcharansky and others, the Soviet Union is violating its international obligations, including its obligations under the Universal Declaration of Human Rights, the International Covenant of Civil and Political Rights, and the Helsinki Final Act of the Conference on Security and Cooperation in Europe: Now, therefore, be it

Resolved, That it is the sense of the Senate that—

(1) the Government of the Union of Soviet Socialist Republics should immediately release Anatoly Shcharansky from prison and allow him to emigrate; and

(2) the President and the Secretary of State should, at every suitable opportunity and in the strongest terms, express to the Government of the Union of Soviet Socialist Republics the opposition of the United States to the imprisonment of Anatoly Shcharansky.

SEC. 2. The Secretary of the Senate shall trasmit a copy of this resolution to the President with the request that the President transmit such copy to the Ambassador of the Soviet Union to the United States.

Mr. BAKER. Mr. President, I move to reconsider the vote by which the resolution was agreed to.

Mr. BYRD. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

OLDER AMERICANS MONTH

The Senate proceeded to consider the concurrent resolution (S. Con. Res. 24) expressing the sense of the Congress that the people of the United States should observe the month of May 1983 as Older Americans Month.

Mrs. HAWKINS. Mr. President, I rise to support a Senate concurrent resolution to designate the month of May as Older Americans Month.

To recognize the valuable contributions of the elderly to our country, it has become a tradition in Congress to designate May as "Older Americans Month," a time to pay tribute to our Nation's senior citizens.

It is not enough simply to recognize their accomplishments, however; we must reaffirm our commitment to protecting the rights of the elderly and to enhancing their opportunities for purposeful participation in our society—which is what truly gives meaning to life.

The elderly are the fastest growing segment of America's population. Today, one in nine Americans is a senior citizen. By the turn of the century, that figure will be one in six. In Florida, which has the highest number of elderly residents in the Nation, 17 percent of the population is already over age 65, and that percentage is growing rapidly.

These figures add up to a powerful impact on our society. Often, we concentrate only on the problems of the elderly, such as the increasing need for housing or long-term medical care. Certainly, these issues must be addressed. But the happy fact is that only a small percentage of America's elderly are bedridden or confined to institutions.

Most senior citizens lead active and productive lives, most are self-reliant, and most own and maintain their own homes. Older Americans today are better educated, healthier, and more financially secure than ever before. They are more independent, more active in the workforce and in volunteer service, and more politically influential than in the past.

Our President is a senior citizen. Many Congressmen are senior citizens. Some of our most beloved stage and screen stars—people like George Burns, Helen Hayes, and Bob Hope—are senior citizens. James Beard—as familiar a name as Betty Crocker—turned 80 this month. But we must also recognize the contributions and accomplishments of all our elderly, not just the well known. Senior citizens from all walks of life make valuable contributions to such important programs as ACTION, VISTA, SCORE, the Foster Grandparents program, and many other volunteer programs. Programs for senior citizens in this country could not survive without the thousands of senior volunteers who contribute to their success.

The ability and willingness of the elderly to continue to work and contribute to the quality of American life is very encouraging. Nevertheless, we must insure that our retirement, health, employment, and housing programs are flexible enough to adapt to this changing population. We should not see it as a problem or a burden. Instead, our Nation's elderly should be regarded as the vast natural resources of experience and expertise that they are. During Older Americans Month, we should reflect on the fact that the wisdom of age is a gift money cannot buy and one that we as a nation must be careful not to squander.

So this May, as we meet to honor older americans, we should honor and pay tribute to them not just for their past achievements, but for the ongoing contributions that they are making to improve the quality of American life.

Mr. DOMENICI. Mr. President, I am pleased to be sponsoring this concurrent resolution. The observance of the month of May as Older Americans Month serves several important purposes.

First, it gives us an opportunity to express appreciation for the achievements of senior citizens. We must not forget that this group has been responsible for the growth and the success of the United States in the 20th century. Older Americans continue to make important contributions to our Nation and to the communities in which they live. I know few people, for example, who can equal the energy and efficiency which Ann Beckman of Albuquerque brings to her job. Mrs. Beckman usually places over 100 senior citizens in positions each month. She is but one illustration of the many senior citizens in New Mexico who are involved in the development of our State.

It is critical that older Americans maintain a highly active role in our daily life. I am convinced that we need their insights and their experiences to solve the problems that we face today.

In turn, our society must provide opportunities for growth and increasing independence among the elderly. Various surveys show that income security and affordable health care are now among the chief concerns of senior citizens. Congress should use the month of May to review its agenda with respect to these critical issues. We have gone a long way in assuring the financial stability of retirees by passing in Social Security Amendments of 1983. We must also take responsible action to retain the solvency of our health insurance trust fund and to contain rising health care costs. In short, I think there is more work which must be done.

Finally, I hope we will take time during this next month to reflect upon the fact that America today is an aging society. The older population is growing more rapidly than the rest of the population. While 11 percent of all Americans were age 65 or older in

1982, this number will increase to 19 percent by 2025. By 1990,. the ratio of people over age 65 to those under 65 will probably be 1 to 8; by 2025, it will be 1 to 5. We must prepare for all of these developments. I believe that only by planning wisely now can our public policy successfully accomodate these events. Older Americans Month should be marked by serious attention to these trends.

The concurrent resolution was agreed to.

The preamble was agreed to.

The concurrent resolution, with its preamble, reads as follows:

S. CON. RES. 24

Whereas older Americans have contributed many years of service to their families, their communities, and the Nation;

Whereas the population of the United States is comprised of a large percentage of older Americans representing a wealth of knowledge and experience;

Whereas acknowledgement should be given to older Americans for the contributions they continue to make to their communities and the Nation; and

Whereas many States and communities provide such acknowledgement of older Americans during the month of May: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That in recognition of—

(1) the traditional designation of the month of May as "Older Americans Month" by the President of the United States, and

(2) the repeated expression by the Congress of its appreciation and respect for the achievement of older Americans and its desire that these Americans continue to play an active role in the life of the Nation, it is the sense of the Congress that the people of the United States should observe Older Americans Month with appropriate programs, ceremonies, and activities.

Mr. BAKER. Mr. President, I move to reconsider the vote by which the concurrent resolution was agreed to.

Mr. BYRD. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AUTHORIZING TESTIMONY OF VINCE THOMAS

Mr. BAKER. Mr. President, on behalf of myself and the distinguished minority leader, I send to the desk a resolution to authorize testimony of Vince Thomas in a matter pending in the U.S. District Court for the Eastern District of Michigan. I ask unanimous consent that the Senate proceed to the consideration of the resolution.

The PRESIDING OFFICER. The resolution will be stated by title.

The legislative clerk read as follows:

A resolution (S. Res. 141) to authorize the testimony of Vince Thomas.

The PRESIDING OFFICER. Is there objection to the present consideration of the resolution?

There being no objection, the resolution was considered and agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 141

Whereas, in the case of *Quintus L. Greene v. The Wayne County Economic Development Corporation, et al.,* No. 81-74813, pending in the United States District Court for the Eastern District of Michigan, the testimony of Vince Thomas, a staff employee of Senator Carl Levin, has been requested concerning the Metropolitan Growth and Development Corporation and the Metropolitan Growth and Development Fund;

Whereas, by the privileges of the Senate of the United States no evidence under the control or in the possession of the Senate can be taken from such control or possession but by permission of the Senate;

Whereas, when it appears that testimony of a staff employee of the Senate is needful for use in any case for the promotion of justice, the Senate will take such action thereon as will promote the ends of justice consistently with the privileges and rights of the Senate; Now, therefore be it

Resolved, That Vince Thomas is authorized to appear and testify in this case concerning the Metropolitan Growth and Development Corporation and the Metropolitan Growth and Development Fund.

S. 529—IMMIGRATION BILL

AUTHORIZATION FOR D'AMATO AMENDMENT

Mr. BAKER. Mr. President, I ask unanimous consent that in connection with the consideration of S. 529, the immigration bill, an amendment to be offered by the distinguished Senator from New York (Mr. D'AMATO) dealing with imprisoning aliens be added to the list of qualified amendments appearing in the order previously entered; that the time for debate on that measure be limited to 30 minutes, equally divided, and that the provisions of paragraph 4 of rule XII be waived.

The PRESIDING OFFICER. Without objection, it is so ordered.

FOUNDATION FOR THE ADVANCEMENT OF MILITARY MEDICINE

Mr. BAKER. Mr. President, I ask that the Chair lay before the Senate a message from the House of Representatives on S. 653.

The PRESIDING OFFICER laid before the Senate the following mesage from the House of Representatives:

Resolved, That the bill from the Senate (S. 653) entitled "An Act to amend title 10, United States Code, to establish a Foundation for the Advancement of Military Medicine, and for other purposes", do pass with the following amendments:

(1) Page 2, line 22, after "Representatives", insert: *(or their designees from the membership of such committees)*

(2) Page 5, line 18, strike out [(1)].

(3) Page 5, strike out lines 21 and 22.

Mr. JACKSON. Mr. President, I am very pleased to support S. 653, a bill establishing the Foundation for the Advancement of Military Medicine, as amended by the House. This bill was originally introduced in the Senate on March 2, 1983, by Senator TOWER and myself, and was passed by the full Senate on March 23.

The House of Representatives passed S. 653 on May 9, 1983. In passing this bill, the House made two amendments to the Senate bill which I support and which I want to describe briefly for my colleagues.

The version of S. 653 passed by the Senate named the chairman and ranking minority member of the House and Senate Armed Services Committees to serve on the Council of Directors of the Foundation. The first amendment made by the House allows the chairman and ranking minority member of the House and Senate Armed Services Committees to designate another member of their respective committees to serve in their place on the Council of the Foundation. Any such designation is intended to be completely at the discretion of the chairman or ranking minority member.

The second amendment by the House to the original Senate bill deleted proposed subsection (h)(2) of section 178 of title 10, United States Code. This provision of the Senate-passed bill stated that:

No part of the compensation paid to an employee of the Foundation may be paid from Federal funds.

The House deleted this provision from S. 653 on the grounds that it was superfluous, since subsection (h)(1) of new section 178 of title 10, United States Code clearly states that:

A person who is a full-time or part-time employee of the Federal government may not be an employee (full-time or part-time) of the Federal government.

Thus, even with the House amendment, it is clear that the Foundation will be completely independent of the Federal Government and will not be supported by direct Federal expenditures.

Deleting this provision also clarifies a question raised after the Senate-passed S. 653. The Senate Armed Services Committee fully intended that employees of the Foundation would be able to compete for grants and contracts from the Federal Government as well as from private foundations. The House deletion of subsection (h)(2) of section 178 will avoid any interpretation of the law that might impede the Foundation or its employees from competing for and receiving grants from the Federal Government to support their work.

After the Senate approved S. 653, there were some discussions in the House about expanding the membership of the Foundation's Council of Directors from the nine members stipulated in the Senate-passed bill. I am pleased that the House decided to retain the nine-member Council of Directors recommended by the Senate.

The composition of the Council of Directors insures that the Congress, through the Armed Services Committees of both Houses, will be involved in the purposes, direction, and supervision of the Foundation. If necessary, there is nothing in S. 653 to preclude the Council from establishing an advisory group or honorary board to advise or assist the Council in addressing particular needs of the Foundation.

Mr. President, I believe that the Foundation for the Advancement of Military Medicine established by S. 653 will make an important contribution to the unique role of the Uniformed Services University of the Health Sciences. The Foundation will allow interested members of the public, without Government expenditures, to become involved in medical advances for the uniformed services through donations and legacies which will support important research, teaching, and services in military medicine. The Foundation will also make a useful contribution toward enhancing cooperation and communication between the military and civilian medical communities.

I want to thank Senator TOWER, who joined me in originally introducing S. 653, and Senator JEPSEN, Senator THURMOND, Senator EXON, Senator LEVIN, and Senator KENNEDY for joining as cosponsors. I also want to thank my colleagues in the House—Chairman PRICE, Congressman STRATTON, Congressman ASPIN, Congressman MONTGOMERY, and Congressman HILLIS—for their efforts in addressing S. 653 at a very busy time in the legislative year.

I urge my colleagues to join me in supporting this bill as amended by the House.

Mr. BAKER. Mr. President, I move that the Senate concur in the House amendments.

The PRESIDING OFFICER. Without objection, it is so ordered.

INCREASE IN MEMBERSHIP OF THE CONGRESSIONAL AWARD BOARD

Mr. BAKER. Mr. President, I ask that the Chair lay before the Senate a message from the House of Representatives on S. 957.

The PRESIDING OFFICER laid before the Senate the following message from the House of Representatives:

Resolved, That the bill from the Senate (S. 957) entitled "An Act to provide for an increase in the number of members of the Congressional Award Board, and for other purposes", do pass with the following amendment:

Strike out all after the enacting clause, and insert: That (a) subsection (a) of section 4 of the Congressional Award Act (Public Law 96-114; 2 U.S.C. 803(a)) is amended—

(1) by striking our "seventeen" in the matter preceding the colon in paragraph (1) and inserting in lieu thereof "thirty-three";

(2) by striking out "Four" in clauses (A), (B), (C), and (D) of paragraph (1) and inserting in lieu thereof "Eight"; and

(3) by striking out "or the Committee for the Establishment and Promotion of the Congressional Award" in paragraph (2).

(b) Subsection (b) of section 4 of such Act (2 U.S.C. 803(b)) is amended—

(1) by striking out "Appointed" at the beginning of such subsection and inserting in lieu thereof "Except as provided in paragraph (2), appointed";

(2) by inserting at the end thereof the following new paragraph:

"(2) Individuals appointed to the Board after March 31, 1983, shall serve for terms of two years."; and

(3) by inserting "(1)" after "(b)", and by redesignating paragraphs (1), (2), and (3) as subparagraphs (A), (B), and (C), respectively.

SEC. 2. Notwithstanding the provisions of section 4 of the Congressional Award Act (2 U.S.C. 803), relating to the terms of individuals appointed to the Congressional Award Board, the sixteen additional members to be appointed to the Board pursuant to the amendments made by the first section of this Act shall be appointed for terms as follows:

(1) Six members shall be appointed for terms of two years.

(2) Five members shall be appointed for terms of four years.

(3) Five members shall be appointed for terms of six years.

Thereafter such members shall be appointed for terms of two years.

Mr. BAKER. Mr. President, I move that the Senate concur in the House amendments.

The PRESIDING OFFICER. Without objection it is so ordered.

COMMITTEE TO BE DISCHARGED FROM FURTHER CONSIDERATION OF SENATE RESOLUTION 95

Mr. BAKER. Mr. President, I ask unanimous consent that once the Finance Committee has reported Senate Resolution 95, a resolution to express the sense of the Senate that the President initiate negotiations on a new long-term agreement on agricultural trade with the Soviet Union, the Committee on Agriculture, Nutrition, and Forestry be discharged from further consideration of that measure.

The PRESIDING OFFICER. Without objection, it is so ordered.

CHANGE IN REFERRAL OF S. 338

Mr. BAKER. Mr. President, I ask unanimous consent that the agreement of February 2, 1983, the sequential referral of S. 338 to the Committee on Armed Services be modified by deleting the date June 15, 1983, in the agreement and inserting in lieu thereof the date June 30, 1983.

The PRESIDING OFFICER. Without objection, it is so ordered.

REMOVAL OF INJUNCTION OF SECRECY—EASTERN PACIFIC OCEAN TUNA FISHING AGREEMENT

Mr. BAKER. Mr. President, as in executive session, I ask unanimous consent that the injunction of secrecy be removed from the Eastern Pacific Ocean Tuna Fishing Agreement (Treaty Document 98-3), transmitted to the Senate on May 11, 1983, by the President of the United States; and ask that the treaty be considered as having been read the first time; that it be referred, with accompanying papers, to the Committee on Foreign Relations and ordered to be printed; and that the President's message be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The message of the President is as follows:

To the Senate of the United States:

I transmit herewith, for the advice and consent of the Senate to ratification, the Eastern Pacific Ocean Tuna Fishing Agreement which has been signed by the United States, Costa Rica, and Panama. It will enter into force following ratification by five coastal States of the region. Also transmitted for the information of the Senate is the report of the Department of State with respect to the Treaty.

The United States has been involved in a fisheries dispute with several Latin American countries as a result of conflicting laws regarding jurisdiction over highly migratory tuna and has, in the past, prohibited imports of tuna from several countries as a result of seizures of U.S. tuna boats. These countries claim jurisdiction over all fish, including tuna, within 200 nautical miles. The United States does not recognize, or claim, jurisdiction over tuna beyond 12 nautical miles. United States policy, pursuant to the Magnuson Fishery Conservation and Management Act, has been to negotiate international agreements to ensure the effective conservation and management of tuna and to secure access for U.S. fishermen to the stocks wherever they migrate beyond a narrow belt of coastal waters.

This Agreement, which is interim in nature pending the negotiation of a comprehensive tuna conservation and management regime, provides for the issuance of international licenses for fishing tuna in a broad area of the eastern Pacific Ocean. Provision is also made for conservation under specified circumstances. It thus furthers U.S. fisheries policy goals while reducing tensions that have arisen as a result of conflicting juridical claims.

I recommend that the Senate give early consideration to the Treaty and

give its advice and consent to ratification.

RONALD REAGAN.

THE WHITE HOUSE, *May 11, 1983.*

ORDER FOR THE SENATE TO CONVENE AT 11:30 A.M. ON MONDAY

Mr. BAKER. Mr. President, it has been brought to my attention that we have two special orders on Monday as well as the time allocated to the two leaders under the standing order and 30 minutes of morning business. Also, an order has been entered by the Senate to proceed to the consideration of the Ruckelshaus nomination in executive session at 1 p.m.

I am afraid that, in the parlance of the Budget Committee, that is not mathematically consistent, meaning that we do not have enough time to do all those things.

Therefore, I ask unanimous consent that the convening hour on Monday next be changed from 12 noon to 11:45 a.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BYRD. Mr. President, will the distinguished majority leader get me an extra 10 minutes on Monday?

Mr. BAKER. I will be pleased to do that.

Mr. President, I ask unanimous consent that on Monday next, the Senate convene at 11:30 a.m.

I further ask unanimous consent that on Monday, the time of the distinguished minority leader under the standing order be extended from 10 to 20 minutes.

Mr. BYRD. I thank the majority leader.

Mr. BAKER. Any time remaining after the execution of the two standing orders will be devoted to the provision of additional time for the transaction of routine morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADJOURNMENT UNITL 11:30 A.M. MONDAY, MAY 16, 1983

Mr. BAKER. Mr. President, I believe that clears the deck. I do not see any other Senator seeking recognition. I have a sneaking hunch the minority leader and I are the only two Senators left.

Therefore, I move in accordance with the order previously entered the Senate stand in adjournment until 11:30 a.m. on Monday next.

The motion was agreed to; and at 5:29 p.m., the Senate adjourned until Monday, May 16, 1983, at 11:30 a.m.

NOMINATIONS

Executive nominations received by the Senate May 12, 1983:

IN THE AIR FORCE

The following Air National Guard of the United States officers for promotion in the Reserve of the Air Force under the provisions of section 593(a) title 10 of the United States Code, as amended:

LINE OF THE AIR FORCE

To be lieutenant colonel

Maj. Jacob C. Armstrong Jr., xxx-xx-xxxx
Maj. James W. Byram, xxx-xx-xxxx
Maj. Theodore M. Demars, xxx-xx-xxxx
Maj. Richard G. Farmer, xxx-xx-xxxx
Maj. Thomas C. Garell, xxx-xx-xxxx
Maj. Steven V. Harper, xxx-xx-xxxx
Maj. Jon C. Heaton, xxx-xx-xxxx
Maj. Gary K. Holt, xxx-xx-xxxx
Maj. Jack T. Knight, xxx-xx-xxxx
Maj. Harold D. May, xxx-xx-xxxx
Maj. Rudolph W. Morgan, xxx-xx-xxxx
Maj. Robert J. Opela, xxx-xx-xxxx
Maj. Edward S. Shaw, xxx-xx-xxxx
Maj. Herbert D. Wright, xxx-xx-xxxx
Maj. John G. Zenan Jr., xxx-xx-xxxx

CHAPLAIN

Maj. Joseph H. Penkaul, xxx-xx-xxxx

LEGAL

Maj. Stephen L. Gallagher Jr. xxx-xx-xxxx

MEDICAL CORPS

Maj. Robert D. Wendel, xxx-xx-xxxx

IN THE ARMY

The following-named officers for appointment in the Regular Army of the United States, in their active duty grades, under the provisions of title 10, United States Code, sections 531, 532, 533:

JUDGE ADVOCATE GENERAL'S CORPS

To be majors

Baxley, George C., xxx-xx-xxxx
Mac Argel, Donald T., xxx-xx-xxxx
Zijlstra, Eduard T., xxx-xx-xxxx

To be captains

Borch, Frederic L., III, xxx-xx-xxxx
Boudreau, Debra L., xxx-xx-xxxx
Buchholz, Ronald J., xxx-xx-xxxx
Butler, Robert M., xxx-xx-xxxx
Contento, Denise P., xxx-xx-xxxx
Cunningham, Patrick J., xxx-xx-xxxx
Defranco, Rosemary, xxx-xx-xxxx
Dickey, Gene A., xxx-xx-xxxx
Donawick, Peter M., xxx-xx-xxxx
Dubia, Donald H., xxx-xx-xxxx
Elliott, James W., xxx-xx-xxxx
Farenish, John M., xxx-xx-xxxx
Feller, Robert C., xxx-xx-xxxx
Fitzpatrick, John M., xxx-xx-xxxx
Glazier, Nancy D., xxx-xx-xxxx
Graham, Michael D., xxx-xx-xxxx
Hancock, George L., Jr., xxx-xx-xxxx
Harvey, Mark W., xxx-xx-xxxx
Heuer, Ronald K., xxx-xx-xxxx
Kelleher, Michael J., xxx-xx-xxxx
Lloyd, Robert B., Jr., xxx-xx-xxxx
Long, John L., xxx-xx-xxxx
Mac Kay, Scott W., xxx-xx-xxxx
McFetridge, Robert C., xxx-xx-xxxx
McMahan, Linda M., xxx-xx-xxxx
Milhizer, Eugene R., xxx-xx-xxxx
Morris, John R., xxx-xx-xxxx
Motz, Patricia A., xxx-xx-xxxx
Pelletier, Richard A., xxx-xx-xxxx
Phillips, Dennis L., xxx-xx-xxxx
Rheinheimer, Edward G., xxx-xx-xxxx
Richmond, Henry R., xxx-xx-xxxx
Rob, Samuel J., xxx-xx-xxxx
Romano, Michael J., xxx-xx-xxxx
Santerre, Elyce K., xxx-xx-xxxx
Saufley, Jeffrey O., xxx-xx-xxxx
Saunders. Raymond M., xxx-xx-xxxx
Schmidli, James D., xxx-xx-xxxx
Smith, Robert M., Jr., xxx-xx-xxxx
Taylor, Gregory, xxx-xx-xxxx
Thebaud, Charles C., Jr., xxx-xx-xxxx
Trimble, Dan, xxx-xx-xxxx
Venema, William H., xxx-xx-xxxx
Vowell, Denise K., xxx-xx-xxxx
Waldrop, Michael D., xxx-xx-xxxx
Wiesner, Vivian B., xxx-xx-xxxx
Wilbanks, James C., xxx-xx-xxxx
Williams, Harry L., Jr., xxx-xx-xxxx
Wilson, William T., xxx-xx-xxxx
Wittman, Craig P., xxx-xx-xxxx
Woodruff, Joseph A., xxx-xx-xxxx
Wright, Douglas R., xxx-xx-xxxx

HOUSE OF REPRESENTATIVES—*Thursday, May 12, 1983*

The House met at 11 a.m.

The Reverend Edward L. R. Elson, S.T.D., Chaplain of the U.S. Senate, retired, offered the following prayer:

God of our fathers and our God, who has watched over this Nation from generation to generation, bestow Thy boundless grace and Thy higher wisdom upon all who serve in this place.

Open our eyes to the simple beauty of the world about us. Open our minds to the truth that sets men free. Open our hearts to the goodness and nobility people hide from us because we do not try to understand them. Keep us at tasks so hard we are driven to Thee for strength. May our work be our worship. And may goodness and mercy follow us all the days of our lives that we may abide with Thee forever.

In Thy holy name we pray. Amen.

THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof

Pursuant to clause 1, rule I, the Journal stands approved.

Mr. HUNTER. Mr. Speaker, pursuant to clause 1, rule I, I demand a vote on agreeing to the Speaker's approval of the Journal.

The SPEAKER. The question is on the Chair's approval of the Journal.

The question was taken; and the Speaker announced that the ayes appeared to have it.

Mr. HUNTER. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 362, nays 20, answered "present" 4, not voting 46, as follows:

[Roll No. 107]

YEAS—362

Ackerman	Barnard	Bilirakis
Addabbo	Barnes	Bliley
Akaka	Bartlett	Boehlert
Albosta	Bateman	Boggs
Alexander	Bates	Boland
Anderson	Bedell	Boner
Andrews (TX)	Beilenson	Bonior
Annunzio	Bennett	Bonker
Applegate	Bereuter	Borski
Archer	Berman	Bosco
Aspin	Bethune	Boucher
AuCoin	Bevill	Boxer
Badham	Biaggi	Breaux
Britt	Gray	McKernan
Brooks	Green	McKinney
Broomfield	Gregg	McNulty
Brown (CA)	Guarini	Mica
Broyhill	Gunderson	Mikulski
Bryant	Hall (IN)	Miller (CA)
Burton	Hall (OH)	Mineta
Byron	Hall, Ralph	Minish
Campbell	Hall, Sam	Moakley
Carney	Hamilton	Molinari
Carper	Hammerschmidt	Mollohan
Carr	Hance	Montgomery
Chandler	Hansen (UT)	Moody
Chappell	Hartnett	Moore
Cheney	Hatcher	Moorhead
Clarke	Hawkins	Morrison (CT)
Clinger	Hertel	Morrison (WA)
Coats	Hightower	Mrazek
Coelho	Hillis	Murphy
Coleman (MO)	Holt	Murtha
Coleman (TX)	Hopkins	Myers
Collins	Horton	Natcher
Conable	Howard	Neal
Conte	Hoyer	Nelson
Conyers	Hubbard	Nichols
Corcoran	Huckaby	Nielson
Courter	Hughes	Nowak
Coyne	Hunter	O'Brien
Craig	Hutto	Oakar
Crane, Daniel	Hyde	Obey
Crane, Philip	Ireland	Olin
D'Amours	Jeffords	Oxley
Daniel	Jenkins	Packard
Dannemeyer	Johnson	Panetta
Daschle	Jones (OK)	Parris
Daub	Jones (TN)	Pashayan
de la Garza	Kaptur	Patman
DeWine	Kasich	Paul
Dicks	Kastenmeier	Pease
Dingell	Kazen	Penny
Donnelly	Kennelly	Pepper
Dorgan	Kildee	Perkins
Dowdy	Kindness	Petri
Downey	Kogovsek	Pickle
Dreier	Kolter	Porter
Duncan	Kostmayer	Price
Dwyer	Kramer	Pritchard
Dymally	LaFalce	Pursell
Dyson	Latta	Quillen
Early	Lehman (CA)	Rahall
Eckart	Lent	Rangel
Edgar	Levin	Ratchford
Edwards (AL)	Levine	Ray
Edwards (CA)	Levitas	Regula
Edwards (OK)	Lewis (CA)	Reid
English	Lewis (FL)	Richardson
Erdreich	Livingston	Rinaldo
Evans (IL)	Lloyd	Ritter
Fascell	Loeffler	Roberts
Fazio	Long (LA)	Robinson
Feighan	Long (MD)	Rodino
Ferraro	Lott	Roe
Fiedler	Lowry (WA)	Rogers
Fields	Lujan	Rose
Fish	Luken	Rostenkowski
Florio	Lundine	Roth
Foglietta	Lungren	Roukema
Foley	Mack	Rowland
Fowler	MacKay	Roybal
Frank	Madigan	Rudd
Franklin	Markey	Sawyer
Frenzel	Marriott	Schaefer
Frost	Martin (IL)	Scheuer
Fuqua	Martin (NY)	Schneider
Garcia	Matsui	Schulze
Gaydos	Mavroules	Schumer
Gekas	Mazzoli	Seiberling
Gibbons	McCandless	Sensenbrenner
Gilman	McCloskey	Shannon
Gingrich	McCollum	Sharp
Glickman	McCurdy	Shaw
Gonzalez	McDonald	Shelby
Gore	McEwen	Shumway
Gradison	McGrath	Shuster
Gramm	McHugh	Sikorski
Siljander	Stump	Weber
Sisisky	Sundquist	Weiss
Skeen	Swift	Wheat
Skelton	Synar	Whitehurst
Slattery	Tallon	Whitley
Smith (FL)	Tauke	Whittaker
Smith (IA)	Tauzin	Whitten
Smith (NE)	Taylor	Williams (OH)
Smith (NJ)	Thomas (CA)	Winn
Smith, Denny	Thomas (GA)	Wirth
Snowe	Torricelli	Wise
Snyder	Towns	Wolf
Solarz	Traxler	Wolpe
Spence	Udall	Wortley
Spratt	Valentine	Wright
St Germain	Vander Jagt	Wyden
Staggers	Vento	Wylie
Stangeland	Volkmer	Yatron
Stark	Vucanovich	Young (FL)
Stenholm	Walgren	Young (MO)
Stokes	Watkins	Zablocki
Stratton	Waxman	Zschau
Studds	Weaver	

NAYS—20

Brown (CO)	Evans (IA)	Sabo
Clay	Forsythe	Schroeder
Coughlin	Gejdenson	Solomon
Davis	Harkin	Walker
Dickinson	Hiler	Yates
Durbin	Miller (OH)	Young (AK)
Emerson	Roemer	

ANSWERED "PRESENT"—4

Chappie	Lagomarsino
Jacobs	Oberstar

NOT VOTING—46

Andrews (NC)	Heftel	Mitchell
Anthony	Jones (NC)	Ortiz
Cooper	Kemp	Ottinger
Crockett	Lantos	Owens
Dellums	Leach	Patterson
Derrick	Leath	Ridge
Dixon	Lehman (FL)	Russo
Erlenborn	Leland	Savage
Flippo	Lipinski	Simon
Ford (MI)	Lowery (CA)	Smith, Robert
Ford (TN)	Marlenee	Torres
Gephardt	Martin (NC)	Vandergriff
Goodling	Martinez	Williams (MT)
Hansen (ID)	McCain	Wilson
Harrison	McDade	
Hefner	Michel	

Mr. BOLAND, Mr. BATES, and Mrs. VUCANOVICH changed their votes from "present" to "yea."

So the Journal was approved.

The result of the vote was announced as above recorded.

REPRESENTATIVE MICHEL DOING WELL

(Mr. LOTT asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. LOTT. Mr. Speaker, I know my colleagues will be pleased to learn that our distinguished Republican leader, BOB MICHEL, is recovering well from surgery for appendicitis at Bethesda Naval Hospital. I understand that he is in good spirits and that he expects to be back to work very shortly.

I accused him of having teenage surgery.

But although I know he misses being here, and we miss him, I understand that he is watching the House floor proceedings from his room at Bethesda. So, BOB if you are watching, I know my colleagues join me in wishing you a speedy recovery and our best wishes for a quick return.

CLINCH RIVER BREEDER REACTOR

(Mr. BOUCHER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BOUCHER. Mr. Speaker, today the House will consider the question of further funding for the Clinch River breeder reactor. As a member of the Science and Technology Committee, I urge my colleagues to join me in opposing additional funding for Clinch River until the electric utility industry indicates a willingness to bear its fair share of the project's costs.

Projections for electricity demand are down; no new nuclear reactors have been ordered since 1978; abundant supplies of uranium are available to fuel the needs of the plants presently on line during the rest of their useful lives.

While the cost of the project has risen from a 1971 estimate of $669 million to $8.8 billion, the private industry contribution remains constant at only $257 million. The Federal taxpayer will be billed for the balance.

I urge my colleagues to support the Brown-Schneider amendment halting any further Federal expenditures until the Congress enacts a plan to share the costs with the private sector.

FUNDING OF THE MX

(Mr. SABO asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SABO. Mr. Speaker, I noticed with interest two stories in the morning paper. One that a House subcommittee had given the President the goahead on the MX missile. Second, that the President said that no budget was better than a budget that contained tax increases.

I would suggest, Mr. Speaker, that if the President is serious about proceeding with this very dangerous, ill-advised, $17 billion bargaining chip, at a minimum he should be willing to tell the American people that they have to pay for it and that we are not going to spend borrowed dollars to pay for the cost of this little, "eenie-bitsie" $17 billion bargaining chip.

AIDS

(Mr. BIAGGI asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BIAGGI. Mr. Speaker, I wish to make an urgent plea that adequate and specific funding be provided to combat the growing health menace known as acquired immunodeficiency syndrome or AIDS. As of March 24 of this year a total of 1,300 definite cases of AIDS had been reported to the Center for Disease Control in Atlanta. These came from 35 States and the District of Columbia—but as a Representative from New York—I must note that tragically 50 percent of the cases came from New York City.

Over 80 percent of the AIDS patients diagnosed in 1980 are now dead. AIDS has killed more people in this Nation than toxic shock syndrome and Legionnaires disease combined. The number of reported AIDS cases is now averaging between three and four a day.

AIDS is striking down victims from diverse areas. While it has been associated with a limited segment of the population, it is now affecting people who may acquire it from blood transfusions. It is affecting men and women.

I urge the subcommittee to continue to recognize the severity of this problem and support sufficient funding not only for research into the causes and hopefully the cure of this dreaded disease—but also to assist the Center for Disease Control in establishing appropriate and accessible procedures by which AIDS cases can be reported.

In last year's continuing resolution, we provided an additional $2 million for AIDS research. I would hope that the subcommittee could approve as at least a base—the administration's budget request of $11.5 million for AIDS research and might target further funds based on the increases afforded to NIH in the first concurrent resolution on the budget.

UNFAIR ATTACK ON THE RIGHT OF AMERICANS TO BUY GOLD COINS

(Mr. PAUL asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PAUL. Mr. Speaker, last week the House Foreign Affairs Committee approved a measure that would prohibit any person from bringing South African gold coins into the United States. This was included in title 7 of the State Department authorization bill. Among other provisions, there is a stiff financial penalty for trading in these gold coins.

I think this action of the Foreign Affairs Committee is an outrageous violation of the rights of American citizens. I certainly deplore the domestic policies of South Africa that deny full civil rights to black Africans. But I also strongly deplore the domestic and foreign policies of Russia and Communist China that deprive their citizens—and the people of Poland, Afghanistan, and Southeast Asia—of human rights and liberty.

Yet I do not propose that we enact laws and criminal penalties for Americans who buy things from Russia or China. Two wrongs do not make a right.

Communist China has just recently begun to sell gold coins in the United States. These are attractive gold coins with the image of a panda, and they are designed to compete against the gold coins of South Africa. Has any member of the House Foreign Affairs Committee suggested legislation to prohibit these Chinese coins? No—the gold coins of South Africa are singled out for prohibition, and any American who wants to buy one will be punished. Mr. Speaker, this is the wrong approach. I intend to fight to protect the rights of American citizens to buy coins and other products from anywhere they freely choose.

The fairest way in which to stem the sale of Krugerrands in the United States is to pass the Gold Eagle Coin bill and let Americans buy American gold coins. This would be more in the American spirit of justice and competition.

□ 1130

JUST IN TIME

(Mr. SHUMWAY asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. SHUMWAY. Mr. Speaker, this morning's Washington Post carried a succinct if rueful letter to the editor entitled "Just in Time." The author has seen through the congressional cloak of "responsibility," and has realized that in many instances the legislative branch has not acted—it has only reacted. Worst of all, that reaction has come so late that it does more harm than good.

As Mr. Forman points out, we have contributed to the deficit in the name of easing recessionary unemployment when an end to the recession was generally acknowledged. We attempted to hamstring disarmament negotiators with a pointless nuclear freeze measure just when a realistic negotiating effort was being born.

Mr. Forman might well have predicted our latest effort to save the day—the $760 million "emergency" homeowners bill which passed last night. As he has concluded with justifiable sarcasm, "when you're hot, you're hot!"

JUST IN TIME

Just as soon as it was clear the recession was over, Congress passed the multi-billion-dollar anti-recession jobs bill.

Just as the Soviet Union finally offered potentially meaningful nuclear arms reduc-

tion in Europe, the House passed the nuclear freeze resolution. Under this bill, we would be required to reject the Soviet offer in favor of freezing the current imbalance first.

Next the House considers whether to repeal the final installment of the federal income tax reductions, in spite of all evidence that they are the tonic the economy needs. Judging by its performance so far this year, Congress will probably act just in time to pull the rug out from under the recovery.

Why not? When you're hot, you're hot.

FRED L. FORMAN.

OAKTON.

EXCEPTION TO THE EXCLUSIONARY RULE

(Mr. DEWINE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DEWINE. Mr. Speaker, I rise in support of the President's proposal to enact a good faith exception to the exclusionary rule. The law governing warrantless searches is unclear, often conflicting, and subject to constant change, and so gives the police limited guidance in determining whether their actions will ultimately be upheld in court. Consider, for example, the virtually identical facts in two drug cases both decided with differing results by the Supreme Court on the same day in 1981. In both *Robbins* v. *California*, U.S. , 101 S. Ct. 2842 and *New York* v. *Belton*, U.S. , 101 S. Ct. 2860, police officers lawfully stopped a car, smelled burnt marihuana, discovered marihuana in the passenger compartment of the car, and lawfully arrested the occupants. Thereafter, in Robbins the officer found two wrapped packages in the recessed rear compartment of the car, opened them without a warrant, and found 30 pounds of marihuana. In Belton, the officer found a jacket in the passenger compartment, unzipped the jacket without a warrant, and found a quantity of cocaine.

In decisions based largely on cases that had not even been decided at the time of the two searches, the court split as follows: Three justices opined that both were illegal; the remaining three justices, reaching differing conclusions in the two cases, controlled the ultimate decision that Robbins was illegal and Belton was legal. Moreover, in these decisions the court did not give the police any real guidance to understand the law of warrantless searches of automobiles, and less than a year later the issue was again before the court in *Ross* v. *United States* U.S., 102 S. Ct. 2157 (1982) in which the holding in Robbins was repudiated. It was probably small consolation for the police involved in the search in Robbins to know that their view of the law in this area was ultimately upheld by the Supreme Court in another case, since the defendant in Robbins went free because the evidence was excluded. Mr. Speaker, to say that the suppression of reliable, trustworthy evidence in this type of case helps to deter police "misconduct" is totally unfounded and the acquital of the defendant is nothing less than outrageous. Congress can and must act to bring this outrage to an end.

BRACKET CREEP: THE STEALTH TAX

(Mr. MCCANDLESS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MCCANDLESS. Mr. Speaker, this is the time of year when most Americans become preoccupied with crabgrass and ragweed. We spend a lot of time fussing over those weeds, and they cause us much grief in the form of sore backs and stuffed sinuses.

But there are two other weeds, far more dangerous, that we should be concerned about right now and it does not matter where you live. These weeds attack city dwellers and country folk alike. They choke off the growth of opportunity and advancement at every turn. These weeds are everywhere, and only the Congress can kill them.

The weeds are bracket creep, that deadly vine that pushes wage earners ever higher into debt to Uncle Sam—and its loathsome companion, inflation ivy. Entwined, they steadily surround and squeeze the paycheck of every American worker—although they seem to prefer the poor and middle class.

These weeds need no water or nutrients. All they need to flourish is for this Congress to repeal that enlightened measure known as tax indexing.

This is what the young American worker who began his job in 1970 faces today: His income has risen over the years to partially offset the effects of inflation. However, he now finds himself in a higher tax bracket based on these artificially high earnings. But his real income, based on 1970 dollars, is less than he received in 1970.

He, and every other American worker, is the victim of a deception that the Congress has allowed to happen. But we have mitigated that problem with tax indexing. Let us stick with it.

NEW SPENDING OBSTACLE TO CREATION OF JOBS

(Mr. MACK asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MACK. Mr. Speaker, since this House convened in January, we have heard a constant chorus of concern about the huge deficits we face. Yet all during this time what has the Congress been doing to reduce those deficits?

Nothing—in fact, this Congress has acted to make them worse—since January, the House has voted appropriations totaling $4.6 billion in new spending for the current fiscal year. In addition, this House has approved—new spending authorization—increased authorizations above the current level, increased off budget program or disapproved spending deferrals totaling $6.6 billion.

The point I want to make, Mr. Speaker, is that every dollar of new spending that this House has voted since January is a dollar that is going to be denied to those in our country who want to borrow for a new car, to buy a new home, to expand their business or start a new one; in other words, Mr. Speaker, every dollar of new spending is another obstacle to the creation of badly needed jobs in the private sector of this country, and those who yell the most about deficits and unemployment ought to be aware of that fact as they constantly vote for more and more new spending.

SUPPORT PRESIDENT REAGAN'S EXCLUSIONARY RULE IN CRIME CONTROL ACT

(Mr. LIVINGSTON asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. LIVINGSTON. Mr. Speaker, the time has come for Congress to hear the cry of the many victims who fall prey to criminal activity.

Citizens of our great Nation live in constant fear because criminals dictate their daily behavior.

At this very moment any member of our families could become a victim of a senseless crime only to allow the culprit to walk free because of a mere technicality in our search and seizure law. What can we do? Support the President in his efforts in regard to the exclusionary rule limitation provisions of the Comprehensive Crime Control Act of 1983. The act allows evidence to be used in court that was obtained by police in a reasonable, good faith belief that it was in conformity with the fourth amendment of the Constitution of the United States. If a warrant was issued under intentional and material misrepresentation then the evidence would be excluded in a court of the United States.

Why should illegal contraband be excluded from evidence because of a technicality when the contraband was obtained by law enforcement officials who had reasonable, good faith belief that their efforts were in conformity with the fourth amendment of the United States? There is no good reason, Mr. Speaker. The exclusionary rule is not part of the Constitution; it

has been created by judges and can be changed by judges, as it already has been in the fifth circuit which has adopted this good faith exception. Congress also has the power to change it, and we should accept President Reagan's invitation to impose the good faith exception on a nationwide basis.

SUPPORT BAIL REFORM MEASURES IN H.R. 2151

(Mr. DREIER of California asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DREIER of California. Mr. Speaker, too often, violent criminals are allowed to return to the streets because of flaws in our current bail system.

The bail process is sadly nothing but a revolving door. The Justice Department has documented thousands of cases in which violent criminals are apprehended and hard evidence is obtained against them.

But despite the clear threat these violent criminals pose to society, because of the weakness of our present bail laws, these criminals are soon set free on bail, often committing the same crime for which they were first arrested.

The fact of the matter is that under current law, judges cannot consider the defendant's potential for repeating violent criminal acts when setting that defendant's bail.

By preventing the denial of bail to violent criminals, our system encourages repeat offenses and threatens the safety and security of our cities.

The citizens of this Nation and our law enforcement officials deserve better protection from violent criminals. We must stop the revolving door that current bail laws have created, and therefore, I urge my colleagues to join me in supporting President Reagan's proposed bail reform measures in H.R. 2151.

PRESIDENT'S CRIME PACKAGE

(Mr. LUNGREN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. LUNGREN. Mr. Speaker, I am pleased to be able to join with my colleagues to commend the Reagan administration for its efforts to address the violence that inflicts the cities, towns, and neighborhoods of America through the Comprehensive Crime Control Act of 1983.

This 44-point crime package already introduced by a number of Members is a major step toward stemming the tide of criminal activity which currently threatens the citizens of our Nation. Some of its most important features include:

A reform of our bail laws in order to make it more difficult for a defendant that is likely to be a threat to the community to be released on bail;

A provision that would establish determinate sentencing without possibility of parole;

The establishment of a "good faith" exception to the exclusionary rule; and

A criminal forfeiture provision that would strike at the economic base of criminal enterprises and deny those engaged in racketeering and drug trafficking the fruits of their ill gotten gain.

These and other important provisions of the bill warrant the prompt action of this Congress. In this regard, I am heartened by the fact that the other body has already had two hearings on the Comprehensive Crime Control Act, with three additional days scheduled throughout the remainder of this month. It is my feeling that it is imperative that this House should likewise not delay any further the consideration of this much needed reform of our criminal laws.

CLINCH RIVER BREEDER REACTOR

(Mr. GREGG asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GREGG. Mr. Speaker, I rise today to address the House relative to the issue of Clinch River which we will be taking up later today.

Twice before committees of this House have defeated this project and once before the whole House has defeated this project. It is a totally inexcusable boondoggle whose costs have expanded from $700,000,000 when it originated to over $8 billion today. It is a project which assumes, in order to be commercially viable, that the cost of nuclear fuel will exceed $100 per pound and yet today that cost of nuclear fuel is around $20 per pound.

The issue here is not nuclear power and whether or not you support nuclear power; the issue is whether or not there is any economic justification for the program called the Clinch River breeder reactor and there is none.

This project survives not because of its economic viability but because it has a few strong political friends and it is time that we killed it permanently.

VA REIMBURSEMENT FOR CHIROPRACTIC SERVICES

(Mr. SMITH of New Jersey asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SMITH of New Jersey. Mr. Speaker, I am introducing legislation today that would authorize eligible veterans to receive reimbursement for chiropractic services received in certain circumstances through the Veterans' Administration health care program.

Under current law, the VA has the authority to provide chiropractic services to veterans, and any VA physician may on a case-by-case basis refer an eligible veteran to a chiropractor for treatment. Despite this authority, only a few veterans have ever been referred by VA physicians to a chiropractor at VA expense.

My legislation would establish a pilot program to encourage the use of chiropractors within the VA. It limits the number of veterans who are eligible for its benefits and also limits total expenditures for chiropractic services under the pilot program to $2 million per year.

To facilitate the proper utilization of chiropractic services through the VA, chiropractors would be included in the VA utilization review procedure under my legislation. Unless extended, this pilot program would expire on September 30, 1986.

Mr. Speaker, I believe our Nation's veterans deserve the same access to health care as do recipients of other Federal health care programs. Currently, reimbursement for chiropractic treatment is provided under medicare, medicaid, Federal Employee Health Benefit programs, Federal Employee Workmen's Compensation, and other programs.

I believe it is time that the VA's policy and practice be brought in line with these Federal programs. In addition, over three-fifths of the States, representing some 70 percent of the Nation's population, require inclusion of chiropractic services under all commercial health and accident policies written in those States.

Chiropractic care is a benefit that veterans are requesting. My legislation is supported by many national veterans organizations including the Veterans of Foreign Wars, the Disabled American Veterans, the Paralyzed Veterans of America, and Military Order of the Purple Heart, and the National Association for Uniformed Services. Many other groups now have this legislation on their agenda to be approved.

Mr. Speaker, this legislation is very similar to bills introduced by Senator STROM THURMOND during the 96th, 97th, and 98th Congresses. These bills were passed in the Senate during the two previous Congresses. This year, the Senator's bill has already been approved by the Senate Veterans' Affairs Committee and is awaiting consideration by the entire Senate.

Mr. Speaker, I am certain that my colleagues would agree that our veterans should be free to choose the type of health care that will help alleviate

the pain and suffering inflicted on them while serving our Nation.

LET US MODERNIZE WITH THE MX

(Mr. COURTER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. COURTER. Mr. Speaker, some Members of Congress voted against the deployment of MX because there was no decision on a basing mode. That decision has now been made. There are some Members in this body who did not vote in favor of the procurement of the MX because they thought the President's negotiating position in Geneva was too inflexible. He indicated yesterday great flexibility.

In my mind, if we do not modernize, the Soviet Union will be convinced of the rightness of their position.

In the early 1970's we said we would modernize by the late 1970's. In the mid-1970's we said we would modernize by the early 1980's. In the late 1970's we said we would modernize by the mid-1980's and now in the early 1980's there are those who say we should shove off the decision to the late or early 1990's.

If what we said then did not turn out the truth, why in the world would the Soviet Union believe us now?

□ 1145

THE INSANITY ISSUE

(Mr. GEKAS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GEKAS. Mr. Speaker, one of the most extraordinary bizarre results in criminal justice happened when the Hinkley case showed the weakness of our insanity defense in our court system.

The omnibus crime package, presented by the administration, deals with that subject and deserves the attention of this House of Representatives. I believe that there will be a unanimity of thought among most of us or all of us with regard to shifting the burden of proof of insanity from the prosecution to the defense.

If that were in place perhaps at the time the Hinkley case arose, we would not have had that bizarre result.

The crime package which we will be considering I hope in its entirety or piece by piece will give us the opportunity to strike a solid blow in favor of stabilizing our criminal court procedures so that the prosecution will not have the undue burden of having to prove that in fact the defendant was free of any kind of insanity.

I am hopeful that the Subcommittee on Criminal Justice, of which I am a member, and the Committee on the Judiciary as a whole, will report to us promptly on that venture.

FINANCIAL DISCIPLINE—TOUGH TO ACHIEVE

(Mr. ROEMER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ROEMER. Mr. Speaker, the Federal Government has accumulated programs over the years to feed the hungry, care for the sick, provide for adequate retirement, lift up the poor, house the homeless, assist the unemployed, educate the ignorant, train the unskilled and now to guarantee homeownership.

This has been at great cost to the taxpayer, but the actions are not evil, in fact, can be positive for the quality of life in America.

And if financial discipline is found, can be afforded by our Nation.

Discipline in defense spending, which is too high.

Discipline in water project spending, which is often uncontrolled. Discipline in new programs, which are not adequately analyzed. Discipline in entitlement spending. Financial discipline with compassion and equity can yield lower interest rates and move this economy forward again. Financial discipline, tough to achieve. Financial discipline, absolutely essential to preserve the thing that we most love about America, its freedoms.

IS THIS ADMINISTRATION SERIOUS ABOUT ARMS CONTROL?

(Mr. DOWNEY of New York asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DOWNEY of New York. Mr. Speaker, yesterday some of our colleagues who are strong supporters of the freeze resolution and wondering what their position should be on MX received a letter from the President offering some concessions.

Mr. Speaker, I think anyone who takes the time to read the letter will find that our colleagues have gotten humidity in August from the President. There is nothing new about the President's approach to arms control. Only when thousands, hundreds of thousands of people in Europe demonstrated did he decide to come forward with a START proposal. Only when he lusted after the MX was he prepared to deal for a new change in the START proposal.

Mr. Speaker, until Mr. Pearl, Mr. Jones, Mr. Clarke, and Mr. Weinberger find other employment, I doubt very seriously that this administration is serious about arms control.

IT IS TIME TO TAKE CHRYSLER CORP. OFF WELFARE

(Mr. GRAMM asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GRAMM. Mr. Speaker, 3 years ago when we debated the Chrysler loan bailout a provision was put into that bill to reward the American taxpayer for the risk incurred in guaranteeing $1.2 billion of loans to Chrysler Corp.

That risk premium was the option to buy Chrysler stock at $13 per share through the issuing of 14.4 million warrants.

Mr. Speaker, Chrysler Corp. is on the road back. Its stock sold yesterday for $26. The chairman of the board of Chrysler has suggested that we now give back those warrants.

I suggest, Mr. Speaker, that as the principal stewards of the public's purse we owe it to the American taxpayer to sell those warrants, to take the $220 million that we have earned by taking that risk, and apply it to the deficit.

I think it is important, Mr. Speaker, that we continue to reduce the welfare rolls. I think we can take a big step in that direction by selling these warrants, by claiming our $220 million, and taking Chrysler Corp. off welfare.

PERMISSION FOR SUBCOMMITTEE ON ADMINISTRATIVE LAW AND GOVERNMENTAL RELATIONS OF THE COMMITTEE ON THE JUDICIARY TO SIT TODAY DURING 5-MINUTE RULE

Mr. SAM B. HALL, JR. Mr. Speaker, I ask unanimous consent that the Subcommittee on Administrative Law and Governmental Relations of the Committee on the Judiciary be permitted to sit on Thursday, May 12, 1983, while the House is considering amendments under the 5-minute rule.

The purpose of the subcommittee meeting is to markup H.R. 597, a bill to increase the maximum amount for military claims, to hear and markup H.R. 2479, a bill for the Acacia Mutual Life Insurance Co., and to mark up private bills.

The minority has been consulted and has agreed to this request.

The SPEAKER pro tempore (Mr. LOWRY of Washington). Is there objection to the request of the gentleman from Texas?

There was no objection.

PERMISSION FOR COMMITTEE ON WAYS AND MEANS TO HAVE UNTIL 5 P.M., FRIDAY, MAY 13, 1983, TO FILE REPORTS ON H.R. 2973, H.R. 2990 AND H.R. 500

Mr. FLIPPO. Mr. Speaker, I ask unanimous consent that the Committee on Ways and Means have until 5 p.m., Friday, May 13, 1983, to file reports on the following bills: H.R. 2973, H.R. 2990 and H.R. 500.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Alabama?

There was no objection.

REQUEST FOR PERMISSION FOR COMMITTEE ON THE JUDICIARY TO HAVE UNTIL 5 P.M., FRIDAY, MAY 13, 1983, TO FILE REPORT ON H.R. 1510

Mr. MAZZOLI. Mr. Speaker, I ask unanimous consent that the Committee on the Judiciary have until 5 p.m., tomorrow, Friday, May 13, 1983, to file a report on H.R. 1510, the Immigration Reform and Control Act.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Kentucky?

Mr. WALKER. Reserving the right to object, Mr. Speaker, can the gentleman tell me whether this has been cleared with the minority?

Mr. MAZZOLI. Mr. Speaker, will the gentleman yield?

Mr. WALKER. I yield to the gentleman from Kentucky.

Mr. MAZZOLI. I thank the gentleman for yielding.

I am not aware that it has been cleared with the minority. I just got word from the staff because of the apparently fairly short session today. It is just simply a filing of the report, but if there is any objection, I would be happy to check back.

Mr. WALKER. Further reserving the right to object, I might say to the gentleman I probably would have no objection to it, but if the gentleman will check with the minority and withdraw the request until we have some indication as to whether or not this has been cleared with our side, I would appreciate it. Then I do not think there would be any problem.

Mr. MAZZOLI. Mr. Speaker, I withdraw my unanimous-consent request.

The SPEAKER pro tempore. The gentleman from Kentucky (Mr. MAZZOLI) withdraws his unanimous-consent request.

NATIONAL CHILDREN'S LIVER DISEASE AWARENESS WEEK

Mr. GARCIA. Mr. Speaker, I ask unanimous consent that the Committee on Post Office and Civil Service be discharged from further consideration of the joint resolution (H.J. Res. 234), designating the week beginning May 1, 1983, as "National Children's Liver Disease Awareness Week," and ask for its immediate consideration in the House.

The Clerk read the title of the joint resolution.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

Mr. COURTER. Reserving the right to object, Mr. Speaker, and I do not object, I just wanted to mention a couple of things.

Mr. Speaker, this I believe is an extremely important initiative by the gentleman from New York (Mr. GARCIA) and the gentleman from New York (Mr. MOLINARI), as well as myself.

Very few Americans recognize the number of deaths that occur because of children's liver diseases. The transplantation of livers is something that is becoming acceptable. It is now a procedure that saves up to 75 percent of children who undergo the operation.

I think this type of initiative bringing the Congress and the American people more aware of the tremendous number of lives that can be saved is a valid and important initiative.

We have read and listened to the news recently, Mr. Speaker, of very young children who have lost their lives in an attempt to live. But we often do not read about all the many other children who are living very normal lives because they have had the liver transplantation.

So therefore, I rise in support of House Joint Resolution 234, designating the week of June 19 as National Children's Liver Disease Awareness Week.

In the last several months the citizens of our country have followed the progress of a young child in Tennessee, Brandon Hall, as he struggled to survive after having received a liver transplant. Although it is sad to note that Brandon Hall died this morning, it is because of this brave child's trials and tribulations that so many individuals have been made aware of the urgent need for further research and support. I myself was unaware of the severity of the problem until I became involved in the successful attempts of two children in my district to obtain liver transplants. Fortunately, both these children have had liver transplant operations and are doing very well.

It is a little known fact that there are over 100 types of children's liver diseases and that youngsters afflicted with liver disease die at a higher rate than children with leukemia or muscular dystrophy combined. At this time, the only hope for terminally ill children with liver disease lies in liver transplantation. Yet, this has always been one of the most difficult and complicated medical operations to perform. The process of finding an adequate donor is also very complicated.

Recent advances in liver transplantation have allowed a large majority of patients to survive the surgical procedure and experience significant prolongation of life. Latest developments with the new drug cyclosporing have greatly enhanced the success of these operations by aiding the body in resisting the rejection of the transplanted liver. This drug, which has led to a success rate of approximately 75 percent, will soon receive approval from the FDA.

A consensus development conference on the subject of liver transplantation will be held in June at the National Institutes of Health. This conference will discuss transplantation and, because of the tremendous improvements in the survival rates of these operations, may determine that liver transplantation can be reclassified from experimental to therapeutic.

However, medical research still has a long way to go toward eradicating these childhood disorders. At present, only four facilities exist in the United States capable of performing a liver transplant operation. Continued progress in the area of pediatric liver research is essential. Accelerated education and training to increase the understanding of the liver among both the medical and public sector would contribute significantly to that progress.

It is for these reasons that I strongly support passage of House Joint Resolution 234. It is time to develop an active partnership of public-private efforts to combat this major disease.

Mr. Speaker, at this time I yield to the gentleman from New York (Mr. MOLINARI).

Mr. MOLINARI. Mr. Speaker, when I was securing the necessary cosponsorships for this resolution, many of my colleagues expressed reluctance to sign any resolution. I can understand their concerns. Some of the resolutions which have been introduced before this body over the past do not necessarily make substantial contributions to our society. This resolution, I would like to think, has a great deal of significance. Literally thousands of children are dying throughout this country from fatal liver disease. These are lives that in many cases can be saved. Liver disease kills more children in this country than does muscular dystrophy, cystic fibrosis, or leukemia.

My own introduction to the problem came when a lovely young woman, Denise Attilio, was dying of a liver disease called biliary atresia which kills 400 youngsters each year. I was asked to help in a fundraising endeavor to raise between $50,000 and $100,000 for surgery and hospital care. It was extremely difficult to raise that kind of money in time to save her life.

Feeling deeply frustrated and sensing that a life might be lost, I contacted the New York State Department of Health. I asked them to consider funding liver transplants through the State medicaid program. My request was denied. It was the contention of the department of health that the surgical procedure was experimental, not therapeutic, and that the success rate was low. This did not seem to correspond with the information that I had received elsewhere. I thereupon called the Presbyterian University Hospital in Pittsburgh and spoke to Dr. Starzl and subsequently with other members of his surgical team.

I learned that they performed many of these liver transplant operations at a success rate of approximately 75 percent. Armed with this knowledge, I went back to the department of health and told them that the information they had was inaccurate. I went further and asked them to call the University of Pittsburgh and to get the statistics from Dr. Thomas Starzl and the hospital. After a period of several days, much to my delight, the State of New York, through its Department of Health, announced that their findings indicated that transplant operations could now be considered therapeutic and that the success rate indeed was quite high.

Based upon this information, New York made a decision to change its policy and to provide medicaid coverage for needy persons requiring liver transplants. So Denise's application was approved.

In recent years, the Presbyterian Hospital has developed a liver transplant operation that is hailed by many medical authorities as a stunning breakthrough in the fight against diseases of the liver. The discovery of the immunosuppressant cyclosporin A has been responsible for more than doubling the success rate of liver transplants.

The medicaid funding in New York State does include the stipulation that transplant procedures be performed at the University of Pittsburgh with the surgical team headed by Dr. Starzl. The New York State Health Department did indicate that they would agree to evaluate on a case by case basis other hospitals and other surgical teams as they are developed and would expand the coverage in the future.

I then wrote to the Governors of each State calling to their attention what happened in New York State and asking them to check with the commissioner of health of the State of New York and follow their example by funding liver transplants through medicaid. Aside from many courtesy responses, I have not received an overwhelming response from States that did, in fact, approve the surgical procedures.

Approximately a week and a half ago, a group of parents came to Washington for a press conference which was attended by myself, Congressman JIM COURTER, and Congressman AL GORE.

In that room, there were five youngsters who underwent successful liver transplants. There was one young man whose parents told me that the doctors told him he had only 5 days to live when Dr. Starzl performed the surgical transplant. That operation, my colleagues, took place 9 years ago. Now the young man is about 16, obviously in a good state of health and obviously very happy.

There was another young lady who had a liver transplant when she was 8 months old. That was over 6 years ago and her parents asked me to take a picture of her. I had to lift her up—she was a chubby, happy little child.

Then there were the other ones in the room—the sad ones. The ones that were too ill to be able to stand up. Children whose parents were living in hope but facing despair. Children whose skin was severely jaundiced, whose abdomens were bloated. Their parents were seeking a chance to save their lives.

The purpose of this resolution is to attempt to educate, not just the Members of this body, but the community at large. A number of Members informed me when I asked them to sign on as a cosponsor that they were involved back home, trying to raise money on a vouluntary basis to fund surgery to save a child's life with a similar disease. It should not be necessary for them to go through that arduous procedure. Indeed, lives can be lost, and will be lost, while they are attempting to raise the money. One purpose of this resolution is to let the world know that lives can be saved, that there is a procedure available and that the success rate is high. I would hope that my colleagues in the other States would bring home to their respective commissioners of health and their Governors the story of what occurred in New York State.

It would probably be accurate for me to say that every single Member of Congress has a child residing in their congressional district who will be a candidate for a liver transplant in the future. So my colleagues, this is not a frivolous resolution. This is a resolution that has a very serious goal which is to try to foster greater understanding throughout the country. The faster that we can educate ourselves, and our respective States, as to the great promise that there is out there, the more lives that we can save. Time is an enemy of those who are afflicted with one of the fatal diseases. Securing donors is sometimes as difficult as raising the $100,000 to cover the extensive surgery and the extensive hospital costs as well as the postoperative costs involved in these procedures.

I wish I could say that the story of Denise Attilio had a happy ending, but I cannot. Denise passed away about 6 months ago. She was a beautiful woman who spent her last year trying to help others who were desperately in need of donors and, in fact, secured, a number of donors throughout the country for others who were afflicted with fatal liver diseases like herself.

Let me read to you some of Denise Attilio's thoughts.

I was always on the sidelines, just watching. I couldn't concentrate in school. I never really was healthy in my whole life. When I was ten, I was told I would die.

She was born without a bile duct, which meant the bile produced by her liver could not get out of the liver and into the intestinal tract. So the bile backed up, invading her tissues and ravaging her body and her life. When she thought her condition may have stabilized, she went for a checkup only to learn that she had a year to live. This is how she felt:

I was shocked. They said that after that, everything inside would be no good. They told me that the only way I could get well was through a transplant. The scariest part is waiting. It's a form of slow poisoning. I don't know when something is going to happen. It's like cancer.

Here is what Denise had to say following her transplant operation:

I feel like I'm reborn, for the first time in my life, I'm healthy! I feel like a million dollars! Since I had my transplant two weeks ago, they did eight others who also are doing great! Doctor Tom Starzl and his team of surgeons do great work and the transplants really shouldn't be considered experimental anymore. The results are marvelous. I hope that no one else has to fight with medicaid to get this kind of operation, it is a life and death situation.

She once said of the family who donated their deceased child's liver for her transplantation:

They are so wonderful. Maybe more will think to donate to give someone else a chance. These people and their caring gave me a chance.

In their fight for life Denise Attilio and Brandon Hall left with all of us a powerful legacy—now it is up to us to respond.

□ 1200

Mr. COURTER. Mr. Speaker, I thank the gentleman for his contribution.

Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

The Clerk read the joint resolution, as follows:

H.J. RES. 234

Whereas there are more than one hundred different kinds of liver disease identified in children;

Whereas certain children's liver diseases result in cirrhosis causing the deaths of infants and young children;

Whereas there are a million cases of hepatitis in the United States annually, half of which occur in children;

Whereas there have been tremendous strides in the liver transplant program as a result of new therapeutic drugs and improved surgical techniques;

Whereas newborn screening programs, with early recognititon and intervention, are now preventing the onset of insidious liver ailments in infants and young children;

Whereas it is essential that childhood liver disorders be eradicated because the future of the United States lies in the hands of our children;

Whereas the key to eradicating all childhood liver disorders is through extensive pediatric liver research; and

Whereas the week beginning May 1, 1983, marks the establishment of the National Children's Liver Disease Awareness Program, a combined effort to bring to the attention of the American people the overwhelming need for pediatric liver disease research, newborn screening programs, and the dismissal of the tremendous financial burden placed on families whose children require long term care and/or liver transplantation: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the week beginning May 1, 1983, is designated "National Children's Liver Disease Awareness Week". The President is requested to issue a proclamation calling upon all Government agencies and people of the United States to observe the week with appropriate programs and activities.

AMENDMENT OFFERED BY MR. GARCIA

Mr. GARCIA. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. GARCIA: On page 2, line 3, strike the date "May 1, 1983" and insert in lieu thereof "June 19, 1983".

The SPEAKER pro tempore. The question is on the amendment offered by the gentleman from New York (Mr. GARCIA).

The amendment was agreed to.

The SPEAKER pro tempore. The question is on the engrossment of the joint resolution.

The joint resolution was ordered to be engrossed.

The SPEAKER pro tempore. The Clerk will report the amendment to the preamble.

The Clerk read as follows:

On page 2, in the preamble, strike the date "May 1, 1983" and insert in lieu thereof, "June 19, 1983".

The SPEAKER pro tempore. The question is on the amendment to the preamble.

The amendment to the preamble was agreed to.

The joint resolution was ordered to be read a third time, was read the third time, and passed.

The title was amended so as to read: "Joint resolution designating the week beginning June 19, 1983 as "National Children's Liver Disease Awareness Week."

A motion to reconsider was laid on the table.

OLDER AMERICANS MONTH

Mr. GARCIA. Mr. Speaker, I ask unanimous consent that the Committee on Post Office and Civil Service be discharged from further consideration of the concurrent resolution (H. Con. Res. 101) expressing the sense of the Congress that the people of the United States should observe the month of May 1983 as Older Americans Month, and ask for its immediate consideration in the House.

The Clerk read the title of the concurrent resolution.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

Mr. COURTER. Mr. Speaker, I reserve the right to object and, under my reservation, I rise in support of House Concurrent Resolution 101 expressing the sense of the Congress that the people of the United States should observe the month of May 1983 as "Older Americans Month."

I feel it is fitting that we designate a month in which all Americans recognize the contributions of older Americans. Today, many of our older Americans are continuing to work, and many are volunteering their time and energies to assist others in their communities. They possess a wealth of knowledge and experience that should not be allowed to idle. Our older Americans are a very diverse group of individuals and by designating the month of May as "Older Americans Month" we are telling our older Americans that they continue to be a valuable and integral part of our society.

Our older Americans built our society and in many ways they are also building our future. This special month gives us an opportunity to recognize and honor older persons for their determination to save our democracy, their strong work ethic to revive the world economy and their continued contributions to our well-being. We can all learn from the accomplishments of our older Americans—not only from the past but their present efforts as well.

I urge my colleagues to join me in honoring our older citizens by supporting this resolution.

Mr. McCOLLUM. Mr. Speaker, will the gentleman yield?

Mr. COURTER. Further reserving the right to object, Mr. Speaker, I yield to the gentleman from Florida.

Mr. McCOLLUM. I thank the gentleman for yielding.

Mr. Speaker, with passage of the Older Americans Month resolution, Congress joins with the President and the country in celebrating May as Older Americans Month and recognizing the contributions our senior Americans have made, and continue to make, to this Nation.

In the district I represent, the Fifth District of Florida, our area agency on aging has coordinated activities and programs throughout May in celebration of this special month. These activities will focus attention on the vital role older Americans play in our communities and will point out the special concerns of older Americans in today's society. I am sure that many of my colleagues have similar activities taking place in their districts during this month, and those groups and individuals involved in planning and participating in these events are to be commended for their efforts.

I am proud to be the sponsor of this resolution and thank the 225 of my colleagues who cosponsored this measure in order that Congress can publicly join with the country and the President who on May 6 officially declared May as "Older Americans Month."

Mr. COURTER. Mr. Speaker, further reserving the right to object, I would like to indicate one further thing, and I said so during a markup in our Committee on Post Office and Civil Service. The gentleman from New York (Mr. GARCIA) and I have worked very closely during the past 4 years in Congress, he as the chairman of the Subcommittee on Census and Population of the Committee on Post Office and Civil Service, and I as the ranking minority member. I would like to say in the RECORD and publicly that there is no finer gentleman in the Congress. I do not think there is any Member or any chairman who works more closely and gives more respect to minority views, and I would like to thank my chairman very much. I know the gentleman is moving to a different subcommittee, and that is the reason I want to state this in the RECORD.

● Mr. HUNTER. Mr. Speaker, I am here today to join the rest of the Congress and the country in honoring this Nation's senior citizens as part of Older Americans Month. The millions of older Americans who have served their country and their community so long and faithfully deserve all the recognition we can give them. In this year, the 20th anniversary of designating May to honor older Americans, it is especially appropriate to call attention to the contributions that older Americans have made. The older Americans of today fought in both world wars to preserve freedom. Today's senior citizens brought this country from growing pains to adulthood. Older Americans helped bring this Nation to its position of world leadership.

Moreover, their efforts were based on values that Americans of all ages

should emulate. Dedication to God and country, family and community were the guiding principles that today's senior citizens lived by in forging this great country. I am proud of this Nation and I strive to live by these values that our senior citizens have espoused.

And so, Mr. Speaker, I pay tribute to older Americans. The millions of senior citizens around the country and the more than 265,000 people over the age of 60 in San Diego have helped make this country what it is today—the country with the best quality of life in the world.●

Mr. COURTER. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

The Clerk read the concurrent resolution, as follows:

H. CON. RES. 101

Whereas older Americans have contributed many years of service to their families, their communities, and the Nation;

Whereas the population of the United States is comprised of a large percentage of older Americans representing a wealth of knowledge and experience;

Whereas acknowledgement should be given to older Americans for the contributions they continue to make to their communities and the Nation; and

Whereas many States and communities provide such acknowledgement of older Americans during the month of May: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That in recognition of—

(1) the traditional designation of the month of May as "Older Americans Month" by the President of the United States, and

(2) the repeated expression by the Congress of its appreciation and respect for the achievements of older Americans and its desire that these Americans continue to play an active role in the life of the Nation,

it is the sense of the Congress that the people of the United States should observe Older Americans Month with appropriate programs, ceremonies, and activities.

The concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

NATIONAL ORGAN DONATION AWARENESS WEEK

Mr. GARCIA. Mr. Speaker, I ask unanimous consent that the Committee on Post Office and Civil Service be discharged from further consideration of the joint resolution (H.J. Res. 229) to authorize and request the President to issue a proclamation designating April 24 through April 30, 1983, as "National Organ Donation Awareness Week," and ask for its immediate consideration in the House.

The Clerk read the title of the joint resolution.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

Mr. COURTER. Mr. Speaker, I reserve the right to object.

Mr. Speaker, I rise in support House Joint Resolution 229 to designate "National Organ Donation Awareness Week." A similar bill (S.J. Res. 78) passed the Senate on April 21.

Mr. Speaker, in recent years, we have all become aware of the great importance of being an organ donor and the tremendous medical strides that have been made in organ transplants.

More and more Americans are making donor designations but a great many more are needed. This legislation brings to the public attention that a concerted effort is needed to obtain more donors for those thousands of people who desparately need an organ transplant. Through such donations a person gives continued life to those in need while bringing satisfaction to themselves in knowing they helped a person to live.

Every State has made an endeavor to make its citizens aware of the contribution they can make to humanity by being an organ donor. Many States have programs where by donations can be designated on a driver's license or by carrying a donor's card. Therefore, I feel that by calling attention to a specific week we will be able to make all citizens aware of the significance of this program and the contribution they will be making to society. Many lives can be saved or prolonged if donations or organs are made promptly.

This legislation invites all our citizens to be aware of what they can do to help their fellow man or woman.

I urge prompt consideration of this bill.

Mr. GARCIA. Mr. Speaker, will the gentleman yield?

Mr. COURTER. Further reserving the right to object, Mr. Speaker, I yield to the gentleman from New York.

Mr. GARCIA. Mr. Speaker, I would just like to take this opportunity to say that in the 4 years I have chaired this subcommittee my colleague, the gentleman from New Jersey (Mr. COURTER) has worked closely with me. I am deeply appreciative of the remarks made by the gentleman from New Jersey (Mr. COURTER) and I hope that, while still a Member of the full committee, my new subcommittee title will be such that we will continue to work together in the manner that we have over these years that we have been here together.

Mr. COURTER. Mr. Speaker, I appreciate those words and I thank the gentleman.

Mr. WALKER. Mr. Speaker, will the gentleman yield?

Mr. COURTER. Further reserving the right to object, Mr. Speaker, I yield to the gentleman from Pennsylvania.

Mr. WALKER. Mr. Speaker, it sounds as though the resolution is for a very worthwhile purpose.

Do I understand that there is going to be an amendment offered to assure ourselves that the week is going to be changed? As I heard the resolution read, the week which was described is a week which is already past, and I would hate to see this particular event passed by because we acted too late. Are we going to have an amendment to that effect?

Mr. COURTER. That is correct. The gentleman from New York (Mr. GARCIA) and I both know that we could not have gotten this thing through the watchful eye of the gentleman from Pennsylvania. We knew the gentleman would catch that and, therefore, we are fully prepared to amend the resolution at this juncture.

Mr. WALKER. I thank the gentleman.

Mr. COURTER. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

The Clerk read the joint resolution, as follows:

H.J. RES. 229

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the President is authorized and requested to issue a proclamation designating April 24 through April 30, 1983, as "National Organ Donation Awareness Week".

AMENDMENT OFFERED BY MR. GARCIA

Mr. GARCIA. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. GARCIA: On page 1, line 4, after the word "designating" strike the dates "April 24 through April 30, 1983" and insert in lieu thereof, "April 22 through April 28, 1984.".

The amendment was agreed to.

The joint resolution was ordered to be engrossed and read a third time, was read the third time, and passed.

The title was amended so as to read: "Joint resolution to authorize and request the President to issue a proclamation designating April 22 through April 28, 1984, as 'National Organ Donation Awareness Week'."

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. GARCIA. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the resolutions just considered.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

PERMISSION FOR THE COMMITTEE ON THE JUDICIARY TO HAVE UNTIL 5 P.M. TOMORROW TO FILE REPORT ON H.R. 1510

Mr. MAZZOLI. Mr. Speaker, I ask unanimous consent that the Committee on the Judiciary have until 5 p.m. on tomorrow, May 13, 1983, to file a report on H.R. 1510, the Immigration Reform and Control Act.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Kentucky?

Mr. WALKER. Reserving the right to object, Mr. Speaker, I do so to ask the gentleman whether this has been cleared with the minority.

Mr. MAZZOLI. Mr. Speaker, if the gentleman will yield, it has been checked with the minority, the ranking minority member of the committee, the gentleman from New York (Mr. FISH), and he has no objection to this unanimous-consent request.

Mr. WALKER. I thank the gentleman, Mr. Speaker, and I withdraw my reservation of objection.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

NATIONAL SCIENCE FOUNDATION AUTHORIZATION ACT FOR FISCAL YEAR 1984

The SPEAKER pro tempore. Pursuant to House Resolution 183 and rule XXIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for consideration of the bill, H.R. 2066.

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for consideration of the bill (H.R. 2066) to authorize appropriations to the National Science Foundation for fiscal years 1984 and 1985, with Mr. TRAXLER in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. Pursuant to the rule, the first reading of the bill is dispensed with.

Under the rule, the gentleman from Florida (Mr. FUQUA) will be recognized for 30 minutes, and the gentleman from Kansas (Mr. WINN) will be recognized for 30 minutes.

The Chair recognized the gentleman from Florida (Mr. FUQUA).

Mr. FUQUA. Mr. Chairman, I yield myself 4 minutes.

Mr. Chairman, H.R. 2066 provides authorization of appropriations for the National Science Foundation for fiscal year 1984. The bill provides $1,342.7 million for the research and educational activities of the Foundation. This amount provides for an increase of $50.4 million above that recommended by the administration. Of this increase, $50 million will be used to support new research initiatives, development of new university research laboratories, and to enable universities to take advantage of the technological revolution occurring in the delivery of instructional materials. The moneys we have added will enable our Nation's universities to become competitive in the rapidly expanding high-technology fields of the future.

We have also added $0.4 million of special foreign currency funds to the administration's request to support NSF's newly assigned role as lead agency in the new United States-India joint research program.

Within the Research Directorates, we have restored funding to the behavioral, social, and information sciences to approximately their 1980 levels. The increases for these programs were balanced by slight decreases in the amounts authorized for other research programs. I wish to stress, however, that these other research programs will still receive increases of between 19 and 20 percent above last year's appropriations.

We have included language that restores $23.2 million to the Directorate for Scientific, Technological, and International Activities (STIA). The administration's proposal to shift these moneys out of STIA into the other directorates raised concern that the international, women and minorities, small business innovation research, and other programs would lose their special focus and be absorbed indiscriminately in the other directorates. While we support efforts to emphasize these areas in other research programs, we felt their management should be continued through STIA.

Science and engineering education has, of course, been a special concern of the Committee on Science and Technology and the Committee on Education and Labor chaired by my esteemed colleague, Hon. CARL PERKINS. Because of the gravity of the problems facing our entire educational system in providing for science, math, and engineering, and their importance to our Nation's well-being, our two committees took early action to report H.R. 1310—a bill designed to begin to address those problems. The bill was passed on the House floor on March 2, 1983, by a strong bipartisan vote and the Senate is now considering various counterparts to that bill. As my colleagues will recall, H.R. 1310 provides for a balanced education program to be administered independently, but collaboratively, by the Department of Education and the NSF. The NSF component provides for $130.0 million for summer institutes and workshops, post-secondary faculty development, educational research, and a special cost-sharing engineering and science personnel fund.

In the bill we are considering today, the administration has requested $39.0 million for graduate fellowships and precollege teaching activities. We believe these programs will nicely complement the responsibilities assigned to NSF in H.R. 1310. And, because of the earlier House action on H.R. 1310, we did not believe it was necessary to enlarge further the authorization of funding for NSF's education activities in H.R. 2066.

I wish to call particular attention to the importance of the $50 million which we have added for new initiatives in research instrumentation. Current estimates are that it will take between $2 and $4 billion to renew the research facilities of our universities. We all recognize that a problem of this magnitude will take time to solve. The First Budget Resolution for fiscal year 1984 passed by this House recognized the need for additional instrumentation support by the Foundation. The Science and Technology Committee has chosen to authorize an additional $50 million for the coming fiscal year for this new initiative. We intend these funds to be used for the development of facilities for advance research where the capital cost of equipment is high and for the exploration of new technologies in universities' research and educational roles. As it will take time for the Foundation to develop the programs necessary to accomplish these aims, we chose to be prudent in the authorization of funds the first year.

In summary, our recommendations for the Foundation provide for a significant increase in support for all areas of basic research within the Foundation with major emphasis on the revitalization, renewal, and expansion of the modern scientific and engineering research instrumentation and facilities so badly needed to maintain the competitiveness of U.S. science and engineering. This 22-percent increase from last year in the amount we are recommending to be authorized for NSF represents a commitment by this committee to insure the continued vitality and health of American university science and engineering research, and education.

For the use of all Members, I have included in my statement the summary from committee Report 98-73, including a summary table:

I. SUMMARY

BUDGET ACTIONS

Budget total

The President's budget included a request for $1,292,300,000 for the National Science Foundation in fiscal year 1984.

H.R. 2066 includes new obligational authority totalling $1,342,700,000. This amount is a $50,400,000 increase over the Administration's request.

Increases

1. A new program to provide high technology instrumentation for new research initiatives, new laboratory development and technology for delivering instruction is authorized at $50 million.

2. Biological, Behavioral, and Social Sciences is increased by $12.8 million, to provide $15 million in additional funding for the social, behavioral and information sciences.

3. Funds for the Special Foreign Currencies account are increased by $400 thousand to provide monies to coordinate the new U.S./India cooperative program.

Decreases

1. The request for Mathematical and Physical Sciences is decreased by $5.7 million to $358.6 million, providing an increase over fiscal year 1983 of $58.9 million.

2. The request for Engineering is reduced by $2.0 million to $121 million, providing an increase over fiscal year 1983 of $20.2 million.

3. The request for Astronomical, Atmospheric, Earth and Ocean Sciences is decreased by $5.1 million to $329.8 million, providing an increase of $53.6 million over fiscal year 1983.

Other

1. The bill requires that of the amount authorized for Biological, Behavioral and Social Sciences, not less than $8 million shall be available for the Information Science and Technology Subactivity.

2. The bill requires that not less than 15 percent of the sum of the amounts authorized for Mathematical and Physical Sciences, Engineering, and Astronomical, Atmospheric, Earth and Ocean Sciences shall be used for research instrumentation.

3. The bill requires that of the amount authorized for Research and Related Activities exclusive of the amounts for Antarctic Research Programs, Scientific, Technological and International Affairs and High Technology Research Instrumentation, $23,200,000 be made available through reallocation for programs in the Directorate of Scientific, Technological, and International Affairs.

OTHER ACTIONS

A. The bill amends the National Science Foundation Act of 1950 to provide greater flexibility in establishing special commissions by the National Science Board and in providing membership for such commissions. The bill also repeals section 6 of Public Law 95-99 regarding National Resource Centers, the codification being considered as redundant and unnecessary.

B. Two additional amendments were made: (1) to repeal a disclosure provision contained in an earlier amendment to the National Science Foundation Organic Act which has been superseded by broader provisions and requirements of the Ethics in Government Act; (2) to repeal the National Science Foundation Act for fiscal year 1978 provisions banning NSF employees from owning patents on inventions resulting from NSF work. NSF does no in-house research and the provisions have never been needed.

C. Additional concerns and views of the Committee are reflected in the sections of this report on views and programs.

PURPOSE OF THE BILL

The purpose of the bill is to authorize appropriations to the National Science Foundation for fiscal year 1984 in the amount of $1,339,700,000 out of money in the Treasury not otherwise appropriated and $3,000,000 for fiscal year 1984 in foreign currency which the Treasury Department determines to be excess to normal requirements of the United States as follows:

Budget activities

	Authorization fiscal year 1984
Research and related activities:	
Mathematical and physical sciences	$358,600,000
Engineering	121,000,000
Biological, behavioral and social sciences	236,400,000
Astronomical, atmospheric, Earth and ocean sciences	329,800,000
U.S. Antarctic program	102,100,000
Scientific, technological and international affairs	36,800,000
Program development and management	66,000,000
High technology research instrumentation	50,000,000
Special foreign currency	3,000,000
Science and engineering education	39,000,000
Total	1,342,700,000

NATIONAL SCIENCE FOUNDATION BUDGET COMPARISONS—ACTIONS BY THE COMMITTEE ON SCIENCE AND TECHNOLOGY

[Authorizations in millions of dollars]

Activities	Current fiscal year 1983	Administration request fiscal year 1984	Committee recommendation (H.R. 2066)	Changes from administration proposal
Mathematical and physical sciences	$299.7	$364.3	$358.6	−$5.7
Engineering	100.8	123.0	121.0	−2.0
Biological behavioral, and social sciences	190.2	223.6	236.4	+12.8
Astronomical, atmospheric, Earth, and ocean sciences	276.2	334.9	329.8	−5.1
U.S. Antarcitic program	83.2	102.1	102.1	0
Scientific, technological, and international affairs	44.2	36.8	36.8	0
Research instrumentation initiative	0	0	50.0	+50.0
Program development and management	65.3	66.0	66.0	0
Undistributed	4.5	.0	0	0
Subtotal, research and related activities	1,064.1	1,250.7	1,300.7	+50.0
Science and engineering education	30.0	39.0	39.0	0
Special foreign currency	3.1	2.6	3.0	+0.4
Total	1,097.2	1,292.3	1,342.7	+50.4

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Mr. Chairman, I wish to pay tribute to the chairman of the subcommittee, the distinguished gentleman from Pennsylvania (Mr. WALGREN) and also to the ranking minority member on the subcommittee, the distinguished gentleman from New Hampshire (Mr. GREGG) for the fine work and cooperation that they have given in bringing this matter through the hearings and to the floor, and I urge the adoption of the committee's bill as reported by the committee without amendment.

Mr. Chairman, I reserve the balance of my time.

Mr. WINN. Mr. Chairman, I yield myself such time as I may consume, and I rise in support of an authorization for the National Science Foundation as proposed by the President.

Mr. Chairman, H.R. 2066 which we have before us today is basically a very good piece of authorizing legislation. I do not think that there is any question that the work of the National Science Foundation is more important now to our Nation than at any other time in the Foundation's 35-year history. The Presidential request for the Foundation for fiscal year 1984 recognizes the importance of the Foundation's work. The request proposed an 18-percent increase in overall funding for NSF compared to fiscal year 1983. That request is for $1.3 billion. Unfortunately, at full committee markup of H.R. 2066, $50 million additional was added to the bill. This money was added to support new instrumentation initiatives and cloaked in those magic words of 1983 "high technology." I cannot support such an unwarranted increase and will, at the appropriate time, offer an amendment to strike that $50 million from the bill. I should point out to my colleagues that this bill already contains $180 million for instrumentation, double the level of just 2 year ago.

Mr. Chairman, I would like to take a few moments to describe some of the noteworthy and scientific accomplishments that have recently been achieved through National Science Foundation-supported projects. The Members will hear more about the instrumentation issue when my amendment is offered, but I thought it would prove useful to mention some other accomplishments that do not fit easily into the "high technology" category. As most of my colleagues may recall, several years ago the National Science Foundation was under consistent attack when the annual authorizations were brought up because of some very unfortunate research grant titles given to some of their projects. I am happy to report that those are a thing of the past now, and that the sample of projects that I am about to describe are true examples of the fine work that the Foundation supports.

Mr. Chairman, NSF has supported a study to investigate very intense, short-lived downdrafts that may prove very hazardous to aircraft on takeoff and landing. This study shows that some of these downdrafts occur very close to the ground and lead to an outward burst of air when the downward rushing air spreads horizontally. This phenomenon has been called a microburst. An aircraft crossing a microburst will encounter first, a strong headwind, and then a strong tailwind after it passes the burst center—an extremely hazardous situation. The extensive data collected by the study will be further analyzed over the next several years in order to improve our un-

derstanding and detection of microbursts.

Research by scientists from the University of Alaska, supported by the National Science Foundation, has shown that there are extensive areas of permafrost in the sediments of the Continental Shelf off the North Slope of Alaska. The identification of the distribution, depth, and instability of this permafrost will help the petroleum industry to adapt well placement and drilling practices to the permafrost areas.

Termites annually cause U.S. property owners an estimated $705 million. Research supported by the National Science Foundation has developed a new pesticide which uses methods that the insects themselves employ to kill their enemies. Once the termites have consumed this new lethal chemical they return to their colonies to live about 3 more days. During this time they transfer the poison to their fellow nest-mates killing as many as 60,000 at a time. The new pesticide has many advantages over previously used poisons in getting rid of termites. It affects only termites and leaves no harmful residue so it does not pollute the environment.

Mr. Chairman, I have mentioned some of the highlights of NSF-supported research to give the Members some idea of the broad scope of work that the National Science Foundation is engaged in. I have always been a strong advocate of a healthy budget for the National Science Foundation. My objections to this bill in its current form center around what I have described as excessive levels of spending, authorized in areas where the Foundation cannot possibly productively spend the money in fiscal year 1984. It certainly appears that we have a strong national economic recovery underway, and this body and this Congress do not aid that recovery when we support a budget busting bill such as this one. The Foundation has received an 18-percent increase over last year in the President's request. They continue to do good work—and I hope that this House will continue to support that work. At the same time, we can continue our national economic recovery by authorizing a prudent level of spending. I hope that the Members will support my amendment when it is offered.

Mr. WALGREN. Mr. Chairman, I yield myself 5 minutes.

Mr. Chairman, it is my privilege to serve as the chairman of the subcommittee of the Committee on Science and Technology out of which the National Science Foundation authorization comes. I would just like to make several general points.

One is that I think we have to commend the administration for the increased emphasis that it is putting in its recommendations to the Congress on research and development, particularly basic research. It is true that they are recommending an increase in the National Science Foundation budget and that is certainly to be commended. I hope we are passing the time when we in this Congress made knee-jerk reactions to the validity of increases in these kinds of areas, being for or against them simply because it was spending or not spending money. I think we are finally realizing that there is great value to be found in this kind of true investment.

I think also that we have to take into account the importance of the Federal research dollar in our university system. We often underestimate the degree that Federal dollars play in the strength of our universities. The President of one west coast university recently underscored in its alumni communication that relatively few private dollars involved in supporting research compared to the level of Federal funds. On a comparitive basis for this university, private support would have to be increased $25 for every $1 of Federal funds lost if a level research effort were to be maintained. Similarly, if they were to try to accomplish the same amount of research out of the flow of money from a private endowment, the size of that endowment would have to be $3.75 billion alone for that one university.

So we really do have a very large Federal role in maintaining the strength of our universities in this area.

I would like to point out one of the things that I think is very valuable that the committee has done in this bill. It has added some strength to the social and the behavioral sciences. That is particularly important when we realize that we must keep a strong university research base in this area as well. There is much to be contributed by the social and the behavioral sciences. They had suffered inordinately in the reductions associated with the 1980-84 timeframe. In fact, while the Math and Physical Science Directorate of the National Science Foundation was increasing its funding by some 60 percent, the behavioral and social sciences were losing 40 percent of their funding during that time after considering inflation.

The fact of it is that, if we are to have a strong university-based effort in this area which has such potential to contribute to our society, we have to maintain, not cut, the funding. This is the only way those with good talent will stay in research in the behavioral and social sciences. It is the only way younger students will maintain an interest in these sciences rather than go elsewhere and undermine our future ability in that area.

I would also like to note that we are increasing the science education effort in the National Science Foundation, although only slightly, in this authorization. That is largely because this House did approve a major role for the National Science Foundation in H.R. 1310 which addressed the educational function in science and math, and engineering in general. We do have a slight increase in this bill in the science education area, but it is really only slight because it complements the role that we gave to NSF in the math and science education bill under H.R. 1310. If we had not done that, we clearly would be, I think, on a bipartisan basis doing much more in science education in the authorization for NSF than is in this bill.

I can only stress how much basic research, and particularly the education area, has to contribute to our long-run economic and social well-being in this country and urge my colleagues to support the bill in its strength as it comes out of the subcommittee.

The CHAIRMAN. The time of the gentleman from Pennsylvania (Mr. WALGREN) has expired.

(By unanimous consent, Mr. WALGREN was allowed to proceed for 2 additional minutes.)

Mr. GEKAS. Mr. Chairman, will the gentleman yield?

Mr. WALGREN. I yield to the gentleman from Pennsylvania.

Mr. GEKAS. I thank the gentleman for yielding.

Mr. Chairman, I am a little concerned about the language in the bill that would allow so-called committee veto over reprograming authorizations.

Would the gentleman tell me, first of all, is it correct that that still obtains in the bill? Is that subject to amendments yet today? Does anyone know whether that is going to be amended out, or is that program still in the bill?

Mr. WALGREN. To my knowledge, those provisions are still in the bill and I do not know whether there are amendments to be offered today that would address that.

Mr. GEKAS. Does the gentleman feel that that is a workable concept, aside from its questionable constitutionality, which I feel is a serious question? I am thinking about the practical effect of such veto power.

Suppose that Congress is in recess or has adjourned, or the committee in question has not seen fit to meet for the purpose of reviewing a particular reprograming? Does that not mean that we have a loose kind of structure embedded in the bill? Suppose something comes up and then within 2 days the House recesses for the summer, or adjourns? What are we going to do about that?

It seems to me we are leaving a lot of things in limbo by virtue of the structure.

Mr. FUQUA. Mr. Chairman, will the gentleman yield?

Mr. WALGREN. I yield to the gentleman from Florida.

Mr. FUQUA. I appreciate the gentleman yielding to me.

Mr. Chairman, maybe I can add some light. This is rather routine language that is contained in most of the authorization bills to permit certain reprograming authority, but it is not a veto. We ask only that the committees be properly notified of where the money is being transferred from and what the intended purpose is.

Mr. GEKAS. Does it not mean that it would automatically go into effect if the committees do not act?

Mr. FUQUA. That is correct.

Mr. GEKAS. Then it is a kind of committee veto.

Mr. FUQUA. No.

Mr. GEKAS. Well, it is not a committee veto, but the lack of action on the part of the committee would result in approval.

□ 1230

Mr. FUQUA. That is correct. We can ask them to come up in hearings and review their plans or we could even take some other action.

The CHAIRMAN. The time of the gentleman from Pennsylvania (Mr. WALGREN) has expired.

Mr. FUQUA. Mr. Chairman, I yield myself 3 additional minutes so I may continue my response to the gentleman.

We do this in the National Aeronautics and Space Administration, and we do it in the Department of Energy. It is a routine thing to give flexibility to the agency to reprogram. Otherwise we would say they could not reprogram anything.

Mr. GEKAS. Mr. Chairman, if the gentleman will yield, I guess what I am saying is that no one should do it, in my judgment, because I do believe it is constitutionally flawed.

Mr. FUQUA. Mr. Chairman, we try to give management flexibility to the agency, but we want to know what they are doing. We require them to notify us in a timely fashion exceeding 10 percent, as outlined in the bill, so that we are aware of what reprograming action they would take. We do it in most all of the agencies, and we exercise our oversight responsibilities to make sure that there is good reason to do what they are proposing to do. In most cases we agree with them.

Mr. GEKAS. Mr. Chairman, if the gentleman will yield, the committee would not be hampered, if this language were not here, from preventing them from doing exactly that thing, calling for meetings and oversight for a particular purpose; is that correct?

Mr. FUQUA. If we did not have the language, we could prohibit any reprograming, period, but we realize they should have this flexibility. Many times when budgets are going through the budget cycle, it may be 2 or it may be 3 years after figures were proposed before they are actually ready to be spent. So we feel that it gives some management flexibility to the agency, yet the Congress still retains control.

We can call the agency in and we can object, and we work it out very cordially with the agencies. In matters where we have objected, we have made them come forth with more explicit information, information in more detail. We may object, and then they generally try to adhere to the wishes of the congressional committees that oversee their budgets.

Mr. GEKAS. Mr. Chairman, if the gentleman will yield, I have no doubt that it has worked as the gentleman said it works. I am asking whether or not the same result could obtain if we had flat authorizations without this 30-day lapse and still have a subcommittee that wanted to have oversight, exercise its oversight.

For my own edification, I would simply like to know, if this language did not appear at all in this bill, would there be anything to prevent an appropriate committee or subcommittee from calling for oversight hearings or review hearings when they were needed?

Mr. FUQUA. Yes we have that authority without this language.

Mr. GEKAS. That is what I am asking.

Mr. FUQUA. However, this language permits the agency the flexibility to manage. The circumstances may change. There may be other programs where they feel they would like to spend more money than they originally intended, or there may be some other programs where they cannot spend this money, and they want to know how they can best utilize their funding.

We give them these tools, and we tell them we want them to notify us and keep us currently and accurately informed about any provision when they request a change to modify their funding, as outlined in the authorization bill as well as the appropriation bill.

Mr. GEKAS. Mr. Chairman, I thank the gentleman from Florida (Mr. FUQUA).

As an unknowing freshman, at the moment I prefer my method. Maybe I can learn the gentleman's method as we go along. For now I reserve my objections to it.

Mr. WINN. Mr. Chairman, I yield 5 minutes to the gentleman from New Hampshire (Mr. GREGG).

Mr. GREGG. Mr. Chairman, as the ranking member of the subcommittee which deals with the National Science Foundation, first I would like to congratulate the chairman of the subcommittee, the gentleman from Pennsylvania (Mr. WALGREN) for running a superb series of hearings on the status of the National Science Foundation and the different functions of the National Science Foundation, and for being most cooperative and open with the minority in determining how this authorization should be arrived at.

The authorization that passed out of the subcommittee was one that passed out unanimously. It was within the confines of the original dollar amount sent up by the White House in its proposed budget, and it was for a figure of $1,292,300,000. However, upon getting to the full committee, there was an additional $50 million added to the authorization for the purposes of the instrumentation issue which has already been alluded to. Much of the discussion today on this bill will revolve around that $50 million in additional funds authorized for the purposes of instrumentation.

I think the Members should be aware that, on top of that $50 million, we understand there will be another amendment possibly offered which will add an additional $50 million, thus raising the overage to $100 million in the area of instrumentation. This becomes a figure which is very hard for many of us to accept in light of the fact that the budget which we passed out of the subcommittee and also the budget that was sent up by the administration included a 60-percent increase in instrumentation, a very critical field, acknowledged as such, obviously, by that level of increase from 1983 and a 100-percent increase from 1982 in the area of instrumentation.

So we are not talking here at all about reducing spending, we are talking rather about a rate of increase, and when we are looking at a 60-percent increase, which would add to it $50 million or possibly $100 million as an additional increase, we are looking at dramatic increases in instrumentation funding—possibly so dramatic that the field cannot absorb it in the space of time that they would be applied, although that is certainly arguable since there is clearly a shortage of instrumentation in many areas of the science fields.

However, there is also a shortage of funds here at the Federal level. We are facing a $200 billion deficit, and we do have to show some sort of fiscal restraint when we are addressing these critical areas, whatever they may be.

I think it should be noted that prior to passing this bill, we have passed a bill on science and math education, H.R. 1310, which represented a new money allocation to NSF of $130 million, and when we combine that money with the moneys in this budget, we end up with an increase of 14 percent over last year's allocations in NSF's funding. This is on top of the 18 percent increase which the administration has already asked for and

which has been accounted for in this bill.

Coming up as amendments to this bill will be a number of amendments offered by the minority, one of which would require that if we are going to go forward with instrumentation funds, we do it on a matching grant basis, and another of which would require that we take a look at elementary and secondary school instrumentation if we are going to go into the instrumentation business in this sort of massive funding manner, because both those issues, I think, are critical to the instrumentation issue as a whole.

Mr. Chairman, again I wish to thank the chairman of the subcommittee and the chairman of the full committee for their courtesy during the marking up and presentation of this authorizing bill, and we look forward to the amendment process.

Mr. FUQUA. Mr. Chairman, I yield 5 minutes to the distinguished gentleman from California (Mr. BROWN).

Mr. BROWN of California. Mr. Chairman, at this point I merely wish to add my own commendation to the committee chairman and the ranking minority member for the work they have done in bringing this excellent bill to the floor, and I can wholeheartedly urge its support by all the Members of the House.

This bill, which is basically in accordance with the recommendations of the administration, with the minor changes that have been referred to, represents almost a meeting of the minds between the committee and the administration over the importance of basic research to the future economic health and national security of this country. This is in somewhat of a contrast to the situation that we faced 2 years ago when we faced sharp cuts from the administration in its commitment to the NSF budget.

As the distinguished gentleman from Kansas (Mr. WINN) has pointed out, the President's budget this time represents a healthy overall increase of 18 percent over the current year's spending for basic research. In the subcommittee the only change that was made was a very slight shifting of funds—in the order of $15 million—between the various research programs in order to give what the committee felt was a better balance.

□ 1240

So I think that we are on the same wavelength here. We have come to a common recognition that this country's future world competitiveness or postion of leadership in global trade, as well as in the new technologies that are developing so rapidly around the world, depends upon our continued support of a healthy scientific community in this country. This is what the legislation seeks to accomplish.

The area of disagreement which will be explored more fully under the 5-minute rule when I offer a bipartisan amendment to increase the funding for research instrumentation in universities, that area of disagreement is one on which I do not claim any divine guidance or wisdom. The full committee acted to increase the amount in the President's budget by $50 million.

I, with Congressman BOEHLERT of New York, will propose an amendment to add another $49 million to that.

This is the point that our distinguished ranking minority member, the gentleman from Kansas (Mr. WINN), spoke to in pointing out that this was going further than he thought was justified, that it broke the President's budget and might hamper recovery. I think each of us will have to make his own judgment on this.

My purpose in offering the amendment is to give each Member of the House an opportunity to record his own sense of priority about the urgency of enhancing our research base in the great research universities of this country. Over half of the basic research funded by the Federal Government is done in these universities. I will make the argument that they are badly in need of additional assistance in order to continue to do that job in the way that they should.

I would point out that while we are exceeding the President's budget, that we are within, and carefully within, the budget that the House has already passed.

I would point out that rather than hampering recovery, the budget which the House has already passed contains lower deficits than the budget which the President submitted to us. If one is concerned about the effect of deficits on economic recovery, one should at least give some weight to the argument that the House-passed budget containing the $100 million aimed at enhancing the health of our basic research community may be a better way to stimulate recovery than the budget submitted to us by the President, with the higher level of deficit contained therein.

Now, I know that one can get into partisan arguments over that. I hope we do not do too much of that.

I merely am making the point that a reasonable case can be made that this amendment will stimulate recovery, rather than not stimulating the recovery.

Mr. WINN. Mr. Chairman, I yield 5 minutes to the gentleman from Virginia (Mr. BATEMAN), a member of the committee.

Mr. BATEMAN. Mr. Chairman, I certainly have no notion that I, as a freshman Member of this body, have an expertise that is in any way commensurate with that of my more senior colleagues, but being a freshman, perhaps I do have some fresher perspective as to the part of the process we are going through, which I think is very germane to what we do with the level of authorization that is contained by this bill as it comes to us from the full committee.

I, like most Members, sit on more than one committee. We tend to have a greater ardor for those subject matters that are attended to by the committees on which we serve. Sometimes I fear that that ardor leads us to excesses for particular programs, projects, and concerns of our subject matter jurisdiction in our committees than is really consonant with the wisest fiscal course for our National Government as a whole.

Certainly no one, whether on the committee or off, can successfully debate the negative of the proposition that our colleges, our universities, are in need of enhancement in their laboratory facilities and in their scientific instrumentation. There is a clear and demonstrable need for it.

It is for that reason that the administration's proposed budget for the National Science Foundation contemplated an increase, not a decrease, but an increase in spending authority by some 18 percent, and for scientific instrumentation of some 60 percent. That is a very substantial increase in spending authority. I commend it. Without any dissenting voice in the subcommittee or full committee, it is commended as a step in the right direction.

The problem that arises to my mind is not whether or not we need advancement and enhancement and university instrumentation and laboratory facilities. The question is really one of when is enough enough, given the fiscal constraints under which we operate. If there were not a finite amount of public funds available for this and other worthy activities, then certainly the addition of the $50 million which was added for instrumentation at the full committee level, and the proposal that will emerge on the floor today to add yet another $50 million for related purposes would be entirely beneficial, and were we to have gone into this session and through this process with some time within which to structure a program for the sound expenditure of that level of money, it clearly ought to be done; but to do it in the face of a dramatic and unmanageable deficit, I suggest exceeds any proper reasonable basis of when we have provided enough.

I think it is encumbent upon this Congress to exercise some self-discipline and some restraint. As a member of the committee and having many of the concerns about the scientific and technological capability of the United States, and not losing our superiority and dominance in it, we have got to be contructive. We have got to be positi-

tive. We have got to expend additional funds; but again, how do we go on spending or acting as if we had funds to spend when in fact our coffers are empty.

This is the constraint that I feel compelled to speak to and to implore the House on a nonpartisan basis, on a bipartisan basis, not to exceed the limits of that which is fiscally prudent.

Let me suggest that what we are doing here brings to mind another example of where we are throwing money at a problem. There is no question in my mind that colleges and universities will come forward and apply for an additional $50 million in expenditure, indeed, for another $100 million in expenditure; but are they going to be applied to some program where we set the priorities as to where the additional funding is most needed and where we ought to use it, what to buy first.

The CHAIRMAN. The time of the gentleman from Virginia has expired.

Mr. WINN. Mr. Chairman, I yield 2 additional minutes to the gentleman.

Mr. BATEMAN. What we are really faced with in terms of the crisis in expenditures for instrumentation is not that the 18 percent—indeed, 60 percent—in that category proposed by the administration is not a dramatic leap forward, is not a sound proposition. What we are dealing with—a problem which has become acute because of long neglect.

□ 1250

If I thought that we were not going to get a constant programmatic increase to remedy this neglect by the 60-percent increase originally proposed by the subcommittee if we were going to get it by this proposed 105-percent increment of $50 million, if we were going to get it by adding another $50 million and making it a 150-percent increase there might be some justification for it. But I do not think this quantum leap in 1 year, assures any continuity for future years, and I think it violates the rule of when enough is indeed enough.

I would hope that we would restrain ourselves, that we would exercise some self-discipline and do our part at least in this modest way of holding this increase for scientific instrumentation down to what amounts to a 60-percent spending increase rather than an exaggerated, and I think inflated, proposal to make this a 105-percent increase.

Certainly we should not, given our fiscal constraints, make it as much as 150-percent increase in spending for these programs.

Mr. WINN. Mr. Chairman, I yield 5 minutes to the gentleman from New York (Mr. BOEHLERT), a member of the committee.

Mr. BOEHLERT. Mr. Chairman, for openers I would like to commend the administration and the President for requesting an 18-percent increase in the authorization for the National Science Foundation. That is a plus.

But it does not go far enough. It does not go far enough for some very basic reasons.

I am a freshman in this body. Four months ago I did not know anything about computers except the experience gained as my 11-year-old daughter consistently beat me in our Ms. Pacman game at home.

But during the past few months I have participated in hearings in our committee and I have listened to the debate and I have developed a special concern. So when our colleagues talk about what the committee did to add $50 million to the NSF authorization for instrumentation I say I proudly identify with that addition, just as I proudly indentify with the amendment that will be offered during our deliberations to add another $50 million for instrumentation.

In a "Dear Colleague" letter joined in with myself, my distinguished colleague from California (Mr. BROWN) and my distinguished colleague from Colorado (Mr. WIRTH) we said:

> Today our place at the cutting edge of scientific research has been jeopardized by a decade of neglect of our research facilities, by consistent underinvestment in scientific instrumentation.

This is not just the opinion of BROWN, WIRTH, and BOEHLERT. This is an opinion that is shared by people who have a day-to-day involvement and concern.

I would bring to my colleagues' attention a statement by Robert Rosenweig, who is president of the Association of American Universities. He said:

> In the Nation's major universities the source of most basic research facilities built in the 1960's are now inadequate, and much of the instrumentation for research is scandalously out of date.

Referring back to the "Dear Colleague" letter, it was our conclusion, as we wrote to our fellow Members, that—

> Long-term economic growth will require sustained reinvestment in one of our most important national resources, the scientific and technological enhancement of our universities.

Mr. Chairman, during our proceedings we had testimony from Prof. Kenneth Wilson of Cornell University. Professor Wolson is a Nobel Prize winner, a young man, a national asset. During those hearings he pointed out to us that today in Germany the average graduate student has access to supercomputers. Yet this national resource, this young Nobel Prize winner who has so much to offer our Nation, does not have similar access.

It disturbs me to see in the United Kingdom, in France, Japan, and Germany a determined effort to outstrip us, to outdo us, to do us one better. We are No. 1 right now in computer technology. I wonder: will we retain that position? We are challenged.

Ten years ago we used to be able to say we were No. 1 in the auto industry and we were challenged. We were not up to that challenge.

So when we say, as we are saying, that we think it essential, and clearly in the national interest that we add more money to the National Science Foundation budget for instrumentation, particularly for our university research centers, we are saying that we are clearly acting in the national interest. We are saying that we want to maintain our dominant position, we want to be No. 1 not just today or tomorrow but for 10, 20, or 30 years into the future.

The challenge is this. I think we are up to it.

Mr. BROWN of California. Will the gentleman yield?

Mr. BOEHLERT. I will be glad to yield to my distinguished colleague from California.

Mr. BROWN of California. I want to commend the gentleman on his extremely eloquent and forceful statement. I think that is one of the best arguments that I have heard for the importance of enhancing our basic capabilities in research, particularly through the development of advanced computers, that I have heard. I want to pay tribute to the gentleman for his statement and for the contribution that he has made during the work of developing this bill within the Committee on Science and Technology.

Mr. BOEHLERT. I thank my colleague and yield back the balance of my time.

Mr. WINN. Mr. Chairman, I yield 5 minutes to the gentleman from Minnesota (Mr. FRENZEL).

Mr. FRENZEL. Mr. Chairman, today we are considering an important bill, the National Science Foundation authorization bill, H.R. 2066.

The various science, math, and high-tech programs that make up the National Science Foundation are vital to our Nation—both on the international and domestic front—especially, as we enter into the high-tech era. Furthermore, I feel that NSF is an agency that both houses programs of such vital importance and, at the same time, manages them very well. I support maintained Federal funding and support for NSF. I wish for once I could vote for the NSF authorization bill.

However, some Members of this body are under the impression that the only way to improve our Nation's capacity in this area and other areas is to pour some more money on the problem. This bill's fiscal year 1984 authorization level for NSF represents a 22.4-

percent increase over the fiscal year 1983 appropriation level and a 3.9-percent increase over the President's fiscal year 1984 budget request for NSF. That is too much.

This bill, with its irresponsible funding recommendations, is not the simple answer to our Nation's math and science woes. Instead, it is another example of Congress unwillingness to control spending. Without control we cannot keep the Nation on the road to economic recovery.

Mr. Chairman, I have been listening to this debate with keen interest via the television machine in my office. I believe that the committee has done a splendid job on this bill, as it always does.

I further wish that I could be in the position that the committee members are in, for certainly it is a good thing to be in favor of research, that most blessed of all Government activities which we hope is going to rain benefits on our citizens and their progeny for many years to come.

Yet, Mr. Chairman, as I look at the amounts of money we are talking about, at a time when we are wrestling with deficits which have pinned us not two out of three times, but every time, it seems to me that the committee, however highly motivated it may be, is setting a terrible example for this House and setting a terrible example for our country, and for the world.

Again, there is nothing I like to support more than this kind of program. Not only is it a good program, but I think it is rather well managed by the NSF, which I think is one of our better agencies.

But, Mr. Chairman, at a time when we are trying to keep costs down, not only does our Chief Executive come in asking for 18 percent more, but the committee escalates that to 22 percent, and soon we will have an amendment on the floor that will take it up even further.

Those Members who have always complained that we cannot spend our defense increase money fast enough are pouring more money into a single function than probably can be spent responsibly over the next years.

Mr. GREGG. Mr. Chairman, will the gentleman yield?

Mr. FRENZEL. I yield to the gentleman from New Hampshire.

Mr. GREGG. The gentleman raises an excellent point on defense spending. I suspect the gentleman realizes that this budget is rising at a rate that is three times what is proposed in the defense budget by the administration's figures and would be four times what is proposed in the defense budget if the committee figures were to pass, and would be five times what is proposed in the defense budget if the amendment offered by the gentleman from California (Mr. BROWN) were to pass.

Mr. FRENZEL. I thank the gentleman for that clarification.

Mr. WALGREN. Mr. Chairman, will the gentleman yield?

Mr. FRENZEL. I yield to the distinguished subcommittee chairman from Pennsylvania (Mr. WALGREN).

□ 1300

Mr. WALGREN. Just to observe that the rate of increase really only depends on where you start from and if this is in fact a critical national need, and if we are not doing anything near what we should do, we should be embracing these kinds of rates of increase.

Mr. GREGG. If the gentleman will yield on that point.

Mr. FRENZEL. I am delighted to yield to the gentleman from New Hampshire.

Mr. GREGG. There is no question you have to start at a point to discuss rate of increase and I start from the point when this administration came into office. You could also start at a point to discuss rate of increase of defense spending. I think if you start in the seventies on defense spending you would see that that had decreased at a rate that was faster than the National Science Foundation funding decreased during that period if at all.

So, I do not think there is any question what we are talking about here is a program accelerating at a much faster pace and by the administration's agreement than the Defense Department is accelerating.

Mr. FRENZEL. I thank the gentleman for that comment. If I may proceed, Mr. Chairman?

Spending in this bill is going forward at a rate which I consider excessive. Unfortunately around here, many Members rely on the budget process to apply discipline, and that does not work very well. Then when that fails, we look to the Appropriations Committee. And we say why did they not apply discipline?

But discipline begins with the authorizing committees. And when we have budgets presented by authorizing committees that are 22 percent, and maybe some more, over what we spent last year, it is quite clear that there is no discipline around here. It is also clear how we got to the $200 billion deficit.

No program, however wonderful, needs to be accelerated at this pace. As a matter of fact, Mr. Chairman, I would vote against this bill even if it were reduced to the President's request. That is too high, too. Despite my great respect for the work of the committee and for NSF, in the name of fiscal sanity, I ask for a no vote on H.R. 2066.

Mr. McCURDY. Mr. Chairman, I rise in strong support of H.R. 2066, the fiscal year 1984 National Science Foundation authorization. I want to commend my chairmen, DON FUQUA and DOUG WALGREN, for their expert leadership on this bill.

Our investment in basic research is an investment in our Nation's future. To a large extent, our economic vitality and military strength depend on our scientific knowledge and the quality of our Nation's engineers, scientists, and technicians. NSF has the responsibility for the health of science across all disciplines. I am pleased that this bill gives NSF an 18-percent increase to help fund research in all fields of science and engineering. I am especially pleased that the base level for the behavioral, social, economic, and information sciences has been restored to fiscal year 1981 levels and that a special $50 million research instrumentation initiative has been authorized. NSF has estimated that it could cost as much as $4 billion to update and replace obsolete equipment at our Nation's universities and colleges. Quality research requires quality equipment; obsolete equipment is a chronic and serious problem that must be addressed.

This is a well-balanced, fiscally sound NSF budget. During a time when we are concerned about losing our economic, military, and technological leadership, we must pursue a vigorous program of basic scientific research and training. I urge my colleagues on both sides of the aisle to support this legislation.

● Mr. FAUNTROY. Mr. Chairman, I rise in support of H.R. 2066, which authorizes appropriations for the National Science Foundation for fiscal years 1984 and 1985. I congratulate the members of the Committee on Science and Technology and the leadership of Mr. FUQUA. The additional authorization of $50,400,000 over the administration's request will enable the Foundation to enhance its leadership in science and technology.

In particular, I wish to emphasize the need for increased support for black and other minority postsecondary educational institutions by the Foundation. These institutions continue to graduate a significant portion of this Nation's black baccalaureate recipients. The additional funds provided for replacement and renewal of research instrumentation should enable the Foundation to increase support in this category for these institutions.

I also wish to applaud the committee's strong statement in support of increased funding for programs designed to increase the participation of women and minorities in science and education. In particular, I support the committee's direction that $2 million be utilized for the national research opportunity grants (NROG) program.

Finally, I support the authorization for the research improvement in minority institutions (RIMI). This pro-

gram assists minority postsecondary institutions in improving their research capabilities in graduate science and engineering programs.●

● Mr. GEJDENSON. Mr. Chairman, I want to commend the distinguished chairman and the members of the Science and Technology Committee for their fine work on H.R. 2066. This bill, authorizing the National Science Foundation, represents and excellent effort to consolidate America's leading role in supporting basic scientific research.

In addition to authorizing increased support for the mathematical and physical sciences as well as $50 million for the costs of instrumentation, H.R. 2066 specifies that $15 million be set aside for support of research in the social and behavioral, and information sciences. Research in the social and behavioral sciences addresses problems such as economic productivity, capital formation, savings behavior, learning, and cognitive development—all areas of great concern as American struggles to regain its economic preeminence. Much of our productivity problem has behavioral rather technological roots, as the Japanese have taught us only too well.

Mr. Chairman, the provisions of H.R. 2066 effectively address the current needs of basic science research in the United States. I wholeheartedly support the committee's bill.●

● Mr. FORD of Michigan. Mr. Chairman, I am pleased to support passage of H.R. 2066, the reauthorization of the National Science Foundation. The provision of this bill that earmarks $15 million for support of research in the social, behavioral, and information sciences goes a long way toward remedying past imbalances in the NSF scientific programs, which have arisen over the years.

Although it is almost universally recognized that this Nation must commit itself to wholehearted support of basic science research if we are to maintain our role as economic world leader, the important contributions made by social and behavioral science research in this area is less well understood. The example of Japan's extraordinary successes, however, makes plain the important contributions made by human factors to a nation's innovation and productivity.

It should be pointed out that the lessons Japan learned so well were taught them by American social and behavioral scientists whose work, although it was overlooked here, convincingly demonstrated how productivity and innovation in the workplace could be enhanced by applying straightforward behavioral principles. The scientific disciplines that produced this work, nevertheless, have benefited from an increasingly small percentage of the NSF budget over the years falling from 5.9 percent of the NSF budget in fiscal year 1980 to 3.3 percent in proposed fiscal year 1984.

There is much to be learned from the social science disciplines of psychology, economics, sociology, anthropology, and political science, among others, about how our society functions and how we might be able to improve upon our past performance. I am pleased to see that Mr. FUQUA's committee has seen fit to restore funding for research in these important scientific disciplines. The Nation will be healthier for it in the long run.●

● Mr. MITCHELL. Mr. Chairman, as we consider the National Science Foundation Authorization bill (H.R. 2066) today, I feel compelled to express what is certainly a valid concern. The National Science Foundation is among those agencies/departments most involved in research and development activities; yet, it also remains among those such entities which continuously award the fewest dollars in their budgets to historically black colleges and universities. In fact, in 1980, only 1 percent of all Federal sponsored research was conducted at these institutions.

These sad facts continue, despite the knowledge that our historically black education institutions produce the largest percentage of blacks in the professions. We do our country a disservice when we allow this to happen.

My concern goes one step further. In statistics compiled by the National Advisory Committee on Black Higher Education and Black Colleges and Universities for 1978, the National Science Foundation fellowship and traineeships for black doctoral recipients lagged significantly behind both white and foreign students. In particular, the highest percentage of these fellowships were awarded to blacks in the life science and education, versus the physical sciences and engineering.

I do not need to remind my colleagues of the necessity of insuring that more attention be given to technological skills at the undergraduate, graduate, and post graduate levels. We must insure that our students are prepared not only for the job market, but, to assume leadership in addressing the technological needs of our growing society through innovative research, development, and discoveries.

Our black colleges and universities continue to feel the detrimental impact as financial aid programs are slashed for a significant portion of their populations. We certainly should not ignore the need for these institutions to receive Federal research dollars.

Mr. Chairman, I am reluctant to vote in favor of the legislation before us today because I cannot accept any excuses for the apparent neglect on the part of the National Science Foundation with respect to historically black institutions. Ironically, it is often that, when we are able to secure Federal initiatives for minority businesses, many agencies find ingenuous excuses for not fulfilling their obligations. One of the more popular excuses is that the agencies just cannot find these type businesses to perform a particular job. For years, we have disproven these contentions, and I do hope that the National Science Foundation does not resort to the use of similar empty excuses for the low percentage of its awards to historically black institutions.

I would urge my colleagues to think seriously about this, and let us work together to improve the record of the National Science Foundation and other agencies involved in research and development.●

Mr. WINN. Mr. Chairman, I have no further requests for time.

Mr. FUQUA. Mr. Chairman, I have no further requests for time, and I yield back the balance of my time.

The CHAIRMAN. All time has expired. Pursuant to the rule, the Clerk will now read the committee amendment in the nature of a substitute recommended by the Committee on Science and Technology now printed in the reported bill as an original bill for the purpose of amendment.

The Clerk read as follows:

H.R. 2066

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SEC. 2. (a) There is authorized to be appropriated to the National Science Foundation for the fiscal year 1984, the indicated sums in the following categories:

(1) Mathematical and Physical Sciences, $358,600,000.

(2) Engineering, $121,000,000.

(3) Biological, Behavorial, and Social Sciences, $236,400,000.

(4) Astronomical, Atmospheric, Earth, and Ocean Sciences, $329,800,000.

(5) Antarctic Research Programs, $102,100,000.

(6) Scientific, Technological, and International Affairs, $36,800,000.

(7) Program Development and Management, $66,000,000.

(8) Science and Engineering Education, $39,000,000.

(b) Of the sum of the amounts authorized under subsections (a)(1), (a)(2), and (a)(4), not less than 15 per centum shall be available for research instrumentation.

(c) In addition to the amount authorized under paragraph (6) of subsection (a), an additional $23,200,000 shall be made available from the amount authorized under paragraphs (1), (2), (3), (4), and (7) of subsection (a) to the Directorate of Scientific, Technological, and International Affairs to be obligated under such paragraph (6).

(d) Of the amount authorized under subsection (a)(3), not less than $8,000,000 shall be available to the Information Science Division.

(e) In addition to the amount authorized under subsection (a), there is authorized to be appropriated to the National Science Foundation the sum of $50,000,000 for high technology instrumentation to be used for new research initiatives, new laboratory development, and technology for delivering instruction (including software cost and royalties when an integral part of such instruments). The Foundation is authorized to provide such arrangements as will facilitate user charges for private, public, or consortia-owned devices.

SEC. 3. Appropriations made under authority provided in sections 2 and 5 shall remain available for obligation or for obligation and expenditure for periods specified in the Acts making the appropriations.

SEC. 4. From appropriations made under authorizations provided in this Act, not more than $2,500 for fiscal year 1984 may be used for official consultation, representation, or other extraordinary expenses at the discretion of the Director of the National Science Foundation. His determination shall be final and conclusive upon the accounting officers of the Government.

SEC. 5. In addition to the sums authorized by section 2, not more than $3,000,000 for fiscal year 1984 is authorized to be appropriated for expenses of the National Science Foundation incurred outside the United States, to be drawn from foreign currencies that the Treasury Department determines to be excess to the normal requirements of the United States.

SEC. 6. If the total amount of appropriations made by any Act for fiscal year 1984 for program activities included in sections 2 and 5 is less than the total amount authorized to be appropriated for those activities by sections 2 and 5, the amount available from such appropriations for any particular program activity shall bear the same ratio to the amount authorized to be appropriated for that activity by sections 2 and 5 as the total amount of the appropriations made by such appropriation Act for all included program activities bears to the total amount authorized to be appropriated for those activities by sections 2 and 5 (with the minimum amount required by section 2(b) being reduced in the same ratio), except to the extent specifically otherwise provided in the text of the Act making the appropriations for the program activities involved.

SEC. 7. Funds may be tansferred among the categories listed in section 2(a) so long as the net funds transferred to or from any category do not exceed 10 percentum of the amount authorized for that category in section 2. The Director of the Foundation may propose transfers to or from any category exceeding 10 percentum of the amounts authorized for that category in section 2. An explanation of any such proposed transfer shall be transmitted in writing to the Speaker of the House, the President of the Senate, the House Committee on Science and Technology, and the Senate Committee on Labor and Human Resources. The proposed transfer may be made only when thirty calendar days have passed, after the transmission of such explanation, without the chairman of either such committee having notified the Director to the effect that the committee objects to the proposed transfer.

SEC. 8(a) Section 9 of the National Science Foundation Act of 1950, as amended, is amended to reads as follows:

"SEC. 9(a) Each special commission established under section 4(h) shall be appointed by the Board and shall consist of such members as the Board considers appropriate.

"(b) Special commissions may be established to study and make recommendations to the Foundation on issues relating to research and education in science and engineering.".

(b) Section 6 of the National Science Foundation Authorization Act, Fiscal Year 1978 (Public Law 95-99), is repealed.

(c) Section 10 of the National Science Foundation Authorization Act, Fiscal Year 1978 (Public Law 95-99), is repealed.

(d) Section 12 of the National Science Foundation Act of 1950 is amended by striking out subsection (b) and by striking out "(a)".

Mr. FUQUA (during the reading). Mr. Chairman, I ask unanimous consent that the committee amendment in the nature of a substitute be considered as read, printed in the RECORD and open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from Florida?

There was no objection.

AMENDMENT OFFERED BY MR. FUQUA

Mr. FUQUA. Mr. Chairman, I offer an amendment, technical in nature.

The Clerk read as follows:

Amendment offered by Mr. FUQUA: Before section 2 add the following: "That this Act may be cited as the 'National Science Foundation Authorization Act for fiscal year 1984'."

Mr. FUQUA. Mr. Chairman, this is a technical amendment to correct an error when the bill was filed. I know of no objection to the amendment and urge agreement.

Mr. WINN. Mr. Chairman, we have no objections to the amendment and would agree with it.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Florida (Mr. FUQUA).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. WINN

Mr. WINN. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. WINN: On page 3 of the bill, strike lines 4 through 12.

Mr. WINN. Mr. Chairman, I rise in support of my amendment.

Mr. Chairman, this amendment which I am offering with the gentleman from New Hampshire (Mr. GREGG), simply deletes $50 million of the authorization that was added to this bill in our full committee markup. This $50 million would go toward a new program to provide high-technology instrumentation for new research initiatives, new laboratory development, and technology for delivering instruction. On the face of it, of course, this sounds like an excellent idea. None of my colleagues should be surprised to know that various associations of colleges, universities, and graduate schools are all behind this proposal. They would benefit directly from this $50 million add-on. So why should they not be eagerly elbowing their way into the line for this free lunch. However, our responsibilities as Members of this House go beyond looking out for parochial interests. We must look at a broader picture and it is here that I believe the case for adding this $50 million fails.

If I were to tell you that an agency received an 18 percent increase in fiscal year 1984 funding over the previous year, most of you would assume that I was talking about the Department of Defense. In fact, I would be talking about the National Science Foundation. That is correct, the President's budget request for NSF recommended an increase of 18 percent over the appropriated level for fiscal year 1983. To my knowledge this is the largest percentage increase requested for any single agency in the Federal Government this year. For the first time in 7 years, our Science, Research, and Technology subcommittee reported the NSF authorization out at the administration's requested level. I agree with them that this is a completely adequate budget request.

Now, I am certain that we will hear statements in opposition to this amendment that say $50 million, or even more, is desperately needed for high-technology instrumentation. Unfortunately this is just not justified. The budget request of $1.3 billion for NSF contains $180 million for just such instrumentation initiatives. This represents a 60-percent increase over fiscal year 1983 appropriation levels, and a 100-percent increase over fiscal year 1982 levels. It is obvious to me that the National Science Foundation is peddling as fast as it can in this area. They could not productively spend an additional $50 million or $100 million in these areas in fiscal year 1984.

Simply put, there is a need for Federal dollars to support instrumentation initiatives. But, the requested budget adequately handles these needs. I am certain that we will see additional funding requested by the administration for these areas in fiscal year 1985, when the Foundation will be able to responsibly absorb and use additional funding. I think it does a great injustice to the many other Federal agencies which are under severe fiscal constraints to add an unnecessary $50 million to a National Science Foundation budget that has already received such significant increases.

I urge the adoption of my amendment and yield back the balance of my time.

PERFECTING AMENDMENT OFFERED BY MR. BROWN OF CALIFORNIA

Mr. BROWN of California. Mr. Chairman, I offer a perfecting amendment to the section.

The Clerk read as follows:

Perfecting amendment offered by Mr. BROWN of California: Page 3, line 6, strike out "$50,000,000" and insert in lieu thereof "$99,000,000".

Mr. BROWN of California. Mr. Chairman, my amendment would add $49 million to funding provided through NSF to upgrade scientific instrumentation. This amendment simply raises the authorization to the level agreed to in the fiscal year 1984 first budget resolution.

Some of you are probably wondering why we are making such a big fuss over scientific instrumentation. To put it simply: Without a significant improvement in our university research instrumentation and facilities, the economic health of our Nation is in danger. A bold statement like that deserves some background, so let me outline the connection between laboratory equipment and the health of our economy.

The media, along with the CONGRESSIONAL RECORD, have been filled recently with references to high technology. Many people now recognize that the nature of our economy is changing and that we are experiencing greater international economic competition. While we cannot stake our entire economy on high technology, new technologies will continue to provide economic growth, greater productivity, and new jobs. A recent survey indicated that in the race to develop new technologies, the United States is leading Japan in 56 key technologies while Japan leads us in 51. If we hope to maintain and improve our international economic position, we cannot afford to let that slim lead erode any further.

Many of you probably followed the series in the Washington Post last week about international competition in high technology. That series pointed out that we have not always done as good a job as we should have in turning our scientific knowledge into marketable goods and services. We in Congress will be spending many hours in the coming months debating the best ways to capitalize on our leadership position in science and technology. I will be joining in that debate with some ideas of my own, but I want to focus today on the more fundamental question: How do we maintain our scientific and technological leadership? Those upcoming debates about export controls, technology transfer, antitrust provisions, and a new Department of Trade will all be moot if we do not act soon to rebuild the very foundations of our scientific community.

An editorial in Monday's Washington Post asked the following simple question: "How are Americans to maintain their technological strength?" The answer given by the Post was a good one. It said, in part:

> The first thing is to keep putting money into the sources of it [America's technological strength]—basic science, engineering and every kind of education. Keep it in mind that this country's basic economic resource is its highly educated labor force.

This advice from the Post is not news to us. We learned a great deal about the link between science, education, and our economy when we debated and passed H.R. 1310, the Emergency Math and Science Education Act. Now that we have recognized the importance of math and science education, it is time to consider a related subject, the importance of up-to-date scientific instrumentation.

In order to compete at the cutting edge of scientific research, our scientists need sophisticated, state-of-the-art equipment. Many scientific discoveries occur when a scientist uses a new, previously unavailable instrument to explore nature in greater detail than anyone has before. Imagine, for example, the new worlds that open up when a more powerful telescope or particle accelerator is first put to use. Depriving our scientists of up-to-date instrumentation means that scientists in other countries will be the first to explore new scientific frontiers. Asking our scientists to keep us in the forefront of science and technology without modern instrumentation is like asking a race-car driver to win the Indianapolis 500 with a Model T Ford.

In addition to keeping us in the forefront of scientific research, there is another need for up-to-date scientific equipment and facilities—to train scientists and engineers for high-technology industries. In testimony before the Science, Research, and Technology Subcommittee, a spokesman for the chemical industires complained that:

> The majority of students are trained or do research on technologically obsolete instruments. This is especially significant since universities are expected to provide students with the advanced training and research skills necessary to help industries remain competitive.

The spokesman continued: "The net result is a decrease of the innovative capacity of industry." These comments are typical of those from all the high-technology industries.

You might be wondering if the situation is really as bad as I suggest it is. Before spending any money, should not we first request some studies to assess the situation? Fortunately, a number of good studies have recently been completed. One study, conducted by the Association of American Universities for the National Science Foundation, found that the median age of instrumentation in universities is twice that in industry. As one university researcher said: "The ivory towers are now in industry." Don't you think we should bring our universities into the 1980's? With the rapid changes transforming technology and the international marketplace, can we really afford to let our universities lag 3 or 4 years behind everybody else?

It is not only American industry which has superior laboratories, it is also foreign universities. When asked to contrast their laboratories with foreign laboratories, a number of university researchers stated that the superior equipment is found in other countries, especially in Japan and West Germany.

A number of other studies also document the very real problem we are facing. To put the problem in terms we Members of Congress can understand, I can quote recent testimony from Dr. Knapp, the Director of the National Science Foundation. Dr. Knapp said:

> As much as $4.4 billion would be required over a 3-5 year period to fully upgrade instrumentation at the 100 leading academic research institutions.

To solve a problem of this magnitude, we will need a sustained effort over a number of years from a number of Federal agencies. And we need to start now. The additional funds provided by this amendment will help initiate this multiyear effort. I realize that some problems the Nation faces cannot be solved by allocating Federal dollars. However, the university instrumentation problem cannot be solved without Federal dollars.

It is important that we stretch and manage well those Federal dollars. The Science and Technology Committee has asked NSF to be creative in its use of funds—through matching provisions, through sharing of equipment and facilities, and through the encouragement of innovative financing methods. With these types of programs, the $100 million instrumentation initiative can reverse a deade of decline.

The Federal funds we invest today in improved instrumentation will be returned many times over in the coming decades through economic growth. If we choose instead to save some funds now by spending less on instrumentation, we may find ourselves having to spend it many times over in coming decades when forced to buy advanced technology from our economic competitors. When looked at from this perspective, the budgetary question becomes: How can we afford not to upgrade our scientific instrumentation?

□ 1310

This is not a budget-busting amendment. This is a carefully calculated amendment to keep within the budget and as I pointed out earlier, that budget is one which contains a lesser deficit than the one submitted by the President and in my opinion would have a healthier economic effect if it is adhered to than the budget offered by the President.

Now essentially the question we have to decide is, as the gentleman from Kansas (Mr. WINN) indicated, how much is enough. What is a reasonable figure to meet a problem which we all agree is a problem. There has been no question about that. We know that we need to support basic research in this country, that the univerisites are the site and locale of the bulk of that basic research, that their instrumentation and computational facilities have lagged for the last 10 years, and that we need to do something about it.

Is $186 million adequate? Is $186 million plus $50 million? Is $186 million plus $100 million? Basically, that is the question we are asked to look at.

Now, I have not lightly taken this decision. I have referred to studies which the National Science Foundation commissions almost every year as to the extent of the problem. I could

cite two of those studies, one made in 1980, called the Emerging Issues in Science and Technology in 1981, which points to the obsolescence of scientific instrumentation in research universities. More recently we have a report called the Lax Report, a panel appointed by the National Science Foundation, which studied the computational problem. But even more recently in testimony before the subcommittee, and I ask the Members to pay careful attention to this, the Director of the Foundation, Dr. Knapp, said:

> As much as $4.4 billion would be required over a three to five year period to fully upgrade instrumentation at just the 100 leading academic research institutions.

Now, divide $4.4 billion by 3 to 5 years, divide it by 5 it is easier, and you get, $880 million per year. And we are talking about $50 million per year.

Now I do not expect the National Science Foundation to meet this whole need. If my colleagues will carefully read the report of the committee and, in fact, if the Members will go back and read the committee report each year for the past 5 years, you will see the same thing, that we urge that this problem be addressed, that we recognize it will not be solved by Federal money, that we urge on the universities to seek other sources of funding, we ask other agencies to provide money for this purpose, and the sum total all of these will not reach the amount which the Director of the Foundation says is necessary, $4.4 billion in the next 3 to 5 years for just the top 100 universities.

The CHAIRMAN. The time of the gentleman from California (Mr. BROWN) has expired.

(By unanimous consent, Mr. BROWN of California was allowed to proceed for 5 additional minutes.)

Mr. GREGG. Mr. Chairman, will the gentleman yield?

Mr. BROWN of California. I yield to the gentleman from New Hampshire.

Mr. GREGG. I thank the gentleman for yielding.

On that point, the gentleman makes the point that $800 million was needed in instrumentation. The gentleman will acknowledge that the administration budget has $400 million in it for instrumentation, correct?

Mr. BROWN of California. Not in the National Science Foundation, it does not. If the gentleman has information about other sources, I would be glad to have them.

Mr. GREGG. Well, that is a total instrumentation figure throughout the framework of the various budgets which we deal with. The gentleman would not expect the National Science Foundation to pick up all the responsibility for instrumentation. There are other areas where instrumentation dollars are being spent.

Mr. BROWN of California. The gentleman is correct. And if he is making the point that the total of all the agencies of the Federal Government is still only about half of what the Director says is needed, I would agree with him.

Mr. GREGG. Than I would assume that the gentleman would agree to some sort of proposal whereby the Federal effort in instrumentation would be matched by the private sector and we could pick up that additional $400 million.

Mr. BROWN of California. I am glad the gentleman makes that point. That is precisely what the committee report recommends and it suggests in great detail how the Foundation should explore mechanisms for doing that. I think if they do it very well we will begin to make up this gap that I have referred to here.

Mr. GREGG. If the gentleman will yield further, if we take the $100 million add-on, which would make it a $500 million expenditure throughout the Government that would occur as a result of the gentleman's amendment and the committee grossing up the figures already in NSF and we were to match that at a 50-percent level, we would obviously be moving at a rate that would be faster than even the $800 million which the gentleman projects we need.

Mr. BROWN of California. The figures that I am using are the figures from the Director of the National Science Foundation. I have not used any figures that I have created myself here.

Mr. GREGG. The figures I am using were presented before our committee by Mr. Keyworth, the President's Science Advisor, in February of this year, when he stated to us that $400 million of the Federal fiscal year 1984 budget proposal for basic research will go to purchase replacement of instrumentation. That is a phenomenally large commitment for the public sector to undertake. I suspect that the private sector should be asked to take up at least 50 percent of the instrumentation needs of the private and public sector educational facilities.

Mr. BROWN of California. I appreciate the contribution of the gentleman and I would not argue with anything that he has said. I would merely point out that the private sector has not done that well. We should expect them to. We try to encourage them in the report of the committee. I hope that they will. And I will join with the gentleman in every way possible. But I would like to point out, just to indicate another measure of the scope of this gap, that recently when the Department of Defense announced $30 million for instrumentation and invited applications, they got over $700 million in applications for that $30 million in instrumentation money.

Now this is for defense purposes. And I cannot stress too much that what we are talking about here is vital to the defense and security of this country.

Mr. GREGG. If the gentleman will continue to yield, I think it should be made clear that in the language of the bill which we are dealing with here—I am not talking about committee reports—I am talking about the language of the bill, there is no match under the section which we are talking about, under section 2E.

Mr. BROWN of California. Has the gentleman read the committee report on page 12?

Mr. GREGG. The report may talk in terms of match. I am talking about the language of the bill. There is no requirement that for this $100 million which the gentleman is now going to be requesting that we add on to the $400 million national expense on this item, for that additional $100 million there is no request that there be by law a match of those dollars.

Mr. BROWN of California. The gentleman is correct. The direction we give the Foundation is for them to stretch this money in every way possible and we suggest ways in which they should stretch it, including the matching by private enterprise.

Mr. WALGREN. Mr. Chairman, will the gentleman yield?

Mr. BROWN of California. I am happy to yield to the distinguished chairman of the subcommittee.

Mr. WALGREN. I thank the gentleman for yielding.

On the point of the overall Federal expenditure on instrumentation being $400 million or whatever number million, one of the problems that strikes me is that it is only in the National Science Foundation that we charge an agency with balancing the instrumentation to take into account the overall health of science.

I imagine that this country could dump a tremendous number of million of dollars into instrumentation that might be focused on defense or focused on very high energy physics or the like and leave the balanced approach to the health of science woefully inadequate. And I would hope that for that reason alone that we focus on the National Science Foundation as a source for the balance in instrumentation that we need.

The CHAIRMAN. The time of the gentleman from California (Mr. BROWN) has expired.

(At the request of Mr. GREGG and by unanimous consent, Mr. BROWN of California was allowed to proceed for 3 additional minutes.)

Mr. GREGG. Mr. Chairman, will the gentleman yield?

Mr. BROWN of California. I yield to the gentleman from New Hampshire.

Mr. GREGG. I thank the gentleman for yielding.

Mr. Chairman, in response to the gentleman from Pennsylvania I would make two notes. First, the $400 million figure is overcited by the Science Adviser to the President and that he is the individual who does coordinate the distribution of instrumentation funds throughout the whole Government and his recommendation of $800 million, which is the figure that we are talking about here as being what is needed on a gross figure as versus just the public sector, is a figure which was arrived at, one assumes, by looking at his perspective, not at simply the National Science Foundation's perspective.

Therefore, I think it is a correct reflection of an adequate expenditure in instrumentation by the public sector.

And second, our bill is clearly perverse the way it is treating instrumentation because if we are really going to talk instrumentation, if we are really going to talk about the future of American science, we have got to talk about elementary and secondary schools where we have the grossest lapse of instrumentation, where you have an incredible dropoff in the amount of science which can be delivered because you do not have the tools to deliver it, where only 4 percent of all elementary schools in this country have any laboratories at all for science.

□ 1320

Only 13 percent of our high schools have math laboratories. Less than 36 percent of our high schools have computer facilities.

So there is no question but that the instrumentation issue is being addressed at the Federal level across the board, and to say that this language is going to correct or remedy the extent to which there may be perversions in that system is not accurate, because this language does not take into consideration, first, the math issue, which is the private sector contribution and, second, it does not take into consideration the elementary and secondary school issue.

Mr. BROWN of California. Again, I appreciate the gentleman's contribution. I think he knows that we are in a process of modifying our thinking on this overall problem. The President is modifying his thinking. The gentleman notes the importance of improving the teaching capability in the elementary and secondary schools. The President last year would not have agreed with him on that. This year the President agrees with him on that. The President asked for $50 million. There is a good parallel here between the instrumentation budget request. The President asked for $50 million to address the problem the gentleman refers to in education. The House passed a bill with $425 million in it to address the same problem.

We are coming to recognize the need to address these problems. We have not yet reached agreement on the adequacy of the level. And, frankly, I value this debate and discussion very much because I think it will give us an opportunity to explore in our own minds what it is that we think needs to be done.

The CHAIRMAN. The time of the gentleman from California (Mr. BROWN) has expired.

(By unanimous consent, Mr. BROWN of California was allowed to proceed for 2 additional minutes.)

Mr. BROWN of California. Mr. Chairman, I would point out that this funding that we are talking about here is addressed rather narrowly to university instrumentation. We have deliberately broadened it to make sure that it included computers and computational capability.

We are also in the language of the bill encouraging the use of computers in instruction, which would apply to elementary and secondary education, and the networking of computers, so that universities throughout the country can have access to some of the super computers which now they do not have access to.

If we had focused this just on computers and tried to keep our lead, which we have rather tenuously over the Japanese, it would have required more money than is in my amendment. I think the Members of the House all are aware of this fact. What we have here is an initiative which addresses the problem in a way which we think will produce the maximum national benefit both in the computer field and in other fields of research instrumentation.

Mr. BOEHLERT. Mr. Chairman, will the gentleman yield?

Mr. BROWN of California. I yield to the gentleman from New York.

Mr. BOEHLERT. Mr. Chairman, I am very glad that the gentleman made reference to our hope and our desire and our commitment on the committee to have set up a system for networking for our university research centers to have access to super computers. Today, in this year of 1983, in the United States of America, our major university research centers do not have access to the latest computer technology. That is a national disgrace, and we have to do something to correct it.

Mr. BROWN of California. Mr. Chairman, while the distinguished gentleman from Minnesota (Mr. FRENZEL) is on the floor, if I may have his attention while we are discussing the super computer situation, we are engaged at this moment in a giant struggle to see who will first develop the next generation of super computers. The only two manufacturers in this country happen to come from Minnesota.

The CHAIRMAN. The time of the gentleman from California (Mr. BROWN) has again expired.

(By unanimous consent, Mr. BROWN of California was allowed to proceed for 1 additional minute.)

Mr. BROWN of California. This is Cray Co. and Control Data. They are outstanding. But they are threatened with the loss of their world markets, as well as their U.S. markets, unless we are able to survive and win this competition with the Japanese over who will first develop the next generation of computers. And this is not a matter of minor importance. This is a matter essential to our defense, to our economic survival and competitiveness around the world, and to many other aspects of our society today, and I thought I should call the gentleman's attention to that.

Mr. FRENZEL. Mr. Chairman, will the gentleman yield?

Mr. BROWN of California. I yield to the gentleman from Minnesota.

Mr. FRENZEL. I thank the gentleman for yielding.

Mr. Chairman, I am delighted with the gentleman's interest, particularly in the companies in my region which are engaged in this kind of work. Nevertheless, it is still my contention that simply pouring money on a problem which has lately been highlighted is not the way to attack it.

Adding $50 million to a program that was increased 60 percent in the President's budget and then adding another $49 million on top of that I think is simply an example of an hysterical urge to look like we are doing something about a problem which takes a little more thought and a little more work, I think, than we have seen displayed on the floor today.

In addition, while companies in my area may be advantaged today by Federal largess, tomorrow Government will favor someone else. The Government cannot, and should not, closely target its policies. We have already tried that with synfuels, Amtrak, and Clinch River. Our lack of success was splendid.

We can do basic research, and we should. But we need to stifle the urge to shovel money at whatever is hot this year.

Mr. BROWN of California. I thank the gentleman for his contribution. We are both concerned about abiding by budgets. It just happens that we are looking at different budgets. The amendment that I have is well within the budget that this House approved, and I would think that the gentleman would want to take cognizance of that.

The CHAIRMAN. The time of the gentleman from California (Mr. BROWN) has again expired.

(On request of Mr. FRENZEL and by unanimous consent, Mr. BROWN of California was allowed to proceed for 2 additional minutes.)

Mr. FRENZEL. Mr. Chairman, if the gentleman will yield further, I thank the gentleman for his statement on the budget. I think it is important that we focus on it. I think the gentleman should also know, however, that, in addition to the 22-percent increase which is in this bill, that particular budget had an overall increase in spending all functions of 12 percent. That is, of course, well beyond any conceivable cost-of-living increase for the coming fiscal year. And if we continue to spend at that rate, there is no way we are ever going to lick our deficit problem.

Now, to be sure, the Democratic budget which passed this House, the creature of the majority on the Budget Committee, tried to mask that problem by adding $30 billion onto the taxpayer. If the gentleman is going to proceed in that way over the next couple of years, I can positively guarantee him that he can stifle the recovery and that he can bring back higher interest rates.

Mr. BROWN of California. Since the gentleman is on the Budget Committee, I thought he would appreciate the fact that we tried to keep up with the $100 million addition which they made in this particular item in the Budget Committee. That was my purpose in picking the figure that we have here. This is the figure added in the Budget Committee.

Mr. FRENZEL. If the gentleman will yield, I never knew that the Budget Committee's figures were floors. I thought they were ceilings. And I thought occasionally committees could exercise some creative thinking and come in a little bit under the budget ceiling. But I see that nowadays in the gentleman's committee, and in others, there is a feeling that budget ceilings must be reached, whether we need the spending or not.

Mr. BROWN of California. The gentleman's argument is so persuasive that instead of the $50 million which would have brought it up to the budget, I cut it to $49 million so that it would not quite be up to the budget figure.

Mr. FRENZEL. I thank the gentleman. My thimble runneth over.

Mr. GREGG. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I would like to address a couple of points raised by the gentleman from California whose commitment to the science community cannot be questioned by anyone and who has clearly been a leader in this Congress on the issue of science and making the people of this country and of this Congress aware of science and the significant role it has to play. But we do have this whole question of how much money is available in this Government for these activities. And what we are talking about here is adding an additional $100 million to instrumentation. I think we have got to understand—and I would like to reiterate—that this is not an attempt to increase or to bring up to a level funding which has been reduced. This is an add on. In fact, when NSF went to OMB, they presented four different levels at which they would be interested in seeing their instrumentation categories funded.

□ 1330

Those levels varied from $118 million up to $174 million. When their budget came back from OMB, much to their surprise, I suspect, they had received a funding level higher than their highest projected need in instrumentation, $180 million.

Furthermore, we have already mentioned that the National Science Foundation is committed to a program of expanding research in the area of the type of instrumentation that is needed. This is a two-phase project, the first of which involves gathering information on the engineering, computer, science, and physical science areas, and the second phase of which will collect additional information about the biological and agricultural and environmental sciences as to their instrumentation needs.

So they do not even know yet what they need in the area of instrumentation.

Another point which I think should be made is that under the Economic Recovery Act which this Congress passed, one of the intelligent things we did was to include in it a tremendous tax incentive in the area of instrumentation and to allow various organizations to participate in funding, through tax incentives, the instrumentation of different universities and colleges throughout the country. The purpose of that was to draw into the whole instrumentation issue the private sector, and what this proposal does, what the amendment which we are dealing with today essentially does, is to say, "Well, the private sector may want to come along, but we do not really care whether it comes along. Essentially what we want is to throw money at this problem from the public sector without reference to putting some pressure on the private sector to be responsive."

There is no match here. This $100 million grossing up of the entire $400 million which is already in the instrumentation area throughout the Government means that the Government will be contributing more than half of the projected instrumentation needs for both the public and private colleges throughout our Nation, and it seems to me that we are essentially usurping the private sector and saying that the public sector will have total responsibility in this area and that we expect the private sector to be impotent and to be nonresponsive in the area of instrumentation, clearly something that is inconsistent with what we did when we passed the Economic Recovery Act, and undermines the function of the Economic Recovery Act, which was to draw into the instrumentation process the private sector.

For these reasons, it seems to me that this 14-percent increase on top of an 18-percent increase which we have already passed, which 18-percent increase included in it a 60-percent increase in instrumentation, is clearly a throwing-money-at-the-problem solution which cannot be supported by the facts of the matter.

Mr. WIRTH. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in support of the amendment.

I just have some very quick points on this issue, and I will not prolong this.

First, on the subject of the budget ceiling, an amount precisely for this is in the budget ceiling as voted on in the budget resolution as passed by the House of Representatives.

Second, the discussion of should this not be left to the private sector, let me, if I might, quote from the National Science Board:

> Although precise figures are extremely difficult to collect, the current proportion of university research funded by industry is estimated at 5 percent or less. The most liberal estimates of future industrial funding of universities place that proportion at under 10 percent. Furthermore, most corporations tend to contribute mainly to research in areas of direct immediate interest to themselves. Therefore, research funding, including support for instrumentation, available from corporate sources has skewed toward engineering schools and those scientific subdisciplines likely to have the most immediate impact on product development.

The purpose of this is to renew our historic commitment which we have had ever since World War II and before, actually going back to the moral that that basic university research structure has got to be renewed and that is the purpose of the amendment offered by the gentleman from California.

I would urge my colleagues, if they are concerned about basic research and maintaining our lead in the world as the idea capital of the world that this should be supported.

Mr. LUNDINE. Mr. Chairman, will the gentleman yield?

Mr. WIRTH. I would be happy to yield to the gentleman from New York.

Mr. LUNDINE. I thank the gentleman for yielding.

Mr. Chairman, today, I rise in strong support of the amendment to H.R. 2066, the National Science Foundation authorization for fiscal year 1984, offered by my colleagues, Congressman BROWN and Congressman WIRTH, which would authorize an additional $50 million to upgrade our Nation's college and university research and training capabilities. I certainly agree with my colleagues that increased investment in the scientific excellence of our universities and a greater commitment to research and development activities are essential ingredients to our long-term economic growth.

I want to commend the gentleman from California and my colleague from Colorado for this amendment. I think when we refuse to finance research and instrumentation that supports that research at adequate levels, we are killing the goose that lays the golden egg. I really commend them for their efforts in this regard.

While we recognize the important contributions made by our university research laboratories to the development of innovative and new technologies, we are exceedingly slow to recognize the fact that state of the art, modern research facilities of the sixties and seventies are increasingly out of date and obsolete for the research of the eighties and nineties. We must strengthen our commitment to research and development by addressing the great need to upgrade scientific instrumentation at our Nation's research institutions. Such a commitment is essential to the country's industrial competitiveness.

In addition, this amendment is consistent with actions taken by the House of Representatives earlier this session with the passage of H.R. 1310, the Emergency Mathematics and Science Education Act and the first budget resolution for fiscal year 1984.

Our efforts to improve science and math education at all levels will be enhanced by the passage of this amendment which stems from the recognition that in order to train young scientists and address the shortage of high-quality engineers, we must continue to support institutions that integrate education and the conduct of valuable research and development activities. Finally, the amendment is totally consistent with the priorities established in the first budget resolution for fiscal year 1984. I urge that we not abandon the priorities established in this budget and urge the adoption of the Brown-Wirth amendment.

Mr. GREGG. Mr. Chairman, will the gentleman yield?

Mr. WIRTH. I would be happy to yield to the gentleman from New Hampshire.

Mr. GREGG. I thank the gentleman for yielding.

Mr. Chairman, I would ask the gentleman from New York (Mr. LUNDINE), when he defines the goose that lays the golden egg, does he include in that our children in the elementary and secondary schools who are denied instrumentation at this time as being the natural resource for our technological future?

Mr. LUNDINE. If the gentleman will yield, I certainly do. I think that is one important point about this amendment: That it is entirely consistent with action the House has already taken on the emergency math and science bill, and I think it is impossible to assume that we are going to have educated young people without the adequacy of instrumentation to support their education.

Mr. BROWN of California. Mr. Chairman, will the gentleman yield?

Mr. WIRTH. I yield to the gentleman from California.

Mr. BROWN of California. I thank the gentleman for yielding.

Mr. Chairman, this discussion about the importance of instrumentation to our basic science reminds me of the story of how we made one of the greatest breakthroughs in biology, the discovery of the double Helix structure of DNA. It was largely due to improved instrumentation. It was the result of the development of an improved capability electron microscope which allowed us to make this breakthrough about 25 years ago. This in turn has led to the revolution in cellular biology that has occurred during these past 25 years.

I wanted to share with the Members this concrete illustration of what we are talking about here in terms of the significance of properly developing the next generation of scientific instrumentation. It is absolutely essential to our continued progress.

● Mr. MINETA. Mr. Chairman, I rise in support of the amendment offered by the gentleman from California. It is critical to the economic security and to the well-being of our citizens that American scientists keep pace with the rapid advancements occurring today in the scientific and medical fields around the world. In order to continue to make strides in these areas our laboratories must be equipped with modern instrumentation.

Just as much of the machinery in our older industries is now obsolete, so, too, are the instruments in our universities outdated and inadequate. Scientific instrumentation is the infrastructure of research and development. And just as we cannot ignore the deterioration of our roads and factories, neither can we ignore the deterioration of our Nation's labs. For almost 20 years now, our universities have voiced the concern that instrumentation available to academic researchers was inadequate. We can no longer ignore their pleas. A strong R&D program is mandatory if we want to maintain our leadership in the areas of science, medicine, and technology. This issue has national implications and the Federal Government must do its part to support our scientists.

The cost of updating our university labs has been estimated to be at least $1 billion and as high as $4 billion. Obviously the Federal Government cannot fully meet this need. Updating our labs must be a joint effort of all levels of government and of the private sector. However, the Federal Government must provide a steady funding source to help meet the need.

Indeed we cannot afford not to provide this money. The losses in revenue and jobs resulting from the growth of our trade deficit are dramatic examples of the result of neglect of our basic R&D needs. On the other hand, the strides being made in cancer research is an excellent example of the benefits of a strong R&D program.

The House Budget Committee recognized the need for adequate instrumentation by assuming $100 million in funding for this initiative in the fiscal year 1984 budget resolution. This body adopted that resolution. I urge my colleagues to adopt this amendment. The health and welfare of our country depends in large part on our scientific and medical advancements. We cannot afford to vote no on this amendment.●

● Mr. BOUCHER. Mr. Chairman, I rise today to support an important amendment to the National Science Foundation's 1984 Authorization Act. That amendment, offered by the gentleman from California, will save our Nation's colleges and universities from a crisis of scientific equipment obsolescence.

Academic research laboratories serve not only as the source of tomorrow's technical and scientific leaders but also as a generator of creative new technologies and innovative thinking. These institutions have played a crucial role in bringing this country to the forefront of scientific excellence. The health of these institutions, and thereby the future health of our Nation, is in jeopardy, however.

Today, students in colleges and universities throughout the country are severely handicapped in their educational pursuits, because research equipment is obsolete, in disrepair, or simply unavailable. The extent of the problem is so great that the Director of the National Science Foundation recently testified that "as much as $4.4 billion would be required over a 3- to 5-year period to fully upgrade instrumentation at the 100 leading academic research institutions."

In many academic laboratories, students now use machinery and technology that is far inferior to the equipment they will actually encounter in the private sector. A recent NSF survey, in fact, has found that instru-

mentation in academia is twice as old as that in industry.

In the field of engineering alone, researchers report that outdated equipment is a prime factor in the loss of educators to the private sector. Since 1970, laboratory equipment costs have inflated 20 percent annually. Maintenance alone often runs 7 to 8 percent of the original purchase price. A leading engineering school in my own district, the College of Engineering at Virginia Polytechnic Institute and State University, reports that its instructional laboratories are not equipped to provide students with experience on state-of-the-art instrumentation and technologies such as robotics or computer-aided design and manufacturing.

The problem goes well beyond Blacksburg and this single institution. Last year Virginia's higher education planning agency surveyed all the States to determine the extent to which research equipment in colleges and universities is outdated or unavailable. The results of that survey indicate that many of our major institutions no longer have the instrumentation necessary for exposing our future scientists to the cutting edge of scientific knowledge.

I am pleased to have the opportunity to address this critical instrumentation problem with an addition of $50 million to the National Science Foundation, earmarked specifically for upgrading of scientific instrumentation for education. This funding represents a solid investment in our Nation's future: Dollars spent today to improve the scientific and technological excellence of our universities will yield important benefits far into the future, keeping America at the forefront of the international marketplace of technology.

I urge my colleagues to join me in supporting the Brown amendment.●

Mr. FUQUA. Mr. Chairman, I move to strike the requisite number of words, and I rise in opposition to both amendments.

Mr. Chairman, it is with great reluctance that I rise in opposition, particularly to the amendment offered by my good friends the gentleman from California, and the gentleman from Colorado that seeks to add some $49 million to the $50 million that was added by the Committee on Science and Technology.

I also with great reluctance must resist the amendment by my very good friend, the gentleman from Kansas (Mr. WINN), and the gentleman from New Hampshire (Mr. GREGG). I certainly know their motives are well intended and I appreciate the fact that they certainly have the right to offer their amendment.

But I think what the committee did in adding $50 million, which is well within, as has been pointed out, the budget resolution that passed this House, and will be augmenting the bill H.R. 1310 that passed this body in March of this year, but addressing specifically a very important subject that has been mentioned on this floor today. Mr. BROWN discussed it very well when the Department of Defense offered $30 million and received a request in for over $750 million from over 2,500 bona fide researchers around this country.

Instrumentation is probably one of the most important issues that we have facing the advancement of science and research in this country today in the fields of robotics, biotechnology, advance materials, super computers, and image enhancement. All of these things are very important, and what we are trying to do with the $50 million that was authorized by the Committee on Science and Technology is to give access by charges and fees, to researchers who can have access into our more advanced computers that they do not have now and have not been able to fund adequately in the pursuit of their research.

It provides, as the gentleman from New York (Mr. BOEHLERT) mentioned, the fact that we can begin networking, that we can pay royalty fees for software materials, all of these things.

I think within the budget constraints that we have facing us today, and the ability of the National Science Foundation to prudently spend these funds, that both of these amendments should be rejected, the add-on amendment and the one to reduce all of the money. Certainly we need to add the $50 million. I wish we could add more, but I am afraid under the circumstances that that would not be wise at this particular time.

So I plead with my colleagues to reject both of these amendments and let us move forward with the very good and balanced bill that we have.

□ 1340

The CHAIRMAN. There being no further discussion on the amendment, the Chair will state that the question will occur now on the perfecting amendment offered by the gentleman from California (Mr. BROWN) and the question then will occur on the striking amendment offered by the gentleman from Kansas (Mr. WINN).

The question is on the perfecting amendment offered by the gentleman from California (Mr. BROWN).

The question was taken; and the Chairman being in doubt, the Committee divided, and there were—ayes 6, noes 11.

RECORDED VOTE

Mr. BROWN of California. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 150, noes 255, not voting 27, as follows:

[Roll No. 108]

AYES—150

Ackerman	Frank	Oberstar
Addabbo	Garcia	Obey
Anderson	Gaydos	Ottinger
Andrews (NC)	Gejdenson	Panetta
Aspin	Gephardt	Patterson
AuCoin	Gilman	Pease
Barnes	Gore	Penny
Bates	Gray	Pepper
Bedell	Guarini	Rahall
Beilenson	Harkin	Ratchford
Berman	Harrison	Reid
Biaggi	Hawkins	Richardson
Boehlert	Hertel	Rodino
Boggs	Howard	Roe
Bonior	Hoyer	Roybal
Bonker	Jeffords	Sabo
Borski	Kaptur	Savage
Boucher	Kastenmeier	Scheuer
Boxer	Kennelly	Schroeder
Brown (CA)	Kildee	Schumer
Bryant	Kogovsek	Seiberling
Carr	Kolter	Shannon
Clay	Kostmayer	Sikorski
Coleman (TX)	LaFalce	Smith (IA)
Collins	Lantos	Solarz
Conyers	Leach	Spratt
Coyne	Lehman (CA)	St Germain
D'Amours	Leland	Staggers
de la Garza	Levin	Stark
Dellums	Levine	Stokes
Dingell	Lipinski	Studds
Donnelly	Long (LA)	Swift
Dorgan	Long (MD)	Torres
Downey	Lowry (WA)	Torricelli
Dwyer	Lundine	Traxler
Dymally	MacKay	Udall
Early	Markey	Vento
Eckart	Martin (NC)	Volkmer
Edgar	Matsui	Walgren
Edwards (CA)	McHugh	Waxman
Evans (IA)	McKinney	Weaver
Evans (IL)	McNulty	Weiss
Fazio	Miller (CA)	Wheat
Feighan	Mineta	Williams (MT)
Ferraro	Minish	Wirth
Florio	Mollohan	Wise
Foglietta	Moody	Wolpe
Foley	Morrison (CT)	Wortley
Ford (MI)	Nowak	Wyden
Fowler	Oakar	Yates

NOES—255

Akaka	Conte	Goodling
Albosta	Corcoran	Gradison
Andrews (TX)	Coughlin	Gramm
Annunzio	Courter	Green
Anthony	Craig	Gregg
Applegate	Crane, Daniel	Gunderson
Archer	Crane, Philip	Hall (IN)
Badham	Daniel	Hall (OH)
Barnard	Dannemeyer	Hall, Ralph
Bartlett	Daub	Hall, Sam
Bateman	Davis	Hamilton
Bennett	DeWine	Hammerschmidt
Bereuter	Dickinson	Hansen (UT)
Bethune	Dicks	Hartnett
Bevill	Dowdy	Hatcher
Bilirakis	Dreier	Hightower
Bliley	Duncan	Hiler
Boland	Durbin	Hillis
Boner	Dyson	Holt
Bosco	Edwards (AL)	Hopkins
Breaux	Edwards (OK)	Horton
Britt	Emerson	Hubbard
Brooks	English	Huckaby
Broomfield	Erdreich	Hughes
Brown (CO)	Erlenborn	Hunter
Broyhill	Fascell	Hutto
Burton	Fiedler	Hyde
Byron	Fields	Ireland
Campbell	Fish	Jacobs
Carney	Flippo	Jenkins
Carper	Forsythe	Johnson
Chandler	Franklin	Jones (NC)
Chappell	Frenzel	Jones (OK)
Chappie	Frost	Jones (TN)
Cheney	Fuqua	Kasich
Clarke	Gekas	Kazen
Clinger	Gibbons	Kindness
Coats	Gingrich	Kramer
Coleman (MO)	Glickman	Lagomarsino
Conable	Gonzalez	Latta

Lent	Oxley	Skelton
Levitas	Packard	Slattery
Lewis (CA)	Parris	Smith (FL)
Lewis (FL)	Pashayan	Smith (NE)
Livingston	Patman	Smith (NJ)
Lloyd	Paul	Smith, Denny
Lott	Perkins	Snowe
Lowery (CA)	Petri	Snyder
Lujan	Pickle	Solomon
Luken	Porter	Spence
Lungren	Price	Stenholm
Mack	Pritchard	Stratton
Madigan	Pursell	Stump
Marriott	Quillen	Sundquist
Martin (IL)	Rangel	Synar
Martin (NY)	Ray	Tallon
Mavroules	Regula	Tauke
Mazzoli	Ridge	Tauzin
McCain	Rinaldo	Taylor
McCandless	Ritter	Thomas (CA)
McCollum	Roberts	Thomas (GA)
McCurdy	Robinson	Towns
McDonald	Roemer	Valentine
McEwen	Rogers	Vander Jagt
McGrath	Rose	Vandergriff
McKernan	Rostenkowski	Vucanovich
Mica	Roth	Walker
Mikulski	Roukema	Watkins
Miller (OH)	Rowland	Weber
Molinari	Rudd	Whitehurst
Montgomery	Russo	Whitley
Moore	Sawyer	Whittaker
Moorhead	Schaefer	Whitten
Mrazek	Schneider	Williams (OH)
Murphy	Schulze	Wilson
Murtha	Sensenbrenner	Winn
Myers	Sharp	Wolf
Natcher	Shaw	Wright
Neal	Shelby	Wylie
Nelson	Shumway	Yatron
Nichols	Shuster	Young (AK)
Nielson	Siljander	Young (FL)
O'Brien	Simon	Young (MO)
Olin	Sisisky	Zablocki
Ortiz	Skeen	Zschau

NOT VOTING—27

Alexander	Hansen (ID)	McCloskey
Coelho	Hefner	McDade
Cooper	Heftel	Michel
Crockett	Kemp	Mitchell
Daschle	Leath	Moakley
Derrick	Lehman (FL)	Morrison (WA)
Dixon	Loeffler	Owens
Ford (TN)	Marlenee	Smith, Robert
Hance	Martinez	Stangeland

□ 1350

The Clerk announced the following pairs:

On this vote:

Mr. Dixon for, with Mr. Derrick against.

Messrs. GEKAS, MRAZEK, and RALPH M. HALL changed their votes from "aye" to "no."

Messrs. LONG of Louisiana, SAVAGE, VOLKMER, RAHALL, McNULTY, and LONG of Maryland, changed their votes from "no" to "aye."

So the perfecting amendment was rejected.

The result of the vote was announced as above recorded.

□ 1400

Mr. WALKER. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I would hope that the last vote would indicate that a substantial amount of support will also accrue to the Winn amendment when that is voted on in a few minutes.

The Winn amendment would permit a 60-percent increase in the amount of money going for instrumentation.

What the committee has done is taken that 60-percent increase and increased it even more, by another $50 million. With the Winn amendment we will preserve the budget but, at the same time, we will assure ourselves that the national commitment to upgrading our scientific instrumentation is kept.

I think it is important to recognize that this debate on NSF has been a very responsible debate. I would hope it would stay that way.

What concerns me, as I sit here and listen to it, is the fact that only a few years ago the committee used to come to the floor on National Science Foundation matters and used to be fearful of bringing any kind of authorization out here because they knew that what we were going to have was a debate over many of the kinds of projects that NSF was funding. Some of those, in all honesty, could not be justified, the sex life of a tsetse fly and a lot of those kinds of things.

We have in recent years attempted to make certain that this debate stayed on a high plane, that indeed we did not raise some of those more superflous issues and that we tried to make it a debate on the merits of the science being done.

What we are tending to find now as we have made the debate more responsible the spending levels have become more irresponsible and that we tend then to say that the whole debate can be aimed at the research and development needs and so, therefore, any amount of spending can be justified.

It seems to me that if we are going to continue to see this kind of fiscal irresponsibility with regard to these bills that what you are going to do is you are going to bring us back to the days when an awful lot of debate is going to then be made on things of the nature that often were raised that I think were superfluous to the real issue and mission of the NSF.

So I would hope the membership would look at what the administration has proposed, an 18-percent increase in the National Science Foundation with a 60-percent increase in instrumentation, will look at those figures and decide that is indeed a recognition of national commitment and will allow this budget to go forward in a responsible way rather than the kind of irresponsible funding that is embodied in the committee resolution.

The Winn amendment gets us back to a responsible level of funding. I would urge the membership to support the Winn substitute.

I yield back the balance of my time.

Mr. FUQUA. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I do not intend to take 5 minutes. I know the Members are ready to vote.

I just would like to encourage my colleagues to support the committee. We have increased by $50 million money in this bill for instrumentation to give accessibility of university researchers to computers, to pay access charges for these in the field of robotics, and biotechnology, advanced material, supercomputers, and image enhancement.

This augments the bill that passed this House earlier this year relating to science and math education.

I would urge my colleagues to vote "no" on the amendment offered by the gentleman from Kansas (Mr. WINN).

Mr. NELSON of Florida. Mr. Chairman, will the gentleman yield?

Mr. FUQUA. I will be happy to yield to my colleague, the gentleman from Florida.

Mr. NELSON of Florida. Mr. Chairman, I oppose the Winn amendment and support the Science and Technology Committee's proposed budget for the National Science Foundation.

The National Science Foundation was first founded in 1950 and has lead the way for the past 30 years in the areas of research and education programs, promoting science and engineering.

Its major emphasis is on high quality, science-driven research, with the goals of better understanding the fundamental laws of nature

The educational programs are directed at increasing the understanding of science at all educational levels; assuring that America has an adequate supply of scientists and engineers for the future needs of our country.

Through grants and contracts to our Nation's educational institutions, NSF initiates fundamental, long-term disciplines in basic, and highly advanced research.

NSF encourages cooperative efforts by universities, industries, and the Government, promoting the application of research and development for service that improves the quality of life; creating new employment opportunities and stimulating economic growth.

The NSF has supported major national and international programs such as the U.S. Antarctic program, ocean drilling programs, and others.

Other major research programs include—astronomical, atmospheric, Earth and ocean sciences, advancing the physical knowledge of the universe and knowledge of the planet Earth. Included are: study of the life cycle of stars; the nature of Earth and its geological history; open ocean and coastal dynamics and resources, and the influence of the Arctic Basin on the Earth's climate.

Most importantly, however, is the emphasis that the NSF places on science education. With the current

problems the United States has in properly funding of elementary and graduate education programs, the NSF has taken the leading role in assuring quality education opportunities for all.

I urge a no vote on the amendment.

Mr. FUQUA. I appreciate the gentleman's comments and yield back the balance of my time.

Mr. SKEEN. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I would like to commend the National Science Foundation and this administration for the budget proposal submitted for fiscal year 1984. This NSF budget, up 18 percent from 1983 appropriation levels, provides extremely healthy increases to our scientific endeavors to the continued excellence our Nation holds in the scientific and technological arena.

The fiscal year 1984 administration request would allow research in engineering, mathematical and physical sciences to increase 22 percent; biological, behavioral and social sciences would see a total increase of 18 percent; and astronomical, atmospheric, Earth, and ocean sciences have a 21 percent proposed increase.

While I understand there will always be those who scream that this is not enough, all of us can be proud that this administration has put its money where its mouth is. The President made a commitment in the state of the Union message to keep the United States No. 1 in the field of technology and development. The NSF budget clearly demonstrates this commitment.

Much talk has gone on in these halls about the need for university instrumentation. Again, I believe this administration is both sensitive and committed to addressing this need. Fourteen percent of the NSF budget will go directly for instrumentation and equipment alone. This is above and beyond the moneys that a research receives through the NSF grant.

Elsewhere in the Federal budgets are new initiatives for research instrumentation. The DOE budget has a new initiative of $6 million exclusively for this purpose; NASA has at least that same amount in a variety of programs such as planetary exploration, physics and astronomy, materials processing, and space research and technology. There are $400 million in the total Federal budget that will go to universities for upgrading and acquisition of instruments. In lieu of the economic times, this effort exemplifies the commitment to deal with some necessary and serious priorities.

Therefore, Mr. Chairman, I join my colleagues on this side of the aisle in supporting the President's budget. I realize the Science and Technology committee has made some adjustments to that budget. I find fault particularly with the addition of $50 million for "new initiatives" for instrumentation purposes. And at the appropriate time, I will support an amendment to delete this unnecessary add on.

Mr. CHANDLER. Mr. Chairman, will the gentleman yield?

Mr. SKEEN. I yield to the gentleman from Washington.

Mr. CHANDLER. Mr. Chairman, I rise in support of the amendment offered by the gentleman from Kansas (Mr. WINN). I would like to thank the chairman of our committee and the other members of the Science and Technology Committee for work that has gone into the Department of Energy authorization bill for civilian programs for fiscal year 1984. As a new Member of both the Congress and this committee, I feel that the members of the committee have worked diligently and given careful consideration to crafting a bill which would provide a balanced program for conservation, solar, nuclear, fossil, geothermal, and basic research. We do, however, have differing points of view on the level of funding for these important programs. I believe that we as a Congress must demonstrate a fiscal sensitivity to our economic situation. All of the economic indicators seem to show that we are in the initial stages of recovery, but the financial markets and investment community are watching warily to see if we are going to continue past policies of excessive Federal spending which will, in turn, reduce the amount of capital available for the private sector.

The substitute which is being offered today is a judicious one which would maintain the fiscal year 1983 appropriation total of $3 billion, $310 million less than H.R. 2587, while still meeting the country's long-range energy needs and emphasizing the Federal Government's appropriate role of supporting those high-risk areas of energy research and development. I urge my colleagues to support this amendment which combines fiscal discipline and foresight in meeting our energy needs.

Mr. RITTER. Mr. Chairman, will the gentleman yield?

Mr. SKEEN. I yield to the gentleman from Pennsylvania.

Mr. RITTER. Mr. Chairman, it is a misconception to think that the high technology revolution in this country is driven by the Federal Government. There is a contribution, and it is major but it goes only so far. The administration has recognized the contribution necessary from basic research. It has recognized the contribution necessary from the National Science Foundation.

The NSF instrumentation budget is up 100 percent over fiscal year 1982. It is up 60 percent over fiscal year 1983.

Simply adding another $50 million is not the answer to the technological revolution.

I urge my colleagues on the Democratic side of the aisle to take a close look at some of the deeper reasons for this technological revolution in this country, to understand there is only so much that the Government can do, by expanded budgets, that the budget numbers projected this year by this administration are already fair, reasonable, and in fact quite generous.

I urge my colleagues to support the amendment offered by the gentleman from Kansas (Mr. WINN).

Mr. SKEEN. Mr. Chairman, I just want to make one remark. We passed in February the National Engineering and Science Personnel Act which gives NSF the discretion to spend $130 million in instrumentation alone.

So in support of the proposal offered by the gentleman from Kansas (Mr. WINN) I would point out that we have a very large increase and the possibility of even more to be put into the category of instrumentation at educational institutions.

Mr. BOEHLERT. Mr. Chairman, will the gentleman yield?

Mr. SKEEN. I yield to the gentleman from New York.

Mr. BOEHLERT. I briefly would ask my colleagues to consider that there is some support for retaining this funding on this side of the aisle. I ask them also to consider the very basic fact that in the United States of America today, in this country of ours, our major university research centers do not have access to supercomputers. I think that is a deficiency that must be overcome and in our committee deliberations and in our committee report we pointed out that we want the National Science Foundation to work in collaboration with the DOE to set up a network so that our university research centers can have access to supercomputer technology.

□ 1410

Mr. SKEEN. I thank the Chair and I yield back the balance of my time.

The CHAIRMAN. There being no further discussion on the amendment, the question is on the amendment offered by the gentleman from Kansas (Mr. WINN).

The question was taken; and the chairman announced that the noes appeared to have it.

RECORDED VOTE

Mr. WINN. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 150, noes 257, not voting 25, as follows:

[Roll No. 109]

AYES—150

Applegate	Badham	Bateman
Archer	Bartlett	Bethune

Bilirakis	Hunter	Rinaldo
Bliley	Hyde	Ritter
Broomfield	Ireland	Roberts
Brown (CO)	Kasich	Robinson
Broyhill	Kemp	Roemer
Burton	Kindness	Rogers
Byron	Kramer	Roth
Campbell	Lagomarsino	Roukema
Carney	Latta	Rudd
Chandler	Lewis (CA)	Sawyer
Chappie	Lewis (FL)	Schaefer
Cheney	Livingston	Schneider
Coats	Loeffler	Schulze
Conable	Lott	Sensenbrenner
Corcoran	Lowery (CA)	Shaw
Coughlin	Lujan	Shumway
Courter	Lungren	Shuster
Craig	Mack	Siljander
Crane, Daniel	Madigan	Sisisky
Crane, Philip	Marriott	Skeen
Daniel	Martin (IL)	Smith (NE)
Dannemeyer	Martin (NY)	Smith (NJ)
Daub	McCain	Smith, Denny
DeWine	McCandless	Snowe
Dickinson	McCollum	Snyder
Dreier	McDonald	Solomon
Edwards (OK)	McEwen	Spence
Emerson	McGrath	Stangeland
Erlenborn	Miller (OH)	Stenholm
Fiedler	Molinari	Stump
Fields	Montgomery	Sundquist
Forsythe	Moore	Tauzin
Franklin	Moorhead	Taylor
Frenzel	Morrison (WA)	Thomas (CA)
Gekas	Myers	Vander Jagt
Goodling	Nielson	Vucanovich
Gradison	O'Brien	Walker
Gramm	Oxley	Weber
Gregg	Packard	Whitehurst
Gunderson	Parris	Whittaker
Hammerschmidt	Pashayan	Williams (OH)
Hansen (UT)	Paul	Winn
Hartnett	Petri	Wolf
Hiler	Porter	Wortley
Hillis	Pritchard	Wylie
Holt	Pursell	Young (AK)
Hopkins	Quillen	Young (FL)
Hubbard	Regula	Zschau

NOES—257

Ackerman	Conte	Gibbons
Addabbo	Coyne	Gilman
Akaka	Crockett	Gingrich
Albosta	D'Amours	Glickman
Anderson	Davis	Gonzalez
Andrews (NC)	de la Garza	Gore
Andrews (TX)	Dellums	Gray
Annunzio	Derrick	Green
Anthony	Dicks	Guarini
Aspin	Dingell	Hall (IN)
AuCoin	Donnelly	Hall (OH)
Barnard	Dorgan	Hall, Ralph
Barnes	Dowdy	Hall, Sam
Bates	Downey	Hamilton
Bedell	Duncan	Harkin
Beilenson	Durbin	Harrison
Bennett	Dwyer	Hatcher
Bereuter	Dymally	Hertel
Berman	Dyson	Hightower
Bevill	Early	Horton
Biaggi	Eckart	Howard
Boehlert	Edgar	Hoyer
Boggs	Edwards (CA)	Hughes
Boland	English	Hutto
Boner	Erdreich	Jacobs
Bonior	Evans (IA)	Jeffords
Bonker	Evans (IL)	Jenkins
Borski	Fascell	Johnson
Bosco	Fazio	Jones (NC)
Boucher	Feighan	Jones (OK)
Boxer	Ferraro	Jones (TN)
Breaux	Fish	Kaptur
Britt	Flippo	Kastenmeier
Brooks	Florio	Kazen
Brown (CA)	Foglietta	Kennelly
Bryant	Foley	Kildee
Carper	Ford (MI)	Kogovsek
Carr	Fowler	Kolter
Chappell	Frank	Kostmayer
Clarke	Frost	LaFalce
Clay	Fuqua	Lantos
Clinger	Garcia	Leach
Coleman (MO)	Gaydos	Lehman (CA)
Coleman (TX)	Gejdenson	Leland
Collins	Gephardt	Levin
Levine	Olin	Spratt
Levitas	Ortiz	St Germain
Lipinski	Ottinger	Staggers
Lloyd	Panetta	Stark
Long (LA)	Patman	Stokes
Long (MD)	Patterson	Stratton
Lowry (WA)	Pease	Studds
Luken	Penny	Swift
Lundine	Pepper	Synar
Markey	Perkins	Tallon
Martin (NC)	Pickle	Tauke
Matsui	Price	Thomas (GA)
Mavroules	Rahall	Torres
Mazzoli	Rangel	Torricelli
McCloskey	Ratchford	Towns
McCurdy	Ray	Traxler
McHugh	Reid	Udall
McKernan	Richardson	Valentine
McKinney	Ridge	Vandergriff
McNulty	Rodino	Vento
Mica	Roe	Volkmer
Mikulski	Rostenkowski	Walgren
Miller (CA)	Rowland	Watkins
Mineta	Roybal	Waxman
Minish	Russo	Weaver
Mitchell	Sabo	Weiss
Moakley	Savage	Wheat
Mollohan	Scheuer	Whitley
Moody	Schroeder	Whitten
Morrison (CT)	Schumer	Williams (MT)
Mrazek	Seiberling	Wilson
Murphy	Shannon	Wirth
Murtha	Sharp	Wise
Natcher	Shelby	Wolpe
Neal	Sikorski	Wright
Nelson	Simon	Wyden
Nichols	Skelton	Yates
Nowak	Slattery	Yatron
Oakar	Smith (FL)	Young (MO)
Oberstar	Smith (IA)	Zablocki
Obey	Solarz	

NOT VOTING—25

Alexander	Hansen (ID)	Marlenee
Coelho	Hawkins	Martinez
Conyers	Hefner	McDade
Cooper	Heftel	Michel
Daschle	Huckaby	Owens
Dixon	Leath	Rose
Edwards (AL)	Lehman (FL)	Smith, Robert
Ford (TN)	Lent	
Hance	MacKay	

□ 1420

Messrs. TORRES, OTTINGER, and GINGRICH and Mrs. JOHNSON changed their votes from "aye" to "no."

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. GREGG

Mr. GREGG. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. GREGG:

On page 3, Section 2(e), insert after line 12 the following: "Of the funds authorized under this section, not less than 50% shall be spent for instrumentation at the primary and secondary education level."

Mr. GREGG. Mr. Chairman, we have just passed a $50 million add-on to a budget which has a 60-percent increase in it in instrumentation funds. And that $50 million is allocated to postsecondary, in other words, college and university level activities for instrumentation.

Nowhere in this bill, the NSF bill, are there funds allocated to, in any substance, elementary and secondary schools. And as has been heard on this floor before, the seed corn of our entire scientific community and our ability to stay ahead of the rest of the world in the area of science involves our ability to raise and produce math and science students.

The statistics in the area of elementary and secondary education are dramatic. We know for a fact that 33 percent of all elementary classrooms have no science facilities. We also know that only 4 percent of all elementary classes are conducted in laboratories or special science rooms. And you have to remember that there is a conclusion that has been reached by the education community in this country that unless you capture a child's mind at the elementary school level and capture that mind in an interest in science, you lose that mind probably forever.

Further we know that of the 23,900 schools in this country, of which 18,400 are public, that they spend an average of $2,000 per child, but of that $2,000 spent per child, only $5.46 is spent on capital equipment for students of science.

□ 1430

That assumes, to begin with, of course, that they even have a science budget.

Only 44 percent of the 18,400 public schools even have a science budget.

We know, for example, that in our high schools, only 15 percent of our high schools have a math laboratory. Only 19 percent of the grades between 4 and 6 have math laboratories. Only 31 percent of the grades between 7 and 9 have math laboratories. We know that there are only 13 percent of our kindergartens that have any form of science or math laboratories.

Another example of our tremendous lack of facilities in our elementary and secondary schools is the fact that only 36 percent of our high schools have access to the computers. And if you take the poorer high schools, you find that the percentage drops down to below 5 percent.

We are producing, unfortunately, as has been acknowledged by study after study, an intellectual void in the area of math and science, and it is impossible for us to claim improvement in math-science education or math-science instrumentation at the college level will occur if we have not given the children who develop into those adults taking those courses on the college level the facilities to understand and to get involved with science.

One-sixth of all high school students have taken junior high math courses. Two-thirds of all U.S. high school students require only 1 year of math and science. We know that in the science area of teachers, we have an incredible shortage; that in a survey taken by the National Governors Association, 43 out of 45 States reported a critical shortage of math teachers, of science teachers; and that is, to a great extent,

due to the fact that we do not have math-science facilities and instrumentation on which those people can teach.

For example, 69 percent of our science and math teachers in our high schools have never even attended a computer workshop. That may result from the fact that we do not have any instrumentation.

Mr. WEBER. Mr. Chairman, will the gentleman yield?

Mr. GREGG. I yield to the gentleman from Minnesota.

Mr. WEBER. I thank the gentleman for yielding.

Mr. Chairman, I think that the gentleman's amendment has considerable merit. I would just like to ask if the gentleman could clarify a little bit precisely what the intent of the amendment is, because I am not sure that all Members understand exactly where we are.

As I understand it, there has been a substantial increase in funding of instrumentation in the National Science Foundation budget as a result of the actions taken by the House Science and Technology Committee and as a result of the vote we just took; is that correct?

Mr. GREGG. That is correct. The original budget for science instrumentation was $150 million, of which almost none of that went to elementary and secondary schools. We have now added to that an additional $50 million.

Mr. WEBER. If the gentleman will yield further, that was going to be my second point. Almost none of this money goes to elementary and secondary education?

Mr. GREGG. That is absolutely right. Almost none.

The CHAIRMAN. The time of the gentleman from New Hampshire (Mr. GREGG) has expired.

(On request of Mr. WEBER and by unanimous consent, Mr. GREGG was allowed to proceed for 2 additional minutes.)

Mr. WEBER. If the gentleman will yield further, it seems to me that the critical point is that we lose our science edge in elementary and secondary schools, so that once we put the money in at the postsecondary level, if we have not built the foundation, if we have not attracted students to science and science teaching in high school, if we have not got their attention and their interest at that level, really there is considerable less value to the money we might invest in it at the higher education level because we will not have the students to take advantage of those instrumentation moneys in the first place; is that correct?

Mr. GREGG. Absolutely right. If a child does not know what a scientific instrument is, whether it be a computer or a titrating machine, in the elementary and secondary schools, by the time they reach graduate school level, clearly they are not going to have any interest in that facility.

Mr. WEBER. And if I understand the gentleman further, did the gentleman say that one-third of our high schools are without adequate science labs?

Mr. GREGG. That is correct. In fact, if you look at our elementary schools, 33 percent have science laboratories. Sixty-six percent do not have science laboratories.

Mr. WEBER. Two-thirds do not have science labs?

Mr. GREGG. That is correct.

Mr. WEBER. It seems to me obvious that the gentleman has an amendment here which really gets to the heart of our science and engineering education problem. I am certainly going to support it. Beyond that, I think there is a political imperative. Who would possibly want to vote against an amendment that would direct funds to every elementary and secondary school in the country in favor of a few higher educational facilities? I think there is a political imperative as well as an economic and scientific and educational imperative in the gentleman's amendment, and I certainly intend to support him.

Mr. GREGG. I thank the gentleman from Minnesota.

Mr. Chairman, clearly, a vote against this amendment is a vote against elementary and secondary schoolchildren.

Mr. WALKER. Mr. Chairman, will the gentleman yield?

Mr. GREGG. I yield to the gentleman from Pennsylvania.

Mr. WALKER. I thank the gentleman for yielding.

Mr. Chairman, I think another point that needs to be made is that if we are going to upgrade the amount of scientific equipment and the caliber of the scientific equipment available to us at the university level, it seems to me that we ought to begin training people on the equipment or at least on some equipment in the elementary and secondary schools.

The CHAIRMAN. The time of the gentleman from New Hampshire (Mr. GREGG) has again expired.

(On request of Mr. WALKER and by unanimous consent, Mr. GREGG was allowed to proceed for 2 additional minutes.)

Mr. WALKER. If the gentleman will yield further, it seems to me that the gentleman offers us an opportunity to see to it that we build that kind of a process and that we assure ourselves that those people operating sophisticated equipment at the university level have been trained on proper equipment at the elementary and secondary level.

I, too, think the gentleman has a very good amendment, and I intend to support him on his amendment.

Mr. GREGG. I thank the gentleman.

Mr. Chairman, a good analogy would be that if you took a child out of high school and told him he could drive a car immediately and then put him in the car without any education at all and told to drive in the Indianapolis Speedway Race, that is about what happens when you take a child and try to throw them into a college environment without ever having had that child deal with any of the instrumentation that college environment is going to give him a feel for.

Mr. WEBER. Mr. Chairman, will the gentleman yield?

Mr. GREGG. I yield to the gentleman from Minnesota.

Mr. WEBER. I thank the gentleman for yielding to me once again, and I just want to clarify one additional point that may have been lost on some of the Members during the course of the debate.

The gentleman's amendment does not eliminate one penny of funding; is that correct?

Mr. GREGG. That is correct. This amendment has no effect on the level of funding, simply on the application of the funding.

Mr. WEBER. So there is no way that this vote can be interpreted in any manner as reflecting on a Member's commitment to the National Science Foundation; rather, it is simply a question of a Member's priorities with regard to higher educational facilities or all of those elementary and secondary schools in his district?

Mr. GREGG. This amendment is a commitment to children and youth and our future in technology.

Mr. WEBER. I thank the gentleman.

Mr. SKEEN. Mr. Chairman, will the gentleman yield?

Mr. GREGG. I yield to the gentleman from New Mexico.

Mr. SKEEN. I thank the gentleman for yielding.

Mr. Chairman, I would like to make just one more salient point in regard to this question. I think that the gentleman's amendment is right on the mark.

The Subcommittee on Investigations and Oversight of the Committee on Science and Technology has had several hearings, with witnesses in education, who stated time and time again that you cannot begin too early if you are going to enhance the technological education of the American youngster, and you should start in the elementary and secondary areas, or give it as much importance as you possible can, and start those youngsters with the instrumentation, even in elementary schools.

Mr. Chairman, I heartily support the gentleman's amendment.

The CHAIRMAN. The time of the gentleman from New Hampshire (Mr. GREGG) has again expired.

(By unanimous consent, Mr. GREGG was allowed to proceed for 3 additional minutes.)

Mr. WALGREN. Mr. Chairman, will the gentleman yield?

Mr. GREGG. I yield to the chairman of the subcommittee.

Mr. WALGREN. Mr. Chairman, I would just like to kick in here that clearly the gentleman has put his finger on a very important subject and one we certainly should respond to. The difficulty is that it seems to me that this is a hard place to strike these balances between the postsecondary and the secondary. My quick figuring is that if you have $25 million and you allocate it to those 16,000 school districts around the country, you are talking about $1,500 per school district.

Now, I do not really know how you would divide that among the schools within the school district. It may be we come up with an amount of money that is without any real help. And it strikes me that this may be the best argument for the Brown amendment, that there is this much that has to be done in instrumentation, that the amount of the money we have is just not approaching the problem.

So I would question whether this is the place where we can make this kind of a distinction between allocating money on the secondary and the postsecondary levels.

Mr. GREGG. If I could just quickly respond to that, before yielding to the gentlewoman from California, first, do not forget that this amendment will be followed by one for matching grants, and I assume that that will pick up a significant portion of the funding; and, clearly, we do not put a formula in our amendment. It is up to the NSF to determine how to best allocate that. I do not assume they are going to parcel it out in bits and drabs. I assume they are going to take this $25 million, as they have taken the $25 million that would go to the universities, which I suspect there are a significant number of, and try to apply it where they can get the most for the buck.

□ 1440

Ms. FIEDLER. Mr. Chairman, will the gentleman yield?

Mr. GREGG. I yield to the gentlewoman from California.

Ms. FIEDLER. I thank the gentleman for yielding.

Mr. Chairman, in response to the comments made by the gentleman a moment ago, I was a former member of the Los Angeles School Board and I can tell my colleagues this: that both elementary and secondary school districts would jump for joy at the opportunity to buy $1,500 worth of equipment or have a supplement to the income of individual teachers who might have special expertise in science. They would be able to buy microscopes and a whole host of other special pieces of equipment that would be very useful for teaching science.

So do not underrate the value of $1,500. It is not enough, but it would certainly be a good beginning.

Mr. WALGREN. If the gentlewoman would yield, I do not underestimate the value of $1,500 per school. The problem is that if we have $1,500 for a district, and all of Los Angeles is in a unified district, we would have $1,500 for all of Los Angeles, which really would not go very far.

Ms. FIEDLER. It might not be enough, but it certainly would permit them to buy a few more microscopes. It might permit them to buy some special services. It is certainly a place to begin and it is better than not having the money at all.

Mr. FUQUA. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, we see the people who oppose the addition to $50 million now wanting to take half of it away from our colleges and universities, and this Committee voted, the House, overwhelmingly a few minutes ago to support the addition of the $50 million.

The gentleman from Minnesota explained a while ago that we are not taking anything away. Well, it is pretty difficult for me to understand if you direct 50 percent of it to go in another direction that you are not taking it away from our colleges and universities or our postsecondary schools.

The problem that the gentleman from New Hampshire was addressed, and it is a very valid one, was addressed in the bill H.R. 1310 that passed this House in March. The gentleman worked very hard and successfully in getting money for secondary and elementary education. That was addressed in that bill. It provides some $15 million specifically to go into those areas of science and math, institutional and health.

Now, what are we involved in here? Mr. Chairman, we are supporting basic research primarily in our colleges and unviersities. In high schools and elementary schools, they do not conduct research. These are learning institutions. But in our colleges and universities where our basic research is carried on is where they need the expensive equipment.

Mr. Chairman, $1,500 will not even buy a microscope. It will not even buy the stand that it sits on. Most microscopes that you need in college research cost over $50,000. So what we are trying to do in this bill and in the instrumentation, and what the gentleman's amendment is trying to do, is to further gut the money that we have for the instrumentation in our colleges and universities. I think the House spoke its will a few moments ago, and as I say, in the bill H.R. 1310 that has already passed this House, the Senate is getting favorable action in the other body. That addresses the problem and that is where it should be addressed, not that it is not a problem, it is one. I will be the first to admit and be the first to support efforts, as I did on the gentleman's amendment in our committee.

Mr. GREGG. Mr. Chairman, will the gentleman yield?

Mr. FUQUA. I yield to the gentleman from New Hampshire.

Mr. GREGG. I thank the gentleman for yielding.

Mr. Chairman, specifically on the point of H.R. 1310, I recognize that instrumentation was addressed at the post-secondary level in H.R. 1310, but quoting from the language of H.R. 1310, the section which we were able to get in through the chairman's generosity:

> Those funds are prioritized for pre-college science and math education training, including programs to promote cooperation, exchange of resources and personnel with industry and other elements of the private sector.

It is possible that instrumentation could be drawn into that, but that is not the main thrust of that language.

Also, let us not forget that if $25 million is not enough, according to the chairman of our subcommittee, who I respect, then clearly the $50 million that will be chopped up into other activities——

Mr. FUQUA. Mr. Chairman, if I can reclaim my time, in title I of H.R. 1310, we provided $250 million for elementary and secondary education improvement, and in title II of that bill there is $15 million that the gentleman referred to just a moment ago.

So we are addressing those issues in that bill, and I again want to give the gentleman credit, because it was his idea and his effort that brought that to the attention of our committee and we responded for the gentleman. For that I commend him.

But in this bill, the National Science Foundation, it is really directed at basic research and not at elementary and secondary education other than in trying to improve the skills of the teachers and the methodology which they may teach, which is a very small item. But they do not conduct research. That is conducted in our colleges and universities.

Mr. GREGG. If the chairman will yield further, I would submit to the chairman that basic research is one of the objectives of the NSF, but if the NSF does not have people who are capable of producing basic research,

clearly they are not going to get basic research.

I would just note that my district was lucky enough to have the two winners of the national inventors' award this year. Their ages—9 and 14. That was a national contest between people, not high schools, but between any inventor at any level. So I would say to the chairman that inventive minds and imagination is not confined to postsecondary activities.

Mr. FUQUA. I could not agree with the gentleman any more, but I am saying that we have addressed that issue rather well in H.R. 1310, and this bill, relating to the National Science Foundation, is a different subject matter and aimed at providing the teachers who can go back to the high schools and teach, and also those who go into research not only for the Government but also for industry and in our colleges and universities, and that is where we are aiming the $50 million.

The CHAIRMAN. The time of the gentleman from Florida (Mr. FUQUA) has expired.

(On request of Mr. GREGG and by unanimous consent, Mr. FUQUA was allowed to proceed for 3 additional minutes.)

Mr. GREGG. Mr. Chairman, will the gentleman yield?

Mr. FUQUA. I will be happy to yield to the gentleman from New Hampshire.

Mr. GREGG. I thank the gentleman for yielding.

Mr. Chairman, H.R. 1310 is not a bill structured around instrumentation. This is language structured around instrumentation. When we get into junior high schools and high schools and elementary schools where we only have 4 percent of all the elementary schools conducting their laboratories in a laboratory room, or 33 percent of an elementary school having any laboratory facilities at all, you have to assume that whatever further we can do we had better do because this is where our seed corn is created. This is where we are planting our seed corn. We have added $50 million on top of a $400 million instrumentation budget for the rest of the Government. It seems to me that of that additional $50 million, we can certainly take $25 million and put it into the seed corn which is going to produce the research that is going to be used to move this country and to keep this country up with the Japans and the West Germanys of this world.

Mr. FUQUA. Mr. Chairman, I say to the gentleman that I agree that we need to improve that in our high schools and our elementary schools. Nothing is more important than having laboratory equipment. But we are addressing that in another bill. This bill is aimed at higher education in our colleges and universities, and I plead with my colleagues to reject the amendment offered by the gentleman and let us hope that we have a conference with the other body and come out with a very favorable bill that will give some meaningful assistance to our elementary and secondary schools.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New Hampshire (Mr. GREGG).

The question was taken; and on a division (demanded by Mr. GREGG) there were—ayes 15, noes 28.

Mr. GREGG. Mr. Chairman, I demand a recorded vote, and pending that, I make the point of order that a quorum is not present.

The CHAIRMAN. The Chair will count. Forty-three Members are present, not a quorum.

The Chair announces that pursuant to clause 2, rule XXIII, he will vacate proceedings under the call when a quorum of the Committee appears.

Members will record their presence by electronic device.

The call was taken by electronic device.

□ 1500

QUORUM CALL VACATED

The CHAIRMAN. One hundred Members have appeared. A quorum of the Committee of the Whole is present. Pursuant to rule XXIII, clause 2, further proceedings under the call shall be considered as vacated.

The Committee will resume its business.

RECORDED VOTE

The CHAIRMAN. The pending business is the demand of the gentleman from New Hampshire (Mr. GREGG) for a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 150, noes 251, not voting 31, as follows:

[Roll No. 110]

AYES—150

Applegate	Davis	Ireland
Archer	DeWine	Jeffords
Badham	Dreier	Kasich
Bartlett	Eckart	Kemp
Bateman	Edwards (AL)	Kramer
Bereuter	Edwards (OK)	Lagomarsino
Bilirakis	Emerson	Latta
Bliley	Erlenborn	Lent
Broomfield	Fiedler	Lewis (CA)
Brown (CO)	Fields	Lewis (FL)
Broyhill	Fish	Livingston
Burton	Forsythe	Loeffler
Byron	Franklin	Lott
Campbell	Frenzel	Lowery (CA)
Carney	Gekas	Lujan
Chandler	Gingrich	Lungren
Chappie	Goodling	Mack
Cheney	Gradison	Madigan
Coats	Green	Martin (IL)
Coleman (TX)	Gregg	Martin (NY)
Conable	Gunderson	McCain
Corcoran	Hansen (UT)	McCandless
Coughlin	Hartnett	McCollum
Courter	Hatcher	McDonald
Craig	Hiler	McEwen
Crane, Daniel	Hillis	McGrath
Crane, Philip	Hopkins	McKernan
Daniel	Hubbard	McKinney
Dannemeyer	Hunter	Mikulski
Daub	Hyde	Miller (OH)
Molinari	Roukema	Stump
Moore	Rudd	Sundquist
Moorhead	Schaefer	Tauke
Morrison (WA)	Schneider	Tauzin
Myers	Schulze	Taylor
Nielson	Sensenbrenner	Thomas (CA)
O'Brien	Shaw	Vander Jagt
Oakar	Shumway	Vento
Oxley	Shuster	Vucanovich
Packard	Siljander	Walker
Parris	Skeen	Weber
Paul	Smith (NE)	Whitehurst
Porter	Smith, Denny	Whittaker
Pursell	Snowe	Whitten
Quillen	Snyder	Williams (MT)
Regula	Solarz	Winn
Roberts	Solomon	Wolf
Robinson	Spence	Wortley
Rogers	St Germain	Young (AK)
Roth	Stangeland	Young (FL)

NOES—251

Ackerman	Florio	McNulty
Addabbo	Foglietta	Mica
Akaka	Foley	Miller (CA)
Albosta	Ford (MI)	Mineta
Anderson	Fowler	Minish
Andrews (NC)	Frost	Mitchell
Andrews (TX)	Fuqua	Moakley
Annunzio	Garcia	Mollohan
Anthony	Gaydos	Montgomery
Aspin	Gejdenson	Moody
AuCoin	Gephardt	Morrison (CT)
Barnard	Gibbons	Mrazek
Barnes	Gilman	Murphy
Bates	Glickman	Murtha
Bedell	Gonzalez	Natcher
Beilenson	Gore	Neal
Bennett	Gramm	Nelson
Berman	Gray	Nichols
Biaggi	Guarini	Nowak
Boehlert	Hall (IN)	Oberstar
Boggs	Hall (OH)	Obey
Boland	Hall, Ralph	Olin
Boner	Hall, Sam	Ortiz
Bonior	Hamilton	Ottinger
Bonker	Hammerschmidt	Panetta
Borski	Harkin	Patman
Bosco	Harrison	Patterson
Boucher	Hawkins	Pease
Boxer	Hertel	Penny
Breaux	Hightower	Perkins
Britt	Holt	Petri
Brooks	Horton	Pickle
Brown (CA)	Howard	Price
Bryant	Hoyer	Pritchard
Carper	Hughes	Rahall
Carr	Hutto	Rangel
Chappell	Jacobs	Ratchford
Clarke	Jenkins	Ray
Clay	Jones (NC)	Reid
Clinger	Jones (OK)	Richardson
Coleman (MO)	Jones (TN)	Rinaldo
Collins	Kaptur	Ritter
Conte	Kastenmeier	Rodino
Conyers	Kazen	Roe
Coyne	Kennelly	Roemer
Crockett	Kildee	Rose
D'Amours	Kindness	Rostenkowski
de la Garza	Kogovsek	Rowland
Dellums	Kolter	Roybal
Derrick	Kostmayer	Russo
Dickinson	LaFalce	Sabo
Dicks	Lantos	Savage
Dingell	Leach	Sawyer
Donnelly	Lehman (CA)	Scheuer
Dorgan	Leland	Schroeder
Dowdy	Levin	Schumer
Downey	Levine	Seiberling
Duncan	Levitas	Shannon
Durbin	Lipinski	Sharp
Dwyer	Lloyd	Shelby
Dymally	Long (LA)	Sikorski
Dyson	Long (MD)	Simon
Early	Lowry (WA)	Sisisky
Edgar	Luken	Skelton
Edwards (CA)	Lundine	Slattery
English	Markey	Smith (FL)
Evans (IA)	Martin (NC)	Smith (IA)
Evans (IL)	Matsui	Smith (NJ)
Fascell	Mavroules	Spratt
Fazio	Mazzoli	Staggers
Feighan	McCloskey	Stark
Ferraro	McCurdy	Stenholm
Flippo	McHugh	Stokes

Stratton	Valentine	Wilson
Studds	Vandergriff	Wise
Swift	Volkmer	Wolpe
Synar	Walgren	Wright
Tallon	Watkins	Wyden
Thomas (GA)	Waxman	Yates
Torres	Weaver	Yatron
Torricelli	Weiss	Young (MO)
Towns	Wheat	Zablocki
Traxler	Whitley	Zschau
Udall	Williams (OH)	

NOT VOTING—31

Alexander	Hansen (ID)	McDade
Bethune	Hefner	Michel
Bevill	Heftel	Owens
Coelho	Huckaby	Pashayan
Cooper	Johnson	Pepper
Daschle	Leath	Ridge
Dixon	Lehman (FL)	Smith, Robert
Erdreich	MacKay	Wirth
Ford (TN)	Marlenee	Wylie
Frank	Marriott	
Hance	Martinez	

□ 1520

Mrs. COLLINS changed her vote from "aye" to "no."

Mr. YOUNG of Alaska, Ms. OAKAR, and Mr. NIELSON of Utah changed their votes from "no" to "aye."

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. GREGG

Mr. GREGG. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. Gregg: On page 3, section 2(e), line 10, insert after "instruments)." the following: "Any grant made in excess of $175,000 shall have the excess matched by outside funds on a one to one (including matching, in-kind services) basis.".

Mr. GREGG (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from New Hampshire?

There was no objection.

Mr. GREGG. Mr. Chairman, this amendment follows up on the discussion which we had earlier. I believe the majority is in agreement with it. It deals with the need to try to involve in this whole instrumentation process the private sector through matching grants. It essentially requires that any grant made under the prior authorization, the $50 million authorization, should it be in excess of $175,000, would require a match either in kind or services or by dollars, obviously, in order to be adopted.

Mr. FUQUA. Mr. Chairman, will the gentleman yield?

Mr. GREGG. I yield to the chairman of the committee.

Mr. FUQUA. Mr. Chairman, I appreciate the gentleman yielding.

Mr. Chairman, it is my understanding that the amendment is for only those funds in excess of $175,000, that the excess over $175,000 will be matched on a 1-on-1 basis and it only applies to those funds within the $50 million added by the committee to the existing funds in the bill. Is that the gentleman's understanding?

Mr. GREGG. That is correct.

Mr. FUQUA. With that assurance, we accept the amendment and I thank the gentleman for his cooperative attitude in trying to resolve this issue.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New Hampshire (Mr. GREGG).

The amendment was agreed to.

The CHAIRMAN. Are there further amendments to the bill? If not, the question is on the committee amendment in the nature of a substitute, as amended.

The committee amendment in the nature of a substitute, as amended, was agreed to.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker pro tempore (Mr. WRIGHT) having assumed the chair, Mr. TRAXLER, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 2066) to authorize appropriations to the National Science Foundation for fiscal years 1984 and 1985, pursuant to House Resolution 183, he reported the bill back to the House with an amendment adopted by the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment to the committee amendment in the nature of a substitute adopted by the Committee of the Whole? If not, the question is on the amendment.

The amendment was agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on the passage of the bill.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. SENSENBRENNER. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 297, nays 111, not voting 24, as follows:

[Roll No. 111]

YEAS—297

Ackerman	Ford (MI)	Morrison (CT)
Addabbo	Fowler	Mrazek
Akaka	Frank	Murphy
Albosta	Frost	Murtha
Anderson	Fuqua	Natcher
Andrews (NC)	Garcia	Neal
Andrews (TX)	Gaydos	Nelson
Annunzio	Gejdenson	Nichols
Anthony	Gephardt	Nowak
Applegate	Gibbons	Oakar
Aspin	Gilman	Oberstar
AuCoin	Gingrich	Obey
Barnard	Glickman	Olin
Barnes	Gonzalez	Ortiz
Bateman	Gore	Ottinger
Bates	Gray	Panetta
Bedell	Green	Patman
Beilenson	Guarini	Patterson
Bennett	Hall (IN)	Pease
Bereuter	Hall, Ralph	Penny
Berman	Hamilton	Perkins
Bevill	Harkin	Pickle
Biaggi	Harrison	Price
Bliley	Hatcher	Pritchard
Boehlert	Hawkins	Pursell
Boggs	Hertel	Quillen
Boland	Hightower	Rahall
Boner	Hillis	Rangel
Bonior	Horton	Ratchford
Bonker	Howard	Ray
Borski	Hoyer	Reid
Bosco	Hughes	Richardson
Boucher	Hutto	Ridge
Boxer	Ireland	Rinaldo
Breaux	Jacobs	Ritter
Britt	Jeffords	Rodino
Brooks	Johnson	Roe
Brown (CA)	Jones (NC)	Rogers
Brown (CO)	Jones (OK)	Rose
Bryant	Jones (TN)	Rostenkowski
Byron	Kaptur	Roth
Carper	Kastenmeier	Rowland
Carr	Kazen	Roybal
Chappell	Kennelly	Russo
Clarke	Kildee	Sabo
Clay	Kogovsek	Savage
Clinger	Kolter	Sawyer
Coelho	Kostmayer	Scheuer
Coleman (MO)	LaFalce	Schneider
Coleman (TX)	Lantos	Schroeder
Collins	Leach	Schumer
Conte	Lehman (CA)	Seiberling
Conyers	Leland	Shannon
Coughlin	Lent	Sharp
Coyne	Levin	Shelby
Crockett	Levine	Sikorski
D'Amours	Levitas	Siljander
Daniel	Lipinski	Simon
Davis	Lloyd	Sisisky
de la Garza	Long (LA)	Skeen
Dellums	Long (MD)	Slattery
Derrick	Lowery (CA)	Smith (FL)
Dickinson	Lowry (WA)	Smith (IA)
Dicks	Lujan	Smith (NJ)
Dingell	Luken	Snowe
Donnelly	Lundine	Snyder
Dorgan	Madigan	Solarz
Dowdy	Markey	Spence
Downey	Martin (IL)	St Germain
Duncan	Martin (NC)	Staggers
Durbin	Martin (NY)	Stark
Dwyer	Matsui	Stokes
Dymally	Mavroules	Stratton
Dyson	Mazzoli	Studds
Early	McCandless	Swift
Eckart	McCloskey	Synar
Edgar	McCurdy	Tallon
Edwards (AL)	McGrath	Tauke
Edwards (CA)	McHugh	Thomas (GA)
English	McKernan	Torres
Evans (IA)	McKinney	Torricelli
Evans (IL)	McNulty	Towns
Fascell	Mica	Traxler
Fazio	Mikulski	Udall
Feighan	Miller (CA)	Valentine
Ferraro	Mineta	Vander Jagt
Fiedler	Minish	Vandergriff
Fish	Mitchell	Vento
Flippo	Moakley	Volkmer
Florio	Molinari	Walgren
Foglietta	Mollohan	Watkins
Foley	Moody	Waxman

Weaver	Williams (OH)	Wylie
Weiss	Wilson	Yates
Wheat	Wise	Yatron
Whitehurst	Wolpe	Young (AK)
Whitley	Wortley	Young (MO)
Whitten	Wright	Zablocki
Williams (MT)	Wyden	Zschau

NAYS—111

Archer	Hall (OH)	O'Brien
Badham	Hall, Sam	Oxley
Bartlett	Hammerschmidt	Packard
Bethune	Hansen (UT)	Parris
Bilirakis	Hartnett	Paul
Broomfield	Hiler	Petri
Broyhill	Holt	Porter
Burton	Hopkins	Regula
Campbell	Hubbard	Roberts
Carney	Hunter	Robinson
Chandler	Hyde	Roemer
Chappie	Jenkins	Roukema
Cheney	Kasich	Rudd
Coats	Kemp	Schaefer
Conable	Kindness	Schulze
Corcoran	Kramer	Sensenbrenner
Courter	Lagomarsino	Shaw
Craig	Latta	Shumway
Crane, Daniel	Lewis (CA)	Shuster
Crane, Philip	Lewis (FL)	Skelton
Dannemeyer	Livingston	Smith (NE)
Daub	Loeffler	Smith, Denny
DeWine	Lott	Solomon
Dreier	Lungren	Stangeland
Edwards (OK)	Mack	Stenholm
Emerson	Marriott	Stump
Erlenborn	McCain	Sundquist
Fields	McCollum	Tauzin
Forsythe	McDonald	Taylor
Franklin	McEwen	Thomas (CA)
Frenzel	Miller (OH)	Vucanovich
Gekas	Montgomery	Walker
Goodling	Moore	Weber
Gradison	Moorhead	Whittaker
Gramm	Morrison (WA)	Winn
Gregg	Myers	Wolf
Gunderson	Nielson	Young (FL)

NOT VOTING—24

Alexander	Hefner	McDade
Cooper	Heftel	Michel
Daschle	Huckaby	Owens
Dixon	Leath	Pashayan
Erdreich	Lehman (FL)	Pepper
Ford (TN)	MacKay	Smith, Robert
Hance	Marlenee	Spratt
Hansen (ID)	Martinez	Wirth

□ 1540

The Clerk announced the following pairs:

On this vote:

Mr. Pepper for, with Mr. Michel against.

Mr. Spratt for, with Mr. Robert F. Smith against.

Mr. Hance for, with Mr. Hansen of Idaho against.

Mr. McCOLLUM and Mr. FRANKLIN changed their votes from "yea" to "nay."

Mr. TORRES changed his vote from "nay" to "yea."

So the bill was passed.

The result of the vote was announced as above recorded.

TITLE AMENDMENT OFFERED BY MR. FUQUA

Mr. FUQUA. Mr. Speaker, I offer an amendment to the title.

The Clerk read as follows:

Title amendment offered by Mr. FUQUA: Amend the title so as to read: "To authorize appropriations to the National Science Foundation for fiscal year 1984."

The title amendment was agreed to.

A motion to reconsider was laid on the table.

PERMISSION FOR COMMITTEE ON ARMED SERVICES TO HAVE UNTIL MIDNIGHT, FRIDAY, MAY 13, 1983, TO FILE REPORT ON H.R. 2797

Mr. MONTGOMERY. Mr. Speaker, I ask unanimous consent that the Committee on Armed Services have until midnight, Friday, May 13, 1983, to file a report on H.R. 2797, the DOE defense programs authorization bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

PERMISSION FOR COMMITTEE ON FOREIGN AFFAIRS TO HAVE UNTIL 5 P.M. SATURDAY, MAY 14, 1983, TO FILE REPORT ON H.R. 2915

Mr. FASCELL. Mr. Speaker, I ask unanimous consent that the Committee on Foreign Affairs may have until 5 p.m. Saturday, May 14, 1983, to file a report on the bill, H.R. 2915, State Department authorization.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

Mr. WALKER. Mr. Speaker, reserving the right to object, I do so for the purpose of asking the gentleman whether this has been cleared with the minority.

Mr. FASCELL. If the gentleman will yield, yes; it has been.

Mr. WALKER. And they have no objection?

Mr. FASCELL. No objection.

Mr. WALKER. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

PERMISSION FOR PERMANENT SELECT COMMITTEE ON INTELLIGENCE TO HAVE UNTIL MIDNIGHT, MAY 13, 1983, TO FILE REPORT ON H.R. 2760

Mr. BOLAND. Mr. Speaker, I ask unanimous consent that the Permanent Select Committee on Intelligence may have until midnight tomorrow, May 13, 1983, to file a report on the bill, H.R. 2760, to amend the Intelligence Authorization Act for fiscal year 1983.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

REQUEST FOR PERMISSION FOR COMMITTEE ON AGRICULTURE TO FILE REPORT ON H.R. 2733

Mr. DE LA GARZA. Mr. Speaker, I ask unanimous consent that the Committee on Agriculture may have until midnight tonight to file a report on the bill, H.R. 2733, the Critical Agriculture Materials Act.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

Mr. WALKER. Reserving the right to object, Mr. Speaker, I will just ask the gentleman whether or not this has been cleared by the minority.

Mr. DE LA GARZA. If the gentleman will yield, I cannot personally vouch that it has. I assume, since it came from the counsel on the committee. The ranking minority member, the gentleman from Illinois (Mr. MADIGAN), is here.

Mr. WALKER. Further reserving the right to object, Mr. Speaker, I would appreciate it if the gentleman would withhold his request until we know whether or not the minority has cleared it. At this point we do not have any information on this side that there has been a clearance given. I do not want to stand in the way of the request, but without that kind of clearance, I would appreciate it if the gentleman would withhold his request.

Mr. DE LA GARZA. This is just to file a report, but I will be happy to accommodate the gentleman because I cannot personally vouch for that.

Mr. WALKER. I would appreciate it if the gentleman would withdraw his request.

The SPEAKER pro tempore. Does the gentleman withdraw his request at this time?

Mr. DE LA GARZA. Yes, Mr. Speaker.

DEPARTMENT OF ENERGY CIVILIAN RESEARCH AND DEVELOPMENT AUTHORIZATION ACT FOR FISCAL YEAR 1984

The SPEAKER pro tempore. Pursuant to House Resolution 185 and rule XXIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for consideration of the bill, H.R. 2587.

□ 1550

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill, H.R. 2587, with Mr. BONIOR of Michigan in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. Pursuant to the rule, the first reading of the bill is dispensed with.

Under the rule, the gentleman from Florida (Mr. FUQUA) will be recognized for 1 hour, and the gentleman from Kansas (Mr. WINN) will be recognized for 1 hour.

The Chair recognizes the gentleman from Florida (Mr. FUQUA).

Mr. FUQUA. Mr. Chairman, I yield myself 4 minutes.

Mr. Chairman, I rise in support of H.R. 2587, which would authorize fiscal year 1984 funds for the Department of Energy civilian research and development programs.

I want to congratulate the gentleman from New York (Mr. SCHEUER), chairman of the Subcommittee on Natural Resources, Agriculture Research and Environment; the gentlewoman from Tennessee (Mrs. LLOYD), chairman of the Subcommittee on Energy Research and Production; and the gentleman from Kansas (Mr. GLICKMAN), chairman of the Subcommittee on Transportation, Aviation and Materials, for their leadership in bringing this legislation to the floor. They have done an outstanding job in perfecting this legislation. I would also like to acknowledge the considerable efforts of my colleagues on the other side of the aisle, the gentleman from Kansas (Mr. WINN), ranking minority member; the gentleman from Pennsylvania (Mr. WALKER), the gentleman from New York (Mr. CARNEY), the gentleman from Wisconsin (Mr. SENSENBRENNER), and the gentleman from New York (Mr. MCGRATH).

Mr. Chairman, H.R. 2587, the Department of Energy Civilian Research and Development Authorization Act for Fiscal Year 1984, encompasses civilian energy R&D programs under the sole jurisdiction of the Committee on Science and Technology. We feel that we are recommending a strong, responsible and balanced energy research and development program which provides the basis for our Nation's critical energy production and conservation efforts.

The bill contains an authorization for Department of Energy research and development programs of nearly $3.29 billion, which is an increase of $557.8 million above the administration's authorization request for fiscal year 1984. This is also an increase of $318.8 million above the fiscal year 1983 appropriated levels due mainly to the committee's endorsement of the administration's requested increases in magnetic fusion, uranium enrichment research and development, supporting research, and also general science programs. These recommendations are fully consistent with the views and estimates which we sent to the House Budget Committee, and they are also within the budget guidelines for energy programs provided in the House-passed first concurrent resolution on the budget.

Mr. Chairman, I feel the Nation is currently in a precarious transitional period in our ultimate drive toward energy independence. Recent worldwide declines in crude oil prices, brought about by the temporary oil glut and disarray in OPEC, may have led some to believe the energy crisis is over.

But these attitudes are premature and inconsistent with both immediate and long-term national priorities. While significantly reduced from the dangerous levels of the past decade, our reliance on oil imports is still high. In addition, there remains a disproportionate use of petroleum in our energy consumption patterns. We know we have enormous quantities of coal deposits, and there is also very convincing evidence that our domestic reserves of natural gas are much greater than was believed a few years ago. We must continue to expand our utilization of these resources. Furthermore, renewable energy sources, such as solar, geothermal, and biomass, along with nuclear energy and energy conservation, clearly are important components in any strategy for national energy security. I believe that with this bill we will maintain a balanced energy R&D program; one that will support our ultimate goal of energy independence, and one that is fiscally responsible in these times of severe budget constraints and high deficits.

Mr. Chairman, I want to describe briefly the various component programs and funding levels contained in H.R. 2587. First, I should point out that in several program areas the committee agreed with the administration's budget request and these are fully supported in the bill. In other programs, however, the committee felt the administration's requests were not adequate to maintain viable R&D efforts.

This legislation before the House today, H.R. 2587, when enacted, will supersede the authorization levels for R&D programs contained in title X of the Omnibus Budget Reconciliation Act of 1981, Public Law 97-35.

As pointed out by the Congressional Budget Office cost estimate, the authorization level is $366 million below the present authorization level for fiscal year 1984.

The level authorized by this legislation for fossil R&D for fiscal year 1984 is $310.43 million. Funds were added for a number of important fossil R&D activities in coal combustion, including environmental control technology, synthetic fuels from coal and oil shale, advanced research and technology development, fuel cells, magnetohydrodynamics, and program direction to cover the indirect costs of program management properly. While this authorization does represent an increase of $172,430,000 over the President's request, it is a reduction of $920,000 from the fiscal year 1983 appropriated level.

For conservation programs, the committee added $75 million to the DOE request of $68 million to bring total funding to $143 million. This authorization essentially retains on-going activities at their fiscal year 1983 levels. It does not provide for any expansion, nor does it account for inflation. No new starts are included, with the exception of the high temperatures materials laboratory initiative proposed by the administration.

In the area of renewable energy R&D, this legislation will maintain the overall solar program at last year's appropriated level. It maintains development activities for several technologies which are not yet ready for commercialization by industry. These include parabolic dish solar thermal systems, crystalline silicon photovoltaic modules and biomass thermochemical conversion systems. It would bring to near completion two major large scale solar development projects: The Mod 5 wind machine and the solar thermal central receiver. It will continue and enhance basic and applied research on solar buildings and biomass production and conversion, and it would initiate a new program in open-cycle ocean thermal energy conversion. These activities would require a total solar budget of $198.85 million, which is $115.291 million above the President's request and $9.915 million above the fiscal year 1983 level.

With this bill we have authorized an increase of $16.4 million for the geothermal energy programs, for a total of $29.953 million. This funding level includes $8 million for the geopressured resource activity, an additional $2.5 million for the hot-dry rock activity, and an additional $5.9 million for a promising new drilling project within the hydrothermal research activity.

In the field of nuclear fission R&D this legislation authorizes total funding level of $542.482 million. Funds were added for the high temperature gas-cooled reactor (HTGR) program which the administration did not request and for reorienting the light water reactor (LWR) safety program.

H.R. 2587 authorizes a total of $500 million for the magnetic fusion program, which is an increase of $33 million over the President's request. Within this amount, additional funds were provided for enhanced applied plasma physics work at the Los Alamos National Laboratory, and for acceleration of the ion cyclotron resonance heating activity.

Mr. Chairman, in conclusion, H.R. 2587 will provide the necessary balance, continuity and stability that is required for this Nation's energy R&D program. Additionally it authorizes funding that preserves prior Federal investments in facilities, technical expertise, and vital data, and it will help insure DOE supported basic research remains preeminent and at the scientific frontier. I urge all my colleagues to join me in supporting its passage.

Mr. WINN. Mr. Chairman, I yield myself 5 minutes.

Mr. Chairman, I rise in support of a fiscal 1984 DOE authorization and the

process through which the Committee on Science and Technology has progressed to our proposed legislation, H.R. 2587.

Mr. Chairman, many people have been somewhat amazed that our committee would consider authorization legislation this year. We are all aware that existing public law provides authorization for energy research and development into fiscal year 1984. However, present conditions verify my strong concerns expressed in 1982 when the Congress passed a multiyear authorization bill. That bill used the numbers that forecasted conditions which do not exist and that greatly exaggerated authority for appropriating funds.

The investigations and evaluations necessary to create proper energy research and development authorization legislation should occur continually. This Nation has spent vast sums for such activities and, in some cases, we have gotten very little in return. Our recent history is long on legislative initiative and short on oversight. Therefore, the process through which we have gone this year is not only helpful, but also necessary in the fulfillment of our responsibilities. On the one hand, we can see that attention to the rate of spending has created a climate to encourage economic recovery. On the other hand, such legislation as H.R. 2587, which exceeds the administration's request by a half billion dollars, must be tempered to minimize budget impact.

Mr. Chairman, once again I welcome the opportunity to commend our chairman, Mr. FUQUA, for a comprehensive approach to a very complex problem, the Nation's energy program. His chairmanship of our committee has been exemplary and it has been a pleasure to work with him. We do have some differences in extent of funding and I may propose a substitute to his recommendations at the appropriate time. However, I think we both realize that our separate efforts have been sincere, intensive, and extensive.

Mr. Chairman, I yield 2 minutes to the gentleman from New Mexico (Mr. LUJAN).

Mr. LUJAN. I thank the gentleman for yielding this time to me.

Mr. Chairman, I rise in support of this legislation. I do think the figures in the bill before us today are too high. They are about $452 million above the request from the administration, and the substitute that might be offered today is still higher than what the administration has proposed. However, it is less than what is in the bill today.

The bill today calls for a 20-percent increase, over and above the request of the Department of Energy, and I think we should be very careful about increasing any budget that amount. The substitute which the gentleman from Kansas (Mr. WINN) might offer today still maintains a 10-percent increase in the authorization.

So while I support the entire legislation, I still believe that it is too high and I would hope that we could reduce those figures somewhat today.

Mr. FUQUA. Mr. Chairman, I yield 4 minutes to the gentlewoman from Tennessee (Mrs. LLOYD), chairman of the Subcommittee on Energy Research and Production.

Mrs. LLOYD. I thank the gentleman for yielding this time to me.

Mr. Chairman, I want to congratulate our chairman on bringing this bill to the floor today.

Mr. Chairman, this bill as I pointed out in a "Dear Colleague" letter this week, is a true high technology bill. The committee was forced to make significant add-ons for R&D in fossil, solar, and conservation programs, in order to fill the applied research and technology development breach between the basic research and demonstration extremes of the R&D spectrum. The committee crafted these add-ons carefully and Chairman FUQUA, Mr. SCHEUER, Mr. GLICKMAN, and I felt that we preserved the best programs recognizing that in the present budget climate we could only fund the higher priority items which the administration had deleted. On the Energy Research and Production Subcommittee which I chair, we adapted this approach to restoration of funding for the high temperature gas-cooled reactor (HTGR), redirection for a genuine light water reactor (LWR) safety R&D program, acceleration of advanced centrifuge development for uranium enrichment, and key nuclear fuel cycle activities. The total of add-ons in nuclear fission comes to just 12 percent of the DOE request and the critically needed enhancements which we recommended in the magnetic fusion energy program total just 7 percent, which amounts to barely discernible real growth for this high risk enterprise. In the electric energy systems and energy storage programs the request totaled only $26.9 million, which was roughly 30 percent under the fiscal year 1983 appropriations level. These programs offer considerable "bang for the buck," and we felt it was necessary to provide for fiscal year 1983 levels with some accommodation for inflation.

In nuclear fission, the committee once again strongly went on record as supporting the HTGR program and related thorium fuel cycle activity. The $40 million for the HTGR development comes to almost 70 percent of the committee's recommended boost in nuclear fission R&D. The committee has outlined specifically what it expects to see achieved in the HTGR program in fiscal year 1984 in the accompanying report. The committee has redirected funds for a more aggressive LWR safety program because the Department proposed no substantive research. The committee proposed a redirection of another $6 million with an additional $3.5 million for the light water reactor fuel burnup program so that maximum benefits can be received from the program investment which is nearly 70 percent complete. Under this recommendation, the program would continue with all five reactor fuel vendors participating. The committee sustained nuclear waste management R&D at the DOE request and added $2 million for a demonstration of advanced techniques for thorium removal. The committee recommended an enhancement in fuel reprocessing R&D of $13.5 million to sustain reprocessing technology for breeders and HTGR's, while encouraging exploration of advanced techniques for LWR's. Although the committee made no change in the request for space reactor technology development, the committee took a very specific position on the interagency SP-100 program which is to be carried out under the memorandum of agreement among DOE, DARPA, and NASA. The committee recognizes that this program had a strong technology base in the work of the late fifties through the early seventies, and civilian mission requirements should be delineated in the framework of this broad capability which exists in both the Government labs of DOE and NASA as well as industry.

Although the committee adopted language pertaining to the Clinch River breeder reactor project, the committee did not specifically terminate or deauthorize the project, but took a position to encourage the funding of the project under an alternative financing plan in subsequent legislation.

In magnetic fusion the committee has been concerned about sustaining industry involvement in the program as well as encouraging a stronger relationship between the national laboratories and university research teams. The administration's funding of this program over the past several years has represented a decrease in real dollars and the committee recommendation was to add just 7 percent onto the request. This $33 million would support mainline projects with related university work, accelerate technology development for plasma heating, and encourage planning and design for the next Tokamak device, TFCD, both at the Oak Ridge Fusion Engineering Design Center and the Princeton Plasma Physics Laboratory. Tokamaks are doughnut-shaped devices, for example, TFTR at Princeton, which represent the most promising fusion reactor concept at present. The committee also added $5 million for the fusion

material irradiation test (FMIT) at Hanford, to encourage cooperative efforts with the Japanese on cost-sharing proposals for a comprehensive fusion materials program and provided $3.5 million for research on compact, high-density systems. We also recommended $5.5 million for MFTF-B the mainline mirror machine at Lawrence Livermore Laboratory with supporting research at MIT.

In electric energy systems and energy storage systems the committee added a total of $20 million to restore these programs to roughly fiscal year 1983 appropriations levels. The committee is concerned about the small DOE staff in electric energy systems. Because the administration continues to present going-out-of-business budgets, the committee has been forced to outline funding very specifically for each element of these programs.

In the nuclear fission R&D which supports the uranium enrichment program, the committee supports funding for both advanced gas centrifuge and atomic vapor laser isotope separation (AVLIS). The committee believes that these technologies should be brought along rapidly to assure that U.S. prices will be competitive. To this end, our subcommittee added $11 million to accelerate development of set V centrifuge machines to increase the power efficiency for the GCEP at Portsmouth, Ohio.

Mr. Chairman, this is a genuine high technology bill where the administration's admirable request for significant real growth in basic research programs is complemented by judicious committee add-ons in applied research and technology development. This bill, I believe, represents as close as one can come to a broad congressional concensus on implementation of energy R&D policy. The funding allows for a strong national research effort by the government, industry, and universities all the way from the laboratory bench to the threshold of product commercialization. This bill says that the Federal Government still has a role in technology development and yet relies on the private sector to fulfill its proper lower risk and marketing function.

I urge all my colleagues to support H.R. 2587 as a vital element in the congressional high-tech strategy.

□ 1600

Mr. WINN. Mr. Chairman, I yield 3 minutes to the gentleman from Pennsylvania (Mr. WALKER).

Mr. SENSENBRENNER. Mr. Chairman, will the gentleman yield?

Mr. WALKER. I am glad to yield to the gentleman from Wisconsin.

Mr. SENSENBRENNER. Mr. Chairman, I thank the gentleman for yielding.

Mr. Chairman, I rise in support of the action taken by my colleagues on the Science and Technology Committee concerning the Clinch River breeder reactor. Before addressing the merits of the committee amendment, which we will be shortly considering, and its effect upon the continuation of the project, I would like to acknowledge the work of the authors of the amendment, the gentleman from California and the gentlelady from Rhode Island. Through their efforts, we are presented with the opportunity to implement the intention of this body last December and end the taxpayers' subsidy of one of the costliest projects in our country's history.

In December 1982, although this body, in considering the continuing resolution for fiscal year 1983, voted to eliminate all funding for Clinch River for fiscal year 1983, the other body, by a 1-vote margin, decided to continue its funding. The conference committee approved limited funding for the project and required the Department of Energy to:

Vigorously explore proposals including a reconsideration of the orginial cost-sharing arrangement, that would reduce Federal budget requirements for the Clinch River project or project alternative and secure greater participation from the private sector.

The committee amendment does not displace but rather strengthens the conference committee's request.

While it is self-evident that the amendment ends all Federal funding of Clinch River in fiscal year 1984, based on the present cost-sharing arrangement, the amendment does not foreclose or prejudice the adoption of alternative financing for Clinch River. Instead, it encourages the securing of alternative financing by terminating continued Federal financing, as provided under the Omnibus Reconciliation Act of 1981, until alternative financing is approved by this body. If we were to reject this amendment, the incentive to obtain alternative financing would be removed.

As a member of the authorizing committeee for this project, I look forward to the submission of alternative financing legislation. I am confident that this legislation will be carefully considered by the committee without prejudice. Therefore, until this process is completed, further appropriations of taxpayers' dollars are inappropriate and wasteful.

Mr. WALKER. Mr. Chairman, as the ranking minority member on the Subcommittee on Energy Research and Production, I would like to make several comments concerning the portion of the bill over which our subcommittee has jurisdiction.

Our subcommittee held comprehensive hearings covering the administration budget request and carefully examined all of the programs which were included in the request, and also looked at several which were not proposed for funding in the coming year.

As a result of those hearings we felt that there were a number of adjustments which should be made to the Department's request to reflect appropriate national energy priorities.

There were some programs which the Department felt were ready to move forward into full commercialization which we feel should have the benefit of additional research and development activity. One major example of this is the high temperature gas-cooled reactor, known as the HTGR program. This technology may well become the next generation of commercial reactors based on the inherent safety in the design. As an example of the tremendous safety margins in the HTGR over present generation light water reactors let me point out that at Three Mile Island the operators had less than 2 minutes—less than 120 seconds—in which to recognize the emergency, to identify the problem, select the correct emergency procedures, and to act. Had that reactor at TMI been an HTGR design the operators would have had 120 hours to which to act.

Our decision to continue the HTGR project at level funding is merely one example of the care which our subcommittee took in our budget review this year. We held 11 days of subcommittee hearings, 1 day of subcommittee markup, and 3 days of full committee consideration before we brought this bill to the floor.

Overall, our subcommittee brought forward a budget recommendation which totaled $3.671 billion as compared to a budget request of $3.589 billion. That is an increase of $77.8 million, or 2.1 percent.

I was hopeful that we would have been able to have kept within the budget request in our area of the bill, and could have maintained overall level funding. I supported a minority substitute in the full committee which would have accomplished just that aim, and I intend to support a similar substitute today when it is offered.

Finally, Mr. Chairman, I would like to commend the gentlelady from Tennessee who chairs the subcommittee, and the gentleman from Florida who chairs the full committee for their many courtesies during the hearing and markup schedule. I would also like to commend the gentleman from Kansas, the ranking minority member on the full committee, for his help, assistance, and support through the legislative process. And finally, I would like to thank the staff for their invaluable help.

Mr. FUQUA. Mr. Chairman, I yield 3 minutes to the distinguished gentleman from Virginia (Mr. BOUCHER), a member of the committee.

Mr. BOUCHER. Mr. Chairman, I rise in support of H.R. 2587, authorizing appropriations for the Department

of Energy for fiscal year 1984. I would like to commend our chairman, the gentleman from Florida, for his leadership in bringing this legislation to the floor. I believe this bill exemplifies our commitment to maintain a viable and balanced energy research and development program as we strive toward energy independence, while simultaneously adhering to the call for fiscal stringency.

I am particularly pleased and congratulate my colleagues for their cooperation on the DOE fossil energy programs for fiscal year 1984. Fossil fuels, including coal, natural gas, and oil, are expected to supply the majority of the Nation's energy needs well into the next century, and yet the administration's request in fossil energy R&D represented a 56-percent reduction from the fiscal year 1983 appropriated level. Our Nation will look increasingly to coal as a primary source of energy as other conventional supplies of domestic oil and gas are depleted, and yet coal research suffered the biggest reduction in the administration's request. H.R. 2587 provides authorization to maintain an adequate fossil energy research and development program.

Mr. Chairman, I represent a district which has enormous quantities of coal reserves which are underutilized. The ultimate and expanded use of this vast and vital energy resource is strongly dependent on technologies dealing with coal quality, environmental emission, and waste disposal. This bill provides authorization to fund R&D programs essential to upgrade the quality of U.S. coal and to develop critical cleanup and control technologies to the point where industry can take over. The programs suggested by this bill will help us to improve our economy as well as to meet our energy independence goals.

Again, Mr. Chairman, I would like to assure the Members that H.R. 2587 provides support for research and development in areas that are vital to our energy program as well as the Nation's economy without ignoring our very real concerns for fiscal restraint.

I reiterate my full support of H.R. 2587 and urge my colleagues to approve it.

Mr. WINN. Mr. Chairman, I have no further requests for time.

Mr. FUQUA. Mr. Chairman, I yield 2 minutes to the distinguished gentleman from Ohio (Mr. SEIBERLING).

Mr. SEIBERLING. Mr. Chairman, I thank the distinguished chairman of the committee for yielding this time to me.

Mr. Chairman, in its committee report, the Science Committee has recommended that the Department of Energy review its schedule for development of the new gas centrifuge technology for uranium enrichment services. The committee also recommends that funding for development of the most advanced of the centrifuge machines be increased by $11 million.

The legislation now before the House addresses only a small part of the Federal uranium enrichment services program. The great majority of the program will not be affected by the Science Committee bill, because it is not research and development activity. It is my understanding that the $11 million increase being recommended by the Science Committee for accelerated work on advanced research is not intended to be found in the budget through reprograming or other shifting of funds from non-R&D activities. If that is so, the increase should not interfere with the Department's current schedule for procurement of Set III centrifuge machines. Could the Chairman of the Science Committee confirm whether my understanding is correct?

□ 1610

Mr. FUQUA. Mr. Chairman, if the gentleman will yield, the understanding of the gentleman from Ohio is the understanding that I also share.

Mr. SEIBERLING. Mr. Chairman, I believe the information being requested by the Science Committee in its report on H.R. 2587 regarding the schedule for development of centrifuge capacity is relevant to the continuing concern of the Department and the Congress that the uranium enrichment services remain at the forefront of technical and economic effectiveness in the world enrichment market. Most information developed to date indicates that the Department's current plan to develop and implement set III enrichment machines while accelerating set IV and set V machine development is the wisest course to follow. We must continue assessing our progress as new technology developments occur, however. I support such a study and I look forward to its conclusions.

● Mr. STARK. Mr. Chairman, today we are considering a very important piece of legislation. The decisions we make today will determine our energy options for the future. Will we continue to depend upon foreign oil imports for our energy needs in the next century? Will oil even be available if we needed it? Can we attain energy independence as a nation? And will we even have the alternative resource options available for that independence? All these are questions we are directly addressing by our vote on this bill.

I want to commend Chairman FUQUA, Chairwoman LLOYD, and the other members of the House Science and Technology Committee for their long, hard work on this bill. More than any of us, they understand the important decisions we face today. Their dedication to the future energy needs of our Nation is farsighted and enlightened.

I was pleased that the committee endorsed higher funding for our Nation's magnetic fusion program. Adding a total of $33 million, the committee has reaffirmed the goals of the U.S. magnetic fusion effort; 1983 was a year of milestones in magnetic fusion research. With the support of the committee and this body, 1984 can be just as important.

We have completed construction on the Tokamak facility in Princeton, N.J., and that machine reached plasma late last year. The mirror fusion facility in Livermore, Calif., is beginning its major construction phase, and the scientists successfully tested the giant ying-yang magnets to be used in that facility. We have gone much further in our pursuit of magnetic fusion in the last year, than in perhaps any year previously. We must continue to press toward higher goals. The only way to do this is to support the committee bill. Earlier this year, I testified before Chairman LLOYD's subcommittee on the issue of magnetic fusion. I include my testimony below.

We need this program. We need extensive energy research in all areas. We must vote for H.R. 2387. The testimony follows:

TESTIMONY OF HON. FORTNEY H. STARK, JR. BEFORE THE HOUSE SCIENCE AND TECHNOLOGY SUBCOMMITTEE ON ENERGY RESEARCH AND PRODUCTION, MARCH 17, 1983

Madam Chairman, it is indeed a pleasure to once again appear before your Committee and address the important issue of magnetic fusion energy research. I want to commend you and the other Members of this Committee on the fine work that you have done in this area. Your additions to last year's budget helped preserve our nation's magnetic fusion effort.

With a few exceptions, 1982 can be termed an overwhelming success in realizing our goals in magnetic fusion. The Tokamak Fusion Test Reactor at Princeton completed construction, and most importantly, was successful in reaching plasma just before Christmas. In addition, the Magnetic Fusion Test Facility in Livermore has proceeded into its construction phase, and last February had a successful test of their large "ying-yang" magnet, one of two that will become a part of METF-B.

Unfortunately, however, all has not been bright on the fusion front. Funding, even with this Committee's increases last year, has not been what we envisioned in 1980 with the passage of the Magnetic Fusion Engineering Act, and all of the fusion programs are suffering as a result. Because of these program cutback, and project delays, our ability to evaluate comparable alternatives in fusion research has been greatly reduced, and consequently, the next phase reactor has been postponed indefinitely. Most importantly, however, we have still not received a program plan from the Department of Energy. And this, I believe, hinders us the most.

The budget proposal submitted by the President this year is an increase from the continuing resolution, but even with this increase, some dramatic cutbacks have to be

made. The greatest loss under the President's proposal is the total elimination of funding for the Elmo Bumpy Torus-P project. Although this project is well behind our two lead concepts, tokamaks and mirrors, it has shown a great deal of promise. In addition, it was one of the few projects being developed with full participation and partial funding from private industry. The loss of this project means more than the loss of a promising magnetic fusion alternative concept; it cuts short an attempt to actively and effectively involve private industry in the development of magnetic fusion energy. If our ultimate goal is to be commercialization of fusion, and I believe it should be, we should be encouraging, not discouraging, private industry involvement.

As the Congressman who represents the Lawrence Livermore National Laboratory, and its employees, I am happy to say that the Laboratory is moving ahead in bringing private industry into the development of the MFTF-B project at Livermore. They are scheduled to enter into a contract for the design and development of specific parts for MFTF-B very soon. This is a giant step ahead, and we should do all we can to further these goals. We are not encouraging industry participation by showing our willingness to cancel important projects like EBT-P.

By eliminating EBT-P we are basically limiting ourselves to the two lead concepts, that is, tokamaks and mirrors, in the decision about the next level reactor we are going to build. And we must keep in mind that even the mirror concept is approximately three years behind the tokamak concept. To adequately assess our alternative options, we should be pursuing them at a much accelerated pace. Therefore, limiting our options at this point would be unwise and self-defeating. As I am sure you know, Madame Chairman, the General Accounting Office has recently completed a draft report for you and me, and this very issue was addressed. GAO states, ". . ., experts including the National Academy of Science's Research Council, are . . . questioning whether DOE is adequately pursuing alternative concepts so that options are available when the decision is made to construct the next level reactor." And the report further states:

"Both the National Academy of Science and DOE's Magnetic Fusion Advisory Committee have recommended that the mirror concept be pursued vigorously so that it can provide a development option as the (Magnetic Fusion Engineering Act of 1980) intended. Unless this occurs DOE may be prematurely commiting itself to the tokamak concept for commercial development before it has had the opportunity to adequately assess the advantages and other concepts."

So although the MFTF-B funding is adequate this year, past funding levels have placed it well behind tokamaks. By also cutting, and then eliminating EBT-P, we may have put ourselves into a straightjacket with regard to our options. I don't think that that helps anyone. If commercialization is to be our goal, we must examine all the alternatives, and move ahead with the best and most promising.

Finally, I believe we have waited long enough for the program plan from DOE for magnetic fusion. This is the third year that the Administration has submitted budgets in magnetic fusion well below those envisioned by the Magnetic Fusion Engineering Act. Obviously program changes have been made, but Congress has yet to receive an updated program plan. The GAO further states in the recent report:

"Because DOE plans to deviate significantly from the fusion energy development strategy set forth in the act, it is particularly important that a comprehensive program management plan be submitted to the Congress. The plan is needed to explain and justify DOE's evolving fusion development program. The plan should also meet the requirements of the act, and should have the flexibility to respond to changing budgetary conditions."

In closing, I want to again thank you, Madam Chairman, and the Members of your Committee for their continued interest and involvement in the research and development of magnetic fusion. Each time I make an appearance here before your Committee we are one step closer to realizing our goal of commercialization of fusion energy, and with that, our own national energy independence. Let us not lose sight of those goals after coming so far. Now is not the time to cut back, but the time to actively move ahead. I look to this Committee to guide us to our goals in fusion energy.●

● Mr. HARKIN. Mr. Chairman, I rise to support H.R. 2587. Once again, I wish to congratulate our committee chairman, the gentleman from Florida (Mr. FUQUA), on putting together an excellent and thoughtful nonnuclear R&D program in the face of continuing refusal by the administration to take these technologies seriously.

I am especially pleased to see the Stirling engine and the second automotive gas turbine restored to the vehicle energy research program. These are technologies that the American automobile manufacturers are not willing to pursue on their own, but which offer a high potential reward to the Nation in terms of energy efficiency, fuel diversity, and environmental protection. The Stirling engine contractor, in particular, has met or exceeded all program goals, has shown excellent progress in overcoming technical problems such as weight and seal leaks, and has been consistently commended by DOE for excellent performance.

In the buildings area we have the potential to cut our use of primary energy by nearly 40 percent by the year 2000, and to have more than 20 percent of what is left supplied by renewable energy sources. But we can not do it all with today's technology. We need new materials such as selective coatings and phase change storage and new building techniques such as passive cooling and daylighting designs. We also need better tools to predict building energy use and better measurements of actual energy consumption in real, occupied buildings. I am pleased that the committee's budgets for building systems and solar building energy research provide for substantial increases in these program areas.

I am also pleased to see that our renewable energy technology projects, such as the MOD-5 wind machines, the parabolic dish solar electric systems, the near term photovoltaic arrays and the biomass gasification and liquefaction test facilities have all been restored in the budget. These technologies will not only improve our energy self-sufficiency; they will also increase the competitiveness of American industry in world energy markets.

In sum, Mr. Chairman, this is a good budget, one that we can be proud of. It is not perfect—in fact it contains too much nuclear and too little solar and conservation for my taste—but it is a sound program which restores some elements of balance and sanity to our Nation's energy research agenda. I recommend my colleagues' support for this bill.●

Mr. YOUNG of Missouri. Mr. Chairman, this bill represents a strong committee position on research and technology development. It is a renewed commitment to a balanced energy R&D program which our committee has sought as a middle ground position since the beginning of the last Congress.

The committee recommendations in the nonnuclear energy programs are carefully thought out and defensible. I think that our chairman, Mr. FUQUA, who chairs the Energy Development and Applications Subcommittee, has done a solid job of providing funds for programs which support the development of strong technology bases in the fossil, solar, and conservation programs. Strong incentives for the private sector to provide investment to carry out these risky R&D programs simply do not exist. The recommended add-ons in these areas are for priority items.

The highest priority increases from my point of view were made in magnetic fusion by the Energy Research and Production Subcommittee chaired by Mrs. LLOYD. She recommended tailored add-ons which our subcommittee adopted and which were sustained at full committee. These recommendations added $33 million to the $467 million DOE request for magnetic fusion energy. This $33 million is high-leverage funding intended to address a strong thrust which I have pursued and encouraged since I came to Congress. My chief interest here is to catalyze the growing industrial involvement in the program such that the reactor engineering development can go forward even though fusion proof-of-principle has not yet been demonstrated. We cannot allow the fusion program to slip into low gear with solely a scientific emphasis through a policy of flat funding. Such an approach simply holds back our best industrial and laboratory people rather than unleashing them to pursue reactor systems studies and related technology such as new plasma heating concepts. The breeder reactor program and fusion have reached different phases, but they both promise limitless supplies of electricity and must be supported in a way

that retains and augments the outstanding industrial and laboratory infrastructures which have been erected to date.

In nuclear fission R&D, the committee made just several funding increases, notably for the high temperature gas-cooled reactor and advanced centrifuge development. The administration has insisted on zeroing the HTGR while the committee strongly supports it as the only nuclear reactor concept which can produced high-grade heat as well as electricity.

The funding for the breeder technology and fuel cycle programs is aimed at providing a development base for the prototype plant which the private sector will construct beyond the Clinch River breeder reactor project (CRBRP). The CRBRP funding and merits will be considered in separate legislation and I am looking forward to a solid alternative financing plan which is to be proposed in the near future.

Mr. Chairman, I strongly support H.R. 2587 because it is an investment in progress aimed at improving our citizens' quality of life decades from now. I urge its adoption.

● Mr. FISH. Mr. Chairman, during the years I was ranking minority member of the Energy Development and Applications Subcommittee, I was extremely impressed with the advances made in many alternative energy sources and technologies. Following the energy crisis of the seventies and foreign oil supply interruptions, we made a concerted effort to help make the United States less dependent on foreign oil.

Among the most promising of the new technologies is the Stirling engine. The use of alternative fuels to run the Stirling engine is one of the most important developments in the evolution of the automobile. To run a car on something other than petroleum, which we will eventually run out of, is an absolute necessity.

When the Stirling engine was first started, there was doubt it could run on a variety of liquid fuels. Today, Stirling engine test vehicles are operating interchangeably without difficulty on several different liquid fuels.

There is also evidence that manufacturers of automotive and truck engines are showing interest in the Stirling engine. General Motors, Cummins Engine Co., and John Deere Corp. have all requested engines to test.

At this time, when the United States is the leader in developing new technology, we should continue our support of the Stirling engine. It is a very promising alternative for the future.●

● Mr. NELSON of Florida. Mr. Chairman, I support the DOE authorization as reported out of committee.

With the current problems this country is experiencing in the development of alternative fuels—solar, geothermal, and so forth—it is imperative that this legislation be passed with the proposed funding intact.

A cut would simply throw a monkey wrench in the gears that are now slowly beginning to roll, providing the needed alternatives to our dependence on foreign oil.

Programs that should be continued and will be continued in the funding as reported out of the Science and Technology Committee include solar energy studies, R&D, wind energy systems, biomass energy technology, and ocean energy systems, fuel cells technology advancements, and a large recommended increase—approximately $150 million—in fossil energy advancements.

The Department of Energy has played a most important role in the leading of advancements of alternative fuel supplies. Ever since the Arab oil embargo in the early seventies, Americans have seen and felt firsthand the stranglehold that can threaten our economic security.

We cannot allow this to happen again.

With the support of this legislation the United States can again proceed to lead in energy development.●

● Mr. MINETA. Mr. Chairman, I rise in strong support of H.R. 2587, authorizing appropriations for DOE civilian research and development activities for fiscal year 1984. I want to commend the gentleman from Florida, chairman of the Science and Technology Committee, for bringing this bill to the floor. I feel it is a balanced approach toward our national energy research priorities, and will maintain an effective, ongoing program to enhance our energy security at this particularly crucial time when budget constraints and other factors may be undermining these efforts.

Mr. Chairman, I hope most Members would agree that the recent drop in world oil prices is a temporary aberration and should not deter the desire to reduce dependence on foreign petroleum sources. I would also hope that those in the administration would share this view. Yet, in several key areas, including funding to promote utilization of the Nation's abundant coal resources, the administration's budget requests are inadequate. This legislation corrects this and provides for an ongoing fossil energy R&D program consistent with fiscal year 1983 appropriations. There are many viable innovative fossil energy technologies that clearly offer great promise, including, for example, fuel cells, which may yield up to 85 percent capture of the available energy in the fuel sources. Continued fossil energy R&D efforts will insure increased and environmentally acceptable use of coal, and also expand the availability of domestic gas and petroleum resources.

On the other hand, I believe the administration has correctly proposed aggressive programs in the supporting research and technical analysis, and general science and research areas, and this legislation supports its proposals fully. These include frontier scientific work in the fields of nuclear physics, high energy physics, and basic energy sciences. I find the funding for the National Center for Advanced Materials within the basic energy sciences program to be particularly relevant. But, in general, I feel the major contribution of these programs is in widening the scope of our knowledge, which contributes to our technological strength and to the intellectual capital our society possesses.

Mr. Chairman, I enthusiastically support this legislation, and urge my colleagues to vote for it.●

● Mr. RAHALL. Mr. Chairman, I rise in support of H.R. 2587, the authorization of the Department of Energy. I am particularly pleased with the bill's fiscal year 1984 fossil energy research and development authorization of $310.4 million.

I find the administration's coal R&D request—which accounts for the lion's share of the fossil energy budget—for the Department of Energy of $97 million for fiscal year 1984 unacceptable. I just cannot believe we will let the fossil energy budget at DOE decline from 22 percent of the technology budget in fiscal year 1981 to 7 percent as the administration proposes in its fiscal year 1984 request. Today, we are striking a blow for America's energy independence by providing an adequate authorization for coal R&D.

The benefits of the research and development activities funded under this program cannot be understated. For those who are concerned over acid rain, I say to them, support funding for coal R&D. For those who wish to provide consumers with low-cost electricity, I say support coal R&D. For those who wish to protect the health and safety of our coal labor force and to increase mine productivity, I say support coal R&D. For those who want to secure America's energy security, I again say, fund coal R&D.

This legislation will send a strong message to the administration that we will not forsake the promise America's vast coal reserves hold for our present and future energy security. With continued research into new technologies, coal will be burned even cleaner and more economically than it is today. As coal combustion technologies advance, we will insure an even greater demand for this energy source—something I am sure the 32 percent of the coal labor force currently unemployed can appreciate.

I would like to commend the chairman of the Committee on Science and Technology, DON FUQUA, for bringing

this measure to the floor. In addition, I applaud the efforts of MARILYN LLOYD and my colleague from a neighboring district, RICK BOUCHER, for their efforts in emphasizing the importance of the coal R&D budget at DOE.●

Mr. FUQUA. Mr. Chairman, I have no further requests for time, and I yield back the balance of my time.

Mr. WINN. Mr. Chairman, I have no further requests for time, and I yield back the balance of my time.

The CHAIRMAN. All time has expired.

The Clerk will read.

The Clerk read as follows:

H.R. 2587

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Department of Energy Civilian Research and Development Authorization Act for Fiscal Year 1984".

OPERATING EXPENSES

SEC. 2. Funds are hereby authorized to be appropriated for fiscal year 1984 in accordance with section 660 of the Department of Energy Organization Act for operating expenses for the following research and development programs:

(1) Fossil energy, $303,890,000;

(2) Energy conservation, $132,380,000;

(3) Energy supply research and development:

(A) Solar energy, $197,350,000;

(B) Geothermal energy, $29,953,000;

(C) Nuclear fission, $491,822,000;

(D) Magnetic fusion, $425,700,000;

(E) Electric energy systems, $20,702,000;

(F) Energy storage systems, $25,200,000;

(G) Basic energy sciences and supporting research, including energy science advanced computation, energy research analysis, university research support, university research instrumentation, and advisory and oversight program direction, $318,569,000;

(H) Environmental research and development, $253,225,000; and

(I) Policy and management, energy research, $515,000;

(4) Geothermal resources development fund, $2,100,000;

(5) General science and research, $479,750,000; and

(6) Uranium enrichment:

(A) Advanced isotope separation technology, $59,900,000; and

(B) Gas centrifuge process development and demonstration, $117,400,000.

PLANT AND CAPITAL EQUIPMENT

SEC. 3. Funds are hereby authorized to be appropriated for fiscal year 1984 in accordance with section 660 of the Department of Energy Organization Act for the acquisition and fabrication of capital equipment not related to construction for the following research and development programs:

(1) Fossil energy, $1,500,000;

(2) Energy conservation, $750,000;

(3) Energy supply research and development:

(A) Basic energy sciences and supporting research, $24,280,000;

(B) Nuclear fission, $31,160,000;

(C) Magnetic fusion, $37,800,000;

(D) Electric energy systems, $500,000;

(E) Energy storage systems, $500,000; and

(F) Environmental research and development, $13,125,000.

(4) General science and research, $62,800,000; and

(5) Uranium enrichment:

(A) Advanced isotope separation technology, $9,500,000; and

(B) Gas centrifuge process development and demonstration, $3,400,000.

PRIOR YEAR CONSTRUCTION

SEC. 4. Funds are hereby authorized to be appropriated for fiscal year 1984 in accordance with section 660 of the Department of Energy Organization Act for plant and capital equipment (including planning, construction, acquisition, and modification of facilities, including land acquisition) for the following prior year research and development projects:

(1) Fossil energy:

(A) Project numbered 82-F-506, Surface Water Containment and Wastewater Treatment Facility, Pittsburgh Energy Technology Center, Bruceton, Pennsylvania, $1,040,000, for a total authorization of $3,000,000; and

(B) Project numbered 83-F-501, Wastewater Treatment Facility, Morgantown, West Virginia, $2,000,000, for a total authorization of $5,300,000;

(2) General science:

(A) Project numbered 81-E-218, Tevatron I, Fermi National Accelerator Laboratory, Batavia, Illinois, $20,000,000, for a total authorization of $58,000,000; and

(B) Project numbered 82-E-206, Tevatron II, Fermi National Accelerator Laboratory, Batavia, Illinois, $13,000,000, for a total authorization of $37,000,000;

(3) Nuclear fission:

(A) Project numbered 83-N-334, Safeguards and security assessment improvements, Argonne National Laboratory-West, INEL, Idaho, $1,000,000, for a total authorization of $1,400,000;

(B) Project numbered 78-6-E, Energy Technology Engineering Center, facility modifications, Santa Susana, California, $5,000,000, for a total authorization of $32,800,000; and

(C) Project numbered 78-6-C, Safety Research Experiment Facilities, Argonne National Laboratory-West, INEL, Idaho, $1,100,000, for a total authorization of $44,300,000;

(4) Magnetic fusion:

(A) Project numbered 78-3-A, Mirror Fusion Test Facility-B, Lawrence Livermore National Laboratory, California, $30,000,000, for a total authorization of $229,058,000; and

(5) Supporting research:

(A) Project numbered 80-ES-11, Idaho Laboratory Facility, Idaho National Engineering Laboratory, Idaho, $1,062,000, for a total authorization of $18,000,000;

(B) Project numbered 81-E-325, Energy Technology Laboratory, Sandia National Laboratories, Albuquerque, New Mexico, $1,600,000, for a total authorization of $13,600,000;

(C) Project numbered 82-E-301, 300 area critical utilities upgrading, Richland, Washington, $4,400,000, for a total authorization of $11,600,000;

(D) Project numbered 82-E-302, Security Facility, Argonne National Laboratory, Argonne, Illinois, $2,300,000, for a total authorization of $7,000,000;

(E) Project numbered 82-E-305, Traffic safety improvements, Richland, Washington, $800,000, for a total authorization of $6,200,000;

(F) Project numbered 83-E-308, Rehabilitate power systems, various locations, $7,988,000, for a total authorization of $12,988,000;

(G) Project numbered 83-E-309, Electronics Facility, Argonne National Laboratory, Argonne, Illinois, $4,150,000, for a total authorization of $6,350,000;

(H) Project numbered 83-E-310, Utility replacements and upgrade, Brookhaven National Laboratory, Upton, New York, $7,500,000, for a total authorization of $8,800,000; and

(I) Project numbered 83-E-311, Laboratory Emergency Response Center, Oak Ridge National Laboratory, Oak Ridge, Tennessee, $2,200,000, for a total authorization of $4,200,000.

NEW CONSTRUCTION

SEC. 5. Funds are hereby authorized to be appropriated for fiscal year 1984 in accordance with section 660 of the Department of Energy Organization Act for plant and capital equipment (including planning, construction, acquisition, and modification of facilities, including land acquisition) for the following new research and development projects:

(1) Fossil energy:

(A) Project numbered 84-FE-101, General plant projects for energy technology centers, various locations, $2,000,000;

(2) Solar energy:

(A) Project numbered 84-CS-102, Five Megawatt Photovoltaics Plant, Phase II, Sacramento Municipal Utility District, Herald, California, $1,500,000;

(3) Energy conservation:

(A) Project numbered 84-CS-101, High Temperature Materials Laboratory, Oak Ridge National Laboratory, Oak Ridge, Tennessee, $9,000,000;

(4) Environment:

(A) Project numbered 84-ER-134, General plant projects, biological and environmental research, various locations, $1,000,000;

(5) General science:

(A) Project numbered 84-ER-133, Stanford linear collider, Stanford Linear Accelerator Center, Stanford, California, $40,000,000;

(B) Project numbered 84-ER-131, Accelerator improvement projects, high energy physics, various locations, $9,000,000;

(C) Project numbered 84-ER-132, General plant projects, high energy physics, various locations, $7,000,000;

(D) Project numbered 84-ER-121, Accelerator improvement projects, nuclear physics, various locations, $3,500,000;

(E) Project numbered 84-ER-122, General plant projects, nuclear physics, various locations, $2,200,000; and

(F) Project numbered 84-ER-110, University accelerator upgrade project at the University of Washington and Yale University, Seattle, Washington, and New Haven, Connecticut, $8,000,000;

(6) Supporting research:

(A) Project numbered 84-ER-111, Beam lines and support area construction, National Synchrotron Light Source, Brookhaven National Laboratory, Upton, New York, $2,500,000;

(B) Project numbered 84-ER-112, National Center for Advanced Materials, Lawrence Berkeley Laboratory, Berkeley, California, and Stanford Linear Accelerator Center, Stanford, California, $20,900,000;

(C) Project numbered 84-ER-141, Accelerator improvements and modifications, basic energy sciences, various locations, $1,260,000;

(D) Project numbered 84-ER-142, General plant projects, basic energy sciences, various locations, $400,000;

(E) Project numbered 84-ER-101, Rehabilitate old town area utilities, Lawrence Berkeley Laboratory, Berkeley, California, $1,000,000;

(F) Project numbered 84-ER-102, Cooling water facilities restoration, Oak Ridge National Laboratory, Oak Ridge, Tennessee, $600,000;

(G) Project numbered 84-ER-103, Road repair, various locations, $3,000,000; and

(H) Project numbered 84-ER-104, Facilities support project, various locations, $4,000,000;

(7) Nuclear fission:

(A) Project numbered 84-N-102, Modifications to reactors, various locations, $1,000,000;

(B) Project numbered 84-N-101, General plant projects, nuclear energy, various locations, $4,000,000; and

(C) Project numbered 84-N-105, General plant projects, commercial nuclear waste management, Richland, Washington, $1,400,000;

(8) Magnetic fusion:

(A) Project numbered 84-ER-109, General plant projects, magnetic fusion, various locations, $6,500,000;

(9) Uranium enrichment activities:

(A) Project numbered 84-N-406, General plant projects, advanced isotope separation technology, various locations, $1,200,000; and

(B) Project numbered 84-N-407, Development/demonstration module (design only), Oak Ridge, Tennessee, $2,400,000.

GENERAL PROVISIONS RELATING TO AUTHORIZATIONS FOR FISCAL YEAR 1984

SEC. 6. (a) No funds are authorized under this Act for any purpose other than research, development, and demonstration.

(b) With respect to the programs for which funds are authorized under this Act, the provisions of this Act shall supersede the provisions of chapter 1 of subtitle A of title X of the Omnibus Budget Reconciliation Act of 1981 relating to the authorization of Department of Energy civilian research and development programs for fiscal year 1984.

(c) None of the amounts authorized by this Act are provided for the continuation or termination of the Clinch River Breeder reactor project.

Mr. FUQUA (during the reading). Mr. Chairman, I ask unanimous consent that the bill be considered as read, printed in the RECORD, and open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from Florida?

There was no objection.

COMMITTEE AMENDMENTS

The CHAIRMAN. The Clerk will report the first committee amendment.

The Clerk read as follows:

Committee amendment: on page 2, line 11, strike "$491,822,000" and insert in lieu thereof "$495,822,000, including $2,000,000 for research, development program to decontaminate the W. R. Grace site and vicinity properties in the Wayne/Pequannock, New Jersey area";

Mr. FUQUA (during the reading). Mr. Chairman, I ask unanimous consent that the committee amendment be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Florida?

There was no objection.

The committee amendment was agreed to.

The CHAIRMAN. The Clerk will report the next committee amendment.

The Clerk read as follows:

Committee amendment: on page 74, line 1, strike "$31,160,000" and insert in lieu thereof "$33,160,000";

The committee amendment was agreed to.

The CHAIRMAN. The Clerk will report the next committee amendments.

The Clerk read as follows:

Committee amendments: on page 6, line 17, strike "$1,600,000" and insert in lieu thereof "$3,600,000"; on line 19, strike "$13,600,000" and insert in lieu thereof "$15,600,000"; on line 22, strike "$4,400,000" and insert in lieu thereof "$3,200,000"; on line 23, strike "$11,600,000" and insert in lieu thereof "$10,400,000"; strike all of lines 3 through 5 on page 7, and reletter the succeeding paragraphs accordingly;

Mr. FUQUA (during the reading). Mr. Chairman, I ask unanimous consent that the remaining committee amendments, except the last amendment, be considered as read, printed in the RECORD, and that they be considered en bloc.

The CHAIRMAN. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. FUQUA. Mr. Chairman, these reflect actions of the committee.

I might point out to my colleagues, this does not involve the Clinch River breeder reactor in this series of amendments, but it reflects committee action as it affects the numbers in the bill.

The CHAIRMAN. The question is on the committee amendments.

The committee amendments were agreed to.

The CHAIRMAN. The Clerk will report the last committee amendment.

The Clerk read as follows:

Committee amendment: On page 11, strike all of lines 4 through 6, and insert in lieu thereof the following:

(c) No funds are authorized to be appropriated pursuant to this Act, or pursuant to the provisions of chapter 1 of subtitle A of title X of the Omnibus Budget Reconciliation Act of 1981 which relate to fiscal year 1984, for the continuation or termination of the Clinch River Breeder Reactor Project, except to such extent as may be specifically provided by legislation enacted after the date of the enactment of this Act.

Mr. FUQUA (during the reading). Mr. Chairman, I ask unanimous consent that the committee amendment be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. FUQUA. Mr. Chairman, this amendment reflects the action of the committee and I urge adoption of the amendment.

Mrs. LLOYD. Mr. Chairman, will the gentleman yield?

Mr. FUQUA. I yield to the gentlewoman.

Mrs. LLOYD. Mr. Chairman, as I understand the chairman in offering this amendment does not intend to prejudice a further vote in the committee or in the House on alternative financing for the Clinch River breeder reactor project; but in the spirit of compromise, it simply provides that further authorization be contingent upon the approval of a satisfactory cost-sharing agreement with the utility industry.

So I would appreciate it if the chairman would reemphasize the spirit of fairness in which he understands the amendment was originally offered in committee and assure me that it was not intended to be prejudicial.

Mr. FUQUA. That is my understanding.

Mrs. LLOYD. I thank the chairman.

Mr. BROWN of California. Mr. Chairman, will the gentleman yield?

Mr. FUQUA. I am happy to yield to the gentleman from California and the author of the amendment.

Mr. BROWN of California. Mr. Chairman, this amendment was adopted in the committee by a vote of 24 to 16, as I recall. It was intended to reflect a compromise within the committee with regard to the continuation of the Clinch River reactor, expressing the views that the House has supported in the past that if the project is to continue, it should be subject to a new funding arrangement in which there was a cost-sharing agreement with private industry.

The language of the amendment is intended to reflect the fact that if a suitable cost-sharing agreement is approved by the Congress, the project could go forward; but that in the absence of a cost-sharing agreement approved by the Congress, that the project would not go forward in the next fiscal year.

I recognize that this is not completely satisfactory either to the supporters of Clinch River or to the more adamant opponents of Clinch River in the sense that those who support Clinch River would prefer to go ahead without any change in the cost sharing. Those who oppose Clinch River would like to have it killed regardless of whether there is a new cost-sharing agreement.

This is one form of a compromise. It is not the form that some Members, including the chairman, would have preferred, but it seemed to represent

the views of a majority of the committee.

Now, in view of the considerable history of Clinch River and the desire of many Members to feel that they have had a hand in either putting the nail in the coffin of the project or giving it a new lease on life, as the case may be, I have been asked to consider requesting a rollcall on this particular amendment. I am inclined to do so, although I am not adamant about it; but I express these views so that the chairman will be aware of my position. I will object to a voice vote on the grounds that a quorum is not present.

Mr. FUQUA. Mr. Chairman, I urge an aye vote on the amendment.

Mr. Chairman, I yield back the remainder of my time.

□ 1620

Mrs. SCHNEIDER. Mr. Chairman, I move to strike the requisite number of words.

I would like to ask the chairman of the committee a couple of questions.

I would like to thank the chairman for the very fair hearings that we have had on this particular amendment and on this entire bill in the Committee on Science and Technology. But I do have a question or two that I would like to ask.

I wondered if we are expected to have some hearings on the cost-sharing plan to be presented by the Department of Energy. Are we going to be having these hearings in the Committee on Science and Technology?

Mr. FUQUA. Mr. Chairman, will the gentlewoman yield?

Mrs. SCHNEIDER. I yield to the gentleman.

Mr. FUQUA. It is our intention, as soon as the Department of Energy presents us with a proposal that we feel merits a hearing. We have discussed this informally with the Department. Thus far they have not come forth with a finalized plan.

We had hoped to have already had hearings on this. They have not come forth with a plan. I hope they will in the next few weeks and then we will have an opportunity to have hearings.

Mrs. SCHNEIDER. Was that the reasoning for the postponement of the hearings and also the markup that was scheduled this past week, because the DOE was not prepared and did not come forward with a cost-sharing plan?

Mr. FUQUA. That is correct. We did not have a plan. As soon as we have something we will certainly consider it.

Mrs. SCHNEDIER. It has come to my attention that the Subcommittee on Energy and Water of the Appropriations Committee is going to be bringing to the floor a cost-sharing plan. Is it your intention to have hearings before the Committee on Science and Technology prior to any vote on the floor of the Appropriations Subcommittee?

Mr. FUQUA. What comes out of the Appropriations Subcommittee and what they propose would not necessarily come before our committee. However, if we have something from the Department of Energy it is certainly our intention to have hearings and have Members given adequate notice so that they can be there and be heard on the issue.

Mrs. SCHNEIDER. If the Appropriations Subcommittee on Energy and Water were to come forward with a cost-sharing plan and we in the Committee on Science and Technology had not held hearings on it, would the gentleman be inclined to raise a point of order against the bill since that would amount to legislation on an appropriation bill?

Mr. FUQUA. Certainly anyone could raise a point of order against anything that had not been authorized or where waivers of points of order had not occurred. But that right would apply to any Member of this body.

Mrs. SCHNEIDER. I realize that, but you being the chairman I think it would certainly fall to the gentleman.

Mr. FUQUA. That is a prospective question and would have to be answered when the time came, if and when that happened.

It has generally been our practice to object to items that had not been authorized.

Mrs. SCHNEIDER. I thank the gentleman and I yield back the balance of my time.

Mr. HARKIN. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in support of the Brown-Schneider amendment. What it says is that this is the last year that we will fund this boondoggle unless the Congress passes a cost-sharing bill. It does not require that the arrangements be all worked out by October 1, it only requires that a plan pass the Congress.

The members of the Science and Technology Committee were told that we would be marking up such bill by mid-May. However, the hearings where canceled and no bill has even been introduced.

If the Brown amendment is not passed, we will see another year go by and 200 million more dollars spent on this project which is to test a technology that will not be economically viable for at least 50 years.

Secretary Hodel came to the Hill with a draft bill which was meaningless. It had no details on the contract except to say that the Secretary was impowered to give away anything and to make all kinds of guarantees. It also said, that if no private money was forthcoming, the Government would build it anyway. To the credit of those who favor this project, it was rejected.

But what are the details of the plan going to look like? If you read the Breeder Reactor Corp. report of March 12, you will quickly understand. Private funding would be provided in such a way that 60 cents on every dollar would come out of the U.S. Treasury through tax expenditures. The taxpayer would continue to pay, only the Congress could avoid the trouble of an appropriation for most of the money.

In a 39-page document, tax benefits were raised 70 times. In the "sanitized" DOE report, the point was mentioned almost as an aside on two occasions.

I am not willing to guarantee someone a profit on the Treasury's money. And, that is what I expect the plan will ask us to do.

I ask that you vote for the Brown amendment. If it fails, there will be no cost-sharing plan for you to look at to see if I am right. There will only be another $200 million rolled into some continuing resolution or conference report.

Mr. OTTINGER. Mr. Chairman, I move to strike the requisite number of words and I rise in strong support of the Brown-Schneider amendment. That amendment was adopted by the committee.

I also rise in support of the bill as a whole.

I would like to congratulate the chairman for doing a fine job in proceeding toward restoring balance to the energy budget. Very substantial sums are restored to the conservation and renewable energy research and development as well as to the fossil fuel energy development.

Earlier this year we had 150-Member bipartisan support in support of restoring balance to the energy budget. I think the job done under the leadership of the chairman has gone a significant way toward achieving that objective.

The Clinch River breeder reactor vote was decisive in the committee. We have already voted to eliminate that authorization before on the floor of the House. If the House sustains us on this vote I dearly hope that the Appropriations Committee will heed the action of the House and of the authorizing committee.

If, indeed, the Appropriations Committee seeks to write legislation on the appropriation bill and to appropriate money for this project despite the action of the House and the committee on this authorization bill, I serve notice on behalf of myself and Chairman DINGELL of the Energy and Commerce Committee that we will do everything possible to excise that extraordinary and improper action at the appropriate time.

But I do hope that the Appropriations Committee, and I am sorry the

chairman is not here, or at least I do not see him, because I think we ought to get a commitment from him that once the House has spoken on an authorization and we vote to deauthorize this, assuming that satisfactory agreement is not approved by the House, that he will abide by it.

With respect to the agreement put forward by the Breeder Reactor Corp. and endorsed by the Department of Energy, we had a GAO study done on this and it was released today. The GAO study indicates that the proposal by the Breeder Reactor Corp. and the Department of Energy is just another sham and that the private, so-called private capital to be put up for this is completely illusory. The Government would take all the risks of not completing the plant, of cost overruns, of even lack of profits with respect to the plan.

It is on that basis that I understand the chairman and the gentlewoman from Tennessee said that they had to go back to the drawing boards. But any program which alleges to be cost sharing and involves no real contribution by the private sector I think certainly would be rejected by this body.

So I strongly urge adoption of this amendment and adoption of the committee bill and yield back the balance of my time.

Mr. Chairman, I rise to support the Science and Technology Committee's DOE fiscal year 1984 authorization, H.R. 2587. While the bill continues a totally unwarranted and unjustified emphasis on nuclear research and development, I believe our chairman has done a fine job of preserving the most essential elements of our Nation's conservation and solar R&D programs within difficult budget constraints.

I also want to express my appreciation to the gentlelady from Tennessee (Mrs. LLOYD) for her cooperation with respect to the extended surveys, independent study, and Barnwell provisions described below.

The committee bill increases spending for solar energy by 138 percent, for conservation R&D by 110 percent, and for geothermal by 121 percent above the DOE budget proposal. These are important additions which restore a sense of vitality and purpose to the conservation and renewable energy programs, and move the Nation at least a bit toward a more balanced overall energy program especially when compared to the Reagan proposals for total imbalance. At this time, I would like to specifically address a few of the bill's provisions.

CRBR

I strongly support the committee amendment to the DOE authorization bill offered by my esteemed colleagues, GEORGE BROWN of California and CLAUDINE SCHNEIDER of Rhode Island. This amendment would require the Department of Energy to discontinue funds for Clinch River at the end of fiscal year 1983 if DOE has not by then developed an acceptable cost-sharing plan.

Congress mandated last year that DOE develop a public/private cost-sharing plan for CRBR in response to skyrocketing construction costs. On March 15, 1983, the DOE and the Breeder Reactor Corp. put forward what they claimed to be such a plan. Quite frankly, the DOE proposal is a sham. The GAO concurs with this assessment. In an analysis of the DOE plan, released only yesterday, the GAO concludes:

> The Federal Government still appears to retain most risks if the project fails or if cost overruns occur. Second, while the additional private sector financing discussed in DOE's and the Corporation's reports would produce budgetary savings during the CRBR's construction, such savings would be a tradeoff against either future reductions in federal revenues or additional budget outlays. Specifically, the revenues expected to be produced from the sale of CRBR-generated electricity will be used to pay back private investors. If, however, the revenue is inadequate, private investors would have to be repaid from DOE appropriations.

Originally estimated to cost $400 million, GAO now estimates CRBR to cost as much as $8.5 billion to complete. We have already spent $1.4 billion on the project.

Not only is Clinch River expensive, it is useless and dangerous. This project was first developed in the early sixties, when we expected a huge expansion of nuclear power that would create a severe shortage of uranium. At that time, according to the GAO, we expected to see 800 to 1,500 reactors in place by the end of the century. The current estimate is 145 to 185. There have also been significant discoveries of high-grade uranium since then. We are not facing a shortage of uranium for the foreseeable future.

Clinch River is an example of classic pork barrel politics. It has no place in the future of American energy needs. Senator HUMPHREY recently held hearings in the Regional and Community Development Subcommittee of the Senate on whether the Tennessee Valley Authority and other utilities are interested in buying power from the Clinch River breeder reactor project. The witnesses, William Willis, TVA's General Manager, William Voight Jr., from the Department of Energy, and William Chandler of the Environmental Policy Center—formerly a consultant to the GAO's office on TVA power programs—each testified that there is no need for the power that could be produced at Clinch River. This directly undermines what DOE indicated in its report of alternative financing submitted March 15, 1983.

Not only is Clinch River expensive and useless technologically, but it is a threat to world peace. Breeder reactors like Clinch River require weapons-grade fuel and, thus, could contribute to the spread of nuclear weapons. We should not be generating our electricity from a fuel that can be made into nuclear bombs. The shipment around the country of plutonium for breeders creates great threats of theft by terrorists groups. Moreover, the breeder itself is a sitting bomb, unlike fission reactors; the breeder is cooled by sodium which, if it comes into contact with water, will explode.

Having weapons grade plutonium or other bomb-grade fuel being reprocessed and stored for use creates a monumental security problem. The fuel will have to be handled under military safeguards and the burden that would be placed on both the nuclear industry, the utilities and their customers would be impossible to bear.

The Reagan administration, for all its talk about getting Government off the backs of the people and having a balanced budget, is attempting to fully fund the CRBR despite its unsound technology and economics. Congress has instructed the Department of Energy to develop a cost-sharing plan for Clinch River. The Brown/Schneider amendment will place a deadline on any further funding for Clinch River until the plan is approved by Congress. I urge my colleagues to support the committee and its amendments.

LWR EXTENDED BURNUP

I am certain that my colleagues on both sides of the aisle will find a program which yields a cost-benefit ratio of 1 to 385 an unusual but certainly worthwhile opportunity. The Science and Technology Committee's proposal of $9.5 million for the extended burnup program, a program which the administration has entirely eliminated in their budget request, promises those huge benefits. The program is designed to develop and demonstrate increased fuel efficiency in existing nuclear power reactors in the United States. With this authorization, the committee expects, as stated in the report to accompany H.R. 2587, that the Department will enter into a limited number of new contracts to achieve the full $12 billion in program benefits.

The Department of Energy and the General Accounting Office have projected that the extended burnup program can save approximately $13 billion if the program is vigorously pursued. Last year $5 million was provided under the continuing resolution in fiscal year 1983. An $8 million authorization would fully fund existing fuel contracts and reestablish the original schedule which was identified by the DOE and GAO. The additional $1.5 million included in this bill, bringing the total authorization to $9.5 million,

will allow the pursuit of competing fuel vendor contracts. Without this $1.5 million, $7 billion of economic benefits would be lost, according to DOE and GAO.

In addition to conserving up to 15 percent of fuel currently used in LWR's, the extended burnup program will reduce by 40 percent the amounts of high level waste which are produced by existing fission reactors. In light of present difficulties associated with establishing a permanent waste disposal site, having to dispose of 40 percent less waste would be a substantial benefit.

The GAO has also identified the following additional benefits:

Lower total radiation exposure to nuclear powerplant workers;

Safer, more reliable nuclear powerplant operations; and

A reduction of the Department's enrichment plant capacity requirements.

It is important to note that there is little likelihood industry would pursue the extended burnup program without this Federal assistance. Before the House Energy Research and Production Subcommittee, Charles Pryor, of Babcock & Wilcox, testified:

The Federal Government should continue to fund the extended fuel burnup program because sufficient incentives do not exist in the private sector. For fuel vendors, increasing fuel burnup lowers the number of fuel assemblies required to fuel a reactor. Thus, it reduces our manufacturing output, raises the unit cost, and reduces our revenues. This, coupled with the fact that there is already excess capacity in the fuel supply business, is a disincentive for the fuel vendors. I do not believe the utility/vendor teams that are now in place today would complete their program as presently planned if the government withdraws its support.

BARNWELL NUCLEAR FUEL PLANT

I also endorse the committee's decision to decline acceptance of a gift of the Barnwell nuclear fuel plant as a research facility. The committee reversed the action of the subcommittee by deleting all funds related to Barnwell.

I believe the committee's action was a prudent one in light of communications received from Secretary of Energy Hodel, warning of the adverse economic consequences of taking title to Barnwell.

In an April 8, 1983, letter to Chairman FUQUA, Secretary Hodel stated:

To convert such a production facility to a research and development facility would require major costly renovations.

And further,

It seems that any expectation of Government acquisition at this time would be counterproductive and would relieve time pressures for near-term commitments by the industry to operate the plant.

By removing all funding relating to Barnwell, we have made it legally impossible for DOE to accept Barnwell. Former DOE General Counsel Tenney Johnson, in an April 20, 1983, letter addressed to myself, stated:

The Comptroller General has held that donations of real property may not be accepted without funds adequate for the care and custody of the property. Accepting title to Barnwell would depend not only upon justifying programmatically the need for the facility but also upon being able to provide funds for activities related to the facility.

Since the committee has wisely provided no funds for the care and custody of Barnwell, it is clear that DOE may not accept the property.

THE SECRETARY OF ENERGY,
Washington, D.C., April 8, 1983.

Hon. DON FUQUA,
Chairman, Committee on Science and Technology, U.S. House of Representatives, Washington, D.C.

DEAR MR. CHAIRMAN: Thank you for your letter of March 23, 1983, on potential alternative uses for the Barnwell Nuclear Fuel Plant as a facility for research and development.

We found your letter interesting and felt it may be useful to convey the Department's initial reaction to your plan and, in a broader sense, our expectations for the Barnwell plant. Two things are clear. First, if reprocessing of commercial fuel is initiated during the Reagan Administration, it will occur as a private initiative; and, second, if the Barnwell plant is dismantled, further efforts toward commercial reprocessing in the United States during the twentieth century are unlikely to occur due to the long lead-time and costs associated with new facilities. For these reasons we have encouraged commercial interests to make the necessary commitments to keep the reprocessing option open by maintaining the Barnwell plant.

It appears you have reached the same conclusions on the importance of preserving this potential resource, and we endorse your efforts in this regard. However, some facts are inescapable. The Barnwell plant is a production facility, not a research and development facility. The equipment layout is fixed; the piping is fixed; and the plutonium uranium extraction flowsheet is the heart of the plant design. To convert such a production facility to a research and development facility would require major costly renovation.

As you may know, we still hope to receive an industry proposal soon on operation of the Barnwell plant on a commercial basis. It is not clear what Departmental commitments would be required by that proposal, nor have we formulated a policy on the extent of the commitments the Department would be willing to make. However, it seems that any expectation of Government acquisition at this time would be counterproductive and would relieve time pressures for near-term commitments by the industry to operate the plant.

We look forward to working with you and your committee in devising a successful approach to keeping the commercial reprocessing option alive at the Barnwell plant.

Sincerely,

DONALD PAUL HODEL.

DEPARTMENT OF ENERGY,
Washington, D.C., April 20, 1983.

Hon. RICHARD OTTINGER,
House of Representatives, Washington, D.C.

DEAR MR. OTTINGER: This responds to your request for information concerning the authority of the Department of Energy (DOE) to accept title to and lease the Barnwell facility in South Carolina and prohibiting DOE from accepting any liabilities at Barnwell.

AUTHORITY TO ACCEPT TITLE

DOE could accept title to Barnwell under the Department of Energy Organization Act. For example, section 652 (42 U.S.C. 7262) of that Act provides, inter alia, that: "The Secretary is authorized to accept, hold, administer, and utilize gifts, bequests, and devises of property, both real and personal, for the purpose of aiding or facilitating the work of the Department."

DOE could accept title also under the Atomic Energy Act of 1954. For example, section 161g. of that Act (42 U.S.C. 2201(g)) provides, inter alia, that: "In the performance of its functions the Commission is authorized to . . . acquire, purchase, lease, and hold real and personal property . . . as agent of and on behalf of the United States, subject to the provisions of section 174, and to sell, lease, grant, and dispose of such real and personal property as provided in the Act."

The Comptroller General has held that donations of real property may not be accepted without funds adequate for the care and custody of the property. Accordingly, accepting title to Barnwell would depend not only upon justifying programmatically the need for the facility but also upon being able to provide funds for activities related to the facility.

AUTHORITY TO LEASE CONTRACT

DOE could enter into a contract or lease to conduct activities at Barnwell under the Department of Energy Organization Act. For example, section 646(a) of that Act (42 U.S.C. 7256(a)), provides that: "The Secretary is authorized to enter into and perform such contracts, leases, cooperative agreements, or other similar transactions with public agencies and private organizations and persons . . . as he may deem to be necessary to carry out functions now or hereafter vested in the Secretary." In addition, section 649(b) (42 U.S.C. 7259(b)) provides, inter alia, that: "In carrying out his functions, the Secretary, under such terms at such rates, and for such periods not exceeding five years, as he may deem to be in the public interest, is authorized to permit the use by public and private agencies, corporations, associations, or other organizations or by individuals of any real property, or any facility, structure, or other improvement thereon, under the custody of the Secretary for Department purposes. The Secretary may require permittees under this section to recondition and maintain, at their own expense, the real property, facilities, structures and improvements involved to a satisfactory standard."

DOE could enter into a lease also under section 161g. of the Atomic Energy Act of 1954, cited above.

PROHIBITING DOE FROM ACCEPTING ANY LIABILITIES

It is unclear precisely what the scope of prohibiting DOE acceptance of liabilities should be. With respect to liabilities resulting from activities before DOE takes title,

any restriction against liabilities probably should include protection against any past liabilities to, or resulting from the activities of, the present owners of Barnwell. That is, the Government should be immune from suits arising from past activities brought by the present owners or third parties. DOE acceptance of Barnwell as a gift at this time could be conditioned upon the present owners retaining all liability from their activities.

With respect to liabilities arising after DOE takes title to Barnwell, we cannot discern now what DOE's future activities at Barnwell might be (DOE requested no fiscal year 1984 funds for activities at Barnwell). Were DOE to lease or otherwise give control of the facility to a third party, who would operate the facility essentially for its own benefit, then a restriction to protect DOE from liability to, or resuling from the activities of, the operator of the facility would be reasonable. It would be most unusual, however, to restrict DOE liability if DOE itself were the operator.

If a contractor operated the facility under the general control or for the benefit of DOE, almost certainly there would be contractual liabilities to the operator (e.g., an operation fee, and possibly an indemnity against liability to third parties) and, absent clear statutory protection, possible direct liability to injured third parties.

If I may be of any additional help on this matter, please call me.

Sincerely,

R. TENNEY JOHNSON,
General Counsel.

URANIUM ENRICHMENT STUDY

I also support the committee's proposal that DOE undertake an extensive study and comparison of uranium enrichment technologies. There is a considerable controversy today over whether we ought to be wasting money for uneconomic investments. I believe the results of this study will add significantly to our ability to make well-informed and reasoned decisions regarding a uranium enrichment program strategy.

Listed in the Science and Technology Committee report to accompany H.R. 2587, on page 98, are the criteria which the committee suggests the DOE use in conducting the study.

A letter from me to Subcommittee Chairwoman LLOYD regarding the study and the LWR extended burnup program is included here for the record:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D.C., April 18, 1983.

Hon. MARILYN LLOYD,
Chairwoman, Subcommittee on Energy Research and Production, U.S. House of Representatives, Washington, D.C.

DEAR MARILYN: I would like to express my sincere appreciation for your cooperation in resolving several issues which arose during the markup of the Department of Energy fiscal year 1984 authorization bill for nuclear energy research and development by the Subcommittee on Energy Research and Production.

I am very pleased we have agreed on a recommendation of $9.5 million in fiscal year 1984 for the Light Water Reactor Extended Burnup program, an increase of $1.5 million over the subcommittee's initial recommendation. This additional amount would continue funding of the existing contracts which currently involve the five U.S. nuclear fuel vendors. In addition, it authorizes the Department to let a limited number of new contracts which are essential for keeping all five vendors involved in the full extended burnup program. With this additional funding we will be well on our way towards realizing the nearly $13 billion in economic benefits to consumers of nuclear generated electricity which were identified by the Department of Energy and confirmed by a General Accounting Office review.

As we both support this worthwhile and cost-effective program, I hope the report on the authorization bill will make clear the Committee's intent that the Department is to let new contracts essential for the completion of the full program.

I am also pleased we have agreed to direct the Department to conduct a thorough study of uranium enrichment technologies and programs. I believe the results of this study will add significantly to our ability to make well informed and reasoned decisions regarding a uranium enrichment program strategy.

I commend the staff for their responsiveness to my concerns. They have developed balanced and workable proposals in these two areas and I have high expectations for their success in full committee.

Sincerely,

RICHARD L. OTTINGER,
Member of Congress.

In conclusion, Mr. Chairman, I believe it is vital that we send a clear message to the administration. Congress has been forced to completely overhaul the Department of Energy's ludicrous energy research proposals. Although I remain concerned that even in this bill we are spending too much of our research money on nuclear energy and too little on conservation and solar, I nonetheless support it strongly because it preserves research and development programs that are so vital to our Nation's energy future. Again, I urge the adoption of H.R. 2587 as amended.

Mr. COUGHLIN. Mr. Chairman, I move to strike the requisite number of words.

I just want to congratulate the gentleman from California (Mr. BROWN) and the gentlewoman from Rhode Island (Mrs. SCHNEIDER) for bringing this amendment to us today.

I also congratulate the chairman for his willingness to accept the amendment and the ranking minority member. Certainly this project has been discussed over the years for many, many hours on the floor of this House, and I am not going to belabor it further.

I do hope that the funding for this project and the authorization for this program will indeed be terminated.

Mr. Chairman, I rise in support of the Brown-Schneider amendment to prohibit funds from being authorized for the controversial Clinch River breeder reactor in fiscal year 1984.

I am opposed to any further funding of the Clinch River project because of its escalating costs, its inadequate benefit-to-cost ratio and the fact that its technology will not be needed until at least the middle of the next century. I believe the Brown-Schneider amendment is a reasonable approach to the Clinch River financing issue. Before 1 cent is spent on the actual construction of the Clinch River breeder reactor, the Brown-Schneider amendment provides the private sector with the opportunity to tell the American people how willing they are to finance this multibillion-dollar project.

The Clinch River breeder reactor has devoured more than its fair share of the overall energy research and development budget to the detriment of pursuing other energy options. A balanced, effective national energy research program cannot be achieved in this manner. Can we really afford to spend billions more dollars on the demonstration of a specific technology without convincing evidence that this investment is in our national interest or that the private sector is willing to fulfill its commitment to share equally in the cost of Clinch River?

I ask you to carefully consider the arguments presented by my colleagues against funding the Clinch River breeder reactor next fiscal year. I urge you to lend your support to their efforts.

Mrs. SCHNEIDER. Mr. Chairman, I ask unanimous consent to strike the requisite number of words.

The CHAIRMAN. Without objection, the gentlewoman is recognized for 5 minutes.

There was no objection.

Mrs. SCHNEIDER. Mr. Chairman, I rise as a supporter and coauthor of the Brown-Schneider amendment.

The amendment, just to clarify, is extremely simple. It bars Federal funding for Clinch River after October 1983 until the Congress has had the opportunity to accept or reject a proposal to increase the private sector's share of the cost.

The so-called cost-sharing proposals we have seen so far have been little more than a sham and, in fact, the General Accounting Office has just issued a report finding that the DOE draft cost-sharing bill, with all its Federal guarantees and contractual commitments, will actually cost the taxpayers more than a straight appropriation.

Some of us have just about concluded that the Clinch River breeder reactor is the worst idea that Congress has ever had and that we ought to kill it outright and save ourselves the agony of dragging it through the budget process.

□ 1630

However we have tried to offer a simple compromise throughout the amendment that says to the private sector: "If you support this project,

make us an offer, because the era of writing blank checks for Clinch River is over. We will bring your proposal in front of the authorizing committees, have open hearings with the opportunity for witnesses on both sides to comment, and then bring the bill to the floor for open debate and consideration."

If the Congress feels the project should continue under a proposed cost-sharing plan, then fine. But if not, they can say goodby to a very bad bargain.

Mr. WOLPE. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, as a member of the Science and Technology Committee who is currently on leave to serve on the Budget Committee, I rise in strong support of the Brown-Schneider amendment.

The pros and cons of the Clinch River project have been debated on the floor of this House on numerous occasions; 5 minutes is not enough to repeat the numerous convincing arguments in opposition to this project. I would, however, like to make three brief points.

First. A number of factors indicate that breeder technology will be economically infeasible for the foreseeable future. Declining projections of electricity demand and increased reserves of relatively inexpensive uranium for use in existing nuclear reactors mean that breeders will be unable to compete in the commercial marketplace for over 50 years, if ever. I see no reason to prematurely demonstrate a technology if it will be totally obsolete long before it could begin to enter the commercial marketplace.

Second. In an era of $200 billion budget deficits, we simply cannot justify building a totally unnecessary project with a cost that is about to soar off the financial charts. The Clinch River project was originally estimated to cost $699 million when it was authorized in 1971. The Department of Energy now estimates that it will cost $3.6 billion, and construction has not even begun. Last December, the General Accounting Office found that the cost of the project could go as high as $8.5 billion.

Third. If the private sector believes that the American taxpayer should continue to build this project, they should demonstrate their confidence by accepting a significant share of the financial risk involved. In 1971, the utility industry committed $257 million—36 percent of the project's cost. As the total project cost has soared to $3.6 billion, the utility contribution has remained flat at $257 million. The industry has asked the American taxpayer to pick up the cost for all of the cost overruns, and is now only willing to contribute 7 percent of the project's cost.

In conclusion, I would like to quote one of our former colleagues, and my friend from Michigan, David Stockman. In September 1977 Congressman Stockman said, and I quote:

> The unwillingness of the electric utilities to absorb a larger share of the cost of commercializing the breeder is the most telling evidence of its lack of economic feasibility under present conditions.

Mr. Chairman, the Brown-Schneider amendment gives the utility industry the opportunity to demonstrate that they, in fact, do believe that breeder technology will be economically feasible in the foreseeable future. They can do so by putting a significant sum of their own money at risk—just as they are asking the American taxpayer to do.

Mr. Chariman, I urge the adoption of the Brown-Schneider amendment.

Mr. FISH. Mr. Chairman, I hope this is the end of the road for the Clinch River breeder, I have stood in this well and supported for the last 9 years amendments to halt this wasteful, unnecessary project.

Unfortunately, I understand that following the much-hoped-for passage of this amendment, the Appropriations Committee has plans to develop a cost-sharing plan and bring it to the floor without due consideration by the Science and Technology Committee. I cannot believe that with all of the controversy this program has engendered that the possibility exists for some legislative sleight-of-hand bypassing of our committee process preventing a complete and expert analysis of any cost-sharing plan that may be presented. I certainly hope that this will not be the case.

The proliferation of risks, enormous costs, environmental concerns, and safety problems with this project have been discussed on this floor many times over the years. Much time has been spent on discussing the menace of huge stockpiles of plutonium created by the development of a breeder reactor, and the dangers are well known. In 1977, the NRC halted the licensing process for Clinch River with over 100 unresolved safety issues which still remain. Before we build a breeder, substantially more research is needed to comprehend, evaluate, and control the safety risks that will accompany the use of this technology.

Another key problem with this project is its cost. It will be well into the 21st century before the breeder reactor even begins to look commercially attractive. By that time, oil-fired central power stations will long since have been replaced by coal and conventional nuclear powerplants. We hope to have other forms of inexhaustible energy supplies, such as fusion and solar, on line by then.

I urge my fellow colleagues to recognize the economic realities of our present situation. There is no doubt that we will have to devote a great deal more money to Clinch River in future years if we go ahead with this project. Funding problems in these years will certainly be even more serious, as we try to reduce our budget deficits in the years to come.

The estimated costs of the Clinch River project have increased more than sevenfold, from an original estimate in 1969 of over $400 million to todays estimate of over $3.5 billion. Unfortunately, there is no guarantee that these exorbitant costs will not continue to escalate. In fact, I understand that the General Accounting Office, in December of last year, estimated the total cost for Clinch River at $8.9 billion, possibly going as high as $11 billion.

Of course, it is unreasonable for the Federal Government to be responsible for all of these increasing costs. Our taxpayers liability in this project has grown from about $100 million to now over $3 billion—more than 30 times the original estimate. According to recent estimates, the utility and industry share of today's costs for Clinch River had dwindled from 50 percent to under 10 percent of total costs. This is certainly not a wise course to follow.

Mr. Chairman, many of my colleagues are concerned that we will severely restrict our Nation's ability to develop the breeder option if we do not build Clinch River. This is surely not the case. Even without Clinch River, we will still have an aggressive breeder program. The base breeder program that the administration has proposed, and which has been authorized by the Science Committee, will provide for a strong breeder program that will, in fact, enhance the program by calling for a more rational design.

In my opinion it would be better to go forward with research and development activities, including the development of all of the breeder technologies at this time.

Mr. Chairman, I can only repeat what I said last year on this subject: It is time for us to put aside projects that have only symbolic meaning. We cannot afford to devote our limited taxpayers' money to the demonstrations of technologies that have limited merit if any.

The CHAIRMAN. The question is on the committee amendment.

The question was taken; and the Chairman announced that the ayes appeared to have it.

RECORDED VOTE

Mr. BROWN of California. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device and there were—ayes 388, noes 1, not voting 43, as follows:

[Roll No. 112]

AYES—388

Ackerman	Early	Kramer
Addabbo	Eckart	LaFalce
Akaka	Edgar	Lagomarsino
Albosta	Edwards (CA)	Lantos
Alexander	Edwards (OK)	Latta
Anderson	Emerson	Leach
Andrews (NC)	English	Lehman (CA)
Andrews (TX)	Erlenborn	Leland
Annunzio	Evans (IA)	Lent
Anthony	Evans (IL)	Levin
Applegate	Fascell	Levitas
Aspin	Fazio	Lewis (FL)
AuCoin	Feighan	Lipinski
Barnard	Ferraro	Livingston
Barnes	Fiedler	Lloyd
Bartlett	Fields	Loeffler
Bateman	Fish	Long (LA)
Bates	Flippo	Long (MD)
Bedell	Florio	Lowery (CA)
Beilenson	Foglietta	Lowry (WA)
Bennett	Foley	Lujan
Bereuter	Ford (MI)	Luken
Bethune	Forsythe	Lundine
Bevill	Fowler	Lungren
Biaggi	Frank	Mack
Bilirakis	Franklin	Madigan
Bliley	Frenzel	Markey
Boehlert	Frost	Marriott
Boggs	Fuqua	Martin (IL)
Boland	Garcia	Martin (NC)
Boner	Gaydos	Martin (NY)
Bonior	Gejdenson	Matsui
Bonker	Gekas	Mavroules
Borski	Gephardt	Mazzoli
Bosco	Gibbons	McCain
Boucher	Gilman	McCandless
Boxer	Gingrich	McCloskey
Breaux	Glickman	McCollum
Britt	Gonzalez	McCurdy
Brooks	Goodling	McDonald
Broomfield	Gradison	McEwen
Brown (CA)	Gramm	McGrath
Brown (CO)	Gray	McHugh
Broyhill	Green	McKernan
Bryant	Gregg	McKinney
Burton	Guarini	Mica
Byron	Gunderson	Mikulski
Campbell	Hall (IN)	Miller (CA)
Carney	Hall (OH)	Miller (OH)
Carper	Hall, Ralph	Mineta
Carr	Hall, Sam	Minish
Chandler	Hamilton	Mitchell
Chappell	Hammerschmidt	Moakley
Clarke	Hansen (UT)	Molinari
Clay	Harkin	Mollohan
Clinger	Harrison	Montgomery
Coats	Hartnett	Moody
Coelho	Hatcher	Moore
Coleman (MO)	Hawkins	Morrison (CT)
Coleman (TX)	Hightower	Morrison (WA)
Collins	Hiler	Mrazek
Conable	Hillis	Murtha
Conte	Holt	Myers
Conyers	Hopkins	Natcher
Coughlin	Horton	Neal
Courter	Howard	Nelson
Coyne	Hoyer	Nichols
Craig	Hubbard	Nielson
Crane, Daniel	Huckaby	Nowak
Crane, Philip	Hughes	O'Brien
Crockett	Hunter	Oakar
D'Amours	Hutto	Oberstar
Daniel	Hyde	Obey
Dannemeyer	Ireland	Olin
Daub	Jacobs	Ortiz
Davis	Jeffords	Ottinger
de la Garza	Jenkins	Oxley
Dellums	Johnson	Packard
Derrick	Jones (NC)	Panetta
DeWine	Jones (OK)	Parris
Dickinson	Jones (TN)	Pashayan
Dicks	Kaptur	Patman
Dingell	Kasich	Patterson
Donnelly	Kastenmeier	Paul
Dorgan	Kazen	Pease
Dowdy	Kemp	Penny
Downey	Kennelly	Perkins
Dreier	Kildee	Petri
Duncan	Kindness	Pickle
Durbin	Kogovsek	Porter
Dwyer	Kolter	Price
Dyson	Kostmayer	Pritchard
Pursell	Shelby	Towns
Rahall	Shumway	Udall
Rangel	Shuster	Valentine
Ratchford	Sikorski	Vander Jagt
Ray	Siljander	Vandergriff
Regula	Simon	Vento
Reid	Sisisky	Volkmer
Richardson	Skeen	Vucanovich
Ridge	Skelton	Walgren
Rinaldo	Slattery	Walker
Roberts	Smith (FL)	Watkins
Robinson	Smith (IA)	Waxman
Rodino	Smith (NE)	Weaver
Roe	Smith (NJ)	Weber
Roemer	Smith, Denny	Weiss
Rogers	Snowe	Wheat
Rose	Snyder	Whitley
Rostenkowski	Solarz	Whittaker
Roth	Solomon	Whitten
Roukema	Spence	Williams (MT)
Rowland	St Germain	Williams (OH)
Roybal	Staggers	Wilson
Rudd	Stangeland	Winn
Russo	Stark	Wise
Sabo	Stenholm	Wolf
Savage	Stokes	Wolpe
Sawyer	Stratton	Wortley
Schaefer	Studds	Wright
Scheuer	Stump	Wyden
Schneider	Sundquist	Yates
Schroeder	Synar	Yatron
Schulze	Tallon	Young (AK)
Schumer	Tauke	Young (FL)
Seiberling	Tauzin	Young (MO)
Sensenbrenner	Taylor	Zablocki
Shannon	Thomas (GA)	Zschau
Sharp	Torres	
Shaw	Torricelli	

NOES—1

Lewis (CA)

NOT VOTING—43

Archer	Hansen (ID)	Murphy
Badham	Hefner	Owens
Berman	Heftel	Pepper
Chappie	Hertel	Quillen
Cheney	Leath	Ritter
Cooper	Lehman (FL)	Smith, Robert
Corcoran	Levine	Spratt
Daschle	Lott	Swift
Dixon	MacKay	Thomas (CA)
Dymally	Marlenee	Traxler
Edwards (AL)	Martinez	Whitehurst
Erdreich	McDade	Wirth
Ford (TN)	McNulty	Wylie
Gore	Michel	
Hance	Moorhead	

□ 1650

Mr. LEWIS of California changed his vote from "aye" to "no."

Mr. SMITH of Florida, Mr. LEWIS of California, Mrs. VUCANOVICH, Ms. OAKAR, and Mr. DANNEMEYER changed their votes from "no" to "aye."

So the committee amendment was agreed to.

The result of the vote was announced as above recorded.

Mr. GLICKMAN. Mr. Chairman, I move to strike the last word.

Mr. Chairman, the Subcommittee on Transportation, Aviation and Materials held extensive hearings and field inspections on the transportation portion of the fiscal year 1984 Department of Energy authorization. Testimony was taken from a variety of witnesses, both inside and outside of the DOE.

The transportation program was created by two pieces of hard-won legislation, both of which were born in the Science Committee. At that time, our objective was to begin to do something about the No. 1 consumer of petroleum—the automobile. But, to my mind, those bills achieved something even more significant. They gave the Federal Government a role in advanced automotive technology, similar to the one it has in other areas where we dominate the world market such as in agriculture and aeronautics. Although the program is a small one—only $67.6 million recommended by the committee this year—the payoff can be very large. This is true because DOE emphasizes the high-risk, long-term research and technology that our auto industry is financially unable or unwilling to undertake. Such efforts can provide the basis for leapfrogging the competition and possibly even for recovering some of our market share in this troubled industry. I believe this is especially significant as we search for new ways to restructure our national economy by emphasizing high technology.

Unfortunately, the Reagan administration, despite its high-minded rhetoric about the importance of technology, has sought repeatedly to end the DOE engine program. Initially its thrust was to scrap entirely the proof-of-concept approach that had been envisioned in the enabling legislation. That, however, would have meant withdrawal from projects that address the single most important consumer of foreign petroleum—the automobile. It would have meant the termination of three major technology development contracts—with GM, a team of Garrett and Ford, and Mechanical Technology, Inc. of New York. And it would have meant abandoning technologies that could be very important in the future—unless you believe that energy supply shortages will never again appear.

Fortunately, the Congress has taken a longer view and has provided funds each year to keep these projects moving forward, toward their completion dates in 1986 and 1987. Because of this and also because of the recent, very strong interest by the auto industry in the gas turbine program, DOE is no longer trying to kill the whole heat engine effort. This year it proposed to converge to only one turbine contractor and to terminate the work of MTI on the Stirling engine.

To further substantiate the committee's judgment, especially with regard to continuing the Stirling proof-of-concept project, I would like to note, for the record, the existence of three letters from various automobile and engine companies. These letters are from the GM Research Laboratories, Deere & Co., and the Cummins Engine Co. In each case they are addressed to NASA, as the project manager. They each express interest in a DOE program under which Stirling engines will be made available for the purpose of

performing dynamometer testing. Mr. Chairman, I believe these letters may reveal the awakening of real interest by industry in Stirling technology.

The committee felt, as it has in the past, that the need for alternative engine technology in the future is still valid and that we should complete these projects. We were particularly concerned this year—with the end in sight and with the early results all showing great promise—that budget-cutting zeal might deprive us of an important future technology.

Accordingly, the committee added $27.1 million to the administration's request, bringing the total authorization for fiscal year 1984 to $67.6 million. The additional funds will permit continued development of the Stirling engine toward final proof of concept, as originally planned, continuation of both gas turbine contracts and augmentation of the DOE staff to manage this additional effort.

The other areas traditionally within the transportation program—electric and hybrid vehicle R&D alternative fuels and advanced materials—were all judged to have received adequate funding in the administration's request.

Finally, DOE proposed $9 million to start construction of a high-temperature materials lab at Oak Ridge. Since work in this area is key to advances in the fuel efficiency of a variety of engine types, including the diesel, the committee strongly endorsed this request.

Mr. Chairman, I urge adoption of the fiscal year 1984 DOE authorization bill.

AMENDMENT OFFERED BY MR. MINETA

Mr. MINETA. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. MINETA: On page 10, line 5, strike "$20,900,000;" and inset in lieu thereof the following: "$15,900,000; (C) Project numbered 84-ER-113, Vitreous State Laboratory, The Catholic University of America, Washington, D.C. (Total Estimated Cost, $13,900,000), $5,000,000;" and redesignate existing projects (C) through (H) in paragraph (6) as (D) through (I), respectively.

Mr. MINETA (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. MINETA. Mr. Chairman, this amendment redirects $5 million of construction funding from project numbered 84-ER-112, the National Center for Advanced Materials at Lawrence Berkeley Laboratory and the Stanford Linear Accelerator Center, to provide for the initiation of construction of the Vitreous State Laboratory at the Catholic University of America.

The competitive posture, and, indeed the very survival, of American industry in the coming decades will depend upon bold R&D ventures, and few areas are riper for scientific exploitation than the area of materials science. Advanced research on glassy-state or vitreous materials, in particular, offers significant payoffs for applications to energy development and industrial productivity. In this exciting field of technological innovation, the Vitreous State Laboratory (VSL) at the Catholic University of America is not only the acknowledged leader, but also the focal point of a broadly based research and educational program aimed at the development of these exciting new materials.

The VSL is currently investigating a number of areas with potentially far-reaching energy-related applications such as the use of glass surface catalysts and solar energy to produce molecular hydrogen from water, which offers the potential to substantially reduce our reliance on imported oil with savings of the order of tens of billions of dollars annually. Potential industrial applications of VSL technologies are legion. They include new techniques for inexpensively producing lenses for copiers and telecommunications devices, high-speed optical switches for ultrafast computers, and for reducing costs of genetically engineered pharmaceuticals.

Mr. Chairman, the Vitreous State Laboratory at the Catholic University of America was created in 1968 following the award of a Department of Defense project THEMIS contract from the Office of Naval Research as a center of excellence for the scientific investigation and technological development of glassy materials. From its initial work directed exclusively for military purposes, VSL has undertaken a wide variety of projects involving the development of new glass materials with specialized properties for scientific applications, both civilian and military. It has also diversified its funding base so that now some two-thirds of its approximately $1.2 million annual budget comes from private sources; with the remaining one-third coming from both military and civilian government agencies.

Over its 15 years of existence, the laboratory has had an enviable track record as evidenced by the following:

First, laboratory personnel have authored more than 400 scientific papers, several books, and numerous patents.

Second, many graduates and post-doctoral students trained at the VSL occupy key research and administrative positions in major government, industry, and university laboratories.

Third, the VSL has been remarkably successful in translating the results of laboratory scale research on specialized glassy materials into innovative industrial technologies with important energy-related applications. These include the development of a novel type of glass in which high-level radioactive nuclear waste is most effectively immobilized for long-term repository storage, a new type of inexpensive foam-glass for thermal insulation, and a fiber optic sensor that functions as a sensitive geophone for oil exploration.

Mr. Chairman, if the laboratory is to continue to grow and to capitalize most effectively on its past successes, it must expand its current space. The VSL now utilizes 14,000 square feet of space that is scattered around six different floors of three different buildings; and the university has exhausted its ability to provide any additional new space. There is no doubt that the VSL's capabilities could be significantly improved if a properly designed and appropriately equipped building—with adequate laboratory, shop, office, and meeting room space—could be constructed to house it all under one roof. Such a laboratory can be constructed for the modest investment of only $13.9 million. My amendment will provide $5 million in fiscal year 1984 to initiate this important project.

I want to point out, Mr. Chairman, that this funding is the result of a redirection of funds already requested by the administration and approved by the committee—we will not be adding additional funds. I also want to point out that these funds are being redirected from the National Center for Advanced Materials at the Lawrence Berkeley Laboratory and the Stanford linear accelerator—a project I strongly support. However, due to the ongoing review and continuing refinement of the center's construction plan by the Department of Energy, I anticipate that this modest reduction in first year funding can be accommodated within the succeeding 5-year construction schedule.

I would ask that my colleagues join with me in support of the new Vitreous Materials Laboratory as we strive to reestablish the United States as the unchallenged technological leader in the world.

Mr. WRIGHT. Mr. Chairman, will the gentleman yield?

Mr. MINETA. I yield to the distinguished majority leader, the gentleman from Texas.

Mr. WRIGHT. I thank the gentleman for yielding, and I want to commend him on the initiative he has shown in fostering this project. It is, I think, thoroughly worthwhile, and is the kind of thing that nobody disagrees with. At least I cannot imagine any knowledgeable person disagreeing with it. This will finance a highly necessary and extremely important bit of research that is being carried out in a

very exemplary way at Catholic University. I think the entire Nation will benefit from it. It does not increase the total cost of the bill, the way the gentleman's amendment is drafted. So I just want to commend my friend, the gentleman from California, and associate myself with his remarks.

Mr. MINETA. I thank the distinguished majority leader.

□ 1700

Mr. SENSENBRENNER. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I rise in strong opposition to the gentleman's amendment.

Although I have great respect for the gentleman, who is also a member of the Science and Technology Committee, the facility proposed to be constructed under his amendment is premature and, if adopted, would emasculate the authorization process we have adopted in this body.

Authorization committees are a creature of necessity. The subjects presented to this body are so diverse and complex that we cannot, as 435 Members sitting together, effectively and adequately consider the merits of any proposal. Therefore, we have established authorization committees, so that subjects of enormous complexity and understanding can be carefully and thoughtfully studied and evaluated. Moreover, proposals for the expenditure of our limited financial resources will be forced to prove their value against other competing proposals. In this manner, only those proposals deemed to be meritorious, by the committee with established expertise in the subject area, are recommended to this body to be funded.

The gentleman's amendment would bypass this review process.

The gentleman's amendment would redirect $5 million from the construction of the proposed National Center for Advanced Materials, at Berkeley, Calif., which was supported by the chairman and a majority of the members of the Science and Technology Committee at the unreduced level, to finance the construction of a new $13.9 million Vitreous State Laboratory which would replace the existing facility at Catholic University.

The gentleman's proposal was not submitted to the Science and Technology Committee, prior to its consideration of this legislation and I did not learn of the request until yesterday. I requested my staff to contact Catholic University concerning the gentleman's proposal.

I am informed that:

First. Catholic University has not submitted a written proposal detailing the time schedule, the size of the proposed facility, or justification for a new facility.

Second. There are no architectural design or construction plans in existence for the facility.

Third. The university is unsure of its location on the campus.

Fourth. The facility will not be a user facility; that is, it will not be designed so that outside scientists will be encouraged and invited to use the facility, but instead will be for the benefit of those scientists attached to the laboratory.

In light of these disclosures, I can understand why this proposal was never submitted to the committee. This project can no longer hide behind the veil of scientific research, but must instead be seen for what it really is, political pork.

Unless my colleagues wish to emasculate the authorization process and politicize scientific research and the construction of scientific research facilities, by encouraging every college and university in the country to contact their Representative to obtain a facility, regardless of duplication or its value to the Nation, I urge rejection of this amendment.

Mr. CARNEY. Mr. Chairman, will the gentleman yield?

Mr. SENSENBRENNER. I yield to the gentleman from New York.

Mr. CARNEY. I thank the gentleman for yielding.

Mr. Chairman, based on what the gentleman is saying, perhaps the facility is going to be used for a DOD project or a defense project, something of that nature, and maybe they cannot tell us what it is. They might be doing work on chemical weapons or something of that nature and they might not be telling us.

Mr. SENSENBRENNER. I have no information on what the facility will be used for. The initial Vitreous State Laboratory was financed in 1968 out of Department of Defense funds, however.

Mr. WALKER. Mr. Chairman, will the gentleman yield?

Mr. SENSENBRENNER. I yield to the gentleman from Pennsylvania.

Mr. WALKER. I thank the gentleman for yielding.

Mr. Chairman, do I understand correctly that this is a matter which was never brought before the committee? I do not remember it ever being there. Is that correct, that the committee never heard anything about this project in all the time we were considering this authorization?

Mr. SENSENBRENNER. No, it was not, and there was no request to hear anything about this project before either the committee or the subcommittee.

Mr. WALKER. And furthermore, there are no architectural plans, there is no site, there is really nothing in existence about this project?

Mr. SENSENBRENNER. There is about a 20-page memorandum that basically describes the work that has been going on at the Vitreous State Laboratory since its founding and saying that there is overcrowding of the present facility. I do not quarrel with that report at all, but in terms of actual, specific plans on how many square feet, exactly where the building is to be located, architectural plans, and the like, there is nothing that has been submitted.

Mr. WALKER. And we are being asked to put up $5 million, is that correct, and that is only the first installment of what I understand is going to be more than $15 million? Is that correct?

Mr. SENSENBRENNER. That is $5 million out of $13.9 million, but furthermore, it takes the money away from a project authorized by the majority of the Committee on Science and Technology.

The CHAIRMAN. The time of the gentleman from Wisconsin (Mr. SENSENBRENNER) has expired.

(On request of Mr. WALKER and by unanimous consent, Mr. SENSENBRENNER was allowed to proceed for 2 additional minutes.)

Mr. SENSENBRENNER. So in effect, the adoption of this amendment would be robbing Peter to pay Paul.

Mr. WALKER. If I understand the gentleman correctly, what we are doing is, we are saying that all of the things that the authorizing committee went through and decided were meritorious, we are now going to decide on this floor that something that no one ever heard of before yesterday is going to come out here and take away money from the projects that we regarded as the most vital for the national interest. Is that what is happening here?

Mr. SENSENBRENNER. The gentleman from Pennsylvania is absolutely correct. The universities in California that submitted their plans, that went through the committee authorizing process, won their vote in the committee and submitted all the voluminous documentation to do that, they are the losers.

□ 1710

The university that came in at the last minute without having submitted this kind of documentation would be the winner of a new building should this amendment be adopted. That destroys the authorization process. That means the siting of these buildings is decided on political considerations rather than on scientific considerations, and that is why the amendment offered by the gentleman from California (Mr. MINETA) ought to be rejected.

Mr. WALKER. Mr. Chairman, if the gentleman will yield further, I would have to agree with the gentleman that

that kind of process is no more than pork barrel politics, and I thank the gentleman for his opposition.

Mrs. BOGGS. Mr. Chairman, I move to strike the requisite number of words, and I rise in support of the amendment.

Over the next decade, the competitive posture of certain high technology American industries in domestic and international markets will depend upon bold research and development ventures. Over the years, the Vitreous State Laboratory has established a solid record of translating its laboratory developments into practical technologies. In the process, however, it has been forced to overcome the obstacles posed for it, as the gentleman from California (Mr. MINETA) has indicated, by scattered and outmoded research facilities it has long outgrown.

It is for this reason that the laboratory, seeking to improve upon its admirable record of technological applications, has requested Federal support for the construction of a fully modern facility for glassy-state materials research, and I support that request.

Mr. Chairman, Catholic University did not intend to circumvent the committee system, and it does not believe that it did so. Its proposal for Federal support has been under consideration for some time. If it had been aware that the administration had proposed an enormous new initiative for materials research, and if it had been consulted in the preparation of that initiative, it certainly would have participated actively in the hearings process.

Mr. Chairman, there is a very fine site already designated on the campus of Catholic University. The Schools of Architecture and Engineering and the vice president in charge of facilities have all been able to participate in the planning for this splendid new laboratory, and I think there is no reason to believe that it was a haphazard situation thrown together at the last moment.

There are two principal reasons why it is advisable to accept this amendment now and not to delay until some later date this year and then proceed to fund it next year. The first reason involves the economics of the nuclear power industry where millions and millions of dollars are lost as reactors sit idle for lack of an adequate solution to the nuclear waste problem. The Vitreous State Laboratory has developed and is perfecting the development of techniques for dealing with nuclear waste.

The second major reason for proceeding immediately to the funding of the vitreous state facility is foreign economic competition. The Vitreous State Laboratory has made important contributions and will continue to make them to the next generation of computers, which will include both crystalline and glassy-state materials, to the development of telecommunications using fiber optics, and to the development of facsimile machines for the delivery of electrical mail.

In all three areas, delay increases the risk that this country will fall behind, or in some cases fall further behind, foreign competition, especially from Japan, in the development of these new technologies. In the facsimile machine area, for example, the graded index lenses developed at the Vitreous State Laboratory represent the only alternative to the lenses currently being produced in Japan.

It is for these reasons, Mr. Chairman, that I urge the support of this amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from California (Mr. MINETA).

The question was taken; and the Chairman announced that the ayes appeared to have it.

RECORDED VOTE

Mr. WALKER. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 261, noes 113, not voting 58, as follows:

[Roll No. 113]

AYES—261

Ackerman	Dingell	Hutto
Akaka	Donnelly	Jacobs
Albosta	Dorgan	Jenkins
Anderson	Dowdy	Jones (NC)
Andrews (TX)	Downey	Jones (OK)
Annunzio	Duncan	Jones (TN)
Anthony	Durbin	Kaptur
Aspin	Dyson	Kastenmeier
AuCoin	Early	Kazen
Barnard	Eckart	Kennelly
Barnes	Edgar	Kildee
Bates	Edwards (CA)	Kindness
Bedell	Edwards (OK)	Kogovsek
Beilenson	English	Kolter
Bennett	Evans (IL)	Kostmayer
Bevill	Fascell	Kramer
Biaggi	Fazio	LaFalce
Bliley	Feighan	Lantos
Boggs	Ferraro	Latta
Boland	Fish	Leach
Boner	Flippo	Lehman (CA)
Bonior	Florio	Leland
Bonker	Foglietta	Lent
Borski	Foley	Levin
Bosco	Ford (MI)	Levitas
Boucher	Frank	Lipinski
Boxer	Franklin	Livingston
Breaux	Frost	Lloyd
Britt	Fuqua	Long (LA)
Brooks	Garcia	Lowry (WA)
Brown (CA)	Gaydos	Lujan
Broyhill	Gejdenson	Luken
Bryant	Gephardt	Lundine
Byron	Gibbons	Madigan
Carper	Gilman	Markey
Carr	Glickman	Martin (IL)
Chappell	Gonzalez	Martin (NY)
Clarke	Gore	Matsui
Clay	Gray	Mavroules
Clinger	Green	Mazzoli
Coleman (TX)	Guarini	McCloskey
Collins	Hall (IN)	McCurdy
Conte	Hamilton	McEwen
Conyers	Hammerschmidt	McGrath
Coughlin	Harkin	McHugh
Coyne	Harrison	McKinney
Crockett	Hatcher	Mica
D'Amours	Hawkins	Mikulski
de la Garza	Howard	Miller (CA)
Dellums	Hoyer	Mineta
Derrick	Hubbard	Minish
Dicks	Hughes	Mitchell
Moakley	Ridge	Stokes
Molinari	Rinaldo	Stratton
Mollohan	Rodino	Studds
Montgomery	Roe	Sundquist
Moody	Rose	Synar
Moore	Rostenkowski	Tallon
Morrison (CT)	Roth	Tauzin
Mrazek	Rowland	Thomas (GA)
Murtha	Roybal	Torres
Myers	Russo	Torricelli
Natcher	Sabo	Towns
Nelson	Savage	Udall
Nichols	Sawyer	Valentine
Nowak	Scheuer	Vandergriff
Oakar	Schroeder	Vento
Oberstar	Schumer	Volkmer
Obey	Seiberling	Walgren
Olin	Shannon	Watkins
Ortiz	Sharp	Waxman
Ottinger	Shelby	Weaver
Panetta	Shuster	Weiss
Parris	Sikorski	Wheat
Patman	Simon	Whitley
Pease	Sisisky	Whitten
Penny	Skelton	Wilson
Perkins	Slattery	Wise
Pickle	Smith (FL)	Wolpe
Porter	Smith (IA)	Wortley
Price	Smith (NJ)	Wright
Rangel	Snowe	Wyden
Ratchford	Snyder	Yates
Ray	Solarz	Yatron
Regula	St Germain	Young (AK)
Reid	Staggers	Young (MO)
Richardson	Stark	Zablocki

NOES—113

Andrews (NC)	Gingrich	Morrison (WA)
Applegate	Goodling	Nielson
Bartlett	Gradison	Oxley
Bateman	Gramm	Packard
Bereuter	Gregg	Pashayan
Bethune	Gunderson	Patterson
Bilirakis	Hall (OH)	Paul
Boehlert	Hall, Ralph	Petri
Broomfield	Hall, Sam	Pritchard
Brown (CO)	Hansen (UT)	Pursell
Burton	Hartnett	Roberts
Campbell	Hightower	Robinson
Carney	Hiler	Roemer
Chandler	Hillis	Rogers
Coats	Holt	Roukema
Coleman (MO)	Hopkins	Rudd
Conable	Hunter	Schaefer
Courter	Hyde	Schneider
Craig	Ireland	Sensenbrenner
Crane, Daniel	Jeffords	Shaw
Crane, Philip	Johnson	Shumway
Daniel	Kasich	Siljander
Dannemeyer	Kemp	Smith, Denny
Daub	Lagomarsino	Solomon
Davis	Lewis (CA)	Spence
DeWine	Lewis (FL)	Stenholm
Dickinson	Loeffler	Stump
Dreier	Lowery (CA)	Tauke
Edwards (AL)	Lungren	Taylor
Emerson	Mack	Vucanovich
Erlenborn	Marriott	Walker
Evans (IA)	Martin (NC)	Weber
Fiedler	McCain	Whittaker
Fields	McCandless	Winn
Forsythe	McCollum	Wolf
Fowler	McDonald	Young (FL)
Frenzel	McKernan	Zschau
Gekas	Miller (OH)	

NOT VOTING—58

Addabbo	Hertel	Quillen
Alexander	Horton	Rahall
Archer	Huckaby	Ritter
Badham	Leath	Schulze
Berman	Lehman (FL)	Skeen
Chappie	Levine	Smith (NE)
Cheney	Long (MD)	Smith, Robert
Coelho	Lott	Spratt
Cooper	MacKay	Stangeland
Corcoran	Marlenee	Swift
Daschle	Martinez	Thomas (CA)
Dixon	McDade	Traxler
Dwyer	McNulty	Vander Jagt
Dymally	Michel	Whitehurst
Erdreich	Moorhead	Williams (MT)
Ford (TN)	Murphy	Williams (OH)
Hance	Neal	Wirth
Hansen (ID)	O'Brien	Wylie
Hefner	Owens	
Heftel	Pepper	

□ 1730

The Clerk announced the following pairs:

On this vote:

Mr. Addabbo for, with Mr. Spratt against.

Messrs. SAM B. HALL, JR., PATTERSON, and DICKINSON changed their votes from "aye" to "no."

Mr. SIKORSKI changed his vote from "no" to "aye."

So the amendment was agreed to.

The result of the vote was announced as above recorded.

AMENDMENT IN THE NATURE OF A SUBSTITUTE OFFERED BY MR. WINN

Mr. WINN. Mr. Chairman, I offer an amendment in the nature of a substitute.

The Clerk read as follows:

Amendment in the nature of a substitute offered by Mr. WINN: Strike all after the enacting clause and insert:

That this Act may be cited as the "Department of Energy Civilan Research and Development Authorization Act for Fiscal Year 1984".

OPERATING EXPENSES

SEC. 2. Funds are hereby authorized to be appropriated for fiscal year 1984 in accordance with section 660 of the Department of Energy Organization Act for operating expenses for the following research and development programs:

(1) Fossil energy, $229,847,000;

(2) Energy conservation, $96,087,000;

(3) Energy supply research and development;

(A) Solar energy, $170,900,000;

(B) Geothermal energy, $20,000,000;

(C) Nuclear fission, $461,522,000;

(D) Magnetic fusion, $382,700,000;

(E) Electric energy systems, $17,702,000;

(F) Energy storage systems, $19,100,000;

(G) Basic energy sciences and supporting research, including energy science advanced computation, energy research analysis, university research support, university research instrumentation, and advisory and oversight program direction, $312,569,000;

(H) Environmental research and development, $217,875,000; and

(I) Policy and management, energy research, $515,000;

(4) Geothermal resources development fund, $2,100,000;

(5) General science and research, $479,750,000; and

(6) Uranium enrichment:

(A) Advanced isotope separation technology, $59,900,000; and

(B) Gas centrifuge process development and demonstration, $106,400,000.

PLANT AND CAPITAL EQUIPMENT

SEC. 3. Funds are hereby authorized to be appropriated for fiscal year 1984 in accordance with section 660 of the Department of Energy Organization Act for the acquisition and fabrication of capital equipment not related to construction for the following research and development programs:

(1) Fossil energy, $3,000,000;

(2) Energy conservation, $750,000;

(3) Energy supply research and development:

(A) Basic energy sciences and supporting research, $24,280,000;

(B) Nuclear fission, $31,160,000,

(C) Magnetic fusion, $37,800,000;

(D) Energy storage systems, $100,000; and

(E) Environmental research and development, $11,700,000.

(4) General science and research, $62,800,000; and

(5) Uranium enrichment:

(A) Advanced isotope separation technology, $9,500,000; and

(B) Gas centrifuge process development and demonstration, $3,400,000.

PRIOR YEAR CONSTRUCTION

SEC. 4. Funds are hereby authorized to be appropriated for fiscal year 1984 in accordance with section 660 of the Department of Energy Organization Act for plant and capital equipment (including planning, construction, acquisition, and modification of facilities, including land acquisition) for the following prior year research and development projects:

(1) Fossil energy:

(A) Project numbered 82-F-506, Surface Water Containment and Wastewater Treatment Facility, Pittsburgh Energy Technology Center, Bruceton, Pennsylvania, $1,040,000, for a total authorization of $3,000,000; and

(B) Project numbered 83-F-501, Wastewater Treatment Facility, Morgantown, West Virginia, $3,000,000, for a total authorization of $3,800,000;

(2) General science:

(A) Project numbered 81-E-218, Tevatron I, Fermi National Accelerator Laboratory, Batavia, Illinois, $20,000,000, for a total authorization of $58,000,000; and

(B) Project numbered 82-E-206, Tevatron II, Fermi National Accelerator Laboratory, Batavia, Illinois, $13,000,000, for a total authorization of $37,000,000;

(3) Nuclear fission:

(A) Project numbered 83-N-334, Safeguards and security assessment improvements, Argonne National Laboratory-West, INEL, Idaho, $1,000,000, for a total authorization of $1,400,000;

(B) Project numbered 78-6-E, Energy Technology Engineering Center, facility modifications, Santa Susana, California, $5,000,000, for a total authorization of $32,800,000; and

(C) Project numbered 78-6-C, Safety Research Experiment Facilities, Argonne National Laboratory-West, INEL, Idaho, $1,100,000, for a total authorization of $44,300,000;

(4) Magnetic fusion:

(A) Project numbered 78-3-A, Mirror Fusion Test Facility-B, Lawrence Livermore National Laboratory, California, $30,000,000, for a total authorization of $229,058,000; and

(5) Supporting research:

(A) Project numbered 80-ES-11, Idaho Laboratory Facility, Idaho National Engineering Laboratory, Idaho, $562,000, for a total authorization of $17,500,000;

(B) Project numbered 81-E-325, Energy Technology Laboratory, Sandia National Laboratories, Albuquerque, New Mexico, $3,600,000, for a total authorization of $15,600,000;

(C) Project numbered 82-E-301, 300 area critical utilities upgrading, Richland, Washington, $2,200,000, for a total authorization of $9,400,000;

(D) Project numbered 82-E-302, Security Facility, Argonne National Laboratory, Argonne, Illinois, $1,800,000, for a total authorization of $6,500,000;

(E) Project numbered 83-E-308, Rehabilitate power systems, various locations, $5,988,000, for a total authorization of $11,988,000;

(F) Project numbered 83-E-309, Electronics Facility, Argonne National Laboratory, Argonne, Illinois, $3,150,000, for a total authorization of $5,350,000;

(G) Project numbered 83-E-310, Utility replacements and upgrade, Brookhaven National Laboratory, Upton, New York, $7,500,000, for a total authorization of $8,800,000; and

(H) Project numbered 83-E-311, Laboratory Emergency Response Center, Oak Ridge National Laboratory, Oak Ridge, Tennessee, $1,200,000; for a total authorization of $3,200,000;

NEW CONSTRUCTION

SEC. 5. Funds are hereby authorized to be appropriated for fiscal year 1984 in accordance with section 660 of the Department of Energy Organization Act for plant and capital equipment (including planning, construction, acquisition, and modification of facilities, including land acquisition) for the following new research and development projects:

(1) Fossil energy:

(A) Project numbered 84-FE-101, General plant projects for energy technology centers, various locations, $4,000,000;

(2) Energy conservation:

(A) Project numbered 84-CS-101, High Temperature Materials Laboratory, Oak Ridge National Laboratory, Oak Ridge, Tennessee, $9,000,000;

(3) Environment:

(A) Project numbered 84-ER-134, General plant projects, biological and environmental research, various locations, $1,000,000;

(4) General science:

(A) Project numbered 84-ER-133, Stanford linear collider, Stanford Linear Accelerator Center, Stanford, California, $35,000,000;

(B) Project numbered 84-ER-131, Accelerator improvement projects, high energy physics, various locations, $9,000,000;

(C) Project numbered 84-ER-132, General plant projects, high energy physics, various locations, $7,000,000;

(D) Project numbered 84-ER-121, Accelerator improvement projects, nuclear physics, various locations, $3,500,000;

(E) Project numbered 84-ER-122, General plant projects, nuclear physics, various locations, $2,200,000; and

(F) Project numbered 84-ER-110, University accelerator upgrade project at the University of Washington and Yale University, Seattle, Washington, and New Haven, Connecticut, $8,000,000;

(5) Supporting research:

(A) Project numbered 84-ER-111, Beam lines and support area construction, National Synchrotron Light Source, Brookhaven National Laboratory, Upton, New York, $2,500,000;

(B) Project numbered 84-ER-112, National Center for Advanced Materials, Lawrence Berkeley Laboratory, Berkeley, California, and Stanford Linear Accelerator Center, Stanford, California, $5,000,000;

(C) Project numbered 84-ER-141, Accelerator improvements and modifications, basic energy sciences, various locations, $1,260,000;

(D) Project numbered 84-ER-142, General plant projects, basic energy sciences, various locations, $400,000;

(E) Project numbered 84-ER-101, Rehabilitate old town area utilities, Lawrence Berkeley Laboratory, Berkeley, California, $500,000;

(F) Project numbered 84-ER-102, Cooling water facilities restoration, Oak Ridge Na-

tional Laboratory, Oak Ridge, Tennessee, $600,000;

(G) Project numbered 84-ER-103, Road repair, various locations, $2,000,000; and

(H) Project numbered 84-ER-104, Facilities support project, various locations, $2,500,000;

(6) Nuclear fission:

(A) Project numbered 84-N-102, Modifications to reactors, various locations, $1,000,000;

(B) Project numbered 84-N-101, General plant projects, nuclear energy, various locations, $4,000,000; and

(C) Project numbered 84-N-105, General plant projects, commerical nuclear waste management, Richland, Washington, $1,400,000;

(7) Magnetic fusion:

(A) Project numbered 84-ER-109, General plant projects, magnetic fusion, various locations, $6,500,000;

(8) Uranium enrichment activities:

(A) Project numbered 84-N-406, General plant projects, advanced isotope separation technology, various locations, $1,200,000; and

(B) Project numbered 84-N-407, Development/demonstration module (design only), Oak Ridge, Tennessee, $2,400,000.

GENERAL PROVISIONS RELATING TO AUTHORIZATIONS FOR FISCAL YEAR 1984

SEC. 6. (a) No funds are authorized under this Act for any purpose other than research, development, and demonstration.

(b) With respect to the programs for which funds are authorized under this Act, the provisions of this Act shall supersede the provisions of chapter 1 of subtitle A of title X of the Omnibus Budget Reconciliation Act of 1981 relating to the authorization of Department of Energy civilian research and development programs for fiscal year 1984.

(c) No funds are authorized to be appropriated pursuant to this Act, or pursuant to the provisions of chapter 1 of subtitle A of title X of the Omnibus Budget Reconciliation Act of 1981 which relate to fiscal year 1984, for the continuation or termination of the Clinch River Breeder Reactor project, except to such extent as may be specifically provided by legislation enacted after the date of the enactment of this Act.

Mr. WINN (during the reading). Mr. Chairman, I ask unanimous consent that the amendment in the nature of a substitute be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Kansas?

There was no objection.

Mr. WINN. Mr. Chairman, my substitute proposes a comprehensive budget for the Department of Energy's research and development programs for fiscal year 1984. The members of our committee are faced with many difficult budgetary decisions this year, including the Nation's energy program. Despite the cost of crude oil today, or on any other specific date, our petroleum supplies are finite and we must look to the day when our Nation will be operating on other energy fuels. The Committee on Science and Technology supports energy programs which are moving forward to the development of those new technologies needed in the future.

However, with these long-range needs in mind we must also be aware of our present economic realities. We have demonstrated repeatedly that escalated spending takes its toll and produces expanding deficits. It is, therefore, fiscally prudent to consider an energy research and development authorization level which is adequate and compatible with our other pressing budgetary needs. Economic recovery, which is now escalating, is dependent on thoughtful spending for encouragement. This authorization bill exceeds the administration's request by $500 million and must be curtailed. One method is the judicious allocation of limited funds, depending on the apparently forgotten private sector for assistance and guidance.

The substitute legislation which I am offering today is consistent with those goals. This substitute carefully balances our energy needs against our budget limitations. We continue to support all of DOE's promising energy programs at responsible program levels.

My substitute calls for an increase of 9 percent in the administration's energy request for fiscal year 1984. This funding support is equal to the amount which was appropriated by Congress for fiscal year 1983.

There are several noteworthy features in my substitute which I wish to call to your attention. Specifically, my amendment calls for a solar program of $170 million for fiscal year 1984, more than double the administration's request. Also, I am recommending a $241 million fossil energy program. This is higher than DOE originally recommended in its request to the Office of Management and Budget. With this funding we will continue to support all of our promising fossil activities including coal liquefaction and gasification, fuel cells, MHD, direct combustion work, heat engines and heat recovery, environmental controls, and advanced gas and oil technology programs.

In the nuclear area we continue support for the high temperature gas reactor program, other fission and magnetic fusion programs as proposed by DOE, and uranium enrichment continuation and redirection.

In conservation, my proposal calls for a strong building and industrial conservation program. We also continue to support other activities such as the Energy Extension Service.

I think that this substitute represents a fair compromise in striving to meet our energy needs and fiscal responsibilities. In my opinion, this substitute to H.R. 2587 represents a prudent fiscal approach to energy research and development funding. Join me in this effort to curtail unjustified spending. I strongly solicit your support of my substitute.

Mr. FUQUA. Mr. Chairman, I rise in opposition to the substitute.

Mr. Chairman, I will not take the 5 minutes, but I want to point out that what we have here in this substitute really leaves a lot of unanswered questions. It takes almost $26 million out of basic research that the administration requested. It reduces the administration request for magnetic fusion by $10 million. It reduces the nuclear fusion request by some $30 million. The MHD program is decimated. The laboratory at Berkeley is reduced considerably. The Stanford linear collator is reduced, the high temperature gas cooling reactor is reduced by some $38 million.

The committee has worked its will and has agreed to these figures that we present to you, which is a prudent and a balanced approach to trying to solve our energy problems.

Mr. Chairman, I would urge my colleagues to vote against the substitute amendment.

Mr. CARNEY. Mr. Chairman, I move to strike the requisite number of words, and I rise in support of the amendment.

Mr. Chairman, I rise in support of the Winn substitute amendment to the Department of Energy authorization bill for fiscal year 1984. This amendment will allow our Nation to press forward with an aggressive energy research and development program consistent with our economic goals.

As my colleagues are fully aware, our Nation is currently experiencing a welcomed oil glut on the market. This has had many significant benefits, including the importation of much less oil than we did during the high point of the late 1970's.

It would be foolish, however, to be lulled into a false sense of complacency by our current energy conditions. After all, we should recognize that petroleum is a limited resource. We must move ahead and prepare for the day when our Nation and the world runs out of our precious oil supplies.

The Winn proposal will help us prepare for our energy future. This amendment would authorize a total of $2.97 billion for energy R&D activities for fiscal year 1984. This represents a balanced proposal, emphasizing the promise of both our nuclear and nonnuclear activities, such as the fossil, solar, geothermal, and energy conservation programs.

Of significant importance is the emphasis which the gentleman's amendment places on restoring funding for high priority energy programs. In fossil energy, this amendment would continue work in many attractive areas such as fuel cells, MHD, synthetic fuels, and environmental controls.

The solar energy program would include support for the all-promising solar options, including the MOD-5 large wind program—a program that shows great promise in developing a viable solar electric system for the near future. In addition, this amendment would also fund a strong solar photovoltaic and solar thermal effort, and a well-balanced biomass program. The same applies as well for our nuclear fission and fusion programs and our electric energy systems and energy storage programs.

I could go on and on, but the point I would like to make clear is that the Winn amendment would give our Nation a strong energy program. It would continue to support all high-priority programs underway during the last fiscal year. This amendment will help us insure that we will get the biggest energy bang for our Federal dollars.

Moreover, this amendment would do this in a responsible manner. It would not fund wasteful programs such as the appropriate technology activity, where we had funded such ill-warranted projects in the past as the solar doghouse or solar beeswax melter or the solar ice melter. These projects, as all my colleagues would most wholeheartedly agree, would not help us at all in solving the serious problems that we will face someday in the future. This amendment cuts out the wasteful projects, such as the AT (appropriate technology) program, and emphasizes those programs that will provide meaningful energy contributions.

Our Nation cannot live in the past. We must move forward with a responsible energy program. I believe that the Winn amendment will allow us to do this. I urge adoption of the substitute amendment.

Mr. Chairman, in addition to my previous comments in support of the Winn amendment, I would like to bring another issue to the attention of my colleagues: the Stirling engine development program.

As the ranking minority member for the Science and Technology Committee's Subcommittee on Transportation, Aviation, and Materials, I was extremely displeased when my colleagues added $26 million to the DOE budget to support a second gas turbine engine contractor of $12 million and for continuing the Stirling engine program toward MOD-II engine development and testing with $14 million.

I oppose the Stirling engine program because it is not supported by the "Big Three" automakers. Ford, GM, and Chrysler have stated to me in correspondence and telephone conversations that:

Compared to a gasoline engine, and in summary form, we [at Chrysler] believe that the Stirling Engine, while it has potential for lower fuel consumption in some applications would be larger than a gasoline engine; would be heavier than a gasoline engine; would be more expensive than a gasoline engine; and works best when running at a nearly constant speed.

For these reasons we believe the Stirling Engine has little application in passenger cars or light trucks (Chrysler, March 15, 1983).

During the GM Stirling program, it was recognized that the external combustion Stirling engine was inherently poorly suited for land vehicle propulsion and no substantial effort was directed toward developing the engine as a replacement for conventional passenger car engines. Currently, General Motors has no active research or development programs on Stirling engines, and the only efforts are those to maintain an awareness of the work which is being done by others (GM, March 22, 1983).

Ford received an invitation from Mechanical Technology, Inc.—the company performing the Stirling engine work—in May of 1982, to test the MOD-I engine. However, Ford stated:

While we would be interested in seeing any of the results that might be generated by such an evaluation, [the company] find[s] the current pressure for skilled personnel to be too great to engage in presenting such a program at this time. I trust that you will understand and appreciate our position.

Mr. Chairman, I must remind my colleagues that we have already spent $86 million on developing the MOD-I Stirling engine, and at least $40 million more is required to complete the program.

I do not wish to belabor this issue anymore; however, I hope that my colleagues recognize that if they support funding for Stirling engine development, they are throwing money at an automotive engine program that the automakers have no intention of using. If we do authorize the moneys for this program, I argue that this Government will have spent $126 million on building two new engines whose only function will be to serve in a future Smithsonian exhibit.

Mr. WALKER. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in support of the amendment of the gentleman from Kansas, the ranking member of the committee.

As the ranking minority member of the Subcommittee on Energy Research and Production which has a major share of the jurisdiction contained in this legislation. I am acutely aware that our subcommittee came in at 2.1 percent above the administration budget request and I found myself less than comfortable at that lack of fiscal restraint.

Unfortunately other subcommittees having parts of the bill came in at 20 and 27 percent over the budget request. The result is a bill which must be recognized as a budget buster.

There are several areas in which there was general agreement within the committee that there was a need to continue ongoing research in valuable technologies which the administration had proposed for deletion in the coming year. However, what we could not find, was agreement on areas to cut or reduce to make up for those additions.

Both the committee and the House are faced with difficult decisions in developing an effective national energy program. The administration request reflected their philosophy of emphasizing long-term, high-risk programs which offer high payoff if they are successful. In addition, the administration requested significant increases for basic and fundamental research programs in nuclear physics, and high energy physics. However, there was an attendant reduction in support for solar, conservation, and fossil programs to hold total funding below the level of effort in fiscal year 1983.

It is obvious that energy research and development is highly valuable to our Nation. But, we cannot ignore the fact that our energy problems and our economic problems are interconnected and cannot be separated from one another. We must not continue to approach every problem with the attitude that if we spend unlimited amounts we will eventually solve the problem. Not only are there many problems which have already proven themselves to be beyond solution regardless of the amounts spent, we have produced near economic disaster in the process.

Just to illustrate how large our national debt is already let me point out that if we balanced the budget today and immediately started to pay off the national debt at the rate of $1 million per day we would finally make the last payment in 4792.

So you see why we feel that a balance must be maintained between the public interest, on the one hand, in an effective energy research and development program, and on the other hand, in an intelligent and supportable funding level for that program in the light of current economic reality.

Mr. Chairman, the Winn amendment represents a clear and carefully drafted alternative to the committee bill. It continues essential programs, protects needed research, and continues funding at the fiscal year 1983 levels. While the Winn substitute is above the budget request, it represents a safe, sane, and supportable approach to our energy research and development requirements and I urge its adoption.

The CHAIRMAN. The question is on the amendment in the nature of a substitute offered by the gentleman from Kansas (Mr. WINN).

The question was taken; and the chairman announced that the noes appeared to have it.

RECORDED VOTE

Mr. WINN. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 140, noes 228, not voting 64, as follows:

[Roll No. 114]

AYES—140

Applegate	Hansen (UT)	Pashayan
Bartlett	Hartnett	Patman
Bateman	Hightower	Paul
Bethune	Hiler	Porter
Bilirakis	Hillis	Pritchard
Bliley	Holt	Pursell
Boehlert	Hopkins	Ray
Broomfield	Hubbard	Regula
Brown (CO)	Hughes	Ridge
Broyhill	Hunter	Rinaldo
Burton	Hyde	Roberts
Byron	Ireland	Robinson
Campbell	Jacobs	Roemer
Carney	Johnson	Rogers
Chandler	Kasich	Roth
Clinger	Kemp	Roukema
Coats	Kindness	Rudd
Coleman (MO)	Kramer	Sawyer
Conable	Lagomarsino	Schaefer
Coughlin	Latta	Schulze
Courter	Leach	Sensenbrenner
Craig	Lewis (CA)	Shaw
Crane, Daniel	Lewis (FL)	Shelby
Crane, Philip	Livingston	Shumway
Daniel	Loeffler	Shuster
Dannemeyer	Lowery (CA)	Siljander
Daub	Lungren	Slattery
Davis	Mack	Smith (NJ)
DeWine	Madigan	Smith, Denny
Dickinson	Marriott	Snyder
Dreier	Martin (IL)	Solomon
Emerson	Martin (NC)	Spence
English	Martin (NY)	Stangeland
Erlenborn	McCain	Stenholm
Fiedler	McCollum	Stump
Fields	McDonald	Sundquist
Forsythe	McEwen	Tauzin
Fowler	McGrath	Taylor
Frenzel	Miller (OH)	Vucanovich
Gekas	Montgomery	Walker
Gingrich	Moore	Weber
Goodling	Myers	Whittaker
Gradison	Nichols	Williams (OH)
Gramm	Nielson	Winn
Gregg	Oxley	Wortley
Hall, Sam	Packard	Young (AK)
Hammerschmidt	Parris	

NOES—228

Ackerman	Chappell	Flippo
Akaka	Clarke	Florio
Albosta	Clay	Foglietta
Anderson	Coleman (TX)	Foley
Andrews (NC)	Collins	Ford (MI)
Andrews (TX)	Conte	Frank
Annunzio	Conyers	Frost
Anthony	Coyne	Fuqua
Aspin	Crockett	Garcia
AuCoin	D'Amours	Gaydos
Barnard	de la Garza	Gejdenson
Barnes	Dellums	Gephardt
Bates	Derrick	Gilman
Bedell	Dicks	Glickman
Beilenson	Dingell	Gonzalez
Bennett	Donnelly	Gore
Bevill	Dorgan	Gray
Biaggi	Dowdy	Green
Boggs	Downey	Guarini
Boland	Duncan	Gunderson
Boner	Dyson	Hall (IN)
Bonior	Early	Hall (OH)
Bonker	Eckart	Hall, Ralph
Borski	Edgar	Hamilton
Bosco	Edwards (AL)	Harkin
Boucher	Edwards (CA)	Harrison
Boxer	Edwards (OK)	Hatcher
Breaux	Evans (IA)	Hawkins
Britt	Evans (IL)	Howard
Brooks	Fascell	Hoyer
Brown (CA)	Fazio	Hutto
Bryant	Feighan	Jeffords
Carper	Ferraro	Jenkins
Carr	Fish	Jones (NC)
Jones (TN)	Mrazek	Skelton
Kaptur	Murtha	Smith (FL)
Kastenmeier	Natcher	Smith (IA)
Kazen	Nelson	Snowe
Kennelly	Nowak	Solarz
Kildee	Oakar	St Germain
Kogovsek	Oberstar	Staggers
Kolter	Obey	Stark
Kostmayer	Olin	Stokes
LaFalce	Ortiz	Stratton
Lantos	Ottinger	Studds
Lehman (CA)	Panetta	Synar
Leland	Patterson	Tallon
Lent	Pease	Tauke
Levin	Penny	Thomas (GA)
Levitas	Perkins	Torres
Lloyd	Petri	Towns
Long (LA)	Pickle	Udall
Lowry (WA)	Price	Valentine
Luken	Rahall	Vandergriff
Lundine	Rangel	Vento
Markey	Ratchford	Volkmer
Matsui	Reid	Walgren
Mavroules	Richardson	Watkins
Mazzoli	Rodino	Waxman
McCloskey	Roe	Weaver
McCurdy	Rose	Weiss
McHugh	Rostenkowski	Wheat
McKernan	Rowland	Whitley
McKinney	Roybal	Whitten
Mica	Sabo	Williams (MT)
Mikulski	Savage	Wilson
Miller (CA)	Scheuer	Wise
Mineta	Schneider	Wolf
Minish	Schroeder	Wolpe
Mitchell	Schumer	Wright
Moakley	Seiberling	Wyden
Molinari	Shannon	Yates
Mollohan	Sharp	Yatron
Moody	Sikorski	Young (MO)
Morrison (CT)	Simon	Zablocki
Morrison (WA)	Sisisky	Zschau

NOT VOTING—64

Addabbo	Hefner	Neal
Alexander	Heftel	O'Brien
Archer	Hertel	Owens
Badham	Horton	Pepper
Bereuter	Huckaby	Quillen
Berman	Jones (OK)	Ritter
Chappie	Leath	Russo
Cheney	Lehman (FL)	Skeen
Coelho	Levine	Smith (NE)
Cooper	Lipinski	Smith, Robert
Corcoran	Long (MD)	Spratt
Daschle	Lott	Swift
Dixon	Lujan	Thomas (CA)
Durbin	MacKay	Torricelli
Dwyer	Marlenee	Traxler
Dymally	Martinez	Vander Jagt
Erdreich	McCandless	Whitehurst
Ford (TN)	McDade	Wirth
Franklin	McNulty	Wylie
Gibbons	Michel	Young (FL)
Hance	Moorhead	
Hansen (ID)	Murphy	

□ 1750

Mr. BONER of Tennessee and Mr. LEVITAS changed their votes from "aye" to "no."

Mrs. BYRON changed her vote from "no" to "aye."

So the amendment in the nature of a substitute was rejected.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. RANGEL

Mr. RANGEL. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. RANGEL:

On page 2, line 16, strike "$425,700,000" and insert "$424,700,000".

On page 2, line 24, strike "$318,569,000" and insert "$316,569,000".

On page 3, line 7, strike "$479,750,000" and insert "$478,750,000".

On page 9, line 20, strike "$8,000,000" and insert "$7,000,000".

On page 10, after line 5, insert the following:

"(C) Project numbered 84-ER-115. National Center for Chemical Research, Columbia University, New York, New York "$5,000,000";

and redesignate the following projects (C)-(H) with the letters (D)-(I).

Mr. Chairman, I have discussed this redirection of $5 million from the authorization with the chairman and other members of the committee. What it would do is to create a construction of a National Center for Chemical Research to be built at Columbia University.

Mr. FUQUA. Mr. Chairman, will the gentleman yield?

Mr. RANGEL. I yield to the gentleman from Florida, the chairman of the committee.

Mr. FUQUA. Mr. Chairman, I thank the gentleman for yielding.

The gentleman has discussed that with me and I have no objection to the redirection in the moneys for the laboratory at Columbia University.

Mr. GREEN. Mr. Chairman, will the gentleman yield?

Mr. RANGEL. I yield to the gentleman from New York.

Mr. GREEN. I thank the gentleman for yielding.

I commend the gentleman for offering this amendment. The Columbia laboratory is doing some important work in the energy field, in lasers, and conservation. It needs this modern facility and this is a very important amendment and I hope it is adopted unanimously.

Mr. WALKER. Mr. Chairman, I move to strike the requisite number of words and I rise in opposition to the amendment.

□ 1800

Mr. Chairman, we just a few minutes ago approved a $5 million raid on the Treasury. This is another $5 million raid on the Treasury. It was subjected to no hearings before the committee. We had no information to work with before the bill came to the floor, and I would certainly hope that the membership would not compound what we did a few minutes ago by voting for this amendment, which just doubles the amount that is being raided.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York (Mr. RANGEL).

The question was taken; and the Chairman announced that the ayes appeared to have it.

RECORDED VOTE

Mr. WALKER. Mr. Chairman. I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 215, noes 150, not voting 67, as follows:

[Roll No. 115]

AYES—215

Ackerman	Frost	Oberstar
Akaka	Fuqua	Obey
Albosta	Garcia	Olin
Anderson	Gaydos	Ortiz
Andrews (TX)	Gejdenson	Ottinger
Annunzio	Gephardt	Panetta
Anthony	Gilman	Patterson
Applegate	Glickman	Penny
Aspin	Gonzalez	Perkins
AuCoin	Gore	Pickle
Barnes	Gray	Price
Bates	Green	Rahall
Bedell	Guarini	Rangel
Bennett	Hall (IN)	Ratchford
Bevill	Hamilton	Reid
Biaggi	Harkin	Richardson
Boehlert	Harrison	Rinaldo
Boggs	Hawkins	Rodino
Boland	Howard	Roe
Boner	Hoyer	Rose
Bonior	Hughes	Rostenkowski
Bonker	Hutto	Roybal
Borski	Jacobs	Sabo
Boucher	Jones (NC)	Savage
Boxer	Jones (TN)	Scheuer
Breaux	Kaptur	Schneider
Britt	Kastenmeier	Schroeder
Brooks	Kemp	Schumer
Brown (CA)	Kennelly	Seiberling
Bryant	Kildee	Shannon
Campbell	Kogovsek	Sharp
Carr	Kolter	Sikorski
Chappell	Kostmayer	Simon
Clarke	LaFalce	Sisisky
Clay	Lantos	Skelton
Clinger	Latta	Smith (FL)
Coleman (TX)	Lehman (CA)	Smith (IA)
Collins	Leland	Solarz
Conte	Lent	St Germain
Conyers	Levin	Staggers
Coyne	Levitas	Stark
Crockett	Long (LA)	Stokes
D'Amours	Lowry (WA)	Stratton
de la Garza	Luken	Studds
Dellums	Lundine	Synar
Dicks	Markey	Tallon
Dingell	Matsui	Tauzin
Donnelly	Mavroules	Thomas (GA)
Dorgan	Mazzoli	Torres
Dowdy	McCloskey	Towns
Downey	McCurdy	Udall
Duncan	McGrath	Vento
Dyson	McHugh	Walgren
Early	McKinney	Watkins
Eckart	Mica	Waxman
Edgar	Mikulski	Weaver
Edwards (CA)	Miller (CA)	Weiss
Edwards (OK)	Mineta	Wheat
English	Minish	Whitley
Evans (IL)	Mitchell	Whitten
Fascell	Moakley	Williams (MT)
Fazio	Molinari	Wilson
Feighan	Mollohan	Wise
Ferraro	Moody	Wolpe
Fish	Morrison (CT)	Wortley
Flippo	Mrazek	Wright
Florio	Murtha	Wyden
Foglietta	Myers	Yates
Foley	Natcher	Yatron
Ford (MI)	Nelson	Young (MO)
Fowler	Nowak	Zablocki
Frank	Oakar	

NOES—150

Andrews (NC)	Coleman (MO)	Fiedler
Barnard	Conable	Fields
Bartlett	Coughlin	Forsythe
Bateman	Courter	Frenzel
Beilenson	Craig	Gekas
Bethune	Crane, Daniel	Gingrich
Bilirakis	Crane, Philip	Goodling
Bliley	Daniel	Gradison
Bosco	Dannemeyer	Gramm
Broomfield	Daub	Gregg
Brown (CO)	Davis	Gunderson
Broyhill	DeWine	Hall (OH)
Burton	Dickinson	Hall, Ralph
Byron	Dreier	Hall, Sam
Carney	Edwards (AL)	Hammerschmidt
Carper	Emerson	Hansen (ID)
Chandler	Erlenborn	Hansen (UT)
Coats	Evans (IA)	Hartnett
Hightower	McKernan	Sensenbrenner
Hiler	Miller (OH)	Shaw
Hillis	Montgomery	Shelby
Holt	Moore	Shumway
Hopkins	Morrison (WA)	Shuster
Hubbard	Nichols	Siljander
Hunter	Nielson	Slattery
Hyde	Oxley	Smith (NJ)
Ireland	Packard	Smith, Denny
Jeffords	Parris	Snowe
Jenkins	Pashayan	Snyder
Johnson	Patman	Solomon
Kasich	Paul	Spence
Kazen	Pease	Stangeland
Kindness	Petri	Stenholm
Kramer	Porter	Stump
Lagomarsino	Pritchard	Sundquist
Lewis (CA)	Pursell	Tauke
Lewis (FL)	Ray	Taylor
Livingston	Regula	Valentine
Loeffler	Ridge	Vandergriff
Lowery (CA)	Roberts	Volkmer
Lungren	Robinson	Vucanovich
Mack	Roemer	Walker
Madigan	Rogers	Weber
Marriott	Roth	Whittaker
Martin (IL)	Roukema	Williams (OH)
Martin (NC)	Rowland	Winn
McCain	Rudd	Wolf
McCollum	Sawyer	Young (AK)
McDonald	Schaefer	Young (FL)
McEwen	Schulze	Zschau

NOT VOTING—67

Addabbo	Hefner	Moorhead
Alexander	Heftel	Murphy
Archer	Hertel	Neal
Badham	Horton	O'Brien
Bereuter	Huckaby	Owens
Berman	Jones (OK)	Pepper
Chappie	Leach	Quillen
Cheney	Leath	Ritter
Coelho	Lehman (FL)	Russo
Cooper	Levine	Skeen
Corcoran	Lipinski	Smith (NE)
Daschle	Lloyd	Smith, Robert
Derrick	Long (MD)	Spratt
Dixon	Lott	Swift
Durbin	Lujan	Thomas (CA)
Dwyer	MacKay	Torricelli
Dymally	Marlenee	Traxler
Erdreich	Martin (NY)	Vander Jagt
Ford (TN)	Martinez	Whitehurst
Franklin	McCandless	Wirth
Gibbons	McDade	Wylie
Hance	McNulty	
Hatcher	Michel	

□ 1810

Mr. WHITTEN changed his vote from "no" to "aye."

So the amendment was agreed to.

The result of the vote was announced as above recorded.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. BONIOR of Michigan, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 2587) to authorize appropriations to the Department of Energy for civilian research and development programs for the fiscal year 1984, pursuant to House Resolution 185, he reported the bill back to the House with sundry amendments adopted by the Committee of the Whole.

The SPEAKER. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment? If not, the Chair will put them en gros.

The amendments were agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

MOTION TO RECOMMIT OFFERED BY MR. WALKER

Mr. WALKER. Mr. Speaker, I offer a motion to recommit.

The SPEAKER. Is the gentleman opposed to the bill?

Mr. WALKER. I am, in its present form, Mr. Speaker.

The SPEAKER. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. WALKER moves to recommit the bill, H.R. 2587, to the Committee on Science and Technology with instructions not to report the same back until the committee has held hearings on the impact on the Department of Energy basic research programs of establishing new research laboratories as called for in this bill as amended at Columbia University and the Catholic University of America.

The SPEAKER. The gentleman from Pennsylvania (Mr. WALKER) is recognized for 5 minutes in support of the motion to recommit.

Mr. WALKER. Mr. Speaker, I will not use the entire 5 minutes. I will simply say that as to the money we have now appropriated for Columbia University and the Catholic University of America, the motion to recommit simply says that the committee shall hold hearings before that money goes forth.

Mr. Speaker, I urge a vote of aye on the motion to recommit so that the committee can at least work its will on these matters which the House has decided are meritorious funding.

□ 1820

The SPEAKER. The gentleman from California (Mr. BROWN) is recognized for 5 minutes in opposition to the motion to recommit.

Mr. BROWN of California. Mr. Speaker, I rise in opposition to the motion to recommit.

As usual, the gentleman from Pennsylvania has presented a very interesting and unusual twist to this motion; but basically it is merely another effort to reverse the action taken earlier today.

I urge a "no" vote.

The SPEAKER. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER. The question is on the motion to recommit.

The motion to recommit was rejected.

The SPEAKER. The question is on the passage of the bill.

The question was taken; and the Speaker announced that the ayes appeared to have it.

Mr. WALKER. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The vote was taken by electronic device, and there were—yeas 230, nays 132, not voting 70, as follows:

[Roll No. 116]

YEAS—230

Ackerman	Garcia	Ortiz
Akaka	Gaydos	Ottinger
Albosta	Gejdenson	Panetta
Alexander	Gephardt	Parris
Anderson	Gilman	Patterson
Andrews (NC)	Glickman	Pease
Andrews (TX)	Gonzalez	Penny
Annunzio	Gore	Perkins
Anthony	Gray	Pickle
Aspin	Green	Price
AuCoin	Guarini	Pritchard
Barnes	Hall (IN)	Rahall
Bateman	Hall (OH)	Rangel
Bedell	Hall, Ralph	Ratchford
Beilenson	Hamilton	Reid
Bennett	Harkin	Richardson
Bevill	Harrison	Ridge
Biaggi	Hawkins	Rinaldo
Boehlert	Hillis	Rodino
Boggs	Howard	Roe
Boland	Hoyer	Rose
Boner	Hutto	Rostenkowski
Bonior	Jeffords	Rowland
Bonker	Johnson	Roybal
Borski	Jones (NC)	Sabo
Bosco	Jones (TN)	Savage
Boucher	Kaptur	Schneider
Boxer	Kastenmeier	Schroeder
Britt	Kazen	Schumer
Brooks	Kennelly	Seiberling
Brown (CA)	Kildee	Shannon
Bryant	Kogovsek	Sharp
Carper	Kolter	Sikorski
Carr	Kostmayer	Sisisky
Chappell	LaFalce	Skelton
Clarke	Lantos	Smith (FL)
Clay	Lehman (CA)	Smith (IA)
Clinger	Leland	Smith (NJ)
Coelho	Lent	Snowe
Coleman (TX)	Levin	Solarz
Collins	Levitas	St Germain
Conte	Long (LA)	Staggers
Conyers	Lowry (WA)	Stark
Coughlin	Luken	Stokes
Coyne	Lundine	Stratton
Crockett	Markey	Synar
D'Amours	Matsui	Tallon
Davis	Mavroules	Thomas (GA)
de la Garza	Mazzoli	Torres
Dellums	McCloskey	Towns
Dicks	McCurdy	Udall
Dingell	McGrath	Valentine
Donnelly	McHugh	Vandergriff
Dorgan	McKernan	Vento
Dowdy	McKinney	Volkmer
Duncan	Mica	Walgren
Early	Mikulski	Watkins
Eckart	Miller (CA)	Waxman
Edgar	Mineta	Weaver
Edwards (CA)	Minish	Weiss
Edwards (OK)	Mitchell	Wheat
English	Moakley	Whitley
Evans (IA)	Molinari	Whitten
Evans (IL)	Mollohan	Williams (MT)
Fascell	Moody	Williams (OH)
Fazio	Morrison (CT)	Wilson
Feighan	Morrison (WA)	Wise
Ferraro	Murtha	Wolf
Fish	Myers	Wolpe
Flippo	Natcher	Wortley
Florio	Nelson	Wright
Foglietta	Nichols	Wyden
Foley	Nowak	Yates
Ford (MI)	Oakar	Yatron
Fowler	Oberstar	Young (MO)
Frank	Obey	Zablocki
Frost	Olin	

NAYS—132

Applegate	Breaux	Carney
Barnard	Broomfield	Chandler
Bartlett	Brown (CO)	Coats
Bates	Broyhill	Coleman (MO)
Bethune	Burton	Conable
Bilirakis	Byron	Courter
Bliley	Campbell	Craig
Crane, Daniel	Hyde	Ray
Crane, Philip	Ireland	Regula
Daniel	Jacobs	Roberts
Dannemeyer	Kasich	Robinson
Daub	Kemp	Roemer
DeWine	Kindness	Rogers
Dickinson	Kramer	Roth
Dreier	Lagomarsino	Roukema
Dyson	Latta	Rudd
Edwards (AL)	Leach	Sawyer
Emerson	Lewis (CA)	Schaefer
Erlenborn	Lewis (FL)	Schulze
Fiedler	Livingston	Sensenbrenner
Fields	Loeffler	Shaw
Forsythe	Lowery (CA)	Shelby
Franklin	Lungren	Shumway
Frenzel	Mack	Shuster
Gekas	Madigan	Siljander
Gingrich	Marriott	Slattery
Goodling	Martin (IL)	Smith, Denny
Gradison	Martin (NC)	Solomon
Gramm	McCain	Spence
Gregg	McCollum	Stangeland
Gunderson	McDonald	Stenholm
Hall, Sam	McEwen	Stump
Hammerschmidt	Miller (OH)	Sundquist
Hansen (ID)	Montgomery	Tauke
Hansen (UT)	Moore	Tauzin
Hartnett	Nielson	Taylor
Hightower	Oxley	Vucanovich
Hiler	Packard	Walker
Holt	Pashayan	Weber
Hopkins	Patman	Whittaker
Hubbard	Paul	Winn
Huckaby	Petri	Young (AK)
Hughes	Porter	Young (FL)
Hunter	Pursell	Zschau

NOT VOTING—70

Addabbo	Hertel	O'Brien
Archer	Horton	Owens
Badham	Jenkins	Pepper
Bereuter	Jones (OK)	Quillen
Berman	Leath	Ritter
Chappie	Lehman (FL)	Russo
Cheney	Levine	Scheuer
Cooper	Lipinski	Simon
Corcoran	Lloyd	Skeen
Daschle	Long (MD)	Smith (NE)
Derrick	Lott	Smith, Robert
Dixon	Lujan	Snyder
Downey	MacKay	Spratt
Durbin	Marlenee	Studds
Dwyer	Martin (NY)	Swift
Dymally	Martinez	Thomas (CA)
Erdreich	McCandless	Torricelli
Ford (TN)	McDade	Traxler
Fuqua	McNulty	Vander Jagt
Gibbons	Michel	Whitehurst
Hance	Moorhead	Wirth
Hatcher	Mrazek	Wylie
Hefner	Murphy	
Heftel	Neal	

□ 1830

The Clerk announced the following pairs:

On this vote:

Mr. Addabbo for, with Mr. Hance against.

Mr. Dwyer of New Jersey for, with Mr. Robert F. Smith against.

Mr. Berman for, with Mr. Cheney against.

Mr. Levine of California for, with Mr. Corcoran against.

Mr. Durbin for, with Mr. Thomas of California against.

Mr. Jones of Oklahoma for, with Mr. Whitehurst against.

Mr. Downey of New York for, with Mr. Badham against.

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. LUNDINE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the bill just passed.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

AUTHORIZING CLERK TO MAKE CORRECTIONS IN ENGROSSMENT H.R. 2587, DEPARTMENT OF ENERGY CIVILIAN RESEARCH AND DEVELOPMENT AUTHORIZATION ACT FOR FISCAL YEAR 1984

Mr. LUNDINE. Mr. Speaker, I ask unanimous consent that in the engrossment of the bill, H.R. 2587, Department of Energy Civilian Research and Development Authorization Act for Fiscal Year 1984, the Clerk be given the authority to make the necessary technical and conforming corrections.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

PERMISSION FOR COMMITTEE ON VETERANS' AFFAIRS TO HAVE UNTIL 3 P.M. ON FRIDAY MAY 13, 1983, TO FILE SUNDRY REPORTS

Mr. MONTGOMERY. Mr. Speaker, I ask unanimous consent that the Committee on Veterans' Affairs have until 3 p.m. on Friday, May 13, 1983, to file reports on the following bills: H.R. 2355, Emergency Vietnam Veterans' Jobs Training Act of 1983; H.R. 2948, Veterans' Housing Benefit Amendments of 1983; H.R. 2920, Veterans' Administration Health Program Amendments of 1983; and H.R. 2936, Expansion of the Board of Veterans' Appeals.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

PERMISSION FOR COMMITTEE ON BANKING, FINANCE AND URBAN AFFAIRS TO HAVE UNTIL MIDNIGHT TOMORROW TO FILE REPORT ON H.R. 1

Mr. GONZALEZ. Mr. Speaker, I ask unanimous consent that the Committee on Banking, Finance and Urban Affairs may have until midnight tomorrow, May 13, 1983, to file a report to accompany H.R. 1.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

Mr. MARTIN of North Carolina. Mr. Speaker, reserving the right to object,

I take this reservation for the purpose of inquiring whether this request has been cleared with the minority leadership of that same committee.

Mr. GONZALEZ. Will the gentleman yield?

Mr. MARTIN of North Carolina. I yield to the gentleman from Texas.

Mr. GONZALEZ. I would answer the gentleman yes. I apologize for not mentioning that this has been cleared with the minority.

Mr. MARTIN of North Carolina. And they are in agreement with the request for filing the report?

Mr. GONZALEZ. Yes; they accede.

Mr. MARTIN of North Carolina. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

PERMISSION FOR COMMITTEE ON AGRICULTURE TO HAVE UNTIL MIDNIGHT SATURDAY, MAY 14, 1983, TO FILE REPORT ON H.R. 1590, EMERGENCY FOOD ASSISTANCE AND COMMODITY DISTRIBUTION ACT OF 1983

Mr. GARCIA. Mr. Speaker, I ask unanimous consent that the Committee on Agriculture may have until midnight Saturday, May 14, 1983, to file a report on the bill, H.R. 1590, the Emergency Food Assistance and Commodity Distribution Act of 1983.

This has been cleared with the minority and there is no objection.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

LEGISLATIVE PROGRAM

(Mr. MARTIN of North Carolina asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. Speaker, I request permission to address the House for the purpose of inquiring about the legislative program for the following week.

Mr. FOLEY. Mr. Chairman, will the distinguished acting Republican leader yield to me?

Mr. MARTIN of North Carolina. I will certainly be delighted to yield to the distinguished majority whip.

Mr. FOLEY. Mr. Speaker, we have concluded the business for this week as well as for the day.

When I have an opportunity, I shall ask unanimous consent that when the House adjourns today it adjourn to meet at noon on Monday next.

We do not plan any legislative business on Monday, but there is an opportunity on Monday for a pro forma session which will also include opportunities for committees to file reports prior to the 15th of May.

On Tuesday the House will meet at noon and consider bills on the private and consent calendars.

There will be eight bills considered under suspension of the rules. Recorded votes on these suspensions will be postponed until after all such suspensions.

The bills are:

H.R. 2785, FIFRA (Federal Insecticide, Fungicide and Rodenticide) authorization;

H.R. 2733, Critical Agricultural Materials Act;

H.J. Res. 265, to extend certain housing programs;

H.R. 1416, SEC authorizations;

H.R. 2681, Securities and Exchange Act amendments;

H.R. 2936, increase number of members on Board of Veterans' Appeals;

H.R. 2602, authorizations for Customs Service, International Trade Commission, and U.S. Trade Representative; and

H.R. 2973, to repeal income tax withholding on dividends and interest.

The House will meet on Wednesday and the balance of the week at 10 a.m. to consider H.R. 2990, the debt limit extension, subject to a rule being granted; and H.R. 2969, the Defense Department authorizations for fiscal year 1984.

□ 1840

The House is not expected to have business of an important nature next Friday, when Members can probably be assured that there will either be a pro forma session on Friday or no session on that day.

Mr. MARTIN of North Carolina. I appreciate the explanation of the gentleman from Washington. I would put to him a couple of additional questions so that Members might be advised.

First of all, am I correct in understanding that beginning next week we will go on a schedule that will run through the balance of this first session, whereby Monday and Tuesday sessions will begin at noon and sessions of remaining days in the week, Wednesday, Thursday, Friday, beginning at 10 a.m.?

Mr. FOLEY. The gentleman is correct. Under the provisions of existing House rules after the 15th of May, the House will meet at noon on Monday and Tuesday and at 10 a.m. on Wednesday, Thursday, and Friday and that will begin next week.

Mr. MARTIN of North Carolina. I thank the gentleman for that clarification so the Members can be advised. Also with respect to the Defense Department authorization would it be correct to interpret from what the gentleman said a moment ago that if we do not complete that on Wednesday that we would continue that on Thursday or has that been resolved?

Mr. FOLEY. If we do not complete the Defense Department authorization bill on Wednesday, it will be scheduled to the following week.

Mr. MARTIN of North Carolina. Scheduled to the following week?

Mr. FOLEY. The following week.

Mr. MARTIN of North Carolina. I appreciate the clarification from the gentleman. I have no further questions and withdraw my reservation of objection.

ADJOURNMENT TO MONDAY, MAY 16, 1983

Mr. FOLEY. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet at noon on Monday next.

The SPEAKER pro tempore. (Mr. HOYER). Is there objection to the request of the gentleman from Washington?

There was no objection.

DISPENSING WITH CALENDAR WEDNESDAY BUSINESS ON WEDNESDAY NEXT

Mr. FOLEY. Mr. Speaker, I ask unanimous consent to dispense with the business in order under the Calendar Wednesday rule on Wednesday next.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Washington?

There was no objection.

TRANSFERRING CALL OF CONSENT CALENDAR ON MONDAY NEXT TO TUESDAY, MAY 17, 1983

Mr. FOLEY. Mr. Speaker, I ask unanimous consent that the call of the Consent Calendar on Monday next be transferred to Tuesday, May 17, 1983.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Washington?

There was no objection.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 100

Mr. McGRATH. Mr. Speaker, I ask unanimous consent that my name be removed as a cosponsor of H.R. 100.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

THE MX MISSILE

(Mr. PEASE asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. Speaker, this is the week that President Reagan is mounting an all-out press for deployment of the MX

missile. I wonder if he read James J. Kilpatrick's recent column on the subject. Correctly, Kilpatrick points out that the Scowcroft Commission report does not depend principally upon military reasons as justification for deploying the MX missile. Rather, the MX is said to be needed chiefly to convince the Soviet Union of our toughness and willingness to fight.

At a cost of $17 billion, the new plan for MX deployment becomes a very expensive smoke signal to the Kremlin.

The article follows:

DOUBTS NEED FOR MISSILES

(By James J. Kilpatrick)

WASHINGTON.—This month's report from the President's Commission on Strategic Forces, headed by Gen. Brent Scowcroft, provides a model for other commissions and task forces to aspire to. The report is brief; it is well-written; it argues cogently for the recommendations put forward.

But in the end, the report persuades but does not convince. The principal recommendation is that 100 of the giant (100-ton) MX missiles be deployed in hardened Minuteman silos, and that we then proceed methodically with a new concept based upon small (30-ton) missiles with single warheads.

The commission advances various arguments that reflect the thinking of military professionals—for example, that a shelter containing only a single warhead "would present a far less attractive target than would be the case with a silo containing a large missile with many warheads." The proposed small missiles could be deployed flexibly, perhaps on mobile launchers at existing Army reservations. Other arguments, less impressive, have to do with projected costs. The commission believes that over the next five years its program might cost $8 billion less than the alternative missile deployment the administration has proposed.

The principal justification for the recommendations, however, rests on neither military nor fiscal considerations. The justification is in large part psychological: The commission believes that without such a program, Soviet leaders will perceive the United States as a weak and timid nation that would be unwilling, in the crunch, to fight back.

Perception is everything. At bottom, our policy is a policy of deterrence. Our strategic forces, the commission reasonably contends, must be kept at a level that will convince the Soviets "that the West has the military strength and political will to resist aggression; and that, if they should have no doubt that we can and would respond until we have so damaged the power of the Soviet state that they will unmistakably be far worse off than if they had never begun.

"In order for deterrence to be effective we must not merely have weapons, we must be perceived to be able, and prepared, if necessary, to use them effectively against the key elements of Soviet power. Deterrence is not an abstract notion amenable to simple quantification. Still less is it a mirror image of what would deter ourselves. Deterrence is a set of beliefs in the minds of the Soviet leaders, given their own values and attitudes, about our capabilities and our will."

This is the heart of the argument: How much is enough? The United States now has deployed 1,047 missile launchers with about 2,150 warheads. We have 34 submarines carrying 568 missiles with about 5,000 warheads. We have 270 bombers capable of delivering hundreds of additional missiles and warheads.

The combined destructive capacity of this strategic triad is beyond the imagination of man. The puny little atomic bomb we dropped upon Hiroshima in 1945 obliterated much of a city and killed nearly 100,000 persons in an instant. Today's warheads are marvelously more efficient. As the commission gravely observes, today's weapons have changed the nature of warfare. They have imbued the rivalries of nations "with peril unprecedented in human history."

How is this peril to be contained? The answer is unknowable, precisely for the reasons the commission itself advances. We cannot know, we can only surmise, how the American character is perceived in the Kremlin. My own thought is that our existing strategic forces, subject to modest efforts at modernization, are enough. If the Soviets ever should launch a massive nuclear attack, these forces are quite sufficient to wreak incredible devastation in return.

The one plausible way in which the peril might be contained is by steadfast pursuit of a multilateral, verifiable agreement on arms reduction. To its credit, the Skowcroft commission repeatedly urges such an effort. But it seems to me "illusory," to borrow a word from the report, to suppose that our development of one more missile system will do much to alter the Soviet perception of American will.

INTERNATIONAL CURRENCY EXCHANGE RATES

(Mr. TRAXLER asked and was given permission to address the House for 1 minute and to revise and extend his remarks and to include extraneous matter.)

Mr. Speaker, I, too, want to extend my sincere best wishes for the speedy recovery of our good friend and colleague, the minority leader, Mr. MICHEL. We sincerely miss him.

Mr. Speaker, today the gentleman from Indiana (Mr. HILLIS) and I are introducing a resolution urging the President to provide for greater consideration of international currency exchange rates at the Williamsburg Summit.

There can be no question that one major problem that we are having in international trade are unrealistic exchange rates which disrupt the fair sale price of products between countries. If we are to provide a solid economic program, we must address this international problem, and there could be no better place to start than at Williamsburg.

I request that the text of our resolution be printed in the RECORD at this point.

H. RES. 194

Resolution urging the President to provide for greater consideration of international currency exchange rates at the Williamsburg Summit

Whereas the continuing misalinement of major currencies with the United States dollar is a principal factor in undermining United States trade competitiveness and in depressing the United States economy over the past two years; and

Whereas the consequence has been the loss of many hundreds of thousands of jobs, and the severe dislocation in many areas of the United States economy; and

Whereas persisting disparities in interest rate levels between the United States and other key currency countries have contributed heavily to these ongoing exchange rate misalinements; and

Whereas both these maladjustments result in major part from the inadequate coordination and harmonization of general economic policies among the United States and other key currency countries; and

Whereas European and Japanese officials have indicated a desire to discuss remedies for these problems; and

Whereas the forthcoming Williamsburg Summit conference at the end of May will bring together the leaders of key currency countries; Now, therefore, be it

Resolved, That is is the sense of the House of Representatives that: First, the President should arrange to have included among the highest priority themes of the Williamsburg Summit, efforts to seek a consensus among the participants on the need to improve the coordination of economic policies among Summit countries, aimed at reducing disparities in economic policies, interest rates, and exchange rates between the major industrial nations; and at hastening a healthy and sustained recovery of industrial economies and of international trade;

Second, such consensus should include announcement of a mechanism or procedure for such consultation on a close and continuing basis;

Third, such consensus should also include provision for an early meeting of Summit country Ministers of Finance and the United States Secretary of the Treasury to consider steps to achieve better alinement between the interest rates and major currencies and to make public the objective of such steps; and

Fourth, the President should arrange, in conjunction with the Williamsburg Summit, bilateral discussions with the Prime Minister of Japan to initiate special efforts to bring about consensus and joint action to achieve the earliest possible further realinement of the yen and dollar exchange rates.

NATIONAL HOME CARE WEEK

(Mr. PANETTA asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. Speaker, I am very pleased today to be joined by Representatives CLAUDE PEPPER and BARBER CONABLE in introducing a resolution to designate the week beginning November 27, 1983, as "National Home Care Week." Last year, Congress approved a similar resolution which we sponsored, and I look forward to the adoption of this measure by the House. Senator ORRIN HATCH has introduced a similar measure in the Senate.

The operations and services provided by the thousands of home care agencies are an integral part of our Nation's health care delivery system. The concept of care made available through these operations recognize the individual needs of each patient

and provides a valuable and respected alternative to institutionalization. For many patients in need of health care treatment, an institutional environment may be warranted. However, for that segment of the patient population which can be properly cared for outside the hospital or nursing home setting, effective alternatives must be offered. In this light, home care agencies have addressed this need.

Since the passage of Federal programs which allowed for patients to receive health care in-home, home care agencies have increased from less than 500 to more than 3,000. The services provided by these groups effectively prevent the unnecessary institutionalization of many older Americans.

In developing a response to the health care problems of our Nation's health care system, the expected growth in our Nation's elderly population must be fully recognized. It is projected that by the year 2000 there will be almost 32 million persons over the age of 65. Certainly, the growth in the elderly population will place greater financial pressures on Federal health care programs such as medicare and medicaid. Therefore, we must encourage the development of health care alternatives to meet the needs of the expanding elderly population and provide needed cost savings in the health care budget.

The expansion of home heath care benefits by Congress is an expression of support for the home health care approach. The resolution I am introducing today is a very appropriate way of recognizing the tremendous benefits of home care. The assistance home care groups have provided to older people in our society deserves the national attention which can be provided through the adoption of this resolution. I urge my colleagues to support this resolution.

Following is the text of this resolution, and a copy of a letter I received from the National Association of Home Care expressing its support for this measure.

H.J. RES. 268

Joint resolution to designate the week beginning November 27, 1983, as "National Home Health Care Week"

Whereas organized home health care services to the elderly and disabled have existed in this country since the last quarter of the eighteenth century;

Whereas home health care is recognized as an effective and economical alternative to unnecessary institutionalization;

Whereas caring for the ill and disabled in their homes places emphasis on the dignity and independence of the individual receiving these services;

Whereas since the enactment of the medicare program including skilled nursing services, physical therapy, speech therapy, social services, occupational therapy, and home health aide services, the number of home health agencies providing these services has increased from less than five hundred to more than three thousand; and

Whereas many private and charitable organizations provide these and similar services to millions of patients each year preventing, postponing, and limiting the need for institutionalization: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the week beginning November 27, 1983, hereby is designated "National Home Health Care Week", and the President of the United States is authorized and requested to issue a proclamation calling upon the people of the United States to observe such week with appropriate ceremonies and activities.

ORDER OF BUSINESS

Mr. GARCIA. Mr. Speaker, I ask unanimous consent that my special order precede all others today.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

ANTHONY ALVARADO—NEW YORK CITY PUBLIC SCHOOLS CHANCELLOR

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York (Mr. GARCIA) is recognized for 60 minutes.

Mr. GARCIA. Mr. Speaker, it is my privilege to call this special order on behalf of the New York City public school system's newly appointed chancellor, Anthony Alvarado.

Mr. Alvarado has the distinction of being the first minority member ever to serve as chancellor of the country's largest school system. Born in the South Bronx, with a bachelor of arts and masters degree from Fordham University, he began teaching in New York's public schools in 1965 and has remained in the system for virtually his entire career. He brings to his newest role a decade of experience as superintendent of East Harlem's Community School District No. 4.

The challenges Mr. Alvarado faces during this period of nationwide concern for the tide of mediocrity in education—as reported by the National Commission on Excellence in Education—are many. There is, for example, a 45-percent dropout rate in New York public schools today. If Tony's tenure as superintendent of his East Harlem district is any indication, however, we can expect creative, innovative approaches to enhancing public school education in New York.

Community school district No. 4, with 14,000 predominately black and Hispanic students, is one of the poorest in New York City. Prior to Tony's appointment as superintendent in 1973, the district ranked last among the city's 32 public school districts. Today it ranks 15th. Between 1978 and 1982 the students able to read at or above grade level increased from 25 to 48 percent. For this achievement Tony was awarded $5,000 from the fund for the city of New York, which honors outstanding city officials. Further, while only 17 students matriculated at high schools for gifted students in 1973, in 1982 300 students enrolled at these schools.

Mr. Alvarado believes his primary objective as an educator is to focus resources on people in the schools—the teachers and students. He feels that they must be held to higher standards of performance. As superintendent he has shown a determination to commit funds for programs that reward success and enhance the expectations of students and faculty alike.

Such innovative programs include "minischools," or "schools within schools" that offer alternative curriculums to match students' special needs and talents; and "open city programs" where students take field trips to museums and cultural events throughout the New York area. He has also allowed students to choose to attend the junior high schools they prefer, instilling needed competition among schools to enroll talented students. Creative methods such as these have attracted 400 students from other neighborhoods to community school district No. 4.

Tony's achievements as superintendent have not passed unnoticed in the New York area. David Rogers, professor at New York University's Graduate School of Business Administration, says of district No. 4:

What has happened there is extraordinary . . . There are some other districts doing good things, but his imaginativeness in the curriculum cannot be topped. His district has to be one of the shining lights of the City. It's an example of what is possible in educating poor, very poor children.

I congratulate the board of education for its selection of New York City's public school chancellor. I offer Mr. Alvarado my support as he implements policies to improve the quality of education throughout the city. In this era of changing technologies and increasing foreign challenge to America's economic viability, the education our students receive is critical. As chancellor of the Nation's largest school system, Mr. Alvarado has an opportunity to effect reform and meet these challenges. I hope educators throughout the country will look to his administration for ideas and guidance. The resurgence of the public schools in East Harlem is proof that quality education can be provided through creative policies and strong leadership.

● Mr. ACKERMAN. Mr. Speaker, I rise today to congratulate an outstanding educator, Mr. Anthony Alvarado, the recently appointed chancellor of the Board of Education of the City of New York.

Recently, in this body, our attention has been riveted on the instruction of-

fered our Nation's children and the great need to revitalize the educational system in this country. With this perspective, we can all recognize that the task before Mr. Alvarado, as the chancellor of a large and diversified school system, is monumental.

But, if there is anyone who can turn young minds around, even within the eclectic milieu of New York City, Mr. Alvarado can.

Over the years, Mr. Alvarado has forged a reputation as an educational innovator who can get things done. His broad-ranging experience covers every level of the educational process, from administering the East Harlem Preparatory School's experimental early childhood program, to helping students in the areas of guidance and financial aid at New York University and the City University of New York.

In particular, I would like to cite his outstanding achievements as the district superintendent for community school board 4 in East Harlem.

When Mr. Alvarado began his tenure in 1973, East Harlem schools suffered from the lowest reading level in the New York City system, with only 18 percent of the students reading at or above grade level. To combat this crippling deficiency—a deficiency which may frustrate a child's chances of ever attaining higher educational goals—Mr. Alvarado instituted a new instructional plan to involve the entire district in improving the children's reading comprehension. Last year, the results of his efforts were resounding: Over 45 percent of this East Harlem school district's students were reading at or above grade level, putting them in 15th place in the city's 32 districts.

On top of this, he was able to successfully compete for national and local funds, winning more for his district than any other educator on the east coast. With these funds he initiated programs which battled the problems of poor attendance and disinterest in school. To retain students' interest and attendance, Mr. Alvarado established specialized alternative schools: The Academy of Environmental Science, the Isaac Newton School of Math and Science, and the East Harlem School of Performing Arts.

Offering quality education to all students, he initiated a national model program for bilingual education, expanded programs for the talented and gifted, and organized a program to allow special education students to continue learning with their peers in a regular classroom setting.

It would be possible to go on and on—describing the innovations Mr. Alvarado implemented would fill many pages. Although I cannot list all of the accomplishments, there is one other program he initiated in East Harlem which I would like to mention.

Mr. Alvarado was a trendsetter when it came to computer, math, and science literacy. As the district superintendent, he was one of the first administrators to set computer literacy standards for teachers. Plus, he obtained funding from corporations to bolster science and math programs.

Mr. Alvarado's goals and methods set an example from which all educators can learn. He has proven himself capable of tackling some of the hardest problems facing a large city school system—reading comprehension, English as a second language, school attendance, and math and science literacy.

Although only 40, Mr. Alvarado's accomplishments belie his years. I wish him good fortune in his job, as he seeks to enhance the learning opportunities in the New York City school system.●

● Mr. TOWNS. Mr. Speaker, an event of major significance for the future of education in the city of New York, and for the Nation as well, has taken place with the appointment of Anthony Alvarado as the new chancellor of the city school system.

Mr. Alvarado is the city's first Hispanic chancellor and will be charged with managing the unique problems of a school system with a budget of $3.4 billion and a student population of almost 1 million. He is fully qualified for such a task. A native New Yorker, Mr. Alvarado, joined the city schools as a teacher in 1965 and with the exception of a brief stint at the city university, has remained in the system. Ten years ago, when Mr. Alvarado became the superintendent of community school district 4, it had the lowest reading scores in the city. Today, the district ranks 15 out of 32. The number of gifted students sent to the city's high schools has risen from 17 to 300, and the number of pupils reading at or above grade level rose from 25 percent in 1979 to 48 percent in 1982. These are significant accomplishments for a superintendent in a school system with a 45-percent high school dropout rate.

Statistics and figures only tell part of the story of Mr. Alvarado's success. First and foremost he has been an innovator creating "mini-schools" specializing studies in a particular area, and dropping the administrative mindset that treats teachers and children as objects to be managed rather than inspired. He carries these ideas to the chancellorship. His philosophy: "The chancellor has to have sympathy for the people who are locked into school buildings, two generations who don't always understand each other—kids and adults, pupils and teachers. The real test of any school system, after all, is what happens to its charges after they enter the amazing, unfamiliar world of kindergarten. With luck, they will emerge 13 years later, their knowledge increased, their wonder at the world unharmed."

Mr. Speaker, New York has often been at the forefront of social change, creating the programs and ideas that have made this a stronger, more just, society. I am confident that under Mr. Alvarado's stewardship New York City will be a pathfinder for national education excellence at a time when report after report is raising grave questions about the flawed system of education in this country. I am particularly pleased that he brings his strong cultural background to a school where blacks and Hispanics account for 70 percent of the student population. I am sure we can all join in wishing Mr. Alvarado the best of luck in meeting his new responsibilities.●

● Mr. GREEN. Mr. Speaker, I rise to extend best wishes to Anthony J. Alvarado, the new school chancellor of New York City, and to express my interest in the future of the city's public education system. As the new chancellor, Mr. Alvarado faces many challenges in improving the quality of public education. I know that under his leadership, the city's schools will offer quality education to enhance the academic standards and general education of New York City public school students.●

● Mr. ADDABBO. Mr. Speaker, I would like to share my enthusiasm about the appointment of Anthony Alvarado as chancellor of the New York City public schools with my colleagues.

Chancellor Alvarado, a veteran of the New York City school system, has proven to be a competent educator and a creative and dedicated administrator. He is coming to this position at a time when our Nation's educational systems are under scrutiny and criticism, and the very future of our country is considered to be at stake.

New York City poses unique challenges to Mr. Alvarado. Its students speak over a hundred different languages, have varied social and cultural backgrounds, and sometimes face poverty. The sheer size of the school system would daunt most administrators.

Yet, Anthony Alvarado has proved that he is tenacious and that he believes in the students he serves. His efforts as a district superintendent in East Harlem have shown us that he can make schools work and can reverse a trend of discouragement and hopelessness. Everyone believed that his schools were deterioriating. They are now "magnet" schools for the area and many of their graduates go on to high schools for gifted students.

Anthony Alvarado's appointment is especially appropriate for these times. He is a "can-do" administrator who is coming to office at a time when everyone believes that our city's schools are "no can do." I offer Mr. Alvarado my

good wishes, my assistance, and my heartiest congratulations.●

● Mr. RANGEL. Mr. Speaker, I rise today in support of the special order introduced by my colleague, ROBERT GARCIA for Tony Alvarado.

Tony Alvarado is a man dedicated to the improvement of public education in a city that is responsible for more than 1 million students—more than any education system in the country. His accomplishments reflect this dedication more than any remarks I might extend here today.

As school superintendent of district 4 in New York City, Tony Alvarado established minischools within neighborhood schools. These schools—which focus on a single area such as art, dance, and music—became so popular that children were attracted from outside district 4. Mr. Alvarado carried this concept of drawing children back to school one step further. Incoming seventh graders were permitted to choose the junior high school they would like to attend. The positive results were twofold: First, the junior high schools competed among themselves to attract children. Second, the children's interest in the schools they attended was increased. Education is slowly but surely becoming popular again among the youth of New York.

Most significantly, basic education skills were improved in district 4. In 1979, only 25 percent of the district's students could read at or above grade level. By 1982, Mr. Alvarado's leadership caused that figure to rise to 48 percent. Furthermore, 300 students from the district attended city schools for gifted children in 1982. The number was a dismal 17 in 1973.

Mr. Speaker, these accomplishments are a model for all systems of public education. I have full confidence that Tony Alvarado's savvy innovations will raise the quality of education for all children in New York. For this reason, I fully support this order in his honor.●

● Mr. BIAGGI. Mr. Speaker, as both a member of the New York congressional delegation and the ranking New York member of the House Education and Labor Committee, I am honored to join in this special order paying tribute to the distinguished new chancellor of the New York City school system—Anthony Alvarado.

There are few more challenging jobs in public life than the one which Mr. Alvarado has assumed. Anthony Alvarado was, prior to the position he now holds, a most successful district superintendent in the East Harlem section of New York. He impressed parents and students alike with his innovative approach to education and his proudest achievement had to be the significant increases in reading scores registered by the students in his district.

Anthony Alvarado assumes his job as head of a school system with more than 1 million students at a time when our education system has been under special scrutiny. It appears that years of abandoning more traditional educational priorities in our elementary and secondary schools has produced not only a deficient education system—but inferior quality students. Our Nation, once the leader in providing education in basic courses such as math and science, has fallen conspicuously behind other nations forcing this Congress to pass as its very first bill a new proposal providing millions of new dollars to train and retrain teachers for math and science instruction.

The recent report of a national education commission delivered a scathing indictment on the quality of American education. Their recommendations need to be heeded by all responsible officials in American education.

There are many impressive things one could say about Anthony Alvarado but perhaps the most relevant is the man has a passion for the education system—and a commitment to improving its quality. He was the overwhelming choice of the New York City Board of Education, and his appointment has received strong support from the people of New York City.

I know that Anthony's considerable talents and boundless energy will be most effectively utilized in his new position as chancellor. He has been associated with the New York City school system since 1965 when he began as an English teacher. He, therefore, is very familiar with the system and this should make for a smooth transition. Anthony Alvarado, as a leading member of New York's growing Hispanic community, is keenly aware of the special sensitivity affecting minority students in this school system. Yet Anthony Alvarado is committed to two universal principles—performance and success for all students—and this should make for a better New York City school system.●

GENERAL LEAVE

Mr. GARCIA. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the subject of my special order today.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

NATIONAL INDUSTRIAL STRATEGY ACT

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York (Mr. LUNDINE) is recognized for 60 minutes.

Mr. LUNDINE. I thank the Speaker.

Mr. Speaker, today with my colleagues, the gentleman from Michigan (Mr. BONIOR), the gentleman from Missouri (Mr. GEPHARDT), the gentleman from Colorado (Mr. WIRTH), and the distinguished chairman of the Rules Committee, the gentleman from Florida, Senator PEPPER, I have introduced the National Industrial Strategy Act.

America is at a crossroads. Either we go on as we are with disinvestment in industry and dislocation of workers or we take a different path. This new route would be characterized by more stable macroeconomic policy and the adoption of an industrial strategy supported by a series of policies on trade, investment, research and development, and human resources.

Today, we are introducing the National Industrial Strategy Act, which is the most advanced legislative concept yet devised for the revitalization of American industry. This bill establishes an Economic Cooperation Council to develop a revitalization strategy and a National Industrial Development Bank to provide capital to make the strategy work.

At the outset, I would like to thank my partner in this venture, Congressman DAVE BONIOR of Michigan, for his commitment and cooperation. This legislation has directly evolved from the National Industrial Development Board bill DAVE and I introduced in the last Congress and have reintroduced in the current session and which is supported by more than 20 of our colleagues. DAVE's patience and positive approach have contributed enormously to this effort, which I believe is the most advanced industrial policy concept yet put forth in the form of legislation.

I would also like to express my sincere thanks to Congressman TIM WIRTH of Colorado and DICK GEPHARDT of Missouri for their leadership in producing "Rebuilding the Road to Opportunity: A Democratic Direction for the 80's" which set an overall framework for this legislation. Their analysis of this bill through its several drafts has improved its provisions substantially. I am proud to have them both as sponsors of this bill and benefit greatly from their counsel and cooperation. I also want to sincerely thank GILLIS LONG for encouraging the kind of coalition building that has produced this National Industrial Strategy Act.

Many other Members of this House have helped the current effort: LEE HAMILTON and JOHN SEIBERLING, who believe in labor-management cooperation; JOE MINISH and CLAUDE PEPPER, who took the leadership on development banks; JOHN LAFALCE, FREDDIE ST GERMAIN, and Speaker O'NEILL, who have encouraged us to go forward with this project.

Finally, I would like to express my thanks to many advisers outside of the Congress who contributed ideas and

analysis to this legislation. Ira Magaziner, Michael Maccoby, Ron Muller, and Harvey Brooks particularly have been of enormous assistance. We have also benefited from the confidential criticism by both business and labor leaders.

What is meant by an industrial strategy and why is it needed? This bill is based on the belief that we need healthy industry in this country; that we must develop a consensus between business, labor, Government and others in the public as to an overall strategy for industrial revitalization; and that some Government funding will be necessary to leverage the private capital available to rebuild American industry.

In the last 3½ years, the United States has lost over 3 million jobs in manufacturing alone. Old factories sit like tombstones in the graveyard of industrial America. Some of this loss is cyclical, and as the longed-for economic recovery actually occurs, some people will go back to work, some plants will reopen, some machines will again be turning out American goods. But we must face the facts. Some of our problems are structural and long lasting. Some of these people will never return to their old jobs, some of those factories will never reopen. This is true not only of the steel industry, but also of the semiconductor, machine tool, and airplane industries which are all facing severe structural readjustments.

We hear a great deal these days about the information industry and how the solution to our industrial problems is in high-tech. The whole idea behind an industrial strategy, in fact, is founded on the idea that we need to apply more technology to our industries and to develop complete new industries. However, as important as the information and other high-tech industries are, they are not a total solution to all of our problems. There is simply no way that this sector can employ all of the people who were previously involved in steel and auto making and the other basic industries that have made America great.

Others say that as a postindustrial society, we will survive on services. I like the comment by Mark Twain that "we cannot get along just doing one another's wash." Without a strong industrial base, we will not have a strong service sector. As with the United Kingdom, we will not prosper unless we account for some fundamental realities. Will our architects and construction companies be able to sell their services abroad if we are not building anything here at home? Will our manufacturing consultants be able to sell their services if America is the epitome of decadence in manufacturing? Unless we deal with these questions capably, we may also follow the United Kingdom in its pattern of labor-business animosity. If this continues to happen here, it is utterly predictable that not only will our industries be threatened, but our entire economy will drift into long-term decay.

We can go along essentially as we have been, ignoring our basic problems—talking about free trade but resorting to protectionist give-aways when the heat gets too high, giving tax breaks and ignoring the fact that little of our wealth is going into productive investment, doing good research and watching others developing it into new products which they sell to us, shipping our raw materials overseas to see them come back as finished goods, and generously distributing blame for all that goes wrong.

Or, we can roll up our sleeves, get together, and do something about these problems. The sooner we realize that we are not simply going to waltz into a high-tech heaven, the better off we will be. But a new direction will take consensus among the major actors, and concerted action based upon that consensus. We should first get the facts—we do not even know our competitive position on an industry-by-industry basis. We do not even have credible information on which to base our decisions.

After we arrive at a consensus on the facts, we must negotiate deals. If the Government gives trade protection, we should know that we are going to get investment and jobs as a result. If an industry takes high risks and invests in productive capacity, it should get better terms—so-called patient capital—or a better break than those who do not make those investments. If workers give up some benefits, they should get real employment security as a result. We can innovate, we can use our natural resources, we can develop labor-management collaboration.

What do we mean by industrial strategy? It is really a concept for the revitalization of American industry. We do not mean that some wise people are going to choose winners and losers, nor that individual companies will be singled out as America's future industrial giants. We do mean that in four basic areas, some fundamental policies will be reexamined to determine whether they contribute to industrial revitalization or they are barriers to progress. We need capital investment in restructuring our basic industries and accelerating the development of new technologies. We need the kind of regulation which will make sense for industry. We need to change some antitrust laws so that our companies are able to innovate and compete equally with their foreign rivals without unnecessary legal restrictions. Most important, in the area of regulation, we need a trade policy which is founded on economics, not international politics, and which accounts for our fundamental need for industrial revitalization. We need to emphasize research and development and to remove the barriers to innovation. And, our industrial strategy must take account of the need for human resource development.

Among the specific issues which should be considered in terms of capital investment are whether changes should be made to the policies and regulations of the Securities and Exchange Commission which would be beneficial to long-term industrial development, examining the role that enterprise zones and other investment incentives can play in the industrial development of distressed areas, and what tax policy changes, if any, would stimulate private investment in competitive industries.

In terms of regulation, the Council would consider whether antitrust immunity should be given to distressed and linkage industries and the extent to which the trend toward conglomeration has provided a disincentive to the efficient use of capital in the United States. The Council and the Bank could make great strides toward turning around our embarrassing trade imbalance. The Council would consider ways to promote our exporting industries, and the effect of restrictive trade policies on national industrial development. Although the benefits of having such a coordinated and careful look at possible solutions to our trade problems cannot be stressed too much, our trade problems are so involved and so serious that specific legislation in this area may be needed to supplement the National Industrial Strategy Act.

In the area of research and development, the Council could consider ways of encouraging more cooperative research efforts among private sector firms which are involved in international trade and ways of eliminating potential antitrust problems that might arise from such cooperation. The Council could also examine the appropriate level of Federal spending for research and development and the role that Federal procurement plays in stimulating private sector research, development, and innovation.

The Council would examine issues of human resource development to assure the technical competence of the work force. These issues would include basic educational policies and apprenticeship programs. along with ways of enhancing labor-management cooperation and dealing with the economic dislocation of workers.

Why will it take a new institution to achieve this kind of positive cooperation? Under our system, it is absolutely inappropriate and ineffective for Government to try to impose its poli-

cies on private enterprise. At the same time, the private sector does need Government policies conducive to growth. It is also clear that the executive branch alone cannot bridge the gap without the full cooperation of Congress. As a great leader of this House once said, "the President proposes but Congress disposes."

This is not to imply that a constructive industrial response can never occur under the present system. The Chrysler loan guarantees provide an outstanding example of a specific response to a problem and how Government can play a useful catalytic role in cooperation with the private sector. But much of the Chrysler deal was worked out on Capitol Hill and it was an awkward process. It was necessary to wait for a crisis to happen, to have great corporate leadership, and for months and months of negotiations both with the administration and with the Congress to further erode Chrysler's competitive position before any action could be taken.

A new institution, on the other hand, could develop an anticipatory industrial policy, rather than relying on a reactive response. We waited until Chrysler was insolvent and we reacted to an infusion of specialty steel from all over the world to a point where our domestic industry is almost destroyed before taking action. We do not want our actions to be simply reactive to situations which have gotten out of hand. A new institution is critically needed in order to anticipate trends and to get the United States out front in the global competitive marketplace.

I think the Economic Cooperation Council is particularly well structured with the involvement of a fourth party of representatives of the public interest. Big business, big labor, and big government alone cannot set American industrial policies. We need public interest representatives, such as consumers, small business people, financial experts, academics, and others involved in the development of a consensus. With all four parties participating, I am convinced that even though the Economic Cooperation Council is only advisory, its recommendations will carry such weight that it will be ignored only at the political or economic peril of those who do so.

So, how is an Economic Cooperation Council structured and why?

There will be 20 members on the Council who were recommended for appointment by the Congress and appointed by the President. The Council will include, in equal numbers, representatives of government, business, labor, and the public interest. The members will serve 6-year terms and be limited to serving two terms each.

Such a quadripartite arrangement will insure that all relevant aspects of national industrial strategy questions will be represented and that all Council recommendations are backed by a consensus of interests.

The Council will be strictly advisory and will function as a coordinated, encompassing authority on information and policy suggestions pertaining to revitalizing American industries. The Council will provide credible, census-backed information on the domestic and international economic situation, as well as monitoring the changing nature of the U.S. industrial economy and its capacity to respond to international competition. In addition, the Council will prepare and publish reports containing the recommendations of the Council with respect to industrial development priorities. These priorities will include macroeconomic policy, the needs of basic industrial sectors such as the automotive, steel, and semiconductor industries, the needs of supportive sectors such as financial and communication industries, and the needs of emerging industries.

It is important to understand what the Economic Cooperation Council will do and will not do. It will develop consensus on data, provide some recommendations on specific problems, foster the development of sector-by-sector committees to deal with the specific problems of industries, bring parties together and make recommendations as to the sacrifices necessary to make a specific strategy work or to cut the deals, and make policy recommendations such as the effect of certain macroeconomic policies on industrial revitalization. The Council will not pick winners and losers. It will not impose solutions on those who do not want to participate. In other words, if an overall strategy for the revitalization of the steel industry is developed with the participation of business, labor, government, and others, those firms who want to be a part of the program may choose to do so and those who want to take other actions will be allowed to compete without the Government assistance or advice. Finally, the Council will not set macroeconomic policy, but rather will be solely dedicated to the important work of the structural revitalization of American industry.

We think that it will take an independent Council structured as along the lines we have devised to succeed in this task. In my view, without consensus, you just have another voice in the multiplicity of noises sounded here in Washington and elsewhere throughout this land. It is also obvious to me that a commission on American competitiveness will not amount to very much. We do not need just another blue-ribbon commission to make yet another report which is promptly put on all of our shelves to gather dust. We need a strategy and we need an active program. The Economic Cooperation Council is the centerpiece of the development of such a strategy and the recommendations as to its implementation.

As many of you know, I have been advocating—some would say preaching—the need for labor-management cooperation to improve productivity ever since I arrived in these Halls. From my experience as the mayor of Jamestown, N.Y., I became convinced that labor and management working together can find their mutual interests, develop a strategy which allows them to achieve their shared goals, and revitalize the entire productive process so as to involve workers at every level and improve the quality of working life and productivity.

In my hometown, little over a decade ago, we had 10-percent unemployment before almost anyone in America faced that kind of economic and human tragedy. Factories were closing and going out of business. Labor and management were at each other's throats. Attempts to provide for urban renewal were thwarted by our reputation as a town with a bad labor climate and an atmosphere of mutual distrust and suspicion.

We organized the Jamestown Area Labor-Management Committee and, within 3 years, our unemployment rate had declined from 10 to 4 percent. We had quality-of-work-life programs in individual Jamestown factories which were allowing for the creativity of workers and managers to produce more and enjoy their work much more. This effort has continued and grown in scope throughout the ensuing decade. I would again commend to my colleagues the 10-year report of the Jamestown Area Labor-Management Committee and the chapter I have written for the book entitled "Managing Innovation: The Social Dimensions of Creativity, Invention and Technology," edited by Sven Lundstedt and E. William Colglazier, Jr., if you are interested in a deeper understanding of this dynamic community experience.

I believe today's problems in America are very similar to those that Jamestown faced in the early seventies. Our industries are closing, our people are out of work, we are bickering over who is at fault, and there is an atmosphere of distrust and suspicion. I wish that you could come to Jamestown today. I would like to take you to the Cummins Engine new enterprise in a large factory of about 1 million square feet where they are building truck engines with teams of workers and robots have been designed by factory workers to replace dangerous and dirty jobs. I would like to take you to some of the old factories which were about to be abandoned where new enterprises and reorganized older

firms are successfully competing in worldwide markets.

To be sure, Jamestown is not perfect. The cooperation breaks down from time to time and there is still a lot left to be done. But you would see there furniture workers who are learning new skills through a combination of public and private commitment. You would see firms with a new future even in the wood furniture business.

Just as Jamestown needed labor-management cooperation a decade ago, the United States needs an Economic Cooperation Council now. During much of my advocacy here in the Congress, I have emphasized labor-management cooperation at the workplace. I continue to do so. But it also occurs to me that just as we developed a strategy for economic revitalization in our little community, so do we need to do so in this country today. The driving force behind that concept will not be interventionist and will not destroy but enhance the free enterprise system just as the labor-management committee in my hometown has remained purely voluntary in character. But this new Council will show America a new spirit of cooperation and the dynamic results which can be achieved once that consensus is reached.

Why do we need a bank? Unfortunately, in our present circumstances, even an Economic Cooperation Council could turn out to be only advisory unless there is a source of financing to attract the commitments from the private sector. In today's context, we are simply not able to generate the kind of "patient capital" necessary to foster innovative, new and emerging enterprises. We are not able to finance the huge reinvestments that are necessary to restore a world class competitive steel industry.

In the Chrysler example, we have seen exactly how helpful a timely government loan guarantee can be. We need a bank so that we can have more Chryslers and so that we can enable new industries to get the kind of financing they need. We need a bank so that our very capable private financing mechanisms can be effectively leveraged to produce the kind of high-value-added products which clearly will be America's future industrial mainstay. We need a bank to get away from our shortsighted fixation on quarterly profits by industry, the next political election, or the latest labor contract negotiation.

In short, we need a bank to implement a national industrial strategy and to develop investment strategies that survive recessions. We need such a facility to rationalize production despite competing and often more profitable short-term alternatives.

Would such a bank become too interventionist? Again, I am tempted to quote Mark Twain who spent much of his life in Elmira, N.Y., in my district. He said, "I don't mind getting older when I consider the alternative." Consider the alternative, America. We are attracting capital from all over the world right now. Very little of it is going into building new steel plants, or to build the automobiles of the future, or to take a long-range program to restore our dominance in computers, aircraft, fine ceramics and many other of our predominant industries.

While there is some venture capital available here in this country that may not be available in some of our competitor countries, the only way that an entrepreneur can really make out in most cases is by selling out. This is unfortunate and we need the kind of patient capital which will allow our new technologies to bloom into emerging enterprises which can survive conglomeration in their second stage of growth.

Once this bank is capitalized during the first 4 years of its existence, it should not require additional Federal funding. My view of its future is something for industry similar to the function the Federal National Mortgage Association performs for home mortgage financing. It can be operated on a pay-as-you-go basis complementing purely private financial institutions. While the amount of initial capitalization is large, so are the stakes. America's industrial destiny probably hangs in the balance.

How is the National Industrial Development Bank structured and how will it work? The Bank will be administered by a Board of Directors consisting of 16 members, 4 of whom will be chosen from the Economic Cooperation Council. Each member will serve no more than two 4-year terms.

The Bank's financial decisions will be guided by the consensus industrial strategy of the Council, as the Bank serves as a last-resort source of financing for the separate troubled areas of America's older, linkage industries and new emerging industries. Any financial assistance that the Bank gives in terms of loans, loan guarantees, and other debt instruments must support positive industrial goals, such as long-term job creation, employment stability, the creation of high value added jobs, and the location of new facilities within economically distressed regions.

In terms of mature and linkage industries, the Bank can provide financial assistance to those industries which the Bank determined can be restructured to be competitively successful in the long term without additional financial assistance from the Federal Government. Under this section, the Bank can assist industries which manufacture goods competing in international trade, support the implementation of new technology in mature and linkage industries, and support projects that will lead to significant increases in productivity in these industries. The Bank will provide only partial funding of the total financial needs only if no other funding is available to the industry and, in these cases, the Bank will actively seek other public and private financing sources for the revitalization projects.

The Bank is also authorized to provide financial assistance to the technologies and the development of emerging industries. In order for the Bank to aid in these projects, it must be shown that private funds have been committed to the project, but that those funds are insufficient to the total financial need. Here, too, the Bank will take the lead in assembling a combination of private and public financing for the project.

The most essential elements of the Bank are that it is directed by a consensus industrial strategy and that it provides only partial patient capital for viable basic and emerging industries. It is also very important that one of the Bank's major responsibilities is to stimulate private capital investment in domestic industrial revitalization projects. These elements will insure that the national industrial strategy as suggested by the Economic Cooperation Council will be translated into positive, well-thought-out action in which the private sector is heavily involved. The Federal Government, in this way, is acting as a catalyst, not the sole supporter, for bringing about the most essential change in emphasis in our economy—away from clinging to old, unproductive, and inefficient ways and toward bringing industry back to life and making it competitive again.

Mr. Speaker, America is in transition. We are experiencing our second industrial revolution which is coming upon us faster and with even more impact than the first. The proposal we are advancing today will not stop that change, it will complement it. An industrial strategy for America which takes into account human beings and which allows for rapid adjustments is vitally needed. American industry and the American economy will become more competitive through consensus, cooperation, and collaboration. We recognize that while our legislation is state of the art, it is not perfect. We think that this, the people's house, has an opportunity for leadership in the development of an industrial strategy.

We must not fail. We must take the path less traveled. We must not just respond to crises. We must not just imitate our competitors. We must develop a truly American positive response to the needs of our industrial future.

Mr. Speaker, I yield to the gentleman from New York (Mr. LAFALCE).

Mr. LAFALCE. Mr. Speaker, I am extremely pleased to see this bill introduced today, for it clearly reflects the growing realization that there are serious problems with the overall health of our economy. I also want to give special recognition to the hard work and dedication of the sponsors of this legislation in developing a cooperative approach and mechanism to address perhaps the central economic issue facing the Nation today—the decline of American industrial competitiveness in the world marketplace.

Many of us recognize that whatever "recovery" is now underway, there remain significant structural problems which will not disappear with a modest rebound from our current depression. We need to look far more deeply at our economy and its long-term problems, and the bill introduced today is an excellent example of the kind of thinking which is so urgently needed.

In early June, the Economic Stabilization Subcommittee, which I chair, will begin to hold an extensive set of hearings on the state of the American economy, the international competitiveness of American industry, and the need for more effective Government policies to promote economic growth and development. These hearings will address the widespread concern that the American economy is both not performing up to its capacity and not effectively meeting the challenge of international competition. We know that the American standard of living relative to other countries has slipped significantly in recent years, and we know that hundreds of thousands of Amercian workers have seen their jobs permanently destroyed as intense foreign competition drives domestic firms to close, retrench, or relocate.

It is clear that our Government can and must do something about this situation. However, the response of the current administration has been to sit back and let the "magic of the marketplace" work its wonders. The problem is that the international marketplace is full of distortions and interventions prompted by various industrial strategies of our economic competitors.

The governments of our major trading competitors have been far more active than we have in supporting and assisting their industries, and this has paid off in increased competitiveness of foreign firms. Some observers say that that is unfair competition; others say that it is effective government policy. But clearly, it is silly—and even dangerous—for our Government to ignore reality.

The simple truth is that virtually all of our competitors have explicit, integrated industrial policies which aim to strengthen and promote key industries or sectors. We have hundreds of isolated incentives and subsidies, but no comprehensive strategy or policy, and no body or mechanism with responsibility to shape such a policy. It is time to consider seriously whether we should take steps to join the other major industrialized countries in developing a targeted program of industrial rationalization and promotion.

The Subcommittee on Economic Stabilization has been charged by the House to develop legislation dealing with financial aid to firms and sectors of the economy, and to deal with matters affecting the stability and growth of the economy. It is our responsibility, therefore, to examine the present state of the economy, to discover the underlying causes of our poor economic performance, and to propose effective policies to deal with the issue.

The exploratory hearings which are to start in June are a necessary first step forward on this complex issue, but we cannot be content with first steps alone on so vital a concern. Consequently, we expect to follow the general hearings with specific legislative hearings later in the year. In the legislative hearings, we will consider the bill introduced here today, along with the bills introduced by Mr. PEPPER, Mr. WHITTEN, and Mr. GUARINI related to establishing a Reconstruction Finance Corporation (H.R. 134, 1480, 1827), a bill introduced by Mr. MINISH (H.R. 638) to establish a National Development Bank, as well as several other pieces of pending and anticipated legislation.

It is then our expectation that we will bring a legislative package on industrial cooperation and industrial policy to the floor of the House. When that happens, I believe that the House will respond by approving an economic policy to help our industries better compete internationally, and thereby promote economic growth and stability.

□ 1850

Mr. LUNDINE. Mr. Speaker, I thank the gentleman for his comments and his support of the concept and for his commitment to hold hearings and to seriously consider legislation this year.

At this time, Mr. Speaker, I yield to the gentleman from Michigan (Mr. BONIOR).

Mr. BONIOR of Michigan. Mr. Speaker, I am honored to join the gentleman from New York (Mr. LUNDINE) in introducing today The National Industrial Strategy Act.

I am particularly proud that we are also joined in the introduction of this bill by the gentleman from Florida, the distinguished chairman of the House Committee on Rules, Senator PEPPER, who has been such a leader on the issues of a development bank, and the gentleman from Colorado, Mr. WIRTH, and the gentleman from Missouri, Mr. GEPHARDT.

Mr. Speaker, with unemployment still above 10 percent, America faces the repercussions of the deepest and longest recession since the Great Depression. Prompting a forceful recovery remains the highest priority of this Congress.

Yet, as we face the problems of the present, we cannot avoid questions about our past and our future, about the forces that helped create our present crisis and remain at work in our economy.

America is no longer the land of rapidly expanding opportunity. After increasing by more than 30 percent during the fifties and sixties, the growth in the real medium income of Americans slowed to a crawl during the decade of the seventies, increasing by under 7 percent.

Our economy is at a near standstill. During the period from 1960 to 1973, the United States ranked last in productivity improvements among the world's major industrialized powers. From 1973 to 1979, we ranked next to last.

During the period 1973 to 1979, productivity in West Germany, Belgium, and France grew at more than five times the rate in the United States. In the Netherlands, Denmark, and Japan, it grew at more than four times our rate.

The American people cannot be asked to hope that the next recovery, or the recovery after that, will automatically bring renewed prosperity, for history seems to be moving against us. As two leading industrial strategists, Ira C. Magaziner and Robert B. Reich, noted in their book, "Minding America's Business," we have seen a downward spiral in which "the boom periods became less bouyant and the downturns became deeper and more severe."

The unemployed auto workers in my State know that recovery alone is not the answer. They know that their jobs have been lost not merely to a temporary auto slump, but to permanent changes in the structure of the world auto industry.

Their homes in foreclosure (the foreclosure rate for the Michigan/Indiana HUD district is the highest in the Nation), they wait for their children, no longer covered by health insurance, to break an arm or worse. Tired of false hopes after years of looking for a job, most of all they look for an honest policy on which to stake their lives.

Our Nation desperately needs proper monetary and fiscal policies, but macroeconomic policy alone is not the answer. Our crisis was not born in a failure to adjust fiscal policy. It was born in a failure to adapt to fundamental changes in the structure of the world economy.

The steel industry knew that basic oxygen furnaces were more efficient than the older open hearth furnaces.

They knew that new methods of continuous casting were superior, yet change was costly and in the short term, profits could be maintained. Today, the long-term has caught up with short-term decisions.

At this late date in the history of America's industrial decline, the Nation has a right to expect that industrial revitalization will not be reduced to the distant implication of vague and changing fiscal and monetary policies. The Nation has a right to expect that revitalization will be directly sought in a clear and tangible fashion.

"Supply side economics" was not merely wrong in degree, marred by the wrong budget cuts and the wrong tax cuts, it was fundamentally wrong in kind. Defined as the central solution to industrial decline, it was the wrong answer to the wrong question.

The problems of an ailing industrial base cannot be met by the old adversarial system of interest advocacy that pit labor, management, public interests, and Government against each other.

That is the right problem. The National Industrial Strategy Act poses a solution.

When Congress or the Executive seek advice on fiscal or monetary problems, specialized institutions like the Council of Economic Advisers are at hand to provide a range of alternatives; yet a Congress or a President that seeks coherent industrial strategies is not so well served.

That is the right problem. The National Industrial Strategy Act poses a solution.

America can play a dominant role in the new services and technologies that will help shape the economy of the 1990's, but only if emerging industries can find patient capital, a hard task at best.

That is the right problem. The National Industrial Strategy Act poses a solution.

America's basic industries have a vital role to play in the new world marketplace, but only if new investment brings a jump in productivity and restructures American manufacturing toward high-value added products, yet at any given moment, more attractive short-term alternatives may exist for private investors.

That is the right problem. The National Industrial Strategy Act poses a solution.

Over the last several decades, small yearly declines in economic performance have slowly eroded America's industrial strength. In increments almost too small to notice, we have lost our competitive edge in the world marketplace.

That is the crisis at hand. The National Industrial Strategy Act poses a solution.

Mr. Speaker, the dominance of the United States in the post World War II world allowed us to avoid, for a while, the need for an explicit industrial strategy. As two leading industrial strategists, Barry Bluestone and Bennett Harrison, explained in their book, "The Deindustrialization of America": The U.S. emerged from the Second World War with the only major functioning army, with more than half of all the usable productive capacity in the world, and as the banker and creditor to both allies and former enemies.

Today, the disturbing legacy of this past monopoly is the confusion it creates in economic policy. Able to presume on growth for so long, our present crisis catches us by surprise and the task of planning for recovery seems strange, if not unnecessary.

The phenomenal expansion of the American economy during the 1950's and 1960's was not built on the magic of all wise market forces. The choice we face now is not between the continued reliance on a magic that never existed and pure Government interventionism. The choice we face is to continue on the course of decline or to draft our Government to assist in the task that lies ahead.

In his recent articles in "The Atlantic," Robert B. Reich wrote: The biggest barrier to active adjustment is not technical but ideological. For 50 years Americans have been embroiled in an endless debate over the relative merits of two highly artificial concepts: The "free market" and "national planning." The real choice facing America is rather between evading the new global context and engaging it.

What we seek in the National Industrial Strategy Act is not unprecedented. It has worked for our international competitors. In Japan's Ministry of International Trade and Industry (MITI), in Germany's German Development Bank, to name just two, we have the models at hand.

Mr. Speaker, at its best, American politics is fueled by hope, by the hope in new leaders and new ideas, by the hope that allows us to reach for uncertain dreams. Yet our willingness to hope can also be used to give momentum to easy promises that are soon broken.

Hope thrice abused, however, is a hope gone sour. It is a hope pushed to the point where so many dreams have vanished that the belief in change itself becomes suspect.

Real recovery cannot be generated by the free play of market forces alone. It requires the willing actions of a society convinced that prosperity can be regained, a society convinced that its hopes are real. That is the task of political leadership.

It is the Government's greatest role to somehow capture the real substance of its people's dreams and return it to them in a way that allows for the sacrifice and uncertainty that procede growth and discovery. Our Government has a long way to go in order to reclaim that role.

Today's bill, the National Industrial Strategy Act, is not itself the answer, but it is a first step in the right direction. It is an honest beginning.

□ 1900

Mr. LUNDINE. I thank the gentleman for his comments here, and I thank him even more for his commitment, his cooperation, his patience with me, and his positive approach have contributed enormously to this effort.

I would also like to express my thanks to my valued colleague, the gentleman from Missouri, DICK GEPHARDT, who together with the gentleman from Colorado, TIM WIRTH, produced or took the leadership in producing or rebuilding the road to opportunity in a democratic direction for the 1980's which sets an overall framework for this legislation.

Mr. Chairman, I would now like to yield to my colleague, the gentleman from Missouri (Mr. GEPHARDT).

Mr. GEPHARDT. Mr. Speaker, I would like to thank the gentleman from New York (Mr. LUNDINE) and the gentleman from Michigan (Mr. BONIOR) for their leadership today in bringing to the attention of this House and the country what I believe to be the most important set of ideas involved with trying to get the economic pie in this country to grow again rather than being stagnant or even declining.

I might add that the gentleman from New York's background in this subject is deep from his days as being a mayor in the State of New York and in really fostering one of the first-rate experiments that the country has seen at the local level in trying to bring together government, labor, and business in an attempt to try to address the difficult, complicated economic problems that were faced in that community.

So on the base and background of experience, he and the gentleman from Michigan (Mr. BONIOR) have put together this very important piece of legislation that I am very happy today to be cosponsoring with them. Along with a similar measure that my colleague, Mr. WIRTH, will be offering soon, this bill will, for the first time, permit us to develop a competitive economic strategy.

The greatest strength of our economy has always been its basis on free enterprise, which must remain our first and best hope for long-term growth and employment. We are not now maximizing our potential, however, because we lack a means of bringing the many and varied interests in

our economy together in the kind of cooperative effort necessary to achieve sustained prosperity.

We are presently trying to address our economic ills—both short and long term—in a vacuum. Not enough information is available about where the U.S. economy is headed, where we stand in relation to our competitors, and what we need to do to meet the economic challenges in the future. At the same time, funds are being committed in both the public and private sectors in a fragmented manner. The Government alone has countless programs designed to lay the foundation for economic growth through physical improvements, education, job training, and so on. Sometimes they conflict, often they overlap, but rarely are they focused toward a coordinated goal.

The proposed Economic Cooperation Council will fill this information and coordination void. It will help us bring together the disparate resources necessary for the United States to compete in an international economy.

This proposed Council would not be a monolithic national planning agency that would decide winners and losers among industries or issue directives to the private sector on the allocation of resources. It would not be a new Reconstruction Finance Corporation which runs the risk of becoming too intrusive into our economy.

Rather, this Council will be a distinguished, representative, influential group that would be sensitive to the legitimate powers of the President and the Congress but would provide them with the information and act as the barometer they need to make coherent decisions to revitalize our economy and sustain our competitive position in the world.

As envisioned by this legislation, the Council would gather and analyze data to identify problems and trends in existing and emerging sectors of our economy. It would develop consensus among all interested groups to meet the challenges presented by its findings.

If this bill and the one that will soon be introduced by the gentleman from Colorado are enacted, the Council will be given three basic tools to achieve its goals:

First. Bureaus of Economic Information and Economic Analysis, that would gather and analyze data, identify trends and market opportunities, generate proposals for facilitating growth and communicate the developed information to American industry;

Second. Authority to establish sectoral subcouncils of representatives of all interested groups to develop long-term strategies for solving problems of specific industries; and

Third. A National Industrial Development Bank which would advise the Council and its sectoral subcommittees on the availability of financial resources to help address the needs of problem industries and which could provide investment if none is available elsewhere in the public sector or in the private sector.

As we work to rebuild our economy, we need the capacity to look ahead, to focus attention on emerging as well as present problems. We need the capability to develop a long-term economic strategy for attaining sustained economic growth—a strategy that anticipates economic trends and identifies potential problems and opportunities.

This legislation is designed to do that. I commend the gentleman from New York for proposing it and look forward to introduction of the supplementary and complementary measure by my colleague, Mr. WIRTH. Early enactment of these innovative proposals will represent a major step forward in our effort to restore long-term health and vitality to the Nation's economy and maintain our competitive position in the world.

□ 1910

Mr. Speaker, let me conclude by saying that whenever we have a discussion about economics, everybody wants to talk about the budget, or about monetary policy, or about the macroeconomic issues that seem to be so important in fostering economic growth. What is not often discussed but what is represented by this legislation is what I think is the other leg to the stool that is just as important as macroeconomic policy. It is called industrial policy, or microeconomic policy, or cooperative economic policy; it has a lot of names. But it really is an essential thing to do. It is not discussed often enough. Certainly no meaningful legislation has been passed.

This is the first time in my memory that serious, long-thought-out proposals are being made. This proposal is clearly one of those. I am honored to be a cosponsor of it today and to engage in this special order today to try to bring the attention of the Congress and the country to what I think and what I hope will be a most important debate and perhaps the most important piece of legislation for economic growth that we have seen in the last 20 or 30 years.

Mr. LUNDINE. Mr. Speaker, I thank the gentleman form Missouri (Mr. GEPHARDT), and I am proud to have him as a cosponsor of this bill. I have benefited greatly from his counsel and his cooperation.

What do we mean by an industrial strategy, and why is it needed? This bill is based on the belief that we need healthy industry in this country. We can and must develop a consensus among business, labor, Government, and others in the public as to an overall strategy for industrial revitalization, and we believe that some Government funding will be necessary to leverage the private capital available to rebuild American industry.

We can essentially go along as we have been, ignoring our basic problems, taking about free trade but resorting to protectionist giveaways when the heat gets too high, giving away tax breaks and ignoring the fact that very little of that wealth is going into productive investment, doing good research, and development, and watching our competitors all over the world innovate and turn it into products and sell it back to the United States, or we can roll up our sleeves, get together, and do something about these problems.

The first thing we have to do is develop a consensus. We have to develop a consensus, Mr. Speaker, on the facts. We all know as Congressmen that people are constantly coming to us and emphasizing the issues with different sets of facts. Now this situation is so serious, with American industry deteriorating, that we need to have an independent council that can gather credible information and at least have business, labor, Government, and general public representatives come together and agree and report back to us and to the administration on what the facts are.

We mean by an industrial strategy not picking winners and losers; what we do mean is that there are four basic areas where some fundamental policies are going to have to be reexamined to see whether they fit with an overall strategy for industrial revitalization.

First, capital investment; second, research and development; third, regulations, including our trade policy; and, finally, the better development and deployment of our human resources.

Why will it take a new institution to achieve this kind of positive cooperation? Well, under our system it is inappropriate and ineffective for Government to impose its policies on private enterprise, and at the same time the private sector needs Government policies which are conducive to growth. This new institution can develop anticipatory policy rather than just waiting and reacting, as we did with Chrysler and as we have with so many, until there is a crisis.

I think the Economic Cooperation Council is particularly well structured because we add that fourth party. It is not just big labor, big business, and big government getting together and deciding on an industrial policy for America; we have public-interest representatives, consumers, small-business people, financial experts, people from the academic community, and others who can be involved as a fourth party in the development of this consensus. While the Council will be

strictly advisory, I think it is very important to point out that this consensus development will be of such a nature and carry such prestige that we in the Congress and the executive branch will ignore it at our peril.

Finally, Mr. Speaker, why do we need a bank? Well, unfortunately, in our present circumstances, even an Economic Cooperation Council could turn out to be only advisory unless there is a source of financing to attract the commitments from the private sector. In today's context, we are simply not able to generate the kind of patient capital necessary to foster innovative, new, and emerging enterprises. We are not able to finance the huge reinvestments that are necessary, for example, to restore a world-class, competitive steel industry.

In short, we need a bank to implement a national industrial strategy and to develop investment strategies that survive recessions.

We are attracting capital from all over the world here to this country, but very little of it is going to build steel plants, or to build the automobiles of the future, or to undertake a long-range program to restore our dominance in computers, aircraft, fine ceramics, and many other of our predominant industries.

There is some venture capital available, but the only way some of these new firms can make out is to sell out.

I propose that this Industrial Development Bank will be a solution to that problem by providing the capital on a longer term basis so that these emerging enterprises can bloom and survive conglomeration into their second stage of growth. The Bank's financial decisions will be guided by that consensus strategy of the Council. They will be linked. I think that we have come up with a creative way to insure that we have the essential elements here of an industrial strategy.

Mr. Speaker, America is in transition. We are experiencing a second industrial revolution, and it is coming upon us faster and with even more impact than the first. The proposal we are advancing today will not stop that change; it will complement it. An industrial strategy for America which takes into account human beings and which allows for rapid adjustments is vitally needed. American industry and the American economy will only be competitive through consensus, cooperation, and collaboration. We recognize that while our legislation is not perfect, it is state of the art. We think that this, the people's House, has an opportunity for leadership in the development of an American industrial strategy.

We must not fail. We must take the path less traveled. We must not respond just to crises. We must not imitate our competitors. We must develop a truly American positive response to the needs of our industrial future.

● Mr. PEPPER. Mr. Speaker, I am pleased to join as a cosponsor of this legislation creating a National Development Bank and an Economic Cooperation Council—The National Industrial Strategy Act.

My colleagues have eloquently stated the problems that we face as a nation: declining productivity, accelerated cycles of recession and recovery, the structural transformation of our economy and increased international competitiveness. We must find a mechanism that will help develop a coherent strategy and give direction to the Nation in these troubled times. We must also be willing to commit the resources that are needed to realize the potential that is recognized to exist in our basic as well as emerging industries. This legislation accomplishes these purposes. By first establishing an Economic Cooperation Council, we are bringing together the major participants in the economy—business, labor, government, and public interest groups. As has been stated, this Council will not be charged with picking winners or losers. Instead, it will perform the healthy function of creating a consesus amongst these important groups on a coherent, comprehensive industrial strategy.

Second, this legislation establishes a National Development Bank. This Bank is similar to the successful Reconstruction Finance Corporation of the New Deal. During the Great Depression, the economy was in a downward spiral. Unemployment was high and demand for goods was slack. Businesses would not expand production because of this slack demand. Consequently, people remained out of work. Fortunately, President Roosevelt had the insight to see that Government stimulus was needed to break this viscous cycle—to spur production and get people working again. To this end the RFC was put to use. It provided the necessary capital infusions that kept countless businesses, including the banking, railroad, and housing industries afloat until more prosperous times.

Today we find ourselves facing a similar situation in this country. Our economy is one of idled capacity. Unemployment is at record levels. Real interest rates are extremely high and the industrial sector is producing at only 60 to 70 percent of capacity. This legislation that we are introducing today is designed to put this idled capacity back to work. However, the National Development Bank contained in this legislation does more than provide liquity for businesses—it provides capital for structural changes in industries. The Bank is authorized to provide financial assistance to mature and linkage industries as well as emerging industries.

Mr. Speaker, my colleagues have described the purpose and the provisions of this legislation. I would like to say that this legislation is something that I am hopeful that Members from both sides of the aisle can support. I would like to say what this bill does.

The legislation responsibly addresses the economic difficulties facing this Nation. It brings together the major participants in our economy and establishes an Economic Cooperation Council that will result in cooperation not confrontation. It creates a National Development Bank that will help provide capital for mature, linkage and emerging technologies that have shown an ability to attract some private capital. Most importantly it provides a workable mechanism for looking at and responding to the changes that are occurring in our economy.

I would hope that Members would study this legislation and that it would receive prompt and favorable consideration by this Congress.●

AMERICAN INDIAN DAY

The SPEAKER pro tempore (Mr. LUNDINE). Under a previous order of the House, the gentleman from New Mexico (Mr. RICHARDSON) is recognized for 60 minutes.

Mr. RICHARDSON. Mr. Speaker, it is entirely fitting and appropriate that this body and our Nation take the time to focus on a part of our society which, more than any other segment of our country's population, is most deserving of national recognition, yet is often most forgotten.

So, Mr. Speaker, I rise not only to recognize tomorrow as American Indian Day and to pay tribute to the Native American, but also to say to my colleagues and to this Nation that we, the Congress and the Federal Government, as representatives of all the people of the Nation, need to make a firm commitment to the Native American to see to it that he justly receives from this Nation, and this Government in some proportion to what over the last 400 years he has given to us.

□ 1920

Mr. Speaker, I would like to yield to the gentleman from Montana who has provided leadership over the years on the issue of Native Americans in the House of Representatives. Recently he took the initiative of helping organize a group of Members that have a large proportion of Native Americans in their district and form and try to start the procedure for forming an Indian task force.

I yield to the gentleman from Montana (Mr. WILLIAMS).

Mr. WILLIAMS of Montana. Mr. Speaker, I thank the gentleman for yielding. I appreciate the time and I especially appreciate joining the gen-

tleman in recognition of National Indian Day.

Mr. Speaker, significant progress has been made during the past decade and our Nation has finally begun the task of addressing the education, economic, social, health, religious and cultural needs of the American Indians and Alaskan Natives. Indian student dropout rates are decreasing now. The numbers of Indian youth attending college and secondary educational facilities are increasing. The number of Indian teachers and lawyers has grown significantly. Schools are at last beginning to meet the needs of Indian children. The success of Indian education can be traced to important legislative initiatives, such as the Tribally Controlled Community College Assistance Act and the Education Amendments of 1972, which established the Indian Education Act, title IV.

Although the health needs of American Indians are still great, the efforts of the Indian Health Service have made a difference. Maternal death rates in childbirth have decreased by 91 percent in the last 30 years, and the tuberculosis death rate has decreased 89 percent. Without the expansion of hospitals and clinics on reservations and in urban areas, these achievements would not have happened. It is well known that Indians suffer from a high rate of alcoholism. In fact, the leading causes of death are from alcoholism, suicide, accidents and homicide.

The efforts of the Indian Health Service need to be increased so that we can report success statistics for the debilitating disease of alcoholism, and we can do it.

After years of religious persecution and destruction of religious sites, in 1978 Congress enacted the American Indian Religious Freedom Act. There is now a framework in place so that the expression of the religion of the American Indians can begin to be respected.

On April 22 of this year, 64 of the Members of this body of Congress sent a letter to President Reagan requesting a meeting to discuss ways in which these successful efforts can be continued and expanded. I admit, and I think past Congresses will admit, that our past Federal efforts with regard to Indians have not entirely worked. There have been wasted Federal moneys and unsuccessful programs. We need to look and find better ways to bring about true self determination. We need to admit past mistakes and move ahead. No one Member of this House or of Congress or within this administration has the answer. Together, with direction from the Indian people, we will move toward the worthy goal of self-determination and self-government. The advances made by Indian people during the past decade need to continue. A comprehensive and realistic plan can, I believe, and must be developed.

I ask that we join together in celebrating National Indian Day; celebrating the successes and joining in a commitment to move the first inhabitants of this land into the bright sunlight of the freedom of self determination and self worth.

Again, I commend my friend, who is also a leader here in the Congress and for the Indian people of this Nation. I am most pleased that the gentleman has asked for this special order to recognize our Indian brothers and sisters and join them in celebrating National Indian Day.

Mr. RICHARDSON. Mr. Speaker, there are approximately 105,000 Native Americans living in my home State of New Mexico, the fourth largest population of Indians in any State in the country, 96,000 Native Americans reside in the Third Congressional District. In New Mexico Indian tradition is literally, "as old as the hills." Spear points and bones uncovered in the Sandia Mountains in Albuquerque have established the 25,000 year old Sandia culture as the earliest in North America. Most of New Mexico's 19 Pueblo Tribes were settled more than 400 years ago, many before Spanish occupation. An Indian emblem—the ancient Zia Sun symbol—appears on the New Mexico State flag.

New Mexico's Pueblo Indians were discovered in the 16th century by Spanish explorers. It was not until the 1848 Treaty of Guadalupe Hildalgo, which ended the war between the United States and Mexico, that an area which included New Mexico was ceded to the United States. A treaty article provided for recognition and protection by the United States of the territory's inhabitants. In 1849, the Bureau of Indian Affairs was established within the newly formed Department of the Interior.

Long before the Spanish arrived in the Southwest, related Navajo and Apache tribes, are said to have made their way to New Mexico. The Navajos are believed to have journeyed to the Southwest across the Bering Strait. It was in 1864 that Col. Christopher Carson was ordered to round up all Navajos and confine them in what is now Fort Sumner, N. Mex. When the Indians resisted, Carson's regiment destroyed Navajo livestock and food supplies and gathered up 8,000 Navajos and took them to Fort Sumner, as prisoners of war. In 1868, the Navajos signed a treaty with the United States which allowed them to return to their old homeland and to what is now the vast 25,000 square-mile Navajo Reservation spanning parts of New Mexico, Arizona, and Utah. The Navajo Reservation is home to more than one of every five indians living on reservations in the United States.

Yet, it was not until 1924 that all Indians of New Mexico were declared citizens of the United States. That same year, Congress passed the Pueblo Lands Act, determining the status of Indian land claims. Today Indians comply with about 5,000 laws and regulations with the Federal Government—regulations that many times act as roadblocks to getting things accomplished.

This administration's policy statement in support of Indian economic independence and self-determination are empty words of promise that do not reflect this administration's record of performance. Let me cite some statistics to support my claim. It is shocking for me to learn that unemployment on the Navajo Reservation has doubled from a year ago, jumping from 37 to 75 percent. Less than 20 percent of the Navajo labor force will work this year. Poverty on the reservation has reached staggering proportions. In 1981 the average yearly income among the Navajos living on the reservation was a mere $1,700. Alcoholism is a chronic problem, as is evidenced in the fact that 19 percent of all reservation Navajos die in auto wrecks compared with the national average of 3 percent. Thirty percent of all reservation Navajos die between the ages of 20 and 44 years of age. Most homes on the reservation do not have running water or electricity; all of this is occurring now, today, in 1983.

Last year the Navajos experienced budget cuts totaling $152 million, including money for 10,000 jobs through the CETA program.

This year is no different. There are cuts proposed in almost every area of Federal funding for Native American programs. There is no better example than what is happening in my home State. The Bureau of Indian Affairs is obsessed with cutting the operating budget for the Southwestern Indian Polytechnic Institute in New Mexico in half. SIPI, as the school is more popularly known, has the unique distinction of being the only technical vocational training ground for Indian students in the country. It does not make sense to cut funding for a school that placed 70 percent of its graduates into jobs last year—especially in light of the astronomical unemployment rates for Native Americans.

What does make sense is to invest. Like the rest of my colleagues, I do not believe in giving for giving's sake, but investing in the future. An investment into helping the Native American live a dignified existence and to live and work within their culture and customs so that their people and communities can share in the vast wealth this country possesses and which at one time they alone possessed.

□ 1930

A part of this investment should be a commitment of Federal dollars which are directed toward improving the educational programs which seek to improve the skills of the Native American. Whether it be Federal programs which help fund public schools educating Indian students—whether it be Bureau of Indian Affairs schools—schools like SIPI, adult or higher education programs. The investment of Federal dollars into these kinds of programs, is an investment which will help give the Native American the skills to live with dignity—the skills to become productive, imaginative citizens—citizens of their tribe, their community and their country.

Equally the private sector through public sector funded programs should get together and participate in the training of Native Americans. Native Americans cannot only depend on Federal funds but also on commitments by the private sector to train and to invest in Indian reservations.

One of the already existing programs which I would like to call to my colleagues attention today, is title IV of the Indian Education Act. Since the birth of this program in 1974, it has provided assistance to an array of educational programs delivering education assistance to the Native American student and assisted in efforts to provide research dollars to colleges and universities across this country to develop an education curriculum in Native American studies. This program provides assistance to public schools educating Indian students in 43 States. Approximately 20 percent of all of the congressional districts in this country have public school districts which receive title IV funds. In New Mexico, the State receives more than $5 million. Title IV has helped tribes develop their own tribal educational projects with recent emphasis being directed toward assisting tribes in their efforts to develop educational plans.

Mr. Speaker, this program carries with it many success stories. Projects of all kinds have been developed and carried out meeting current educational needs and raising the awareness of educators toward needs that are still unmet. It has helped foster more Indian parent involvement and it has made commuities more aware of Native American cultures.

Mr. Speaker, the administration's fiscal year 1984 budget calls for the elimination of the title IV program. To close down the title IV program would be another slap in the face in this Government's long history of dealing unfairly with Native Americans. How many times over the past 200 years has this Government made agreements with Indian Nations, raising expectations, only to shut the door?

Mr. Speaker, as we recognize American Indian Day, I hope each of us will pledge to ourselves and to our constituents that we not only recognize the contributions of the Native American to our Nation's culture, but that we also pledge ourselves to provide them with programs like title IV, like SIPI, which will assist them in becoming more productive citizens—not only to this Nation, but to their tribe and to their spirit.

Mr. Speaker, it is also my hope that officials of this administration listen to some of the remarks made on the floor on this special order.

Although he could not be here this evening I know the distinguished chairman of the House Interior Committee, the Honorable MORRIS UDALL of Arizona, had something special to say. The gist of his message was that although the Indians are the first Americans, they are first nonetheless in poverty and lack of housing, in lack of jobs, and in misery.

Through his leadership of the House Committee on Interior and Insular Affairs, Native Americans have gotten a fair break. But it is not until it hits the floor of the House or the other body or it hits other areas of the bureaucracy that progress is stifled and the commitment ceases.

Mr. Speaker, we are also fortunate to have on the House Appropriations Committee a man who consistently stands behind Indian programs, the honorable gentleman from Illinois, SIDNEY YATES, who time and time again stands back and helps the programs that are being decimated by this administration, whether they be in health care or in education, whether they be in funding for training or for SIPI. Time and time again this man goes to bat for those forgotten Americans that seldom if ever have any lobby.

Mr. Speaker, in the next few days a group of us here in the House of Representatives will form a task force to have in the Congress of the United States a group of Representatives that will stand behind the Native American, that will address their issues and that will speak for them.

There are no Native Americans in this Congress. Although I have in my district the most number of Native Americans, I recommend that they give me a chance to show that I can be a Representative.

Mr. Speaker, today is an important day for those officials in this administration to recognize that the Native American wants to contribute to this society, wants to work, wants to help, wants to be a part of the American dream. But when the distinguished Secretary of the Interior says that the best he can think of is a reservation that is close to socialism, one wonders where this advice is coming from.

Some have suggested, including myself, that perhaps Secretary Watt and General Custer have discussed how to deal with Indians.

Mr. Speaker, I hope that this administration does more than just proclaim, with the Congress of the United States, American Indian Day as it has for tomorrow. We need more than symbols and more than rhetoric. We need programs that are going to work, that give a break, that promote self-reliance and self-improvement.

Mr. Speaker, today in preparation for tomorrow's American Indian Day, I am deeply honored to participate in this special order.

● Mr. UDALL. Mr. Speaker, first let me commend the gentleman from New Mexico (Mr. RICHARDSON) for taking this special order on the American Indian and the establishment of May 13 as American Indian Day.

I also want to commend the Congress for setting aside a day to honor the American Indian and President Reagan for proclaiming May 13 as American Indian Day.

When we talk about the Indian people of this country, we sometimes tend to call them the "First American."

As chairman of the Interior Committee which has primary jurisdiction over Indian affairs, I know that this is true. They are first in unemployment; first in poor housing; first in ill health; and first in poverty.

As chairman of the Interior Committee, it has been my commitment to bring to the House legislation which attempts to deal with the desperate conditions among the Indian people. Over the years, we have enacted into law several reform bills in the field of Indian affairs dealing with such diverse issues as financing of economic development; improving Indian health; strengthening, stabilizing, and maintaining Indian families; improving Indian education programs; and putting the tools of self-determination in the hands of the tribes.

But much remains to be done to assist Indian tribes and people in achieving a higher level of self-sufficiency while protecting their right to retain the cultural identity and their right to govern their own affairs.

Mr. Speaker, it may not be too trite to say that we owe this great country to the Indian tribe who once owned it. While we cannot be overly proud of our treatment of the native people of this land, I think history will show that this Nation has made great efforts to right the wrongs which occurred. And we cannot be, forever, guilty of past history.

But, in the course of that history, this Nation made solemn commitments to the Indian people to take them into our protection and to act as trustee for their lives, their property and their futures.

To carry out that commitment will take an awareness of the American people of the desperate conditions of the Indian people among them; an awareness of the Congress and its members of their responsibility to the Indian people; and an awareness of the executive branch of their high fiduciary obligation in dealing with the Indian people.

Perhaps the designation of May 13 as "American Indian Day" and the comments under this special order will heighten the awareness among the people, the Congress and the Executive of the promise and problems of the American Indian.●

● Mr. KILDEE. Mr. Speaker, on Friday, May 13, we honor our First Americans by observing American Indian Day. I would like to commend my colleague from New Mexico (Mr. RICHARDSON) for his initiative in seeking a special order.

From my membership and work on both the Committee on Education and Labor and the Committee on Interior and Insular Affairs, I have had many opportunities to work with American Indians. With each opportunity and experience, I am increasingly impressed with their resolve and resilience, as well as their kindness and insight.

The Federal Government has moral, legal and treaty obligations to the native Americans. It is our responsibility in Congress to see that these obligations to the Indian nations are completely honored.

Several years ago I went down to the National Archives to the treaty rooms to view the hundreds of treaties made with Indian nations. Seeing the actual documents was a very moving experience. It certainly impressed on me the importance and uniqueness of the relationship that the U.S. Government has with the Indian nations.

On American Indian Day, we should recognize our special relationship with American Indians and our responsibilities. We should also consider with pride and gratitude the many valuable contributions that have been made by our Indian citizens.●

● Mr. VALENTINE. Mr. Speaker, this is a day to pause and reflect on the proud history and traditions of Native Americans.

Our Nation is frequently referred to as a great melting pot—a blending of many different peoples and different cultures. I sincerely hope that those of us whose family roots lie overseas will never forget the role of American Indians in our collective past, nor lose sight of the substantial contributions they make to the vitality of current American life.

Throughout their long, rich and varied history, native Americans have consistently demonstrated those qualities of courage, creativity and abiding spirit so highly valued by all Americans. It is highly appropriate that the President and we in the Congress have taken this occasion to pay tribute to this great and enduring people.●

● Mr. DELLUMS. Mr. Speaker, I appreciate the time that my colleagues have set aside to honor the contributions of the Native Americans. I would like to take this opportunity to bring to the attention of my colleagues a document which was delivered to the House in 1978, after a group of Native Americans marched across the country in a historical event known as the longest walk in an effort to focus attention on their plight.

I believe that the document, entitled "The Affirmation of Sovereignty of the Indigenous People of the Western Hemisphere," remains an important statement, and I would like to share a small part of it, the "Declaration of Principles of the Defense of the Indigenous Nations and Peoples of the Western Hemisphere." That declaration and a small introduction follow:

The United States of America has continually violated the independent Native people of this continent by Executive Action, Legislative fiat and Judicial decision. By its actions, the U.S. has denied all Native people their International Treaty rights, Treaty lands and basic human rights of freedom and sovereignty. This same U.S. government which fought to throw off the yoke of oppression and gain its own independence, has now reversed its role and become the oppressor of sovereign Native people.

Might does not make right. Sovereign people of varying cultures have the absolute right to live in harmony with Mother Earth so long as they do not infringe upon this same right of other people. The denial of this right must be challenged by truth and action. World concern must focus on all colonial governments to the end that sovereign people everywhere shall live as they choose, in peace with dignity and freedom.

The International Indian Treaty Conference hereby adopts this Declaration of Continuing Independence of the Sovereign Native American Indian Nations. In the course of these human events, we call upon the people of the world to support this struggle for our sovereign rights and our treaty rights. We pledge our assistance to all other sovereign people who seek their own independence.

Preamble to: Declaration of Continuing Independence by the First International Indian Treaty Council at Standing Rock Sioux Indian Country, (June 8, 1974).

DECLARATION OF PRINCIPLES FOR THE DEFENSE OF THE INDIGENOUS NATIONS AND PEOPLES OF THE WESTERN HEMISPHERE

PREAMBLE

Having considered the problems relating to the activities of the United Nations for the promotion and encouragement of respect for human rights and fundamental freedoms,

Noting that the Universal declaration of Human Rights and related international covenants have the individual as their primary concern, and

Recognizing that individuals are the foundation of cultures, societies, and nations, and

Whereas, it is a fundamental right of any individual to practice and perpetuate the cultures, societies and nations into which they are born, and

Recognizing that conditions are imposed upon peoples that suppress, deny or destroy the culture, societies or nations in which they believe or of which they are members,

Be it affirmed that,

1. RECOGNITION OF INDIGENOUS NATIONS

Indigenous peoples shall be accorded recognition as nations, and proper subjects of international law, provided the people concerned desire to be recognized as a nation and meet the fundamental requirements of nationhood, namely:

(a) Having a permanent population
(b) Having a defined territory
(c) Having a government
(d) Having the ability to enter into relations with other states

2. SUBJECTS OF INTERNATIONAL LAW

Indigenous groups not meeting the requirements of nationhood are hereby declared to be subjects of international law and are entitled to the protection of this Declaration, provided they are identifiable groups having bonds of language, heritage, tradition, or other common identity.

3. GUARANTEE OF RIGHTS

No indigenous nation or group shall be deemed to have fewer rights, or lesser status for the sole reason that the nation or group has not entered into recorded treaties or agreements with any state.

4. ACCORDANCE OF INDEPENDENCE

Indigenous nations or groups shall be accorded such degree of independence as they may desire in accordance with international law.

5. TREATIES AND AGREEMENTS

Treaties and other agreements entered into by indigenous nations or groups with other states, whether denominated as treaties or otherwise, shall be recognized and applied in the same manner and according to the same international laws and principles as the treaties and agreements entered into by other states.

6. ABROGATION OF TREATIES AND OTHER RIGHTS

Treaties and agreements made with indigenous nations or groups shall not be subject to unilateral abrogation. In no event may the municipal laws of any state serve as a defense to the failure to adhere to and perform the terms of treaties and agreements made with indigenous nations or groups. Nor shall any state refuse to recognize and adhere to treaties or other agreements due to changed circumstances where the change in circumstances has been substantially caused by the state asserting that such change has occurred.

7. JURISDICTION

No state shall assert or claim to exercise any right of jurisdiction over an indigenous nation or group or the territory of such indigenous nation or group unless pursuant to a valid treaty or other agreement freely made with the lawful representatives of the indigenous nation or group concerned. All actions on the part of any state which derogate from the indigenous nations' or groups' right to exercise self-determination shall be the proper concern of existing international bodies.

8. CLAIMS TO TERRITORY

No state shall claim or retain, by right of discovery or otherwise, the territories of an indigenous nation or group, except such

lands as may have been lawfully acquired by valid treaty or other cessation freely made.

9. SETTLEMENT OF DISPUTES

All states in the Western Hemisphere shall establish through negotiations or other appropriate means a procedure for the binding settlement of disputes, claims or other matters relating to indigenous nations or groups. Such procedures shall be mutually acceptable to the parties, fundamentally fair, and consistent with international law. All procedures presently in existence which do not have the endorsement of the indigenous nations or groups concerned, shall be ended, and new procedures shall be instituted consistent with this Declaration.

10. NATIONAL AND CULTURAL INTEGRITY

It shall be unlawful for any state to take or permit any action or course of conduct with respect to an indigenous nation or group which will directly or indirectly result in the destruction or disintegration of such indigenous nation or group or otherwise threaten the national or cultural integrity of such nation or group, including, but not limited to, the imposition and support of illegitimate governments and the introduction of non-indigenous religions to indigenous peoples by non-indigenous missionaries.

11. ENVIRONMENTAL PROTECTION

It shall be unlawful for any state to make or permit any action or course of conduct with respect to the territories of an indigenous nation or group which will directly or indirectly result in the destruction or deterioration of an indigenous nation or group through the effects of pollution of earth, air, water, or which in any way depletes, displaces or destroys any natural resource or other resources under the dominion of, or vital to the livelihood of an indigenous nation or group.

12. INDIGENOUS MEMBERSHIP

No state, through legislation, regulation, or other means, shall take actions that interfere with the sovereign power of an indigenous nation or group to determine its own membership.

13. CONCLUSION

All of the rights and obligations declared herein shall be in addition to all rights and obligations existing under international law.●

● Mr. RICHARDSON. Mr. Speaker, I am concerned that the administration's budget request for Indian health service will have an adverse impact on the 96,000 Native Americans living in my district who depend on this agency for the bulk of their health care needs.

Many of those people are senior citizens who live in remote areas of the reservation. It is important that these older Americans are not isolated from health care facilities and that they continue to get preventive health care. I think it is particularly insensitive that this administration is recommending that preventive health care funds be slashed nearly in half. This is a classic example of being pennywise but pound foolish. Every medical professional can testify that good preventive health care saves money on medical bills in the long run. Far more seniors are institutionalized in nursing homes in rural areas than in urban areas. One already has less preventive care and therefore is subject to acute care needs. What is even more distressing is that institutional care is far more expensive than ambulatory or home-based care. Therefore, the rural elderly are forced to spend an even higher percentage of their income on health care.

Last year the administration requested over $50 million for facilities construction—for hospitals, out patient care, and sanitation. This year, not a penny. Despite the documented fact that sanitation has improved the quality of health for Indian people. I know that there is concern about the 43-year-old Crownpoint Hospital. Former Secretary Schweiker promised an administration request for $14.5 million for phase 1 construction and now the Office of Management and Budget has recommended near total elimination of new construction project.

Elimination of funds for the community health representative program would severely impact on Indian elders. I understand that on the Navajo Reservation it would mean a loss of services in the emergency medical area, the community health representative-home health program, tuberculosis control, cancer screening education.

The administration claims that $70 million of the IHS budget will come from reimbursement from medicare/medicaid or private third party insurers. This could strike another blow to our older American population on the reservation, because the administration knows full well that these estimates are totally unrealistic and the use of medicare/medicaid collections for normal IHS-operations is not even authorized by law. This sleight of hand budgeting can only result in certain and immediate reductions in services for our older Native American users.

Many of our older Native Americans live in remote areas of the reservation. Transportation services to and from area hospitals must be looked at in greater detail to insure that this group of seniors can get to and from health care providers.

What is particularly worrisome about the IHS budget is that the Reagan administration may be underestimating the true cost of medical services. The administration allows for a 6-percent rise while medical costs, as we know, are actually soaring at an annual rate of 19 percent or higher. Last year, costs at the Santa Fe Indian Hospital skyrocketed at an alarming rate of 25 percent.

I also am aware that at the Santa Fe Indian Hospital 45 professional positions are vacant—16 beds are empty due to budget constraints. Some of these beds were planned to be used for a geriatrics ward.

I believe the Federal Government has an ethical obligation and the ultimate responsibility of seeing that an adequate level of health care is available to all Americans—including our elder Native Americans. I think the IHS-budget falls short of meeting that adequate level of health care and needs to be further examined and revised.●

● Mr. SABO. Mr. Speaker, in recognition of American Indian Day I would like to personally pay tribute to the 1.4 million American Indians and Alaskan Natives of this country.

The saga of the Native Americans in the last two centuries is not an easy story to tell. The original Americans suffered carnage and savagery, followed by deceit and falsehearted promises. For many years, reservation or tribal governments were denied, Indian religion and language suppressed, and sacred land desecrated, all while racism and disinterest abounded. Today, Indians suffer the worst housing and health conditions in the country. Education funds are being cut and unemployment is soaring far beyond the average national figures, as high as 75 percent on some reservations.

All this holds true for the one people, the only citizens in this country, for whom the Federal Government has a special obligation and trust responsibility. Let us resolve today that we will not neglect our responsibilities. Let our policies reflect that our obligations have not ceased, and we are rededicated to improving the quality of life for all Native Americans, both on the reservation and off.

As a Congressman, I feel deeply committed to do what I can to improve housing, to insure adequate health care, to further educational opportunities, and to support economic development and jobs for Indians. I feel the administration's budget proposals speak louder than its Indian policy statements, and I hope that Congress can prevent some of the deep cuts that have been scheduled.

As a man, I have the highest regard for the perseverance of the first Americans, and I praise their tenacious struggle to preserve their cultures and traditions with honor and integrity. I am grateful for their many contributions to the heritage of our country and applaud their enduring spirituality. I salute the American Indian not only on American Indian Day, but every day of the year.●

● Mrs. HOLT. Mr. Speaker, the President and Congress have chosen May 13 as American Indian Day. At this time I want to call attention to the Maryland Indian Heritage Society which represents the majority of the estimated 7,000 or more Piscataway Indians as well as the cultural interests of other American Indians in

Maryland. The society is a well-organized, nonprofit organization which very successfully promotes Maryland's Native American Indian culture and history while providing a source of cultural and social interaction among American Indians of many tribes and groups across the Nation. I am very proud of the work that the society and its president, J. Hugh Proctor, are doing.●

GENERAL LEAVE

Mr. RICHARDSON. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the subject of this special order.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Mexico?

There was no objection.

A WEST POINT SYNAGOGUE

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York (Mr. FISH) is recognized for 10 minutes.

● Mr. FISH. Mr. Speaker, a synagogue is under construction at the U.S. Military Academy at West Point, N.Y. Joseph C. Zengerle, a West Point graduate and former Assistant Secretary of the Air Force, has written what a synagogue at the Military Academy means to him, to our values as a people, and to our Nation. Representing West Point in Congress and serving on its Board of Visitors, I am inserting Mr. Zengerle's article in the CONGRESSIONAL RECORD for its insights into the significance of a synagogue in West Point.

A WEST POINT SYNAGOGUE

The Washington, D.C., area has recently been subjected to a series of anti-Semitic incidents in nearby Maryland and Virginia, with the painting of swastikas on Jewish synagogues and schools a dominant manifestation. It diminishes us all that ugly prejudice like this persists, particularly so near the capital. At such times, we look for evidence that contemptible behavior of this sort is deeply at odds with the fundamental character of our people. In this case, comforting evidence has just arisen from an unusually reliable source.

Ever since George Washington thought of establishing the United States' first military academy (and first engineering school) at West Point, it has helped to define, as well as preserve, what we are as a nation. Its alumni include two President's (Grant and Eisenhower), its cadets have produced unparalleled football (Blanchard and Davis), its motto (Duty, Honor, Country) represents a pre-eminent standard for public service, and its contributions to our armed forces in peace and war have been incalculable.

The rigor of West Point discipline and the strength of its traditions are well known. Incorporation of new ideas into this uniquely American institution requires a process of evolution not unlike that which shaped the rock-bound highland setting in which the academy rests. But befitting the force of an idea powerful enough to imbed itself in this environment, such an idea, once seated, acquires a permanence no less enduring than the long gray line itself. And because West Point is a national monument attracting nearly 3 million visitors yearly, the academy's adoption of an idea in its physical form has enormous symbolic significance as well. As Justice Oliver Wendell Holmes said, we live by symbols.

In January, 1983, ground was broken for the construction of the first Jewish chapel at West Point, at a time when the number of Jewish cadets is at its highest level in five years. The project, begun 17 years ago, is supported by private donations amounting to $5.5 million and by a Congressional appropriation of $500,000 to make necessary utility connections on the federal property. Of course, Jews have regularly held sabbath and other services at West Point, but always in a borrowed facility, not one they could call their own. Now, the planned 250-seat, 50-foot tall chapel, expected to be the most visited Jewish building in the United States, if not the world, will take its place among the Protestant and Catholic chapels as a memorable example to residents and visitors alike of the value our government places upon protecting these different religious commitments without violating the Constitution. (Mandatory chapel at West Point was disallowed by the Supreme Court over a decade ago.)

What, specifically, does it mean to have a West Point synagogue? Three interrelated answers seem to stand out. First, it has significance for Jews. The Israeli armed forces have shown that Judaism and effective military performance are far from incompatible. But military service in this country has not been an obvious choice for many Jews, perhaps in part due to an uncertainty about the opportunity for advancement of minority groups. The creation of a temple at the heart of the Army officer corps to take advantage of the spirit of public service that pervades the Jewish community must surely operate to dispel this notion. The opportunity, not to say demonstration, of full Jewish participation in American society is made evident by this undertaking.

Second, it has significance for our defense establishment. The encouragement of Jewish attendance at West Point reveals an emphasis on the pluralism of our military and its leadership of which the public may not be fully aware. For example, two Jewish graduates of the academy are serving as three-star generals today, one as Director of the National Security Agency and another as a deputy assistant secretary of defense. This emphasis may be more important during the absence of a draft when, as now, our uniformed ranks are filled exclusively by volunteers, leading some to worry about how representative of the population the military services are. Review of inconsistent service policies might also be stimulated, such as the Air Force uniform regulation—recently held unconstitutional and now on appeal—that is interpreted to forbid the wearing of yarmulkes with military dress.

Finally, a synagogue at West Point has a special significance for Americans generally. Whatever the force of law, voluntary action by vital institutions is the most meaningful showing of a genuine tolerance for diversity in our social order. The new chapel project not only institutionalizes that tolerance, but will also foster it by exposing more citizens to the Jewish place of worship than any other like structure in the country. In commenting on the project, the academy Superintendent said that domestic enemies, against whom all cadets take an oath to defend the United States, include those who would persecute individuals on the basis of race, religion or ancestry. When considering the recent anti-Semitic desecrations, it should be of some comfort to know that the spiritual heirs of Grant, Pershing, MacArthur, Patton, Bradley and Eisenhower are taking an oath of office to oppose precisely such bigotry, and that they have put their money where their mouth is.

JANUARY 28, 1983.●

THE LATE DAVID J. BROADHEAD

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Connecticut (Mr. MCKINNEY) is recognized for 5 minutes.

● Mr. McKINNEY. Mr. Speaker, on Wednesday, May 4, 1983, a very special friend passed away. David J. Broadhead was one of the most remarkable human beings it has ever been my good fortune and privilege to know. When David was a junior at Colgate University, he was involved in an automobile accident which left him a quadriplegic.

A tragedy such as this would have been enough for most people to just give up all hope. Not David. When I ran for Congress in 1970, David volunteered his services to the campaign. Arrangements were made with the telephone company for special equipment to be installed which would permit David to answer telephones in the campaign headquarters. This involved his actually coming to the headquarters every day, for 6 to 8 hours. In the 6 months he worked with us, David became an integral part of the staff. When things were at their worst and most hectic, and some of us were ready to tear out our hair, David stayed "cool" but also always seemed to have a "bon mot" which immediately cut through all the tension and put a smile on all our faces.

I often wish that David could have been a part of my staff here in Washington * * * there are countless occasions when I desperately needed his sharp wit to ease stressful situations.

As another example of his diligence and determination, David decided to finish his college education which has been interrupted so tragically by the automobile accident. Working with tapes and books, David received a bachelor of arts degree from Central Connecticut College. He consistently made every effort possible to better himself rather than to feel sorry for himself.

When David moved into New Horizons, a rehabilitation center/home in New Britain, Conn., everyone there immediately felt his presence. He got involved and got everyone else involved. As a result, he was elected to the board of directors at New Hori-

zons. In addition, he also served on the board of the Spinal Cord Injury Foundation, and was selected as a delegate to the President's Conference on the Handicapped here in Washington in 1982.

In early 1982, David was offered a job which involved his commuting from New Horizons to Hartford every day. Some in David's situation would have hesitated undertaking such a task. David had no qualms whatsoever. He loved his work.

In short, David was a unique person. His presence will be missed by many but our memories of his remarkable wit, sense of humor, and outlook on life will live on. I consider myself fortunate to have known him.●

PUBLIC UTILITY HOLDING COMPANY ACT AMENDMENTS OF 1983

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Illinois (Mr. CORCORAN) is recognized for 10 minutes.

● Mr. CORCORAN. Mr. Speaker, with my distinguished colleagues, Mr. TAUZIN and Mr. BLILEY, I am today introducing the Public Utility Holding Company Act Amendments of 1983. This legislation reforms the Public Utility Holding Company Act of 1935 while continuing the very necessary protections that the act offers to investors and consumers.

In the last Congress, on December 15, 1981, I introduced legislation (H.R. 5220) to amend one section of the Holding Company Act while other Members, including Mr. TAUZIN, introduced legislation to repeal the Holding Company Act in its entirety, a position advocated by the Securities and Exchange Commission. During the last Congress, hearings were held on this legislation by the Energy and Commerce Committee's Energy Conservation and Power Subcommittee, of which I was a member. As a result of these hearings, at which industry representatives, the SEC, State regulators and various other groups testified, I became convinced that, at the very least, meaningful reform of the Holding Company Act was required in the best interests of investors and consumers, the people whom the Holding Company Act was designed to protect.

Prior to the hearings by the Senate and House last Congress, I initiated a major survey of the 50 public utility commissions and over 100 utility holding companies and independent operating companies with respect to the Holding Company Act. After that October 1981 survey, I introduced H.R. 5220, the Public Utility Financial Reform Act on December 15. The bill being introduced today takes into full consideration the results of my 1981 survey and the testimony from the June 9, 1982, hearing by Chairman OTTINGER's subcommittee. My survey, including all of the responses, was included in the subcommittee hearing record (serial No. 97-165).

The Public Utility Holding Company Act Amendments of 1983 were crafted so as to reform a very technical statute in a manner that addresses in a satisfactory fashion the concerns that were raised by those groups that testified at Chairman OTTINGER's hearings in opposition to repeal of the Holding Company Act. Naturally, it is impossible to satisfy everyone. However, and I must stress the point that, in my judgment, the legislation we are introducing today, which is the product of roughly 6 months of deliberation, specifically addresses in all material respects the substantive concerns that were raised at last year's hearings. As such, I think in many respects it represents something of a consensus that should be supported not only by those who favor repeal of the Holding Company Act, but also by those who oppose such repeal.

The Holding Company Act was passed in 1935 to correct a series of abuses by electric and gas utility holding companies, notably excessive pyramiding of corporate structures and stock watering. At that time, a handful of holding companies controlled virtually the entire utility business in the Nation. These holding companies operated in disparate parts of the country and were not subject to effective State regulation.

In the view of the Congress, the power and interstate character of these holding companies rendered State control over such abuses ineffective and required that authority over them be conferred upon the SEC. The principal purpose of the Holding Company Act, as noted in the legislative history, was to insure effective State regulation by reorganizing these holding companies into geographically contiguous units. Virtually all of the questionable practices the Holding Company Act was designed to correct were securities and accounting ones, not unique to the utility industry. As such, they probably would have been eliminated over time by the then-new Securities Act of 1933 and the Securities Exchange Act of 1934, both of which turned out to be far more effective than anticipated. Accounting standards and practices have improved dramatically since the mid-1930's. Moreover, the regulation of public utilities on the State level is considerably more effective today than when the Holding company Act was passed, since State utility laws have now evolved into strong, comprehensive regulatory systems. Thus, present Federal and State regulation is drastically different from that of the early 1930's, and there is little likelihood those problems would recur if the Holding Company Act were reformed.

Identical legislation (S. 1174) was introduced on April 28 in the Senate by Senators D'AMATO and JOHNSTON. It is my understanding that Senator D'AMATO's Securities Subcommittee intends to hold hearings on such legislation on May 25 and 26. I hope that this legislation will also be the subject of early hearings in the House. It may well be appropriate to consider other relevant Federal laws, such as Federal Power Act, in this connection. I was particularly pleased to hear of the interest in this issue expressed by Energy and Commerce Committee subcommittee Chairmen OTTINGER and WIRTH at last week's full committee mark-up of the SEC authorization legislation. I look forward to working with my fellow Energy and Commerce Committee members as we pursue this issue.

Before concluding, at the hearings that were held in the last Congress on repeal of the Holding Company Act, testimony was offered by the Nassau County Association of Plumbing-Heating-Cooling Contractors to the effect that repeal of the Holding Company Act would hurt their membership. At those hearings, it was pointed out rather clearly that their concerns stemmed not from repeal of the Holding Company Act which now permits diversification by utilities into energy conservation, but rather from the Residential Conservation Service and the Commercial and Apartment Conservation Service programs. In my judgment such programs should be repealed, and I am an original cosponsor of H.R. 2283 which, among other things, does just that. I joined Mr. MOORHEAD and others on March 23 of this year in introducing H.R. 2283, the Energy Consumer Regulatory Reform Act of 1983.

Naturally, I share concerns about anticompetitive behavior in all segments of American industry. That, of course, is the issue that our antitrust laws properly address.

Mr. Speaker, I consider the Public Utility Holding Company Act Amendments of 1983 to be a reasonable, responsible regulatory reform package that has been specifically tailored to protect investors and consumers while reducing undue regulatory burdens. Particularly as a member of the Energy and Commerce Committee, I look forward to addressing this matter in the ensuing months.●

ISRAELI INDEPENDENCE DAY

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Illinois (Mr. ANNUNZIO) is recognized for 5 minutes.

● Mr. ANNUNZIO. Mr. Speaker, it is an honor and a pleasure for me to salute the people of Israel on the occasion of the 35th anniversary of the

founding of their nation. At midnight, May 14-15, 1948, the fifth and sixth days of Iyar, 5708, under the Jewish calendar, the Israeli people proclaimed their independence under the most adverse of conditions and founded the Republic of Israel.

An excerpt from the book entitled, "Facts about Israel," follows regarding Israel's war for independence, a sad time in the nation's history when 6,000 Israelis were killed, which amounted to about 1 percent of the entire population at that time:

Israel's War of Independence began with a series of Arab attacks on the Jewish community, in open defiance of the United Nations resolution of November 29, 1947, which partitioned Palestine into a Jewish and an Arab state. Although the Jews were awarded the smallest territory possible, they accepted the resolution, hoping this compromise would lead to a peaceful solution of the dispute. The Arabs, however, rejected the UN plan and attacked the Jews. On May 15, 1948, the regular armies of Egypt, Transjordan, Iraq, Syria and Lebanon invaded. Azzan Pasha, Secretary-General of the Arab League, proclaimed in Cairo: "This will be a war of extermination and a momentous massacre . . ."

He was wrong. The fighting was long and bloody (6,000 Israelis were killed), but Israel triumphed. The invaders were driven back, and during 1949, separate armistice agreements were signed between Israel and Egypt, Jordan, Lebanon and Syria. The stated purpose of these agreements was ". . . to facilitate the transition from the present truce to permanent peace." Arab intransigence soon rendered this wishful thinking.

Founded in difficult circumstances by a people who had suffered some of the most severe persecution in the history of mankind, Israel's Government is based on the noble ideals of freedom and Israel's people have worked hard and fought valiantly to make theirs a strong and prosperous nation.

Mr. Speaker, the "Hatikvah," Israel's national anthem follows as well as an overview of the nation's governmental organization as excerpted from the book "Facts about Israel."

HATIKVAH—THE NATIONAL ANTHEM

So long as still within our breasts
The Jewish heart beats true,
So long as still towards the East,
To Zion, looks the Jew.

So long our hopes are not yet lost—
Two thousand years we cherished them—
To live in freedom in the Land
Of Zion and Jerusalem.

Israel is a secular, parliamentary, democratic republic. Elections to the Knesset are universal, countrywide, secret and proportional. Every citizen, man or woman, is eligible to vote from the age of 18 and to be elected to office from the age of 21. The voter casts his ballot for the party list of his choice, the country forming a single 120-member parliamentary constituency. Freedom of speech and assembly, of the press and political affiliation, of strike and demonstration and the individual's right to vote as he sees fit are enshrined in law and tradition.

THE PRESIDENT

The Head of State, resident in Jerusalem, bears the ancient Hebrew title of *Nasi*. He is elected by the Knesset and may hold office for no more than two consecutive five-year terms. He accepts the resignation of the Government, and sets in motion the process of forming a new Cabinet by conculting representatives of the parliamentary parties before entr"sting a given Member with a Cabinet l ,st. The President is empowered to pardon offenders and reduce sentences. He signs all laws (except those concerning his own powers), appoints diplomatic representatives of the State and accepts the credentials of foreign envoys. He appoints all judges, the State Comptroller and the Governor of the Bank of Israel.

In 1978, Yitzhak Navon, a member of the Labor opposition and a man of letters, became the fifth President of the State of Israel. Previous Presidents were: Dr. Chaim Weizmann, Yitzhak Ban-Zvi, Zalman Shazar and Professor Ephraim Katzir.

THE GOVERNMENT

A Cabinet headed by a Prime Minister is the main policy-making body of the State.

The Government as a body is responsible to the Knesset, which must approve its composition and policies. The Prime Minister must be a member of the Knesset, but other Ministers need not (although most usually are). There is no limit to the number of Ministers the Prime Minister may appoint.

Once the Cabinet gains the confidence of the Knesset and majority support, it may decide foreign, defense, internal and economic policies, bringing each before the House for its acceptance. It holds its regular sessions every Sunday in Jerusalem. The Cabinet initiates the bulk of the legislation, but there is provision for Private Members' Bills; these Bills are usually drafted by the Ministry of Justice and presented by the Minister responsible.

The Cabinet takes office for a four-year term after a vote of confidence, but the term may be shortened if the Prime Minister resigns (or dies) or a majority of the Knesset refuses to support a government proposal. If a Minister resigns, the Prime Minister may select a replacement, who is subject to Knesset confirmation.

The first Prime Minister of Israel was David Ben-Gurion (1948-54); the second, Moshe Sharett (1954-55); the third, Ben-Gurion for a second term (1955-62); the fourth, Levi Eshkol (1962-68); the fifth, Golda Meir (1968-74); the sixth, Yitzhak Rabin (1974-77) and the seventh and present Prime Minister, Menachem Begin (1977-).

In December 1976, Rabin (and his Cabinet) resigned, after he had forced the three Ministers of the National Religious Party out of the Government. The NRP's abstention on a Knesset vote of confidence forced Rabin's resignation under provisions of the law. He remained Prime Minister in an interim government until national Knesset elections were held in May 1977.

In these elections, for the first time in the 29-year history of the State, a party other than the Israel Labor Party won a plurality in the Knesset. The party was the Likud, which obtained 45 seats in the Ninth Knesset, compared to 32 for the Labor Alignment.

On June 20, 1977, Menachem Begin, head of the Likud Party presented the new Government to the Knesset and became Prime Minister of Israel. Initially, the new Government was composed of a four-party coalition (Likud, National Religious Party, Agudat Israel and Poalei Agudat Yisrael) which—together with Mr. Moshe Dayan, a former member of the Labor Party who agreed to serve as Foreign Minister in the New Government—commanded 63 votes in the 120-member Knesset. Four months later, the Democratic Movement for Change (DASH) won some seats, and the Government broadened its base to 78, nearly two-thirds of the total number of seats in Israel's legislative body. On September 14, 1978, DASH split into CHAI, SHAI and YA'AD.

THE KNESSET

The supreme legislative body of the State of Israel is the Knesset, a single-chambered house of 120 Members, who are elected every four years in a general election; the Knesset may dissolve itself and call new elections before the four-year term is up. Members are elected from party lists; in the event of death or resignation, a successor is drawn from these same lists.

The Knesset is charged with approving the State Budget, but its main tasks are to legislate and to inquire into the workings of the Executive, which it does in public session, and watch over the closed proceedings of its 10 committees.

Members may put questions to any Minister, who must reply within 21 days; submit motions for the agenda, calling for a general debate on any subject not included in the regular schedule set up by the Cabinet, and introduce Private Bills. Any Party may call for a vote of no-confidence, and it takes precedence over all other items on the agenda. The Knesset makes its own working rules, but in drawing up the agenda, the Speaker is usually swayed by the Government's priorities.

All Members are protected by an Act of Immunity from prosecution or arrest for anything they say or do in the course of their parliamentary duties. Arab and Druze Members may address the House in Arabic; simultaneous Hebrew-Arabic and Arabic-Hebrew translations of speeches are provided.

The Speaker of the Knesset presides over the public sessions; each term, the Knesset either elects a new Speaker or re-elects the incumbent.

Mr. Speaker, I am delighted to join my colleagues in congratulating the people of Israel on the occasion of this 35th anniversary of the birth of their nation. I wish peace and prosperity to the people of Israel, and I extend my greetings to all people of Jewish descent, in my own city of Chicago and throughout the world, who are joining in this celebration.●

INTRODUCTION OF THE NATIONAL HOSTEL SYSTEM PLAN ACT OF 1983

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California (Mr. PANETTA) is recognized for 5 minutes.

● Mr. PANETTA. Mr. Speaker, today, I join my colleague from Nebraska, Mr. BEREUTER, in introducing legislation which would take an important first step toward placing America on equal footing with its European neighbors in two important respects: First, providing pleasant, low-cost accomoda-

tions to foreign travelers; and second, enhancing the travel and recreational opportunities available to our own country's youth. Today, we introduce the National Hostel System Plan Act of 1983.

Mr. Speaker, Americans and visitors of other nationalities in European countries enjoy a choice of over 5,000 hostels in which they may arrange an overnight stay. However, travelers in the United States—a country which itself is considerably larger than the entire European Continent—may choose from no more than 280 hostels scattered across the country. Ours is the only nation in the world with hostels which receive neither governmental assistance nor recognition. The limits to our Government's interest in hostels are rather pointedly evidenced by the relative paucity of hostels in this country.

The National Hostel System Plan Act would direct the Secretary of the Interior—in consultation with other Federal agencies and a private, nonprofit hostel organization—to draft a national plan for guiding the development and management of an American hostel system within two complete fiscal years after the act becomes effective. The plan would include a current inventory of hostels, an assessment of the potential for establishing a viable national hostel system, a description of operating standards, and an inventory of bicycle routes and trails which could serve to facilitate access to hostels. Upon completion, the plan would be submitted to Congress for consideration.

An American hostel system would provide a number of significant benefits to the country as a whole, as well as those travelers it served. Such a hostel system would enable people of all ages to enjoy our Nation's monuments, National parks, its National forest system, and its historic cities by providing inexpensive, wholesome overnight housing accessible to travelers.

Currently, travelers in this country may stay in hostels established along the scenic Pacific coast, in historic Philadelphia, in old New England, under Georgia pines, and the towering Rocky Mountains. Despite the unforgettable recreational and travel opportunities such hostels may offer, our country still lacks a comprehensive hostel system. More important, the Nation still lacks a comprehensive view of its facilities, its resources, the viability, and the need, for a national hostel system. The basis upon which to make an informed decision regarding a hostel system simply does not exist. A hostel system plan such as proposed by this legislation is an indispensable preliminary step toward providing low-cost, easily accessible accomodations in this country for young and old alike.

The National Hostel System Plan Act would not authorize the expenditure of any additional funds, outside of administrative costs for preparing the system plan. The act would provide much-needed guidance for Federal agencies in the formulation of a national hostel plan, and would provide for a comprehensive assessment of the resources which could be devoted to a national hostel system.

"Travel" Francis Bacon wrote, "in the younger sort, is a part of education; in the elder, a part of experience." The benefits and joys of travel are known to us all. Especially in these difficult economic times, the need for low-cost travel opportunities making travel accessible to young and old alike is particularly compelling. During the 96th Congress, this body recognized the need for a national hostel system plan in approving legislation closely resembling the bill we are introducing today. I am hopeful that this Congress can exercise similar good judgment in insuring the passage of this important bill. I commend this much-needed and sensible legislation to my colleagues, and urge their prompt consideration of it.●

PERSONAL EXPLANATION

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Kentucky (Mr. MAZZOLI) is recognized for 5 minutes.

● Mr. MAZZOLI. Mr. Speaker, I was unavoidably absent on Monday, May 9, 1983. Had I been present, I would have voted:

"Yea" on rollcall No. 90, passage of H.R. 2357, to provide for an increase in the number of members of the Congressional Award Board;

"Yea" on rollcall No. 91, passage of H.R. 2173, the Contract Services for Drug Dependent Federal Offenders Act amendments;

"Yea" on rollcall No. 92, passage of H.R. 2174, Federal product antitampering legislation;

"Yea" on rollcall No. 93, passage of S. 653, to establish a Foundation for the Advancement of Military Medicine; and

"Yea" on rollcall No. 94, adoption of the rule for the consideration of H.R. 2175, the Justice Assistance Act amendments.●

JUSTICE ASSISTANCE ACT

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California (Mr. STARK) is recognized for 5 minutes.

● Mr. STARK. Mr. Speaker, I was glad to join my colleagues in the overwhelming approval of H.R. 2175, the Justice Assistance Act. It is my hope that the new Office of Justice Assistance will effectively administer the new block grant funds under the act.

Eighty percent of the funds allocated under the Justice Assistance Act will be set aside for block grants. States will have the opportunity to channel funds into programs at both the statewide and local level that have proven to be effective efforts in our fight against crime. Community and police anticrime program, those small-scale efforts that can start as neighborhood block watches and flourish into valuable neighborhood and even citywide crime prevention efforts are included in the block grant's eligible uses. My own Ninth District in California has shown that the small scale efforts are often the most effective.

The block grant provisions also call for funds to be spent in the areas of arson, white collar and organized crime, public corruption, juvenile crime, and alternatives to detention, jail and prison for nondangerous offenders. All these are areas of need in any united effort against crime. Project Intercept, a pretrial diversion program in Hayward, Calif., which has faced deep funding cuts over the years may now have the chance to survive.

One of the areas of law enforcement legislation that I have actively participated in is the effort to see that the problem of prison overcrowding is eased. H.R. 2289, which I introduced in March, would add correctional facilities to the list of eligible uses of surplus Federal lands. As pointed out in the Attorney General's report of the Task Force on Violent Crime, this concept is a high Government priority. More than 30 States are under court order to alleviate prison overcrowding. We cannot expect that those we detain in our jails and prisons will want to take responsible roles in our communities, if the conditions under which they are detained are unsanitary, unsafe, and even inhumane. In addition, conditions of overcrowding foster riots, escapes, and danger to the surrounding communities. Programs such as those designed to alleviate prison and jail overcrowding are also included in the block grant programs and I hope my colleagues on both sides of the aisle will join in these efforts.

The Justice Assistance Act is an effort to streamline some of the complicated administrative problems encountered within the Law Enforcement Assistance Administration while recognizing the need to pay attention to ever-looming budget deficits. It is most valuable aspect is its emphasis on local programs, community participation, and innovative efforts. Congress should indeed provide help to those on the front lines in the war against crime—and the Justice Assistance Act provides the first step.●

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Mr. MICHEL (at the request of Mr. LOTT), for today, on account of illness.

By unanimous consent, leave of absence was granted to Mr. LEVINE of California (at the request of Mr. WRIGHT), for today (after 3:40 p.m.), on account of official business.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. MCGRATH) to revise and extend their remarks and include extraneous material:)

Mr. FISH, for 10 minutes, today.
Mr. MCKINNEY, for 5 minutes, today.
Mr. GILMAN, for 60 minutes, on May 18.
Mr. CORCORAN, for 10 minutes, today.

(The following Members (at the request of Mr. GARCIA) to revise and extend their remarks and include extraneous material:)

Mr. ANNUNZIO, for 5 minutes, today.
Mr. GONZALEZ, for 30 minutes, today.
Mr. PANETTA, for 5 minutes, today.
Mr. MAZZOLI, for 5 minutes, today.
Mr. CROCKETT, for 5 minutes, today.
Mr. STARK, for 5 minutes, today.
Mr. ADDABBO, for 5 minutes, today.

EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

Mr. FISH, to revise and extend his remarks in the body of the RECORD immediately preceding vote on Clinch River breeder reactor.

(The following Members (at the request of Mr. GARCIA) and to include extraneous matter:)

Mr. HOYER in two instances.
Mr. GUARINI.
Mr. MAZZOLI in two instances.
Mr. MINETA.
Mr. LIPINSKI.
Mr. FAUNTROY.
Mr. KASTENMEIER.
Mr. CHAPPELL in two instances.
Mr. DORGAN.
Mr. GAYDOS in two instances.
Mr. GEJDENSON.
Mr. RICHARDSON.
Mr. PEASE.
Mr. JENKINS in two instances.
Mr. OBEY.
Mr. HUBBARD.
Mr. YOUNG of Missouri.
Mr. DINGELL.
Mr. WAXMAN in two instances.
Mr. PEPPER.
Mr. ZABLOCKI in two instances.
Mr. AUCOIN in two instances.
Mr. JONES of Tennessee.
Mr. BERMAN.
Mr. CONYERS in two instances.
Mr. BONIOR of Michigan.
Mr. LANTOS in two instances.
Mr. TORRES in two instances.
Ms. MIKULSKI in two instances.
Mr. FASCELL in four instances.
Mr. OTTINGER.
Mr. SHANNON.
Mr. BENNETT.
Ms. KAPTUR.
Ms. OAKAR.
Mr. DELLUMS.
Mr. MCDONALD in 10 instances.
Mr. ACKERMAN.
Mr. ASPIN.
Mr. EVANS of Illinois.
Mr. HARKIN.

(The following Members (at the request of Mr. MCGRATH) and to include extraneous matter:)

Mr. GREEN.
Mr. BOEHLERT.
Mr. YOUNG of Alaska.
Mr. RINALDO.
Mr. LENT.
Mr. WEBER in two instances.
Mr. HORTON.
Mr. FORSYTHE.
Mr. MOORE.
Mr. GUNDERSON.
Mr. MADIGAN in three instances.
Mr. CORCORAN.
Mr. SAWYER.
Mr. ERLENBORN.
Mr. MACK.
Mr. CONTE.
Mr. HUNTER.
Mr. COURTER.
Ms. SNOWE.

ADJOURNMENT

Mr. RICHARDSON. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 7 o'clock and 38 minutes p.m.), under its previous order, the House adjourned until Monday, May 16, 1983, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1124. A letter from the Secretary of Agriculture, transmitting a draft of proposed legislation to provide for changes in the dates for announcing national marketing quotas and related determinations for Fluecured, Burley, and minor kinds of tobacco; to the Committee on Agriculture.

1125. A letter from the Congressional Liaison, Commodity Futures Trading Commission, transmitting the Commission's 1982 annual report, pursuant to section 8(f) of the act of September 21, 1922, as amended; to the Committee on Agriculture.

1126. A letter from the Assistant Secretary of Defense (Comptroller), transmitting the first quarterly report of the value of property, supplies, and commodities provided by the Berlin Magistrate and under the German Offset Agreement, pursuant to section 719, Public Law 97-377; to the Committee on Appropriations.

1127. A letter from the Deputy Assistant Secretary of Defense (Administration), transmitting a report on real and personal property of the Department of Defense as of September 30, 1982, pursuant to 10 U.S.C. 2701; to the Committee on Armed Services.

1128. A letter from the General Counsel of the Department of Defense, transmitting a draft of proposed legislation to amend title 10, United States, Code to exempt certain physicians from the requirement for Senate confirmation prior to initial appointment as medical officers in the Armed Forces; to the Committee on Armed Services.

1129. A letter from the Military Executive, Reserve Forces Policy Board, Office of the Secretary of Defense, transmitting the annual report of the Reserve Forces Policy Board, pursuant to 10 U.S.C. 113(c)(2), together with a report on the readiness assessment of the Reserve components for fiscal year 1982; to the Committee on Armed Services.

1130. A letter from the Assistant Legal Advisor for Treaty Affairs, Department of State, transmitting copies of international agreements, other than treaties, entered into by the United States pursuant to 1 U.S.C. 112b(a); to the Committee on Foreign Affairs.

1131. A letter from the Assistant Secretary of the Interior, transmitting a draft of proposed legislation to amend title I of the Reclamation Project Authorization Act of 1972 as amended by Public Law 96-375; to the Committee on Interior and Insular Affairs.

1132. A letter from the Assistant Secretary of the Interior, transmitting a proposed plan for the use and distribution of the judgment funds awarded to the Salt River Pima-Maricopa Indian Community of Arizona by the U.S. Court of Claims in Docket No. 291, pursuant to section 2(a) and 4 of Public Law 93-134; to the Committee on Interior and Insular Affairs.

1133. A letter from the Administrator, National Aeronautics and Space Administration, transmitting notice that the planned funding level for its physics and astronomy program is more than the amount authorized in NASA's fiscal year 1983 authorization act, pursuant to section 104(a) of Public Law 97-324; to the Committee on Science and Technology.

1134. A letter from the Chairman, Nuclear Regulatory Commission, transmitting the quarterly report on nondisclosure of safeguards information, pursuant to section 147e of the Atomic Energy Act of 1954, as amended; to the Committee on Interior and Insular Affairs and Energy and Commerce.

1135. A letter from the Assistant Secretary of the Army (Civil Works), transmitting the final environmental impact statement on the State Road Coulee project, Wisconsin, pursuant to section 404(r) of Federal Water Pollution Control Act; jointly to the Committees on Public Works and Transportation and Appropriations.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. DINGELL: Committee on Energy and Commerce. H.R. 2615. A bill to amend the Energy Conservation in Existing Buildings Act of 1976 to provide for the weatherization of the remaining eligible low-income dwelling units throughout the United States, to create additional employment in weatherization-related industries, and for other purposes; with an amendment (Rept. No. 98-108). Referred to the Committee of the Whole House on the State of the Union.

Mr. DE LA GARZA: Committee on Agriculture. H.R. 2733. A bill to extend and improve the existing program of research, development, and demonstration in the production and manufacture of guayule rubber, and to broaden such program to include other critical agricultural materials; with an amendment (Rept. No. 98-109, Pt. I). Ordered to be printed.

Mr. ST GERMAIN: Committee on Banking, Finance and Urban Affairs. H.R. 2782. A bill to amend the Defense Production Act of 1950 to revitalize the defense industrial base of the United States; with an amendment (Rept. No. 98-110, Pt. I). Ordered to be printed.

Mr. MONTGOMERY: Committee on Veterans' Affairs. H.R. 2936. A bill to amend title 38, United States Code, to increase the authorized number of members of the Board of Veterans' Appeals in the Veterans' Administration, and for other purposes (Rept. No. 98-111). Referred to the Committee of the Whole House on the State of the Union.

Mr. BROOKS: Committee on Government Operations. H.R. 2592. A bill to transfer from the Director of the Office of Management and Budget to the Administrator of General Services the responsibility for publication of the catalog of Federal domestic assistance programs, and for other purposes (Rept. No. 98-112). Referred to the Committee of the Whole House on the State of the Union.

Mr. BROOKS: Committee on Government Operations. Report on the Department of Agriculture's payment-in-kind program (Rept. No. 98-113). Referred to the Committee of the Whole House on the State of the Union.

Mr. DINGELL: Committee on Energy and Commerce. H.R. 2668. A bill to amend the Consumer Product Safety Act to extend it for five fiscal years, and for other purposes; with an amendment (Rept. No. 98-114). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 5 of rule X and clause 4 of rule XXIII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ROSTENKOWSKI (for himself and Mr. CONABLE):

H.R. 2990. A bill to increase the temporary public debt limit, and for other purposes; to the Committee on Ways and Means.

By Mr. LUNDINE (for himself, Mr. BONIOR of Michigan, Mr. GEPHARDT, and Mr. WIRTH):

H.R. 2991. A bill to promote industrial revitalization in the United States by establishing an Economic Cooperation Council which will collect and analyze economic data and make recommendations regarding actions which can be taken to improve the competitiveness and economic vitality of U.S. industries and by establishing the National Industrial Development Bank which will assist in providing financing for the long-term development of U.S. industries; to the Committee on Banking, Finance and Urban Affairs.

By Mr. ZABLOCKI (for himself, Mr. HAMILTON, Mr. YATRON, Mr. SOLARZ, Mr. BONKER, Mr. BARNES, Mr. WOLPE, Mr. GEJDENSON, Mr. LANTOS, Mr. KOSTMAYER, Mr. TORRICELLI, Mr. SMITH of Florida, Mr. BERMAN, Mr. FEIGHAN, Mr. GILMAN, and Mr. LEACH of Iowa):

H.R. 2992. A bill to authorize appropriations for the fiscal years 1984 and 1985 for international security and development assistance programs and for the Peace Corps, and for other purposes; to the Committee on Foreign Affairs.

By Mr. BEREUTER (for himself and Mr. PANETTA):

H.R. 2993. A bill to establish a national hostel system plan, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. CORCORAN (for himself, Mr. TAUZIN, and Mr. BLILEY):

H.R. 2994. A bill to amend the Public Utility Holding Company Act of 1935 to simplify its administration, to insure State regulatory access to necessary information, to remove certain regulatory restrictions on business practices where such restrictions are no longer necessary to the protection of investors and consumers, and for other purposes; to the Committee on Energy and Commerce.

By Mr. DERRICK:

H.R. 2995. A bill to modify the authority for the Richard B. Russell Dam and Lake project, and for other purposes; to the Committee on Public Works and Transportation.

By Mr. DICKINSON (for himself, Mr. WHITEHURST, Mr. GILMAN, Mr. HUNTER, and Mr. SOLARZ):

H.R. 2996. A bill to amend title 10, United States Code, to authorize the Secretary of Defense to provide transportation to annual national meetings sponsored by the National League of Families of American Prisoners and Missing in Southeast Asia for the next of kin of certain unaccounted for persons; to the Committee on Armed Services.

By Mr. DINGELL (for himself, Mr. WAXMAN, Mr. PEPPER, Mr. WYDEN, Ms. MIKULSKI, Ms. OAKAR, Ms. SNOWE, Mr. RATCHFORD, and Mr. LELAND):

H.R. 2997. A bill to provide for a National Commission on the Regulation of Nursing Homes and to extend the moratorium on deregulation of skilled nursing and intermediate care facilities; jointly, to the Committees on Ways and Means, and Energy and Commerce.

By Mr. DORGAN:

H.R. 2998. A bill to amend the Internal Revenue Code of 1954 to exempt income derived by charitable organizations from conducting certain games of chance from the tax imposed on unrelated business income; to the Committee on Ways and Means.

By Mr. ERLENBORN (for himself and Mr. BARTLETT):

H.R. 2999. A bill to extend certain discretionary programs under the Education of the Handicapped Act; to the Committee on Education and Labor.

By WISE (for himself, Mr. BEDELL, Mr. EDGAR, and Mr. FRANK):

H.R. 3000. A bill to deauthorize the Stonewall Jackson Reservoir project, W. Va.; to the Committee on Public Works and Transportation.

By Mr. FRENZEL (for himself, Mr. JONES of Oklahoma, Mr. CONABLE, Mr. GIBBONS, Mr. MARTIN of North Carolina, Mr. JENKINS, Mr. VANDER JAGT, Mr. ARCHER and Mr. GRADISON):

H.R. 3001. A bill to amend the Internal Revenue Code of 1954 to provide for the equitable tax treatment of corporate foreign income; to the Committee on the Judiciary.

By Mr. GLICKMAN (for himself, Mr. SYNAR, Mr. WHITTAKER, Mr. TAUZIN, Mr. ROEMER, Mr. SLATTERY, Mr. MCCURDY, Mr. ALEXANDER, Mr. ANTHONY, Mr. MOORE, Mr. ENGLISH, Mr. WINN, Mr. ROBERTS, Mr. EDWARDS of Oklahoma, Mr. BEREUTER, Mrs. SMITH of Nebraska, and Mr. DAUB):

H.R. 3002. A bill to grant the consent of the Congress to the Central Interstate Low-Level Radioactive Waste Compact; jointly, to the Committees on Energy and Commerce and Interior and Insular Affairs.

By Mr. JENKINS (for himself, Mr. MARTIN of North Carolina, Mr. MATSUI, Mr. ENGLISH, Mr. FOWLER, Mr. CONABLE, Mr. FLIPPO, Mr. DUNCAN, Mr. ANTHONY, Mr. VENTO, and Mr. DORGAN):

H.R. 3003. A bill to amend the Internal Revenue Code of 1954 to exempt certain piggyback trailers and semitrailers from the tax on motor vehicles; to the Committee on Ways and Means.

By Mr. JENKINS (for himself, Mr. HEFTEL of Hawaii, and Mr. BEILENSON):

H.R. 3004. A bill to amend the Internal Revenue Code to change certain accounting rules related to inventory and for other purposes; to the Committee on Ways and Means.

By Mr. KASTENMEIER:

H.R. 3005. A bill to amend chapter 207 of title 18 of the United States Code to provide that the safety of other persons and the community can be considered in the setting of conditions of release before trial in Federal criminal cases, to provide for detention before trial in certain cases, and for other purposes; to the Committee on the Judiciary.

By Mr. MADIGAN (by request):

H.R. 3006. A bill to recover costs associated with Federal marketing agreements and orders, and user fees for certain reports and publications, plant variety protection, and wool and mohair promotion programs; to the Committee on Agriculture.

By Mr. MADIGAN (by request):

H.R. 3007. A bill to amend the act of July 2, 1962, to authorize intrastate guaranties of animals and poultry under extraordinary emergency conditions; to the Committee on Agriculture.

By Mr. MADIGAN (by request):

H.R. 3008. A bill to improve programs for the stabilization of agricultural prices and production; jointly; to the Committtees on Agriculture and Foreign Affairs.

By Ms. MIKULSKI (for herself, Mr. WIRTH, Mr. LUKEN, Mrs. LLOYD, Mr. FROST, Mr. MADIGAN, and Mrs. SCHROEDER):

H.R. 3009. A bill to amend title XVIII of the Social Security Act to provide medicare coverage of special vision services for indi-

viduals with severe visual disability; jointly; to the Committees on Ways and Means and Energy and Commerce.

Ms. MIKULSKI (for herself, Mr. WIRTH, Mr. LUKEN, Mrs. LLOYD, Mr. FROST, Mr. MADIGAN, Mrs. SCHROEDER, Mr. DANNEMEYER, and Ms. FERRARO):

H.R. 3010. A bill to amend part B of title XVIII of the Social Security Act to provide for coverage of vision care under the medicare program, and for other purposes; jointly, to the Committees on Ways and Means and Energy and Commerce.

Mr. OXLEY:

H.R. 3011. A bill to amend the Internal Revenue Code of 1954 to increase the amount of the stock which certain private foundations may hold in certain public utilities without being subject to the excise tax on excess business holdings; to the Committee on Ways and Means.

By Mr. ROWLAND (for himself, Mr. THOMAS of Georgia, Mr. HATCHER, Mr. RAY, Mr. LEVITAS, Mr. FOWLER, Mr. GINGRICH, Mr. MCDONALD, Mr. JENKINS, and Mr. BARNARD):

H.R. 3012. A bill to designate the building known as the Veterans Administration Medical Center in Dublin, Ga., as the "Carl Vinson Veterans Administration Medical Center"; to the Committee on Veterans' Affairs.

By Mr. ST GERMAIN:

H.R. 3013. A bill to amend title II of the Social Security Act to eliminate the disparity between the benefits payable to individuals who retired in or after 1979 (when the decoupling changes in the benefit formula became effective) and the benefits payable to individuals similarly situated who retired before that year, by providing that the benefits payable to the former individuals may never be less than those payable to the latter; to the Committee on Ways and Means.

By Mr. SEIBERLING:

H.R. 3014. A bill to amend the Internal Revenue Code of 1954 to encourage increases in productivity by special tax treatment for certain employee bonuses which are determined on the basis of profits or cost savings; to the Committee on Ways and Means.

By Mr. SHELBY (for himself and Mr. BROYHILL):

H.R. 3015. A bill to extend the Consumer Product Safety Commission for 3 fiscal years; to the Committee on Energy and Commerce.

By Mr. SMITH of New Jersey:

H.R. 3016. A bill to amend title 38, United States Code, to authorize reimbursement for the reasonable charge for chiropractic services provided to certain veterans; to the Committee on Veterans' Affairs.

By Mr. STUMP:

H.R. 3017. A bill to direct the Secretary of the Interior to release on behalf of the United States all restrictions contained in a previous conveyance of land to the town of Jerome, Ariz.; to the Committee on Interior and Insular Affairs.

By Mr. UDALL (for himself, Mr. WEAVER, Mr. MARKEY, and Mr. SEIBERLING):

H.R. 3018. A bill to prohibit the Secretary of the Interior from issuing any future Federal coal lands leases until certain requirements are satisfied and a report theron submitted to the Congress, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. YOUNG of Alaska:

H.R. 3019. A bill to amend title 11, United States Code, to provide that priority shall be given to unsecured claims of U.S. fishermen arising from the sale fo fish to certain fish processors who are debtors; to the Committe on the Judiciary.

By Mr. BETHUNE (for himself, Mr. ZABLOCKI, Mrs. ROUKEMA, Mr. EDWARDS of Oklahoma, Mr. BONIOR of Michigan, Mr. AUCOIN, Mr. SAM B. HALL, JR., Mr. GEJDENSON, Mr. LEACH of Iowa, and Mr. GLICKMAN):

H.J. Res. 267. Joint resolution calling for a worldwide ban on chemical weapons; to the Committee on Foreign Affairs.

By Mr. PANETTA (for himself, Mr. PEPPER, and Mr. CONABLE):

H.J. Res. 268. Joint resolution to designate the week beginning November 27, 1983, as "National Home Health Care Week"; to the Committee on Post Office and Civil Service.

By Mr. BATEMAN:

H. Con. Res. 127. Concurrent resolution to proclaim a day of national celebration of the 200th anniversary of the signing of the Treaty of Paris; to the Committee on Post Office and Civil Service.

By Mr. RICHARDSON:

H. Res. 193. Resolution expressing the sense of the House of Representatives that all Americans join in expressing appreciation to the Westphall family of Eagle Nest, N. Mex., and to the Disabled American Veterans for creating and providing for the DAV Vietnam Veterans National Memorial to be rededicated at Eagle Nest, N. Mex., on Memorial Day, May 30, 1983; to the Committee on Post Office and Civil Service.

By Mr. TRAXLER (for himself and Mr. HILLIS):

H. Res. 194. Resolution urging the President to provide for greater consideration of international currency exchange rates at the Williamsburg Summit; to the Committee on Foreign Affairs.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

127. By the SPEAKER: Memorial of the Legislature of the Territory of Western Samoa, relative to the spirit of goodwill; to the Committee on Foreign Affairs.

128. Also, memorial of the General Assembly of the Commonwealth of Pennsylvania, relative to the abandoned mine reclamation fund; to the Committee on Interior and Insular Affairs.

129. Also, memorial of the Legislature of the Commonwealth of Massachusetts, relative to establishing an International Flag Day; to the Committee on Post Office and Civil Service.

ADDITIONAL SPONSORS

Under clause 4 of rule XXII, sponsors were added to public bills and resolutions as follows:

H.R. 75: Mr. SMITH of New Jersey.

H.R. 430: Mr. DICKS.

H.R. 618: Mrs. VUCANOVICH, Mr. BORSKI, and Mr. DANIEL B. CRANE.

H.R. 626: Mr. LIPINSKI and Mr. LEVINE of California.

H.R. 701: Mr. BIAGGI, Mrs. SCHNEIDER, Mr. MCKINNEY, Mr. DENNY SMITH, and Mr. ANTHONY.

H.R. 713: Mr. RUDD.

H.R. 714: Mr. RUDD.

H.R. 904: Mr. DYSON, Mr. DEWINE, Mr. FORD of Tennessee, Mrs. COLLINS, and Mr. JEFFORDS.

H.R. 927: Mr. WEISS and Mr. ACKERMAN.

H.R. 953: Mr. RICHARDSON, Mr. WOLPE, Mr. GEKAS, Mr. FAUNTROY, Mrs. HOLT, Mr. FORSYTHE, Mr. HEFTEL of Hawaii, Mr. HORTON, Mr. MOODY, Mr. LEVIN of Michigan, Mr. RAHALL, Mr. SEIBERLING, Mr. FAZIO, Mr. BEREUTER, Mr. DUNCAN, Mr. BOLAND, and Mr. BRITT.

H.R. 996: Mr. SUNIA, Mr. MATSUI, and Mr. LUNDINE.

H.R. 1199: Mr. RUDD, Mr. LAFALCE, Mr. MARKEY, and Mr. KOSTMAYER.

H.R. 1249: Mr. BONER of Tennessee, Mr. PRITCHARD, Mr. CHANDLER, Mr. MCKINNEY, Mrs. HALL of Indiana, Mr. MORRISON of Connecticut, Mr. TALLON, and Mr. MOLLOHAN.

H.R. 1270: Mr. TRAXLER.

H.R. 1375: Mr. BEILENSON, Mr. HEFTEL of Hawaii, Mr. FAZIO, Mr. ROYBAL, Mr. DIXON, and Mr. EVANS of Illinois.

H.R. 1400: Mr. EDWARDS of California, Mr. HAMMERSCHMIDT, Mr. EDGAR, Mr. WYLIE, Mr. SAM B. HALL, JR., Mr. HILLIS, Mr. APPLEGATE, Mr. SOLOMON, Mr. LEATH of Texas, Mr. SHELBY, Mr. SMITH of New Jersey, Mr. MICA, Mr. DENNY SMITH, Mr. DASCHLE, Mr. SUNDQUIST, Mr. DOWDY of Mississippi, Mr. BILIRAKIS, Mr. MARTINEZ, Mr. EVANS of Illinois, Ms. KAPTUR, Mr. HARRISON, Mr. MOLLOHAN, Mr. PENNY, Mr. STAGGERS, Mr. ROWLAND, Mr. SLATTERY, Mr. BRYANT, Mr. RICHARDSON, Mr. JENKINS, Mr. HEFNER, Mr. BONER of Tennessee, and Mr. SPENCE.

H.R. 1587: Mr. KILDEE.

H.R. 1597: Mr. DASCHLE, Mr. MAVROULES, Mr. ROE, Mr. MCDADE, Mr. WEBER, Mr. JEFFORDS, Mr. PATMAN, Mr. MARKEY, Mr. MCNULTY, Mr. MRAZEK, Mr. ORTIZ, Mr. BARNARD, Mr. MCKINNEY, Mr. GORE, Mr. PANETTA, Mr. HARKIN, and Mr. PATTERSON.

H.R. 1634: Mr. SOLARZ.

H.R. 1643: Mr. LOWRY of Washington, Mr. DERRICK, Mr. MINETA, Mr. ANDREWS of North Carolina, Mr. PETRI, Mr. WHITEHURST, Mr. SIMON, Ms. MIKULSKI, Mr. TAUZIN, Mr. SAWYER, Mr. SWIFT, Mr. BENNETT, Mr. ANDERSON, Mr. BEILENSON, Mr. SPENCE, Mr. HARTNETT, Mr. FEIGHAN, Mr. BADHAM, Mr. PORTER, Mr. STRATTON, Mr. VANDERGRIFF, Mr. LIPINSKI, Mr. DOWDY of Mississippi, and Mr. SOLARZ.

H.R. 1730: Ms. FERRARO, Mr. MOLINARI, Mr. EDWARDS of Oklahoma, and Mr. RUDD.

H.R. 1740: Mr. RAHALL, Mr. LANTOS, and Mr. RICHARDSON.

H.R. 1870: Mrs. BOGGS, Mr. BOSCO, Mr. CHAPPIE, Mr. DIXON, Mr. FOWLER, Mr. FROST, Mr. GINGRICH, Mr. JEFFORDS, Mr. KEMP, Mr. LAFALCE, Mr. LIVINGSTON, Mr. LOWERY of California, Mr. MAVROULES, Mr. NOWAK, Mr. PANETTA, Mr. PEPPER, Mr. SABO, Mr. SKEEN, Mr. STANGELAND, Mr. STUMP, Mr. THOMAS of Georgia, and Mr. STOKES.

H.R. 1929: Mr. CONYERS.

H.R. 2053: Mr. PRITCHARD.

H.R. 2062: Mr. FAZIO.

H.R. 2088: Mr. SMITH of Florida, Mr. EDGAR, Mr. SCHUMER, Mr. SCHEUER, Mr. BEDELL, Mr. VENTO, Mr. FRENZEL, Mr. WILLIAMS of Montana, Mr. FAZIO, Mr. MRAZEK, Mr. SOLARZ, Mr. ACKERMAN, Mr. DWYER of New Jersey, Mr. GOODLING, Mr. WEISS, Mr. MCGRATH, and Mr. MITCHELL.

H.R. 2196: Mr. WORTLEY, Mr. WIRTH, Mr. CONABLE, Mr. SIMON, Mr. OWENS, Mr. WEISS, Mr. CONTE, Mr. BATES, Mr. MATSUI, Mr. BENNETT, Mr. LENT, Mr. QUILLEN, Mr. LONG of Maryland, Mr. MOAKLEY, Mr. TOWNS, Mr. WISE, Mr. KOLTER, Mr. FORD of Michigan, Mr. HARRISON, Mr. LEVINE of California, Mr. ROYBAL, Mr. CARR, Mr. SCHUMER, Mr. PORTER, Mr. SEIBERLING, Mr. SOLARZ, Mr. HIGHTOWER, Mr. DOWDY of Mississippi, and Mr. DOWNEY of New York.

H.R. 2225: Mr. NELSON of Florida, Mr. BONER of Tennessee, Mr. MORRISON of Washington, Mr. KOSTMAYER, Mr. KOGOVSEK, Mr. PARRIS, and Mr. PORTER.

H.R. 2250: Mr. WALGREN, Mr. LAFALCE, and Mr. MCCAIN.

H.R. 2253: Mr. APPLEGATE, Mr. DAVIS, Mr. ECKART, Mr. KILDEE, Mr. KRAMER, Mr. PURSELL, and Mr. WOLPE.

H.R. 2262: Mr. BRYANT, Mr. DANNEMEYER, Mr. DE LA GARZA, Mr. HAMILTON, Mr. KOLTER, and Mr. MONTGOMERY.

H.R. 2276: Mr. TORRICELLI, Mr. KILDEE, Mr. LEVINE of California, Mr. WISE, Mr. HERTEL of Michigan, Mr. ROE, Mr. RATCHFORD, and Ms. KAPTUR.

H.R. 2315: Mr. ADDABBO, Mr. ANDREWS of Texas, Mr. BIAGGI, Mr. BROOKS, Mr. FORD of Michigan, Mr. FRANK, Mr. FROST, Mr. HERTEL of Michigan, Mr. MCKERNAN, Mr. MRAZEK, Mr. OWENS, Mr. PATMAN, Mr. TOWNS, Mr. TRAXLER, Mr. VANDERGRIFF, Mr. WILSON, and Mr. FAZIO.

H.R. 2392: Mr. JEFFORDS.

H.R. 2393: Mr. JEFFORDS.

H.R. 2394: Mr. JEFFORDS.

H.R. 2403: Mr. RATCHFORD and Mr. ACKERMAN.

H.R. 2438: Mr. JEFFORDS, Mr. LAFALCE, and Mr. GEKAS.

H.R. 2447: Mr. FASCELL.

H.R. 2482: Mr. FORD of Tennessee, Mr. FAUNTROY, Mr. ROE, Mr. FRANK, Mr. EDGAR, Mr. FOGLIETTA, Mr. ACKERMAN, Mr. OWENS, and Mr. HERTEL of Michigan.

H.R. 2560: Mr. HUTTO, Mr. MCNULTY, Mr. WON PAT, Mr. WHITEHURST, Mr. VOLKMER, Mr. STENHOLM, Mr. DICKS, and Mr. BARNARD.

H.R. 2567: Mr. LEWIS of Florida, Mr. BARTLETT, Mr. D'AMOURS, Mr. MCKINNEY, Mr. FRANK, Mr. RATCHFORD, Mr. ROE, Mr. RAHALL, Mr. VENTO, Mr. WHITEHURST, Mr. MORRISON of Washington, Ms. KAPTUR, Mr. DUNCAN, Mr. SMITH of New Jersey, Mr. ACKERMAN, and Mr. GOODLING.

H.R. 2715: Mr. FROST, Mr. HOYER, Mr. LEHMAN of Florida, Mr. MCCURDY, Mr. MARKEY, Mr. RUDD, and Mr. WEISS.

H.R. 2734: Mr. HARTNETT.

H.R. 2747: Mr. WON PAT, Mr. ROGERS, Mr. TRAXLER, Mr. FORSYTHE, Mr. KINDNESS, Mr. STOKES, Mr. ROE, Mr. FRANK, Mr. MCNULTY, Mr. LIVINGSTON, Mr. SKEEN, Mr. VENTO, Mr. LEWIS of Florida, Mr. SENSENBRENNER, Mr. SMITH of Florida, and Mr. FISH.

H.R. 2780: Mr. ECKART, Mr. FRANK, Mr. MOLLOHAN, Mr. RAHALL, Mr. ACKERMAN, Mr. PEPPER, Mr. RICHARDSON, Mr. WOLPE, Mr. WILLIAMS of Montana, Mr. OWENS, Mr. ADDABBO, Mr. GEJDENSON, Ms. FERRARO, Mr. SHELBY, Mr. SIKORSKI, Mr. LEVINE of California, Mr. BOUCHER, Mr. MARKEY, and Mr. MARTINEZ.

H.R. 2885: Mr. LEWIS of Florida.

H.R. 2936: Mr. BONER of Tennessee.

H.R. 2937: Mr. BONER of Tennessee.

H.R. 2973: Mr. GREGG.

H.J. Res. 71: Mr. OXLEY, Mr. BREAUX, and Mr. RODINO.

H.J. Res. 84: Mr. DEWINE.

H.J. Res. 113: Mr. DEWINE and Mr. HYDE.

H.J. Res. 136: Mr. WEISS.

H.J. Res. 137: Mr. ADDABBO, Mr. ALBOSTA, Mr. CHANDLER, Mr. CORCORAN, Mr. CORRADA, Mr. DE LA GARZA, Mr. DONNELLY, Mr. DREIER of California, Mr. DURBIN, Mr. DYSON, Mr. FORD of Michigan, Mr. HANSEN of Idaho, Mr. HORTON, Mr. KEMP, Mr. KOSTMAYER, Mr. LAGOMARSINO, Mr. LANTOS, Mr. MCCAIN, Mr. OWENS, Mr. ROE, Mr. RUDD, Mr. SHELBY, Mr. UDALL, Mr. WEBER, Mr. WOLF, Mr. WYLIE, Mr. YOUNG of Alaska, Mr. YOUNG of Missouri, Mr. ACKERMAN, Mr. FAZIO, Mr. GEJDENSON, Mr. GEKAS, Mr. LIPINSKI, Mr. MINISH, Mr. STOKES, Mr. VENTO, Mr. WEISS, Mr. BROYHILL, Mr. EDGAR, Mr. FORD of Tennessee, Mr. FORSYTHE, Mr. RATCHFORD, Mr. SMITH of Florida, and Mr. WILSON.

H.J. Res. 199: Mr. BARNARD, Mr. MONTGOMERY, Mr. BONIOR of Michigan, Mr. ALBOSTA, Mr. LOEFFLER, Mr. HORTON, Mr. STANGELAND, Mr. BROWN of California, Mr. CORRADA, Mr. ROE, Mr. RAHALL, Mr. WAXMAN, Mr. DWYER, Mr. LAGOMARSINO, Mr. WINN, Mr. LAFALCE, Mr. CORCORAN, Mr. FROST, Mr. FRENZEL, Mr. DE LA GARZA, Mr. MCCURDY, Mr. SHELBY, Mr. SCHEUER, Mr. YATRON, Mr. PATTERSON, Mr. RICHARDSON, Mr. VANDERGRIFF, Mr. FRANK, Mr. WORTLEY, Mr. SIMON, Mr. PORTER, Mr. MCGRATH, Mr. FORSYTHE, Mr. RITTER, Mr. FEIGHAN, Mr. STUMP, Mr. LIPINSKI, Mr. HEFTEL of Hawaii, Mr. SEIBERLING, and Mr. DAUB.

H.J. Res. 226: Mr. GUNDERSON, Mr. HEFTEL of Hawaii, Mr. BENNETT, Mr. ANDREWS of Texas, Mr. BOSCO, Mr. KILDEE, Mr. LEHMAN of California, Mr. FORSYTHE, Mr. HEFNER, Mr. GEJDENSON, Mr. DIXON, Mr. NOWAK, Mr. BATES, Mr. BARNARD, Mr. AKAKA, Mr. PORTER, Mr. BOLAND, Mr. FRANK, Mr. FLORIO, Mr. WILSON, Mr. YOUNG of Missouri, Mr. WEISS, Mr. ALBOSTA, Mr. SAWYER, Mr. MAVROULES, Mr. WEAVER, Mr. ANDREWS of North Carolina, Mr. BROOKS, Mr. NEAL, Mr. CHAPPELL, and Mr. MURPHY.

H.J. Res. 240: Mr. RANGEL, Mr. DIXON, and Mr. FAUNTROY.

H.J. Res. 241: Mr. RANGEL, and Mr. DIXON.

H.J. Res. 258: Mr. PRITCHARD, Mr. OBERSTAR, Mr. NATCHER, Mr. HANSEN of Idaho, Mr. SHANNON, Mr. SUNIA, Mr. HUTTO, Mr. TAUZIN, Mr. STANGELAND, Mr. WALGREN, Mr. HARRISON, Mr. MONTGOMERY, Mr. BONER of Tennessee, Mr. MATSUI, Mr. RICHARDSON, Mr. BENNETT, Mr. DOWNEY of New York, Mr. WON PAT, Mr. ANDREWS of Texas, Mr. SAM B. HALL, JR., Mr. KEMP, Mr. FORSYTHE, Mr. ANNUNZIO, Mr. LANTOS, Mr. JONES of North Carolina, Mr. BRYANT, Mr. CARNEY, Mr. PERKINS, Mr. NICHOLS, Mr. MCNULTY, Mr. LAGOMARSINO, Mr. ROE, Mr. FRANK, Mr. DE LA GARZA, Mr. LONG of Maryland, Mr. FUQUA, Mr. LIPINSKI, Mr. BOLAND, Mr. CORRADA, Mr. FAUNTROY, Mr. WINN, Mr. BERMAN, Mr. HORTON, Mr. RAHALL, Mr. STOKES, Mr. HEFNER, Mr. LEATH of Texas, Mr. BEVILL, Mr. FAZIO, Mr. VENTO, Mr. BADHAM, Mr. OTTINGER, Mrs. HALL of Indiana, Mr. BOSCO, Mr. HOWARD, Mr. SHELBY, Mr. ALBOSTA, Mrs. HOLT, Mr. SMITH of New Jersey, Ms. KAPTUR, Mr. DUNCAN, Mr. SMITH of Florida, Mr. MORRISON of Connecticut, Mr. DWYER of New Jersey, Mr. DINGELL, Mr. DEWINE, Mr. LEHMAN of Florida, Mr. FORD of Tennessee, Mrs. BOXER, Mr. APPLEGATE, Mr. DONNELLY, Mr. MCDADE, Mr. EVANS of Illinois, Mr. PARRIS, Mr. SOLOMON, Mr. MCCAIN, Mr. PEPPER, Mr. SWIFT, Mr. EDGAR, Mr. VANDERGRIFF, and Mr. CHAPPELL.

H. Con. Res. 93: Mr. ACKERMAN, Mr. ADDABBO, Mr. BARNES, Mr. BEDELL, Mr. BEILENSON, Mr. BERMAN, Mr. BIAGGI, Mr. BOEHLERT, Mr. BOSCO, Mr. CLAY, Mr. COUGHLIN, Mr. CROCKETT, Mr. DELLUMS, Mr. DOWNEY of New York, Mr. DYMALLY, Mr. EDGAR, Mr. EDWARDS of California, Mr. EVANS of Illinois, Mr. FASCELL, Mr. FAUNTROY, Mr. FAZIO, Ms. FERRARO, Mr. FLORIO, Mr. FOGLIETTA, Mr. FORD of Tennessee, Mr. FORD of Michigan, Mr. FORSYTHE, Mr. FRENZEL, Mr. FROST, Mr. GARCIA, Mr. GEJDENSON, Mr. GEKAS, Mr. GREEN, Mr. GUARINI, Mrs. HALL of Indiana, Mr. HORTON, Mr. HOYER, Mrs. JOHNSON, Mr. KASTENMEIER, Mr. KOGOVSEK, Mr. LEACH of Iowa, Mr. LEHMAN of Florida, Mr. LEHMAN of California, Mr. LELAND, Mr. LEVINE of California, Mr. LUNDINE, Mr. MADIGAN, Mr. MARTIN of North Carolina, Mr. MARTINEZ, Mr. MATSUI, Mr. MCNULTY, Ms. MIKULSKI, Mr. MITCHELL, Mr. MORRISON of Washington, Mr. MORRISON of Connecticut, Mr. OBERSTAR, Mr. OTTINGER, Mr. OWENS, Mr. PEASE, Mr. PRITCHARD, Mr. PURSELL, Mr. RATCHFORD, Mr. ROYBAL, Mr. SABO, Mr. SCHEUER, Mrs. SCHROEDER, Mr. SCHUMER, Mr. SEIBERLING, Mr. SHARP, Mr. SMITH of Florida, Mr. SOLARZ, Mr. STARK, Mr. STOKES, Mr. STUDDS, Mr. SUNIA, Mr. SWIFT, Mr. TOWNES, Mr. UDALL, Mr. VENTO, Mr. WAXMAN, Mr. WEISS, Mr. WILLIAMS of Ohio, Mr. WILLIAMS of Montana, Mr. WILSON, Mr. WIRTH, Mr. WOLPE, Mr. WYDEN, Mr. YATES, Mr. ORTIZ, Mr. CLINGER, Mr. MINETA, Mr. CHANDLER, Mr. DIXON, and Mr. AKAKA.

H. Con. Res. 122: Mr. DIXON, Mr. ADDABBO, Mr. FROST, Mr. FORD of Tennessee, Mr. FRANK, Mr. LELAND, Mr. ACKERMAN, Mr. FRENZEL, Mr. EDGAR, Mr. EDWARDS of California, Ms. KAPTUR, and Mr. MACKAY.

H. Con. Res. 123: Mr. OBERSTAR and Mr. SEIBERLING.

H. Res. 133: Mr. RAY, Mr. ROWLAND, and Mrs. MARTIN of Illinois.

H. Res. 135: Mr. LONG of Louisiana and Mr. HAWKINS.

H. Res. 172: Mr. ACKERMAN, Mr. ADDABBO, Mr. ANNUNZIO, Mr. APPLEGATE, Mr. BEVILL, Mr. BIAGGI, Mr. BOLAND, Mr. BORSKI, Mr. BOUCHER, Mr. BROWN of California, Mr. CARR, Mr. CONYERS, Mr. CORRADA, Mr. DANIEL, Mr. DERRICK, Mr. DIXON, Mr. DONNELLY, Mr. DOWNEY of New York, Mr. DUNCAN, Mr. DURBIN, Mr. DWYER of New Jersey, Mr. DYSON, Mr. ECKART, Mr. EDGAR, Mr. FAUNTROY, Ms. FERRARO, Mr. FISH, Mr. FLORIO, Mr. FOGLIETTA, Mr. FORD of Tennessee, Mr. FORD of Michigan, Mr. FOWLER, Mr. FRANK, Mr. GARCIA, Mr. GAYDOS, Mr. GILMAN, Mr. GRAY, Mr. GUARINI, Mr. HARRISON, Mr. HAWKINS, Mr. HORTON, Mr. HOWARD, Mr. HUBBARD, Mr. HUGHES, Mr. KILDEE, Mr. KINDNESS, Mr. KOLTER, Mr. LANTOS, Mr. LEVIN of Michigan, Mr. MCCLOSKEY, Mr. MCDADE, Mr. MARTINEZ, Mr. MINISH, Mr. MOAKLEY, Mr. MOLLOHAN, Mr. MORRISON of Connecticut, Mr. MRAZEK, Mr. MURPHY, Mr. MURTHA, Mr. NATCHER, Ms. OAKAR, Mr. OLIN, Mr. OTTINGER, Mr. OWENS, Mr. PEPPER, Mr. PRICE, Mr. QUILLEN, Mr. RAHALL, Mr. RATCHFORD, Mr. RINALDO, Mr. RODINO, Mr. ROE, Mr. ST GERMAIN, Mr. SCHEUER, Mr. SHANNON, Mr. SKELTON, Mr. SMITH of New Jersey, Mr. SPRATT, Mr. STOKES, Mr. STRATTON, Mr. STUDDS, Mr. TORRES, Mr. TORRICELLI, Mr. TOWNS, Mr. TRAXLER, Mr. VOLKMER, Mr. WHEAT, Mr. YATRON, and Mr. YOUNG of Missouri.

DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, sponsors were deleted from public bills and resolutions as follows:

H.R. 100: Mr. MCGRATH.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

89. By the SPEAKER: Petition of the Military Chaplains Association of the USA, Bethesda, Md., relative to the POW's and MIA's; to the Committee on Armed Services.

90. Also, petition of the City Council, New York, N.Y., relative to the release of Boris Ginis; to the Committee on Foreign Affairs.

91. Also, petition of the City Council, New York, N.Y., relative to Aleksandr Khait; to the Committee on Foreign Affairs.

92. Also, petition of the City Council, New York, N.Y., relative to the release of Mark Ocheretyansky; to the Committee on Foreign Affairs.

EXTENSIONS OF REMARKS

A LETTER TO THE PRESIDENT ON ARMS CONTROL AND STRATEGIC MODERNIZATION

HON. NORMAN D. DICKS
OF WASHINGTON
IN THE HOUSE OF REPRESENTATIVES

Thursday, May 12, 1983

● Mr. DICKS. Mr. Speaker, several of my colleagues and I have been working with the administration in an effort to forge a bipartisan consensus on the issues of arms control and strategic modernization. Our efforts to date have been promising and I am hopeful that continued efforts can produce real progress in lessening the possibility of nuclear confrontation. In order to clarify the specific concerns we have expressed and the President's response to them, I include in the RECORD the text of our letter to the President, and his response.

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D.C., May 2, 1983.

The PRESIDENT,
The White House,
Washington, D.C.

MR. PRESIDENT: Your endorsement of the Scowcroft Commission report gives us reason for hope that it may be possible to move American policy on nuclear weapons and arms control forward, based on a durable bipartisan consensus.

We believe that the policy which the Report recommended, and which you have made your own, is correct—in its long-term dimensions. Arms control and force posture decisions should be integrated, and organized around the pursuit of stability. Stability, in turn, requires that neither the United States nor the Soviet Union possess the means to conduct a theoretically advantageous first strike. To achieve this condition requires that both sides reverse the trend toward more highly MIRVed ICBMs, and move toward a less threatening force based on single-warhead missiles, ideally in a program orchestrated through arms control.

The problem is that the Commission report asks us to accept not only its attractive long-term concept, but its immediate recommendation for the deployment of 100 MX. That missile has been mired in controversy for so long, and opposition to it is so entrenched, that its presence in the Commission report seriously endangers the entire enterprise. Some of us have voted against the MX on more than one occasion, but we are prepared to consider new arguments for it on the merits, and we are asking our colleagues to be similarly open-minded. But we must tell you in all candor, that of all the arguments presented in the Scowcroft report, on behalf of MX, only one is both new and of interest: that deploying the MX is a step which is consistent with, and necessary in order to begin, the long-term process towards stable forces.

In our view, the future of the MX turns precisely on whether this asserted connection between it and the process of long-run stabilization can be demonstrated. To do so requires at a minimum, assurances from you on certain key points:

That the United States' negotiating position in START will be speedily updated, in order to bring it into line with both the technical recommendations and the long-term objectives of the Scowcroft Commission report;

That in doing so, the United States will be able to show *how* the deployment of a given number of MX fits in with these objectives, in terms of its impact on the force posture of both countries;

That, in principle, plans for the deployment of MX, including both numbers and timing, can be influenced by the results of arms control; and

That, a major effort will be promptly undertaken to bring sharper focus to the proposed single-warhead ICBM, and to allay concerns that it cannot be realized in a reasonable period of time, at acceptable cost, in deployment modes that are both technically and politically realistic.

With the submission of your recommendations on MX basing, the legislative clock has begun to tick; moving toward a decision on flight testing and an acceptable basing mode which must be taken one way or the other, in the next month and a half. In isolation, the proposal to base MX silos is one which has already been rejected for good reason. What changes the prospects for MX flight testing is the context for MX created by the Scowcroft Commission report. That context, however, is not strong enough as it presently stands to be decisively persuasive. We believe that affirmation and assurances from you on the points we have raised would greatly help, and that we need such assurances before deciding whether or not to support congressional approval of flight testing.

We wish, moreover, to make clear that in our view, a decision to flight test the MX is both legislatively and logically distinct from a decision to procure the missile in any number for actual deployment. The question of deploying the MX should be dealt with only when and if it becomes possible to see: (1) that START has been brought into line with the recommendations and long-term goals of the Commission report; (2) that a case can be made showing in explicit terms how MX would fit into a stable US-Soviet nuclear relationship; and (3) that the Department of defense is finding sensible answers to engineering and cost questions related to the single-warhead ICBM. A follow-on to the Scowcroft Commission, of bipartisan nature, charged with advising you in the conversion of the Scowcroft panel's recommendations into arms control proposals, would also be highly desirable.

You may feel, with some justice, that the report and your endorsement speak for themselves. Unfortunately, neither the report nor your endorsement clearly answer the questions we think are critical. Meanwhile, statements in the press—attributed to "high ranking officials" in the Department of Defense and others, have already raised a suspicion that there are some in the Administration who embrace the Scowcroft Report not in its entirety, but only as a means to the end of securing Congress' approval for the deployment of the MX.

Mr. President, the effect that MX is likely to have on the Soviet Union will be determined by the effect it has on opinion in this country. We can agree with you that the Soviets are not altruists, and will have little incentive to bargain seriously if we voluntarily solve their problems for them. But if we pursue a decision on MX in a way which destroys, rather than consolidates a national consensus, then the Soviets are best advised to play a waiting game.

We believe achieving a bipartisan consensus is critically important to a successful arms control effort. All our past progress in arms control has been predicated on such a bipartisan approach. A debate limited to MX alone, without explicit clarification of its role in the long-term course recommended by your Commission on Strategic Forces cannot lead to such a bipartisan consensus, and will result in no real winners. We are prepared to make a good faith effort, in which we urge you to take the lead.

Sincerely,

Albert Gore, Jr.; Norman Dicks; Les Aspin; Vic Fazio; Thomas Foley; Richard Gephardt; Dan Glickman; Joel Pritchard; Lee Hamilton; and George O'Brien.

THE WHITE HOUSE,
Washington, May 11, 1983.

Hon. NORMAN D. DICKS,
House of Representatives,
Washington, D.C.

DEAR NORM: Thank you for your recent letter on our strategic modernization program and its relationship to our arms control proposals. Your letter represents the bipartisan spirit which I believe will help achieve our common goals of ensuring effective deterrent forces and equitable and verifiable arms reductions.

The fundamental U.S. goal in negotiations concerning arms reduction, and especially in our approach to the START negotiations, is to seek agreements that would enhance security and stability by reducing overall force levels while permitting modernization of U.S. forces necessary for a credible deterrent. As you know, the Scowcroft Commission noted that elements of our START proposal are consistent with and supportive of the Commission's findings. I agree wholeheartedly with the essential theme of the Scowcroft Commission's approach to arms control: the attainment of stability at the lowest possible level of forces.

The Scowcroft Commission's recommendations on modernization and arms control are integrally related. Our action with respect to these recommendations must be equally comprehensive. That is why I am now conducting a review of our START proposal with the intention of developing such modifications as are necessary to reflect the Commission's approach, which I share. To cite just one example, the Commission

● This "bullet" symbol identifies statements or insertions which are not spoken by the Member on the floor.

report recommended that the proposed limit on deployed ballistic missiles currently contained in the U.S. START position be reassessed since it is not compatible with a desirable evolution toward small, single-warhead ICBMs. There are a number of alternative approaches available to integrate this and the other Commission recommendations into our approach to arms reductions. As modifications are made to our START proposal, I will continue to seek stability at the lowest possible level of forces.

The planned deployment of the Peacekeeper missile as proposed by my Administration is compatible with the long-term objective of the Scowcroft Commission Report. The Peacekeeper missile, deployed in a mix with small single-warhead ICBMs, would permit us to maintain the effectiveness of our deterrent and enhance stability while serving as a hedge against Soviet temptation to exploit their present advantage.

At the same time, let me emphasize that we do not seek a first strike capability. To this end, we have constrained the number of Peacekeeper missiles that we plan to deploy to the minimum number needed to assure the effectiveness of our deterrent and no more. Our task, of course, would be much easier if the Soviets would agree to work with us to reduce the ratio of accurate warheads to missile silos. Clearly, consistent with our national security requirements, the overall level of Peacekeeper deployment will be influenced by Soviet strategic programs and arms reductions agreements.

In addition, I fully recognize the central role that the small, single-warhead ICBM plays in the overall modernization program recommended by the Scowcroft Commission Report. We will promptly undertake a major effort to bring the proposal of a small, single-warhead ICBM to fruition on a high priority basis.

In considering the implementation of the essential ICBM modernization program, the Scowcroft Commission also recognized that a series of decisions involving both the Executive Branch and the Congress would be necessary in the months ahead in order to determine the future shape of our ICBM force. Further, it noted that not all of these decisions can or should be made in 1983. The deliberate approach to decision making proposed by a number of members of Congress is fully in keeping with the intent of the Scowcroft Commission Report. I fully recognize that a lasting consensus on such an important issue must be built up carefully and I intend to take the time necessary to forge that lasting consensus.

I urge all concerned, however, to keep in mind that if we draw out critical elements of the decision-making process unnecessarily, we encourage the Soviets to delay in negotiations while continuing apace in their own weapons modernization programs. To avoid this, I am seeking a clear show of support from Congress to signal U.S. resolve. A case in point is the clear necessity of approving funds promptly to procure Peacekeeper missiles. Working together, this should be achievable while simultaneously meeting our mutual desire to deal with deployment issues, whenever possible, in a careful, deliberate manner.

Finally, I want to stress the extraordinary contribution made by the Scowcroft Commission. It provided an opportunity for nonpartisan analysis of an exceptionally difficult issue as a prelude to obtaining necessary bipartisan support for critically needed modernization of our strategic forces. While not prescribing the details or the timing, the Commission report suggested certain directions that the continued evolution of our complementary strategy for arms reduction could take. Over the short term, follow-on arrangements involving members of the Commission, as well as close coordination with the Congress, will be extremely helpful both technically and politically in thinking through this evolution. However, we are giving careful consideration to determining which follow-on arrangements best meet our common objectives.

In this regard, I do see merit in a panel with bipartisan composition and with staggered terms of membership to provide advice and continuity in this area. I will work with the Congress, building upon the experience of the Scowcroft Commission, to strengthen and supplement our consultative and advisory processes to assure a lasting, national, bipartisan consensus concerning arms control initiatives—a consensus which will deserve to be sustained from one Administration to the next.

Sincerely,

RONALD REAGAN.●

DELAND CHURCH CELEBRATES 100 YEARS

HON. BILL CHAPPELL, JR.

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 12, 1983

● Mr. CHAPPELL. Mr. Speaker, it pleases me greatly to recognize St. Peter's Church in DeLand, Fla., on the occasion of its 100th anniversary.

This church has grown out of the need for four Catholic families whose only contact with their church was through a priest who would travel the 70 miles separating these families from their nearest Catholic Church in order to say mass for these Christians.

Perhaps the attached article from the Little Sentinel, a fine newspaper in my Fourth Congressional District of Florida, can assist in telling this marvelous story of American churchlore; certainly a message filled with spiritual warmth. I am very proud to serve a constituency in which such a church serves the spiritual needs of the people.

The article follows:

[From the Little Sentinal, Apr. 12, 1983]

DELAND CHURCH CELEBRATES 100 YEARS

(By Rick Tonyan)

DELAND—One hundred years ago, four Roman Catholic families lived in or near a small railhead community on the St. Johns River.

The Rev. William Kenny, learning of their isolation from a church, hitched a horse to a buggy and drove about 70 miles from St. Augustine to serve them.

Since there was no church, the priest gathered the four families at Fairview Plantation, the home of one of the worshippers, and celebrated the first Mass in DeLand on June 7, 1883.

Over the last 100 years, Catholic families in the DeLand area have grown to 1,500. The traveling priest has been succeeded by a staff of resident clergy. Area Catholics now may go to Mass any day in the 1,000-seat St. Peter's Church.

During the years of growth, St. Peter's parishioners sent their sons off to five wars, withstood the anti-Catholicism that was rampant in the nation during the 1920s and adapted to worldwide changes in the structure of the Mass and the Roman Catholic church.

Still, many things remain unchanged since Kenny celebrated that first Mass, the parishioners say.

The church itself, at the corner of New York and Delaware avenues, is a few blocks from where Fairview Plantation stood.

Members of those first four families were business leaders in early DeLand, helping to build the commercial life of west Volusia County while trying to tend to a variety of community spiritual needs.

St. Peter's parishioners spent their money, time and effort to build the church, but it was the work they put into building the community that has kept the congregation growing for the past 100 years, said the Rev. Joseph Nolin, pastor for the last 11 years.

"It's not just a matter of construction," Nolin said. "The parish goes out to the community. There's so much community activity, that nobody knows what all is going on."

St. Peter's has ministries in west Volusia nursing homes, hospitals, the county jail and the state prison. The Rev. Jose Navarez travels from the church to celebrate Masses for Hispanic farm workers at the Trinity United Methodist Church in Seville.

Nolin said he believes St. Peter's will continue to grow with the west Volusia community.

"People are moving in continually," he said. "The influx is heavier this year than last."

DeLand area Catholics were able to stop celebrating Masses in their homes in 1884, when a chapel that seated 60 people was built near the spot where St. Peter's now stands.

Parishioners kept enlarging and remodeling the church until it became the present, Spanish style building, parish historian Irene Nardandrea said.

The church observed its centennial Sunday, when Bishop Thomas J. Grady, of the Diocese of Orlando, assisted by former priests of the parish, celebrated Mass.●

NATIONAL HISTORICAL PUBLICATIONS AND RECORDS COMMISSION

HON. FRANK HORTON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 12, 1983

● Mr. HORTON. Mr. Speaker, I wish to share with my colleagues a letter which I sent to my colleague from California, ED ROYBAL, chairman of the Subcommittee on Treasury—Postal Service—General Government appropriations. This letter describes the importance of the National Historical Publications and Records Commission in making available documents of special significance to our understanding of American history.

HOUSE OF REPRESENTATIVES,
Washington, D.C., April 26, 1983.

Hon. EDWARD R. ROYBAL,
Chairman, Subcommittee on Treasury—Postal Service—General Government, Capitol, Washington, D.C.

DEAR ED: I wish to express to you and the Subcommittee my support for the National Historical Publications and Records Commission and the important function which it fulfills in the compilation and dissemination of important historical documents.

As elected Representatives, we are well aware of the importance of maintaining accurate and complete historical documents. It is from recorded history that we learn from the experiences of our predecessors and strive to avoid the mistakes of the past. The National Historical Publications and Records Commission (NHPRC) is providing all Americans with access to previously unavailable historical materials. Projects currently being supported by the NHPRC include the Founding Fathers Papers, INC (Adams, Jefferson, Franklin, Madison, Washington), the Consortium for Documentary Projects in Women's History (Addams, Goldman, Stanton-Anthony), the Afro-American Editing Consortium (Black Abolitionists, Douglass, Garvey and Freedom History), the Civil War Presidential Papers (Davis, Grant, Johnson), Soldier Statesman of Modern America (Eisenhower, Marshall) and Foundations of the American Constitutional System.

In light of these important contributions to our knowledge of American history, I am strongly in support of the appropriation of $3,000,000 to continue the work of the NHPRC. The Commission has maintained an outstanding track record for gathering private sector support. This is only possible, however, as long as they have the ability to leverage these private moneys with Federal funds. It is my sincere hope that through this nominal Federal contribution we will continue to recognize the outstanding contribution which the Commission makes to our understanding of American History.

Thank you very much for the opportunity to express my support for the National Historic Publications and Records Commission.

With best wishes,

Sincerely,

FRANK HORTON.●

RETURN TO GOLD?

HON. VIN WEBER

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 12, 1982.

● Mr. WEBER. Mr. Speaker, the Cato Institute held a conference in January of this year to consider the search for stable money. Invited to attend this conference were some of the Nation's leading experts on monetary policy.

The institute has recently published in its monthly Policy Report excerpts from the conference. All are quite noteworthy and I would suggest my colleagues contact the institute for a copy of the conference report.

One excerpt which caught my attention was from remarks made by Alan Reynolds, vice president and chief economist at Polyconomics, Inc., on the historical stability of money under a gold standard.

I would commend Mr. Reynolds' comments to my colleagues.

RETURNING TO GOLD

(By Alan Reynolds)

The current period is by no means the first time that a major nation has attempted to maintain the value of the unit of account by regulating the volume of some media of exchange. The United States was on such a system from 1776 to 1792, for example, and again from 1860 to 1878. Britain used managed money from 1797 until 1821. France tried it before Napoleon and again after World War I.

During the U.S. Greenback era, William Graham Sumner wrote:

"Nearly every nation which has ever used paper money has fixed its amount, and set limits which it has solemnly promised again and again not to pass, but such promises are in vain. A man might as well jump off a precipice intending to stop half way down. . . . In its more general effects, the paper currency with a fixed limit produces a steady advance in the rate of interest, and also a reduction in prices. . . . If we had a currency of specie value, we should get just as much as we need, and then we should know how much that is, but then, too, we should no longer care."

I have elsewhere prepared a detailed history of five past periods of chronic monetary instability, and the forces that very gradually led back to restoration of a metallic standard. Periods of fiat money—those that stopped short of runaway hyperinflation—had several features in common:

A return to gold was always initiated during the deflationary aftermath of a relatively modern inflation

Government budgets were an acute concern, usually with a combination of deficits, growing interest expense, and tax resistance.

There had already been many years of experience in trying to regulate or limit the quantity of money.

Interest rates were always historically high, particularly in real terms.

The immediate results of returning to gold were also similar:

Real output always expanded very rapidly for at least four years, thus solving the budgetary programs.

The money supply grew even more rapidly, usually at annual rates exceeding 10%.

There was no sustained inflation or deflation.

Interest rates were always reduced, stock markets always rallied, and long-term rates never exceeded 5-6%.

The practical answer to the question "why gold?" is that it always works, while nothing else ever has. The burden of proof is not on gold.

The more abstract case for gold rests on the need to link the word "dollar" to something real, something of reasonably predictable value. Doing so reduces information costs, lengthens time horizons, and strengthens property rights.

The case for gold is not simply a way of depressing some price index—an ordinary credit crunch can do that, for awhile. Instead, the purpose of a firm monetary standard is to utilize money's potential for facilitating economic progress. The case for gold is the case for growth.●

ILLINOIS AND MICHIGAN CANAL NATIONAL HERITAGE CORRIDOR BILL

HON. WILLIAM O. LIPINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 12, 1983

● Mr. LIPINSKI. Mr. Speaker, I would like to urge all Members of the House to work for the speedy passage of H.R. 2014, the Illinois and Michigan Canal National Heritage Corridor bill, currently pending in the Committee on Interior and Insular Affairs.

The Heritage Corridor bill, introduced by my esteemed colleague from Illinois, TOM CORCORAN, and of which I am an original cosponsor, is an important piece of legislation for Illinois and a new and daring piece of legislation for the country. The focus of the bill is twofold: To provide the framework for enhancing the cultural and natural resources of this historic corridor while at the same time making it more attractive for further economic development. The bill creates a unique national designation, called a Heritage Corridor, which requires no Federal role in land acquisition or in operation and maintenance, and no new environmental or access restrictions. Rather, a Federal commission is created to coordinate public and private involvement in the implementation of the legislation.

H.R. 2014 will give communities along this corridor the opportunity to attract new business and industry, as well as the benefit of national exposure as a historical landmark. The Fifth District has a particular interest in this legislation since the part of the corridor that passes through Chicago and its suburbs, and the fifth, is heavily industrialized.

The bill requires only a modest outlay by the Federal Government ($250,000 a year for the 10-year life of the commission) and its involvement is restricted to a nominal amount of administration.

What makes this bill unique is the Heritage Corridor designation. The responsibility falls on State, local, and private concerns—primarily the businesses and communities in the corridor—to carefully balance developmental, environmental, and recreational concerns. H.R. 2014 sets an example of direct local cooperation that can be followed across the Nation.

The State of Illinois General Assembly deems this issue to be so important that it passed Senate Joint Resolution No. 23, introduced by Hon. State Senator Leroy Walter Lemke, which today I proudly insert into the RECORD, urging the passage of H.R. 2014 and the concurrent Senate bill, S. 746. I hope that my colleagues will heed the advice of the Illinois General Assem-

bly and pass the Illinois and Michigan Canal National Heritage Corridor bill.

[State of Illinois, Eighty-Third General Assembly]

SENATE JOINT RESOLUTION No. 23

Whereas, The Congress of the United States is currently considering legislation which would protect and greatly enhance the beautiful and historic Illinois and Michigan Canal; and

Whereas, This legislation would establish the Illinois and Michigan Canal National Heritage Corridor, thereby creating the first nationally designated recreation area in Illinois; and

Whereas, The bill creates a new designation in the National Park System called the Heritage Corridor, and creates a Federal commission to coordinate and implement National Park Service goals in areas so designated; and

Whereas, This concept, which the Secretary of the Interior has termed daring and precedent-setting, has received enthusiastic support from many individuals and many Federal, State and local organizations; therefore, be it

Resolved, by the Senate of the Eighty-Third General Assembly of the State of Illinois, the House of Representatives concurring herein, that we strongly urge members of Congress to give their support to S-746 and H.R. 2014, a bill which would establish the Illinois and Michigan Canal National Heritage Corridor; and be it further

Resolved, That we pledge to give our full cooperation in the administration of this legislation if it is enacted; and be it further

Resolved, That copies of this preamble and resolution be sent to the President of the United States Senate, to the Speaker of the United States House of Representatives, and to the Illinois Congressional delegation.●

NATIONAL NURSING HOME WEEK—THE CHALLENGE IN LONG-TERM CARE

HON. MARIO BIAGGI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 12, 1983

● Mr. BIAGGI. As an original member of the House Select Committee on Aging, I am proud to join with a number of my colleagues in noting National Nursing Home Week. As a cosponsor of the legislation which provided for this special celebration, I feel that it both appropriate and timely that we take time out to recognize the special people who reside in long-term care facilities in this Nation.

A look at the demographic changes which confront this Nation today and in the coming decades amply demonstrate that we must consider fundamental changes in our health care systems if we are to protect these vital services for all elderly Americans. The over 65 population is growing at a phenomenal rate and will comprise 14 percent of our total population by the year 2000. By 2080, there will be more than 18 million Americans over 85, representing 24 percent of the over 65 population. The combined age groups of 75–84 and over 85, which are now 40 percent of our older population, will represent more than half of this same age group by the year 2040. In all, the numbers bespeak the need.

The cost of health care, at the same time, has grown at a dramatic yet disturbing rate. Today, only 5 percent of all older Americans reside in nursing homes—1.5 million. Their percentage rises with age—with one-quarter of the total nursing home population over 85. The costs of such care now run $35,000 per bed, which does not even account for either inflation over time nor the actual costs associated with providing the health care. Thus, we have a growing population that is likely to contribute to the demand for nursing home care which is sure to generate increased costs.

The main Federal program which pays for nursing home care, medicaid, is also being pressured to provide greater numbers of services to expand the range of options of care for the elderly. Medicaid now spends approximately $16 billion annually on nursing home care which represents 45 percent of the total bill while medicare provide about 2 percent of the bill. We must work to insure that in the coming decades, we work to provide a range of long-term care options for the elderly so that nursing homes are not the only choice available to them for health care.

Not all elderly require—or desire nursing home care. Toward that end, I have introduced legislation, H.R. 76, which would provide for alternative to such care by giving families who care for their elderly relatives in the home a tax break of up to $500 per year. Most studies point to the family and the home as the preferred method of health care and we should continue to expand community-based health care options so that the elderly who wish to remain in the community should be allowed—and encouraged to do so. Tax credits is one method of providing for this.

Nursing homes serve a vital role in the health care needs of the elderly and we should remain an option—an affordable one—for all these services. This week is the appropriate time to recognize the special needs of some of the most frail and dependent in our society who reside in these homes.

In addition to protecting this need, we should continue to demand the highest possible safety standards for our nursing home residents. Toward that end, the Subcommittee on Human Services, last October, conducted heaings on the problem toxicity in nursing home fires. Simply stated, may of the interior components and furnishings of are not subject to regulation yet when such furnishings are exposed to heat, due to their composition, they emit deadly toxic fumes which are especially dangerous to the frail and dependent elderly in nursing homes. As a result of those hearings, I have introduced legislation, H.R. 2806, to require the Secretary of Health and Human Services to set standards in this area for nursing homes that are medicaid and medicare certified. The most dramatic demonstration of this problem was the recent jail fire in Biloxi, Miss., where a number of inmates died from such toxic smoke inhalation. The jail cells, lined with a synthetic padding, became veritable toxic infernos when the fire swept through the facility. The materials in the padding are quite common in nursing homes, such as mattresses and mattress covers. A safety standard such as this is a small, but significant step toward insuring that our Nation's 1.5 million nursing home residents can live free from fear or such tragedies.

Related to this point is my continued opposition to any and all efforts to weaken existing inspection standards in those nursing homes reimbursed by medicare or medicaid. There were efforts in the previous year to relax certain of these requirements but wisely Congress chose not to accept this. While there are a vast majority of nursing homes which operate in a safe and efficient manner in this Nation it is naive to assume that all do or all would maintain this standard were it not for regular inspections.

I hope that in the coming year we will focus on the value of nursing homes and how to make them better values for our Nation's health care dollar.●

MAY 15, THE OFFICIAL COMMEMORATION DAY OF THE GREAT FAMINE IN UKRAINE FOR THE STATE OF NEW JERSEY

HON. FRANK J. GUARINI

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 12, 1983

● Mr. GUARINI. Mr. Speaker, I am proud to inform you that Thomas H. Kean, Governor of my home State of New Jersey, has proclaimed Sunday, May 15, the official commemoration day of the Great Famine in Ukraine for the State of New Jersey. I am pleased to join with Governor Kean and members of the Ukrainian-American community in remembering the heroes and martyrs of the Ukrainian nation during this, the 50th anniversary of the man-made famine in the Ukraine.

As we well know, on January 22, 1918, the Ukrainian Central Rada in Kiev proclaimed the sovereign and independent state of the Ukrainian people. The independence of this nation was emboldened in November

of 1918 by the addition of western Ukraine to the new United Ukrainian Republic. However it was not long before the armies of Communist Russia invaded the newly independent states. The Ukrainians fought 3 years against tremendous odds before losing their freedom to the Russians.

Because of the fiercely independent nature of the Ukrainians, the rule of Moscow was oppressive from the very beginning. In 1932-33, Moscow decided on genocide as the way to end the continuing Ukrainian dream of freedom. Because the people of the Ukraine were opposed to the Communist method of enforced collectivization of farmland, the rulers of the Soviet Union created a famine through the policies of the state which led to the death of over 7 million Ukrainians. These people were forced to suffer the terrifying death of slow starvation. During this same period, thousands of Ukrainian leaders were executed by direct order of Moscow. Other Ukrainians did their best to dramatize the plight of their fellow citizens to the Western World.

We must not forget the valiant struggle of millions of Ukrainian citizens to overcome devastation of this genocide. The 50th anniversary of the famine of 1932-33 is a time for reflecting on both the spirit of man that allows him to weather the worst adversity and that part of man that allows such cruelty toward his fellow man.

It is important that we keep these memories alive. In this regard I would like to commend the work of The Ukrainian Weekly. This newspaper of the Ukrainian-American community is located in my district in Jersey City, N.J. Its editor, Roma Sochan Hadzewycz, associate editor, George Bohdan Zarycky, and assistant editor, Marta Kolomayets, do an excellent job of keeping the flame of freedom for the Ukraine alive. They make all Americans aware of the importance of the freedom we have. They have been very important to the community in the commemoration of this anniversary.●

A TRIBUTE TO SMALL BUSINESS

HON. EDWIN B. FORSYTHE

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 10, 1983

● Mr. FORSYTHE. Madam Speaker, today I rise to pay tribute to a vital sector of our Nation's economy: small business. As a small businessman myself for many years, I would like to take this opportunity to remind my colleagues that throughout our country's history, small business has been at the heart of American enterprise. In colonial days, nearly all businesses fell into this category, from the Yankee traders to the agricultural interests of the South.

From these roots sprang an expanding, vibrant economy. Small business became synonymous with the American dream. Intelligent, ambitious people succeeded in business because of our expanding domestic and foreign markets. Horatio Alger stories, though based on myth, were popular because there actually were those who went "from rags to riches" using small business as a vehicle for prosperity.

Small business also fosters another American ideal: independence. As in the past, small businessmen of today are self-reliant, basing their decisions on direct contact with their customers and suppliers.

From successful small businesses sprang the large companies of the industrial revolution. Since that time, small business has been a source for large industries. Today, it plays a significant role in the explosion of high technology. Flexibility, focus, and an innovative spirit, among other virtues, have ideally suited small business to participate in our current shift in industrial policy. It is from small companies that new corporate leaders such as Xerox, Polaroid, Texas Instruments, and Fairchild Semiconductor have emerged.

As small business continues to adapt to the changing ecomomic climate of the 1980's, it has special needs that Congress should keep in mind. First of all, we need a stable economy. The recession has hit small businesses particularly hard because they have fewer resources upon which to draw. Availability of capital at reasonable interest rates is another key factor for prosperity in the small business sector of the economy. Without ready sources of capital, it is impossible for businesses to invest in plant expansion and new equipment or research and development. Curtailing reinvestment leads to inefficiency and loss of a competitive edge. Inflation is the factor that exacerbated instabilities in the economy and drives up interest rates. Congress has made positive efforts to combat these economic ills; however, there is still much to be accomplished.

More directly, the Congress and the administration should continue to foster policies that encourage small business. For example, Government regulations should be constantly reviewed, updated, and minimized to enhance the flow of commerce, not restrict it. Tax incentives, such as those included in the Economic Recovery Tax Act, and incentives in research and development funding should also be incorporated into future tax legislation.

In these ways, Government can provide an invaluable service to small business so that this vital sector of the economy can continue to serve us as individuals and add to the prosperity of the Nation as a whole.●

BANKRUPTCY REFORM NEEDED TO PROTECT FISHERMAN

HON. DON YOUNG

OF ALASKA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 12, 1983

● Mr. YOUNG of Alaska. Mr. Speaker, I am reintroducing legislation today which would correct an inequity in the Federal Bankruptcy Code which has unfairly penalized U.S. fishermen. This legislation would simply provide fishermen with a degree of protection in bankruptcy cases filed by fish processing firms and would close a loophole in the law which has allowed a few processing firms to avoid paying millions of dollars owed to fishermen.

Of course, it must be emphasized that in Alaska, as elsewhere, the vast majority of processing firms are ethical and follow good business practices. Such firms realize that the long run survival of both fishermen and processors depends to a large degree on both parties being treated fairly. This is particularly true during difficult economic times and fluctuating markets. Passage of this legislation will not hinder these businesses acting in good faith. It is designed merely to close a loophole in the law and provide fishermen with some protection against firms which would seek short term gain at their expense by taking advantage of their status as unsecured creditors.

Under current law, fishermen are treated as ordinary creditors of fish processors and are not entitled to proecutions given secured creditors or employees of the bankrupt firms. Although secured creditors and employees are not guaranteed repayment under the bankruptcy law, they are entitled to priority in payment of debts to be discharged in bankruptcy proceedings. Priority is given to these parties in recognition of their special relationship to the debtor and their justified reliance debts will be repaid.

This legislation would amend title 11 of the Bankruptcy Code to provide that priority shall be given to unsecured claims of fishermen. The change in the law would bring it into compliance with many State laws which treat fishermen as labor for purposes of filing materialman liens. Also, the code amendment would help emphasize to new and reorganizing firms that commitments made to fishermen are just as important as those made to other creditors.

The change in Federal law is necessary because a few firms have taken advantage of Federal law by inducing fishermen to rely on payments being honored and then obtaining protection

from the Bankruptcy Code to discharge those debts which were lawfully owed. Secured creditors, assured priority under the code, are protected, at least to the extent of being entitled to priority as the assets of the bankrupt firm are liquidated. However, fishermen, with no priority, are often left without any payment on the dollar and without any recourse or legal method of receiving payment.

The continuing recession in the fishing industry dramatizes how vulnerable fishermen are under current bankruptcy law. Witness, for example, the tuna industry which is experiencing its worst economic crisis in 20 years. Canneries are being closed or are operating on reduced schedules. Vessels are sitting at their moorings holding their fish aboard until the canneries unload them. Fishermen are facing both serious losses and considerable financial uncertainty, as are several tuna processors. Furthermore, several of the processing plants have shifted from paying the fishermen upon delivery of the fish to paying when the tuna is actually canned. This means that after delivery and until actual canning a fisherman is vulnerable to a bankruptcy petition. Since current law makes them ordinary creditors, fishermens' claims are not given any priority whatsoever in a bankruptcy preceeding.

In my State of Alaska, there have been instances in which fishermen have been left unpaid for a year's work when a processor went bankrupt. One bankruptcy in 1981 left over 200 fishermen with unpaid debts totaling nearly $2 million. Another bankruptcy in 1979 left 300 fishermen with unpaid debts totaling $2.5 million. There is little chance that these fishermen will ever receive any payments on the debts owed.

This legislation is designed to prevent a recurrent theme of some of the bankruptcies in the industry. There have been cases in which some firms have taken advantage of the unsecured position of fishermen. Typically, fishermen have been induced to rely on payments when proper initial payments have been made early in the fishing season. Later, revenues from product sales or loans are diverted to disproportionately pay loans and debts to secured creditors since these creditors are more important to the operator, especially if the firm plans to seek additional financing. While these revenues are being diverted to other creditors, the fishermen are typically told not to worry, that the firm is experiencing only temporary cash flow problems. By the end of the season, secured creditors will have received the largest portion of sales revenues, while fishermen will have the highest levels of unpaid debt. If a bankruptcy petition is filed, the secured creditors have priority and some assurance of payment while fishermen, without priority and without legal recourse, may never be paid.

I believe that fishermen should be entitled to more equitable treatment under the law. Because of the nature of the fishing industry, fishermen have traditionally relied on informal business dealings in selling fish for processing. Most fishermen rely on payments from processors as the sole source of income and may sell their entire yearly catch to one processor. Trust and reliance on payment are essential elements of this industry. I believe the special relationship between a fisherman and a fish processor qualifies the fisherman for priority creditor status in any bankruptcy proceedings involving a fish processor. I urge my colleagues to give this legislation their prompt and favorable consideration.●

SMALL BUSINESSES ARE VITAL TO OUR NATION'S ECONOMIC FUTURE

HON. HAROLD ROGERS

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 10, 1983

● Mr. ROGERS. Madam Speaker, the President has designated the week of May 9 to May 13 as "National Small Business Week," and I am thankful that we are finally giving our small businessmen and women the recognition they deserve.

Few people realize just how important small businesses are to our Nation's economy. A quick look at some numbers clearly shows that small businesses form the backbone of our Nation's economy: 95 percent of all businesses in the United States are small businesses; over 80 percent of all new jobs created in the private sector are created by small businesses; the 14 million small and independent businesses in America employ almost 60 percent of all private-sector jobs and support more than 100 million people across the country; and small businesses are responsible for more than half of all the innovations and new technologies in this country.

Small businesses are even more vital to the economy of the rural Kentucky district that I am privileged to represent, because in Kentucky's Fifth District, practically all of our businesses are small businesses.

But small businessmen are more than just key sources of jobs and innovation; they embody that hardworking, entrepreneurial spirit that made our Nation's economy the strongest in the world over the past 200 years. Small businessmen took the risks inherent in starting out on their own, knowing that in our free-market economy, they would also enjoy the fruits of their labors if their venture turned out to be successful.

We need a healthy, sound small business community in this country. And the durability of the economic recovery that is now beginning to raise its head will depend to a large extent on the economic health of our small businesses. Congress must continue to help small businessmen everywhere—by reducing the deficit and lowering interest rates, eliminating burdensome Government regulations and redtape, and cutting unfair taxes—if we desire to see our country pull out of this recession and get back on its feet for good.

I am committed to doing all I can to help small businessmen in Kentucky's Fifth District and all across America prosper. And during this "National Small Business Week," I invite my fellow Members of Congress to join with me in working to create a climate in which small businesses can continue to play such a key role in the economic life of this Nation.●

CHARITABLE ORGANIZATION INCOME

HON. BYRON L. DORGAN

OF NORTH DAKOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 12, 1983

● Mr. DORGAN. Mr. Speaker, I am introducing legislation to clarify congressional intent regarding the tax status of income received by charitable organizations through games of chance. This legislation would exempt income derived by charitable organizations through games of chance from the tax imposed on unrelated business income; this exemption would apply only to income derived from those games of chance which are not ordinarily carried out on a commercial basis and which do not violate any State or local law.

The background for this legislation is straightforward.

Under a 1981 State law, North Dakota permits charitable organizations to conduct games of chance and to use the revenue from those games for charitable purposes. In June 1982, the District Director of the Internal Revenue Service in St. Paul, Minn., issued a letter indicating that the revenue generated from the gaming activity is subject to Federal tax under the unrelated business taxable income provision of the Internal Revenue Code. As we know, in 1950, Congress enacted the unrelated business income provision to prevent tax-exempt organizations from competing unfairly with taxpaying, for-profit businesses. Then, last December, the Senate adopted, and the House conferees agreed to, an amendment to the fiscal year 1983 continuing resolution that prohibits the IRS from taxing the proceeds re-

ceived by charitable organizations in North Dakota from games of chance.

The key issue in this legislation is whether tax-exempt, charitable organizations in North Dakota are competing with taxable, for-profit businesses in conducting games of chance. If they are, then chances are they should be subject to the unrelated business income tax provisions. But, they are not. North Dakota does not permit for-profit gambling operations. Consequently, the rationale for the unrelated business income provision—to prevent unfair competition—does not apply to this situation in North Dakota.

When Congress enacted the unrelated business income provision in 1950 it was looking at fairness. The purpose of the provision was to prevent tax-exempt organizations from competing unfairly with taxpaying businesses. Congress wanted to put tax-exempt organizations on the same footing as private businesses when they are engaged in the same revenue-producing activities. Congress was not trying to deprive tax-exempt organizations of funds, or to foreclose to them a source of funds.

Thus, when there is no competition, the policy and purpose of the outside income provisions are irrelevant. This is the case in North Dakota, for North Dakota law explicitly reserves the operation of games of chance to tax-exempt organizations.

Mr. Speaker, the exemption envisioned in this legislation is very limited. It is designed to enhance the worthwhile goals of charitable organizations that operate under laws such as those in North Dakota. It is intended to clarify for the IRS the intent of the Congress as spelled out in the fiscal year 1983 continuing resolution. Finally, it is consistent with the purposes of the unrelated business income statute enacted by the Congress in 1950.●

SMALL BUSINESS WEEK

HON. BOBBI FIEDLER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 10, 1983

● Ms. FIEDLER. Madam Speaker, the economic health of the small business sector has been sorely tested this year. The recession has demanded a new spirit of management that is increasingly concerned about productivity, quality and efficiency. We have seen companies pare down and provide a wide range of employee incentives and rewards that show management's commitment to excellence, consumer confidence and employee satisfaction. The learning experience has been expensive but lasting and long-term results will provide an attractive payoff. Optimism and confidence is spilling over into the college campuses as hundreds of young entrepreneurs are forming innovative and lucrative business.

I am encouraged by Congress attentiveness and recognition of the needs of our small businesses. With small business accounting for 38 percent of the Nation's gross national product, producing twice as many innovations per employee as larger firms, and contributing two out of three new jobs, our action to preserve opportunities for small business is required.

Great strides have already been taken through recent legislation. The Small Business Innovation Development Act went into effect on October 1, 1982. The new program, directing a fixed percentage of research and development awards to small business will stimulate technological innovation, encourage small science and high technology firms to participate in Government funded research and provide incentives for the conversion of research results into commercial applications. The Small Business Administration estimates that up to $45 million will be awarded to small business innovation research in fiscal year 1983 and that this figure will increase tenfold in 1987.

Federal procurement of goods and services is a $110 billion-a-year business involving one-fifth of the Federal budget. While small business accounts for 38 percent of our gross national product, they receive only about 25 percent of these procurement contracts. Although Federal contract opportunities are required to be published in the Commerce Business Daily, adherence to the rule has not been constant and small business have experienced difficulty in monitoring the publication process and preparing a bid in such arbitrary circumstances. Hopefully, our action to increase this notice to a 45-day period will rectify the situation.

Passage of the export trading companies legislation was a big step in opening up foreign markets to small and medium sized businesses. Export trading companies are expected to increase U.S. GNP by $27 to $55 billion, create 320,000 to 640,000 new jobs, and reduce the Federal deficit by $11 to $22 billion by 1985. Small business produces only 16 percent of all export sales. Lack of information, finances or resources and complex laws and regulations have discouraged many small and medium-sized firms from expanding their enterprises through foreign trade. Export trading companies will reduce many of the risks involved in entering foreign markets.

The Presidential Task Force on Regulatory Relief has lightened the regulatory load on small businesses, which imposes an enormous burden on small business. A 1978 SBA study revealed that paperwork burdens alone cost small business $12.7 billion per year.

Much has been done and much remains to be done to provide the incentives and opportunities for small business to reach its full potential in the economic growth of our country.

Dun & Bradstreet has estimated a 2.7-percent gain in total U.S. employment this year. That is about 2.5 million jobs, coming mainly from small business. I have introduced legislation providing a tax credit for a portion of a salary paid to a new, long-term unemployed individual. This would create even more jobs while at the same time directly reducing the number of unemployed.

Clearly, small business is a vital factor in our future economic growth. Congress is now faced with the challenge of continuing to facilitate that growth. That is why I am pleased to voice my admiration for American small business, and promise my support for efforts in their behalf.●

THE PASSING OF ALICE ALLISON DUNNIGAN

HON. ROMANO L. MAZZOLI

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 12, 1983

● Mr. MAZZOLI. Mr. Speaker, the State of Kentucky—and this country—lost one of its truly great pioneers with the recent passing of Alice Allison Dunnigan.

Mrs. Dunnigan was a fascinating woman whose achievements and accomplishments during her life were the stuff of which legends are made.

The daughter of a poor southern farmer, she began her professional career as a teacher in a one-room rural schoolhouse in Kentucky. She taught school for 18 years before moving to Washington where she later became one of the leading journalists in the Nation and the first Negro woman journalist to receive White House accreditation.

Mrs. Dunnigan worked under the administration of several Presidents and was the recipient of more than 50 awards in her lifetime for her work in journalism, civil rights, equal employment, and youth activities.

In her later years, she wrote her memoirs, "A Black Woman's Experience From School House to White House" which was first published in 1974. She later wrote "A Fascinating Story of Black Kentuckians: Their Heritage and Tradition."

Alice A. Dunnigan was a great American and a great Kentuckian and she will be remembered by all who knew her for her contributions to society and her zeal for life.●

PREJUDICE NO REGIONAL MATTER

HON. CARROLL HUBBARD, JR.

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 12, 1983

● Mr. HUBBARD. Mr. Speaker, the following feature article appeared on April 19, 1983, in the Paducah Sun, Paducah, Ky., written by one of my constituents, Berry Craig, an outstanding Sun staff writer. I believe my colleagues will be interested in Craig's excellent comments about the recent mayor's election in Chicago.

His article follows:

[From the Paducah (Ky.) Sun, Apr. 19, 1983]

PREJUDICE NO REGIONAL MATTER

(By Berry Craig)

The Chicago mayor's election, in which race was an ugly issue, reminded me of a self-styled Chicago liberal I met on an airplane trip.

She talked at length about racial prejudice as if it were exclusively Southern.

Her hometown has just finished one of the dirtiest political campaigns in its history.

Harold Washington, a black man, won in a cliffhanger—after being targeted with a barrage of racial slurs, including anti-black campaign buttons and bumperstickers.

The election was called the most overtly racist since George Wallace's presidential campaign of 1968.

The meanness of it proves that despite protestations of some holier-than-thou Northerners, prejudice is found above the Mason Dixon Line, too.

Indeed, the late Martin Luther King Jr. said he had never seen such racial hatred and hostility as that which he encountered in Chicago in 1966.

This is not to miminize Southern prejudice: slavery, Jim Crow, lynchings and beatings of blacks.

However, the Chicago election again explodes a notion long-cherished by some Northerners: that bigots live only in the South.

I am sure Washington would agree that it is unfair and wrong to say everybody who voted for his Republican opponent, Bernard Epton, did so out of racism.

However, much of Epton's support came from white Democrats whose past voting behavior has made other Democrats shoo-ins in Chicago, long a Democratic stronghold.

Too, while Epton claimed he wasn't after the racist vote, one of his campaign slogans was widely interpreted as having anti-black undertones.

And throughout the campaign, there was a flood of media reports of Chicago whites saying openly they were against Washington because he is black and for Epton because he is white.

It's sad that so many Americans still can't judge a political candidate on the basis of what he thinks, says and does instead of on the color of his skin.

That's not to minimize the major strides that have been made toward lessening racial discrimination, strides made possible by federal legislation and changing attitudes.

Now there are 223 black mayors, many in the South.

Still, the virulent racism directed against Washington—it included an angry white crowd jeering him away from a church—shows that we've got a long way to go in eradicating the civil wrong of bigotry.

The Chicago bigots could take a lesson from something I witnessed in western Kentucky a while back.

I mean to include the white "liberal" who also bemoaned the breakdown of "ethnic integrity" in her neighborhood. She meant blacks moving in.

What I saw was at Carlisle County High School during the welcome home celebration for the now famous boys' basketball team.

Senior standout Phillip Hall was an impromptu emcee who introduced his teammates.

Hall—blinking back tears—said fellow senior star Keith York was like a brother to him.

They embraced each other. All the cheerleaders hugged Hall.

Phillip Hall is black. York and the cheerleaders are white.

It's too bad some adults on both sides of the Mason-Dixon Line can't get past skin color like those young Carlisle countians did.●

PRODUCTIVITY INCENTIVE ACT

HON. JOHN F. SEIBERLING

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 12, 1983

● Mr. SEIBERLING. Mr. Speaker, I am introducing legislation today to encourage better labor-management relations in our country and greater productivity improvement.

Under the prevailing wage system in this country, employees often feel that they have little stake in the company's performance. Wages usually bear no direct relationship to productivity or company earnings, and companies usually adjust to downturns in the business cycle by laying employees off. As a result, workers perceive their pay increases as being independent of the company's profitability. This wage structure gives them little incentive to use their ingenuity to help their company become more profitable by cutting costs and increasing productivity.

This kind of wage structure also emphasizes the divergence rather than the community of interest between employer and employe and thereby contributes greatly to the deep antagonism that is characteristic of labor-management relations in the United States. Our country can no longer afford such antagonism if it is to remain competitive in the new economic order.

My bill would encourage employers and employees to adopt a base wage and a bonus determined by reference to company profits or cost savings, with the bonus comprising up to a third of the employee's annual compensation. To offset any additional cost associated with establishing and running this new wage system, employers would receive a tax credit equal to 10 percent of the bonus in the first year of operation, 5 percent the second year, and 3 percent the third.

The bill would give workers an incentive to be more cost and productivity conscious, since their pay would depend to a degree on the earnings of the company or increases in productivity. To the extent that profit sharing is adopted, the system would afford the company a means of adjusting its labor costs to meet adverse changes in the business cycle without cutting the workers' weekly pay or resorting to layoffs. The resulting job security cannot help but produce greater feelings of loyalty on the part of the employees and better employer-employee relations.

This bill is not a cure-all for our country's economic problems, but it should help improve job security as well as productivity. Many other changes must accompany the type of wage restructuring which I am advocating if we are to reverse our poor productivity growth in recent years. Productivity is a root cause of our country's economic problems. If we concentrate simply on dividing up a diminishing pie, we will all be losers. Instead, we must concentrate on enlarging the pie by examining policies and practices which hinder productivity improvement.●

CAROL CLOER TAKES LOTS OF ENERGY TO POLICE BOARD

HON. BILL RICHARDSON

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 12, 1983

● Mr. RICHARDSON. Mr. Speaker, I want to draw my colleagues attention to an article entitled "San Juan's Carol Cloer Takes Lots of Energy to Police Board," which recently appeared in the Albuquerque Journal, a daily newspaper in my district.

Carol Cloer is a woman of many outstanding achievements. Just recently she was the first woman to be appointed to the New Mexico State Police Board.

She is the mother of three daughters and is politically active. In the near future she will start work on her doctorate in education administration at the University of New Mexico. She and her husband also operate a 96-acre ranch. In addition to these activities, Mrs. Cloer holds a full time job as curriculum director for secondary and special education programs with the Bloomfield School District.

Mrs. Cloer is truly an inspiration to women throughout New Mexico. Her energies and talents serve as a shining example for others to follow and her many achievements are properly noted in this wonderful article. I hope my

colleagues will take the time to read this thoughtful piece:

SAN JUAN'S CAROL CLOER TAKES LOTS OF ENERGY TO POLICE BOARD

(By Val Cooper)

FARMINGTON.—The statuesque redhead jumped upon a chair, cupped her hands to her well-shaped mouth and shouted, "All the Toney Anaya supporters over here . . . Anaya backers right here."

Once her flock had gathered in a corner of Farmington's Civic Center hall, Carol Cloer wasted no time in making sure from her lofty perch that everyone understood how to cast their ballots at the 1982 San Juan County Democratic Convention. She rattled off the procedure with knowledge, authority and machine-gun rapidity.

"I didn't have much time and I had to be certain that everyone was familiar with what is called the proportional voting procedure," Mrs. Cloer explained. "I had to be sure they voted for the right people."

The 43-year-old Bloomfield educator had done her homework well. Of the 80 San Juan County delegates who went to the state pre-primary conclave, more than 50 of their votes went to Anaya. He subsequently carried the county in the primary election. In the general election, Anaya lost by only 1,867 votes to Republican John Irick in a county which has been traditionally Republican.

The fast-tracking of this highly energized mother of three daughters so impressed Anaya that he named her to the State Police Board. She's believed to be the first woman in the history of New Mexico to receive such an appointment, and the second San Juan County resident to serve on the board. The late former Farmington Mayor Oscar Thomas was a member of the board in the late 1950s.

Mrs. Cloer said the governor asked if she'd be interested in a full-time position in his administration, which she took as an implication that he wanted her in his cabinet. But, she says she "just wasn't ready for that." She did tell him she'd be interested in a board or commission appointment.

"I was thinking of something along educational lines," said Mrs. Cloer, who is director of secondary instruction and special education for the Bloomfield School District. Nonetheless, she took the State Police Board job because she thrives on challenge and likes to "broaden my horizons and learn new areas."

She's quick to point out that her support of Anaya wasn't prompted by any political ambitions.

"I watched him as attorney general and I like the way he takes a kind of hard line stand on issues even though sometimes it's not popular," she said. "I believed in what he was trying to do and I thought he would be a good governor. I had no aspriations beyond that. So when he asked me if I would help him, I said yes."

The positive-thinking Mrs. Cloer utilized a method she called pyramiding in her position as Anaya's San Juan County coordinator, which she still retains.

"I started with a small group and identified those people," she said. "Then they brought in a few more and identified them, and they brought in more," until there was an Anaya grid system throughout the county. From an initial group of 35, Mrs. Cloer built a pyramid of more than 100 Anaya workers.

During the campaign, she said, "Toney came up here (to San Juan County) a lot more than I think he initially intended because the momentum was turning in his favor."

On behalf of herself and others, Mrs. Cloer said she has written Anaya expressing concern that his focus might be too concentrated on his commitment to Hispanics. He replied that he feels there is a large percentage of Hispanics in the United States who are not actively involved in the processes of government and he would like to take a part in motivating them to get involved.

"I can now see what he is trying to do on a broader scale," Mrs. Cloer said, "and I don't believe it's wrong when you can get anyone involved in the processes of government."

Her appointment to the police tribunal isn't as inopportune as it may appear. Mrs. Cloer's late father was an El Paso policeman, detective and former Texas Highway patrolman.

He often took her with him on his beats. "I saw many different kinds of lifestyles and had many exciting adventures," she recalled recently during an interview in her Spanish-styled home. Built by her husband, Harold, the home is located on a rocky slope of their 96-acre farm which looks out over their alfalfa fields and has a sweeping view of the San Juan River valley between Farmington and Bloomfield.

"My father had a great influence on me," she mused.

Mrs. Cloer stands 5'10" with hazel-colored eyes and is a virtual human dynmo in her pursuit of life, education—and politics.

"Politics is our social life," she says of herself and her husband.

She's been a ward and precinct chairman. She's a former Democratic county vice chairwoman and presently serves on the state central committee. She's been to two national Democratic conventions, in New York and Philadelphia, and served on their platform committees. "I always take my daughters to the conventions," she said because she wants them to be thoroughly attuned to the processes of government.

Does she have higher political ambitions? The answer is emphatic: "Yes, but I'm going to move slowly."

She had planned to seek the state Democratic chairwoman's position this year, but the State Police Board appointment negated that. "You've got to get your priorities straight," she said. "If you're running for office you have to have time to do it. You can't work and campaign well." Several years ago, the teacher lost a primary election bid for state representative to Polk Brown.

The new state police commissioner is motivated by a high level of curiosity about everything and admits that sometimes "my curiosity consumes my energy level." She said some of her staff members who she has asked to evaluate her have reminded her that not everybody has her drive, and "I try to remember that."

Her consuming curiosity has molded Mrs. Cloer into an indefatigable person, who graduated from high school in El Paso at 16, married at 18 and earned bachelor, master's and special education degrees by sheer tenacity while having babies and taking them to college with her during summers.

The Cloers were both working for El Paso Natural Gas Co. when they were married in El Paso in October 1957. They were transferred to Farmington "the first time," two years later.

She started her college work in Gallup, where Harold was transferred in 1961, going to the night school branch of the University of New Mexico. When her husband was transferred to Corona, near El Paso, she enrolled at the University of Texas at El Paso (UTEP) full time and completed work on her bachelor of education degree. She started work on her master's degree in history at UTEP but that was interrupted when Harold was transferred to Aneth, Utah, where she taught four elementary grades for a year.

Television and radio reception at Aneth was unsatisfactory, so Mrs. Cloer turned to fulfilling her hunger for reading, which she said had been instilled in her by her mother. "She made me like to learn through reading," she said. "Now it's like food—I have to have it." She borrowed books—"tons of them,"—from a bookmobile out of Salt Lake City.

After her husband was transferred back to Farmington in 1969, Mrs. Cloer spent the next three summers continuing pursuit of her master's degree at UNM. She took her three daughters with her and juggled classes between day school and mothering.

Her thesis was entitled, "Navajo Education: The Long Walk To Acculturation," which fulfilled a curiosity she developed while living in Aneth as to why the American Indians had "not moved along educationally."

When the Cloers bought their farm in 1969, "We didn't even have a tractor," she said. They'd been cattle ranchers at Corona and didn't have an inkling as to how to go about farming. But they got a big assist from a neighbor, Republican State Sen. Christine Donisthorpe, who planted their alfalfa seed in exchange for Cloer doing some carpentry work for her. "She taught us about farming," admitted Mrs. Cloer.

Before long, Carol and her three daughters, then ages 5, 7, and 9, found themselves arising around 4 a.m.—"as soon as you could see to trip over the pipe"—making their way to the alfalfa fields and moving some 200 feet of irrigation pipe. They kept up this back-breaking work for 10 years, before and after school, until the farm became successful enough for the Cloers to convert to automation. Most of these times Harold was away working shifts for El Paso Natural Gas Company or busy contracting for cutting and baling hay. "We became his foreman," said his wife. The mother and three girls now drive balers and swampers like pros.

Recalling those 16- and 17-hour days, Mrs. Cloer confided, "I got to where I really wanted to come in the house and make cookies. But that hay money built this house."

When Carol decided to attain her education specialist degree in administration, she made up her mind to do it in one year, a practically unheard of accomplishment. She did it by taking a load of five graduate hour courses at UNM one summer, driving to Albuquerque for classes on Saturdays during the fall, taking special courses at Farmington's San Juan College and finishing up the last few months of the year by returning to UNM's early summer classes. During this time, she continued to teach.

Since joining the Bloomfield system 13 years ago, she's been principal of the Blanco school and successfully coordinated evaluations of secondary schools statewide. She was serving as principal when she was named director of secondary instruction for the system. But the two jobs didn't go well together because "one was stationary and the other a mobile" position. So she talked her superior into letting her relinquish the

principal job in favor of becoming director of secondary education and special education.

Prior to being named principal, Mrs. Cloer headed the social studies department, and taught history and government. These served as stepping stones to her becoming vitally interested in the functions of government, although she says she's been issue-oriented all her life as the result of being around parents and other relatives who maintained lively interests in current events.

She encourages her students to keep up with political issues and tries to instill in them the proper procedures for making changes they don't like—which is through the ballot box.

Nor is she through with her educational goals. Next summer Mrs. Cloer plans to start work on her doctorate in Education Administration at UNM, where she's already been accepted.

In her efforts to motivate women toward new adventures, Mrs. Cloer likens them to rosebushes in bloom. "If the blossoms are picked too quickly (meaning if one loses interest in life and learning) you never see the full beauty of that flower," she said.

Is there anything Carol Cloer doesn't like to do?

Yep. Move irrigation pipe.●

MEMORIAL DAY 1983 PAYS HOMAGE TO MEMBERS OF U.S. MILITARY ESTABLISHMENT

HON. BILL CHAPPELL, JR.

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 12, 1983

● Mr. CHAPPELL. Mr. Speaker, in just a few days we will celebrate Memorial Day, 1983. Oftentimes I am touched by the supreme sacrifice made by so many civilian and military men and women around the world. These people serve. They ask no more than to do their duty. They do so, and, in some tragic instances, they give their lives in order that their country might be a safer place in which other Americans may go on living.

Earlier this month, 14 brave and dedicated military personnel died in the crash of their military aircraft in Jacksonville, Fla. In another incident, a young Navy pilot was killed in a crash which occurred while landing aboard a Navy frigate in the Red Sea.

All military active and Reserve personnel in all branches of the service are deserving of the respect, the thanks, but, most of all, the prayers of all of their countrymen and women—for being there, for serving, for unflinching devotion to duty, and for giving America a great reason to be proud and humbled by their example.

May we pause on Memorial Day, 1983, and offer up our prayers for the loved ones who have suffered loss. May God grant them strength to endure and may we in the Congress of the United States recognize what an honor it is for us to serve with such distinguished members of our active, Reserve, and civilian Military Establishment.

EXCEPT IN TIME OF TRAGEDY, NAVY IS TAKEN FOR GRANTED

It is easy for most of us to take the United States armed forces for granted.

They are there. They are doing a job. And the rest of us sleep soundly as a result.

Not only do we sleep soundly but we walk and talk freely, unlike most of the world's population.

As a nation, we are uneasy with the world leadership role that was thrust upon us as a result of World War II. We have not always discharged it perfectly but we have given more, not only to the maintenance of other nations but to maintenance of freedom in the world, than will ever be credited to the United States by historians.

This role has meant a substantial cost in human life as well as national treasure.

Jacksonville, as one of the U.S. Navy's main stations, is more cognizant than most communities of that cost. Those who do give their lives in the effort to maintain peace and freedom are often friends and neighbors.

There were friends and neighbors of many in the Jacksonville area among the 14 who died Saturday in the crash of a Navy plane into the St. Johns River just short of the runway at the Jacksonville Naval Air Station. They were aboard a Navy passenger plane on a flight to the U.S. Naval Station at Guantanamo Bay, Cuba, and the casualties included Chief Edward Beach of Orange Park. The only survivor, Petty Officer Melissa Kelly, of Jacksonville, was hospitalized and was listed in stable condition.

Lt. Dwight Greer, of Neptune Beach, who died in a helicopter accident Sunday aboard the destroyer Trippe in the Red Sea, and Lt. Cmdr. Chuck Taylor, of Jacksonville who received "major injuries in the accident," according to a Navy spokesman, were also among the victims on this tragic weekend.

The Navy's mission will continue, mostly out of sight and out of mind for the average civilian in the workaday world.

It is a role that should command the gratitude of the rest of us, as well as our prayers for those whose lives were lost and who were injured in carrying out their routine—a "routine" whose successful discharge is a matter of freedom or slavery, life or death, for us and many, many millions on this planet.

LETTER TO THE EDITOR—CIVILIAN RESPONSE IN NAVY PLANE TRAGEDY PRAISED

Last Saturday certainly began as a beautiful day, and I am sure most of us were enjoying the sun and outdoors. Unfortunately, for those of us at Jacksonville Naval Air Station our remembrance of Saturday will be considerably different from that pleasant beginning.

The aircraft crash that occurred here shortly after noon has saddened our nation with the terrible loss of 14 young Americans who were in the service of their country. They, as so many who have gone before them, gave their lives to insure the continuance of our nation's freedom and way of life.

Even a cursory glance at the list of names would tell you that this was a true cross section of America and truly represenatative of the fabric from which our great nation is woven. They came from across the breadth of our country, probably from every social strata and are representative of the many cultural heritages that have combined to make us special among nations.

We, in the Navy, were never conscious of these differences for we were shipmates, shipmates in an honored and demanding profession. Only those who have shared the rigors, hardships and rewards of going to sea can fully understand the special kinship described by this term, shipmate.

The very special relationship that has existed between the citizens of Jacksonville and the Navy was never more obvious than it has been during this difficult time.

The Jacksonville Sheriff's Office immediately provided scuba divers to assist the Navy divers, escort vehicles and helicopter assistance. The police and the Coast Guard auxiliaries volunteered their services as did many recreational boaters.

Completely overwhelming, however, were the hundreds of calls from citizens in the Jacksonville area offering diving assistance, boats or asking what they might do to help. In a time of real need, the community offered their help, support and prayers.

[All of those involved], civilian and military, more than lived up to their responsibilities as learned from disaster or casualty drills. There were certainly heroic acts in the first few moments following the crash when one life was saved and there was still hope for others.

As hope turned to despair, everyone remained professional in their assistance of divers and medical personnel in their unenviable task.

Jacksonville has again demonstrated that its appreciate of service to one's country, goes far beyond the words and even beyond the deeds one could expect. It is obvious that the destinies of Jacksonville and the Navy are forever entwined and how lucky we in the Navy are. For, if a city could be classified as a shipmate, Jacksonville would head the list. Thank you, Jacksonville.

Capt. ROGER RICH,
Commanding Officer,
Jacksonville Naval Air Station.

NEPTUNE BEACH PILOT KILLED

A local Navy pilot was killed and his co-pilot was injured when their helicopter crashed Sunday while landing on a frigate in the Red Sea, Navy officials said yesterday.

Lt. Dwight Greer, 26, of Neptune Beach, pilot of the SH-2F antisubmarine-warfare helicopter, was killed in the accident, and Lt. Cmdr. Chuck Taylor, 36, of Jacksonville, was badly injured, the Navy said.

Aviation Electrician's Mate Second Class Robert Rains, 25, also of Jacksonville, received minor injuries on the flight deck of the USS Trippe during the accident.

GREEN HONORS COMMUNITY SERVICE AWARD RECIPIENTS

HON. BILL GREEN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 12, 1983

● Mr. GREEN. Mr. Speaker, I rise to call to my colleagues' attention an award ceremony that will honor several outstanding individuals for their generous contributions to the New York City community. This afternoon, the East River Men's Club and the Abraham Kazan Health Services Foundation will present a community

service award to the Office of Deputy Commissioner, Community Affairs of the New York City Police Department.

These outstanding individuals are: Deputy Commissioner William E. Perry, Jr.; deputy inspector and head of auxiliary police, Nickolas D. Drakos; commanding officers, Capt. Louis Sbrocchi and Lt. Richard Lebron; and director of civilian police participation and staff, Richard Shapiro.

These gentlemen have dedicated a great deal of time and effort to improving neighborhoods in all boroughs of New York City. In addition to managing the auxiliary police and Guardian Angels, they coordinate civilian patrol groups like block and crime watchers and organize various youth and community activities. I would like to express my sincere appreciation of these gentlemen's efforts to make our community a safer and more friendly place in which to live.●

THE INTRODUCTION OF LEGISLATION TO CHANGE CERTAIN ACCOUNTING RULES RELATED TO INVENTORY

HON. ED JENKINS

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 12, 1983

● Mr. JENKINS. Mr. Speaker, I am introducing today along with my colleagues, Mr. HEFTEL and Mr. BEILENSON, legislation to amend the Internal Revenue Code to change certain accounting rules relating to inventory.

The bill has two provisions. The first would permit any taxpayer that can establish that a portion of his inventory will be sold or otherwise disposed of below cost to write-down that portion of his inventory to its net realizable value for tax purposes.

The second provision would permit taxpayers who change from the "first-in, first-out" (FIFO) method of identifying inventory items to the "last-in, first-out" (LIFO) method to spread any resulting increase in income in the year of change over a 10-year period.

The thrust of the bill is section 1. It addresses a problem that taxpayers in all industries may face, the problem of excess inventory with little or no market value, and provides a straightforward method of determining the proper tax deduction for such excess inventory in an otherwise complex area of the tax law.

The excess inventory problem arises when a taxpayer who uses the FIFO method of identifying inventory items must value his inventory at the close of the tax year. The applicable Treasury regulations provide that a FIFO taxpayer may value his inventory at its cost or at cost or market value, whichever is lower. The regulations further provide that the second method must be applied to each item in inventory separately. Under present law, then, if, at yearend, a taxpayer has in inventory items that have a market value less than it cost him to produce them, he can write-down this excess inventory and claim a deduction for the difference. The dilemma faced by a taxpayer in this situation, however, is how he can prove that his inventory is worth less than it cost him to produce it. The Internal Revenue Service has traditionally accepted two methods of establishing that a taxpayer's inventory should be valued at lower than cost. The first is where the taxpayer has actually offered the items for sale at a price below cost. The second is where a taxpayer sells his inventory at less than cost within 30 days after the close of the taxable year. Absent these two situations, there is no clear method for a taxpayer to establish what his business sense tells him—that the market value of items in his inventory is not equal to the current sales price of the items.

My bill offers a workable alternative to the methods of proof presently sanctioned by the Internal Revenue Service. That is, a taxpayer would be permitted to write-down his inventory on the basis of his experience in the business. If, for example, a company can establish from its experience with inventories that if 20 percent of the widgits it manufactures are not sold within 2 years of manufacture, they are eventually discarded or sold for scrap value, then 20 percent of its 2-year-old widgits could be written down to their scrap value. In the same manner, if the company's records show that, on average, 10 percent of any widgits that have not been sold within a year of manufacture are sold for scrap, the manufacturer should be able to write-down 10 percent of its widgits to their scrap value each year. The use of this method would be available to all industries and would be restricted only by the requirement that a company segregate its inventory items by age and support any write-down with objective evidence from its most recent 5-year experience with inventories.

There is ample precedent in the tax law for the use of a formula based on a taxpayer's recent business history to determine the reasonableness of a current deduction. For example, since 1940 and the decision of the Tax Court in *Black Motor Co.* v. *Commissioner,* 41 B.T.A. 300 (1940), aff'd on other grounds, 125 F.2d 977 (6th Cir. 1942), the Internal Revenue Service has used a 6-year moving average formula in light of a taxpayer's recent chargeoff history to ascertain a reasonable addition to a bad-debt reserve.

The method of proof provided for in my bill seeks to ascertain a reasonable deduction for losses realized from the change in value of inventory items based on a taxpayer's recent inventory history. A taxpayer would still have to provide some evidence to establish that the inventory at issue is worth what he says it is, but this evidence would come from his experience in business rather than requiring actual sales at prices lower than the market price.

Section 1 of the bill would generally be effective for taxable years ending on or after December 31, 1979. This retroactive provision would permit taxpayers adversely affected by the Internal Revenue Service's aggressive enforcement of the present law with respect to excess inventories to file amended returns using this new method of accounting.

The excess inventory problem only affects taxpayers who use the FIFO method of indentifying inventory items as the LIFO method does not provide a taxpayer the option of valuing his inventory at cost or the lower of cost or market. Thus, the excess inventory problem could be further alleviated by a taxpayer changing his method of accounting from FIFO to LIFO. A taxpayer who shifts from FIFO to LIFO, however, may realize a substantial increase in income in the year of change from the resulting inventory adjustments. This discourages many taxpayers from switching to LIFO, even though the LIFO method of accounting overall is more favorable to taxpayers.

Section 2 of my bill would allow taxpayers to spread any increase in income resulting from a change from FIFO to LIFO over a 10-year period without obtaining the prior consent of the Internal Revenue Service. Under present law, a taxpayer must obtain the consent of the Internal Revenue Service within the first 180 days of his tax year if he wishes to spread out an income adjustment resulting from a switch from FIFO to LIFO. Section 2 would be effective for taxable years beginning after the date of enactment.●

TO HONOR DAVE LIGHT: DEDICATED PUBLIC SERVANT

HON. GEORGE E. BROWN, JR.

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 12, 1983

● Mr. BROWN of California. Mr. Speaker, as the tempo of life increases, we tend to take for granted and sometimes forget those who put in long years of public service and provide the cohesion that keeps our institutions of government together. Today, I would like to call attention to an individual who has distinguished himself through a life of dedicated civic involvement, culminated by almost one and one-half decades of exemplary

community service to the city of San Bernardino. Mr. Dave Light is retiring after 13 years as a public relations officer for the San Bernardino mayor's office.

Dave Light's contribution to his community is an inspiration to all of us. He has been a part of numerous special projects such as: Tournament of Roses Parade Committee; Dr. Martin Luther King, Jr., Statue Committee; Black History Parade Committee; 9 years membership on San Bernardino-Riverside Counties Blood Bank; 2 years on the School of Hope Board of Directors; and current member of the Goodwill Industires Board. These are just a few of the many outstanding achievements this distinguished public servant has accomplished. In 1981, he was selected as a citizen of achievement by the League of Women Voters. He is also a current honorary member of the Native Sons of the Golden West.

Along with his notable civic record, he has also served in the armed services. He was a chief master sergeant in the U.S. Air Force from 1942 to 1945. With our country's subsequent involvement in Korea and Vietnam, the Air Force recalled him to active duty on both occasions.

Dave came to San Bernardino after the war and learned a lot about the city during his 3 years as a reporter for the Sun Telegram. That hard work earned him a Colton City Council Commendation for reporting. His interest in journalism is reflected by his current 12-year membership in the National Society of Professional Journalists.

During this last decade as a public servant, Dave has made substantial and valuable contributions to the San Bernardino mayor's office. His work in public relations encompasses a multitude of different areas, ranging from the Mayor's Annual Prayer Breakfast to master of ceremonies at innumerable dedicatory events within the city.

Dave's hard work for the community has not gone unnoticed. He is known in San Bernardino as "Mr. P.R." the city's unofficial "Ambassador of Good Will." And it is for these years of service and good will that I would like to recognize and thank my friend Dave Light, and wish him well as he leaves the mayor's office. He will be sorely missed.●

COMPENSATION FOR LOSS OF ELECTRIC POWER

HON. BUTLER DERRICK

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 12, 1983

● Mr. DERRICK. Mr. Speaker, I am today introducing legislation which would authorize the U.S. Army Corps of Engineers to provide the city of Abbeville, S.C., with "in kind" compensation for the loss of electrical generating capacity at the city-owned hydroelectric power facility which will be occasioned by the inundation of the Richard B. Russell Lake.

Mr. Speaker, the city of Abbeville owns and operates a hydroelectric plant on Lake Secession, and the electric power generated at this facility is provided to people in Abbeville and surrounding communities. When the Richard B. Russell Lake is filled, the generating capacity of this hydroelectric facility will be significantly and adversely impacted.

Under the legislation I propose today, the U.S. Army Corps of Engineers would be given authority to supply the city of Abbeville with electricity from the Richard B. Russell Dam and Lake project, to replace the power lost at the city-owned hydroelectric facility.

This "in kind" compensation, based on a kilowatt-per-kilowatt reimbursement plan is the most advantageous solution for both the city of Abbeville and the Federal Government. Under existing law, the Chief of Engineers is empowered to provide compensation to a non-Federal Government impacted by the exercise of the Federal Government's navigational servitude on its facility. This authority, however, has been interpreted narrowly to permit only a cash reimbursement.

Mr. Speaker, the Corps of Engineers has already made clear its intention to provide compensation to the city of Abbeville, but currently plan to do so in a one-time payment. The "in kind" reimbursement that my bill would allow, however, would involve no expenditure of Federal funds, and would insure a reliable and equitable replacement of electrical power that the city will lose as a result of the inundation of the Richard B. Russell Lake.

Identical legislation has been introduced in the Senate by the Honorable ROBERT T. STAFFORD and STROM THURMOND, by request. The Office of Management and Budget has no objection to the consideration of that legislation by the Congress, and the administration does support its enactment. I am in hopes that the House of Representatives will move expeditiously in consideration of this proposal which is of critical importance to my constituents in the city of Abbeville, S.C.●

TRIBUTE TO MISS MARCIA E. HANDLER

HON. NORMAN F. LENT

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 12, 1983

● Mr. LENT. Mr. Speaker, I would like to direct the attention of my colleagues to a well-deserved tribute being paid to an outstanding member of the staff of Merrick Union Free School District, located in the Fourth Congressional District of New York, which I have the honor to represent.

I refer to Miss Marcia E. Handler, director of public information for the Merrick School District for the past 10 years. Unfortunately, Miss Handler is being forced to resign her position because of ill health. In tribute to her outstanding achievements, a reception in honor of Miss Handler is being held on Sunday, May 22, 1983.

Mr. Speaker, I said earlier that this tribute to Miss Handler is well deserved. That is really an understatement. Let me outline for the benefit of my colleagues some of the achievements Miss Handler has compiled over the nearly 13 years of her work for the Merrick School District. For the past 10 years Miss Handler has been director of public information for the district's schools. In performance of her professional duties, she has made outstanding contributions to the school system and to the Merrick community. Her high professionalism and leadership in this demanding post have helped immeasurably in disseminating knowledge of the school district's programs, policies, and achievements, and have contributed significantly to strengthened relationships between the school system and the Merrick community.

Miss Handler's excellent performance has brought the school district many honors, including awards of distinction from the Long Island School Community Relations Association (LISCRA) for distinguished achievement in school community relations.

In addition to her duties in supervising the Merrick School District's public information program, Miss Handler devoted considerable time and effort to working with the parent teachers associations and the district's school staffs to improve communications between the Merrick schools and the Merrick community. Some of these activities included participation in the planning, preparation, and operation of the district's curriculum fairs, faculty and community surveys, and the gifted/talented task force. She contributed significantly to the booklet "Guideline for Parents" and introduced the student photo-journal squads which still operate in the school district.

Always an innovator, Miss Handler's eye-catching and graphic publications were of great help in clarifying and making more understandable a variety of matters involving the school district, and aided considerably in conveying to the Merrick community important information on many aspects of the school district's activities.

Mr. Speaker, our great Nation is fortunate indeed to count among its blessings public servants as talented and as dedicated as Miss Handler. Her career epitomizes the highest standards of true citizenship. Her selfless service to school and community had benefited not only the Merrick School District and the Merrick community, but in a very real sense had benefited our Nation as well. Miss Handler deserves our highest commendation.

It is with this thought in mind, Mr. Speaker, that I call upon my colleagues to join me in offering our congratulations and our warmest best wishes to Miss Handler. Her life and career are an inspiration to all of us.●

RESCIND TAX ON ROADRAILER AND PIGGYBACK TRAILERS

HON. ED JENKINS

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 12, 1983

● Mr. JENKINS. Mr. Speaker, I am today introducing legislation which would correct an inequity in the Surface Transportation Assistance Act of 1982. Under this act, RoadRailer trailers are exempt from the full 12-percent Federal excise tax. A piggyback trailer, which is made and used for the same purpose, is not exempt. My bill would exempt these piggyback trailers and semitrailers for this tax.

RoadRailers and piggyback trailers are designed to travel from the loading dock to the rail yard to be transferred for the long haul by rail. The only difference between a RoadRailer and a piggyback trailer is that the RoadRailer has a set of train wheels and travels on the rail. The piggyback trailer is designed and manufactured to serve this same purpose but are now put at a competitive disadvantage by being taxed as an over-the-road trailer. Both the RoadRailer and the piggyback trailer travel on the highway approximately 3,000 miles per year, as compared to the average road trailer which travels on the highway more than 60,000 miles per year.

I believe that it will be clear to my colleagues that these two rail vehicles, which are essentially identical in function, should be allowed identical treatment under our Tax Code.●

REGULATORY NEGOTIATION CUTS REDTAPE

HON. DONALD J. PEASE

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 12, 1983

● Mr. PEASE. Mr. Speaker, this is U.S. Small Business Week throughout America. It is an especially opportune time to reflect on what this Congress might do to improve the small business climate.

There recently appeared in the Washington Post of April 21, 1983, an account of another successful agreement reached between the Chemical Manufacturers Association, the Environmental Defense Fund, and the Natural Resources Defense Council to regulate low-level concentrations of polychlorinated biphenyls (PCB's). Nine months of regulatory negotiations between these common adversaries produced an unusual joint proposal for regulatory policy to be considered by the U.S. Environmental Protection Agency.

I insert the article in its entirety and commend it to my colleagues for reading. It is a fresh reminder of the promise that regulatory negotiation commissions—such as those authorized by my bill H.R. 996—hold for encouraging the public sector to work cooperatively with the private sector.

CHEMICAL INDUSTRY, ENVIRONMENTALISTS REACH ACCORD ON REGULATION OF PCB'S

(By Cass Peterson)

After more than nine months of negotiations, the chemical industry and two leading environmental groups have agreed on a way to regulate low-level concentrations of polychlorinated biphenyls (PCBs).

Their remaining task is to get the Environmental Protection Agency to agree to go along.

The unusual joint proposal was submitted to the EPA last week by the Chemical Manufacturers Association, the Environmental Defense Fund and the Natural Resources Defense Council, traditional adversaries whose legal representatives meet more frequently in the courtroom than across a negotiating table.

At issue are small quantities of cancer-causing PCBs that sometimes are byproducts when other chemicals are manufactured. Last October, the EPA proposed to study and regulate each of more than 100 manufacturing processes that might produce PCBs.

The prospect horrified the chemical industry, which envisioned years of uncertainty while the agency plodded through its studies, proposed rules and sorted out court challenges. The environmentalists were no less aghast, envisioning a battalion of EPA regulators tied up with low-level PCBs, to the exclusion of other, potentially more hazardous materials.

"We realized we seemed to have a joint interest in resolving this in such a way that wasn't resource-intensive," said Chemical Manufacturers Association official Bob Fensterheim.

Jacqueline M. Warren, counsel for the environmental groups, said the joint proposal was a "reasonable way to deal with what is actually a small problem. It's a positive step, but then it was not a problem of the magnitude of the use of PCBs in electrical equipment."

PCBs that are generated accidentally amount to no more than 100,000 pounds a year, according to Warren, compared with the 700 million pounds of highly concentrated PCBs that are still in use, primarily as a conducting agent in electrical equipment.

In addition, some of the PCBs created during chemical processes break down faster when released into the environment and thus pose less of a long-term health hazard. The more chlorine atoms that are attached to the compound, the more hazardous it is; many of the byproduct PCBs have only one or two chlorine atoms.

Under the joint proposal, chemical manufacturers would be required to assure that PCB concentrations in their products average less than 25 parts per million and never go higher than 50 parts per million.

Concentrations released into the air would be restricted to no more than 10 parts per million, and those released into water would be restricted to a tenth of a part per million or less.

The joint proposal took into account the lesser hazards posed by the mono- or dichlorinated biphenyls, allowing the manufacturer to "discount" them when calculating concentrations of PCBs. For example, 50 parts of monochlorinated biphenyls would be considered the equivalent of one part, when determining the concentration of PCBs.

An EPA spokesman this week called the proposal a "welcome" step and said that, while it might not be accepted, it will get "high priority" treatment.

Last month, the EPA was able to settle a long and nettlesome quarrel between environmentalists and the steel industry with the help of a negotiated agreement on water pollution standards.

Weeks earlier, the Chemical Manufacturers Association had joined forces with the Environmental Defense Fund in a lawsuit against the government, both seeking the establishment of a congressionally mandated agency that would study the health effects of hazardous substances.

While such alliances are far from common, Fensterheim suggested that the PCBs proposal demonstrates that at least they are not impossible.

"There aren't too many like this," he said. "But hopefully there will be a greater sense of cooperation between industry and such groups as EDF. Everybody has an interest in avoiding litigation."●

CATHOLICISM IN CRISIS WORTH READING

HON. VIN WEBER

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 12, 1983

● Mr. WEBER. Mr. Speaker, today, I want to recommend to my colleagues an emerging scholarly journal entitled, "Catholicism in Crisis: A Journal of Lay Catholic Opinion."

Founded in November 1982 by a group of lay Catholic intellectuals, this monthly journal is designed to provide Catholics with alternative viewpoints on issues directly affecting the church.

The following statement issued by the editorial board of Catholicism in Crisis best describes its objectives:

Catholicism in Crisis, a journal of lay Catholic opinion, has come into existence:

1. Because of the shared sense of its founders that, despite Vatican II's Declaration on the Laity, which envisaged an enlarged role for lay people in applying Christian principles to practical problems, there

has been more rather than less clerical domination

2. Because the diversity of opinion among intelligent Catholics is overridden by precipitous press releases in the name of the bishops

3. Because there are simply too many such swift releases with the hasty identification of one opinion as the Catholic opinion

4. Because the bishops through their advisors are tugged in the direction of foreign policy when the domestic situation in the American church calls out for their moral and spiritual leadership

5. Because the established Catholic journals too often reflect the leftward drift of the bishops' advisors.

As post-Conciliar Catholics, the founders of Catholicism in Crisis are loyal sons and daughters of the church, responsive to the lead of the hierarchy, concerned lest the bishops be captured by those who foster a new clericalism, a systematic anti-Americanism and obedience to the winds of fashion.

In another generation, the Spanish War posed a crisis for the Catholic laity because of the tendency of some bishops to see Franco as the champion of the church. Jacques Maritain spoke out against this. Commonweal was founded in large part because of this crisis. Today it is likewise important that the Catholic church not be identified with causes which are actually inimical to her well-being and indeed survival.

Finally, Mr. Speaker, the first article appearing in the first journal further details the need for its existence. The article, entitled, "The Present Crisis," reveals much of the sensitivities of the journal editorial board to challenges to the Catholic faith.

THE PRESENT CRISIS

Those of us who planned this new journal did so under the working title Catholicism in Crisis. We did so with the example of Reinhold Niebuhr vividly in mind, who on February 10, 1941, under analogous circumstances, finding existing periodicals inhospitable, launched Christianity and Crisis. There were many crises in 1941, Niebuhr wrote, but only one the crisis: the intention of Hitler's armies to extinguish Christian civilization in Europe. "Our civilization was built by faith and prayers and hard work," Niebuhr wrote "—and it was also built by fighting."

Is there a Christian minister who believes that the rights which he daily enjoys and which he takes for granted, like the air he breathes, would be his to enjoy unless these rights has been fought for by Cromwell, by William of Orange and by Washington? Are Protestants in the United States to live off the liberties which others are maintaining for them and then express complete indifference to the fate of those whose sacrifice makes the tranquil and serene life of American Christians possible? Should this become the American Protestant attitude toward the world, it would inscribe one of the darkest pages of the annals of the Church.

In 1941, the Christian Church was threatened with extinction in the North Atlantic. Today the crisis which threatens Catholicism is worldwide and far more formidable in military and police power than the juggernaut built by Adolph Hitler. While that crisis can never be far from our thoughts, it is not the crisis we have most in mind in launching this journal in 1982.

In a lesser sense, our crisis is literary. We are dissatisfied with existing Catholic journals and with—as we see it—the deteriorating quality of Catholic intellectual life. As Alasdair MacIntyre describes it in another context, too much moral "debate" has been reduced to shouting slogans at one another across partisan lines.

The Editors believe that what used to be called "the liberal Catholic tradition" has virtually disappeared in the United States. Moreover, the intellectual division of twenty years ago between "progressives" and "conservatives" are now out of date. Many who used to be liberal have moved decisively to the left, both in substance and in style of argument. Many, formerly conservatives, have become inventive, socially conscious and politically concerned. A new Catholic spirit is being born. It calls for a new voice.

Moreover, the crisis in which we find ourselves is one of faith and theology, especially concerning questions of the temporal order and the role of the laity.

Stated precisely, the crisis is that clerical power—not only in the bishops and in their administrative staffs—has become overweening. This is a direct consequence of so-called "Vatican II theology." This "new theology" has four parts. Each of them weakens laymen and laywomen in their proper vocation.

First is the misuse of the "collegiality" of bishops. In itself, linked to the pre-eminent authority of the Pope, such collegiality is good. But certain institutional developments seem to us quite errant. National conferences of bishops are bringing political divisions into the church.

Second is the diminishment of the clergy. Many younger clergymen stress "the priesthood of the laity" in a false way, so as to diminish the distinctiveness of their own priestly role and, in effect, merely to patronize the laity. We who are laymen and laywomen are not, and do not aspire to be, priests. We do not want priests usurping lay roles. We need, and desire, a sharper theology of differentiation.

Third is the aggrandizement of the clergy. Even as the distinction between vocations (manifested even in dress) is being fudged, clergymen are everywhere preempting lay roles. There is a manifest and tangible clericalization of the Catholic church, worse now than before the Council. More and more often, priests and bishops make political, economic and social pronouncements about the temporal order, to which the laity is expected solely to react. This is an inversion of vocations and roles. It thwarts the normal workings of grace and personal vocation. It compounds mutual weaknesses. It invites hubris.

Fourth is the diminishment of words of faith and holiness of life. Words like "prophecy," "witness," and "charism" are more and more used for strictly partisan political opinions, less and less used of authentic faith and practice. This is a species of theological imperialism, the coercion of false labeling.

The crisis in the Catholic church of 1982 is that the church seems in danger of losing its true, original, and profound identity, in order to become what it is not, an instrument of temporal power. Nearly always today, this temporal assertion of the church is leftward in its force, as in former times it was often rightward. Yet whether tilting to the left or to the right, the fundamental theological error is the same.

We do not wish merely to mourn the passing of the liberal Catholic tradition; we wish to breathe life back into it. Many battles must be fought, both to our left and to our right. We are, first of all, Catholic—our faith is dear to us. To be "Catholic" means to have a sense of community, of tradition, of faith and prayer and contemplation, and perhaps of tragedy (as in the crucifixion and death) not common to those who are "liberal" in other ways.

But we are also "liberal" in the sense that not all Catholics are. We are neither socialists nor traditionals. Our vision of the temporal order is rather like that of Jacques Maritain, from whose Center we publish. We believe that history has a narrative form; that social progress, though difficult and reversible, lies within human possibility; and that the liberal society is an authentic, although imperfect, expression of the Gospels in political economy, made possible by the long leavening of human cultures with the faith of Judaism and Christianity.

We dread the "great, climactic battle" which Solzhenitsyn predicts on the horizon. We resist the flirtation of so many in the Church with ideas of political economy certain to diminish both liberty and productivity. We look for a return of American laymen and laywomen to their full responsibilities in the Church. We expect a "new spring," after the present critical years.

I would ask my colleagues to keep their eye on this fine publication.

Thank you, Mr. Speaker.●

MINIMUM WAGES

HON. LARRY McDONALD

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 12, 1983

● Mr. McDONALD. Mr. Speaker, during this period of high unemployment, I believe it is especially important that we continue to scrutinize the Government-mandated minimum wage laws.

A Government-mandated minimum wage does not raise real wages, but it does raise prices and cause unemployment. Wage rates are determined by supply and demand, and a given wage reflects the productivity of the work being performed. If the Government arbitrarily raises wages above the market level, some or all of the jobs in a given category will be eliminated.

A minimum wage is not in the best interest of the American worker—particularly the least educated and least skilled. It does, however, provide politicians with one more excuse to establish additional Federal welfare programs in the name of helping the unemployed. The result, of course, is greater Government control at the expense of the American people.

The following article by the noted economist Dr. Hans F. Sennholz discusses this issue in greater detail. I commend the article which appeared in the May 1983 issue of the Freeman, to the attention of my colleagues.

MINIMUM WAGES

(By Hans F. Sennholz)

In simple language, a minimum wage law is nothing more than a government order that workers must not work unless they find

jobs paying at least the stated minimum. It is an order to employers that they must pay workers the minimum, or not employ them at all. It is a direct order that is enforced by the coercive powers of the state.

The minimum wage movement came into existence, in concert with the union movement, as a consequence of severe criticism of "sweat shops" in the home-work system, which permitted employees to perform manufacturing services at home rather than in a factory. The system, which enabled women and children to participate in simple production, constituted a major threat to the union movement. To eradicate this threat and all other competition from low-cost labor, labor unions, since their very beginning, have called for government intervention.

Minimum wage legislation originated in New Zealand in 1894 and came to England in 1909, when Parliament established trade boards with the power to fix minimum rates. In the United States, the movement at first was confined to state legislation applicable to women and children only. The federal government entered the field during the 1930s when it passed labor laws with limited application, such as the Bacon-Davis Act of 1931, the Walsh-Healey Public Contracts Act of 1936, certain provisions of the U.S Housing Act of 1937, the Sugar Act of 1937, and the Civil Aeronautics Act of 1938. In the same year, the Fair Labor Standards Act provided much broader coverage and established a minimum wage level of 25 cents per hour, covering employees of all businesses engaged in interstate commerce or in the production of goods for such commerce. Later amendments to the F.L.S.A. raised the minimum wage to the present level.

There is an infinity of political errors which, once adopted and enacted, become principles of statesmanship. Labor legislation summarily disposed of the homework system and then set out to raise wage rates and improve working conditions by political force. To most political parties this is supreme statemanship that takes precedence over all other considerations. But unfortunately, it is also the root cause of mass unemployment that is inflicting immeasurable harm on millions of innocent victims.

An unhampered labor market offers opportunities to anyone seeking employment. The pressures of competition by both workers and employers establish a wage rate at which everyone eager to work can find a job, and every employer eager to hire more help can find more workers. But when government sets out forcibly to lift wage rates above those set by competition, chronic unemployment emerges. It causes countless economic distortions, reduces economic output, lowers personal incomes, and aggravates the plight of the poor.

A wage rate set above a person's own productive contribution causes his unemployment, pricing him right out of the labor market. Surely, minimum wage legislation does not directly affect a worker whose training and skills earn him a wage in excess of the minimum. But it seriously jeopardizes the employment of all those unskilled workers who produce and consequently earn less than the minimum. In the United States, minimum wage legislation does grievous harm to millions of unskilled laborers, especially among the racial and ethnic minorities—Blacks, Puerto Ricans, Chicanos, Mexicans, and American Indians.

THE VICTIMS

Most critics of minimum wage legislation do not concern themselves with the propriety and morality of political intervention with the production process. They accept the rationale of political supremacy and government power, but lament the evil effects of unemployment on some highly visible groups of victims, such as young people, especially black teenagers. Therefore, they are designing special programs for teenagers and other groups, calling for massive government expenditures on their behalf. Unfortunately they are overlooking most of the affected population.

Recent research confirms that only about one-third of low-wage earners are teenagers, almost one-half are twenty-five to sixty-four years of age. Two-thirds of the low-wage population are believed to be female, and some ten percent are individuals sixty-five years old or older. Altogether they comprise some ten percent of American labor. Other estimates are even higher. Of course, these workers who are earning the minimum or near-minimum wages are the very workers who tend to be, or are in danger of being, displaced by wage legislation.

It is an unfortunate fact that many minority youngsters with lower levels of education, training, and experience than white youngsters, are often less productive. In an unhampered labor market they would not be able to earn as high a wage as their more productive competitors, but would find employment at lower rates. When the minimum is raised above their productive ability, they are likely to be dismissed, or not to be hired. This explains why the unemployment rate of black youth in recent years has ranged between 40 and 50 percent, which is double the rate of white teenagers. If we add those individuals who in frustration and desperation have given up their search for employment, the unemployment rate among black youth may, in our estimate, exceed 70 percent.

SUBMARGINAL WORKERS

Other workers with similar limitations find it equally difficult to find employment at the minimum rate. Unskilled women, students seeking summer employment, and especially unskilled service workers in hotels, restaurants, hospitals, laundries, automotive service stations, are living continuously with the dangers of unemployment due to minimum wage increases. It is true, not every minimum wage worker loses his employment when the minimum rate is raised. Employers may seek to offset the boost with economies in other labor expenses or through exaction of greater effort and performance by the covered workers. Wherever such adjustments are impractical the submarginal workers are laid off, that is, all those workers whose costs exceed the anticipated price of the incremental goods produced or services rendered.

Obviously unemployment is more severe in industries employing a great many unskilled workers than in other industries relying mainly on professional and highly skilled labor. And it is more keenly felt in cities with concentrations of unskilled labor than in prosperous suburbs. For the South with its millions of unskilled black workers every minimum wage boost is a calamity. In Puerto Rico it is an unmitigated disaster.

But no matter how tragic the economic effects may be on certain groups of victims, we must not overlook the psychological harm and the moral wrong that are inflicted on them. Condemned to idleness and uselessness in a highly productive society and barred from making their own contributions, many in desperation are turning to vice and crime. The inordinate national crime rate attests to a moral decay that is working evil in the centers of unemployment and public assistance. And let us not forget the productive members of American society who not only must forgo the valuable services which the disemployed workers could render, but also are forced to support them through taxation and other exactions. In return, they are compelled to live in constant fear of crimes against their persons and property.

BENEFITS FOR A FEW

It is true a few minimum-wage earners actually benefit from a mandated increase. The law that raises the minimum renders submarginal all those workers who produce and earn less than the new minimum. It withdraws them from productive employment and deprives economic production of their services, which affects the labor market just like the conscription of millions of young men into military service. Their withdrawal from productive employment raises the marginal productivity of the remaining workers and, therefore, increases their wages. It also lifts some submarginal labor above the threshold of employability. If the minimum is raised from $5 to $5.50, the most productive among the excluded workers will be lifted to the new minimum in a declining order of productivity, that is, first workers who were earning $5.49, then others earning $5.48, $5.47, and so forth. But consumer reluctance to bear the higher labor costs usually sets a narrow limit to the lifting process, which consigns most subminimum workers to the new army of the unemployed.

Political force may disrupt economic activity and forcibly benefit some workers at the expense of others. It cannot stimulate production and promote universal well-being by withdrawing millions of able workers from economic production. If by law or decree a government actually could raise the wages and improve the working conditions of all workers, it would be cowardly and irresponsible to be content with $2, or $3, or $4 minimums. Let us make it $10 per hour, or better yet, $100 an hour.

If a minimum wage law actually could improve the working and living conditions of all people, let us urge the governments of undeveloped countries to imitate our example. Surely, it would alleviate the poverty and suffering of the masses of India, China, and many African and Latin American countries. Actually, it would create horrendous unemployment and jeopardize the very survival of the poor. Neither the U.S. government nor foreign governments can improve general working conditions by law or decree; only rising production can bring it about.

FRINGE BENEFITS

Nor can a government grant social benefits that do not reduce the workers' take-home pay. The incidence of any and all benefits falls on the wage earner. For an employer the worker's take-home wage is just another component of the total price he must pay for the services of a worker. He would not be an employer for long if he were to ignore all other employment costs, such as retirement and pension costs, paid holidays and vacations, healthcare insurance, profit-sharing plans, welfare funds, or any other fringe benefits. And it does not matter to him whether he may deduct the fringe benefit costs from the worker's pay or must make direct payment to third parties. In both cases the burden falls on the employee. The employer is concerned only

with the total price he must pay for the services of a worker.

The minimum wage as set by government must not be confused with the total employment costs of a worker, which in every case greatly exceed the former. Corporations that offer equal benefits to all their employees may grant fringe benefits that amount to 35 percent of executive pay and to 100 percent or more of a minimum-wage-earner's pay. But even without any such contractual privileges, the benefits mandated by government do add considerably to total costs. There are Social Security exactions and heavy levies for unemployment and workmen's compensations. The $3 minimum wage may actually amount to $5 minimum cost, and the $5 minimum wage to $10 minimum cost. It is, therefore, misleading to speak of a "small" boost of the minimum wage rate as if the mandated and contractual benefits would remain unchanged. The small minimum boost may actually amount to a sizable increase in total labor cost.

For an employer it is irrelevant whether he allocates 5 percent of employee wages to fringe benefits or 95 percent. His only concern is the total price he must pay to secure the services of a worker. If government forces him to pay more than the worker is expected to contribute to production he can be expected to dismiss the worker. And again it does not matter whether government mandates an increase of take-home pay or of fringe costs. A $1 boost in the rate of minimum wages has the same ill effect on employment as a $1 rise in the levies for Social Security and workmen's compensation.

Through their labor, workers pay for all of the fringe benefits they are receiving. They also make good for their on-the-job training by receiving low wages that allow for the expenses of their training. When the minimum wage is raised employers may react to the boost in labor cost by reducing their expenditures on benefits. In particular, they may respond by reducing the amounts spent for on-the-job training.

THE OPPORTUNITY TO ACQUIRE SKILLS AND KNOWLEDGE

For young people the most important fringe benefit is the opportunity to acquire new skills and knowledge, which enhances their productivity in the future. Most jobs offer an opportunity to learn through formal training programs or informal learning by experience. On-the-job training not only imparts basic skills, but also stimulates motivation, nurtures a sense of responsibility, and generally prepares young people for rewarding roles in productive society. If they fail to acquire the experience, training, competencies and credentials in their formative years, they will have difficulty holding regular jobs in their adult years. Any barrier to on-the-job training inflicts serious harm on them.

Millions of young workers who are disemployed by the minimum wage may never acquire the general training and specific skills that make them useful members of society. They may never learn the basic discipline and ethos of labor that are so essential in our society. Instead, prolonged unemployment so early in life may prepare them for a precarious and bitter existence on public welfare. More millions may remain employed at or near the minimum, but their on-the-job training may be reduced or eliminated as a result of mandated minimum increases, which may keep them marginally productive throughout life. And their more creative fellowmen not only must forgo their valuable cooperation, but may even be called upon to assist them and their dependents.●

INTRASTATE QUARANTINES OF ANIMALS AND POULTRY UNDER EXTRAORDINARY EMERGENCY CONDITIONS

HON. EDWARD R. MADIGAN

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 12, 1983

● Mr. MADIGAN. Mr. Speaker, today I am introducing, by request of the Secretary of Agriculture, legislation that would authorize intrastate quarantines of animals and poultry under extraordinary emergency conditions. This bill is identical in language to the bill H.R. 5455 that passed the House by voice vote under suspension of the rules on September 23, 1982. It was expected that this bill would be passed by the Senate during the lameduck session, but this did not happen.

This bill would expand the powers of the Secretary of Agriculture after he has declared an extraordinary emergency due to the existence of any dangerous, communicable disease of livestock or poultry of the United States. Public Law 87-518, the act of July 2, 1982 (21 U.S.C. 134a(b)) authorizes the Secretary to declare such an extraordinary emergency and take specified actions when he finds that a State or other jurisdiction is not taking adequate measures to control any such disease. USDA presently does not have authority to prevent the intrastate movement of animals, animal carcasses, animal products, or articles in such an emergency situation, unless the Secretary finds that the animals are or have been affected by or exposed to such a disease and that the carcasses, products, and articles were so related to such animals as to be likely to be a means of disseminating such disease. Then he may seize, quarantine, and dispose of the particular animals, carcasses, products, or articles involved.

The Secretary of Agriculture considers that additional authority is needed to quarantine specific localities and control the intrastate movement of animals, their carcasses, and related products and articles which are not necessarily found to be affected with or exposed to any dangerous communicable disease of livestock and poultry. This additional authority would make it possible for USDA to implement the most effective quarantine controls to prevent the inadvertent intrastate spread of such a disease from affected localities. Uncontrolled movements of livestock and poultry into affected areas can hamper control and eradication efforts by increasing the population of exposed animals needing treatment. The outbreak of exotic newcastle disease in southern California in 1971-73 and recent outbreaks in March and April 1980 in California, Virginia, and Pennsylvania clearly demonstrate the need for this additional authority according to the Department of Agriculture.●

E. ROSS ADAIR

HON. JOSEPH P. ADDABBO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 11, 1983

● Mr. ADDABBO. Mr. Speaker, I was saddened to learn of the death of my friend and former colleague, Mr. Ross Adair.

Since I began my terms in Congress, I had learned to admire and respect Ross for his great talents, faithful service, and strong conviction to stand by what he believed in. In his 20 years in Congress, Ross had risen to become the ranking Republican member on the House Committee on Foreign Affairs and subsequently was honored by being named the Ambassador to Ethiopia which he served as until 1974.

Ross' contribution to foreign affairs and veteran policies had been valuable to me and my fellow Members in Congress. His devotion and expertise had been of great value to this country.

You can be assured that his good disposition, leadership, and presence has always been missed by the Congress since he retired and now he will be sorely missed by everyone who knew him.

I would like to extend my deepest sympathy to his lovely wife, Marian, and all the members of the Adair family. Ross will not be forgotten in my thought and prayers.●

SMALL BUSINESS WEEK

HON. STENY H. HOYER

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 10, 1983

● Mr. HOYER. Madam Speaker, I would like to take this opportunity to call to the attention of my colleagues the occasion of Small Business Week, which has been designed by Presidential proclamation as May 8 through 13. I am pleased to pay this tribute, not only for the many men and women who own, operate, and are employed at the thousands of small businesses in my own Fifth Congressional District, but to those millions throughout the Nation. At the same time, I feel it is most fitting to honor my friend and fellow Marylander, Congressman PARREN MITCHELL, who so ably chairs the House Committee on Small Business.

Chairman MITCHELL's leadership has insured that the concerns of small business receive the attention they deserve in the Congress. Throughout the difficult past few years, when recession has hit hardest on the small businesses of this Nation, Chairman MITCHELL has, time and time again, stood before this body and championed legislation to bring much needed relief. It has not been an easy task in the crowded agenda of concerns, but it has been necessary, and the chairman's efforts are to be commended.

This year's celebration theme truly expresses the deep-felt commitment our citizens have always had toward small business. "There's No Business Like Small Business" has been the foundation block for all our industry, from the earliest colonial days. Today, small businesses employ nearly 55 percent of our workers, lending their knowledge and expertise to everything from complex computer systems to corner lemonade stands.

While small businesses have absorbed much of the impact of the greatest recession since World War II, with a failure rate unacceptably high, new business ventures are at an all time high, reflecting the "stick-to-itiveness" indigenous to this American industry.

Mr. Speaker, the men and women of the small businesses of this country are truly the cornerstone of our society. I am proud to join my colleagues in this salute to these people, who have accepted the challenge of operating a business. They are the people responsible for keeping Prince Georges County, Md., and the rest of America working.●

NATHAN HALE AWARD RECEIVED BY HON. MATTHEW RINALDO

HON. JIM COURTER

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 12, 1983

● Mr. COURTER. Mr. Speaker, I would like to join in congratulating my good friend MATT RINALDO on receipt of the New Jersey Reserve Officer Association's Nathan Hale Award. Having myself been privileged to receive this award, I know what an honor it is and how proud MATT must feel.

As our history books tell us, Nathan Hale was a true patriot, and key figure in our country's struggle for independence. It is especially fitting, then, that those individuals, like my New Jersey colleague, who have demonstrated a concern for the defense and freedom of our country be bestowed with an award named after one of our earliest military heroes. As a member of the House Armed Services Committee, I believe such concern cannot be more clearly illustrated than by vigorous and firm support of our Nation's defenses. National security must always be the first and most important priority for Congress for without such strength all our cherished liberties are in jeopardy.

During his years in the House, I know MATT has shown this concern. His stand on many issues vital to the well-being of the military indicates he is conscious of the fact that a strong defense is everybody's responsibility. All this country's heroes, most particularly, Nathan Hale, have known that a crucial ingredient of the continuation of a free society rests on a nation's ability to defend itself. Those who have shown this recognization are, in today's difficult times, especially deserving of our respect and in this regard, I personally congratulate MATT RINALDO on being distinguished in this way.●

SMALL BUSINESS WEEK

HON. JOHN R. McKERNAN, JR.

OF MAINE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 10, 1983

● Mr. McKERNAN. Madam Speaker, the President has proclaimed the week of May 8, 1983, as National Small Business Week. It is indeed fitting that a week be set aside to pay tribute to the significant contributions which this vital sector of our Nation's economy has made to our society as a whole.

Small businesses form the foundation on which our free enterprise system is based. Roughly 95 percent of all businesses are firms with fewer than 100 employees, accounting for almost 55 percent of all jobs. More than 86 percent of new jobs are created by small businesses. In addition, they account for more than 50 percent of all scientific and industrial innovation.

The term "small business" takes on a different connotation insofar as the State of Maine is concerned. Maine's business community is characterized by businesses with 10 to 20 employees, not 100. As I have traveled throughout the First District of Maine and spoken with hundreds of employers and employees of Maine's small businesses, I have become increasingly aware that our 10- to 20-employee-size small businesses still have not received the support from Congresss which they both deserve and need if they are going to continue to play a vital role in our economy.

There is no question that small businesses have collectively contributed more to our society than any other sector. But, regrettably, small businesses are the most vulnerable to downturns in the economy, particularly when accompanied by high interest rates. The past few years saw alarming numbers of small businesses fold, as interest rates hit record heights. Fortunately, this trend appears to have been reversed, but we cannot afford to turn our backs on small businesses now after merely voicing support for them on the floor of the House. If our Nation's small businesses are going to continue to provide our citizens with jobs and an improved standard of living through innovative breakthroughs, then we in Congress have got to continue to insure that small businesses have access to needed capital. And we need to insure that they will not again be subjected to the high interest rates of past years.

I am hopeful that, after we have paid this much deserved tribute to our Nation's small businesses this week, I will have an opportunity to participate in a dialog with them to hear how we in Congress can best address the problems that still face our Nation's small businesses.●

DEFUNDING THE LEFT—DEPARTMENT OF EDUCATION

HON. LARRY McDONALD

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday May 12, 1983

● Mr. McDONALD. Mr. Speaker, I wonder just how many in this body have any idea where the money goes after we appropriate it for respective departments in the executive branch. If the truth were known I do not think that the majority of this body would vote for their money to be spent in such a manner.

Thanks to the April, 1983 issue of Conservative Digest, I can now share with my colleagues, and I hope a good amount of the American public, where our hard earned money is being spent.

For this RECORD entry I single out the Department of Education. Would the majority of this body go on vote record: In favor of financing Marxist-Leninist terrorist movements in El Salvador; in favor of a lesbian rights resolution; in favor of more centralized government or socialism leading to communism; in favor of the youth arm of the American Communist Party. More appropriate, would Members of this House by vote approve the expenditure of $4,323,245.00 for such activity or causes. The answer to all would be an emphatic "no."

It is a continuing wonder to me that the President would allow such nonsense to go on. This is especially so in view of the fact that one organization to receive thousands of dollars is one that hopes that Mr. Reagan's state of the Union message, his last one, will be his "* * * next to last." Where your money is being spent by the Depart-

ment of Education from the April, 1983 issue of Conservative Digest follows:

[From the Conservative Digest, April 1983]

DEPARTMENT OF EDUCATION

(By Secretary Terrel Bell)

When he took office in 1981, Ronald Reagan vowed he would dismantle the Department of Education (DoEd). As recently as the Feb. 18, 1983 Conservative Political Action Conference, he promised "and do not think for a moment I have given up—we need to eliminate the unnecessary and politically engendered Department of Education."

Yet DoEd lives. Under Secretary Terrel Bell, DoEd still funds anti-American groups, and political activities overtly inimical to Reagan himself.

Recent funding includes:

Two grants totaling $538,389 to the National Conference of State Legislatures (NCSL) (February 2, 1981 and March 1, 1982).

Representing NCSL, New Hampshire House Speaker John B. Tucker attacked President Reagan's New Federalism program because "the [budget] cuts far overshadow the process itself."

NCSL president William Passanante, Speaker of the New York Assembly, claimed Reagan administration policies "will compound the human and budget problems facing cities."

$98,000 to the American Federation of Teachers (AFT) (February 1, 1981).

In January, AFT President Albert Shanker attacked President Reagan's tuition tax credit proposal: "It is discouraging to supporters of public education that the president remains on the tuition tax credit bandwagon. The AFT and others will do all in its power to derail this ill-conceived scheme."

$75,000 to the Labor Institute for Human Enrichment, Inc. (July 30, 1981).

Albert Shanker heads the institute's board of directors.

In January Shanker said about Ronald Reagan, "Perhaps the only encouraging aspect of the president's State of the Union message is that, hopefully, it is his next-to-last."

At AFT's July 1982 convention, Shanker told 3,000 delegates they should "work hard politically and hold out for 2 more years" till a Democrat succeeds Reagan.

$72,454 for the third year of a grant to the Campesina Project, which gives migrant farm women classes in "survival skills [including methods of obtaining food stamps and Medi-Cal], leadership training . . . citizen advocacy" (Fiscal Year 1982).

The Campesina Project is run by the Bay Area Bilingual Education League (BABEL), an Oakland-based Hispanic community action group, given at least $2,050,923 in 1981 by several DoEd programs. The Campesina Project is run by Dolores Huerta, first vice-president of the United Farm Workers union.

$156,345 to the National Organization for Women Legal Defense and Education Fund (NOWLDEF) (October 16, 1982).

Nowldef's parent group is the National Organization for Women (NOW). Then-president Eleanor Smeal sent out a fund-raising appeal in early 1982, noting: "[NOW] has two political action committees that were created to truly advance women's rights at the ballot box. This year we're going to use these political action committees in a way that will make the politicians of this country really sit up and take notice.

The 1982 NOW National Conference passed a "Lesbian Rights Resolution."

The Conference said possession of nuclear weapons "is antithetical to the possibilities for creating a feminist society."

$72,317 to the National Urban League's Greenville, S.C. office (June 18, 1982). According to the Washington Post, the League received $110 million from various federal agencies in 1980. It recently joined Ralph Nader, the Gray Panthers and other left-wing groups in endorsing "Reclaim America Week"—a nationwide protest sponsored by National People's Action, a radical group using confrontational organizing to effect social change.

$95,673 to the International Ladies Garment Workers Union (ILGWU) from DoEd's Fund for the Improvement of Post-secondary Education for a "ILGWU learning organization project" (April 26, 1982). According to Information Digest, ILGWU supports Marxist-Leninist terrorist movements in El Salvador and opposes U.S. support of the beleagured, democratically elected Salvadoran government.

$55,919 to the United Federation of Teachers (UFT) (July 21, 1981). American Federation of Teachers (AFT) President Albert Shanker heads the UFT.

Addressing the Rochester Teachers Association, Shanker "blasted President Reagan's fiscal policies," reported UPI. He "pledged local educators would continue to lobby local, state and national representatives in an effort to combat Reagan's budget maneuvering."

$931,775 to the Phelps-Stokes Fund (April 1, 1981). In December 1981, Fund President Franklin H. Williams said, "The Reagan administration's actions and proposed actions, its budget cuts and budget priorities, its nominations and proposed appointments constitute a litany of lost faith in the American dream."

Two grants totaling $205,047 to the National Student Educational Fund (June 25, 1981 and February 27, 1981).

UPI reports "Joe Sweeney, program director of the National Student Education Fund and the U.S. Student Association . . . said student lobbying efforts paid off [in 1981] by keeping cuts in federal student aid from being as drastic as President Reagan first proposed."

In June 1981, the Fund opposed Reagan's nominee for solicitor general, Rex E. Lee—because Lee thought the ERA would freeze women's issues "into constitutional concrete," rather than letting elected officials decide them.

$107,630 to the United States Student Association (USSA) (July 31, 1981). According to Human Events, USSA is a "pro-Marxist student group that recently elected as its vice-chairman one Pedro Rodriquez, the former national student secretary of the Young Workers Liberation League (YWLL), the youth arm of the Communist party."

$23,179 to the National Audubon Society (September 15, 1981). In March, the Society joined 9 environmentalist groups who "said . . . they were stepping up their attacks in the hope that publicity from the EPA crisis would help in bringing additional pressure on Reagan to reverse policies," AP reports.

Two grants totaling $181,400 to the National Women's Law Center (NWLC) from DoEd's Women's Educational Equity Act Program (July 1, 1981 and June 12, 1981).

In December 1981, the Reagan administration proposed redefining federal financial aid: small colleges and technical schools—whose students received only Guaranteed Student Loans, Parent Loans or Pell Grants—no longer would have to meet complex civil rights requirements. Discriminations would still be prosecuted, but red rape cut.

This "met with strong opposition from such groups as . . . the National Women's Law Center," according to the Washington Post. NWLC attorney Margaret A. Kohn called the proposal "outrageous," reports AP. She charged Reagan administration officials with having greater concern for political actions than legality.

In March 1983 the administration dropped the proposal.

$91,000 to the Health Equity Project from the Women's Educational Equity Act Program (August 31, 1981).

In February 1981, the Washington Post reported: "A judge's ruling that federal laws against sex discrimination do not apply to interscholastic and intercollegiate sports programs that do not receive federal aid drew a swift and angry response . . . from the women's athletic establishment," including the Health Equity Project.

Project Director Margaret Dunkel said, "This decision has to be appealed."

$82,202 to Working Women: the National Association of Office Workers (April 27, 1981).

In 1980, at Worker Women's urging, Jimmy Carter's Labor Department charged National City Bank of Cleveland with discrimination.

In February 1982, Ronald Reagan's Labor Department dropped the suit, after the bank pledged to post future job openings and increase counseling and education programs for women and minorities.

Working Women's executive director Karen Nussbaum blasted Reagan: "Working Women will be consulting our attorneys about further legal action."

$115,573 to the Mexican American legal Defense and Education Fund (June 25, 1981).

In January 1983, fund president Vilman Martinez attacked President Reagan at the Leadership Conference on Civil Rights: "Your insensitivity to our concerns and the unfairness of your administration's economic policies have caused untold and unnecessary misery in our committees. These must be challenged."

$136,807 to the Women's Action Alliance, Inc. from the Women's Educational Equity Act Program for a "Nonsexist child development project" (June 30, 1981).

Feminist Gloria Steinem headed the Alliance in the early 1970s. It supports abortion on demand, and federal financing of abortions.

$46,935 to the National Urban Coalition (August 28, 1981).

In May 1982 the Coalition charged the Reagan administration was risking a renewal of urban violence. "People are worried, scared, about this summer. The atmosphere out there is scary," said coalition president M. Carl Holman.

$1,237,600 to the League of United Latin American Citizens (LULAC) National Education Service Center, Inc. for a "talent search" (May 31, 1981).

President Tony Bonilla opened LULAC's 1982 national executive board meeting with a "call for opposition to Reagan's policy of decentralized government," UPI reported.●

NURSING HOME DEREGULATION MORATORIUM AND STUDY COMMISSION

HON. JOHN D. DINGELL
OF MICHIGAN
IN THE HOUSE OF REPRESENTATIVES

Thursday, May 12, 1983

● Mr. DINGELL. Mr. Speaker, last year, my colleagues and I introduced H.R. 6916 in response to the administration's stated purpose to deregulate the nursing home industry. The critical element of the bill, a moratorium on deregulation, was incorporated in the Tax Equity and Fiscal Responsibility Act of 1982. The moratorium will expire this summer. The statement of managers also asked the Secretary of Health and Human Services to consult with the Congress before taking any further action to deregulate nursing homes.

When Mrs. Heckler was nominated to be Secretary of Health and Human Services, we wrote to her, expressing our concern. Here is the text of our letter:

FEBRUARY 23, 1983.

DEAR MADAM SECRETARY-DESIGNATE: We would like to congratulate you on your appointment to the Cabinet. There are many areas where our committees have worked closely with Secretary Schweiker and we look forward to continuing constructive relations with you. There is an important matter that remains under discussion between the Department of our committees. We are writing to call your personal attention to the matter.

When this Administration took office, it prepared a list of "burdensome" regulations. In the Department of Health and Human Services, nursing home health and safety was targeted for deregulation. The Health Care Financing Administration stopped work on proposals developed under the previous administration and set up its own Task Force on Regulatory Relief. The task force worked first on a rewrite of the Conditions of Participation, which govern the standards that a facility must meet to receive Medicare or Medicaid payment. The draft proposal that was circulated informally, but never published by the Department, drew opposition from States, nursing home residents and their advocates, and the nonprofit nursing homes. The Secretary made a public announcement in March 1982 that health and safety standards for nursing homes "will remain untouched" and stopped work on changing the Conditions of Participation (subpart K).

On May 27, HCFA issued a new deregulatory proposal, which would have weakened the enforcement of nursing home standards. This proposal would have allowed less frequent inspections by state survey and certification agencies. It would have allowed states that wished to accept inspections by the Joint Commission on Accreditation of Hospitals, using JCAH standards in place of Federal standards, to deem JCAH accreditation to be equivalent to state survey and certification. We have attached our analysis of these rules.

The May 27 proposal was opposed by the States, by nursing home residents and their advocates, and following a hearing in the Senate, was unanimously opposed by the Senate Special Committee on Aging. Our Committees received hundreds of letters opposing the rules, and tried unsuccessfully to get Secretary Schweiker to testify on the rules. We then introduced H.R. 6916, to establish a two-year moratorium on deregulation and to create a study commission under the Institute of Medicine on the subject of nursing home enforcement. Language similar to H.R. 6916 was added to the Medicaid portion of the Tax Equity and Fiscal Responsibility Act, placing a six-month moratorium on deregulation of nursing homes. The Statement of Managers instructed the Secretary to consult with the Congress before issuing new rules on nursing homes. A further extension of the moratorium was included in the Continuing Resolution.

Many of the groups that wrote to us accused the Department of cutting back on the program because of a desire to spend less money protecting nursing home residents. There are 1.3 million people who live in about 18,000 nursing homes. The survey and certification program used to be paid 100% by the Federal Government. As of FY 1981, Medicaid activities became 25% state funded. Overall, both Medicare and Medicaid survey and certification funds have declined. The States indicate that there has been a reduction of at least 20% in enforcement activities due to the reductions. The 1984 budget proposal from the Department continues to decrease the funding for survey and certification. The new lower level will allow only 64% of Medicare and 78% of Medicaid facilities to be seen during the year. The budget anticipates promulgation of a less stringent inspection schedule.

We remain deeply concerned about the health and safety of nursing home residents. We would be glad to discuss any constructive proposals to ameliorate conditions in nursing homes. We believe that this matter deserves your personal attention.

Sincerely,

JOHN D. DINGELL.
HENRY A. WAXMAN.
CLAUDE PEPPER.

As we wait for a reply from the Secretary, we have received new interest in and support for the Institute of Medicine study which was part of H.R. 6916. The Institute has been working on plans for such a study and both consumer and industry groups have confirmed the need to study the enforcement of health and safety and quality of care in nursing homes. Thus, we are introducing H.R. 2997 to establish a commission and to extend the moratorium. The Health and the Environment Subcommittee of the Committee on Energy and Commerce will hold a hearing on May 23 on this bill and to receive an extensive GAO report on nursing homes.

H.R. 2997

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "National Nursing Home Standards Act of 1983".

NATIONAL COMMISSION ON THE REGULATION OF NURSING HOMES

SEC. 2. (a) Congress finds the following:

(1) In carrying out its responsibility to serve the national interest, Congress must ensure that the care provided to nursing home residents and the environment in which such care is rendered are of the highest possible quality.

(2) Inasmuch as a substantial portion of the cost of such care is met by the Government of the United States, principally through title XVIII (medicare) and title XIX (medicaid) of the Social Security Act, it is the responsibility of Congress and the executive branch to assure that standards which govern the provision of such care, and the enforcement of such standards, are adequate to protect the health and safety of residents and to promote the effective and efficient use of public moneys.

(3) Existing regulations relating to the provision of such care have brought about a great deal of progress in achieving these goals; however, some of these regulations are duplicative or ineffective and others fail to provide adequate protection for nursing home residents.

(4) Before changes are made in existing regulations, an evaluation of these regulations for their adequacy and necessity is in order.

(b)(1)(A) The Secretary of Health and Human Services shall arrange, in accordance with subsection (d), for the establishment of a National Commission on the Regulation of Nursing Homes (hereinafter in this Act referred to as the "Commission").

(2) The purposes of the Commission are—

(A) to examine existing quality, health, and safety requirements of the medicare and medicaid programs for skilled nursing and intermediate care facilities and the regulations relating to the enforcement of such requirements for their adequacy, necessity, and effectiveness, with special attention to their effectiveness in promoting good patient care;

(B) to examine and make recommendations with respect to the role of the Federal and State governments in assuring the health and safety of residents of skilled nursing and intermediate care facilities, including the appropriateness of providing for certification by national accreditation bodies of compliance of such facilities with some or all of the requirements relating to such facilities; and

(C) to make specific recommendations, including recommendations for legislation if appropriate, to the Congress and to the Secretary of Health and Human Services, not later than September 30, 1984, for improvement of existing regulations, including any recommendations for alternative approaches to the regulation of skilled nursing and intermediate care facilities under the medicare and medicaid programs.

In reviewing regulations concerning such facilities, the Commission shall pay special attention to the enforcement of such regulations (including any regulations it may recommend).

(3) The work of the Commission shall be conducted in a manner which provides for the involvement of Members of Congress or their representatives, officials of the Department of Health and Human Services, and officials of State and local governments who are not members of the Commission. In addition, the Commission may consult with any individual or organization with expertise in issues relating to the work of the Commission.

(c) The Commission shall be composed of thirteen members, of whom—

(1) seven are members of the Institute of Medicine of the National Academy of Sciences with experience in long-term care

(and no more than three of whom are physicians);

(2) two are residents of a skilled nursing or intermediate care facility (or representatives of such individuals or organizations which advocate in their behalf), at least one of whom is a resident of a non-profit skilled nursing or intermediate care facility or is a representative of individuals or organizations which advocate in behalf of residents of such non-profit facilities;

(3) two are operators of skilled nursing or intermediate care facilities (or representatives of organizations which represent their interests), at least one of whom is an operator of a non-profit skilled nursing or intermediate care facility or is a representative of an organization which represents the interests of such non-profit facilities; and

(4) two are officials of State government (whether elected or appointed) with responsibility relating to the health and safety of residents of skilled nursing and intermediate care facilities, or representatives of such officials or of organizations representing such officials.

(d) The Secretary of Health and Human Services shall request the National Academy of Sciences, through the Institute of Medicine, to establish, appoint, and provide administrative support for the Commission under an arrangement under which the actual expenses incurred by the academy in carrying out such functions will be paid by the Secretary. If the National Academy of Sciences is willing to do so, the Secretary shall enter into such an arrangement with the Academy.

(e) Funds appropriated under section 1110 of the Social Security Act after the date of the enactment of this Act shall be used to the extent necessary to carry out this section.

EXTENDING MORATORIUM ON DEREGULATION OF SKILLED NURSING AND INTERMEDIATE CARE FACILITIES

SEC. 3. Notwithstanding any other provision of law, no change in the regulations subject to the moratorium required by section 135 of Public Law 97-248 shall be promulgated in final form until the end of the six month period beginning on the date the commission makes specific recommendations to the Congress under section 2(b)(2)(C) of this Act, during which period the Department of Health and Human Services shall seek public review and comment on any such proposed regulations and consult with the appropriate Committees of Congress.●

NATIONAL NURSING HOME STANDARDS ACT OF 1983

HON. HENRY A. WAXMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday May 12, 1983

● Mr. WAXMAN. Mr. Speaker, together with my colleagues, I am introducing the "National Nursing Homes Standards Act of 1983," a revised version of H.R. 6916, introduced in the 97th Congress.

This bill is a result of efforts by a number of Members of the House to arrive at a tool for improving the way nursing homes are regulated.

The Federal Government has a heavy responsibility toward residents of nursing homes, among the most vulnerable members of our society. We pay about half the cost of all nursing home care; over 7.5 billion Federal dollars were expended in 1982 to care for over 1 million elderly and handicapped nursing home residents, and we anticipate that almost $10 billion for such care will be spent in 1984.

Nursing homes are one of the major growth areas in the health sector. According to the HCFA Review of September 1982, spending for nursing home care swelled from $500 million in 1950, to $2 billion in 1965 when medicare and medicaid were enacted, to $24 billion in 1982, an increase of almost 5,000 percent in just two decades.

The number of persons likely to need nursing home care has grown and will continue to grow rapidly over the next 50 years. The biggest users of this care are persons over 65. Their numbers tripled between 1950 and 1980, and that trend will continue right through to the next century.

The Congress has consistently recognized the potential for abuse in such a fast growing industry caring for a comparatively unprotected population, and has pressed for stronger standards and oversight. Currently, both the Federal Government and the States are involved in supervising both the quality of care offered residents of nursing homes and the health and safety of those residents.

Overseeing such institutions is a delicate and difficult process. Staff turnover in long-term care facilties is very high, and patients on the whole remain in residence for only about 2 years. With such shifts in resident population and staff, conditions can change rapidly.

The General Accounting Office tells us that the kind of care which patients need is also changing. New patients entering nursing homes are sicker than they were 10 years ago, more dependent, and require more intensive attention. Thus, we need to be constantly vigilant in overseeing conditions in nursing homes.

During the 97th Congress, the administration suggested replacing some of the standards which are now in place. The Secretary of Health and Human Services proposed regulations which would significantly reduce the frequency and thoroughness of inspections of nursing homes. Annual inspection visits would no longer be mandated; the current 90-day period for correction of deficiencies would be eliminated; and a private accreditation body would be given inspection authority, but not be required to report deficiencies to the responsible public agency.

Both the Senate and the House did not believe that weakening the minimal standards now in place was justified. The House initiated a moratorium on any regulatory change in nursing home standards until March 6, 1983. The Senate not only supported the moratorium, but extended it until August 1983.

Congress asked the administration to work cooperatively to develop a method for improving standards and patient care; to date, that has not occurred. Thus, we are introducing an updated version of last year's bill.

I do not believe that now is the time to weaken the minimal standards now in place. I do believe that there are areas where regulations can be improved to eliminate duplication and ineffective reporting. I do think the current system can be reformed in a way which will better safeguard the health and dignity of residents. But we need to look at the system in its entirety, examine rules now in place, examine alternative systems, and arrive at reforms intelligently, responsibly, and thoughtfully.

H.R. 2997 is a constructive way to arrive at that improved system. I propose a moratorium on all changes in nursing home regulations for a fixed time period. During that period, a Commission headed by members of the Institute of Medicine of the National Academy of Sciences will examine the adequacy and necessity for rules and regulations now in place, and make recommendations to us in the Congress for improvement, including any recommendations for alternative approaches to the regulation of long-term care institutions. Membership on the Commission would include representatives of nursing home residents, and owners and operators of nursing homes, so that their experiences and views are also heard.

The Commission will report back to Congress by September 30, 1984, after having solicited ideas from other relevant individuals or groups, including officials of State governments. The Congress would have 6 months after the report's submission to enact any of the recommendations of the Commission, or other relevant legislation. If the Congress does not act by that date, then the moratorium is lifted.

I believe by imposing this time limit, we are indicating our intention to take the Commission seriously, and to enact changes which will emerge from the deliberations of such a diverse and expert group. In the coming decades, we need to have an effective regulatory system to deal with the increasing numbers of residents anticipated in long-term care facilities.

This bill is an important, constructive and well-conceived attempt to carry out our heavy responsibility to protect the safety and well-being of our valued senior citizens.

I urge each Member's support for this legislation.●

PROTECTING NURSING HOME RESIDENTS

HON. CLAUDE PEPPER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 12, 1983

● Mr. PEPPER. Mr. Speaker, I have today joined my distinguished colleagues, Representatives DINGELL, WAXMAN, WYDEN, OAKAR, RATCHFORD, MIKULSKI, and SNOWE in introducing legislation designed to address—in what we believe to be a most affirmative fashion—a problem which has plagued many of us for a number of years: the proper enforcement of meaningful standards related to the care of nursing home patients.

As chairman of the House Select Committee on Aging's Subcommittee on Health and Long-Term Care, I have long been aware and deeply concerned over problems which have been reported in a number of the Nation's nursing homes. While I am aware that all nursing homes do not provide substandard care, problems do persist in some and they must be corrected.

The Congress and the administration are responsible for assuring that strong and effective enforcement standards are in place to assure residents and their loved ones that the quality of care that is provided meets the highest standard. The Federal Government, which provides about one-third of all nursing home care in America, has a direct interest in assuring that these moneys are well spent and not squandered on inappropriate or substandard care.

That is why we are proposing, in the legislation we introduce today, to continue an already imposed moratorium on the issuance of any rules which would have the effect of deregulation of nursing homes. While the moratorium is in effect, a National Commission on the Regulation of Nursing Homes, under the auspices of the Institute of Medicine of the National Academy of Sciences, would consider the current regulations and propose any advisable changes. The Commission would be composed of nursing home residents or their representatives, providers of nursing home care or their representatives, and State officials with responsibility relating to nursing home care, as well as members of the Institute of Medicine. This 13-member Commission would be instructed to report to the Congress and the Department of Health and Human Services no later than September 30, 1984. A moratorium on rule changes relating to regulation of nursing homes would be imposed until 6 months after the Commission reports, giving Congress and the department the opportunity to act on the recommendations of the Commission.

We believe that this bill represents an affirmative approach which should be supported by the administration and all others who share responsibility for the quality of care that is provided in the Nation's nursing homes. I urge nursing home providers, consumer groups, aging organizations, and State officials who have expressed to us their concerns respecting these proposed regulations, to join with us in enacting this legislation so that we can promise all our people who are or will be nursing home residents—and who are most vulnerable—that we will do all that we possibly can to insure they will receive the best care and attention that this Nation can provide in its long-term care facilities.●

REAGAN'S INFERNO AND A DREAM OF 1984

HON. LARRY McDONALD

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 12, 1983

● Mr. McDONALD. Mr. Speaker, once again, Conservative Digest, in its issue of April 1983, has performed more than a valuable service to the people of this Nation and, more important, to the struggling middle-class taxpayer.

This particular issue, as it has done once in the past, is dedicated totally to the exposure with chapter and verse, of funding of leftist causes. The naive of this country had assumed that the Reagan administration would do all in their power to halt expenditures for those forces diametrically opposed to all that Ronald Reagan explicitly has stated he is for.

This first entry is from the publisher of Conservative Digest, Richard A. Viguerie, who sums up the reality of the situation. Mr. Viguerie's comments are immediately followed by a dream of what can happen in 1984 by Mr. Paul Weyrich, a regular Conservative Digest political columnist. Although Mr. Weyrich's column is ostensibly based on fiction, the realistic American knows what will be in store for all if the President does not take direct action and now, to halt all that definitely will destroy Mr. Reagan in 1984. Mr. Viguerie's and Mr. Weyrich's columns follow:

[From Conservative Digest, April 1983]

REAGAN'S INFERNO

(By Richard A. Viguerie)

Of the many disappointments conservatives have experienced from the Reagan administration, none has been more disappointing nor surprising than their lack of enthusiasm for stopping the annual flow of billions of dollars to the liberals.

Day after day, leaders of thousands of civil rights, consumer, environmental, labor, homosexual, anti-defense and other politically active liberal organizations savagely attack President Reagan and his policies in the establishment media. They are united in a single goal: Defeat Reagan and conservatives.

Yet incredibly, the Reagan administration continues to turn the other cheek and finance liberals with our tax dollars.

Many of these liberal organizations would not exist—at least in current form—without the billions of dollars they receive every year from the taxpayers. These liberal groups have howled in protest after the Administration reduced their federal dole by 5 to 10 percent. However, many of these organizations would be rendered totally speechless if there was a 100 percent cutoff of their government funds because they would go out of business.

Ironic, isn't it? If the Reagan administration cut off all the liberals' funding, we would actually hear less criticism than by simply reducing it 5 to 10 percent.

Liberals have received tens of billions of tax dollars during the last 10 years alone. The exact figure, cloaked in a confusing bureaucratic maze, is almost impossible to determine.

No wonder liberals win most elections. No wonder taxes are up over 320 percent since 1970; government growth has swelled; the budget is out of balance, with a deficit of over $200 billion per year; and American foreign policy seems determined to bolster communist economies while leaving our friends twisting in the wind.

Most groups which oppose President Reagan's efforts to strengthen defense, cut taxes, enact reasonable environmental programs and shrink government down to size, are largely or partly funded by the Reagan administration. By refusing to make a serious attempt to halt federal funding of left-wing groups which oppose the President's policies, certain Reagan aides have doomed their boss to failure, condemned conservative appointees to ridicule, and dashed most Americans' hopes for meaningful reform.

Interior Secretary Watt is under constant fire from no-growth environmentalists. Reagan's tax cuts and social programs are torn apart by free-spending, big government elitists; his defense and arms negotiations proposals attacked by disarmament advocates.

From pro-abortion radical feminists to nuclear freeze proponents, the administration and traditional American values get trashed by liberal and left-wing political advocacy groups, which continue to be bankrolled by American taxpayers with the Reagan administration's blessing.

And the liberal attacks work. Most of the groups which hounded former EPA Administrator Anne Burford from office are financed, partly, by the Reagan administration.

Left unchecked, federal funding of liberal and left-wing political advocacy groups will not only spell serious political trouble for Ronald Reagan and conservatives in 1983 and 1984, but could mean the end of a serious conservative movement in 4 to 6 years.

Groups which receive massive amounts of taxpayers money and attack Reagan and conservatives include:

The National Urban League—(received federal grants in excess of $7 million since 1981)

Planned Parenthood—(received more than $35 million each year since Reagan took office)

The National Organization for Women Legal Defense and Education Fund—(received $156,345 from the Department of Education in 1982)

The AFL-CIO and its affiliates—(received more than $12 million from the Department of Labor since Reagan took office)

The Environmental Action Foundation (EAF)—(received $176,644 from the Department of Energy. EAF is a spin-off of Environmental Action (EA). EA says its lobbying is aimed at "helping dedicated grassroots environmentalists fight the pro-pollution policies of President Reagan.")

Jesse Jackson's PUSH for Excellence—(received $656,664 from the Department of Education on September 30, 1981)

And there are hundreds more examples in this issue of Conservative Digest. A more detailed examination of this problem, with thousands of examples, can be found in the upcoming book, Guess Who Finances the Liberals?, written by John Houston of the Fairness Committee Against Tax Funded Politics and myself. It will be available in June.

Back in January of this year the Office of Management and Budget proposed regulations which would have greatly restricted the flow of government funds to politically active groups. Liberal, business and other special interest lobbies which feed at the federal treasury strongly opposed this modest effort; however, conservatives and taxpayers did little to support it. Consequently, the regulations were withdrawn in March.

New regulations are expected shortly. This time it will be crucial for all who oppose giving our tax money to unions, feminists, Jesse Jackson's organization, radical environmentalists, homosexuals and the host of other leftwing organizations to quickly let the Reagan administration know what we think.

On page 8 you will find 3 postcards addressed to Michael Horowitz, the man in charge of issuing the new OMB regulations. Mr. Horowitz and his boss, David Stockman, need to receive thousands of cards and letters now. They've already been swamped with mail from those who want our tax money.

This could be the most critical decision the Reagan administration ever makes. If the liberals and the establishment liberal media scare them off, an historic opportunity could be lost—forever. If the liberals continue to receive billions of tax dollars a year, if will be almost impossible to cut taxes, significantly reduce the size and role of the government and fight communism. And elected conservatives will be destined to forever be the minority, unable to compete against opponents fueled by tens of billions of tax dollars.

The hour is late.

Will President Reagan provide the necessary leadership?

Do conservatives have the will to win?

HOW THE LEFT BEAT REAGAN IN 1984

(By Paul Weyrich)

There I was lying in bed reading this book. I had dozed off and I'm not sure now how much of it was real and how much of it was a dream. It was a Theodore H. White book, "The Making of the President, 1984."

It is a little vague, but one of the chapters dealt with Ronald Reagan's tragic and unexpected defeat. White wrote:

"In an election this historic, no one single factor is ever responsible for victory or defeat. However, in this case I will stake my reputation on this conclusion: Had Ronald Reagan inaugurated a systematic program to take federal funds out of the hands of his enemies when he was elected back in 1980, it seems likely this very close defeat would not have occurred.

"Federally funded grant recipients were mobilized by the hundreds of thousands for the 1984 election. For them it was a do or die situation. President Reagan, in running for re-election and under fire from the right wing, had publicly pledged that in his second administration he would do what his supporters had begged him to do during his first. He pledged that every agency of the government would be commanded to root out funding for leftwing activists.

"Further, he pledged—in an historic meeting with right wing leaders—that one of their number, Howard Phillips (who gained fame when Richard Nixon tapped him to dismantle the Office of Economic Opportunity), would be brought into the White House to supervise the effort. That pledge can only be likened to those promises made by Dwight Eisenhower to the then Senate Republican leader Robert Taft when his campaign was getting nowhere in 1952. The right wing, which had all but decided to sit out the 1984 election because of disappointments over Reagan, was roused once again.

"But it was simply too late.

"The meeting did not take place until September, and although their efforts were remarkable considering the short time before the election, the conservative activists were no match for the legions on the federal dole. They knew Reagan was serious this time since he had fired close aide Mike Deaver and chief-of-staff Jim Baker when his campaign sunk to an all time low in the polls, much the same way he had fired then-manager John Sears right after the New Hampshire primary victory in 1980. The new staffers were at last Reaganites and they lent credibility to the President's pledge.

"Following the historic meeting, every financial resource within reach of the right was turned on. Richard Viguerie hired some 300 additional part-time employees to handle the millions of direct mail pieces he agreed to send out. Various political action committees pulled back all of their fieldmen and organized activists out of Senate and House races to try to save the President. Jerry Falwell, Pat Robertson, James Robison, Jim Bakker and a host of other religious TV preachers, although rivals for viewers and contributions, combined their resources and did a nation-wide live three-day telethon to alert the nation to the dangers of a victory by the liberal left. The ACLU challenge to their right to conduct such a broadcast went all the way to the Supreme Court and thus was delayed until Octobedr 26th.

"Right to Life activist Nellie Gray, long famous for her annual marches on Washington on the anniversary of the Supreme Court's 1973 pro-abortion decision, took out a personal loan and organized a special march to dramatize her renewed confidence in Reagan—with whom she had all but broken off diplomatic relations because of previous White House inaction on right to life issues. Every journalist of a conservative bent from George Will to Hohn Lofton—who had to date written 1,654 columns critical of the Reagan administration—urged his reelection.

"And while these activists, combined with huge expenditures on the part of the Republican Party, made the election even closer than the 1976 Carter-Ford battle, it simply was not enough.

"Working out of the Legal Services Corporation offices, an entity which Mr. Reagan had said he wanted to abolish but didn't, left-wing chieftans organized their cadre of troops. The left-wing leaders knew exactly who their friends were. If they did not succeed, they would be out of work for a good long while. These activists, whom the Urban Institute estimates receive some $40 billion of the federal budget annually, organized the most massive precinct organization ever seen in American politics.

"Every potential voter was contacted at least 3 times. Their leaders say this is why Illinois and Texas both went for the Democratic nominee, and the election even in heavily Republican Nebraska was close enough to not fall into the Republican column until the morning after the election.

"We know," said Mark Green, who co-ordinated the election operation, "that without federal funding of most of our people, we never would have made it. That is why people stayed up for 3 and 4 nights in a row without sleep to make this happen. They knew it was life or death for all of us."

"Using a sophisticated operation of targeting developed by successful Democrats in Texas in 1982, the liberal cadre contacted each ethnic group voter with someone from the same ethnic group with a sophisticated message designed to heighten historic prejudices.

"In a post-election interview, the defeated President acknowledged that "no president again will ever have the opportunity" he had to cut off funds of the left, "which will likely dominate politics well into the next century."

I looked around me, looked at the alarm. It was 15 minutes before I had to get up. It was all a dream. It was still 1983. There was still time. I felt like Scrooge awakening after his nightmare. I must tell this to Ronald Reagan, I thought. But then it came to me. There was no way of getting a message like this to the President. Not with his current staff. I went about my business the rest of the day somehow thinking the dream had been real.●

THE NATIONAL WEATHER SERVICE

HON. LANE EVANS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 12, 1983

● Mr. EVANS of Illinois. Mr. Speaker, President Reagan's proposal to sell all or part of the National Weather Service to private industry has received a good deal of attention these past few weeks. The administration seems to feel that private industry could turn the National Weather Service into a profitable business enterprise.

In fact, it seems the Reagan administration wants to turn the whole Government apparatus into a profitmaking business. Forget service for those who are disadvantaged or unable to compete for scarce resources. This Government would be run on the same open market system as our economy.

I believe the private sector certainly has its important part to play in our society and has contributed greatly to our success as a nation. But I think that there is also an appropriate role

for Government which places a higher value on its services to all the people—regardless of their ability to pay.

I received a letter from Mrs. Connie Hewitt of Cambridge, Ill., who eloquently describes her own experience in a weather emergency. She recognizes the threat posed by this proposed cutoff of a vital Federal program.

I do not think private industry could top the fine job now being performed by the National Weather Service. Therefore, I commend Mrs. Hewitt's comments to our colleagues as proof of the necessity to keep the National Weather Service within the realm of Government control. I would also like to add my thanks to Mrs. Hewitt for reminding us of the importance of this matter.

It's March 19, 1948, the clouds are rolling, the color is green, the wind is fierce. Then came the terrible roar. We huddle together—what is it? We kissed each other goodbye. Was it the "end of the world"? Watching through my father's legs, our home blows away, glass, plaster, and splinters hit us—it's over—really over. Everything is gone. There was no warning—no warning at all.

Thirty-four years later—the Government is telling me that it has a plan that would virtually close the National Weather Service Office in Moline. Naturally I am frightened.

We own, along with thousands of other people, a weather alert station which sends continuous weather announcements 24 hours a day. When there are tornado warnings, the National Oceanic and Atmosphere Administration (NOAA) sets off an alarm that triggers an alarm in my home, day or night. This is followed by instructions. I can now take the necessary precautions and not have the fears return of years ago when there was no warning.

Unless you've lived through a tornado, you don't know how important it is to have peace of mind and safety of my family.

Please help us keep our Moline station—save lives.●

SACRED HEART CENTENNIAL

HON. MARCY KAPTUR

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 12, 1983

● Ms. KAPTUR. Mr. Speaker, Sacred Heart Church in Toledo, Ohio, is celebrating its centennial this year—an occasion that deserves our recognition. Sacred Heart's history is a part of the history of the people of Toledo. The parish came into existence in order to serve the German-speaking immigrant Catholics who had settled in Toledo during the late 19th century. By 1889, aware of the need to provide an education for their children and at great personal sacrifice, Sacred Heart members established the parish school.

In 1900, a tragic fire destroyed the church structure. The mission cross, however, was saved and served as a symbol to the parishioners, not only of their strong faith, but also of their determination to rebuild their church. Six years later, the magnificent stone church was completed and in 1951, the famous Kelgen organ was rebuilt.

Sacred Heart parishioners, committed to Christian service, have been dedicated to caring for their neighbors and the less fortunate in their community. They actively participate in the "feed your neighbor" program and annually sponsor one of the city's more famous cultural events, the Sacred Heart Festival, which accents the German culture in America.

Sacred Heart's 100 years can best be described as years of faith, dedication to God and society, and the preservation of a proud cultural heritage. May Sacred Heart's history of accomplishment carry its people into the next century in the continuation of its good works.●

MEDICARE VISION REFORM ACT OF 1983

HON. BARBARA A. MIKULSKI

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 12, 1983

● Ms. MIKULSKI. Mr. Speaker, I am pleased to introduce today, along with a number of my colleagues, a very important piece of legislation for the Nation's elderly—the Medicare Vision Reform Act of 1983. This bill is designed to correct a glaring inequity in the medicare law that unfairly discriminates against millions of medicare beneficiaries, and costs these individuals millions of dollars in unnecessary expenditures for eye/vision services. It is also designed to provide basic and badly needed services that are not currently covered.

The medicare program currently covers eye/vison services provided by doctors of medicine or osteopathy, except for routine eye examinations and refractive services. With the exception of services provided to postcataract patients, these same services are not covered when provided by a doctor of optometry, even if the services are within the scope of State licensing laws under which the optomotrist practices. The result of this inconsistency is that medicare beneficiaries who choose a doctor of optometry for their eye/vision care, either because they have always gone to that provider or there are no doctors of medicine or osteopathy readily accessible, are forced to pay out-of-pocket expenses for services that are in essence covered benefits. Such a denial of benefits on the arbitrary basis of accessibility to a covered provider is patently unfair to medicare beneficiaries and clearly inconsistent with the intent of the medicare program, or even its opening section, which states:

Any individual entitled to insurance benefits under this title may obtain health services from any institution, agency, or person qualified to participate under this title if such institution, agency, or person undertakes to provide him such services.

My bill will correct this situation by covering eye/vision services under medicare when provided by any practitioner licensed under State law to provide them.

There is another area of the medicare law that has proven difficult to enforce and is detrimental to recipients—the exclusion of coverage for routine eye examinations and refractive services. These basic services are an integral part of determining the condition of elderly patients and are instrumental in diagnosing a wide range of serious visual and other health disorders. To deny benefits for these preventive services invites the potential for future serious and costly disorders. Further, reality of current medicare reimbursement guidelines and program statistics suggest that many routine examinations and refractions provided by doctors of medicine or osteopathy are being covered despite the statutory provisions. To correct this inequity and provide these important preventive services to all medicare beneficiaries, my bill would include examinations and refractions as covered benefits when provided by any practitioner licensed to provide them under State law.

Equally important as these first two provisions, this legislation would also by definition provide examination and refractive services to an often neglected segment of the elderly population—those with low vision; that is, vision which cannot be adequately corrected by traditional means. Of the estimated 456,800 persons age 20 and over who are classified as legally blind, 53 percent are age 65 or over; 7 out of 10 of these patients with residual vision can be aided by low-vision devices and rehabilitative therapy. Low-vision rehabilitation is a growing multidisciplinary service and the low-vision examination is the central initiating point in the process. Without the exam, none of the optical devices and rehabilitative services designed to help these people lead more productive and full lives can be provided. To highlight this issue and give it proper attention I am also introducing a separate bill that would specifically provide medicare coverage for low-vision examinations and refractive services when provided by a doctor of medicine, osteopathy, or optometry.

Finally, Mr. Speaker, my bill addresses a growing concern of mine and many of my colleagues on the various health committees—the substantial and growing difference between what medicare recognizes as the reasonable charge for eye/vision services and the charge actually billed to the patient. For currently included practitioners it

is estimated that medicare reasonable charges are only 77.5 percent of actural charges; thus medicare patients are paying nearly one-fourth of the actual charge in addition to their 20-percent coinsurance charge. This amounts to millions of dollars out-of-pocket to pay more than what medicare has recognized as the reasonable charge. My bill would correct this problem by requiring that all practitioners who provide ambulatory eye/vision services, as a condition for receiving medicare reimbursement for such services, accept the medicare-determined reasonable charge as the full charge, and not bill the patient for any amount in excess of the reasonable charge except for the 20-percent coinsurance. This so-called assignment approach has been endorsed by groups such as the Gray Panthers, the American Association of Retired Persons, and the National Council of Senior Citizens as a means of lowering overall health costs to the aged.

Mr. Speaker, there is a large body of information on the very real need for eye/vision services for the elderly. Let me just highlight these figures to point out the magnitude of the issue: 92 percent of the population 65 years and over need eyeglasses. Without them the quality of life is in many cases dramatically reduced.

Of all the new cases of blindness in the United States, well over half are among people 65 and older. All the major causes of blindness—senile cataract, chronic simple glaucoma, senile macular degeneration, and diabetic retinopathy—have a very high incidence in this population. A refraction is important in the early detection of many of these conditions.

Statistics indicate that 9 percent of persons aged 65 or over have binocular problems, most of which depend upon the application of refractive procedures for diagnostic purposes.

Major causes of visual impairment short of blindness among the aged are arteriosclerosis, hypertension, senile macular degeneration, and stroke. Routine comprehensive eye examinations can find these problems and are necessary to identify need for treatment.

Many of the visual defects among the aged are correctable. The National Health Survey has found that almost a third of the aged who wear glasses have less than optimal correction. There is probably no single condition in aged people that will so readily yield to treatment as correctable visual problems.

Concern over this issue has grown in recent years as our over 65 population has increased. Among the recommendations in the 1981 White House Conference on Aging was inclusion of eye examinations under medicare and a resolution emphasizing the older patient's right to freedom of choice in health care. In addition, the American Public Health Association has called on Congress to enact the legislation I am introducing today.

What would the cost be to provide these services to our Nation's elderly? According to figures proposed by health care actuary Mr. Gordon R. Trapnell, total spending for eye/vision services for the elderly from all sources, including out-of-pocket costs, will be somewhat less under this proposal. Second, total medicare costs will increase by $85 million in the first year, or less than one-half of 1 percent of the overall medicare budget. Mr. Speaker, that is not much more than what the Pentagon pays for one single Navy salvage ship. I submit that is a modest price to pay to salvage the eye/vision health of the aged, and treat all beneficiaries equitably.

Mr. Speaker, the Nation's elderly have been largely ignored in recent years as debate has swirled around the budget and our military buildup. It is time for Congress to turn our attention to the needs of those over 65, to fulfill the commitment made to these people with the passage of medicare 18 years ago, to help them lead more full, active, and healthy lives. My bill seeks to do just that and I urge my colleagues to lend their support in this endeavor.●

DEPARTMENT OF LABOR, HEALTH AND HUMAN SERVICES, MORE FUNDING OF THE LEFT

HON. LARRY McDONALD

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 12, 1983

● Mr. McDONALD. Mr. Speaker, in other entries in this RECORD, I have tried to point out to my colleagues, that what we vote for, and actually where the money is being spent, is two different things.

Here is yet another example of America's hard-working taxpayers paying for items and ideology that they are diametrically opposed to.

I ask my colleagues to glance at some of the organizations and ideals for which money from the Department of Labor and Health and Human Services is being spent. The amount in this instance is $25,378,308 for organizations at best that could be termed alien to the common denominator of ideas that made this country great. Articles follow from the April 1983 issue of the Conservative Digest:

DEPARTMENT OF LABOR

Labor Secretary Ray Donovan cut his department's budget by half, and reduced its work force by 4,500. This hit hard at the special interest groups that controlled Labor under Jimmy Carter—the big unions. They long enjoyed sweetheart deals with Labor, receiving numerous million-dollar OJT (on-the-job training) contracts.

Donovan has continued his attacks on waste at Labor, especially that going to political advocacy groups. But some funds still go to these groups, including:

$1,745,119 to the Labor Institute for Human Enrichment, Inc. (February 1, 1982). The Institute's Board of Directors is headed by American Federation of Teachers (AFT) president Albert Shanker.

The Institute calls itself "a non-profit, educational and research organization founded by the Department for Professional Employees, AFL-CIO in 1978."

$1,347,117 to Campesinos Unidos Inc., a California-based migrant action agency (March 1, 1982; and July 1, 1981). Campesinos closely works with Caesar Chavez's United Farm Workers (UFW) union. After Campesinos laundered $190,000 in Community Services Administration money to the UFW in 1981, funding was suspended.

$50,000 to the Urban Environment Conference, Inc. (UEC) (September 30, 1981).

Founded by the late Senator Philip A. Hart (D-Mich.) in 1971, UEC boasts of its "Legislative and Advocacy Program" in a recent newsletter. Its "alliance of labor, minority and environmental organizations, has been at the forefront of counter-attacking the Reagan initiatives which so threaten the health of Americans."

$100,000 to the American Federation of Government Employees (AFGE) (August 1, 1981). Because all its members work for the government, AFGE has a vested interest in making government bigger, through increasing taxes and government spending programs.

The World—monthly newsletter of one of AFGE's biggest locals, No. 2607 representing federal workers at the Department of Education (DoEd)—recently accused the Reagan administration of "turning to more underhanded methods" in its attempts to dismantle DoEd.

$299,370 to the United Auto Workers (UAW) (Fiscal year 1982).

The 1982 elections were "the first time in as many years as I can remember not coming out for a Republican in any statewide or national race," said UAW northeast region director Ted Barrett.

$3,462,778 to the National Association of Farmworkers Organization (NAFO), including $1,448,748 to the Arkansas Council Farmworkers (January 1, 1982); $668,000 to Kentucky Farmworkers (January 1, 1982); $635,400 to the Montana Farmworkers Council (November 1, 1981); and $710,630 to the Nebraska Association of Farmworkers (March 1, 1982).

NAFO recruits new members by saying, "Your membership will make it possible for NAFO to expand the farmworker presence in Washington, D.C. NAFO has advocated for administrative reform more aggressive labor and civil rights."

Under Jimmy Carter, reports UPI, NAFO got "90 percent of its funds from federal sources."

Grants to the AFL-CIO and its affiliates total at least $12,539,962 since the Reagan administration took office.

The AFL-CIO will announce its presidential endorsement this December. Affiliate unions are pushing Walter Mondale.

For last November's elections, Kirkland urged union members "to register, to turn out and to vote for candidates endorsed by COPE." Almost all COPE's endorsements were Democrats.

Tax money given to AFL-CIO affiliates includes:

$40,000 to the International Association of Machinists and Aerospace Workers (IAM) (October 1, 1981).

IAM president William Winpisinger is vice-president of Democratic Socialists of America. In January he gave a speech blasting the free enterprise system as a "bizarre hypocrisy." He attacked the Reagan administration for its "attempts to manipulate the lives of the people for the private profit of business."

$124,000 to the United Food and Commercial Workers (August 1, 1981) and $24,000 (September 23, 1981).

Last year union president William Wynn endorsed Democrat Tom Bradley over Reaganite Republican Pete Wilson to represent California in the U.S. Senate. "You can be assured that this movement will ensure that you, in fact, will be the next governor," he said. Despite the union's efforts, Bradley lost in November.

$837,833 to the National Ironworkers Training Program (February 1, 1982).

$500,000 to the International Union of Operating Engineers (February 1, 1982).

$100,000 to the Graphic Arts International Union (GAIUS) (September 30, 1981).

$750,000 to the United Brotherhood of Carpenters and Joiners of America (February 1, 1982).

HEALTH AND HUMAN SERVICES

Under former Secretary Richard Schweicker, the Department of Health and Human Services cut off some funds for liberal groups. Still, it continues funding many anti-family projects.

Since 1974, Rep. Henry Hyde's series of amendments to federal expenditures has banned use of tax money for abortions. Yet HHS and state government grants supply more than half the Planned Parenthood Foundation's annual budget—some $70 million in taxpayer money. Planned Parenthood continues to perform abortions on more than 10,000 minors, and passes out contraceptive devices to 150,000 minors each year.

Margaret Heckler, HHS's new secretary, is pro-life. But as a congresswoman, she opposed President Reagan's efforts to notify parents when their children are given taxpayer-supplied contaceptives.

Recent grants to liberal groups include:

$3,490,807 to Planned Parenthood Federation of America, Inc., including:

$738,207 to Planned Parenthood's New Haven, Conn. office (January 1, 1982).

$360,250 for "Planned Parenthood of Tucson Family Planning" (January 1, 1982).

$130,735 to Planned Parenthood's Fresno, Calif. office (January 1, 1982).

$76,081 to Planned Parenthood's Lebanon, N.H. office (January 1, 1982).

$571,957 to Planned Parenthood's Columbus, Ohio office (March 1, 1982).

$1,586,015 to Planned Parenthood's Madison, Wisconsin office (March 1, 1982).

Planned Parenthood was founded by Margaret Sanger, whose great compassion shone through in her statement that "the most merciful thing that a large family does to one of its infant members is to kill it."

In its recent booklet, *Till Victory is Won . . . An Action Agenda for 1982-84*, Planned Parenthood establishes a "Three-Year Plan." Objectives include:

"Eliminate, where necessary and possible, restrictive legislation at the local, state, or national levels which impedes access to abortion.

"Support abortion and other services abroad which cannot be directly financed by the U.S. Government."

$170,432 to the Alan Guttmacher Institute for a "Family planning services delivery research project" (September 1, 1981).

The Agency for International Development (AID) Communications Review Board recently cut off funding for a Guttmacher Institute publication, *International Family Planning Perspectives* (IFPP). The journal was found to be "clearly inconsistent" with AID's policy forbidding the advocacy of abortion as an acceptable means of birth control.

The Review Board also discovered IFPP was being sent to 11 communist countries, violating a federal law.

$370,500 to the Universal Fellowship of Metropolitan Churches (UFMCC), "To provide half-way houses for homosexual Cuban refugees" (April 10, 1981).

$122,645 to the National Association of Social Workers, Inc. (September 30, 1981).

In April 1982, NASW held its 5th annual Social Workers in Politics (SWIP) conference.

The Reagan administration was specifically attacked for the "adverse conditions" caused by cuts to groups like NASW.

At another conference, says Family Protection Report, "Arabella Martinez, former assistant secretary at HEW, admonished her audience to leave the concerns of social work to others and instead to involve themselves in politics, especially as it concerns taxes, defense, and energy." NASW has an official Peace and Social Welfare Committee which works for the reduction of defense spending and conciliatory policy toward the Soviets.

$150,600 to the American Bar Association's National Legal Resource Center for "Child advocacy and protection" (September 30, 1981). While the American Bar Association is not a leftist group, this project takes away parents' rights and puts children at the mercy of government agencies.

At least $908,144 to the Population Council, Inc. (January 1982, July 1, 1981 and April 1, 1981).

The Council actively promotes proabortion, anti-natalist policies.

$620,834 to Development Associates (May 28, 1982, March 31, 1981 and September 30, 1981).

According to the Population Crisis Committee, "Previous projects have included training of U.S. and Latin American family planning workers, [and] contraceptive retail sales in El Salvador . . ."●

MAINE SMALL BUSINESSMAN OF THE YEAR

HON. OLYMPIA J. SNOWE

OF MAINE

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 12, 1983

● Ms. SNOWE. Mr. Speaker, today I would like to pay special tribute to Mr. John T. Amoroso, who has been recognized by the Small Business Administration as the Small Businessman of the Year for the State of Maine. Mr. Amoroso is now serving as the president and owner of Bangor Wholesale Foods, Inc., of Newport, Maine. He bought the 24-year-old company in 1975. At that time it was a relatively small operation, with only eight employees and a sales growth rate that was virtually flat. Since Mr. Amoroso took over in 1975, Bangor Wholesale Foods has grown to become a full-line food distributor with over 50 employees. Sales have increased sevenfold, to an estimated $11 million in 1982. Over the last 7 years, Mr. Amoroso has shown an outstanding commitment to customer service. Since he took over the company, Bangor Wholesale Foods has not missed a single delivery.

Mr. Amoroso has played an active role in the affairs of his community. He has served as the past chairman of the Newport Planning Board and on the finance committee for the town of Newport. He has been actively involved with youth athletic programs in the community, and he has recently been appointed to the Governor's Small Business Advisory Council.

During this National Small Business Week, it is only fitting that we pay tribute to people like John Amoroso. His creativity, hard work, and dedication to community service should serve as an example to us all. His example reminds us that the small businessmen and women of this country have both the desire to contribute and the will to succeed. It is our job to make sure that we let them. By lending the hand that the small businessmen and women of this country need, we can help insure a more prosperous future.●

OMNIBUS MARKETING USER FEE ACT OF 1983

HON. EDWARD R. MADIGAN

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 12, 1983

● Mr. MADIGAN. Mr. Speaker, on the request of the Secretary of Agriculture, I have this date introduced the Omnibus Marketing User Fee Act of 1983.

This legislative proposal is part of the President's fiscal year 1984 budget and provides for recovery of costs associated with: administration of Federal marketing agreements and orders for milk, fruits, vegetables, and certain specialty crops; postage, printing, and handling of market information and statistics for two commodities currently exempt from such charges; providing plant variety protection; and administration of the wool and mohair promotion programs, including costs or conduct of referendums.

Estimated revenues to be generated in fiscal year 1984, as a result of enactment of this legislation, approximate $6.5 million.

A title-by-title summary of the provisions of the bill appear below and are generally as set forth in the Secretary's transmittal to the House:

TITLE I: PROPOSED LEGISLATION TO RECOVER COSTS ASSOCIATED WITH THE FEDERAL ADMINISTRATION OF MARKETING AGREEMENTS AND ORDERS

The authority of the Secretary of Agriculture under the Agricultural Adjustment Act of 1933 is currently being used to stabilize marketing conditions for fluid milk, fruits, vegetables, and certain specialty crops. This objective is achieved under Federal milk orders by providing minimum milk prices to farmers and handlers that are reasonable in relation to economic conditions and which will assure consumers at all times of adequate supplies of pure and wholesome milk. In the other commodities mentioned, regulations governing the quality or quantity of shipments are used to achieve similar objectives.

Marketing agreements and orders are administered at the local level by market administrators or committees whose expenses are financed by assessment on regulated handlers. At the national level a portion of the expenses of administration is currently financed by annual appropriations and a major portion by permanent annual appropriation pursuant to Section 32 of the Act of August 24, 1935, (7 U.S.C. 612c).

This title would authorize the Secretary to prescribe, by regulation, assessments to pay all or part of the Department's expenses in administering the Act. The recovery of such costs is consistent with the Administration's economic recovery program to establish fees for the provision of services by the government to identifiable users. Two major principles underlie this principle. One is fairness. It is unfair for the general taxpayer to pay for a service when the benefits are generally restricted to a specific group of users rather than spread among the general public. The other basic concept is the efficient allocation of scarce Federal resources. When users pay for a Federal service, they tend to match its quantity and quality with the cost, as occurs in the free market. When such services are free to the user, he tends to request as high a level as possible, since the general taxpayer bears the costs.

Under the President's budget we estimate that for fiscal year 1984 the cost to be recovered, and the resulting annual savings to the taxpayer, would be not less than $508 million.

Upon enactment of this title, the Department would apportion costs among the various orders as equitably as possible. The assessment would be collected by the market administrators and local governing committees. In light of the collection of assessments by the market administrators and committees to cover their costs, the collection of assessments, as would be established under this program, would impose little administrative cost and burden.

Additionally, Title I authorizes a transfer of up to $3 million from the Section 32 account. Such funds would be used to provide approximately six months operating capital prior to the receipt of assessments and for the payment of administrative expenses which are in excess of receipts. Funds transferred from the Section 32 account would be reimbursed from subsequent assessments, except for costs associated with a proposed order that fails to be approved.

Assessments collected under this authority will have no significant impact on retail price levels. The estimated cost impact for each of the marketing agreement and orders is an increase of about 10 percent. For milk, the assessment would equate to about 1/30 of a cent per gallon or 1 cent per 30 gallons. However, for the fruit, vegetable and specialty crop marketing agreements and orders, it is difficult to assess precisely the cost impact due to variables among the numerous commodities covered. For some programs Federal costs may be relatively large compared to current industry costs.

TITLE II: TO PROVIDE FOR RECOVERY OF COSTS ASSOCIATED WITH THE POSTAGE, PRINTING, AND HANDLING OF MARKET INFORMATION AND STATISTICS FOR CERTAIN COMMODITIES

Title II will enable the Department to recover costs associated with the postage, printing and handling of printed market news reports for two commodities. Pursuant to authority contained in the 1981 Farm Bill, the Department implemented in fiscal years 1982 a system of user fees for printed market news reports for all commodities except for cotton and tobacco. Enactment of this title would, thus, afford the same treatment to all commodities.

The Market News Program administered by the Department's Agricultural Marketing Service (AMS) provides current reports on prices, supplies, movement, demand, and quality for fruits and vegetables, peanuts, ornamentals, livestock, meat, wool, poultry, eggs, dairy products, grain, sugar, cotton, and tobacco. Timely and equal access to the latest market information and statistics is provided to those who want the information; i.e., farmers, shippers, packers, dealers, processors, wholesalers, and retailers, to help them decide the best time and the best place to buy and sell their products.

The 1981 Farm Bill provided general authority to the Department to recover costs associated with the printing and distribution of certain printed reports and publications. To provide uniformity and consistency in the administration of the total Market News Program, this legislation is proposed to provide explicit authority for the Department to charge postage, printing and handling costs for market information and statistics for the two commodities now exempt.

Consistent with the President's budget for fiscal year 1984, we anticipate revenues under this title to approach about $300,000 annually, and outlays to be reduced in the same amount.

The Department urges enactment by the Congress of this title so that the Department will be able to establish subscription rates for printed market news reports for all commodities in an orderly and uniform manner.

TITLE III: TO RECOVER THE COST OF PROVIDING PLANT VARIETY PROTECTION

The Plant Variety Protection Act (PVPA), enacted December 24, 1970, provides patent-like protection for a period of eighteen years to developers of new varieties of plants which are reproduced by seeds. Protection under the PVPA is currently afforded to more than 350 species of plants which include field crops, vegetable crops, and ornamentals. Participation is entirely voluntary.

Plant variety protection certificates are granted on the basis of novelty as documented in the breeder's application. Information provided by the breeder is stored and maintained in a computerized data base, along with descriptive characteristics of all known varieties, protected and non-protected. Such information is utilized by the Plant Variety Protection Office in the search process in order to determine if the variety described in the application is unique.

From the time regulations implementing the PVPA were promulgated in November 1972 until November 1982, a fee of $750 was charged to those granted certificates of protection, or exclusive property rights to sell, advertise, or license others to sell seed of a novel plant variety. The fee was increased to $1,500 in November 1982. Fees collected are deposited to Miscellaneous Receipts in the U.S. Treasury as required by law. However, these fees have never covered the full costs of operating the program, which have risen from less than $2,000 per application nine years ago to as much as $3,600 in recent years.

The sole source of funds for operating the program since its inception has been annual appropriations. In view of the special identifiable benefits which accrue to breeders from this type of protection, we believe it is in the public's interest to place the program on a cost-recovery basis, and that fairness demands that we stop asking the general taxpayer to bear these costs. We are currently taking steps to reduce the costs of this program to $2,000 to $2,500 per application. This reduction in costs wil be achieved by reducing the amount of search time as well as the volume of information currently stored in the computer base. These and similar measures recommended by the PVP Board are expected to result in improved program efficiency and productivity, and offer recipients the same protection they currently enjoyed without placing an unfair burden on the taxpayers.

Under Title III, breeders of novel varieties of sexually-reproduced plants would continue to be charged a fee for protection under the Act. However, fees collected would be deposited to a fund available for expenditure by the program without fiscal year limitation. Such fees would be sufficient to reimburse the Secretary for all or part of the costs incurred in administration of the Act.

At the beginning of fiscal year 1983, we had 232 applications in process. We expect this number to increase in fiscal year 1983, depending on industry reaction to the 1982 increase in fees and efforts currently underway to increase program efficiency and productivity. Therefore, limited appropriations of $214,000 have been requested for fiscal year 1984 to process pending applications during the transition from an appropriated basis to full cost recovery user-fee funding. We anticipate that not less than $350,000 of the program's estimated cost for fiscal year 1984 will be derived from user fees.

TITLE IV: TO RECOVER COSTS INCURRED IN THE ADMINISTRATION OF THE PROMOTION PROGRAMS FOR WOOL AND MOHAIR

Title IV would amend Section 708 of the National Wool Act of 1954 to authorize the Secretary of Agriculture to recover costs incurred in the administration of the promotion programs for wool and mohair.

The Department provides oversight under several statutes over research, education and promotion programs for a number of agricultural commodities. With the exception of wool and mohair, the Department is reimbursed for most of the costs it incurs in the oversight of commodity promotion type programs. This proposed amendment would place wool and mohair on a comparable basis with other commodities that have such programs.

Under this title, the Department proposes to recover all or part of costs incurred in carrying out its responsibilities pursuant to Section 708. Funding for Department costs would be derived from money which producers have set aside for promotion and other

purposes from the payments they receive under the National Wool Act.

The fiscal year 1983 appropriation was reduced by $23,000 in anticipation of enactment of wool user fee legislation. However, the costs associated with research and promotion programs will increase by at least $12,500 as a result of the mohair program's approval in a December 1982 referendum. Therefore, the fiscal year 1984 costs of these programs will be something over $35,500. However, since wool and mohair referenda are conducted every 4 years, outlays will then be further reduced every fourth year by approximately $128,000 for wool and $3,500 for mohair because referenda costs will be charged to producers. These costs represent about 1/10 of 1 percent of the value of wool production and about 1/100 of 1 percent of the value of mohair production for those years when referenda are held.

Upon enactment of this title, it would be too costly to hold referenda to address reimbursing the Department's annual costs. Therefore, as an interim measure and until the next referenda are conducted in 1986, the Department will seek to recoup such costs pursuant to Memoranda of Understanding with the respective organizations carrying out authorized programs.●

WORKING WITH THE UNEMPLOYED

HON. JOHN CONYERS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 12, 1983

● Mr. CONYERS. Mr. Speaker, in the past year approximately 20 million Americans either have been out of work or else underemployed for significant stretches of time during each of the periods reported by the Bureau of Labor Statistics. The monthly unemployment rate conceals the full extent. In the most recent period, some 6.5 million Americans were working part time involuntary, 2 million left the labor force entirely, the so-called discouraged workers, and nearly 11.5 million reported they were unemployed.

The first hope of the unemployed is to find jobs. In this, they have had very little help from either the Federal Government or the private sector. Their next concern is to cope with unemployment. The stress and strain of the unemployed is enormous. Paying off debts, paying for necessities, keeping families intact, facing career change decisions, and dealing with daily frustrations are considerations constantly on the mind.

The Center for New Directions at Henry Ford Community College in Dearborn, Mich., has launched a series of workshops for the unemployed, which have become the model for similar undertakings nationwide. Thousands of unemployed workers who attended the workshops have gained valuable information on job retraining, career change financial planning, and coping with the strains and stress of their lives. The sponsors of these conferences could not claim to provide the one thing that the unemployed need above all else: an opportunity to work and be productive. Dr. Robert Kopecki, initiator and director of the conferences, and his staff, however, have provided decent and important human services, and for this they deserve our commendation and support. I have included a statement of theirs on the origins and purposes of the workshops for the unemployed.

"WHERE DO WE GO FROM HERE?"—A NATIONAL MODEL FOR MEETING THE NEEDS OF THE UNEMPLOYED

In April 1982 Henry Ford Community College convened an Advisory Board of concerned business leaders, community service agencies, professional people and educators to evaluate what community colleges could do to assist the many thousands of unemployed throughout the Greater Detroit area. The discussions and results of this advisory board meeting, along with a $5,000 grant from Dr. Sonya Friedman, talk show psychologist, WDIV-TV established a model unemployment conference entitled "Where Do We Go From Here?" This one day conference addressed the various problems that the unemployed were experiencing including career change discussions, retraining opportunities plus ways to cope with the psychological pressures of being out-of-work.

The first "Where Do We Go From Here?" conference on June 12, 1982, attracted over 1,100 unemployed workers to the campus of Henry Ford Community College. Its dramatic success set the stage for replicating the conference at community colleges throughout the Greater Detroit area. On July 28 Schoolcraft College hosted 700 unemployed, on August 28, 1982, 750 displaced workers participated at Wayne Community College Western Region Campus, and 1,100 unemployed converged at Oakland Community College on October 10, 1982. Mt. Hood Community College in Gresham, Oregon, on October 16, duplicated our model conference program in the Pacific Northwest and over 1,200 lumber and aero-space unemployed attended that free one-day conference. On November 20 over 1,100 unemployed braved a cold, rainy day to attend Macomb Community College's "Where Do We Go From Here?" conference and on December 11, 700 unemployed rallied in the converted auto service bay area of Wayne Community College Eastern Center. In addition, more than 125 colleges nationwide have requested start-up materials to replicate this conference in their respective service areas.

What began as a joint venture between Henry Ford Community College and Dr. Sonya Friedman has grown into a cooperative program involving the greater Detroit community colleges, Manufacturers Bank, WDIV-TV, WXYZ Radio, community agencies, private businesses, numerous program volunteers, and many concerned citizens. As this program circulates through all the area community colleges, thousands and thousands of unemployed workers will receive valuable information and tips that will change their lives for the better.

The "Where Do We Go From Here?" conference series was established to meet both the long term needs of the unemployed, that of career change and retraining, and the short term needs, that of coping with the many psychological problems of being unemployed. Such coping strategies analyzed included getting out of debt, financial planning, stress reduction, marital problems, good nutrition, and effective time management.

The success of these conferences is based on the providing of information to the unemployed so that the displaced worker can have valid data to make meaningful career change decisions, evaluate what retraining is available, what costs are involved in this career change, and how to deal with the frustrating day-to-day psychological problems that plague the out-of-work. The conference presentation which includes 70 to 100 volunteer professionals is optimistic, motivational, and full of valuable information which will help give participants meaningful direction to their lives.

The conference format has remained the same as the presentation moves from campus to campus. The program begins at 9:00 a.m. with a meeting of all participants. The general assembly lasts until 10:30 a.m. and includes a welcome by the sponsoring community college, a discussion of the U.S.-Michigan economy, a presentation on where the future jobs will be, a motivational message to reinforce the self-esteem of the participant, and a short discussion on retraining available through the community college system. Financial aid, counseling, and admissions representatives from the sponsoring college are identified so that participants interested in obtaining additional information about the college can see them after the general session concludes.

From 10:30 a.m. till 12:30 p.m. the participants break into mini-seminars on career changes and topics related to retraining. In addition, all community colleges in the area plus special interest groups have exhibits and tables set-up for participants to obtain information on topics ranging from dealing with alcoholism, time management, getting into school, career planning, to finding inexpensive recreation in order to relax. A free lunch is provided for participants during the 12:00-12:30 time slot along with a half hour of musical entertainment.

At 12:30 p.m. the participants regroup to begin the afternoon "How Can I" sessions. These sessions allow participants to select 3 areas out of a possible 12 to 15 topics. Groups meet for approximately 1 hour on each topic and then move to the next. Topics to choose from encompass dealing with stress, establishing good mental attitudes, medical and legal problems, résumé writing, repackaging yourself, coping strategies, financial concerns, nutrition, and sessions on women's special problems.

At the conclusion of the day long event evaluations are completed by the attendees and the data tabulated. The evaluation instrument is consistent at each of the campus presentations so that the multiple conferences can be compared and analyzed.

This one day conference is dedicated solely to the unemployed worker. No political topic or speakers are presented. The only politically related aspect of the conference is the declaring of "Moving Ahead Day" by the various cities to coincide with and bring attention to our conference presentation as we move from campus to campus, city to city.

Registration of participants is conveniently done by phone and registration and a preconference brochure is mailed to confirm the reservation.

The success of our large number of registrants is due to our marketing of the program. The marketing of this particular conference series has been unique in comparison to traditional marketing practices of community colleges. The joint cooperative

effort between a community college and a radio/television station talk show host has enabled the program to be mass marketed to the greater Detroit area on a daily basis. In addition, clientele that are reached by radio/television personalities differ from the usual clientele reached by college articles, publications, or news releases. Many individuals are more secure about enrolling in this type of conference if they are persuaded by an individual who is not an educator but a person respected by the community as a solid professional in their media career. The talk show host offers this perspective to the prospective registrants.

Video taped public service announcements and radio spot announcements, because of this cooperative venture, are of no cost to the college. The media station benefits from its community services involvement and publicity and, in turn, the community college acquires a marketing arm that exposes it to a large viewing audience.

Reaching a large audience with good program materials and marketing is only as good as the feed-back received from the out-of-work participants. Evaluations showed that the participants were receiving meaningful information to change their lives for the better and that they received what they expected from the program.

Other data such as age, sex, length of time unemployed, zip codes, and miscellaneous data helped define the parameters of the unemployed.

Finally, no project can be complete without planned follow-up programs. The "Where Do We Go From Here?" conferences represented phase one of our project to meet the needs of the many unemployed. Our phase two of the prorgram developed intensive two hour evening seminars at the local community colleges to cover such topics as resume writing, repackaging yourself, getting out of debt, and legal/medical concerns of the unemployed. Phase three begins the massive funding needed to provide monies for the unemployed to enable them to begin retraining at a local community college. Monies raised would be given to local community colleges and restricted for use only by the unemployed. One fund-raising idea being formulated is the raising of millions of dollars through a concert series at the Pontiac Silverdome, an enclosed stadium with seating of 100,000. By mid-1983 fund-raising events will begin in the Greater Detroit area to meet the financial concerns of the unemployed as they seek retraining through the many community colleges in the area.

In addition, the White House and Public Broadcasting have expressed an interest in developing a prime time television program presenting our optimistic and motivational program to the nation in 1983. At this stage a producer has been appointed and a grant proposal is being prepared.

Individuals requesting additional information on planning unemployment conferences can contact Dr. Robert J. Kopecky at Henry Ford Community College, Center for New Directions, 5101 Evergreen Road, Dearborn, MI 48127—1-313-271-2854.●

NATIONALIZATION OF THE FAMILY

HON. LARRY McDONALD

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 12, 1983

● Mr. McDONALD. Mr. Speaker, on April 28, 1983, Prof. Walter E. Williams testified before the House Select Committee on Children, Youth, and Families. Dr. Williams is a distinguished and well-respected economist. He received his doctorate at UCLA, is a professor of economics at George Mason University, and is the author of the bestseller "The State Against Blacks."

Dr. Williams' testimony, which all Americans should ponder, deals with the ongoing efforts to "nationalize" the American family.

I commend the testimony to the attention of my colleagues.

The testimony follows:

Gentlemen. The problem in America is Congressmen get selected to office and retain office, through promising to use the powers of their office to confiscate property of one American and give it to another American to whom it does not belong. Or you promise one American that you will give him a privilege that will be denied to another American. In my opinion, H. L. Mencken was quite right when he described an election as an advanced auction sale of stolen property. The characterization of our problem this way should not be constructed as a personal attack on members of Congress for it is we, the people, who are to blame because we give you the incentive structure in which you operate.

Through this process of legalized plunder there are unanticipated side effects which is the subject of these hearings on Children, Youth and Families. First look at the effects of inflation which is no less than government theft. When I was a child, my mother taught me that when you earn two dollars save one. I'm sure these were the kind of lessons that helped me get out of the ghettos of North Philadelphia. In economic good conscience I can't teach that to my daughter because she'll say, "Daddy, what's the sense? If I save a dollar it's worth 90 cents at the end of a year and on top of that the IRS is going to take some." Inflation constitutes an attack on thrift and as such makes people now-oriented.

Another impact of government programs on the family are its many laws regulating economic activity. One set of these laws, on which I've done a lot of research, are labor laws. The minimum wage law is a prime example. It has destroyed many opportunities for teenage employment, particularly for the most disadvantaged youth. When I was a kid back in the late 40s and early 50s, I shoveled snow from train platforms, washed dishes and bused tables at Horn & Hardart's, delivered mail during Christmas holidays, picked blueberries and packed boxes at Sears. These jobs helped make ends meet, but more importantly they taught responsibility and I gained the pride and self-respect from being financially semi-independent.

Today the kids in my old neighborhood don't have the same chances for upward mobility. Congress has legislated them out of jobs through minimum wage laws, labor laws, and special privileges you've given unions. The sad fact of business is: kids are ideal people to dump on; they have little clout. After all, how many congressmen owe their office to the teenage vote? On the other hand, many do owe it to the union vote.

Other government attacks on the family institution include all the programs which encourage children to abandon their aging parents, the discriminatory tax system which encourages couples to shack up rather than marry and government sponsorship contraceptives to minor children with neither parental knowledge nor permission. What we are witnessing in America is the nationalization of the family.

Education of our youngsters is a national disgrace. The President's National Commission on Educational Excellence reports 13 percent of all 17-year-olds are functionally illerate and 40 percent of black 17-year-olds are illiterate. This decline came in the face of unprecedented federal, state and local expenditures on education. The solution to the problem won't lie in even greater expenditures. The solution lies in stripping the education establishment of its monopoly power and eliminating its government lobby arm, the U.S. Department of Education.

Teachers and administrators get paid whether kids can read and write or not. Sadly enough, many kids get their diplomas whether they can read and write or not. Education needs to be reorganized so that parents can have choice rather than be held captive by the education monopoly. The best way ro provide for this is through educational vouchers; a less effective though, superior to the status quo, is the President's proposed tuition tax credit. Pending elimination of the Education Department, Congress should declare it illegal for the Department of Education to give money to schools which lie about their student certification and grant fraudulent diplomas.

There's a Negro play entitled "Green Pastures." In it God says to the angel Gabriel, "Everytime Ah passes a miracle, Ah has to pass fo' or five times mo' to ketch up wid it." That is an insightful description of the problem of government. You men create a special advantage for one American that causes a special disadvantage for another American. When you try to help the disadvantaged one it causes a disadvantage for some other American. My proposal is that since Congress can't crate a good miracle, it ought to get out of the miracle business.●

A TRIBUTE TO E. ROSS ADAIR

HON. DANTE B. FASCELL

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 11, 1983

● Mr. FASCELL. Mr. Speaker, it is with sadness that I pay tribute to our former colleague, the late E. Ross Adair. Congress and the people of Indiana have lost a distinguished legislator.

First elected in 1950, Ross ably served his Indiana constituency for two decades. Together, we served on the Foreign Affairs Committee, where he was ranking Republican member. Although we often viewed issues

before the committee from a differing perspective, we shared a vision of a strong yet compassionate foreign policy for our Nation.

Departing the House of Representatives in 1970, Ross demonstrated his foreign policy expertise in a different arena, serving as the U.S. Ambassador to Ethiopia from 1971 to 1974.

Our memories of E. Ross Adair are those of a dedicated public servant. The people of Indiana have much to be proud of in this fine man.●

MR. ROSTENKOWSKI CALLS FOR A REAL TRADE POLICY

HON. JOSEPH M. GAYDOS

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 12, 1983

● Mr. GAYDOS. Mr. Speaker, when 30 percent of the Nation's manufactured goods are imported;

When responsible economists estimate that trade was to blame for three-quarters of the rise in unemployment that took us to our recent postwar record;

When the current-year merchandise deficit may hit $80 billion and we are close to spending more for imported automobiles and consumer goods than for imported oil;

And when your trading partners have closed their markets but use subsidy, dumping, and cartels to target as theirs the home markets of industries basic to your well-being and your defense;

Then you have a crisis on your hands.

In his famous letters that touched on the conduct of public affairs, Lord Chesterfield advised that when a leader has no clear idea of what to do in a crisis, then that leader can always do nothing.

The United States has been remarkably faithful to Lord Chesterfield in regard to trade policy.

Administration through administration, regardless of party, the policy of the United States has been to do as close to nothing as possible. And the Congress has tended to go along with this, by and large; the confusion of events tended to screen the problem.

This has been true up until Monday, May 9, 1983, when our colleague, Mr. ROSTENKOWSKI, chairman of the Committee on Ways and Means, drew together the broad range of abuses and national needs in a speech that gives trade a proper place on the Nation's agenda.

No one in this body, whether the people they represent are hurt by European wheat subsidies or Asian industrial policies, should go unaware of the chairman's observations about the past and the present and his suggestions for the future.

Therefore, I offer the text of the chairman's to-the-point remarks to the Mid-America Committee in Chicago. His remarks were as follows:

Trade, like energy a decade ago, has become a national issue fraught with ambiguity and a sense of peril. We have suddenly awakened to the stinging reality that the competitive lead we took for granted has all but vanished. Just as we controlled the flow and the price of energy after World War II, so we virtually dominated the world's trade laws and markets. Unlike the dramatic oil embargo, our trade crisis is much less visible—and much less abrupt. Yet the growing hostility in our union halls and boardrooms against mounting competition from Japan and Europe is strikingly reminiscent of our sense of frustration and impotence toward OPEC.

But from those dark days of gas lines we struck back—first with crude quotas and conservation laws, and later with long-range pricing and international contingencies.

We fought back on the energy crisis. And now we've got to fight back on the trade crisis. And it is a crisis.

U.S. trade, which has grown steadily since the end of the war, has now begun to decline. In 1982 our exports dropped by almost 10 percent, and for the first quarter of 1983 they are even below 1982 levels. The $42 billion trade deficit that we posted in 1982 is expected to nearly double this year. Negative trade balances and economic stagnation feed on one another—not just here, but around the world. As barriers go up the world market has shrunk, severely curtailing U.S. exports. Developing nations, whose markets offer the greatest potential, have become the first victims. To survive they must borrow more and more from the developed nations. The third world debt today exceeds $600 billion, which otherwise might fund greater productivity at home. Over the last few years the cycle has become more vicious—further weakening the world's economic condition.

Add to that the breakdown of international trade laws. Our attempts to broaden and enforce the General Agreement on Tariffs and Trade are either ineffectual or ill-timed. Our allies show little interest, or consensus, in using GATT as a forum for settling grievances. Rather, most have decided to pursue their own self-interests—beyond the limits of established law.

The overrated strength of the dollar is playing absolute havoc with our domestic market—particularly against the undervalued Japanese yen. As mounting U.S. deficits ironically support high interest yields to foreign investors, the relation of the dollar to other currencies becomes distorted. The effect has invited a rush of imports into the country and driven up the price of American goods abroad. In both instances, U.S. commerce is being sacrificed at the very time we are so desperately trying to nurture recovery.

The best efforts of some of our major industries to modernize production, curtail excess and improve quality are increasingly negated by the differential in currency rates. Yet the current Administration seems disinclined to intervene.

National debate—particularly in Congress—is sadly limited by the brittle cliches of "free trade" and "protectionism." The first is a myth. The second is a menace.

Free trade is a noble quest. It had its finest hour after World War II when Europe and Japan were pulled from the rubble by historic amounts of American aid. Our generosity was largely tied to the premise that the world's political stability would be determined by the world's economic growth. As revitalized nations reached out for foreign markets, America initiated the GATT which led to the dramatic reduction of trade barriers and the further expansion of world commerce. We expected the rest of the post-war economies to develop after the U.S. model. We never considered that different cultural and geographic factors would set them on individual courses. All this was done under the banner of free trade.

But as national self-interests emerged, the industrial powers began to quilt a patchwork of subsidies, tax expenditures, non-tariff barriers and guaranteed loans to better position themselves against their competitors. And the U.S. was no exception. Those who today beat the drums for free trade often conveniently disregard our own long-standing agricultural barriers and quotas—or the billions of dollars the Federal government commits to the research and development of particular industrial sectors, like aerospace and defense.

We may have the freest and the fairest trading system in the world—but let's not call ourselves pure "free traders."

The latest cry in Congress, of course, is protectionism—the true barometer of hard times. It's the easiest political response to the complex realities of unemployment and economic stagnation.

In America, where the notion of our post-war economic supremacy has lingered well beyond its time, protectionism seems more to reflect our anxiety over losing our once dominant position in world trade than the emerging challenge from abroad. We fear that the legend of Yankee ingenuity and risk-taking has ended. Instead of confronting the realities of our competitive slide and efficiencies, we often raise convenient targets for retribution.

Dozens of protectionist measures have been introduced in Congress since January—all the way from mandating the domestic content of U.S. automobiles to raising the tariff on imported roses. Many are only warning shots fired across the bow of our trading partners—but some are torpedoes aimed squarely amidships. All, however, indicate the frustration and the pressure on politicians to do something.

By far, the most immediate force behind protectionism is the enduring recession. As long as unemployment remains close to 10 percent—as long as record deficits and high interest rates persist—and long-term investment in plant and equipment is held back—protectionist pressures will mount. Amidst all this trouble, many forget that checking imports in an attempt to shore up domestic industry and jobs only weakens world commerce—and ultimately weakens commerce in our own country.

The second—and less direct—cause for protectionism is fear over the lack of a coherent U.S. trade policy. Instead, we have a confusing hodgepodge of non-tariff barriers, subsidies, and tax incentives, as well as complex and ineffective trade laws. Put bluntly, we don't have a trade policy. And without a trade policy (or even the promise of an overall strategy), business, labor and politicians have no sense of purpose—only uncertainty.

Recent proposals to reorganize the Administration's trade functions only increase uncertainty and do not solve the real problem of creating and implementing an effective trade policy.

The blame does not lie only with the Reagan Administration. It stretches back a

decade or so when we failed to recognize that the old post-war formulas were outdated—that the entire world economic structure was changing. We were still guided by a Marshall Plan mentality that reinforced our false sense of preeminence. We saw no reason back then to take a comprehensive look at the viability of our auto, steel and electronics industries—a practice of our partners that we curse today as "industrial policy." With a huge and expanding domestic market for our goods and services, we grew increasingly complacent.

Administrations have consistently played trade as a political, rather than an economic, card in dealing with our foreign friends and opponents. Whatever trade policies emerge are too often shaped by the rewards and punishment employed to meet our immediate political ends—rather than to shift the emphasis of our economic policy. Witness the recent Russian pipeline sanctions—and the more recent renewal of Russian grain sales. By contrast, our trading competitors view trade and foreign policy as one concept.

American trade policy is still shaped by crisis rather than vision. Compared to many of our allies, we instinctively respond to the demands of the vulnerable, rather than guiding the paths of the strong. If inflation does not prop up farm prices; we rush in with subsidies later this year's Payment-in-Kind program. If our steel industry is rusting because of overcapacity and underinvestment, we are there with tax benefits like accelerated depreciation and safe harbor leasing or out-and-out quotas. When Chrysler was on the verge of collapse we guaranteed loans and stepped up the pressure on voluntary Japanese export restraints. But for U.S. enterprise that is pressing its way in the world with technological breakthroughs or sheer managerial agility, the Federal government doesn't do enough to promote or hasten their success.

What's worse is that our own policy paralysis is forcing us to strike out randomly at our trading partners—particularly Europe and Japan—for following their own self interests in time of international stress.

Foreign barriers to our exports, unfair pricing competition and heavy foreign government subsidies have provoked predictable—and very legitimate—cries of "unfair" across the country. We are less vocal, however, when it comes to the foresight, determination and flexibility that are the driving forces of our competitors' trade strategy—and which provide a painful foil to our own complacency.

I'm a politician. I think I understand better than most the cycles of national sentiment. Sometimes the best course is to hunker down and wait for the tide to change. Other times it is right to strike—to take the offensive. In my view, we must take the offensive in reordering American trade policy. And that means setting down clear-cut, pragmatic objectives.

First—we must abandon the rhetoric of "free trade" and "protectionism," and concede that neither holds the answer for the future. No useful purpose is served by continuing to force the debate to one extreme or the other.

Second—we must move trade policy on to the same plateau with foreign policy. We no longer have the luxury of treating trade concessions and sanctions as the handmaidens to security interests or global strategies. Instead we must place American commercial gains in the first rank of priorities.

We must establish the Administration's role as a teammate, rather than a referee, to American business and labor. Government must become an advocate rather than an adversary. As a congressman, I want to be able to promise every American businessman and worker that if they turn out a competitive product our government will fight for a foreign market to sell it in.

We must begin at once to assess our own industrial and technological base to give us a firm reading on our national capacity—our strengths and our weaknesses. Right now we're overwhelmed with our casualties. Our successes too often go unnoticed—along with opportunities for future market penetration.

Likewise, we need a thorough analysis of the broad range of subsidies, tariff and non-tariff barriers, regulations, tax expenditures and research and development incentives to weed out contradictions, duplications and obsolence. The tax code alone is studded with emergency relief against economic conditions that have long since changed.

Third—we have got to begin applying a consistent, fair—but tough—set of rules to the practices now governing world trade. Liberal trade rules are fine if they are respected the world around. But the old rules no longer guide our allies. We need to say to the rest of the world: "We will treat you fairly, but if you go too far in distorting trade we will vigorously protect our national interest." But if we're going to have such rules we have to apply them consistently and be willing to live by them ourselves.

We've finally got to recognize that agriculture and steel and semi-conductors no longer compete head-to-head for foreign market shares. The old rules of competition are now controlled by central banks and government planning boards. Like it or not, we have entered the age of the mercantile state. It's time to begin planning on this basis, both in adapting our own system and checking over-aggressive foreign policies when the national interest dictates.

We already have some very tough trade laws on the books. Before the year is out the Committee on Ways and Means will have reformed them to quickly and effectively redress legitimate grievances.

Fourth—we need to develop rational policies to stimulate adjustment for industries that have lost their competitive edge and to regain our technological and productive capabilities. When import or tax relief is sought, a price should be paid, or a standard met—whether it's retraining or reinvestment. To an extent, crisis has already forced this upon some of our industries. But crisis management merely gets us by, day-to-day. We must do better than that.

In realigning the thrust of American enterprise we cannot simply abandon our traditional industries—many of whom, in the best of times, will never regain their former size. We've got to consider eliminating overcapacity in industries such as steel—perhaps in conjunction with our trading partners—as well as to seek more specialized use of our older mills and plants, and encouraging further joint ventures with foreign investors.

We should also begin to retrain, or otherwise accommodate, workers in older industries—particularly men and women in their forties and fifties. Such changes in many cases, however, cannot be made without personal disruption. Workers must recognize that with new opportunities must come a change in the status quo.

We should begin a thorough review of our anti-trust laws, as well as encourage productive partnership between government and the private sector—particularly in research and development.

Promoting change in overall trade policy will not be easy or inexpensive. We must be prepared to make some difficult choices regarding the survival of certain firms. It means the willingness to commit billions of dollars to expand the capacity of future production—like telecommunications—as well as subsidize U.S. ventures into markets already being undercut by our competition.

Fifth—the world's exchange rate system must be stabilized. For trade to be orderly, our monetary system must operate evenly and effectively. Each is a cogwheel that must turn with the other. The first opportunity presents itself this week in Paris where finance and trade ministers of the free world's major industrial powers gather to address this imbalance.

Sixth—we must not abandon our efforts to keep the multinational trading system viable. While GATT no longer shows the interest or the power to adjudicate our present grievances, we must hope that the emergence of a tough, pragmatic American trade policy will prompt our allies to return to the international negotiating tables.

Finally, the nation's most important short-run objective is to reverse our own economic slide—giving hope to our partners that our recovery will hasten their own recoveries. Unless we can write a tough budget resolution that guarantees the steady decline of Federal deficits, I don't see how we can ever bring that about.

The next quantum leap in world trade is at hand. If America wants to compete with our allies we had better quit complaining and start rebuilding. We are still the freest and the fairest and the largest trader in the world. I for one am ready to roll up my sleeves to keep it that way.

Mr. Speaker, my position as an officer of the Steel Caucus has been that we need not worry about starting a trade war; we already have one, and we are losing.

Chairman ROSTENKOWSKI may not agree with my assessment of the situation, and I do not necessarily agree with everything he said in Chicago.

But in his book, "On War," the general, von Clausewitz, observed that the one quality necessary for a leader is the ability to see through the confusion of events and conflicting reports to determine what is happening on the battlefield and what might be done about it.

By his remarks last Monday, the chairman of the Committee on Ways and Means has once again demonstrated why he is one of our leaders. I join him in saying, let us get started.●

A TRIBUTE TO MR. RANDY SMITH

HON. LES AuCOIN

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 12, 1983

● Mr. AuCOIN. Mr. Speaker, I would like to take this opportunity to honor a very special Oregonian.

Mr. Randy Smith, of Polk County, Oreg., has been selected to receive the 1983 Gulf Oil Conservation Award. He

is 1 of only 10 citizen conservationists to receive the award this year.

At the age of 76, Mr. Smith is continuing his lifelong dedication to the conservation of Oregon's and the Nation's natural resources. He inspires all of us who harbor a special love for the land and the desire to preserve its bounty for future generations.

I recommend this article from the Polk County Itemizer-Observer (April 4, 1983) to my colleagues:

RANDY SMITH HONORED FOR HIS VOLUNTEER WORK

(By Dick Clark)

Randy Smith, Sr. has two great loves.

First and foremost is his affection for his family.

Running a strong second is his strong commitment to conservation of natural resources, especially soil and water.

His family paid tribute to him and his wife for their love on their fiftieth wedding anniversary and now the national conservation community is preparing to do likewise for Smith's volunteer work.

Smith, chairman of the Polk Soil and Water Conservation District, will be among ten citizen conservationists to receive a 1983 Gulf Oil Conservation Award at a special ceremony in Washington, D.C. next week.

Smith is more pleased about the company recognizing the efforts of conservation districts than about his personal honor.

"The thing that pleases me is that soil and water conservation districts are important enough that a big company said we are going to award some member of that group," Smith said. "I feel that I haven't done anything that a dozen other people couldn't have done," he said of being named to represent the districts.

That may be the case, but conservationists and state officials including Gov. Vic Atiyeh and U.S. Sen. Mark Hatfield thought his tireless service deserved recognition so they helped nominate Smith for the award.

"His tireless and dedicated efforts serve to inspire us all," said James Ross, deputy director of the Land Conservation and Development Commission.

Members of his conservation district board said "Randy claims to be a retired dairy farmer, but at the age of 76, it is a very active retirement."

Even though Smith said he is less active as in the past, receiving the award doesn't signal the end of the conservation trail for him. Smith said there is still more to accomplish.

His newest project is helping spearhead a drive to receive more federal funds to control erosion in a seven county area in the Willamette Valley.

Involvement has been the story of his life.

Some of his earliest work included helping coordinate a community celebration in Eureka, Calif., agricultural fairs and a calf vaccination program in the 1930s and 1940s.

Since moving to his dairy farm on the Little Luckiamute River in 1957, his volunteer participation has included chairman of the conservation district since 1977 and board member since 1973, chairman of the Polk County planning commission, agricultural representative for the Land Conservation and Development Commission and chairman of the Oregon Association of Conservation Districts' Water Resource Committee.

Asked why he has been so involved, Smith quickly responded, "What is the purpose of life? There has to be a reason." Smith said some people are involved in churches, others in charity work. "Everyone needs outlets, I guess I needed to have more outlets than others."

His involvement and voice in decisions that affected others, of course, wasn't void of controversy and second-guessing, but that was and still is all right with Smith.

"I always invite challenge in involvement. The only way to get things done is to challenge people," Smith said.

Smith's wife, Muriel, who he calls "mom," and she knew her husband was involved in all those activities because she was always home milking.

"Without Muriel, I would have never been able to do this," Smith said.

The Smiths turned much of their dairy and farming responsibility over to their only son, Randy, Jr., in 1964, and seven years ago, Smith, more or less retired. "Every year, we do a little less and he does a little more," he explained.

Randy, Jr. has two sons, Kevin and Brian, and Randy, Sr's daughter, Gloria, has one child, Annie.●

AGRICULTURAL AMENDMENTS OF 1983

HON. EDWARD R. MADIGAN

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 12, 1983

● Mr. MADIGAN. Mr. Speaker, I have this date introduced, at the request of the Secretary of Agriculture, a bill that may be cited as the "Agricultural Amendments of 1983".

This bill consists of two sections described in the Secretary's letter to the Speaker, enclosing this draft legislation, as follows:

Section 2 of this proposed legislation would amend the Agricultural Act of 1949 by authorizing the Secretary of Agriculture to establish target prices for the 1984 and 1985 crops of wheat, corn, upland cotton and rice at such level as the Secretary determines to be appropriate. However, the level of target prices established could not be less than the level of target prices established for the 1983 crops of these commodities. The Agricultural Act of 1949 currently mandates increases in the target prices for these commodities for the 1984 and 1985 crops. These increases will provide incentives for excessive production at a time when market signals do not call for increases. The increased production will likely result in the Government acquiring large stocks of these commodities under the price support programs. By giving the Secretary the discretionary authority to establish the 1984 and 1985 target prices at not less than the 1983 levels, there would be some assurance that future production would not be stimulated by Government program incentives to build up burdensome surpluses. Moreover, the significant reduction in inflation has eliminated the need for escalating target prices.

Section 3 of the proposed bill would amend Section 416 of the Agricultural Act of 1949 to authorize the donation of agricultural commodities overseas.

Section 416 currently authorizes the Commodity Credit Corporation (CCC) to donate only its stocks of dairy products overseas. However, CCC has surplus stocks of other agricultural commodities which could be used for this purpose. These other commodities, like the dairy products, can be used to help needy people in poor countries. Therefore, we request an amendment to Section 416 to allow the donation overseas of all stocks of agricultural commodities which are held by the Corporation. The expanded authority would be used to alleviate our stock situation and to benefit needy people. Such assistance would be in addition to existing food aid shipments by the United States Government and will be designed so as to assure that there would be no disruption of ongoing commercial trade. We would implement this additional authority in such a way as to meet these requirements. In view of the known magnitude of the malnutrition problem in poor countries, now is the time to take advantage of our excess stocks to remedy this problem.

Further we are requesting an amendment to Section 416 to require such surplus agricultural commodities to be distributed through the procedures established to carry out the provisions of Title II of the Agricultural Trade and Development Act of 1954. This will facilitate the coordination of commodities donated overseas under Section 416 with the existing donations program under Title II.

Section 2 of this proposed legislation is similar to sections 202, 302, 401, and 501 of H.R. 2811 that I cosponsored in April and which is strongly supported by the American Farm Bureau Federation.

Section 3 is similar to H.R. 1407 introduced earlier this session by Congressman ROBERTS of Kansas.

I commend this bill to my colleagues for their consideration.

KGB "ACTIVE MEASURES" NOT WELCOME HERE

HON. LARRY McDONALD

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 12, 1983

● Mr. McDONALD. Mr. Speaker, on May 5, 1983, for the benefit of my colleagues, a letter of information was dispatched to all Members of this body, warning of a proposed visit to the State of Minnesota of representatives of the Institute of the U.S.A. and Canada, who are known to have close connections with the dreaded Soviet KGB.

I would like to share the contents of that letter with attached documentation for all Americans via this CONGRESSIONAL RECORD entry. As well, due to the severity of the situation, I am also sharing with this body and the American people, the contents of a letter dispatched this date, May 12, 1983, to the Secretary of State, signed by 80 Members of the House, urging Secretary Shultz to take appropriate action to deny visas to the Soviet delegation intent on using an American city to fulfill Soviet aims.

Dear colleague letter with documentation and letter to Secretary Shultz follows:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D.C., May 5, 1983.

DEAR COLLEAGUE: At the end of this month, a large Soviet delegation sponsored by the Institute of the U.S.A. and Canada and the Soviet "USSR-USA Friendship Society" is scheduled to hold meetings with American educators, legislators, businessmen, labor officials and others active in the "nuclear freeze" campaign. The U.S. co-sponsor of the May 24-28 Minneapolis conference is the Institute for Policy Studies.

Only months ago, the House Permanent Select Committee on Intelligence released hearings on "Soviet Active Measures" which outlined the pattern of use of these academic and friendship organizations for political influence operations in "active measures" campaigns.

Attached is a current article from The Review of the News which provides details on the planned Minneapolis conference and describing in detail the role of the Moscow Institute of the U.S.A. and Canada in political influence operations carried out under the direction of the KGB and the Soviet Communist Party's Central Committee.

In a period when Switzerland, France and Denmark among others have expelled KGB "active measures" operatives and when allies like Portugal have denied entry to Soviet "active measures" delegations, our country should do no less.

Therefore, I am asking my colleagues to join in urging the State Department to deny entry to the Soviet Delegation for the Minneapolis conference so that American policy debates can take place without the interference of the KGB.

Sincerely,

LARRY P. MCDONALD.

[From the Review of the News, May 4, 1983]

THE LEFT

(By Julia Ferguson)

Minneapolis residents will get a first-hand look at Soviet "active measures" during May 24-28th when 30 Soviet "peace" experts arrive in that city for closed meetings with 50 leaders of the U.S. "nuclear freeze" and disarmament campaigns. Reporters will be allowed to attend daily "press briefings," but they are to be barred from the actual conference. All "outside" contacts of the delegations will also take place under controlled conditions.

SOVIETS MEET FREEZERS

Despite the Soviet rape of Poland and the occupation of Afghanistan, assorted U.S.-Soviet "exchange" meetings take place with some frequency. But the Minneapolis conference has special significance because both Soviet co-sponsors—the Institute of the U.S.A. and Canada and the U.S.S.R.-U.S.A. Frienship Society—have been named in intelligence reports released by the House Intelligence Committee as agencies playing key roles in Soviet "active measures" aimed at the United States.

"Active measures" is the phrase the Soviets use to cover coordinated efforts to influence public opinion and alter policies in the Free World to suit Moscow's interests. As outlined by former K.G.B. "active measures" specialist Stan Levchenko in testimoney to the House Intelligence Committee, "active measures" are designed to persuade public-opinion makers in the Free World that Soviet disarmament, arms control, or other foreign-policy proposals are the best available options. The idea is to get U.S. activists to translate Moscow's objectives into political action and to change government policies.

The former K.G.B. officer described the techniques as customarily including the use of "unofficial" contacts with Westerners to deceive them with "disinformation"; press manipulation; and, the use of local Communist parties, "agents of influence," Soviet-controlled fronts like the World Peace Council, and local Soviet friendship societies. The Soviet-American conference in Minneapolis fits the description of a classic Soviet "active-measures" and political-influence operation.

Representative Larry McDonald (D.-Georgia) points out that K.G.B. defectors like Stan Levchenko have shown how the Soviets spy on peace and disarmament groups to get information that will help the K.G.B. manipulate them. Dr. McDonald says he doubts "that so many American 'peace' leaders would be eager to participate in these allegedly informal meetings with the U.S.A. Institute staff if they realized that they were being set up and evaluated by the K.G.B."

A 1982 "Interagency Intelligence Study On Soviet Active Measures" explains: "Political influence operations are the most important but least understood aspect of Soviet active measures." The study says that such operations aim "to insinuate the official voice of the Soviet Union into foreign governmental, political, journalistic, business, labor, artistic and academic circles in a . . . seemingly unofficial manner." The study, published in December by the House Intelligence Committee, reported that the K.G.B. tasks both its own officers and other Soviets "with developing strong personal relationships with political, economic, and media figures in the West" to try "to secure the active collaboration of these individuals on matters of mutual interest while the individuals retain their integrity on othr issues. In return for collaboration, the K.G.B. offers intangible rewards tailored to meet the specific requirements or vulnerabilities of the individuals involved." The "reward" include promises of access to special channels of communications to Kremlin policy makers, publicity and other recognition for the collaborators' accomplishments in their special fields of expertise or activity, and so forth.

ABOUT THE SPONSORS

The three groups co-sponsoring the Minneapolis Soviet-American conference are the (Soviet) Institute of the U.S.A. and Canada, the (Soviet) U.S.S.R.-U.S.A. Friendship Society, and the (Washington-based) Institute for Policy Studies.

Recent and detailed C.I.A. and F.B.I. studies published by the House Intelligence Committee describe the Institute of the U.S.A. and Canada (I.U.S.A.C.) as a Moscow research center operating under the auspices of the Soviet Academy of Sciences which has several important intelligence and "active-measures" functions carried out in intimate association with the K.G.B. The Moscow-based Insititute was founded in 1967, the same year Soviet Communist Party Central Committee functionary Yuri Andropov became K.G.B. chief. And I.U.S.A.C.'s director, Georgi Arbatov, has been one of Andropov's intimates for three decades. The C.I.A. has identified one of the I.U.S.A.C.'s three deputy directors, Radomir Bogdanov, as the K.G.B. *rezidentura* (chief of K.G.B. operations) in India from 1957-1967. Another leading Institute expert on disarmament is "retired" Soviet military intelligence General Mikhail Milstein.

The I.U.S.A.C. staffers, all of whom are members either of the Young Communists or the Soviet Communist Party, monitor events in America and prepare reports on trends and opportunities in North America for the Central Committee and the K.G.B. Work that the Institute of the U.S.A. and Canada does for the K.G.B. also includes providing evaluations of American contacts, transmitting disinformation, and eliciting collaboration in political influence aspects of "active-measures" campaigns.

Sometimes I.U.S.A.C. provides a "cover" for K.G.B. officers; in other instances, members of the Institute staff are on temporary K.G.B. duty. The most recent cast in point involved the April 20th explusion of Aleksandr N. Mikheyev, a U.S.A. Institute staffer on temporary assignment at the United Nations, who attempted to obtain classified documents from Marc Zimmerman, an aide to Representative Olympia Snowe (R.-Maine), who serves on the House Foreign Affairs Committee. Mr. Zimmerman said that Mikheyev's pitch was that U.S. efforts to "destabilize" the U.S.S.R. were leading to nuclear confrontation which could be averted if Mikheyev could obtain secret policy documents.

The Interagency Active Measures Study notes that Americans tend to accept Soviet academicians, even those with high positions in the C.P.S.U. and the government heirarchy, as their legitimate counterparts. This is why academics are used so frequently in political-influence operations by the three Soviet agencies which direct "active measures." These are the K.G.B., the International Department of the Soviet Communist Party Central Committee and the International Information Department which supervises Soviet news media and official propaganda. This study warned that although I.U.S.A.C. staffers are "well-informed about the United States and apparently more Westernized than most Soviet citizens, . . . they will say what the Soviet Government wants their interlocutors to hear, and they will tell it in a convincing way." As Representative Snowe's aide can attest!

The second Soviet sponsor of the Minneapolis meet, the U.S.S.R.-U.S.A. Friendship Society, is also named by the F.B.I. as playing an important role in directing national Soviet friendship groups such as the National Council of American-Soviet Friendship, and in working with similar groups such as the Committee for U.S.-U.S.S.R. Citizens Dialogue formed in 1979. According to the F.B.I. Intelligence Division, the "Dialogue" group sponsored an October 1981 U.S. tour by a 28-member Soviet delegation which was part of a Soviet "active-measures" operation relating to the U.S. "peace" movement.

The U.S. co-sponsor, the Institute for Policy Studies (I.P.S.), has actively supported virtually every Soviet foreign-policy objective over the past 20 years. These range from the dissolution of the N.A.T.O. alliance and abandonment of America's defense commitments through opposition to moderization of U.S. strategic forces and support for Soviet-supported revolutionary and terrorist movements in Asia, Africa, and Latin America.

The Americans invited to participate in the I.P.S./I.U.S.A.C. conference include some of the Carter Administration's leading "doves." Among them is S.A.L.T. II negotiator and Arms Control and Disarmament

Agency chief Paul C. Warnke (now an I.P.S. trustee); former U.N. Ambassador Donald McHenry; and, former Assistant Secretary of State for Human Rights Patricia Derian. Theodore Sorenson, President Carter's pacifist first choice as C.I.A. Director, is also scheduled to attend.

The tame "media" figures invited include John Oakes of the New York Times; Robert Kaiser of the Washington Post; Hamilton Fish III, publisher of The Nation (virtually an I.P.S. house organ); and, James Chace of Foreign Affairs.

Also at the Minneapolis meeting will be members of the I.P.S. team that concluded the agreement of cooperation with the U.S.A. Institute and U.S.S.R.-U.S.A. Society in Moscow last April. They included I.P.S. members Marcus Raskin, Robert Borosage, William Arkin (who has lectured at the Defense Intelligence School), Roger Wilkins, Howard Frazier (director of Promoting Enduring Peace and a leader of the "Dialogue" group), Episcopal Bishop Paul Moore Jr., Minneapolis Mayor Don Fraser, and lawyer and Dow Jones board member Robert Potter. The I.P.S. co-founder Richard Barnett and I.P.S. Militarism and Disarmament Project chief Michael Klare (who lectures in Havana on U.S. policy) will also be in Minneapolis.

Others selected to attend the secret meetings with the Russians are Randall Frosberg, the queen of the Nuclear Weapons Freeze Campaign; Betty Bumpers, wife of the Senator and head of the Peace Links group which came under fire recently for its collaboration with several disarmament groups with close ties to the Soviet Union; former Wells College president Frances Farenthold; Johns Hopkins University president Steven Muller; the Reverend William Sloan Coffin of Riverside Church; David Brower, president of Friends of the Earth; Robert Schmidt, vice chairman of the board of the Control Data Corporation, which has a substantial interest in exporting high technology to the U.S.S.R.; and, Terry Herndon, executive director of the National Education Association (N.E.A.), the giant teachers' union which has put into the school curricula a program indoctrinating children against American nuclear defense.

Other participants in this strange association with the K.G.B. include Princeton international law professor Richard Falk, active in the Soviet-controlled International Association of Democratic Lawyers; W.H. "Ping" Ferry, whose philanthropies have included the anti-C.I.A. Counter-Spy magazine; Jerome Grossman, Council for a Liveable World; Seymour Melman of SANE; George Rathjens of the Union of Concerned Scientists; and, the Vietcong's old friends Cora and Peter Weiss.

Congressman Larry McDonald has announced that he will seek support from other Members of Congress to ask the State Department to deny visas to the Soviet delegation now preparing to go to Minneapolis. This Moscow operation can and should be aborted.

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D.C.

Hon. GEORGE P. SHULTZ,
Secretary of State, Department of State, Washington, D.C.

DEAR SECRETARY SHULTZ: A large Soviet Delegation is scheduled to come to this country for a conference in Minneapolis, May 24-28. The Minneapolis conference on disarmament is co-sponsored by two Soviet entities, the Institute of the U.S.A. and Canada and the "USSR-USA Friendship Society," and one U.S. group, the Institute for Policy Studies.

As you know, in December 1982, the House Permanent Select Committee on Intelligence released hearings on "Soviet Active Measures" in which an Interagency Intelligence Study outlined the pattern of use of these academic and friendship organizations for political influence operations in "active measures" campaigns. Staff members of the USA Institute are members of the Communist Party or the Komsomol. One of the USA Institute's deputy directors is a career KGB officer; and the USA Institute's activities are carried out at the direction of the KGB, the International Department of the Soviet Communist Party Central Committee, and the Foreign Ministry.

All available evidence indicates that the "exchanges" and "dialogue" advertised for the Minneapolis conference are a fraud. American access to Soviet decision-makers and ordinary citizens is tightly restricted by the Soviets. But the Soviets want their well-briefed "dialogue" delegations which are salted with professional KGB officers to have full access to American decisionmakers and those who influence U.S. public opinion.

There is neither logic nor any benefit for the United States to grant visas for such activities. We ask that you direct the Department officials to enforce statutory provisions and deny visas to the Soviet Minneapolis delegation.

Sincerely,

Bob Stump, Thomas Kindness, Daniel B. Crane, Tommy Hartnett, Charles W. Stenholm, Earl Hutto, Bill McCollum, Richard Ray, David Dreier, Marjorie Holt, Sam B. Hall, Jr., Denny Smith, Richard Shelby, Doug Barnard, Jr.

Larry McDonald, Sam Stratton, Philip M. Crane, Michael Bilirakis, G. V. Montgomery, Bill Dannemeyer, Guy Molinari, Tom Bliley, Jim Sensenbrenner, Marilyn Lloyd, James V. Hansen, Bill Nichols, Kent Hance, Joe Skeen.

Jim Courter, Tom Loeffler, Tim Valentine, Ken Robinson, Robert Badham, Bill Young, Mickey Edwards, Floyd Spence, Andy Ireland, Dan Burton, Beverly Byron, Dave Martin, Hal Daub.

Gene Taylor, Bob Walker, Larry Craig, Larry Winn, Jr., John Hiler, Phil Gramm, Don Young, Solomon Ortiz, Trent Lott, Jim Martin, Norman Shumway, Hank Brown, John McCain.

Gerald Solomon, Delbert Latta, Newt Gingrich, J. Roy Bowland, Dan Daniel, W. Henson Moore, Henry Hyde, G. William Whitehurst, Dan Marriott, Gene Snyder, Jack Kemp.

Bobbi Fiedler, Bud Hillis, Buddy Roemer, Eldon Rudd, John J. Duncan, John T. Myers, Robert Lagomarsino, Mark Siljander, Jerry Lewis, Carroll Campbell, Larry Hopkins, Howard C. Nielson, Al McCandless.

TENNESSEE CONSERVATIONIST WINS MAJOR AWARD

HON. ED JONES

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 12, 1983

● Mr. JONES of Tennessee. Mr. Speaker, I was pleased to learn this week that Mr. E. B. Dyer, Assistant State Conservationist for the USDA Soil Conservation Service in Nashville, Tenn., was chosen 1 of 10 professional conservationists in the Nation to receive a Gulf Oil Conservation Award for 1983.

The award will be presented this evening here in Washington, D.C. during ceremonies which E. B. and his lovely wife, Sarah will attend.

I have personally known and respected E. B. for many years. I concur wholeheartedly in Gulf Oil's finding that his positive and aggressive leadership, innovative ideas, and tireless efforts have been instrumental in renewing the State of Tennessee's interest in erosion control and in soil resources, as well as in redirecting the small watershed program in our State to meet current needs.

I was pleased to be among 20 or more people who sent letters of endorsement for E. B. to receive this important award. I know of no one more deserving. He has always been a person I could count on for sound advice and guidance on issues and questions involving the protection and improvement of our Nation's soil and water resources.

E. B. has been an important member of the USDA Soil Conservation Service team in Tennessee for 26 years, serving at nine locations in my State. His career has been marked by many solid achievements.

As just one example, E. B. played an intricate role in the development and execution of the now famous "Operation Save Our Soil," a highly successful soil conservation demonstration project located in west Tennessee. The project received international attention and has been part of the inspiration behind the special areas conservation program which I developed and which was authorized in the Agriculture and Food Act of 1981.

E. B. also was instrumental in the designation and establishment of the Reelfoot Lake rural clean water project, which in my opinion is an essential tool in protecting and improving one of the most unique, beautiful natural resource areas of the country.

He has been especially successful in helping various agencies, organizations, and individual citizens share data and plans with each other—beginning with his own courage in developing and presenting data about resource problems that led to interagen-

cy efforts to solve those problems. He was a charter organizer and is a past president of the Natural Resource Conservation Societies of Tennessee, which draws together local chapters of several important professional groups for joint activities. That group last fall held a field day that drew 500 interested people, including myself. It was an enjoyable and educational experience, and one that will help put more conservation on the land. That, after all, is our most important shared objective.

These successes are illustrative of the spirit and dedication which E. B. Dyer has demonstrated throughout his life. Gulf Oil Corp. is to be commended for its contribution to bringing America's natural resource problems and opportunities to the public's attention by recognizing outstanding people such as E. B.

I am particularly gratified that the accomplishments embodied in this award have been made by a career civil servant. E. B. Dyer exemplifies the best in Government employees.●

EXPLANATION OF PUBLIC UTILITY HOLDING COMPANY ACT AMENDMENTS OF 1983

HON. TOM CORCORAN

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 12, 1983

● Mr. CORCORAN. Mr. Speaker, for the benefit of our colleagues, I would like to insert in the RECORD an explanation of a bill I introduced today, the Public Utility Holding Company Act Amendments of 1983. The explanation follows:

1. PROPOSED MODIFICATION OF PROVISIONS GOVERNING EXEMPTIONS

The bill preserves the Act's distinction between registered and exempt holding companies. Exemptions would continue to be available for a holding company, so long as its structure and operations are confined within geographic and other statutorily prescribed limits designed to ensure effective state regulation of the utility business.

Under the bill, the Act's exemptive provisions would be changed in two respects. First, an additional exemption category would be added. This would permit a company whose utility operations are confined to the state in which it is organized and contiguous states, or a holding company that is predominantly a public utility company whose operations do not extend beyond the state in which it is organized and contiguous states, to form a holding company over its utility operations and still gain exemption from the Act. New Section 3(a)(6).

Second, the bill modifies the regulatory mechanism by which an exemption may be withheld, conditioned or revoked. New Section 3(c)-(e). Under current law, the "unless and except" clause in section 3(a) gives the Securities and Exchange Commission ("SEC") extraordinarily broad authority to condition or revoke retroactively a statutory exemption. Thus, management is often uncertain as to the regulatory treatment that it should expect to receive. The bill does not propose to eliminate SEC authority to withhold or revoke a statutory exemption but would confine the SEC's power to revoke a statutory exemption to those circumstances where it can be shown that consumers' interests are negatively affected. Thus, in place of the present "unless and except" clause, the bill would empower the SEC to withhold or revoke an exemption if it found upon clear and convincing evidence that the exemption materially adversely affects the system's public utility business. A revocation proceeding or a proceeding to deny an exemption could be initiated by the SEC on its own motion or at the request of any state commission having jurisdiction to regulate any utility operations of an exempt system. Such state commission would be given contemporaneous notice of an application for exemption.

2. STATE COMMISSION ACCESS TO BOOKS AND RECORDS; STATE COMMISSION MONITORING OF DIVERSIFIED ACTIVITIES

The bill would create for state commissions a new federally enforceable right to gain access to the books, records and accounts of nonutility activities of both exempt and registered companies. The provision expressly addresses a circumstance in which a state commission, in the course of a proceeding, is not satisfied that it has been granted adequate access to the books, records and accounts of a holding company or a nonutility subsidiary. In such an event the state commission is granted a right of action in United States federal district court to secure access to any records it can show to be necessary to the performance of its regulatory responsibilities. New Section 3A(a)-(b).

In addition to this authority with respect to information necessary to a specific proceeding, the bill creates general authority in the SEC to require bienniel reports on the nonutility activities of both exempt and registered systems to facilitate state commission monitoring of diversified activities. State commissions are expressly provided the opportunity to apply to the SEC to require such reporting. As in the case of the access to specific books, records and accounts, conditions would be imposed to safeguard against the unwarranted public disclosure of any confidential business information. New Section 3A(c).

This proposal would create the mechanisms for state commission information gathering, backed by federal authority, that is necessary for effective state regulation of utility companies organized under a holding company structure. The authority with respect to books, records and accounts, confined to circumstances in which specific regulatory need can be demonstrated, well accommodates state regulatory purposes and the legitimate business objective of effective segregation of utility and nonutility operations.

3. FINANCIAL CONTROLS AND CONTROLS ON CAPITAL STRUCTURE

Among the most troublesome of the Act's regulatory requirements are provisions which require registered companies and their subsidiaries to obtain prior SEC approval of each security issuance. The requirement that the SEC approve the specific terms of a company's financings has no parallel in the securities laws which effectively regulate the capital raising activities of other sectors of the utility industry. SEC approval has produced no demonstrable savings to customers of registered systems as compared to those of the majority of utility companies which do not submit the terms of their proposed issues to SEC review.

Though advantages are not always evident, disadvantages are clear. Delays pending SEC review result in missed market opportunities that other firms, free to respond quickly, may translate into lower capital costs. Moreover, the mechanism for review offers no certainty to lenders and investors until such time as the SEC, in its discretion, determines to act. Customers bear any costs of such delay.

The problems posed by these provisions of the Act may be substantially remedied while maintaining SEC review of new financing plans of interstate systems. The primary objective of amendments to this section is to create an automatic mechanism which places most security issues before the SEC for review, but ensures that regulatory action will occcur within twenty days after submission to the SEC. The SEC could still disapprove an issue, or impose conditions on its approval, if such action is necessary to prevent an unreasonable economic risk to investors or consumers. Otherwise, the issue would be automatically approved at the end of the twenty day waiting period. New Section 7(b).

A second change of considerable significance creates a statutory opportunity to secure advance approval of a two-year financing plan. Once the plan clears SEC review a company could time the issuance of securities under the plan to respond to the dictates of the market. New Section 7(b)(3).

With respect to both individual issues subject to review and proposed financing plans, the bill preserves the existing opportunity of a state to raise before the SEC claims that the issue or plan violates state law. If such an objection is raised, the SEC could not approve the issue or the plan until it is satisfied that compliance with state law has been accomplished or will be effected. New Section 7(c).

In addition to these modifications, the bill exempts certain issues from SEC review. Nonutility subsidiary financing will be exempt, although holding company guaranties or assumptions of liability on behalf of nonutility subsidiaries would be subject to review if such guaranties aggregate more than ten percent of the book value of the holding company's securities. Similarly, an exemption for short-term debt issues by the holding company would be provided until such debt issues aggregate ten percent of the book value of the holding company's outstanding securities. Public utility subsidiary financings would remain fully subject to review unless approved by a jurisdictional state commission. New Section 6.

4. INTERCOMPANY FINANCING

As discussed above, the bill would not continue SEC review of securities issues by nonutility subsidiaries of registered holding companies. Nevertheless, the SEC would be authorized to protect the integrity of utility company assets and financial commitments by regulating intercompany transactions. This authority would include: authority to restrict the declaration of dividends by the holding company or any public utility subsidiary. New Section 12(a); authority to restrict extensions of credit by a public utility company to another company in the same holding company system. New Section 12(b); and authority to establish requirements governing any other transaction between a utility company and any affiliate or any

other company in the same system. New Section 12(c).

The SEC would also be empowered to restrict sales of utility securities and assets by the holding company. New Section 12(d).

5. DIVERSIFICATION

We have proposed revisions in the Act's controls on diversification to provide both management flexibility and regulatory confidence that managers will pursue diversified activities, if at all, at a measured pace and in a prudent manner.

As presently administered, the Act's controls on diversification consist of two basic elements for registered companies: every investment must be specifically approved by the SEC, and only functionally related invesment is tolerated. Our proposal provides for periodic regulatory review of holding company diversification plans.

In response to concerns raised relating to conglomerate mergers, the proposed amendments expand the protections of the current law and provide the SEC with effective power to prevent nonutility enterprises from superimposing themselves on a utility. New Section 9(a)(3).

The proposed amendments would permit registered systems, in addition to any investment already approved by the SEC, to make additional nonutility investment without SEC approval up to ten percent of the system's assets. New Section 9(a), (d).

When the ten percent threshold is reached, no further diversification could occur except with specific SEC permission or consistent with a diversification plan which itself is subject to SEC disapproval. State commissions are expressly afforded the opportunity to seek SEC disapproval of a specific investment or of the diversification plan. New Section.

The bill also grants SEC authority to require divestiture of a nonutility investment if the SEC finds upon clear and convincing evidence that the nonutility activities materially adversely affect the system's public utility business. New Section 11(b)(1)(B).

6. AFFILIATE TRANSACTIONS

The bill would retain the SEC's authority to regulate contracts for sales of goods and services between a public utility company and sister subsidiaries. This would include retention of existing authority to establish accounting rules by which the SEC determines costs to be allocated among companies for such goods and services. Under the amendments, however, the SEC would be prohibited from allocating to any public utility company any losses or earnings fairly and equitably attributable to nonutility subsidiary transactions with third parties. New Section 13(g).

Also, under this amendment, in order for a nonutility subsidiary to charge a public utility company a price for goods or services above cost, it must apply to the SEC for specific approval. New Section 13(h).●

CHANGES IN SOCIAL SECURITY DISABILITY INSURANCE

HON. JAMES M. SHANNON

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 12, 1983

● Mr. SHANNON. Mr. Speaker, last December, due in large part to the able leadership of Chairman J. J. PICKLE of the Subcommittee on Social Security, the Congress adpoted important changes in the social security disability insurance program. The changes included: (one) providing for people who are cutoff the rolls and who are appealing the decision; and (two) making certain improvements in the way the program is administered.

These changes were a necessary first step towards handling what has become an extremely serious problem for thousands of disabled American workers. Many of these people are being improperly removed from the rolls because the current standards and procedures are failing to determine who is able to work and who is not.

When we adopted last year's legislation, we knew that it could only be a stop-gap approach to the problem. The bill provided some much needed relief, but it did not change the way the determinations were being made. It did not address the structural inadequacies of the current system.

Yesterday, I introduced the Social Security Disability Determination Reform Act of 1983. This bill goes after the current system's inadequacies.

While the benefit payments mandated in last year's law have indeed helped, the improper terminations continue, and thousands of people are suffering needlessly. Here are some of the severe problems that are still causing such difficulty for so many worthy disabled recipients:

Some of the standards being used fail to accurately assess a person's ability to work, particularly those standards used to determine claims of disability due to mental impairment;

There is no requirement that the Social Security Administration find evidence of medical improvement before terminating benefits;

There is no face-to-face meeting between the disabled worker and the decisionmaker until the reconsideration stage of the process;

Many determinations are still being made on the basis of inadequate medical and vocational evidence;

Many disabled people are having difficulties understanding and coping with the review and appeals processes;

Many critical medical decisions are made by professionals who are not trained in the appropriate specialty area;

Inconsistent decisionmaking criteria are used at different levels of review—and certain criteria and binding that have not been subject to public notice and comment under the Administrative Procedures Act;

The Social Security Administration has, in certain instances, simply ignored decisions of circuit courts of appeals, rather than implementing those decisions or appealing them.

The Social Security Disability Determination Reform Act of 1983 addresses each of these problems. It will make major improvements in the standards used to determine an individual's ability to work. It will also improve the system's processes and procedures.

This bill will also extend beyond October 1, 1983, the provision currently in the law which continues to pay benefits to people who have been thrown off the rolls and are appealing that decision.

These changes are essential if we are to insure that the continuing disability investigations program is conducted in a fair and equitable manner.

Chairman PICKLE has indicated his interest in holding hearings on this issue in the coming months. I commend the chairman for his continued leadership on this important issue, and I look forward to working with him as these issues are taken up before the Subcommittee on Social Security.

A summary of the bill is included for your reference.

Thank you.

SOCIAL SECURITY DISABILITY DETERMINATION REFORM ACT OF 1983

SUMMARY

Section 101. Standard of Review. An individual will not be terminated from disability unless his condition has improved, except where certain other conditions are met which indicate ability to work or where the original disability determination was based on fraud or was clearly erroneous.

Section 102. Multiple Impairment. In determining whether the impairment or impairments are of such severity that the person is in fact disabled, SSA will consider the combined effects of all the individual's impairments even if none of the conditions considered separately would constitute an eligible disability.

Section 103. Evaluation of Pain. Subjective evidence of pain, including statements of the individual as to intensity and persistence of pain and corroborating evidence by family, neighbors or behavior indications, will be considered in determining whether an individual has a disability.

Section 104. Evaluation of ability to Work. A determinaiton of the individual's ability to work will be based on a realistic evaluation of his capacity to meet the demands of a competitive work environment on a sustained basis. For mentally ill individuals with a severe impairment, a formal work evaluation will be required.

Section 105. Consideration Given Non-Competitive Work. Work in a sheltered workshop or other non-competitive setting alone will not be considered sufficient evidence of availability to work in a competitive environment to result in termination of benefits.

Section 201. Moratorium on Mental Impairment Reviews. There will be a moratorium on continuing disability investigations of mentally impaired individuals until SSA completes revisions in the standards and procedures for evaluating mental impairments. The Secretary shall appoint a panel of outside experts in the field of mental health to make recommendations with respect to these revisions.

Section 202. Payment of Benefits During Appeal. The provisions of Public Law 97-455 relating to the continuation of cash benefits and Medicare eligibility through an administrative law judge hearing, scheduled to expire on October 1, 1983, will be made permanant. In addition, benefits and Medicare eligibility will be continued through the ap-

peals council review where the council has decided to review an ALJ decision favorable to the appellant.

Section 203. Disability determination review procedure; predetermination notice; right to personal appearance. In cases in which the decision by the DDS is in whole or in part adverse to the disabled person, a predetermination notice will be sent to the individual advising him that he has a right to a personal appearance before the DDS at which he can present additional medical evidence or other information. Only after the person's appearance has expired will the DDS issue a decision affirming, modifying or reversing its preliminary decision. Appeal of an unfavorable decision could be taken directly to an unnecessary and duplicative part of the process.

Section 204. Case Development and Medical Evidence. In determining whether a disability exists, SSA wil consider all medical and vocational evidence including evidence which formed the basis for the initial determination of disability and evidence used in all subsequent reviews. Special weight will be given to the medical records of the treating physician and other health professionals.

Section 205. Assistance with Reviews of Continuing Eligibility. SSA will determine through personal contact whether mentally disabled persons require assistance in complying with SSA's instructions. If assistance is required, SSA will provide such assistance or refer the person to a local agency or organization which will provide the assistance.

Section 206. Assessibility and Reimbursement Requirements. SSA must hold disability hearings at a location and in a building reasonably accessible to the disabled applicant. SSA must also reimburse the applicant (in advance if necessary) for the expenses of obtaining and presenting necessary medical evidence, costs of travel, attendants and witnesses if evidence of financial need is presented.

Section 207. Qualifications of DDS Medical Personnel. Decisions on medical eligibility for disability must be made only by appropriately qualified professionals. For mentally impaired persons, a psychiatrist or pyschologist must sign off on the medical determination.

Section 208. Regulatory Standards for Consultative Examinations. SSA is required to establish standards on the use of consultative examinations including appropriate qualifications for those performing consultative examinations and to establish mechanisms for monitoring the CE process.

Section 209. Payment for Consultative Examinations. The reimbursement rate to be paid for consultative examinations will be consistent with Medicare reimbursement for comparable services.

Section 301. Uniform standards. The Administrative Procedures Act requirements of public notice and comment prior to publication of a final rule are made binding on the Social Security disability programs. Only published rules promulgated pursuant to the Administrative Procedures Act will be binding uniformly at all levels of decisionmaking.

Section 302. Compliance with Certain Court Orders. The Social Security Administration is required to apply a ruling of a circuit court of appeal to all beneficiaries in that circuit or request review of the decision by the Supreme Court. If the Supreme Court does not accept review, the rulings of the circuit court will apply in the states within the circuit until the Supreme Court addresses the issue involved and enters a different or contrary ruling.

Section 303. Continued Benefits for Persons in VR Program. SSA is allowed to continue to pay benefits to individuals who have medically recovered from their disability if they are participating in an approved vocational rehabilitation program in accordance with Title I of the Rehabilitation Act of 1973.

Section 304. Continued Assistance for Potential Concurrent Beneficiaries. SSA is required to inform OASDI beneficiaries, who may be eligible, that assistance in applying for Supplemental Security Income benefits is available upon request.

Section 305. Trial Work. The following changes are made to the critieria for determining a trial work period: (1) periods of work by a disabled individual must be considered as trial work only if performed in the 15 months immediately preceding the month in which SSA begins its periodic review of the individual's disability; (2) to be counted as trial work, the individual must must have worked at least three consecutive months to demonstrate ability to sustain work activity; and (3) in order to be found able to engage in substantial gainful activity, the individual must be working at the time of the review and have been working for the previous six consecutive months.

Section 306. Advisory Council. An advisory council will be established to advise the Secretary on the medical aspects of disability. In addition to representatives from professional health and medical organizations, the council will include representatives from consumer organizations.

Section 307. Qualifying Experience for Appointment of Staff Attornies to Administrative Law Judge Positions. The Secretary of Health and Human Services shall establish within six months a sufficient number of positions to enable the Office of Hearings and Appeals staff attornies to advance to successively higher grades to achieve the experience necessary to qualify for ALJ positions.●

EDUCATION OF THE HANDICAPPED AMENDMENTS

HON. JOHN N. ERLENBORN

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 12, 1983

● Mr. ERLENBORN. Mr. Speaker, today Mr. Bartlett and I are introducing the Education of the Handicapped Act Amendments of 1983. This legislation was transmitted to Congress by the administration on April 22, 1983. The Education of the Handicapped Act authorizes two programs of assistance to the States: a basic State grant program (part B) and nine discretionary programs (parts C through F), each with its own authorization of appropriations. Part B is a permanent authorization. Eight discretionary programs funded under parts C, D, and E will expire at the end of fiscal year 1983. The authority for part F, instructional media for the handicapped does not expire in 1983.

The purposes of the administration's bill are: to provide a 3-year extension for the eight discretionary programs which expire at the end of fiscal year 1983, and to create a single authorization of appropriations for part C programs and a single authorization of appropriations for part D to provide the Secretary with increased managerial flexibility and the opportunity to set priorities.

In proposing this legislation, the administration has recognized the national goal, established by Congress with the enactment of Public Law 94-142 in 1975, of equal educational opportunity for all handicapped children. The administration believes that the Federal Government may enhance State and local efforts to improve the quality of education for handicapped children by targeting some Federal resources on activities that are appropriate for direct Federal assistance. According to the administration, these include activities in the areas of research, dissemination of information, model development, pre-service-teacher training, and technical assistance. The administration believes that support for these discretionary activities can be both supportive and complementary to State and local provision of direct services to handicapped children. Finally, the administration has reported that they are not proposing any changes in the scope or types of activities which may be conducted under the authorities for parts C, D, and E.

Part C—centers and services to meet special needs of the handicapped includes five discretionary programs aimed at enhancing the capacities of the service delivery systems in the States to serve special populations including preschool children, adults, and deaf-blind and other severely handicapped children. The bill proposes a single authorization of appropriations for these programs of $29,952,000 for fiscal year 1984 and such sums for the succeeding 2 fiscal years. The bill does not make any substantive changes in the five programs: Regional resource centers, early childhood education programs, research and demonstration projects for severely handicapped, deaf-blind programs and regional vocational, adult and postsecondary programs. However, modifications of two of the programs should be expected, although no statutory changes are required. The administration intends to shift attention and resources away from the direct services provided by the deaf-blind centers, which are duplicative of services that States are required to provide under Public Law 94-142, and toward model development and technical assistance activities. In addition, it intends to redirect the focus of the regional vocational, adult and postsecondary programs, which has primarily focused on vocational schools for the deaf to other handicapping conditions.

Part D—training personnel for the education of the handicapped, includes two discretionary programs: Special education personnel development and recruitment and information. The bill proposes a single authorization for these programs of $34,320,000 for fiscal year 1984 and such sums for the succeeding fiscal years. The programs would focus on preservice training of new teachers.

Part E—research in the education of the handicapped, authorizes research and development acitivities aimed at improving educational opportunities for handicapped children. The bill proposes an authorization of $10,800,000 for fiscal year 1984 and such sums for the 2 succeeding years.

In the administration's budget proposal for the act, fiscal year 1984 authorization of appropriations would be set at fiscal year 1983 appropriations level: that is, $1,110,252,000. The proposal decreases the funds for discretionary by $28.2 million and increases basic State grants by that amount.

There are two concerns which may be raised pertaining to these proposed amendments:

First, the impact of decreasing Federal funds for discretionary programs by $28.2 million.

Second, the consequences of seeking one authorization of appropriations for multiple, diverse discretionary programs.

The administration believes that shifting $28.2 million from discretionary programs to the basic State grant program places additional resources at the disposal of State and local education agencies which under the act bear the ultimate responsibility for educating handicapped children. However, the $28.2 million represents slightly less than a 3-percent increase for State grants. Therefore, it seems likely that the additional State grant funds will be used to absorb inflationary costs thereby decreasing the overall funds available for activities provided by discretionary programs.

The second issue which may be raised concerning the administration's proposed amendments pertains to the merits of consolidating discretionary programs in part C and authorizing a single appropriation. The possible effect of this proposal may be to place programs which meet the needs of diverse groups in an unnecessary competitive situation. In order to maintain a sustained commitment to these diverse, effective initiatives, congressional intent may need to be clarified.

Mr. MURPHY, chairman of the Subcommittee on Select Education, has indicated to the chairman of the Appropriations and Budget Committees that he intends to seek an automatic 1-year extension of the act under the General Education Provisions Act. He will introduce a reauthorization bill in July, 1983, which, if passed, will take effect October 1, 1984.

It would seem to be politically prudent to reauthorize the bill for 3 years, as proposed by the administration, rather than to extend it for a single year. Therefore, I strongly support this bill and hope it will be given bipartisan consideration.●

A TRIBUTE TO KATHARINE ST. GEORGE

HON. DANTE B. FASCELL

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 11, 1983

● Mr. FASCELL. Mr. Speaker, I am honored to join our colleagues in paying tribute to the late Katharine St. George. The passing of this former Congresswoman is indeed a loss to many, on both sides of the aisle. Mrs. St. George worked diligently during her long term as a Member of the U.S. House of Representatives, setting an example for us all. She was a leader on many issues. Her tremendous efforts for women's rights, as a chief sponsor of the original equal rights amendment, were the building blocks of today's bill; as the first Member of Congress to make regular broadcasts over the Voice of America in a foreign language, Mrs. St. George helped set a trend for the strength and expedience of today's broadcasts. And as the first woman member of the House Rules Committee, she once again showed her tenacity and rose to be the second ranking member.

During her tenure here in Congress, Mrs. St. George worked diligently to save the taxpayers' money, as well as to improve social security and civil service benefits. Her efforts to help people did not end when she left Congress in 1964. Remaining active in many political organizations, Mrs. St. George was a Member of Congress who gained the respect and admiration of a great many people who will remember her fondly.●

INDIVIDUAL HOUSING ACCOUNTS TO PRESERVE THE AMERICAN DREAM

HON. LES AuCOIN

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 12, 1983

● Mr. AUCOIN. Mr. Speaker, I am pleased to join my colleagues, BERYL ANTHONY and BILL FRENZEL, in sponsoring H.R. 2916, the Homeownership Incentive Act of 1983 to help first-time home buyers save for a downpayment on a house.

This bill would establish an individual housing account to which tax deductible contributions could be made toward the purchase of a home—up to $1,000 for single returns and up to $2,000 for joint returns. Interest earned on the account would be tax exempt.

After its worst year since World War II, the housing industry is just now beginning to show signs of life. Homebuilders predict that 1.4 million homes will be built this year, up from the calamitous 1.06 million last year.

This is encouraging news, but only half the story. Many families across the Nation continue to be shut out of the American dream of homeownership by the inability to accumulate enough cash for a downpayment.

For the first-time home buyer, the downpayment for a new house averages more than $6,000. Last year, only 13.5 percent of all home buyers were first-time purchasers. That is below the 18-percent level of 1979 and far below 36 percent of 1977.

The President's Commission on Housing identified the downpayment problem as a major hurdle to homeownership. The individual housing account is the boost needed to overcome that hurdle. It parallels the concept of the successful and popular individual retirement accounts, but is targeted toward those who would not take advantage of an IRA but would want to set aside savings which are deductible and tax exempt to purchase a home. Typically, they are young couples and individuals who do not benefit from current FHA or VA insurance programs and do not qualify for the mortgage interest tax deduction because they lack sufficient savings for a downpayment.

A housing account would help them amass the savings necessary to meet today's high downpayment costs. At the same time, it would create a new and steady supply of mortgage money to fill the void in home mortgage financing being left by the movement of traditional lending institutions into other areas.

A housing account would also provide a savings incentive to finance the housing demands of the 42 million Americans—the crest of the postwar baby boom—who will reach the age of 30 in this decade.

Last year, I spearheaded the fight for a major piece of housing legislation to spur homeownership and economic recovery through a mortgage buy-down program. It passed the House by an overwhelming bipartisan majority only to be buried by the President's veto.

Now, I am renewing my push for housing as a sponsor of the Homeownership Incentive Act. For me, this legislation reaffirms and reestablishes housing and homeownership as a national priority. For the administration, it is the acid test.

The administration has repeatedly denied that it harbors an antihousing bias. The President and his advisers may not have agreed with the concept of a buy-down program, but they are running out of excuses.

If the administration walks away from this latest intiative—recommended by its own Commission on Housing—it will be a clear signal to Congress and the American people that the President is a prisoner of the belief that capital must be funneled out of housing into more so-called productive uses.

I cannot think of anything more productive than housing. For the average American worker, it is one of the few ways to increase personal assets and get ahead. For the national economy, it is a tonic second to none. By increasing homeownership and housing construction, this bill will spawn sales and jobs not only in the timber industry but in numerous businesses directly and indirectly spurred by housing activity.

Mr. Speaker, last year, in their report, "Home Ownership: The American Dream Adrift," the U.S. League of Savings Associations warned that the United States will become a nation of renters unless Government policies are changed to create more capital for new home buyers.

I will not stand idly by while homeowners are reduced to smaller and smaller segments of our society. I am not willing to abandon homeownership as a national priority and I do not believe the American people are either.

I urge my colleagues to cosponsor and lend their support to this bipartisan housing bill.●

FUNDING THE LEFT—OVERSEAS

HON. LARRY McDONALD

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 12, 1983

● Mr. McDONALD. Mr. Speaker, it is most despicable that due to the hypocrisy of this body, we are paying literally, through the nose, for the destruction of this Nation.

There is no more evidence of this, then when we see where money that is appropriated by this House eventually winds up. Even "60 Minutes," of CBS, not known for being conservative, honestly portrayed the World Council of Churches (WCC) as funding terrorism to include coldblooded murder around the world. Most in this body are readily aware of over some 2 million souls slaughtered in Cambodia. Why then after such an atrocity does the World Council of Churches receive almost $1 million from the State Department to bolster that Communist regime in Cambodia. Or for that matter, why do we the taxpayers fund this WCC, whose American branch, the National Council of Churches (NCC) advocates and supports, abortion on demand, homosexual rights, and forced busing.

Thanks again are in order to Conservative Digest, issue of April 1983, who are exposing this monstrous abuse of the taxpayer's money. The biggest question that should be asked, however, is why does the President who is supposed to abhor all of this, allow such financing? This is the Trojan horse, with our own money, that will not only destroy Ronald Reagan, but this entire Nation as well.

In any event, I am sure my colleagues will want to know, as I have stated before, where the money goes that we appropriate. Accordingly, funding by the "State Department," "Agency for International Development," and "U.S. Bankrolls Foreign Leftists," as contained in the April 1983 issue of Conservative Digest, follows:

STATE DEPARTMENT

Under Alexander Haig and George Shultz, President's Reagan's State Department has cut some aid to leftist groups. But Jimmy Carter's spirit lives on in State's bureaucracy. Recent grants to liberal groups include:

$830,497 to the World Council of Churches (WCC) Church World Service (CWS) for projects including:

$250,000 in agricultural supplies for communist Cambodia (April 1, 1981).

$125,952 in additional agricultural supplies for communist Cambodia (September 15, 1981).

Founded to "bring churches into lifegiving fellowship and into common witness, study and action to the glory of God and service to all creation," the WCC now works for decidedly anti-Christian ends. Its American branch, the National Council of Churches (NCC), supports abortion on demand, homeosexual rights, and forced busing.

"The NCC denies the charge that it has funded Communist governments," reports Time magazine. "But it has in fact channeled material goods to the Viet Nam regime in order to help peasants."

$2,363,230 to the African-American Institute (AAI) (July 15, 1981 and September 15, 1981).

AAI "receives more than 80 percent of its income from the U.S. government," reports the Heritage Foundation. "This organization . . . has received over $135 million from the American taxpayer in the past 25 years. How this money has been, and is being, spent ought to be a matter of concern to the taxpayer and to Congress."

"AAI's recognized political preferences . . . affect Africans participating in AAI programs. A case in point is Angola, where AAI's preference for the Soviet backed Popular Movement for the Liberation of Angola (MPLA) has been demonstrated by several meetings and dinners in their honor and by AAI's refusal to allow non-MPLA members to attend conferences even when a multi-party coalition was ruling that country."

Heritage points out "other problems concerning AAI's finances that have not been answered—or perhaps even questioned—by U.S. government auditors. For example, according to the AAI 1981 Annual Report, $11,405 was spent on fundraising for the year. Of this sum, $11,056 went toward salaries, $1.29 was spent on telephone and cables and $.98 went for postage. Is it conceivable that over $1 million in private funds was collected by AAI with so little spent on fundraising expenses?"

Forty thousand dollars to the National Association of Social Workers, Inc. (NASW), to "enable approximately three teams of American Social Workers to visit The People's Republic of China, Mexico and Ghana to observe and consult with their counterparts concerning specific social work problems. The Americans would then host similar visits by the foreign national teams" (Fiscal Year 1981).

In April 1982, NASW held its 5th annual Social Workers in Politics (SWIP) conference. NASW instructed 300 attending social workers in the techniques of lobbying, campaigning, and voter registration to bring about increased, federally funded social welfare programs.

The Reagan administration was specifically attacked for the "adverse conditions" caused by cuts to groups like NASW.

AGENCY FOR INTERNATIONAL DEVELOPMENT

When Ronald Reagan appointed M. Peter McPherson to head the Agency for International Development (AID), many eyebrows were raised. "Right-to-life activists vividly recall McPherson's strenuous efforts, at the 1980 Republican National Convention, to block adoption of a strong anti-abortion plank in the party's platform," reports Donald Lambro.

Last year the Office of Management and Budget recommended cutting all AID funds to population-control groups like International Planned Parenthood. Several White House officials even endorsed the plan. But in the end, tax dollars kept flowing to these groups.

Reagan administration budget proposals continue funding them through Fiscal Year 1984.

$519,000 to International Planned Parenthood (IPP) (September 30, 1981)

In April 1981, IPP, the United Nations Fund for Population Studies and the Population Council sponsored an international conference in Jakarta, Indonesia. According to Reuters, the conference supported "safe, modern abortion techniques" as a means of population control.

In November 1981, IPP asked the People's Republic of China to become one of the group's 108 member nations. IPP's March 1983 conference praised the country's family planning policies.

According to National Review, the People's Republic's population control program includes "coerced abortion and even infanticide."

$2,889,248 to the Overseas Education Fund (OEF) (Fiscal Years 1982 and 1983). According to OEF, AID contributes 75 percent of its total income.

OEF is a subsidiary of the League of Women Voters, which endorsed legalized abortion in January 1983.

According to its annual report, OEF involves itself in "Advocacy/policy influencing . . . OEF works to influence the policies and practices of other development agencies, the U.S. Government and international bodies."

"The agency's U.N. representative . . . contributes to the formulation of certain policy positions."

U.S. BANKROLLS FOREIGN LEFTISTS

Republican administrations have long ignored the old Roman maxim "reward your friends and punish your enemies."

Internationally, since the close or World War II, the motto of our State Department and other agencies which deal with global concrerns might well have been "punish your friends and reward your enemies."

Take the United Nations. Since July 28, 1945, American taxpayers have shelled out almost $10 billion to keep this strongly anti-American organization in business. In 1980 alone, the U.S. taxpayers paid over $850 million.

Here's a partial list of U.N. activities U.S. money has helped underwrite:

Issuance of 3 stamps heralding the "inalienable rights of the Palestinian People." (The PLO loosely translates Palestinians' inalienable rights as the destruction of Israel.)

$31,500 to the Southwest African People's Organization (SWAPO), a Marxist-Leninist terrorist organization which launches repeated strikes into Namibia from its Cuban-protected bases in Angola.

Another $151,000 in "general education assistance" to SWAPO.

$125,000 to the Pan African News Agency (PANA) for 5 regional news "pools." Colonel Khadafy's Libya and Marxist Zambia will host 2 of these U.N.-funded news bureaus.

$45,000 to the Organization for African Unity's National Liberation Movement Press. OAU works with SWAPO and other terrorist organizations in Southern Africa.

$8 million from UNESCO, the United Nations Education, Science and Cultural Orgnization, went to the PLO and 3 other terrorists organizations from the 1981-1983 "educational" budget.

The U.S. gives over $250 million a year to UNESCO—one fourth of its budget. According to the Heritage Foundation, $22 million in UNESCO funds go to support the New World Information Order (NWIO), which attempts "to license journalists and censor Western owned international news and information services. These come under the guise of such studies as one on the 'right to communicate,' which translates from UNESCO-speak as the right to control Western news correspondents."

The Soviets support NWIO.

Perhaps the most sinister aspect of the United Nations is the haven it provides for anti-American spies. According to estimates, anywhere between 25 and 60 percent of all Soviet and Eastern Bloc U.N. employees report straight to the KGB.

Arnaud de Borchgrave, co-author of The Spike and Monimbó, claims the Soviets have made similar use of the U.N.'s Geneva, Switzerland offices.

While American taxpayers foot the lion's share of the bill for this Soviet storefront spy operaiton, the USSR is more than $180 million in arrears for their share of payments to the U.N.

Another brainchild to come out of the U.N. was the Law of the Sea Treaty. Wisely rejected by President Reagan, it would have socialized all deep sea mining.

Unfortunately, the U.S. Government's funding of its international enemies does not stop with the U.N. In sad retrospect, America's U.N. funding is a small piece of the pie.

Since 1976, the State Department's Agency for International Development (AID) has given Internaitonal Planned Parenthood (IPP) at least $144 million, including a single grant of $71,333,000 on October 1, 1980—just 3 months before Jimmy Carter's presidency terminated. And two grants totaling $519,000 were snuck in on September 30, 1981—the day before the first fiscal year controlled by Ronald Reagan began.

In April 1981, IPP, the United Nations Fund for Population Studies and the Population Council sponsored an international conference in Jakarta, Indonesia. According to Reuters, the conference supported "safe, modern abortion techniques" as a means of population control.

In November 1981, IPP asked the People's Republic of China to become one of the group's 108 member nations. IPP's March 1983 conference praised the country's family planning policies.

According to National Review, the People's Republic's population-control program includes "coerced abortion and even infanticide."

When Poland, crippled by communist repression and a resultant sputtering economy, failed to meet interest and principle payments on its staggering $23 billion foreign debt, our government stepped in, paying American banks what Poland owed them. How ironic that communist Poland receives better treatment than thousands of small American businesses, forced into bankruptcy by staggering high interest rates.

Mexico, an uneasy ally at best which routinely attacks "Yankee imperialists," owes foreign banks a whopping $80 billion. And when Mexico's economy, hobbled by socialist planning and accompanying layers of corruption, looked like it was about to go belly-up, our government moved swiftly to protect the interests of American banks at the taxpayers' expense.

Currently, Western banks hold more than $500 billion worth of foreign debt. Secretary of State George Shultz and other Cabinet officials are urging President Reagan to contribute another $8.5 billion to the International Monetary Fund which can be used to further bail-out the dying economies of the Third World and Eastern Bloc. (Hungary and Yugoslavia are already members of the IMF. Poland is applying for membership.)

Warsaw Pact nations now owe the West over $80 billion, up from $7.9 billion in 1973. Threats to default on this debt can undermine American foreign policy. American bankers have traditionally supported politicians who reject challenging Soviet imperialism.

David Rockefeller, the former chairman of the Chase Manhattan Bank and the driving force behind the internationalist Trilateral Commission, sums it up this way: "Just because a country is technically called communist doesn't mean that a capitalist institution such as the Chase Bank can't deal with them on a mutually beneficial basis, and indeed, we do deal with most of the so-called communist countries of the world on a basis that has worked out very well, I think, for both of us."

Rockefeller has nothing to worry about, secure in the knowledge that, no matter how bad the loan, the U.S. Government will bail-out the bank.

Awash in foreign money, communist governments are free to commit a disproportionate share of their national products to the greatest military build-up ever witnessed on the European continent. In response, the United States is forced to increase defense spending. As a result, American taxpayers foot the bill for both sides of the arms race.

As important it is to defund the left at home, it is equally crucial to cut it off abroad.●

DO NOT GIVE SYRIA—AND THE SOVIETS—A VETO ON THE F-16 SALE

HON. CONNIE MACK

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 12, 1983

● Mr. MACK. Mr. Speaker, recent events in the Middle East have demonstrated conclusively that the responsibility for the continuing dismemberment of Lebanon lies with the Syrians, and their Soviet backers. If Lebanon is not now reconstituted as one nation, free from foreign occupation troops, it will be the fault entirely of those two parties.

Now that Israel has publicly agreed to a withdrawal of its forces from Lebanon, our State Department should admit the obvious: There can be no further justification, if there ever was one, for delaying the sale of an additional 75 F-16 aircraft to Israel. If the Syrians refuse to leave Lebanon, thereby upsetting the withdrawal of forces agreement to which Israel has agreed, it would be a tortured twist of logic for the State Department to maintain the F-16 embargo on the grounds that "Israel won't pull out of Lebanon."

In fact, that type of reasoning would give the Syrians/Soviets a de facto veto over the F-16 sale. They could refuse to remove their forces from Lebanon, thereby forcing Israel to keep its troops there also, and watch with satisfaction as our State Department maintains the F-16 embargo as a result.

It is increasingly clear to me that our Government should immediately announce that the F-16 transfer is going to occur without further delay, no matter what the Syrians and Soviets decide to do. We must not give them an incentive to sabotage the withdrawal agreement, and we should make it clear to the world that the United States will regard Syria and the Soviet Union as solely responsible if the current opportunity to restore the territorial sovereignty of Lebanon is lost.

At this point, I would like to insert a column from today's New York Times by William Safire that represents a cogent analysis of the situation:

MOSCOW'S MIDEAST BID

(By William Safire)

WASHINGTON, May 11—Mustering the troops of its defeated client, Syria, and the remmants of P.L.O. forces driven from Beirut, the Soviet Union is how making a determined and dangerous bid to force its way into the politics of the Middle East.

The American Secretary of State, driven by an understandable desire to make his Lebanese-Israeli agreement stick, appears to be in danger of acquiescing to the Soviet power play. That would be the worst blunder since our misbegotten policy was announced.

To bring the Russians in now—first by appealing to them as Secretary Shultz did from Paris yesterday, then by acceding to Moscow's desire for a gang-up-on-Israel Geneva conference—would snatch an American defeat from the jaws of Israeli victory.

The decade-long invasion and takeover of Lebanon by its surrogates, Syria and the P.L.O., was successfully stopped by Israel. Now the Israelis, having freed the Lebanese from oppression and themselves from terrorism based in Lebanon, have agreed to withdraw. The world awaits an expression of willingness from the Soviet clients to do the same.

Why should they? What incentive do the Syrians and P.L.O have for ending what is left of their occupation of Lebanon? When those questions were put to George Shultz last Friday by Israel's opposition leaders, the envoy Philip Habib blurted out the American view of the truth: "Because you are 25 kilometers from the outskirts of Damascus." The main peacemaking pressure we are bringing to bear is the threat of further Israeli action.

The Soviet strategy is obvious. First, they will try to scare the Lebanese Parliament out of ratifying the agreement with Israel by threatening a new outbreak of fighting. That explains the steady buildup of Soviet missiles manned by Soviet troops in Syria, the quiet new invasion of Lebanon by thousands of Syrians and returning P.L.O., and the ostentatious removal of women and children from the Soviet Embassy in Beirut for a "summer vacation."

Next, if that war of nerves does not force the Lebanese to acknowledge the partition of their country, the Russians may escalate to provocative incidents, using more Druse forces to harass Americans and Syrian-P.L.O. units to ambush Israelis.

After that, we can expect talk of Syria launching a Yom Kippur-style war: briefly bloodying the Israelis in Lebanon, quickly vindicating Soviet weaponry and restoring Syrian-P.L.O. macho, following that with a hot-line demand by Mr. Andropov to Mr. Reagan to call off the Israeli counterattack lest the loss of Soviet life trigger massive intervention. (In that case, the Israelis—who have been drawing down troops in Lebanon during the recent Syrian buildup—would probably not accept the Lebanese battleground preferred by Syria and would move immediately on Damascus.)

The purpose of this high-risk provocation is plainly to entrap Mr. Shultz into "saving" his negotiation by turning to the Soviet Union. It's his baby; it is all he has to show for nine months' effort; what could be wrong with asking the Russians for a little help?

Everything. For years, State Department and National Security Council Arabists (who were so sure that the Sept. 1 proposal would bring King Hussein to the negotiating table) have been salivating at the prospect of a grand "comprehensive" summit meeting with Israel isolated, at which the superpowers would hand over the West Bank to a P.L.O. front. The stage would be set for terrible U.S.-Israeli strains; if the U.S. did not accede in the total betrayal of its ally, the Soviet Union would be re-ensconced in the Middle East as the champion of the Arab cause. No-win for us, no-lose for Moscow and the most radical Arabs.

How do we counter this Soviet strategy?

1. Drop the note of desperation in our Lebanese negotiation; partition will end when Arabs want it to end. Put the diplomatic focus on the Arab League, under whose auspices Syria took over Lebanon in the first place. Cannot a member, Lebanon, be granted a request to be de-protected? Let Arabs lean on Arabs.

2. Make a display of military and economic support for Israel and Egypt, reminding Mr. Mubarak of his obligation to live up to his peace treaty by returning his Ambassador to Jerusalem, especially after Israel's willingness to sign Secretary Shultz's deal. Make it possible for Israelis to use our aid money to establish their own defense industry.

3. Point out to Moscow now, publicly, that the U.S. would not cut and run if a Syrian attack on Israel led to a threat of a Soviet attack on Israel. Our previous unconcern at the Syrian missile buildup, and our foolish chastisement of Israel on F-16's, could lead to tragic miscalculation. Now is the time to be unambiguous and very tough; a loss of Soviet lives as a result of a Syrian attack on Israel would not be tolerated as an excuse for escalation.●

JOHN J. NORTON—OUTSTANDING PUBLIC SERVANT

HON. TOM LANTOS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 12, 1983

● Mr. LANTOS. Mr. Speaker, I would like to take this opportunity to recognize a very fine public servant in my district who is preparing to leave his position as police chief of Foster City, Calif., to take on the prestigious job of the State's top police chief.

John J. Norton came to newly incorporated Foster City 12 years ago to inherit the dual roles of police and fire chief in what was then a public safety department. He immediately set forth to establish himself as one of the most progressive police chiefs in the State by undertaking a major reorganizational development program to professionalize and humanize his departments. The police and fire departments were separated, enabling personnel to keep one identity and to progress rapidly in skill and technical knowledge of their perspective fields.

In the dozen years he has been Foster City's police chief, morale, stability and professional proficiency have been the rule of his department. The rate of burgularies in his city dropped substantially. Some of the department initiated narcotic seizures in California are on record as the largest in the State. And eight of the department's police officers have moved on to take the rank of police chief in other cities.

In addition to the outstanding performance by Chief Norton in Foster City, he has taken on responsibilities outside the department. He is currently president of both the California Police Chiefs' Association and the California Police Officers Association. In 1985 he is scheduled to become president of the International Association of Chiefs of Police. He also has taught in many colleges and universities and has been a member of the San Mateo County Human Relations Commission.

Chief Norton is an excellent role model for law enforcement officers. He has done his duties as police chief tirelessly and well. He will be sorely missed by the people in my district and, particularly, by the people of Foster City, But the State of California could not have done better in acquiring a new top police chief.●

TRIBUTE TO MICHAEL DAVID WILLIAMS

HON. W. HENSON MOORE

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 12, 1983

● Mr. MOORE. Mr. Speaker, the Baton Rouge Sertoma Club, which is a fine civic organization located in my hometown of Baton Rouge, La., conducts an annual Freedom Awards banquet. It was held this year on February 25, 1983.

As part of that celebration, the club sends a topic to all of the local schools in Baton Rouge to get students to write essays. The topic this year was "What Freedom Means To Me." The teachers in the schools make selections and send their choices of the best essays to the Sertoma Club which, in turn, selects a final winner. The winner of the 1983 Freedom Awards essay contest is Mr. Michael David Williams.

Michael is 13 years old. He is a student at the Broadmoor Middle School in Baton Rouge. His hobbies are fishing, and hunting, and some day he would like to be an airline pilot. I have met Mr. Williams and have found him to be a very outstanding young man. His essay is most enlightening and well worth being reprinted at this point in the CONGRESSIONAL RECORD:

WHAT FREEDOM MEANS TO ME

Freedom is intangible—it cannot be touched, seen or given away. Freedom must be earned. It cannot be bought; it cannot be sold. A person who has freedom knows he has it; and he is the luckiest person alive.

People of some nations strive for freedom all their lives, but they never get it. The struggle continues for generations and even centuries. In some enlightened countries there are less restrictions on freedom and these are the lucky ones.

No one is totally free. Because of its nature, freedom must be limited. It must not interfere with the rights of others. Therefore, we must realize there is no such thing as total freedom.

Two major political beliefs dominate the world today. The United States of America stands for individual freedom. Under this system a citizen is free within minor restraints. His horizon is full of opportunity. He is assured of a bill of rights which came from the Magna Carta of England, and this assures him of no persecution for his religious beliefs and protects him from being imprisoned because of religious beliefs. The American citizen must, of course, live within the body of the law which was handed down to him by his forefathers. We call this law the Constitution of the United States.

The communist world guarantees its citizens nothing. They call themselves comrade, yet only the elite and powerful can call themselves free and only as long as they are in power. The ordinary citizen in the communist world never knows when his door will be knocked down and he is dragged to prison. His freedom is a dream which will never be real. Freedom can never come in his lifetime or the lifetime of his children. He merely exists from one day to the next with no hope for change.

The people of the United States and the rest of the western world must never lose their freedom. Once lost it may never be regained. In the United States the dream of freedom is real as "One Nation Under God" we have liberty and justice for all.●

TRIBUTE TO ELIJAH ROGERS

HON. WALTER E. FAUNTROY

OF THE DISTRICT OF COLUMBIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 12, 1983

● Mr. FAUNTROY. Mr. Speaker, on May 13, the many friends of Elijah "Baby" Rogers will gather to honor and roast his 4 years of service as city administrator of the District of Columbia. He will be leaving public service on May 27.

Mr. Rogers, a native of Orlando, Fla., attended elementary and secondary schools in Orlando, Fla., Thereafter, he acquired a B.A. degree from South Carolina State College, Orangeburg, S.C. Mr. Rogers has earned a master's degree in social work and a master of arts degree with concentration in urban administration, both from Howard University.

Mr. Rogers was appointed city administrator of the District of Columbia on December 29, 1978. Since July 1976, Mr. Rogers served as city manager for the city of Berkeley, Calif., and was responsible for the supervision of 16 departments and preparation of the city's annual budget.

Mr. Rogers came to Berkeley in July 1974 as assistant city manager. Prior to coming to Berkeley, Mr. Rogers served as assistant city manager for administration and assistant to the city manager for general administration for the city of Richmond, Va. Prior to serving as Richmond's assistant to the city manager in January 1972, Mr. Rogers was chief of staff, city manager's office, Bowie, Md. Mr. Rogers served with the National Urban League as a field representative and assistant director of Federal programs. Mr. Rogers has also served as consultant to several national organizations. He is an author of several articles in the field of public administration.

Since his appointment as city administrator of the District of Columbia, Mr. Rogers has been recognized for his outstanding performance in managing ongoing District finances and for bringing order to the formerly chaotic accounting records and practices on one of our Nation's major cities. In fiscal 1981, for example, his insistence upon stringent financial management made an added $68 million available for reducing an accumulated $377 million deficit to $309 million. This achievement is even more remarkable when one considers the difficult control systems and to constant vigilance in the fiscal arena has produced impressive benefits for District of Columbia citizens and taxpayers alike.

Mr. Rogers is a member of the International City Management Association and recently served as chairperson of the Alameda City-County Management Association. He was the recipient of the 1979 Distinguished Alumnus Award at South Carolina State College, Orangeburg, S.C. He also received the 1981 Community Services Award from Howard University School of Social Work. He served as chairperson of the International City Management Association's Minority Executive Placement Board of 1974-79, and is vice chairman of the Metropolitan Washington Council of Governments. Mr. Rogers also serves on the Board of Public Executive Institutes, Inc., Washington, D.C.

The citizens of the District of Columbia have been served well by Mr. Rogers. He will continue, however, to advise the Mayor. Mr. Speaker, in a period of criticism of public servants, Mr. Rogers is another outstanding example of a committed and competent government employee. He will surely be missed.●

NATIONAL NURSING HOME WEEK

HON. STEVE GUNDERSON

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 12, 1983

● Mr. GUNDERSON. Mr. Speaker, memories are made to be shared is the theme of National Nursing Home Week, May 8-14, 1983. And each of us has a special memory of a loved one who offered a kind word in time of need. As a nation we rarely take the time to say thank you to our elderly for their wisdom and guidance, or to those who devote their careers to caring for these citizens.

Approximately 1.3 million people live in nursing homes nationwide. In the Third District of Wisconsin alone, there are 86 homes for the aging serving some 7,298 elderly persons. In the past decade the nursing home population has grown disproportionately in Wisconsin, which now ranks second in the Nation for nursing home use.

This growth in nursing home use has caused a substantial increase in spending for long-term care. From 1981 to 1983 total nursing home spending increased at an annual rate of 11.9 percent from $24 billion to $30 billion. By 1985 that number is expected to grow to $39 billion and by 1990 to $67 billion.

Anticipating that expansion, my home State has pioneered a program to supplement current long-term care services. The community options program is designed to target those individuals considering nursing home care who, with a minimum level of reliable assistance, may choose to remain in the community.

This exciting initiative will insure that elderly citizens who need certain limited services can stay in the community and prevent further financial constraints on current nursing homes. Under the program, persons planning to enter a nursing home are first provided with a thorough review of their needs and capabilities to determine whether assistance at home could be more beneficial.

This assessment is performed by a board of professional persons. The needs of the individual are analyzed in terms of the services and living arrangements available in the community. All cost considerations are also taken into account. The elderly person then chooses from the available options, and a comprehensive service plan is developed. The total amount of funding provided to each county is roughly enough to assist 1 out of 10 persons referred for nursing home placement to receive care in their local community.

Wisconsin's experience with the community options program has demonstrated that savings can be achieved by a reduction in the time elderly spend in hospitals as well as nursing homes, and through better maintenance care in the community. In addition, the program has pulled local communities together in exploring alternatives available for caring for their elderly neighbors.

We should take this opportunity to show our appreciation to those who have devoted their lives to caring for the elderly, both in nursing homes and through community-based services. We must also take this week to thank those older persons who have touched our lives and shared with us the gift of their knowledge and experience.●

SCOWCROFT COMMISSION

HON. LES ASPIN

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 12, 1983

● Mr. ASPIN. Mr. Speaker, it is getting hard to tell the good guys from the bad guys in arms control these days.

For example, the Catholic bishops have taken a position that moves them to the far right. I am not talking about the bishops' support of the freeze—that is a liberal position and the aspect of the bishops' report that got the most press attention. But the bishops also came out against aiming missiles at civilian populations. Their position is understandable; they felt it immoral deliberately to target innocent civilians. If nuclear weapons are needed for deterrence, they should be targeted against nuclear weapons, the bishops argued.

The trouble is that liberals in the defense business believe that targeting the other side's nuclear weapons makes war more likely because the side that fires first has an advantage, which simply tempts decisionmakers to resort to nuclear weapons in a crisis.

Furthermore, this policy opens the budgetary floodgates and puts the arms race in high gear. If each side targets civilians, each side knows that the use of nuclear weapons will bring total destruction—and only about 400 warheads are required to bring about Armageddon. If we start targeting nuclear weapons, nuclear war can begin to look winnable. But to accomplish this requires many thousands of warheads and vast sums.

In other words, the bishops come at the issue from a different perspective but end up alined with the school that advocates a "warfighting" posture rather than the school that advocates "assured destruction."

Another alliance of strange bedfellows is taking place over the Scowcroft Commission recommendations on deploying the MX missile. Up to now, the MX has been a weapon all liberals could love to hate.

The Soviets already have first strike weapons—the SS18 and SS19—which threaten our ICBM force. The MX is also a first-strike weapon—if we have enough of them, we threaten to wipe out the Soviet Union's entire ICBM force. The result of building the MX is an arms controller's nightmare: two sides with weapons that are simultaneously vulnerable and capable of a first strike. Nothing could be more dangerous in a crisis.

Along comes the Scowcroft Commission, which says we need to move away from these vulnerable first strike weapons. The reason for shifting away from the MX and the Soviet SS18 and SS19 is to reduce the incentive for either side to move first in a crisis. If a crisis is building—for example, something like the 1962 Cuban missile crisis—and both sides have vulnerable first strike weapons, there is a dangerous temptation to go first—the side that shoots first wipes out the other's land-based forces. This is most dangerous if a crisis builds to the point where leaders on both sides believe war is inevitable.

One way to deal with this danger is to make sure no crisis reaches that point. But crises are hard to control. And there are enough differences between the United States and the Soviet Union that we can be sure crises will crop up now and then.

A more practical way to deal with this danger is to arrange weapons so that neither side gets an advantage from firing first. Here is where the Scowcroft Commission comes in. It recommends that both superpowers move toward single warhead missiles and agree to limit the number of warheads on each side.

Why will this work? Because if both sides have single warhead missiles, it will take one missile to get one missile. To be sure of getting the one missile actually requires two warheads because of limitations on accuracy. If both the United States and the Soviet Union have single warhead missiles and both are limited to the same number of warheads, it would make no sense to attack the other's missile force. The attacking force would have to give up two missiles to destroy only one on the other side.

Enducing the Soviets to agree to this is tricky. They already have a first strike force. Unless we can get them to agree to limit their warheads, they would be able to overwhelm our ICBM force. Even if our ICBM's were made mobile, they would not be invulnerable. Given enough warheads, the Soviets could barrage the areas where the small mobile missiles are located and destroy them all.

To gain stability, it is not enough for the United States to go to single warheads, the Soviets must agree to a reasonably low warhead limitation.

Here is where the MX comes in. A limited number of MX's—the Commission recommends 100—could not carry out a first strike on Soviet forces. Ten warheads per missile totals 1,000 warheads on 100 MX's, which threaten 500 targets with two-on-one targeting. The Soviets have about 1,400 land-based missiles, including about 650 multiwarhead SS18's and SS19's. But 100 MX's would threaten a good portion of their forces and force them to consider that someday their land-based missiles could be just as vulnerable as ours.

A core question is whether you can get the Soviets to negotiate without dangling the MX over their heads. Obviously, this question can only be answered definitively in Moscow. But the history of our negotiations with the Soviets through Republican and Democratic administrations shows they really do want to hold onto these giant missiles. Both the Ford and Carter administrations offered very attractive negotiating carrots to get the Soviets to give them up, but with no success. It is those whoppers that distinguish the Soviets from us and give them the self-assurance that they really are a superpower. I, therefore, tend to believe we need the MX—not to give the United States the capability to wipe out the Soviet ICBM force, but to turn on a light bulb in the Kremlin's brain and make it realize that it is in Moscow's interest as well as ours to shift to single-warhead missiles and to agree to a limit on warheads.

The goal of all this is to prevent nuclear weapons from being used in the first place. The best way to achieve that goal is to create a situation in which neither side has an incentive to use nuclear weapons. That is precisely what the Scowcroft approach does.

The MX has come to be something of a symbol of dangerous nuclear military spending. But there is nothing inherently good or evil in the missile itself. If the missile ends up being deployed in a vulnerable way and in sufficient numbers to threaten a first strike on the Soviet Union, it will be evil. But if it ends up being used as a lever to move the Soviets away from giant silo killers, it will go down in history as making a real contribution to the advancement of arms control.

The MX is one part—the most controversial part—of the Scowcroft Commission recommendations. The Commission proposals form a package: The MX; the shift to the small, single-warhead missile; and the new direction in arms control. If the package is not accepted as a whole, the compromise that the Scowcroft Commission fitted together collapses.

There are three core reasons that liberals should support the package.

First, the Commission recommends a new direction in arms control negotiations, emphasizing warhead counts rather than launcher counts, among other things. These may seem like technical changes, but they are important points liberals have been advocating. For President Reagan to agree to them is a major advancement.

Second, the Commission recommends the shift toward the small, single-warhead missile. That is something liberals have also sought. It is part of the Scowcroft package. If we reject the MX, we can expect the other side to reject the small, single warhead concept—and then we have gotten nowhere.

Third, the Scowcroft recommendations form a compromise designed to

move our arms control strategy off dead center. This is an instance when compromise for the sake of compromise is crucial. We are going nowhere in arms control these days because we have become bogged down in excessive partisanship. President Ford negotiated the Vladivostok accords; the incoming Carter administration rejected them. Carter negotiated SALT II; the incoming Republicans junked that. The atmosphere the last 2 years has been so bad that Democrats wrote off START before it started. We are not advancing; we are going backward. We need to break this logjam. The Scowcroft recommendations give us the opportunity to do that by accepting a compromise that has something for everybody but not everything that any one group wants. The alternative is not "something better"; the alternative is sinking deeper in the quicksand in which we have been mired for some years.●

TRUMAN CENTENNIAL YEAR CELEBRATION

HON. IKE SKELTON

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 12, 1983

● Mr. SKELTON. Mr. Speaker, yesterday afternoon, I had the privilege to participate in the kickoff of the Truman Centennial Year celebration. This event took place in the Capitol and was attended by dignitaries including Hon. Clark Clifford, Hon. Averell Harriman, Hon. John W. Snyder, and Mrs. Margaret Truman Daniel.

Because of the significance of this event, I was compelled to miss two votes on the Emergency Housing Assistance Act. I did, however, vote on other provisions of the bill and on final passage.●

DEFENSE AUTHORIZATION BILL FOR FISCAL YEAR 1984

HON. DAVID E. BONIOR

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 12, 1983

● Mr. BONIOR of Michigan. Mr. Speaker, we will soon be considering the Defense authorization bill for fiscal year 1984. Given the status of our current budget deficit, we must all face the burden of identifying programs that can responsibly be delayed or abandoned.

One such program is the administration's request of $157 million for the production of binary chemical weapons. On March 23 of this year, a bipartisan coalition from the House announced our continued opposition to funding for this type of weapon.

I would like to insert a report of that press conference in the RECORD now, and urge my colleagues to vote to delete funding for binary chemical weapons.

Binary chemical weapons would be an unnecessary and dangerous addition to the U.S. arsenal, eight Congressmen said Wednesday in introducing a bill to block production of the arms sought by President Reagan.

The Congressmen said the weapons could spur the arms race, create friction with European allies, siphon money from deserving military projects, intrude on arms controls efforts and hurt U.S. standing in the world community.

"It (production) would enhance an already bellicose image that we have," said Rep. David Bonior, D-Mich., one of the measure's sponsors.

The bill would block production of new binary weapons but would allow spending on defensive equipment and on research of chemical weapons.

Binary chemical weapons mix two nonlethal agents to form a deadly combination. Reagan has requested $157 million for production of new chemical weapons this year.

International treaties allow development of chemical weapons but prohibit their use.

"It would be perceived we would be legitimizing all bio-chemical weapons," said Rep. James Leach, R-Iowa. "If we go forward, we would be sanctioning one of the cruelest forms of warfare the world has known."

There has been a 14-year U.S. moratorium on production of the weapons and last Congress defeated a suggestion to produce them.

"I believe we are going to be as successful this year," Bonior said.

"The United States already has tremendous quantities of weapons on hand," said Rep. Bill Green, R-N.Y.

"This (production) is not only unnecessary but an extremely dangerous area for this country to leap into," said Rep. Bob Kastenmeier, D-Wis.

In addition to Bonior, Kastenmeier, Green, and Leach, the other sponsors are: Clement Zablocki, D-Wis., Sam Gejdenson, D-Conn., Less AuCoin, D-Ore., and Frank McCloskey, D-Ind.●

HONORING THE KENTLAND VOLUNTEER FIRE DEPARTMENT

HON. STENY H. HOYER

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 12, 1983

● Mr. HOYER. Mr. Speaker, I would like to take this opportunity to bring to the attention of my colleagues an event which underscores the contributions and degree of importance that volunteerism has attained in this country.

I am referring to the outstanding achievements of the Kentland, Md., Volunteer Fire Department, which is located in my district. Through the efforts of the volunteer firefighters at this station and through the efforts of their families, friends, and neighbors, this organization will dedicate a 1,250-GMP pumper on May 14 at the FOP lodge in Upper Marlboro. This will be the third piece of firefighting equipment purchased by this volunteer company in the past 2 years.

Not only is this a fine example of how men and women, working together for a community effort, can achieve their goals, but it is also illustrative of how the private sector can step in and pick up, at least to some extent, when the public sector cannot. Prince Georges County, in which Kentland is located, is restricted in the amount of revenues it can collect through the property tax. Therefore, when high-cost materiel, such as fire equipment, is needed, it is not always easily purchasable. Certainly the endeavors of the Kentland Volunteer Fire Department has been advantageous to our county, and I want to commend its members here today.

TRIBUTE TO CONCERNED BLACK MEN

HON. WILLIAM H. GRAY III

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 12, 1983

● Mr. GRAY. Mr. Speaker, on behalf of my colleagues in the Congressional Black Caucus, I am proud today to recognize the efforts of a distinguished group of men who have dedicated their time and resources to black youth in the city of Philadelphia.

This group, Concerned Black Men, has reached back into their community to provide young people positive male role models and sponsor programs which promote positive self-development and self-esteem. Over the last 9 years their programs have touched thousands of youths. Concerned Black Men has made significant contributions to the academic, cultural, and social enrichment of these young people.

They have provided numerous academic scholarships to deserving inner-city youth. Through contributions, they have enhanced the quality of instruction in the music departments of several high schools. They have made sound financial contributions to the youth programs of various religious and private organizations.

Concerned Black Men sponsored several citywide chess tournaments. Further, they have played a major role in financing the travel of our nationally recognized elementary and junior high school championship chess teams, which have competed in both national and international tournaments.

Additionally, for the last 9 years Concerned Black Men has sponsored successful annual essay contests for Philadelphia's youth on various socio-economic topics. The contests have been endorsed by both the city's public and parochial schools.

Concerned Black Men has been recognized by the Governor, the Pennsylvania State House of Representatives, the mayor, and the Philadelphia City Council. As an organization consistently dedicated to the recognition and motivation of black youth, Concerned Black Men certainly deserves the recognition of this distinguished body.

Concerned Black Men is a significant and positive force in the city of Philadelphia. Mr. Speaker, for the above reasons, please join me in saluting Concerned Black Men, Inc.●

RESOLUTION—POLISH CONSTITUTION DAY

HON. MARY ROSE OAKAR

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 12, 1983

● Ms. OAKAR. Mr. Speaker, as you know the people in Poland have been valiant in their efforts toward ending oppression in Poland. The following is a resolution passed by the American Polish Community:

RESOLUTION—POLISH CONSTITUTION DAY, MAY 8, 1983

1. We pledge to honor and respect the Constitution and flag of the United States.
2. We thank President Ronald Reagan for his strict rebuttal to the Soviet Union during martial law in Poland.
3. We hold the highest esteem for Poland's illustrious son—Pope John Paul II.
4. We acknowledge all the efforts of President Aloysius Mazewski and the Polish American Congress for all their work for Polonia in the U.S. and our brothers and sisters in Poland.
5. We will do everything in our power to help Poland regain its freedom and independence and to restore human rights for the people of that great nation.
6. We demand that the United States Government impose a full embargo on all food, technical assistance, and credit to the Soviet Union.
7. We demand the release of all innocent political prisoners in Poland, and appeal to the United Nations to place this matter on their agenda immediately.
8. We demand the repeal of the Yalta Agreement which in effect put Poland in the Soviet bloc.
9. We will never forget the horrendous crime of the Katyn Forest. Thousands of Polish military personnel and intellectuals were brutally murdered by Russian troops.

Long live the United States.
Long live a free and independent Poland.
Long live Polonia.
Long live Pope John Paul II.
Long live solidarity and Lech Walesa.

RICHARD E. JABLONSKI,
National President, the Union of Poles in America.
GENEVIEVE SANDEIJ,
President, Alliance of Poles in America.
FELIX HUJARSKI,
Director, Polish National Alliance.●

FUNDING FOR SPORT FISHERIES RESEARCH, MANAGEMENT, AND DEVELOPMENT PROGRAMS

HON. HAROLD S. SAWYER

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 12, 1983

● Mr. SAWYER. Mr. Speaker, during recent appearances by technical fisheries experts and constituent groups with coastal fishery interests before the Fisheries, Wildlife Conservation and the Enviroment Subcommittee of the Merchant Marine and Fisheries Committee, of which I am a member, it has become reasonably evident that vitally needed marine sport fisheries research, management, and development programs in the coastal states are inadequately funded.

The intensified demands that have been placed upon our limited coastal fish stocks by harvesters of all types have exceeded the capacity of certain fish stocks to replenish themselves satisfactorily. At the same time, estuarine habitat, critically important as breeding and nursery grounds, are being gradually obliterated and public access to productive fishing waters are being lost to coastal development. These growing problems must be rectified.

It is also apparent that we are entering a new era, when hard political decisions are being made concerning who will harvest coastal species, in what numbers, and by what means. The business of allocating and conserving fish stocks requires sound data on catch and participation as well as on the conditions of fish stocks and supporting habitat. In addition, socioeconomic data on all sectors of the economy affected by resources allocation decisions must be obtained. Recreational anglers must be willing to accept a fair share of the responsibility for funding the research, development, and data acquisition programs necessary to protect the resource. To do nothing will result in the decline of our coastal recreational fisheries.

One time-honored means of acquiring necessary funding for the special needs of recreational anglers is through a user-pay fishing license. Fishing licenses are required in every State, without exception, to participate in freshwater recreational fisheries. Saltwater recreational anglers also participate in funding their State's fishery conservation programs through some form of license fees, dedicated exclusively to the protection of their interests in the marine waters of all west coast States except Hawaii, and in all gulf coast States except Mississippi. While at the same time, marine anglers along our Nation's east coast do not contribute through licensing structures to the care, protection and development of the marine resources upon which they depend for recreational enjoyment.

The legislation I have introduced, H.R. 2965, will provide a source of State funding which will assume even greater importance should this Congress pass legislation to increase the funding available under the Sport Fish Restoration Act (DINGELL-JOHNSON). An important provision of that pending legislation is the mandate to the marine coastal States to divide the new moneys equitably between saltwater and freshwater projects. The marine coastal States that do not currently license the marine angling sector will lack a continung dedicated source of revenue with which to provide the necessary 25 percent matching moneys required by the legislation.

It is time that all marine recreational fishermen assume their fair share of the costs of research, management, and development. The legislation I have introduced will require the coastal States to adopt marine angling license featuring (1) reciprocity between States governing fishing in their contiguous waters, (2) dedication of revenues exclusively to recreational fishery-related expenditures, (3) policy control and independent boards made up of knowledgeable at-large representatives of angling and scientific interests, and (4) uniform annual fees of at least $5, designed to generate on a continuing basis the substantial moneys required, (a) to provide for development of a wide range of useful marine recreational fishing facilities, (b) to permit socioeconomic, biological, ecological, and environmental research and data collection urgently needed for effective management of the recreational fisheries, and (c) to provide for minimum related administration and enforcement activities.●

EARL "FATHA" HINES

HON. RONALD V. DELLUMS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 12, 1983

● Mr. DELLUMS. Mr. Speaker, with a sense of loss, yet appreciation, I take this opportunity to call to the attention of my colleagues in the U.S. Congress the life and death of a musical giant, Earl "Fatha" Hines.

Fatha Hines resided in Oakland, Calif., for more than 30 years; he was a citizen of the world for over 77 years. As the "father of jazz piano," Fatha Hines shared his genius with people everywhere in the world, including Japan, Europe, the Soviet Union, and Cuba.

Many remember Fatha Hines during the twenties and thirties, performing with his band in jazz clubs, at concerts, in church and on the radio. He inspired musiclovers and musicians. In

1928, Fatha Hines recorded the "Big Event" with Louis Armstrong, a recording considered to be the most important in the history of jazz.

There are many who only know Fatha Hines in his recent years. His creativity and flexibility were evident from his recent performances at the Oakland Symphony, and University of California, as well as at rock and jazz clubs. He was truly "a man for all seasons."

In 1981, the College of Arts and Crafts, an outstanding educational institution in Oakland, Calif., had the wisdom and vision to confer an honorary doctorate degree on Fatha Hines. During that same year he was voted "best jazz keyboardist," the oldest musician to receive such an award.

Not only was Fatha Hines a musical genius, he was a great humanitarian. Many musicians were inspired and assisted in their careers by Fatha Hines. Until his untimely death on April 22, 1982, he performed for the pleasure of his fans and the benefit of his colleagues.

Mr. Speaker, a great composer, a great musician, and a wonderful human being has passed. Yet, Dr. Earl "Fatha" Hines will continue to live through his music, his friends and his deeds. I urge you and my colleagues to listen to his tunes and learn from this life the joy of giving, of pleasing, of beauty and of soul.●

SUFFERING FROM AN ORPHAN DISEASE

HON. RICHARD L. OTTINGER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 12, 1983

● Mr. OTTINGER. Mr. Speaker, last year, during consideration of the orphan drug bill, we all became aware of the fact that millions of Americans are afflicted by so-called orphan diseases—diseases that afflict so few people that the drugs to treat them have not been developed and in some cases research is not even being done to discover the cause or cure.

I would like to share with my colleagues today a letter I received recently from a constituent, Mrs. Ruth Lembeck of Mount Vernon, N.Y. Mrs. Lembeck's personal account of her son Jamie's orphan disease exemplifies the battle against the painful symptoms of Syringomyelia made so much more difficult by the lack of communication, information, and research dealing with this disease.

Last year, we took an important step with the passage of the orphan drug bill to encourage the development of drugs for orphan diseases. Equally important now is the need to appropriate adequate funding for research by the National Institutes of Health and I hope the members of the Appropriations Committee will respond favorably in this regard. Clearly, it is not acceptable for people to suffer and die because they have a disease or condition that afflicts a relatively small number of people.

Mrs. Lembeck's letter follows:

I want to tell you about what surely must be the most neglected of all orphan diseases. It has no voluntary organization to work for its victims. It has no foundation to accrue funds and disperse them for research. It has no communications network to keep those with the disease informed . . . no public information program to tell the world it exists and must be fought for. It boasts no special centers for its diagnosis and treatment. Last, and most deplorable of all, it has no research whatsoever being done to seek its cause and cure, no funds to support such research. Because of these lacks, it cannot even join other groups that might offer the support and focus it requires. In a sense, it is a nondisease, for it simply does not exist . . . except, painfully, for those who have it.

A rare, highly destructive progressive disorder of the spinal cord, it cripples and it shortens life. Its name describes it—syringomyelia—syrinx of the spinal cord.

Syringomyelia falls into no established medical category. It is neither biochemical nor genetic, and it is not an immune, endocrine, or metabolic problem. Ultimately, however, it becomes a major neuromuscular disaster for those who have it. It is termed a disease, but it is actually a condition, one which can become evident as early as age 3 or as late as age 60, but is usually first manifest around the age of 30. It apparently occurs more often in males than in females. No one will hazard a guess as to how many Syringomyeliacs there are in the United States. Their numbers are undocumented.

My son has Syringomyelia. The onset at age 25 was sudden. He became numb in the left foot, and within a few months, his entire left side, including his tongue, was without feeling, and he became impotent; 7½ hours of micro-surgery revealed what scans and other testing had suggested—an obstruction, a massive enlargement of the mid- and upper-spinal cord, proved to be Syringomyelia.

Under normal body conditions, there is a consistent flow of cerebral fluid from head to spinal cord and back again. With Syringomyelia, the syrinx acts as a catchbasin, and some of that fluid cannot escape to flow freely, as it should. Eventually, the cavitation fills and becomes distended, pressing on the lining of the central canal, creating fissures within it. The fluid can then begin to dissect the inside of the cord, interrupting nerve connections, destroying neurons, creating the neurological deficit known as Syringomyelia, (SM).

In general, SM symptoms are similar to those of other, better-known diseases, among these, amniotrophic lateral sclerosis (ALS or Lou Gehrig's disease), multiple sclerosis (MS), tumors of the spinal cord, cervical spondylosis (fusion of vertabrae with one another, platybasia (a developmental anomaly of the skull), and skeletal anomalies of the cervical spine.

Specifically, syringomyelia symptoms include any or many of the following: deep, boring pain . . . weakness/paralysis of voluntary motion . . . spasticity . . . change of gait and loss of motor abilities . . . atrophy of bones (they become calcified and osteoporotic) . . . gangrene . . . total loss of either pain or temperature sense (one eminent neurosurgeon told me of an SM patient who progressed to the point of no sensation anywhere in his entire body!!) . . . ulcerous fingers (from unfelt cuts or burns). All of these, as well as others not cited, are examples of the irreparable damage visited on the body by syringomyelia. Even when discomfort and pain have been temporarily alleviated (and this is all the medical world is able to do now—alleviate!) the disease continues on its insidious course. No way to halt it has been found because, quite simply, no search has been made.

Syringomyelia has many variables. For one thing, there are different types of the disorder. For another, its patterns are erratic and unpredictable—baffling and frustrating both to its victims and to the physicians who treat it. Because each case differs from the other, methods of treatment must be adapted or devised to fit. All treatments currently in use attempt to reestablish normal communication for the fluid between spinal cord and head, and theoretically they should work, but in practice they have many problems. Adhesions can form again, shunts can move out of place or become plugged, small openings applied by the surgeons can seal off as the cord tends to collapse, and other conditions can arise, stymieing efforts to effect any permanent cure. Gaps in knowledge and lags in communication also contribute to the confusion and the inability to help geographically-dispersed syringomyeliacs. It is thought that there are many undiagnosed cases of SM.

Cause of the disorder is still unknown. It is frequently referred to as congenital, based on the belief that when a baby is forming in utero, some glial cells go astray, wander into the spinal canal, and form a tube or cavitation (syrinx), but this is a matter of conjecture. Then, too, there is another form of syringomyelia that results from trauma—spinal cord injury sustained during military action. As stated earlier, no breakthrough research is in progress. The only type of research being done is the long-range, clinical tracking of patients—making note of physical changes as the disease moves on its course. This cannot possibly supply what my son and other syringomyeliacs need so desperately—a way to halt the disease in its tracks for good and aye, and as quickly as possible, for with a progressive disease, every day counts.

Jamie, my son, is now waiting for NMR (nuclear magnetic resonance) and other testing at Dent Neurological Center in Buffalo, where he lives. The microsurgery drained the syrinx, relieved the pressure and kept him sympton-free for a while, but he is numb once again—in the left foot, left hand and arm, and has 24-hour pain in the cervical area which peaks in intensity during sleeping hours. Whatever they learn from the new testing will add only to the clinical knowledge.

There are no definitive answers for Jamie's condition, and there will be none unless qualified researchers acquire monies enough to support all-out focus on syringomyelia. The likelihood of this depends wholly on whether the Senate and Congress Subcommittees appropriate enough funds to spinal cord diseases under Orphan Drug Bill authorizations to allow for breakthrough research on this disease, for as I pointed out, SM has no foundation of its own, no source of funding other than the government. Please . . . for the sake of my son and all other syringomyeliacs . . . con-

sider all the foregoing facts with compassion and generosity when this comes up for final consideration.●

MILWAUKEE GOES TO BAT

HON. CLEMENT J. ZABLOCKI

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 12, 1983

● Mr. ZABLOCKI. Mr. Speaker, last weekend I had the privilege and honor to attend tributes to two great sportsmen and civic leaders—two great men who are interested in their community as well as in the activities of our youth in Wisconsin and across the Nation—Mr. Bud Selig, president of the Milwaukee Brewers baseball team, and manager of the Brewers, Mr. Harvey Kuenn.

On Sunday, May 8, Bud Selig was given the Sportsman of the Year Award by the U.S. Olympic Committee. Bud became only the third recipient of the award, the USOC's highest honor. He was recognized by the committee for his many contributions to baseball and to youth activities in Milwaukee.

Mr. Speaker, I can think of no more deserving figure to have been bestowed the honor of Sportsman of the Year by the Olympic Committee than Bud Selig. While his presentation dinner was held on Mother's Day, with all due respect to Bud's mother, Marie, it could just as well have been on Father's Day, since Bud is truly the father of baseball in Milwaukee.

It was Bud who fought for the Milwaukee Brewers, who supported them financially through his continual commitments, and determined enthusiasm.

When Bud started his efforts to bring a professional baseball franchise to Milwaukee, many people argued that Mikwaukeeans would not support another professional team. When Bud started looking at Seattle and obtained commitments from the original partners, many charged that he was wasting his time.

Well, Bud obviously knew he was right. In 1982 the Milwaukee Brewers won the American League pennant and made it to the World Series. Bud knew the spirit of Milwaukee, and he was rightfully commended for it.

Bud is an honest man, a decent man and one who truly deserves the USOC award. His work with Athletes for Youth, and his leadership in the business community makes a citizen who brings his principles to his work.

Among those congratulating and commending him for these many accomplishments at Sunday's event were: Henry Maier, mayor of Milwaukee; Robert O. Fishel, assistant to the president, American League; Willie D. Davis, Pro Football Hall of Fame; John B. Kelly, Jr., first vice president, U.S. Olympic Committee, and Harvey Kuenn, manager, Milwaukee Brewers.

That brings me, Mr. Speaker, to the second outstanding individual who was honored at another event in my district this weekend—Harvey Kuenn. Harvey Kuenn was honored and commended for his many contributions to sportsmanship, to baseball, and to the spirit of Milwaukee in a roast on Saturday, May 7.

While the format was one of joviality, this American League Manager of the Year stands out as one that will go down in history. His undying dedication to the team, his optimism, and his genuine good decency are now known throughout the country. It was typical that Harvey Kuenn would good naturedly agree to be the roastee at the II Eric Heiden Olympic Rink Roast, an excellent function organized by the West Allis Rotary Club to provide assistance to the Wisconsin Olympic Ice Rink Foundation, Inc.

Many thanks went to Harvey not only for his leadership of the Milwaukee Brewers successful 1982 season but also for his participation in the worthwhile community events. A special commendation also goes to the West Allis Rotary Club and its coordinating committee, Don Charlier, Bob Dohnal, Jim Papandrea, Mike Woods, for their outstanding work in organizing the Olympic rink project.

Finally, Mr. Speaker, the Northwest Orient's, May 1983 magazine issue includes an excellent article by Paul Froiland entitled "Milwaukee Goes to Bat" which captures the spirit of these two great sportsmen—one who brought the team to Milwaukee and the other who successfully led it to win the 1982 American League pennant. As indicated in the article, "The Brewers are not just a baseball team: they're a civic cause."

Mr. Speaker, I would like to share the article with my colleagues who may wish to read about the team that is certain to win the 1983 World Series.

The article follows:

[From the Northwest Orient, May 1983]

MILWAUKEE GOES TO BAT

It is late January in Milwaukee, the middle of a winter that has not been particularly kind to the country's economy, and especially to the economy of cities like Milwaukee, which have long been the industrial heart of the nation.

This year, however, Milwaukee has had something that the other cities have not: the Milwaukee Brewers baseball team, a team that has become a cause in its community; a team around which the entire city of Milwaukee has risen up, struck by its vision and thrilled by its success. The story of the Milwaukee Brewers is not an ordinary story.

It picks up on a particular evening in January, as the seventh floor of the Pfister Hotel rapidly fills with a huge number of buoyant Milwaukeeans, all quickly sloughing their overcoats and taking up a bottle of beer with their free hand. It is the Diamond Dinner, a time to reexperience the excitement of the Brewers' winning of the American League pennant in 1982 and their near miss in the World Series against St. Louis. So enthusiastic is the city's support for the team that general manager Harry Dalton would say later in the evening that "you would think that we had won the Series, three games to four."

The elevators keep opening on the seventh floor, disgorging new ranks of revelers, while those already arrived find themselves pressed increasingly closer to the walls. The ones fortunate enough to have tickets to the Celebrity Reception push on toward a ballroom at one end of the floor, where Brewers sitting along two rows of tables obligingly sign autographs, and occasionally stand up to have their picture taken with Susie and Billy, or even sometimes with Mother and Grandma. The proceeds for the Celebrity Reception, as well as the dinner to follow, all go to the charitable organization Athletes for Youth (AFY), one of the reasons the Brewers have become a cause in the community.

At the door, part-owner Ben Barkin warmly greets nearly every person who enters. Barkin, president and principal owner Bud Selig and former Green Bay Packer and Football Hall-of-Famer Willie Davis all founded Athletes for Youth, and it is the idealism represented by a community cause such as this that finds a reflection in the character of the ball club.

Inside the ballroom, right fielder Charlie Moore, recipient of the Unsung Hero Award, sits writing his name and quietly beaming, as perhaps an unsung hero typically would. Third baseman Paul Molitor (Igniter Award, American League [AL] runs-scored leader) signs a profusion of balls and bats tendered him by a crowd of breathless youngsters. Shortstop Robin Yount (AL Most Valuable Player [MVP], major league baseball MVP, Harvey Kuenn Hitting Excellence Award, AL All Star) is mobbed by most of the population under the age of 16 in the greater metropolitan area, and he greets each new face with a smile and a pleasant word.

Across the room, relief ace Rollie Fingers (1981 AL MVP, 1981 Cy Young Award winner and 1981 Fireman of the Year), manager Harvey Kuenn (Manager of the Year), Gorman Thomas (AL homerun champion) and owner Selig perform approximately the same functions.

Off to one side, in a dark alcove, a film of 1982 Brewers highlights draws a continuously changing crowd, which cheers again the sliding catch made by left-fielder Ben Oglivie (AL All Star) to save the East Division title on the last day of the regular season: It is the bottom of the eighth in Baltimore, there are two men on base for the Orioles, two men out, the Brewers leading 5-1, after losing the first three games. The winner of this game wins the division title. The Orioles' Joe Nolan hits a screaming shot into the left-field corner that looks about to drop into fair territory for extra bases. Oglivie charges at it full-speed, sees the ball beginning to drop, reaches out as far as he can toward it and catches it literally between his knees, inches off the ground, as he slides across the foul line on the seat of his pants.

After this the crowd sees the last game of the American League playoffs, the climactic moment of the Brewers' comeback from a two-games-to-none deficit against the California Angels; Cecil Cooper (AL All Star) hits a liner to left field and runs up the first base line, yelling "Down! Down!" to the ball. After it drops for a hit, thousands of fists in County stadium pump the air in jubiliation.

The crowd in the alcove watches in silent admiration or with a few cheers and then disperses back into the main ballroom.

Eventually the Celebrity Reception ends, those in the ballroom enjoin those drinking beer in the hallway, and the entire crowd surges in the opposite direction toward another, bigger ballroom for the dinner.

Brewer Vice President Dick Hackett welcomes the crowd and picks up a tape recorder. "Let's see how many of you remember this event," he says.

"What you hear in the background," says the announcer on the tape, "is 54,568 fans; nobody has left. Ladd ready * * * The one-two pitch—ball lined to Yount at short. He's out! It's over! The fans come streaming onto the field of County Stadium. It's ab-so-lute pandemonium. The Brewers * * * have defeated * * * the California Angels."

The crowd bursts into another cheer, and, for a moment it is October again, and there is a thrill in the air, an elusive spirit, a feeling that there cannot possibly be more happiness, more excitement, more utter delirium anywhere in the world than there is right now in Milwaukee.

When this nostaligic moment has ended, and people have again seated themselves, the first award of the evening is presented. It is the Evan Helfaer Good Guy Award, an award of general commendation given in memory of one of Milwaukee's greatest philanthropists, a man who donated money not just for the commonwealth, but specifically to elevate the moral climate of the city.

The award is given to part-owner Ben Barkin, who accepts it with these words: "Evan Helfaer was a great man. * * * He gave away millions of dollars to many good things, asking but one thing: no organization would be a recipient of his dollars if there was anything that was 'anti,' whether it was antireligion, anticolored or anti anything else. * * * He thought only in terms of good things. Now the wonderful thing about the Milwaukee Brewers is that the ownership is made up of good guys; and the players are good guys; and they make this community sing out. And if ever we needed a time when we had a spirit, we need it today."

Barkin goes on to describe one of the organizations that came to be a vehicle for Helfaer's intentions: Athletes for Youth, a program that today serves 2,500 youths in the inner city of Milwaukee with a variety of sports programs and clinics. He describes the first-ever activity organized by AFY: the sending of 300 inner-city youths to Green Bay to watch a Packers scrimmage, and to eat lunch with the team.

"I don't know how many of these young people were touched by that occassion," he continues, "but I do know that there was inspiration all over the place. That is what this community needs, and that is what the Brewers have given to this town. They have created a spirit, and I hope that that spirit will continue to give this community a lift."

Later, Bud Selig, the president and chief owner of the Brewers, is introduced, and he recalls the season in these words: "There are things that do stand out. That last Sunday in Baltimore, where I said to myself, now I know how the captain of the *Titanic* felt. . . . Don Sutton walking in from the bullpen saying, 'We'll be all right; we'll be all right'; Gorman (Thomas) and Charlie (Moore) nodding each inning after they came in, 'We're going to be all right' . . . and we were. Then, coming back from Anaheim 0-2 . . . that tremendous, tremendous weekend captured by the moment that I don't think I'll ever forget: Peter Ladd pitching to Rod Carew . . . ground ball to Robin (Yount) . . . and the throw, and all of a sudden all those years were well worthwhile.

"I guess the thing that pleases me the most about the whole thing was what it did to Ben Barkin and me, and the fans who were sitting in that stadium. To be a part of that, to watch all that joy and happiness in a world that hasn't had very much joy and happiness lately, was more of a thrill than a hundred people could live through in a lifetime. I've never had that kind of thrill."

The rest of the evening continues with the giving of awards to those members of the organization who have earned them. What is remarkable about this organization is that in nearly every single case the recipient of the award refuses to accept the honor without first acknowledging the other members of the team, the coaching staff, the management and owners, and frequently the city itself. None of this acknowledging is done with the false piety sometimes found in sports organizations, which is characterized by the honored person throwing ritual encom'ums upon anyone tangentially connected with the achievement. At this gathering, it is evident that the speakers truly recognize the help and support of those they are acknowledging.

Pete Vuckovich, the AL Cy Young Award winner, is given the Brewers' most valuable pitcher award, and he thanks Selig and general manager Harry Dalton for bringing him over from the National League, then he thanks the city for its support.

Dalton, given the Sporting News Executive of the Year award, insists it is an organizational award, not an individual award, and accepts it only on behalf of the organization.

Yount, given the Sporting News major league MVP award, says, "It's hard to accept things like this; this isn't just for me," and then thanks his teammates and the city.

Kuenn, given the AP and UPI Manager of the Year award, says that managers don't win pennants; the players do.

And finally Robin Yount again, receiving the AL MVP award says, "I'd like to thank Bud Selig for being such a great man, and a nice man, who doesn't treat his players like merchandise; he treats us like people. It's a good feeling to know that your owner, your boss, really cares about you. I'd like to thank Harry Dalton for putting together such a great group of guys—not just great players, but great people. I'd like to thank the players, the coaches, Harvey Kuenn, and, believe it or not, I'd like to thank (former manager) Buck Rodgers, and most of all I'd like to thank you. Rock on, Milwaukee!"

After this, the townspeople at the dinner, give Robin Yount a 30-second standing ovation, his third of the night, and let him know that his sentiments are heartily reciprocated.

Harry Dalton sums it all up later: "There has to be a willingness on the part of the player to subordinate himself to the best interest of the ball club, and it's often the case in sports that they don't always do that. What made this team a unique group of people was that the leaders on the club were the people who were most willing to do that, and they set a good example for the whole team."

The next day, president Bud Selig tries to describe the spirit in Milwaukee last October. Selig is an extraordinarily intense man of 48 who paces and agonizes at every Brewers game, smoking an endless succession of tipped cigars—Ben Barkin would later describe the eleven cigar butts smashed into the ground around Selig's seat during the last game of the season against Baltimore, an indication of the relative importance of that game to him.

Selig is thoughtful and concentrated, but even he falters at times in trying to describe the charged atmosphere of the previous fall, for the sheer wonder of it.

"There's something about baseball," he begins, "that is really just so unique and so marvelous that it's almost hard to articulate. It brings out the emotions that I described at the dinner last night: love . . . and drama . . . and, for sure, excitement.

"The night of October 10 here, after we won the pennant . . . . It was really—it was marvelous. It was one of life's great moments, no question about that. And you can't really fully comprehend it yourself, you're so deeply involved.

"And then two weeks later at the parade. It wasn't until the end of the parade that I began to realize what that spirit had done. I always knew in my heart, and had said it a thousand times; but, you know, you can say a thing a thousand times, but until you see it for yourself . . . .

"I remember the trip up Wisconsin Avenue," Selig continues. "We had lost the seventh game of the World Series the night before, and I was feeling so low and so down, and I said to my wife, 'I don't understand why we're having a parade today, when we're not the winners.' And she said, 'Well, you're the only one in town who feels that way.' And I said, 'No, I don't think so.'

"And then when the cars pulled out and went down Wisconsin Avenue, I was a little nervous to see what it was going to be like, and I could tell immediately when we pulled out of the First Wisconsin garage that it was going to be big—but then! I saw those people crying and waving, and office buildings—thousands of people hanging out of the windows—a mass of humanity—you couldn't even move. The cars finally had to stop; they had to close the downtown off. It was unbelievable . . . . It was an immense crowd of people crying, and everybody in all our cars in our motorcade were just—you can't describe it.

"And then when we got out here (to County Stadium), another big crowd of people was waiting: we rode in, and Pete Vuckovich got up, feeling very badly about the seventh game of the World Series—he hadn't won, although he wasn't involved in the decision—and he tried to tell the crowd how terrible he felt; he'd let them down; he'd let the state down. And they started chanting, "It just doesn't matter; it just doesn't matter,' and they drowned him out. I just sat there, and I watched it, and I remember looking over to Cecil Cooper, and he looked at me, and we were just overwhelmed . . . we looked down. . . . We just didn't know what to say. We just came in after that and sat down just like this for an hour. It was a very powerful experience, a marvelous, wonderful experience."

Selig looks away and shakes his head, still unable to fathom completely that outpouring of spirit.

"I had friends of mine in baseball who were here," he continues, "other owners who came for the World Series, and they saw—Bob Lurie of the Giants stood in my box and just shook his head, and said, "This is unbelievable. This is just unbelievable."

"And it was! You can't orchestrate that kind of stuff; a lot of sports teams try to market things, and market that kind of cheerleading, and you just can't do that: It's phony. It comes from the heart, and that kind of thing comes from the chemistry between the organization and its fans, and that has to be very nurtured and very natural. If it isn't natural, you're in trouble.

"You know," he goes on, "baseball—and sports, all sports—have a great opportunity to make a very positive contribution to society, so now in these economically hard times, the people of our city—amidst a terrible economic recession, that has created a sociological depression as well—the same people that had no hope, nothing ever to look forward to—all of a sudden this baseball team becomes their team, is their team. They have hope, they have faith, they have something to look forward to; they win, they improve. It just uplifted people. It was amazing. I've got letters—I could read them to you—that are absolutely beautiful, just gorgeous.

"A man stopped me at a drive-in I usually go to for lunch—people have been stopping me all year—and he said he just had to tell me what happened with his son. He had a 15-year-old son. He said, 'I've had a lot of trouble with my son'—which is not unusual in this day and age—'and I'd gotten tickets to the fifth game of the playoffs, and what a game!' And he said, 'When it was over, we didn't want to leave the ballpark, and we drove down Wisconsin Avenue, and we didn't really want to go home, we were so excited. And my son said something to me on the way home that he had never said to me before, and that he may never say to me again. He said, "Dad, I've enjoyed spending the day with you, and I love you very much,"' And the guy said to me, 'Can you imagine how I will always view the Brewers in everything after this? I slept better that night; I can't tell you what all this meant to me.'

"Well, that's what we have the capacity to do, if we will do it," Selig continues, "and one has to try to understand all that. You normally would not expect a baseball team to do that much for people, but that's what this thing is all about. People don't seem to understand that sometimes, especially people in sports, where they should know it: the charm of our game, the magnitude of our game, is its relationship with young people, with middle-aged people, with older people. And so the more you can build it into their lives, in every way, that's the objective of all this."

Selig pauses to unwrap one of his cigars, which sit stacked in boxes on a bookcase behind his desk. Lighting it, he leans back in his chair, searching for the definitive summary of all that he has said.

"I always try to do what I think in my mind is the—quote, unquote—'right thing' to do," he reflects. "And you build a reputation, and the organization builds a reputation, on decency, and on doing the right thing, and certainly on compassion and sensitivity; they are all very, very important. You can win with decency, you know; you don't have to be a bad human being to win. Leo Durocher was wrong; nice guys do not finish last. And I think that's a bromide in sports that's kicked around, and it's absolutely fallacious.

"And so to see here such unbridled joy and happiness, you knew then that what you had done and what you were doing was really very right, and when I said last night that the Brewers team represented a remarkable triumph of decency, that's what it was about."

Selig's idealism has not only inspired the community, it has also earned him recognition nationally. In 1978 he was named Major League Executive of the Year by United Press International and in 1981 he was named International B'nai B'rith Sportsman of the Year. This year he was named Sports Man of the Year by the U.S. Olympic Committee, which specifically cited his contributions to Milwaukee-area youth, contributions that go back to the days before the Brewers came to Milwaukee, when Selig, Barkin and Willie Davis organized Athletes for Youth.

To understand the complete story of Athletes for Youth, to get a sense of what it has done for the teenagers of Milwaukee's inner city, you really need to take a trip into the heart of that area with Barkin, to a modest delicatessen called Jake's Deli, located at North 17th and west North Avenue. Jakes' Deli is co-owned by Barkin and Selig, and, while it is not even known to many of the people in Milwaukee, it has long been the purveyor of corned beef, pastrami and hot dogs to such people as Leonard Bernstein, Mitch Miller and Henry Winkler, the Fonz of television's "Happy Days" who has declared the hot dogs to be the finest in America.

But the most singular fact about Jake's Deli is that it is the only commercial establishment in the area that has not been robbed, because the innercity residents know when someone is on their side. They are the beneficiaries of the Athletes for Youth programs, and some of them work at the deli itself. Barkin's secretary, Roberta Waite, has even said that if she is out running an errand for him in his car, and if that errand involves picking up some food for someone at Jake's Deli, the very appearance of Barkin's car in that neighborhood will evoke smiles and waves from casual passers-by.

As Barkin, a warm and engaging man in his 60s, tells it, "It sounds corny, and it's a cliché, but life is short. My mother once taught me something which is true. She said, "To be decent has to come as natural as breathing; if you're going to be devious you have to plot and plan. So it's much easier just to be decent and live a normal kind of life."

Barkin's training in decency came while growing up as a boy two blocks from Jake's. His parents would always solicit contributions from neighbors for anyone in the neighborhood that was sick, and Ben would be the one who would bring it over to the house of the ailing neighbor. All through grade school, when coming home for lunch, he would stop and get a blind man, and lead him to the Barkins' house, where Mrs. Barkin would feed him lunch. Ben would then return the man to his home on his way back to school.

Currently Barkin is chairman of the board and chief executive officer of the largest public relations firm in Wisconsin, a firm that he founded, and he had been honored in that capacity by the results of a poll of 100 newspaper editors, which selected him as the public relations person they most enjoyed working with, on the basis of integrity.

The convergence of the moral intentions of Barkin, Selig and the Brewers is largely represented by the Athletes for Youth program, which has created ever-widening ripples of good will throughout the area. At the day-to-day level this manifests itself in gestures as simple as the Milwaukee police force carrying Brewers baseball cards with them to give away to inner-city children. The cards bear a likeness of a player on one side and a moral exhortation on the other.

"It's great for the community," Barkin says in describing the baseball card distribution. "But that doesn't mean that that's the only thing that a person has to do to create community relations, but it's good in that you're reaching kids who have enthusiasm about something."

Beyond simple gestures like this one come the efforts of the professional athletes themselves. "It's like if I ask Cecil Cooper and his wife, Octavia, or Larry Hisle and his wife, Sheila, to help me in the Inner City Arts Council," Barkin goes on, "they're happy to do it, and not only do they help, they contribute dollars; and, if there's an event where we have to sell tickets, they'll sell tickets."

The spirit of AFY has also extended itself beyond the efforts of its founders. Selig came to work one day to find a group of young people being given a tour of the stadium by Jim Rice of the Boston Red Sox and Cecil Cooper. It was an effort spontaneously generated by the two ball players.

Willie Davis, one of the AFY cofounders, has extended the principles of the organization to other projects in the black community, and he is now enlisting other professional players in the hope of organizing some kind of program that will provide ongoing careers after sports for athletes currently playing at the professional level.

Barkin sums the spirit up perhaps best of all: "You know, to be part of something where you can express yourself and find joy in what you're doing, or make things a little easier or better for someone else is really selfish, because it makes you feel good."

So the circle grows. The Milwaukee Brewers began as a cause to bring baseball back to the city after the defection of the Braves to Atlanta, and out of that cause came a pennant, and out of that has come an ethic around which the entire city have rallied. The Milwaukee Brewers have proved to be an irresistible force in the community as well as in the major leagues, and, as concert pianist Eugene Istomin said, coming late to his engagement with the Milwaukee Symphony so that he could attend the team's Celebrity Reception, "Who can say no to the Milwaukee Brewers?"●

TRIBUTE TO MARY DOWNING

HON. HOWARD L. BERMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 12, 1983

● Mr. BERMAN. Mr. Speaker, I would like to take this opportunity to congratulate Mary Downing, outgoing president of the Panorama City/Sepulveda Chamber of Commerce, on completing 2 outstanding years of service to our community.

Mary Downing has been an active member of the Panorama City/Sepulveda Chamber of Commerce since its inception, and, prior to that, with the Panorama City Chamber of Commerce. She was one of its founding members, participating in the combining of the two separate chambers. She

has served as a director, treasurer, and, most recently, she has served two terms as president.

She is a leader in the business community as well, having been with the savings and loan industry since 1970. Mary Downing is currently the vice president and manager of the Panorama City Central Federal Savings & Loan.

Mary Downing is also active in other community groups, serving as a member of the Soroptimists of the San Fernando Valley, the San Fernando Valley Fraud Group, and the Mid-Valley Community Police Council.

I am pleased to be able to commend Mary Downing for her efforts, and wish her the best of luck in the future. Her contributions to our community are something to be proud of, and I am sure that she will continue to give us the benefits of her talents and skills in the years to come.●

CROSS FLORIDA BARGE CANAL

HON. CHARLES E. BENNETT

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 12, 1983

● Mr. BENNETT. Mr. Speaker, on May 11, the CONGRESSIONAL RECORD contained a letter from Florida's Attorney General Jim Smith about the Cross Florida Barge Canal. In reply to a similar letter from Mr. Smith I wrote him as follows:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D.C., May 9, 1983.

Hon. JIM SMITH,
Attorney General, State of Florida, The Capitol, Tallahassee, Fla.

DEAR JIM: Thank you for your May 3 letter. The Chief of Engineers' report to the Secretary of the Army dated February 24, 1977, said of the Canal that the "adverse environmental impacts are not so severe as to demand a decision against completion of the Canal if it were economically justified by an ample margin." The Corps found the economic justification marginal; and the report then stated "when the marginal economic justification is combined with adverse environmental impacts, the combined total effect does not favor completion." Congress has recently approved an update on the economic aspects of the Canal, as you know, I presume.

Your letter indicates that former owners are litigating their claims for a return of their lands in the Canal route on the theory that the taking of their lands was for a purpose now abandoned. Your letter also indicates that some of this land is environmentally sensitive; and that success by the former owners would also thwart recreational uses.

In view of these circumstances it would appear to me that Congress should not now deauthorize the Canal because:

(1) the economic study authorized by Congress shows that the project is not rejected by Congress, and

(2) deauthorization would apparently give the former owners the proof they need that the project has been rejected by Congress and thus endanger the ecological and recreational values you mention.

Although I have not briefed the law on the subject, my guess is that taking land for a specified objective like building a canal cannot be the basis for holding this land for other purposes; so it seems to me that Federal or State legislation on this subject cannot accomplish an assertion to public holding of these lands for an objective not in the original taking: at least that is how it looks to me.

I sincerely hope the deauthorization legislation is therefore not rushed into enactment pending a complete analysis of what this may in fact do.

With kindest regards, I am

Sincerely,

CHARLES E. BENNETT.●

WISDOM OF THE PEOPLE

HON. MARCY KAPTUR

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 12, 1983

● Ms. KAPTUR. Mr. Speaker, there have been a great many eloquent words spoken on this floor regarding the issue of U.S. involvement in Central America, but, I believe, few are more meaningful than those that come from the American people themselves. I would like to share with my colleagues excerpts from a few of the many letters which I have received in response to the President's recent speech on Central America. These words from my constituents are representative of the mail I have been receiving on this issue, whether it be from students or laborers, mothers with young children or senior citizens. The wisdom of the people should be considered as we debate the future role of our Government in Central America.

Excerpts from my constituent letters follow:

"It seems to me that Senator Dodd made more sense in his rebuttal than did President Reagan in his speech. We too feel that the equivalent of money asked for arms, sent instead to bolster their economy, could provide jobs, food, shelter and clothing, and could in the long run change the terrible situation. What possible outcome can heightening the slaugher have but increasing the hatred of everyone to everyone else, and especially to us, the USA. We are getting caught again in a no win and cruel situation. Please help keep our country from making that mistake."

—

"I remember several years ago when the American people were told that 'Military advisers' were being sent to Viet Nam. What followed was one of the most tragic times in recent history. I see history repeating itself in Central America and it angers and frightens me.

"Our children deserve a productive future, one of hope and peace, not one that has had the life drained out of it by an inflated military budget that promises only destruction, with no thought for quality of life."

—

"Sometimes I think the United States is throwing buckets of gasoline on brushfires. Please keep pushing for non-war solutions. Ambassadors, anyone with the knowledge to help these factions reunite, are whom we should be sending, not money, not artillery nor our cooperation in any way with their war effort. I would like the world community to see the U.S. as an intelligent country whose goal is world peace. Can we ever act this way? The President's idea that war makes peace is at too terrible an expense."

—

The reason for my letter is Central America and specifically El Salvador. I am an avid reader and it is my belief that much of what is happening in that area can be traced back to the years of American "imperialism." In other words when the Marines were used as a punitive force to back up the giant United Fruit Company, the so called "banana wars." People do not forget injustice and are distrustful of our policy of so called "democracy" enforced by escalating military power.

But the most telling argument against President Reagan's policy is the fact that after four years nothing has been done about the brutal and repulsive gang rape and murder of three nuns and a lay person whose only crime was following the Gospel as they knew it . . . Until such time as these savage and barbarous deeds have been accounted for, I for one will not believe in the sincerity of the President and his program in this area."

—

"I am becoming very disturbed by the situation developing in Nicaragua. Our government is interfering in a fragile situation that can only add to the instability in the area and make enemies for us, perhaps ultimately pushing governments in the very direction we proclaim to be fighting against. The Sandanista government has sponsored programs such as literacy training, health and nutrition . . . They admit to having made mistakes, but need some support and credit for what they have done for the benefit of their people rather than our condemnation . . . Once again, we appear to be on the side of dictators and business interests rather than the side of hungry people. Our involvement in Central America over and over again is destructive and destabilizing."

—

"When you start talking to me about Central America, my feelings come directly from being there when my father was in the banana business. When I hear President Reagan telling us that we are on our way back again, I wonder if he knows where back is. It means back to the 'banana republics'."

—

"Re: Central America I recommend a massive Peace Corps offensive."

—

"You better try to save us rather than save our dictators in El Salvador, Guatemala, and Honduras. Vote this aid down and start helping our people before we have an El Salvador here in this country. Listen to an elderly person. . . . There are no roses growing here and people are not being caught by his safety nets and the Communists are not trying to run up from Central America to get us. These are the people who only want what we once had, Freedom." ●

WILLIAM H. McLAIN, 100TH BIRTHDAY

HON. WILLIAM H. GRAY III

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 12, 1983

● Mr. GRAY. Mr. Speaker, I want to take this opportunity to honor and congratulate one of my consitutents, Mr. William H. McLain who on May 24, 1983, will celebrate his 100th birthday.

As is customary at birthday celebrations, Mr. McLain's family, and friends will gather to recognize Mr. McLain for having reached the golden pinnacle of 100 years of age.

Mr. McLain was born on May 24, 1883, in Darlington, Md. It was in Darlington that he was raised and received his education at the Cedars School. Having decided to make Philadelphia his home, he married the late Lucy McLain in 1910. A butler by trade, he worked for various distinguished families, including the Steadmiller family of Philadelphia, Senator and Mrs. Burkes and J. B. McCallom, the former vice president of the Campbell Soup Co. whom he served for 25 years. In 1953, after several years of service with the board of education as a maintenance engineer, Mr. McLain retired. A faithful supporter of the church, he still attends Greater Saint Matthews Methodist Church where the Reverend Edward Nichols is pastor.

Currently a resident of the Saint Ignatius Nursing Home, Mr. McLain still finds the time to engage in something he has always loved; dancing. Mr. Speaker, I understand from a very reliable source that he still does the "tango and can fox-trot with the best of them," as many of the residents and staff at the nursing home will attest to their exhaustion after having danced with him.

Surely, he has been an outstanding citizen of Philadelphia. While he has never boasted an official title, he has earned the respect and admiration of family members and friends. And while one would not consider him a man of great monetary wealth, without a doubt he is rich in the spirit of life and wisdom.

I am sure that thoughout his life he has faced many challenges and setbacks, but because of his wisdom and determination, the true foundation of his life, has remained firmly intact for a century.

Mr. Speaker, please join with me and the many family members and friends of Mr. McLain in wishing him a happy 100th birthday.●

A TRIBUTE TO MR. FRANK J. MATRANGO

HON. SILVIO O. CONTE

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 12, 1983

● Mr. CONTE. Mr. Speaker, I want to take this opportunity to pay tribute to Frank J. Matrango who has recently completed 14 years as a representative in the Massachusetts State Legislature.

I wish at this time to place into the CONGRESSIONAL RECORD the saga of this outstanding constituent and treasured personal friend who has gained the admiration and respect of all who have had the opportunity to feel the warmth of his sincere personal involvement in helping his fellow man.

In his 14 years in public office, Frank dedicated himself to work for his district and for the entire State. As house chairman of the powerful and prestigious joint legislative committee on education, Frank fought hard for excellence in educational facilities and standards and he would never settle for mediocrity. His insight and commitment were instrumental in achieving progress in educational legislation, in fair and equitable distribution of funds and in setting energetic goals to help keep Massachusetts education in the forefront.

During his years in the State legislature, his years as athletic director of St. Joseph High School, and in all of his endeavors, Frank had more to guide him than intellectual competence. That extra asset has always been conscience—conscience guided by morality and principle, never compromised and never taken lightly. Consequently, the citizens of North Adams, of Berkshire County and of the entire Commonwealth of Massachusetts have received a host of benefits through his career of serving the public.

Frank Matrango has played a critical role in the development of high-quality standards in education—standards which will have important implications on our lives for many years to come. I am sure that my colleagues join with me today in paying tribute to such a distinguished citizen.●

PLIGHT OF YOSEF BEGUN

HON. HENRY A. WAXMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 12, 1983

● Mr. WAXMAN. Mr. Speaker, today I wish to bring to the attention of my distinguished colleagues and my fellow Americans not the plight of 2.5 million Soviet Jews, but the plight of one person—the mathematician and engineer, Yosef Begun.

For 20 years, Dr. Begun was a senior research assistant at the Central Research Institute in Moscow. In 1976 he applied for a visa to emigrate to Israel. Dr. Begun was dismissed from his post and his application was denied. Since then he served two terms in prison and exile for the crime of teaching Hebrew.

Last November 7 he was arrested again and is now held in Vladimir Prison. When he was arrested by Soviet police agents, a substantial quantity of incriminating evidence was confiscated and cataloged. In free countries, the confiscated materials would not even raise an eyebrow. Included in the list of incriminating items taken from Begun's apartment were such well-known publications as "Ninety Minutes in Entebbe" by W. Stevenson; Howard Fast's best selling novel, "My Glorious Brothers," and the widely used philosophical treatise by M. Diamont, "Jews, God and History."

That is the extent of Dr. Begun's criminal career. His offenses against the Soviet state have all been of a kind. He promoted the study of the Hebrew language. He immersed himself in whatever materials he could obtain on the history, beliefs, and traditions of the Jewish people. He shared his knowledge with others. What the Soviets call treason we call education.

It is impossible to exaggerate the wisdom of the Soviet Government and its intelligence agents. They rightly fear ideas and beliefs as a greater threat to their totalitarian system than mere guns or hand grenades. They have, however, one fatal intellectual failing. As materialists, they equate ideas and beliefs with their material manifestations—books, cassettes, magazines, and typewriters. True, they have confiscated these concrete possessions. However, they have not confiscated the intellectual and spiritual aspects of Yosef Begun's inner life. Even the Nazis could not obliterate the eternal Jewish spirit.

As we review the current circumstances of Yosef Begun and the numerous other refusniks in the Soviet Union, we must bear in mind two salient facts. First, not since the wave of Soviet Jewish emigration began in the early 1970's have Soviet Jews been in such dire straits. Internal repression has increased sharply; freedom of emigration has come to a near standstill.

The second point of which we must never lose sight is that the fate of Soviet Jewry is in the hands of those of us who live in freedom. Soviet Jews cannot hope to overcome their tyrannical masters with their own dwindling resources. All depends on the support we provide them and on the very substantial leverage we in the West exert on the Soviet leadership.

We must persist in fulfillment of the ancient Jewish Torah law of "Pidyon-Shivuyim" which holds each individual and each community responsible for the ransoming of captives. We must act swiftly before the Soviet Union is engulfed in a wave of anti-Semitic show trials reminiscent of the Stalin era.

Yosef Begun is 50 years old. He is a mathematician. He has harmed no one. Yet he is branded a criminal. This persecution by Soviet authorities of a man whose activites do not threaten them or their power is bizarre. If the Soviet Government truly believes that Yosef Begun's ideas are a danger to them, they should allow him to leave—let him be exiled to a foreign country—and not keep him in prison.●

HONORING NORWALK-LA MIRADA UNIFIED SCHOOL DISTRICT EMPLOYEES

HON. ESTEBAN EDWARD TORRES

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 12, 1983

● Mr. TORRES. Mr. Speaker, today at a special reception, the Norwalk-La Mirada School District will be honoring 13 people who have served the district as loyal employees for 30 and 35 years.

These fine and dedicated people will be honored for their outstanding public service. After serving so many years with much distinction, these admirable people will be honored by their peers, their school district, and their communities.

It is with great honor and pride that I rise to recognize them on the floor of the U.S. House of Representatives.

Education is an extremely important subject to me. The people who educate and tend to the needs of our young are very special. As we commend these individuals, let us also commend all those who serve in our educational system.

I would like to point out that these employees have served in one of the finest school districts in the country. The Norwalk-La Mirada School District has an outstanding record of high educational quality.

Mr. Speaker, I ask my fellow colleagues of the House to extend best wishes and heartiest congratulations to the following honored persons who have added so much to enhance this fine school district and the youth of our country.

Evelyn T. Farquharson, La Pluma Elementary School, teacher; Jean Haygood, Eastwood Elementary School, teacher; Donald R. Downs, Foster Road Elementary School, teacher; Eldon Edwards, La Pluma Elementary School, teacher; Priscilla J. Kadelbach, Nuffer Elementary School, teacher; Lucy E. Kuster, Waite Elementary School, teacher; Ivan Naumann, maintenance, mechanical foreman; Damaris Neel, food services, director; John H. Newman, John Glenn High School, teacher; Wayne M. Petersen, transportation, bus driver; Edward J. Phillips, Foster Road Elementary School, teacher; Melvin Sanford, food services, utility man; Dino R. Tiritilli, Moffitt Elementary School, teacher.●

THE WAR AGAINST CIVIL RIGHTS

HON. JOHN CONYERS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 12, 1983

● Mr. CONYERS. Mr. Speaker, for 20 years through a combination of court-ordered desegregation of public schools, affirmative action policy, civil rights laws, and strong Justice Department enforcement, educational and employment opportunities for black Americans advanced. In the past 2 years alone, however, 20 years of civil rights progress is unraveling. Economic decay, along with the far-reaching reverse redistributive policies of the Reagan administration, have set back the social and economic status of black citizens for years to come.

The Reagan administration's gathering campaign against affirmative action is yet another phase in the administration's longstanding effort to undo the redistributive and civil rights policies that have existed since the sixties.

Two weeks ago, the head of the Civil Rights Division officially confirmed the thrust of administration policy: There no longer will be efforts to promote civil rights laws, policies, and court settlements; instead, the Justice Department's considerable resources will be placed at the service of undoing the very fabric of civil rights. I have waited for a critical analysis of the new policy, and finally have found it. Writing in the Hartford Courant, (May 1, 1983), former Assistant Attorney General for Civil Rights, Drew S. Days III, provides the best analysis of the administration's assault on civil rights laws that I have seen. He served for 4 years as the head of the Carter administration's Civil Rights Division and is professor of law at Yale University. I offer to my colleagues Mr. Days' analysis:

[From the Hartford Courant, May 1, 1983]

THE WAR AGAINST CIVIL RIGHTS

(By Drew Days III)

No matter how you slice it, that's just plain baloney," says President Reagan to critics of his civil rights record. And Larry Speakes, his media spokesman, found the courage recently to declare that the Reagan Administration's "rights record was stronger than any other administration." Nothing could be further from the truth. I am writing to set the record straight: For more than two years, the Reagan Administration has been attempting to wipe out civil rights gains that took two generations to achieve.

I realize I run a risk of not being taken seriously on this topic. I probably have three strikes against me before I start.

First, I am a Carter Democrat. For four years, I was Assistant Attorney General for Civil Rights, the nation's chief enforcer of laws that forbid discrimination. People are accustomed to discounting criticism of those in power by those out of power. It's called "partisan sniping."

Second, I am a black man. I sense that white Americans often view black opposition to the Reagan Administration as a sort of knee-jerk reaction; that we criticize Reagan Administration cuts in programs that treat blacks—some would claim—more favorably than others, regardless of whatever objective reasons might justify them. Blacks, the view goes, are "special pleaders" unwilling to accept equal treatment along with everyone else.

And third, I teach at Yale Law School. It is sometimes charged that professors here have their heads in the clouds and confuse what the law is with what the law ought to be. I don't agree with that assessment. And even though two of my colleagues were recently appointed federal judges by President Reagan, the law school is also considered a hotbed of liberal legal thought. Some readers, consequently, will want to relegate what I have to say to the realm of theory.

But these "handicaps" don't apply, in the end. This is not a partisan matter.

During my last days in office, I was asked frequently by reporters whether I thought Ronald Reagan's campaign rhetoric meant that his administration would attempt to sabotage civil rights. Although I had my fears, I truly thought the new president and his appointees would find, like others before them, that there is a big difference between running a campaign and running the country. Once in office, you simply can't do everything you want to do: You have to obey the rules. Other government officials have found that whatever their original intentions, their oath to obey the law, among other things, limited their plans. In no federal agency has this been truer than at the Department of Justice. New arrivals quickly learned they couldn't wantonly renounce legal positions taken by their predecessors—these positions were spelled out in congressional statutes, or embodied in opinions rendered by judges.

When I got to the Justice Department and settled into an office once used by J. Edgar Hoover—it was in a 1930s, Depression-era building, with high ceilings, wood paneling, a fireplace and a view of the Capitol—it became clear to me, as I hung a picture of Frederick Douglass on the wall, that I had stepped into a tradition, that I had to adhere to some positions taken by prior administrations even though I disagreed with them. Of course, I was committed to making changes that I thought would advance the course of civil rights, but I understood that progress would be slow and painful.

One bit of progress, for instance, protection for minority contractors who wanted to participate in federal projects, took 30 lawsuits, two years, and talk—hours of talk, lawyers sitting around, their suit jackets off, cigarette smoke in the air, trying, simply, to figure out what to do. And I prided myself on keeping meetings short; lawyers, I thought, talk best in court, not in meetings.

People got headaches; I went home at midnight. It was hard, slow work, although we finally got to the Supreme Court and saved the program.

But I now realize, after two years of careful observation, how greatly I underestimated the Reagan Administration's ability to perform the unthinkable, and quickly. It isn't just the day-to-day destruction of civil rights work that we labored over. Unfortunately, the current assault threatens far more than that. What is threatened is a consensus on civil rights that was forged during the last term of Franklin Roosevelt and since has been adhered to by every administration, Democratic or Republican. Even Richard Nixon understood the rules.

But look what the Reagan Administration has done, in the face of law and commonsense.

It has opposed even voluntary desegregation.

The school boards of Seattle, Tacoma, and Pasco, Washington, for instance, came up with their own desegregation schemes in 1978, without any court orders or administrative rulings telling them to do so. They just felt it was the proper thing to do.

Several citizens then challenged this effort and a state law was passed that barred further voluntary desegregation in those cities. When the school districts went to court to overturn the law, the federal government (under the Carter Administration) supported them. But when the case came to the United States Supreme Court last year, the Reagan Administration took the other side—in an unprecedented move, it argued in favor of a law that a restricted a voluntary attempt to desegregate local schools.

The Supreme Court was unimpressed by the Administration's arguments (which claimed that state control superseded local autonomy) and held the law unconstitutional. However, this confrontation taught a painful lesson. While desegregation can theoretically still succeed, the front lines in civil rights battles have been manned in recent years by federal officials working shoulder-to-shoulder with private civil rights organizations. Subsequent efforts are apt to be demoralized when half the team suddenly switches to the other side.

And, in fact, the opposition doesn't stop there. The Reagan Administration has undertaken more sweeping and concrete reforms. For instance:

The Reagan Administration has categorically rejected busing.

In October 1981, William Bradford Reynolds, my successor (although that word bothers me), told the Senate: "Compulsory busing of students to achieve racial balance is not an acceptable remedy." In different words and places, that message has been echoed repeatedly.

But rejecting busing is like categorically rejecting prescription drugs.

The fact is, when properly used in the appropriate circumstances, busing works.

Hillsborough County, Florida, where I attended a segregated school many years ago, was completely desegregated through busing in 1971, and remains comfortably desegregated today. One can point to literally hundreds of other communities where busing has worked. In many places, busing simply means turning left instead of right, since the students, to get to their desegregated schools, travel the same distance (or less) than they formerly traveled to segregated schools.

But most disturbing is that the courts have established careful and elaborate rules on busing which the Reagan approach treats as irrelevant. Under these standards, designed to prevent "abuses," busing is frequently limited depending upon the distances that must be traveled, the ages of the students, the locations of the nearest schools, and the levels of existing segregation. And busing for desegregation is limited in scope in any case: In 1980, over 97 percent of school busing was for purposes having nothing to do with desegregation. Conversely, when the rules are met, the U.S. Supreme Court has said that busing must be used where necessary to integrate a segregated school system. If administration officials refuse to pursue busing under any circumstances, they are in effect, breaking the law—and certainly hurting the opportunities of young, minority Americans.

Since Reagan took office the Justice Department has not sought a busing remedy in a single community in the United States.

The Reagan Administration has pushed the initiative for desegregation back onto the shoulders of the oppressed.

It has been recognized for years—and after painful experience—that school districts, once shown to be segregated, must bear the responsibility for correcting the problem. The Supreme Court has said so. For a while, in the 50's, the courts placed the entire burden for desegregation on the backs of black parents, children, and teachers. All school boards had to do was remove the "barriers" to formerly all-white schools and they had done their job.

Obviously, this approach didn't work. Only the most courageous or foolhardy black children opted to "integrate" on their own. Remember that it finally took a presidential order and federal troops to get nine blacks students safely enrolled in a white high school in Little Rock, Ark., in 1957.

But consider this return to the past: Reynolds, Reagan's assistant attorney general for civil rights, has stated that the federal government's responsibility is only "to insist on the removal of all official impediments to desegregation" by school officials. Lest there be any doubt about his meaning, he added that he doesn't think "the government can compel an integrated education."

"We are not going to compel children who do not want to choose to have an integrated education to have one," Reynolds actually said. What the Reagan officials propose to do, in essence, is to ignore the rulings of the Supreme Court and to force the downtrodden victims of school segregation to fight their own battles, to walk into largely white schools on their own initiative. And if the Justice Department isn't eager to help them, these students, as history has shown, face bleak chances of success.

In fact, Reynolds' comments sound almost like the "separate but equal" doctrine that was discredited by the Court in 1954, in Brown v. Board of Education. Reynolds has said his focus will be upon "remedying substantial disparities in the tangible components of education" between minority schools and schools attended mostly by whites.

The Reagan Administration has sided with school districts that have long histories of segregation.

Recently, the Reagan Justice Department took the unusual step of urging the Supreme Court to hear a challenge filed by the school board of Nashville, Tennessee, to a court desegregation order. Normally, the government doesn't take a position on a case until the Supreme Court agrees to review it. More surprising still was that in this case the Justice Department joined forces with a school board that had not begun any sort of desegregation plan until 1971, and had failed by 1979 to make any substantial progresss with it. The Supreme Court rejected the pleas of the Nashville board and the Reaganites in a terse, two-line order in which not one justice dissented.

The Justice Department also joined the school board of East Baton Rouge Parish, Louisiana, in a challenge to a desegregation plan ordered into effect three years ago. It was the first comprehensive desegregation plan ever instituted there. The Reagan Administration argued in favor of a "voluntary" plan that would have, by its own calculations, increased the number of schools dominated by 80 percent or more of one race from the current 15 to as many as 37. As a result, children in more than a third of the district's schools would be in essentially segregated facilities—hardly civil rights "progress." Ironically, the challenge fell apart when the Reagan plan was rejected by the school board itself, which said it would be more expensive than the plan currently in effect.

In a roundabout way, funds for desegregation under the Reagan Administration have fallen drastically.

Until July of last year, local school districts received desegration money directly from the federal government. Desegregation funds are now part of block grants given to state education agencies for distribution to local schools. The block grant money isn't earmarked for desegregation—it can be used in any of 28 separate programs. The result has been devastating. Consider the impact this approach has had upon the following cities:

In 1981-82, Milwaukee received $6.9 million for desegregation; in 1982-83, it received $1.8 million. In Seattle the figure fell from $3.9 million to $731,000; in St. Louis, it dropped from $4.7 million to $500,000; in New York, from $6.2 million to $9,000; and Buffalo, from $7 million to $1 million.

Undoubtedly, the administration's response to this dire situation is to say that the states, not the federal government, decided on the cuts. But on the other hand, education grants in general fell from $538 million to $484 million under the block grant program—and history has shown, moreover, that desegregation works best when the federal government leads the way.

Reagan officials oppose the use of hiring quotas and timetables as methods for fighting employment discrimination.

What this means is that no matter how obvious, how long-standing, or how widespread job discrimination might be within a company, the Reagan Department of Justice will avoid using the method that works best to eliminate it. Experience has shown that in difficult cases, quotas and timetables are virutally the only effective way to help minorities and women to gain jobs and promotions. Nonetheless, a year and a half ago Reynolds told Congress, "We no longer will insist upon or in any respect support the use of quotas or any other numerical or statistical formula(s)" in fighting employment discrimination.

It's not that the courts apply quotas lightly or carelessly. Normally quotas and timetables are ordered only after other methods have failed and offenders have proved themselves to be particularly stubborn. Take the Mississippi State Police, for example. In the early '70s, this organization was found guilty of racial discrimination in

employment. To put it bluntly, the state police had never hired a black state trooper in the entire history of the department. It was only several years later, however, after the state police had still failed to hire a black trooper, that judges in the Federal Court of Appeals in New Orleans reluctantly ordered that one black be hired for every two whites.

Strong tactics, perhaps, but occasionally they're needed. And it's interesting to note that while the Reagan Administration piously opposes these measures, the idea originated not in some bleeding-heart-liberal caucus but in the Department of Labor during the Nixon Administration. Even that conservative crowd was forced to conclude, after bitter experience, that certain employers would never make changes in their workforces if they were only required to show "best efforts" and "good faith" in hiring minorities and women.

The Reagan Administration has opposed even voluntary plans to remedy job discrimination.

In 1979 the Supreme Court ruled, in *United Steelworkers* v. *Weber*, that labor and management could legally agreed to establish a voluntary employee training program that set aside half its openings for blacks. The court said that "reverse discrimination" was not involved, since the program did not require the discharge of white workers and their replacement by blacks, nor did it create an absolute bar to the advancement of white workers (since there were openings in the program for whites), nor was it a permanent project, but only a temporary effort to correct previous discrimination. It was a triumph that we in Carter's Justice Department worked hard to achieve.

However, Reynolds has vowed to overturn *Weber*. "My own view is that *Weber* is wrongly decided and the court should take another look at it," he has said. "I would be hopeful that it would arrive at a different conclusion."

Recently Reynolds made good on this promise by joining a lawsuit that challenges an agreement reached between the City of New Orleans and black officers in the New Orleans Police Department. The black officers had filed a discrimination suit against the police, and the voluntary settlement required promotion to officer grades of one black for every white until black officers constituted 50 percent of all ranks in the police department. In considering the case, a federal court in New Orleans found that the quota was justified. Only 3 percent of the police department's sergeants and lieutenants were black, and no blacks served as captain or major, all in a city which is 55 percent black, and where 48 percent of black applicants to the police department pass the examination and qualify for appointment.

Onto this stage now comes the Reagan Justice Department, seeking to have the federal court of appeals reverse itself on the one-black-for-one-white quota. Though the appeals court pointed out that a non-discriminatory promotion policy in the police department would have produced a situation in 1980 in which about 50 percent of police officers were black, the Justice Department is arguing, contrary to the voluntary agreement, that this figure is too high in 1983.

The Reagan Administration's position in the New Orleans case is not only dismaying for obvious reasons, but also because it threatens a basic pillar of the 1964 Civil Rights Act. Put bluntly, it ignores the law. The Civil Rights act stresses the importance of voluntary resolutions to employment discrimination suits.

Put simply, if you prohibit employers from trying to resolve discrimination on their own, you place them in a very tough position. If they fail to act on discrimination compliants, they run the risk of being successfully sued by minorities and women for employment discrimination. If that happens, the federal courts, not they, will decide on the remedy to be imposed. But if employers act voluntarily—the Reagan Administration seems to be saying—then they deserve to be sued by white or male workers who charge "reverse discrimination." It is precisely this dilemma that the Civil Rights Act and the standards outlined in Weber are aimed at preventing.

The Reagan Justice Department seems inclined to "chill" inclinations toward affirmative action among employers.

The Wall Street Journal reported last year that the administration's negative stance on affirmative action was wreaking havoc in some of America's major corporations, where efforts to increase the participation of minorities and women had been making great strides.

According to the Journal, some of the Reagan Administration's "actions and rhetoric are taken by middle managers as a signal that they no longer need to be concerned about corporate affirmative action efforts." As a consequence, the article reported, "inceasingly, corporations are convening special meetings to warn managers that equal-employment laws haven't changed, that companies remain liable to lawsuits, and that their corporate equal-employment programs are still in force."

While it is laudable that some leading members of the Fortune 500 are continuing to insist that these laws be respected, one has to wonder how long they can hold out given the current lack of support—and even opposition to voluntary efforts—from the federal government.

And what is particularly disturbing is that affirmative action is so vulnerable to momentum: It has taken years of effort to instill a basic, voluntary spirit of cooperation in corporate America. Once that is lost, it is hard to predict how many years will be required to rebuild what this Administration is destroying.

Reagan officials gave noteworthy nonsupport to the extension of the Voting Rights Act.

Congress passed the extension last year, but it wasn't easy. The general pattern is for the White House to provide leadership on these topics, yet for over a year, despite repeated requests from the House of Representatives administration officials declined to express any opinion on the extension. In October, 1981, the House passed an extension by a vote of 389 to 24. It wasn't until January 5, 1982, after the Senate began to entertain the matter, that the attorney general and other Justice Department officials agreed to speak up.

Basically, they offered two proposals that would have substantially weakened the Voting Rights Act. The first would have made it considerably easier for states with past histories of discrimination in their election practices to avoid federal review of any new election laws they passed. The second would have prevented Congress from giving minorities a fairer chance to challenge at-large local election systems—systems sometimes used to keep minority candidates from achieving office, despite large minority populations.

President Reagan, Attorney General William French Smith, and Assistant Attorney General Reynolds argued that this revision of the Voting Rights Act would result in the elimination of at-large election systems all over the country, whether they were discriminatory or not. That simply wasn't true.

A stalemate developed that lasted six months. Only after a group of Republican senators, led by Robert Dole, abandoned the Reagan position as absolutely unfounded, did the Voting Rights Act extension make it through the Senate. Then, in a curious about face, Reagan signed the bill and claimed his administration had played a strong and positive role in its passage. However, an administration that takes 18 months to decide where it stands on such a basic and positive theme as voting rights can hardly be said to have its heart in the right place.●

DEFUNDING THE LEFT—FIVE MORE AGENCIES GUTTING THE TAXPAYERS

HON. LARRY McDONALD

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 12, 1983

● Mr. McDONALD. Mr. Speaker, thanks to Conservative Digest, their issue of April 1983, we are finding out at least where some of the money goes that is appropriated by this House.

For the benefit of my colleagues and their constituents who foot the bill, here are five more agencies of the executive branch that have expended some $5,554,007 in causes for which the majority of the American taxpayers would not spend their own money contributing to. Maybe, perhaps, this is the irony of the situation. Organizations such as the Council on Foreign Relations [CFR], Sierra Club, League of Women Voters, cannot get money from the average taxpayer, because the average taxpayer does not believe in what these organizations stand for. Accordingly they have to become a leech off the honest taxpayer to realize aims which are repugnant to the thinking and belief of the average American.

But let others be the judge. Here are five more agencies gutting the taxpayers: National Endowment for the Arts; National Endowment for the Humanities; Environmental Protection Agency; Department of Energy; and Housing and Urban Development. Funding of leftist organizations by these executive agencies as contained in the April 1983 issue of Conservative Digest follows:

[From the Conservative Digest, April 1983]

NATIONAL ENDOWMENT FOR THE ARTS

CHAIRMAN FRANK HODSOLL—REAGAN APPOINTEE

The National Endowment for the Arts (NEA) is notorious for sponsoring dehumanizing projects. It would seem anyone able to fill out the agency's forms gets a grant. Writing in a recent *Policy Review*, Dinesh

D' Sousa uncovered the following taxpayer funded "poem":

Poetry must see as its central task building
a Marxist Leninist
Communist Party
in the USA
So that even in our verse
we wage ideological struggle
over political line.

D'Sousa cited other taxpayer-funded projects too obscene or blasphemous to print.

NEA chairman Frank Hodsoll, was appointed on November 30, 1981. NEA gave out most of the following grants under his tenure.

$76,000 to the National Conference of State Legislatures (NCSL) (May 1982).

Representing NCSL, New Hampshire House Speaker John B. Tucker attacked President Reagan's New Federalism program because "the [budget] cuts far overshadow the process itself."

NCSL president William Passanante, Speaker of the New York Assembly, claimed Reagan administration policies "will compound the human and budget problems facing cities."

$40,000 to the National Council on Aging, Inc. (April 23, 1982).

This group actively opposes budget cuts in programs from which it receives funding. It supports deep cuts in defense spending, singling out "the entire military retirement system"—a program which directly benefits several million aging Americans.

Council President Arthur S. Fleming recently urged government employees to pressure both the Republican and Democratic parties to adopt pro-public employee platforms at their 1984 conventions. "Keep the candidates' feet to the fire," he said.

$8,700 to the Pacifica Foundation/KPFK-FM, a group of 5 radio stations long known as a network for leftist propaganda (Fiscal Year 1982). Pacifica's literature brags about its history: "[1950] Pacifica fearlessly includes communists in its programming . . . [1958] first live broadcast on the gay experience by gays themselves . . . [1965] a reporter for WBAI (a Pacifica station in New York City) is the first U.S. reporter to go to North Vietnam . . . [1965] Pacifica holds the first of many anti-war radio teach-ins . . . [1966] leaders of S.D.S. come to Pacifica to discuss the future of civil rights . . . [1973] George Carlin's controversial *Seven Words You Can't Say on TV* is aired . . ."

$10,000 to the Federation of Southern Cooperatives to "support an instruction program in African and jazz dance, drama and conga rhythms for the residents of Sumter and Green counties" (Fiscal Year 1981).

FSC defines itself as "a resource and advocacy organization working in the rural South."

In its "Annual Report 1980-1981," FSC president and chairperson of the board of directors Woodrow Keown called "the regulation and tax policies of the Reagan Administration" a "menace to our community based development work."

$15,000 to the Sierra Club (Fiscal Year 1981).

Joining 8 other environmental activist groups, the Sierra Club last month attacked President Reagan's "uninformed and uncaring" environmental policies.

Interior Secretary James Watt says these groups attack Reagan because they supported Jimmy Carter in the 1980 elections. "They have had this partisan campaign to help the Democrats," Watt said. "Did you hear the Sierra Club or the Audubon Society Complain about the Carter years?"

$35,000 to the Conservation Foundation, Inc. (May 25, 1982).

Till President Reagan picked him to head the Environmental Protection Agency, William Ruckelshaus was "a trustee of the Conservation Foundation, which [has] criticized Reagan's urban and environmental policies," reported the Washington Post.

National Endowment for the Humanities

Chairman William Bennett—Reagan Appointee

National Endowment for the Humanities (NEH) Chairman William Bennett has attacked some of the agency's most blatantly political grants. An NEH-funded television documentary, "From the Ashes . . . Nicaragua Today," he branded as nothing more than "unabashed socialist-realism propaganda."

Bennett has continued his criticism of NEH grants to leftist groups.

NEH grants include:

$201,558 "To support a two-year project co-sponsored by the Institute for Social Justice and the Association of Community Organizations for Reform Now (ACORN) to mount public humanities programs explaining the history of social movements for low to moderate income people" (February 1, 1981).

ACORN is heavily involved in political advocacy. When a Missouri school was decertified in 1980-81, this "led to increased ACORN involvement in local school board elections. ACORN took control of the board with the election of two more ACORN members," reports *Public Interest Profiles.* "ACORN campaigns generally involve demonstrations, confrontations with industry and government officials, and significant media coverage."

ACORN is understandably upset that its federal funds might be cut. It recently started a local-level campaign "designed to protect provisions in other federal programs which are being block granted or deregulated."

The Institute for Social Justice calls itself "a national training and research center in the principles of community organizing, drawing particularly from the ACORN model of neighborhood-based organizing." The institute trains many ACORN activists.

$600,000 to the National Council of La Raza (NCLR) (November 1981).

In May 1981 NCLR joined the Southern Christian Leadership Conference and Operation PUSH in what they called "a national day of mourning." The demonstrators marched passed the White House, protesting Reagan administration cuts in social programs.

According to Council documents, "NCLR's Office of Research, Advocacy, and Legislation carries out research, public policy analysis, and advocacy at the national level to promote administrative and legislative decisions which will benefit Hispanics." At least 78 percent of its funding comes from federal grants, given by such agencies as HHS, HUD, Commerce, Justice, Labor, DoED and Agriculture.

Two grants totaling $300,000 to the Council on Foreign Relations, Inc. (CFR) for its "International Affairs Fellowship Program." According to CFR documents, ". . . academics and other foreign professionals from the private sector are enabled to apply their humanistic skills and perspectives in a policy-oriented environment through experience in public service . . ."

Rep. Larry McDonald (D-Ga.) was amazed that "this elitist [organization] already well funded by David Rockefeller and other multimillionaires, has now become the recipient of another $300,000. This is more than strange when we find that for the most part, this organization does not believe in the national sovereignty of the United States. I find it deplorable that American taxpayers are being squeezed to the bone, and without their consent, see their money going to such organizations as CFR."

$61,200 to the Consumers Union of United States, Inc. (May 1982).

CU joined with 6 other consumer groups in 1982 in publishing a 51-page book *Warning: Reaganomics is Harmful to Consumers,* which included a 12-point attack plan against the Reagan administration.

$202,800 to the United Brotherhood of Carpenters and Joiners of America (February 1, 1981).

$99,008 to the George Meany Center for Labor Studies, Inc., for "Processing the AFL-CIO Archives. To support processing of the records of AFL-CIO, a primary source for labor studies and social and economic history" (February 1982). AFL-CIO president Lane Kirkland is chairman of the Center's Board of Trustees.

According to the Center's newsletter, *Laborite,* it offers courses on "organizing techniques and grievance arbitration . . . the organizational use of computers, how to deal with the news media, effective union actions for civil rights, and union skills for women."

The Center's "Annual Labor Song Exchange" program includes: "How to use songs for meetings, rallies, picket lines, demonstrations and celebrations"; and a much-needed course: "How to improve your lyrics."

All Center courses are tuition-free.

$40,000 to The Labor Theater Inc. "To support writing of two 30-minute scripts for a six part series of dramatizations of American short stories which explore universal themes from the perspective of the aged" (Fiscal Year 1981).One of the Theater's productions was *Bottom Line,* a musical commentary attacking Reaganomics. Reagan himself was the main character, wearing a cowboy hat. He is called a "HoodRobin, who steals from the poor and the lame and gives to the rich." A fundamentalist preacher is mocked as "One of those born-again Christians selling condos from God."

$25,000 to the Phelps-Stokes Fund (May 19, 1981). In December 1981, Fund President Franklin H. Williams said, "The Reagan administration's actions and proposed actions, its budget cuts and budget priorities, its nominations and proposed appointments constitute a litany of lost faith in the American dream." The Department of Education gave the Fund $931,775 on April 1, 1982.

Environmental Protection Agency

Administrator-Designate William Ruckelshaus—Reagan Appointee

When EPA Administrator Anne Burford resigned last month, Americans saw just how powerful environmental activist groups are. EPA was created in 1970, just so they could run it. No Reaganite was going to spoil their plans.

Burford tried to restore some sanity to EPA, implementing President Reagan's New Federalism program: "But if we're successful in delegating our program to state governments," she said, "then our numbers will go down. Also, 90 percent of all our air pollution sources are either in compliance or

have been sued already and are operating under a consent decree. So who's left to sue? What you do is enforce the consent decree, but that number doesn't show up as a new lawsuit."

For activist lawyers and groups receiving federal cash, this was intolerable. If EPA's duties were shifted back to the states, and lawsuits avoided, life could become uneasy. Burford had to go.

Burford cut back funding the leftists groups, but she didn't eliminate it.

Whether new EPA Administrator William Ruckelshaus will allow himself to be the next victim has yet to be seen.

Groups receiving EPA money include:

$99,405 to the Environmental Defense Fund (EDF) in legal fees for time spent on a case in which the EDF sued the EPA—and lost.

Last year EDF and 9 other environmental groups issued a pamphlet, *Indictment: The Case Against the Reagan Environment Record.* EDF regularly lobbies on Capitol Hill.

According to its own documents, EDF successfully campaigned to put a referendum on California's ballot, "to decide whether state legislation authorizing expansion of the huge State Water Project can take effect."

EDF belongs to the Alliance for Justice, a group of 17 left-wing legal groups involved in "public interest law."

Two grants totaling $664,640 to the National Retired Teachers Association (NRTA) (August 1, 1981).

NRTA's "FACT SHEET" says its "Legislative specialists represent the interest of all older Americans, working closely with federal and state legislators in drafting and sponsoring legislation, advocating the views of older citizens at legislative and administrative hearings, and informing the membership of legislative activities.

$40,000 to The League of Women Voters of the U.S. (August 10, 1981).

League President Dorothy Riddings recently criticized President Reagan for his "lack of sensitivity" to women's issues.

The League this year endorsed legalized abortion on demand. Several League members have resigned in protest.

$200,000 to the American Association of Retired Persons (AARP) (Fiscal Year 1983).

In February AARP legislative representative Martin Corry said President Reagan's budget proposal would have a "significant" impact on the elderly, and "is bound to cause hardship for many."

In January, UPI reported Reagan administration proposals on Social Security reform "were running into resistance from the nation's largest retiree group, the American Association of Retired Persons."

In 1982, AARP lobbyist James Hacking called for repealing two Reaganomics cornerstones: the 1983 tax cuts, and tax indexing for inflation.

$283,260 to the National Urban League (NUL) (February 1, 1982).

At NUL's August 1982 convention, one speaker after another attacked the Reagan administration.

"No matter how much they try to say this is a nonpartisan group, it was lopsided with people determined to paint this as a racist administration," charged Armstrong Williams, a White House legislative analyst.

"That's just not true, but the leadership here is afraid of the truth. They don't want to hear what this administration is doing for blacks."

NUL denied permission for Williams and 8 other black Reagan appointees to participate in the convention.

DEPARTMENT OF ENERGY

SECRETARY DONALD HODEL—REAGAN APPOINTEE

Jimmy Carter created the Department of Energy to deal with the energy "crisis." Just after taking office, Ronald Reagan dissolved the crisis simply by dismantling oil price controls.

Reagan has been less resolute in fulfilling his promise to dismantle the Department itself.

Reagan's first Secretary of Energy, James B. Edwards, didn't seriously try to dismantle his agency, nor did he cut off funds to leftist political groups. His successor, Don Hodel, has been a model administrator, cutting waste wherever he could find it. Data are not yet available to determine if some funds to the left slipped through anyway.

Just-released data indicate the following grants were given to leftist groups under Edwards' tenure:

$68,492 to the Conference on Alternate State and Local Policies (CASLP) (February 21, 1981). CASLP's "effort has greatly advanced the possibilities for a Left political program . . ." said Richard Flacks in *Working Papers for a New Society.* CASLP helps radical activists "move more visibly into positions of power," wrote the *San Francisco Bay Guardian.*

The *Coordinated Action* newsletter recently dubbed CASLP "a subsidiary of the New Left think-tank, Institute for Policy Studies . . ." Columnist David Broder summed up CASLP's policies: "Their common bond is anti-corporate rhetoric, ranging from traditional socialism to tracts against the oil companies."

$179,644 to the Environmental Action Foundation (EAF)—a branch of Environmental Action (EA)—for "A utility clearing house" (June 17, 1981).

"Most EA members and staff are 'left' in the broadest sense of the term—left of center" wrote EA's own editorial staff in its newsletter, *Environmental Action.*

EA says its lobbying aims at "helping dedicated grassroots environmentalists fight the pro-pollution policies of President Reagan and Environmental Protection Agency administrator Anne [Burford.]" EA efforts helped force Burford's resignation.

In 1982, EA joined 74 other groups in a "fair budget campaign" attacking the Reagan administration's budget cuts. Naturally, EA was most concerned about proposed Energy Department cuts.

$21,379 to Rural America for "Public participation in developing the national energy plan" (March 17, 1981).

A publicity brochure says "RURAL AMERICA is committed to the empowerment of rural people:

"Through our newspaper, *rural america,* we break down the barriers of isolation faced by all of us in the countryside by reporting on our continuing struggles to organize for economic and social justice, and to empower ourselves politically and economically through the creation of more self-sufficient rural communities.

$787,510 to the Center for Renewable Resources (June 3, 1981).

In March 1982, the Center joined 14 environmentalist groups in "a bitterly-worded broadside . . . at the Reagan administration's proposal to eliminate almost all solar and conservation funding and to sharply increase spending for nuclear power." AP reported.

The groups charged Reagan's proposals were "the height of hypocrisy and cruelty," and would make "virtually inevitable the widespread proliferation of nuclear weapons."

Two grants totaling $22,943 to the League of United Latin American Citizens (LULAC) National Education Service Center, Inc. (September 30, 1981 and February 20, 1982). The Department of Education gave LULAC $1,237,600 on May 31, 1981.

President Tony Bonilla opened LULAC's 1982 national executive board meeting with "a call for opposition to Reagan's policy of decentralized government," UPI reported.

"Bonilla also proposed the board:

"—Condemn the Reagan administration's stand against busing for school desegregation," and

—Create a political action committee."

$19,999 to the Environmental Defense Fund (EDF) (March 17, 1981). In April 1981, the Interior Department gave EDF $17,350.

In October 1982, EDF leaked internal Environmental Protection Agency documents. It claimed the documents indicated the Reagan administration was considering a "repugnant" response to a Missouri environmental problem.

In April 1982, EDF joined 14 other environmentalist groups in releasing *The Reagan Energy Plan: A Major Power Failure,* a report attacking President Reagan's energy policies.

$3,915 to the Mississippi Solar Council (June 30, 1981).

In 1981, Council executive director Michael T. Herring ran for Congress after Republican Jon Hinson resigned.

Herring campaigned on an environmentalist platform. At one demonstration, he released 200 balloons, each containing a piece of paper saying, "Had this been waste from a nuclear dump in Mississippi, you would have been exposed to DEADLY radiation. Michael Herring, a candidate for Congress, opposes a dump in Mississippi.

Herring lost.

HOUSING AND URBAN DEVELOPMENT

SECRETARY SAMUEL PIERCE—REAGAN APPOINTEE

Since its creation during the Johnson administration, the Department of Housing and Urban Development has subsidized one boondoggle after another. Hundreds of city blocks were demolished for "urban renewal." New housing was built using cheap materials; big construction firms reaped large profits. Today, much of this housing is unoccupied or has been demolished.

Major funding includes:

$1,060,667 to The Urban Institute in 15 grants throughout 1981 and 1982. The Institute describes its tax-funded projects in vague terms. For a February 25, 1982 grant of $249,934 it said: "The beneficiaries of this work will be the general public." Other grants went for "Changes in scope"; "Increase in scope"; "Funding of overrun" and "Housing problems of the poor."

William Ruckelshaus headed the Institute until Reagan tapped him to run the Environmental Protection Agency. Under Ruckelshaus, reports the *Washington Post,* The Urban Institute "criticized Reagan's, urban and environmental policies."

Last October the Institute published *The Reagan Experiment,* a study attacking the Reagan administration's economic polices.

$184,469 to the National Conference of State Legislatures (NCSL) (September 1981).

Representing NCSL, New Hampshire House Speaker John B. Tucker attacked

President Reagan's New Federalism program because "the [budget] cuts far overshadow the process itself."

Public affairs director Mary Jane Gallagher said NCSL was disappointed Reagan's program wouldn't take over all Medicaid costs.

NCSL president William Passante, Speaker of the New York Assembly, claimed Reagan administration policies "will compound the human and budget problems facing cities."

$124,360 to the Center for Community Change (CCC) to "Provide technical assistance" (July 9, 1981).

According to *Public Interest Profiles*, "During 1980-81, CCC provided intensive technical assistance to over 400 groups, and less intensive aid to another 700 organizations."

"(CCC) has influenced federal policy on general revenue sharing and block grants."

CCC documents proclaim it "also has increasingly acted as a facilitator for community groups wishing to get involved in these issues at the local, state, regional, and federal levels."

CCC president Pablo Eisenberg boasts: "We take on both Democratic and Republican administrations."

In addition to HUD funds, CCC received grants from the Department of Labor, the Community Services Administration, and the Law Enforcement Assistance Administration.

$100,000 to the National Urban League (NUL) to "Promote fair housing through Community Development Block Grant funds" (September 30, 1982).

NUL recently joined Ralph Nader, the Gray Panthers and other left-wing groups in endorsing "Reclaim America Week"—a protest sponsored by National People's Action, a radical group using confrontational organizing to effect social change.

The protest intended "to put the corporations, big banks, city and state governments on notice that the people's priorities must be Chicago's priorities."

$98,066 to the NAACP National Housing Corporation for "Technical assistance on community development building projects" (November 5, 1981).

The *Boston Globe* reports the NAACP organized "a national network" working through "the organization's 1800 local branches to defeat congressional allies of President Ronald Reagan" in the November 1982 elections.

The NAACP's plan drew "upon well-proven tactics employed by candidates, interest groups and political bosses."●

SENATE—*Monday, May 16, 1983*

The Senate met at 11:30 a.m., and was called to order by the President pro tempore (Mr. THURMOND).

PRAYER

The Chaplain, the Reverend Richard C. Halverson, D.D., offered the following prayer:

Let us pray.

I will extol thee, my God, O king; and I will bless thy name for ever and ever. Every day will I bless thee; and I will praise thy name for ever and ever. Great is the Lord, and greatly to be praised; and his greatness is unsearchable.—Psalms 145: 1-3.

Merciful God, we pray for the Budget Committee as it takes up the heavy, seemingly impossible task before it. Give special wisdom, patience, and grace to the chairman and each member. Deepen their respect for each other despite strong disagreement. Keep them from personal enmity and alienation as they struggle with convictions that do not easily yield to modification. Guide them through difficult deliberations to a resolution which will commend itself to the Senate and the President. We ask this in the name of Him for whom nothing is impossible. Amen.

RECOGNITION OF THE MAJORITY LEADER

The PRESIDENT pro tempore. The majority leader is recognized.

Mr. BAKER. I thank the Chair.

MONDAY'S POEM

Mr. BAKER. Mr. President, this week's poem is by Francis Jammes, and was translated by Gary Wilson. Mr. Wilson's translations have appeared in "The Poetry Miscellany," "The Arkansas Times Magazine," and "The Hollins Critic." Mr. Jammes' poem is entitled "Down That Way" and I ask unanimous consent that the poem be printed in the RECORD. I also ask unanimous consent, Mr. President, that the text of an interview that the Washington Post conducted with Anthony Hecht, the Library of Congress consultant in poetry, also be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

DOWN THAT WAY . . .

An old castle is down that way, sad and grey
like my heart. When the rain comes down
in the empty courtyard, the poppies bend under
the heavy water that plucks the leaves and rots them.

Years ago, no doubt, the gate was open
and inside, the old bent-backs warmed themselves
before a fire-screen with green borders
on which the four seasons were painted.

The Percivals and the Demonvilles were announced,
who arrived in their carriages from the city.
The old salon was suddenly full of gaiety
and the old ones showed off their good manners.

The children ran off to play hide-and-seek,
or else they looked for eggs. Then they came back
to the cold rooms to see the big portraits with blank eyes,
or, on the mantlepiece, strange sea shells.
And all the while the old folks talked
of some little boy's portrait that was painted in oil,
saying: He died of typhoid fever
in school. He looked so good in his suit.

The mother, who was still living, remembered
that dear, dead boy at vacation time
when the limbs, thick with leaves, swayed
by the cool streams in the harsh heat.
Poor child! she was saying, He loved his mother so much,
He never tried to cause her trouble,
and she cried, recalling again
that poor, simple, good boy, dead at sixteen.

The mother is dead now too. It's all very sad.
It's sad like my heart on this rain-filled day
and like the gate where the pink poppies bend under
the heavy water that makes them shine and rots them away.

INTERVIEW WITH ANTHONY HECHT

Anthony Hecht, 60, is the Library of Congress consultant in poetry—the closest thing America has to a poet laureate. He's 26th in a line that includes Robert Lowell, Robert Penn Warren, Robert Frost, Elizabeth Bishop, Steven Spender and James Dickey.

In 1968, Hecht won the Pulitzer Prize for poetry for his collection, "The Hard Hours." His most recent collection, "The Venetian Vespers," was published in 1979.

As for light verse, Hecht invented a limerick-like form called the "double dactyl," that always starts with a phrase such as "higgledy piggledy." He edited a book of them, "Jiggery Pokery," with John Hollander in 1967.

Since 1967, Hecht has been a professor of rhetoric and poetry at the University of Rochester, where he plans to return when his term at the library ends in the spring of 1984.

Hecht has two grown sons and lives in Chevy Chase with his wife, Helen, a former book editor who is writing her third cookbook and trying out recipes on Hecht and their 11-year-old son, Evan.

[From the Washington Post, May 8, 1983]

THE PRE-DAWN DAZE FROM WHICH POEMS ARE MADE

Q. Is writing poetry fun for you?

A. It's fun in that terrible, anxious-making way that riding a rollercoaster is fun. It creates enormous kinds of anxiety but at the same time there's something very satisfactory about it. It's a challenge that you set for yourself as opposed to having it set arbitrarily by others.

As a teacher I have to oblige my students, I have to oblige my colleagues, my department, my university. But with a poem I have ultimately to satisfy myself. If it satisfies me the chances are pretty good it will satisfy most of the poets that I know whose judgment I would rely upon.

On the other hand, there are an awful lot of poets, some of them quite well known, who are bored stiff by every word I've ever published. There are an awful lot of people who write free verse not only habitually, but with a kind of virulent determination that this is the only good thing and that everything else is old-fashioned and bad. A lot of those people would dismiss everything I write out of hand, just because of that.

And there are, those kinds of poets who write what I describe as a sort of charcoal or pastel sketch. Things that are little transcripts of some passing mood or evanescent thought that happened to enter their mind. That doesn't seem to me very interesting, but these are people who think that anything they happen to think about is interesting.

Q. Does that make it poetry?

A. They have a following so they say yes. I think that what they offer as poetry is what I would conceive of as the draft for a poem. They think that anything that occurred to them is per se poetry because they are in some blessed way poets. Any have been told so by their publishers.

Q. If you're published I guess that makes you a poet.

A. Yes, it's very strange. There was an organization that sent out a brochure. Anyone could join who was regarded as a writer. There were two criteria. One was if you had published two poems—didn't make any difference where. The other one is if you had published no poems but given three poetry readings. These are an awful lot of people who are much more interested in being "poets" than they are in actually writing poems. To be able to say, I am a poet. Here was a peculiar standard. Having published two poems or given three readings. Then you knew that you were certified. It's very odd.

Q. When did it dawn on you that you were a poet?

A. I started trying to write poems a long time ago, 1946 or 1947. But Allen Tate used to say that he often felt that every poem he finished was the last one he might ever write. He never had any idea where the next was coming from. You're a poet when you're sitting at your desk actually writing the damn thing. But when you're getting up, eating a Hershey bar, you're just eating a Hershey bar and you're not a poet anymore.

Q. What do you do to get yourself into the writing mode?

A. I like to rise around 5 or 5:30. I normally have no more for breakfast than a cup of coffee. And what I do is to allow the sort of dazed state of semiconsciousness to last as long as I can. It happens to be rather fertile. It comes up with all kinds of suggestive material, sometimes words, sometimes images, sometimes something that has been gestat-

ing for a long time. From that state I can very often find my way to beginning a new poem.

Q. A novel begins, in the novelist's mind, as a germ of an idea, and then it develops over time. Is that the way a poem works with you?

A. A novel is likely to begin with some sort of dramatic situation or confrontation. A poem is likely to begin with words as opposed to seeing two people in a room about to knife each other. A poem can also have that as the subject. But because it is so much briefer than a novel, it won't have room for a great deal of action to take place. No time for babies to be born and old people to die and funerals to take place and lunches and so forth. All of whatever happens has got to be contained in a certain number of very carefully chosen words. The chances are that the poems will begin with some metaphorical discovery on the part of the poet. This color green looks like or reminds one of—the mind is already launched on some trajectory. If it's any good it will pan out into some sort of decent thing.

Q. Then there's something magical about it?

A. Well, to people who don't write poems I guess it does seem magical, yes. To people who do it's an experiment with the mind. It's a dredging up of a lot of unconscious life and it's putting it in a certain kind of order. But it is not raw material for the psychoanalyst either. It's been sifted and chosen with particular care. Stuff that comes right out in a sort of raw, uncouth, untutored outpouring may very well serve for analytic commentary. There's a certain amount of which a poet is not aware that he has any control. He thinks he's choosing. He's being governed by forces deeper than he knows. Nevertheless, aside from whatever patterns of the unconscious may appear in a poem, he does his best to try to form it into what he regards as an artistic design.

Q. Do you find that you're composing as you're walking down the street?

A. Every once in a while I get an idea and I rush to make notes, lest I forget.

Q. Little teeny pieces of paper everywhere?

A. Right. Backs of envelopes.

Q. And then do you just throw them in a drawer somewhere?

A. Yes.

Q. And then what?

A. When I finish something and don't know what to start next, I go and look at these little scraps of paper and see if they kindle any sort of fire. Sometimes they don't. And if they don't I just throw them out.

Q. What is it like to be the only employed poet outside of universities and Hallmark?

A. There's nothing I take greater delight in than writing poetry. But I can go on being delighted just so long and then I have to eat. Writing poetry does not make for a sufficient income to live even alone, much less with a family. Teaching earns you a living.

Q. What's it like being both a poet and a teacher?

A. You're teaching the literature which has gone into whatever education you've had as a writer. A writer begins to write because he has read things, not just because he's gone through them. You can go through them and be totally illiterate and be incapable of articulating whatever it is that you've gone through.

So it's a big pleasure. I enjoy teaching. There are only three things wrong with it. One is having to correct papers and grade them, which is absolutely petrifying in its dullness. The second is to attend the committee meetings. And the third and perhaps the worst of all is sitting in judgment on one's younger colleagues and deciding whether they are to be promoted or whether they're to be discarded.

If one could be free of all that stuff and just go into class and talk about the things that one loves and try to answer questions, it probably would be the most perfect profession in the whole world.

Q. What were your interests when you were, say, 12?

A. I was very fond of music. I played the piano by ear and went to concerts as often as I could. I exhibited no particular literary skills, no interest indeed of any strong kind until I got to college. I went right from college into the army. My parents were not interested in my literary efforts. They were a little surprised and bewildered by them when they appeared.

Q. Did you play sports when you were growing up?

A. No, I was a rotten athlete. There was something natively sedentary about me.

Q. Did you always play right field?

A. Not only did I always play right field but I was always the last to be chosen when you chose up sides for a game.

Q. Did you actually fight in World War II?

A. Yes. We went into action on the west side of the Rhine River and then took part in the invasion in Germany and ended up in Czechoslovakia when the war ended in Europe. At that point they still expected to have to invade Japan. Just after my division reassembled in Ft. Bragg, N.C., they dropped the two bombs that ended the war in the Pacific. Otherwise I would have had to go and I know very well that I would not have survived. I was scheduled to be in the first wave and there was no question but what it would have been a very costly invasion.

Q. Like the character said in "Venetian Vespers," "Life is a spectator sport." Is that the way it is for a poet?

A. I think the person who felt this most keenly in his poetry and in his life was William Butler Yeats who was torn constantly between wanting to be a man of action and a poet. And finding that the two roles were not to be reconciled. Especially when the rebellion was going on in Ireland, there were those who were manifest rebels and military heroes. They took their lives in their hands and dreamed of dying a martyr's death. Every once in awhile Yeats seemed to be furious with himself for not doing the same thing himself. At the same time he knew that if he did he'd stop writing poetry.

Q. Did you read [poet] Howard Nemerov saying that poetry in English is coming to an end?

A. Yes. I thought that that was an expression of personal weariness and bile. I don't agree with it for an instant. I don't think Howard does either.

Q. Do you find that people are not as enthusiastic about it as you'd like?

A. Oh, yes, of course. The last poet writing in English who had a really large audience was probably Tennyson. And all of us would like to have Tennyson's kind of audience.

Q. It doesn't seem to be a medium for someone who wants a lot of attention.

A. No, it's not. And I think what Howard may secretly have meant is that even the people capable of reading words is dwindling. They're being seduced by television and other forms of entertainment and there may come a time when the printed word is eclipsed altogether in which case poets are going to have a very tough time. But so will novelists.

Q. Isn't poetry an oral tradition? Might not television actually provide a place for it?

A. It is a possibility, yes. It would be altogether a different kind of art from the one we have now.

Q. Another form of modern poetry—have you written any songs?

A. Yes, and some of my poems have been set to music. There were a group of little lyrics called "A Choir of Starlings." And then I had a group of poems called "Songs for the Air" or "Several Attitudes about Breathing." But this is not a field on which I try to concentrate.

Q. You wouldn't write an advertising jingle to make a quick buck?

A. I don't think I could make a quick buck with an advertising jingle. I suppose people who sell little verses to Hallmark greeting cards can make some money that way. I prefer to earn my living as a teacher.

Q. What do we lose if we lose poetry?

A: I don't think we will lose poetry because it will resurface in other forms. There are a lot of people who think that the pop rock lyrics are poetry. I happen not to think very highly of them, but my son thinks they're terrific.

Q. How old is he?

A: He's 11. If the reading public for poetry were to disappear it would probably come up in ways that might very much enrich the texts of popular songs. They would not be quite as mindless as they incline to be these days. I think the instinct for poetry is richly and usefully and profoundly there. Just the fact that we all do learn Mother Goose when we're kids makes an enormous difference.

Q. What purpose does rhyme serve?

A: Things written in meter and rhyme have a mnemonic value. It's much harder to memorize prose. I used to know parts of "Moby Dick" by heart. But "Moby Dick" is a cheat. There are parts of Moby Dick that scan. This is one of the reasons it is easy to memorize Shakespeare. Not because it's poetry with a capital "P," but because it's metrical, and the metrical pattern makes memorization easier. It's much easier to remember Shakespeare than Shaw.

I use rhyme quite very often. Most modern young writers think that it's just a leftover, old-fashioned preoccupation with what we got rid of. It's a musical feature of poetry. Sometimes it can even have meaning. There's a poem by George Herbert in which each stanza ends with a rhyme that ought to rhyme but doesn't, until the last stanza, when it does rhyme. The poem is a prayer which asks God to chasten and tune the heart of the poet. So that his lines will rhyme.

Q. You turned 60 this year. Popular wisdom has it that that is when a poet goes into his prime. Do you have a feeling about that?

A: Robert Penn Warren is still writing superbly well. He is a man of some more years than I have. William Butler Yeats seemed to have gotten more powerful and stronger as he grew older. Thomas Hardy didn't begin to write poetry until he was over 40. And quit writing novels, really, in order to turn entirely to poetry. And Sophocles wrote "Oedipus Cobonus" when he was 90 years old. These are the people with whom I aspire to keep company.

SENATE SCHEDULE

Mr. BAKER. Mr. President, under the order previously entered and pursuant to the adjournment on last Thursday, I believe the reading of the Journal has been dispensed with, as has the call of the calendar. Provision was made that no resolution would come over under the rule. The order also provided that the morning hour will be deemed to have expired, the practical effect of which is to create a situation in which no nondebatable motion could be made, as the rules might otherwise provide. That has become the form of late, to adjourn at the close of the week and to proceed in the manner I have just described.

VITIATION OF SPECIAL ORDERS FOR SENATORS THURMOND AND WEICKER

Mr. President, after the two leaders are recognized under the standing order, and after the expiration of the additional 10 minutes allocated to the distinguished minority leader for today, making in all a total of 20 minutes available to him this morning, an order was previously entered for the Senator from South Carolina and the Senator from Connecticut to be recognized on special orders of not to exceed 15 minutes each.

I am advised that neither Senator requires his time under the special order, and I ask unanimous consent that they be vitiated.

The PRESIDING OFFICER (Mr. GORTON). Without objection, it is so ordered.

Mr. BAKER. Mr. President, routine morning business will commence under this arrangement after the time allocated to the two leaders and will continue until 1 p.m. Provision is made for Senators to speak for not more than 5 minutes each.

Under the order previously entered, at 1 p.m. today the Senate will go into executive session to consider the nomination of William D. Ruckelshaus of the State of Washington to the Administrator of the Environmental Protection Agency. There is a 2-hour time limitation on debate on that nomination.

After the debate on the Ruckelshaus nomination and the disposition of the nomination, if it can be done by voice vote, or if a rollcall vote is ordered it will be stacked until tomorrow, the Senate will resume the consideration of the immigration bill, S. 529, at which time the pending question will be the DeConcini-Wilson amendment numbered 1220, as modified. Under the order previously entered, the Senator from California (Mr. WILSON) is authorized to propose an amendment to that amendment.

No rollcall votes will occur today, Mr. President, under the order previously entered. If they are ordered, they will be stacked to occur on tomorrow.

Mr. President, on tomorrow, the Senate is ordered to proceed to the consideration of the nomination of Alfred S. Regnery, to be Administrator of the Office of Juvenile Justice and Delinquency Prevention at 10 a.m.

ORDER FOR RECESS UNTIL 9:30 A.M. ON TOMORROW

Mr. President, I ask unanimous consent that when the Senate completes its business today it stand in recess until the hour of 9:30 a.m. on tomorrow.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER FOR PERIOD FOR THE TRANSACTION OF ROUTINE MORNING BUSINESS ON TOMORROW

Mr. BAKER. Mr. President, I ask unanimous consent that after the recognition of the two leaders under the standing order that the time remaining be devoted to the transaction of routine morning business, in which Senators may speak for not more than 2 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

NOMINATION OF ALFRED S. REGNERY

Mr. BAKER. Mr. President, there is a time limitation of 1 hour on the Regnery nomination, with the proviso that if a rollcall vote is ordered that it will not occur prior to the hour of 2 p.m.

FIRST CONCURRENT BUDGET RESOLUTION

Mr. President, under provisions of the Budget Act, the Budget Committee is mandated to return to the Senate a budget resolution by the close of business on Tuesday or to be discharged, as the act provides. It may be, Mr. President, that I will wish to explore with the minority leader and with those charged with the management of this measure the extension of that time by a few hours into the day Wednesday, perhaps. I will make no such request at this time, but I mention it so that Senators may be aware of it.

The reason for it is not to provide delay but rather because a number of Senators are out of town today and it will be very difficult to assemble a quorum of Senators on the Budget Committee Monday.

Tuesday is going to be a very busy day with voting to occur beginning 2 p.m., and with the recess to occur between 12 noon and 2 p.m. tomorrow in order to accommodate the requirements of caucuses of Senators on both sides of the aisle. So it may be the better part of discretion to extend that time a little. But, as I say, I will discuss that with the chairman and ranking member of the committee after I have discussed it with the minority leader.

Mr. President, I believe I have no further announcements to make, no other arrangements to provide, and I am prepared now to yield my remaining time to the minority leader if he has need for additional time.

RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. Under the previous order, the minority leader is recognized.

Mr. BYRD. How much time am I being given by the distinguished majority leader?

The PRESIDING OFFICER. Three minutes by the majority leader, together with 20 minutes under the previous order.

Mr. BYRD. I thank the Chair.

CONGRESS AND FOREIGN POLICY

Mr. BYRD. Mr. President, we are now well into the third year of President Reagan's administration. Yet, we are further away from achieving a bipartisan consensus in foreign policy than when the President first assumed office in January 1981.

Therefore, I think the time has come to look at the root causes of this dilemma facing our Nation at this particular time in our history. In so doing, I would like to cite three events which are symbolic of the problems impacting upon executive-legislative branch relations in the conduct of U.S. foreign policy. All three events involve this administration's perception that Congress does not have a constitutional role in the conduct of American foreign policy.

The first event occurred in October 1981, when the Senate was called upon to support the Presidential sale of AWACS to Saudi Arabia. At that time, we were told that the President's prestige was on the line since we had made a commitment to Saudi Arabia and it would be damaging to U.S. foreign policy interests if a President could not deliver on such a commitment.

The second event involved the nomination of Mr. Kenneth Adelman to be Director of the Arms Control and Disarmament Agency. The President, early on in the debate, stated that if the Senators did not see the light they would feel the heat—a statement which I strongly resented and which caused me to vote against Mr. Adelman. I determined that I would not submit to any heat.

Incidentally, there was no heat attempted in my case. I say that in fairness to the President.

Once again, we were told that the President should be given carte blanche in obtaining Senate approval of the nominee of his choice, no matter how unqualified that individual might be for that particular position of responsibility in our Government.

The latest event involves the characterization of this administration's conduct of foreign policy in Central America. On April 15, 1983, White House Counselor Edwin Meese III was quoted in the Washington Post as saying:

> It is the responsibility of the President to conduct foreign policy; limitations on that by the Congress are improper as far as I'm concerned.

Mr. Meese was reflecting administration unhappiness with the so-called Boland amendment restricting U.S. support for groups whose purpose it was to overthrow the Government of Nicaragua or to precipitate a war between Nicaragua and Honduras.

Mr. Meese's views were reinforced by the President himself who was quoted in the May 5, 1983, edition of the Washington Post as saying that action by the U.S. Congress to cut off U.S. financial support for the guerrillas in Nicaragua would set a very dangerous precedent because it literally was taking away the ability of the executive branch to carry out its constitutional responsibilities.

Mr. President, I submit to my colleagues that members of this administration should take a course in constitutional history. In so doing, they might understand better that very document they were sworn to uphold, and which we are sworn to uphold.

Having thrown off the yoke of tyranny, our Founding Fathers were determined that our fledgling Nation would never again suffer the abuses of a monarch vested with absolute power. In so doing, they constructed a system of government in which the three branches were delicately balanced, each against the other two.

For the Founding Fathers, Congress had a unique role to play since they viewed it as an institution reflecting the voice of the people and as the bulwark of American democratic ideals. I note the first article of the Constitution deals with the legislative branch and its powers. The Founding Fathers, in light of our colonial experience, were justifiably suspicious of Executive power, and this was reflected in the noble instrument they drafted and which we know as the Constitution of the United States of America. In this context, it is not insignificant that the powers and responsibilities of the Congress are listed first in the Constitution and that they are specified in much greater detail than those of the Chief Executive or the judicial branch.

In the foreign policy area, the Founding Fathers accorded the legislative branch important constitutional prerogatives. The prerogatives are divided into four principal categories. Two belong to the Senate alone—advice and consent to treaties and the confirmation of executive branch appointments. The other two are shared by the Senate and the House of Representatives—the power to appropriate funds and the power to declare war.

Mr. Meese notwithstanding, the so-called power of the purse is a constitutional prerogative delegated to the Congress. Article I, section 9, of the Constitution, stipulates that "no money shall be drawn from the Treasury, but in Consequence of Appropriations made by Law." In simple English, this means that legislative approval is required for all Government expenditures, be they domestic or foreign.

Since all expenditures must be approved by the Congress, at one time or another or in one way or another, we may increase funds for particular programs above White House recommendations; we may also refuse to grant funds for programs and policies in the foreign policy field as is the case with the Boland amendment; we may provide the required funds only when certain conditions have been met abroad as is the case with the certification of aid to El Salvador; or Congress may terminate programs already in existence. The Constitution is quite explicit in whom it entrusts the expenditure of the public's money. That right is vested exclusively with the Congress, not with the President.

In the case of the nomination of Kenneth Adelman, we were told that the President should receive Senate approval of any nominee of his choice, no matter how unqualified that individual might be. At least, we were told that in essence; that is what it amounted to.

Once again, the Constitution is explicit on this issue. Article II, section 2, paragraph 2, of the Constitution, reads as follows:

> [Meaning the President]—shall have power, by and with the Advice and Consent of the Senate, to make Treaties, provided two thirds of the Senators present concur; and he shall nominate, and by and with the Advice and Consent of the Senate, shall appoint Ambassadors, other public Ministers and Consuls, Judges of the Supreme Court, and all other Officers of the United States, whose appointments are not herein otherwise provided for, and which shall be established by law.

As I pointed out in my remarks following the confirmation of Mr. Adelman on April 14, this provision of the Constitution does not state that the Senate has to rubberstamp every nominee of any President, of any party.

Once again, our Founding Fathers were concerned about extending a President such inordinate authority. They feared that giving a President such unfettered power would allow him to place in office any person of his choice, no matter how unqualified or how incompetent, to conduct the important business of our Government. They were concerned that this would accord to the President the very monarchial powers against which our Founding Fathers rebelled.

In October 1981, the Senate was once again pressured into supporting the President on the issue of the sale of AWACS to Saudi Arabia. We were told that a vote against the President would unnecessarily damage his prestige and credibility in the conduct of foreign policy. This assertion was predicated upon the assumption that the President made a commitment to Saudi Arabia and the United States had to stick by this commitment.

I did not feel that way about it. I voted against the sale.

As I pointed out on October 28, 1981, this line of argument was not consonant with the facts or the law. Under the provisions of 36(b) of the Arms Export Control Act, the President is precluded from making such commitments for the sale of U.S. arms until Congress has acted to disapprove or acquiesce in the letters of offer submitted to it for consideration. The only commitment a President can make under the Arms Export Control Act is in the form of a letter of offer to a foreign government. Yet, that letter of offer cannot be issued, under the law, until the 30 calendar days following formal notification to the Congress has expired and a concurrent resolution of disapproval has not been adopted by the House and the Senate.

Finally, there are four consecutive provisions of Article I, section 8, of the Constitution, which accord to Congress the warmaking powers of our Government. These confer upon Congress the power to declare war; to raise and support armies; to provide and maintain a Navy; and to make rules for the Government and regulation of land and naval forces.

Thus, contrary to the administration's assertion that the Congress cannot place limitation on the Presidential conduct of foreign policy, the Constitution of the United States says otherwise. As noted constitutional scholar Louis Henkins pointed out in his book "Foreign Affairs and the Constitution":

> The vast legislative powers of Congress that relate particularly to foreign affairs do not begin to exhaust its authority to make law affecting foreign relations. Congress has general powers that, taken together, enable it to reach virtually where it will in foreign as in domestic affairs.

The Commission on the Organization of Government for the Conduct of Foreign Policy was established in 1972 by the Congress. The Commission was asked to make recommendations for the improvement of the governmental processes and programs in the formulation and implementation of foreign policy. The report of the Commission was issued on June 28, 1975, and I cite the following from the report:

The Commission believes that while the executive branch should continue to conduct our relations with other countries, both the Constitution and political realities require shared participation and responsibility by the executive and legislative branches of government.

In sum, the Congress has enormous powers which are indispensable to the support of any foreign policy, no matter which party, Republican or Democrat, controls the Presidency.

Congressional laws made in pursuance of these powers, and treaties that have been supported with an adequate number of votes in the Senate, are the supreme law of the land, and the President is bound by the Constitution to execute these laws faithfully.

Unfortunately, it appears we have an administration which does not view the Congress as a partner in the conduct of foreign policy—a partnership envisioned by our Founding Fathers which is manifested in the Constitution as being a requirement for the successful implementation of U.S. foreign policy. It is small wonder that there is a growing bipartisan suspicion surrounding the goals of this administration's foreign policy.

By denying that Congress has a constitutional role in the oversight and implementation of American foreign policy, this administration is denying itself the bipartisan support necessary to carry out its foreign policy. As such, the checks on Executive authority to unilaterally carry out the foreign policy of this Nation are now being implemented by the Congress in the form of the Boland amendment and certification requirements for continued aid to El Salvador. And I predict these tools will continue to be utilized by the Congress as long as this administration continues its attitude that Congress does not have any role in the foreign policy decisionmaking processes of this Government.

SMALL BUSINESS WEEK

Mr. BYRD. Mr. President, last week we commemorated the vital contributions made to our economy by the small businesses of this country. Each day we see the economic headlines filled with the news of large corporations, but the true story of America's vitality goes largely untold. That story goes to the thousands of small businesses, which are the engines of our economic growth.

Of the 11 million businesses in the United States over 98 percent qualify as small businesses. These businesses account for over 40 percent of our gross national product and over half of the Nation's total business employment.

In my own State of West Virginia the small business community plays a vital role in our economy. Recently, Mr. James P. Blair of Blair Motor Supply in Clarksburg, W. Va., has been designated as "small businessman of the year." Mr. Blair stands as a symbol of the strong involvement small business plays in our future economic growth.

Yet, despite the importance of this sector to our economy the economic policies of the Reagan administration have had a devastating effect on the health of small businesses. The small business community has suffered from the severe declines that have hit the housing, agriculture, and retailing sectors of our economy which are particularly dependent on small firms. The slump in auto sales has led to the death of thousands of small firms, particularly franchised dealers, which are dependent on the auto industry. While business failures sharply increased over the past 2 years, other surviving firms have been forced to scale back their operations to remain profitable.

Make no mistake about it, high interest rates are the No. 1 problem for the owner of a small business. The Reagan administration has relied on high interest rates to fight inflation, but it has followed this strategy at a tremendous cost to the small business community. Most small firms are high risk borrowers and are forced to pay several percentage points above the prime rate in order to obtain funds. These high interest rates place the managers of small businesses in a catch-22 situation: They cannot obtain financing from a bank unless they are able to project a record of profitability and expansion, but they cannot expand unless they can get money to finance their expansion.

The answer to the predicament of small firms lies in a new, revamped economic policy. First, we need to return some measure of stability to fiscal and monetary policy by correcting the most serious mistakes of Reaganomics. That means that we must adopt a multiyear budget strategy that provides for a gradual, but steady, decline in the enormous budget deficits that the Reagan economic program has spawned. Second, we must develop a plan for sustained, long-term economic growth. To respond to this need, I recently appointed an industrial policy task force under the chairmanship of Senator KENNEDY to evaluate proposals to improve the competitive performance of our economy. Small business has a critical role to play in our future economic expansion. Yet, in order for us to maximize the contribution of small firms to our economy, we need continually to review and reform our Federal small business programs. We in the Democratic Party have begun a serious effort to do just that.

Mr. President, I yield to Mr. KENNEDY such time as he may need from my time.

The PRESIDING OFFICER. The Senator from Massachusetts.

THE PASTORAL LETTER OF THE U.S. BISHOPS ON WAR AND PEACE

Mr. KENNEDY. Mr. President, on May 3, the Catholic bishops of the United States approved by a vote of 238 to 9 a national pastoral letter on war and peace in the nuclear age.

In this historic pastoral letter, entitled "The Challenge of Peace: God's Promise and Our Response," the bishops state:

The nuclear age is an era of moral as well as physical danger. We are the first generation since Genesis with the power to virtually destroy God's creation. We cannot remain silent in the face of such danger.

The bishops' letter underwent nearly 2 years of preparation, including consideration of hundreds of submissions from church leaders and Government officials and three separate drafts presented to the full conference of bishops. It provides a thoughtful and comprehensive statement of religious perspectives on war and peace, issues of public policy and strategy and pastoral approaches for Christians to "live up to the call of Jesus to be peacemakers in our time and situation."

Judging that it is "morally unjustifiable to initiate nuclear war in any form," the pastoral letter recommends the following concrete steps for nuclear arms control and disarmament:

1. Support for immediate, bilateral, verifiable agreements to halt the testing, production and deployment of new nuclear weapons systems.

2. Support for negotiated deep cuts in the arsenals of both superpowers, particularly those systems which have destabilizing characteristics * * *

3. Support for early and successful conclusion of negotiations for a comprehensive test ban treaty.

4. Removal by all parties of short-range nuclear weapons which multiply dangers disproportionate to their deterrent value.

5. Removal by all parties of nuclear weapons from areas where they are likely to be overrun in the early stages of war, thus forcing rapid and uncontrollable decisions on their use.

6. Strengthening of command and control over nuclear weapons to prevent inadvertent and unauthorized use.

In its conclusion, the pastoral letter makes an eloquent appeal for an end to the nuclear arms race:

The whole world must summon the moral courage and technical means to say no to nuclear conflict; no to weapons of mass destruction; no to an arms race which robs the poor and the vulnerable; and no to the moral danger of a nuclear age which places before humankind indefensible choices of constant terror or surrender. Peacemaking is not an optional commitment. It is a requirement of our faith.

The Nation owes a debt of gratitude to the archbishop of Chicago, Joseph Cardinal Bernardin, and the four other members of the drafting committee which he chaired—Bishops Thomas J. Gumbleton of Detroit,

John O'Connor of New York, George A. Fulcher of Lafayette, Ind., and Daniel P. Reilly of Norwich, Conn.—as well as to all of the American bishops for this extraordinary service to their church and country at this critical point in the nuclear age.

Both Protestant and Jewish leaders have already warmly welcomed the pastoral letter, and have begun a dialog with Catholic leaders on its implications and recommendations. I hope that the Congress, the administration, and the American people will give careful study to this important letter and its compelling message. As Cardinal Bernardin points out, this document sets:

The voice of the Bishops of the United States against the technological dynamic of the nuclear arms race. The letter calls for stopping the race, reversing its direction, eliminating the most dangerous weapons systems and establishing the need for decisive political action to move world politics away from a fascination with means of destruction and toward a world order in which war will be consigned to history as a method of setting disputes.

Because of its extraordinary importance, I ask unanimous consent that the full text of the pastoral letter of the U.S. Bishops be printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

[The Pastoral Letter on War and Peace]

THE CHALLENGE OF PEACE: GOD'S PROMISE AND OUR RESPONSE

INTRODUCTION

"The whole human race faces a moment of supreme crisis in its advance toward maturity." Thus the Second Vatican Council opened its treatment of modern warfare.[1] Since the council, the dynamic of the nuclear arms race has intensified. Apprehension about nuclear war is almost tangible and visible today. As Pope John Paul II said in his message to the United Nations concerning disarmament: "Currently the fear and preoccupation of so many groups in various parts of the world reveal that people are more frightened about what would happen if irresponsible parties unleash some nuclear war." [2]

As bishops and pastors ministering in one of the major nuclear nations, we have encountered this terror in the minds and hearts of our people—indeed, we share it. We write this letter because we agree that the world is at a moment of crisis, the effects of which are evident in people's lives. It is not our intent to play on fears, however, but to speak words of hope and encouragement in time of fear. Faith does not insulate us from the challenges of life; rather, it intensifies our desire to help solve them precisely in light of the good news which has come to us in the person of Jesus, the Lord of history. From the resources of our faith we wish to provide hope and strength to all who seek a world free of the nuclear threat. Hope sustains one's capacity to live with danger without being over-whelmed by it; hope is the will to struggle against obstacles even when they appear insuperable. Ultimately our hope rests in the God who gave us life, sustains the world by his power and has called us to revere the lives of every person and all peoples.

The crisis of which we speak arises from this fact: Nuclear war threatens the existence of our planet; this is a more menacing threat than any the world has known. It is neither tolerable nor necessary that human beings live under this threat. But removing it will require a major effort of intelligence, courage and faith. As Pope John Paul II said at Hiroshima: "From now on it is only through a conscious choice and through a deliberate policy that humanity can survive."[3]

As Americans, citizens of the nation which was first to produce atomic weapons, which has been the only one to use them and which today is one of the handful of nations capable of decisively influencing the course of the nuclear age, we have grave human, moral and political responsibilities to see that a "conscious choice" is made to save humanity. This letter is therefore both an invitation and a challenge to Catholics in the United States to join with others in shaping the conscious choices and deliberate policies required in this "moment of supreme crisis."

I. PEACE IN THE MODERN WORLD: RELIGIOUS PERSPECTIVES AND PRINCIPLES

The global threat of nuclear war is a central concern of the universal church, as the words and deeds of recent popes and the Second Vatican Council vividly demonstrate. In this pastoral letter we speak as bishops of the universal church, heirs of the religious and moral teaching on modern warfare of the last four decades. We also speak as bishops of the church in the United States, who have both the obligation and the opportunity to share and interpret the moral and religious wisdom of the Catholic tradition by applying it to the problems of war and peace today.

The nuclear threat transcends religious, cultural and national boundaries. To confront its danger requires all the resources reason and faith can muster. This letter is a contribution to a wider common effort meant to call Catholics and all members of our political community to dialogue and specific decisions about this awesome question.

The Catholic tradition on war and peace is a long and complex one, reaching from the Sermon on the Mount to the statements of Pope John Paul II. Its development cannot be sketched in a straight line, and it seldom gives a simple answer to complex questions. It speaks through many voices and has produced multiple forms of religious witness. As we locate ourselves in this tradition, seeking to draw from it and to develop it, the document which provides profound inspriation and guidance for us is the Pastoral Constitution on the Church in the Modern World of Vatican II, for it is based on doctrinal principles and addresses the relationship of the church to the world with respect to the most urgent issues of our day.[4]

A rule of interpretation crucial for the pastoral constitution is equally important for this pastoral letter, although the authority inherent in these two documents is quite distinct. Both documents use principles of Catholic moral teaching and apply them to specific contemporary issues. The bishops at Vatican II opened the pastoral consititution with the following guideline on how to relate principles to concrete issues.

"In the first part, the church develops her teaching on man, on the world which is the enveloping context of man's existence, and on man's relations to his fellow men. In Part II, the church gives closer consideration to various aspects of modern life and human society; special consideration is given to those questions and problems which, in this general area, seem to have a greater urgency in our day. As a result, in Part II the subject matter which is viewed in the light of doctrinal principles is made up of diverse elements. Some elements have a permanent value; others, only a transitory one. Consequently, the constitution must be interpreted according to the general norms of theological interpretation. Interpreters must bear in mind—especially in Part II—the changeable circumstances which the subject matter, by its very nature, involves." [5]

In this pastoral letter too we address many concrete questions concerning the arms race, contemporary warfare, weapons systems and negotiating strategies. We do not intend that our treatment of each of these issues carry the same moral authority as our statement of universal moral principles and formal church teaching. Indeed, we stress here at the beginning that not every statement in this letter has the same moral authority. At times we reassert universally binding moral principles (e.g., non-combatant immunity and proportionality). At still other times we reaffirm statements of recent popes and the teaching of Vatican II. Again, at other times we apply moral principles to specific cases.

When making applications of these principles we realize—and we wish readers to recognize—that prudential judgments are involved based on specific circumstances which can change or which can be be interpreted differently by people of good will (e.g., the treatment of "no first use"). However, the moral judgments that we make in specific cases, while not binding in conscience, are to be given serious attention and consideration by Catholics as they determine whether their moral judgments are consistent with the Gospel.

We shall do our best to indicate, stylistically and substantively, whenever we make such applications. We believe such specific judgments are an important part of this letter, but they should be interpreted in light of another passage from the pastoral constitution:

"Often enough the Christian view of things will itself suggest some specific solution in certain circumstances. Yet it happens rather frequently, and legitimately so, that with equal sincerity some of the faithful will disagree with others on a given matter. Even against the intention of their proponents, however, solutions proposed on one side or another may be easily confused by many people with the gospel message. Hence it is necessary for people to remember that no one is allowed in the aforementioned situations to appropriate the church's authority for his opinion. They should always try to enlighten one another through honest discussion, preserving mutual charity and caring above all for the common good." [6]

This passage acknowledges that on some complex social questions the church expects a certain diversity of views even though all hold the same universal moral principles. The experience of preparing this pastoral letter has shown us the range of strongly held opinion in the Catholic community on questions of war and peace. Obviously, as bishops we believe that such differences should be expressed within the framework

Footnotes at end of article.

of Catholic moral teaching. We urge mutual respect among different groups in the church as they analyze this letter and the issues it addresses. Not only conviction and commitment are needed in the church, but also civility and charity.

The pastoral constitution calls us to bring the light of the Gospel to bear upon "the signs of the times." Three signs of the times have particularly influenced the writing of this letter. The first, to quote Pope John Paul II at the United Nations, is that "the world wants peace, the world needs peace." [7] The second is the judgment of Vatican II about the arms race: "The arms race is one of the greatest curses on the human race and the harm it inflicts upon the poor is more than can be endured." [8] The third is the way in which the unique dangers and dynamics of the nuclear arms race present qualitatively new problems which must be addressed by fresh applications of traditional moral principles. In light of these three characteristics, we wish to examine Catholic teaching on peace and war.

The Catholic social tradition as exemplified in the pastoral constitution and recent papal teachings is a mix of biblical, theological and philosophical elements which are brought to bear upon the concrete problems of the day. The biblical vision of the world, created and sustained by God, scarred by sin, redeemed in Christ and destined for the Kingdom, is at the heart of our religious heritage. This vision requires elaboration, explanation and application in each age; the important task of theology is to penetrate ever more adequately the nature of the biblical vision of peace and relate it to a world not yet at peace. Consequently, the teaching about peace examines both how to construct a more peaceful world and how to assess the phenomenon of war.

At the center of the church's teaching on peace and at the center of all Catholic social teaching, are the transcendence of God and the dignity of the human person. The human person is the clearest reflection of God's presence in the world; all of the church's work in pursuit of both justice and peace is designed to protect and promote the dignity of every person. For each person not only reflects God, but is the expression of God's creative work and the meaning of Christ's redemptive ministry. Christians approach the problem of war and peace with fear and reverence. God is the Lord of life, and so each human life is scared; modern warfare threatens the obliteration of human life on a previously unimaginable scale. The sense of awe and "fear of the Lord" which former generations felt in aproaching these issues weighs upon us with new urgency. In the words of the pastoral constitution: "Men of this generation should realize that they will have to render an account of their warlike behavior; the destiny of generations to come depends largely on the decisions they make today." [9]

Catholic teaching on peace and war has had two purposes: to help Catholics form their consciences and to contribute to the public policy debate about the morality of war. These two purposes have led Catholic teaching to address two distinct but overlapping audiences. The first is the Catholic faithful, formed by the premises of the Gospel and the principles of Catholic moral teaching. The second is the wider civil community, a more pluralistic audience, in which our brothers and sisters with whom we share the name Christian, Jews, Moslems, other religious communities, and all people of good will also make up our polity. Since Catholic teaching has traditionally sought to address both audiences, we intend to speak to both in this letter, recognizing that Catholics are also members of the wider political community.

The conviction, rooted in Catholic ecclesiology, that both the community of the faithful and the civil community should be addressed on peace and war has produced two complementary but distinct styles of teaching. The religious community shares a specific perspective of faith and can be called to live out its implications. The wider civil community, although it does not share the same vision of faith, is equally bound by certain key moral principles. for all men and women find in the depth of their consciences a law written on the human heart by God.[10] From this law reason draws moral norms. These norms do not exhaust the gospel vision, but they speak to critical questions affecting the welfare of the human community, the role of states in international relations and the limits of acceptable action by individuals and nations on issues of war and peace.

Examples of these two styles can be found in recent Catholic teaching. At times the emphasis is upon the problems and requirements for a just public policy (e.g., Pope John Paul II at the U.N. Special Session, 1982); at other times the emphasis is on the specific role Christians should play (e.g., Pope John Paul II at Coventry, England, 1982). The same difference of emphasis and orientation can be found in Pope John XXIII's "Peace on Earth" and Vatican II's pastoral constitution.

As bishops we believe that the nature of Catholic moral teaching, the principles of Catholic ecclesiology and the demands of our pastoral ministry require that this letter speak both to Catholics in a specific way and to the wider political community regarding public policy. Neither audience and neither mode of address can be neglected when the issue has the cosmic dimensions of the nuclear arms race.

We propose, therefore, to discuss both the religious vision of peace among peoples and nations and the problems associated with realizing this vision in a world of sovereign states devoid of any central authority and divided by ideology, geography and competing claims. We believe the religious vision has an objective basis and is capable of progressive realization. Christ is our peace, for he has "made us both one, and has broken down the dividing wall of hostility . . . that he might create in himself one new man in place of the two, so making peace, and might reconcile us both to God" (Eph. 2:14-16). We also know that this peace will be achieved fully only in the kingdom of God. The realization of the kingdom, therefore, is a continuing work progressively accomplished, precariously maintained and needing constant effort to preserve the peace achieved and expand its scope in personal and political like.

Building peace within and among nations is the work of many individuals and institutions; it is the fruit of ideas and decisions taken in the political, cultural, economic, social, military and legal sectors of life. We believe that the church, as a community of faith and social institution, has a proper, necessary and distinctive part to play in the pursuit of peace.

The distinctive contribution of the church flows from her religious nature and ministry. The church is called to be in a unique way the instrument of the kingdom of God in history. Since peace is one of the signs of that kingdom present in the world, the church fulfills part of her essential mission by making the peace of the kingdom more visible in our time.

Because peace, like the kingdom of God itself, is both a divine gift and a human work, the church should continually pray for the gift and share in the work. We are called to be a church at the service of peace, precisely because peace is one manifestation of God's word and work in our midst. Recognition of the church's responsibility to join with others in the work of peace is a major force behind the call today to develop a theology of peace. Much of the history of Catholic theology on war and peace has focused on limiting the resort to force in human affairs; this task is still necessary and is reflected later in this pastoral letter, but it is not a sufficient response to Vatican II's challenge "to undertake a completely fresh reappraisal of war." [11]

A fresh reappraisal which includes a developed theology of peace will require contributions from several sectors of the church's life; biblical studies, systematic and moral theology, ecclesiology, and the experience and insights of members of the church who have struggled in various ways to make and keep the peace in this often violent age. This pastoral letter is more an invitation to continue the new appraisal of war and peace than a final synthesis of the results of such an appraisal. We have some sense of the characteristics of a theology of peace, but not a systematic statement of their relationships.

A theology of peace should ground the task of peacemaking solidly in the biblical vision of the kingdom of God, then place it centrally in the ministry of the church. It should specify the obstacles in the way of peace, as these are understood theologically and in the social and political sciences. It should both identify the specific contributions a community of faith can make to the work of peace and relate these to the wider work of peace pursued by other groups and institutions in society. Finally, a theology of peace must include a message of hope. The vision of hope must be available to all, but one source of its content should be found in a church at the service of peace.

We offer now a first step toward a message of peace and hope. It consists of a sketch of the biblical conception of peace; a theological understanding of how peace can be pursued in a world marked by sin; a moral assessment of key issues facing us in the pursuit of peace today; and an assessment of the political and personal tasks required of all people of good will in this most crucial period of history.

A Peace and the Kingdom

For us as believers, the sacred scriptures provide the foundation for confronting the dilemma of war and peace today. Any use of scripture in this area is conditioned by three factors. *First*, the term "peace" has been understood in different ways at various times and in various contexts. For example, peace can refer to an individual's sense of well-being or security, or it can mean the cessation of armed hostility, producing an atmosphere in which nations can relate to each other and settle conflicts without resorting to the use of arms. For men and women of faith, peace will imply a right relationship with God, which entails forgiveness, reconciliation and union. Finally, the scriptures point to eschatological peace, a final, full realization of God's salvation when all cre-

ation will be made whole. Among these various meanings, the last two predominate in the scriptures and provide direction to the first two.

Second, The scriptures as we have them today were written over a long period of time and reflect many varied historical situations, all different from our own. Our understanding of them is both complicated and enhanced by these differences, but not in any way obscured or diminished by them. *Third,* since the scriptures speak primarily of God's intervention in history, they contain no specific treatise on war and peace. Peace and war must always be seen in light of God's intervention in human affairs and our response to that intervention. Both are elements within the ongoing revelation of God's will for creation.

Acknowledging this complexity, we still recognize in the scriptures a unique source of revelation, a word of God which is addressed to us as surely as it has been to all preceeding generations. We call upon the Spirit of God who speaks in that word and in our hearts to aid us in our listening. The sacred texts have much to say to us about the ways in which God calls us to live in union with and in fidelity to the divine will. They provide us with direction for our lives and hold out to us an object of hope, a final promise, which guides and directs our actions here and now.

1. The Old Testament

War and peace are significant and highly complex elements within the multilayered accounts of the creation and development of God's people in the old Testament.

a. War

Violence and war are very much present in the history of the people of God, particularly from the Exodus period to the monarchy. God is often seen as the one who leads the Hebrews in battle, protects them from their enemies, makes them victorious over other armies (see, for example, Dt. 1:30; 20:4; Jos. 2:24; Jgs. 3:28). The metaphor of warrior carried multifaceted connotations for a people who knew themselves to be smaller and weaker than the nations which surrounded them. It also enabled them to express their conviction about God's involvement in their lives and his desire for their growth and development. This metaphor provided the people with a sense of security; they had a God who would protect them even in the face of overwhelming obstacles. It was also a call to faith and to trust; the mighty God was to be obeyed and followed. No one can deny the presence of such images in the Old Testament nor their powerful influence upon the articulation of this people's understanding of the involvement of God in their history. The warrior God was highly significant during long periods of Israel's understanding of its faith. But this image was not the only image, and it was gradually transformed, particularly after the experience of the exile, when God was no longer identified with military victory and might. Other images and other understandings of God's activity became predominant in expressing the faith of God's people.

b. Peace

Several points must be taken into account in considering the image of peace in the Old Testament. First, all notions of peace must be understood in light of Israel's relation to God. Peace is always seen as gift from God and as fruit of God's saving activity. Second, the individual's personal peace is not greatly stressed. The well-being and freedom from fear which result from God's love are viewed primarily as they pertain to the community and its unity and harmony. Furthermore, this unity and harmony extend to all of creation; true peace implied a restoration of the right order not just among peoples, but within all of creation. Third, while the images of war and the warrior God become less dominant as a more profound and complex understanding of God is presented in the texts, the images of peace and the demands upon the people for covenantal fidelity to true peace grow more urgent and more developed.

c. Peace and Fidelity to the Covenant

If Israel obeyed God's law, God would dwell among them. "I will walk among you and will be your God and you shall be my people" (Lv. 26:12). God would strengthen the people against those who opposed them and would give peace in the land. The description of life in these circumstances witnesses to unity among peoples and creation, to freedom from fear and to security (Lv. 26:3-16). The right relationship between the people and God was grounded in and expressed by a covenantal union. The covenant bound the people to God in fidelity and obedience; God was also committed in the covenant to be present with the people, to save them, to lead them to freedom. Peace is a special characteristic of this covenant; when the prophet Ezekiel looked to the establishment of the new, truer covenant, he declared that God would establish an everlasting covenant of peace with the people (Ez. 37:26).

Living in covenantal fidelity with God had ramifications in the lives of the people. It was part of fidelity to care for the needy and helpless; a society living with fidelity was one marked by justice and integrity. Furthermore, covenantal fidelity demanded that Israel put its trust in God alone and look only to him for its security. When Israel tended to forget the obligations of the covenant, prophets arose to remind the people and call them to return to God. True peace is an image which they stressed.

Ezekiel, who promised a covenant of peace, condemned in no uncertain terms the false prophets who said there was peace in the land while idolatry and injustice continued (Ez. 13:16). Jeremiah followed in this tradition and berated those who "healed the wounds of the people lightly" and proclaimed peace while injustice and infidelity prevailed (Jer. 6:14; 8:10-12). Jeremiah and Isaiah both condemned the leaders when, against true security, they depended upon their own strength or alliances with other nations rather than trusting in God (Is. 7:1-9; 30:1-4; Jer. 37:10). The lament of Isaiah 48:18 makes clear the connection between justice, fidelity to God's law and peace; he cries out: "O that you had hearkened to my commandments! Then your peace would have been like a river, and your righteousness like the waves of the sea."

d. Hope for Eschatological Peace

Experience made it clear to the people of God that the covenant of peace and the fullness of salvation had not been realized in their midst. War and enmity were still present, injustices thrived, sin still manifested itself. These same experiences also convinced the people of God's fidelity to a covenant which they often neglected. Because of this fidelity, God's promise of a final salvation involving all peoples and all creation and of an ultimate reign of peace became an integral part of the hope of the Old Testament. In the midst of their failures and sin, God's people strove for greater fidelity to him and closer relationship with him; they did so because, believing in the future they had been promised, they directed their lives and energies toward an eschatological vision for which they longed. Peace is an integral component of that vision.

The final age, the Messianic time, is described as one in which the "Spirit is poured on us from on high." In this age creation will be made whole, "justice will dwell in the wilderness," the effect of righteousness will be peace, and the people will "abide in a peaceful habitation and in secure dwellings and in quiet resting places" (Is. 32:15-20). There will be no need for instruments of war (Is. 2:4; Mi. 4:3),[12] God will speak directly to the people and "righteousness and peace will embrace each other" (Ps. 85:10-11). A Messiah will appear, a servant of God upon whom God has placed his spirit and who will faithfully bring forth justice to the nations: "He will not cry or lift up his voice, or make it heard in the street; a bruised reed he will not break and a dimly burning wick he will not quench; he will faithfully bring forth justice" (Is. 42:2-3).

The Old Testament provides us with the history of a people who portrayed their God as one who intervened in their lives, who protected them and led them to freedom, often as a mighty leader in battle. They also appear as a people who longed constantly for peace. Such peace was always seen as a result of God's gift which came about in fidelity to the covenantal union. Furthermore, in the midst of their unfulfilled longing, God's people clung tenaciously to hope in the promise of an eschatological time when, in the fullness of salvation, peace and justice would embrace and all creation would be secure from harm. The people looked for a Messiah, one whose coming would signal the beginning of that time. In their waiting, they heard the prophets call them to love according to the covenantal vision, to repent and to be ready for God's reign.

2. New Testament

As Christians we believe that Jesus is the Messiah or Christ so long awaited. God's servant (Mt. 12:18-21) prophet and more than prophet (Jn. 4:19-26), the one in whom the fullness of God was pleased to dwell, through whom all things in heaven and on earth were reconciled to God, Jesus made peace by the blood of the cross (Col. 1:19-20). While the characteristics of the *shalom* of the Old Testament (gift from God, inclusive of all creation, grounded in salvation and covenantal fidelity, inextricably bound up with justice) are present in the New Testament traditions, all discussion of war and peace in the New Testament must be seen within the context of the unique revelation of God that is Jesus Christ and of the reign of God which Jesus proclaimed and inaugurated.

a. War

There is no notion of a warrior God who will lead the people in a historical victory over its enemies in the New Testament. The only war spoken of is found in apocalyptic images of the final moments, especially as they are depicted in the Book of Revelation. Here war stands as image of the eschatological struggle between God and Satan. It is a war in which the Lamb is victorious (Rv. 17:14).

Military images appear in terms of the preparedness which one must have for the coming trials (Lk. 14:31; 22:35-38). Swords appear in the New Testament as an image

of divison (Mt. 12:34; Heb. 4:12); they are present at the arrest of Jesus, and he rejects their use (Lk. 22:51 and parallel texts); weapons are transformed in Ephesians, when the Christians are urged to put on the whole armor of God which includes the breastplate of righteousness, the helmet of salvation, the sword of the Spirit, "having shod your feet in the equipment of the gospel of peace" (Eph. 6:10-17; cf. 1 Thes. 5:8-9). Soldiers too are present in the New Testament. They are at the crucifixion of Jesus, of course, but they are also recipients of the baptism of John, and one centurion receives the healing of his servant (Mt. 8:5-13 and parallel texts; cf. Jn. 4:46-53).

Jesus challenged everyone to recognize in him the presence of the reign of God and to give themselves over to that reign. Such a radical change of allegiance was difficult for many to accept and families found themselves divided, as if by a sword. Hence, the Gospels tell us that Jesus said he came not to bring peace but rather the sword (Mt. 10:34). The peace which Jesus did not bring was the false peace which the prophets had warned against. The sword which he did bring was that of the division caused by the word of God, which like a two-edged sword "pierces to the division of soul and spirit, of joints and marrow, and discerns the thoughts and intentions of the heart" (Heb. 4:12).

All are invited into the reign of God. Faith in Jesus and trust in God's mercy are the criteria. Living in accord with the demands of the kingdom rather than those of one's specific profession is decisive.[13]

b. Jesus and reign of God

Jesus proclaimed the reign of God in his words and made it present in his actions. His words begin with a call to conversion and a proclamation of the arrival of the kingdom. "The time is fulfilled, and the kingdom of God is at hand; repent, and believe in the Gospel" (Mk. 1:15; Mt. 4:17). The call to conversion was at the same time an invitation to enter God's reign. Jesus went beyond the prophets' cries for conversion when he declared that, in him, the reign of God had begun and was in fact among the people (Lk. 17:20-21; 12:32).

His words, especially as they are preserved for us in the Sermon on the Mount, describe a new reality in which God's power is manifested and the longing of the people is fulfilled. In God's reign the poor are given the kingdom, the mourners are comforted, the meek inherit the earth, those hungry for righteousness are satisfied, the merciful know mercy, the pure see God, the persecuted know the kingdom and peacemakers are called the children of God (Mt. 5:3-10).

Jesus' words also depict for us the conduct of one who lives under God's reign. His words call for a new way of life which fulfills and goes beyond the law. One of the most striking characteristics of this new way is forgiveness. All who hear Jesus are repeatedly called to forgive one another and to do so not just once, but many, many times (Mt. 6:14-15; Lk. 6:37; Mt. 18:21-22; Mk. 11:25; Lk. 11:4; 17:3-4). The forgiveness of God, which is the beginning of salvation, is manifested in communal forgiveness and mercy.

Jesus also described God's reign as one in which love is an active, life-giving, inclusive force. He called for a love which went beyond family ties and bonds of friendship to reach even those who were enemies (Mt. 5:44-48; Lk. 6:27-28). Such a love does not seek revenge, but rather is merciful in the face of threat and opposition (Mt. 5:39-42; Lk. 6:29-31). Disciples are to love one another as Jesus has loved them (Jn. 15:12).

The words of Jesus would remain an impossible, abstract ideal were it not for two things: the actions of Jesus and his gift of the Spirit. In his actions Jesus showed the way of living in God's reign; he manifested the forgiveness which he called for when he accepted all who came to him, forgave their sins, healed them, released them from the demons who possessed them. In doing these things he made the tender mercy of God present in a world which knew violence, oppression and injustice. Jesus pointed out the injustices of his time and opposed those who laid burdens upon the people or defiled true worship. He acted aggressively and dramatically at times, as when he cleansed the temple of those who had made God's house into a "den of robbers" (Mt. 21:12-17 and parallel texts; Jn. 3:13-25).

Most characteristic of Jesus' actions are those in which he showed his love. As he had commanded others, his love led him even to the giving of his own life to effect redemption. Jesus' message and his actions were dangerous ones in his time, and they led to his death—a cruel and viciously inflicted death, a criminal's death (Gal. 3:13). In all of his suffering, as in all of his life and ministry, Jesus refused to defend himself with force or with violence. He endured violence and cruelty so that God's love might be fully manifest and the world might be reconciled to the One from whom it had become estranged. Even at his death Jesus cried out for forgiveness for those who were his executioners: "Father, forgive them" (Lk. 23:34).

The resurrection of Jesus is the sign to the world that God indeed does reign, does give life in death and that the love of God is stronger even than death (Rom. 8:36-39).

Only in light of this, the fullest demonstration of the power of God's reign, can Jesus' gift of peace—a peace which the world cannot give (Jn. 14:27)—be understood. Jesus gives that peace to his disciples, to those who had witnessed the helplessness of the crucifixion and the power of the resurrection (Jn. 20:19, 20, 26). The peace which he gives to them as he greets them as their risen Lord is the fullness of salvation. It is the reconciliation of the world and God (Rom. 5:1-2, Col. 1:20); the restoration of the unity and harmony of all creation which the Old Testament spoke of with such longing. Because the walls of hostility between God and humankind were broken down in the life and death of the true, perfect servant, union and well-being between God and the world were finally fully possible (Eph. 2:13-22; Gal. 3:28).

c. Jesus and the community of believers

As his first gift to his followers, the risen Jesus gave his gift of peace. This gift permeated the meetings between the risen Jesus and his followers (Jn. 20:19-29). So intense was that gift and so abiding was its power that the remembrance of that gift and the daily living of it became the hallmark of the community of faith. Simultaneously, Jesus gave his Spirit to those who followed him. These two personal and communal gifts are inseparable. In the Spirit of Jesus the community of believers was enabled to recognized and to proclaim the Savior of the world.

Gifted with Jesus' own Spirit, they cold recognize what God had done and know in their own lives the power of the One who creates from nothing. The early Christian communities knew that this power and the reconciliation and peace which marked it were not yet fully operative in their world. They struggled with external persecution and with interior sun, as so all people. But their experience of the Spirit of God and their memory of the Chirst who was with them nevertheless enabled them to look forward with unshakable confidence to the time when the fullness of God's reign would make itself known in the world. At the same time, they knew that they were called to be ministers of reconciliation (2 Cor. 5:19-20), people who would make the peace which God had established visible through the love and the unity within their own communities.

Jesus Christ, then, is our peace, and in his death-resurrection he gives God's peace to our world. In him God has indeed reconciled the world, made it one, and has manifested definitively that his will is this reconciliation, this unity between God and all peoples, and among the peoples themselves. The way to union has been opened, the covenant of peace established. The risen Lord's gift of peace is inextricably bound to the call to follow Jesus and to continue the proclamation of God's reign. Matthew's Gospel (Mt. 28:16-20; cf. Lk. 24:44-53) tells us that Jesus' last words to his disciples were a sending forth and a promise: "I shall be with you all days." In the continuing presence of Jesus, disciples of all ages find the courage to follow him. To follow Jesus Christ implies continual conversion in one's own life as one seeks to act in ways which are consonant with the justice, forgiveness and love of God's reign. Discipleship reaches out to the ends of the earth and calls for reconciliation among all peoples so that God's purpose, "a plan for the fullness of time, to unite all things in him," (Eph. 1:10) will be fulfilled.

3. Conclusion

Even a brief examination of war and peace in the scriptures makes it clear that they do not provide us with detailed answers to the specifics of the questions which we face today. They do not speak specifically of nuclear war or nuclear weapons, for these were beyond the imagination of the communities in which the scriptures were formed. The sacred texts do, however, provide us with urgent direction when we look at today's concrete realities. The fullness of eschatological peace remains before us in hope, and yet the gift of peace is already ours in the reconciliation effected in Jesus Christ. These two profoundly religious meanings of peace inform and influence all other meanings for Christians. Because we have been gifted with God's peace in the risen Christ, we are called to our own peace and to the making of peace in our world. As disciples and as children of God it is our task to seek for ways in which to make the forgiveness, justice and mercy, and love of God visible in a world where violence and enmity are too often the norm. When we listen to God's word, we hear again and always the call to repentance and to belief: to repentance because, although we are redeemed, we continue to need redemption; to belief because although the reign of God is near, it is still seeking its fullness.

B. Kingdom and history

The Christian understanding of history is hopeful and confident but also sober and realistic. "Christian optimism based on the glorious cross of Christ and the outpouring of the Holy Spirit is no excuse for self-deception. For Christians, peace on earth is always a challenge because of the presence of sin in man's heart."[14] Peace must be

built on the basis of justice in a world where the personal and social consequences of sin are evident.

Christian hope about history is rooted in our belief in God as creator and sustainer of our existence and our conviction that the kingdom of God will come in spite of sin, human weakness and failure. It is precisely because sin is part of history that the realization of the peace of the kingdom is never permanent or total. This is the continuing refrain from the patristic period to Pope John Paul II.

"For it was sin and hatred that were an obstacle to peace with God and with others: He destroyed them by the offering of life on the cross; he reconciled in one body those who were hostile (cf. Eph. 2:16; Rom. 12:5) . . .

"Although Christians put all their best energies into preventing war or stopping it, they do not deceive themselves about their ability to cause peace to triumph nor about the effect of their efforts to this end. They therefore concern themselves with all human initiatives in favor of peace and very often take part in them. But they regard them with realism and humility. One could almost say that they relativize them in two senses: They relate them both to the self-deception of humanity and to God's saving plan." [15]

Christians are called to live the tension between the vision of the reign of God and its concrete realization in history. The tension is often described in terms of "already but not yet": i.e., we already live in the grace of the kingdom, but it is not yet the completed kingdom. Hence, we are a pilgrim people in a world marked by conflict and injustice. Christ's grace is at work in the world; his command of love and his call to reconciliation are not purely future ideals but call us to obedience today.

With Pope Paul VI and Pope John Paul II we are convinced that "peace is possible." [16] At the same time experience convinces us that "in this world a totally and permanently peaceful human society is unfortunately a utopia, and that ideologies that hold up that prospect as easily attainable are based on hopes that cannot be realized, whatever the reason behind them." [17]

This recognition—that peace is possible but never assured and that its possibility must be continually protected and preserved in the face of obstacles and attacks upon it—accounts in large measure for the complexity of Catholic teaching on warfare. In the kingdom of God peace and justice will be fully realized. Justice is always the foundation of peace. In history, efforts to pursue both peace and justice are at times in tension, and the struggle for justice may threaten certain forms of peace.

It is within this tension of kingdom and history that Catholic teaching has addressed the problem of war. Wars mark the fabric of human history, distort the life of nations today and, in the form of nuclear weapons, threaten the destruction of the world as we know it and the civilization which has been patiently constructed over centuries. The causes of war are multiple and not easily identified. Christians will find in any violent situation the consequences of sin: not only sinful patterns of domination, oppression or aggression, but the conflict of values and interests which illustrate the limitations of a sinful world. The threat of nuclear war which affects the world today reflects such sinful patterns and conflicts.

In the "already but not yet" of Christian existence, members of the church choose different paths to move toward the realization of the kingdom in history. As we examine both the positions open to individuals for forming their consciences on war and peace and the Catholic teaching on the obligation of the state to defend society, we draw extensively on the pastoral constitution for two reasons.

First, we find its treatment of the nature of peace and the avoidance of war compelling, for it represents the prayerful thinking of bishops of the entire world and calls vigorously for fresh new attitudes while faithfully reflecting traditional church teaching. Second, the council fathers were familiar with more than the horrors of World Wars I and II. They saw conflicts continuing "to produce their devastating effect day by day somewhere in the world," the increasing ferocity of warfare made possible by modern scientific weapons, guerrilla warfare "drawn out by new methods of deceit and subversion" and terrorism regarded as a new way to wage war.[18] The same phenomena mark our day.

For similar reasons we draw heavily upon the popes of the nuclear age, from Pope Pius XII through Pope John Paul II. The teaching of popes and councils must be incarnated by each local church in a manner understandable to its culture. This allows each local church to bring its unique insights and experience to bear on the issues shaping our world. From 1966 to the present, American bishops, individually and collectively, have issued numerous statements on the issues of peace and war, ranging from the Vietnam War to conscientious objection and the use of nuclear weapons. These statements reflect not only the concerns of the hierarchy, but also the voices of our people, who have increasingly expressed to us their alarm over the threat of war. In this letter we wish to continue and develop the teaching on peace and war which we have previously made and which reflects both the teaching of the universal church and the insights and experience of the Catholic community of the United States.

It is significant that explicits treatment of war and peace is reserved for the final chapter of the pastoral constitution. Only after exploring the nature and destiny of the human person does the council take up the nature of peace, which it sees not as an end in itself, but as an indispensable condition for the task "of constructing for all men everywhere a world more genuinely human." [19] And understanding of this task is crucial to understanding the church's view of the moral choices open to us as Christians.

C. The moral choices for the kingdom

In one of its most frequently quoted passages the pastoral constitution declares that it is necessary "to undertake a completely fresh reappraisal of war." [20] The council's teaching situates this call for a "fresh reappraisal" within the context of a broad analysis of the dignity of the human person and the state of the world today. If we lose sight of this broader discussion we cannot grasp the council's wisdom. For the issue of war and peace confronts everyone with a basic question: What contributes to and what impedes the construction of a more genuinely human world? If we are to evaluate war with an entirely new attitude, we must be serious about approaching the human person with an entirely new attitude. The obligation for all of humanity to work toward universal respect for human rights and human dignity is a fundamental imperative of the social, economic and political order.

It is clear then that to evaluate war with a new attitude, we must go far beyond an examination of weapons systems or military strategies. We must probe the meaning of the moral choices which are ours as Christians. In accord with the vision of Vatican II, we need to be sensitive to both the danger of war and the conditions of true freedom within which moral choices can be made.[21] Peace is the setting in which moral choice can be most effectively exercised. How can we move toward that peace which is indispensable for true human freedom? How do we define such peace?

1. The Nature of Peace

The Catholic tradition has always understood the meaning of peace in positive terms. Peace is both a gift of God and a human work. It must be constructed on the basis of central human values: truth, justice, freedom and love. The pastoral constitution states the traditional conception of peace:

"Peace is not merely the absence of war. Nor can it be reduced solely to the maintenance of a balance of power between enemies. Nor is it brought about by dictatorship. Instead, it is rightly and appropriately called 'an enterprise of justice' (Is. 32:7). Peace results from that harmony built into human society by its divine founder and actualized by men as they thirst after ever greater justice."[22]

Pope John Paul II has enhanced this positive conception of peace by relating it with new philosophical depth to the church's teaching on human dignity and human rights. The relationship was articulated in his 1979 Address to the General Assembly of the United Nations and also in his World Day of Peace Message of 1982:

"Unconditional and effective respect for each one's unprescriptable and unalienable rights is the necessary condition in order that peace may reign in a society. Vis-a-vis these basic rights, all others are in a way derivatory and secondary. In a society in which these rights are not protected, the very idea of universality is dead as soon as a small group of individuals set up for their own exclusive advantage a principle of discrimination whereby the rights and even the lives of others are made dependent on the whim of the stronger."[23]

As we have already noted, however, the protection of human rights and the preservation of peace are tasks to be acomplished in a world marked by sin and conflict of various kinds. The church's teaching on war and peace establishes a strong presumption against war which is binding on all; it then examines when this presumption may be overriden, precisely in the name of preserving the kind of peace which protects human dignity and human rights.

2. The Presumption Against War and the Principle of Legitimate Self-Defense

Under the rubric "curbing the savagery of war," the council contemplates the "melancholy state of humanity." It looks at this world as it is, not simply as we would want it to be. The view is stark: ferocious new means of warfare threatening savagery surpassing that of the past, deceit, subversion, terrorism, genocide. This last crime in particular is vehemently condemned as horrendous, but all activities which deliberately conflict with the all-embracing principles of universal natural law, which is permanently binding, are criminal, as are all orders commanding such action. Supreme commenda-

tion is due the courage of those who openly and fearlessly resist those who issue such commands. All individuals, especially government officials and experts, are bound to honor and improve upon agreements which are "aimed at making military activity and its consequences less inhuman" and which "better and more workably lead to restraining the frightfulness of war." [24]

This remains a realistic appraisal of the world today. Later in this section the council calls for us "to strain every muscle as we work for the time when all war can be completely outlawed by international consent." We are told, however, that this goal requires the establishment of some universally recognized public authority with effective power "to safeguard, on the behalf of all, security, regard for justice and respect for rights." [25] But what of the present? The council is exceedingly clear, as are the popes:

"Certainly war has not been rooted out of human affairs. As long as the danger of war remains and there is no competent and sufficiently powerful authority at the international level, governments cannot be denied the right to legitimate defense once every means of peaceful settlement has been exhausted. Therefore, government authorities and others who share public responsibility have the duty to protect the welfare of the people entrusted to their care and to conduct such grave matters soberly.

"But it is one thing to undertake military action for the just defense of the people, and something else again to seek the subjugation of other nations. Nor does the possession of war potential make every military or political use of it lawful. Neither does the mere fact that war has unhappily begun mean that all is fair between the warring parties." [26]

The Christian has no choice but to defend peace, properly understood, against aggression. This is an inalienable obligation. It is the *how* of defending peace which offers moral options. We stress this principle again because we observe so much misunderstanding about both those who resist bearing arms and those who bear them. Great numbers from both traditions provide examples the world continues to need.

Of the millions of men and women who have served with integrity in the armed forces, many have laid down their lives. Many other serve today throughout the world in the difficult and demanding task of helping to preserve that "peace of a sort" of which the council speaks.

We see many deeply sincere individuals who, far from being indifferent or apathetic to world evils, believe strongly in conscience that they are best defending true peace by refusing to bear arms. In some cases they are motivated by their understanding of the Gospel and the life and death of Jesus as for bidding all violence. In others, their motivation is simply to give personal example of Christian forbearance as a positive, constructive approach toward living reconciliation with enemies. In still other cases, they propose or engage in "active non-violence" as programed resistance to thwart aggression or to render ineffective any oppression attempted by force of arms. No government, and certainly no Christian, may simply assume that such individuals are mere pawns of conspiratorial forces or guilty of cowardice.

Catholic teaching sees these two distinct moral responses as having a complementary relationship in the sense that both seek to serve the common good. They differ in their perception of how the common good is to be defended most effectively, but both responses testify to the Christian conviction that peace must be pursued and rights defended within moral restraints and in the context of defining other basic human values.

In all of this discussion of distinct choices, of course, we are referring to options open to individuals. The council and the popes have stated clearly that governments threatened by armed, unjust aggression *must* defend their people. This includes defense by armed force if necessary as a last resort. We shall discuss below the conditions and limits imposed on such defense. Even when speaking of individuals, however, the council is careful to preserve the fundamental *right* of defense. Some choose not to vindicate their rights by armed force and adopt other methods of defense, but they do not lose the right of defense nor may they renounce their obligations to others. They are praised by the council, as long as the rights and duties of others or of the community itself are not injured.

Pope Pius XII is especially strong in his conviction about the responsibility of the Christian to resist unjust aggression:

"A people threatened with an unjust aggression, or already its victim, may not remain passively indifferent, if it would think and act as befits a Christian. All the more does the solidarity of the family of nations forbid others to behave as mere spectators, in any attitude of apathetic neutrality. Who will ever measure the harm already caused in the past by such indifference to war of aggression, which is quite alien to the Christian instinct? How much more keenly has it brought any advantage in recompense? On the contrary, it has only reassured and encouraged the authors and fomentors of aggression, while it obliges the several peoples, left to themselves, to increase their armaments indefinitely. . . .

"Among (the) goods (of humanity) some are of such importance for society that it is perfectly lawful to defend them against unjust aggression. *Their defense is even an obligation for the nations as a whole, who have a duty not to abandon a nation that is attacked."* [27]

None of the above is to suggest, however, that armed force is the only defense against unjust aggression, regardless of circumstances. Well does the council require that grave matters concerning the protection of peoples be conducted soberly. The council fathers were well aware that in today's world, the "horror and perversity of war are immensely magnified by the multiplication of scientific weapons. For acts of war involving these weapons can inflict massive and indiscriminate destruction far exceeding the bounds of legitimate defense." [28] Hence we are warned: "Men of our time must realize that they will have to give a somber reckoning for their deeds of war. For the course of the future will depend largely on the decisions they make today." [29] There must be serious and continuing study and efforts to develop programmed methods for both individuals and nations to defend against unjust aggression without using violence.

We believe work to develop nonviolent means of fending off aggression and resolving conflict best reflects the call of Jesus both to love and to justice. Indeed, each increase in the potential destructiveness of weapons and therefore of war serves to underline the rightness of the way that Jesus mandated to his followers. But, on the other hand, the fact of aggression, oppression and injustice in our world also serves to legitimate the resort to weapons and armed force in defense of justice. We must recognize the reality of the paradox we face as Christians living in the context of the world as it persently exists; we must continue to articulate our belief that love is possible and the only real hope for all human relations, and yet accept that force, even deadly force, is sometimes justified and that nations must provide for their defense. It is the mandate of Christians in the face of this paradox to strive to resolve it through an even greater commitment to Christ and his message. As Pope John Paul II said:

"Christains are aware that plans based on aggression, domination and the manipulation of others lurk in human hearts, and sometimes even secretly nourish human intentions in spite of certain declarations or manifestations of a pacifist nature. For Christians know that in this world a totally and permanently peaceful human society is unfortunately a utopia and that ideologies that hold up that prospect as easily attainable are based on hopes that cannot be realized, whatever the reason behind them.

"It is a question of a mistaken view of the human condition, a lack of application in considering the question as a whole; or it may be a case of evasion in order to calm fear, or in still other cases a matter of calculated self-interest. Christians are convinced, if only because they have learned from personal experience, that these deceptive hopes lead straight to the false peace of totalitarian regimes. But this realistic view in no way prevents Christians from working for peace; instead, it stirs up their ardor, for they also know that Christ's victory over deception, hate and death gives those in love with peace a more decisive motive for action than what the most generous theories about man have to offer; Christ's victory likewise gives a hope more surely based than any hope held out by the most audacious dreams.

"This is why Christians, even as they strive to resist and prevent every form of warfare, have no hesitation in recalling that, in the name of an elementary requirement of justice, peoples have a right and even a duty to protect their existence and freedom by proportionate means against an unjust aggressor." [30]

In light of the framework of Catholic teaching on the nature of peace, the avoidance of war and the state's right of legitimate defense, we can now spell out certain moral principles within the Catholic tradition which provide guidance for public policy and individual choice.

3. The Just-War Criteria

The moral theory of the "just-war" or "limited-war" doctrine begins with the presumption which binds all Christians: We should do no harm to our neighbors; how we treat our enemy is the key test of whether we love our neighbor; and the possibility of taking even one human life is a prospect we should consider in fear and trembling. How is it possible to move from these presumptions to the idea of a justifiable use of lethal force?

Historically and theologically the clearest answer to the question is found in St. Augustine. Augustine was impressed by the fact and the consequences of sin in history—the "not yet" dimension of the kingdom. In his view war was both the result of sin and a tragic remedy for sin in the life of political societies. War arose from disordered ambitions, but it could also be used in some cases

at least to restrain evil and protect the innocent. The classic case which illustrated his view was the use of lethal force to prevent aggression against innocent victims. Faced with the fact of attack on the innocent, the presumption that we do no harm even to our enemy yielded to the command of love understood as the need to restrain an enemy who would injure the innocent.

The just-war argument has taken several forms in the history of Catholic theology, but this Augustinian insight is its central premise.[31] In the 20th century, papal teaching has used the logic of Augustine and Aquinas[32] to articulate a right of self-defense for states in a decentralized international order and to state the criteria for exercising that right. The essential position was stated by Vatican II: "As long as the danger of war persists and there is no international authority with the necessary competence and power, governments cannot be denied the right of lawful self-defense, once all peace efforts have failed."[33] We have already indicated the centrality of this principle for understanding Catholic teaching about the state and its duties.

Just-war teaching has evolved, however, as an effort to prevent war; only if war cannot be rationally avoided does the teaching then seek to restrict and reduce its horrors. It does this by establishing a set of rigorous conditions which must be met if the decision to go to war is to be morally permissible. Such a decision, especially today, requires extraordinarily strong reasons for overriding the presumption *in favor of peace* and *against* war. This is one significant reason why valid just-war teaching makes provision for conscientious dissent. It is presumed that all sane people prefer peace, never *want* to initiate war and accept even the most justifiable defensive war only as a sad necessity. Only the most powerful reasons may be permitted to override such objection. In the words of Pope Pius XII:

"The Christian will for peace . . . is very careful to avoid recourse to the force of arms in the defense of rights which, however legitimate, do not offset the risk of kindling a blaze with all its spiritual and material consequences."[34]

The determination of *when* conditions exist which allow the resort to force in spite of the strong presumption against it is made in light of *jus ad bellum* criteria. The determination of *how* even a justified resort to force must be conducted is made in light of the *jus in bello* criteria. We shall briefly explore the meaning of both.[35]

Jus ad Bellum: Why and when recourse to war is permissible.

a. Just cause

War is permissible only to confront "a real and certain danger," i.e., to protect innocent life, to preserve conditions necessary for decent human existence and to secure basic human rights. As both Pope Pius XII and Pope John XXIII made clear, if war of retribution was ever justifiable, the risks of modern war negate such a claim today.

b. Competent authority

In the Catholic tradition the right to use force has always been joined to the common good; war must be declared by those with responsibility for public order, not by private groups or individuals.

The requirement that a decision to go to war must be made by competent authority is particularly important in a democratic society. It needs detailed treatment here since it involves a broad spectrum of related issues. Some of the bitterest divisions of society in our own nation's history, for example, have been provoked over the question of whether or not a president of the United States has acted constitutionally and legally in involving our country in a de facto war, even if—indeed, especially if—war was never formally declared. Equally perplexing problems of conscience can be raised for individuals expected or legally required to go to war even though our duly elected representatives in Congress have in fact voted for war.

The criterion of competent authority is of further importance in a day when revolutionary war has become commonplace. Historically, the just-war tradition has been open to a "just revolution" position, recognizing that an oppressive government may lose its claim to legitimacy. Insufficient analytical attention has been given to the moral issues of revolutionary warfare. The mere possession of sufficient weaponry, for example, does not legitimize the initiation of war by "insurgents" against an established government, any more than the government's systematic oppression of its people can be carried out under the doctrine of "national security."

While the legitimacy of revolution in some circumstances cannot be denied, just-war teachings must be applied as rigorously to revolutionary-counterrevolutionary conflicts as to others. The issue of who constitutes competent authority and how such authority is exercised in essential.

When we consider in this letter the issues of conscientious objection and selective conscientious objection, the issue of competent authority will arise again.

c. Comparative justice

Questions concerning the means of waging war today, particularly in view of the destructive potential of weapons, have tended to override questions concerning the comparative justice of the positions of respective adversaries or enemies. In essence: Which side is sufficiently "right" in a dispute, and are the values at stake critical enough to override the presumption against war? The question in its most basic form is this: Do the rights and values involved justify killing? For whatever the means used, war by definition involves violence, destruction, suffering and death.

The category of comparative justice is designed to emphasize the presumption against war which stands at the beginning of just-war teaching. In a world of sovereign states recognizing neither a common moral authority nor a central political authority comparative justice stresses that no state should act on the basis that it has "absolute justice" on its side. Every party to a conflict should acknowledge the limits of its "just cause" and the consequent requirement to use only limited means in pursuit of its objectives. Far from legitimizing a crusade mentality, comparative justice is designed to relativize absolute claims and to restrain the use of force even in a "justified" conflict.[36]

Given techniques of propaganda and the ease with which nations and individuals either assume or delude themselves into believing that God or right is clearly on their side, the test of comparative justice may be extremely difficult to apply. Clearly, however, this is not the case in every instance of war. Blatant aggression from without and subversion from within are often enough readily identifiable by all reasonably fair-minded people.

d. Right intention

Right intention is related to just cause—war can be legitimately intended only for the reasons set forth above as a just cause. During the conflict, right intention means pursuit of peace and reconciliation, including avoiding unnecessarily destructive acts or imposing unreasonable conditions (e.g., unconditional surrender).

e. Last resort

For resort to war to be justified, all peaceful alternatives must have been exhausted. There are formidable problems in this requirement. No international organization currently in existence has exercised sufficient internationally recognized authority to be able either to mediate effectively in most cases or to prevent conflict by the intervention of U.N. or other peacekeeping forces. Furthermore, there is a tendency for nations or peoples which perceive conflict between or among other nations as advantageous to themselves to attempt to prevent a peaceful settlement rather than advance it.

We regret the apparent unwillingness of some to see in the United Nations organization the potential for world order which exists and to encourage its development. Pope Paul VI called the United Nations the last hope for peace. The loss of this hope cannot be allowed to happen. Pope John Paul II is again instructive on this point:

"I wish above all to repeat my confidence in you, the leaders and members of the international organizations, and in you, the international officials! In the course of the last 10 years your organizations have too often been the object of attempts at manipulation on the part of nations wishing to exploit such bodies. However it remains true that the present multiplicity of violent clashes, divisions and blocks on which bilateral relations founder, offer the great international organizations the opportunity to engage upon the qualitative change in their activities, even to reform on certain points their own structures in order to take into account new realities and to enjoy effective power."[37]

f. Probability of success

This is a difficult criterion to apply, but its purpose is to prevent irrational resort to force or hopeless resistance when the outcome of either will clearly be disproportionate or futile. The determination includes a recognition that at times defense of key values, even against great odds, may be a "proportionate" witness.

g. Proportionality

In terms of the *jus ad bellum* criteria, proportionality means that the damage to be inflicted and the costs incurred by war must be proportionate to the good expected by taking up arms. Nor should judgments concerning proportionality be limited to the temporal order without regard to a spiritual dimension in terms of "damage," "cost" and "the good expected." In today's interdependent world even a local conflict can affect people everywhere; this is particularly the case when the nuclear powers are involved. Hence a nation cannot justly go to war today without considering the effect of its action on others and on the international community.

This principle of proportionality applies throughout the conduct of the war as well as to the decision to begin warfare. During the Vietnam War our bishops' conference ultimately concluded that the conflict had reached such a level of devastation to the adversary and damage to our own society that continuing it could not be justified.[38]

Jus in Bello

Even when the stringent conditions which justify resort to war are met, the conduct of war (i.e., strategy, tactics and individual actions) remains subject to continuous scrutiny in light of two principles which have special significance today precisely because of the destructive capability of modern technological warfare. These principles are proportionality and discrimination. In discussing them here we shall apply them to the question of *jus ad bellum* as well as *jus in bello;* for today it becomes increasingly difficult to make a decision to use any kind of armed force, however limited initially in intention and in the destructive power of the weapons employed, without facing at least the possibility of escalation to broader, or even total, war and to the use of weapons of horrendous destructive potential. This is especially the case when adversaries are "superpowers," as the council clearly envisioned:

"Indeed, if the kind of weapons now stocked in the arsenals of the great powers were to be employed to the fullest, the result would be the almost complete reciprocal slaughter of one side by the other, not to speak of the widespread devastation that would follow in the world and the deadly aftereffects resulting from the use of such weapons." [39]

It should not be thought, of course, that massive slaughter and destruction would result only from the extensive use of nuclear weapons. We recall with horror the carpet and incendiary bombings of World War II, the deaths of hundreds of thousands in various regions of the world through "conventional" arms, the unspeakable use of gas and other forms of chemical warfare, the destruction of homes and of crops, the utter suffering war has wrought during the centuries before and the decades since the use of the "atom bomb." Nevertheless, every honest person must recognize that, especially given the proliferation of modern scientific weapons, we now face possibilities which are appalling to contemplate. Today, as never before, we must ask not merely what will happen but what may happen, especially if major powers embark on war. Pope John Paul II has repeatedly pleaded that world leaders confront this reality:

"(I)n view of the difference between classical warfare and nuclear or bacteriological war—a difference so to speak of nature—and in view of the scandal of the arms race seen against the background of the needs of the Third World, this right (of defense), which is very real in principle, only underlines the urgency of world society to equip itself with effective means of negotiation. In this way the nuclear terror that haunts our time can encourage us to enrich our common heritage with a very simple discovery that is within our reach, namely that war is the most barbarous and least effective way of resolving conflicts." [40]

The Pontifical Academy of Sciences reaffirmed the Holy Father's theme in its November 1981 "Statement on the Consequences of Nuclear War." Then, in a meeting convoked by the pontifical academy, representatives of national academies of science from throughout the world issued a "Declaration on the Prevention of Nuclear War" which specified the meaning of Pope John Paul II's statement that modern warfare differs by nature from previous forms of war. The scientists said:

"Throughout its history humanity has been confronted with war, but since 1945 the nature of warfare has changed so profoundly that the future of the human race, of generations yet unborn, is imperiled. . . . For the first time it is possible to cause damage on such a catastrophic scale as to wipe out a large part of civilization and to endanger its very survival. The large-scale use of such weapons could trigger major and irreversible ecological and genetic changes whose limits cannot be predicted." [41]

And earlier, with such thoughts plainly in mind, the council had made its own "the condemnation of total war already pronounced by recent popes." [42] This condemnation is demanded by the principles of proportionality and discrimination. Response to aggression must not exceed the nature of the aggression. To destroy civilization as we know it by waging a "total war" as today it could be waged would be a monstrously disproportionate response to aggression on the part of any nation.

Moreover, the lives of innocent persons may never be taken directly, regardless of the purpose alleged for doing so. To wage truly "total" war is by definition to take huge numbers of innocent lives. Just response to aggression must be discriminate; it must be directed against unjust aggressors, not against innocent people caught up in a war not of their making. The council therefore issued its memorable declaration:

"Any act of war aimed indiscriminately at the destruction of entire cities or of extensive areas along with their population is a crime against God and man himself. It merits unequivocal and unhesitating condemnation." [43]

When confronting choices among specific military options, the question asked by proportionality is: Once we take into account not only the military advantages that will be achieved by using this means, but also all the harms reasonably expected to follow from using it, can its use still be justified? We know, of course, that no end can justify means evil in themselves, such as the executing of hostages or the targeting of noncombatants. Nonetheless, even if the means adopted is not evil in itself, it is necessary to take into account the probable harms that will result from using it and the justice of accepting those harms. It is of utmost importance in assessing harms and the justice of accepting them to think about the poor and the helpless, for they are usually the ones who have the least to gain and the most to lose when war's violence touches their lives.

In terms of the arms race, if the *real* end in view is legitimate defense against unjust aggression and the means to this end are not evil in themselves, we must still examine the question of proportionality concerning attendant evils. Do the exorbitant costs, the general climate of insecurity generated, the possibility of accidental detonation of highly destructive weapons, the danger of error and miscalculation that could provoke retaliation and war—do such evils or others attendant upon and indirectly deriving from the arms race make the arms race itself a disproportionate response to aggression? Pope John Paul II is very clear in his insistence that the exercise of the right and duty of a people to protect their existence and freedom is contingent on the use of proportionate means.[44]

Finally, another set of questions concerns the interpretation of the principle of discrimination. The principle prohibits directly intended attacks on non-combatants and non-military targets. It raises a series of questions about the term "intentional," the category of "non-combatant" and the meaning of "military."

These questions merit the debate occurring with increasing frequency today. We encourage such debate, for concise and definitive answers still appear to be wanting. Mobilization of forces in modern war includes not only the military, but to a significant degree the political economic and social sectors. It is not always easy to determine who is directly involved in a "war effort" or to what degree. Plainly, though, not even by the broadest definition can one rationally consider combatants entire classes of human beings such as schoolchildren, hospital patients, the elderly, the ill, the average industrial worker producing goods not directly related to military purposes, farmers and many others. They may never be directly attacked.

Direct attacks on military targets involve similar complexities. Which targets are "military" ones and which are not? To what degree, for instance, does the use (by either revolutionaries or regular military forces) of a village or housing in a civilian populated area invite attack? What of a munitions factory in the heart of a city? Who is directly responsible for the deaths of non-combatants should the attack be carried out? To revert to the question raised earlier, how many deaths of non-combatants are "tolerable" as a result of indirect attacks—attacks directed against combat forces and military targets which nevertheless kill non-combatants at the same time?

These two principles in all their complexity must be applied to the range of weapons—conventional, nuclear, biological and chemical—with which nations are armed today.

4. The Value of Non-Violence

Moved by the example of Jesus' life and by his teaching, some Christians have from the earliest days of the church committed themselves to a non-violent lifestyle.[45] Some understood the Gospel of Jesus to prohibit all killing. Some affirmed the use of prayer and other spiritual methods as means of responding to enmity and hostility.

In the middle of the second century St. Justin proclaimed to his pagan readers that Isaiah's prophecy about turning swords into ploughshares and spears into sickles had been fulfilled as a consequence of Christ's coming:

"And we who delighted in war, in the slaughter of one another, and in every other kind of inequity have in every part of the world converted our weapons into implements of peace—our swords into ploughshares, our spears into farmers' tools—and we cultivate piety, justice, brotherly charity, faith and hope, which we derive from the Father through the crucified Savior." [46]

Writing in the third century, St. Cyprian of Carthage struck a similar note when he indicated that the Christians of his day did not fight against their enemies. He himself regarded their conduct as proper:

"They do not even fight against those who are attacking since it is not granted to the innocent to kill even the aggressor, but promptly to deliver up their souls and blood that since so much malice and cruelty are rampant in the world they may more quickly withdraw from the malicious and the cruel." [47]

Some of the early Christian opposition to military service was a response to the idolatrous practices which prevailed in the Roman army. Another powerful motive was the fact that army service involved preparation for fighting and killing. We see this in the case of St. Martin of Tours during the

fourth century, who renounced his soldierly profession with the explanation: "Hitherto I have served you as a soldier. Allow me now to become a soldier of God . . . I am a soldier of Christ. It is not lawful for me to fight." [48]

In the centuries between the fourth century and our own day, the theme of Christian non-violence and Christian pacifism has echoed and reechoed, sometimes more strongly, sometimes more faintly. One of the great non-violent figures in those centuries was St. Francis of Assisi. Besides making personal efforts on behalf of reconciliation and peace, Francis stipulated that lay persons who became members of his Third Order were not "to take up lethal weapons, or bear them about, against anybody."

The vision of Christian non-violence is not passive about injustice and the defense of the rights of others; it rather affirms and exemplifies what it means to resist injustice through non-violent methods.

In the 20th century, prescinding from the non-Christian witness of a Mahatma Ghandi and its worldwide impact, the non-violent witness of such figures as Dorothy Day and Martin Luther King has had a profound impact upon the life of the church in the United States. The witness of numerous Christians who had preceded them over the centuries was affirmed in a remarkable way at the Second Vatican Council.

Two of the passages which were included in the final version of the pastoral constitution gave particular encouragement for Catholics in all walks of life to assess their attitudes toward war and military service in the light of Christian pacifism. In Paragraph 79 the council fathers called upon governments to enact laws protecting the rights of those who adopted the position of conscientious objection to all war: "Moreover, it seems right that laws make humane provisions for the case of those who for reasons of conscience refuse to bear arms, provided, however, that they accept some other form of service to the human community." [49] This was the first time a call for legal protection of conscientious objection had appeared in a document of such prominence. In addition to its own profound meaning this statement took on even more significance in light of the praise that the council fathers had given in the preceding section "to those who renounce the use of violence in the vindication of their rights." [50] In "Human Life in Our Day" (1969), we called for legislative provision to recognize selective conscientious objectors as well. [51]

As Catholic bishops it is incumbent upon us to stress to our own community and to the wider society the significance of this support for a pacifist option for individuals in the teaching of Vatican II and the reaffirmation that the popes have given to non-violent witness since the time of the council.

In the development of a theology of peace and the growth of the Christian pacifist position among Catholics, these words of the pastoral constitution have special significance: "All these factors force us to undertake a completely fresh reappraisal of war." [52] The council fathers had reference to "the development of armaments by modern science (which) has immeasurably magnified the horrors and wickedness of war." [53] While the just-war teaching has clearly been in possession for the past 1,500 years of Catholic thought, the "new moment" in which we find ourselves sees the just-war teaching and non-violence as distinct but interdependent methods of evaluating warfare. They diverge on some specific conclusions, but they share a common presumption against the use of force as a means of settling disputes.

Both find their roots in the Christian theological tradition; each contributes to the full moral vision we need in pursuit of a human peace. We believe the two perspectives support and complement one another, each preserving the other from distortion. Finally, in an age of technological warfare, analysis from the viewpoint of nonviolence and analysis from the viewpoint of the just-war teaching often converge and agree in their opposition to methods of warfare which are in fact indistinguishable from total warfare.

II. WAR AND PEACE IN THE MODERN WORLD: PROBLEMS AND PRINCIPLES

Both the just-war teaching and non-violence are confronted with a unique challenge by nuclear warfare. This must be the starting point of any further moral reflection: Nuclear weapons particularly and nuclear warfare as it is planned today raise new moral questions. No previously conceived moral position escapes the fundamental confrontation posed by contemporary nuclear strategy. Many have noted the similarity of the statements made by eminent scientists and Vatican II's observation that we are forced today "to undertake a completely fresh reappraisal of war." The task before us is not simply to repeat what we have said before; it is first to consider anew whether and how our religious-moral tradition can assess, direct, contain and, we hope, help to eliminate the threat posed to the human family by the nuclear arsenals of the world. Pope John Paul II captured the essence of the problem during his pilgrimage to Hiroshima: "In the past it was possible to destroy a village, a town, a region, even a country. Now it is the whole planet that has come under threat." [54]

The Holy Father's observation illustrates why the moral problem is also a religious question of the most profound significance. In the nuclear arsenals of the United States or the Soviet Union alone there exists a capacity to do something no other age could imagine: We can threaten the entire planet. [55] For people of faith this means we read the Book of Genesis with a new awareness; the moral issue at stake in nuclear war involves the meaning of sin in its most graphic dimensions. Every sinful act is a confrontation of the creature and the Creator. Today the destructive potential of the nuclear powers threatens the human person, the civilization we have slowly constructed and even the created order itself.

We live today, therefore, in the midst of a cosmic drama: we possess a power which should never be used, but which might be used if we do not reverse our direction. We live with nuclear weapons knowing we cannot afford to make one serious mistake. This fact dramatizes the precariousness of our position, politically, morally and spiritually.

A prominent "sign of the times" today is a sharply increased awareness of the danger of the nuclear arms race. Such awareness has produced a public discussion about nuclear policy here and in other countries which is unprecedented in its scope and depth. What has been accepted for years with almost no question is now being subjected to the sharpest criticism. What previously had been defined as a safe and stable system of deterrence is today viewed with political and moral skepticism. Many forces are at work in this new evaluation, and we believe one of the crucial elements is the gospel vision of peace which guides our work in this pastoral letter. The nuclear age has been the theater of our existence for almost four decades; today it is being evaluated with a new perspective. For many the leaven of the Gospel and the light of the Holy Spirit create the decisive dimension of this new perspective.

A. The new moment

At the center of the new evaluation of the nuclear arms race is a recognition of two elements: the destructive potential of nuclear weapons and the stringent choices which the nuclear age poses for both politics and morals.

The fateful passage into the nuclear age as a military reality began with the bombing of Nagasaki and Hiroshima, events described by Pope Paul VI as a "butchery of untold magnitude." [56] Since then, in spite of efforts at control and plans for disarmament (e.g., the Baruch Plan of 1946), the nuclear arsenals have escalated, particularly in the two superpowers. The qualitative superiority of these two states, however, should not overshadow the fact that four other countries possess nuclear capacity and a score of states are only steps away from becoming "nuclear nations."

This nuclear escalation has been opposed sporadically and selectively, but never effectively. The race has continued in spite of carefully expressed doubts by analysts and other citizens and in the face of forcefully expressed opposition by public rallies. Today the opposition to the arms race is no longer selective or sporadic, it is widespread and sustained. The danger and destructiveness of nuclear weapons are understood and resisted with new urgency and intensity. There is in the public debate today an endorsement of the position submitted by the Holy See at the United Nations in 1976: The arms race is to be condemned as a danger, an act of aggression against the poor, and a folly which does not provide the security it promises. [57]

Papal teaching has consistently addressed the folly and danger of the arms race; but the new perception of it which is now held by the general public is due in large measure to the work of scientists and physicians who have described for citizens the concrete human consequences of a nuclear war. [58]

In a striking demonstration of his personal and pastoral concern for preventing nuclear war, Pope John Paul II commissioned a study by the Pontifical Academy of Sciences which reinforced the findings of other scientific bodies. The Holy Father had the study transmitted by personal representative to the leaders of the United States, the Soviet Union, the United Kingdom and France, and to the president of the General Assembly of the United Nations. One of its conclusions is especially pertinent to the public debate in the United States:

"Recent talk about winning or even surviving a nuclear war must reflect a failure to appreciate a medical reality: Any nuclear war would inevitably cause death, disease and suffering of pandemonic proportions and without the possibility of effective medical intervention. That reality leads to the same conclusion physicians have reached for life-threatening epidemics throughout history: Prevention is essential for control." [59]

This medical conclusion has a moral corollary. Traditionally the church's moral teaching sought first to prevent war and

then to limit its consequences if it occurred. Today the possibilities for placing political and moral limits on nuclear war are so minimal that the moral task, like the medical, is prevention: As a people, we must refuse to legitimate the idea of nuclear war. Such a refusal will require not only new ideas and new vision, but what the Gospel calls conversion of the heart.

To say no to nuclear war is both a necessary and a complex task. We are moral teachers in a tradition which has always been prepared to relate moral principles to concrete problems. Particularly in this letter we could not be content with simply restating general moral principles or repeating well-known requirements about the ethics of war. We have had to examine, with the assistance of a broad spectrum of advisers of varying persuasions, the nature of existing and proposed weapons systems, the doctrines which govern their use and the consequences of using them. We have consulted people who engage their lives in protest against the existing nuclear strategy or the United States, and we have consulted others who have held or do hold responsibility for this strategy. It has been a sobering and perplexing experience. In light of the evidence which witnesses presented and in light of our study, reflection and consultation, we must reject nuclear war. But we feel obliged to relate our judgement to the specific elements which comprise the nuclear problem.

Though certain that the dangerous and delicate nuclear relationship the superpowers now maintain should not exist, we understand how it came to exist. In a world of sovereign states devoid of central authority and possessing the knowledge to produce nuclear weapons many choices were made, some clearly objectionable, others well-intended with mixed results, which brought the world to its present dangerous situation.

We see with increasing clarity the political folly of a system which threatens mutual suicide, the psychological damage this does to ordinary people, especially the young, the economic distortion of priorities—billions readily spent for destructive instruments while pitched battles are waged daily in our legislatures over much smaller amounts for the homeless, the hungry and the helpless here and abroad. But it is much less clear how we translate a no to nuclear war into the personal and public choices which can move us in a new direction, toward a national policy and an international system which more adequately reflect the values and vision of the Kingdom of God.

These tensions in our assessment of the politics and strategy of the nuclear age reflect the conflicting elements of the nuclear dilemma and the balance of terror which it has produced. We have said earlier in this letter that the fact of war reflects the existence of sin in the world. The nuclear threat and the danger it poses to human life and civilization exemplify in a qualitatively new way the perennial struggle of the political community to contain the use of force, particularly among states.

Precisely because of the destructive nature of nuclear weapons, strategies have been developed which previous generations would have found unintelligible. Today military preparations are undertaken on a vast and sophisticated scale, but the declared purpose is not to use the weapons produced. Threats are made which would be suicidal to implement. The key to security is no longer only military secrets, for in some instances security may best be served by informing one's adversary publicly what weapons one has and what plans exist for their use. The presumption of the nation-state system that sovereignty implies an ability to protect a nation's territory and population is precisely the presumption denied by the nuclear capacities of both superpowers. In a sense each is at the mercy of the other's perception of what strategy is "rational," what kind of damage is "unacceptable," how "convincing" one side's threat is to the other.

The political paradox of deterrence has also strained our moral conception. May a nation threaten what it may never do? May it possess what it may never use? Who is involved in the threat each superpower makes: government officials? Or military personnel? Or the citizenry in whose defense the threat is made?

In brief, the danger of the situation is clear; but how to prevent the use of nuclear weapons, how to assess deterrence and how to delineate moral responsibility in the nuclear age are less clearly seen or stated. Reflecting the complexity of the nuclear problem, our arguments in this pastoral must be detailed and nuanced; but our no to nuclear war must in the end be definitive and decisive.

B. Religious leadership and the public debate

Because prevention of nuclear war appears from several perspectives to be not only the surest but only way to limit its destructive potential, we see our role as moral teachers precisely in terms of helping to form public opinion with a clear determination to resist resort to nuclear war as an instrument of national policy. If "prevention is the only cure," then there are diverse tasks to be performed in preventing what should never occur. As bishops we see a specific task defined for us in Pope John Paul II's 1982 World Day of Peace Message:

"Peace cannot be built by the power of rulers alone. Peace can be firmly constructed only if it corresponds to the resolute determination of all people of good will. Rulers must be supported and enlightened by a public opinion that encourages them or, where necessary, expresses disapproval." [60]

The pope's appeal to form public opinion is not an abstract task. Especially in a democracy, public opinion can passively acquiesce in policies and strategies or it can through a series of measures indicate the limits beyond which a government should not proceed. The "new moment" which exists in the public debate about nuclear weapons provides a creative opportunity and a moral imperative to examine the relationship between public opinion and public policy. We believe it is necessary for the sake of prevention to build a barrier against the concept of nuclear war as a viable strategy for defense. There should be a clear public resistance to the rhetoric of "winnable" nuclear wars, or unrealistic expectations of "surviving" nuclear exchanges and strategies of "protracted nuclear war." We oppose such rhetoric.

We seek to encourage a public attitude which sets stringent limits on the kind of actions our own government and other governments will take on nuclear policy. We believe religious leaders have a task in concert with public officials, analysts, private organizations and the media to set the limits beyond which our military policy should not move in word or action. Charting a moral course in a complex public policy debate involves several steps. We will address four questions, offering our reflections on them as an invitation to a public moral dialogue:

1. The use of nuclear weapons;
2. The policy of deterrence in principle and in practice;
3. Specific steps to reduce the danger of war;
4. Long-term measures of policy and diplomacy.

C. The use of nuclear weapons

Establishing moral guidelines in the nuclear debate means addressing first the question of the use of nuclear weapons. That question has several dimensions.

It is clear that those in the church who interpret the gospel teaching as forbidding all use of violence would oppose any use of nuclear weapons under any conditions. In a sense the existence of these weapons simply confirms and reinforces one of the initial insights of the non-violent position, namely, that Christians should not use lethal force since the hope of using it selectively and restrictively is so often an illusion. Nuclear weapons seem to prove this point in a way heretofore unknown.

For the tradition which acknowledges some legitimate use of force, some important elements of contemporary nuclear strategies move beyond the limits of moral justification. A justifiable use of force must be both discriminatory and proportionate. Certain aspects of both U.S. and Soviet strategies fail both tests as we shall discuss below. The technical literature and the personal testimony of public officials who have been closely associated with U.S. nuclear strategy have both convinced us of the overwhelming probability that major nuclear exchange would have no limits.[61]

On the more complicated issue of "limited" nuclear war, we are aware of the extensive literature and discussion which this topic has generated.[62] As a general statement, it seems to us that public officials would be unable to refute the following conclusion of the study made by the Pontifical Academy of Sciences:

"Even a nuclear attack directed only at military facilities would be devastating to the country as a whole. This is because military facilities are widespread rather than concentrated at only a few points. Thus, many nuclear weapons would be exploded.

"Furthermore, the spread of radiation due to the natural winds and atmospheric mixing would kill vast numbers of people and contaminate large areas. The medical facilities of any nation would be inadequate to care for the survivors. An objective examination of the medical situation that would follow a nuclear war leads to but one conclusion: Prevention is our only recourse." [63]

Moral principles and policy choices

In light of these perspectives we address three questions more explicitly: (1) counterpopulation warfare; (2) initiation of nuclear war; and (3) limited nuclear war.

1. Counterpopulation Warfare

Under no circumstances may nuclear weapons or other instruments of mass slaughter be used for the purpose of destroying population centers or other predominantly civilian targets. Popes have repeatedly condemned "total war," which implies such use. For example, as early as 1954 Pope Pius XII condemned nuclear warfare "when it entirely escapes the control of man" and results in "the pure and simple annihilation of all human life within the radius of action." [64] The condemnation was repeated by the Second Vatican Council:

"Any act of war aimed indiscriminately at the destruction of entire cities or of extensive areas along with their population is a crime against God and man itself. It merits unequivocal and unhesitating condemnation." [65]

Retaliatory action, whether nuclear or conventional, which would indiscriminately take many wholly innocent lives, lives of people who are in no way responsible for reckless actions of their government, must also be condemned. This condemnation, in our judgment, applies even to the retaliatory use of weapons striking enemy cities after our own have already been struck. No Christian can rightfully carry out orders or policies deliberately aimed at killing noncombatants. [66]

We make this judgment at the beginning of our treatment of nuclear strategy precisely because the defense of the principle of non-combatant immunity is so important for an ethic of war and because the nuclear age has posed such extreme problems for the principle. Later in this letter we shall discuss specific aspects of U.S. policy in light of this principle and in light of recent U.S. policy statements stressing the determination not to target directly or strike directly against civilian populations. Our concern about protecting the moral value of non-combatant immunity, however, requires that we make a clear reassertion of the principle our first word on this matter.

2. The Initiation of Nuclear War

We do not perceive any situation in which the deliberate initiation of nuclear warfare on however restricted a scale can be morally justified. Nonnuclear attacks by another state must be resisted by other than nuclear means. Therefore, a serious moral obligation exists to develop non-nuclear defensive strategies as rapidly as possible.

A serious debate is under way on this issue.[67] It is cast in political terms, but it has a significant moral dimension. Some have argued that at the very beginning of a war nuclear weapons might be used, only against military targets, perhaps in limited numbers. Indeed it has long been American and NATO policy that nuclear weapons, especially so-called tactical nuclear weapons, would likely be used if NATO forces in Europe seemed in danger of losing a conflict that until then had been restricted to conventional weapons. Large numbers of tactical nuclear weapons are now deployed in Europe by the NATO forces and about as many by the Soviet Union. Some are substantially smaller than the bomb used on Hiroshima, some are larger. Such weapons, if employed in great numbers, would totally devastate the densely populated countries of Western and Central Europe.

Whether under conditions of war in Europe, parts of Asia or the Middle East, or the exchange of strategic weapons directly between the United States and the Soviet Union, the difficulties of limiting the use of nuclear weapons are immense. A number of expert witnesses advise us that commanders operating under conditions of battle probably would not be able to exercise strict control; the number of weapons used would be expanded beyond the military and the level of civilian casualties would rise enormously.[68] No one can be certain that this escalation would not occur even in the face of political efforts to keep such an exchange "limited." The chances of keeping use limited seem remote, and the consequences of escalation to mass destruction would be appalling. Former public officials have testified that it is improbable that any nuclear war could actually be kept limited. Their testimony and the consequences involved in this problem lead us to conclude that the danger of escalation is so great that it would be morally unjustifiable to initiate nuclear war in any form. The danger is rooted not only in the technology of our weapons systems, but in the weakness and sinfulness of human communities. We find the moral responsibility of beginning nuclear war not justified by rational political objectives.

This judgment affirms that the willingness to initiate nuclear war entails a distinct, weighty moral responsibility; it involves transgressing a fragile barrier—political, psychological and moral—which has been constructed since 1945. We express repeatedly in this letter our extreme skepticism about the prospects for controlling a nuclear exchange, however limited the first use might be. Precisely because of this skepticism, we judge resort to nuclear weapons to counter a conventional attack to be morally unjustifiable.[69] Consequently we seek to reinforce the barrier against any use of nuclear weapons. Our support of a "no first use" policy must be seen in this light.

At the same time we recognize the responsibility the United States has had and continues to have in assisting allied nations in their defense against either a conventional or a nuclear attack. Especially in the European theater, the deterrence of a *nuclear* attack may require nuclear weapons for a time, even though their possession and deployment must be subject to rigid restrictions.

The need to defend against a conventional attack in Europe imposes the political and moral burden of developing adequate, alternative modes of defense to present reliance on nuclear weapons. Even with the best coordinated effort—hardly likely in view of contemporary political division on this question—development of an alternative defense position will still take time.

In the interim, deterrence against a conventional attack relies upon two factors: the not inconsiderable conventional forces at the disposal of NATO and the recognition by a potential attacker that the outbreak of large-scale conventional war could escalate to the nuclear level through accident or miscalculation by either side. We are aware that NATO's refusal to adopt a "no first use" pledge is to some extent linked to the deterrent effect of this inherent ambiguity. Nonetheless, in light of the probable effects of initiating nuclear war, we urge NATO to move rapidly toward the adoption of a "no first use" policy, but doing so in tandem with development of an adequate alternative defense posture.

3. Limited Nuclear War

It would be possible to agree with our first two conclusions and still not be sure about retaliatory use of nuclear weapons in what is called a "limited exchange." The issue at stake is the *real* as opposed to the *theoretical* possiblity of a "limited nuclear exchange."

We recognize that the policy debate on this question is inconclusive and that all participants are left with hypothetical projections about probable reactions in a nuclear exchange. While not trying to adjudicate the technical debate, we are aware of it and wish to raise a series of questions which challenge the actual meaning of "limited" in this discussion.

Would leaders have sufficient information to know what is happening in a nuclear exchange?

Would they be able under the conditions of stress, time pressures and fragmentary information to make the extraordinarily precise decision needed to keep the exchange limited if this were technically possible?

Would military commanders be able in the midst of the destruction and confusion of a nuclear exchange to maintain a policy of "discriminate targeting"? Can this be done in modern warfare waged across great distances by aircraft and missiles?

Given the accidents we know about in peacetime conditions, what assurances are there that computer errors could be avoided in the midst of a nuclear exchange?

Would not the casualties, even in a war defined as limited by strategists, still run in the millions?

How "limited" would be the long-term effects of radiation, famine, social fragmentation and economic dislocation?

Unless these questions can be answered satisfactorily, we will continue to be highly skeptical about the real meaning of "limited." One of the criteria of the just-war tradition is a reasonable hope of success in bringing about justice and peace. We must ask whether such a reasonable hope can exist once nuclear weapons have been exchanged. The burden of proof remains on those who assert that meaningful limitation is possible.

A nuclear response to either conventional or nuclear attack can cause destruction which goes far beyond "legitimate defense." Such use of nuclear weapons would not be justified.

In the face of this frightening and highly speculative debate on a matter involving millions of human lives, we believe the most effective contribution or moral judgment is to introduce perspectives by which we can assess the empirical debate. Moral perspective should be sensitive not only to the quantitative dimensions of a question, but to its psychological, human and religious characteristics as well. The issue of limited war is not simply the size of weapons contemplated or the strategies projected. The debate should include the psychological and political significance of crossing the boundary from the conventional to the nuclear arena in any form. To cross this divide is to enter a world where we have no experience of control, much testimony against its possibility and therefore no moral justification for submitting the human community to this risk.[70] We therefore express our view that the first imperative is to prevent any use of nuclear weapons and our hope that leaders will resist the notion that nuclear conflict can be limited, contained or won in any traditional sense.

D. Deterrence in Principle and Practice

The moral challenge posed by nuclear weapons is not exhausted by an analysis of their possible uses. Much of the political and moral debate of the nuclear age has concerned the strategy of deterrence. Deterrence is at the heart of the U.S.-Soviet relationship, currently the most dangerous dimension of the nuclear arms race.

1. The Concept and Development of Deterrence Policy

The concept of deterrence existed in military strategy long before the nuclear age, but it has taken on a new meaning and significance since 1945. Essentially deterrence means "dissuasion of a potential adversary from initiating an attack or conflict, often by the threat of unacceptable retaliatory damage." [71] In the nuclear age deterrence

has become the centerpiece of both U.S. and Soviet policy. Both superpowers have for many years now been able to promise a retaliatory response which can inflict "unacceptable damage." A situation of stable deterrence depends on the ability of each side to deploy its retaliatory forces in ways that are not vulnerable to an attack (i.e., protected against a "first strike"); preserving stability requires a willingness by both sides to refrain from deploying weapons which appear to have a first strike capability.

This general definition of deterrence does not explain either the elements of a deterrence strategy or the evolution of deterrence policy since 1945. A detailed description of either of these subjects would require an extensive essay using materials which can be found in abundance in the technical literature on the subject of deterrence.[72] Particularly significant is the relationship between "declaratory policy" (the public explanation of our strategic intentions and capabilities) and "action policy" (the actual planning and targeting policies to be followed in a nuclear attack).

The evolution of deterrence strategy has passed through several stages of declaratory policy. Using the U.S. case as an example, there is a significant difference between "massive retaliation" and "flexible response," and between "mutual assured destruction" and "countervailing strategy." It is also possible to distinguish between "counterforce" and "countervalue" targeting policies; and to contrast a posture of "minimum deterrence" with "extended deterrence." These terms are well known in the technical debate on nuclear policy' they are less well known and sometimes loosely used in the wider public debate. It is important to recognize that there has been substantial continuity in U.S. action policy in spite of real changes in declaratory policy.[73]

The recognition of these different elements in the deterrent and the evolution of policy means that moral assessment of deterrence requires a series of distinct judgments. They include: an analysis of the factual character of the deterrent (e.g., what is involved in targeting doctrine); analysis of the historical development of the policy (e.g., whether changes have occurred which are significant for moral analysis of the policy); the relationship of deterrence policy and other aspects of U.S.-Soviet affairs; and determination of the key moral questions involved in deterrence policy.

2. The Moral Assessment of Deterrence

The distinctively new dimensions of nuclear deterrence were recognized by policymakers and strategists only after much reflection. Similarly, the moral challenge posed by nuclear deterrence was grasped only after careful deliberation. The moral and political paradox posed by deterrence was concisely stated by Vatican II:

"Undoubtedly, armaments are not amassed merely for use in wartime. Since the defensive strength of any nation is thought to depend on its capacity for immediate retaliation, the stockpiling of arms which grows from year to year serves, in a way hitherto unthought of, as a deterrent to potential attackers. Many people look upon this as the most effective way known at the present time for maintaining some sort of peace among nations. Whatever one may think of this form of deterrent, people are convinced that the arms race, which quite a few countries have entered, is no infallible way of maintaining real peace and that the resulting so-called balance of power is no sure genuine path to achieving it. Rather than eliminate the causes of war, the arms race serves only to aggravate the position. As long as extravagant sums of money are poured into the development of new weapons, it is impossible to devote adequate aid in tackling the misery which prevails at the present day in the world. Instead of eradicating international conflict once and for all, the contagion is spreading to other parts of the world. New approaches, based on reformed attitudes, will have to be chosen in order to remove this stumbling block, to free the earth from its pressing anxieties, and give back to the world a genuine peace."[74]

Without making a specific moral judgment on deterrence, the council clearly designated the elements of the arms race: the tension between "peace of a sort" preserved by deterrence and "genuine peace" required for a stable international life; the contradiction between what is spent for destructive capacity and what is needed for constructive development.

In the post-conciliar assessment of war and peace and specifically of deterrence, different parties to the political-moral debate within the church and in civil society have focused on one or another aspect of the problem. For some, the fact that nuclear weapons have not been used since 1945 means that deterrence has worked, and this fact satisfies the demands of both the political and the moral order. Others contest this assessment by highlighing the risk of failure involved in continued reliance on deterrence and pointing out how politically and morally catastrophic even a single failure would be. Still others note that the absence of nuclear war is not necessarily proof that the policy of deterrence has prevented it. Indeed, some would find the policy of deterrence the driving force in the superpower arms race. Still other observers, many of them Catholic moralists, have stressed that deterrence may not morally include the intention of deliberately attacking civilian populations or noncombatants.

The statements of the NCCB-USCC over the past several years have both reflected and contributed to the wider moral debate on deterrence. In the NCCB pastoral letter "To Live in Christ Jesus" (1976), we focused on the moral limits of declaratory policy while calling for stronger measures of arms control.[75] In 1979 Cardinal John Krol, speaking for the USCC in support of SALT II ratification, brought into focus the other element of the deterrence problem: The actual use of nuclear weapons may have been prevented (a moral good), but the risk of failure and the physical harm and moral evil resulting from possible nuclear war remained.

"This explains," Cardinal Krol stated, "the Catholic dissatisfaction with nuclear deterrence and the urgency of the Catholic demand that the nuclear arms race be reversed. It is of the utmost importance that negotiations proceed to meaningful and continuing reductions in nuclear stockpiles and eventually to the phasing out altogether of nuclear deterrence and the threat of mutual-assured destruction."[76]

These two texts, along with the conciliar statement, have influenced much of Catholic opinion expressed recently on the nuclear question.

In June 1982, Pope John Paul II provided new impetus and insight to the moral analysis with his statement to the U.N. Second Special Session on Disarmament. The pope first situated the problem of deterrence within the context of world politics. No power, he observes, will admit to wishing to start a war, but each distrusts others and considers it necessary to mount a strong defense against attack. He then discusses the notion of deterrence:

"Many even think that such preparations constitute the way—even the only way—to safeguard peace in some fashion or at least to impede to the utmost in an efficacious way the outbreak of wars, especially major conflicts which might lead to the ultimate holocaust of humanity and the destruction of the civilization that man has constructed so laboriously over the centuries.

"In this approach one can see the 'philosophy of peace' which was proclaimed in the ancient Roman principle: Si vis pacem, para bellum. Put in modern terms, this 'philosophy' has the label of 'deterrence' and one can find it in various guises of the search for a 'balance of forces' which sometimes has been called, and not without reason, the 'balance of terror.' "[77]

Having offered this analysis of the general concept of deterrence, the Holy Father introduces his considerations on disarmament, especially, but not only, nuclear disarmament. Pope John Paul II makes this statement about the morality of deterrence:

"In current conditions 'deterrence' based on balance, certainly not as an end in itself but as a step on the way toward a progressive disarmament, may still be judged morally acceptable. Nonetheless in order to ensure peace, it is indispensable not to be satisfied with this minimum, which is always susceptible to the real danger of explosion."[78]

In Pope John Paul II's assessment we perceive two dimensions of the contemporary dilemma of deterrence. One dimension is the danger of nuclear war with its human and moral costs. The possession of nuclear weapons, the continuing quantitative growth of the arms race and the danger of nuclear proliferation all point to the grave danger of basing "peace of a sort" on deterrence. The other dimension is the independence and freedom of nations and entire peoples, including the need to protect smaller nations from threats to their independence and integrity. Deterrence reflects the radical distrust which marks international politics, a condition identified as a major problem by Pope John XXIII in "Peace on Earth" and reaffirmed by Pope Paul VI and Pope John Paul II. Thus a balance of forces, preventing either side from achieving superiority, can be seen as a means of safeguarding both dimensions.

The moral duty today is to prevent nuclear war from ever occurring *and* to protect and preserve those key values of justice, freedom and independence which are necessary for personal dignity and national integrity. In reference to these issues, Pope John Paul II judges that deterrence may still be judged morally acceptable, "certainly not as an end in itself but as a step on the way toward a progressive disarmament."

On more than one occasion the Holy Father has demonstrated his awareness of the fragility and complexity of the deterrence relations among nations. Speaking to UNESCO in June 1980, he said:

"Up to the present, we are told that nuclear arms are a force of dissuasion which have prevented the eruption of a major war. And that is probably true. Still, we must ask if it will always be this way."[79]

In a more recent and more specific assessment Pope John Paul II told an international meeting of scientists Aug. 23, 1982: "You can more easily ascertain that the logic of

nuclear deterrence cannot be considered a final goal or an appropriate and secure means for safeguarding international peace." [80]

Relating Pope John Paul's general statements to the specific policies of the U.S. deterrent requires both judgments of fact and an application of moral principles. In preparing this letter we have tried through a number of sources to determine as precisely as possible the factual character of U.S. deterrence strategy. Two questions have particularly concerned us: (1) the targeting doctrine and strategic plans for the use of the deterrent, particularly their impact on civilian casualties; and (2) the relationship of deterrence strategy and nuclear war-fighting capability to the likelihood that war will in fact be prevented.

3. Moral Principles and Policy Choices

Targeting doctrine raises significant moral questions because it is a significant determinant of what would occur if nuclear weapons were ever to be used. Although we acknowledge the need for deterrent, not all forms of deterrence are morally acceptable. There are moral limits to deterrence policy as well as to policy regarding use. Specifically, it is not morally acceptable to intend to kill the innocent as part of a strategy of deterring nuclear war. The question of whether U.S. policy involves an intention to strike civilian centers (directly targeting civilian populations) has been one of our factual concerns.

This complex question has always produced a variety of responses, official and unofficial in character. The NCCB committee has received a series of statements of clarification of policy from U.S. government officials.[81] Essentially these statements declare that it is not U.S. strategic policy to target the Soviet civilian population as such or to use nuclear weapons deliberately for the purpose of destroying population centers.

These statements respond, in principle at least, to one moral criterion for assessing deterrence policy: the immunity of noncombatants from direct attack either by conventional or nuclear weapons.

These statements do not address or resolve another very troublesome moral problem, namely, that an attack on military targets or militarily significant industrial targets could involve "indirect" (i.e., unintended) but massive civilian casualties. We are advised, for example, that the U.S. strategic nuclear targeting plan (SIOP—Single Integrated Operational Plan) has identified 60 "military" targets within the city of Moscow alone, and that 40,000 "military" targets for nuclear weapons have been identified in the whole of the Soviet Union.[82] It is important to recognize that Soviet policy is subject to the same moral judgment; attacks on several "industrial targets" or politically significant targets in the United States could produce massive civilian casualties. The number of civilians who would necessarily be killed by such strikes is horrendous.[83] This problem is unavoidable because of the way modern military facilities and production centers are so thoroughly interspersed with civilian living and working areas. It is aggravated if one side deliberately positions military targets in the midst of a civilian population.

In our consultations, administration officials readily admitted that while they hoped any nuclear exchange could be kept limited, they were prepared to retaliate in a massive way if necessary. They also agreed that once any substantial numbers of weapons were used, the civilian casualty levels would quickly become truly catastrophic and that even with attacks limited to "military" targets the number of deaths in a substantial exchange would be almost indistinguishable from what might occur if civilian centers had been deliberately and directly struck. These possibilities pose a different moral question and are to be judged by a different moral criterion: the principle of proportionality.

While any judgment of proportionality is always open to differing evaluations, there are actions which can be decisively judged to be disproportionate. A narrow adherence exclusively to the principle of non-combatant immunity as a criterion for policy is an inadequate moral posture for it ignores some evil and unacceptable consequences. Hence, we cannot be satisfied that the assertion of an intention not to strike civilians directly or even the most honest effort to implement that intention by itself constitutes a "moral policy" for the use of nuclear weapons.

The location of industrial or militarily significant economic targets within heavily populated areas or in those areas affected by radioactive fallout could well involve such massive civilian casualties that in our judgment such a strike would be deemed morally disproportionate, even though not intentionally indiscriminate.

The problem is not simply one of producing highly accurate weapons that might minimize civilian casualties in any single explosion, but one of increasing the likelihood of escalation at a level where many, even "discriminating," weapons would cumulatively kill very large numbers of civilians. Those civilian deaths would occur both immediately and from the long-term effects of social and economic devastation.

A second issue of concern to us is the relationship of deterrence doctrine to war-fighting strategies. We are aware of the argument that war-fighting capabilities enhance the credibility of the deterrent particularly the strategy of extended deterrence. But the development of such capabilities raises other strategic and moral questions. The relationship of war-fighting capabilities and targeting doctrine exemplifies the difficult choices in this area of policy. Targeting civilian populations would violate the principle of discrimination—one of the central moral principles of a Christian ethic of war. But "counterforce targeting," while preferable from the perspective of protecting civilians, is often joined with a declaratory policy which conveys the notion that nuclear war is subject to precise rational and moral limits. We have already expressed our severe doubts about such a concept. Furthermore, a purely counterforce strategy may seem to threaten the viability of other nations' retaliatory forces, making deterrence unstable in a crisis and war more likely.

While we welcome any effort to protect civilian populations, we do not want to legitimize or encourage moves which extend deterrence beyond the specific objective preventing the use of nuclear weapons or other actions which could lead directly to a nuclear exchange.

These considerations of concrete elements of nuclear deterrence policy, made in light of John Paul II's evaluation, but applying it through our own prudential judgments, lead us to a strictly conditioned moral acceptance of nuclear deterrence. We cannot consider it adequate as a long-term basis for peace.

This strictly conditioned judgment yields criteria for morally assessing the elements of deterrence strategy. Clearly, these criteria demonstrate that we cannot approve of every weapons system, strategic doctrine or policy initiative advanced in the name of strengthening deterrence. On the contrary, these criteria require continual public scrutiny of what our government proposes to do with the deterrent.

On the basis of these criteria we wish now to make some specific evaluations:

1. If nuclear deterrence exists only to prevent the use of nuclear weapons by others, then proposals to go beyond this to planning for prolonged periods of repeated nuclear strikes and counterstrikes, or "prevailing" in nuclear war, are not acceptable. They encourage notions that nuclear war can be engaged in with tolerable human and moral consequences. Rather, we must continually say no to the idea of nuclear war.

2. If nuclear deterrence is our goal, "sufficiency" to deter is an adequate strategy; the quest for nuclear superiority must be rejected.

3. Nuclear deterrence should be used as a step on the way toward progressive disarmament. Each proposed addition to our strategic system or change in strategic doctrine must be assessed precisely in light of whether it will render steps toward "progressive disarmament" more or less likely.

Moreover, these criteria provide us with the means to make some judgment and recommendations about the present direction of U.S. strategic policy. Progress toward a world freed of dependence on nuclear deterrence must be carefully carried out. But it must be carefully carried out. But it must not be delayed. There is an urgent moral and political responsibility to use the "peace of a sort" we have as a framework to move toward authentic peace through nuclear arms control, reductions and disarmament. Of primary importance in this process is the need to prevent the development and deployment of destabilizing weapons systems on either side; a second requirement is to ensure that the more sophisticated command and control systems do not become mere hair triggers for automatic launch on warning; a third is the need to prevent the proliferation of nuclear weapons in the international system.

In light of these general judgments we oppose some specific proposals in respect to our present deterrence posture:

1. The addition of weapons which are likely to be vulnerable to attack, yet also possess a "prompt hard-target kill" capability that threatens to make the other side's retaliatory forces vulnerable. Such weapons may seem to be useful primarily in a first strike; [84] we resist such weapons for this reason and we oppose Soviet deployment of such weapons which generate fear of a first strike against U.S. forces.

2. The willingness to foster strategic planning which seeks a nuclear war-fighting capability that goes beyond the limited function of deterrence outlined in this letter.

3. Proposals which have the effect of lowering the nuclear threshold and blurring the difference between nuclear and conventional weapons.

In support of the concept of "sufficiency" as an adequate deterrent and in light of the present size and composition of both the U.S. and Soviet strategic arsenals, we recommend:

1. Support for immediate, bilateral, verifiable agreements to halt the testing, production and deployment of new nuclear weapons systems.[85]

2. Support for negotiated bilateral deep cuts in the arsenals of both superpowers, particularly those weapons systems which have destabilizing characteristics; U.S. proposals like those for START (Strategic Arms Reduction Talks) and INF (Intermediate-Range Nuclear Forces) negotiations in Geneva are said to be designed to achieve deep cuts: [86] our hope is that they will be pursued in a manner which will realize these goals.

3. Support for early and successful conclusion of negotiations of a comprehensive test ban treaty.

4. Removal by all parties of short-range nuclear weapons which multiply dangers disproportionate to their deterrent value.

5. Removal by all parties of nuclear weapons from areas where they are likely to be overrun in the early stages of war, thus forcing rapid and uncontrollable decisions on their use.

6. Strengthening of command and control over nuclear weapons to prevent inadvertent and unauthorized use.

These judgments are meant to exemplify how a lack of unequivocal condemnation of deterrence is meant only to be an attempt to acknowledge the role attributed to deterrence, but not to support its extension beyond the limited purpose discussed above. Some have urged us to condemn all aspects of nuclear deterrence. This urging has been based on a variety of reasons, but has emphasized particularly the high and terrible risks that either deliberate use or accidental detonation of nuclear weapons could quickly escalate to something utterly disproportionate to any acceptable moral purpose. That determination requires highly technical judgments about hypothetical events. Although reasons exist which move some to condemn reliance on nuclear weapons for deterrence, we have not reached this conclusion for the reasons outlined in this letter.

Nevertheless, there must be no misunderstanding of our profound skepticism about the moral acceptability of any use of nuclear weapons. It is obvious that the use of any weapons which violate the principle of discrimination merits unequivocal condemnation. We are told that some weapons are designed for purely "counterforce" use against military forces and targets. The moral issue, however, is not resolved by the design of weapons or the planned intention for use; there are also consequences which must be assessed. It would be a perverted political policy or moral casuistry which tried to justify using a weapon which "indirectly" or "unintentionally" killed a million innocent people because they happened to live near a "militarily significant target."

Even the "indirect effects" of initiating nuclear war are sufficient to make it an unjustifiable moral risk in any form. It is not sufficient, for example, to contend that "our" side has plans for "limited" or "discriminate" use. Modern warfare is not readily contained by good intentions or technological designs. The psychological climate of the world is such that mention of the term "nuclear" generates uneasiness. Many contend that the use of one tactical nuclear weapon could produce panic, with completely unpredictable consequences. It is precisely this mix of political, psychological and technological uncertainty which has moved us in this letter to reinforce with moral prohibitions and prescriptions the prevailing political barrier against resort to nuclear weapons. Our support for enhanced command and control facilities, for major reductions in strategic and tactical nuclear forces, and for a "no first use" policy (as set forth in this letter) is meant to be seen as a complement to our desire to draw a moral line against nuclear war.

Any claim by any government that it is pursuing a morally acceptable policy of deterrence must be scrutinized with the greatest care. We are prepared and eager to participate in our country in the ongoing public debate on moral grounds.

The need to rethink the deterrence policy of our nation, to make the revisions necessary to reduce the possibility of nuclear war and to move toward a more stable system of national and international security will demand a substantial intellectual, political and moral effort. It also will require, we believe, the willingness to open ourselves to the providential care, power and word of God, which call us to recognize our common humanity and the bonds of mutual responsibility which exist in the international community in spite of political differences and nuclear arsenals.

Indeed, we do acknowledge that there are many strong voices within our own episcopal ranks and within the wider Catholic community in the United States which challenge the strategy of deterrence as an adequate response to the arms race today. They highlight the historical evidence that deterrence has not in fact set in motion substantial processes of disarmament.

Moreover, these voices rightly raise the concern that even the conditional acceptance of nuclear deterrence as laid out in a letter such as this might be inappropriately used by some to reinforce the policy of arms buildup. In its stead they call us to raise a prophetic challenge to the community of faith—a challenge which goes beyond nuclear deterrence, toward more resolute steps to actual bilateral disarmament and peacemaking. We recognize the intellectual ground on which the argument is built and the religious sensibility which gives it its strong force.

The dangers of the nuclear age and the enormous difficulties we face in moving toward a more adequate system of global security, stability and justice require steps beyond our present conceptions of security and defense policy. In the following section we propose a series of steps aimed at a more adequate policy for preserving peace in a nuclear world.

III. THE PROMOTION OF PEACE: PROPOSALS AND POLICIES

In a world which is not yet the fulfillment of God's kingdom, a world where both personal actions and social forces manifest the continuing influence of sin and disorder among us, consistent attention must be paid to preventing and limiting the violence of war. But this task, addressed extensively in the previous section of this letter, does not exhaust Catholic teaching on war and peace. A complementary theme, reflected in the scriptures and the theology of the church and significantly developed by papal teaching in this century, is the building of peace as the way to prevent war. This traditional theme was vividly reasserted by Pope John Paul in his homily at Coventry Cathedral:

"Peace is not just the absence of war. It involves mutual respect and confidence between peoples and nations. It involves collaboration and binding agreements. Like a cathedral, peace must be constructed patiently and with unshakable faith." [87]

This positive conception of peacemaking profoundly influences many people in our time. At the beginning of this letter we affirmed the need for a more fully developed theology of peace. The basis of such a theology is found in the papal teaching of this century. In this section of our pastoral we wish to illustrate how the positive vision of peace contained in Catholic teaching provides direction for policy and personal choices.

a. Specific steps to reduce the danger of war

The dangers of modern war are specific and visible; our teaching must be equally specific about the needs of peace. Effective arms control leading to mutual disarmament, ratification of pending treaties,[88] development of nonviolent alternatives, are but some of the recommendations we would place before the Catholic community and all men and women of good will. These should be part of a foreign policy which recognizes and respects the claims of citizens of every nation to the same inalienable rights we treasure and seeks to ensure an international security based on the awareness that the Creator has provided this world and all its resources for the sustenance and benefit of the entire human family. The truth that the globe is inhabited by a single family in which all have the same basic needs and all have a right to the goods of the earth is a fundamental principle of Catholic teaching which we believe to be of increasing importance today. In an interdependent world all need to affirm their common nature and destiny; such a perspective should inform our policy vision and negotiating posture in pursuit of peace today.

1. Accelerated Work for Arms Control, Reduction and Disarmament

Despite serious efforts starting with the Baruch plans and continuing through SALT I and SALT II, the results have been far too limited and partial to be commensurate with the risks of nuclear war. Yet efforts for negotiated control and reduction of arms must continue. In his 1982 address to the United Nations Pope John Paul II left no doubt about the importance of these efforts: "Today once again before you all I reaffirm my confidence in the power of true negotiations to arrive at just and equitable solutions." [89]

In this same spirit we urge negotiations to halt the testing, production and deployment of new nuclear weapons systems. Not only should steps be taken to end development and deployment, but the numbers of existing weapons must be reduced in a manner which lessens the danger of war.

Arms control disarmament must be a process of verifiable agreements especially between two superpowers. While we do not advocate a policy of unilateral disarmament, we believe the urgent need for control of the arms race requires a willingness for each side to take some first steps. The United States has already taken a number of important independent initiatives to reduce some of the gravest dangers and to encourage a constructive Soviet response; additional initiatives are encouraged. By independent initiatives we mean carefully chosen limited steps which the United States could take for a defined period of time, seeking to elicit a comparable step from the Soviet Union. If an appropriate response is not forthcoming, the United States would no longer be bound by steps taken. Our country has previously taken calculated risks in favor of freedom and of human values; these have included independent steps taken to reduce some of the gravest dangers of nuclear war.[90] Certain risks are required today to help free the world from bondage

to nuclear deterrence and the risk of nuclear war. Both sides, for example, have an interest in avoiding deployment of destabilizing weapons systems.

There is some history of successful independent initiatives which have beneficially influenced the arms race without a formal public agreement. In 1963 President Kennedy announced that the United States would unilaterally forgo further nuclear testing; the next month (Soviet Premier Nikita) Khrushchev proposed a limited test ban which eventually became the basis of the U.S.-Soviet partial test ban treaty. Subsequently, both superpowers removed about 10,000 troops from Central Europe and each announced a cut in production of nuclear material for weapons.

a. Negotiation on arms control agreements in isolation, without persistent and parallel efforts to reduce the political tensions which motivate the buildup of armaments, will not suffice. The United States should therefore have a continuing policy of maximum political engagement with governments of potential adversaries, providing for repeated, systematic discussion and negotiation of areas of friction. This policy should be carried out by a system of periodic, carefully prepared meetings at several levels of government, including summit meetings at regular intervals. Such channels of discussion are too important to be regarded by either of the major powers as a concession or an event made dependent on daily shifts in international developments.

b. The Nuclear Non-Proliferation Treaty of 1968 acknowledged that the spread of nuclear weapons to hitherto non-nuclear states (horizontal proliferation) could hardly be prevented in the long run in the absence of serious efforts by the nuclear states to control and reduce their own nuclear arsenals (vertical proliferation). Article VI of the NPT pledged the superpowers to serious efforts to control and to reduce their own nuclear arsenals; unfortunately this promise has not been kept. Moreover, the multinational controls envisaged in the treaty seem to have been gradually relaxed by the states exporting fissionable materials for the production of energy. If these tendencies are not constrained, the treaty may eventually lose its symbolic and practical effectiveness. For this reason the United States should, in concert with other nuclear-exporting states, seriously reexamine its policies and programs and make clear its determination to uphold the spirit as well as the letter of the treaty.

2. Continued Insistence on Efforts To Minimize the Risk of Any War

While it is right and proper that priority be given to reducing and ultimately eliminating the likelihood of nuclear war, this does not of itself remove the threat of other forms of warfare. Indeed, negotiated reduction in nuclear weapons available to the superpowers could conceivably increase the danger of non-nuclear wars.

a. Because of this we strongly support negotiations aimed at reducing and limiting conventional forces and at building confidence between possible adversaries, especially in regions of potential military confrontations. We urge that prohibitions outlawing the production and use of chemical and biological weapons be reaffirmed and observed. Arms control negotiations must take account of the possibility that conventional conflict could trigger the nuclear confrontation the world must avoid.

b. Unfortunately, as is the case with nuclear proliferation, we are witnessing a relaxation of restraints in the international commerce in conventional arms. Sales of increasingly sophisticated military aircraft, missiles, tanks, anti-tank weapons, anti-personnel bombs and other systems by the major supplying countries (especially the Soviet Union, the United States, France and Great Britain) have reached unprecedented levels.

Pope John Paul II took specific note of the problem in his U.N. address:

"The production and sale of conventional weapons throughout the world is a truly alarming and evidently growing phenomenon. . . . Moreover the traffic in these weapons seems to be developing at an increasing rate and seems to be directed most of all toward developing countries." [91]

It is a tragic fact that U.S. arms-sales policies in the last decade have contributed significantly to the trend the Holy Father deplores. We call for a reversal of this course. The United States should renew earlier efforts to develop multilateral controls on arms exports and should in this case also be willing to take carefully chosen independent initiatives to retrain the arms trade. Such steps would be particularly appropriate where the receiving government faces charges of gross and systematic human rights violations.[92]

c. Nations must accept a limited view of those interests justifying military force. True self-defense may include the protection of weaker states, but does not include seizing the possessions of others or the domination of other states or peoples. We should remember the caution of Pope John Paul II: "In alleging the threat of a potential enemy, is it really not rather the intention to keep for itself a means of threat, in order to get the upper hand with the aid of one's own arsenal of destruction?" [93] Central to a moral theory of force is the principle that it must be a last resort taken only when *all* other means of redress have been exhausted. Equally important in the age of modern warfare is the recognition that the justifiable reasons for using force have been restricted to instances of self-defense or defense of others under attack.

3. The Relationship of Nuclear and Conventional Defenses

The strong position we have taken against the use of nuclear weapons and particularly the stand against the initiation of nuclear war in any form calls for further clarification of our view of the requirements for conventional defense.

Nuclear threats have often come to take the place of efforts to deter or defend against non-nuclear attack with weapons that are themselves non-nuclear, particularly in the NATO-Warsaw Pact confrontation. Many analysts conclude that in the absence of nuclear deterrent threats more troops and conventional (non-nuclear) weapons would be required to protect our allies. Rejection of some forms of nuclear deterrence could therefore conceivably require a willingness to pay higher costs to develop conventional forces. Leaders and peoples of other nations might also have to accept higher costs for their own defense, particularly in Western Europe, if the threat to use nuclear weapons first were withdrawn. We cannot judge the strength of these arguments in particular cases. It may well be that some strengthening of conventional defense would be a proportionate price to pay, if this will reduce the possibility of a nuclear war. We acknowledge this reluctantly, aware as we are of the vast amount of scarce resources expended annually on instruments of defense in a world filled with other urgent, unmet human needs.

It is not for us to settle the technical debate about policy and budgets. From the perspective of a developing theology of peace, however, we feel obliged to contribute a moral dimension to the discussion. We hope that significant reduction in numbers of conventional arms and weaponry would go hand in hand with diminishing reliance on nuclear deterrence. The history of recent wars (even so-called "minor" or "limited" wars) has shown that conventional war can also become indiscriminate in conduct and disproportionate to any valid purpose. We do not want in any way to give encouragement to a notion of "making the world safe for conventional war," which introduces its own horrors.

Hence, we believe that any program directed at reducing reliance on nuclear weapons is not likely to succeed unless it includes measures to reduce tensions and to work for the balanced reduction of conventional forces. We believe that important possibilities exist which, if energetically pursued, would ensure against building up conventional forces as a concomitant of reductions in nuclear weapons. Examples are to be found in the ongoing negotiations for mutual, balanced, force reductions, the prospects for which are certainly not dim and would be enhanced by agreements on strategic weapons, and in the confidence-building measures still envisaged under the Helsinki agreement and review conference.

We must re-emphasize with all our being, nonetheless, that it is not only nuclear war that must be prevented, but war itself. Therefore, with Pope John Paul II we declare:

"Today, the scale and the horror of modern warfare—whether nuclear or not—makes it totally unacceptable as a means of settling differences between nations. War should belong to the tragic past, to history; it should find no place on humanity's agenda for the future." [94]

Reason and experience tell us that a continuing upward spiral even in conventional arms, coupled with an unbridled increase in armed forces, instead of securing true peace will almost certainly be provocative of war.

4. Civil Defense

Attention must be given to existing programs for civil defense against nuclear attack, including blast and fallout shelters and relocation plans. It is unclear in the public mind whether these are intended to offer significant protection against at least some forms of nuclear attack or are being put into place to enhance the credibility of the strategic deterrent forces by demonstrating an ability to survive attack. This confusion has led to public skepticism and even ridicule of the program and casts doubt on the credibility of the government. An independent commission of scientists, engineers and weapons experts is needed to examine if these or any other plans offer a realistic prospect of survival for the nation's population or its cherished values, which a nuclear war would presumably be fought to preserve.

5. Efforts To Develop Non-Violent Means of Conflict Resolution

We affirm a nation's right to defend itself, its citizens and its values. Security is the right of all, but that right, like everything else, must be subject to divine law and the limits defined by that law. We must find means of defending peoples that do not depend upon the threat of annihilation. Im-

moral means can never be justified by the end sought; no objective, however worthy of good in itself, can justify sinful acts or policies. Though our primary concern through this statement is war and the nuclear threat, these principles apply as well to all forms of violence, including insurgency, counterinsurgency, "destabilization" and the like.

a. The Second Vatican Council praised "those who renounce the use of violence in the vindication of their rights and who resort to methods of defense which are otherwise available to weaker parties, provided that this can be done without injury to the rights and duties of others or of the community itself." [95] To make such renunciation effective and still defend what must be defended, the arts of diplomacy, negotiation and compromise must be developed and fully exercised. Non-violent means of resistance to evil deserve much more study and consideration than they have thus far received. There have been significant instances in which people have successfully resisted oppression without recourse to arms.[96] Non-violence is not the way of the weak, the cowardly or the impatient. Such movements have seldom gained headlines even though they have left their mark on history. The heroic Danes who would not turn Jews over to the Nazis and the Norwegians who would not teach Nazi propaganda in schools serve as inspiring examples in the history of non-violence.

Non-violent resistance, like war, can take many forms depending upon the demands of a given situation. There is, for instance, organized popular defense instituted by government as part of its contingency planning. Citizens would be trained in the techniques of peaceful non-compliance and non-cooperation as a means of hindering an invading force or non-democratic government from imposing its will. Effective non-violent resistance requires the united will of a people and may demand as much patience and sacrifice from those who practice it as is now demanded by war and preparation for war. It may not always succeed. Nevertheless, before the possibility is dismissed as impractical or unrealistic, we urge that it be measured against the almost certain effects of a major war.

b. Non-violent resistance offers a common ground of agreement for those individuals who choose the option of Christian pacifism even to the point of accepting the need to die rather than to kill and those who choose the option of lethal force allowed by the theology of just war. Non-violent resistance makes clear that both are able to be committed to the same objective: defense of their country.

c. Popular defense would go beyond conflict resolution and compromise to a basic synthesis of beliefs and values. In its practice the objective is not only to avoid causing harm or injury to another creature, but, more positively, to seek the good of the other. Blunting the aggression of an adversary or oppressor would not be enough. The goal is winning the other over, making the adversary a friend.

It is useful to point out that these principles are thoroughly compatible with—and to some extent derived from—Christian teachings and must be part of any Christian theology of peace. Spiritual writers have helped trace the theory of non-violence to its roots in scripture and tradition and have illustrated its practice and success in their studies of the church fathers and the age of martyrs. Christ's own teachings and example provide a model way of life incorporating the truth and a refusal to return evil for evil.

Non-violent popular defense does not ensure that lives would not be lost. Nevertheless, once we recognize that the almost certain consequences of existing policies and strategies of war carry with them a very real threat to the future existence of humankind itself, practical reason as well as spiritual faith demands that it be given serious consideration as an alternative course of action.

d. Once again we declare that the only true defense for the world's population is the rejection of nuclear war and the conventional wars which could escalate into nuclear war. With Pope John Paul II, we call upon educational and research institutes to take a lead in conducting peace studies; "Scientific studies on war, its nature, causes, means, objectives and risks have much to teach us on the conditions for peace." [97] To achieve this end, we urge that funds equivalent to a designated percentage (even one-tenth of 1 percent) of current budgetary allotments for military purposes be set aside to support such peace research.

In 1981 the Commission on Proposals for the National Academy of Peace and Conflict Resolution recommended the establishment of the U.S. Academy of Peace, a recommendation nearly as old as this country's Constitution. The commission found that "peace is a legitimate field of learning that encompasses rigorous, interdisciplinary research, education and training directed toward peacemaking expertise." [98] We endorse the commission's recommendation and urge all citizens to support training in conflict resolution, non-violent resistance, and programs devoted to service to peace and education for peace. Such an academy would not only provide a center for peace studies and activities, but also be a tangible evidence of our nation's sincerity in its often professed commitment to international peace and the abolition of war. We urge universities, particularly Catholic universities, in our country to develop programs for rigorous interdisciplinary research, education and training directed toward peacemaking expertise.

We too must be prepared to do our part to achieve these ends. We encourage churches and educational institutions, from primary schools to colleges and institutes of higher learning, to undertake similar programs at their own initiative. Every effort must be made to understand and evaluate the arms race, to encourage truly transnational perspectives on disarmament and to explore new forms of international cooperation and exchange. No greater challenge or higher priority can be imagined than the development and perfection of a theology of peace suited to a civilization poised on the brink of self-destruction. It is our prayerful hope that this document will provide to be a starting point and inspiration for that endeavor.

6. The Role of Conscience

A dominant characteristic of the Second Vatican Council's evaluation of the modern warfare was the stress it placed on the requirement for proper formation of conscience. Moral principles are effective restraints on power only when policies reflect them and individuals practice them. The relationship of the authority of the state and the conscience of the individual on matters of war and peace takes a new urgency in the face of the destructive nature of modern war.

a. In this connection we reiterate the position we took in 1980. Catholic teaching does not question the right in principle of a government to require military service of its citizens provided the government shows it is necessary. A citizen may not casually disregard his country's conscientious decision to call its citizens to acts of "legitimate defense." Moreover, the role of Christian citizens in the armed forces is a service to the common good and an exercise of the virtue of patriotism, so long as they fulfill this role within defined moral norms.[99]

b. At the same time, no state may demand blind obedience. Our 1980 statement urged the government to present convincing reasons for draft registration and opposed reinstitution of conscription itself except in the case of a national defense emergency. Moreover, it reiterated our support for conscientious objection in general and for selective conscientious objection to participation in a particular war, either because of the ends being pursued or the means being used. We called selective conscientious objection a moral conclusion which can be validly derived from the classical teaching of just-war principles. We continue to insist upon respect for and legislative protection of the rights of both classes of conscientious objectors. We also approve requiring alternative service to the community—not related to military needs—by such persons.

b. Shaping a peaceful world

Preventing nuclear war is a moral imperative; but the avoidance of war, nuclear or conventional, is not a sufficient conception of international relations today. Nor does it exhaust the content of Catholic teaching. Both the political needs and the moral challenge of our time require a positive conception of peace, based on a vision of a first world order. Pope Paul VI summarized classical Catholic teaching in his encyclical "The Development of Peoples":

"Peace cannot be limited to a mere absence of war, the result of an ever precarious balance of forces. No, peace is something built up day after day, in the pursuit of an order intended by God, which implies a more perfect form of justice among men and women." [100]

1. World Order in Catholic Teaching

This positive conception of peace sees it as the fruit of order; order, in turn, is shaped by the values of justice, truth, freedom and love. The basis of this teaching is found in sacred scripture, St. Augustine and St. Thomas. It has found contemporary expression and development in papal teaching of this century. The popes of the nuclear age, from Pius XII through John Paul II have affirmed pursuit of international order as the way to banish the scourage of war from human affairs.[101]

The fundamental premise of world in Catholic teaching is a theological truth: the unity of the human family—rooted in common creation, destined for the kingdom and united by moral bonds of rights and duties. This basic truth about the unity of the human family pervades the entire teaching on war and peace: For the pacifist position it is one of the reasons why life cannot be taken, while for the just-war position, even in a justified conflict bonds of responsibility remain in spite of the conflict.

Catholic teaching recognizes that in modern history, at least since the Peace of Westphalia (1648) the international community has been governed by union-states. Catholic moral theology, as expressed for example in Chapters 2 and 3 of "Peace on

Earth," accords a real but relative moral value to sovereign states. The value is real because of the functions states fulfill as sources of order and authority in the political community; it is relative because boundaries of the sovereign state do not dissolve the deeper relationships of responsibility existing in the human community. Just as within nations the moral fabric of society is described in Catholic teaching in terms of reciprocal rights and duties—between individuals, and then between the individual and the state—so in the international community "Peace on Earth" defines the rights and duties which exist among states.[102]

In the past 20 years Catholic teaching has become increasingly specific about the content of these international rights and duties. In 1963, "Peace on Earth" sketched the political and legal order among states. In 1967, Pope John Paul articulated the human rights basis of international relations in his address to the United Nations.

These documents and others which build upon them outlined a moral order of international relations, i.e., how the international community should be organized. At the same time this teaching has been sensitive to the actual pattern of relations prevailing among states. While not ignoring present geopolitical realities, one of the primary functions of Catholic teaching on world order has been to point the way toward a more integrated international system.

In analyzing this path toward world order, the category increasingly used in Catholic moral teaching (and, more recently, in the social sciences also) is the interdependence of the world today. The theological principle of unity has always affirmed a human interdependence; but today this bond is complemented by the growing political and economic interdependence of the world, manifested in a whole range of international issues.[103]

An important element missing from world order today is a properly constituted political authority with the capacity to shape our material interdependence in the direction of moral interdependence. Pope John XXIII stated the case in the following way:

"Today the universal common good poses problems of worldwide dimensions, which cannot be adequately tackled or solved except by the efforts of public authority endowed with a wideness of powers, structure and means of the same proportions: that is, of public authority which is in a position to operate in an effective manner on a worldwide basis. The moral order itself, therefore, demands that such a form of public authority be established." [104]

Just as the nation-state was a step in the evolution of government at a time when expanding trade and new weapons technologies made the feudal system inadequate to manage conflicts and provide security, so we are now entering an era of new, global interdependencies requiring global systems of goverance to manage the resulting conflicts and ensure our common security. Major global problems such as worldwide inflation, trade and payments deficits, competition over scarce resources, hunger widespread unemployment, global environmental dangers, the growing power of transitional corporations and the treat of international financial collapse, as well as the danger of world war resulting from these growing tensions—cannot be remedied by a single nation-state approach. They shall require the concerted effort of the whole world community. As we shall indicate below, the United Nations should be particularly considered in this effort.

In the nuclear age it is in the regulation of interstate conflicts and ultimately the replacement of military by negotiated solutions that the supreme importance and necessity of a moral as well as a political concept of the international common good can be grasped. The absence of adequate structures for addressing these issues places even greater responsibility on the policies of individual states. By a mix of political vision and moral wisdom, states are called to interpret the national interest in light of the larger global interest.

We are living in a global age with problems and conflicts on a global scale. Either we shall learn to resolve these problems together or we shall destroy one another. Mutual security and survival require a new vision of the world as one interdependent planet. We have rights and duties not only within our diverse national communities, but within the larger world community.

2. The Superpowers in a Disordered World

No relationship more dramatically demonstrates the fragile nature of order in international affairs today than that of the United States and the Soviet Union. These two sovereign states have open war, nuclear or conventional, but they are divided by philosophy, ideology and competing ambitions. Their competition is global in scope and involves everything from comparing nuclear arsenals to printed propaganda. Both have been criticized in international meetings because of their policies in the nuclear arms race.[105]

In our 1980 pastoral letter on Marxism we sought to portray the significant differences between Christian teaching and Marxism; at the same time we addressed the need for states with different political systems to live together in an interdependent world:

"The church recognizes the depth and dimensions of the ideological differences that divide the human race, but the urgent practical need for cooperative efforts in the human interest overrules these differences. Hence Catholic teaching seeks to avoid exacerbating the ideologial opposition and to focus upon the problems requiring common efforts across the ideological divide: keeping the peace and empowering the poor."[106]

We believe this passage reflects the teaching of "Peace on Earth," the continuing call for dialogue of Pope Paul VI and the 1979 address of Pope John Paul II at the United Nations. We continue to stress this theme even while we recognize the difficulty of realizing its objectives.

The difficulties are particularly serere on the issue of the arms race. For most Americans the danger of war is commonly defined primarily in terms of the threat of Soviet military expansionism and the consequent need to deter or defend against a Soviet military threat. Many assume that the existence of this threat is permanent and that nothing can be done about it except to build and maintain overwhelming or at least countervailing military power.[107]

The fact of a Soviet threat, as well as the existence of a Soviet imperial drive for hegemony, at least in regions of major strategic interest, cannot be denied. The history of the Cold War has produced varing interpretations of which side caused which conflict, but whatever the details of history illustrate the plain fact is that the memories of Soviet policies in Eastern Europe and recent events in Afghanistan and Poland have left their mark in the American political debate. Many peoples are forcibly kept under communist domination despite their manifest wishes to be free. Soviet power is very great. Whether the Soviet Union's pursuit of military might is motivated primarily by defensive or aggressive aims might be debated, but the effect is nevertheless to leave profoundly insecure those who must live in the shadow of that might.

Americans need have no illusions about the Soviet system of repression and the lack of respect in that system for human rights or about Soviet covert operations and prorevolutionary activities. To be sure, our own system is not without flaws. Our government has sometimes supported repressive governments in the name of preserving freedom, has carried out repugnant covert operations of its own and remains imperfect in its domestic record of ensuring equal rights for all. At the same time there is a difference. NATO is an alliance of democratic countries which have freely chosen their association; the Warsaw Pact is not.

To pretend that as a nation we have lived up to all our own ideals would be patently dishonest. To pretend that all evils in the world have been or are now being perpetrated by dictatorial regimes would be both dishonest and absurd. But having said this, and admitting our own faults, it is imperative that we confront reality. The facts simply do not support the invidious comparisons made at times even in our own society between our way of life, in which most basic human rights are at least recognized even if they are not always adequately supported, and those totalitarian and tyrannical regimes in which such rights are either denied or systematically suppressed. Insofar as this is true, however, it makes the promotion of human rights in our foreign policy, as well as our domestic policy, all the more important. It is the acid test of our commitment to our democratic values. In this light, any attempts to justify, for reasons of state, support for regimes that continue to violate human rights is all the more morally reprehensible in its hypocrisy.

A glory of the United States is the range of political freedoms its system permits us. We, as bishops, as Catholics, as citizens, exercise those freedoms in writing this letter, with its share of criticisms of our government. We have true freedom of religion, freedom of speech and access to a free press. We could not exercise the same freedoms in contemporary Eastern Europe or in the Soviet Union. Free people must always pay a proportionate price and run some risks—responsibly—to preserve their freedom.

It is one thing to recognize that the people of the world do not want war. It is quite another thing to attribute the same good motives to regimes or political systems that have consistently demonstrated precisely the opposite in their behavior. There are political philosophies with understandings of morality so radically different from ours that even negotiations proceed from different premises, although identical terminology may be used by both sides. This is no reason for not negotiating. It is a very good reason for not negotiating blindly or naively.

In this regard, Pope John Paul II offers some sober reminders concerning dialog and peace:

"(O)ne must mention the tactical and deliberate lie, which misuses language, which has recourse to the most spohisticated techniques of propaganda, which deceives and distorts dialogue and incites to aggression . . .

"While certain parties are fostered by ideologies which, in spite of their declarations, are opposed to the dignity of the

human person . . . ideologies which see in struggle the motive force of history, that see in force the source of rights, that see in the discernment of the enemy the ABC of politics, dialogue is fixed and sterile. Or, if it still exists, it is a superficial and falsified reality. It becomes very difficult, not to say impossible, therefore. There follows almost a compete lack of communication between countries and blocs. Even the international institutions are paralyzed. And the setback to dialogue then runs the risk of serving the arms race.

"However, even in what can be considered as an impasse to the extent that individuals support such ideologies, the attempt to have a lucid dialogue seems still necessary in order to unblock the situation and to work for the possible establishment of peace on particular points. This is to be done by counting upon common sense, on the possibilities of danger for everyone and on the just aspirations to which the peoples themselves largely adhere." [108]

The cold realism of this text, combined with the conviction that political dialogue and negotiations must be pursued in spite of obstacles, provides solid guidance for U.S.-Soviet relations. Acknowledging all the differences between the two philosophies and political systems, the irreducible truth is that objective mutual interests do exist between the superpowers. Proof of this concrete if limited convergence of interest can be found in some vitally important agreements on nuclear weapons which have already been negotiated in the areas of nuclear testing and nuclear explosions in space as well as the SALT I agreements.

The fact that the Soviet Union now possesses a huge arsenal of strategic weapons as threatening to us as ours may appear to them does not exclude the possibility of success in such negotiations. The conviction of many European observers that a *modus vivendi* (often summarized as "detente") is a practical possibility in political, economic and scientific areas should not be lightly dismissed in our country.

Sensible and successful diplomacy, however, will demand that we avoid the trap of a form of anti-Sovietism which fails to grasp the central danger of a superpower rivalry in which both the United States and the Soviet Union are the players, and fails to recognize the common interest both states have in never using nuclear weapons. Some of those dangers and common interests would exist in any world where two great powers, even relatively benign ones, competed for power, influence and security. The diplomatic requirement for addressing the U.S.-Soviet relationship is not romantic idealism about Soviet intentions and capabilities, but solid realism which recognizes that everyone will lose in a nuclear exchange.

As bishops we are concerned with issues which go beyond diplomatic requirements. It is of some value to keep raising in the realm of the political debate truths which ground our involvement in the affairs of nations and peoples. Diplomatic dialogue usually sees the other as a potential or real adversary. Soviet behavior in some cases merits the adjective reprehensible, but the Soviet people and their leaders are human beings created in the image and likeness of God. To believe we are condemned in the future only to what has been the past of U.S.-Soviet relations is to underestimate both our human potential for creative diplomacy and God's action in our midst which can open the way to changes we could barely imagine. We do not itend to foster illusory ideas that the road ahead in superpower relations will be devoid of tension or that peace will be easily achieved. But we do warn against that "hardness of heart" which can close us or others to the changes needed to make the future different from the past.

3. Interdependence: From Fact to Policy

While the nuclear arms race focuses attention on the U.S.-Soviet relationship, it is neither politically wise nor morally justifiable to ignore the broader international context in which that relationship exists. Public attention, riveted on the big powers, often misses the plight of scores of countries and millions of people simply trying to survive. The interdependence of the world means a set of interrelated human questions. Important as keeping the peace in the nuclear age is, it does not solve or dissolve the other major problems of the day. Among these problems the preeminent issue is the continuing chasm in living standards between the industrialized world (East and West) and the developing world. To quote Pope John Paul II:

"So widespread is the phenomenon that it brings into question the financial, monetary, production and commercial mechanisms that, resting on various political pressures, support the world economy. These are proving incapable either of remedying the unjust social situations inherited from the past or of dealing with the urgent challenges and ethical demands of the present." [109]

The East-West competition, central as it is to world order and important as it is in the foreign policy debate, does not address this moral question which rivals the nuclear issue in its human significance. While the problem of the developing nations would itself require a pastoral letter, Catholic teaching has maintained an analysis of the problem which should be identified here. The analysis acknowledges internal causes of poverty, but also concentrates on the way the larger international economic structures affect the poor nations. These particularly involve trade, monetary, investment and aid policies.

Neither of the superpowers is conspicuous in these areas for initiatives designed to address "the absolute poverty" in which millions live today.[110]

From our perspective and experience as bishops, we believe there is a much greater potential for response to these questions in the mind and hearts of Americans than has been reflected in U.S. policy. As pastors who often appeal to our congregations for funds destined for international programs, we find good will and great generosity the prevailing characteristics. The spirit of generosity which shaped the Marshall Plan is still alive in the American public.

We must discover how to translate this personal sense of generosity and compassion into support for policies which would respond to papal teaching in international economic issues. It is precisely the need to expand our conception of international charity and relief to an understanding of the need for social justice in terms of trade, aid and monetary issues which was reflected in Pope John Paul II's call to American Catholics in Yankee Stadium:

"Within the framework of your national institutions and in cooperation with all your compatriots, you will also want to seek out the structural reasons which foster or cause the different forms of poverty in the world and in your own country, so that you can apply the proper remedies. You will not allow yourselves to be intimidated or discouraged by oversimplified explanations which are more ideological than scientific—explanations which try to account for a complex evil by some single cause. But neither will you recoil before the reforms—even profound ones—of attitudes and structures that may prove necessary in order to recreate over and over again the conditions needed by the disadvantaged if they are to have a fresh chance in the hard struggle of life. The poor of the United States and of the world are your brothers and sisters in Christ." [111]

The pope's words highlight an intellectual, moral and political challenge for the United States. Intellectually there is a need to rethink the meaning of national interest in an interdependent world. Morally there is a need to build upon the spirit of generosity present in the U.S. public, directing it toward a more systematic response to the major issues affecting the poor of the world. Politically there is a need for U.S. policies which promote the profound structural reforms called for by recent papal teaching.

Precisely in the name of international order papal teaching has by word and deed sought to promote multilateral forms of cooperation toward the developing world. The U.S. capacity for leadership in multilateral institutions is very great. We urge much more vigorous and creative response to the needs of the developing countries by the United States in these institutions.

The significant role the United States could play is evident in the daily agenda facing these institutions. Proposals addressing the relationship of the industrialized and developing countries on a broad spectrum of issues, all in need of "profound reforms," are regularly discussed in the United Nations and other international organizations. Without U.S. participation, significant reform and substantial change in the direction of addressing the needs of the poor will not occur. Meeting these needs is an essential element for a peaceful world.

Papal teaching of the last four decades has not only supported international institutions in principle, it has supported the United Nations specifically. Pope Paul VI said to the U.N. General Assembly:

"The edifice which you have constructed must never fail; it must be perfected and made equal to the needs which world history will present. You mark a stage in the development of mankind for which retreat must never be admitted, but from which it is necessary that advance be made." [112]

It is entirely necessary to examine the United Nations carefully, to recognize its limitations and propose changes where needed. Nevertheless, in light of the continuing endorsement found in papal teaching, we urge that the United States adopt a stronger supportive leadership role with respect to the United Nations. The growing interdependence of the nations and peoples of the world, coupled with the extragovernmental presence of multinational corporations, requires new structures of cooperation. As one of the founders of and major financial contributors to the United Nations, the United States can and should assume a more positive and creative role in its life today.

It is in the context of the United Nations that the impact of the arms race on the prospects for economic development is highlighted. The numerous U.N. studies on the relationship of development and disarmament support the judgment of Vatican II

cited earlier in this letter: "The arms race is one of the greatest curses on the human race and the harm it inflicts upon the poor is more than can be endured." [113]

We are aware that the precise relationship between disarmament and development is neither easily demonstrated nor easily reoriented. But the fact of a massive distortion of resources in the face of crying human need creates a moral question. In an interdependent world the security of one nation is related to the security of all. When we consider how and what we pay for defense today, we need a broader view than the equation of arms with security.[114] The threats to the security and stability of an interdependent world are not all contained in missiles and bombers.

If the arms race in all its dimensions is not reversed, resources will not be available for the human needs so evident in many parts of the globe and in our own country as well. But we also know that making resources available is a first step; policies of wise use would also have to follow. Part of the process of thinking about the economics of disarmament includes the possibilities of conversion of defense industries to other purposes. Many say the possibilities are great if the political will is present. We say the political will to reorient resources to human needs and redirect industrial, scientific and technological capacity to meet those needs is part of the challenge of the nuclear age. Those whose livelihood is dependent upon industries which can be reoriented should rightfully expect assistance in making the transition to new forms of employment. The economic dimension of the arms race is broader than we can assess here, but these issues we have raised are among the primary questions before the nation.[115]

An interdependent world requires an understanding that key policy questions today involve mutuality of interest. If the monetary and trading systems are not governed by sensitivity to mutual needs, they can be destroyed. If the protection of human rights and the promotion of human needs are left as orphans in the diplomatic arena, the stability we seek in increased armaments will eventually be threatened by rights denied and needs unmet in vast sectors of the globe. If future planning about conservation of and access to resources is relegated to a pure struggle of power, we shall simply guarantee conflict in the future.

The moral challenge of interdependence concerns shaping the relationships and rules of practice which will support our common need for security, welfare and safety. The challenge tests our idea of human community, our policy analysis and our political will. The need to prevent nuclear war is absolutely crucial, but even if this is achieved, there is much more to be done.

IV. THE PASTORAL CHALLENGE AND RESPONSE

A. The church: A community of conscience, prayer and penance

Pope John Paul II, in his first encyclical, recalled with gratitude the teaching of Pius XII on the church. He then went on to say:

"Membership in that body has for its source a particular call, united with the saving action of grace. Therefore, if we wish to keep in mind this community of the people of God, which is so vast and so extremely differentiated, we must see first and foremost Christ saying in a way to each member of the community: 'Follow me.' It is the community of the disciples, each of whom in a different way—at times very consciously and consistently, at other times not very consciously and very consistently—is following Christ. This shows also the deeply 'personal' aspect and dimension of this society." [116]

In the following pages we should like to spell out some of the implications of being a community of Jesus' disciples in a time when our nation is so heavily armed with nuclear weapons and is engaged in a continuing development of new weapons together with strategies for their use.

It is clear today, perhaps more than in previous generations, that convinced Christians are a minority in nearly every country of the world—including nominally Christian and Catholic nations. In our own country we are coming to a fuller awareness that a response to the call of Jesus is both personal and demanding. As believers we can identify rather easily with the early church as a company of witnesses engaged in a difficult mission. To be disciplies of Jesus requires that we continually go beyond where we now are. To obey the call of Jesus means separating ourselves from all attachments and affiliation that could prevent us from hearing and following our authentic vocation. To set out on the road to discipleship is to dispose oneself for a share in the cross (cf. Jn. 16:20). To be a Christian, according to the New Testament, is not simply to believe with one's mind, but also to become a doer of the word, a wayfarer with and a witness to Jesus. This means, of course, that we never expect complete success within history and that we must regard as normal even the path of persecution and the possibility of martyrdom.

We readily recognize that we live in a world that is becoming increasingly estranged from Christian values. In order to remain a Christian, one must take a resolute stand against many commonly accepted axioms of the world. To become true disciples, we must undergo a demanding course of induction into the adult Christian community. We must continually equip ourselves to profess the full faith of the church in an increasingly secularized society. We must develop a sense of solidarity, cemented by relationships with mature and exemplary Christians who represent Christ and his way of life.

All of these comments about the meaning of being a disciple or a follower of Jesus today are especially relevant to the quest for genuine peace in our time.

B. Elements of a pastoral response

We recommend and endorse for the faithful some practical programs to meet the challenge to their faith in this area of grave concern.

1. Educational Programs and Formation of Conscience

Since war, especially the threat of nuclear war, is one of the central problems of our day, how we seek to solve it could determine the mode and even the possibility of life on earth. God made human beings stewards of the earth; we cannot escape this responsibility. Therefore we urge every diocese and parish to implement balanced and objective educational programs to help people at all age levels to understand better the issues of war and peace. Development and implementation of such programs must receive a high priority during the next several years. They must teach the full impact of our Christian faith. To accomplish this, this pastoral letter in its entirety, including its complexity, should be used as a guide and a framework for such programs, as they lead people to make moral decisions about the problems of war and peace, keeping in mind that the applications of principles in this pastoral letter do not carry the same moral authority as our statements of universal moral principles and formal church teaching.

In developing educational programs we must keep in mind that questions of war and peace have a profoundly moral dimension which respsonsible Christians cannot ignore. They are questions of life and death. True, they also have a political dimension because they are embedded in public policy. But the fact that they are also political is not excuse for denying the church's obligation to provide its members with the help they need in forming their consciences. We must learn together how to make correct and responsible moral judgments. We reject, therefore, criticism of the church's concern with these issues on the ground that it "Should not become involved in politics." We are called to move from discussion to witness and action.

At the same time we recognize that the church's teaching authority does not carry the same force when it deals with technical solutions involving particular means as it does when it speaks of principles or ends. People may agree in abhorring an injustice, for instance, yet sincerely disagree as to what practical approach will achieve justice. Religious groups are as entitled as others to their opinion in such cases, but they should not claim that their opinions are the only ones that people of good will may hold.

The church's educational programs must explain clearly those principles or teachings about which there is little question. Those teachings, which seek to make explicit the gospel call to peace and the tradition of the church, should then be applied to concrete situations. They must indicate what the possible legitimate options are and what the consequences of those options may be. While this approach should be self-evident, it needs to be emphasized. Some people who have entered the public debate on nuclear warfare, at all points on the spectrum of opinion, appear not to understand or accept some of the clear teachings of the church as contained in papal or conciliar documents. For example, some would place almost no limits on the use of nuclear weapons if they are needed for "self-defense." Some on the other side of the debate insist on conclusions which may be legitimate options but cannot be made obligatory on the basis of actual church teaching.

2. True Peace Calls for "Reverence for Life"

All of the values we are promoting in this letter rest ultimately in the disarmament of the human heart and the conversion of the human spirit to God, who alone can give authentic peace. Indeed, to have peace in our world we must first have peace within ourselves. As Pope John Paul II reminded us in his 1982 World Day of Peace message, world peace will always elude us until peace becomes a reality for each of us personally. "It springs from the dynamism of free wills guided by reason toward the common good that is to be attained in truth, justice and love." [117] Interior peace becomes possible only when we have a conversion of spirit. We cannot have peace with hate in our hearts.

No society can live in peace with itself or with the world without a full awareness of the worth and dignity of every human person and of the sacredness of all human

life (Jas. 4: 1-2). When we accept violence in any form as commonplace, our sensitivities become dulled. When we accept violence, war itself can be taken for granted. Violence has many faces: oppression of the poor, deprivation of basic human rights, economic exploitation, sexual exploitation and pornography, neglect or abuse of the aged and the helpless and innumerable other acts of inhumanity. Abortion in particular blunts a sense of the sacredness of human life. In a society where, the innocent unborn are killed wantonly, how can we expect people to feel righteous revulsion at the act or threat of killing non-combatants in war?

We are well aware of the differences involved in the taking of human life in warfare and the taking of human life through abortion. As we have discussed throughout this document, even justifiable defense against aggression may result in the indirect or unintended loss of innocent human lives. This is tragic, but may conceivably be proportionate to the values defended. Nothing, however, can justify direct attack on innocent human life in or out of warfare. Abortion is precisely such an attack.

We know that millions of men and women of good will, of all religious persuasions, join us in our commitment to try to reduce the horrors of war and particularly to assure that nuclear weapons will never again be used by any nation, anywhere, for any reason. Millions join us in our no to nuclear war in the certainty that nuclear war would inevitably result in the killing of millions of innocent human beings, directly or indirectly. Yet many part ways with us in our efforts to reduce the horror of abortion and our no to war on innocent human life in the womb, killed not indirectly, but directly.

We must ask how long a nation willing to extend a constitutional guarantee to the "right" to kill defenseless human beings by abortion is likely to refrain from adopting strategic warfare policies deliberately designed to kill millions of defenseless human beings if adopting them should come to seem "expedient." Since 1973, approximately 15 million abortions have been performed in the United States, symptoms of a kind of disease of the human spirit. And we now find ourselves seriously discussing the pros and cons of such questions as infanticide, euthanasia and the involvement of physicians in carrying out the death penalty. Those who would celebrate such a national disaster can only have blinded themselves to its reality.

Pope Paul VI was resolutely clear: If you wish peace, defend life.[118] We plead with all who would work to end the scourge of war to begin by defending life at its most defenseless, the life of the unborn.

3. Prayer

A conversion of our hearts and minds will make it possible for us to enter into a closer communion with our Lord. We nourish that communion by personal and communal prayer, for it is in prayer that we encounter Jesus, who is our peace and learn from him the way to peace.

In prayer we are renewed in faith and confirmed in our hope in God's promise.

The Lord's promise is that he is in our midst when we gather in prayer. Strengthened by this conviction, we beseech the risen Christ to fill the world with his peace. We call upon Mary, the first disciple and the Queen of Peace, to intercede for us and for the people of our time that we may walk in the way of peace. In this context, we encourage devotion to Our Lady of Peace.

As believers, we understand peace as a gift of God. This belief prompts us to pray constantly, personally and communally, particularly through the reading of scripture and devotion to the rosary, especially in the family. Through these means and others we seek the wisdom to begin the search for peace and the courage to sustain us as instruments of Christ's peace in the world.

The practice of contemplative prayer is especially valuable for advancing harmony and peace in the world. For this prayer rises, by divine grace, where there is total disarmament of the heart, and unfolds in an experience of love which is the moving force of peace. Contemplation fosters a vision of the human family as united and interdependent in the mystery of God's love for all people. This silent interior prayer bridges temporarily the "already" and "not yet," this world and God's kingdom of peace.

The Mass in particular is a unique means of seeking God's help to create the conditions essential for true peace in ourselves and in the world. In the eucharist we encounter the risen Lord, who gave us his peace. He shares with us the grace of the redemption, which helps us to preserve and nourish this precious gift. Nowhere is the church's urgent plea for peace more evident in the liturgy than in the Communion Rite. After beginning this rite of the Mass with the Lord's Prayer, praying for reconciliation now and in the kingdom to come, the community asks God to "grant us peace in our day," not just at some time in the distant future. Even before we are exhorted "to offer each other the sign of peace," the priest continues the church's prayer for peace, recalling the Lord Jesus Christ's own legacy of peace:

"Lord Jesus Christ, you said to your apostles: I leave you peace, my peace I give you. Look not on our sins, but on the faith of your church, and grant us the peace and unity of your kingdom."

Therefore we encourage every Catholic to make the sign of peace at Mass an authentic sign of our reconciliation with God and with one another. This sign of peace is also a visable expression of our commitment to work for peace as a Christian community. We approach the table of the Lord only after having dedicated ourselves as a Christian community to peace and reconciliation. As an added sign of commitment, we suggest that there always be a petition for peace in the general intercessions at every eucharistic celebration.

We implore other Christians and everyone of good will to join us in this continuing prayer for peace, as we beseech God for peace within ourselves, in our families and community, in our nation and in the world.

4. Penance

Prayer by itself is incomplete without penance. Penance directs us toward our goal of putting on the attitudes of Jesus himself. Because we are all capable of violence, we are never totally conformed to Christ and are always in need of conversion. The 20th century alone provides adequate evidence of our violence as individuals and as a nation. Thus, there is continual need for acts of penance and conversion. The worship of the church, particularly through the sacrement of reconciliation and communal penance services, offers us multiple ways to make reparation for the violence in our own lives and in our world.

As a tangible sign of our need and desire to do penance we, for the cause of peace, commit ourselves to fast and abstinence on each Friday of the year. We call upon our people voluntarily to do penance on Friday by eating less food and by abstaining from meat. This return to a traditional practice of penance, once well observed in the U.S. church, should be accompanied by works of charity and service toward our neighbors. Every Friday should be a day significantly devoted to prayer, penance and almsgiving for peace.

It is to such forms of penance and conversion that the scriptures summon us. In the words of the prophet Isaiah:

"Is not the sort of fast that pleases me, to break unjust fetters and undo the thongs of the yoke, to let the oppressed go free and break every yoke, to share your bread with the hungry, and shelter the homeless poor, to clothe the person you see to be naked and not turn from your own kin? Then will your light shine like the dawn and your wound be quickly healed over. If you do away with the yoke, the clenched fist, the wicked word, if you give your bread to the hungry and relief to the oppressed, your light will rise in the darkness, and your shadows become like noon" (Is. 58: 6-8; 10).

The present nuclear arms race has distracted us from the words of the prophets, has turned us from peacemaking and has focused our attention on a nuclear buildup leading to annihilation. We are called to turn back from this evil of total destruction and turn instead in prayer and penance toward God, toward our neighbor and toward the building of a peaceful world:

"I set before you life or death, a blessing or a curse. Choose life then, so that you and your descendants may live in the love of Yahweh your God, obeying his voice, clinging to him; for in this your life consists, and on this depends your long stay in the land which Yahweh swore to your fathers Abraham, Isaac and Jacob, he would give them" (Dt. 11:26).

C. Challenge and Hope

The arms race presents questions of conscience we may not evade. As American Catholics we are called to express our loyalty to the deepest values we cherish: peace, justice and security for the entire human family. National goals and policies must be measured against that standard.

We speak here in a specific way to the Catholic community. After the passage of nearly four decades and a concomitant growth in our understanding of the ever growing horror of nuclear war, we must shape the climate of opinion which will make it possible for our country to express profound sorrow over the atomic bombing in 1945. Without that sorrow, there is no possibility of finding a way to repudiate future use of nuclear weapons or of conventional weapons in such military actions as would not fulfill just-war criteria.

To Priests, Deacons, Religious and Pastoral Ministers

We recognize the unique role in the church which belongs to priests and deacons by reason of the sacrament of holy orders and their unique responsibility in the community of believers. We also recognize the valued and indispensable role of men and women religious. To all of them and to all other pastoral ministers we stress that the cultivation of the gospel vision of peace as a way of life for believers and as a leaven in society should be a major objective. As bishops we are aware each day of our dependence upon your efforts. We are aware too that this letter and the new obligations it could present to the faithful may create difficulties for you in dealing with those you

serve. We have confidence in your capacity and ability to convert these difficulties into an opportunity to give a fuller witness to our Lord and his message. This letter will be known by the faithful only as well as you know it, preach and teach it, and use it creatively.

To Educators

We have outlined in this letter Catholic teaching on war and peace, but this framework will become a living message only through your work in the Catholic community. To teach the ways of peace is not "to weaken the nations's will," but to be concerned for the nations's soul. We address theologians in a particular way because we know that we have only begun the journey toward a theology of peace; without your specific contributions this desperately needed dimension of our faith will not be realized. Through your help we may provide new visions and wisdom for church and state.

We are confident that all models of Catholic education, which have served the church in our country so well in so many ways, will creatively rise to the challenge of peace.

To Parents

Your role, in our eyes, is unsurpassed by any other; the foundation of society is the family. We are conscious of the continuing sacrifices you make in the efforts to nurture the full human and spiritual growth of your children. Children hear the gospel message first from your lips. Parents who consciously discuss issues of justice in the home and who strive to help children solve conflicts through non-violent methods enable their children to grow up as peacemakers. We pledge our continuing pastoral support in the common objective we share of building a peaceful world for the future of children everywhere.

To Youth

Pope John Paul II singles you out in every country where he visits as the hope of the future; we agree with him. We call you to choose your future work and professions carefully. How you spend the rest of your lives will determine in large part whether there will any longer be a world as we know it. We ask you to study carefully the teachings of the church and the demands of the Gospel about war and peace. We encourage you to seek careful guidance as you reach conscientious decisions about your civic responsibilities in this age of nuclear military forces.

We speak to you, however, as people of faith. We share with you our deepest conviction that in the midst of the dangers and complexities of our time God is with us working through us and sustaining us all in our effort of building a world of peace with justice for each person.

To Men and Women in Military Service

Millions of you are Catholics serving in the armed forces. We recognize that you carry special responsibilities for the issues we have considered in this letter. Our perspective on your profession is that of Vatican II: "All those who enter the military service in loyalty to their country should look upon themselves as the custodians of the security and freedom of their fellow countrymen; and where they carry out their duty properly, they are contributing to the maintenance of peace." [119]

It is surely not our intention in writing this letter to create problems for Catholics in the armed forces. Every profession, however, has its specific moral questions and it is clear that the teaching on war and peace developed in this letter poses a special challenge and opportunity to those in the military profession. Our pastoral contact with Catholics in military service, either through our direct experience or through our priests, impresses us with the demanding moral standards we already see observed and the commitment to Catholic faith we find. We are convinced that the challenges of this letter will be faced conscientiously. The purpose of defense policy is to defend the peace; military professionals should understand their vocation this way. We believe they do, and we support this view.

We remind all in authority and in the chain of command that their training and field manuals have long prohibited, and still do prohibit, certain actions in the conduct of war, especially those actions which inflict harm on innocent civilians. The question is not whether certain measures are unlawful or forbidden in warfare, but which measures: To refuse to take such actions is not an act of cowardice or treason but one of courage and patriotism.

We address particularly those involved in the exercise of authority over others. We are aware of your responsibilities and impressed by the standard of personal and profesional duty you uphold. We feel, therefore, that we can urge you to do everything you can to assure that every peaceful alternative is exhausted before war is even remotely considered. In developing battle plans and weapons systems, we urge you to try to ensure that these are designed to reduce violence, destruction, suffering and death to a minimum, keeping in mind especially non-combatants and other innocent persons.

Those who train individuals for military duties must remember that the citizen does not lose his or her basic human rights by entrance into military service. No one, for whatever reason, can justly treat a military person with less dignity and respect than that demanded for and deserved by every human person. One of the most difficult problems of war involves defending a free society without destroying the values that give it meaning and validity. Dehumanization of a nation's military personnel by dulling their sensibilities and generating hatred toward adversaries in an effort to increase their fighting effectiveness robs them of basic human rights and freedoms, degrading them as persons.

Attention must be given to the effects on military personnel themselves of the use of even legitimate means of conducting war. While attacking legitimate targets and wounding or killing opposed combat forces may be morally justified, what happens to military persons required to carry out these actions? Are they treated merely as instruments of war, insensitive as the weapons they use? With what moral or emotional experiences do they return from war and attempt to resume normal civilian lives? How does their experience affect society? How are they treated by society?

It is not only basic human rights of adversaries that must be respected, but those of our own forces as well. We re-emphasize, therefore, the obligation of responsible, authorities to ensure appropriate training and education of combat forces and to provide appropriate support for those who have experienced combat. It is unconscionable to deprive those veterans of combat whose lives have been severely disrupted or traumatized by their combat experiences of proper psychological and other appropriate treatment and support.

Finally, we are grateful for the sacrifice so many in military service must make today and for the service offered in the past by veterans. We urge that those sacrifices be mitigated so far as possible by the provision of appropriate living and working conditions and adequate financial recompense. Military persons and their families must be provided continuing opportunity for full spiritual growth, the exercise of their religious faith and a dignified mode of life.

We especially commend and encourage our priests in military service. In addition to the message already addressed to all priests and religious, we stress the special obligations and opportunities you face in direct pastoral service to the men and women of the armed forces. To complement a teaching document of this scope, we shall need the sensitive and wise pastoral guidance only you can provide. We promise our support in facing this challenge.

To Men and Women in Defense Industries

You also face specific questions because the defense industry is directly involved in the development and production of the weapons of mass destruction which have concerned us in this letter. We do not presume or pretend that clear answers exist to many of the personal, professional and financial choices facing you in your varying responsibilities. In this letter we have ruled out certain uses of nuclear weapons, while also expressing conditional moral acceptance for deterrence. All Catholics, at every level of defense industries, can and should use the moral principles of this letter to form their consciences. We realize that different judgments of conscience will face different people, and we recognize the possibility of diverse concrete judgments being made in this complex area. We seek as moral teachers and pastors to be available to all who confront these questions of personal and vocational choice. Those who in conscience decide that they should no longer be associated with defense activities should find support in the Catholic community. Those who remain in these industries or earn a profit from the weapons industry should find in the church guidance and support for the ongoing evaluation of their work.

To Men and Women of Science

At Hiroshima Pope John Paul said:

"Criticism of science and technology is sometimes so severe that it comes close to condemning science itself. On the contrary, science and technology are a wonderful product of a God-given human creativity, since they have provided us with wonderful possibilities and we all gratefully benefit from them. But we know that this potential is not a neutral one: It can be used either for man's progress or for his degradation." [120]

We appreciate the efforts of scientists, some of whom first unlocked the secret of atomic power and others of whom have developed it in diverse ways, to turn the enormous power of science to the cause of peace.

Modern history is not lacking scientists who have looked back with deep remorse on the development of weapons to which they contributed, sometimes with the highest motivation, even believing that they were creating weapons that would render all other weapons obsolete and convince the world of the unthinkableness of war. Such efforts have ever proved illusory. Surely equivalent dedication of scientific minds to

reverse current trends and to pursue concepts as bold and adventuresome in favor of peace as those which in the past have magnified the risks of war could result in dramatic benefits for all of humanity. We particularly note in this regard the extensive efforts of public education undertaken by physicians and scientists on the medical consequences of nuclear war.

We do not, however, wish to limit our remarks to the physical sciences alone. Nor do we limit our remarks to physical scientists. In his address at the United Nations University in Hiroshima, Pope John Paul II warned about misuse of "the social sciences and the human behavioral sciences when they are utilized to manipulate people, to crush their mind, souls, dignity and freedom." [121] The positive role of social science in overcoming the dangers of he nuclear age is evident in this letter. We have been dependent upon the research and analysis of social scientists in our effort to apply the moral priniciples of the Catholic tradition to the concrete problems of our day. We encourage social scientists to continue this work of relating moral wisdom and political reality. We are in continuing need of your insights.

To Men and Women of the Media

We have directly felt our dependence upon you in writing this letter; all the problems we have confronted have been analyzed daily in the media. As we have grappled with these issues, we have experienced some of the responsbility you bear for interpreting them. On the quality of your efforts depends in great measure the opportunity the general public will have for understanding this letter.

To Public Officials

Vatican II spoke forcefully of "the difficult yet noble art of politics." [122] No public issue is more difficult than avoiding war; no public task more noble than building a secure peace. Public officials in a democracy must both lead and listen; they are ultimately dependent upon a popular consensus to sustain policy. We urge you to lead with courage and to listen to the public debate with sensitivity.

Leadership in a nuclear world means examining with great care and objectivity every potential initiative toward world peace, regardless of how unpromising it might at first appear. One specific initiative which might be taken now would be the establishment of a task force including the public sector, industry, labor, economists and scientists with the mandate to consider the problems and challenges posed by nuclear disarmament to our economic well-being and industrial output. Listening includes being particularly attentive to the consciences of those who sincerely believe that they may not morally support warfare in general, a given war or the exercise of a particular role within the armed forces. Public officials might well serve all of our fellow citizens by proposing and supporting legislation designed to give maximum protection to this precious freedom, true freedom of conscience.

In response to public officials who both lead and listen, we urge citizens to respect the vocation of public service. It is a role easily maligned, but not easily fulfilled. Neither justice nor peace can be achieved with stability in the absence of courageous and creative public servants.

To Catholics as Citizens

All papal teaching on peace has stressed the crucial role of public opinion. Pope John Paul II specified the tasks before us: "There is no justification for not raising the question of the responsibility of each nation and each individual in the face of possible wars and of the nuclear threat." [123] In a democracy the responsibility of the nation and that of its citizens coincide. Nuclear weapons pose especially acute questions of conscience for American Catholics. As citizens we wish to affirm our loyalty to our country and its ideals, yet we are also citizens of the world who must be faithful to the universal principles proclaimed by the church. While some other countries also possess nuclear weapons, we may not forget that the United States was the first to build and to use them. Like the Soviet Union, this country now possesses so many weapons as to imperil the continuation of civilization. Americans share responsibility for the current situation and cannot evade responsibility for trying to resolve it.

The virtue of patriotism means that as citizens we respect and honor our country, but our very love and loyalty make us examine carefully and regularly its role in world affairs, asking that it live up to its full potential as an agent of peace with justice for all people.

"Citizens must cultivate a generous and loyal spirit of patriotism, but without being narrow-minded. This means that they will always direct their attention to the good of the whole human family, united by the different ties which bind together races, people and nations." [124]

In a pluralistic democracy like the United States, the church has a unique opportunity, precisely because of the strong constitutional protection of both religious freedom and freedom of speech and the press, to help call attention to the moral dimensions of public issues. In a previous pastoral letter, "Human Life in Our Day," we said:

"In our democratic system, the fundamental right of political dissent cannot be denied nor is rational debate on public policy decisions of government in the light of moral and political principles to be discouraged. It is the duty of the governed to analyze responsibility the concrete issues of public policy." [125]

In fulfilling this role the church helps to create a community of conscience in the wider civil community. It does this in the first instance by teaching clearly within the church the moral principles which bind and shape the Catholic conscience. The church also fulfills a teaching role, however, in striving to share the moral wisdom of the Catholic tradition with the larger society.

In the wider public discussion we look forward in a special way to cooperating with all other Christians with whom we share common traditions. We also treasure cooperative efforts with Jewish and Islamic communities, which possess a long and abiding concern for peace as a religious and human value. Finally, we reaffirm our desire to participate in a common public effort with all men and women of good will who seek to reverse the arms race and secure the peace of the world.

CONCLUSION

As we close this lengthy letter, we try to answer two key questions as directly as we can.

Why do we address these matters fraught with such complexity, controversy and passion? We speak as pastors, not politicians. We are teachers, not technicians. We cannot avoid our responsibility to lift up the moral dimensions of the choices before our world and nation. The nuclear age is an era of moral as well as physicial danger. We are the first generation since Genesis with the power to virtually destroy God's creation. We cannot remain silent in the face of such danger. Why do we address these issues? We are simply trying to live up to the call of Jesus to be peacemakers in our own time and situation.

What are we saying? Fundamentally, we are saying that the decisions about nuclear weapons are among the most pressing moral questions of our age. While these decisions have obvious military and political aspects, they involve fundamental moral choices. In simple terms, we are saying that good ends (defending one's country, protecting freedom, etc.) cannot justify immoral means (the use of weapons which kill indiscriminately and threaten whole societies). We fear that our world and nation are headed in the wrong direction. More weapons with greater destructive potential are produced every day. More and more nations are seeking to become nuclear powers. In our quest for more and more security we fear we are actually becoming less and less secure.

In the words of our Holy Father, we need a "moral about-face." The whole world must summon the moral courage and technical means to say no to nuclear conflict; no to weapons of mass destruction; no to an arms race which robs the poor and the vulnerable; and no to the moral danger of a nuclear age which places before humankind indefensible choices of constant terror or surrender. Peacemaking is not an optional commitment. It is a requirement of our faith. We are called to be peacemakers, not by some movement of the moment, but by our Lord Jesus. The content and context of our peacemaking is set not by some political agenda or ideological program, but by the teaching of his church.

Thus far in this pastoral letter we have made suggestions we hope will be helpful in the present world crisis. Looking ahead to the long and productive future of humanity for which we all hope, we feel that a more all-inclusive and final solution is needed. We speak here of the truly effective international authority for which Pope John XXIII ardently longed in "Peace on Earth" [126] and of which Pope Paul VI spoke to the United Nations on his visit there in 1965.[127] The hope for such a structure is not unrealistic, because the point has been reached where public opinion sees clearly that, with the massive weaponry of the present, war is not longer viable. There *is* a substitute for war. There is negotiation under the supervision of a global body realistically fashioned to do its job. It must be given the equipment to keep constant surveillance on the entire earth. Present technology makes this possible. It must have the authority, freely conferred upon it by all the nations, to investigate what seems to be preparations for war by any one of them. It must be empowered by all the nations to enforce its commands on every nation. It must be so constituted as to pose no threat to any nation's sovereignty. Obviously the creation of such a sophisticated instrumentality is a gigantic task, but is it hoping for too much to believe that the genius of humanity, aided by the grace and guidance of God, is able to accomplish it? To create it may take decades of unrelenting daily toil by the world's best minds and most devoted hearts, but is shall never come into existence unless we make a beginning now.

As we come to the end of our pastoral letter we boldly propose the beginning of this work. The evil of the proliferation of

The Senate should take note of the fact that within the present bill there are provisions which allow a quota of 40,000 persons per year from Canada and Mexico. All other countries are allowed an allotment of 20,000 per year.

Mr. President, I can see no reason for this 40,000 allotment. It is contrary to the principle of equal treatment of all countries which has come to be embodied in our immigration laws. Under this bill, the unused portion of the quota of Canada is to be transferred from Canada to Mexico. This compounds the breach of the principle of equal treatment and futher enshrines Mexico in our legislation as a specially favored nation in terms of immigration.

The Library of Congress has provided me with the following statistics on Canadian immigration to the United States since 1972:

Fiscal year:	
1972	10,776
1973	8,951
1974	7,654
1975	7,308
1976	7,638
TQ1976	2,458
1977	12,688
1978	16,863
1979	13,772
1980	13,609
1981(preliminary)	11,191

As Senators will note, this is an average of about 11,000 immigrants per year. It is patently clear that Mexico, under this bill, will receive almost 30,000 of Canada's 40,000 quota if the average of the last 10 years of Canadian immigration continues. Certainly, Mexico would receive between 20,000 and 25,000 of Canada's annual allotment of visas.

Adding the unused portion of Canada's allotment to Mexico's allotment of 40,000 would bring the annual allotment of Mexico up to the 60,000 to 70,000 range on an annual basis. This is over three times the allotment for all other countries, Canada excepted. Is this an equitable situation? Certainly not.

Mr. President, what the 40,000 allotment with its transfer provision represents is in fact a supplemental amnesty program for Mexican aliens. Lets be frank, it is clear that the framers of the bill recognizing the massive problem of illegal Mexican immigration have attempted to take another easy way out. Rather than deny amnesty to prevent establishing a dangerous precedent and to send a clear signal to the Mexican Government and to individual lawbreakers—potential and actual—they have simply caved in and incorporated an amnesty provision into the bill. Rather than emphasizing increased enforcement capabilities to stem the flood tide of illegals, this inequitable and strange provision which would allow Mexico perhaps 60,000 to 70,000 visas allotments was incorporated into the bill.

My amendment is simple and direct. It merely places Mexico and Canada in the same position as all the other countries of the world under this bill. Mexico and Canada would have an allotment of 20,000 rather than 40,000 and there would be no transfer of unused portions of the allotments.

I urge my distinguished colleagues to reflect carefully on the implications of a massive amnesty program. Is there any real reason for an additional supplementary amnesty program? To this Senator, Mexico needs no more extraordinary treatment under this bill.

Mr. President, I ask unanimous consent that it be in order for me to ask for the yeas and nays on each amendment to be voted on separately.

The PRESIDING OFFICER. Is there objection to the request of the Senator of grouping the three yea and nay votes?

The Chair hears none, and it is so ordered.

Mr. HELMS. I ask for the yeas and nays on all three amendments.

The PRESIDING OFFICER. Is there a sufficient second? There is a sufficient second.

The yeas and nays were ordered.

Mr. HELMS. Mr. President, I thank the Chair and I thank the Senator from Wyoming.

Mr. SIMPSON. I thank the Senator from North Carolina very much. He has assisted greatly in accommodating our request to expedite this matter today. His action just moments ago is evidence certainly of that, and I deeply appreciate it. I thank the Senator very much.

Mr. HELMS. I thank the Senator from Wyoming.

Mr. SIMPSON. Mr. President, the bill recognizes the very special relationship, friendship, and proximity the United States has with our contiguous neighbors in trade, commitment to democratic principles, and mutual strategic interests.

We must remember that until 1976 there were no limitations whatsoever for Canada and Mexico. Nationals of those two countries could enter the United States without restriction as immigrants.

By allowing our two contiguous neighbors an increased quota, we are not increasing overall immigration to the United States. The overall cap will maintain immigration at its present levels.

The strongest illegal immigration pressure and the largest numbers in the backlogs are from Mexico. By providing these extra visas to our southern neighbor, we will relieve the pressure for illegal migration and that is why this provision is an important aspect of an immigration control bill.

I urge you to reject the amendment.

As I have mentioned, this provision will, without increasing total immigration to the United States, allow Mexico, with the largest numbers in the backlogs and the greatest immigration pressure to have those visas not used by our other contiguous neighbor—this will reduce both the backlogs and the pressure to immigrate to this country illegally when visas are not available for legal immigration.

Although at present Mexico would undoubtedly benefit from this provision, at times in our past Canada was the country which sent the most immigrants to the United States, and it is entirely possible at some future time that this provision may be of more benefit to our other contiguous neighbor.

Again, it simply recognizes the special relationship we have with our contiguous neighbors.

I urge my colleagues to reject the amendment.

Mr. President, I definitely want to address very briefly the issue to attempt to eliminate legalization. Legalization, which is a very critical part of this bill, is not a reward for violation of the immigration laws of the United States. It is a practical solution to a very critically serious national problem. The issue is this: there is a large fearful subclass of human beings in this country who, according to the information received by the Select Commission and by this subcommittee and the full committee, for fear of being discovered, fail to report crimes against their property, their person and their family, and often do not seek medical help unless it is to give birth to a U.S. citizen child, and they are those who will not complain about exploitation in the working place, and that cannot be good for this country. Somehow it indeed diminishes us in known and unknown ways.

Furthermore, this Congress, and successive administrations, must bear some of the responsibility for this flourishing of a subsociety of illegal aliens within our country. Beginning with what was known as the Texas proviso and continuing on to the present day, we have tacitly approved their illegal entry into this country by failing to provide adequate funding or manpower for the Immigration Service year after year, after year, and by looking the other way as these aliens came by the hundreds of thousands to take job opportunities in this country.

What a curious situation, where it is legal for an employer to hire an illegal but it is illegal for the illegal to work. Only in America.

Nevertheless, these undocumented workers are here illegally and, most importantly, if we could not find them coming in how do we find them to get them out? I do not want to be part of the hunt that that entails. I do not

mara and G. Smith, "Nuclear Weapons and the Atlantic Alliance," Foreign Affairs 60 (1982) p. 757.

"From my experience in combat there is no way that (nuclear escalation) . . . can be controlled because of the lack of information, the pressure of time and the deadly results that are taking place on both sides of the battle line." Gen. A. S. Collins Jr. (former deputy commander in chief of U.S. Army in Europe), "Theatre Nuclear Warfare: The Battlefield," in J. F. Reichart and S. R. Sturn, eds., *American Defense Policy*, 5th ed., (Baltimore: 1982) p. 359-360.

"None of this potential flexibility changes my view that a full-scale thermonuclear exchange would be an unprecedented disaster for the Soviet Union as well as for the United States. Nor is it at all clear that an initial use of nuclear weapons—however selectively they might be targeted—could be kept from escalating to a full-scale thermonuclear exchange, especially if command-and-control centers were brought under attack. The odds are high, whether weapons were used against tactical or strategic targets, that control would be lost on both sides and the exchange would become unconstrained." Harold Brown, Department of Defense Annual Report FY 1979 (Washington: 1978). Cf. also: "The Effects of Nuclear War" (Washington: 1979; U.S. Government Printing Office).

[62] For example, cf.: H. A. Kissinger, *Nuclear Weapons and Foreign Policy* (N.Y.: 1957), *The Necessity for Choice* (N.Y.: 1960); R. Osgood and R. Tucker, *Force, Order and Justice* (Baltimore: 1967); R. Aron, *The Great Debate: Theories of Nuclear Strategy* (N.Y.: 1965); D. Ball, "Can Nuclear War Be Controlled?" Adelphi Paper No. 161 (London: 1981); M. Howard, "On Fighting a Nuclear War," International Security 5 (1981) p. 3-17.

[63] Statement on the Consequences of the Use of Nuclear Weapons, in Documents, p. 243.

[64] Pius XII, Address to the VIII Congress of the World Medical Association, in Documents, p. 131.

[65] Pastoral Constitution, 80.

[66] Same, 80.

[67] M. Bundy, *et al.*, "Nuclear Weapons," cited; K. Kaiser, G. Leber, A. Mertes, F. J. Schulze, "Nuclear Weapons and the Preservation of Peace," Foreign Affairs 60 (1982), p. 1157-70: cf. other responses to Bundy article in the same issue of Foreign Affairs.

[68] Testimony given to the NCCB Committee during preparation of this pastoral letter. The testimony is reflected in the quotes found in footnote 61 above.

[69] Our conclusions and judgments in this area although based on careful study and reflection of the application of moral principles do not have, of course, the same force as the principles themselves and therefore allow for different opinions, as the Precis makes clear.

[70] Undoubtedly aware of the long and detailed technical debate on limited war, Pope John Paul II highlighted the unacceptable moral risk of crossing the threshold to nuclear war in his "Angelus Message" Dec. 13, 1981: "I have in fact the deep conviction that, in the light of a nuclear war's effects, which can be scientifically foreseen as certain, the only choice that is morally and humanely valid is represented by the reduction of nuclear armaments, while waiting for their future complete elimination, carried out simultaneously by all the parties, by means of explicit agreements and with the commitment of accepting effective controls." In Documents, p. 240.

[71] W. H. Kincade and J. D. Porro, *Negotiating Security: An Arms Control Reader* (Washington: 1979).

[72] Several surveys are available, for example cf: J. H. Kahin, *Security in the Nuclear Age: Developing U.S. Strategic Policy*, (Washington: 1975); M. Mandelbaum, *The Nuclear Question: The United States and Nuclear Weapons 1946-1976*, (Cambridge, England: 1979); B. Brodie, "Development of Nuclear Strategy," International Security, 2 (1978) p. 65-83.

[73] The relationship of these two levels of policy is the burden of an article by D. Ball, "U.S. Strategic Forces: How Would They Be Used?" International Security, 7 (1982-83) p. 31-60.

[74] Pastoral Constitution, 81.

[75] USCC, "To Live in Christ Jesus" (Washington: 1976) p. 34.

[76] Cardinal John Krol, Testimony on SALT II, Origins (1979) p. 197.

[77] John Paul II, Message U.N. Special Session, 1982; 3.

[78] Same, 8.

[79] John Paul II, Address to UNESCO, 21, 1980.

[80] John Paul II, Letter to International Seminar on the World Implications of a Nuclear Conflict, Aug. 23, 1982; text in NC News Documentary, Aug. 24, 1982.

[81] Particularly helpful was the letter of Jan. 15, 1983, of William Clark, national security adviser, to Cardinal Bernardin. Clark stated: "For moral, political and military reasons, the United States does not target the Soviet civilian population as such. There is no deliberately opaque meaning conveyed in the last two words. We do not threaten the existence of Soviet civilization by threatening Soviet cities. Rather, we hold at risk the war-making capability of the Soviet Union—its armed forces, and the industrial capacity to sustain war. It would be irresponsible for us to issue policy statements which might suggest to the Soviets that it would be to their advantage to establish privileged sanctuaries within heavily populated areas, thus inducing them to locate much of their war-fighting capability within those urban sanctuaries." A reaffirmation of the administration's policy is also found in Secretary Weinberger's Annual Report to the Congress (Caspar Weinberger, Annual Report to the Congress, Feb. 1, 1983, p. 55): "The Reagan administration's policy is that under no circumstances may such weapons be used deliberately for the purpose of destroying populations." Also the letter of Weinberger to Bishop O'Connor of Feb. 9, 1983, has a similar statement.

[82] Zuckerman, *Nuclear Illusion and Reality*, (N.Y.: 1982); D. Ball, cited, p. 36; T. Powers, "Choosing a Strategy for World War III," The Atlantic Monthly (November 1982) p. 82-110.

[83] Cf. The comments in Pontifical Academy of Sciences, "Statement on the Consequences of the Use of Nuclear Weapons," cited above.

[84] Several experts in strategic theory would place both the MX missile and Pershing II missiles in this category.

[85] In each of the successive drafts of this letter we have tried to state a central moral imperative: that the arms race should be stopped and disarmament begun. The implementation of this imperative is open to a wide variety of approaches. Hence we have chosen our own language in this paragraph, not wanting either to be identified with one specific political initiative or to have our words used against specific political measures.

[86] Cf. President Reagan's Speech to the National Press Club (Nov. 18, 1981) and Address at Eureka College (May 9, 1982). Department of State, "Current Policy" 346 and 387.

[87] John Paul II, Homily at Coventry Cathedral, 2; Origins, 12 (1982), p. 55.

[88] The two treaties are the Threshold Test Ban Treaty signed July 3, 1974, and the Treaty on Nuclear Explosions for Peaceful Purposes, signed May 13, 1976.

[89] John Paul II, Message to U.N. Special Session 1982, 8.

[90] Weinberger's letter to Bishop O'Connor specifies actions taken on command and control facilities designed to reduce the chance of unauthorized firing of nuclear weapons.

[91] Same, 9. CF USCC, At Issue 2: Arms Export Policies—Ethical Choices, (Washington: 1978) for suggestions about controlling the conventional arms trade.

[92] The International Security Act of 1976 provides for such human rights review.

[93] John Paul II, Address to the U.N. General Assembly, Origins, 9 (1979), p. 268.

[94] John Paul II, Homily at Coventry Cathedral, cited., p. 55.

[95] Pastoral Constitution, 78.

[96] G. Sharp, *The Politics of Nonviolent Action*, (Boston: 1978); R. Fisher and W. Ury, *Getting to yes: Negotiating Agreement Without Giving In* (Boston: 1981).

[97] John Paul II, World Day of Peace Message 1982, 7, cited; p. 476.

[98] To Establish the U.S. Academy of Peace: Report of the Commission on Proposals for the National Academy of Peace and Conflict Resolution," (Washington: 1981) p. 119-120.

[99] USCC, "Statement on Registration and Conscription for Military Service" (Washington: 1980): cf. also "Human Life in Our Day," cited, p. 42-45.

[100] Paul VI, "The Development of Peoples" (1966), 76.

[101] Cf. V. Yzermans, ed., *Major Addresses of Pius XII*, 2 vols., (St. Paul: 1961) and J. Gremillion, *The Gospel of Peace and Justice*, cited.

[102] Cf. John XXIII, "Peace on Earth" (1963) esp. 80-145.

[103] A sampling of the policy problems and possibilities posed by interdependence can be found in: R. O. Keohane and J. S. Nye Jr., *Power and Interdependence* (Boston: 1977); S. Hoffmann, *Primacy or World Order* (N.Y.: 1978); The Overseas Development Council, The U.S. and World Development 1979; 1980; 1982, (Washington, D.C.).

[104] John XXIII, "Peace on Earth," 137.

[105] This has particularly been the case in the two U.N. Special Sessions on Disarmament, 1979, 1982.

[106] USCC, "Marxist Communism" (Washington: 1980) p. 19.

[107] The debate on U.S.-Soviet relations is extensive; recent examples of it are found in: A. Ulam, "U.S.-Soviet Relations: Unhappy Coexistence: America and the World, 1978," Foreign Affairs 57 (1979 p. 556-571; W. G. Hyland, "U.S.-Soviet Relations: The Long Road Back: America and The World, 1981," Foreign Affairs 60 (1982) p. 525-550; R. Legvold, "Containment Without Confrontation," Foreign Policy, 40 (1980) p. 74-98; S. Hoffmann, "Muscle and Brains," Foreign Policy 37 (1979-80) p. 3-27; P. Hassner, "Moscow and the Western Alliance," Problems of Communism, 30 (1981) p. 37-54; S. Bialer, "The Harsh Decade: Soviet Policies in the 1980s," Foreign Affairs 59 (1981) p. 999-1020; G. Kennan, *The Nuclear Delusion: Soviet-American Relations in the Atomic Age* (N.Y.: 1982); N. Podhoretz, *The Present Danger* (N.Y.: 1980); P. Nitze, "Strategy in the 1980's," Foreign Affairs 59 (1980) p. 82-101; R. Strode and C. Gray, "The Imperial Dimension of Soviet Military Power," Problems of Communism 30 (1981) p. 1-15; International Institute for Strategic Studies, "Prospects of Soviet Power in the 1980's," Parts I and II; Adelphi Papers, 151 and 152; (London: 1979); S. S. Kaplan ed., *Diplomacy of Power: Soviet Armed Forces as a Political Instrument* (Washington: 1981) R. Barnet, *The Giants: Russia and America* (N.Y.: 1977); M. McGwire, *Soviet Military Requirements*, the Brookings Institute (Washington: 1982); R. Tucker, "The Purposes of American Power," Foreign Affairs 59 (1980-81) p. 241-274. A. Geyer, *The Idea of Disarmament: Rethinking the Unthinkable* (Washington: 1982). For a review of Soviet adherence to treaties cf.: "The SALT Syndrome Charges and Facts: Analysis of an 'Anti-SALT Documentary,'" Report prepared by U.S. government agencies (State, Defense, CIA, ACDA and NSC). Reprinted in The Defense Monitor, Vol. 10; No. 8A. Center for Defense Information.

[108] John Paul II, World Day of Peace Message 1983; 7.

[109] John Paul II, "The Redeemer of Man," 16, Origins, 8 (1980) p. 635.

[110] The phrase and its description are found in R. S. McNamara, Report to the Board of Governors of the World Bank 1978; cf. also 1979; 1980 (Washington, D.C.).

[111] John Paul II, Homily at Yankee Stadium, 4 Origins, 9 (1979), p. 311.

[112] Paul VI, Address to the General Assembly of the United Nations (1965), 2.

[113] Pastoral Constitution, 81.

[114] Cf. Hoffman, cited; *Independent Commission on Disarmament and Security Issues, Common Security* (N.Y.: 1982).

[115] For an analysis of the policy problems of reallocating resources, cf: Bruce M. Russett, *The Prisoners of Insecurity*, (San Francisco: 1983). Cf: *Common Security*, cited; Russett, cited; U.N. Report on Disarmament and Development (N.Y.: 1982); United Nations, "The Relationship Between Disarmament and Development: A Summary;" Fact Sheet 21; (N.Y.: 1982).

[116] John Paul II, "The Redeemer of Man," 21, cited; p. 641. Much of the following reflects the content of A. Dulles, *A Church to Believe In: Discipleship and the Dynamics of Freedom*, (N.Y.: 1982) Ch. 1.

[117] John Paul II, World Day of Peace Message 1982, 4, cited; p. 475.

[118] Paul VI, World Day of Peace Message, 1976.

[119] Pastoral Constitution, 79.

[120] John Paul II, Address to Scientists and Scholars, 3, cited; p. 621.

[121] Same, 3.

[122] Pastoral Constitution, 75.

[123] John Paul II, Address at Hiroshima, 2; Origins, 10 (1981) p. 620.

[124] Pastoral Constitution, 75.

[125] "Human Life in Our Day," cited, p. 41.

[126] John XXIII, "Peace on Earth," 137, (1963).

[127] Paul VI, Address to General Assembly of the United Nations, 2 (1965).

Mr. KENNEDY. I yield back the remainder of my time to the Senator from West Virginia.

THE BUDGET RESOLUTION

Mr. BYRD. Mr. President, may I use a bit of my time to make an inquiry of the distinguished majority leader?

Mr. BAKER. Yes.

Mr. BYRD. That inquiry being, What estimate can the very able majority leader give to the Senate with respect to Budget Committee action on the budget? Is the Budget Committee meeting today? If not so, when? I am not sure the majority leader has a response to that question.

Mr. BAKER. Mr. President, I thank the minority leader. I wish I could be more specific, but I must say to my friend, the minority leader, that when I tried to find out the answer to his question earlier this morning, I discovered that the chairman of the Budget Committee is on an airplane returning to Washington and perhaps will not be back until after 2 p.m. today. The chairman of the Finance Committee, Senator DOLE, will not be back until early afternoon. Until those two Members are here, it will be impossible for me to discuss the matter fully.

In the meantime, I intend to have a discussion with the distinguished occupant of the chair, the Senator from Washington, who is the author of the modification to the Chafee amendment, which was the last business transacted by the Senate on this budget.

But I guess what I have to say to the minority leader is that until I get all the chickens back in the coop I cannot count them.

Mr. BYRD. Mr. President, I thank the majority leader. I have some of the chickens in my own coop here. I think Mr. EXON, being one of those Members, probably has a question or a statement. I yield to him from my time for that purpose.

The PRESIDING OFFICER. The Senator from Nebraska.

Mr. EXON. I thank my friend from West Virginia and I thank the Chair.

If the majority leader will yield to answer a question that I am about to ask, along with a suggestion, it might be helpful in straightening out the extreme difficulty that we have.

Mr. BAKER. I would be glad to try. I hope I can give the Senator a better answer than I was able to give to the minority leader.

Mr. EXON. Two of the five Members on the floor of the Senate right now are members of the Budget Committee, and this member of the Budget Committee has not even been advised as to when the Budget Committee would meet. This is Monday. We are supposed to report back, as the majority leader just said, before the close of business tomorrow.

It seems to me that unless an arrangement has already been made, unless there are enough votes in the Budget Committee to report out a budget that has any chance of being accepted by the full Senate, I would think that we are in considerable difficulty by anticipating that we could possibly finish by the close of business on Tuesday.

I was very pleased when I heard the majority leader say a few moments ago that it might be well if we would give some additional time. And I raised my voice on the floor of the Senate before we recommitted this to the Budget Committee, which I thought was the only proper thing to do under the circumstances, that it was going to take some time if we were going to do something other than a perfunctory exercise, possibly, in futility in the Budget Committee. It seems to me we have to work that budget over. We have to reduce spending further. I cannot believe that that can be done in a few hours session.

Therefore, I think it would be entirely proper if we could have an arrangement made to where we would have at least until the close of business on Wednesday to give the committee more time than it has right now. We have wasted, we have eliminated, we have taken no action with regard to the first 2 days of the 3-day rule. Therefore, it would seem to me that if we tried to rush this through on Tuesday or by noon on Wednesday there must be something afoot that this Senator does not know about and I think it would be well to lay it out for the RECORD.

Mr. BAKER. Mr. President, I believe the minority leader has asked this question before the remarks of the very distinguished Senator from Nebraska. Let me say there is nothing afoot. There is certainly no agreement on the shape and form of a budget on this side of the aisle. The administration has not submitted a new proposed budget that I am aware of and I am sure I would be aware of it had they done so.

I say to my friend that I am afraid the Budget Committee is just going to have to meet and start over. That is why I said to the minority leader that I think it is going to take a little while. Thursday counted as 1 of the 3 days because the motion to recommit was made on Thursday, but it was at the end of the day on Thursday. So, as a practical matter, there was no real opportunity for the committee to function on that day. Today is another day.

As I pointed out a moment ago, the chairman and others are not here.

So, I think it is going to be necessary, in order to have a thorough examination of this situation in light of present circumstances, to consider at least extending that time a little. I will not put the request now, in fairness to all Senators, because I have not cleared it on our side, let alone make a proposal to the minority leader in advance, as I try always to do.

But let me assure the Senator that there is no deal cut, there is no package put together, and a meeting of the Budget Committee will be for real.

Mr. EXON. Mr. President, I simply add one further statement. The President has just made a speech this morning to a national group that would indicate possibly that the President is not about to make any change in previous positions that he has stated.

I ask a question of the majority leader: Has the majority leader received any indication whatsoever that the President is responding positively or favorably to the suggestion that was made in the national press yesterday by the distinguished chairman of the Finance Committee having to do with the President becoming involved in the budget process at this critical time?

Mr. BAKER. Mr. President, I saw the distinguished chairman of the Finance Committee on one of the TV shows Sunday. I understand how he feels.

There are two sides to that coin. One says the President ought to be more involved in a budget arrangement that the administration will support and the Congress will pass. The other side of that coin is that the President does not have to sign, or indeed has no chance to sign, a budget resolution. It is uniquely and especially a function of the Congress. It is a congressional budget.

So you can argue both ways, one that the President ought to be intimately involved in the formulation of this budget and the other that he should not. I do not try to resolve that issue at this time, but, rather, would reiterate what I said this morning to the press and have said on this floor previously.

I am determined, to the extent that I may do so, to see that the Senate passes a budget. I have urged the chairman of the committee to report a budget. It may be that that budget will displease the President in some respects; maybe in all respects. It may be that when it is finally reported that I will vote for it or against it. I do not know how I will vote as an individual Senator.

But I do know that, as majority leader, I feel an obligation to say to the Senate that we should go forward and pass the budget, but I cannot say that we need to or must have or, indeed, should have the President's further involvement in this matter. Because, at this point, we are going to have to do whatever it is we are going to do in order to pass a resolution. I

A raid in Florida results in the immediate deportation of the Mexican parents of three small children who were born in the United States—are citizens—have lived here all their lives, and are now left alone in their small trailer with no source of food.

A young worker in the Northeast has a job related accident. His employer provides immediate emergency health care. When he learns of the employee's permanent disability, however, he calls the INS and the worker is deported.

A woman in San Diego is sequestered in the house where she works as a domestic employee. She will not be paid her salary because her employer fears she will then leave. She needs to see her children who are in Mexico. She is told not to use the phone or talk to strangers.

A child in Florida has a severe ear infection that requires hospitalization. The parents are terrified of the raids currently taking place in the State. They are afraid that if they are taken, their son will have to remain behind without their protection. Thus they cannot accept the offer of free medical care made to them.

A family in Texas pays $500 saved under hardship to get a useless letter from a lawyer. They believe this document will protect them from deportability. The letter states that these people are the attorney's clients. But when they are apprehended by the INS the lawyer does not take any action in spite of anxious calls from the immigrants.

There are many other human stories—of undocumented aliens working under harsh conditions without the protections of our laws—working "hard and scared"; of families divided, of children denied medical care.

It would be a crime if Congress failed to enact a legalization program to finally deal with this problem—especially when it is enacting new enforcement programs. The two are linked.

But most important, we should not forget the human face of this problem during our debate today.

Mr. President, the legalization provisions in this bill are strict. They are stricter than I think are warranted or justified, and I have addressed that issue earlier in this debate. But I must say they are at least an attempt to reflect a humane and a compassionate policy toward people and their families, and I will have more to say tomorrow in the limited time that we will have.

Mr. SIMPSON. Mr. President, with regard to the amendment offered by the Senator from North Carolina (Mr. HELMS) relating to illegal alien children, that amendment would impose a serious lifetime hardship on a very discrete class of children who are not accountable for their illegal status. These children have no control over their parents' conduct nor over their own undocumented status and we cannot visit the sins of the parents upon the child.

Public education plays a crucial role in maintaining the very fabric of our society and sustains our political and public cultural values.

Depriving illegal alien children of an education would take an incredible toll on the social and economic and intellectual and psychological well-being of the individuals involved and imposes some overwhelming obstacles to individual achievement. By not allowing illegal alien children to receive a free public education would, in effect, create a permanent group of uneducated persons within our society living here.

Passage of the Immigration Reform and Control Act, with its employer sanction provisions and the development of the worker authorization system, will greatly assist in eliminating the problems which give rise to this amendment and the Supreme Court decision last June.

But until employer sanctions have achieved the desired effect and until the legalization provisions deal with the portions of the illegal subclass, I agree with the Supreme Court that the cost to this Nation of not educating all children living within our country will be far greater than the cost of providing a free public education.

I urge my colleagues to reject this amendment at the time of the vote, which will be tomorrow.

AMENDMENT NO. 1268

(Purpose: To modify provisions relating to waiving the two-year foreign residence requirement with respect to certain foreign students)

Mr. DANFORTH. Mr. President, on behalf of myself and Senator MOYNIHAN, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The amendment will be stated.

The legislative clerk read as follows:

The Senator from Missouri (Mr. DANFORTH), for himself and Senator MOYNIHAN, proposes an amendment numbered 1268.

Mr. DANFORTH. Mr. President, I ask unanimous consent that further reading of the amendment be dispensed with.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

The amendment is as follows:

On page 176, lines 16 and 17, strike out "inserting before the period at the end thereof" and insert in lieu thereof "striking out the period and inserting in lieu thereof".

Beginning on page 176, with line 21, strike out all through line 9 on page 177 and insert in lieu thereof the following:

"(A) in the case of an alien admitted on or before September 30, 1989, under section 101 (a)(15)(F), (i) who is applying for a visa as an immigrant described in section 202 (b)(1) and who has obtained his degree from a college or university in the United States, and who has been offered a position as a faculty member or academic researcher in the field in which he obtained his degree by a United States college or university, or (ii) who has obtained a degree in a natural science, mathematics, computer science, or an engineering field from a college or university in the United States, who is applying for a visa as an immigrant described in section 202 (b) (1) or (2), and who has been offered a research, business, or technical position by a United States employer in the field in which he obtained such degree, or (iii) who has obtained an advanced degree in business or economics from a colleage or university in the United States, who has exceptional ability in business or economics, who is applying for a visa as an immigrant described in section 202(b) (1) or (2), and who has been offered a research, business or technical position by a United States employer which is in the field in which he obtained such degree and which requires such exceptional ability, or".

On page 177, line 21, strike out the quotation marks.

On page 177, between lines 21 and 22, insert the following: "Thirty days after the end of each fiscal year, the Attorney General shall prepare and transmit to the Committee on the Judiciary of the House of Representatives and the Committee on the Judiciary of the Senate a report setting forth the number of aliens who applied for, and the number of aliens who were granted, waivers of the two-year foreign residence requirement pursuant to subclause (A) of the preceding proviso during the preceding fiscal year. The Attorney General and the Secretary of State jointly shall conduct a study on the impact of the waivers made pursuant to subclause (A) of the preceding proviso on the professional or technical labor requirements of foreign countries and jointly shall prepare and transmit-not-later than the close of the fiscal year 1986 to the Committee on the Judiciary of the House of Representatives and the Committee on the Judiciary of the Senate a report setting forth the findings of such study.".

On page 163, line 13, insert after "workers" the following: "(or equally qualified workers in the case of aliens (i) who are members of the teaching profession or who have exceptional ability in the sciences or arts)".

Mr. DANFORTH. Mr. President, under the bill in its present form, foreign students who come to the United States to study at a college or university are required to return to the country of their origin for at least 2 years before they are permitted to return to the United States.

A provision in this bill in section 212 allows the Attorney General to waive the 2-year requirement in certain limited instances. Those limited instances require that the person for whom the waiver is granted must have received a doctor's degree and that the doctor's degree must be in one of the following areas: Natural science, mathematics, computer science, or engineering.

Further, the waiver, which is only offered to those who have received doctor's degrees and only in these lim-

ited fields, can only be granted 1,500 times per year for university hires and 4,500 times per year for those who are hired by business in the private sector.

This amendment will do several things: First of all, it will remove the numerical cap on the number of people for whom waivers could be granted by the Attorney General.

Second, with respect to people who are hired by colleges and universities after they have received their doctor's degree, it will remove the requirement that the degree must have been in one of certain specified disciplines.

Third, the amendment provides that businesses could hire people in these limited fields who have received not only a doctor's degree but also people who received a bachelor's degree.

Fourth, it provides that businesses could also hire people in other fields, namely in business and economics, who have advanced degrees and exceptional ability in those fields in business and economics.

In short, Mr. President, the point of this amendment is to not only remove numerical caps but also broaden the category for those people who are allowed to stay in the United States after they have received an education.

The bill in its present form is understandable, because I think all of us recognize that one of the points of providing an education in the United States for people from abroad is to enrich the countries from which they came. The United States has felt for some time that it has a responsibility for trying to improve economic and social conditions in other parts of the world, and to the extent that we provide education for people from those parts of the world we not only increase the educational experience and the breadth of our own people but we also enrich those areas of the world from which the students come and to which they return. Therefore, the notion of mandating their return and providing very limited waivers and very limited exceptions for keeping them in this country after their education is certainly understandable.

The problem, Mr. President, is this: There is not enough of a relationship between the numbers that appear in the bill and the purpose desired to be achieved by the bill. The numbers probably are as reasonable as any numbers, and may not be far from those necessary. However, they are really a guess at the need.

Second, it is doubtful, to say the least, that to require an individual to return to his country rather than stay in this country will in fact lead that individual to return. A person who acquires skills, say, in engineering or in science or mathematics in the United States may choose, if he is prohibited from being in the United States, to return not to the country of origin but instead to some other developed country and to share his or her experience, education, and talent with that third country.

Finally, Mr. President, it has been well recognized in the United States that we have our own problems. We say over and over again in connection with all kinds of legislation on the floor of the Senate that we are moving into an era of high technology; that we are going to have to have well-trained people in the United States. We hear criticized very frequently, for example, in connection with the budget debate the quality of our own education, whether or not we are producing enough people in the United States who are going to have the scientific, engineering, and mathematical skills to move the United States in the future.

Therefore, if we build into the law very strict definitional and numerical limitations on those who are permitted to stay, then it could be argued that we are acting contrary to our own interests and to our own future. Mr. President, this bill not only broadens the definitions and removes the numerical caps of those who would be able to stay, but the amendment does a couple of other things which deserve comment.

First, it sunsets the waiver authority given to the Attorney General. Under the bill in its present form, there is no sunset; it is permanent. This sunsets the waiver authority beginning in 1989, so that it builds into the bill a practical necessity that we in Congress analyze the policies that we are trying to pursue by attempting to encourage or require people who are educated in this country to return to their country of origin.

Second, it requires the Attorney General to report each year to the Judiciary Committee how many waivers have been sought and how many have been issued in any given year. Even with this amendment, the Attorney General must find it in the public interest to waive the 2-year requirement, which is a grant of discretion to take seriously.

The amendment also, at the end of 3 years, requires the Attorney General and the Secretary of State to conduct a study of the impact of the waiver authority on foreign countries. So, perhaps, with some data and a requirement of the study, we shall be in a better position, a few years down the road, to make policy in this area than I feel we are in now.

Finally, the amendment would keep the current law on labor certification for members of the teaching profession and those who have exceptional ability in the sciences or arts. Keeping this provision in the current law, rather than dropping it out, as is the case in the bill, will assure our academic community that that community is free to recruit the best minds for teaching and research. Clearly, that is what excellence in education requires.

Mr. MOYNIHAN. Mr. President.

The PRESIDING OFFICER. Who yields time to the Senator from New York?

Mr. KENNEDY. Mr. President, I shall be glad to yield on the bill. Does he wish it on the amendment?

Mr. MOYNIHAN. I believe there are 20 minutes provided on the amendment.

Mr. KENNEDY. Whatever time the Senator desires.

Mr. SIMPSON. Mr. President, I yield time on this side.

Mr. MOYNIHAN. Mr. President, I shall be brief. I thank the Senators for allowing the learned Senator from Missouri and me to offer this amendment which they have been so gracious already to declare to be acceptable to them.

The amendment I offer with Senator DANFORTH improves S. 529, the Immigration and Reform Act of 1983, by expanding the authority of the Attorney General to waive the proposed 2-year home residency requirement for foreign students seeking to adjust their immigration status to that of permanent resident.

It is my impression that the Judiciary Committee inserted the 2-year home residency requirement in order to reduce the number of foreign students who sought employment in the United States strictly as a means of adjusting their immigration status thereby enabling them to remain in this country upon graduation. I also understand the committee's desire to ease immigration pressures on the United States by encouraging political and economic development abroad.

I quite agree with the committee's intent and share its concerns. However, I fear that this provision, as presently written, will have a most serious impact on our Nation's scientific research and technological development. The residency requirement may very well deprive American industries and universities of talented individuals who are very much needed if the United States is to maintain its competitive position in the world market at this critical point in history.

For this reason, I have joined with my distinguished colleague from Missouri in suggesting several modifications of the waiver authority granted to the Attorney General. These include, first, removing the numerical cap on waivers; second, deleting the disciplinary requirement for foreign students offered faculty positions; third, requiring the Attorney General to study the effects of the waivers on the brain drain from developing countries; and, fourth, providing a sunset provision to insure that the waiver program receives adequate review before being renewed after 6 years.

percomputer construction, but the Japanese intend to take over the market. Both Hitachi and Fujitsu have announced that they will unveil machines faster than Cray's this year.

"It's a shot across our bow," says Rollwagen, who doubts that the Japanese machines will be as fast as a Cray. "We'll see how big a splash it makes."

Cray Research occupies part of the old Pillsbury Building in downtown Minneapolis. Its renovated interior space includes "pods"—three working offices around a communal sitting area, with sliding glass doors and soft earth colors. Rollwagen shares his pod with the company's chief financial officer and legal counsel. He works at a stand-up desk. On the walls hang an abacus and photographs of the mountains Rollwagen has skied. The titles on his bookshelf include *Design and Behavior, The Soul of a New Machine* and former CIA director William Colby's *Honorable Men.*

Rollwagen still remembers hearing the bleep emanating from Sputnik broadcast over the radio in 1957. "That sound got me into electrical engineering." He has an easeful authority suited to the sparkly, still-youthful computer industry.

He has codified something he calls "the Cray style." a statement of corporate identity that reflects the individualism of the company's founder. For instance:

At Cray Research, we take what we do very seriously, but don't take ourselves very seriously.

"I want to keep this an open, creative environment where unusual things happen," says Rollwagen. "We don't have a security system—the need-to-know system is terrible. The best stuff is so simple that you can't keep it down, anyway. It's much better to be off-the-wall, where everybody knows everything."

People also have fun at Cray Research. There is laughing in the halls as well as serious discussion.

"If Hitachi wants to know our stuff," Rollwagen says, laughing, "they can come and get it . . . That would put them three years behind us."

Cray people feel that they are on the winning side. They feel successful, and they are.

"There's a lot of responsibility. You have to have guts to work here. There's no support system, no place to hide. We have to forget what we did before and start over again. That's scary for some people."

The Cray approach is informal and nonbureaucratic . . . "Call—don't write" is the watchword.

"We think the best work isn't done with big teams and lots of money, but with small, adventuresome groups and a limited amount of capital," says Rollwagen. "The environment works."

In Chippewa Falls, 100 miles east of Minneapolis, the company built Seymour Cray's research facility, called Riverside. Located across town from the company's main industrial plant, it is the official off-the-wall entity, Seymour Cray's decision to cool his latest creation, the Cray-2, in an inert liquid fluorocarbon was considered radical by his competitors. Equally radical is Cray's decision to develop his own microchip out of something called gallium arsenide, and escaping dependency on Japanese chip suppliers.

Cray Research is the second largest employer in Chippewa Falls (first place goes to an automated shoe factory), a town of 17,000 where ice-fishing and wind-surfing are considered more important than high-speed circuitry. In one of three prefabricated industrial buildings east of town, women in blue coats use microscopes to solder some of the 6 million connections that go into one Cray computer. Each machine made by Cray contains about 70 miles of wiring and takes about 12 weeks to build and 18 weeks to check out. The company sells about one a month.

The company is essentially developing two separate lines of compatible computers. Its engineers stay a few billionths of a second ahead of the competition. Here an engineer from Taiwan named Steve Shyh-Shing Chen designed the Cray X-MP, the first computer developed at Cray Research without the help of Seymour Cray himself. The X-MP is three to five times faster than the Cray-1 and uses many of the same components, including Freon circulated in metal tubes, as in a refrigerator, to keep the machine from burning up during operation.

Chen may eventually replace Cray as the company's preeminent computer designer. "Our next machine," he says, in an office piled with papers, the products of his research, "will be as fast as a Cray-2, but with different architectural features." He hopes it will be faster than a Cray-2, using less radical components. For instance, he will continue to use silicon chips, and Freon, instead of bathing his creations in fluorocarbon.

"The important thing for us as a company," Rollwagen says, "and as a natural resource for the country, is to eventually develop supercomputers without Seymour. We have to show we can do it."

How does a small American corporation stay ahead of its domestic and foreign competition, in the gathering tempest of supercomputer technology?

A colleague of Cray's tells an illustrative story about Cray when he worked for Control Data. The engineers were required to produce book-length reports of their projects, but Cray's report consisted of only one single page. Under the heading, *Marketing Strategy,* he had written, "Proceed with confidence."

ARMS CONTROL HAS NOT WEAKENED OR DISTORTED AMERICA'S DEFENSE EFFORTS

Mr. PROXMIRE. Mr. President, in the past couple of days, in speaking about half-truths about our nuclear weapons, I have pointed out some of the fallacies in common beliefs about arms control. First, that "efforts to constrain technology by means of political instruments, such as arms control agreements, are doomed to failure." I cited arms control agreements that did successfully constrain technology. Second, I dealt with the half-truth about arms control that it requires trusting the Russians, and pointed out again by referring to arms control agreements in effect that arms control actually reduces the necessity that we trust the Russians.

Today, let us discuss a third complaint against arms control as seen by the Harvard Study Group in their book "Living With Nuclear Weapons." It is this: "That arms control weakens and distorts American defense efforts." This contention is based on the notion that arms control wins support from groups in our democracy that oppose nuclear arms, that arms control organizes and focuses their power, and that it enfeebles the public support for defense spending. These critics of arms control argue that the Strategic Arms Limitation Talks in the 1970's prevented this country from responding to the big and rapid Soviet nuclear buildup. As the Harvard Study Group contends, it was not the support for SALT that was responsible for the reactions against the big defense budgets in the 1970's; it was the reaction from Vietnam and domestic social changes that began before the 1970's and was much deeper and more powerful than the reaction to SALT or any arms control agreement.

And I would add that the resistance to the arms buildup in the eighties comes from the widespread public perception that both the Soviet Union and the United States have built such massive nuclear arsenals that each could destroy the other many times over, and that therefore any further buildup would be just plain more than we could ever use. In addition, the public has become critical of the heavy emphasis by this administration on huge military spending increases at the very time it is proposing both sharp cuts in domestic spending and a massive tax reduction. The public sees that this leaves overhanging deficits far bigger then they have ever been in our history. Poll after poll shows heavy majority support in this democracy for reducing the rate of increase in military spending called for by the President. But arms control is not advanced as a means of saving money, although I am convinced it has saved money in the past and will in the future. It is advanced as a means of preventing these hair-trigger mammoth explosive arsenals from exploding in nuclear war.

FINANCIAL HOLDINGS AND INCOME TAX RETURN OF SENATOR WILLIAM PROXMIRE

Mr. PROXMIRE. Mr. President, in 1963, 1965, 1967, and 1970, and yearly since 1972, I have submitted for the RECORD a history of my financial holdings from the time I was first elected to the Senate in 1957 until April 1982. In order to bring the full record up-to-date, I submit herewith the history of my financial holdings since April 1982.

My assets include ownership of a home in Madison, Wis., on which I owe a mortgage to the former owners; ownership of my home and furnishings in Washington, D.C., on which I owe a mortgage to the Perpetual American Federal Savings of Washington, D.C.; ownership of a 1980 automobile; ownership of two checking accounts in Washington, D.C., banks,

one checking account in a Madison, Wis., bank and one savings account in a Madison, Wis., bank. I hold State and municpal bonds totaling $45,000.

I estimate my net worth to be about $519,000.

To the best of my knowledge, this is an accurate record of my financial holdings and obligations.

I herewith submit a balance sheet showing my net worth and how it was arrived at and a copy of my 1982 Federal income tax return.

I paid $32,794 to the Federal Government in taxes on my 1982 income. In addition, I paid $8,631 to the State of Wisconsin on 1982 income.

I ask unanimous consent that the balance sheet and copy of my 1982 Federal tax return be printed in the RECORD.

There being no objection, the materials were ordered to be printed in the RECORD, as follows:

Net worth of Senator William Proxmire as of May 13, 1983

Municipal and state bonds.	$45,000.00
Three checking and one savings account:	
Washington NS&T checking	475.42
Washington Riggs checking	2,239,53
Madison, WI checking	1,661.52
Madison, WI savings	80,708.81
Potential capital gains tax liability for sale of property in 1983	−22,000.00
1980 Buick Regal (blue book retail value)	5,975.00
3097 Ordway Street NW., Washington, D.C.:	
Assessed value	357,205.00
Mortgage value	−56,245.00
Furnishings	15,000.00
118 Bradford Lane, Madison, Wis:	
Assessed value	46,100.00
Mortgage value	76,312.85
Total	519,216.43

1040 U.S. INDIVIDUAL INCOME TAX RETURN 1982

William and Ellen H. Proxmire, 118 Bradford Lane, Madison Wis.

My social security number is 117-12-9969; spouse's social security no. 395-26-3362.

My occupation: U.S. Senator; spouse's occupation: Coordinator.

PRESIDENTIAL ELECTION CAMPAIGN

Do you want $1 to go to this fund? Yes.

If joint return, does you spouse want $1 to go to this fund? No.

FILING STATUS

Married filing joint return (even if only one had income).

EXEMPTIONS—4

Myself, 65 or over, spouse.

First names of my dependent children who lived with me: Douglas.

INCOME

7. Wages, salaries, tips, etc., $94,791.

8. Interest income (attach Schedule B if over $400 or you have any All-Savers interest), $8,055.

9A. Dividends (attach Schedule B if over $400), $382.

10. Refunds of State and local income taxes (do not enter an amount unless you deducted those taxes in an earlier year—see page 9 of Instructions), $3,853.

12. Business income (loss) or (attach Schedule C), $22,578.

13. Capital gain or (loss) (attach Schedule D), −$3,000.

17a. Other pensions and annuities. Total received, $1,977.

18. Rents, royalties, partnerships estates, trusts, etc. (attach Schedule E), −$3,089.

22. Total income. Add amounts in column for lines 7 through 21, $123,570.

ADJUSTMENTS TO INCOME

24. Employee business expenses (attach Form 2106), $5,763.

25. Payments to an IRA. You must enter code from page 11 (1), $2,000.

29. Deduction for a married couple when both work (attach Schedule W), $1,343

31. Total adjustments, $9,106.

ADJUSTED GROSS INCOME

32. Adjusted gross income. Subtract line 31 from line 22. If this line is less than $10,000, see "Earned Income Credit" (line 62) on page 15 of Instructions. If your want IRS to figure your tax, see page 3 of Instructions, $114,464.

TAX COMPUTATION

33. Amount from line 32 (adjusted gross income), $114,464.

34a. If you itemize, complete Schedule A (Form 1040) and enter the amount from Schedule A, line 30, $23,797.

35. Subtract line 34a or 34b, whichever applies, from line 33, $90,667.

36. Multiply $1,000 by the total number of exemptions claimed on Form 1040, line 6e, $4,000.

37. Taxable Income. Subtract line 36 from line 35, $86,667.

38. Tax. Enter tax here and check if from Tax Rate Schedule X, Y, or Z, $30,783.

40. Total. Add lines 38 and 39, $30,783.

CREDITS

44. Partial credit for political contributions, $100.

49. Total credits. Add lines 41 through 48, $100.

50. Balance. Subtract line 49 from line 40 and enter difference (but not less than zero), $30,683.

OTHER TAXES

51. Self-employment tax (attach Schedule SE), $2,111.

59. Total tax. Add lines 50 through 58, $32,794.

PAYMENTS

60. Total Federal income tax withheld, $30,556.

61. 1982 estimated tax payments and amount applied from 1981 return, $9,180.

67. Total. Add lines 60 through 66, $39,736.

REFUND OR AMOUNT YOU OWE

68. If line 67 is larger than line 59, enter amount overpaid, $6,942.

69. Amount of line 68 to be refunded to you, $1,642.

70. Amount of line 68 to be applied to your 1983 estimated tax, $5,300.

PAID PREPARER'S USE ONLY

Firm's name (or yours, if self-employed) and address: Naron & Wagner, Chartered, 2120 L. Street N.W., Suite 220, Washington, D.C. 20037. Preparer's social security no.: 213-34-2368; E.I. No.: 52-0898831.

SCHEDULE A—ITEMIZED DEDUCTIONS

Medical and dental expenses

4. Total insurance premiums you paid for medical and dental care, $407.

6. Add lines 3 through 5c, $407.

7. Multiply amount on Form 1040, line 33, by 3% (.03), $3,434.

8. Subtract line 7 from line 6. If line 7 is more than line 6, write zero, 0.

9. Write one-half of amount on line 4, but not more than $150, $150.

10. Compare amounts on line 8 and line 9, and write the larger amount here, $150.

Taxes

11. State and local income, $12,300.

12. Real estate, $4,368.

13a. General sales (see sales tax tables), $568.

15. Add lines 11 through 14. Write your answer here, $17,236.

Interest expense

16a. Home mortgage interest paid to financial institutions, $4,754.

17. Credit cards and charge accounts, $1,506.

19. Add lines 16a through 18. Write your answer here, $6,260.

Contributions

20a. Cash contributions. (If you gave $3,000 or more to any one organization, report those contributions on line 20b.), $1,371.

23. Add lines 20a through 22. Write your answer here, $1,371.

Casualty and theft losses and miscellaneous deductions

25b. Tax return preparation fee, $950.

26. Other: Prof. license $25; bus. publications, $80; see attached, $1,125, $1,230.

27. Add lines 24 through 26. Write your answer here, $2,180.

Summary of itemized deductions

28. Add lines 10, 15, 19, 23, and 27, $27,197.

29. If you checked Form 1040, Filing Status box 2 or 5, write $3,400, $3,400.

30. Subtract line 29 from line 28. Write your answer here and on Form 1040, line 34a. (If line 29 is more than line 28, see the Instructions for line 30 on page 20.), $23,797.

SCHEDULE B—INTEREST AND DIVIDEND INCOME

Part I.—Interest income

Interest income other than interest from All-Savers Certificates

2. Other interest income (list name of payer) Lowy note, $582; O'Brien, $6,326; United Bank & Tr., $523; Chevy Chase S&L, $255; D.C. Natl. Bk., $369.

3. Add lines 1 and 2, $8,055.

Interest from All-Savers Certificates (ASCs) (See page 21)

8. Add lines 3 and 7. Write your answer here and on Form 1040, line 8, $8,055.

Part II.—Dividend income

9. Name of payer: Govt. Investors, $382.

10. Add amounts on line 9, $382.

15. Subtract line 14 from line 10. Write your answer here and on Form 1040, line 9a, $382.

Part III.—Foreign accounts and foreign trusts

16. At any time during the tax year, did you have interest in or a signature or other authority over a bank account, securities account, or other financial account in a foreign country? No.

17. Were you the grantor of, or transferor to, a foreign trust which existed during the current tax year, whether or not you have any beneficial interest in it? If "Yes," you may have to file Forms 3520, 3520-A, or 926: No.

WASHINGTON, D.C., *May 9, 1983.*

Hon. ALAN K. SIMPSON,
U.S. Senate, Senate Dirksen Office Building, Washington, D.C.

DEAR SENATOR SIMPSON: We wish to use this opportunity to express our concern about Sec. 114 of S. 529 which would require the Attorney General to impose fees on aliens entering the U.S.

A recent survey by the "Official Airline Guide" has revealed that of 127 countries throughout the world only Venezuela imposes an "immigration fee." It is true that departure fees are common world-wide and the U.S. as an example also has a departure fee.

In so far as the U.S. receives its 3rd largest share of export earnings from international visitors and the U.S. Congress in passing the National Tourism Policy Act established a policy to . . . "encourage the free and welcome entry of individuals traveling to the U.S. . . ." (Sec. 101(b)(4)) Public Law 97-63, we do not believe it in the national interest to charge a fee for this type of alien visitor who in essence is responsible for creating 289,000 jobs in the U.S.

In reviewing Committee Report (98-62) the Congressional Budget Office estimates that the cost to INS of increasing border patrols (the only reference to costs recoverable under Sec. 114) will be approximately $85 million in 1984 and $70-80 million annually thereafter. The report further goes on to note that "based on information provided INS," CBO estimates (that the cost of processing aliens) will cost INS $40 million a year. CBO further suggests that "the INS would be able to recover this cost by imposing a fee of 20 cents per entry in 1983, with small upward adjustments in subsequent years to reflect inflation. This fee would be classified as a revenue to the government. In reviewing this proposal we infer:

(1) The majority of the increase in costs to INS are attributable to supplemental border patrols and enforcement activities;

(2) These costs are largely unrelated to the processing of short term business and pleasure travelers to the United States;

(3) These costs will thus be recovered, to an undefinable degree, from "users" who neither generate these costs nor benefit from the facilities and "services" provided.

It is our view that a fee imposed on "international visitors" is discriminatory. Presently, the airlines indirectly bear the costs of inspection facilities, and the cost to briefly examine passports and visas, a government cost, is minimal.

We urge that you clarify, on the floor, the intent of Sec. 114 so as not to include "international visitors."

Sincerely,

JAMES E. GAFFIGAN,
Executive Director.

MEMORANDUM

USER FEE PROPOSAL CONTAINED IN S. 529, THE IMMIGRATION, REFORM AND CONTROL ACT OF 1983

Section 114 of S. 529 (see Appendix I) would amend the Immigration and Nationality Act by adding a section entitled "Nonimmigrant Visa Fees and Border Facility Fees." Subsection (b) requires that "The Attorney General, after consultation with the Secretary of State shall impose fees for an alien's use of border facilities in an amount necessary to make the total of such fees substantially equal to the cost of maintaining and operating such facilities and services."

Included in the Committee Report (No. 98-62) is the Congressional Budget Office (CBO) Cost Estimate (Appendix II) which is germane to the fee issue. CBO estimates that the cost to INS of increasing border patrols (the only reference to costs recoverable under this section) will be approximately $85 million in 1984, and $70-80 million annually thereafter. The CBO report further finds that "Based on information provided by INS" CBO estimates (that the cost of processing aliens) will cost INS $40 million a year. CBO further suggests that "INS would be able to recover this cost by imposing a fee of $0.20 per entry in 1983, with small upward adjustments in subsequent years to reflect inflation. This fee would be classified as a revenue to the Government."

From this information the following can be inferred:

(1) The majority of the increase in costs to INS are attributable to supplemental border patrols and enforcement activities;

(2) These costs are largely unrelated to the processing of short-term business and pleasure travelers to the United States;

(3) These costs will thus be recoverd, to an undefinable degree, from "users" who neither generate these costs nor benefit from the facilities and "services" provided.

It is important to recognize that the legislative language expressly makes allowance for the subsidization of particular users by others, i.e. ". . . shall impose fees . . . in an amount necessary to make the total of such fees substantially equal to the cost of maintaining and operating such facilities and services." However, a fee structure which in design allows an arbitrary assignment of cost and benefit has been attempted in the past and subsequently addressed in the Courts.

Congress made its initial declaration of intent in the Independent Offices Appropriation Act of 1952. Title V provides that:

". . . Government activities resulting in special benefits or privileges for individuals or organizations be financially self-sustaining to the maximum possible extent"; and

". . . Regulations prescribing fees be as nearly uniform as practicable"; and

". . . Fees be fair and equitable, taking into consideration direct and indirect costs to the Government, value to the recipient, public policy or interest served and pertinent facts."

In 1959, a Bureau of the Budget Circular was issued, which attempted to interpret the 1954 Act for the agencies, and advise them with respect to its implementation.

"Where a service (or privilege) provides special benefits to an identifiable recipient above and beyond those which accrue to the public at large, a charge should be imposed to recover the full cost to the Federal Government of rendering the service. For example, a special benefit will be considered to accrue and a charge should be imposed when a Government-rendered service:

(a) Enables the beneficiary to obtain more immediate or substantial gains or values (which may or may not be measurable in monetary terms) than those which accrue to the general public (e.g., receiving a patent, crop insurance, or a license to carry on a specific business); or

(b) Provides business stability or assures public confidence in the business activity of the beneficiary (e.g., certificates of necessity and convenience for airline routes, or safety inspections of craft);

(c) Is performed at the request of the recipient and is above and beyond the service regularly received by other members of the same industry or groups, or of the general public (e.g., receiving a passport, visa, airman's certificate, or an inspection after regular duty hours)."

The FCC established a fee schedule in 1964 which imposed a nominal "filing fee." The revenues raised covered approximately 25 percent of the agency's budget. In 1970, in response to the encouragement of both Congress and the Executive Branch, the FCC raised the fees to recover its full costs of operation. A group of cable operators challenged the fee structure and the Supreme Court held in 1975 that the assessment per subscriber was a tax, rather than a fee, since it was not related to a special benefit conferred by the FCC (NCTA v. U.S.). In a related case decided simultaneously (FCC v. New England Power Co.), the Court held that ". . . no charge should be made for services rendered when the identification of the ultimate beneficiary is obscure and the service can be primarily considered as benefiting broadly the general public." These represent the only Supreme Court rulings on these issues.

In 1975, the FCC issued a new fee schedule which it perceived to be consistent with the Court's ruling. Again the structure was challenged, and the Court of Appeals held that the new fee structure did not meet the Supreme Court's criteria. The FCC was ordered to develop a new fee schedule as well as clarify the basis for their assessment. The agency interpreted the Court rulings as requiring an assessment of fees based, to some degree, on the value conferred on the user. The FCC ultimately decided that it could not quantify the benefit or value being conferred upon the user, and suspended the collection of all fees in 1977. Though a committee was appointed to determine the most equitable method of refunding the previously collected fees, none have yet been refunded.

Also in 1977, the GAO issued a report which took exception with the FCC's interpretation of the rulings. "GAO does not believe that the Court of Appeals required the Commission to measure separately the value conferred upon the people paying the fee. Instead, based upon interpretation of the court decisions, the Commission can establish a proper fee schedule based solely upon cost." Nonetheless, neither GAO nor Congress have offered any further assistance in calculating an equitable fee schedule based upon cost.

For purposes of this legislation three basic questions arise:

(1) if fees must reflect "direct and indirect costs to the Government" (according to the 1954 Act), what part of INS' costs are "fairly and equitably" allocable to the international traveler? Which of these costs are not already being paid by transportation modes in the form of "facilities use fees"? Is border patrol and enforcement activity an appropriate cost to be subsidized by the international traveler?

(2) what part or aspect of the operation of such facilities can be considered a "value or benefit" which is conferred upon the traveler? INS inspections are distinct from, for example, Department of Agriculture meat grading and inspection services as INS inspections in no way provide "business stability or assure public confidence in the business activity of the beneficiary." Further, INS inspections are not performed "at the request of the beneficiary" nor do they "enable the beneficiary to obtain more immediate or substantial gains or values." Presumably, the ratio of charges should be set

equal to the ratios of marginal benefits and the absolute level set to recover full cost. In this case, however, it seems clear that all benefit is recouped by citizens of the United States who are expressly exempted from charge by the language of the bill.

(3) what public policy or interest is served by the imposition of such fees on the traveler? The proposed fees are clearly antithetical to public policy concerns.

IMPLEMENTATION PROBLEMS

There is a multitude of negative implications with respect to the implementation of Sec. 114 of the bill. For example, the proposed fee is discriminatory inasmuch as it would be imposed upon aliens only. A recent survey of 127 countries revealed that only Venezuela imposes an "immigration fee." All other head taxes, departure taxes, etc. are paid by both aliens and nationals. The discriminatory aspect of this fee proposal violates a number of international agreements and many airline bilateral agreements would have to be modified or renegotiated. In addition, this legislation would obviously encourage other countries to initiate the same practice with an attendant risk of abuse.

There are a number of practical considerations as well. For example, how would the fee be collected? Collection at inspection is also problematic. Visitors without U.S. currency would have no choice but to interrupt the inspection, locate a currency exchange desk, and return to the inspection. Collection at this point is also inconsistent with the ASIST pre-clearance procedure. An integral aspect of ASIST clearance is the frequent performance of Customs inspections by INS inspectors, as well as the performance of INS inspections by Customs inspectors. As the legislation requires the imposition of INS fees only, some passengers may be charged while others are not. Alternatively, ASIST could be modified, but presumably only in such a way as to defeat the purpose of the procedure. At airports where ASIST has not yet been implemented, collection of the fee at inspection would of course exacerbate existing delays and long lines.

Similar problems would occur with all transportation modes; as well as with border crossings by foot. At Canadian points-of-entry, where visas are not required, inspectors would encounter the additional difficulty of distinguishing between aliens and citizens. An alien who merely claims to be a U.S. citizen would be likely to successfully avoid paying the fee. It is also possible that an alien might simply refuse to pay the fee, presenting the U.S. with the option of either foregoing the fee or instituting deportation proceedings.

Also disturbing is the inequity made apparent by CBO's observation that the additional monies will be primarily used to fund border patrols and enforcement activities.

Finally, as public policy the fee proposal is inconsistent with our national economic interests. Twenty-three million international visitors spent $12.2 billion in the U.S. in 1981 generating $1.1 billion in federal, state and local tax revenue and supporting approximately 300,000 jobs. At a time when our international competitive position is deteriorating and the U.S. is seeking ways to prevent further erosion, travel and tourism is our third largest source of export income. It is clear from our perspective that whatever revenues are raised must be viewed as inconsequential relative to the harassment and inconvenience that will inevitably be imposed upon international travelers.

JONES, JONES, BELL,
CLOSE & BROWN, CHARTERED,
Washington, D.C., May 6, 1983.

Hon. ALAN K. SIMPSON,
Chairman, Subcommittee on Immigration and Refugee Policy, Senate Committee on the Judiciary, Washington, D.C.

DEAR CHAIRMAN SIMPSON: In follow-up to our telephone conversation, I am writing to elaborate on the concerns of the motorcoach tour industry with respect to the entry fees proposed in Section 114 of S. 529, the Immigration Reform and Control Act of 1983.

The imposition of user fees on aliens crossing our Mexican and Canadian borders by tour bus would be a significant burden to the tour bus industry and its clientele. The fees would not be cost-effective. They would adversely affect the United States tourism industry, economy, our balance of payments deficits, and our perception throughout the world as a country that welcomes the exchange of visitors and ideas through international tourism.

I offer this conclusion for the following reasons:

1. Section 114 violates the specific statutory mandate of the National Tourism Policy Act of 1981 (P.L. 97-63). Under Section 101(b)(4), the Act establishes a national tourism policy to "encourage the free and welcome entry of individuals traveling to the United States in order to enhance international understanding and goodwill."

2. The fee contradicts general foreign policy goals of encouraging foreign travel to the United States and certainly contradicts the general goal and objective of attempting to reduce our burgeoning balance of payments deficit. In 1981, over 33.6 million Canadians crossed our borders into the United States. Almost 1.3 million of them came by bus. In 1980, the average visitor spent $1,700 while in the United States. Any federal user fee on aliens that would curtail the flow of foreign visitors to the United States would be counter-productive to our economy. Furthermore, since one new job is generated for every $37,750 spent on travel and tourism, any loss of travel and tourism dollars from Mexican and Canadian tourists would adversely affect jobs in the United States.

3. In the tour bus context, any entry fee initiatives from the American government would invite an almost certain retaliatory "entry fee" burden by the nations of Canada and Mexico. Therefore, it is a real and substantial threat to our domestic tour bus industry. For the most part, the tour bus industry caters to middle, fixed-income travelers who would be discouraged from the tour package plan by any additional, $5 to $25 entry fees. Canada, for example, was the destination of about 39.8 million United States citizens in 1981. Of these visitors to Canada, almost 1.5 million traveled to Canada by bus. The imposition of retaliatory border fees on Americans by foreign governments may mean that many of our own citizens, including a large percentage of senior citizens, may forgo a trip.

4. The fees would be either too onerous and discourage travel, or they would be too small to justify the administrative hassle entailed in collecting them and enforcing the program. The tour bus industry is very distressed at the prospect that once the fee door is opened, the characteristic bureaucratic enthusiasms about funding all agency expenses from this new revenue source will occur. All the statutory language in the world cannot prevent an enterprising administrator from loading a lot of agency costs on the points of entry to offset other general budget expenditures.

5. Implementation of the alien "user fee" poses substantial administrative dilemmas related to the method of collecting the fee. If a percentage of the fee is to be collected in advance as part of a travel package, what is the administrative machine that pursues collection? Individual payment at the time of entry conjures another major irritant for the foreign visitor attempting to cross into the United States. Will a foreign tourist who claims US citizenship be excused from the entry fee? What would happen to an alien who refuses to pay the fee? Would he be deported? We have enough practical barriers already at our border points. Inevitably, the proposed entry fee would aggravate the already long delays in airline passenger entry into our country, as well. Enclosed are the foreign visitor statistics of just one country, Canada. The practical problems associated with collecting the entry fee from 33 million Canadian visitors to the United States is awesome. This problem will only be multiplied when all the foreign visitors from Europe, Japan, and other areas of the world are included.

6. The proposed user fee is blatently discriminatory. It is imposed only on aliens. A recent study of 127 countries disclosed that only Venezuela imposes an "immigration fee." All other departure taxes, head taxes, etc., are paid by both aliens and nationals.

7. There is an inherent inegality in asking a foreign visitor from Canada or Mexico to subsidize United States border administration and enforcement costs that are totally unrelated to processing a Canadian or Mexican business or tourist visitor. The question of why should they pay for border patrols, guard dogs, shotguns, vehicles, and search lights that have nothing to do with their coming and going from the country can legitimately be raised. The processing of aliens crossing our borders is conducted to enforce our immigration laws and protect our national interests. The proposed fee is largely unrelated to the administrative costs of processing short-term leisure or business visitors.

The above comments represent a partial summary of the serious questions and problems engendered by Section 114.

I appreciate your consideration of these concerns. If I can be of any help or assistance with this issue, please let me know.

I remain,

Sincerely,

JAMES D. SANTINI,
Attorney at Law.

UNITED STATES-CANADA TRAVEL STATISTICS

	1981	1982
Visitors:		
U.S. visitors to Canada	39,808,716	32,431,840
Canadian visitors to the USA	33,583,997	33,322,139
Visitors by mode:		
U.S. visitors to Canada:		
Automobile	35,008,266	27,805,711
Air	1,863,231	1,734,539
Bus	1,453,172	1,402,500
Rail, boat, other	1,484,047	1,489,090
Canadian visitors to the USA:		
Automobile	28,379,594	28,305,336
Air	3,187,669	2,941,826
Bus	1,268,643	1,330,292
Rail, boat, other	748,091	744,685

Source: Canadian Consulate General, Ottawa, Canada (Cleveland, Ohio, office).

Our majority leader, Senator HOWARD BAKER, wrote an article for yesterday's Washington Post on our efforts to pass a budget resolution. While I do not necessarily agree with every aspect of his argument, I join him in the commitment to the budget process and the need to pass a budget resolution for fiscal year 1984. I ask unanimous consent that Senator BAKER's article be printed in the RECORD at this point.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

WE WILL PASS A BUDGET RESOLUTION

(By Howard H. Baker, Jr.)

Winston Churchill would have felt right at home in the Senate last week. It was Churchill who told the House of Commons: "Democracy is the worst form of government except all those other forms . . ."

There is no better summation of the congressional budget process we've been going through. Months of work and weeks of intensive negotiation have so far failed to produce a budget resolution for the fiscal year beginning Oct. 1

Everyone agrees we have to restrain the growth of federal spending.

Everyone agrees that the budget deficits we're contemplating are too high.

And everybody knows that some new revenue measures may well be necessary to keep those deficits from swamping the private credit market.

Yet all these agreements have failed to yield a congressional budget resolution. As things stood Thursday night, there are enough votes to kill every budget proposal put forward, but not enough to pass any of them.

Still, true to Churchill's maxim, if there had been no budget process, the situation would be worse.

Equating a simple budget resolution with democracy itself may seem a bit dramatic, but the congressional budget process lies at the heart of modern and coherent democracy. What we spend determines how we govern, and nowhere is that fact in sharper focus than when all the problems of government descend on one set of people in one room at one time during budget resolution season.

Everybody wants to decide what the budget will be; but nobody wants to serve on the Budget Committee.

Every senator and congressman wants the most money he can get for his favorite federal programs, but nobody wants a tax increase or a large federal deficit.

Each legislator must serve both the special interests of his constituents and the central interests of the nation, but doing both at the same time is a little like trying to rob your own bank.

The remarkable thing is, until 1984, nobody in Congress bothered to count the money.

In what Budget Committee chairman Pete Domenici calls the "ancient times," congressional budget decisions were made wholly independent of each other. Every authorization, every appropriation was decided on its own merits, without regard for how each decision would affect other spending priorities, revenue requirements or deficit projections. Congress had, in effect, abdicated all fiscal responsibility. It was left to the president to check the excesses of the legislative branch through vetoes and, more controversially, through the impoundment of appropriated funds.

Richard Nixon, who preferred impounding to vetoing, called our old system "hoary." Some members of Congress felt vaguely insulted. But we changed the system nevertheless.

With the Congressional Budget and Impoundment Control Act of 1974, Congress resolved to reconcile government spending with government income in the same way any American family must manage its household budget. We resolved to set specific deadlines for considering legislation to spend public money, and all authorization and appropriation recommendations were to be made before the budget resolution process really began.

We've never really tried it that way, and before we start reforming the budget process we might consider following the rules we established in the first place. But after nine years of missed deadlines and mounting deficits, I doubt that we will.

We may have changed the process too much already. In 1981, a strategy hatched on Capitol Hill and enthusiastically embraced by the Reagan administration used the congressional budget process to move the federal leviathan a few degrees away from the free-spending course of previous years. Some feathers were ruffled, but we simply could not have slowed the growth of federal spending, as we began to do two years ago, if the congressional budget process had not existed. A piecemeal, program-by-program approach would never have succeeded, and federal spending might still be increasing by 17 percent a year—instead of half that rate.

It may be that not enough was attempted while the political mandate for spending reform was at its peak. It may be that, if this popular passion for restraint fades away, we in Congress will be left with a tortuous and monotonous budget process that absorbs virtually all our legislative energy and accomplishes virtually nothing.

But it is more likely, in my view, that in some of the reform measures now being proposed lies the salvation of the budget process. Among the many proposals I have heard are two-year budgets, reconstituted budget committees as "joint ventures" of the Appropriations and Finance committees, some combination of authorization and appropriation functions, binding spending targets, more flexible management of budgeted funds and the return of "off-budget" expenses to the regular federal balance sheet.

Without endorsing any one of these recommendations specifically, I believe their sheer number and scope—and there are many others like them—suggest that the time for significant and constructive reform is at hand.

After nine years of practical experience with the congressional budget process, this kind of performance review is a healthy and necessary thing. As Will Rogers said, "even if you're on the right track, you'll get run over if you just sit there."

But it is just as essential that we preserve the process we have begun, that we make this conscious and painful effort to relate spending to taxing, that we try to measure the impact of our actions on the economy at large, that we never again dare be haphazard with the American people's money.

I have watched Pete Domenici on the floor, and I marvel at his skill and dedication to the process. In one way or the other, the Senate needs to do better by him than we are.

I continue to believe that the most important reform Congress can make is more basic than the procedural and technical. We should stop acting like a collection of elected bureaucrats—scrutinizing every federal activity to the last detail, even writing a thousand-page budget bill as we did two years ago. We should start acting like the national board of directors the Constitution intended us to be.

I will reserve my sermon on the "citizen legislature" for another Sunday, but I will do my best to keep it—and an improved congressional budget process—on the agenda for reforming this awfully good system of government.

In the meantime, rest assured that for my part I am determined to do the best job we can with the tools we have at hand. I predict that some way or the other we will pass a budget resolution this year.

A TRIBUTE TO FRANK JOHNSTONE JERVEY

Mr. THURMOND. Mr. President, I rise today to pay tribute to a great American and a good friend, Mr. Frank Johnstone Jervey, who passed away recently at the age of 89. To his lovely wife, Anne; his daughter, Mary Jervey Kilby; and other members of his family, with whom I attended Frank's funeral last week at Arlington National Cemetery, I extend my deepest sympathies.

Frank Johnstone Jervey, who died May 6, 1983 at the age of 89, was known as Mr. Clemson, but his influence was not limited to his alma mater, Clemson University. From 1914, when he graduated from Clemson with degrees in mechanical and electrical engineering, until his death, he distinguished himself as a soldier, engineer, world renowned munitions expert, benefactor, confidant to all and ambassador of goodwill for Clemson University.

He served in the Army during World War I and was severely wounded near Chateau Thierry in France. He lost a leg below the knee and received the Distinguished Service Cross and the Italian Marito de Guerro for heroism.

He worked briefly at the Charleston Naval Shipyard and for Winchester Repeating Arms Co., then joined the Ordnance Corps of the Department of Defense in 1924 in a civilian capacity after 1 year of graduate work at George Washington University. He retired in 1953 after an illustrious 31-year career, rising from assistant ordnance engineer to chief engineer.

He became one of the world's foremost authorities on incendiary and small arms ammunition. As a result of this, he served on many high level committees established during World War II. He helped establish small arms ammunition centers, reactivated ordnance ammunition plants and aided in the creation of new ammunition plants during the Korean war.

During World War II, Secretary of War Henry Stimson presented Captain

Jervey with the Nation's highest civilian honor, the Exceptional Civilian Award, for his contribution to America's war efforts.

His dedication and technical know-how proved invaluable to ammunition production during World War II and the Korean war. After his retirement, he became a consultant for the Department of Defense, the Air Force Armament Center, the Copperweld Steel Co., and the Federal Cartridge Co. In 1977, he was inducted into the U.S. Army Ordnance Hall of Fame.

He returned to Clemson in 1953 and received an honorary doctor of science degree and later became vice president for development. During the 5 years of his administration as vice president, the Clemson alumni program won national honors for sustained performance on three separate occasions, and the Clemson News Bureau received six national awards for writing excellence, visual interpretation, and special publications.

During this time, he was directly responsible in obtaining for Clemson from the Olin Foundation two grants for constructing and equipping Olin Hall of Ceramics and Earle Hall of Chemical Engineering, representing investments in excess of $2 million.

Captain Jervey served as a life trustee of Clemson, was president pro tempore of the board of trustees, a past national president of the Clemson Alumni Association, as well as a director of the association, and a director of IPTAY, Clemson's athletic scholarship organization.

The Summerville native was an honorary life trustee of the Clemson University Foundation and was inducted into the Clemson Athletic Hall of Fame in 1976. The Frank Johnstone Jervey Athletic Center was named in his honor, the first time a building at Clemson had been named for a person during his lifetime.

In the Clemson community, he was a leader in the development of the Clemson Chamber of Commerce and is a former national councilman and a delegate to the national conference. He has served on numerous local improvement committees, was a vestryman in the Holy Trinity Episcopal Church and a delegate to the Episcopal Diocese of Upper South Carolina. He was also a member of the Board of Trustees at Voorhees College and Porter Gaud School.

He was the first person to receive all three of the highest honors bestowed by Clemson University—an honorary doctor of science degree (1953), the Alumni Association Distinguished Service Award (1960), and the First Clemson Medallion (Founders Day, 1961). In 1969, the Clemson Lions Club bestowed upon him the Distinguished Citizen Award and 4 days before his death, he received the Man-of-the-Year Award from the Fort Hill Clemson Club in Clemson.

In order to share more about this remarkable man with my colleagues, I ask unanimous consent to have printed in the RECORD several newspaper articles and editorials about Frank Jervey.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Greenville News, May 9, 1983]

FRANK J. JERVEY

Frank Johnstone Jervey was known here as "Mr. Clemson," but his influence was not limited to Clemson University. Between his graduation from Clemson in 1914 and his appointment as the university's vice president for development in 1959, he distinguished himself as a soldier, engineer and world-renowned munitions expert.

He served in the Army during World War I, was wounded in France, and received the Distinguished Service Cross for heroism. After the war, he served in the Ordnance Corps from 1924 to 1953, advancing from assistant ordnance engineer to chief engineer.

His dedication and technical know-how proved invaluable to ammunition production during World War II and the Korean War. When he retired from the corps after 31 years, he became a consultant for the Department of Defense, the Air Force Armament Center, the Copperweld Steel Co. and the Federal Cartridge Co. In 1977 he was inducted into the U.S. Army Ordnance Hall of Fame.

But it was for his work on behalf of his alma mater that he was best known here. He had been Clemson University's good will ambassador for many years before his activities were given official status in 1959, when he was named vice president of development. He later became a life trustee and was elected president pro tempore of the board in 1975.

Frank Jervey died Friday at the age of 89, but his contributions to his school, state and country will not be forgotten. "Mr. Clemson" left his mark on them all.

[From the Greenville News, May 8, 1983]

UNIVERSITY MOURNS DEATH OF JERVEY, "MR. CLEMSON"

CLEMSON.—Frank Johnstone Jervey, 89, was a small arms munitions expert, a veteran of World War I and a retired U.S. Army Ordnance Corps chief engineer—but he was best known as "Mr. Clemson" to thousands who went to Clemson University.

The Summerville native, for whom the university's intercollegiate athletic center is named, died at his daughter's home about 8:30 p.m. Friday, a university spokesman said.

"We grieve tonight at the loss of such a great son, great South Carolinian and great American," Clemson President Bill Atchley said. "Capt. Jervey was 'Mr. Clemson.' His wisdom and wit will be sadly missed. His love for higher education and his belief in the young people of this nation will never be forgotten. He was more than 'Mr. Clemson.' He was 'Mr. Citizen.' "

Jervey, a 1914 graduate of Clemson, was a key figure in obtaining nearly $2 million from the Olin Foundation to build and equip engineering buildings at Clemson. Persuaded by an uncle to choose Clemson over the College of Charleston, Jervey later said he "fell in love with the place my first week here, and it's been close to my heart ever since."

Jervey went on to receive degrees in electrical and mechanical engineering before serving in World War I. He earned the rank of captain while serving as an infantry officer in France. He was awarded the Distinguished Service Cross after being wounded during the war.

After the war and graduate school at George Washington University, Jervey joined the U.S. Army Ordnance Corps in a civilian capacity.

He was well known nationally as an expert in small arms ammunitions, and assisted in the development of the M-1 rifle. He held positions as ordnance engineer, principal engineer and chief engineer. He headed engineering for the Ordnance Corps from 1942–1953.

During the Korean war, Jervey's technical advice was instrumental in establishing munitions plants, and reactivating old ordnance plants.

Upon retirement in 1953, Clemson bestowed a honorary doctor of science degree on the "Captain." In 1959, he became Clemson's vice president for development. In 1965, he was named a life trustee of the college. In 1973, Clemson dedicated the $2 million Frank Johnstone Jervey Athletic Center in his honor.

In 1975, an anonymous donor established the Frank J. Jervey Education fund with a $100,000 permanent endowment. Also that year, he was elected president pro tem of the board of trustees. In 1977, he was inducted into the U.S. Army Ordnance Hall of Fame at Aberdeen Proving Ground, Md. He was called the "world's foremost authority" on ordnance and small-arms ammunition.

He is survived by his wife, the former Anne Dornin White, and a daughter Mary Jervey Kilby, both of Clemson; several grandchildren and six great-grandchildren. Duckett Funeral Home in Clemson is in charge of arrangements. Interment is to be in Arlington National Cemetery.

Memorials may be made to the Frank Johnstone Jervey alumni scholarships at Clemson University, or to Holy Trinity Episcopal Church at Clemson. A memorial service is scheduled for 11 a.m. Tuesday at Clemson United Methodist Church.

[From the Columbia State, May 8, 1983]

FRANK J. JERVEY DIES; "MR. CLEMSON," WAS 89

CLEMSON.—Frank J. Jervey, 89, known as "Mr. Clemson" to many at Clemson University, died Friday night in his sleep.

The Summerville native, for whom the university's intercollegiate athletic center is named, died at his daughter's home about 8:30 p.m., a university spokesman said.

"We grieve tonight at the loss of such a great son, great South Carolinian and great American," Clemson President Bill Atchley said. "Capt. Jervey was 'Mr. Clemson.' His wisdom and wit will be sadly missed. His love for higher education and his belief in the young people of this nation will never be forgotten. He was more than 'Mr. Clemson.' He was 'Mr. Citizen.' "

Jervey, a 1914 graduate of Clemson, was a key figure in obtaining nearly $2 million from the Olin Foundation to build and equip engineering buildings at Clemson.

Persuaded by an uncle to choose Clemson over the College of Charleston, Jervey later said he "fell in love with the place my first week here, and it's been close to my heart ever since."

INS-Customs breakdown, this is what they found:

All halls were jammed. Few seats were available. Access to restrooms was restricted. People became ill. Tempers frayed. Eventually police were summoned to control the crowds, lest they riot.

The average international traveler being processed through MIA then had to wait 2½ hours to gain clearance. Some people waited as long as four hours. Who wouldn't be outraged?

The INS was most to blame. Even under normal conditions, INS staffing at MIA is skimpy. This time it was worse. For extended periods during the peak, only 13 INS agents staffed the 34 available inspection booths. INS's best effort was to man 19 booths. Even that level seldom was attained. One reason was the unprecedented amount of sick and funeral leave taken then by INS staff.

Customs provided 32 agents at peak. Because of strict, inefficient procedural rules, however, the Customs staff is prohibited from doing INS work, so the larger Customs staff made little difference.

This kind of outrage causes many serious ripple effects. The bad word travels fast and far. International travelers often are trend setters and opinion leaders back home.

Many of them missed connecting flights. Neither they nor the airlines need that. Airlines either make money or move operations elsewhere. Many are transferring their international business from MIA to Houston, Atlanta, Dallas-Ft. Worth, even Tampa and Orlando. Loss of that market share will affect passenger and cargo traffic at MIA.

It's simply intolerable that Miami should have to bear this unwarranted burden. Bureaucratic bungling of Federal agencies is principally at fault. From Customs and INS must come the obvious solution—and fast. They must assure sufficient staff at MIA to eliminate this recurring debacle.

Bureaucrats can be slow to move unless the political blowtorch of budgetary pressure is set alight beneath their backsides. South Florida's representatives in Washington have plenty of fuel and many matches. They should not hesitate to turn the heat high.

WORKING PAPER: CAB AIRPORT ACCESS TASK FORCE: WORKING GROUP C—AIRPORT ACCESS AND FEDERAL INSPECTION SERVICES, DECEMBER 17, 1982

(Presented by H. Clifton Madison, Vice President, Western Airlines)

Federal Inspection Services (FIS) at U.S. airports are among the major causes of groundside congestion and delay for air passengers and shippers. FIS congestion and delay detrimentally impacts international passenger and cargo facilitation, disrupts the ability of inbound international passengers to make planned domestic flight connections, and can potentially limit the capacity of an airport to accommodate international traffic. The FIS problem is, therefore, an appropriate area to be addressed by the Task Force as part of its examination of groundside issues.

In 1981, over 20 million international passengers were processed through FIS at U.S. gateway and preclearance airports, and this sector of air travel has shown consistent growth over the years. It is the stated policy of the U.S. government, as articulated in the International Air Transportation Competition Act of 1979, that international air travel should be encouraged from a greater number of U.S. gateway cities to a greater number of cities abroad. Unfortunately, U.S. customs and immigration inspector staffing has fallen behind the growth rate of international air travel.

There has been, and continues to be, severe congestion in processing international travelers through customs and immigration formalities at most U.S. airports of entry and preclearance airports. Delays, at times approaching 2 to 3 hours per flight, are not uncommon at the preclearance airports of Montreal and Toronto and at our airports in Alanta, Baltimore, Chicago, Denver, Detroit, Fort Lauderdale, Honolulu, Los Angeles, Miami, Houston, Minneapolis, New York (Kennedy), San Francisco, Seattle and Tampa, among others.

International airline operations are currently constrained at several U.S. airports due to FIS processing limitations. At New York (Kennedy), for example, the Airline Scheduling Committee must coordinate aircraft arrival schedules to accommodate hourly passenger processing limitations and thereby minimize congestion and delay at JFK International Arrivals Building gates and inspection facilities. At other airports, assignment of processing "slots" for arriving aircraft loads constrains operational flexibility and effective capacity. Unless significant increases in FIS staffing levels or streamlining of procedures are made, these problems will continue and worsen in the future.

Either adequate numbers of inspectors must be authorized by the Congress or a high priority program to reduce inspector workload—through modernization, simplification, and consolidation of the functions of the several inspection agencies—must be initiated. Measures to facilitate the entry of international air travelers and shipments have been recommended, including:

1. Consolidate the several inspection functions required for the clearance of travelers and goods entering the country.

2. Reallocate headquarters and regional resources to increase inspection agency manpower complements in the field.

3. Reduce and simplify the inspection process for Customs and Immigration to permit the most efficient use of available resources. Namely:

(a) extend preclearance—inspection of passengers and baggage prior to departure from a foreign country—to other locations,

(b) implement the red/green door inspection procedure—or a modification of it—whereby the traveler determines whether or not he must go through Customs formalities,

(c) extend the one-step inspection procedure now operational at Edmonton, Houston, Kennedy Airport satellite terminals, Los Angeles temporary facility and Philadelphia, to other U.S. airports of entry and preclearance airports,

(d) introduce sampling techniques for processing air passengers and freight,

(e) simplify U.S. Customs processing of U.S. international air freight through the introduction by that agency of an automated control system, and

(f) reduce inspection agency documentation requirements to process international air passengers and air freight, for example, by simplifying the shipper's export declaration and eliminating arrival/departure cards for transit without visa passengers.

4. Amend the Tariff Act of 1930 to simplify U.S. tariff schedule computations for assessing Customs duties covering freight importations into the United States, paralleling those changes already implemented for passengers baggage importations.

These measures will help meet the continued growth of international air travel and mitigate the need for major expansions in inspector staffing. A significant case-in-point is the ASIST procedure recently evaluated at Miami and Los Angeles. The procedure has simplified and significantly accelerated both immigration and customs inspection formalities, and has been an important first step toward the development of a more selective and efficient passenger inspection system which now should be expanded nationwide. Unfortunately, ASIST was terminated by Customs at Miami on November 1, 1982.

Under the ASIST procedure, immigration inspectors are augmented with customs inspectors at primary immigration booths. The inspectors of the two agencies are cross-trained to perform each other's functions as well as that of agriculture quarantine. Deplaning travelers undergo inspection formalities with only their hand-carried baggage in their possession. If an immigration, customs or agricultural problem arises, or if duty payment is required, the traveler is referred to the appropriate inspection agency secondary position. Checked baggage is not claimed by the passenger until primary inspection at the immigration booth is completed. The airport authorities at Miami and Los Angeles, the international airlines serving these locations, and arriving travelers have all acclaimed the ASIST procedure. Airports desiring to begin the procedure should be permitted to implement ASIST and other streamlined procedures at the earliest practicable time.

An immediate, short-term cause of current FIS congestion is the misguided reduction and curtailment of Customs and Immigration Inspectors staffing as a way of curbing federal expenditures. Unfortunately, in the government wide search for ways to curb expenditures, efforts are being made to shift the cost of providing many government services to the "beneficiaries" or "users" of such services.

Airlines and airline passengers are not the "beneficiaries" of Customs and immigration inspection services. They certainly are "users", but only because they are required by federal law to be inspected. They receive no special benefit unique to airlines or airline passengers from the inspection, in fact, the inspection process itself is a distinct disadvantage in terms of loss of time and convenience. What frequently is overlooked is that the federal laws requiring the inspection were enacted to protect the nation and all of its citizens—by preventing the entry of undesirable products and persons, by preventing the entry of animal and plant diseases, by tariff enforcement protecting American labor and business from destructive foreign competition and discrimination, and by collecting duties on imported goods. The cost of carrying out these laws should be borne by all taxpayers.

CONCLUSIONS AND RECOMMENDATIONS

FIS staffing levels today are unable to meet airport inspection demands without long delays and serious public inconvenience. This situation will worsen significantly unless immediate positive action is taken to deal with it. Either adequate numbers of inspectors, or a high priority program to reduce inspector workload—through the steps toward modernization, simplification, and consolidation of the inspection process cited above, are urgently needed. Otherwise, FIS congestion and delay will continue to be a major groundside access constraint

at U.S international airports and preclearance airports abroad.

SUMMARY OF COMMENTS FILED IN CUSTOMS' DOCKET ON USER FEES

1. OCEANAIR LINE

7-28-82: Seeks exemption of carriers operating smaller aircraft "as the additional costs would be quite burdensome."

2. JAPANESE GOVERNMENT

7-30-82: Seeks exemption "since U.S. commercial airlines to and from Japan are not charged any such fees as those proposed by the U.S. Customs Service."

3. NORTH DAKOTA AERONAUTICS COMMISSION

7-24-82: "North Dakota commercial air taxi operators * * * request an Exemption from the coverage of the rule or any part, thereof, for small entities."

Requests Customs to provide in its rule an alternative to the proposed amendments which will "* * * minimize such significant economic impact of the proposed rule to small entities." Such alternative should exclude all small commercial on-demand air taxi air carriers and other air carriers operating 60 passengers or less or 25,000 pounds of cargo, or 20 passengers or less or 12,500 pounds of cargo.

4. POMPANO AIRWAYS

7-26-82: Opposed to proposed rule. Pompano would be adversely affected by regulation.

5. AIR JAMAICA

7-28-82: Opposes proposed rule: 1. Economic burdens; 2. Discriminatory in that Jamaican government doesn't impose similar tax on U.S. carrier; and 3. Would violate provisions of Chicago Convention.

6. EUROPEAN NORTH ATLANTIC CARRIERS

7-27-82: Opposes proposed rule. Violation of Chicago Convention and various bilateral air transport agreements.

7. FAA

7-28-82: Strongly objects. Costs "of activities for which Customs proposes to levy charges on commercial aircraft operators" should be borne by the general public. Violates international agreements.

8. ITALIAN GOVERNMENT

7-26-82: Opposed. Violates current bilaterals. Would create imbalance between Alitalia and U.S.

9. AIR TRANSPORT ASSN. OF CANADA

7-21-82: Opposed. Unwarranted costs on Canadian air carriers serving U.S. points.

10. DEPARTMENT OF STATE

7-23-82: Opposed. ". . . would be inconsistent with international treaties and bilateral aviation agreements to which U.S. is a party."

11. HELLENIC CIVIL AVIATION AUTHORITY

7-26-82: Opposed. Costs should be borne by U.S. government.

12. REPUBLIC OF SOUTH AFRICA

7-26-82: Request for extra time.

13. BELGIAN DIRECTOR GENERAL OF CIVIL AVIATION

7-26-82: Opposed.

14. FRENCH GOVERNMENT

7-26-82: Authorities are presently studying proposal.

15. EMBASSY OF CANADA

7-26-82: Opposed. Would violate international agreements.

16. NATIONAL AIR CARRIER ASSN.

7-26-82: Opposed. 1. Discriminates between commercial and private aircraft, 2. Commercial aircraft pay for overtime Customs services and should not have to pay for normal hours of work, 3. Customs processing does not directly benefit air carriers; 4. Questions of law; and 5. Refrain from imposition till necessary legislation submitted to and approved by Congress.

17. JAPAN AIR LINES

7-26-82: Opposed. 1. Proposal based on erroneous construction of I.O.A.A.; 2. Proposal does not meet criteria for permissible service "fee"; 3. If burden to fall on some international airlines, must be done by Congressional legislation, not Customs regulation; 4. Airlines should not be expected to bear economic burden; and 5. Imposition of fees may provoke retaliation by other countries against U.S. airlines operating abroad.

18. NY-NJ PORT AUTHORITY

7-26-82: Opposed. Airlines should not have to bear burden.

19. PRINAIR

7-26-82: Seeks exemption identical to that being sought by North Dakota Aeronautics Commission.

20. PORTUGUESE EMBASSY

7-26-82: Extension of time.

21. OK AVIATION (BISMARCK, ND)

7-22-82: Opposed. "Utterly unconscionable."

22. RED AIRCRAFT SERVICE, INC. (FT. LAUDERDALE)

7-26-82: Same as Pompano Airways.

23. VIRGIN AIR

7-21-82: Strongly opposed. People will be unable to absorb costs.

24. IATA (FILED BY RODNEY WALLIS, DIR., FACILITATION & SECURITY)

7-19-82: Opposed. Disregard for economic environment.

25. RAA

7-26-82: Seeks exemption for operations with small aircraft. (Attached to RAA's comments is a copy of their comments filed with CAB in Docket 40673, "Regulatory Flexibility Act—Definition of Small Business," 7-27-82).

26. AIR FRANCE

7-23-82: Opposed. Customs Service does no service for the airlines. "User" of Customs Service is U.S. Government itself. International carriers and passengers shouldn't have to pay.

27. FEDERAL REPUBLIC OF GERMANY

7-22-82: Opposed. Carriers and passengers shouldn't pay; not beneficiaries of Customs services. Seeks exemption for German carriers.

28. AIR NIUGINI

7-12-82: Opposed. Airlines would suffer financial burden.

29. VIRGIN ISLANDS LEGISLATURE

7-13-82: Strongly opposed. Fees would hurt small carriers on which Islands rely.

30. SERVAIR ACCESSORIES, INC. (WILLISTON, ND)

7-13-82: SerVair is operator of small aircraft. Opposes Customs' proposed rule. Would suffer economic burden.

31. PILGRIM AIRLINES

7-12-82: Opposed. Will suffer severely and disproportionately.

32. IATA (HAMMARSKJOLD)

6-15-82: Opposed. Disregard for economic environment.

33. ATA

(Not included in set of documents offered for inspection.)

AMERICAN AUTOMOBILE ASSOCIATION,
Falls Church, Va., May 10, 1983.

Hon. ALAN K. SIMPSON,
Chairman, Subcommittee on Immigration and Refugee Policy, Committee on the Judiciary, U.S. Senate, Washington, D.C.

DEAR MR. CHAIRMAN: The American Automobile Association is concerned over a provision contained in Sec. 114 of S. 519, the "Immigration Reform and Control Act of 1983", which mandates the imposition of fees on aliens with respect to their use of Immigration and Naturalization Service border facilities and services, in order to offset the costs arising from the use of such facilities.

It is our understanding that, as written, this language would include international travelers in the definition of "aliens."

We wish to note our strong opposition to such fees. The fees proposed by Sec. 114 are not user fees; rather, they are a tax on aliens. Those who would be required to pay the tax would receive no benefit from it. In fact, there is really no relationship between border patrols and international travelers. Border facilities are maintained for the protection of U.S. citizens, not aliens. The fee proposed in Sec. 114 is therefore not a true user fee.

AAA has supported the concept of user fees in the past, most notably the federal gasoline tax to fund development of the Interstate system, and airline ticket taxes to help fund airport and airway development. Those who pay such taxes directly benefit from them.

Furthermore, the fee is discriminatory, because it would be imposed only on aliens, not U.S. citizens. No other country in the world, except the Philippines and Venezuela, imposes a tax similar to that proposed in Sec. 114. The Philippine tax is a head tax imposed only on those visitors whose stay in the country exceeds 59 days.

Moreover, a policy such as that contained in Sec. 114 conflicts directly with the policy set forth in Sec. 101(b)(3) of the National Tourism Policy Act which states: "There is established a national tourism policy to encourage the free and welcome entry of individuals traveling to the United States, in order to enhance international understanding and goodwill. . . ."

At a time when the U.S. is trying to encourage travel to this country from abroad, as well as encourage other countries to eliminate barriers to travel by U.S. citizens, a tax such as that proposed in Sec. 114 is unwise.

AAA urges you, as the sponsor of S. 529, to make clear during Senate consideration of this legislation that such fees are not intended to be imposed upon international travelers.

We appreciate any help you may provide on this matter and hope you feel free to call us if you have any questions.

Sincerely,

JOHN ARCHER,
Managing Director, Government Affairs.

Mr. WARNER. Mr. President, at this time I yield to my distinguished colleague from Montana.

Mr. BAUCUS. Mr. President, may I inquire, what is the pending business?

The PRESIDING OFFICER. The amendment offered by the Senator

If the Democratic Party can articulate a vision of a nation and world good for children, it will recapture the best of its historic mission as a party that cares deeply about people, about the future, and about a government role whose first object, Thomas Jefferson said, is "the care of human life and happiness, and not their destruction. . . ."

Being a party for children is not being for a narrow special interest. As a child advocate, I know I must speak out strongly when President Reagan launches the largest arms buildup in peacetime history and makes a sham out of arms control negotiations that could reduce the danger of blowing up our planet. I believe, as President Kennedy did, that "control of arms is a mission we must undertake particularly for our children and grandchildren. . . . They have no lobby in Washington." The National Democratic Party must be that lobby.

Being for children means being for fair economic and fiscal policies that put American fathers and mothers to work. As a child advocate I know I must oppose President Reagan's economic policies that deliberately drive four million people out of work to bring inflation under control. Many of the men and women who have lost their jobs have children who are the silent victims.

Being for children means rejecting the false Reagan choices which tell us we must choose between jobs and peace; between filling potholes in our streets and cavities in our children's teeth; between a clean environment and safe cities; between day care for 5 million latchkey children and home care for millions of senior citizens living out their lives in the loneliness of a nursing home. I know we have better choices which the Democratic Party must articulate clearly for the American people. I'd rather give up 100 military bands and put the $100 million we spend on patriotic music into reading and math help for 200,000 educationally disadvantaged children instead. I'm sure American high school bands will be happy to volunteer to play for patriotic events. I'd rather sell the Department of Defense's luxury hotel on Waikiki beach for its fair market value of $100 million and put that money into educating thousands of handicapped children.

If we build 1 less of the planned 226 MX missiles, we could eliminate poverty in 101,000 female headed households for a year and help some of the 2.5 million women who have fallen into poverty since 1980. If we cancelled the whole MX program, we could eliminate poverty for all 12 million poor children and have enough left over to pay full college costs for 300,000 potential engineers, mathematicians, and scientists who may not be able to afford college and whose skills may be more critical to building a secure future America than any gun or tank.

Exactly 30 years ago, Dwight David Eisenhower warned that:

"Every gun that is made, every warship launched, every rocket fired signifies . . . . a theft from those who hunger and are not fed, those who are cold and are not clothed.

"This world in arms is not spending money alone.

"It is spending the sweat of its laborers, the genius of its scientists, the hopes of its children."

And how blatant the Reagan theft from children has been. $10 billion has been cut from the neediest children and families at the same time that $750 billion in new tax breaks, mostly to nonneedy corporations and individuals, has been provided. And President Reagan is trying to convince the American people to give the Pentagon $2 trillion over a 7 year period in the largest arms buildup in peacetime history.

Do you know how much $2 trillion is? If you had spent $2 million a day every day since Christ was born, you would still have spent less than President Reagan wants the American people to believe the Pentagon can spend efficiently in 7 years.

The misguided and dangerous Reagan economic and moral priorities would be harmful even in good times. They are downright cruel in the face of growing child abuse and hunger, preventable child sickness and mortality, and shameful homelessness which is forcing more and more parents to roam the streets, sleep in cars, and place their children in foster care. Let me share just one sad example: Baby C was born prematurely with lung disease. His parents lived in a car. His mother received no prenatal care. The family lived on handouts from neighbors and hospital staff. By the time Baby C died at 7 months of age in a Michigan hospital, the mother was pregnant again with Baby D. Baby D was delivered stillborn in the car 5 days after Baby C's death. The state of Michigan paid for a double funeral.

These two American children should not have died. Nor should their mother have lacked adequate prenatal and nutrition care which this Administration has cut back without regard to human cost. Family planning might have prevented these two tragedies as might a job and a decent home. The costs of hospital care for 7 months for a premature child certainly cost taxpayers far more than adequate prenatal and nutrition care would have. The shame of these two deaths is compounded by those of other American infants in some Detroit neighborhoods who suffer mortality rates comparable to those in Honduras—the poorest country in Latin America.

Maine state officials in a new study say poor children die three times the rate of non-poor children. They estimate that the ultimate cause of death of 11,000 American children each year, 30 each day, is poverty. 2.5 million children have become poor since 1980 as a result of the program and budget choices of the Reagan Administration which seems bent on turning our national plowshares into swords and bringing good news to the rich at the expense of the poor.

In fiscal year 1984, President Reagan is cutting 8.6 million in federal child nutrition dollars to Massachusetts and $1 million in Community Services Block Grant money to help poor families. But the Army is building new racquet ball courts at Fort Devens and fixing up the nightclub there. The Navy is also making alterations to the auto hobby shop at the naval air station in South Weymouth. On top of this, you are getting an extra $1 million in the Massachusetts Division of Civil Defense so the poor will have a better bomb shelter program to look forward to.

President Reagan has attacked House Democrats as "big spenders" because they have passed the first decent budget we have seen since he took office. I thank Speaker O'Neill and other House leaders and I say to them: if a big spender is someone who wants to put parents back to work and feed hungry children, then Democrats ought to be proud to be "big spenders." President Reagan would rather feed Pentagon brass. Every time Secretary Weinberger and his one hundred elite colleagues sit down in his private Pentagon dining room staffed by 19, they pay $2.87 a meal and we taxpayers pay $12.06. This $12.06 could provide 40 midmorning milk and juice and cracker snacks President Reagan has forced poor children of working mothers in child care centers to give up. I think we should urge Secretary Weinberger to eat in one of the four other Pentagon executive dining rooms and give 1 million food supplements back to poor children instead.

President Reagan is also mad at House Democrats because they voted to increase defense spending by only $3 million an hour when he wanted a $4 million an hour increase in fiscal year 1984.

When President Reagan took office, we were spending $18 million an hour on defense.

This year, we are spending $24 million an hour on defense.

Next year, President Reagan wants to spend $28 million an hour on defense. The House Democratic leadership wants to spend "only" $27 million an hour. Who besides President Reagan, Jerry Falwell, Casper Weinberger, and Jesse Helms could possibly believe that spending $27 million an hour is being soft on defense?

By fiscal year 1988, if the President has his way, we will be spending $44 million an hour and every American will be spending 63 percent more on defense and 22 percent less on poor children and poor families.

Is this the kind of nation we want to become?

Do we really believe that bombs and missiles and nonessential defense expenditures are more important than healthy babies and mothers and educated young people?

Does our sense of fairness allow us to leave untouched $750 billion in new untargeted tax breaks mostly to non-needy corporations and individuals in the face of growing child and family poverty? Each one day delay of the third year tax cut is worth $100 million. One day would generate enough revenue to cover every poor mother under Medicaid.

Can the Democratic Party rescue our nation from the brink of moral and economic bankruptcy and return us to the quest for national decency, fairness, and economic security for every American child, family, and senior citizen? I believe that is the critical task before you.

I hope those of you sitting here today will help select a leader who will tell the American people plainly what our real choices are, the hard steps we need to take to regain economic health, and what sacrifices we must make to achieve true security within and without over the long haul. As a mother of 3 sons, I have as much interest as any General or Admiral in seeking to achieve reasonable and necessary national security goals that protect my children and all American children from unwanted aggression and war which could escalate into nuclear disaster.

I hope you will help the Democratic Party select a leader who can articulate a balanced and humane foreign policy that mirrors humane domestic policies—a leader who would rather lead the world in saving some of the 40,000 babies UNICEF said died each day of last year from preventable malnutrition and infection than lead the world in giving arms to Third World forces who oppress the poor like those in El Salvador and Nicaragua.

I hope you will give us a leader who is not content to simply respond to Ronald Reagan, but who can transmit and implement a vision of a better quality of life for

the millions of children who are growing up sapped of hope—new cogs in the chain of dependency so costly to them and to our national well being and future.

I hope you will choose a democratic leader who will wrest back the pro-family, pro-life, pro-work, pro-peace values which unite us as a people and which have been so perverted by Ronald Reagan. President Reagan believes being pro-family is being pro-rich families. He and his moral majority friends believe right to life stops at birth and that peace can be achieved in a world that is armed but not fed.

I hope you will pick a leader who will speak to the best in our national spirit and understand that the gross national product alone is no measure of what we are really worth.

Speaking of GNP, Robert Kennedy said:

"It does not include the beauty of our poetry or the strength of our marriages, the intelligence of our public debate or the integrity of our public officials. It allows neither for the justice in our courts, nor for the justness of our dealings with each other.

"The Gross National Product measures neither our wit nor our courage, neither our wisdom nor our learning, neither our compassion nor our devotion to country. It measures everything, in short, except that which makes life worthwhile."

A democratic leader who understands this and whose overarching commitment is to justice—for children, for the poor, for minorities, for women, for the elderly, for working people, for individual human beings—will be elected and worthy of election. He will also be able to govern because he will be helping us become the kind of nation we want to be and that Ronald Reagan threatens to take away.

FED TAKES DIM VIEW OF INDEXING

Mr. EAGLETON. Mr. President, the Senate budget process hangs by a thread. The Budget Committee is now making a last-ditch effort to find some basis for agreement on reducing the monstrous deficits that threaten to suffocate the economic recovery.

The central issue is revenues. The administration has set itself in concrete against any tampering with the 3d-year tax cut or indexing, apparently preferring a string of $200 billion dollar deficits to anything that might look like a step back from Reaganomics.

Mr. President, as the clock runs down, it can only be hoped that men of reason will prevail and that the long-term interest of the country will be put ahead of political pride.

One area in which I think there is room for compromise is indexing. Unlike other tax proposals which have been discussed, deferral of indexing will not remove short-term stimulus from the economy, but will have its impact on the outyear deficits that are of such concern today. If it makes this administration feel better, I am willing to concede right now that it has won the battle over indexing. For better or worse, a tax indexing policy has been decided on. My only plea is to put off implementation of that policy until we can afford it—until we have these billowing deficits under some kind of control.

Mr. President, I think the Members of the Senate might be interested in an exchange of letters I have had on this subject with Federal Reserve Chairman Paul Volcker. I ask unanimous consent that this correspondence be printed at this point in my remarks.

There being no objection, the correspondence was ordered to be printed in the RECORD, as follows:

BOARD OF GOVERNORS
OF THE FEDERAL RESERVE SYSTEM,
Washington, D.C., May 9, 1983.

Hon. THOMAS F. EAGLETON,
U.S. Senate, Washington, D.C.

DEAR SENATOR EAGLETON: Thank you for your letter of March 14 requesting an elaboration of my views on the subject of tax indexing. Actually, my view on the matter is part of a broader instinct—that indexing in general tries to evade the consequences of inflation, and we would be better advised to deal with the ailment directly.

In any world approximating that in which we live today, inflation has many undesirable economic effects. In addition to the myriad inequities that it creates, these effects include distortions of the pattern of investment and capital accumulation. Indexation, in general, represents an attempt to neutralize these inequities and inefficiencies. But, even if this were totally successful, in a practical sense it is hard to imagine a world in which indexation made it possible to live with inflation and to escape the costs of the reduced long-run growth and short-term instability that have tended to accompany inflation in the past. Yet, the more we try indexing, the more the temptation to try to live with inflation.

I realize strong arguments can be made for tax indexing along the lines of avoiding a "Government" incentive to inflate to drive people into higher tax brackets or, as you note, to spend more money. Those arguments need consideration, but I suspect that public concern with the effects of inflation in the presence of an unindexed tax system should serve to focus attention on the heart of the matter—discipline in both monetary and fiscal policies.

But I would be concerned with indexing on the spending side as well (or more!). As a second alternative, your proposal to tie the implementation of indexing to achievement of a deficit which is no more than 2 percent of GNP has the advantage that it would help to attenuate the pressing problem of structural imbalance in the budget. For all the inequities and difficulties of an "unindexed" system in a period of inflation, absence of tax indexing does at least work in the direction of closing the present huge budget gap and relieving inflationary and interest rate pressures. If indexing is retained, other means of closing the deficit should be found.

I hope that you find these comments useful.

Sincerely,

PAUL A. VOLCKER,
Chairman.

COMMITTEE ON APPROPRIATIONS,
Washington, D.C., March 14, 1983.

PAUL A. VOLCKER,
Chairman, Board of Governors, Federal Reserve System, Washington, D.C.

DEAR MR. CHAIRMAN: I understand that you and I share the same negative view of tax indexing. Since your thoughts have not been offered in prepared testimony, but only in answer to questions, I would appreciate having a fuller explanation of why you think tax indexing is a bad idea and what consequences you foresee from letting the indexing provision take effect as scheduled in 1985.

The strongest argument for indexing, of course, is that without it taxes will increase without benefit of a change in law and Congress will find ways to spend the revenues. How do you respond to that?

Finally, I would appreciate having your reaction to a possible compromise approach to the indexing problem. Rather than repealing or indefinitely deferring indexing and inviting a political battle with the Administration, why not tie the implementation of indexing to achievement of a deficit which is no more than two percent of GNP? This is the same kind of triggering event proposed by the Administration in connection with its contingency taxes except that I would set the deficit-GNP ratio a bit lower. It seems to me, this approach avoids the provocation of saying indexing is an outright dumb idea, but rather, proposes to wait at least until we can afford it.

Your thoughts on this matter would be much valued and appreciated.

Regards,

THOMAS F. EAGLETON,
U.S. Senator.

Mr. EAGLETON. I also ask unanimous consent that the text of a bill I introduced on April 28 deferring indexing until deficits are brought down to 2 percent or less of gross national product be reprinted at this point in my remarks.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 1169

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) subsection (e) of section 104 of the Economic Recovery Tax Act of 1981 (relating to the effective date for adjustments to prevent inflation-caused tax increase) is amended to read as follows:

"(e) EFFECTIVE DATE.—

"(1) IN GENERAL.—The amendments made by this section shall apply to taxable years beginning after the later of—

"(A) December 31, 1984, or

"(B) the date on which the Secretary of the Treasury certifies that the Federal deficit for the most recently completed fiscal year did not exceed 2 percent of the gross national product for such fiscal year.

"(2) ADJUSTMENTS IN TAX TABLES.—Notwithstanding section 1(f) of the Internal Revenue Code of 1954—

"(A) the Secretary of the Treasury shall not prescribe tables under section 1(f) of such Code prior to the date described in paragraph (1)(B) of this subsection, and

"(B) the tables contained in subsections (a), (b), (c), (d) and (e) of section 1 of such Code shall apply to taxable years beginning on or before the later of—

rior enforcement have been insufficient and ineffective.

I think Commissioner Allen Nelson is turning it around and is doing a very credible job.

I will conclude, and we can ask for the yeas and nays on the substitute tomorrow.

The committee's idea through the use of mandatory user fees was to provide funds to offset the cost of the facilities and services used by aliens crossing our borders.

Many countries do impose departure fees on persons leaving their borders. The provisions in the bill would permit the imposition of either an entry or a departure fee, whichever the administration deems the most appropriate.

The fees contemplated originally were small: Perhaps 25 cents per person at land crossings and around $1 per person at airports or seaports. That was the intent.

The approach is consistent with the present intention in Government, at least at some other levels to impose user fees, having the people who use the systems pay for the system. The income generated from those fees would improve the service which we furnish to people at the points of entry. The lines would be shortened and service improved through use of funds generated through the user fees.

At this juncture, I personally embrace the view of my colleague from Virginia. It matches the language of the House of Representatives making it permissive instead of mandatory, rather than repeal the fee provision. Maybe we could to visit further about the issue of the land crossing fee versus an airport fee or a seaport fee. That is certainly something I would be willing to consider.

Mr. WARNER. Mr. President, will the Senator from Wyoming yield?

Mr. SIMPSON. I yield.

Mr. WARNER. Mr. President, I respect my colleague from Montana. Had he not offered his amendment it is likely the manager of the bill would have accepted my amendment.

Mr. SIMPSON. Mr. President, if the Senator from Montana is accommodating the Senator from Virginia I would accept the amendment in the form of permissive rather than mandatory.

Mr. WARNER. So really the sole issue before the Senate then is to look at a permissive versus mandatory and the managers of the bill are prepared to accept the permissive approach.

Mr. SIMPSON. That is correct for this manager of the bill.

Mr. WARNER. I thank the Senator.

Mr. KENNEDY. Mr. President, I commend the Senator from Montana for bringing this issue to the attention of the Senate.

This particular provision was in the legislation that passed last year.

There were members of the Judiciary Committee, including myself, who were concerned about it, so we inquired about it from the State Department. I must say they were remarkably slow in getting back to us with their own concerns.

Finally, as has been well-stated by the Senator from Montana, when they have reviewed it and reviewed it in very considerable detail, I think the Senator has understated the kind of anxiety they feel and their fear of the implications this provision will have—of the United States being the first country in the world that puts the tin cup out for people when they are coming into this country or coming back into this country. The implications of that I think are profound indeed. Myself, I think they are beneath the dignity of this Nation.

I think we are all familiar with the kinds of fees that have been established to date, the visa fees to pay for consular services, which are quite appropriate. Almost every nation in the world does it. There are the airport fees which we have seen in country after country. Nations do that. There are other kinds of generally accepted exit fees that take place.

If that were what was being intended by this particular provision in the bill, I would certainly hope that it would be sustained. But I think the Senator is quite correct that the language does not say that.

If the language remains as it is in the legislation, I can see not only the possibility of an Attorney General and the Immigration Service establishing an odious kind of process and procedure. I can see other countries establishing similar kinds of restrictions against U.S. citizens when they are traveling abroad. It does seem to me to be highly objectionable for the very sensible reasons the Senator from Montana has stated.

I would hope that over the period of the nighttime—prior to the time that we would vote on this measure—that we could work out a compromise, which would be sufficiently discretionary in terms of the future, but that we agree on what is acceptable and what is responsible and that there be a common understanding by the Members of the Senate exactly what this provision will actually mean.

I, too, am troubled by the discretionary provisions, but as I understand the comments of the Senator from Wyoming in the listing of the kinds of fees he thought would be included, they were the most traditional kinds of fees, and those I think have a general acceptance and understanding in international relations, and were we to come out in that particular way then I think that the Senator's objective would be accomplished. But if we are not able to reach that compromise, I would vote with the Senator from Montana on this amendment and I think he is quite correct.

Mr. BAUCUS. Mr. President, I very much appreciate the remarks of the Senator from Massachusetts. I am not going to take much more of the Senate's time here. We have other matters to attend to.

Let me say, first, that as I understand present law, the kind of matters, the Senator from Wyoming wishes to see covered are already covered. We do not need this provision for airport-type user fees and visa fees.

Second, the fees provision causes a problem because about one-sixth of our border crossings in the North are unmanned. Who is going to collect the fees as Canadians come across or as they go back across? There is no one there to collect them. They are small, remote stations. It is a minor matter, but if we have to have someone collect the fees, that in itself, is going to increase INS costs.

More fundamentally, I do not think imposing border fees is proper or right.

The Senator from Massachusetts says it is demeaning to the United States to start imposing fees on people who come to visit the United States. I agree. If we require these fees, the Statue of Liberty will thereafter be heard to say: "Give Me Your Tired, Your Poor and Your Buck." I do not think that is what we want the Statute of Liberty to represent.

Mr. President, I wish to yield the floor, and I do ask for the yeas and nays on the substitute amendment.

The PRESIDING OFFICER. Is there a sufficient second? There is a sufficient second.

The yeas and nays were ordered.

Mr. SIMPSON. Mr. President, Senator BAUCUS comes from a State immediately contiguous to me on the north. We, in that part of the world, are familiar with persons who are illegal undocumented workers from Canada. It is odd in these United States we do not always think of them in the same way we think of other illegal undocumented alien persons but, nevertheless, they are the same in every way.

We have vowed never to speak about the Statue of Liberty in this debate, and the Senator from Montana has strayed from the official ground rules and will be severely chastised at some later time.

Fees are now being assessed, as the Senator says, but they are not user fees. We were just trying to frame a user fee.

But I would hope the staffs might work this evening and maybe go on to address what Senator KENNEDY is saying with regard to the possibility of the designation of a user fee. But if not, the yeas and nays have been asked for and we will deal with the

issue tomorrow. I think the case has been stated.

I yield back the remainder of my time.

Mr. BUMPERS. Mr. President, I have an amendment at the desk and I ask for its immediate consideration.

The PRESIDING OFFICER. The question needs to be resolved on the underlying Warner amendment.

Are the yeas and nays to be ordered on the underlying amendment?

Mr. WARNER. Mr. President, I heard the question. Was there a sufficient second?

The PRESIDING OFFICER. That was on the Baucus substitute.

Mr. WARNER. Mr. President, I ask for the yeas and nays on my amendment.

The PRESIDING OFFICER. Is there a sufficient second? There is a sufficient second.

The yeas and nays were ordered.

AMENDMENT NO. 1271

(Purpose: To eliminate the investor preference)

Mr. BUMPERS. Mr. President, is my amendment in order?

The PRESIDING OFFICER. Yes.

Mr. BUMPERS. Mr. President, I ask for its immediate consideration.

The PRESIDING OFFICER. The amendment will be stated.

The legislative clerk read as follows:

The Senator from Arkansas (Mr. BUMPERS) proposes an amendment numbered 1271. On page 157, beginning with line 19, strike out all through page 158, line 6.

Mr. BUMPERS. Mr. President, there are 20 minutes on this amendment to be equally divided and as far as I am concerned, we can probably dispose of it even in less time than that. It is a very simple amendment.

I wish to explain to my colleagues a category included in this bill about which very little or nothing is being said.

No. 1, in the broad category of independent preference, that is a broad category, and under independent preference are four different classifications.

First, if there happens to be an Einstein somewhere wanting in this country, someone with exceptional ability, he can be admitted and he has high priority under this particular classification.

Second, anyone who has a skill that is needed in this country. It is just a skilled worker preference. He can be admitted.

They are the second priority within that classification.

The third one and the one to which I take exception is called investor preference. Before I tell you what investor preference means, Mr. President, let me make this point: In this broad classification, 75,000 people can be admitted into this country within those categories—exceptional ability, as I say, the kind of mind that Einstein might have, if it happens to be something we need. That is No. 1. Skilled workers are No. 2. Those who have money to invest in this country to start a business are No. 3. Out of the 75,000 people in those categories, only 7,500 can be admitted under the investor preference. That is not likely to happen, because here is the existing law.

It is not existing law; actually, it is just something the Attorney General set up in 1978, that anybody who had $40,000 and wanted to employ one person in this country could get in under the existing rule. it is not legislative, it is not a part of the immigration law, it is just something the Attorney General put in in 1978. Not one person has ever been admitted to the United States under that category, and I am glad.

But here comes this bill. This bill provides that anybody in this category who has $250,000 and wants to hire 10 people gets a preference.

Mr. President, under the existing rule of the Attorney General, you at least have to have all or part of your money up to be considered for admittance under this provision. Under the bill, you simply have to express an intent to put up $250,000 and hire 10 people.

Let me say that the argument that the opponents of this amendment will make is that the Select Commission on Immigration voted 14 to 1 in favor of this provision. The one dissenting vote was the chairman of that Commission, Father Theodore Hesburgh. As Andrew Jackson used to say, one man with courage makes a majority. Two men with courage—that is, Father Hesburgh and me—I hope will make a majority in this case.

Mr. President, this is not what anybody would call a "biggie," but I can tell you that I strongly object to it. I do not think—the Senator from Massachusetts was talking about an amendment a moment ago in an entirely different context, but he said the United States would be the first Nation to ever put out the tin cup. My amendment simply strikes this category.

Nobody has ever been admitted, maybe nobody ever would. But I think it is odious, it is offensive, it flies right in the face of the national character of this country. Nobody ought to be admitted into this country simply because he can produce $250,000 and express an intent to come to this country. I hope my colleagues will vote to strip that provision.

I reserve the remainder of my time, Mr. President.

(Mr. DANFORTH assumed the chair.)

Mr. SIMPSON. Mr. President, vigor is the touchword for my colleague from Arkansas. When he enters the fray, he brings vigor and a lot of spirit with him. I remember this debate in August 1982, I go back to the Select Commission on Immigration and Refugee Policy. Who felt that there must be some provision made for an increase in independent, or "new seed" immigrants. Under our present law, only 54,000 visas are available for independent immigrants while, under this bill, this number will increase somewhat to 75,000. Three hundred fifty thousand of those visas go to family reunification. No qualifications whatsoever, just family reunification, which policy continues, as it should, in our heritage. That family reunification dominates our immigration policy.

Of the 75,000 independent immigrant visas, all of them are allocated first to immigrants of exceptional merit and ability. Those left over are allocated to immigrants with skills needed in the United States and, finally, any of the 75,000 independent immigrant visas remaining are made available to these investors, those who would invest at least $250,000 in a new enterprise in the United States, which would employ at least four U.S. workers not members of the immigrant's family.

The number of visas available then for these independents is limited by this bill specifically to 10 percent—no more than 10 percent—of the 75,000 independent immigrant visas. Thus, no more than 7,500 visas can be issued in this preference category.

I think that is a reasonable figure. Right now, today, current regulations provide that visas may be issued to immigrant investors who will invest $40,000 in an enterprise in the United States which will employ at least one U.S. citizen not a member of the immigrant's family. That is present law. This is not some new thing. Thus, the bill requires three times the investment and four times the number of U.S. workers to be employed than under present law and regulations; thus it makes it stronger.

So, while family reunification continues to be the primary purpose of our immigration policy, we thought it was appropriate to allow a small number of persons to immigrate to the United States who will benefit the economy of the country, and solely and specifically so. That is, if the size of the investment required is appropriate, if the number of U.S. workers to be employed is appropriate, and the preference is appropriately limited to no more than 10 percent of the independent immigrants, which means that less than 1.7 percent of all immigrant visas will be issued to investors—1.7 percent of the entire 100 percent, then we think that is fair and appropriate, Mr. President. So it is the committee's view that the investor prefer-

The time has come for Democrats to begin the season of hard choices—Campaign '84.

There is a syndrome that is particularly prevalent in campaign seasons: the tendency to push everything to absurd extremes; to use empty rhetoric; to deal in parody and hyperbole, on the assumption that voters will not understand or tolerate subtlety even if the truth lends itself to nothing else.

I think 1980 was a good example of that.

The American people, tired, confused by inflation and tormented by a mad ayatollah, were desperate for simple answers and vulnerable to simplistic ones.

At the moment of their weakness they were confronted by the extraordinary charisma of a certified American hero . . . notwithstanding his certification was written on celluloid.

He was, and is, a gifted communicator.

But he wasn't prepared to test his extraordinary capacity to communicate by dealing in subtle truths.

He chose instead the more traditional path of outsiders seeking to replace incumbents burdened with the status quo.

He chose to tell the people what a majority of the people wanted to hear, and gave them explanations that were as clear and simple as they were wrong.

He told them that if we had the biggest tax cut in history, rich people would take the money and invest it in Phoenix and the South Bronx, thereby reigniting the engine of the economy for everybody's benefit.

He said this would happen so surely and swiftly that he could also increase our military spending more drastically than at any point in our peacetime history, and still balance the budget in three years.

He even said that by having the Government order a morality which ministers, rabbis, nuns and well-intentioned parents had failed to teach, he could rid us of sinners.

A weary, confused, perplexed Nation was offered a sweet tasting capsule-sized placebo by an attractive hero, and swallowed it whole.

It was beautiful rhetoric, reassuring and timely.

But today more people know what only some people knew then: It wasn't right. It wasn't the truth. It wouldn't work.

In fact, after two-and-a-half years, it has left much of the Nation aching for something that will work, and the rest of the Nation suspecting perhaps nothing will.

We all know the record.

Despite lines on graphs that can be manipulated to give the illusion of progress, the flesh-and-blood realities tell a different and truer story.

Instead of rewarding incentive, over 50,000 companies were put out of business—thousands of them in New York.

Instead of giving our people new opportunities, the plan denied millions of them the simplest of human dignities, the chance to earn their own bread. In New York, 695,000 people, at the very least, are now out of work.

Instead of balancing the budget, it left us with the largest deficit known to American Government.

According to David Stockman, "200 and 300 billion dollar deficits, as far as the eye can see" are real possibilities. These deficits would make it necessary for the Federal borrowing to absorb more than half of all credit market funds in 1984–85. Today republicans are glibly comfortable with deficits many times higher than those they condemned an election or so ago.

Instead of fairness, it caused a massive redistribution of the Nation's wealth—unevenly and unfairly moving it from social necessities to armaments; from the poor and the middle class to the rich; from vulnerable old cities made weak by carrying the burden of the immigrants to affluent portions of the Nation.

The smooth and sweet refrains of the 1980 campaign were followed by an administration that divides us in the most fundamental way, widening the gulfs and tensions among the haves, the have-lesses, and the have-nots.

Group after group joined the disadvantaged: undernourished children; senior citizens worried over their futures; inner city youth suffocated by an evil drug culture that is allowed to flourish by the failure of the Federal Government to do anything meaningful to stop it; steel workers and auto workers; the people in wheelchairs, in hospitals, in community centers; people who can't speak the language, who are out of work, who need help.

Those were the people who paid for the elegant script that had been sold the majority of Americans in 1980.

Who then could continue to be happy? The richest people in the country and those just beneath them at the top of the economic ladder.

In fifty years we democrats have not had a clearer challenge to our assertion that our way is closer to the truth.

In fifty years we have not had a better opportunity to justify our existence as a party. Nor a more obvious chance to prove that we believe in something beyond the mere amassing of power, in something different from our opponents.

We are the outsiders now. That presents the same temptation the Republicans were seduced by in 1980.

We are now the ones who are tempted to content ourselves with describing the incumbent's litany of failure and disappointment.

Tempted to offer, instead of an intelligent approach and program, a string of swollen promises, each one designed to seduce a different interest group or constituency into a conspiracy of selfishness.

Tempted to use our own empty rhetoric and hyperbole in place of theirs, offering new simplistics to replace theirs, proferring a placebo of a different size and shape.

It seems to me, that unless there is a real difference in what we believe, a real capacity to improve the conditions of peoples lives, putting a Democrat in the White House will be only an exercise in political vanity.

If the only difference between us and them is that they wear an elephant and we wear a donkey, then it's not worth choosing.

If it becomes a simple competition of personalities, I and many others will have little motivation to struggle and even less expectation of victory.

But I believe there are differences, fundamental and crucial ones, if we are not afraid to state them.

The stating and restating of those basic concepts and fundamental principles that give us a different description, a different thrust, a different direction, should be the basis of our case in 1984.

Those fundamentals make up the soul of our party.

They are the same beliefs that have distinguished us since the awful, grim winter of fifty years ago when Franklin D. Roosevelt raised himself up from his wheelchair to lift this Nation from its knees.

They are more than grand rhetorical flourishes and glittering, unreal, unattainable aspirations.

They are operating principles that produce specific policy judgments that touch peoples lives.

What are those principles?

Our opponent said in 1980 that Government was the problem, and to the extent that you withdraw Government from everyday events, you improve the condition of our society.

We believe that of course we should have only the Government we need, but we insist on all the Government we need.

They believe that Government's principal purposes should be to make instruments of war—to make examples of so-called welfare cheats and to clear obstacles from the path of the strong.

They believe that "God helps those whom God has helped and if God has left you out, who are we to presume on God's judgment."

We believe that survival of the fittest may be a good working description of the process of evolution but that a Government of humans should elevate itself to a higher order, one which tries to fill the gaps left by chance or by a wisdom we don't understand.

A society as blessed as ours should be able to find room at the table, shelter for the homeless, work for the idle, care for the elderly and infirmed, and hope for the destitute.

We believe that to demand less of our Government or of ourselves is to evade our proper responsibility.

We believe in Government's capacity to promote human dignity, to create an economy that supports rather than undermines families and communities, to nurture a respect for life and to teach compassion by showing compassion.

We proclaim, as loudly as we can, the utter insanity of nuclear proliferation and the need for a mutual nuclear freeze—if only to reaffirm the simple truth that peace is better than war because life is better than death.

They would crush the unions. We believe that unions are a great institution that has provided justice and decency for millions of working people.

And we see them as part of an even greater world-wide movement for freedom and justice, a movement that is stirring across the globe, from Poland to South Africa.

They believe that Government has no obligation to assure economic opportunity—no role in the struggle for social justice—but should, nonetheless, lead a "moral revolution" to punish those whose private lives don't conform to their ethical standards.

One of them—the same Secretary of the Interior who can't protect our beaches from oil spills—now wants to protect our children from the Beach Boys.

We fight for privacy for people, for freedom from unnecessary restraint, for free choice.

At our best we have been tough enough to tell the truth even when the polls suggested that many had misunderstood the truth.

We have always been strong enough to use words like "conciliation" and "compassion." And smart enough—practical enough—to find ways to make our highest aspirations, and our most beautiful dreams, an everyday reality.

Above all we have believed in a Government characterized by fairness and reasonableness, a reasonableness that goes beyond labels, that's wiser than naked ideology, that doesn't over-simplify or distort.

The argument in 1984 will get a good deal more discrete than we make it here today.

The candidates will see to that.

We will have 100 pages of platform and a proposal to fit every occasion.

But for us to succeed, our case must rest—ultimately and unequivocally—on our basic differences.

The lines formed by the points that make up all the pieces of our platform must conform with the patterns of truth on which we have built our party.

If we lose the right to claim these principles, we lose our rationale and our justification, and then it would not be worth winning an election.

Making the case in terms of specific issues won't be difficult. The candidates obviously will do it better than we can, but even the non-candidates can see clearly the kinds of arguments that need to be made.

Our insistence on a Government that is positive, that seeks to improve the conditions of people's lives and that understands it must be reasonable—all this suggests a whole series of steps that need to be taken.

We are not against increases in defense expenditures, but we do oppose increases based solely on an attempt to make them higher than an opponent's percentage.

They should be the result of specific plans and goals.

They should be discounted for waste the way food stamps and medicaid are discounted for waste.

We can make reasonable modification of social programs.

Tip O'Neill, Pat Moynihan, Lane Kirkland, and Democrats in Congress who worked to modify the social security system in order to save it, showed that.

But we know it's wrong to cut drastically the social programs that educate the young, feed people, comfort them in their old age, and care for them in their infirmity.

Sacrifice? Of course. But those best able to give without being hurt should have been called upon to do more.

It was wrong—and is wrong—to impose so much of the pain on the least able, on the debilitated cities and States of this Nation that, like my own, have carried, disproportionately—but proudly and gladly—the burdens of generations of immigrants.

Instead of the proposed "New Federalism," we should promote a fair federalism that distributes the burdens and benefits according to strengths and weaknesses.

And always . . . always . . . we must reject the absurd extremes.

Of course protectionism that amounts to isolationism is wrong.

In the end, we must welcome competition and be able to use it to goad us into increasing our own productivity and finding new uses for our potential strength.

But that is not to say that we must allow other countries to close their markets to us by making it impossible for us to compete.

Or that we should abandon the right to motivate them to be fair by an occasional act of response, or even retaliation.

Some of our older industries, like our steel-bending industry, have fallen behind international competitors.

But that is no reason to abandon these industries entirely, leaving thousands of middle-aged steel workers and their families without a job and without hope.

Isn't it foolish to suggest, after committing so much of our wealth to a defense establishment that depends on steel and the capacity to bend it, that we will turn our back on our own ability to do that work?

It's simply not necessary to surrender entirely on our old industries in an exhaustive pursuit of new ones.

Reasonableness will find a way to sustain the old while moving into the new.

The alternative is to victimize a whole generation of people born too late to be part of the future.

We don't believe in nationalizing our industries.

But in this world of fierce competition, where other governments have learned how to support economic growth through partnerships of the public and private sectors, through subsidies, through national investments in research and development as well as capital formation, it is right—and wise—for us to do the same.

We argue for a mechanism that will use our national wealth to help our industries refinance and retool, allowing them to obtain the expertise and the resources to compete in the technical revolution that is reshaping the world's economy.

We urge the adoption of a Federal capital budgeting program that will provide us with a coherent plan for balanced investment in the backbone of roads, rails, ports, and bridges that supports our national economy.

A real capital budget would make it possible for us to undertake projects systematically and rationally.

And because we are Democrats, we need to recognize the importance of human resources as a foundation of our economic future.

It doesn't take a Noble-Prize-winning economist to know that the most important investment of all is the investment in our people.

Education, occupational retraining, on-the-job experience must all be given special emphasis.

Talking about people is a good place for a Democrat to finish as, indeed, it is a good place for a Democrat to begin.

If I am allowed a personal note I will tell you that everything I have said to you today has been tested in at least one crucible—the crucible of New York State.

The things I say to you today I said for nine months last year, arm-in-arm with labor unions, with women, with blacks and browns and orientals, with people in wheelchairs, with people who work for a living because they have to, and the people begging for work.

It worked well enough last year to give us two victories against better financed campaigns with more likely candidates.

And more important, it worked after the election.

In the face of the most massive budget in the State's history—a deficit made so extreme by the national economic slump—we were able to balance the budget without abandoning our weak, to cut expenditures without destroying services, to reject increases in the State's broad-based taxes and yet begin a multi-billion infrastructure repair program that will create thousands of jobs.

We had to ask for sacrifice.

We had to ask people to look beyond the political moment, to put aside the pure self-interest of region or faction or class, to consider the debt we owe to the generations to come.

Some were surprised to see that New Yorkers did not fight that idea, or scoff at it, or reject it out of hand as sentimental or silly.

Some were surprised by the way they listened, and then responded.

Their reaction made it apparent to me that some of us in politics had become so sophisticated and so skillful—so sure we can measure public opinion and so certain we can manipulate it—that we'd lost sight of a single fundamental . . . a fundamental of our history, or our party's past, of its success in representing our people's hopes.

The idea of family . . . mutuality . . . the sharing of benefits and burdens fairly for the good of all.

The recognition that at the heart of the matter we are bound inextricably to one another; that the layoff of a steel worker in Buffalo is our problem; the pain and struggle of a handicapped mother in Houston, our struggle; the fight of a retired school teacher in Chicago to live in dignity, our fight.

The acknowledgment that to prosper we must be the family of America, the family of the United States of America.

Feeling one another's pain, sharing one another's blessings, equitably, fairly, without respect to geography or race or political affiliation

I believe that amid all the division and divisiveness that holds us apart—that has been with us so long now it may seem insurmountable—we can rediscover the purpose and belief that brought this Nation into existence, sustained it, made it as good as it was great.

And underlying everything else, I have the unshakeable conviction that for all of our present travail . . . and we know it well . . . the deficits, the hordes of homeless, unemployed and victimized, the loss of spirit and belief, this country is still good enough to do what must be done, and more.

We can, if we do not forget.

An entire nation has profited from 50 years of the progressive Democratic principles I've spoken of today.

They have helped lift a generation up to the middle class . . . and higher.

Given us the chance to work, to go to college, raise a family, own a house.

To reach heights our own parents would not have dared dream of. Parents like mine. Like so many others who came from foreign lands with nothing but hope and the willingness to struggle.

They asked only for a chance to work and to be protected in those moments that they would not be able to protect themselves.

In my own inaugural last year, I talked about that magnificent generation.

I said that we are the sons and daughters of giants, and then I said this:

"That they were able to build a family, and live in dignity and see one of their children go from behind their little grocery store in South Jamacia where he was born, to occupy the highest seat, in the greatest State, in the greatest Nation in the only world we know . . . is an ineffably beautiful tribute to the magnificence of this American democracy."

And I am not the only one.

A whole nation—Democrats and Republicans alike—are better off today because of Government's refusal to believe that only the rich, the already strong, the well born—the fittest—should survive.

Yes, Democrats and Republicans, but only the Democrats appear to remember.

It would be a desecration of history and a sin against our party's soul—if we too should forget—what we were . . . what we are . . . and what we are supposed to believe

Thank you.

gration bill which the Senate considered last year, and his diligent and effective leadership on this issue is appreciated.

Mr. President, this amendment is straightforward, but it represents more than a sense of the Senate resolution to the constituents in our State of West Virginia. It may save the economic livelihood of producers in our State.

Apples are a major crop in West Virginia and the producers must have a reasonable and stable supply of labor to harvest their crops. The harvesting season is very short, but an adequate labor force must be planned months in advance so that at the time of the picking season, the fruit is harvested without delay. If there are delays, the fruit cannot be salvaged and the crop is lost.

Apple producers in our State have attempted over many, many years to hire Americans to harvest their crops, and they have hired and continue to hire Americans. Some of these domestic workers are West Virginians, but not all of them. Some are workers who travel from State to State to harvest various crops.

Let it be understood, Mr. President, that I am not critical of this segment of our labor force; indeed, the record will show that I have worked diligently over the years as a member of the Senate Committee on Labor and Human Resources to create programs designed to improve and care for the needs of migrant and other agricultural workers. I make no apologies for these programs which address the basic human needs for these hard-working peoples.

But, Mr. President, our State does not supply sufficient workers to harvest apples, and growers have been forced into a situation of hiring foreign labor. In order to hire H-2 alien agricultural workers, the producers must work through the local employment service which recruits workers. If there is an insufficient number of domestic workers available, the U.S. Department of Labor must then certify that a certain number of H-2 workers will be required for that season. The Immigration Service will then authorize the admission of those H-2 workers. That is the process. The point of this is to emphasize that producers must make arrangements to hire agricultural labor, whether domestic or foreign, several months in advance of the first day of harvest. In fact, the work orders anticipating a need for alien workers must go to the employment service early in June for this September's harvest.

The other major requirement in the labor certification process that the producers must meet is the payment of an adequate wage to H-2 workers which does not adversely affect the wages of domestic workers in similar work. The adverse effect wage rate (AEWR) is set by the Department of Labor through regulation.

On January 4, 1983, the U.S. Department of Labor issued a final rule amending its regulations for the certification of nonimmigrant aliens for temporary employment establishing the 1982 adverse effect wage rate for West Virginia and three other States. The Department of Labor issued the rule pursuant to a court order of the U.S. District Court for the District of Columbia in NAACP, Jefferson County Branch, et al. versus Raymond J. Donovan, Civil Action No. 82-2315 (D.D.C. September 3, 1982). The case concerns piece rates for apple harvesting in West Virginia.

The January 4, 1983, rulemaking by the Department of Labor will seriously affect the competitive outlook for West Virginia apple producers because of the exorbitant increase in the 1982 and 1983 adverse effect wage rate. Under the rulemaking, West Virginia fruitgrowers will be required to pay a 17.2-percent increase in the adverse effect wage rate. Under the rulemaking and the Department of Labor methodology, a 10-percent increase would be applied retroactively for 1982, and a 7.2-percent increase would be applied in 1983.

The rulemaking procedure by the Department of Labor was initiated November 19, 1982, with the publication of a proposed rule in the Federal Register. The proposed rule identified four options that had been considered by the Department of Labor. The selection of the most complicated and the one with the most serious, detrimental impact on West Virginia fruit growers was strongly opposed by the growers and by the State of West Virginia and by others who submitted comments during the comment period which expired December 20, 1982.

Clearly, a 17.2-percent increase is unfair and unnecessary. It will put West Virginia producers at a decided disadvantage in this year's fruit marketplace. Perhaps more importantly, the methodology used by the Department of Labor has been soundly criticized by all sides. The validity of the data is questionable. The Labor Department uses data gathered by the U.S. Department of Agriculture, but the sample size is small, and our own West Virginia commissioner of agriculture has formally raised questions about the farm wage data reported in West Virginia on which the adverse effect wage rate was based.

This situation is very difficult for West Virginia fruit producers. In March 1983, the growers protested the retroactive application of the 1982 adverse effect wage rate and the 1983 rate of the Department of Labor. They were subsequently informed that they were ineligible to apply for a temporary labor certification in 1983, thereby prohibiting the availability of nonimmigrant alien agricultural workers.

Representatives of the growers, and the able Senator from West Virginia (Mr. BYRD,) and the Representative from the Second Congressional District of West Virginia (Mr. STAGGERS,) joined me in a personal meeting with the Secretary of Labor, Mr. Donovan, on March 24, 1983. The purpose of the session was to bring this situation to the attention of the Secretary and explore the possibility of administrative relief.

That is where we stand today, Mr. President, and the clock is ticking. The apple harvest in West Virginia is just a few months away, and the work orders must be filed within a few short weeks. Unless some relief is forthcoming, the fruitgrowers in West Virginia will suffer serious economic disadvantage in this harvest season. Without the availability of H-2 workers, the crop may be lost. Historically, there has never been an adequate supply of domestic agricultural labor available in West Virginia to harvest the apple crop. Unless there is some relief in the 17.2-percent increase in the adverse effect wage rate, the producers will be unable to market their crop.

I believe the Department of Labor must reexamine the January 4 rulemaking as it affects West Virginia applegrowers. There is still time, and I hope the responsive and responsible action will be taken.

Mr. BYRD. Mr. President, this is an amendment I have discussed with the two managers of the bill and they have indicated they have thought it over and will accept it. I wish to express my appreciation to them for the consideration that they have given to my amendment.

Mr. KENNEDY. Mr. President, I certainly welcome the Senator's amendment. It certainly appears that there was capricious action by the Department of Labor in this case. I think the amendment of the Senator from West Virginia deals with that and I hope the Senate will agree to it.

Mr. BYRD. I thank the distinguished Senator.

Mr. SIMPSON. Mr. President, Senator BYRD, throughout the deliberations on this bill, has had this very serious problem with the agricultural community in West Virginia with regard to apples, especially apple pickers. This adverse effect wage rate is designed to prevent employment of H-2 agricultural workers from depressing wages and working conditions for U.S. workers. Any increase in the adverse effect wage rate would indicate that the Department of Labor has found the prevailing rate in the area to be substantially higher than the rate being paid to foreign temporary workers. It is an important thing for the

protection of American workers. If this increase for West Virginia apple pickers and those in certain areas of agriculture is inexplicably higher than the increase for those agricultural workers in other areas, it would seem appropriate to accept the amendment, and we will do so.

Mr. BYRD. Mr. President, I thank the distinguished Senator from Wyoming. The increase is 17.2 percent as against something like 2 or 3 percent in other areas. We think it is unfair. I thank both Senators.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from West Virginia (Mr. BYRD).

The amendment (No. 1272) was agreed to.

Mr. BYRD. Mr. President, I move to reconsider the vote by which the amendment was agreed to.

Mr. SIMPSON. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

STATUS OF HAITIANS

Mr. KENNEDY. Mr. President, during the course of our debate on this bill I believe it is essential that we take notice of the special plight of many Haitian refugees and entrants whose immigration status remains in limbo under the provisions of this bill.

When we first proceeded to this bill 2 weeks ago, I offered an amendment to move forward the legalization date contained in the bill, to assure that the legalization program will achieve its goals—and that is to legalize as many undocumented aliens as possible in order to remove this exploited subclass from our society. My amendment also would have specifically included those Haitian refugees and entrants whose status remains to be clarified.

Regrettably, Mr. President, my amendment was not accepted, and the provisions contained in the pending bill fails to address the plight of these Haitians. These Haitian "boat people" have already suffered terribly in fleeing their homeland and being subject to illegal detention. It would be tragic if we did not include them in the legalization program authorized by this legislation.

Federal courts have twice found that the Haitian boat people were illegally imprisoned by the Immigration Service in violation of the Constitution. Most recently, they have held that this detention policy was so selective as to be discriminatory. Beginning in May 1981, under orders of the Attorney General, more than 2,000 Haitians were imprisoned without bond in remote Federal facilities for 15 to 18 months. The Court of Appeals for the 11th Circuit, on April 12, 1983, found that this detention policy was in violation of the fifth amendment of the Constitution, and that the U.S. Government had intentionally discriminated against Haitians in implementing the policy.

Haitian refugees otherwise indistinguishable from this class, arriving prior to the illegal detention program, have already benefited from President Carter's decision to grant them "entrant" status. Fundamental justice demands that the boat people who have fled to our shores seeking safety and who have suffered additionally under illegal detention, but who were not eligible for "entrant" status, be granted similar protections. It is unjust and unnecessarily harsh for the Immigration Service to continue to threaten this small group of Haitian people with forcible deportation to Haiti.

The uniqueness of the situation of the Haitian boat people and the discriminatory treatment they have suffered has been well established. Special provision relating to Haitian refugees has been included in versions of the immigration legislation in both Houses of Congress this year and last. However, these provisions fall short of regularizing the status of Haitian boat people who were subject to the administration's detention policy.

I hope that we will rectify this omission and agree to a comprehensive legalization program that will resolve the legal status of all the Haitian boat people. This goal has the broad-based support of church, civil and human rights groups, trade unions, labor, and legal groups, who have clearly spoken out in support of these important issues.

Mr. President, I ask unanimous consent to have printed in the RECORD a letter from the executive committee of the Leadership Conference on Civil Rights, an organization representing over 175 national civil rights and human rights organizations, calling on the Senate to enact a comprehensive legalization program and maintain judicial review of asylum determinations, and a related memorandum.

The being no objection, the letter and attachment were ordered to be printed in the RECORD, as follows:

LEADERSHIP CONFERENCE
ON CIVIL RIGHTS,
Washington, D.C., April 28, 1983.

DEAR SENATOR: We, the undersigned organizations, traditionally concerned with civil rights and civil liberties, are writing to you about a matter of the utmost urgency. We are joined together in a common concern that the Simpson immigration legislation, S. 529, now being considered by Congress must include a comprehensive legalization program as an integral part of any meaningful reform of our immigration laws. Second, the heretofore guaranteed right of all persons seeking political asylum in this country to judicial review of administrative agency action must be maintained. The right of access to the courts is essential to insure fair and non-discriminatory enforcement of the law.

We therefore urge that you support when the bill comes to the Senate floor for debate: (1) amendments providing for a comprehensive legalization program and (2) an amendment to restore full judicial review.

In the spirit of the recommendations of the Select Commission on Immigration and Refugee Policy, we believe that all otherwise eligible undocumented persons present in the U.S. as of January 1, 1983, should be granted permanent legal status in this country.

Such a comprehensive legalization program is also the most just and most practical solution to the unique plight of the Haitian refugee "boat people", who are still faced with forcible deportation to Haiti. Federal courts have twice found that these Haitian boat people were illegally imprisoned by the Immigration Service in violation of the U.S. Constitution; most recently they have held that this detention policy was so selective as to be discriminatory. Though they had committed no crime, more than 2,000 Haitians were imprisoned without bond in isolated federal facilities for between 15 and 18 months beginning in May 1981, under orders of the Attorney General. The 11th Circuit Court of Appeals on April 12, 1983, found that this detention policy was in violation of the Fifth Amendment of the Constitution, and that the U.S. Government had intentionally discriminated against Haitians in implementing the policy.

Other Haitian refugees otherwise indistinguishable from this class, arriving prior to the illegal detention program, have already benefitted from President Carter's decision to grant them "entrant" status. Fundamental justice demands that the boat people who have fled to our shores seeking safety and who have suffered additionally under illegal detention, benefit from these same protections. It is simply unjust and cruel for the Immigration Service to continue to threaten this small group of Haitian boat people with forcible deportation back to the Haiti from which they fled almost two years ago.

The undersigned organizations join in endorsing a legalization program granting permanent residency to all eligible undocumented persons arriving in the U.S. as of January 1, 1983. However, should a partial legalization program not include the previously-detained Haitian boat people, elementary justice demands that separate provision be made in the legislation granting legal status to Haitians arriving before January 1, 1982, thereby recognizing their unique plight and suffering.

Thank you for carefully considering our recommendations regarding the necessity of a truly comprehensive legalization program and of maintaining fundamental rights of judicial review of administrative agencies, when the Senate considers this exceedingly important legislation.

Sincerely,

BENJAMIN L. HOOKS,
Chairperson.
RALPH G. NEAS,
Executive Director.

THE PLIGHT OF THE HAITIAN REFUGEES AND THE RESPONSE OF THE NATIONAL EMERGENCY COALITION FOR HAITIAN REFUGEES

Since 1958, approximately one-eighth (⅛) of the population of Haiti has fled from their homeland to escape the cumulative effects of the twenty-five (25) years of Duvalier family rule. A small part of this dias-

all Members could say, was directed toward the extent of the candidate's mandate from the President and the extent of his freedom to direct the operations of EPA.

We were assured and we believed Mr. Ruckelshaus on these points. He indicated that he would be given as much autonomy as any Presidential nominee might expect in his post as EPA Administrator.

Mr. President, I reemphasize that I shall cooperatively and constructively work with Mr. Ruckelshaus and his staff. All Members, I hope, of the Senate and of the House of Representatives will do that.

I believe that under his leadership this Agency can restore to itself the good reputation that it had in the past.

I do not think it is necessary, but I urge my colleagues in the Senate to give Mr. Ruckelshaus a vote of confidence at this time.

I yield the floor.

Mr. STAFFORD. Mr. President, I am pleased now to yield to my most able friend from Rhode Island, Senator JOHN CHAFEE.

Mr. CHAFEE. Mr. President, I want to thank our distinguished leader of the Environment and Public Works Committee and, of course, the distinguished ranking member. I am pleased to join with both of them in urging our colleagues to support the nomination of Bill Ruckelshaus to be Administrator of the Environmental Protection Agency. Rarely, it seems to me, does some person come before us that we can be 100 percent certain that he is the right one for the job and this is one of these times.

The Committee on Environment and Public Works held 3 days of very thorough hearings. We heard not only from the nominee for 2 days but also from outside witnesses who portrayed for us the many issues that will have to be considered by the Environmental Protection Agency during the next 18 months.

Bill Ruckelshaus was the first Administrator of EPA in 1970. He organized the Agency, staffed it and ran it for 2½ years. He was awarded extremely high marks for the job that he did.

We know Mr. Ruckelshaus to be a man of high integrity and a dedicated public servant. He has performed ably at the Justice Department and at the other public service jobs he has held. Since leaving Government, Mr. Ruckelshaus has been vice president of Weyerhauser where he has been involved in the day-to-day operations of one of the Nation's largest timber companies.

The job of Administrator requires managerial skills, understanding of the issues, and a commitment to protecting the environment. Bill Ruckelshaus has these three ingredients. President Reagan has made an excellent choice to restore credibility to the EPA. The Committee on Environment and Public Works recommended unanimously his confirmation. His appointment will reflect favorably on the President, on the Senate, and on our country.

I would just like to conclude by saying that the Committee on Environment and Public Works has unanimously recommended the confirmation of Mr. Ruckelshaus and his appointment, in my judgment, will reflect favorably on the President, it will reflect favorably on the Senate and it will reflect favorably on our country. I wish to thank the Chair.

Mr. STAFFORD. Mr. President, I want to thank the distinguished Senator from Rhode Island for his statement. He is a most valuable member of the committee.

The PRESIDING OFFICER. Who yields time?

Mr. STAFFORD. Mr. President, I yield such time as he may desire to the distinguished Senator from South Carolina.

The PRESIDING OFFICER. The Senator from South Carolina is recognized.

Mr. THURMOND. Mr. President, I wish to thank the able and distinguished chairman of the committee, Senator STAFFORD.

I wish to voice my support for confirmation of William D. Ruckelshaus as Administrator of the Environmental Protection Agency.

Mr. Ruckelshaus is an individual of unquestioned integrity and demonstrated competence. I commend President Reagan on his excellent choice to take over the difficult job of running this important Government agency.

Without doubt, there is overwhelming support in America today for a clean, safe environment. The concern for our environment is not the sole purview of those who commonly bear the label of "environmentalists" or "environmental groups." Rather, it is the concern of a consensus of the public, Congress, the administration, and even the industrial community. We must all be committed to a national policy of environmental protection, and indeed, I believe such a commitment thrives today.

The real question for debate and discussion is not so much whether there is a commitment to protect the environment, but rather what is the most desirable and effective approach in implementing various environmental policies. I wish that we could live and work without affecting the Earth's fragile ecology. Unfortunately, that is not possible. What we can do—what we must do—is protect our environment as best we can under the constraints imposed by the needs of a modern society. This requires the maintenance of a careful balance. While it is clear that errors in this balance must side with the protection of the environment, it should be equally clear that reasonable compromises can and must be made.

Mr. President, it is clear from his record of public service and his career in the private sector that William Ruckelshaus understands the careful balance which must be pursued in environmental policies. As our Nation's first Administrator of the EPA, and also as Assistant Attorney General in Charge of the Civil Division, Deputy Attorney General, and Acting Director of the FBI, Mr. Ruckelshaus has demonstrated that he possesses the capabilities for making tough, responsible decisions on difficult questions, including complex environmental issues. I am confident that he will restore credibility to our national environmental policy and pursue a commonsense, reasoned approach to the protection of our environment.

Mr. President, I hope that Mr. Ruckelshaus will be confirmed by the Senate and that he will enjoy the support of Congress in the future. Clearly, it is necessary that the administration, including the Administrator of the Environmental Protection Agency, and Congress work together if we are to successfully cope with the important environmental issues before our Nation.

Mr. President, I thank the Senator very much.

Mr. STAFFORD. Mr. President, the distinguished Senator has made a very able statement.

Mr. RANDOLPH. Mr. President, will the Senator yield to me if time is now in his control?

Mr. STAFFORD. I yield.

Mr. RANDOLPH. Mr. President, I wish to add to the chairman's commendation of the Senator from South Carolina for being with us and having made this effective statement.

Mr. STAFFORD. Mr. President, I am sure we are most grateful for the Senator's comments, I say to my long time friend and much admired colleague on the committee, Senator RANDOLPH.

I am pleased now to yield such time as he may require to my most able colleague, the distinguished Senator from Washington, Senator GORTON.

Mr. GORTON. I thank my friend, the distinguished colleague from Vermont.

Mr. President, it is with much pleasure and a great deal of pride that I rise in support of the nomination of William Ruckleshaus to be the Administrator of the Environmental Protection Agency. As a Senator from Washington State, I am happy to be able to count Bill among my constituents and my friends.

When the name of William Ruckleshaus first surfaced as a possible nomi-

nee for the difficult position as the Administrator to restore the EPA to an effective agency worthy of the public's confidence, many of us, to quote my distinguished colleague, Senator JACKSON, "did not think that the country could be so lucky." And, we had good reason to think that way. If Bill were to return to Washington for this particular job, he would do so at great expense to himself and his family and with little expectation of reaping the kind of personal reward that I am sure he felt in organizing the EPA initially. But Bill has a deep sense of public duty, and I suspect his appreciation of the importance of the public's confidence in Government, and an understanding of the importance of this agency, in particular, in light of such issues as the growing threat of toxic wastes, were enough to tip the scales for him.

Mr. President, the American people are very fortunate to count among themselves individuals of the talent and integrity of Bill Ruckleshaus. I hope that we can all work together to help Bill in the difficult task that lies ahead of him.

I urge those who have done battle with the EPA in the last 2 years to join in a cooperative effort with Mr. Ruckleshaus, his staff, and the Congress to address the pressing environmental issues for which we must craft answers in this decade. Bill faces an incredibly difficult job, both administratively and substantively. I do not envy him. But it serves none of our interests in a healthful environment to make his job more difficult.

Mr. President, I wish my friend well, and I commend him for, and marvel at, his capacity to serve his country when he is called upon to do so, regardless of the personal sacrifice involved. President Reagan must be congratulated for his choice. I can think of no one better suited to clean up the Environmental Protection Agency than William Ruckleshaus.

Mr. RANDOLPH. Mr. President, will my colleague yield?

Mr. GORTON. I yield.

Mr. RANDOLPH. Will my colleague yield?

Mr. GORTON. I will.

Mr. RANDOLPH. In our Committee on Environment and Public Works, as our able chairman knows, we have worked through the years on a nonpartisan approach to matters of this kind, not only as to personalities involved, but as to legislative matters as well. For the years that you were with us as a member of this committee, we are grateful for your contributions.

Mr. GORTON. I thank my friend from West Virginia.

Mr. STAFFORD. As chairman of the Committee on Environment and Public Works, I always take great pride in the fact the majority leader is a member of that committee and has been throughout my service and I am pleased now to yield to the majority leader whatever time he wishes.

Mr. BAKER. I thank the Senator. Mr. President, I especially thank my chairman, Senator STAFFORD, for the opportunity to speak on behalf of this nominee.

I also thank my former chairman, the present ranking minority member, for the good service that he has given in this field, and I remember with such pleasure my service on this committee under the chairmanship of Senator STAFFORD and, previously, Senator RANDOLPH.

It is with special pleasure that I speak in favor of William Ruckelshaus to be Administrator of the Environmental Protection Agency. I have known Bill Ruckelshaus for a long time. Having worked with him before his first tenure at EPA, while he was the first Administrator of the newly formed EPA, and since that time, I have come to know him even better and I have a high regard for his ability and character, and I have the highest regard for his ability and great respect for his environmental convictions.

As a member of the Committee on Environment and Public Works since I came to the Senate, I am proud to have participated in the creation and evolution of our environmental laws. Those laws are important to all of us. We, who helped craft those laws, want to see them administered faithfully and effectively.

I joined Ed Muskie, Chairman RANDOLPH, and Chairman STAFFORD, and others in debating the merits of forming the Environmental Protection Agency, a landmark organization which pulled environmental components from across the Federal Government to be housed under one roof—at EPA. As we deliberated, we very carefully chose the name and charter, tailoring the functions to meet a real need in this country for protection and enhancement of the environment. Bill Ruckelshaus met a formidable challenge at EPA in those early days—putting together an Agency from disparate parts, creating its own identity, and capitalizing on the strong constituency who supported the goals and objectives of environmental protection. Even at that time, Bill Ruckelshaus was involved in shaping and forming what became a fundamental national commitment to the improvement of the quality of our environment, the birth of that Agency. He became its first Director.

I think all of us can look back on that era and be proud of the accomplishments in the initial charter and the initial implementation of that legislation under the guidance of Bill Ruckelshaus. So it was a matter of particular concern to me, indeed, a great distress, when I saw EPA fall on evil days, at least in terms of the conflict that swirled around it, because the Agency does not need that. EPA does not need controversy and uncertainty added to its burdens, which are significant enough. And after it became clear that there would be and was a vacancy at the top of the Agency, I talked to the President of the United States about the possibility of enlisting Bill Ruckelshaus, who was once before in this job.

One of the first tasks to be undertaken when EPA was formed was to establish the credibility of the Agency. As he did in the early 1970's, Bill Ruckelshaus, if confirmed, must go back to EPA and reestablish that credibility. I am confident that under his leadership and with his strong commitment to the environment, he will be able to meet that challenge and get the Agency moving again.

It gives me a great deal of pleasure to speak for the great contribution Bill Ruckelshaus has already made and to express my unreserved confidence in the contribution he will continue to make.

In testimony before the committee, Bill Ruckelshaus conveyed his strong commitment to the goals and objectives of the various laws he must administer at EPA and his willingness to vigorously enforce those laws.

I, for one, am delighted to offer my full support and assistance to William D. Ruckelshaus as we consider his confirmation as Administrator of EPA. I applaud the President for his choice of William Ruckelshaus to be Administrator of EPA.

Mr. STAFFORD. Mr. President, I am now very pleased to yield such time as he may require to the distinguished Senator from New Hampshire (Mr. HUMPHREY).

Mr. HUMPHREY. I thank my colleague and neighbor from Vermont.

Mr. President, I wish to express my support for the confirmation of William D. Ruckelshaus as Administrator of the Environmental Protection Agency. As a member of the Environment and Public Works Committee, I have carefully reviewed the record of Mr. Ruckelshaus and have questioned him both privately and in confirmation hearings, and I am convinced that he will do an excellent job of running this vital agency.

I am particularly heartened by Mr. Ruckelshaus' statements on the issue of acid rain: He recognizes that acid rain is a real problem, in contrast to his predecessor who viewed acid rain as a nonproblem. Mr. Ruckelshaus has promised me and other members of the committee that he will undertake a thorough review of the administration's position on acid rain as one of his highest priorities. It is my sincere hope that as a result of this review, the administration will change its

the leadership conference, as well as the public statement issued by southern Florida civil organizations, an editorial that appeared in the New York Times, and a recent report from that newspaper about the decision last month of the 11th Circuit Court of Appeals.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

LEADERSHIP CONFERENCE
ON CIVIL RIGHTS,
Washington, D.C., April 28, 1983.

DEAR SENATOR: We, the undersigned organizations, traditionally concerned with civil rights and civil liberties, are writing to you about a matter of the utmost urgency. We are joined together in a common concern that the Simpson immigration legislation, S. 529, now being considered by Congress must include a comprehensive legalization program as an integral part of any meaningful reform of our immigration laws. Second, the heretofore guaranteed right of all persons seeking political asylum in this country to judicial review of administrative agency action must be maintained. The right of access to the courts is essential to insure fair and non-discriminatory enforcement of the law.

We therefore urge that you support when the bill comes to the Senate floor for debate: (1) amendments providing for a comprehensive legalization program and (2) an amendment to restore full judicial review.

In the spirit of the recommendations of the Select Commission on Immigration and Refugee Policy, we believe that all otherwise eligible undocumented persons present in the U.S. as of January 1, 1983, should be granted permanent legal status in this country.

Such a comprehensive legalization program is also the most just and most practical solution to the unique plight of the Haitian refugee "boat people", who are still faced with forcible deportation to Haiti. Federal courts have twice found that these Haitian boat people were illegally imprisoned by the Immigration Service in violation of the U.S. Constitution; most recently they have held that this detention policy was so selective as to be discriminatory. Though they had committed no crime, more than 2000 Haitians were imprisoned without bond in isolated federal facilities for between 15 and 18 months beginning in May 1981, under orders of the Attorney General. The 11th Circuit Court of Appeals on April 12, 1983, found that this detention policy was in violation of the Fifth Amendment of the Constitution, and that the U.S. Government had intentionally discriminated against Haitians in implementing the policy.

Other Haitian refugees otherwise indistinguishable from this class, arriving prior to the illegal detention program, have already benefited from President Carter's decision to grant them "entrant" status. Fundamental justice demands that the boat people who have fled to our shores seeking safety and who have suffered additionally under illegal detention, benefit from these same protections. It is simply unjust and cruel for the Immigration Service to continue to threaten this small group of Haitian boat people with forcible deportation back to the Haiti from which they fled almost two years ago.

The undersigned organizations join in endorsing a legalization program granting permanent residency to all eligible undocumented perons arriving in the U.S. as of January 1, 1983. However, should a partial legalization program not include the previously detained Haitian boat people, elementary justice demands that separate provision be made in the legislation granting legal status to Haitians arriving before January 1, 1982, thereby recognizing their unique plight and suffering.

Thank you for carefully considering our recommendations regarding the necessity of a truly comprehensive legalization program and of maintaining fundamental rights of judicial review of administrative agencies, when the Senate consider this exceedingly important legislation.

Sincerely,

BENJAMIN L. HOOKS,
Chairperson.
RALPH G. NEAS,
Executive Director.

SOUTHERN FLORIDA CIVIC ORGANIZATIONS APPEAL FOR COMPREHENSIVE LEGALIZATION AS ESSENTIAL TO IMMIGRATION REFORM

We, the undersigned, representing communities and organizations in southern Florida, are writing to you about a matter of the utmost urgency. We are joined together in a common concern that the Simpson-Mazzoli immigration legislation now being considered by Congress must include a comprehensive legalization program as an integral part of any meaningful reform of our immigration laws. Second, the heretofore guaranteed right of all persons seeking political asylum in this country to judicial review of administrative agency action must be maintained. The right of access to the courts is essential to insure fair and non-discriminatory enforcement of the law.

In the spirit of the recommendations of the Select Commission on Immigration and Refugee Policy, we believe that all otherwise eligible undocumented persons present in the U.S. as of January 1, 1983, should be granted permanent status in this country.

Such a comprehensive legalization program is also the most just and most practical solution to the unique plight of the Haitian refugee "boat people", who are still faced with forcible deportation to Haiti. Though they had committed no crime, more than 2,000 Haitians were imprisoned without bond in isolated federal facilities for between 15 and 18 months begining in May 1981, under orders of the Attorney General. The 11th Circuit Court of Appeals in Atlanta on April 12, 1983, found that this detention policy was in violation of the Fifth Amendment of the U.S. Constitution, and that the U.S. Government had intentionally discriminated against Haitians in implementing the policy.

Other Haitian refugees otherwise indistinguishable from this class, arriving prior to the illegal detention program, have already benefited from President Carter's decision to grant them "entrant" status. Fundamental justice demends that the boat people who have fled to our shores seeking safety and who have suffered additionally under illegal detention, benefit from these same protections. It is simply unjust for the Immigration Service to continue to threaten this small group of Haitian boat people with forcible deportation back to the Haiti from which they fled almost two years ago.

The undersigned organizations join in endorsing a legalization program granting permanent residency to all eligible undocumented persons arriving in the U.S. as of January 1, 1983. However, should a partial legalization program not include the previously detained Haitian boat people, elementary justice demands that separate provision be made in the legislation granting legal status to Haitians arriving before January 1, 1982, thereby recognizing their unique plight and suffering.

Thank you for carefully considering our recommendations regarding the necessity of a truly comprehensive legalization program and of maintaining fundamental rights of judicial review of administrative agencies, during the mark-up of this exceedingly important legislation.

PRELIMINARY LIST OF ENDORSEMENTS FROM SOUTHERN FLORIDA GROUPS

National Conference of Christians and Jews.
American Jewish Congress, Southeast Region.
American Jewish Committee, Greater Miami Chapter.
Greater Miami Jewish Federation, Community Relations Committee.
League of United Latin American Citizens.
Spanish American League Against Discrimination.
United Methodist Church, Miami District.
Catholic Community Services Inc., Dade County.
Catholic Community Services of Palm Beach County.
Catholic Community of Justice and Peace.
Archdiocese of Miami Office of Lay Ministry.
NAACP, Florida State Conference of Branches.
NAACP, Dade County Branch.
Urban League of Greater Miami.
Southern Christian Leadership Conference, Greater Miami Chapter.
Black Miami Dade Chamber of Commerce.
Archdiocese of Miami—Rural Life Bureau.
Archdiocese of Miami—Respect Life Ministry.
Palm Beach County Farmworker Support Committee.
Church World Service of the National Council of Churches.
American Friends Service Committee.
Florida Community Health Centers, Inc.
Friends Meeting of Miami.
Haitian Refugee Center, Inc.
Haitian Catholic Center.
Haitian American Community Association of Dade County
Lutheran Ministries of Florida.
Lake Worth Haitian Outreach.
Broward County Farmworkers Support Committee.
Operation PUSH, Miami Chapter.
Center for the Quest for Truth.
Project Volunteer Registration.
Zeta Phi Beta Sorority.
Delta Sigma Theta Sorority.
Belafonte Tacolcy Center.
Coalition of 100 Black Women.
Masjid Al Ansar.
Fort Lauderdale Farm Worker Support Committee.

[From the New York Times, Apr. 14, 1983]

HAITIANS' LAWYERS HAIL COURT RULING

MIAMI, April 13.—Lawyers who led a long fight to have Haitian refugees released from Government detention centers today hailed an appeals court decision that the Government policy was discriminatory.

"We think this is going to be a landmark case in the immigration field," said Ira Kurzban, who argued for the Haitians last

year before Federal District Court Judge Eugene Spellman.

The United States Court of Appeals for 11th Circuit, in Atlanta, on Tuesday rejected an appeal by the Immigration and Naturalization Service of Judge Spellman's ruling on June 18 that the detention of about 1,800 Haitians was illegal.

The appeals court went further than Judge Spellman, who found no specific discrimination against Haitians as a race. The three-judge appeals panel decided there was "a stark pattern of discrimination."

"DENIED EQUAL PROTECTION"

Judge Phyllis Krayitch wrote, "There was ample unrebutted evidence that plaintiffs were denied equal protection of the laws."

The appeals court also agreed the detained Haitians had not been adequately informed of their rights to petition for political asylum and seek legal counsel.

The decision "establishes the right of the protection of the U.S. Constitution to aliens who have been incarcerated," Judge Kurzban said. "It has substantial implications for Salvadorans, Nicaraguans—anyone else coming into the States."

Dale Schwartz, a lawyer who represents Cubans jailed in the Atlanta Federal penitentiary, said the appeals court ruling "has far reaching effects on future immigration policy, particularly as it applies to persons seeking political asylum."

"It makes it clear that the determination on asylum should not be a political decision on the part of whatever administration happens to be in office at the time," he said.

PROFESSOR PLANNED STRATEGY

Bruce Winick, a law professor at the University of Miami who planned strategy for the Haitians at the hearings before Judge Spellman, said: "This goes considerably further than Judge Spellman did. It really vindicates the position we have taken all along."

The appeals court wrote: "Although we hold that the executive has the power when properly delegated to fashion such policies as are necessary to protect our borders and ensure orderly entry of aliens, those policies must be administered in nondiscriminatory manner."

The court ordered Judge Spellman to take whatever measures were necessary to guarantee "that all aliens, regardless of their nationality or origin, are accorded equal treatment."

The Haitians ordered released by Judge Spellman will remain free awaiting immigration hearings.

Professor Winick said the new ruling could affect about 100 Haitians who have arrived since the others were freed. The new arrivals are being held at Miami's Krome Avenue detention center. The professor said the decision should ensure they are advised of their rights and granted access to lawyers.

About 30 Nicaraguans and 130 Salvadorans are also held at the detention center.

[From the New York Times, May 12, 1983]

REFUGEES AND REFOULEMENT

There's a hard question to be asked about the thousands of undocumented aliens from Afghanistan or Haiti or El Salvador seeking a haven in the United States: Are they legitimate refugees?

If they have a well-founded fear of persecution in their home country, the answer is yes and they are entitled to sanctuary, or asylum as it is formally called. To send them home would risk committing the unforgivable diplomatic sin of refoulement—forcibly subjecting them to peril.

But what if they are not legitimate refugees? Then they are just another form of gate-crasher, ready to confuse refute and subterfuge. To send them home would be only fair, signaling to other would-be illegal entrants that Americans are compassionate but not suckers.

All that raises an even harder question, one that the Senate must answer as it takes up the Simpson-Mazzoli immigration reform bill: How should Government decide who is a refugee? On this potentially life-or-death point, the generally admirable Senate bill is harsh, hasty and in need of amendment.

The who-is-a-refugee decison is now made in case-by-case hearings, the results of which may be appealed to the courts. Until the Refugee Act of 1980, that meant a moderate backlog of 5,800 cases. Since then, however, claims for asylum have shot up. The backlog now exceeds 120,000 cases. How should Washington treat all those aliens while their cases are pending? It's a tormenting problem.

To release them and let them live and work in the community could mock equity; final determinations often take years. Even if their refugee claims were ultimately rejected, the example would encourage specious or dilatory claims. The other possibility is to incarcerate applicants pending adjudication, as the Administration has done with Haitians and now with some Afghans. That's even worse. To treat as criminals people who might well be legitimate refugees is to punish victims.

There is an obvious remedy: Speed up the hearing process, which is just what the Senate is heading toward. But the Senate bill streamlines procedure too harshly.

Decisions verging on refoulement ought to involve some independent judgment. The hearing examiners should stand apart from the executive branch, or their findings should be reviewable by the courts. But the Senate bill, reflecting fear of ever more "refugees," provides no independence and almost no room for appeal. That could have merciless results.

Imagine a Haitian washed up on a Florida beach. A hearing examiner might reject his claim for asylum, in deference to the State Department's finding that Haitians generally are not subject to persecution. But what if this particular Haitian had plenty of reason to fear persecution?

The Senate bill offers him little recourse. But Senator Edward Kennedy would, with sensible amendments to create independent hearing officers and to preserve limited rights of appeal. The Simpson-Mazzoli bill is good; these amendments would make it better.

Mr. RIEGLE. Mr. President, I would like to join my colleagues in expressing my concern for the Haitian refugees who would not be covered by this legalization program.

I believe that these Haitians have unduly suffered from disciminatory treatment, resulting in prolonged imprisonment, separation from their families, and denial of fundamental due process protections, and, therefore, deserve special consideration.

In fact, the 11th Circuit Court found in its recent decision in Louis against Nelson that:

All told, the plaintiffs mustered an impressive array of witnesses and an equally impressive number of documents to demonstrate circumstantially, and to an extent, directly, intentional government discrimination against Haitians.

This evidence, in addition to the statistical evidence, was unrebutted except for the Government's testimonial evidence, which can best be termed "mere protestation."

Specifically, the court found that:

Evidence at trial identified significant restrictions on Haitian access to legal counsel, restrictions on Haitian contact with relatives and friends in the Miami community, and efforts to prevent Haitian refugee center attorneys from approaching Haitians to inform them of their legal rights.

Such actions have already led to the deportation of several Haitians under proceedings which the administration itself has admitted were faulty. The cases of many others may have been prejudiced beyond repair.

Mr. President, many prominent national leaders of church, civil rights, and labor organizations, as well as their corresponding representatives from south Florida, have requested that the Haitians be granted special protection in light of these abuses.

I would like to join them and my other colleagues in requesting that our Senate Members to the Conference Committee on this bill take these concerns into consideration in their work with the House Members. As the Leadership Conference on Civil Rights has stated:

Elementary justice demands that separate provision be made in the legislation granting legal status to Haitians arriving before January 1, 1982, thereby recognizing their unique plight and suffering.

Mr. SIMPSON. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BAKER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BAKER. Mr. President, I have been told unofficially by the manager of the bill that no other Senator is prepared to offer amendments today. May I inquire if the manager is ready for us to leave this bill for this day and to continue the work tomorrow?

Mr. SIMPSON. Mr. President, I would say to the majority leader that that is the situation as I see it. We have exhausted efforts to bring further sponsors of amendments to the floor, but we have also thinned out the time agreements between the sponsors and the managers, and we should be able to complete our work tomorrow, as the majority leader has stated.

Mr. BAKER. I thank the manager. He has covered an extraordinary amount today. I commend the chairman of the committee (Mr. SIMPSON)

Mr. BAKER. Very well. I understand we are not quite ready to do that. The principals involved in that legislation are either on their way to the floor or will be here shortly. So those who may hear these remarks should know that it looks like we are coming to swift conclusion of the Ruckelshaus debate and if they want to come to the floor and participate, this is the time to do so because, otherwise, I will, with the concurrence of the chairman and ranking member, ask the Senate to leave the executive session shortly and to go back to the immigration measure. I thank the Senator for yielding.

Mr. STAFFORD. Mr. President, I know of no further current request to speak on this side and shortly I will be willing to yield back the majority side's time if my colleague is ready to do so for the minority.

A rollcall vote having been called for and agreed to, I assume that will be tomorrow at about 2 in the afternoon. I make that as a parliamentary inquiry.

The PRESIDING OFFICER. The Senator is correct.

Mr. STAFFORD. I thank the Chair. I simply want to say—then I will yield to my able friend from West Virginia—that I hope tomorrow the Senate will give Bill Ruckelshaus a rousing endorsement by a unanimous vote confirming him as the next Administrator of the Environmental Protection Agency. I just hope thereafter that he can live up to his advance billing that he has had in our committee and here on the floor of the Senate.

I look forward, as I am sure all of the committee do, to working with him and I heartily concur in the remarks of my most able friend and colleague, the ranking minority member, with respect to the way the committee has been able to operate in a bipartisan or nonpartisan way. I am sure we will continue to do so with Mr. Ruckelshaus as the Administrator of the Environmental Protection Agency.

So, whenever the ranking member is ready to yield his time, I will do likewise for the majority.

Mr. RANDOLPH. Mr. President, as I yield back the time allotted to the minority, I wish the record to indicate that at the time the report came to me that President Reagan was in the process of nominating Bill Ruckelshaus for this position, I was contracted by one of the members of a television network. It would not be my practice to make the comment that I made at that time, generally, but to wait until the nomination process was completed. But on that occasion, I said, in my opinion, if the President nominated him, that I was in fullest support of that action because I felt that he was the right man at the right time for a difficult task.

I restate that today. I am sure that the confidence of our committee members will be shared hopefully by the confidence of all of the Senate. I look back to a few votes, I say to the majority leader, during my years on Capitol Hill when we had matters of importance before us when there was not a dissenting vote on certain matters. I remember on March 9, 1933, when the President called us into a special session to pass the Emergency Banking Act, and I will say that in the House, of which I was a Member, Republicans and Democrats were joined together and not a dissenting vote on that legislation was cast at that time.

Even in the Senate, the vote was 73 to 7 to pass that important piece of legislation to help restore the confidence of the American people in our financial institution. Here, of course, we are thinking about the restoration of the confidence of our people in a very important agency of the Federal Government.

So I allude to this perhaps with no historical interest involved, but to indicate that there are times in this body when we must not have a carping criticism for criticism per se. We must join effectively in moving the Government forward to discharge its responsibility which is always to the American people as a whole.

Mr. STAFFORD. Mr. President, I could not agree more with what my most able friend from West Virginia has just said. I think he would agree with me that, at least in the years that I have been on the committee, we examined Mr. Ruckelshaus more thoroughly, more meticulously, and we had him in front of the committee longer and through more intense questioning than any other nominee I can recall. Does my friend agree with me on that?

Mr. RANDOLPH. Yes, I completely agree.

Mr. STAFFORD. I am glad to yield at this point to the distinguished Senator from Indiana, Senator LUGAR.

Mr. LUGAR. Mr. President, I would add to the recorded words already spoken by my distinguished colleague from Vermont and my distinguished colleague from West Virginia my own comments about the nomination and confirmation of William Ruckelshaus. He is a Hoosier-born man of great distinction who served so well the government of our State and who has served the Nation in many capacities, as has been noted.

I would simply say, from a personal standpoint, that he has been a close friend from boyhood, a person in whom I have great trust and admiration. I believe he will bring new vigor to the search for strong environmental policies, a firmness and fairness in the administration of the EPA, and really considerable new dynamics to the ways in which we discuss the environment, not as a threat to economic progress or to other goals that are important to us, but rather as an important goal which must move along with these national aims and will do so, given his wisdom, his evenhandedness, and his ability to walk around the table and see many sides to the issue while coming down firmly on the side which I believe most of us will concur on most occasions is right.

I simply want to add that I will vote with pride for his confirmation. I look forward to supporting him in the good administration of his office.

I thank the distinguished Senator from Vermont.

Mr. STAFFORD. Mr. President, I thank the distinguished Senator from Indiana for his remarks.

I say to my most able friend from West Virginia that at this time I am ready to yield back the majority's time if he is willing to do the same on his side, especially in the light of the unanimous-consent request that Members be allowed to insert their remarks in the RECORD.

Mr. RANDOLPH. Mr. President, we are delighted to cooperate. I yield back the time allotted to the minority.

Mr. STAFFORD. I yield back the time allotted to the majority.

LEGISLATIVE SESSION

Mr. BAKER. Mr. President, since the time has been yielded back, and since the vote ordered today will not occur until tomorrow, I ask now that the Senate return to legislative session.

The PRESIDING OFFICER (Mr. HUMPHREY). Without objection, it is so ordered.

IMMIGRATION REFORM AND CONTROL ACT OF 1983

The PRESIDING OFFICER. The Senate will resume consideration of the unfinished business, which the clerk will report.

The assistant legislative clerk read as follows:

A bill (S. 529) to revise and reform the Immigration and Nationality Act, and for other purposes.

The Senate resumed consideration of the bill.

Mr. BAKER. Mr. President, the manager of this measure, the distinguished Senator from Wyoming (Mr. SIMPSON), is on his way to the Chamber and should be here shortly. It is hoped that we can complete all or most of the debate on this measure today, although votes which may be ordered today will not occur until after 2 p.m. tomorrow.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. SIMPSON. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SIMPSON. Mr. President, I ask unanimous consent that the time consumed during the previous quorum call and the current quorum call not be charged to either side, under the terms of the previous time agreement.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SIMPSON. Mr. President, as to the status of matters at the present moment, we have a situation in which it was thought that the Ruckelshaus nomination debate would last until approximately 3 p.m.

There are between four and seven amendments we might process today. I express to my colleagues who are cloistered in their chambers that the Senator from Massachusetts (Mr. KENNEDY) and the Senator from Wyoming (Mr. SIMPSON) are here waiting for them to come forward.

There is a time agreement, and tomorrow, not later than 10 p.m., we will have a final vote on this issue, and there will be stacking of votes on amendments we will handle today.

I ask unanimous consent that the DeConcini-Wilson amendment—which I believe was called up on Thursday—be set aside as the pending business until tomorrow, when the principal sponsor, Senator WILSON, will be present. I do not believe Senator DECONCINI will be present. That amendment is acceptable.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. GORTON. Mr. President, the Immigration and Nationality Act allows alien crewmembers to enter the United States for a maximum period of 29 days. It also allows a crewmember to start a new 29-day period whenever he has gone to a foreign country on a normal voyage and returned to the United States. Since the enactment of the relevant sections, U.S.-flag fish processing vessels have begun operations on the high seas using some alien crew. Because the vessels do not call at foreign ports, but spend several weeks on the high seas, the crewmembers are not allowed to start a new 29-day period when they land at a U.S. port. Because these lengthy processing voyages serve the same purpose as a merchant vessel voyage to a foreign port, can we view the act as allowing new 29-day periods?

Mr. SIMPSON. Yes; the Immigration and Naturalization Service is authorized to treat such legitimate fish processing voyages by U.S.-flag vessels as foreign for the purposes of allowing crewmembers to begin another 29-day period. The crewmembers would, of course, continue to be required to meet all other requirements of the law, including being bona fide nonimmigrants.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. To be charged against which side?

Mr. SIMPSON. I ask unanimous consent that under the present circumstances the time consumed during the requested quorum call not be charged to either side under the time agreement of the bill which I believe is 2 hours equally divided.

The PRESIDING OFFICER. The Senator is correct.

Without objection, it is so ordered. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

(Mr. KASTEN assumed the chair.)

Mrs. HAWKINS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 1267

(Purpose: To authorize an immigration emergency revolving fund of $35,000,000 to be used to provide for an increase in border patrol or other enforcement activities of the Service, and for reimbursement of State and localities in providing assistance in meeting an immigration emergency)

Mrs. HAWKINS. Mr. President, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The amendment will be stated.

The legislative clerk read as follows:

The Senator from Florida (Mrs. HAWKINS) proposes amendment numbered 1267.

At the appropriate place in the bill add:

SEC. . There are authorized to be appropriated to an immigration emergency revolving fund, to be established in the Treasury, $35,000,000, to be used to provide for an increase in border patrol or other enforcement activities of the Service and for reimbursement of State and localities in providing assistance as requested by the Attorney General in meeting an immigration emergency, except that no amounts may be withdrawn from such funds with respect to an emergency unless the President has determined that the immigration emergency exists and has certified such fact to the Judiciary Committees of the House of Representatives and of the Senate.

Mrs. HAWKINS. Mr. President, the spring of 1980 marked the beginning of the Cuban boatlift. At that time tens of thousands of undocumented Cubans began arriving in the United States weekly. By the end of the boatlift, 6 months later, over 150,000 Cubans had fled Castro's Cuba with his active encouragement, and they inundated south Florida. The cost of this boatlift to Federal taxpayers is estimated conservatively at $1 billion. It continues to cost in excess of $100 million each year—to say nothing of the strain on local resources and the impact of increased crime on local communities. Although I am committed to preserving the United States status as a haven for fleeing persecution, it is clear that this exodus was a disaster, and we in Florida are still reeling from the impact of that disaster 3 years later.

Most observers agree now that the Cuban immigration emergency was poorly handled. Washington sent conflicting signals regarding our views of the emergency toward the Cuban Government, toward those seeking to leave Cuba, and toward those in the United States seeking to pick them up. Federal agencies coping with the problem operated without a clear sense of purpose. There was confusion over what Federal enforcement agencies had what powers to act. And there was reluctance in many agencies to reprogram their funds for this contingency.

While we did it the hard way, we have gained some valuable experience from the Cuban boatlift. Over the last year, the administration has been developing a contingency plan to deal with immigration emergencies. That plan was recently completed. It clearly outlines the options and authorities of those agencies called on in the event of another immigration emergency. Although the plan draws on the experience of the 1980 Cuban boatlift, it has been drafted so that it applies to any kind of immigration emergency. I have had an opportunity to review this plan, and while I believe that the President needs additional authority to handle such emergencies, the current plan will greatly enhance the ability of the Federal Government to deal with such situations in a timely and effective manner.

Having a concrete plan, well thought out in advance, is essential. However, implementing it requires immediate access to funds. During the Cuban boatlift in 1980, the lack of adequate funding at the outset of the emergency compounded the problems created by the boatlift. Local agencies were reluctant to use their funds for an unforeseen contingency fearing they had no right to do so or would not be reimbursed.

My amendment addresses the problem of funding. It sets up a fund of $35 million that can be drawn on in the event that the President declares an immigration emergency. It does not expand President's powers to deal with such an emergency. It provides him with the financial resources to employ his existing authorities effectively and promptly. The lack of funding for the immigration emergency contingency plan is its fundamental deficiency, and until the problem of adequate funding is solved the plan amounts to little more than a hollow, time-consuming exercise.

Mr. President, there is one final point that I would like to emphasize regarding my amendment: It will have no effect on the size of the Federal

H.R. 1983. An act to amend certain housing and community development laws to provide emergency mortgage assistance to homeowners and emergency shelter for the homeless; to the Committee on Banking, Housing, and Urban Affairs.

H.R. 2587. An act to authorize appropriations to the Department of Energy for civilian research and development programs for the fiscal year 1984; to the Committee on Energy and Natural Resources.

H.J Res. 229. Joint Resolution to authorize and request the President to issue a proclamation designating April 22 through April 28, 1984, as "National Organ Donation Awareness Week"; to the Committee on the Judiciary.

H.J Res. 234. Joint Resolution designating the week beginning June 19, 1983, as "National Children's Liver Disease Awareness Week"; to the Committee on the Judiciary.

HOUSE BILL PLACED ON THE CALENDAR

The following bill was read the first and second times by unanimous consent, and placed on the calendar:

H.R. 2066. An act authorize appropriations to the National Science Foundation for fiscal year 1984;

MEASURE PLACED ON CALENDAR

The Committee on Environment and Public Works was discharged from the further consideration of the following resolution which was placed on the calendar:

S. Res. 140. Resolution to commemorate the 50th anniversary of the Tennessee Valley Authority, a public enterprise that works.

ENROLLED BILL PRESENTED

The Secretary reported that on today, May 16, 1983, he had presented to the President of the United States the following enrolled bill:

S. 957. An act to provide for an increase in the number of members of the Congressional Award Board, and for other purposes.

REPORT OF THE COMMITTEE ON APPROPRIATIONS

Under the authority of the order of the Senate of January 3, 1983, the following report was submitted on May 12, 1983, during the adjournment of the Senate:

By Mr. HATFIELD, from the Committee on Appropriations, without amendment:

S. Con. Res. 26. Concurrent resolution approving the obligation and expenditure of funds for MX missile procurement and full-scale engineering development of a basing mode (with additional and minority views) (Rept. No. 98-85).

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. DURENBERGER, from the Committee on Environment and Public Works, without amendment:

S. 1280. An original bill to extend the Noise Control Act of 1972 (Rept. No. 98-86).

S. 1281. An original bill to extend the Noise Control Act to authorize appropriations for fiscal year 1984 (Rept. No. 98-87).

By Mr. CHAFEE, from the Committee on Environment and Public Works, without amendment:

S. 1282. An original bill to extend titles I and II of the Marine Protection Research and Sanctuaries Act, as amended (Rept. No. 98-88).

S. 1283. An original bill to amend the Solid Waste Disposal Act to authorize funds for fiscal year 1984 (Rept. No. 98-89).

S. 1284. An original bill to extend until October 1, 1985, the authority for advances to the migratory bird conservation fund (Rept. No. 98-90).

By Mr. ABDNOR, from the Committee on Environment and Public Works, without amendment:

S. 684. A bill to authorize an ongoing program of water resources research (Rept. No. 98-91).

By Mr. STAFFORD, from the Committee on Environment and Public Works, without amendment:

S. 778. A bill authorizing appropriations to the Secretary of the Interior for services necessary to the nonperforming arts functions of the John F. Kennedy Center for the performing Arts, and for other purposes (Rept. No. 98-92).

By Mr. CHAFEE, from the Committee on Environment and Public Work, without amendment:

H.R. 1723. A bill to authorize appropriations through fiscal year 1986 for the Great Dismal Swamp, Minnesota Valley, Sailors' Snug Harbor, and San Francisco Bay National Wildlife Refuges (Rept. No. 98-93).

By Mr. STAFFORD, from the Committee on Environment and Public Works, with an amendment in the nature of a substitue and an amendment to the title:

S. 724. A bill to authorize the U.S. Army Corps of Engineers to undertake activities to provide new pubic works investment, grants to the several states to encourage and foster the construction of necessary public capital investment projects, to assist in creating new and productive jobs, and for other purposes (Rept. No. 98-94).

By Mr. MATHIAS, from the Committee on Rules and Administration, with an amendment:

S. 840. A bill to amend the Act of October 15, 1966 (80 Stat. 953; 20 U.S.C. 65a), relating to the National Museum of the Smithsonian Institution, so as to authorize additional appropriations to the Smithsonian Institution for carrying out the purposes of said Act (Rept. No. 98-95).

By Mr. MATHIAS, from the Committee on Rules and Administration, without amendment:

S. 929. A bill to amend the act of July 2, 1940, as amended, pertaining to appropriations for the Canal Zone Biological Area (Rept. No. 98-96).

By Mr. MATHIAS, from the Committee on Rules and Administration, with an amendment:

S. 930. A bill to authorize the Smithsonian Institution to purchase land in Santa Cruz County, Arizona (Rept. No. 98-97).

By Mr. MATHIAS, from the Committee on Rules and Administration, with amendments:

S. Con. Res. 7. Concurrent resolution to authorize and provide for a bust of Carl Hayden to be placed in the Capitol (Rept. No. 98-98).

By Mr. MATHIAS, from the Committee on Rules and Administration, without amendments:

S. Con. Res. 35. An original concurrent resolution to authorize the printing as a Senate Document of a revised edition of "The Capitol" (Rept. No. 98-99).

By Mr. MATHIAS, from the Committee on Rules and Administration, without amendments:

S. Res. 111. An original resolution relative to expenditures by the Select Committee on Indian Affairs (Rept. No. 98-100).

S. Res. 138: A resolution relating to expenses of the Commission on Art and Antiquities of the United States Senate (Rept. No. 98-101).

By Mr. MATHIAS, from the Committee on Rules and Administration, with an amendment:

H.R. 2621: A bill to authorize appropriations for the Federal Election Commission for fiscal year 1984 (Rept. No. 98-102).

By Mr. MATHIAS, from the Committee on Rules and Administration without amendment:

S. Res. 143: An original resolution authorizing expenditures by the Committee on Rules and Administration for the training of professional staff (Rept. No. 98-103).

S. Res. 144: An original resolution relating to the purchase of calendars (Rept. No. 98-104).

By Mr. PACKWOOD, from the Committee on Commerce, Science, and Transportation, without amendment:

S. 1100: A bill to consolidate and authorize program support and certain ocean and coastal programs and functions of the National Oceanic and Atmospheric Administration under the Department of Commerce (Rept. No. 98-105).

S. 1101: A bill to authorize appropriations for certain fishery programs (Rept. No. 98-106).

By Mr. PACKWOOD, from the Committee on Commerce, Science, and Transportation, with an amendment:

S. 1098: A bill to consolidate and authorize certain ocean and coastal programs and functions of the National Oceanic and Atmospheric Administration under the Department of Commerce (Rept. No. 98-107).

By Mr. PACKWOOD, from the Committee on Commerce, Science, and Transportation, with amendments:

S. 1096: A bill to authorize appropriations to the National Aeronautics and Space Administration for research and development, construction of facilities, and research and program management, and for other purposes (Rept. No. 98-108).

S. 1097: A bill to consolidate and authorize certain atmospheric and satellite programs and functions of the National Oceanic and Atmospheric Administration under the Department of Commerce (Rept. No. 98-109).

By Mr. HATCH, from the Committee on Labor and Human Resources, with amendments:

S. 773: A bill to revise and extend programs relating to biomedical research, research training, and medical library assistance, to establish a National Institute of Arthritis and Musculoskeletal and Skin Diseases, and for other purposes (Rept. No. 98-110).

By Mr. HEINZ, from the Committee on Banking, Housing, and Urban Affairs, with an amendment in the nature of a substitute:

S. 869: A bill to amend the Export-Import Bank Act of 1945 (Rept. No. 98-111).

By Mr. PACKWOOD, from the Committee on Commerce, Science, and Transporta-

tion, with an amendment in the nature of a substitute:

S. 800: A bill to establish an Ocean and Coastal Development Impact Assistance Fund and to require the Secretary of Commerce to provide to States national ocean and coastal development and assistance block grants from moneys in the Fund, and for other purposes (Rept. No. 98-112).

By Mr. PACKWOOD, from the Committee on Commerce, Science, and Transportation and the Committee on Labor and Human Resources, jointly, with an amendment in the nature of a substitute and an amendment to the title:

S. 655: A bill to authorize appropriations to carry out the National Sea Grant program for fiscal years 1984, 1985, and 1986, and for other purposes (Rept. No. 98-113).

By Mr. STAFFORD, from the Committee on Environment and Public Works, without amendment:

S. 1287: An original bill to authorize appropriations for the Public Buildings Service of the General Services Administration for the fiscal year 1984 (Rept. No. 98-114).

By Mr. CHAFEE, from the Committee on Environment and Public Works, without amendment:

S. 1288: An original bill to extend the Clean Water Act for one year, and for other purposes (Rept. No. 98-115).

By Mr. ABDNOR, from the Committee on Environment and Public Works, without amendment:

S. 1289: An original bill to establish an obligation ceiling for the civil work construction program of the United States Army Corps of Engineers (Rept. No. 98-116).

By Mr. DURENBERGER, from the Committee on Environment and Public Works, without amendment:

S. 1290: An original bill to extend the Safe Drinking Water Act, as amended, for one year (Rept. No. 98-117).

By Mr. SIMPSON, from the Committee on Environment and Public Works, without amendment:

S. 1291: An original bill to authorize appropriations to the Nuclear Regulatory Commission in accordance with section 261 of the Atomic Energy Act of 1954, and section 305 of the Energy Reorganization Act of 1974 (Rept. No. 98-118).

By Mr. DURENBERGER, from the Committee on Environment and Public Works, without amendment:

S. 1292: An original bill to authorize appropriations for environmental research, development, and demonstrations for fiscal year 1984 (Rept. No. 98-119).

By Mr. HUMPHREY, from the Committee on Environment and Public Works, without amendment:

S. 1293: An original bill to extend authorization for appropriations for the Disaster Relief Act of 1974, and for other purposes (Rept. No. 98-120).

By Mr. HUMPHREY, from the Committee on Environment and Public Works, with an amendment:

S. 379: A bill to cancel certain indebtedness in connection with disaster relief activities (Rept. No. 98-121).

By Mr. GARN, from the Committee on Banking, Housing, and Urban Affairs, with amendments:

S. 695: A bill to amend the Bretton Woods Agreements act to authorize consent to and authorize appropriations for an increase in the United States quota in the International Monetary Fund and to authorize appropriations for increased U.S. participation in the IMF's General Arrangements to Borrow (Rept. No. 98-122).

By Mr. MATHIAS, from the Committee on Rules and Administration, without amendment:

S. Res. 145: An original resolution to pay a gratuity to Stephen B. Couch.

By Mr. GARN, from the Committee on Banking, Housing, and Urban Affairs, without amendment:

S. Res. 146: An original resolution waiving section 402(a) of the Congressional Budget Act of 1974 with respect to the consideration of S. 695.

By Mr. HATCH, from the Committee on Labor and Human Resources, with an amendment in the nature of a substitute:

S. 1003: A bill to extend and revise the provisions of the Child Abuse Prevention and Treatment Act and the Child Abuse Prevention Treatment and Adoption Reform Act of 1978.

S. 1008: A bill to make certain technical amendments to improve implementation of the Education Consolidation and Improvement Act of 1981, and for other purposes.

By Mr. ROTH, from the Committee on Governmental Affairs, without amendment:

S. 1010: A bill to amend the District of Columbia Self-Government and Governmental Reorganization Act to increase the amount authorized to be appropriated as the annual Federal payment to the District of Columbia.

By Mr. HATCH, from the Committee on Labor and Human Resources, with an amendment in the nature of a substitute:

S. 1087. A bill to authorize appropriations for the National Science Foundation for fiscal year 1984.

By Mr. THURMOND, from the Committee on the Judiciary, with an amendment in the nature of a substitute:

S. 1192. A bill to authorize appropriations for the purpose of carrying out the activities of the Department of Justice for Fiscal Year 1984 and for other purposes.

By Mr. GARN, from the Committee on Banking, Housing, and Urban Affairs, without amendment:

S. 1294. An original bill to authorize appropriations to carry out the Export Administration Act of 1979.

By Mr. HATCH, from the Committee on Labor and Human Resources, without amendment:

S. 1285. An original bill to improve the quality of mathematics and science teaching and instruction in the United States, and for other purposes.

EDUCATION FOR ECONOMIC SECURITY ACT

Mr. HATCH. Mr. President, I am very pleased to report two measures from the Committee on Labor and Human Resources, the National Science Foundation Authorization Act of Fiscal Year 1984 and the Education for Economic Security Act. Both of these bills carry much significance for the future of America's standing in science and technology.

The Education for Economic Security Act is the result of much thoughtful discussion by the members of our committee, and I want to particularly commend Senators PELL and STAFFORD for their efforts. That a measure representing a broad consensus of our committee was reported is a tribute to their willingness to take into account all points of view. The committee has reported an original bill, a vehicle which prevents the listing of cosponsors, so I ask unanimous consent that the names of the cosponsors be printed at this point in the RECORD, and that they be added as cosponsors after the bill has been officially filed.

There being no objection, the list was ordered to be printed in the RECORD, as follows;

COSPONSORS OF THE EDUCATION FOR ECONOMIC SECURITY ACT

Claiborne Pell, Rhode Island.
Robert T. Stafford, Vermont.
Edward M. Kennedy, Massachusetts.
Dan Quayle, Indiana.
Jennings Randolph, West Virginia.
Paula Hawkins, Florida.
Thomas F. Eagleton, Missouri.
Donald W. Riegle, Michigan.
Howard H. Metzenbaum, Ohio.
Spark M. Matsunaga, Hawaii.
Christopher J. Dodd, Connecticut.
Robert Dole, Kansas.
Alan Cranston, California.
Thad Cochran, Mississippi.
Daniel K. Inouye, Hawaii.
Bill Bradley, New Jersey.
Quentin Burdick, North Dakota.
Walter D. Huddleston, Kentucky.
Paul Sarbanes, Maryland.
David Pryor, Arkansas.
Carl Levin, Michigan.
Jim Sasser, Tennessee.
Daniel Patrick Moynihan, New York.
Dale Bumpers, Arkansas.
Wendell Ford, Kentucky.
George Mitchell, Maine.
Dennis DeConcini, Arizona.

Second, Mr. President, this measure has generated tremendous interest in both the education and scientific communities. Therefore, I ask unanimous consent that the text of the bill be printed in the CONGRESSIONAL RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows;

S. 1285

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Education for Economic Security Act".

STATEMENT OF PURPOSE

SEC. 2. It is the purpose of this Act to improve the quality of mathematics and science teaching and instruction in the United States.

DEFINITIONS

SEC. 3. For the purpose of this Act—

(1) The term "area vocational education school" has the same meaning given that term under section 195(2) of the Vocational Education Act of 1965.

(2) The term "Director" means the Director of the National Science Foundation.

(3) The term "elementary school" has the same meaning given that term under section 198(a)(7) of the Elementary and Secondary Education Act of 1965.

(4) The term "Governor" means the chief executive of a State.

(5) The term "Foundation" means the National Science Foundation.

(6) The term "institution of higher education" has the same meaning given that term by section 1201(a) of the Higher Education Act of 1965.

(7) The term "local educational agency" has the same meaning given that term

will rue the day should Congress grant amnesty to untold millions of illegal aliens and prepare the stage for further amnesties for further untold millions of illegal aliens.

AMNESTY AND U.S. UNEMPLOYMENT

Mr. President, there are today almost 10 million Americans out of work. Congress should be making every effort to remove illegal aliens from our work forces and should avoid voting for legislation which will grant them legal rights and benefits through an amnesty program. It should be understood that illegals are at work in a broad spectrum of fields. Attorney General William French Smith testified that—

Only 15 percent of the illegals are estimated to work in agriculture; 50 percent are employed in service industries; and 30 percent are in blue collar jobs.

The Federation for American Immigration Reform has pointed out that, "half of all new jobs created in the late 1970's went to legal and illegal immigrants." FAIR also has pointed out that "there is not a single labor market that immigrants enter in which the majority of workers are not Americans." Marvin Stone, editor of U.S. News & World Report, has pointed out in this regard that—

If newcomers show skill and initiative as workers and entrepreneurs, they often cut in on the livelihood of local people and arouse hostility; if not, they lean heavily on the public purse.

As the Attorney General has said, only 15 percent of the illegals are in agricultural jobs. It is a myth that illegal aliens seek and obtain only low-paying jobs; indeed, a number of studies and reports have found that illegal aliens obtain well-paying jobs. For example, the Phoenix Gazette of December 9, 1981, in reference to a nuclear reactor plant in Arizona stated that, "Immigration officials said they believe the relatively high-wage scale, which begins at about $10.50 per hour, has attracted a large population of illegal workers." Human Events ran a story on December 12, 1981, which described a case in Elgin, Ill., in which Immigration and Naturalization Service officers "arrested 69 aliens who earned between $4.50 and $13 an hour." "Within hours," the Human Events story reported, "hundreds of local residents had applied for these jobs, all of which were filled within 3 days."

Prof. Donald L. Huddle of the Department of Economics at Rice University has written a report on "Undocumented Workers in Houston Non-Residential and Highway Construction: Local and National Implications of a Field Survey." Professor Huddle has estimated, for example, that one-third, and possibly more, of the workers in the construction industry in the Houston area are illegals. He notes that "residential construction is more heavily infiltrated by illegals than is commercial construction." This is because unions "still act as a partial barrier" in the commercial construction field. The wages earned by illegals ranged from $4 to $9.50 per hour. A study by Frank Bean and Allan King at the University of Texas for Governor Clement's Task Force on Immigration was quoted in the Houston Post of April 7, 1982, and estimated that one in every five Texas Hispanics is illegal.

From his research, Professor Huddle extrapolates that, "For the United States as a whole, the number of illegals working in construction may reach an estimated 1 million or more." He then goes on to state that "the wages collected by the illegals in construction nationally probably exceed $7 billion per year and could well be over $9.5 billion."

Former Secretary of Labor, Ray Marshall, has stated that removing illegal aliens from the work force could cut our unemployment rate in half. According to Professor Huddle's research:

The amnesty provisions of the Simpson-Mazzoli bill are too generous * * * giving amnesty to illegals * * * will be costly in terms of implementation, will cost unemployed American citizens hundreds of thousands if not millions of jobs, and lead to many more millions of relatives of illegals not now in the U.S. becoming legalized in the future.

It is important to consider a report by the Congressional Budget Office which shows that each unemployed American received $7,000 annually in unemployment benefits and other public assistance. Thus, 10 million unemployed Americans cost the taxpayers a minimum of $70 billion annually. This does not include the loss of revenues to the Federal Government from tax payments generated by working Americans.

Where there is a genuine need for seasonal foreign workers, for example, in the agricultural field, the answer is a temporary guest worker program. Amnesty is not the answer. In fact, by giving permanent resident status and access to our generous welfare programs to millions of illegals currently in low-paying agricultural jobs we will encourage them to move away from this type of work and into the welfare system.

AMNESTY WILL INCREASE WELFARE COSTS

Mr. President, amnesty would increase welfare costs dramatically. Many millions of illegal aliens would qualify for various welfare programs—AFDC, SSI, medicaid, food stamps, State and local assistance, and public housing. A number of factors currently are holding the use of welfare programs by illegal aliens down. These include the fear of discovery by authorities and the percentage of illegal aliens who are working males with their families across the border. Amnesty would change the situation significantly.

The National Association of Counties, in their newsletter County News of June 7, 1982, states that:

Such a legalization program would constitute a costly new federal mandate which would require states and localities to provide increased services and assistance to illegal aliens granted residency status. As legal residents, they would become eligible for cash and medical assistance not available to illegal aliens. NACo estimates that the total cost to state and local governments for providing such assistance would exceed one-half billion dollars in the first year of legalization alone.

Mr. President, for a fraction of the increased welfare costs that amnesty would entail, the enforcement capabilities of the Immigration and Naturalization Service could be substantially strengthened. Not only could enforcement be made more effective, but also, jobs could be opened up for hundreds of thousands, if not millions, of Americans as enforcement activities take effect over a period of time.

AMNESTY CAN POLARIZE OUR SOCIETY

Mr. President, I fear that the granting of amnesty to millions of illegal aliens could polarize our society. With 10 million Americans out of work, with our economy suffering from unbalanced budgets, and with increasing crime and lack of respect for our laws, amnesty could engender a tremendous backlash.

This backlash could affect relations between Hispanic and non-Hispanic Americans generally as well as between illegal Hispanic and Hispanic Americans who have either legally settled here themselves or whose parents or ancestors came to our land to settle. It is not just illegal Hispanic aliens that we are talking about, of course; there are illegal aliens here from all parts of the world. We must not allow, through an amnesty program, the polarization of our society.

Referring to illegal Mexican aliens, it is important for this body to consider the opinion of Hispanic-Americans who are legal citizens. The Dallas Times Herald, for example, on June 3, 1982, carried an article entitled, "Illegal alien issue splits Hispanic citizens." The article pointed out that, "in Dallas, most of the complaints to the U.S. Immigration and Naturalization Service about illegal aliens come from Mexican-Americans." The article goes on to state that the regional INS Director, William Chambers, reported that 85 percent of the complaints about illegal aliens are by Mexican-American citizens. He added that—

A lot of people are surprised by this, and it used to be that Mexican-Americans did not get into reporting illegal aliens. But they (Mexican-Americans) are being much more adversely affected than previously. The illegal aliens go into their neighbor-

hoods to live and they are in direct competition with them for jobs.

In an article published by the Washington Post on July 19, 1982, additional information is presented which demonstrates that polarization is already in progress. For example, the distinguished State Senator Hector Uribe who represents the lower Rio Grande Valley in Texas was quoted as warning that—

Those most traumatized (by the Supreme Court's education decision) are Mexican-Americans at the lower rung of the ladder. They see themselves paying for the education of illegal aliens' children. And they see their jobs being taken away by these illegal aliens.

The Post article pointed out a study by the Institute for Constructive Capitalism at the University of Texas which found that among various demographic groups, Mexican-American citizens were those most likely to believe that illegal immigration was the most important problem facing Texas. Another study, a poll taken by the Southwest Polymetrics Co. of Austin, Tex., found that 58 percent of those surveyed in the Lower Rio Grande Valley—State Senator Uribe's district—opposed free education to illegal alien children. Among the Mexican-American respondents to the poll, the percentage of negative respondents was even higher.

Raul Besterio, superintendent of schools in Brownsville, Tex., expressed his sentiments in the Post article and the sentiments of many Mexican-American citizens stating that—

Think how I feel. I'm a Mexican-American. People say why are you against your own people. Well, I'm an American. I was born and raised here. The Federal Government made me a Mexican-American.

Mr. President, the polarization process has begun in our country between illegal aliens and our fellow citizens. This body must face up to this fact and act in a responsible manner to prevent any escalation in this process and to heal the wounds that already exist.

Mr. President, it is wrong to reward lawbreakers. It is wrong to set in motion a program which will encourage further lawbreaking and which will polarize our society. Citizenship in our great Republic is too precious to grant in a vast blanket program to millions of foreign nationals who have flagrantly violated our laws. We expect our fellow citizens to obey the law. We proudly say that this is a nation of laws. Yet, amnesty for millions of illegal aliens—for millions of conscious lawbreakers—would show our own citizens and indeed the world, that our great country cannot muster the will necessary to enforce our own very generous immigration laws.

What will the working man and woman in this country think of this massive surrender? What will the children of the working man and woman of this country think of this surrender? Will it teach them respect for the law? Or, will it engender disrespect for the law and for our institutions? My office has been deluged by phone calls and letters opposing amnesty for illegal aliens. The public outcry against amnesty for millions of illegal aliens may well exceed anything that we in this Congress have experienced in recent years.

Our duty, as representatives of the citizens of these United States of America, is to protect the interests of the American people. We are not here to legislate bailouts for foreign governments whose internal policies have led to severe problems in their own countries. These governments must accept the responsibility to improve the conditions in their own countries in order to achieve progress.

Mr. President, I hope that all of my colleagues will carefully consider the far-reaching consequences of amnesty for illegal aliens before they vote on S. 529. What may appear to be the easy way out of a difficult and grave problem will cost the American taxpayer billions of dollars, and could encourage even more illegal immigration as well as a loss of respect for our legal system and institutions. My amendment would correct this error.

Mr. President, in conclusion, let me say that there is no immediate mass deportation required by this amendment of mine which is pending. The crisis has been building for a decade and it may take a decade to wind it down. But if we set the precedent of amnesty once, we will be encouraging future millions of illegals to take a chance.

Let me say to Senators that if this amendment, or something closely akin to it, is not adopted, Senators will rue the day that they allowed this bill to go through with amnesty for 6 million aliens, or is it 10 million, or 15? We do not even know.

I repeat, there is not a simple solution, there is not an easy solution. Certainly, we need to strengthen our border patrol. We have more people guarding the Capitol of these United States today than we have guarding our entire southern borders. That is a ludicrous situation under the circumstances.

Let me warn the Senate that giving amnesty to illegals will be costly in terms of implementation. It will cost unemployed American citizens hundreds of thousands, if not millions of jobs that they might otherwise get. It will lead to many more millions of relatives of illegal aliens not now in these United States becoming legalized in the future.

Mr. President, the treatment of aliens and the question of citizenship have been issues throughout the ages. The consequences of the decisions made by ancient societies on these matters, by the Romans and others, endured for generations—indeed, for centuries. The decisions that we make on these matters will affect our Nation's destiny and the lives of those who come after us.

I am satisfied in my conscience in offering this amendment, Mr. President, no matter how it comes out. I ask for the yeas and nays.

Mr. President, I ask unanimous consent that I be permitted now to call up two other amendments with the understanding that the distinguished Senator from Wyoming and the Senator from Massachusetts will make their statements, but I am doing this in order to accommodate the distinguished Senator from Missouri.

The PRESIDING OFFICER. Is there objection to the request of the Senator from North Carolina.

Mr. KENNEDY. Mr. President, reserving the right to object, I have every intention of commenting on the amendment of the Senator from North Carolina. I am quite willing to follow the lead of the floor manager on the way he wants to proceed in terms of the orderly process of the consideration of amendents.

But I do not want to have this amendment proposed, which is an amendment of such enormous importance and consequences, and have it seem that the Senator from Massachusetts is quietly sitting in his seat as we move on to other business.

So I am glad to follow the leadership of the Senator from Wyoming as to when we can express our views on this particular issue.

I will follow whatever way he feels we should proceed in terms of the orderly disposition of the amendment.

I realize that this amendment will not be voted on until tomorrow, and I expect we will have some time later in the afternoon to make a comment on it.

But I wait to hear from the floor manager as to how he wants to proceed because I will take strong exception to this amendment.

Mr. SIMPSON. Mr. President, let me inquire of my friend from North Carolina whether he intends to lay down the three amendments which he has here, together with statements in connection with those, and that will be the essence of the debate on those issues. They were presented last August. They are the same as were presented then. Then it would be my intention to present my remarks in opposition to those amendments at a later time in this debate this afternoon so that we might now go to the Danforth-Moynihan amendment which is acceptable. At that later time Senator KENNEDY may present his remarks. Then the vote will be sched-

ALLOTMENT TO STATES

SEC. 204. (a)(1) From 90 per centum of the amount appropriated to carry out this title for each fiscal year, the Secretary shall allot to each State an amount which bears the same ratio to such 90 per centum as the number of children aged five to seventeen, inclusive, in the State bears to the number of such children in all States, except that no State shall receive less than one-half of 1 per centum of the amount available under this subsection in any fiscal year.

(2) The Secretary shall reserve the remaining 10 per centum to carry out section 212, relating to discretionary grants of national significance.

(3) For the purpose of this subsection, the term "State" does not include Guam, American Samoa, the Virgin Islands, the Northern Mariana Islands, or the Trust Territory of the Pacific Islands.

(4) The number of children aged five to seventeen, inclusive, in the State and in all States shall be determined by the Secretary on the basis of the most recent satisfactory data available to him.

(b) The amount of any State's allotment under subsection (a) for any fiscal year to carry out this title which the Secretary determines will not be required for that fiscal year to carry out this title shall be available for reallotment from time to time, on such dates during that year as the Secretary may fix, to other States in proportion to the original allotments to those States under subsection (a) for that year but with such proportionate amount for any of those other States being reduced to the extent it exceeds the sum the Secretary estimates that State needs and will be able to use for that year; and the total of those reductions shall be similarly reallotted among the States whose proportionate amounts were not so reduced. Any amounts reallotted to a State under this subsection during a year shall be deemed a part of its allotment under subsection (a) for that year.

(c) There are authorized to be appropriated for each fiscal year for the purpose of this subsection amounts equal to not more than 1 per centum of the amount appropriated for such year under this title. The Secretary shall allot the amount appropriated pursuant to this subsection among Guam, American Samoa, the Virgin Islands, the Northern Mariana Islands, or the Trust Territory of the Pacific Islands according to their respective needs for assistance under this title. In addition for each fiscal year the Secretary shall allot from not less than one-half of such amount, to such agency as the Secretary deems appropriate, for programs authorized by this title for children in elementary and secondary schools operated for Indian children by the Department of the Interior. The terms upon which payments are made under the previous sentence shall be determined by such criteria as the Secretary determines will best carry out the purpose of this title.

IN-STATE APPORTIONMENT

SEC. 205. (a) For each of the fiscal years 1984 and 1985, 70 per centum of each State's allotment under section 204 of this title shall be used for elementary and secondary education programs in accordance with section 206.

(b) For each of the fiscal years 1984 and 1985, 30 per centum of each State's allotment under section 204 of this title shall be used for higher education programs in accordance with section 207.

ELEMENTARY AND SECONDARY EDUCATION PROGRAMS

SEC. 206. (a) The amount apportioned under section 205(a) from each State's allotment under this title shall be used by the State educational agency to strengthen elementary and secondary education programs in accordance with the provisions of this section.

(b)(1) Not less than 70 per centum of the amount available under this section shall be distributed to local educational agencies within the State. Each local educational agency shall use funds distributed under this paragraph for—

(A) the expansion and improvement of in-service training and retraining of teachers and other appropriate school personnel in the fields of mathematics and science, including vocational education teachers who use mathematics and science in the courses of study the teachers teach; or

(B) if the local educational agency determines that the agency has met its need for such training and retraining and subject to the provisions of section 210(c), computer learning and instruction, foreign language instruction, and instructional materials and equipment related to mathematics and science instruction.

Such training and instruction may be carried out through agreements with public agencies, private industry, institutions of higher education, and nonprofit private organizations, including museums, libraries, educational television stations, professional science, mathematics and engineering associations, and other appropriate institutions. A local educational agency may carry out the activities authorized by this paragraph with one or more other local educational agencies within the State, or with the State educational agency, or both. Each local educational agency shall assure that programs of in-service training and retraining will take into account the need for greater access to and participation in mathematics, science, and computer learning programs and careers of students from historically underrepresented groups, including females, minorities, individuals with limited-English proficiency, the handicapped, and migrants.

(2)(A) The State educational agency shall distribute 50 per centum of the funds available under this subsection to local educational agencies within the State according to the relative number of children enrolled in public and nonpublic schools within the school districts of such agencies.

(B) The State educational agency shall distribute 50 per centum of the funds available under this subsection based on the relative number of children aged 5 to 17 who—

(i) are from families below the poverty level as determined under section 111(c)(2)(A) of the Elementary and Secondary Education Act of 1965; and

(ii) are from families above the poverty level as determined under section 111(c)(2)(B) of the Elementary and Secondary Education Act of 1965;

in the public schools of the local educational agencies within the State.

(3) The State educational agency shall renew payments to local educational agencies under this subsection based upon the criteria set forth in paragraph (2) of this subsection and a determination by the State educational agency that the local educational agency is implementing the program assisted under this title so that a substantial number of teachers in the public and private schools in the school district of such agency are served and several grade levels of instruction in such schools are involved in the program.

(c)(1) If a local educational agency is spending funds under subsection (b)(1)(B), not to exceed 30 per centum of the funds available to the local educational agency under subsection (b) may be used for the purchase of computer and computer-related instructional equipment.

(2) If a local educational agency is spending funds under subsection (b)(1)(B), not to exceed 15 per centum of the funds available to the local educational agency under subsection (b) may be used to strengthen instruction in foreign languages.

(d) Not less than 20 per centum of the amount available under this section shall be used by the State educational agency for demonstration and exemplary programs for—

(1) teacher training and retraining and in-service upgrading of teacher skills in the fields of mathematics and science, foreign language instruction, and computer learning,

(2) instructional equipment and materials in such fields and necessary technical assistance,

(3) special projects for historically underrepresented and underserved populations and for gifted and talented students, and

(4) the dissemination of information to all local educational agencies within the State relating to the exemplary programs in the fields of mathematics, science, foreign languages, and computer learning.

In providing financial assistance for such demonstration and exemplary programs, the State educational agency shall reserve not less than 20 per centum of the amount available under this subsection for special projects in mathematics and science, foreign languages, and computer education to historically underrepresented and underserved populations of students, including females, minorities, handicapped individuals, individuals with limited-English proficiency, and migrant students, and to programs for gifted and talented students. The programs for gifted and talented students may include assistance to magnet schools for such students.

(e) Not less than 5 per centum of the amount available under this section may be used by the State educational agency to provide technical assistance to local educational agencies, institutions of higher education, and nonprofit organizations, including museums, libraries, and educational television stations, in the conduct of programs specified under subsection (b).

(f) Not to exceed 5 per centum of the amount available under this section may be used by the State educational agency for—

(1) the State assessment required by section 208 of this title; and

(2) the costs of administration and evaluation of the program assisted under this title.

HIGHER EDUCATION PROGRAMS

SEC. 207. (a) The amount apportioned under section 205(b) from each State's allotment under this title shall be used by the State agency for higher education programs in accordance with the provisions of this section.

(b)(1)(A) Not less than 75 per centum of the amount available for this section shall be used by the State agency for higher education for grants to institutions of higher education in accordance with the provisions of this subsection.

(B) The State agency for higher education shall make funds available on a competitive

The Senate should take note of the fact that within the present bill there are provisions which allow a quota of 40,000 persons per year from Canada and Mexico. All other countries are allowed an allotment of 20,000 per year.

Mr. President, I can see no reason for this 40,000 allotment. It is contrary to the principle of equal treatment of all countries which has come to be embodied in our immigration laws. Under this bill, the unused portion of the quota of Canada is to be transferred from Canada to Mexico. This compounds the breach of the principle of equal treatment and futher enshrines Mexico in our legislation as a specially favored nation in terms of immigration.

The Library of Congress has provided me with the following statistics on Canadian immigration to the United States since 1972:

Fiscal year:	
1972	10,776
1973	8,951
1974	7,654
1975	7,308
1976	7,638
TQ1976	2,458
1977	12,688
1978	16,863
1979	13,772
1980	13,609
1981(preliminary)	11,191

As Senators will note, this is an average of about 11,000 immigrants per year. It is patently clear that Mexico, under this bill, will receive almost 30,000 of Canada's 40,000 quota if the average of the last 10 years of Canadian immigration continues. Certainly, Mexico would receive between 20,000 and 25,000 of Canada's annual allotment of visas.

Adding the unused portion of Canada's allotment to Mexico's allotment of 40,000 would bring the annual allotment of Mexico up to the 60,000 to 70,000 range on an annual basis. This is over three times the allotment for all other countries, Canada excepted. Is this an equitable situation? Certainly not.

Mr. President, what the 40,000 allotment with its transfer provision represents is in fact a supplemental amnesty program for Mexican aliens. Lets be frank, it is clear that the framers of the bill recognizing the massive problem of illegal Mexican immigration have attempted to take another easy way out. Rather than deny amnesty to prevent establishing a dangerous precedent and to send a clear signal to the Mexican Government and to individual lawbreakers—potential and actual—they have simply caved in and incorporated an amnesty provision into the bill. Rather than emphasizing increased enforcement capabilities to stem the flood tide of illegals, this inequitable and strange provision which would allow Mexico perhaps 60,000 to 70,000 visas allotments was incorporated into the bill.

My amendment is simple and direct. It merely places Mexico and Canada in the same position as all the other countries of the world under this bill. Mexico and Canada would have an allotment of 20,000 rather than 40,000 and there would be no transfer of unused portions of the allotments.

I urge my distinguished colleagues to reflect carefully on the implications of a massive amnesty program. Is there any real reason for an additional supplementary amnesty program? To this Senator, Mexico needs no more extraordinary treatment under this bill.

Mr. President, I ask unanimous consent that it be in order for me to ask for the yeas and nays on each amendment to be voted on separately.

The PRESIDING OFFICER. Is there objection to the request of the Senator of grouping the three yea and nay votes?

The Chair hears none, and it is so ordered.

Mr. HELMS. I ask for the yeas and nays on all three amendments.

The PRESIDING OFFICER. Is there a sufficient second? There is a sufficient second.

The yeas and nays were ordered.

Mr. HELMS. Mr. President, I thank the Chair and I thank the Senator from Wyoming.

Mr. SIMPSON. I thank the Senator from North Carolina very much. He has assisted greatly in accommodating our request to expedite this matter today. His action just moments ago is evidence certainly of that, and I deeply appreciate it. I thank the Senator very much.

Mr. HELMS. I thank the Senator from Wyoming.

Mr. SIMPSON. Mr. President, the bill recognizes the very special relationship, friendship, and proximity the United States has with our contiguous neighbors in trade, commitment to democratic principles, and mutual strategic interests.

We must remember that until 1976 there were no limitations whatsoever for Canada and Mexico. Nationals of those two countries could enter the United States without restriction as immigrants.

By allowing our two contiguous neighbors an increased quota, we are not increasing overall immigration to the United States. The overall cap will maintain immigration at its present levels.

The strongest illegal immigration pressure and the largest numbers in the backlogs are from Mexico. By providing these extra visas to our southern neighbor, we will relieve the pressure for illegal migration and that is why this provision is an important aspect of an immigration control bill.

I urge you to reject the amendment.

As I have mentioned, this provision will, without increasing total immigration to the United States, allow Mexico, with the largest numbers in the backlogs and the greatest immigration pressure to have those visas not used by our other contiguous neighbor—this will reduce both the backlogs and the pressure to immigrate to this country illegally when visas are not available for legal immigration.

Although at present Mexico would undoubtedly benefit from this provision, at times in our past Canada was the country which sent the most immigrants to the United States, and it is entirely possible at some future time that this provision may be of more benefit to our other contiguous neighbor.

Again, it simply recognizes the special relationship we have with our contiguous neighbors.

I urge my colleagues to reject the amendment.

Mr. President, I definitely want to address very briefly the issue to attempt to eliminate legalization. Legalization, which is a very critical part of this bill, is not a reward for violation of the immigration laws of the United States. It is a practical solution to a very critically serious national problem. The issue is this: there is a large fearful subclass of human beings in this country who, according to the information received by the Select Commission and by this subcommittee and the full committee, for fear of being discovered, fail to report crimes against their property, their person and their family, and often do not seek medical help unless it is to give birth to a U.S. citizen child, and they are those who will not complain about exploitation in the working place, and that cannot be good for this country. Somehow it indeed diminishes us in known and unknown ways.

Furthermore, this Congress, and successive administrations, must bear some of the responsibility for this flourishing of a subsociety of illegal aliens within our country. Beginning with what was known as the Texas proviso and continuing on to the present day, we have tacitly approved their illegal entry into this country by failing to provide adequate funding or manpower for the Immigration Service year after year, after year, and by looking the other way as these aliens came by the hundreds of thousands to take job opportunities in this country.

What a curious situation, where it is legal for an employer to hire an illegal but it is illegal for the illegal to work. Only in America.

Nevertheless, these undocumented workers are here illegally and, most importantly, if we could not find them coming in how do we find them to get them out? I do not want to be part of the hunt that that entails. I do not

want to be part of a country that is embarked on that kind of a hunt.

So there are the three major goals of legalization. They are, the first one, to avoid wasteful use of the INS limited enforcement resources. We are unlikely to obtain as much enforcement for our dollar if the INS attempts to locate and deport those who have become well-settled in this country, rather than to prevent new illegal entry or visa abuse.

The second goal is to allow dependent employers to continue lawfully hiring from this pool of labor.

The third is to eliminate that illegal subclass now present in our society because not only does this illegal status and their resulting weaker bargaining position cause these people to depress U.S. wages and working conditions but it also hinders their full assimilation into our public culture. And then they remain a fearful and clearly exploitable group within U.S. society.

So, this is a most extraordinary act of generosity and grace that we do with legalization and typical of our Nation's historical motives.

We also provide here that those who are designated as temporary resident aliens and permanent resident aliens are to receive certain benefits but not fully funded welfare benefits, not the full spectrum of assistance, but they will receive emergency medical care and disability.

In addition we provide for block grant assistance to these persons in this bill. We do not intend the program to become an unfair burden for State and local governments. It is a shared responsibility and the legislation fully recognizes that.

I emphasize again, Mr. President, it is not a program to reward those who violate our laws but rather a most reasonable and gracious and grace-filled approach to a problem of serious national import of people who have been here, have established equities and have raised their children in the United States.

The comments with regard to immigration quotas, that amendment and the education of alien children, I will come back to at a later time. I yield to my colleague from Massachusetts.

Mr. KENNEDY. Mr. President, I welcome the very excellent statement of the Senator from Wyoming in indicating both his serious reservations and strong opposition to the elimination of the legalization program from this legislation.

The fact is, Mr. President, that these proposals on legalization have been recommended to the Congress and to the Senate of the United States and to the American people by Republican and Democratic Presidents alike, by Presidents Ford and Carter and even President Reagan, who had somewhat different approach than has been included in this legislation, but in terms of the concept and in terms of the commitment to the issue of legalization, his support, according to the Attorney General, are really very clear.

I believe that the Presidents of the United States, the Attorneys General of the United States, the Select Commission, which voted unanimously in support of legalization, they have all understood that the legalization provision is essential for two extremely important reasons: First of all, it is essential for humane and compassionate reasons.

If we were to accept the concept behind the amendment from the Senator from North Carolina, what we would really be saying to millions of people in this society is that we are going to round up people all over this Nation in massive sweeps, trying to identify and sweep up undocumented aliens, and we would be getting not only undocumented aliens but thousands of American citizens as well, who would be put in chains and clapped in local jails, separated from their families, children not knowing where their mothers and fathers are, who virtually disappear for 24 or 36 hours until they can find someone to get them out. That even happens today, Mr. President, when we have the limited INS sweeps. If we were to accept the concept of the Senator from North Carolina we would multiply this many times over.

As the Senator from Wyoming has stated, and as others who have studied this situation have said, if you cannot stop them at the border you are not going to get them in the communities of this Nation. That just happens to be the fact of the matter.

Second, Mr. President, this legalization program makes sense from a practical point of view. It is really the most practical way that we can take a subclass, limited certainly, as I have pointed out in earlier debates, but at least a part of the subclass of undocumented aliens, and bring them into the mainstream of American life in ways in which they can themselves involve themselves in both the benefits and responsibilities of citizenship. That is extremely important.

Mr. President, the most compelling and researched proposal in support of the legalization program came from the Select Commission—a bipartisan Commission created by Congress in 1978, which reported its final recommendations to Congress in 1981. Their report's recommendations on the legalization program, in which I and all 15 other commissioners voted unanimously to endorse—including my distinguished colleague from Wyoming, Senator SIMPSON, as well as Senator DECONCINI and Senator MATHIAS—remain the most recent, and the most thoughtful argument against the very amendment being proposed by Senator HELMS to eliminate the legalization program proposed in the pending bill.

Mr. President, for the record I would like to read the very carefully considered, in fact, the restrained recommendations, of the Select Commission on the importance of establishing a legalization program in any package of immigration reforms considered by Congress.

First, the Select Commission voted unanimously to recommend that a program to legalize undocumented/illegal aliens now in the United States be adopted.

The Commission held the view that the existence of a large undocumented population should not be tolerated. They found that:

The costs of society of permitting a large group of persons to live in illegal, second-class status are enormous. Society is harmed every time an undocumented alien is afraid to testify as a witness in a legal proceeding (which occurs even when he/she is the victim), to report an illness that may constitute a public health hazard or disclose a violation of U.S. labor laws.

In seeking a solution to the problem of a large, resident undocumented alien population, the Select Commission has considered a range of programs, including massive deportation efforts, the use of existing enforcement procedures and legalization. Attempts at massive deportation would be destructive of U.S. liberties, very costly, subject to challenge in the courts and, in the end, ineffective. The only time in U.S. history when such a massive deportation effort occurred was in the mid-1950's when the Immigration and Naturalization Service expelled or repatriated more than 1 million aliens. This was done at tremendous cost in terms of both money and personnel, and, more importantly, violated the civil liberties of many Mexican Americans who were forcibly repatriated to Mexico. Such an effort would not be tolerated today. However carefully designed and implemented, any program to remove 3.5 million to 6 million people would almost certainly violate the rights of many legal residents without reaching more than a small proportion of those aliens lacking proper documentation.

Mr. President, the Commission felt that simply continuing existing enforcement techniques would only insure the continuation of current problems, and we concluded that legalization is the only realistic response to the problem of resident undocumented aliens.

Specifically, the Commission found that:

1. Qualified aliens would be able to contribute more to U.S. society once they came into the open. Most undocumented/illegal aliens are hardworking, productive individuals who already pay taxes and contribute their labor to this country.

2. No longer exploitable at the workplace because they are unwilling to avail themselves of the protection of U.S. law, legalized aliens would no longer contribute to the depression of U.S. labor standards and wages.

3. Legalization is an essential component of the Commission's total package of recommendations to stem the flow of undocu-

mented/illegal migrants and will aid in the enforcement of U.S. immigration laws. It will enable INS to target its enforcement resources on new flow of undocumented/illegal aliens.

4. For the first time, the United States would have reliable information about the sources (specific towns, villages and provinces) of undocumented/illegal migration and the characteristics of undocumented/illegal aliens. This information will further facilitate enforcement efforts to curtail future flow. It will also enable the United States to focus bilateral or unilateral aid and investment programs in ways that might deter migration at its source.

In addition, Mr. President, many of us on the Commission felt that a legalization would also acknowledge the fact that the United States has had some responsibility for the presence of undocumented aliens in our country—since our laws have explicitly exempted employers from any penalty for hiring them, namely, the so-called Texas proviso. This officially sanctioned policy has been the pull that has brought them here. Because of this partial responsibility, the alternatives to legalization—such as continuing to ignore their plight or initiating mass deportation efforts—would, in addition to being harmful to the United States, also constitute unfair penalties on aliens and their families—especially those who already have the necessary qualifications to reside here legally, although they do not know it.

In conclusion, Mr. President, let me address two of the specific criticisms voiced against the legalization program contained in the pending bill.

COSTS OF LEGALIZATION

The most frequent criticism of the legalization program has been the projected costs of the program. We have all seen the scare statistics paraded by various groups opposing legalization, suggesting the cost will go over $10 billion in 3 years.

However, all available research—including that undertaken by the Select Commission—suggests these cost estimates are grossly exaggerated. First of all, undocumented aliens are here to work—that is why we are enacting employer sanctions to stem this pull factor. It is contradictory, and counter to sound logic, to suggest that a large number of these undocumented workers will suddenly go on welfare once their immigration status is legalized.

Furthermore, they are, in many respects, undocumented taxpayers. According to the 1980 General Accounting Office report on "illegal aliens: estimating their impact on the United States", they estimate that between 64 to 75 percent of all undocumented aliens are paying Federal income taxes, and as many as 88 percent are paying social security taxes—yet they receive no benefits.

The GAO also estimated that the total—Federal, State, and local—taxes paid by undocumented aliens in 1976 ranged between $4.8 to $5.7 billion—and that figure would be considerably higher today.

In short, even if some of the high-cost projections involved in the legalization program are correct, the fact is that undocumented aliens are already paying commensurate amount in taxes—they are paying their way, yet have received no benefits from those taxes in the past.

And future benefits will be limited for many of them under the terms of the legalization program contained in this bill.

REWARDING ILLEGAL BEHAVIOR

Mr. President, some have argued against a legalization program saying it could be seen as rewarding illegal behavior.

The fact, however, is that undocumented aliens have come here to work precisely because it has not been illegal to hire them. Our immigration policies have, over the years, implicitly sanctioned the hiring of undocumented workers. We have had a tacit national policy of tolerating their presence, of allowing employers to hire them without fear of any sanctions of law.

So, Mr. President, there has been no illegal behavior involved in this issue. Rather, a national problem has developed over the years—the problem of undocumented aliens coming to our country—because we have openly offered them jobs, and because we have not adequately enforced our immigration laws.

The issue before us is: How can we best respond to this problem? The answer—the only answer—is the one proposed in this bill: To undertake a one-time legalization program in concert with new enforcement efforts and controls.

Again, Mr. President, the alternatives—of mass deportations, of allowing millions of undocumented aliens to remain in a subclass in our society, of denying them civil liberties—are simply out of the question.

Mr. President, I believe an editorial in the Boston Herald-American last year put the issue exactly right:

The purpose of granting amnesty to resident illegal aliens is to legitimize persons who have become productive members of American society but have been deprived of the benefits of that society.

I urge my colleagues to reject the amendment offered by Senator HELMS—to accept at a minimum the provisions for legalization contained in this bill, which have been endorsed by every President of the United States in recent years.

I ask unanimous consent that the text of the Boston Herald-American editorial be printed at this point in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From Boston Herald-American, June 9, 1982]

EXTEND AMNESTY TO THEM

The purpose of granting amnesty to resident illegal aliens is to legitimize persons who have become productive members of American society but have been deprived of the benefits of that society.

Sen. Edward M. Kennedy's amendment to the Senate's immigration reform bill serves this purpose by extending amnesty to many more resident aliens than previously proposed by either the Reagan administration or other pending legislation in Congress.

Sen. Alan Simpson, R-Wyo., whose bill embodies many of the Reagan administration's immigration reforms, had proposed amnesty for those here before January 1980. Sen. Kennedy persuaded the Senate Judiciary Committee to move that date forward to include those who arrived before January 1982, a move unopposed by the Reagan administration.

Sen. Simpson opposed the Kenndey amendment because it would allow an estimated 1.5 million more undocumented aliens eligible to become legal residents and set back his effort to put a firm cap on the number of immigrants.

Aliens affected by expansion of the amnesty provisions are already in the country, however, most of those who would take advantage of its provisions to gain a chance for citizenship have permanent jobs. Many are rearing families. Even if the government wished to deport such persons, it would be legally and politically difficult, if not impossible.

It seems in every way better to bring as many of these undocumented aliens as possible under the immigration laws by a broad amnesty that will free them from the fear of deportation and deliver them, as well, from exploitation by unscrupulous employers taking advantage of their illegal status. That is why we favor the Kennedy amendment to move the eligibility cutoff up to Jan. 1 of this year—a date that will seem far less current by the time Congress completes action on an immigration bill.

HUMAN COSTS OF KEEPING A SUBCLASS OF UNDOCUMENTED ALIENS IN OUR SOCIETY

Mr. KENNEDY. Finally, Mr. President, during this debate it is important that we try to put a human face on those faceless undocumented aliens we hear some discuss with such abandon and indifference.

The Senator from Wyoming has pointed out very eloquently about how this subclass even today is subject to extraordinary exploitation and I will just mention a couple examples here, Mr. President, which I think illustrate it.

I would like to read some cases of the plight of the undocumented aliens in our society—who are exploited by employers and vulnerable to the worst kind of abuse. These are some of the cases that the voluntary agencies have found in recent months, especially the American Friends Committee, and their stories tell far better than I can the real reason why we must have a fair and generous legalization program—to finally get this subclass of people out into the open and under protections of our laws:

A raid in Florida results in the immediate deportation of the Mexican parents of three small children who were born in the United States—are citizens—have lived here all their lives, and are now left alone in their small trailer with no source of food.

A young worker in the Northeast has a job related accident. His employer provides immediate emergency health care. When he learns of the employee's permanent disability, however, he calls the INS and the worker is deported.

A woman in San Diego is sequestered in the house where she works as a domestic employee. She will not be paid her salary because her employer fears she will then leave. She needs to see her children who are in Mexico. She is told not to use the phone or talk to strangers.

A child in Florida has a severe ear infection that requires hospitalization. The parents are terrified of the raids currently taking place in the State. They are afraid that if they are taken, their son will have to remain behind without their protection. Thus they cannot accept the offer of free medical care made to them.

A family in Texas pays $500 saved under hardship to get a useless letter from a lawyer. They believe this document will protect them from deportability. The letter states that these people are the attorney's clients. But when they are apprehended by the INS the lawyer does not take any action in spite of anxious calls from the immigrants.

There are many other human stories—of undocumented aliens working under harsh conditions without the protections of our laws—working "hard and scared"; of families divided, of children denied medical care.

It would be a crime if Congress failed to enact a legalization program to finally deal with this problem—especially when it is enacting new enforcement programs. The two are linked.

But most important, we should not forget the human face of this problem during our debate today.

Mr. President, the legalization provisions in this bill are strict. They are stricter than I think are warranted or justified, and I have addressed that issue earlier in this debate. But I must say they are at least an attempt to reflect a humane and a compassionate policy toward people and their families, and I will have more to say tomorrow in the limited time that we will have.

Mr. SIMPSON. Mr. President, with regard to the amendment offered by the Senator from North Carolina (Mr. HELMS) relating to illegal alien children, that amendment would impose a serious lifetime hardship on a very discrete class of children who are not accountable for their illegal status. These children have no control over their parents' conduct nor over their own undocumented status and we cannot visit the sins of the parents upon the child.

Public education plays a crucial role in maintaining the very fabric of our society and sustains our political and public cultural values.

Depriving illegal alien children of an education would take an incredible toll on the social and economic and intellectual and psychological well-being of the individuals involved and imposes some overwhelming obstacles to individual achievement. By not allowing illegal alien children to receive a free public education would, in effect, create a permanent group of uneducated persons within our society living here.

Passage of the Immigration Reform and Control Act, with its employer sanction provisions and the development of the worker authorization system, will greatly assist in eliminating the problems which give rise to this amendment and the Supreme Court decision last June.

But until employer sanctions have achieved the desired effect and until the legalization provisions deal with the portions of the illegal subclass, I agree with the Supreme Court that the cost to this Nation of not educating all children living within our country will be far greater than the cost of providing a free public education.

I urge my colleagues to reject this amendment at the time of the vote, which will be tomorrow.

AMENDMENT NO. 1268

(Purpose: To modify provisions relating to waiving the two-year foreign residence requirement with respect to certain foreign students)

Mr. DANFORTH. Mr. President, on behalf of myself and Senator MOYNIHAN, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The amendment will be stated.

The legislative clerk read as follows:

The Senator from Missouri (Mr. DANFORTH), for himself and Senator MOYNIHAN, proposes an amendment numbered 1268.

Mr. DANFORTH. Mr. President, I ask unanimous consent that further reading of the amendment be dispensed with.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

The amendment is as follows:

On page 176, lines 16 and 17, strike out "inserting before the period at the end thereof" and insert in lieu thereof "striking out the period and inserting in lieu thereof".

Beginning on page 176, with line 21, strike out all through line 9 on page 177 and insert in lieu thereof the following:

"(A) in the case of an alien admitted on or before September 30, 1989, under section 101 (a)(15)(F), (i) who is applying for a visa as an immigrant described in section 202 (b)(1) and who has obtained his degree from a college or university in the United States, and who has been offered a position as a faculty member or academic researcher in the field in which he obtained his degree by a United States college or university, or (ii) who has obtained a degree in a natural science, mathematics, computer science, or an engineering field from a college or university in the United States, who is applying for a visa as an immigrant described in section 202 (b) (1) or (2), and who has been offered a research, business, or technical position by a United States employer in the field in which he obtained such degree, or (iii) who has obtained an advanced degree in business or economics from a colleage or university in the United States, who has exceptional ability in business or economics, who is applying for a visa as an immigrant described in section 202(b) (1) or (2), and who has been offered a research, business or technical position by a United States employer which is in the field in which he obtained such degree and which requires such exceptional ability, or".

On page 177, line 21, strike out the quotation marks.

On page 177, between lines 21 and 22, insert the following: "Thirty days after the end of each fiscal year, the Attorney General shall prepare and transmit to the Committee on the Judiciary of the House of Representatives and the Committee on the Judiciary of the Senate a report setting forth the number of aliens who applied for, and the number of aliens who were granted, waivers of the two-year foreign residence requirement pursuant to subclause (A) of the preceding proviso during the preceding fiscal year. The Attorney General and the Secretary of State jointly shall conduct a study on the impact of the waivers made pursuant to subclause (A) of the preceding proviso on the professional or technical labor requirements of foreign countries and jointly shall prepare and transmit-not-later than the close of the fiscal year 1986 to the Committee on the Judiciary of the House of Representatives and the Committee on the Judiciary of the Senate a report setting forth the findings of such study.".

On page 163, line 13, insert after "workers" the following: "(or equally qualified workers in the case of aliens (i) who are members of the teaching profession or who have exceptional ability in the sciences or arts)".

Mr. DANFORTH. Mr. President, under the bill in its present form, foreign students who come to the United States to study at a college or university are required to return to the country of their origin for at least 2 years before they are permitted to return to the United States.

A provision in this bill in section 212 allows the Attorney General to waive the 2-year requirement in certain limited instances. Those limited instances require that the person for whom the waiver is granted must have received a doctor's degree and that the doctor's degree must be in one of the following areas: Natural science, mathematics, computer science, or engineering.

Further, the waiver, which is only offered to those who have received doctor's degrees and only in these lim-

ited fields, can only be granted 1,500 times per year for university hires and 4,500 times per year for those who are hired by business in the private sector.

This amendment will do several things: First of all, it will remove the numerical cap on the number of people for whom waivers could be granted by the Attorney General.

Second, with respect to people who are hired by colleges and universities after they have received their doctor's degree, it will remove the requirement that the degree must have been in one of certain specified disciplines.

Third, the amendment provides that businesses could hire people in these limited fields who have received not only a doctor's degree but also people who received a bachelor's degree.

Fourth, it provides that businesses could also hire people in other fields, namely in business and economics, who have advanced degrees and exceptional ability in those fields in business and economics.

In short, Mr. President, the point of this amendment is to not only remove numerical caps but also broaden the category for those people who are allowed to stay in the United States after they have received an education.

The bill in its present form is understandable, because I think all of us recognize that one of the points of providing an education in the United States for people from abroad is to enrich the countries from which they came. The United States has felt for some time that it has a responsibility for trying to improve economic and social conditions in other parts of the world, and to the extent that we provide education for people from those parts of the world we not only increase the educational experience and the breadth of our own people but we also enrich those areas of the world from which the students come and to which they return. Therefore, the notion of mandating their return and providing very limited waivers and very limited exceptions for keeping them in this country after their education is certainly understandable.

The problem, Mr. President, is this: There is not enough of a relationship between the numbers that appear in the bill and the purpose desired to be achieved by the bill. The numbers probably are as reasonable as any numbers, and may not be far from those necessary. However, they are really a guess at the need.

Second, it is doubtful, to say the least, that to require an individual to return to his country rather than stay in this country will in fact lead that individual to return. A person who acquires skills, say, in engineering or in science or mathematics in the United States may choose, if he is prohibited from being in the United States, to return not to the country of origin but instead to some other developed country and to share his or her experience, education, and talent with that third country.

Finally, Mr. President, it has been well recognized in the United States that we have our own problems. We say over and over again in connection with all kinds of legislation on the floor of the Senate that we are moving into an era of high technology; that we are going to have to have well-trained people in the United States. We hear criticized very frequently, for example, in connection with the budget debate the quality of our own education, whether or not we are producing enough people in the United States who are going to have the scientific, engineering, and mathematical skills to move the United States in the future.

Therefore, if we build into the law very strict definitional and numerical limitations on those who are permitted to stay, then it could be argued that we are acting contrary to our own interests and to our own future. Mr. President, this bill not only broadens the definitions and removes the numerical caps of those who would be able to stay, but the amendment does a couple of other things which deserve comment.

First, it sunsets the waiver authority given to the Attorney General. Under the bill in its present form, there is no sunset; it is permanent. This sunsets the waiver authority beginning in 1989, so that it builds into the bill a practical necessity that we in Congress analyze the policies that we are trying to pursue by attempting to encourage or require people who are educated in this country to return to their country of origin.

Second, it requires the Attorney General to report each year to the Judiciary Committee how many waivers have been sought and how many have been issued in any given year. Even with this amendment, the Attorney General must find it in the public interest to waive the 2-year requirement, which is a grant of discretion to take seriously.

The amendment also, at the end of 3 years, requires the Attorney General and the Secretary of State to conduct a study of the impact of the waiver authority on foreign countries. So, perhaps, with some data and a requirement of the study, we shall be in a better position, a few years down the road, to make policy in this area than I feel we are in now.

Finally, the amendment would keep the current law on labor certification for members of the teaching profession and those who have exceptional ability in the sciences or arts. Keeping this provision in the current law, rather than dropping it out, as is the case in the bill, will assure our academic community that that community is free to recruit the best minds for teaching and research. Clearly, that is what excellence in education requires.

Mr. MOYNIHAN. Mr. President.

The PRESIDING OFFICER. Who yields time to the Senator from New York?

Mr. KENNEDY. Mr. President, I shall be glad to yield on the bill. Does he wish it on the amendment?

Mr. MOYNIHAN. I believe there are 20 minutes provided on the amendment.

Mr. KENNEDY. Whatever time the Senator desires.

Mr. SIMPSON. Mr. President, I yield time on this side.

Mr. MOYNIHAN. Mr. President, I shall be brief. I thank the Senators for allowing the learned Senator from Missouri and me to offer this amendment which they have been so gracious already to declare to be acceptable to them.

The amendment I offer with Senator DANFORTH improves S. 529, the Immigration and Reform Act of 1983, by expanding the authority of the Attorney General to waive the proposed 2-year home residency requirement for foreign students seeking to adjust their immigration status to that of permanent resident.

It is my impression that the Judiciary Committee inserted the 2-year home residency requirement in order to reduce the number of foreign students who sought employment in the United States strictly as a means of adjusting their immigration status thereby enabling them to remain in this country upon graduation. I also understand the committee's desire to ease immigration pressures on the United States by encouraging political and economic development abroad.

I quite agree with the committee's intent and share its concerns. However, I fear that this provision, as presently written, will have a most serious impact on our Nation's scientific research and technological development. The residency requirement may very well deprive American industries and universities of talented individuals who are very much needed if the United States is to maintain its competitive position in the world market at this critical point in history.

For this reason, I have joined with my distinguished colleague from Missouri in suggesting several modifications of the waiver authority granted to the Attorney General. These include, first, removing the numerical cap on waivers; second, deleting the disciplinary requirement for foreign students offered faculty positions; third, requiring the Attorney General to study the effects of the waivers on the brain drain from developing countries; and, fourth, providing a sunset provision to insure that the waiver program receives adequate review before being renewed after 6 years.

All of these changes will provide the Attorney General with the flexibility necessary to protect America's economic interests. I urge my colleagues to support this carefully crafted and much-needed amendment.

Mr. President, I make three points which I hope might be heard beyond the confines of this Chamber. The first is that, in endorsing this amendment, the Senate recognizes what I think can fairly be called the principle of the universality of science. Scientists, perhaps more truly than can be said of most other persons, are citizens of the world. As science advances, so in time, does the store of knowledge available to persons everywhere; it cannot be kept from emigrating. Nor should it be.

It is one of the great achievements of western civilization, indeed of the classical tradition, that knowledge is thought properly to be available to any who might use it and that men and women of knowledge should move freely from one society to another.

I once had the occasion to give an address at a convocation of the Hebrew University of Jerusalem, in which honorary degrees were given to myself, to a German publisher, and to Andrei Sakharov. Sakharov was not there. Sakharov could not leave his country to attend. A Nobel Prize laureate was not allowed the freedom of movement that scientists have known since modern science began. Today, by supporting the amendment before us, we assert that freedom of movement, and we celebrate it.

Second, with this amendment I believe we recognize the great complexity of the academic lives of scientists. Indeed we are acknowledging the complexity of the experience of education and learning—more so than is usually reflected in legislation. Excellence in academic work does not always bring a masters or doctoral degree. In the same way, some work goes well past a doctoral level to postdoctoral work, as there are some kinds of scientific endeavor that can only be done over many long years of laboratory work in a direct working relationship with the faculty or professor.

Finally, Mr. President, I submit that the Senate ought to be, and in this case is being, very careful about how we classify knowledge. I once served as a vice president of the American Association for the Advancement of Science, which is our oldest and largest scientific organization. We have 20 divisions in the American Association for the Advancement of Science today. I should think we shall have 30 in 10 years' time and would not be surprised if, 10 years after that, there were 20 once again. There is a constant merger, mutation, migration, and mitosis, whereby disciplines and subject matter expand, diverge, return, combine. It is the nature of the wondrous world of science and it is not for us eagerly or confidently to try to classify it.

Might I say, with respect to the vital fields of computer science and engineering, that the equally to be inaccessible worlds of linguistics and semiotics will have as much to do with the development of computer technology in the next generation as electronics has had in the generation just past?

It was an electrical engineer at MIT who invented the first memory core for the first generation of computers. It was a social scientist at Carnegie-Mellon University, Dr. Herbert A. Simon, who won a Nobel Prize for demonstrating computers doing something alarmingly like thinking. He is a social scientist. Who will be the linguist who finally puts it all together into something unimaginably difficult for the rest of us to deal with I do not know. But not knowing, it is best that we maintain very broad and flexible boundaries in our classifications, even as we maintain quite open doors to men and women of learning throughout the world, especially those whose great moments are ahead of them as indeed is the case with young persons.

So I thank the managers of this important legislation. I might take just another 12 seconds to say that the whole Nation is proud of what Senator SIMPSON and Senator KENNEDY are doing with this legislation, and I for one surely want to be among those who early on attests his intention to vote for whatever in their collective judgment is the final outcome.

Mr. SIMPSON. Mr. President, I thank the Senator from New York for his very gracious remarks, and I very much appreciate them because I have watched him in his many varied interests in this body, paying particular attention to the immigration reform issue. He has been very helpful not only last year but again in this session.

Mr. President, I would have maybe 2 minutes of remarks. This amendment, I think, constitutes a reasonable compromise between the committee's intention to slow the brain drain from developing countries by requiring their students to return home after receiving an education in the United States and, of course, the very real needs of U.S. industry and universities for a limited number of these foreign students in high tech and other critical discipline areas.

The whole theory behind the original measure, this provision of it, when Congressman MAZZOLI and I and other sponsors were reviewing it, was that we tried to see what had happened with the noble concepts from which sprung the Fulbright program and many other programs. They were crafted to allow foreign students to come to this Nation to go to the fine schools in Boston and South Bend or Laramie, Wyo., and learn and then return to their home nations, sharing what they had learned here, that fabric that makes America so unique and such an extraordinary Nation.

But that did not happen. There were many abuses and they did not work as planned. Many of those students adjusted status, others simply did not adjust status. Some of them went into the underground, some of them just disappeared from the rolls. Many married, and there are many, many ways they were accommodating themselves into this country and not returning home.

So that was our reason, and in trying to do that we indeed became very much aware we were heavily impinging upon high tech and faculties and student populations.

So under this amendment submitted by Senator DANFORTH and Senator MOYNIHAN, the Attorney General will be permitted to grant waivers of the 2-year home residency requirement for foreign students in order to allow, or colleges and universities to obtain needed faculty members and to allow, U.S. industry to obtain these high tech employees, which they need to compete in the worldwide market.

I think the annual reports under this amendment which are provided to the Congress will provide us with the information we require for our oversight function and the sunset provisions will provide for the termination of the waivers unless the Congress deems it to be "in the national interest" to continue the program.

So this is an amendment that is acceptable. I want to thank Senator DANFORTH for his usual thoughtfulness and expressiveness in things he believes in. I also want to thank Senator MOYNIHAN for his most extraordinary interest in this situation and this most constructive and thoughtful assistance for many months. It is certainly an acceptable amendment.

Mr. KENNEDY. Mr. President, I yield myself such time as remains on the amendment.

(Mr. DURENBERGER assumed the chair.)

Mr. KENNEDY. Mr. President, I, too, what to commend Senator DANFORTH and Senator MOYNIHAN for this particular amendment and urge its adoption.

Just for the benefit of the Senate, so that we know where we are on this issue—when the bill was reported out from the committee a year ago, a little over a year ago, it had no provision in it to allow students of exceptional ability and merit to adjust their immigration status without leaving the country.

Then on the floor last year when we considered this in the Senate, Senator SIMPSON, and the Senate, accepted an amendment which I offered, which is in the bill currently, and to which this

amendment is directed. It permits the numbers which have been mentioned by the Senator from Missouri, some 1,500 university students, some 4,500 of those who are involved in American industry, to adjust their status each year.

At that time it did not seem to me to be wise to try to list or identify the particular categories, and the language which is included in the current legislation provides for giving those waivers to young people of exceptional merit and ability and it is left in a broader category than the amendment of the Senator from Missouri and the Senator from New York.

Also the legislation had no provisions for sunsetting it after a few years. I would have even preferred if the amendment of the Senator from Missouri and the Senator from New York had left out the sunset provisions, even though I have complete confidence that as long as the Senator from Wyoming is chairman of the Immigration Subcommittee, which I foresee as being for many, many years, that matters affecting immigration will have his attention, and certainly there may very well be need for the subcommittee to consider both the categories and the numbers at some future time.

The reason for the 1,500 and the 4,500 which are included in the legislation is because they are significantly above those which are being adjusted and considered necessary both by the universities and the private sector at the present time.

But I think the Senators are correct in eliminating those particular figures, and I think it is important for us to review those particular categories in the future—although I hoped we could have avoided the sunset provision.

But, for the reasons that have been very well stated here, there has been a balance which I know the Senator from Wyoming and others have felt is needed that we, on the one hand, do not want to be involved in legislation which is basically going to be brain-drain legislation, of taking the most talented and creative and imaginative minds from less developed countries—of giving them the skills and talents—yet not encourage them to return to their nations. I think the Senators have made the case, and I think it is an accurate one, that in these particular categories of individuals with these skills, if they do not remain in the United States they quite likely will go to other industrial nations and will be able to use their skills in ways which may very well be counter to the medium- and long-term interests of the United States, whether it is from a commercial or perhaps even from a military point of view.

This is a limited program. I think it does reflect an appropriate balance and a sensitivity of the Members of this body, and it is an amendment which I would hope we would accept at this time.

As the Senators know, there is some difference in this approach in the House, and I would certainly invite the continued interest of the two Senators as we fashion and shape an adjustment in the conference committee so that we can address what I consider to be, and I know the Senators consider to be, a matter of very significant and important interest not just to the universities and American businesses but I think to our whole country and its economy and the ability of many of the most exceptional and skilled individuals to be able to apply their skills and talents in the interests of our Nation.

I hope the Senate will accept the amendment.

Mr. MOYNIHAN. Mr. President, I move the adoption of the amendment.

The PRESIDING OFFICER. All time has expired on the amendment.

The question is on agreeing to the amendment of the Senator from Missouri (Mr. DANFORTH).

The amendment (No. 1268) was agreed to.

Mr. DANFORTH. Mr. President, I move to reconsider the vote by which the amendment was agreed to.

Mr. MOYNIHAN. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. MOYNIHAN. Mr. President, may I, and I am sure on behalf of my friend from Missouri, once again express our appreciation to the managers of the legislation for their very generous and open attitude in this matter.

Mr. SIMPSON. Mr. President, I again thank the Senator from New York.

I would certainly be remiss in not mentioning that, indeed, it was my good colleague on the subcommittee, Senator KENNEDY, who first recognized this issue for the critical one that it was and began the remedial action in the August debate of 1982. Now we have brought that to full fruition. I think we have something that recognizes what was presented to us as a serious problem and I am very pleased at the result.

Mr. President, in reviewing the status of matters, we have Senator BUMPERS, who is coming to the Chamber shortly with an amendment. Senator BAUCUS and Senator WARNER are diligently working on resolving an issue with regard to user charges as expressed in the legislation.

I see Senator WARNER is here on the floor and he may have something to report.

Mr. WARNER. Mr. President, I inform the managers of the bill that Senator BAUCUS and I are trying to work out a procedure by which one of us lays down an amendment and, in all probability, the other would amend that pending amendment in the second degree and then proceed into debate. I will defer until the Senator from Montana arrives in the Chamber. He will be here momentarily.

AMENDMENT NO. 1269

Mr. WARNER. Mr. President, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Virginia (Mr. WARNER) proposes an amendment numbered 1269.

Amend section 102, subsection 114 on page 121, line 14, by deleting the word "shall" and insert the word "may" after the words "Secretary of State".

Mr. WARNER. Mr. President, I extend my congratulations to the Senator from Wyoming and others who have drafted this legislation, especially the visa waiver section of the bill.

With the adoption of this section of the bill, one of the major obstacles to increased travel from abroad by tourists and business people will be eliminated.

This provision goes a long way toward the effective implementation of the National Tourism Policy Act, a measure of which I was a cosponsor and, as cochairman of the Senate Tourism Caucus, I actively support.

Mr. President, there is, however, a section of the bill having to do with the entry fees which causes me some concern. It stands in the face of the Tourism Policy Act, in my judgment, and I am inquiring if the Senator from Wyoming is aware of this problem and also if the Senator is open to modification of this section.

As the Senator from Wyoming is aware, numerous organizations, including the Travel & Tourism Government Affairs Policy Council, the Motor Coach Tour Industry Association, the Air Transport Association of America, and the American Automobile Association have all expressed their concern over the hasty implementation of this section, and the problems, which might ensue.

By making the modification I suggest, the Senate will bring the bill in conformity with the House, thereby effectively resolving the problem associated with the entry fee issue.

Mr. President, I ask unanimous consent at this time to have printed in the RECORD certain documentation to support the views of the enumerated organizations about which I have spoken.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

WASHINGTON, D.C., *May 9, 1983.*

Hon. ALAN K. SIMPSON,
U.S. Senate, Senate Dirksen Office Building, Washington, D.C.

DEAR SENATOR SIMPSON: We wish to use this opportunity to express our concern about Sec. 114 of S. 529 which would require the Attorney General to impose fees on aliens entering the U.S.

A recent survey by the "Official Airline Guide" has revealed that of 127 countries throughout the world only Venezuela imposes an "immigration fee." It is true that departure fees are common world-wide and the U.S. as an example also has a departure fee.

In so far as the U.S. receives its 3rd largest share of export earnings from international visitors and the U.S. Congress in passing the National Tourism Policy Act established a policy to . . . "encourage the free and welcome entry of individuals traveling to the U.S. . . ." (Sec. 101(b)(4)) Public Law 97-63, we do not believe it in the national interest to charge a fee for this type of alien visitor who in essence is responsible for creating 289,000 jobs in the U.S.

In reviewing Committee Report (98-62) the Congressional Budget Office estimates that the cost to INS of increasing border patrols (the only reference to costs recoverable under Sec. 114) will be approximately $85 million in 1984 and $70-80 million annually thereafter. The report further goes on to note that "based on information provided INS," CBO estimates (that the cost of processing aliens) will cost INS $40 million a year. CBO further suggests that "the INS would be able to recover this cost by imposing a fee of 20 cents per entry in 1983, with small upward adjustments in subsequent years to reflect inflation. This fee would be classified as a revenue to the government. In reviewing this proposal we infer:

(1) The majority of the increase in costs to INS are attributable to supplemental border patrols and enforcement activities;

(2) These costs are largely unrelated to the processing of short term business and pleasure travelers to the United States;

(3) These costs will thus be recovered, to an undefinable degree, from "users" who neither generate these costs nor benefit from the facilities and "services" provided.

It is our view that a fee imposed on "international visitors" is discriminatory. Presently, the airlines indirectly bear the costs of inspection facilities, and the cost to briefly examine passports and visas, a government cost, is minimal.

We urge that you clarify, on the floor, the intent of Sec. 114 so as not to include "international visitors."

Sincerely,

JAMES E. GAFFIGAN,
Executive Director.

MEMORANDUM

USER FEE PROPOSAL CONTAINED IN S. 529, THE IMMIGRATION, REFORM AND CONTROL ACT OF 1983

Section 114 of S. 529 (see Appendix I) would amend the Immigration and Nationality Act by adding a section entitled "Nonimmigrant Visa Fees and Border Facility Fees." Subsection (b) requires that "The Attorney General, after consultation with the Secretary of State shall impose fees for an alien's use of border facilities in an amount necessary to make the total of such fees substantially equal to the cost of maintaining and operating such facilities and services."

Included in the Committee Report (No. 98-62) is the Congressional Budget Office (CBO) Cost Estimate (Appendix II) which is germane to the fee issue. CBO estimates that the cost to INS of increasing border patrols (the only reference to costs recoverable under this section) will be approximately $85 million in 1984, and $70-80 million annually thereafter. The CBO report further finds that "Based on information provided by INS" CBO estimates (that the cost of processing aliens) will cost INS $40 million a year. CBO further suggests that "INS would be able to recover this cost by imposing a fee of $0.20 per entry in 1983, with small upward adjustments in subsequent years to reflect inflation. This fee would be classified as a revenue to the Government."

From this information the following can be inferred:

(1) The majority of the increase in costs to INS are attributable to supplemental border patrols and enforcement activities;

(2) These costs are largely unrelated to the processing of short-term business and pleasure travelers to the United States;

(3) These costs will thus be recoverd, to an undefinable degree, from "users" who neither generate these costs nor benefit from the facilities and "services" provided.

It is important to recognize that the legislative language expressly makes allowance for the subsidization of particular users by others, i.e. ". . . shall impose fees . . . in an amount necessary to make the total of such fees substantially equal to the cost of maintaining and operating such facilities and services." However, a fee structure which in design allows an arbitrary assignment of cost and benefit has been attempted in the past and subsequently addressed in the Courts.

Congress made its initial declaration of intent in the Independent Offices Appropriation Act of 1952. Title V provides that:

". . . Government activities resulting in special benefits or privileges for individuals or organizations be financially self-sustaining to the maximum possible extent"; and

". . . Regulations prescribing fees be as nearly uniform as practicable"; and

". . . Fees be fair and equitable, taking into consideration direct and indirect costs to the Government, value to the recipient, public policy or interest served and pertinent facts."

In 1959, a Bureau of the Budget Circular was issued, which attempted to interpret the 1954 Act for the agencies, and advise them with respect to its implementation.

"Where a service (or privilege) provides special benefits to an identifiable recipient above and beyond those which accrue to the public at large, a charge should be imposed to recover the full cost to the Federal Government of rendering the service. For example, a special benefit will be considered to accrue and a charge should be imposed when a Government-rendered service:

(a) Enables the beneficiary to obtain more immediate or substantial gains or values (which may or may not be measurable in monetary terms) than those which accrue to the general public (e.g., receiving a patent, crop insurance, or a license to carry on a specific business); or

(b) Provides business stability or assures public confidence in the business activity of the beneficiary (e.g., certificates of necessity and convenience for airline routes, or safety inspections of craft);

(c) Is performed at the request of the recipient and is above and beyond the service regularly received by other members of the same industry or groups, or of the general public (e.g., receiving a passport, visa, airman's certificate, or an inspection after regular duty hours)."

The FCC established a fee schedule in 1964 which imposed a nominal "filing fee." The revenues raised covered approximately 25 percent of the agency's budget. In 1970, in response to the encouragement of both Congress and the Executive Branch, the FCC raised the fees to recover its full costs of operation. A group of cable operators challenged the fee structure and the Supreme Court held in 1975 that the assessment per subscriber was a tax, rather than a fee, since it was not related to a special benefit conferred by the FCC (NCTA v. U.S.). In a related case decided simultaneously (FCC v. New England Power Co.), the Court held that ". . . no charge should be made for services rendered when the identification of the ultimate beneficiary is obscure and the service can be primarily considered as benefiting broadly the general public." These represent the only Supreme Court rulings on these issues.

In 1975, the FCC issued a new fee schedule which it perceived to be consistent with the Court's ruling. Again the structure was challenged, and the Court of Appeals held that the new fee structure did not meet the Supreme Court's criteria. The FCC was ordered to develop a new fee schedule as well as clarify the basis for their assessment. The agency interpreted the Court rulings as requiring an assessment of fees based, to some degree, on the value conferred on the user. The FCC ultimately decided that it could not quantify the benefit or value being conferred upon the user, and suspended the collection of all fees in 1977. Though a committee was appointed to determine the most equitable method of refunding the previously collected fees, none have yet been refunded.

Also in 1977, the GAO issued a report which took exception with the FCC's interpretation of the rulings. "GAO does not believe that the Court of Appeals required the Commission to measure separately the value conferred upon the people paying the fee. Instead, based upon interpretation of the court decisions, the Commission can establish a proper fee schedule based solely upon cost." Nonetheless, neither GAO nor Congress have offered any further assistance in calculating an equitable fee schedule based upon cost.

For purposes of this legislation three basic questions arise:

(1) if fees must reflect "direct and indirect costs to the Government" (according to the 1954 Act), what part of INS' costs are "fairly and equitably" allocable to the international traveler? Which of these costs are not already being paid by transportation modes in the form of "facilities use fees"? Is border patrol and enforcement activity an appropriate cost to be subsidized by the international traveler?

(2) what part or aspect of the operation of such facilities can be considered a "value or benefit" which is conferred upon the traveler? INS inspections are distinct from, for example, Department of Agriculture meat grading and inspection services as INS inspections in no way provide "business stability or assure public confidence in the business activity of the beneficiary." Further, INS inspections are not performed "at the request of the beneficiary" nor do they "enable the beneficiary to obtain more immediate or substantial gains or values." Presumably, the ratio of charges should be set

equal to the ratios of marginal benefits and the absolute level set to recover full cost. In this case, however, it seems clear that all benefit is recouped by citizens of the United States who are expressly exempted from charge by the language of the bill.

(3) what public policy or interest is served by the imposition of such fees on the traveler? The proposed fees are clearly antithetical to public policy concerns.

IMPLEMENTATION PROBLEMS

There is a multitude of negative implications with respect to the implementation of Sec. 114 of the bill. For example, the proposed fee is discriminatory inasmuch as it would be imposed upon aliens only. A recent survey of 127 countries revealed that only Venezuela imposes an "immigration fee." All other head taxes, departure taxes, etc. are paid by both aliens and nationals. The discriminatory aspect of this fee proposal violates a number of international agreements and many airline bilateral agreements would have to be modified or renegotiated. In addition, this legislation would obviously encourage other countries to initiate the same practice with an attendant risk of abuse.

There are a number of practical considerations as well. For example, how would the fee be collected? Collection at inspection is also problematic. Visitors without U.S. currency would have no choice but to interrupt the inspection, locate a currency exchange desk, and return to the inspection. Collection at this point is also inconsistent with the ASIST pre-clearance procedure. An integral aspect of ASIST clearance is the frequent performance of Customs inspections by INS inspectors, as well as the performance of INS inspections by Customs inspectors. As the legislation requires the imposition of INS fees only, some passengers may be charged while others are not. Alternatively, ASIST could be modified, but presumably only in such a way as to defeat the purpose of the procedure. At airports where ASIST has not yet been implemented, collection of the fee at inspection would of course exacerbate existing delays and long lines.

Similar problems would occur with all transportation modes; as well as with border crossings by foot. At Canadian points-of-entry, where visas are not required, inspectors would encounter the additional difficulty of distinguishing between aliens and citizens. An alien who merely claims to be a U.S. citizen would be likely to successfully avoid paying the fee. It is also possible that an alien might simply refuse to pay the fee, presenting the U.S. with the option of either foregoing the fee or instituting deportation proceedings.

Also disturbing is the inequity made apparent by CBO's observation that the additional monies will be primarily used to fund border patrols and enforcement activities.

Finally, as public policy the fee proposal is inconsistent with our national economic interests. Twenty-three million international visitors spent $12.2 billion in the U.S. in 1981 generating $1.1 billion in federal, state and local tax revenue and supporting approximately 300,000 jobs. At a time when our international competitive position is deteriorating and the U.S. is seeking ways to prevent further erosion, travel and tourism is our third largest source of export income. It is clear from our perspective that whatever revenues are raised must be viewed as inconsequential relative to the harassment and inconvenience that will inevitably be imposed upon international travelers.

JONES, JONES, BELL,
CLOSE & BROWN, CHARTERED,
Washington, D.C., May 6, 1983.

Hon. ALAN K. SIMPSON,
Chairman, Subcommittee on Immigration and Refugee Policy, Senate Committee on the Judiciary, Washington, D.C.

DEAR CHAIRMAN SIMPSON: In follow-up to our telephone conversation, I am writing to elaborate on the concerns of the motorcoach tour industry with respect to the entry fees proposed in Section 114 of S. 529, the Immigration Reform and Control Act of 1983.

The imposition of user fees on aliens crossing our Mexican and Canadian borders by tour bus would be a significant burden to the tour bus industry and its clientele. The fees would not be cost-effective. They would adversely affect the United States tourism industry, economy, our balance of payments deficits, and our perception throughout the world as a country that welcomes the exchange of visitors and ideas through international tourism.

I offer this conclusion for the following reasons:

1. Section 114 violates the specific statutory mandate of the National Tourism Policy Act of 1981 (P.L. 97-63). Under Section 101(b)(4), the Act establishes a national tourism policy to "encourage the free and welcome entry of individuals traveling to the United States in order to enhance international understanding and goodwill."

2. The fee contradicts general foreign policy goals of encouraging foreign travel to the United States and certainly contradicts the general goal and objective of attempting to reduce our burgeoning balance of payments deficit. In 1981, over 33.6 million Canadians crossed our borders into the United States. Almost 1.3 million of them came by bus. In 1980, the average visitor spent $1,700 while in the United States. Any federal user fee on aliens that would curtail the flow of foreign visitors to the United States would be counter-productive to our economy. Furthermore, since one new job is generated for every $37,750 spent on travel and tourism, any loss of travel and tourism dollars from Mexican and Canadian tourists would adversely affect jobs in the United States.

3. In the tour bus context, any entry fee initiatives from the American government would invite an almost certain retaliatory "entry fee" burden by the nations of Canada and Mexico. Therefore, it is a real and substantial threat to our domestic tour bus industry. For the most part, the tour bus industry caters to middle, fixed-income travelers who would be discouraged from the tour package plan by any additional, $5 to $25 entry fees. Canada, for example, was the destination of about 39.8 million United States citizens in 1981. Of these visitors to Canada, almost 1.5 million traveled to Canada by bus. The imposition of retaliatory border fees on Americans by foreign governments may mean that many of our own citizens, including a large percentage of senior citizens, may forgo a trip.

4. The fees would be either too onerous and discourage travel, or they would be too small to justify the administrative hassle entailed in collecting them and enforcing the program. The tour bus industry is very distressed at the prospect that once the fee door is opened, the characteristic bureaucratic enthusiasms about funding all agency expenses from this new revenue source will occur. All the statutory language in the world cannot prevent an enterprising administrator from loading a lot of agency costs on the points of entry to offset other general budget expenditures.

5. Implementation of the alien "user fee" poses substantial administrative dilemmas related to the method of collecting the fee. If a percentage of the fee is to be collected in advance as part of a travel package, what is the administrative machine that pursues collection? Individual payment at the time of entry conjures another major irritant for the foreign visitor attempting to cross into the United States. Will a foreign tourist who claims US citizenship be excused from the entry fee? What would happen to an alien who refuses to pay the fee? Would he be deported? We have enough practical barriers already at our border points. Inevitably, the proposed entry fee would aggravate the already long delays in airline passenger entry into our country, as well. Enclosed are the foreign visitor statistics of just one country, Canada. The practical problems associated with collecting the entry fee from 33 million Canadian visitors to the United States is awesome. This problem will only be multiplied when all the foreign visitors from Europe, Japan, and other areas of the world are included.

6. The proposed user fee is blatently discriminatory. It is imposed only on aliens. A recent study of 127 countries disclosed that only Venezuela imposes an "immigration fee." All other departure taxes, head taxes, etc., are paid by both aliens and nationals.

7. There is an inherent inegality in asking a foreign visitor from Canada or Mexico to subsidize United States border administration and enforcement costs that are totally unrelated to processing a Canadian or Mexican business or tourist visitor. The question of why should they pay for border patrols, guard dogs, shotguns, vehicles, and search lights that have nothing to do with their coming and going from the country can legitimately be raised. The processing of aliens crossing our borders is conducted to enforce our immigration laws and protect our national interests. The proposed fee is largely unrelated to the administrative costs of processing short-term leisure or business visitors.

The above comments represent a partial summary of the serious questions and problems engendered by Section 114.

I appreciate your consideration of these concerns. If I can be of any help or assistance with this issue, please let me know.

I remain,
Sincerely,

JAMES D. SANTINI,
Attorney at Law.

UNITED STATES-CANADA TRAVEL STATISTICS

	1981	1982
Visitors:		
U.S. visitors to Canada	39,808,716	32,431,840
Canadian visitors to the USA	33,583,997	33,322,139
Visitors by mode:		
U.S. visitors to Canada:		
Automobile	35,008,266	27,805,711
Air	1,863,231	1,734,539
Bus	1,453,172	1,402,500
Rail, boat, other	1,484,047	1,489,090
Canadian visitors to the USA:		
Automobile	28,379,594	28,305,336
Air	3,187,669	2,941,826
Bus	1,268,643	1,330,292
Rail, boat, other	748,091	744,685

Source: Canadian Consulate General, Ottawa, Canada (Cleveland, Ohio, office).

AIR TRANSPORT ASSOCIATION,
Washington, D.C., May 4, 1983.

Hon. ALAN K. SIMPSON,
U.S. Senate,
Washington, D.C.

DEAR SENATOR SIMPSON: The Air Transport Association has followed the Immigration and Reform Act, S. 529, with great interest. We are pleased with, and support, the visa waiver provision contained in the bill, but are concerned about Section 218(b) which would require the Attorney General to impose fees on aliens entering the U.S. for the use of border facilities and services of the Immigration and Naturalization Services.

We oppose the imposition of fees on arriving international travelers because the basic responsibilities of the INS were established by the Congress in the broad national interest and do not uniquely benefit the airlines or airline passengers. The proposed legislation directly conflicts with the goal of the National Tourism Policy Act of 1981 to "encourage the free and welcome entry of individuals traveling to the United States," and will inhibit the Secretary of Commerce in the performance of his duty to "encourage to the maximum extent feasible travel to and from the United States . . ." 22 U.S.C. Sec. 2123(b)(12). It is also inconsistent with the clear policy of the Trade Act of 1974, which called for the reduction and elimination of barriers to international trade. Further, it also would contravene the treaty obligations of the United States under the Chicago Convention.

An INS "user fee" for the use of INS facilities for airline passengers would be discriminatory because the airlines and other tenants already bear the costs of the inspection facilities at airports. Therefore, there is no cost associated with airport inspection facilities for the INS. The only remaining cost would be for the brief examination of passports and visas. Since that inspection is performed for the protection of U.S citizens, it cannot be interpreted as a service for the benefit of the alien. Therefore, it would be a violation of the guidelines for user fees as expressed by the President in his budget message for FY '83.

The United States would be virtually alone in the developed world in assessing INS inspection fees if this measure is adopted. (While some countries levy departure fees they are used generally for tourism promotion.) For this reason, any change in the current law would require protracted consultations with other nations under the terms of existing bi-lateral agreements to determine the reasonableness of the new charge. The imposition of an INS "user fee" would invite retaliation and opposition by other nations as it did last year when the U.S. Customs Service proposed a similar fee for its services. (See the attached list for a complete summary of those countries and groups who opposed the previous proposal.) Substantive changes in law with such widespread international implications require thorough examination in a separate hearing process.

Leaders from the tourism industry and from cities which have U.S. international airports fear that procedures, such as the collection of an alien user fee, would create more delays for arriving visitors and would discourage tourism. Some cities have already experienced the negative economic impact of a downturn in the tourism industry as the direct result of the inefficient federal inspection system. (See attached memorandum re: Miami International Airport.)

The imposition of a fee for INS services on aliens will exacerbate ongoing problems of congestion at U.S. airports of entry. For years the airlines, airports, tourism industry and others have worked to minimize long delays for aliens and returning citizens going through the inspection process. Only recently have efforts been successful in obtaining some relief—but these measures are just the beginning. The entire inspection system, including INS, Customs, and Agriculture must be restructured into a system for the most cost-effective and expeditious inspection of passengers and cargo entering the country. Without significant modification of the current system, stop-gap measures, such as "user fees," serve no purpose.

We respectfully urge that the imposition of an INS "user fee" be deferred and that the concept of a consolidated federal inspection system, as described in the enclosed analysis, be examined as an alternative means of improved manpower and financial resource management.

Sincerely,

WILLIAM J. BURHOP,
Senior Vice President,
Government Affairs.

EXCERPTS FROM THE REPORT OF THE AIRPORT ACCESS TASK FORCE ON GROUNDSIDE CONGESTION

FEDERAL INSPECTION SERVICES

Federal Inspection Services (FIS) at U.S. airports are a significant cause of groundside congestion and delay for international air passengers and shippers. FIS congestion and delay detrimentally impact international passenger and cargo facilitation, disrupt the ability of arriving international air passengers to make planned domestic flight connections, significantly affect the movement of urgent shipments in international commerce and can affect the capacity of an airport to accommodate international traffic.

The Airport Access Task Force recommends that:

1. The Federal Government, through the Secretary of Transportation, ensure that studies funded through Federal planning grants to states, regional agencies, and local entities address airport ground access problems and solutions. Such studies include those efforts which lead to the development of state, regional, and local land use, transportation and airport master plans. Timely and effective review and coordination between the various Federal agencies (FHWA, FAA, UMTA, etc.) that provide planning funds should be accomplished to ensure identification of potential problems involving groundside congestion;

2. Congress encourage and support the concept of coordinated and cooperative or joint funding of projects to develop airport ground access facilities by such agencies as the Federal Aviation Administration, Federal Highway Administration, Urban Mass Transportation Administration, state and local governments—since many access problems are not just airport problems;

3. Congress encourage and authorize the use of Federal funds through existing programs for projects to install ground transportation information systems in airport and off-airport terminals. Such information systems should provide up-to-date information about available ground transportation alternatives for the air traveler;

4. Congress support and encourage the development of off-airport terminal facilities by authorizing the use of Federal funds for the development of such facilities. Further, that the Federal Government support and encourage the development of these facilities by ensuring that, during the planning and project development of such facilities, state and local, as well as Federal authorities, are made aware of available funding and coordinate planning and development activities. Further, that airports and airlines recognize that these facilities can be a cost-effective means of relieving congestion at the terminal, approach roads, and parking lot of an airport. Finally, efforts should be focused on overcoming problems associated with remote baggage handling, ticketing, and other passenger services;

5. Services' procedure be modernized and simplified to maximize the efficient use of resources (e.g., dual channel "red/green door" and "one-step" procedures and automated systems such as the National Cargo Control System) and that cross-training of FIS employees be required;

6. Congress consider the consolidation and streamlining of the Federal Inspection Services so as to expedite passenger and cargo flow through ports as well as reduce operating costs;

7. Priority go to staffing that is commensurate with the activity of the port of entry so as to minimize delay; and

8. FIS costs continue to be recognized as costs to be borne by all taxpayers, since the Federal laws requiring inspection were enacted to protect the nation and all of its citizens.

INTERNATIONAL STANDARDS AND RECOMMENDED PRACTICES, FACILITATION, ANNEX 9 TO THE CONVENTION ON INTERNATIONAL CIVIL AVIATION, JULY 1980

Annex 9—Facilitation

3.8.5. Recommended Practice.—*Visas should in all cases include the following information given in the order shown:*

(a) number of visa;

(b) type of visa;

(c) date of issue, showing day, month and year in that order;

(d) date of expiry, showing day, month and year in that order;

(e) number of entries permitted;

(f) authorized duration of each stay.

3.8.6. Recommended Practice.—*Numerals 1, 2, 3, 4, 5, 6, 7, 8, 9, 0 and the Gregorian calendar (with months being spelled out in full) should be used in furnishing the information listed in 3.8.5.*

3.8.7. Recommended Practice.—*When the text of the visa is in a national language other than English, French or Spanish, one of these three languages should also be used.*

III.—ADDITIONAL DOCUMENTATION

3.9 Recommended Practice.—*Contracting States should not require either from temporary visitors traveling by air, or from operators on their behalf, any information in writing supplementary to or repeating that already presented in their identity documents.*

3.10 A Contracting State which continues to require written supplementary information from temporary visitors traveling by air, shall limit its requirements to the items and shall follow the format set forth in Appendix 3—Embarkation/Disembarkation Card. Contracting States shall accept the Embarkation/Disembarkation Card when completed by temporary visitors and shall not require it to be completed or checked by the operator. Legible hand-written script shall be accepted on the card, except where the form specifies block lettering.

3.10.1 Recommended Practice.—*Contracting States which require the presentation of Embarkation/Disembarkation Cards should provide them to airline operators for distribution to passengers.*

IV.—PUBLIC HEALTH REQUIREMENTS

3.11 In cases where evidence of protection against yellow fever is required from persons travelling by air, Contracting States shall accept the International Certificate of Vaccination or Revaccination in the form set out by the World Health Organization in Appendix 2 of the International Health Regulations (1969).

3.12 Recommended Practice.—*Medical examination of persons arriving by air should normally be limited to those disembarking and coming within the incubation period of the disease concerned, as stated in the International Health Regulations (1969), from an area infected with one of the three quarantinable disease (plague, cholera and yellow fever.)*

V.—CLEARANCE PROCEDURES

3.13 Except in special circumstances, Contracting States shall not require that identity documents be collected from passengers or crew before they arrive at the passport control points.

3.13.1 After individual presentation by passengers and crew of the identity documents, the public officials concerned shall, except in special individual cases, hand back such documents immediately after examination, rather than withholding them for purposes of obtaining additional control.

3.14 In giving effect to paragraph 3.2, Contracting States shall ensure that examination by clearance control officials is performed as expeditiously as possible.

3.15 Each Contracting State shall make arrangements whereby the identity document of a temporary visitor need be inspected by only one official at times of entry and departure.

Note.—This provision is intended to ensure inspection of the identity document of a temporary visitor by only one official on behalf of both the Immigration and Police authorities. It is not intended to discourage Health and Customs officials from examining the identity document whenever this may facilitate health and customs clearance of the temporary visitor.

3.16 Contracting States shall accept an oral declaration of baggage from passengers and crew.

3.17 Contracting States shall normally accompany inbound passenger baggage inspection on a sampling selective basis.

* * * * *

MEMORANDUM

JANUARY 7, 1983.

To: Honorable Mayor and Board of County Commissioners.

From: M. R. Stierheim, County Manager.

Subject: Federal Inspection Process, Miami International Airport.

Miami International Airport has for well over 20 years suffered with regard to the ability to process arriving international passengers at an adequate rate. This is basically the result of far greater growth at MIA than elsewhere and continuation of historical staffing patterns by the federal agencies favoring areas such as New York. The problem is further complicated at Miami by a much higher percentage of alien arrivals as compared to other major gateways, more difficult processing because of points of origin and, more recently, because of narcotics control measures.

In spite of tremendous local investment in facilities, extensive efforts to obtain improved agency staffing levels and to obtain improved processing procedures, the problem is now worse than ever. On the three days following New Years day the situation at MIA was a disaster. Delays of up to four hours were recorded with average clearance times during some periods exceeding 2½ hours. The established goal for Miami is 45 minutes for peak periods; i.e., worst case.

The effects of this situation are many, serious and long lasting:

1. The international arrivals facility is designed to meter the flow of passengers from the aircraft to the federal inspection passenger processing stations in Immigration and Customs. As a consequence, only limited seating is necessary and, therefore, available.

All halls and passageways were jammed. Access to rest rooms was restricted. Seating for the elderly or infirm was non-existent. People became ill. Police were required to control the crowds to prevent a riot. Safety and health were endangered. Passengers, some completing a lengthy and tiring trip of up to 10 hours, were forced to stand for well over two hours. For the first time in the history of Miami International Airport, passengers had to be held on aircraft as there was no space for them in the international arrivals area.

2. Connecting schedules are based on allowing 1½ hours between flights. Many passengers missed connections because of delays in processing. Many faced either added costs or great inconvenience waiting for another flight.

Airlines, already in a highly tenuous financial plight, were forced to leave with empty seats while the passenger holding the ticket stood in a line for processing and, in many cases, pay for overnight accommodations.

3. One of the major strengths of Miami's air traffic system and the economies of our air carriers is the international hubbing and connecting traffic patterns which have been carefully developed during the decade of the 70's. This connecting traffic supports the routes which provide service for terminating passengers visiting South Florida and also the cargo lift crucial to our community.

The current problem has been an inability to meet volume demands with the staffing available and procedures utilized by one of the four federal agencies involved in the federal inspection process at MIA; namely, Immigration, a part of the U.S. Justice Department responsible to the Attorney General. It should be pointed out that the staffing by Immigration during the worst portion of our recent crisis totaled 13 inspectors. This is equal to the number of inspectors available for the same period in 1970, thirteen years ago. Permanent staffing at the Airport by INS is not acceptable even for the off peak traffic periods. Miami absolutely cannot tolerate this situation.

Permanent staffing assigned to the Airport by Immigration must be brought to or maintained at levels commensurate with traffic volume and levels at other major international gateways. This means that actual trained, available inspectors must meet these levels, not "approved positions", "inspectors on temporary assignment elsewhere", "at the training academy", etc.

Regional/District management must recognize the peak traffic periods that repeat like clockwork year in and year out at the Airport and take steps to meet them well in advance. Personnel must be assigned temporarily part time to the Airport from other duties. Vacations must be scheduled taking traffic levels into account, abuses of sick and funeral leave must be dealt with as a disciplinary matter. Unusual conditions must be anticipated and contingency staffing plans and procedures developed.

A pool of part time inspectors must be budgeted, hired and trained. They should be qualified aviation/airport employees so that they are available for any emergency. We have offered that the employees of the Aviation Department be trained for such part time requirements. We have even offered to pay the cost of the part time emergency employees.

The alternate solution and the only one that will be cost effective and provide the framework and management system to prevent continuous recurrence of incredible inspection clearance delays, is to change the system of inspection by creating one federal inspection agency with one management team, one budget and one responsible agency. The four federal inspection agencies have shown little willingness in the past to pursue this idea of a single inspection agency for a major airport even though the concept is used at smaller airports and land border crossings, and Congress has not been willing to legislate the single agency concept despite strong recommendations for such an inspection system from the General Accounting Office, various Congressional Oversight Committees, the Office of Management and Budget, Air Transport Association, fact finding committees, and numerous business leaders of national repute who have only needed to observe the existing four separate agency federal inspection system for a few hours, or be briefed that such a monster exists, to recommend the one agency concept. We understand that one of the inspection agencies (Customs) is now in support of the one agency concept at airports and would strongly support a test of such a system. Why not Miami and why not now? The more complicated question of whether there should be a single agency for the entire country can be dealt with separately.

Miami has the best international facilities in the world. It has the greatest international potential. It, unfortunately, has the worst reputation among international travelers. This makes the first item meaningless and will destroy the second.

[From the Miami Herald, Jan. 8, 1983]

END THE STACKUP

Among international travelers, Miami International Airport (MIA) is fast developing a reputation as a great place to suffer. Inexcusably irresponsible failures by U.S. Immigration and Naturalization Service (INS) and Customs officials are solely to blame. Their callous disregard for efficiency threatens not only the comfort, convenience, and safety of the travelers that they serve so poorly. These officials also endanger the reputation and economic-development potential of Greater Miami.

Few times are more predictable as peak-travel periods than the first several days after Jan. 1. At MIA's international-arrivals center on those days this year, however, the peak load almost became a mob. Credit inadequate INS and Customs staffing for that.

Travelers entering that MIA facility had just escaped up to 10 hours cramped in airliner seats, bear in mind. Because of the

INS-Customs breakdown, this is what they found:

All halls were jammed. Few seats were available. Access to restrooms was restricted. People became ill. Tempers frayed. Eventually police were summoned to control the crowds, lest they riot.

The average international traveler being processed through MIA then had to wait 2½ hours to gain clearance. Some people waited as long as four hours. Who wouldn't be outraged?

The INS was most to blame. Even under normal conditions, INS staffing at MIA is skimpy. This time it was worse. For extended periods during the peak, only 13 INS agents staffed the 34 available inspection booths. INS's best effort was to man 19 booths. Even that level seldom was attained. One reason was the unprecedented amount of sick and funeral leave taken then by INS staff.

Customs provided 32 agents at peak. Because of strict, inefficient procedural rules, however, the Customs staff is prohibited from doing INS work, so the larger Customs staff made little difference.

This kind of outrage causes many serious ripple effects. The bad word travels fast and far. International travelers often are trend setters and opinion leaders back home.

Many of them missed connecting flights. Neither they nor the airlines need that. Airlines either make money or move operations elsewhere. Many are transferring their international business from MIA to Houston, Atlanta, Dallas-Ft. Worth, even Tampa and Orlando. Loss of that market share will affect passenger and cargo traffic at MIA.

It's simply intolerable that Miami should have to bear this unwarranted burden. Bureaucratic bungling of Federal agencies is principally at fault. From Customs and INS must come the obvious solution—and fast. They must assure sufficient staff at MIA to eliminate this recurring debacle.

Bureaucrats can be slow to move unless the political blowtorch of budgetary pressure is set alight beneath their backsides. South Florida's representatives in Washington have plenty of fuel and many matches. They should not hesitate to turn the heat high.

WORKING PAPER: CAB AIRPORT ACCESS TASK FORCE: WORKING GROUP C—AIRPORT ACCESS AND FEDERAL INSPECTION SERVICES, DECEMBER 17, 1982

(Presented by H. Clifton Madison, Vice President, Western Airlines)

Federal Inspection Services (FIS) at U.S. airports are among the major causes of groundside congestion and delay for air passengers and shippers. FIS congestion and delay detrimentally impacts international passenger and cargo facilitation, disrupts the ability of inbound international passengers to make planned domestic flight connections, and can potentially limit the capacity of an airport to accommodate international traffic. The FIS problem is, therefore, an appropriate area to be addressed by the Task Force as part of its examination of groundside issues.

In 1981, over 20 million international passengers were processed through FIS at U.S. gateway and preclearance airports, and this sector of air travel has shown consistent growth over the years. It is the stated policy of the U.S. government, as articulated in the International Air Transportation Competition Act of 1979, that international air travel should be encouraged from a greater number of U.S. gateway cities to a greater number of cities abroad. Unfortunately, U.S. customs and immigration inspector staffing has fallen behind the growth rate of international air travel.

There has been, and continues to be, severe congestion in processing international travelers through customs and immigration formalities at most U.S. airports of entry and preclearance airports. Delays, at times approaching 2 to 3 hours per flight, are not uncommon at the preclearance airports of Montreal and Toronto and at our airports in Alanta, Baltimore, Chicago, Denver, Detroit, Fort Lauderdale, Honolulu, Los Angeles, Miami, Houston, Minneapolis, New York (Kennedy), San Francisco, Seattle and Tampa, among others.

International airline operations are currently constrained at several U.S. airports due to FIS processing limitations. At New York (Kennedy), for example, the Airline Scheduling Committee must coordinate aircraft arrival schedules to accommodate hourly passenger processing limitations and thereby minimize congestion and delay at JFK International Arrivals Building gates and inspection facilities. At other airports, assignment of processing "slots" for arriving aircraft loads constrains operational flexibility and effective capacity. Unless significant increases in FIS staffing levels or streamlining of procedures are made, these problems will continue and worsen in the future.

Either adequate numbers of inspectors must be authorized by the Congress or a high priority program to reduce inspector workload—through modernization, simplification, and consolidation of the functions of the several inspection agencies—must be initiated. Measures to facilitate the entry of international air travelers and shipments have been recommended, including:

1. Consolidate the several inspection functions required for the clearance of travelers and goods entering the country.

2. Reallocate headquarters and regional resources to increase inspection agency manpower complements in the field.

3. Reduce and simplify the inspection process for Customs and Immigration to permit the most efficient use of available resources. Namely:

(a) extend preclearance—inspection of passengers and baggage prior to departure from a foreign country—to other locations,

(b) implement the red/green door inspection procedure—or a modification of it—whereby the traveler determines whether or not he must go through Customs formalities,

(c) extend the one-step inspection procedure now operational at Edmonton, Houston, Kennedy Airport satellite terminals, Los Angeles temporary facility and Philadelphia, to other U.S. airports of entry and preclearance airports,

(d) introduce sampling techniques for processing air passengers and freight,

(e) simplify U.S. Customs processing of U.S. international air freight through the introduction by that agency of an automated control system, and

(f) reduce inspection agency documentation requirements to process international air passengers and air freight, for example, by simplifying the shipper's export declaration and eliminating arrival/departure cards for transit without visa passengers.

4. Amend the Tariff Act of 1930 to simplify U.S. tariff schedule computations for assessing Customs duties covering freight importations into the United States, paralleling those changes already implemented for passengers baggage importations.

These measures will help meet the continued growth of international air travel and mitigate the need for major expansions in inspector staffing. A significant case-in-point is the ASIST procedure recently evaluated at Miami and Los Angeles. The procedure has simplified and significantly accelerated both immigration and customs inspection formalities, and has been an important first step toward the development of a more selective and efficient passenger inspection system which now should be expanded nationwide. Unfortunately, ASIST was terminated by Customs at Miami on November 1, 1982.

Under the ASIST procedure, immigration inspectors are augmented with customs inspectors at primary immigration booths. The inspectors of the two agencies are cross-trained to perform each other's functions as well as that of agriculture quarantine. Deplaning travelers undergo inspection formalities with only their hand-carried baggage in their possession. If an immigration, customs or agricultural problem arises, or if duty payment is required, the traveler is referred to the appropriate inspection agency secondary position. Checked baggage is not claimed by the passenger until primary inspection at the immigration booth is completed. The airport authorities at Miami and Los Angeles, the international airlines serving these locations, and arriving travelers have all acclaimed the ASIST procedure. Airports desiring to begin the procedure should be permitted to implement ASIST and other streamlined procedures at the earliest practicable time.

An immediate, short-term cause of current FIS congestion is the misguided reduction and curtailment of Customs and Immigration Inspectors staffing as a way of curbing federal expenditures. Unfortunately, in the government wide search for ways to curb expenditures, efforts are being made to shift the cost of providing many government services to the "beneficiaries" or "users" of such services.

Airlines and airline passengers are not the "beneficiaries" of Customs and immigration inspection services. They certainly are "users", but only because they are required by federal law to be inspected. They receive no special benefit unique to airlines or airline passengers from the inspection, in fact, the inspection process itself is a distinct disadvantage in terms of loss of time and convenience. What frequently is overlooked is that the federal laws requiring the inspection were enacted to protect the nation and all of its citizens—by preventing the entry of undesirable products and persons, by preventing the entry of animal and plant diseases, by tariff enforcement protecting American labor and business from destructive foreign competition and discrimination, and by collecting duties on imported goods. The cost of carrying out these laws should be borne by all taxpayers.

CONCLUSIONS AND RECOMMENDATIONS

FIS staffing levels today are unable to meet airport inspection demands without long delays and serious public inconvenience. This situation will worsen significantly unless immediate positive action is taken to deal with it. Either adequate numbers of inspectors, or a high priority program to reduce inspector workload—through the steps toward modernization, simplification, and consolidation of the inspection process cited above, are urgently needed. Otherwise, FIS congestion and delay will continue to be a major groundside access constraint

at U.S international airports and preclearance airports abroad.

SUMMARY OF COMMENTS FILED IN CUSTOMS' DOCKET ON USER FEES

1. OCEANAIR LINE

7-28-82: Seeks exemption of carriers operating smaller aircraft "as the additional costs would be quite burdensome."

2. JAPANESE GOVERNMENT

7-30-82: Seeks exemption "since U.S. commercial airlines to and from Japan are not charged any such fees as those proposed by the U.S. Customs Service."

3. NORTH DAKOTA AERONAUTICS COMMISSION

7-24-82: "North Dakota commercial air taxi operators * * * request an Exemption from the coverage of the rule or any part, thereof, for small entities."

Requests Customs to provide in its rule an alternative to the proposed amendments which will "* * * minimize such significant economic impact of the proposed rule to small entities." Such alternative should exclude all small commercial on-demand air taxi air carriers and other air carriers operating 60 passengers or less or 25,000 pounds of cargo, or 20 passengers or less or 12,500 pounds of cargo.

4. POMPANO AIRWAYS

7-26-82: Opposed to proposed rule. Pompano would be adversely affected by regulation.

5. AIR JAMAICA

7-28-82: Opposes proposed rule: 1. Economic burdens; 2. Discriminatory in that Jamaican government doesn't impose similar tax on U.S. carrier; and 3. Would violate provisions of Chicago Convention.

6. EUROPEAN NORTH ATLANTIC CARRIERS

7-27-82: Opposes proposed rule. Violation of Chicago Convention and various bilateral air transport agreements.

7. FAA

7-28-82: Strongly objects. Costs "of activities for which Customs proposes to levy charges on commercial aircraft operators" should be borne by the general public. Violates international agreements.

8. ITALIAN GOVERNMENT

7-26-82: Opposed. Violates current bilaterals. Would create imbalance between Alitalia and U.S.

9. AIR TRANSPORT ASSN. OF CANADA

7-21-82: Opposed. Unwarranted costs on Canadian air carriers serving U.S. points.

10. DEPARTMENT OF STATE

7-23-82: Opposed. ". . . would be inconsistent with international treaties and bilateral aviation agreements to which U.S. is a party."

11. HELLENIC CIVIL AVIATION AUTHORITY

7-26-82: Opposed. Costs should be borne by U.S. government.

12. REPUBLIC OF SOUTH AFRICA

7-26-82: Request for extra time.

13. BELGIAN DIRECTOR GENERAL OF CIVIL AVIATION

7-26-82: Opposed.

14. FRENCH GOVERNMENT

7-26-82: Authorities are presently studying proposal.

15. EMBASSY OF CANADA

7-26-82: Opposed. Would violate international agreements.

16. NATIONAL AIR CARRIER ASSN.

7-26-82: Opposed. 1. Discriminates between commercial and private aircraft, 2. Commercial aircraft pay for overtime Customs services and should not have to pay for normal hours of work, 3. Customs processing does not directly benefit air carriers; 4. Questions of law; and 5. Refrain from imposition till necessary legislation submitted to and approved by Congress.

17. JAPAN AIR LINES

7-26-82: Opposed. 1. Proposal based on erroneous construction of I.O.A.A.; 2. Proposal does not meet criteria for permissible service "fee"; 3. If burden to fall on some international airlines, must be done by Congressional legislation, not Customs regulation; 4. Airlines should not be expected to bear economic burden; and 5. Imposition of fees may provoke retaliation by other countries against U.S. airlines operating abroad.

18. NY-NJ PORT AUTHORITY

7-26-82: Opposed. Airlines should not have to bear burden.

19. PRINAIR

7-26-82: Seeks exemption identical to that being sought by North Dakota Aeronautics Commission.

20. PORTUGUESE EMBASSY

7-26-82: Extension of time.

21. OK AVIATION (BISMARCK, ND)

7-22-82: Opposed. "Utterly unconscionable."

22. RED AIRCRAFT SERVICE, INC. (FT. LAUDERDALE)

7-26-82: Same as Pompano Airways.

23. VIRGIN AIR

7-21-82: Strongly opposed. People will be unable to absorb costs.

24. IATA (FILED BY RODNEY WALLIS, DIR., FACILITATION & SECURITY)

7-19-82: Opposed. Disregard for economic environment.

25. RAA

7-26-82: Seeks exemption for operations with small aircraft. (Attached to RAA's comments is a copy of their comments filed with CAB in Docket 40673, "Regulatory Flexibility Act—Definition of Small Business," 7-27-82).

26. AIR FRANCE

7-23-82: Opposed. Customs Service does no service for the airlines. "User" of Customs Service is U.S. Government itself. International carriers and passengers shouldn't have to pay.

27. FEDERAL REPUBLIC OF GERMANY

7-22-82: Opposed. Carriers and passengers shouldn't pay; not beneficiaries of Customs services. Seeks exemption for German carriers.

28. AIR NIUGINI

7-12-82: Opposed. Airlines would suffer financial burden.

29. VIRGIN ISLANDS LEGISLATURE

7-13-82: Strongly opposed. Fees would hurt small carriers on which Islands rely.

30. SERVAIR ACCESSORIES, INC. (WILLISTON, ND)

7-13-82: SerVair is operator of small aircraft. Opposes Customs' proposed rule. Would suffer economic burden.

31. PILGRIM AIRLINES

7-12-82: Opposed. Will suffer severely and disproportionately.

32. IATA (HAMMARSKJOLD)

6-15-82: Opposed. Disregard for economic environment.

33. ATA

(Not included in set of documents offered for inspection.)

AMERICAN AUTOMOBILE ASSOCIATION,
Falls Church, Va., May 10, 1983.

Hon. ALAN K. SIMPSON,
Chairman, Subcommittee on Immigration and Refugee Policy, Committee on the Judiciary, U.S. Senate, Washington, D.C.

DEAR MR. CHAIRMAN: The American Automobile Association is concerned over a provision contained in Sec. 114 of S. 519, the "Immigration Reform and Control Act of 1983", which mandates the imposition of fees on aliens with respect to their use of Immigration and Naturalization Service border facilities and services, in order to offset the costs arising from the use of such facilities.

It is our understanding that, as written, this language would include international travelers in the definition of "aliens."

We wish to note our strong opposition to such fees. The fees proposed by Sec. 114 are not user fees; rather, they are a tax on aliens. Those who would be required to pay the tax would receive no benefit from it. In fact, there is really no relationship between border patrols and international travelers. Border facilities are maintained for the protection of U.S. citizens, not aliens. The fee proposed in Sec. 114 is therefore not a true user fee.

AAA has supported the concept of user fees in the past, most notably the federal gasoline tax to fund development of the Interstate system, and airline ticket taxes to help fund airport and airway development. Those who pay such taxes directly benefit from them.

Furthermore, the fee is discriminatory, because it would be imposed only on aliens, not U.S. citizens. No other country in the world, except the Philippines and Venezuela, imposes a tax similar to that proposed in Sec. 114. The Philippine tax is a head tax imposed only on those visitors whose stay in the country exceeds 59 days.

Moreover, a policy such as that contained in Sec. 114 conflicts directly with the policy set forth in Sec. 101(b)(3) of the National Tourism Policy Act which states: "There is established a national tourism policy to encourage the free and welcome entry of individuals traveling to the United States, in order to enhance international understanding and goodwill. . . ."

At a time when the U.S. is trying to encourage travel to this country from abroad, as well as encourage other countries to eliminate barriers to travel by U.S. citizens, a tax such as that proposed in Sec. 114 is unwise.

AAA urges you, as the sponsor of S. 529, to make clear during Senate consideration of this legislation that such fees are not intended to be imposed upon international travelers.

We appreciate any help you may provide on this matter and hope you feel free to call us if you have any questions.

Sincerely,
JOHN ARCHER,
Managing Director, Government Affairs.

Mr. WARNER. Mr. President, at this time I yield to my distinguished colleague from Montana.

Mr. BAUCUS. Mr. President, may I inquire, what is the pending business?

The PRESIDING OFFICER. The amendment offered by the Senator

from Virginia (Mr. WARNER) is the pending business.

AMENDMENT NO. 1270

(Purpose: To eliminate the provisions imposing fees for an alien's use of border facilities)

Mr. BAUCUS. Mr. President, I ask unanimous consent that I may be able to send an amendment to the desk and it be considered as a substitute amendment to the pending amendment.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Montana (Mr. BAUCUS) proposes an amendment numbered 1270.

On page 102, strike out "Sec. 114. Fees.".

On page 121, strike out all of section 114, line 4 to line 20.

Mr. BAUCUS. Mr. President, this is a very simple amendment. It would simply delete the fees section of the bill.

I offer this amendment for several reasons. First of all, I think it is fundamentally unsound for our country to begin imposing fees on travelers, who wish to come to America from other countries to enjoy vacations or transact business. We do not charge such fees now, and we should not begin doing it.

I have a particular interest in this issue because we in Montana enjoy a very cordial relationship with our neighboring country, Canada. There are three Canadian Provinces which border the State of Montana. Montanans have always been able to travel freely in Canada, and Canadians have likewise been able to travel freely in the Montana area and other States. I would hate to see Congress interfere with this friendly and cooperative relationship.

I also object to the fees provision on a general level. I do not think we should be sending a signal to the rest of the world that people coming to visit the United States will now have to pay a fee for that privilege. This is neither an acceptable precedent for the future nor an acceptable departure from our traditions of the past.

Second, the language of the bill on the imposition of fees is so open-ended, so broad, and so vague that it gives authority to the executive branch of the Government to levy essentially any fee. The language says:

The Attorney General, after consultation with the Secretary of State, shall impose fees for aliens' use of border facilities or services of the INS in an amount necessary to make the total of such fees substantially equal to the cost of maintaining and operating such facilities and services.

Mr. President, that provision is broad enough to encompass almost anything. Under the proposed language, almost any cost having anything to do with the Immigration Service, could be and, in fact, must be, charged to foreigners who come to visit the United States. The provision of the bill is simply too broadly drawn.

Third, Mr. President, there has been virtually no focus on this provision of the bill. It has been raised in a very passive, tangential way in committee hearings, but I have no recollection in markup of any discussion about this issue. It is a small portion of a large bill, and it has been essentially unnoticed. But now that I have noticed it, I find its implications on our internal economic development and our external foreign relations profoundly disturbing. There are just too many questions that should be answered before we enact a provision that could affect so many areas of our lives.

I understand that the intention of this provision is to collect fees, to take a step toward balancing the budget.

It should be noted however, that the fees to be collected under this provision of the bill are not earmarked. They will not go to the INS but to the general fund of the Treasury. So the INS still have to come before the Congress, before the Appropriations Committee, to get their appropriations. The fees provision of the bill is not in reality going to help defray INS costs.

Finally, I just think the imposition of border fees is a bad idea. I can understand the reason that the provision is in the bill—to raise some money. But think of the precedent it will set. As soon as the United States starts taxing people who come to the United States to visit, on vacation or on business, other countries will start doing the same thing. A series of reciprocal and escalating fees will cause an unnecessary strain between the United States and foreign countries. For that reason, Mr. President, I think we should vote down this provision.

I see our distinguished majority leader standing by me with what I am sure is an urgent request, so I will cease and yield to the majority leader.

Mr. BAKER. Mr. President, I am about to do something which is a first, to speak from the Democratic side of the aisle.

Mr. BAUCUS. We welcome the majority leader on this side of the aisle. I hope that in the next Congress we will be together.

Mr. BYRD. I might say, Mr. President, that the majority leader looks comfortable on this side of the aisle. We welcome him and hope he will stay with us on this side.

Mr. BAKER. I think I hear statements now concerning my future.

Mr. President, I have two requests I would like to make at this time. I thank the Senator for yielding.

All three requests, I believe, have been cleared by the minority leader. I would like to state them now for his consideration and that of all Senators.

Before I do so, let me say that two of them deal with the Budget Act since the Senate recommitted the budget resolution, and that provides for the resolution to be reported back within 3 days, expiring tomorrow evening. Since there seems to be a general consensus that that is not enough time to do what the Budget Committee must do, the first request is to extend that time. I make the following request, Mr. President.

EXTENSION UNTIL MAY 19, 1983 FOR BUDGET COMMITTEE TO REPORT SENATE CONCURRENT RESOLUTION 27

Mr. BAKER. Mr. President, I ask unanimous consent that the Committee on the Budget have until the close of routine morning business on Thursday, May 19, to report back Senate Concurrent Resolution 27, a resolution revising the congressional budget for the U.S. Government for the fiscal year 1983 and setting forth the congressional budget for the U.S. Government for the fiscal years 1984, 1985, and 1986.

Mr. BYRD. Mr. President, reserving the right to object, and I will not object, does the majority leader have some idea as to circa what time morning business would close? It would depend, I know, on what time the Senate would come in.

Mr. BAKER. I would hope to bring the Senate in at 10 a.m. and I would hope to be back on the resolution at a reasonably early time, say 10:30 or about that time.

Mr. BYRD. I have no objection.

The PRESIDING OFFICER. Without objection, it is so ordered.

EXTENSION UNTIL MAY 23, 1983 FOR COMMITTEES TO FILE REPORTS

Mr. BAKER. Mr. President, the second request, the necessity for which is required from having been granted the first request, is:

I ask unanimous consent that Senate committees have until 5 p.m., May 23, 1983, to file reports for the purposes of section 402(a) of the Congressional Budget Act of 1974 with respect to fiscal year 1984, and that reports filed by that time be considered timely filed under that section.

The PRESIDING OFFICER. Is there objection? Without objection, it has been so ordered.

PROPOSED VOTING PROCEDURE TOMORROW

Mr. BAKER. Mr. President, it has been brought to my attention that with the arrangements which have been made for stacking votes, that on tomorrow at 2 p.m. the vote on the Ruckelshaus nomination will occur, and beginning at 3 p.m., we will have three votes on amendments to this the

immigration bill. Then we would go back to another executive session item, the nomination of Mr. Regnery, and a rollcall vote may be ordered on that nomination. It seems to me more logical that the two executive session actions might be taken back to back. I have discussed this informally with the minority leader and I would now like to propound this unanimous-consent request:

Mr. President, I ask unanimous consent that on Tuesday after the vote on the Ruckelshaus nomination that the Senate then vote without further debate on the Regnery nomination if a rollcall vote is ordered on that nomination and is stacked pursuant to the order already entered, and that after the Regnery nomination is disposed of, the Senate resume the sequence of stacked votes on the amendments to the immigration bill as previously ordered.

The PRESIDING OFFICER. Is there objection?

Mr. BUMPERS. Mr. President, reserving the right to object, I wonder if the leader or floor manager of this bill will tell us which three legislative votes we are planning, or which three amendments to this bill we are going to vote on immediately after the two the majority leader proposes.

Mr. BAKER. What rollcalls have been ordered?

The PRESIDING OFFICER. The rollcalls that have been ordered are on amendments Nos. 1221, 1222, and 1224.

Mr. BUMPERS. Mr. President, I have this minor problem.

I have to go home tomorrow night, and I have to leave here at 4 p.m. I had planned to offer an amendment in a moment, and I would like to vote on that amendment before I have to leave tomorrow afternoon.

I wonder if the majority leader would be willing to grant me a small favor, and that is to vote on my amendment first and then the three amendments of the Senator from North Carolina, in which case I would have no objection to the nominations being voted on first.

Mr. BAKER. Mr. President, I would want to consult with the Senator from North Carolina first, and I do not see him in the Chamber at this time. Let me withdraw that request for the time being, and I will be glad to talk to the Senator from Arkansas and the Senator from North Carolina on that subject.

I withdraw the request, Mr. President.

IMMIGRATION REFORM AND CONTROL ACT OF 1983

The Senate continued with the consideration of S. 529.

Mr. WARNER addressed the Chair.

The PRESIDING OFFICER. The Senator from Virginia is recognized.

Mr. WARNER. Mr. President, in response to my distinguished colleague from Montana, I wish to point out that the difference, of course, in our two amendments is that mine parallels identically the language in the House and is permissive in nature.

I share the sentiments of the Senator from Montana that this fee situation could be an impediment to tourism and daily commerce from Mexico and Canada.

It is for that reason that I selected a permissive approach to this issue, enabling the appropriate departments and agencies of the Federal Government to determine if, in fact, there is a means by which certain fees could be collected.

I am wondering if the Senator might consider the permissive aspect as curing the problem, primarily in his geographic area of the United States, and, if he would consider that satisfactory, perhaps joining me in this amendment?

Mr. BAUCUS. Is the Senator asking me a question?

Mr. WARNER. Yes; the question is this: Would the Senator consider a permissive approach, enabling the various departments and agencies of the Federal Government to try to collect some fees under circumstances that would not be injurious to the flow of people across our borders? Yet, it could be imposed on people coming for nontourist or business purposes.

Mr. BAUCUS. I understand the concern of the Senator from Virginia. The Senator from Virginia wishes the Senator from Montana to modify the language in the pending bill so that it is similar to the House bill. At present, the Senate bill has mandatory language, requiring the administration to collect fees in amounts equal to operating services and facilities. The language of the House bill is discretionary.

Mr. President, I must answer the Senator from Virginia by saying I do not think that making the provision discretionary is an appropriate solution.

The State Department is in very strong opposition to any fees. So some agrue that if the State Department is opposed and the fees are made discretionary, no fees will be imposed. My response is that, if we all agree that no fees will be imposed anyway, why not just delete the fees provision from the bill?

Deleting the whole section makes our action absolutely clear to everyone—to the State Department, to Congress, to Americans, and to foreigners traveling to the United States—that this is no longer an issue, that there is no question, that no fees will be imposed.

The other problem is that the prepared discretionery language is just as open ended, just as broad, as the bill's original language. In either ease, we have no way of knowing what we are getting into.

I suggest that, instead of legislating bad language, let us delete it and take it from there.

Mr. WARNER. I will defer to the sponsor of the bill to define the generic issue. Mine is the addition of the word "may."

It seems to me that we are faced with three alternatives: First, it is made mandatory by the pending bill. Second, I am making it discretionary. Third, the Senator from Montana wants to remove it altogether.

Considering those three positions, I think it appropriate at this time if we hear from the manager of the bill. In particular, I should like clarification of the administration's position.

I share the view expressed by the Senator from Montana; namely, that the Department of State is opposed. I am aware of that. I am also of the opinion that some other segments of the Federal Government are anxious to have the discretionary power to levy some fees.

Mr. SIMPSON. Mr. President, it seems to me that a few minutes ago, Senator WARNER and Senator BAUCUS were involved in this; and now I see that the ball is being fired at the plate, and I am behind the plate.

The issue is the amendment offered by the Senator from Virginia which would remove the mandatory "shall" and make it a permissive, "may," and a substitute by the Senator from Montana which would simply repeal the user fee provision. That is where we are.

I will say just a very few things, because I want to get to the amendment by Senator BUMPERS and accommodate him, and I am sure we can accommodate him on the vote tomorrow, also. I do not think the Senator from North Carolina will have an objection to that.

The fees have been described as entry fees. Actually, they could be imposed either on entry or departure. They are user fees. The Senator from Montana is correct: Those funds are not earmarked. OMB vigorously opposed earmarking, although we did earmark application for legalization fees. But the provision was in the original bill in the 97th Congress. It was in the bill when it was introduced in the 98th Congress, and it had not been changed in the course of markup.

The State Department is less than enthusiastic; that is true. But both Congress and the Office of Management and Budget have been notoriously tightfisted with the Immigration and Naturalization Service.

The past inability of the INS to provide prompt and efficient service is notorious. Border enforcement and inte-

rior enforcement have been insufficient and ineffective.

I think Commissioner Allen Nelson is turning it around and is doing a very credible job.

I will conclude, and we can ask for the yeas and nays on the substitute tomorrow.

The committee's idea through the use of mandatory user fees was to provide funds to offset the cost of the facilities and services used by aliens crossing our borders.

Many countries do impose departure fees on persons leaving their borders. The provisions in the bill would permit the imposition of either an entry or a departure fee, whichever the administration deems the most appropriate.

The fees contemplated originally were small: Perhaps 25 cents per person at land crossings and around $1 per person at airports or seaports. That was the intent.

The approach is consistent with the present intention in Government, at least at some other levels to impose user fees, having the people who use the systems pay for the system. The income generated from those fees would improve the service which we furnish to people at the points of entry. The lines would be shortened and service improved through use of funds generated through the user fees.

At this juncture, I personally embrace the view of my colleague from Virginia. It matches the language of the House of Representatives making it permissive instead of mandatory, rather than repeal the fee provision. Maybe we could to visit further about the issue of the land crossing fee versus an airport fee or a seaport fee. That is certainly something I would be willing to consider.

Mr. WARNER. Mr. President, will the Senator from Wyoming yield?

Mr. SIMPSON. I yield.

Mr. WARNER. Mr. President, I respect my colleague from Montana. Had he not offered his amendment it is likely the manager of the bill would have accepted my amendment.

Mr. SIMPSON. Mr. President, if the Senator from Montana is accommodating the Senator from Virginia I would accept the amendment in the form of permissive rather than mandatory.

Mr. WARNER. So really the sole issue before the Senate then is to look at a permissive versus mandatory and the managers of the bill are prepared to accept the permissive approach.

Mr. SIMPSON. That is correct for this manager of the bill.

Mr. WARNER. I thank the Senator.

Mr. KENNEDY. Mr. President, I commend the Senator from Montana for bringing this issue to the attention of the Senate.

This particular provision was in the legislation that passed last year.

There were members of the Judiciary Committee, including myself, who were concerned about it, so we inquired about it from the State Department. I must say they were remarkably slow in getting back to us with their own concerns.

Finally, as has been well-stated by the Senator from Montana, when they have reviewed it and reviewed it in very considerable detail, I think the Senator has understated the kind of anxiety they feel and their fear of the implications this provision will have—of the United States being the first country in the world that puts the tin cup out for people when they are coming into this country or coming back into this country. The implications of that I think are profound indeed. Myself, I think they are beneath the dignity of this Nation.

I think we are all familiar with the kinds of fees that have been established to date, the visa fees to pay for consular services, which are quite appropriate. Almost every nation in the world does it. There are the airport fees which we have seen in country after country. Nations do that. There are other kinds of generally accepted exit fees that take place.

If that were what was being intended by this particular provision in the bill, I would certainly hope that it would be sustained. But I think the Senator is quite correct that the language does not say that.

If the language remains as it is in the legislation, I can see not only the possibility of an Attorney General and the Immigration Service establishing an odious kind of process and procedure. I can see other countries establishing similar kinds of restrictions against U.S. citizens when they are traveling abroad. It does seem to me to be highly objectionable for the very sensible reasons the Senator from Montana has stated.

I would hope that over the period of the nighttime—prior to the time that we would vote on this measure—that we could work out a compromise, which would be sufficiently discretionary in terms of the future, but that we agree on what is acceptable and what is responsible and that there be a common understanding by the Members of the Senate exactly what this provision will actually mean.

I, too, am troubled by the discretionary provisions, but as I understand the comments of the Senator from Wyoming in the listing of the kinds of fees he thought would be included, they were the most traditional kinds of fees, and those I think have a general acceptance and understanding in international relations, and were we to come out in that particular way then I think that the Senator's objective would be accomplished. But if we are not able to reach that compromise, I would vote with the Senator from Montana on this amendment and I think he is quite correct.

Mr. BAUCUS. Mr. President, I very much appreciate the remarks of the Senator from Massachusetts. I am not going to take much more of the Senate's time here. We have other matters to attend to.

Let me say, first, that as I understand present law, the kind of matters, the Senator from Wyoming wishes to see covered are already covered. We do not need this provision for airport-type user fees and visa fees.

Second, the fees provision causes a problem because about one-sixth of our border crossings in the North are unmanned. Who is going to collect the fees as Canadians come across or as they go back across? There is no one there to collect them. They are small, remote stations. It is a minor matter, but if we have to have someone collect the fees, that in itself, is going to increase INS costs.

More fundamentally, I do not think imposing border fees is proper or right.

The Senator from Massachusetts says it is demeaning to the United States to start imposing fees on people who come to visit the United States. I agree. If we require these fees, the Statue of Liberty will thereafter be heard to say: "Give Me Your Tired, Your Poor and Your Buck." I do not think that is what we want the Statute of Liberty to represent.

Mr. President, I wish to yield the floor, and I do ask for the yeas and nays on the substitute amendment.

The PRESIDING OFFICER. Is there a sufficient second? There is a sufficient second.

The yeas and nays were ordered.

Mr. SIMPSON. Mr. President, Senator BAUCUS comes from a State immediately contiguous to me on the north. We, in that part of the world, are familiar with persons who are illegal undocumented workers from Canada. It is odd in these United States we do not always think of them in the same way we think of other illegal undocumented alien persons but, nevertheless, they are the same in every way.

We have vowed never to speak about the Statue of Liberty in this debate, and the Senator from Montana has strayed from the official ground rules and will be severely chastised at some later time.

Fees are now being assessed, as the Senator says, but they are not user fees. We were just trying to frame a user fee.

But I would hope the staffs might work this evening and maybe go on to address what Senator KENNEDY is saying with regard to the possibility of the designation of a user fee. But if not, the yeas and nays have been asked for and we will deal with the

issue tomorrow. I think the case has been stated.

I yield back the remainder of my time.

Mr. BUMPERS. Mr. President, I have an amendment at the desk and I ask for its immediate consideration.

The PRESIDING OFFICER. The question needs to be resolved on the underlying Warner amendment.

Are the yeas and nays to be ordered on the underlying amendment?

Mr. WARNER. Mr. President, I heard the question. Was there a sufficient second?

The PRESIDING OFFICER. That was on the Baucus substitute.

Mr. WARNER. Mr. President, I ask for the yeas and nays on my amendment.

The PRESIDING OFFICER. Is there a sufficient second? There is a sufficient second.

The yeas and nays were ordered.

AMENDMENT NO. 1271

(Purpose: To eliminate the investor preference)

Mr. BUMPERS. Mr. President, is my amendment in order?

The PRESIDING OFFICER. Yes.

Mr. BUMPERS. Mr. President, I ask for its immediate consideration.

The PRESIDING OFFICER. The amendment will be stated.

The legislative clerk read as follows:

The Senator from Arkansas (Mr. BUMPERS) proposes an amendment numbered 1271. On page 157, beginning with line 19, strike out all through page 158, line 6.

Mr. BUMPERS. Mr. President, there are 20 minutes on this amendment to be equally divided and as far as I am concerned, we can probably dispose of it even in less time than that. It is a very simple amendment.

I wish to explain to my colleagues a category included in this bill about which very little or nothing is being said.

No. 1, in the broad category of independent preference, that is a broad category, and under independent preference are four different classifications.

First, if there happens to be an Einstein somewhere wanting in this country, someone with exceptional ability, he can be admitted and he has high priority under this particular classification.

Second, anyone who has a skill that is needed in this country. It is just a skilled worker preference. He can be admitted.

They are the second priority within that classification.

The third one and the one to which I take exception is called investor preference. Before I tell you what investor preference means, Mr. President, let me make this point: In this broad classification, 75,000 people can be admitted into this country within those categories—exceptional ability, as I say, the kind of mind that Einstein might have, if it happens to be something we need. That is No. 1. Skilled workers are No. 2. Those who have money to invest in this country to start a business are No. 3. Out of the 75,000 people in those categories, only 7,500 can be admitted under the investor preference. That is not likely to happen, because here is the existing law.

It is not existing law; actually, it is just something the Attorney General set up in 1978, that anybody who had $40,000 and wanted to employ one person in this country could get in under the existing rule. it is not legislative, it is not a part of the immigration law, it is just something the Attorney General put in in 1978. Not one person has ever been admitted to the United States under that category, and I am glad.

But here comes this bill. This bill provides that anybody in this category who has $250,000 and wants to hire 10 people gets a preference.

Mr. President, under the existing rule of the Attorney General, you at least have to have all or part of your money up to be considered for admittance under this provision. Under the bill, you simply have to express an intent to put up $250,000 and hire 10 people.

Let me say that the argument that the opponents of this amendment will make is that the Select Commission on Immigration voted 14 to 1 in favor of this provision. The one dissenting vote was the chairman of that Commission, Father Theodore Hesburgh. As Andrew Jackson used to say, one man with courage makes a majority. Two men with courage—that is, Father Hesburgh and me—I hope will make a majority in this case.

Mr. President, this is not what anybody would call a "biggie," but I can tell you that I strongly object to it. I do not think—the Senator from Massachusetts was talking about an amendment a moment ago in an entirely different context, but he said the United States would be the first Nation to ever put out the tin cup. My amendment simply strikes this category.

Nobody has ever been admitted, maybe nobody ever would. But I think it is odious, it is offensive, it flies right in the face of the national character of this country. Nobody ought to be admitted into this country simply because he can produce $250,000 and express an intent to come to this country. I hope my colleagues will vote to strip that provision.

I reserve the remainder of my time, Mr. President.

(Mr. DANFORTH assumed the chair.)

Mr. SIMPSON. Mr. President, vigor is the touchword for my colleague from Arkansas. When he enters the fray, he brings vigor and a lot of spirit with him. I remember this debate in August 1982, I go back to the Select Commission on Immigration and Refugee Policy. Who felt that there must be some provision made for an increase in independent, or "new seed" immigrants. Under our present law, only 54,000 visas are available for independent immigrants while, under this bill, this number will increase somewhat to 75,000. Three hundred fifty thousand of those visas go to family reunification. No qualifications whatsoever, just family reunification, which policy continues, as it should, in our heritage. That family reunification dominates our immigration policy.

Of the 75,000 independent immigrant visas, all of them are allocated first to immigrants of exceptional merit and ability. Those left over are allocated to immigrants with skills needed in the United States and, finally, any of the 75,000 independent immigrant visas remaining are made available to these investors, those who would invest at least $250,000 in a new enterprise in the United States, which would employ at least four U.S. workers not members of the immigrant's family.

The number of visas available then for these independents is limited by this bill specifically to 10 percent—no more than 10 percent—of the 75,000 independent immigrant visas. Thus, no more than 7,500 visas can be issued in this preference category.

I think that is a reasonable figure. Right now, today, current regulations provide that visas may be issued to immigrant investors who will invest $40,000 in an enterprise in the United States which will employ at least one U.S. citizen not a member of the immigrant's family. That is present law. This is not some new thing. Thus, the bill requires three times the investment and four times the number of U.S. workers to be employed than under present law and regulations; thus it makes it stronger.

So, while family reunification continues to be the primary purpose of our immigration policy, we thought it was appropriate to allow a small number of persons to immigrate to the United States who will benefit the economy of the country, and solely and specifically so. That is, if the size of the investment required is appropriate, if the number of U.S. workers to be employed is appropriate, and the preference is appropriately limited to no more than 10 percent of the independent immigrants, which means that less than 1.7 percent of all immigrant visas will be issued to investors—1.7 percent of the entire 100 percent, then we think that is fair and appropriate, Mr. President. So it is the committee's view that the investor prefer-

ence is in the national interest and that it will not result in immigration to this country being dominated by persons trying to buy their way in.

I know that is the concern, but we do not see this as any case of buying one's way into the United States or an elitist provision for those of wealth. It is an attempt to bring to the United States seed immigrants, which was the very essence of our original flows of immigration, and make only a very small number of those investors. We think it is quite reasonable. I want to share those facts with my colleagues in the debate.

Mr. KENNEDY. Mr. President, I want, just for the benefit of the Senate, to mention what the Select Commission on Immigration and Refugee Policy did on this particular issue. Actually, it agreed to create only a very small investor category, but made it quite clear that it was not in favor of actually earmarking specific numbers. You can say that this, nonetheless, still endorses the principle which the Senator from Arkansas objects to, but it was at least intended at that time to be part of a whole package which, I must say, was a good deal more comprehensive and generous than the package before us. It was also a good deal more responsive to both our immigrant history and the family reunification needs of people who have families outside this country and who have something to contribute to the Nation.

I think the Senator from Arkansas offers this amendment at a time when this bill has rejected a number of the recommendations of the Select Commission which would have, I think, been a good deal more generous than what is in the bill now—such as higher immigration quotas and less restrictions on legal immigration. But it was the judgment of the Committee on the Judiciary that those particular provisions would not be accepted.

I have had an opportunity to talk with the Senator from Arkansas about this amendment just in the final hours of the debate last year. I know that he has long been concerned about this issue.

I would have continued to support the Select Commission's recommendation if it had remained a part of an overall package of expanding visa numbers. But since the bill actually provides new restrictions on immigration numbers and on the preference system—contrary to the Select Commission's recommendations—I cannot support the continued earmarking of visa numbers for investors.

The point the Senator from Arkansas makes is a sensible one. My own feeling is that with the tightening down of other provisions, ignoring the recommendations that have been made by the Select Commission on increasing visa numbers, but having those numbers in the bill reduced, is unacceptable.

Mr. President, I will support the amendment of the Senator from Arkansas.

Mr. BUMPERS addressed the Chair.

The PRESIDING OFFICER. The Senator from Arkansas is recognized.

Mr. BUMPERS. Mr. President, let me say in conclusion, No. 1, I overstated a moment ago something that might be perceived as a benefit of the amendment. I said that we had $250,000 and would agree to employ 10 persons. Actually, it is only four persons, which makes it, putting it in its best light, even more offensive.

I generally support the bill and applaud the work of the Senator from Wyoming and the Senator from Massachusetts, but I really think this part of the bill is offensive. It violates my sense of priority and ethics. I think it violates our national character.

The House bill last year had this provision on it. They stripped it out. I do not think the House committee will sit still for it if we pass it in the Senate.

Maybe this is not a big thing. There are enough people stacked up in the other preference categories probably to keep this provision from becoming operative maybe at any time but, as they say, it is on the books and I think it ought to be taken off.

I do not think the United States ought to indicate by allowing this to stay on the books that we will sell the United States piece by piece to the wealthiest bidders, to those who may be seeking a safe haven in the United States.

I very strongly believe that the American people would find this provision offensive. I hope my colleagues will support this amendment and that we will strike it.

Mr. President, I am prepared to yield back the remainder of my time. How much time do I have remaining?

The PRESIDING OFFICER. Twenty-four minutes and forty seconds.

Mr. BUMPERS. My understanding was that there was only 20 minutes to be equally divided on the whole amendment.

The PRESIDING OFFICER. There is 1 hour to be equally divided.

Mr. BUMPERS. I am still ready to yield.

Mr. SIMPSON. Mr. President, I think that we did not ask unanimous consent, but it was agreeable that we have 20 minutes.

I have 1 more minute, and I will yield back the remainder of my time.

I hear clearly what the Senator from Arkansas is saying. I respect him greatly. He is a fine friend. I have learned that when he speaks, believe it. I do.

I believe we are placing an unfortunate emphasis on this issue. It seems to have gathered some aspect of threshing out those who should be here for deep humanitarian reasons and these greedy, avaricious souls should not be coming into the picture.

I think that is unfortunate. These numbers are not earmarked. If seed immigrants are needed for exceptional merit and ability or skilled workers, they are in this preference category. What is left over could be for these investors in that category. Investors are in the law now. And so it may not be that there will ever be any of them, as the Senator says, and their numbers will be used up. But if they are not, it cannot exceed 10 percent.

The reason that the matter was stripped from the bill in the House is that the House stripped all reference to changes in legal immigration. That will be one of the things that we will be working on very seriously in the conference.

The intent of the House was very clear. After all, what we are up to in this bill in its essence is control of illegal immigration. But the select commission did deal with some of the legal immigration issues. This was done. It was felt that the whole system is being squeezed out by family reunification and it was time to go back to the things that were part of our original heritage in immigration, seed immigrants, people with capital wanting to invest, but leave it at a very small number and recognize exceptional merit and exceptional ability and skilled labor. This at the tail end of that preference.

I should like to put it back in that balance. At least that is more helpful for me.

Mr. BUMPERS. Mr. President, if I may just take 30 seconds more, this is not in the law now. It was placed on the books by the Attorney General. This body has never enacted legislation of this kind. If we pass this bill and my amendment is defeated, it will be the first time we have ever passed such a thing as this. It was put in arbitrarily by the Attorney General of the United States, not the Congress of the United States.

No. 2, there is a fourth category in this general category that I did not mention because it is under investor preference, but it is called the no preference category. I can conceive of very deserving, desperate people wanting into this Nation and people that we might want to accept but simply because they do not fit any of these other categories are denied because there is somebody in front of them that happens to have $250,000 in his pocket. It would be the shame of this body, it would be the shame of this country, if that happened one time.

Mr. President, I yield back the remainder of my time.

Mr. SIMPSON. Mr. President, I yield back the remainder of my time.

Mr. BUMPERS. Mr. President, I ask for the yeas and nays on my amendment.

The PRESIDING OFFICER. Is there a sufficient second? There is a sufficient second.

The yeas and nays were ordered.

Mr. SIMPSON. Mr. President, I believe that may well take care of the remainder of the amendments that we can process or that have been presented with their sponsors in attendance today. Yet, I will certainly remain for that purpose, and I know Senator KENNEDY may be able to remain for a bit of time. At this point we are at least not aware of amendments or sponsors who will be available today, and yet we have certainly pared the list either through accepting amendments or through the stacking of votes.

AMENDMENT NO. 1272

(Purpose: To express the sense of the Senate that the Department of Labor should reexamine its January 4, 1983, rulemaking at 20 CFR Part 655, affecting West Virginia fruitgrowers)

Mr. BYRD. Mr. President, I send an amendment to the desk and ask that it be stated by the clerk.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from West Virginia (Mr. BYRD), for himself and Mr. RANDOLPH, proposes an amendment numbered 1272.

Mr. BYRD. Mr. President, I ask unanimous consent that further reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

At the appropriate place in the bill, add the following:

It is the sense of the Senate that, inasmuch as the Department of Labor promulgated a final rule on January 4, 1983, at 20 CFR 655, described as Labor Certification Process for the Temporary Employment of Aliens in the United States in Agriculture; Adverse Effect Wage Rate; and this rule increased the Adverse Effect Wage Rate for West Virginia by 17.2 percent; and

Inasmuch as the 17.2-percent increase in the Adverse Effect Wage Rate for West Virginia is nearly seven times greater than the increase made for other states affected by the rulemaking; and

Inasmuch as the increase in the Adverse Effect Wage Rate will cause a substantial portion of the West Virginia apple crop to be uncompetitive in the marketplace, and the resulting economic damage to a significant number of apple growers in West Virginia is likely to be severe; and

Inasmuch as the Department of Labor should consider the formal objections of the State of West Virginia, the State of Maryland, and the United States Department of Agriculture to its rulemaking;

The Senate declares that the Department of Labor should re-examine its January 4, 1983 rulemaking at 20 CFR Part 655, affecting the Adverse Effect Wage Rate applied to West Virginia fruitgrowers, with the purpose of seeking a fair and reasonable adjustment to that rate.

DEPARTMENT OF LABOR RULE ON WEST VIRGINIA ADVERSE EFFECT WAGE RATE

Mr. BYRD. Mr. President, the amendment that I have offered, for myself and Senator RANDOLPH, is directed strictly at an unfortunate situation affecting West Virginia.

I refer to a rule promulgated by the Department of Labor on January 4, 1983, at 20 CFR 655, entitled "Labor Certification Process for the Temporary Employment of Aliens in the United States in Agriculture; Adverse Effect Wage Rate." That rule increased the adverse effect wage rate for West Virginia by 17.2 percent.

The adverse effect wage rate is paid to domestic workers any time an employer brings temporary foreign workers—the so-called H-2 workers—into the United States to perform a task being done by domestic labor. The adverse effect wage rate was created to protect domestic workers from the unlimited importation of cheap foreign labor. The adverse effect wage rate is set well above the level of the Federal minimum wage. In 1981, the rate in West Virginia was $3.62.

The purpose of the adverse effect wage rate is to discourage the use of temporary foreign workers. Compliance with the regulations governing the H-2 program is intended to be difficult, so that employers do not have incentives to bring in foreign labor. The experiences of fruitgrowers in West Virginia suggest to me that the adverse effect wage rate and the H-2 program regulations are fully protecting domestic workers.

On January 4, 1983, the Department of Labor promulgated a rule that set an adverse effect wage rate for West Virginia for the 1982 and 1983 harvests. Rates for Vermont and Maine were also set in that rule. West Virginia's rate was increased by 17.2 percent over the 1981 level. The rule provides that 10 percent of the increase be made retroactive to the 1982 harvest, and the remaining 7.2 percent is to be applied to the 1983 harvest. That results in an adverse effect wage rate of $3.98 for 1982, and a rate of $4.24 for 1983.

Maine and Vermont each had their adverse effect wage rate increased by 2.5 percent. The growers in my State fail to understand why they are subjected to a 17.2-percent increase while the two apple-producing States in New England—where agricultural wages have been somewhat higher than in West Virginia in recent years—are only required to increase their adverse effect wage rates by 2.5 percent. Clearly, the data on which the January 4 rule rests needs to be more closely examined.

My amendment declares the sense of the Senate that the Department of Labor should reexamine its January 4 rule as it relates to the adverse effect wage rate applied to West Virginia. The focus of the Department's efforts should be to reevaluate the wage survey data that was used to calculate the 1982 and 1983 adverse effect wage rates for my State.

The validity of the wage survey data and of the methodology used to determine the adverse effect wage rate from that data are the foundation of the January 4 rule. If the data with respect to West Virginia is not valid, or if the methodology used to calculate the rate is flawed, then the rule stands on very shaky grounds.

The U.S. Department of Agriculture expressed formal concerns to the Department of Labor on this matter. The Director of the Economic Development Division of the Economic Research Service of USDA submitted a formal comment in opposition to the Labor Department's use of farm wage survey data. The data is collected by the Department of Agriculture, so USDA's comments on the limitations of the wage survey information cannot be ignored.

Secretary of Agriculture John Block has written to West Virginia's agriculture commissioner, Mr. Gus Douglass, and reaffirmed the criticism expressed by USDA for the Labor Department's use of farm wage survey information. Secretary Block points out that the pending legislation would provide USDA with a consulting role on all H-2 regulations issued by the Department of Labor. That will be beneficial in the future if it will provide USDA with a meaningful role in determining how wage survey data is used by the Labor Department.

While an expanded role for the Agriculture Department in the H-2 program should be helpful in the future, the West Virginia growers need help before the beginning of the 1983 harvest. The growers point out that Virginia and Maryland are not affected by the increase in the adverse effect wage rate. Consequently, a portion of West Virginia's apple crop will not be able to compete in the marketplace if the 17.2-percent increase is forced on growers in my State.

For these reasons, I ask for relief for the West Virginia fruitgrowers, and I hope that the managers will accept my amendment.

Mr. RANDOLPH. Mr. President, I wish to associate myself with the remarks of my able colleague from West Virginia, Mr. (BYRD.) I also take this opportunity to commend the Senator for his sponsorship of amendments to S. 529 which address the urgent needs of the H-2 worker program, and which provide essential improvements. His amendment was included in the immi-

gration bill which the Senate considered last year, and his diligent and effective leadership on this issue is appreciated.

Mr. President, this amendment is straightforward, but it represents more than a sense of the Senate resolution to the constituents in our State of West Virginia. It may save the economic livelihood of producers in our State.

Apples are a major crop in West Virginia and the producers must have a reasonable and stable supply of labor to harvest their crops. The harvesting season is very short, but an adequate labor force must be planned months in advance so that at the time of the picking season, the fruit is harvested without delay. If there are delays, the fruit cannot be salvaged and the crop is lost.

Apple producers in our State have attempted over many, many years to hire Americans to harvest their crops, and they have hired and continue to hire Americans. Some of these domestic workers are West Virginians, but not all of them. Some are workers who travel from State to State to harvest various crops.

Let it be understood, Mr. President, that I am not critical of this segment of our labor force; indeed, the record will show that I have worked diligently over the years as a member of the Senate Committee on Labor and Human Resources to create programs designed to improve and care for the needs of migrant and other agricultural workers. I make no apologies for these programs which address the basic human needs for these hard-working peoples.

But, Mr. President, our State does not supply sufficient workers to harvest apples, and growers have been forced into a situation of hiring foreign labor. In order to hire H-2 alien agricultural workers, the producers must work through the local employment service which recruits workers. If there is an insufficient number of domestic workers available, the U.S. Department of Labor must then certify that a certain number of H-2 workers will be required for that season. The Immigration Service will then authorize the admission of those H-2 workers. That is the process. The point of this is to emphasize that producers must make arrangements to hire agricultural labor, whether domestic or foreign, several months in advance of the first day of harvest. In fact, the work orders anticipating a need for alien workers must go to the employment service early in June for this September's harvest.

The other major requirement in the labor certification process that the producers must meet is the payment of an adequate wage to H-2 workers which does not adversely affect the wages of domestic workers in similar work. The adverse effect wage rate (AEWR) is set by the Department of Labor through regulation.

On January 4, 1983, the U.S. Department of Labor issued a final rule amending its regulations for the certification of nonimmigrant aliens for temporary employment establishing the 1982 adverse effect wage rate for West Virginia and three other States. The Department of Labor issued the rule pursuant to a court order of the U.S. District Court for the District of Columbia in NAACP, Jefferson County Branch, et al. versus Raymond J. Donovan, Civil Action No. 82-2315 (D.D.C. September 3, 1982). The case concerns piece rates for apple harvesting in West Virginia.

The January 4, 1983, rulemaking by the Department of Labor will seriously affect the competitive outlook for West Virginia apple producers because of the exorbitant increase in the 1982 and 1983 adverse effect wage rate. Under the rulemaking, West Virginia fruitgrowers will be required to pay a 17.2-percent increase in the adverse effect wage rate. Under the rulemaking and the Department of Labor methodology, a 10-percent increase would be applied retroactively for 1982, and a 7.2-percent increase would be applied in 1983.

The rulemaking procedure by the Department of Labor was initiated November 19, 1982, with the publication of a proposed rule in the Federal Register. The proposed rule identified four options that had been considered by the Department of Labor. The selection of the most complicated and the one with the most serious, detrimental impact on West Virginia fruit growers was strongly opposed by the growers and by the State of West Virginia and by others who submitted comments during the comment period which expired December 20, 1982.

Clearly, a 17.2-percent increase is unfair and unnecessary. It will put West Virginia producers at a decided disadvantage in this year's fruit marketplace. Perhaps more importantly, the methodology used by the Department of Labor has been soundly criticized by all sides. The validity of the data is questionable. The Labor Department uses data gathered by the U.S. Department of Agriculture, but the sample size is small, and our own West Virginia commissioner of agriculture has formally raised questions about the farm wage data reported in West Virginia on which the adverse effect wage rate was based.

This situation is very difficult for West Virginia fruit producers. In March 1983, the growers protested the retroactive application of the 1982 adverse effect wage rate and the 1983 rate of the Department of Labor. They were subsequently informed that they were ineligible to apply for a temporary labor certification in 1983, thereby prohibiting the availability of nonimmigrant alien agricultural workers.

Representatives of the growers, and the able Senator from West Virginia (Mr. BYRD,) and the Representative from the Second Congressional District of West Virginia (Mr. STAGGERS,) joined me in a personal meeting with the Secretary of Labor, Mr. Donovan, on March 24, 1983. The purpose of the session was to bring this situation to the attention of the Secretary and explore the possibility of administrative relief.

That is where we stand today, Mr. President, and the clock is ticking. The apple harvest in West Virginia is just a few months away, and the work orders must be filed within a few short weeks. Unless some relief is forthcoming, the fruitgrowers in West Virginia will suffer serious economic disadvantage in this harvest season. Without the availability of H-2 workers, the crop may be lost. Historically, there has never been an adequate supply of domestic agricultural labor available in West Virginia to harvest the apple crop. Unless there is some relief in the 17.2-percent increase in the adverse effect wage rate, the producers will be unable to market their crop.

I believe the Department of Labor must reexamine the January 4 rulemaking as it affects West Virginia applegrowers. There is still time, and I hope the responsive and responsible action will be taken.

Mr. BYRD. Mr. President, this is an amendment I have discussed with the two managers of the bill and they have indicated they have thought it over and will accept it. I wish to express my appreciation to them for the consideration that they have given to my amendment.

Mr. KENNEDY. Mr. President, I certainly welcome the Senator's amendment. It certainly appears that there was capricious action by the Department of Labor in this case. I think the amendment of the Senator from West Virginia deals with that and I hope the Senate will agree to it.

Mr. BYRD. I thank the distinguished Senator.

Mr. SIMPSON. Mr. President, Senator BYRD, throughout the deliberations on this bill, has had this very serious problem with the agricultural community in West Virginia with regard to apples, especially apple pickers. This adverse effect wage rate is designed to prevent employment of H-2 agricultural workers from depressing wages and working conditions for U.S. workers. Any increase in the adverse effect wage rate would indicate that the Department of Labor has found the prevailing rate in the area to be substantially higher than the rate being paid to foreign temporary workers. It is an important thing for the

protection of American workers. If this increase for West Virginia apple pickers and those in certain areas of agriculture is inexplicably higher than the increase for those agricultural workers in other areas, it would seem appropriate to accept the amendment, and we will do so.

Mr. BYRD. Mr. President, I thank the distinguished Senator from Wyoming. The increase is 17.2 percent as against something like 2 or 3 percent in other areas. We think it is unfair. I thank both Senators.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from West Virginia (Mr. BYRD).

The amendment (No. 1272) was agreed to.

Mr. BYRD. Mr. President, I move to reconsider the vote by which the amendment was agreed to.

Mr. SIMPSON. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

STATUS OF HAITIANS

Mr. KENNEDY. Mr. President, during the course of our debate on this bill I believe it is essential that we take notice of the special plight of many Haitian refugees and entrants whose immigration status remains in limbo under the provisions of this bill.

When we first proceeded to this bill 2 weeks ago, I offered an amendment to move forward the legalization date contained in the bill, to assure that the legalization program will achieve its goals—and that is to legalize as many undocumented aliens as possible in order to remove this exploited subclass from our society. My amendment also would have specifically included those Haitian refugees and entrants whose status remains to be clarified.

Regrettably, Mr. President, my amendment was not accepted, and the provisions contained in the pending bill fails to address the plight of these Haitians. These Haitian "boat people" have already suffered terribly in fleeing their homeland and being subject to illegal detention. It would be tragic if we did not include them in the legalization program authorized by this legislation.

Federal courts have twice found that the Haitian boat people were illegally imprisoned by the Immigration Service in violation of the Constitution. Most recently, they have held that this detention policy was so selective as to be discriminatory. Beginning in May 1981, under orders of the Attorney General, more than 2,000 Haitians were imprisoned without bond in remote Federal facilities for 15 to 18 months. The Court of Appeals for the 11th Circuit, on April 12, 1983, found that this detention policy was in violation of the fifth amendment of the Constitution, and that the U.S. Government had intentionally discriminated against Haitians in implementing the policy.

Haitian refugees otherwise indistinguishable from this class, arriving prior to the illegal detention program, have already benefited from President Carter's decision to grant them "entrant" status. Fundamental justice demands that the boat people who have fled to our shores seeking safety and who have suffered additionally under illegal detention, but who were not eligible for "entrant" status, be granted similar protections. It is unjust and unnecessarily harsh for the Immigration Service to continue to threaten this small group of Haitian people with forcible deportation to Haiti.

The uniqueness of the situation of the Haitian boat people and the discriminatory treatment they have suffered has been well established. Special provision relating to Haitian refugees has been included in versions of the immigration legislation in both Houses of Congress this year and last. However, these provisions fall short of regularizing the status of Haitian boat people who were subject to the administration's detention policy.

I hope that we will rectify this omission and agree to a comprehensive legalization program that will resolve the legal status of all the Haitian boat people. This goal has the broad-based support of church, civil and human rights groups, trade unions, labor, and legal groups, who have clearly spoken out in support of these important issues.

Mr. President, I ask unanimous consent to have printed in the RECORD a letter from the executive committee of the Leadership Conference on Civil Rights, an organization representing over 175 national civil rights and human rights organizations, calling on the Senate to enact a comprehensive legalization program and maintain judicial review of asylum determinations, and a related memorandum.

The being no objection, the letter and attachment were ordered to be printed in the RECORD, as follows:

LEADERSHIP CONFERENCE
ON CIVIL RIGHTS,
Washington, D.C., April 28, 1983.

DEAR SENATOR: We, the undersigned organizations, traditionally concerned with civil rights and civil liberties, are writing to you about a matter of the utmost urgency. We are joined together in a common concern that the Simpson immigration legislation, S. 529, now being considered by Congress must include a comprehensive legalization program as an integral part of any meaningful reform of our immigration laws. Second, the heretofore guaranteed right of all persons seeking political asylum in this country to judicial review of administrative agency action must be maintained. The right of access to the courts is essential to insure fair and non-discriminatory enforcement of the law.

We therefore urge that you support when the bill comes to the Senate floor for debate: (1) amendments providing for a comprehensive legalization program and (2) an amendment to restore full judicial review.

In the spirit of the recommendations of the Select Commission on Immigration and Refugee Policy, we believe that all otherwise eligible undocumented persons present in the U.S. as of January 1, 1983, should be granted permanent legal status in this country.

Such a comprehensive legalization program is also the most just and most practical solution to the unique plight of the Haitian refugee "boat people", who are still faced with forcible deportation to Haiti. Federal courts have twice found that these Haitian boat people were illegally imprisoned by the Immigration Service in violation of the U.S. Constitution; most recently they have held that this detention policy was so selective as to be discriminatory. Though they had committed no crime, more than 2,000 Haitians were imprisoned without bond in isolated federal facilities for between 15 and 18 months beginning in May 1981, under orders of the Attorney General. The 11th Circuit Court of Appeals on April 12, 1983, found that this detention policy was in violation of the Fifth Amendment of the Constitution, and that the U.S. Government had intentionally discriminated against Haitians in implementing the policy.

Other Haitian refugees otherwise indistinguishable from this class, arriving prior to the illegal detention program, have already benefitted from President Carter's decision to grant them "entrant" status. Fundamental justice demands that the boat people who have fled to our shores seeking safety and who have suffered additionally under illegal detention, benefit from these same protections. It is simply unjust and cruel for the Immigration Service to continue to threaten this small group of Haitian boat people with forcible deportation back to the Haiti from which they fled almost two years ago.

The undersigned organizations join in endorsing a legalization program granting permanent residency to all eligible undocumented persons arriving in the U.S. as of January 1, 1983. However, should a partial legalization program not include the previously-detained Haitian boat people, elementary justice demands that separate provision be made in the legislation granting legal status to Haitians arriving before January 1, 1982, thereby recognizing their unique plight and suffering.

Thank you for carefully considering our recommendations regarding the necessity of a truly comprehensive legalization program and of maintaining fundamental rights of judicial review of administrative agencies, when the Senate considers this exceedingly important legislation.

Sincerely,

BENJAMIN L. HOOKS,
Chairperson.
RALPH G. NEAS,
Executive Director.

THE PLIGHT OF THE HAITIAN REFUGEES AND THE RESPONSE OF THE NATIONAL EMERGENCY COALITION FOR HAITIAN REFUGEES

Since 1958, approximately one-eighth (⅛) of the population of Haiti has fled from their homeland to escape the cumulative effects of the twenty-five (25) years of Duvalier family rule. A small part of this dias-

pora has sought haven in the United States. In the last eight years approximately 35,000 refugees have risked their lives across 800 miles of hazardous ocean to seek safety and asylum in the U.S. These are the "boat people" whose total numbers are minuscule when compared to other refugee groups warmly and continuously received by our government. Despite the desperate nature of their plight, confirmed by repeated reports by Amnesty International, the Inter-American Commission on Human Rights of the Organization of American States, and other respected human rights organizations, detailing systematic violations of human rights in Haiti, these refugees have received harsh and discriminatory treatment from our government, unprecedented in the history of the United States.

The National Emergency Coalition for Haitian Refugees was formed in response to this emergency, and in particular to the jailing by order of the Attorney General on July 31, 1981, of more than 2000 boat people who had arrived on our shores and claimed political asylum. On March 2, 1982, a number of prominent religious, civil rights, human rights, Haitian, labor and national voluntary agency organizations formed the Coalition to secure humane treatment, due process of law and the immediate release to sponsors for these refugees who were imprisoned in ten remote locations around the United States.

This emergency continues: pursuant to a Federal Court decision of June 29, 1982, that the imprisonment of the Haitian boat people was unlawful, the refugees were finally released to sponsors in over 20 states by the end of November 1982. However, despite the unprecedented harsh treatment they have suffered in our country during the last two years:

(1) These refugees still face the imminent threat of forced deportation to Haiti by the Immigration and Naturalization Service.

(2) The boat people face many urgent legal problems such as understanding and complying with the intricate and onerous conditions of their temporary release program, securing qualified attorneys, interpretors, and expert witnesses.

(3) The refugees are also confronted with social problems including securing employment and learning English.

WHAT ARE THE IMMEDIATE GOALS OF THE NATIONAL EMERGENCY COALITION FOR HAITIAN REFUGEES?

The National Emergency Coalition for Haitian Refugees includes all the major organizations working to assist the Haitian boat people, and our activities are carefully coordinated to complement existing programs. Because of our broad-based composition and the national stature and expertise of our member groups, the Coalition is in a unique position to provide specific assistance to these refugees while educating the public as to their plight:

1. The Coalition helps assure that the 1800 boat people released from detention under the Haitian Interim Placement Program receive procedural and substantive due process of law and humane treatement in the adjudication of their asylum claims. The Coalition assists volunteer lawyers, presenting information on conditions in Haiti at attorney training sessions, and providing expert testimony at individual asylum hearings where appropriate.

2. The Coalition is coordinating a national campaign to urge the Reagan Administration to immediately halt the suffering of the boat people by a simple executive act of extending the "cut-off" date of the Cuban-Haitian Entrant program established by the Carter Administration. By extending this program from the current date of October 10, 1980, to the date when Judge Spellman finally ordered the Haitians released—June 29, 1982—these refugees will be guaranteed that the cruel threat of forced deportation will no longer hang over their heads, while the exact status of their residence will be determined later by an act of Congress. This campaign includes gaining support for a sense of Congress resolution asking the President to extend the "entrant" date to include the boat people in the program, and sponsoring a national petition to be endorsed by major national organizations and prominent individuals.

This campaign also includes local affiliates of Coalition members as the nucleus of regional efforts in Florida, New York and Massachusetts, to heighten public consideration of the propriety and necessity of this administrative grant of legal status, and to encourage the Congressional delegations in these strategically crucial states to urge the President to act now to end the torment of the Haitian refugees.

3. The Coalition acts as a clearinghouse of information for, and sponsors meetings between, legal groups, national voluntary agencies, Haitian and local community groups and the refugees themselves with regard to the Haitian Interim Placement Program ordered by the Federal District Court in Florida. The Coalition coordinates the communication of concerns and suggestions regarding this program to governmental and civic leaders. The Coalition monitors the Interim Placement Program and the legal proceedings, producing bi-lingual publications for the refugees and sponsors, distributing information to national civic groups and governmental leaders locally and nationally, and reporting to the Court Committee on Haitian Refugees appointed by Judge Spellman in Florida.

4. The Coalition will continue to provide attorneys, legal groups, Coalition members and concerned Congressional and civic leaders with detailed materials concerning important human rights developments in Haiti, for use in the preparation of claims for asylum and possible federal litigation in support of the due process rights of the boat people, and as necessary to heighten public consideration of the necessity of extending "entrant" status to the refugees.

5. The Coalition encourages the formation of coalitions of local affiliates of our national members and other local organizations in certain of the more than 150 communities where Haitians have been placed. These groups enhance our ability to educate local communities as to the merits of extending "entrant" status to the refugees.

6. The Coalition exchanges information with Central American refugee support groups on matters of common concern, and explores ways of cooperating in assuring due process of law and humane treatment of asylum seekers. The Coalition supports the clear mandate of the Refugee Act of 1980, that asylum claims should be adjudicated on their individual merits without regard to whether the U.S. government is or is not allied with the country of the asylum seeker's birth or nationality.

7. The Coalition distributes to its members and other interested organizations information and analysis concerning national legislative and administrative policy developments that directly impact on Haitian refugees. The Coalition will continue to prepare analyses of immigration legislation pending in Congress, with particular emphasis on proposals for a comprehensive legalization program, for maintaining judicial review of asylum claims, and against summary exclusion of potential asylum claimants.

National Member Organizations of the Emergency Coalition for Haitian Refugees: AFL-CIO; A. Philip Randolph Institute; American Civil Liberties Union; American Council for Nationalities Service; American Friends Service Committee; American Jewish Committee; Catholic League for Religious and Civil Rights; Center for the Social Sciences, Columbia University; Church World Service of the National Council of Churches; Comite Interregional Pour Refugies Haitiens, Inc.; Committee for the Defense of Haitian Refugees; International Ladies Garment Workers Union; International Rescue Committee; Lawyers Committee for International Human Rights; Lutheran Immigration and Refugee Service; NAACP; National Catholic Conference for International Justice; National Center for Immigrants Rights, Inc.; National Conference of Catholic Bishops; National Conference of Catholic Charities; National Emergency Civil Liberties Committee; National Urban League, Inc.; Synagogue Council of America; Unitarian Universalist Service Committee; United States Catholic Conference; and YMCA of the USA.

11TH CIRCUIT COURT OF APPEALS FINDS IMMIGRATION SERVICE DETENTION OF HAITIAN "BOAT PEOPLE" ILLEGAL AND DISCRIMINATORY

On April 12, 1983, in the case of *Louis et al.* v. *Alan C. Nelson*, the United States Circuit Court of Appeals for the 11th Circuit in Atlanta assailed the U.S. Government's treatment of the Haitian refugee "boat people" seeking safety in this country, and upheld a District Court opinion that the official policy of detaining the Haitians was illegal. The Appeals Court found that the Government had used immigration policy against the Haitians in a discriminatory fashion, in violation of the Fifth Amendment of the U.S. Constitution and its guarantee of due process and equal protection under the law. The unprecedented court decision further emphasizes the uniqueness of the Haitians' plight and their extraordinary suffering: this is the first time in American legal history that an Appeals Court has found the U.S. Government guilty of discrimination on constitutional law grounds, except in the employment discrimination context.

The Appeals Court further held that the advocacy groups seeking to give the detained Haitians counsel had a constitutional right to do so under the First Amendment and that the detainees had the right to seek counsel. This access had been substantially denied by the Immigration Service.

Representative selections from this landmark decision follow. The numbers in parentheses refer to the appropriate page in the unpublished opinion.

"On September 30, 1981, in a strongly worded opinion, the district court certified the class. The court found the INS was playing 'a human shell game' with the Haitians, moving them around the country to desolate areas without available counsel or communication facilities. The court further found faulty the INS proceedings whereby eleven Haitians were deported; these proceedings included mass hearings, behind

closed doors, without counsel or adequate translators." (5)

"The problem here is the fiction that excludable aliens are not within the 'territorial limits' of the United States. Though that fiction serves its purpose to limit the procedural rights of an excludable alien 'regarding his application' for admission, *Landen* v. *Plascencia, supra,* it strains credulity to maintain that an alien within our territorial limits may claim none of the rights accorded our citizens." (54)

"At trial plaintiffs introduced a wealth of statistical evidence to show the vastly disproportionate impact on the government's detention policy on Haitian, as opposed to non-Haitian, immigrants." (62)

"Dr. Gitlow found in each of the three compilations that the chance of so many more Haitians than non-Haitians being detained, or so many fewer Haitians paroled was 'on the order of less than two in ten billion times.' In some cases it was 'far less than one in ten billion,' or 'a statistical joke.'" (64)

"All told plaintiffs mustered an impressive array of witnesses and an equally impressive number of documents to demonstrate circumstantially, and to an extent, directly, intentional government discrimination against Haitians. This evidence, in addition to the statistical evidence, was unrebutted but for the government's testimonial evidence, which can at best be termed 'mere protestation.'" (76)

In this case we have no confidence that the alleged violations ever will be remedied in subsequent administrative or habeus proceedings . . . eleven Haitians had already been deported pursuant to 'faulty' procedures. Not only was lack of representation a problem, but evidence taken at the preliminary injunction hearings indicated that Creole translators often erred in translations, failed to give proper notice of the right to apply for asylum, or to appeal the decision of the immigration judge." (100)

"The record shows that Haitians arrive in this country unschooled in our language and largely in ignorance of our legal system. The record also indicates that 'even in Miami, where INS Creole translators are presumably proficient, the translations at these (exclusion) proceedings are woefully inadequate.' Given this state of affairs we can hardly expect the Haitians arriving at our shores to be aware of, and prepared to exercise, their right to claim asylum." (107)

"Evidence at trial identified significant restrictions on Haitian access to legal counsel, restrictions on Haitian contact with relatives and friends in the Miami community, and efforts to prevent H.R.C. (Haitian Refugee Center) attorneys from approaching Haitians to inform them of their legal rights." (108)

PLIGHT OF THE HAITIAN BOAT PEOPLE

Mr. MOYNIHAN. Mr. President, I would like to draw the attention of the Senate to the particular circumstances of an especially disadvantaged group of undocumented aliens in the hope that constitutional protections granted to other groups of undocumented aliens may be applied equally to these persons. As S. 529 has come to the floor, it would not permit their legalization, though the companion measure in the House would.

I refer, of course, to the plight of the Haitian boat people, some 2,000 Haitian refugees who have sought sanctuary in this country from oppressive conditions in their native land. Most of the group in question arrived in the course of 1980.

That Haiti is a place from which refugees should be expected—as, say, the Soviet Union or Iran are places from which we should, and do, expect persons to flee—has been established. The current edition of "Freedom in the World," the indisputably sober-minded annual accounting of the status of political rights and civil liberties around the globe, published each year by Freedom House, summarizes life in Haiti in these words:

Haiti is a dictatorship. . . . Attempts at independence in journalism were severely repressed in 1980 . . . A government-sponsored militia has suppressed opposition; political murders, imprisonment without trial, exile, and torture have characterized the system intermittently. An acceptable rule of law has been in abeyance during a prolonged "state of seige"; property has been seized indiscriminantly by security forces. Many people attempt to flee the country illegally every year.

Not surprisingly, given the facts of geographical proximity and the reputation of the United States as a haven for refugees, many of these persons come to this country.

Since May 1981, it has been the policy of the administration to keep, or to try to keep, these refugees imprisoned without bond pending final resolution of their asylum requests by the Immigration and Naturalization Service.

Twice in recent months, Federal courts have determined that these Haitian boat people were incarcerated in violation of constitutional guarantees of due process. Last June, in Miami, Federal District Court Judge Eugene Spellman ordered that 1,800 Haitians then imprisoned be released because the procedures according to which these persons were detained violated U.S. statute. Although those 1,800 were released, the administration appealed that ruling and continued to detain arriving Haitian immigrants in like fashion. Last month, the U.S. Court of Appeals for the 11th Circuit, in Atlanta, not only rejected that appeal by the Government but found, moreover, that the policy of detaining Haitians was discriminatory.

Judge Phyllis Kravitch, writing for the three-judge panel, spoke of "a stark pattern of discrimination . . . There was ample unrebutted evidence that (the Haitians) were denied equal protection of the law, as mandated both by the Constitution and our interpretation of the Congress' enabling legislation."

According to the New York Times of April 14, the court determined also that the detained Haitians had not been adequately informed of their rights to petition for political asylum and to seek legal counsel. We are obliged to consider what remedy should be provided for the uniquely difficult circumstance of the Haitian boat people, exacerbated by the blatantly discriminatory treatment they have suffered during their time in the United States—for what other reason exists for the shameful manner in which they have been abused than that the color of their skin is black?

Provision relating to the situation of these refugees is included as section 301 of S. 529. But this provision falls well short of regularizing the status of the Haitian boat people. Recently, a number of distinguished and respected observers of the American judiciary have pointed to the unfairness of excluding from the legalization provisions of S. 529 this group of immigrants. On behalf of the Leadership Conference on Civil Rights, Benjamin L. Hooks wrote to me on April 28:

Other Haitian refugees otherwise indistinguishable from this class, arriving prior to the illegal detention program, have already benefited from President Carter's decision to grant then "entrant" status. Fundamental justice demands that the boat people who have fled to our shores seeking safety and who have suffered additionally under illegal detention, benefit from these same protections. It is simply unjust and cruel for the Immigration Service to continue to threaten this small group of Haitian boat people with forcible deportation * * *

A similar appeal has been voiced by spokesmen for 35 community, labor, civil rights, and religious groups in southern Florida—the region of the country most directly affected by the Haitian arrivals:

Should a partial legalization program not include the previously detained Haitian boat people, elementary justice demands that separate provision be made in the legislation granting legal status to Haitians arriving before January 1, 1982, thereby recognizing their unique plight and suffering.

I support the goals of a legalization program in the Simpson immigration bill. The Judiciary Committee's report of title III of S. 529 specifies in part that the legalization be a "one-time only" program that eliminates the subclass of undocumented persons who now constitute a clearly exploitable group within U.S. society and sap unnecessarily the resources of law enforcement agencies. To achieve this goal, a legalization program must be as comprehensive and current as possible.

Mr. President, I urge that the Senate-House conference committee carefully consider the merits of a truly comprehensive legalization program. Such provision would be the fairest and most practical solution to the unique plight of the Haitian refugee boat people, who continue to face forcible deportation to Haiti.

I ask that there be printed in the RECORD at this point the text of the letter to which I have referred from Mr. Benjamin L. Hooks, signed also by Mr. Ralph Neas, executive director of

the leadership conference, as well as the public statement issued by southern Florida civil organizations, an editorial that appeared in the New York Times, and a recent report from that newspaper about the decision last month of the 11th Circuit Court of Appeals.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

LEADERSHIP CONFERENCE
ON CIVIL RIGHTS,
Washington, D.C., April 28, 1983.

DEAR SENATOR: We, the undersigned organizations, traditionally concerned with civil rights and civil liberties, are writing to you about a matter of the utmost urgency. We are joined together in a common concern that the Simpson immigration legislation, S. 529, now being considered by Congress must include a comprehensive legalization program as an integral part of any meaningful reform of our immigration laws. Second, the heretofore guaranteed right of all persons seeking political asylum in this country to judicial review of administrative agency action must be maintained. The right of access to the courts is essential to insure fair and non-discriminatory enforcement of the law.

We therefore urge that you support when the bill comes to the Senate floor for debate: (1) amendments providing for a comprehensive legalization program and (2) an amendment to restore full judicial review.

In the spirit of the recommendations of the Select Commission on Immigration and Refugee Policy, we believe that all otherwise eligible undocumented persons present in the U.S. as of January 1, 1983, should be granted permanent legal status in this country.

Such a comprehensive legalization program is also the most just and most practical solution to the unique plight of the Haitian refugee "boat people", who are still faced with forcible deportation to Haiti. Federal courts have twice found that these Haitian boat people were illegally imprisoned by the Immigration Service in violation of the U.S. Constitution; most recently they have held that this detention policy was so selective as to be discriminatory. Though they had committed no crime, more than 2000 Haitians were imprisoned without bond in isolated federal facilities for between 15 and 18 months beginning in May 1981, under orders of the Attorney General. The 11th Circuit Court of Appeals on April 12, 1983, found that this detention policy was in violation of the Fifth Amendment of the Constitution, and that the U.S. Government had intentionally discriminated against Haitians in implementing the policy.

Other Haitian refugees otherwise indistinguishable from this class, arriving prior to the illegal detention program, have already benefited from President Carter's decision to grant them "entrant" status. Fundamental justice demands that the boat people who have fled to our shores seeking safety and who have suffered additionally under illegal detention, benefit from these same protections. It is simply unjust and cruel for the Immigration Service to continue to threaten this small group of Haitian boat people with forcible deportation back to the Haiti from which they fled almost two years ago.

The undersigned organizations join in endorsing a legalization program granting permanent residency to all eligible undocumented perons arriving in the U.S. as of January 1, 1983. However, should a partial legalization program not include the previously detained Haitian boat people, elementary justice demands that separate provision be made in the legislation granting legal status to Haitians arriving before January 1, 1982, thereby recognizing their unique plight and suffering.

Thank you for carefully considering our recommendations regarding the necessity of a truly comprehensive legalization program and of maintaining fundamental rights of judicial review of administrative agencies, when the Senate consider this exceedingly important legislation.

Sincerely,

BENJAMIN L. HOOKS,
Chairperson.
RALPH G. NEAS,
Executive Director.

SOUTHERN FLORIDA CIVIC ORGANIZATIONS APPEAL FOR COMPREHENSIVE LEGALIZATION AS ESSENTIAL TO IMMIGRATION REFORM

We, the undersigned, representing communities and organizations in southern Florida, are writing to you about a matter of the utmost urgency. We are joined together in a common concern that the Simpson-Mazzoli immigration legislation now being considered by Congress must include a comprehensive legalization program as an integral part of any meaningful reform of our immigration laws. Second, the heretofore guaranteed right of all persons seeking political asylum in this country to judicial review of administrative agency action must be maintained. The right of access to the courts is essential to insure fair and non-discriminatory enforcement of the law.

In the spirit of the recommendations of the Select Commission on Immigration and Refugee Policy, we believe that all otherwise eligible undocumented persons present in the U.S. as of January 1, 1983, should be granted permanent status in this country.

Such a comprehensive legalization program is also the most just and most practical solution to the unique plight of the Haitian refugee "boat people", who are still faced with forcible deportation to Haiti. Though they had committed no crime, more than 2,000 Haitians were imprisoned without bond in isolated federal facilities for between 15 and 18 months begining in May 1981, under orders of the Attorney General. The 11th Circuit Court of Appeals in Atlanta on April 12, 1983, found that this detention policy was in violation of the Fifth Amendment of the U.S. Constitution, and that the U.S. Government had intentionally discriminated against Haitians in implementing the policy.

Other Haitian refugees otherwise indistinguishable from this class, arriving prior to the illegal detention program, have already benefited from President Carter's decision to grant them "entrant" status. Fundamental justice demends that the boat people who have fled to our shores seeking safety and who have suffered additionally under illegal detention, benefit from these same protections. It is simply unjust for the Immigration Service to continue to threaten this small group of Haitian boat people with forcible deportation back to the Haiti from which they fled almost two years ago.

The undersigned organizations join in endorsing a legalization program granting permanent residency to all eligible undocumented persons arriving in the U.S. as of January 1, 1983. However, should a partial legalization program not include the previously detained Haitian boat people, elementary justice demands that separate provision be made in the legislation granting legal status to Haitians arriving before January 1, 1982, thereby recognizing their unique plight and suffering.

Thank you for carefully considering our recommendations regarding the necessity of a truly comprehensive legalization program and of maintaining fundamental rights of judicial review of administrative agencies, during the mark-up of this exceedingly important legislation.

PRELIMINARY LIST OF ENDORSEMENTS FROM SOUTHERN FLORIDA GROUPS

National Conference of Christians and Jews.
American Jewish Congress, Southeast Region.
American Jewish Committee, Greater Miami Chapter.
Greater Miami Jewish Federation, Community Relations Committee.
League of United Latin American Citizens.
Spanish American League Against Discrimination.
United Methodist Church, Miami District.
Catholic Community Services Inc., Dade County.
Catholic Community Services of Palm Beach County.
Catholic Community of Justice and Peace.
Archdiocese of Miami Office of Lay Ministry.
NAACP, Florida State Conference of Branches.
NAACP, Dade County Branch.
Urban League of Greater Miami.
Southern Christian Leadership Conference, Greater Miami Chapter.
Black Miami Dade Chamber of Commerce.
Archdiocese of Miami—Rural Life Bureau.
Archdiocese of Miami—Respect Life Ministry.
Palm Beach County Farmworker Support Committee.
Church World Service of the National Council of Churches.
American Friends Service Committee.
Florida Community Health Centers, Inc.
Friends Meeting of Miami.
Haitian Refugee Center, Inc.
Haitian Catholic Center.
Haitian American Community Association of Dade County
Lutheran Ministries of Florida.
Lake Worth Haitian Outreach.
Broward County Farmworkers Support Committee.
Operation PUSH, Miami Chapter.
Center for the Quest for Truth.
Project Volunteer Registration.
Zeta Phi Beta Sorority.
Delta Sigma Theta Sorority.
Belafonte Tacolcy Center.
Coalition of 100 Black Women.
Masjid Al Ansar.
Fort Lauderdale Farm Worker Support Committee.

[From the New York Times, Apr. 14, 1983]

HAITIANS' LAWYERS HAIL COURT RULING

MIAMI, April 13.—Lawyers who led a long fight to have Haitian refugees released from Government detention centers today hailed an appeals court decision that the Government policy was discriminatory.

"We think this is going to be a landmark case in the immigration field," said Ira Kurzban, who argued for the Haitians last

year before Federal District Court Judge Eugene Spellman.

The United States Court of Appeals for 11th Circuit, in Atlanta, on Tuesday rejected an appeal by the Immigration and Naturalization Service of Judge Spellman's ruling on June 18 that the detention of about 1,800 Haitians was illegal.

The appeals court went further than Judge Spellman, who found no specific discrimination against Haitians as a race. The three-judge appeals panel decided there was "a stark pattern of discrimination."

"DENIED EQUAL PROTECTION"

Judge Phyllis Krayitch wrote, "There was ample unrebutted evidence that plaintiffs were denied equal protection of the laws."

The appeals court also agreed the detained Haitians had not been adequately informed of their rights to petition for political asylum and seek legal counsel.

The decision "establishes the right of the protection of the U.S. Constitution to aliens who have been incarcerated," Judge Kurzban said. "It has substantial implications for Salvadorans, Nicaraguans—anyone else coming into the States."

Dale Schwartz, a lawyer who represents Cubans jailed in the Atlanta Federal penitentiary, said the appeals court ruling "has far reaching effects on future immigration policy, particularly as it applies to persons seeking political asylum."

"It makes it clear that the determination on asylum should not be a political decision on the part of whatever administration happens to be in office at the time," he said.

PROFESSOR PLANNED STRATEGY

Bruce Winick, a law professor at the University of Miami who planned strategy for the Haitians at the hearings before Judge Spellman, said: "This goes considerably further than Judge Spellman did. It really vindicates the position we have taken all along."

The appeals court wrote: "Although we hold that the executive has the power when properly delegated to fashion such policies as are necessary to protect our borders and ensure orderly entry of aliens, those policies must be administered in nondiscriminatory manner."

The court ordered Judge Spellman to take whatever measures were necessary to guarantee "that all aliens, regardless of their nationality or origin, are accorded equal treatment."

The Haitians ordered released by Judge Spellman will remain free awaiting immigration hearings.

Professor Winick said the new ruling could affect about 100 Haitians who have arrived since the others were freed. The new arrivals are being held at Miami's Krome Avenue detention center. The professor said the decision should ensure they are advised of their rights and granted access to lawyers.

About 30 Nicaraguans and 130 Salvadorans are also held at the detention center.

[From the New York Times, May 12, 1983]

REFUGEES AND REFOULEMENT

There's a hard question to be asked about the thousands of undocumented aliens from Afghanistan or Haiti or El Salvador seeking a haven in the United States: Are they legitimate refugees?

If they have a well-founded fear of persecution in their home country, the answer is yes and they are entitled to sanctuary, or asylum as it is formally called. To send them home would risk committing the unforgivable diplomatic sin of refoulement—forcibly subjecting them to peril.

But what if they are not legitimate refugees? Then they are just another form of gate-crasher, ready to confuse refute and subterfuge. To send them home would be only fair, signaling to other would-be illegal entrants that Americans are compassionate but not suckers.

All that raises an even harder question, one that the Senate must answer as it takes up the Simpson-Mazzoli immigration reform bill: How should Government decide who is a refugee? On this potentially life-or-death point, the generally admirable Senate bill is harsh, hasty and in need of amendment.

The who-is-a-refugee decison is now made in case-by-case hearings, the results of which may be appealed to the courts. Until the Refugee Act of 1980, that meant a moderate backlog of 5,800 cases. Since then, however, claims for asylum have shot up. The backlog now exceeds 120,000 cases. How should Washington treat all those aliens while their cases are pending? It's a tormenting problem.

To release them and let them live and work in the community could mock equity; final determinations often take years. Even if their refugee claims were ultimately rejected, the example would encourage specious or dilatory claims. The other possibility is to incarcerate applicants pending adjudication, as the Administration has done with Haitians and now with some Afghans. That's even worse. To treat as criminals people who might well be legitimate refugees is to punish victims.

There is an obvious remedy: Speed up the hearing process, which is just what the Senate is heading toward. But the Senate bill streamlines procedure too harshly.

Decisions verging on refoulement ought to involve some independent judgment. The hearing examiners should stand apart from the executive branch, or their findings should be reviewable by the courts. But the Senate bill, reflecting fear of ever more "refugees," provides no independence and almost no room for appeal. That could have merciless results.

Imagine a Haitian washed up on a Florida beach. A hearing examiner might reject his claim for asylum, in deference to the State Department's finding that Haitians generally are not subject to persecution. But what if this particular Haitian had plenty of reason to fear persecution?

The Senate bill offers him little recourse. But Senator Edward Kennedy would, with sensible amendments to create independent hearing officers and to preserve limited rights of appeal. The Simpson-Mazzoli bill is good; these amendments would make it better.

Mr. RIEGLE. Mr. President, I would like to join my colleagues in expressing my concern for the Haitian refugees who would not be covered by this legalization program.

I believe that these Haitians have unduly suffered from disciminatory treatment, resulting in prolonged imprisonment, separation from their families, and denial of fundamental due process protections, and, therefore, deserve special consideration.

In fact, the 11th Circuit Court found in its recent decision in Louis against Nelson that:

All told, the plaintiffs mustered an impressive array of witnesses and an equally impressive number of documents to demonstrate circumstantially, and to an extent, directly, intentional government discrimination against Haitians.

This evidence, in addition to the statistical evidence, was unrebutted except for the Government's testimonial evidence, which can best be termed "mere protestation."

Specifically, the court found that:

Evidence at trial identified significant restrictions on Haitian access to legal counsel, restrictions on Haitian contact with relatives and friends in the Miami community, and efforts to prevent Haitian refugee center attorneys from approaching Haitians to inform them of their legal rights.

Such actions have already led to the deportation of several Haitians under proceedings which the administration itself has admitted were faulty. The cases of many others may have been prejudiced beyond repair.

Mr. President, many prominent national leaders of church, civil rights, and labor organizations, as well as their corresponding representatives from south Florida, have requested that the Haitians be granted special protection in light of these abuses.

I would like to join them and my other colleagues in requesting that our Senate Members to the Conference Committee on this bill take these concerns into consideration in their work with the House Members. As the Leadership Conference on Civil Rights has stated:

Elementary justice demands that separate provision be made in the legislation granting legal status to Haitians arriving before January 1, 1982, thereby recognizing their unique plight and suffering.

Mr. SIMPSON. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BAKER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BAKER. Mr. President, I have been told unofficially by the manager of the bill that no other Senator is prepared to offer amendments today. May I inquire if the manager is ready for us to leave this bill for this day and to continue the work tomorrow?

Mr. SIMPSON. Mr. President, I would say to the majority leader that that is the situation as I see it. We have exhausted efforts to bring further sponsors of amendments to the floor, but we have also thinned out the time agreements between the sponsors and the managers, and we should be able to complete our work tomorrow, as the majority leader has stated.

Mr. BAKER. I thank the manager. He has covered an extraordinary amount today. I commend the chairman of the committee (Mr. SIMPSON)

and the ranking minority member (Mr. KENNEDY) for their very excellent work on this complex matter.

According to the accounts I have, there are six amendments on which rollcall votes have been ordered to begin at 2 p.m. tomorrow, after the Ruckelshaus nomination, which, according to the order previously entered, will be the first vote.

That is good progress. I share the Senator's hope that tomorrow we can finish this bill even before the hour appointed in the unanimous-consent agreement.

ROUTINE MORNING BUSINESS

Mr. BAKER. Mr. President, in view of these statements just made by the distinguished manager, I ask unanimous consent that there now be a brief period for the transaction of routine morning business to extend not past the hour of 6 p.m. in which Senators may speak.

The PRESIDING OFFICER. Without objection, it is so ordered.

UNANIMOUS-CONSENT AGREEMENT—S. 336

Mr. BAKER. Mr. President, I now have a unanimous-consent request in respect to S. 336, which appears to be cleared for consideration at this time. I will state it for the benefit of the minority leader and other Senators.

Mr. President, I ask unanimous consent that when the Senate turns to the consideration of Calendar Order No. 139, S. 336, a bill to increase the penalties for violations of the Taft-Hartley Act, that it be considered under the following time agreement: 1 hour on the bill to be equally divided between the Senator from Utah (Mr. HATCH) and the Senator from Georgia (Mr. NUNN) or their designees; 10 minutes on any debatable motion, appeal, or point of order if the same is presented to the Senate; further, that no amendment be in order with the exception of the committee reported amendments, and that the agreement be in the usual form.

I may say before the Chair puts the request, Mr. President, that it is my intention, and I now so acknowledge, to consult with the minority leader before this matter is scheduled to be called up. Now I put the request.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

The text of the agreement follows:

Ordered, That when the Senate proceeds to the consideration of S. 336 (Order No. 139), a bill to increase the penalties for violations of the Taft-Hartley Act, no amendments be in order, except the committee reported amendments, and that debate on any debatable motion, appeal, or point of order which is submitted or on which the Chair entertains debate shall be limited to 10 minutes, to be equally divided and controlled by the mover of such and the manager of the bill: *Provided*, That in the event the manager of the bill is in favor of any such motion, the time in opposition thereto shall be controlled by the minority leader or his designee.

Ordered further, That on the question of final passage of the said bill, debate shall be limited to 1 hour, to be equally divided and controlled, respectively, by the Senator from Utah (Mr. Hatch) and the Senator from Georgia (Mr. Nunn), or their designees: *Provided*, That the said Senators, or either of them, may, from the time under their control on the passage of the said bill, allot additional time to any Senator during the consideration of any debatable motion, appeal, or point of order.

Mr. BAKER. Mr. President, I have a number of other requests which appear to be cleared for action by unanimous consent.

ORDER DISCHARGING THE ENVIRONMENT AND PUBLIC WORKS COMMITTEE FROM FURTHER CONSIDERATION OF SENATE RESOLUTION 140

Mr. BAKER. Mr. President, next I would say to the minority leader that I would propose to discharge the Environment and Public Works Committee from further consideration of Senate Resolution 140, if there is not objection.

Mr. BYRD. I have no objection.

Mr. BAKER. Mr. President, I ask unanimous consent that the Environment and Public Works Committee be discharged from further consideration of Senate Resolution 140, a resolution to celebrate the 50th anniversary of the Tennessee Valley Authority, a public enterprise that works, and I ask that it be placed on the calendar.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

SEQUENTIAL REFERRAL OF A BILL—S. 1230

Mr. BAKER. Mr. President, I have a proposal for sequential referral. I would say to the minority leader that I would propose sequential referral for S. 1230, a bill to authorize intelligence activities for fiscal year 1983, to the Armed Services Committee for not to exceed 30 days, if there is no objection.

Mr. BYRD. Mr. President, there is no objection.

Mr. BAKER. Mr. President, I put that request.

The PRESIDING OFFICER. Without objection, it is so ordered.

EXECUTIVE CALENDAR

Mr. BAKER. Now, Mr. President, could I inquire of the minority leader if he would be in a position to consider items on today's Executive Calendar? I would especially invite the attention of the minority leader to items which have been cleared on this side for action by unanimous consent. They are Calendar Order 157, on page 4, under the heading "United States Claims Court," and all the nominations on page 5.

I am prepared to proceed to the consideration of those items at this time, if the minority leader is similarly inclined.

Mr. BYRD. Mr. President, those items have been cleared on this side of the aisle.

Mr. BAKER. I thank the minority leader.

EXECUTIVE SESSION

Mr. BAKER. Mr. President, I ask unanimous consent that the Senate now go into executive session for the purpose of considering the nominations just identified.

There being no objection, the Senate proceeded to the consideration of executive business.

Mr. BAKER. Mr. President, I ask unanimous consent that the nominations so identified, being Nos. 157, 158, 159, 160, and 161, be considered and confirmed en bloc.

The PRESIDING OFFICER. Without objection, the nominations are considered en bloc and confirmed en bloc.

The nominations considered and confirmed en bloc are as follows:

U.S. CLAIMS COURT

Moody R. Tidwell III, of Virginia, to be a judge of the U.S. Claims Court for a term of 15 years.

DEPARTMENT OF STATE

Malcolm R. Barnebey, of Texas, a career member of the Senior Foreign Service, class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Belize.

UNITED NATIONS-INTERNATIONAL ATOMIC ENERGY AGENCY

Richard Salisbury Williamson, of Virginia, to be the representative of the United States of America to the Vienna office of the United Nations and Deputy Representative of the United States of America to the International Atomic Energy Agency, with the rank of Ambassador.

DEPARTMENT OF STATE

Arthur Winston Lewis, of the District of Columbia, a career member of the Senior Foreign Service, class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Sierra Leone.

DEPARTMENT OF AGRICULTURE

Daniel G. Amstutz, of New York, to be Under Secretary of Agriculture for International Affairs and Commodity Programs.

NOMINATION OF RICHARD SALISBURY WILLIAMSON

● Mr. McCLURE. Mr. President, I strongly support Mr. Williamson's nomination and urge the Senate to confirm him as Representative to the Vienna office of the United Nations and Deputy U.S. Representative to the

International Atomic Energy Agency. I invite the attention of my colleagues to my remarks to the Senate which appear on page 11776 of the May 11, 1983, CONGRESSIONAL RECORD. These remarks discuss at length the reasons why Mr. Williamson is an outstanding candidate for the position for which he has been nominated.●

NOMINATION OF DANIEL G. AMSTUTZ

● Mr. HELMS. Mr. President, the agricultural community is fortunate to have an Under Secretary with the degree of experience and expertise that Dan Amstutz will bring to this position.

These are troubled times for the U.S. agricultural export sector. The value of U.S. agricultural exports fell from $43.8 billion in fiscal year 1981 to $39.1 billion in fiscal year 1982, the first year-to-year decline since 1969. Export values are expected to decline to $36 billion this year. Although these declines are a result of several factors, including the strong dollar and generally weak world demand, these declines are also clearly attributable to the export subsidy policies and other unfair and protectionist trading practices of other countries. Now more than ever, the United States needs a strong, capable administrator of agricultural export programs and particularly a tough negotiator able to firmly address the unfair trading practices of other nations. Dan Amstutz' vast experience in trade makes him particularly suited for this role.

For almost 29 years, Mr. Amstutz has been directly involved in domestic and international trade of farm products. For nearly 25 years, he held various positions relating to domestic and export marketing activities at Cargill, Inc. While at Cargill, he broadened his international experience by serving in several overseas posts. Among his various trade activities, he also served as a member of the executive committee and director of the National Grain & Feed Association and director of the U.S. Feed Grain Council. His experience with Cargill has provided him with a great deal of familiarity with programs administered by the Department of Agriculture.

From 1978 until recently, Mr. Amstutz directed commodities activities for Goldman, Sachs & Co., a major investment banking firm.

As I warned him last week at the Agriculture Committee confirmation hearings, Mr. Amstutz will be in the hot seat as Under Secretary in charge of agricultural exports. As Under Secretary, he will be immediately confronted with a host of pressing export issues including the problems we seek to address in legislation currently pending before the Senate. I am referring to S. 822, the Agriculture Export Equity and Market Expansion Act of 1983.

I am confident that we can work together to promote the best interests of the United States in this matter, as well as in other pressing trade areas, such as negotiation of a new long-term agreement with the Soviet Union. Mr. Amstutz has shown a real willingness to work with Congress on resolving these issues. He has indicated his recognition of the important role Congress has in trade matters. At his confirmation hearings, Mr. Amstutz stated that the keen interest of Congress in these matters is helpful because it helps convince the EEC and others of the strong U.S. desire to strengthen agricultural exports.

I commend President Reagan for his selection of Dan Amstutz for the position of Under Secretary of Agriculture. This choice demonstrates the administration's commitment to address the issue of declining agricultural exports and this Nation's resolve to restore fairness and comity to international agricultural trade. The confirmation of Dan Amstutz, renowned for his strong free trading position, serves notice that the United States will continue to press for resolution of trading problems with those nations guilty of predatory trading practices. Witness Mr. Amstutz's remarks at his confirmation hearings. He stated the United States must make it clear that strong farm exports and a healthy domestic farm economy are as important to the U.S. administration as it is to the EEC. "We must export to prosper. We mean to prosper and we will export," he asserted.

As Under Secretary in charge of commodity programs, Mr. Amstutz will also be confronted with a number of pressing issues concerning domestic commodity programs. I believe Mr. Amstutz is mindful of the need for these programs to be operated in a way that benefits both farmers and taxpayers alike.

Mr. Amstutz brings to the position of Under Secretary of Agriculture much needed experience in agriculture. He has extensive knowledge of both international and domestic agricultural programs and operations and is highly qualified for this position.●

Mr. BAKER. Mr. President, I move to reconsider the vote by which the nominations were confirmed en bloc.

Mr. BYRD. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. BAKER. Mr. President, I ask unanimous consent that the President be immediately notified that the Senate has given its consent to the nominations.

The PRESIDING OFFICER. Without objection, it so ordered.

LEGISLATIVE SESSION

Mr. BAKER. Mr. President, I ask unanimous consent that the Senate return to the consideration of legislative business.

The PRESIDING OFFICER. Without objection, it is so ordered.

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Chirdon one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session, the Acting President pro tempore laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The nominations received today are printed in the end of the Senate proceedings.)

MESSAGES FROM THE HOUSE

ENROLLED BILL SIGNED

At 12:29 p.m., a message from the House of Representatives delivered by Ms. Goetz, one of its reading clerks, announced that the Speaker has signed the following enrolled bill:

S. 957. An act to provide for an increase in the number of members of the Congressional Award Board, and for other purposes.

The enrolled bill was subsequently signed by the President pro tempore (Mr. THURMOND).

At 1:26 p.m. a message from the House of Representatives, delivered by Mr. Gregory, one of its reading clerks, announced that the House has passed the following bills and joint resolutions, in which it requests the concurrence of the Senate:

H.R. 1983. An act to amend certain housing and community development laws to provide emergency mortgage assistance to homeowners and emergency shelter for the homeless;

H.R. 2066. An act to authorize appropriations to the National Science Foundation for fiscal year 1984;

H.R. 2587. An act to authorize appropriations to the Department of Energy for civilian research and development programs for the fiscal year 1984;

H.J. Res. 229. Joint resolution to authorize and request the President to issue a proclamation designating April 22 through April 28, 1984, as "National Organ Donation Awareness Week"; and

H.J. Res. 234. Joint resolution designating the week beginning June 19, 1983, as "National Children's Liver Disease Awareness Week".

HOUSE MEASURES REFERRED

The following bills and joint resolutions were read the first and second times, and referred as indicated:

H.R. 1983. An act to amend certain housing and community development laws to provide emergency mortgage assistance to homeowners and emergency shelter for the homeless; to the Committee on Banking, Housing, and Urban Affairs.

H.R. 2587. An act to authorize appropriations to the Department of Energy for civilian research and development programs for the fiscal year 1984; to the Committee on Energy and Natural Resources.

H.J Res. 229. Joint Resolution to authorize and request the President to issue a proclamation designating April 22 through April 28, 1984, as "National Organ Donation Awareness Week"; to the Committee on the Judiciary.

H.J Res. 234. Joint Resolution designating the week beginning June 19, 1983, as "National Children's Liver Disease Awareness Week"; to the Committee on the Judiciary.

HOUSE BILL PLACED ON THE CALENDAR

The following bill was read the first and second times by unanimous consent, and placed on the calendar:

H.R. 2066. An act authorize appropriations to the National Science Foundation for fiscal year 1984;

MEASURE PLACED ON CALENDAR

The Committee on Environment and Public Works was discharged from the further consideration of the following resolution which was placed on the calendar:

S. Res. 140. Resolution to commemorate the 50th anniversary of the Tennessee Valley Authority, a public enterprise that works.

ENROLLED BILL PRESENTED

The Secretary reported that on today, May 16, 1983, he had presented to the President of the United States the following enrolled bill:

S. 957. An act to provide for an increase in the number of members of the Congressional Award Board, and for other purposes.

REPORT OF THE COMMITTEE ON APPROPRIATIONS

Under the authority of the order of the Senate of January 3, 1983, the following report was submitted on May 12, 1983, during the adjournment of the Senate:

By Mr. HATFIELD, from the Committee on Appropriations, without amendment:

S. Con. Res. 26. Concurrent resolution approving the obligation and expenditure of funds for MX missile procurement and full-scale engineering development of a basing mode (with additional and minority views) (Rept. No. 98-85).

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. DURENBERGER, from the Committee on Environment and Public Works, without amendment:

S. 1280. An original bill to extend the Noise Control Act of 1972 (Rept. No. 98-86).

S. 1281. An original bill to extend the Noise Control Act to authorize appropriations for fiscal year 1984 (Rept. No. 98-87).

By Mr. CHAFEE, from the Committee on Environment and Public Works, without amendment:

S. 1282. An original bill to extend titles I and II of the Marine Protection Research and Sanctuaries Act, as amended (Rept. No. 98-88).

S. 1283. An original bill to amend the Solid Waste Disposal Act to authorize funds for fiscal year 1984 (Rept. No. 98-89).

S. 1284. An original bill to extend until October 1, 1985, the authority for advances to the migratory bird conservation fund (Rept. No. 98-90).

By Mr. ABDNOR, from the Committee on Environment and Public Works, without amendment:

S. 684. A bill to authorize an ongoing program of water resources research (Rept. No. 98-91).

By Mr. STAFFORD, from the Committee on Environment and Public Works, without amendment:

S. 778. A bill authorizing appropriations to the Secretary of the Interior for services necessary to the nonperforming arts functions of the John F. Kennedy Center for the performing Arts, and for other purposes (Rept. No. 98-92).

By Mr. CHAFEE, from the Committee on Environment and Public Work, without amendment:

H.R. 1723. A bill to authorize appropriations through fiscal year 1986 for the Great Dismal Swamp, Minnesota Valley, Sailors' Snug Harbor, and San Francisco Bay National Wildlife Refuges (Rept. No. 98-93).

By Mr. STAFFORD, from the Committee on Environment and Public Works, with an amendment in the nature of a substitue and an amendment to the title:

S. 724. A bill to authorize the U.S. Army Corps of Engineers to undertake activities to provide new pubic works investment, grants to the several states to encourage and foster the construction of necessary public capital investment projects, to assist in creating new and productive jobs, and for other purposes (Rept. No. 98-94).

By Mr. MATHIAS, from the Committee on Rules and Administration, with an amendment:

S. 840. A bill to amend the Act of October 15, 1966 (80 Stat. 953; 20 U.S.C. 65a), relating to the National Museum of the Smithsonian Institution, so as to authorize additional appropriations to the Smithsonian Institution for carrying out the purposes of said Act (Rept. No. 98-95).

By Mr. MATHIAS, from the Committee on Rules and Administration, without amendment:

S. 929. A bill to amend the act of July 2, 1940, as amended, pertaining to appropriations for the Canal Zone Biological Area (Rept. No. 98-96).

By Mr. MATHIAS, from the Committee on Rules and Administration, with an amendment:

S. 930. A bill to authorize the Smithsonian Institution to purchase land in Santa Cruz County, Arizona (Rept. No. 98-97).

By Mr. MATHIAS, from the Committee on Rules and Administration, with amendments:

S. Con. Res. 7. Concurrent resolution to authorize and provide for a bust of Carl Hayden to be placed in the Capitol (Rept. No. 98-98).

By Mr. MATHIAS, from the Committee on Rules and Administration, without amendments:

S. Con. Res. 35. An original concurrent resolution to authorize the printing as a Senate Document of a revised edition of "The Capitol" (Rept. No. 98-99).

By Mr. MATHIAS, from the Committee on Rules and Administration, without amendments:

S. Res. 111. An original resolution relative to expenditures by the Select Committee on Indian Affairs (Rept. No. 98-100).

S. Res. 138: A resolution relating to expenses of the Commission on Art and Antiquities of the United States Senate (Rept. No. 98-101).

By Mr. MATHIAS, from the Committee on Rules and Administration, with an amendment:

H.R. 2621: A bill to authorize appropriations for the Federal Election Commission for fiscal year 1984 (Rept. No. 98-102).

By Mr. MATHIAS, from the Committee on Rules and Administration without amendment:

S. Res. 143: An original resolution authorizing expenditures by the Committee on Rules and Administration for the training of professional staff (Rept. No. 98-103).

S. Res. 144: An original resolution relating to the purchase of calendars (Rept. No. 98-104).

By Mr. PACKWOOD, from the Committee on Commerce, Science, and Transportation, without amendment:

S. 1100: A bill to consolidate and authorize program support and certain ocean and coastal programs and functions of the National Oceanic and Atmospheric Administration under the Department of Commerce (Rept. No. 98-105).

S. 1101: A bill to authorize appropriations for certain fishery programs (Rept. No. 98-106).

By Mr. PACKWOOD, from the Committee on Commerce, Science, and Transportation, with an amendment:

S. 1098: A bill to consolidate and authorize certain ocean and coastal programs and functions of the National Oceanic and Atmospheric Administration under the Department of Commerce (Rept. No. 98-107).

By Mr. PACKWOOD, from the Committee on Commerce, Science, and Transportation, with amendments:

S. 1096: A bill to authorize appropriations to the National Aeronautics and Space Administration for research and development, construction of facilities, and research and program management, and for other purposes (Rept. No. 98-108).

S. 1097: A bill to consolidate and authorize certain atmospheric and satellite programs and functions of the National Oceanic and Atmospheric Administration under the Department of Commerce (Rept. No. 98-109).

By Mr. HATCH, from the Committee on Labor and Human Resources, with amendments:

S. 773: A bill to revise and extend programs relating to biomedical research, research training, and medical library assistance, to establish a National Institute of Arthritis and Musculoskeletal and Skin Diseases, and for other purposes (Rept. No. 98-110).

By Mr. HEINZ, from the Committee on Banking, Housing, and Urban Affairs, with an amendment in the nature of a substitute:

S. 869: A bill to amend the Export-Import Bank Act of 1945 (Rept. No. 98-111).

By Mr. PACKWOOD, from the Committee on Commerce, Science, and Transporta-

tion, with an amendment in the nature of a substitute:

S. 800: A bill to establish an Ocean and Coastal Development Impact Assistance Fund and to require the Secretary of Commerce to provide to States national ocean and coastal development and assistance block grants from moneys in the Fund, and for other purposes (Rept. No. 98-112).

By Mr. PACKWOOD, from the Committee on Commerce, Science, and Transportation and the Committee on Labor and Human Resources, jointly, with an amendment in the nature of a substitute and an amendment to the title:

S. 655: A bill to authorize appropriations to carry out the National Sea Grant program for fiscal years 1984, 1985, and 1986, and for other purposes (Rept. No. 98-113).

By Mr. STAFFORD, from the Committee on Environment and Public Works, without amendment:

S. 1287: An original bill to authorize appropriations for the Public Buildings Service of the General Services Administration for the fiscal year 1984 (Rept. No. 98-114).

By Mr. CHAFEE, from the Committee on Environment and Public Works, without amendment:

S. 1288: An original bill to extend the Clean Water Act for one year, and for other purposes (Rept. No. 98-115).

By Mr. ABDNOR, from the Committee on Environment and Public Works, without amendment:

S. 1289: An original bill to establish an obligation ceiling for the civil work construction program of the United States Army Corps of Engineers (Rept. No. 98-116).

By Mr. DURENBERGER, from the Committee on Environment and Public Works, without amendment:

S. 1290: An original bill to extend the Safe Drinking Water Act, as amended, for one year (Rept. No. 98-117).

By Mr. SIMPSON, from the Committee on Environment and Public Works, without amendment:

S. 1291: An original bill to authorize appropriations to the Nuclear Regulatory Commission in accordance with section 261 of the Atomic Energy Act of 1954, and section 305 of the Energy Reorganization Act of 1974 (Rept. No. 98-118).

By Mr. DURENBERGER, from the Committee on Environment and Public Works, without amendment:

S. 1292: An original bill to authorize appropriations for environmental research, development, and demonstrations for fiscal year 1984 (Rept. No. 98-119).

By Mr. HUMPHREY, from the Committee on Environment and Public Works, without amendment:

S. 1293: An original bill to extend authorization for appropriations for the Disaster Relief Act of 1974, and for other purposes (Rept. No. 98-120).

By Mr. HUMPHREY, from the Committee on Environment and Public Works, with an amendment:

S. 379: A bill to cancel certain indebtedness in connection with disaster relief activities (Rept. No. 98-121).

By Mr. GARN, from the Committee on Banking, Housing, and Urban Affairs, with amendments:

S. 695: A bill to amend the Bretton Woods Agreements act to authorize consent to and authorize appropriations for an increase in the United States quota in the International Monetary Fund and to authorize appropriations for increased U.S. participation in the IMF's General Arrangements to Borrow (Rept. No. 98-122).

By Mr. MATHIAS, from the Committee on Rules and Administration, without amendment:

S. Res. 145: An original resolution to pay a gratuity to Stephen B. Couch.

By Mr. GARN, from the Committee on Banking, Housing, and Urban Affairs, without amendment:

S. Res. 146: An original resolution waiving section 402(a) of the Congressional Budget Act of 1974 with respect to the consideration of S. 695.

By Mr. HATCH, from the Committee on Labor and Human Resources, with an amendment in the nature of a substitute:

S. 1003: A bill to extend and revise the provisions of the Child Abuse Prevention and Treatment Act and the Child Abuse Prevention Treatment and Adoption Reform Act of 1978.

S. 1008: A bill to make certain technical amendments to improve implementation of the Education Consolidation and Improvement Act of 1981, and for other purposes.

By Mr. ROTH, from the Committee on Governmental Affairs, without amendment:

S. 1010: A bill to amend the District of Columbia Self-Government and Governmental Reorganization Act to increase the amount authorized to be appropriated as the annual Federal payment to the District of Columbia.

By Mr. HATCH, from the Committee on Labor and Human Resources, with an amendment in the nature of a substitute:

S. 1087. A bill to authorize appropriations for the National Science Foundation for fiscal year 1984.

By Mr. THURMOND, from the Committee on the Judiciary, with an amendment in the nature of a substitute:

S. 1192. A bill to authorize appropriations for the purpose of carrying out the activities of the Department of Justice for Fiscal Year 1984 and for other purposes.

By Mr. GARN, from the Committee on Banking, Housing, and Urban Affairs, without amendment:

S. 1294. An original bill to authorize appropriations to carry out the Export Administration Act of 1979.

By Mr. HATCH, from the Committee on Labor and Human Resources, without amendment:

S. 1285. An original bill to improve the quality of mathematics and science teaching and instruction in the United States, and for other purposes.

EDUCATION FOR ECONOMIC SECURITY ACT

Mr. HATCH. Mr. President, I am very pleased to report two measures from the Committee on Labor and Human Resources, the National Science Foundation Authorization Act of Fiscal Year 1984 and the Education for Economic Security Act. Both of these bills carry much significance for the future of America's standing in science and technology.

The Education for Economic Security Act is the result of much thoughtful discussion by the members of our committee, and I want to particularly commend Senators PELL and STAFFORD for their efforts. That a measure representing a broad consensus of our committee was reported is a tribute to their willingness to take into account all points of view. The committee has reported an original bill, a vehicle which prevents the listing of cosponsors, so I ask unanimous consent that the names of the cosponsors be printed at this point in the RECORD, and that they be added as cosponsors after the bill has been officially filed.

There being no objection, the list was ordered to be printed in the RECORD, as follows;

COSPONSORS OF THE EDUCATION FOR ECONOMIC SECURITY ACT

Claiborne Pell, Rhode Island.
Robert T. Stafford, Vermont.
Edward M. Kennedy, Massachusetts.
Dan Quayle, Indiana.
Jennings Randolph, West Virginia.
Paula Hawkins, Florida.
Thomas F. Eagleton, Missouri.
Donald W. Riegle, Michigan.
Howard H. Metzenbaum, Ohio.
Spark M. Matsunaga, Hawaii.
Christopher J. Dodd, Connecticut.
Robert Dole, Kansas.
Alan Cranston, California.
Thad Cochran, Mississippi.
Daniel K. Inouye, Hawaii.
Bill Bradley, New Jersey.
Quentin Burdick, North Dakota.
Walter D. Huddleston, Kentucky.
Paul Sarbanes, Maryland.
David Pryor, Arkansas.
Carl Levin, Michigan.
Jim Sasser, Tennessee.
Daniel Patrick Moynihan, New York.
Dale Bumpers, Arkansas.
Wendell Ford, Kentucky.
George Mitchell, Maine.
Dennis DeConcini, Arizona.

Second, Mr. President, this measure has generated tremendous interest in both the education and scientific communities. Therefore, I ask unanimous consent that the text of the bill be printed in the CONGRESSIONAL RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows;

S. 1285

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Education for Economic Security Act".

STATEMENT OF PURPOSE

SEC. 2. It is the purpose of this Act to improve the quality of mathematics and science teaching and instruction in the United States.

DEFINITIONS

SEC. 3. For the purpose of this Act—

(1) The term "area vocational education school" has the same meaning given that term under section 195(2) of the Vocational Education Act of 1965.

(2) The term "Director" means the Director of the National Science Foundation.

(3) The term "elementary school" has the same meaning given that term under section 198(a)(7) of the Elementary and Secondary Education Act of 1965.

(4) The term "Governor" means the chief executive of a State.

(5) The term "Foundation" means the National Science Foundation.

(6) The term "institution of higher education" has the same meaning given that term by section 1201(a) of the Higher Education Act of 1965.

(7) The term "local educational agency" has the same meaning given that term

under section 198(a)(10) of the Elementary and Secondary Education Act of 1965.

(8) The term "secondary school" has the same meaning given that term under section 198(a)(7) of the Elementary and Secondary Education Act of 1965.

(9) The term "Secretary" means the Secretary of Education.

(10) The term "State" means each of the several States, the District of Columbia, and the Commonwealth of Puerto Rico.

(11) The term "State agency for higher education" means the State board of higher education or other agency or officer primarily responsible for the State supervision of higher education, or, if there is no such officer or agency, an officer or agency designated for the purpose of this title by the Governor or by State law.

(12) The term "State educational agency" has the meaning given that term under section 1001(k) of the Elementary and Secondary Education Act of 1965.

TITLE I—NATIONAL SCIENCE FOUNDATION MATHEMATICS AND SCIENCE PROGRAMS

PART A—TEACHER INSTITUTES

GRANTS FOR TEACHER INSTITUTES AUTHORIZED

SEC. 101. The Foundation is authorized, in accordance with the provisions of this part, to make grants to local educational agencies and institutions of higher education, applying jointly, for the establishment and operation of teacher institutes for the enhancement of the subject matter skills of public and private elementary and secondary school teachers of mathematics and physical and life sciences.

APPLICATIONS

SEC. 102. (a) Each local educational agency and institution of higher education desiring to receive a grant under this part shall submit a joint application at such time, in such manner, and containing or accompanied by such information as the Director may require. One or more local educational agencies may apply jointly with one or more institutions of higher education under the provisions of this section.

(b) Each such application shall—

(1) describe the establishment and operation of a teacher institute for elementary and secondary school teachers of mathematics and physical and life sciences, including—

(A) the designation of the institute as a full-time summer or part-time school year, or both;

(B) a description of the courses of study to be offered at the institute;

(C) estimate the number of teachers, including the number of teachers from private elementary and secondary schools, to attend the institute and describe the selection procedures;

(D) the nature and location of existing facilities to be used in the operation of the institute;

(E) the teaching and administrative staff for the institute;

(F) the academic credits, if any, to be awarded for the completion of the courses of study to be offered at the institute; and

(G) a schedule of stipends to be paid teacher participants in the institute, including (i) allowances for subsistence and other expenses for teachers attending the institute and their dependents and (ii) provisions assuring that there will be no duplication of Federal benefits paid to participants;

(2) provide assurances that the design and operation of the institute will involve the participation of both the subject matter departments or divisions of each institution of higher education making application as well as the teacher education department or division, if any, of each such institution; and

(3) provide for prior and continuing consultation with the State educational agency in the formulation and operation of the institute; and

(4) provide such additional assurances as the Director deems essential to assure compliance with the requirements of this part.

DISTRIBUTION OF ASSISTANCE

SEC. 113. (a) In approving applications under this part, the Director shall assure that there is an equitable distribution of institutes established and operated under approved applications among States and within States. The Director shall award not less than one institute in each State.

(b) No grant to a single applicant may exceed $200,000 in any fiscal year.

COOPERATION WITH BUSINESS CONCERNS

SEC. 114. Institutes assisted under this part may, to the extent possible, involve the cooperation of advanced technology business concerns and other business concerns which are able to supply assistance in the teaching of mathematics and science.

SPECIAL CONSIDERATION OF UNDERREPRESENTED AND UNDERSERVED POPULATIONS

SEC. 115. In providing financial assistance under this part the Foundation shall make every effort to ensure that consideration is given to applications which contain provisions designed to meet the needs of underrepresented and underserved populations.

PART B—MATHEMATICS AND SCIENCE EDUCATION DEVELOPMENT PROGRAMS

PROGRAM AUTHORIZED

SEC. 121. The Foundation is authorized, in accordance with the provisions of this part, to enter into agreements with institutions of higher education or local educational agencies for—

(1) developing and disseminating programs and materials for training, retraining, and in-service training for elementary and secondary school teachers in the fields of mathematics and science, including physical and life sciences; and

(2) the research, development, and dissemination of instructional programs and materials for courses of study in elementary and secondary schools in the fields of mathematics and science, including physical and life sciences.

APPLICATIONS

SEC. 122. No grant may be made under this part unless an application is made by an institution of higher education or by a local educational agency, at such time, in such manner, and containing or accompanied by such information as the Director may reasonably require. Each application shall contain assurances—

(1) that in the case of an institution of higher education, the institution will enter into a cooperative agreement with one or more local educational agencies; or in the case of a local educational agency, the agency will enter into a cooperative agreement with one or more institutions of higher education for the purpose of furnishing the activities authorized by this part;

(2) that the planning and implementation of the cooperative agreement will involve the participation of both the subject matter departments or divisions of each institution of higher education making application as well as the teacher education department or division, if any, of each such institution; and

(3) that the applicant has consulted with, as appropriate, the State agency for higher education or the State educational agency in the development of the program for which assistance is sought, and will assure appropriate participation of such agencies in the program.

SPECIAL CONSIDERATION OF UNDERREPRESENTED AND UNDERSERVED POPULATIONS

SEC. 123. In providing financial assistance under this part, the Foundation shall make every effort to ensure that consideration is given to applications which provide for the development and improvement of instructional programs and materials designed to meet the needs of underrepresented and underserved populations.

PART C—SCIENCE AND MATHEMATICS EXCELLENCE IN TEACHING AWARDS

EXCELLENCE IN TEACHING MATHEMATICS AND SCIENCE AWARDS

SEC. 131. (a) The Foundation is authorized, in accordance with the provisions of this part, to make excellence in teaching mathematics and science awards.

(b)(1) Excellence in teaching awards shall be made under this part to teachers in elementary or secondary schools who have taught mathematics, science, or computer learning and who have demonstrated outstanding qualifications as teachers of mathematics or science.

(2) Each excellence in teaching award made under this part shall not exceed $5,000.

(c) The Foundation shall adopt selection procedures for making awards under this part. The selection procedures shall be designed to assure that the awards will be equitably distributed among the States.

APPLICATIONS

SEC. 132. No excellence in teaching award may be made under this part unless an application is submitted to the Foundation at such time, in such manner or containing or accompanied by such information as the Director may reasonably require.

PART D—CONGRESSIONAL MERIT SCHOLARSHIPS

SHORT TITLE

SEC. 141. This part may be cited as the "Congressional Merit Scholarships in Mathematics, Science, and Engineering Education".

MERIT SCHOLARSHIPS ESTABLISHED

SEC. 142. (a) The Foundation is authorized in accordance with the provisions of this part, to award scholarships to individuals who are enrolled in institutions of higher education and who demonstrate outstanding potential for, and who plan to pursue, a career in teaching in the fields of mathematics, science, and engineering.

(b) Scholarships under this part shall be awarded for such period as the Foundation may prescribe, but for not to exceed four academic years.

(c)(1) A student awarded a scholarship under this part may attend any institution of higher education offering courses of study designed to prepare them for teaching careers. Such awards shall be available for periods of study commencing not sooner than the third undergraduate year.

(2) In order to be eligible for a scholarship under this part, each individual shall—

(A) concentrate, at the undergraduate level, in mathematics or science, and indicate a serious intent to teach at the elementary school level; or

(B) concentrate, at the undergraduate level, in mathematics or science, and indicate a serious intent to teach mathematics or science at the secondary school level; or

(C) concentrate, at the undergraduate level, in engineering and indicate a serious intent to teach at the postsecondary level, in an engineering discipline in which the Foundation has determined a shortage of qualified teachers.

(d) Not to exceed 25 per centum of the scholarships available under this part shall be available for students meeting the criteria of subsection (c)(2)(C).

SELECTION OF MERIT SCHOLARS

SEC. 143. (a) The Foundation shall establish criteria for the selection of merit scholars under this part.

(b) The Foundation shall adopt selection procedures which are designed to assure that—

(1) the number of individuals to be selected will not exceed the product of the number of Members of Congress for each State, multiplied by two, and that the individuals will be selected from among the residents of each State (and in the case of the District of Columbia and the Commonwealth of Puerto Rico, not to exceed ten individuals will be selected); and

(2) each recipient of a merit scholarship will enter into an agreement with the Foundation under which the recipient will agree—

(A) to comply with provisions of paragraph (2) of section 142(c) relating to concentration of study; and

(B) to pursue a career in teaching, as prescribed in section 142(c) for not less than two years for each academic year in which a merit scholarship award is received.

STIPENDS AND SCHOLARSHIP CONDITIONS

SEC. 144. (a) Each student awarded a merit scholarship under this part shall receive an award of $5,000 for each academic year of study.

(b) Each student awarded a merit scholarship under the provisions of this part shall continue to receive payments provided under this part for such scholarship only during such period as the Foundation determines that the student is maintaining satisfactory progress in, and devoting full time to, the course of study for which the scholarship is awarded.

(c) The Foundation is authorized to require reports containing such information in such form and to be filed at such time as the Foundation determines to be necessary from any student awarded a merit scholarship under the provisions of this part. Such reports shall be accompanied by a certificate from any appropriate official of the institution of higher education, approved by the Foundation, stating that such student is making satisfactory progress in, and is devoting essentially full time to, the study described in subsection (b).

PART E—DISCRETIONARY FUNDS OF THE DIRECTOR

AUTHORIZATION

SEC. 151. (a) From funds available for this part, the Director is authorized to make grants to and to enter into contracts with any public agency or any private organization to carry out any activity authorized by this title. In addition, from such funds, the Director is authorized, directly or by way of grant or contract, to conduct—

(1) a faculty exchange program between institutions of higher education (particularly institutions having established and nationally recognized research facilities) and eligible institutions; and

(2) programs of national significance promoting the improvement of instruction in the fields of mathematics, science, and engineering.

(b) For the purpose of this section the term "eligible institution" means an institution of higher education in any State which—

(1)(A) has an enrollment which includes a substantial percentage of students who are members of a minority group or who are economically or educationally disadvantaged; or

(B) is located in a community that is not within commuting distance of a major institution of higher education; and

(2) demonstrates a commitment to meet the special educational needs of students who are members of a minority group or are economically or educationally disadvantaged.

PART F—GENERAL PROVISIONS

ADMINISTRATIVE PROVISIONS

SEC. 161. (a) In order to carry out the provisions of this title, the Foundation is authorized to—

(1) appoint and fix the compensation of such personnel as may be necessary to carry out the provisions of this title, except that in no case shall employees be compensated at a rate to exceed the rate provided for employees in grade GS-18 of the General Schedule set forth in section 5332 of title 5, United States Code;

(2) procure temporary and intermittent services of experts and consultants as are necessary to the extent authorized by section 3109 of title 5, United States Code, but at rates not to exceed the rate specified at the time of such service for grade GS-18 of section 5332 of such title;

(3) prescribe such regulations as it deems necessary governing the manner in which its functions shall be carried out;

(4) receive money and other property donated, bequeathed, or devised, without condition or restriction other than it be used for the purposes of this Act; and to use, sell, or otherwise dispose of such property for the purpose of carrying out the functions of the Foundation under this Act;

(5) accept and utilize the services of voluntary and noncompensated personnel and reimburse them for travel expenses, including per diem, as authorized by section 5703 of title 5, United States Code;

(6) enter into contracts, grants, or other arrangements, or modifications thereof, to carry out the provisions of this title, and such contracts or modifications thereof may, with the concurrence of two-thirds of the members of the National Science Board, be entered into without performance or other bonds, and without regard to section 3709 of the Revised Statutes, as amended (41 U.S.C. 5);

(7) make advances, progress, and other payments which the Board deems necessary under this title without regard to the provisions of section 3324 of title 31, United States Code; and

(8) make other necessary expenditures.

(b) The Foundation shall submit to the President and to the Congress an annual report of its operations under this title.

PARTICIPATION OF CHILDREN ENROLLED IN PRIVATE SCHOOLS

SEC. 162. The provisions of section 211 of this Act shall apply to the payments made under this title.

PROHIBITION AGAINST FEDERAL CONTROL OF EDUCATION

SEC. 163. The provisions of section 432 of the General Education Provisions Act, relating to prohibition against Federal control of education, shall apply to each program authorized by this title.

AUTHORIZATION OF APPROPRIATIONS

SEC. 164. (a) There are authorized to be appropriated $20,000,000 for each of the fiscal years 1984 and 1985 to carry out the provisions of part A of this title.

(b) There are authorized to be appropriated $20,000,000 for the fiscal year 1985 to carry out the provisions of part B of this title.

(c) There are authorized to be appropriated $5,000,000 for the fiscal year 1984 and $15,000,000 for the fiscal year 1985 to carry out the provisions of part D of this title.

(d) There are authorized to be appropriated $4,000,000 for the fiscal year 1985 to carry out the provisions of parts C and E of this title.

(e) There are authorized to be appropriated to the Foundation $20,000,000 for the fiscal year 1984 and $21,000,000 for the fiscal year 1985 to carry out the graduate fellowship program under the National Science Foundation Act of 1950.

TITLE II—EDUCATION FOR ECONOMIC SECURITY

STATEMENT OF PURPOSE

SEC. 201. It is the purpose of this title to make financial assistance available to State and local educational agencies, and to institutions of higher education, to improve the skills of teachers and instruction in mathematics, science, computer learning, and foreign languages, and to increase the access of all students to such instruction, and thereby contribute to strengthening the economic security of the United States.

DEFINITION

SEC. 202. As used in this title, the term "junior or community college" means an institution of higher education—

(1) that admits as regular students individuals who are beyond the age of compulsory school attendance in the State in which the institution is located and who have the ability to benefit from the training offered by the institution;

(2) that does not provide an educational program for which it awards a bachelor's degree (or an equivalent degree); and

(3) that—

(A) provides an educational program of not less than two years that is acceptable for full credit toward such a degree, or

(B) offers a two-year program designed to prepare a student to work as a technician or at the semiprofessional level in engineering, scientific, or other technological fields requiring the understanding and application of basic engineering, scientific, or mathematical principles of knowledge.

PROGRAM AUTHORIZED

SEC. 203. (a) The Secretary is authorized to make grants to States and to make discretionary grants, in accordance with the provisions of this title, for strengthening the skills of teachers and instruction in mathematics, science, computer learning, and foreign languages.

(b) There are authorized to be appropriated $350,000,000 for the fiscal year 1984, and $400,000,000 for the fiscal year 1985 to carry out the provisions of this title.

ALLOTMENT TO STATES

SEC. 204. (a)(1) From 90 per centum of the amount appropriated to carry out this title for each fiscal year, the Secretary shall allot to each State an amount which bears the same ratio to such 90 per centum as the number of children aged five to seventeen, inclusive, in the State bears to the number of such children in all States, except that no State shall receive less than one-half of 1 per centum of the amount available under this subsection in any fiscal year.

(2) The Secretary shall reserve the remaining 10 per centum to carry out section 212, relating to discretionary grants of national significance.

(3) For the purpose of this subsection, the term "State" does not include Guam, American Samoa, the Virgin Islands, the Northern Mariana Islands, or the Trust Territory of the Pacific Islands.

(4) The number of children aged five to seventeen, inclusive, in the State and in all States shall be determined by the Secretary on the basis of the most recent satisfactory data available to him.

(b) The amount of any State's allotment under subsection (a) for any fiscal year to carry out this title which the Secretary determines will not be required for that fiscal year to carry out this title shall be available for reallotment from time to time, on such dates during that year as the Secretary may fix, to other States in proportion to the original allotments to those States under subsection (a) for that year but with such proportionate amount for any of those other States being reduced to the extent it exceeds the sum the Secretary estimates that State needs and will be able to use for that year; and the total of those reductions shall be similarly reallotted among the States whose proportionate amounts were not so reduced. Any amounts reallotted to a State under this subsection during a year shall be deemed a part of its allotment under subsection (a) for that year.

(c) There are authorized to be appropriated for each fiscal year for the purpose of this subsection amounts equal to not more than 1 per centum of the amount appropriated for such year under this title. The Secretary shall allot the amount appropriated pursuant to this subsection among Guam, American Samoa, the Virgin Islands, the Northern Mariana Islands, or the Trust Territory of the Pacific Islands according to their respective needs for assistance under this title. In addition for each fiscal year the Secretary shall allot from not less than one-half of such amount, to such agency as the Secretary deems appropriate, for programs authorized by this title for children in elementary and secondary schools operated for Indian children by the Department of the Interior. The terms upon which payments are made under the previous sentence shall be determined by such criteria as the Secretary determines will best carry out the purpose of this title.

IN-STATE APPORTIONMENT

SEC. 205. (a) For each of the fiscal years 1984 and 1985, 70 per centum of each State's allotment under section 204 of this title shall be used for elementary and secondary education programs in accordance with section 206.

(b) For each of the fiscal years 1984 and 1985, 30 per centum of each State's allotment under section 204 of this title shall be used for higher education programs in accordance with section 207.

ELEMENTARY AND SECONDARY EDUCATION PROGRAMS

SEC. 206. (a) The amount apportioned under section 205(a) from each State's allotment under this title shall be used by the State educational agency to strengthen elementary and secondary education programs in accordance with the provisions of this section.

(b)(1) Not less than 70 per centum of the amount available under this section shall be distributed to local educational agencies within the State. Each local educational agency shall use funds distributed under this paragraph for—

(A) the expansion and improvement of in-service training and retraining of teachers and other appropriate school personnel in the fields of mathematics and science, including vocational education teachers who use mathematics and science in the courses of study the teachers teach; or

(B) if the local educational agency determines that the agency has met its need for such training and retraining and subject to the provisions of section 210(c), computer learning and instruction, foreign language instruction, and instructional materials and equipment related to mathematics and science instruction.

Such training and instruction may be carried out through agreements with public agencies, private industry, institutions of higher education, and nonprofit private organizations, including museums, libraries, educational television stations, professional science, mathematics and engineering associations, and other appropriate institutions. A local educational agency may carry out the activities authorized by this paragraph with one or more other local educational agencies within the State, or with the State educational agency, or both. Each local educational agency shall assure that programs of in-service training and retraining will take into account the need for greater access to and participation in mathematics, science, and computer learning programs and careers of students from historically underrepresented groups, including females, minorities, individuals with limited-English proficiency, the handicapped, and migrants.

(2)(A) The State educational agency shall distribute 50 per centum of the funds available under this subsection to local educational agencies within the State according to the relative number of children enrolled in public and nonpublic schools within the school districts of such agencies.

(B) The State educational agency shall distribute 50 per centum of the funds available under this subsection based on the relative number of children aged 5 to 17 who—

(i) are from families below the poverty level as determined under section 111(c)(2)(A) of the Elementary and Secondary Education Act of 1965; and

(ii) are from families above the poverty level as determined under section 111(c)(2)(B) of the Elementary and Secondary Education Act of 1965;

in the public schools of the local educational agencies within the State.

(3) The State educational agency shall renew payments to local educational agencies under this subsection based upon the criteria set forth in paragraph (2) of this subsection and a determination by the State educational agency that the local educational agency is implementing the program assisted under this title so that a substantial number of teachers in the public and private schools in the school district of such agency are served and several grade levels of instruction in such schools are involved in the program.

(c)(1) If a local educational agency is spending funds under subsection (b)(1)(B), not to exceed 30 per centum of the funds available to the local educational agency under subsection (b) may be used for the purchase of computer and computer-related instructional equipment.

(2) If a local educational agency is spending funds under subsection (b)(1)(B), not to exceed 15 per centum of the funds available to the local educational agency under subsection (b) may be used to strengthen instruction in foreign languages.

(d) Not less than 20 per centum of the amount available under this section shall be used by the State educational agency for demonstration and exemplary programs for—

(1) teacher training and retraining and in-service upgrading of teacher skills in the fields of mathematics and science, foreign language instruction, and computer learning,

(2) instructional equipment and materials in such fields and necessary technical assistance,

(3) special projects for historically underrepresented and underserved populations and for gifted and talented students, and

(4) the dissemination of information to all local educational agencies within the State relating to the exemplary programs in the fields of mathematics, science, foreign languages, and computer learning.

In providing financial assistance for such demonstration and exemplary programs, the State educational agency shall reserve not less than 20 per centum of the amount available under this subsection for special projects in mathematics and science, foreign languages, and computer education to historically underrepresented and underserved populations of students, including females, minorities, handicapped individuals, individuals with limited-English proficiency, and migrant students, and to programs for gifted and talented students. The programs for gifted and talented students may include assistance to magnet schools for such students.

(e) Not less than 5 per centum of the amount available under this section may be used by the State educational agency to provide technical assistance to local educational agencies, institutions of higher education, and nonprofit organizations, including museums, libraries, and educational television stations, in the conduct of programs specified under subsection (b).

(f) Not to exceed 5 per centum of the amount available under this section may be used by the State educational agency for—

(1) the State assessment required by section 208 of this title; and

(2) the costs of administration and evaluation of the program assisted under this title.

HIGHER EDUCATION PROGRAMS

SEC. 207. (a) The amount apportioned under section 205(b) from each State's allotment under this title shall be used by the State agency for higher education for higher education programs in accordance with the provisions of this section.

(b)(1)(A) Not less than 75 per centum of the amount available for this section shall be used by the State agency for higher education for grants to institutions of higher education in accordance with the provisions of this subsection.

(B) The State agency for higher education shall make funds available on a competitive

basis to institutions of higher education in the State which apply for payments under this section. The State agency for higher education shall make every effort to ensure equitable participation of private and public institutions of higher education.

(2) The amount available under this subsection shall be used for—

(A) establishing traineeship programs for new teachers who will specialize in teaching mathematics and science at the secondary school level;

(B) retraining of secondary school teachers who specialize in disciplines other than the teaching of mathematics and science to specialize in the teaching of mathematics, science, or computer learning, including provision of stipends for participation in institutes authorized under title I; and

(C) in-service training for elementary, secondary, and vocational school teachers and training for other appropriate school personnel to improve their teaching skills in the fields of mathematics and science, and computer learning, including stipends for participation in institutes authorized under title I.

Each institution of higher education receiving a grant under this subsection shall assure that programs of training, retraining, and in-service training will take into account the need for greater access to and participation in mathematics, science, and computer learning and careers of students from historically underrepresented and underserved groups, including females, minorities, individuals with limited-English proficiency, the handicapped, migrants, and the gifted and talented.

(3) No institution of higher education may receive assistance under paragraph (2) (B) and (C) of this subsection unless the institution enters into an agreement with a local educational agency, or consortium of such agencies, to provide in-service training and retraining for the elementary and secondary school teachers in the public and private schools of the school district of each such agency.

(c)(1) Not less than 20 per centum of the amount available under this section shall be used by the State agency for higher education for cooperative programs among institutions of higher education, local educational agencies, State educational agencies, private industry, and private nonprofit organizations, including museums, libraries, educational television stations, and professional mathematics, science, and engineering societies and associations for the development and dissemination of projects designed to improve student understanding and performance in science, mathematics, and critical foreign languages. In carrying out this subsection, the State agency for higher education shall give special consideration to programs involving consortial arrangements which include local educational agencies.

(2) For the purpose of paragraph (1) of this subsection, critical foreign languages include foreign languages designated by the Secretary pursuant to section 211(d).

(d) Not to exceed 5 per centum of the amount available under this section may be used by the State agency for higher education for—

(1) the State assessment required by section 208 of this title; and

(2) the costs of administration and evaluation of the program assisted under this title incurred by the State higher education agency.

STATE ASSESSMENT OF MATHEMATICS, SCIENCE, FOREIGN LANGUAGES, AND COMPUTER LEARNING

SEC. 208. (a) Each State which desires to receive grants under this title shall prepare and submit to the Secretary, not later than the end of the first year for which funds under this title are available, an assessment of the status of mathematics, science, foreign language, and computer learning within the State. Each such assessment shall be prepared after an examination of the local assessments submitted under section 210. Each such assessment shall include a description and a five-year projection of—

(1) the availability of qualified mathematics, science, foreign language, and computer learning teachers at the secondary and postsecondary education levels within the State;

(2) the qualifications of teachers in mathematics, science, foreign languages, and computer learning at the secondary and postsecondary education levels, and the qualifications of teachers at the elementary level to teach mathematics, science, foreign languages, and computer learning;

(3) the State standards for teacher certification, including any special exceptions currently made, for teachers of mathematics, science, foreign languages, and computer learning;

(4) the availability of adequate curricula, instructional materials and equipment, in mathematics, science, foreign languages, and computer learning; and

(5) the degree of access to instruction in mathematics, science, foreign languages, and computer learning of historically underrepresented and underserved individuals and of the gifted and talented.

(b) Each such assessment shall also describe the programs, initiatives, and resources committed or projected to be undertaken within the State to—

(1) improve teacher recruitment and retention;

(2) improve teacher qualifications and skills in the fields of mathematics, science, foreign languages, and computer and computer learning;

(3) improve curricula in mathematics, science, foreign languages, and computer learning including instructional materials and equipment; and

(4) improve access for historically underrepresented and underserved populations, and for the gifted and talented, to instruction in mathematics, science, foreign languages, and computer learning.

(c)(1) Each State assessment shall be developed in consultation with the Governor, the State legislature, State Board of Education, local educational agencies within the State, and representatives of—

(A) vocational secondary schools and area vocational education schools,

(B) public and private institutions of higher education,

(C) teacher organizations,

(D) private industry,

(E) other public organizations, including libraries, museums, and educational television stations, and professional scientific and mathematics associations, and

(F) private elementary and secondary schools, within the State.

(2) Each State assessment shall be submitted jointly by the State educational agency and the State agency for higher education.

STATE APPLICATION

SEC. 209. (a) Each State which desires to receive grants under this title shall file an application with the Secretary at such time, in such manner, and containing or accompanied by such information as the Secretary may reasonably require.

(b) Each such application shall—

(1) designate the State educational agency for the purpose of programs described in section 206, and the State agency for higher education for programs described in section 207 as the agency or agencies responsible for the administration and supervision of the programs described in sections 207 and 208, as the case may be;

(2) describe the programs for which assistance is sought under the application;

(3) provide assurances that payments will be distributed by the State in accordance with the provisions of sections 207 and 208, as the case may be;

(4) provide procedures—

(A) for submitting applications by local educational agencies, institutions of higher education, junior or community colleges, and other organizations for programs described in section 206 for distribution of payments under this title within the State, and

(B) for approval of applications by the appropriate State agency, including appropriate procedures to assure that the appropriate State agency will not disapprove an application without notice and opportunity for a hearing;

(5) provide assurances that—

(A) the State will prepare and submit the assessment required under section 208;

(B) in the second year for which funds are available under this title, the State will use funds for purposes consistent with the findings of the State assessment under section 208;

(C) for programs described in section 206, the provisions of sections 211 and 212 will be carried out; and

(D) to the extent feasible, evaluations of the program assisted under this title will be performed;

(6) provide assurances that Federal funds made available under this title for any fiscal year will be so used as to supplement, and to the extent practicable, to increase the level of funds that would, in the absence of such funds, be available for the purposes described in sections 207 and 208, and in no case supplant such funds; and

(7) provide such fiscal control and accounting procedures as may be necessary (A) to ensure proper accounting of Federal funds paid to the applicant under this title, and (B) to ensure the verification of the programs assisted under the application.

(c) The Secretary shall expeditiously approve any State plan that meets the requirements of this section.

LOCAL EDUCATIONAL AGENCY ASSESSMENT

SEC. 210. (a) Each local educational agency which desires to receive a payment from the State educational agency pursuant to section 206 shall provide to the State educational agency an assessment of the local educational agency's need for assistance in—

(1) teacher training, retraining, and in-service training and the training of appropriate school personnel in the areas of mathematics, science, and foreign languages; and

(2) improving instructional materials and equipment related to mathematics and science education.

(b) Such assessment shall also describe the types of services to be provided pursuant to the program assisted under section 206, and a description of how the services assisted will meet the program needs of the local educational agency.

(c) If a local educational agency determines, pursuant to section 206(b)(1), that the agency has met its teacher retraining and in-service training needs in mathematics and science and desires to expend its funds on other activities prescribed in section 206(b)(1)(B), the local educational agency may request the State educational agency to waive such training requirements. If the State educational agency determines that the local educational agency has met such teacher training needs, the State educational agency shall grant the waiver.

PARTICIPATION OF CHILDREN AND TEACHERS FROM PRIVATE SCHOOLS

SEC. 211. (a) To the extent consistent with the number of children in the State or in the school district of each local educational agency who are enrolled in private elementary and secondary schools, such State or agency shall, after consultation with appropriate private school representatives, make provision for including services and arrangements for the benefit of such children as will assure the equitable participation of such children in the purposes and benefits of this title.

(b) To the extent consistent with the number of children in the State or in the school district of a local educational agency who are enrolled in private elementary and secondary schools, such State, State educational agency, or State agency for higher education shall, after consultation with appropriate private school representatives, make provision, for the benefit of such teachers in such schools, for such in-service and teacher training and retraining as will assure equitable participation of such teachers in the purposes and benefits of this title.

(c) If by reason of any provision of law a State or local educational agency is prohibited from providing for the participation of children or teachers from private schools as required by subsections (a) and (b), or if the Secretary determines that a State or local educational agency has substantially failed or is unwilling to provide for such participation on an equitable basis, the Secretary shall waive such requirements and shall arrange for the provision of services to such children or teachers which shall be subject to the requirements of this section. Such waivers shall be subject to consultation, withholding, notice, and judicial review requirements in accordance with sections 557(b) (3) and (4) of the Education Consolidation and Improvement Act of 1981.

SECRETARY'S DISCRETIONARY FUND FOR PROGRAMS OF NATIONAL SIGNIFICANCE

SEC. 212. (a) From 10 per centum of amounts appropriated under section 203(b), the Secretary shall make grants in accordance with this section.

(b)(1) From 75 per centum of the amount available under this section in each fiscal year, the Secretary shall make grants to State and local educational agencies, institutions of higher education, and private nonprofit organizations, including museums, libraries, educational television stations, and professional science, mathematics, and engineering societies and associations for programs of national significance in mathematics and science instruction, computer learning, and foreign language instruction in critical languages. The Secretary shall give special consideration to provide assistance to local educational agencies, or consortia thereof, to establish or improve magnet schools for gifted and talented students. In awarding of grants the Secretary shall give special consideration to local educational agencies and institutions of higher education providing special services to historically underserved and underrepresented populations in the fields of mathematics and science.

(2) The Secretary, from the amount available under paragraph (1) for each fiscal year, shall reserve not to exceed $3,000,000 in each such year for the Director of the National Institute of Education for the purpose of conducting evaluation and research activities. Such evaluation and research activities shall include—

(A) a policy analysis of alternative methods to improve instruction in mathematics and science;

(B) an annual evaluation of the programs assisted under this title; and

(C) research on improving teacher training, retraining, in-service training, and retention, as well as the development of curriculum and materials in the fields of mathematics and science.

One-half of the funds reserved under this paragraph shall be used for the research activities described in clause (C).

(c) From 25 per centum of the amount available in each fiscal year, the Secretary shall make grants to institutions of higher education for the improvement and expansion of instruction in critical foreign languages.

(d) In determining which languages are critical to national security, economic, and scientific needs, the Secretary shall consult with the Secretary of State, the Secretary of Defense, the Secretary of Health and Human Services, and the Director of the National Science Foundation. The Secretary shall publish in the Federal Register a list of critical foreign languages.

PAYMENTS

SEC. 213. (a) From the amounts appropriated under section 203(b), the Secretary shall pay, in accordance with the provisions of this title, the costs of the programs and activities described in the application approved under section 209, and the costs of programs of national significance under section 211.

(b) Payments under this title shall be made as soon after approval of the application as practicable.

TITLE III—NATIONAL SCIENCE FOUNDATION PROGRAM FOR PARTNERSHIPS IN EDUCATION FOR MATHEMATICS, SCIENCE, AND ENGINEERING

SHORT TITLE

SEC. 301. This title may be cited as the "Partnerships in Education for Mathematics, Science, and Engineering Act".

STATEMENT OF PURPOSE

SEC. 302. It is the purpose of this title to supplement State and local resources to—

(1) improve the quality of instruction in the fields of mathematics, science, and engineering in the State;

(2) furnish additional resources and support for research, student scholarships, and faculty exchange programs in the fields of mathematics, science, and engineering; and

(3) encourage partnerships in education between the business community, institutions of higher education, and elementary and secondary schools in the community.

DEFINITIONS

SEC. 303. As used in this title—

(1) the term "Foundation" means the National Science Foundation;

(2) the term "institution of higher education" has the same meaning given that term by section 1201(a) of the Higher Education Act of 1965;

(3) the term "States" includes the 50 States, the District of Columbia, and the Commonwealth of Puerto Rico; and

(4) the term "State agency for higher education" means the State board of higher education or other agency or officer primarily responsible for the State supervision of higher education, or if there is no such officer or agency, an officer or agency designated by the Governor or by State law.

PROGRAM AUTHORIZED

SEC. 304. (a) The Foundation is authorized, in accordance with the provisions of this title, to make grants to States to pay the Federal share of the costs of the activities described in section 305.

(b) There are authorized to be appropriated $30,000,000 for the fiscal year 1984, and $60,000,000 for the fiscal year 1985 to carry out the provisions of this title.

AUTHORIZED ACTIVITIES

SEC. 305. (a)(1) A State may use payments received under this title in any fiscal year for higher education programs and activities described in this subsection.

(2) Grants under this subsection may be used for partnership in education programs—

(A) for the improvement of instruction in mathematics, science, computer science, and engineering education at the postsecondary level;

(B) for awarding scholarships to students at institutions of higher education in the fields of mathematics, science, computer science, and engineering;

(C) for the operation of faculty exchange programs by the institutions of higher education and business concerns within the State;

(D) for research in the fields of mathematics, science, computer science, and engineering;

(E) for the acquisition, rehabilitation, and renovation of equipment and instrumentation for use in instruction in the fields of mathematics, science, computer science, and engineering; and

(F) to promote public understanding of science, mathematics, and computer science.

(3) Education partnerships under this subsection may include institutions of higher education, business concerns, nonprofit private organizations, local educational agencies, professional mathematic and scientific associations, museums, libraries, educational television stations, and if the State so desires, appropriate State agencies.

(b)(1) A State may use payments received under this title in any fiscal year for programs and activities described in this subsection.

(2) A local educational agency may carry out an elementary and secondary school partnership in education program under which—

(A) elementary and secondary school teachers in the schools of local educational agencies who teach mathematics, science, or computer science are made available to local business concerns and business concerns with establi hments located in the community to serve in such concerns or establishments;

(B) personnel of local business concerns and business concerns with establishments located in the community serve as consultants, lecturers, teaching assistants, or teachers of mathematics, science, or computer science in the elementary and secondary schools within the State;

(C) training and retraining is furnished to elementary and secondary school teachers of mathematics, science, and computer science under a cooperative arrangement between the State or local educational agency and appropriate business concerns; and

(D) secondary school students observe, participate, and work in local business concerns and business concerns with establishments located in the community.

(3) Partnerships under this subsection may include local educational agencies, business concerns, nonprofit private organizations, institutions of higher education, professional mathematic and scientific associations, museums, libraries, educational television stations, and, if the State so desires, appropriate State agencies.

STATE APPLICATION

SEC. 306. (a) Any State which desires to receive a grant under this title shall make an application to the Foundation at such time, in such manner, and containing or accompanied by such information as the Foundation may reasonably require. Each such application shall—

(1) designate (A) the State agency for higher education as the State agency responsible for the supervision of programs and activities described in section 305(a) assisted under this title, and (B) the State educational agency as the State agency responsible for the administration and supervision of programs described in section 305(b) assisted under this title;

(2) describe the activities for which assistance under this title is sought;

(3) provide assurances that not more than 5 per centum of the allotment of the State in any fiscal year may be expended on administrative expenses at the State level or at the local level by State and local educational agencies;

(4) with respect to each program for which assistance is sought provide assurances that—

(A) 30 per centum of the funds for each such project will be furnished by business concerns within the community;

(B) 20 per centum of the funds will be supplied by—

(i) the State,

(ii) the institution of higher education or the local educational agency, as the case may be, participating in the program; and

(iii) the other parties participating in the program;

(C) no stipend will be paid directly to employees of a profitmaking business concern; and

(D) teachers participating in the exchange program may not be employed by the participating business concern with which the teacher served within three years after the end of the exchange program unless the teacher repays the full cost of the exchange program to the State and local educational agency, as the case may be; and

(5) provide assurances that whenever the program for which assistance is sought includes scholarships, the scholarships be awarded to undergraduate students at institutions of higher education within the State who wish to pursue a course of study in mathematics or science, engineering or computer science, and that each student awarded a scholarship under this title will receive a stipend which shall not exceed the cost of tuition at the institution of higher education plus a stipend of not to exceed $750 for each academic year of study for which the scholarship is awarded;

(6) provide assurances that consideration is given to programs and activities designed to meet the needs of underrepresented and underserved populations;

(7) provide assurances that in the consideration of applications submitted under section 307(a) that equitable consideration is given to applications submitted by private and public institutions of higher education; and

(8) provide such additional assurances as the Foundation determines essential to ensure compliance with the requirements of this title.

(b) A regional consortium of States or two or more States may file a joint application under the provisions of subsection (a) of this section.

INSTITUTIONAL AND LOCAL APPLICATIONS

SEC. 307. (a) An institution of higher education within a State which desires to receive a grant under this title shall submit an application to the State agency on higher education in accordance with the provisions of this section. Each application shall be submitted jointly by the institution of higher education and each business concern and other party that is to participate in the program for which assistance is sought. Each such application shall—

(1) describe the activities for which assistance is sought; and

(2) contain such other assurances and agreements as the State agency on higher education deems essential to assure compliance with the provisions of this title.

(b) A local educational agency within a State which desires to receive a grant under this title shall submit an application to the State educational agency in accordance with this section. Each application shall be submitted jointly by the local educational agency and each business concern and other party that is to participate in the program for which assistance is sought. Each such applicant shall—

(1) describe the activities for which the local educational agency seeks assistance under this title;

(2) provide assurances, with respect to the partnership in education program, that the applicable provisions of clause (4) of section 306 are met; and

(3) contain such other assurances and agreements as the State educational agency determines essential to assure compliance with the provisions of this title.

APPROVAL OF APPLICATIONS

SEC. 308. (a) The Foundation shall establish criteria for approval of applications under this title.

(b) The Foundation shall adopt approval procedures designed to assure that there is equitable distribution of grants among the States.

PARTICIPATION OF CHILDREN ENROLLED IN PRIVATE SCHOOLS

SEC. 309. The provisions of section 211 of this Act shall apply to the payments made under this title.

PAYMENTS; FEDERAL SHARE; LIMITATION

SEC. 310. (a)(1) The Foundation shall pay to each State having an application approved under section 308, the Federal share of the cost of the program described in the application.

(2) The Federal share for each fiscal year shall be 50 per centum.

(3) The non-Federal share of payments under this title may be in cash or in kind, fairly evaluated, including plant, equipment, or services.

(b) Not more than 15 per centum of the funds appropriated under this title in any fiscal year may be paid to any single State.

TITLE IV—PRESIDENTIAL AWARDS FOR TEACHING EXCELLENCE IN MATHEMATICS AND SCIENCE

PRESIDENTIAL AWARDS

SEC. 401. (a) The President is authorized to make Presidential Awards for Teaching Excellence in Mathematics and Science to secondary school teachers of mathematics or science who have demonstrated outstanding teaching qualifications in the field of teaching mathematics or science.

(b) Each year the President is authorized to make 100 awards under subsection (a) of this section. In selecting secondary school teachers for the award authorized by this section, the President shall select at least one secondary school teacher from each of the several States, the District of Columbia, and the Commonwealth of Puerto Rico.

ADMINISTRATIVE PROVISIONS

SEC. 402. The President shall carry out the provisions of this title, including the establishment of the selection procedures, after consultation with the Secretary of Education, the Director of the National Science Foundation, and other appropriate officials of Federal agencies.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second time by unanimous consent, and referred as indicated:

By Mr. DURENBERGER, from the Committee on Environment and Public Works:

S. 1280. An original bill to extend the Noise Control Act of 1972; placed on the calendar.

S. 1281. An original bill to amend the Toxic Substances Control Act to authorize appropriations for fiscal year 1984; placed on the calendar.

By Mr. CHAFEE, from the Committee on Environment and Public Works:

S. 1282. An original bill to extend titles I and II of the Marine Protection Research and Sanctuaries Act, as amended; placed on the calendar.

S. 1283. An original bill to amend the Solid Waste Disposal Act to authorize funds for fiscal year 1984; placed on the calendar.

S. 1284. An original bill to extend until October 1, 1985, the authority for advances to the migratory bird conservation fund; placed on the calendar.

By Mr. HATCH, from the Committee on Labor and Human Resources:

S. 1285. An original bill to improve the quality of mathematics and science teaching and instruction in the United States, and for other purposes; placed on the calendar.

By Mr. GORTON (for himself, Mr. GOLDWATER, Mr. TRIBLE, Mr. RIEGLE, Mr. HEFLIN, Mr. LAUTENBERG and Mr. TSONGAS):

S. 1286. A bill to establish a program to conduct research and development for improved manufacturing technologies, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. STAFFORD, from the Committee on Environment and Public Works:

S. 1287. An original bill to authorize appropriations for the Public Buildings Service of the General Services Administration for the fiscal year 1984; placed on the calendar.

By Mr. CHAFEE, from the Committee on Environment and Public Works:

S. 1288. An original bill to extend the Clean Water Act for one year, and for other purposes; placed on the calendar.

By Mr. ABDNOR, from the Committee on Environment and Public Works:

S. 1289. An original bill to establish an obligation ceiling for the civil work construction program of the U.S. Army Corps of Engineers; placed on the calendar.

By Mr. DURENBERGER, from the Committee on Environment and Public Works:

S. 1290. An original bill to extend the Safe Drinking Water Act, as amended, for 1 year; placed on the calendar.

By Mr. SIMPSON, from the Committee on Environment and Public Works:

S. 1291. An original bill to authorize appropriations to the Nuclear Regulatory Commission in accordance with section 261 of the Atomic Energy Act of 1954, and section 305 of the Energy Reorganization Act of 1974; placed on the calendar.

By Mr. DURENBERGER, from the Committee on Environment and Public Works:

S. 1292. An original bill to authorize appropriations for environmental research, development, and demonstrations for fiscal year 1984; placed on the calendar.

By Mr. HUMPHREY, from the Committee on Environment and Public Works:

S. 1293. An original bill to extend authorization for appropriations for the Disaster Relief Act of 1974, and for other purposes; placed on the calendar.

By Mr. GARN, from the Committee on Banking, Housing, and Urban Affairs:

S. 1294. An original bill to authorize appropriations to carry out the Export Administration Act of 1979; placed on the calendar.

By Mr. MOYNIHAN:

S.J. Res. 100. A joint resolution proposing an amendment to the Constitution of the United States with respect to the appellate jurisdiction of the Supreme Court of the United States; to the Committee on the Judiciary

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. MATHIAS, from the Committee on Rules and Administration:

S. Res. 143. An original resolution authorizing expenditures by the Committee on Rules and Administration for the training of professional staff; placed on the calendar.

S. Res. 144. An original resolution relating to the purchase of calendars; from the Committee on Rules and Administration; placed on the calendar.

S. Res. 145. An original resolution to pay a gratuity to Stephen B. Couch; from the Committee on Rules and Administration; placed on the calendar.

By Mr. GARN, from the Committee on Banking, Housing, and Urban Affairs:

S. Res. 146. An original resolution waiving section 402(a) of the Congressional Budget Act of 1974 with respect to the consideration of S. 695; to the Committee on the Budget.

By Mr. MATHIAS, from the Committee on Rules and Administration:

S. Con. Res. 35. An original concurrent resolution to authorize the printing as a Senate Document of a revised edition of "The Capitol"; placed on the calendar.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. GORTON (for himself, Mr. GOLDWATER, Mr. TRIBLE, Mr. HEFLIN, Mr. RIEGLE, Mr. LAUTENBERG, and Mr. TSONGAS):

S. 1286. A bill to establish a program to conduct research and development for improved manufacturing technologies, and for other purposes; to the Committee on Commerce, Science, and Transportation.

MANUFACTURING SCIENCES AND TECHNOLOGY RESEARCH AND DEVELOPMENT ACT OF 1983

Mr. GORTON. Mr. President, the health of the U.S. economy and the employment of our work force are heavily dependent on the strength of the manufacturing sectors of U.S. industry.

In 1981 the manufacturing sectors:

Provided 24 percent of our national income; accounted for more than 25 percent of all jobs in 18 States and for 15-25 percent of all jobs in an additional 29 States; and produced $154 billion in goods for export.

Our wealth, our high standard of living and our national security in recent decades have been due in large part to our ability to manufacture a wide range of goods superior to those which foreign industries have been able to produce.

DISTURBING SIGNS

Today there are disturbing signs for our manufacturing sectors. Employment in manufacturing has dropped each year for the past 4 years—from 21 million jobs in 1979 to 18 million jobs in 1983. Industrial production of manufactured goods has fallen 11 percent during the same period.

Foreign imports captured nearly 8 percent of the domestic market for manufactured goods in 1982 and appear likely to capture a higher portion in 1983. The United States had a negative balance of trade in manufactured goods in 1982 exceeding $4 billion. And based on trade data for the first 2 months of this year, the negative balance for manufactured goods projects to $15 billion for 1983.

Recently published data revealed that the negative trade balance in nonresearch-intensive manufactured goods worsened from $15 billion in 1972 to $35 billion in 1979. Only growing sales in high technology manufactured products has kept the deficit in manufactured goods in partial check.

There are signs that the trade balance, especially in low-tech or basic manufactured goods will worsen. Significant improvements have been made in recent years in the equipment, methods and processes available to manufacture goods. Yet U.S. industries have been slow in adopting these more productive means of manufacturing.

More than a third of the manufacturing equipment used by U.S. industries is reported to be 20 or more years old—the highest percentage of old equipment for any major industrialized country. Only 31 percent is less than 10 years old (modern), compared to Japan where 61 percent is less than 10 years old.

Media accounts frequently contrast outmoded U.S. manufacturing methods with more modern, efficient methods employed by such competitors as Japan and West Germany.

THE PROSPECTS FOR ENHANCING COMPETITIVENESS THROUGH SCIENCE AND TECHNOLOGY

An essential element to strengthen and enhance the competitiveness of our manufacturing sectors is to improve the productivity of manufacturing equipment, methods, and processes used by American industry. Such productivity improvements can lead to the manufacturing of goods which are more cost competitive, more reliable, and more advanced technologically than those of foreign industries.

Major breakthroughs are possible in the productivity of manufacturing becasue of potential and existing advances in robots and other programable machine tools, automated materials handling and transfer systems, industrial uses of computers, lasers, and other exotic sensors allowing degrees of precision, of automation, and of production flexibility which are impossible with conventional manufacturing methods. However, substantial efforts in research and in the utilization of research findings are needed to usher in these advances on a significant scale.

MANUFACTURING SCIENCES AND TECHNOLOGY RESEARCH AND DEVELOPMENT ACT OF 1983

Today Senators GOLDWATER, TRIBLE, HEFLIN, TSONGAS, RIEGLE, and LAUTENBERG join with me in introducing a bill directing the Secretary of Commerce to establish the manufacturing sciences and technology research and development program in the Department of Commerce. This science and technology effort can provide the foundation for improving the productivity of our manufacturing methods and processes.

The stronger foundation, in turn, should enhance the competitiveness of U.S. manufacturing industries, strengthen our economy, and restore jobs.

The bill authorizes grants for fundamental research in a variety of fields important to manufacturing methods and processes.

It authorizes matching funds to geographically distributed consortia of industries and research institutions to conduct research of a more applied nature leading to private sector devel-

opment of manufacturing methods for specific industrial sectors.

Another principle provision of the bill directs the Secretary to conduct assessments of the long-term competitiveness of important domestic technology-sensitive industrial sectors.

The bill also provides for some experimental research utilization activities and an advisory committee to assist the Secretary in establishing and then assessing the program and to report to annually to the Congress.

The bill authorizes $20 million for fiscal year 1984, $47 million for fiscal year 1985, and $57 million for each fiscal year from 1986 to and including 1988.

Mr. President, I request that the bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 1286

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Manufacturing Sciences and Technology Research and Development Act of 1983".

FINDINGS

SEC. 2. The Congress finds that—

(1) various sectors of private industry, the Federal Government and the United States research establishment have not devoted sufficient attention to research on developing new processes and methods to improve the Nation's capability to manufacture goods;

(2) while manufacturing industries are essential to the economic well-being of the Nation, many manufacturing processes and methods are no longer capable of producing goods as reliable and cost-competitive as those produced by foreign industries which utilize modern manufacturing methods and processes;

(3) domestic manufacturing is increasingly threatened by external competition and the development by foreign countries of more efficient manufacturing processes and technologies;

(4) outdated manufacturing methods and processes result in higher costs and goods and services of inferior quality, which place great burdens on consumers of such goods and services;

(5) outdated and inefficient manufacturing processes hinder domestic commerce;

(6) transportation and delivery of manufactured goods are vital components of the Nation's interstate commerce, and a decline in consumption of domestic manufactured goods due to inefficient manufacturing processes produces a resultant decline in transportation;

(7) manufacturing contributes large amounts of revenue to the Nation's gross domestic product and employs more than one-fifth of the Nation's work-force;

(8) domestic manufacturers have not sufficiently utilized such recent technological changes in manufacturing as programmable automation, robotics, advanced sensors, and computer-assisted design and manufacturing; and

(9) a program to conduct research which will produce more efficient manufacturing processes and methods and to encourage research utilization would strengthen commerce and be beneficial to the Nation's consumers.

PURPOSE

SEC. 3. It is the purpose of this Act to establish a program for conducting research which will produce more efficient manufacturing technologies and for conducting research utilization activities to encourage widespread adoption of these technologies.

DEFINITIONS

SEC. 4. As used in this Act, the term—

(1) "Advisory Committee" means the Manufacturing Sciences and Technology Enhancement Advisory Committee established under section 8 of this Act;

(2) "consortia" means a group of organizations such as States, individual industries or industry associations, non-profit research institutions, and universities and other academic institutions;

(3) "Center" means a Center for Manufacturing Research and Technology Utilization established under section 5(c) of this Act;

(4) "Office" means the Office of the Assistant Secretary for Productivity, Technology and Innovation within the Department of Commerce; and

(5) "Secretary" means the Secretary of Commerce.

GRANTS AND COOPERATIVE AGREEMENTS

SEC. 5. (a) PURPOSES.—The Secretary, through the Office, may award grants and enter into cooperative agreements in accordance with the provisions of this section to provide for research on methods of producing more efficient manufacturing processes and methods, including—

(1) computer-assisted design;

(2) automated materials handling, processing, and assembly;

(3) automated testing;

(4) machine adaptive learning;

(5) integrated manufacturing systems, including interface of automated machines with automated and non-automated machines, with production and design personnel, and with other systems (including testing devices, design systems, and inventory control systems);

(6) machine and process control strategies;

(7) automated sensing for machine and process control and product testing;

(8) practices and activities to implement improved manufacturing methods; and

(9) such other research as the Secretary determines to be consistent with the purposes of this Act.

(b) GRANTS.—(1) The Secretary, through the Office, may make grants to provide for research to increase the amount of fundamental scientific and technological knowledge in fields relevant to manufacturing methods and processes. Such grants shall be made on a competitive basis to applicants who comply with such criteria as are specified in this Act and as the Secretary shall establish, consistent with the purposes of this Act.

(2) A recipient of such a grant may be affiliated with a non-profit research institution, a private industry or industry association, a university or college, a Center established pursuant to subsection (c) of this section, or any other organization which the Secretary considers appropriate. Any such recipient shall not be required to provide any part of the costs of such research, unless the recipient desires to expand the scope of the research to be conducted. In such a case, the Secretary may enter into an agreement which provides for cost-sharing by the recipient.

(3) There are authorized to be appropriated for the purposes of this subsection not to exceed $10,000,000 for the fiscal year ending September 30, 1984, not to exceed $20,000,000 for the fiscal year ending September 30, 1985, and not to exceed $30,000,000 for each of the fiscal years ending September 30, 1986, September 30, 1987, and September 30, 1988. Such funds shall remain available until expended.

(c) COOPERATIVE AGREEMENTS.—(1) The Secretary, through the Office, may enter into cooperative agreements for the purpose of establishing and supporting Centers for Manufacturing Research and Technology Utilization. Such Centers shall conduct research of a more applied nature than the research conducted under subsection (b) of this section. Centers shall study methods of increasing the utilization by the Nation's industries of those modern manufacturing methods which may result in lower production costs and improved product quality and reliability. Such research may be directed toward problems or processes and methods appropriate to a specific industrial sector, including aerospace, micro-electronics, mechanical assembly, basic materials, new materials, and transportation.

(2) The Secretary shall enter into any such agreements with consortia of research organizations and manufacturing industries or industry associations. Such agreements shall be made with applicants who comply with such criteria as are specified in this Act and as the Secretary shall establish, consistent with the purposes of this Act.

(3)(A) In addition to funds received under this subsection, a Center may receive funds from Federal agencies and from public and private organizations. Consortia which enter into such an agreement shall provide support and participation in a dollar amount at least equal to the amount of the Federal contribution to be made under this subsection.

(B) For purposes of this paragraph, the term "support and participation" includes cash or equipment contributions in an amount equal to at least 50 per centum of the Federal Government's share, industry personnel to conduct research, and access by persons in the research organizations to modern manufacturing equipment in the participating industry for research and other appropriate purposes. Contributions from non-profit participants may consist of in-kind contributions. Federal contributions made under this subsection may be utilized only to support expenditures by non-profit research organizations participating in the relevant consortia.

(4) In entering into such agreements, the Secretary shall consider—

(A) the quality of the research which is to be undertaken as a result of the particular agreement;

(B) the extent of participation by industry in the research to be undertaken as a result of the agreement;

(C) the size of the industrial sector involved and the potential impacts on the productivity of that industrial sector as a result of successful research undertaken through the agreement, as well as the subsequent development and utilization of the manufacturing methods and processes to be studied as part of such research; and

(D) the extent to which entering into the agreement would be likely to increase the number of scientific and technical personnel capable of utilizing modern manufacturing methods and processes.

In addition, the Secretary shall ensure diversity among the industrial sectors which are the subject of the research conducted under any such agreement, as well as geographic dispersion of the Centers established and supported under this subsection.

(5) There are authorized to be appropriated for the purposes of this subsection not to exceed $5,000,000 for the fiscal year ending September 30, 1984, not to exceed $15,000,000 for the fiscal year ending September 30, 1985, and not to exceed $25,000,000 for each of the fiscal years ending September 30, 1986, September 30, 1987, and September 30, 1988. Such funds shall remain available until expended.

ADVANCED MANUFACTURING METHODS RESEARCH UTILIZATION PROGRAM

SEC. 6. (a) ACTIVITIES.—The Secretary shall establish a program of experimental activities, and shall evaluate existing activities, to identify the most feasible means of enhancing the utilization of technologically advanced manufacturing methods by retraining workers who have been displaced from declining industries. The Secretary shall provide for the development, conduct and evaluation of such experimental activities. The Secretary may, to the extent provided in advance in appropriation Acts, contract with any appropriate person or organization (including States and Centers established under section 5(c) of this Act) to carry out such experimental activities.

(b) REPORT.—No later than 1 year after the conclusion of the program carried out under this section, the Secretary shall submit to the Congress a report of such program.

(c) AUTHORIZATION.—There are authorized to be appropriated for the purposes of this section not to exceed $4,000,000 for the fiscal year ending September 30, 1984, and not to exceed $10,000,000 for the fiscal year ending September 30, 1985. Such funds shall remain available until expended.

COMPETITIVENESS STUDIES

SEC. 7. (a) STUDY.—The Secretary shall select specific domestic technology-sensitive industrial sectors and shall analyze such sectors' long-term capability for remaining competitive, especially with industries in foreign countries. In making such selection, the Secretary shall consider industrial sectors which are or are likely to be vulnerable to foreign competition, as well as sectors which are likely to experience rapid and significant growth.

(b) SUBJECTS OF STUDY.—As part of such study, the Secretary shall consider—

(1) the adequacy of technologies utilized to produce the goods and services of such sectors;

(2) superior foreign technologies or unique resources which yield a competitive advantage to industries in foreign countries over similar domestic industries;

(3) the anticipated scientific and technical personnel requirements for such sectors;

(4) the adequacy of Federal laws and regulations, and the enforcement of such laws and regulations, in promoting technological innovativeness and commercial competitiveness by such sectors; and

(5) whether changes in such laws and regulations, or the enforcement of such laws and regulations, are desirable to promote technological innovation and competition in such sectors and to safeguard the well-being of the Nation and the public.

(c) AUTHORIZATION.—There are authorized to be appropriated for the purposes of this section not to exceed $1,000,000 for the fiscal year ending September 30, 1984, and not to exceed $2,000,000 for each of the fiscal years ending September 30, 1985, September 30, 1986, September 30, 1987, and September 30, 1988. Such funds shall remain available until expended.

ADVISORY COMMITTEE

SEC. 8. (a) ESTABLISHMENT.—The Secretary shall establish a Manufacturing Sciences and Technology Enhancement Advisory Committee to advise the Secretary concerning the activities to be conducted under this Act. The Advisory Committee shall have representation from technology-sensitive industrial sectors, from labor, from the manufacturing research community, and from other sectors which the Secretary considers appropriate. Such members shall be appointed by the Secretary for a term of 2 years, and shall receive no compensation. Any such member shall, in accordance with section 5703 of title 5, United States Code, be entitled to reimbursement for travel or transportation expenses incurred in the performance of responsibilities as a member of the Advisory Committee.

(b) FUNCTIONS.—The Advisory Committee shall—

(1) review the policies and selection criteria for grants made and cooperative agreements entered into under this Act;

(2) review the progress of the Secretary of Commerce in meeting all the requirements of this Act;

(3) assess the effectiveness of the activities funded pursuant to this Act; and

(4) submit to the Secretary, at least annually, evaluations and recommendations regarding activities carried out under this Act.

(c) REPORT.—The Advisory Committee shall submit to the Congress an annual report on its activities under this Act.

(d) APPLICABILITY.—The Advisory Committee shall be subject to the Federal Advisory Committee Act (5 U.S.C. Appx. 1 et seq.).

By Mr. MOYNIHAN:

S.J. Res. 100. Joint resolution proposing an amendment to the Constitution of the United States with respect to the appellate jurisdiction of the Supreme Court of the United States; to the Committee on the Judiciary.

PROPOSED CONSTITUTIONAL AMENDMENT RELATIVE TO THE APPELLATE JURISDICTION OF THE SUPREME COURT

Mr. MOYNIHAN. Mr. President, in recent years, it has become increasingly fashionable to attempt to come to grips with problems we in this country face by stripping the U.S. Supreme Court of its jurisdiction to address such issues. I find this trend distressing in the extreme. Therefore, I am today proposing an amendment to the Constitution of the United States. I ask unanimous consent that my joint resolution be printed in full in the RECORD.

There being no objection, the joint resolution was ordered to be printed in the RECORD, as follows:

S.J. RES. 100

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein), That the following article is proposed as an amendment to the Constitution of the United States, which shall be valid to all intents and purposes as part of the Constitution when ratified by the legislatures of three-fourths of the several States within seven years from the date of its submission by the Congress.

"ARTICLE—

"SECTION 1. The Supreme Court of the United States shall have appellate jurisdiction in all cases arising under the Constitution of the United States, both as to law and fact, with such exceptions and under such regulations as the Supreme Court of the United States shall make."

ADDITIONAL COSPONSORS

S. 41

At the request of Mr. DURENBERGER, the name of the Senator from Arizona (Mr. GOLDWATER) was added as a cosponsor of S. 41, a bill to extend the revenue sharing program for local governments through fiscal year 1986.

S. 453

At the request of Mr. WARNER, the names of the Senator from Pennsylvania (Mr. HEINZ), and the Senator from Michigan (Mr. LEVIN) were added as cosponsors of S. 453, a bill to amend the Tariff Schedules of the United States to impose a one-tenth of 1 percent duty on apple and pear juice.

S. 578

At the request of Mr. SIMPSON, the name of the Senator from Vermont (Mr. STAFFORD) was added as a cosponsor of S. 578, a bill to amend title 38, United States Code, to provide for adult day health care services for veterans, to authorize the Veterans' Administration to administer a community residential care program, to establish a presumption of service connection for former prisoners of war suffering from dysthymic disorder and revise and clarify eligibility for reimbursement of expenses of travel for Veterans' Administration health care.

S. 606

At the request of Mr. PROXMIRE, the names of the Senator from North Dakota (Mr. BURDICK), the Senator from Florida (Mr. CHILES), the Senator from Iowa (Mr. JEPSEN), the Senator from Michigan (Mr. LEVIN), the Senator from Arkansas (Mr. PRYOR), the Senator from Michigan (Mr. RIEGLE), the Senator from Vermont (Mr. STAFFORD), and the Senator from Kentucky (Mr. FORD) were added as cosponsors of S. 606, a bill to prohibit the owners and operators of federally assisted rental housing for the elderly or handicapped from restricting the ownership of pets by the tenants of such housing.

S. 800

At the request of Mr. STEVENS, the names of the Senator from South Carolina (Mr. HOLLINGS), the Senator from Louisiana (Mr. JOHNSTON), the Senator from Hawaii (Mr. INOUYE), the Senator from Florida (Mr. CHILES), the Senator from Maine (Mr. COHEN), the Senator from Maine (Mr. MITCHELL), and the Senator from

Michigan (Mr. RIEGLE) were added as cosponsors of S. 800, a bill to establish an ocean and coastal development impact assistance fund and to require the Secretary of Commerce to provide to States national ocean and coastal development and assistance block grants from moneys in the fund, and for other purposes.

S. 878

At the request of Mr. HEFLIN, the name of the Senator from Alabama (Mr. DENTON) was added as a cosponsor of S. 878, a bill to authorize and direct the Secretary of the Army to correct certain erosion problems along the banks of the Warrior River near Moundville, Ala.

S. 986

At the request of Mr. PRESSLER, the name of the Senator from Tennessee (Mr. SASSER) was added as a cosponsor of S. 986, a bill to repeal employer reporting requirements with respect to tips.

S. 1051

At the request of Mr. TOWER, the names of the Senator from Michigan (Mr. RIEGLE), and the Senator from Alaska (Mr. MURKOWSKI) were added as cosponsors of S. 1051, a bill to amend the Internal Revenue Code of 1954 to allow certain prepayments of principal and interest to be treated as contributions to an individual retirement account, to allow amounts to be withdrawn from such account to purchase a principal residence, and for other purposes.

S. 1090

At the request of Mr. KASTEN, his name was added as a cosponsor of S. 1090, a bill to establish a National Outdoor Recreation Resources Review Commission to study and recommend appropriate policies and activities for government agencies at the Federal, State, and local levels and for the private sector, to assure the continued availability of quality outdoor recreation experiences in America to the year 2000, and for other purposes.

S. 1096

At the request of Mr. GORTON, the name of the Senator from Arizona (Mr. GOLDWATER) was added as a cosponsor of S. 1096, a bill to authorize appropriations to the National Aeronautics and Space Administration for research and development, construction of facilities, and research and program management, and for other purposes.

S. 1113

At the request of Mr. D'AMATO, the name of the Senator from Wisconsin (Mr. KASTEN) was added as a cosponsor of S. 1113, a bill to amend the Internal Revenue Code of 1954 to provide that tax-exempt interest shall not be taken into account in determining the amount of social security benefits to be taxed.

S. 1120

At the request of Mr. GARN, the name of the Senator from Colorado (Mr. ARMSTRONG) was added as a cosponsor of S. 1120, a bill to authorize printing of the back side of U.S. paper money of the denomination of $1 by a method other than the intaglio process.

S. 1161

At the request of Mr. DURENBERGER, the name of the Senator from Maine (Mr. MITCHELL) was added as a cosponsor of S. 1161, a bill to amend the Internal Revenue Code of 1954 to make it clear that certain motor vehicle operating leases are leases.

S. 1172

At the request of Mr. NICKLES, the names of the Senator from North Carolina (Mr. HELMS) and the Senator from Virginia (Mr. TRIBLE) were added as cosponsors of S. 1172, a bill to amend the Davis-Bacon Act.

S. 1197

At the request of Mr. RIEGLE, his name was added as a cosponsor of S. 1197, a bill to admit certain passenger vessels to the coastwise trade.

SENATE JOINT RESOLUTION 3

At the request of Mr. HATCH, the name of the Senator from West Virginia (Mr. RANDOLPH) was added as a cosponsor of Senate Joint Resolution 3, a joint resolution to amend the Constitution to establish legislative authority in Congress and the States with respect to abortion.

SENATE JOINT RESOLUTION 54

At the request of Mr. NICKLES, the names of the Senator from Florida (Mr. CHILES), the Senator from Nevada (Mr. LAXALT), the Senator from Virginia (Mr. TRIBLE), and the Senator from Georgia (Mr. NUNN) were added as cosponsors of Senate Joint Resolution 54, a joint resolution to authorize and request the President to designate the month of January 1984 as "National Eye Health Care Month."

SENATE JOINT RESOLUTION 61

At the request of Mr. ANDREWS, the names of the Senator from New Jersey (Mr. LAUTENBERG), the Senator from Maryland (Mr. SARBANES), the Senator from New Jersey (Mr. BRADLEY), the Senator from Minnesota (Mr. DURENBERGER), the Senator from Alabama (Mr. DENTON), and the Senator from Maryland (Mr. MATHIAS) were added as cosponsors of Senate Joint Resolution 61, a joint resolution to designate the week of May 22, 1983, through May 28, 1983, as "National Digestive Diseases Awareness Week."

SENATE JOINT RESOLUTION 92

At the request of Mrs. HAWKINS, the names of the Senator from Minnesota (Mr. DURENBERGER), the Senator from Kansas (Mr. DOLE), the Senator from Georgia (Mr. NUNN), the Senator from Rhode Island (Mr. PELL), the Senator from Michigan (Mr. RIEGLE), the Senator from Arkansas (Mr. PRYOR), the Senator from South Carolina (Mr. THURMOND), the Senator from Arizona (Mr. GOLDWATER), the Senator from Pennsylvania (Mr. HEINZ), the Senator from New Jersey (Mr. BRADLEY), the Senator from Pennsylvania (Mr. SPECTER), the Senator from Iowa (Mr. GRASSLEY), the Senator from Michigan (Mr. LEVIN), the Senator from Georgia (Mr. MATTINGLY), the Senator from Ohio (Mr. GLENN), and the Senator from New Jersey (Mr. LAUTENBERG) were added as cosponsors of Senate Joint Resolution 92, a joint resolution designating the week beginning May 8, 1983, as "Municipal Clerk's Week."

SENATE RESOLUTION 72

At the request of Mr. KENNEDY, the name of the Senator from Connecticut (Mr. DODD) was added as a cosponsor of Senate Resolution 72, a resolution to assure Israel's security, to oppose advance arms sales to Jordan, and to further peace in the Middle East.

SENATE RESOLUTION 95

At the request of Mr. HUDDLESTON, his name, and the names of the Senator from Ohio (Mr. GLENN), the Senator from Vermont (Mr. LEAHY), the Senator from Colorado (Mr. HART), and the Senator from Tennessee (Mr. SASSER) were added as cosponsors of Senate Resolution 95, a resolution to express the sense of the Senate that the President should initiate negotiations on a new long-term agreement on agricultural trade with the Soviet Union.

SENATE RESOLUTION 125

At the request of Mr. LEVIN, the names of the Senator from Nebraska (Mr. EXON), the Senator from Pennsylvania (Mr. HEINZ), the Senator from Indiana (Mr. QUAYLE), and the Senator from Montana (Mr. MELCHER) were added as cosponsors of Senate Resolution 125, a resolution expressing the sense of the Senate that the Government of the Soviet Union should allow Ida Nudel to emigrate to Israel, and for other purposes.

SENATE RESOLUTION 130

At the request of Mr. GORTON, the names of the Senator from Hawaii (Mr. MATSUNAGA), the Senator from South Carolina (Mr. HOLLINGS), the Senator from Kansas (Mr. DOLE), the Senator from Wisconsin (Mr. KASTEN), the Senator from Utah (Mr. GARN), the Senator from North Carolina (Mr. HELMS), the Senator from Idaho (Mr. MCCLURE), the Senator from South Carolina (Mr. THURMOND), the Senator from Colorado (Mr. ARMSTRONG), and the Senator from Wisconsin (Mr. PROXMIRE) were added as cosponsors of Senate Resolution 130, a resolution expressing the sense of the Senate that the President should award the Presidential Medal of Freedom to Barney Clark, to be presented to his family in his memory.

SENATE RESOLUTION 137

At the request of Mr. KASTEN, the names of the Senator from South Carolina (Mr. HOLLINGS), the Senator from Indiana (Mr. QUAYLE), and the Senator from North Carolina (Mr. HELMS) were added as cosponsors of Senate Resolution 137, a resolution expressing the sense of the Senate that Taiwan should retain full membership in the Asian Development Bank, and that it should not be expelled as a precondition for membership in that body by the People's Republic of China.

SENATE CONCURRENT RESOLUTION 35—AUTHORIZING THE PRINTING OF A SENATE DOCUMENT

Mr. MATHIAS, from the Committee on Rules and Administration, reported the following original concurrent resolution, which was placed on the calendar:

S. CON. RES. 35

Resolved by the Senate (the House of Representatives concurring), That there shall be printed as a Senate document a revised edition of "The Capitol", to be published under the direction of the Joint Committee on Printing with the editorial assistance of the Committee on Rules and Administration.

SEC. 2. In addition to the usual number of copies, there shall be printed five hundred and sixty-six thousand additional copies, of which four hundred and forty-three thousand copies shall be for the use of the House of Representatives, one hundred and three thousand copies shall be for the use of the Senate, and twenty thousand copies shall be for the use of the Joint Committee on Printing.

SEC. 3. A sum not to exceed $15,000 for travel expenses and photographic expenses incurred in carrying out this concurrent resolution shall be paid from the contingent fund of the Senate on vouchers approved by the Chairman of the Joint Committee on Printing.

SENATE RESOLUTION 143—AUTHORIZING EXPENDITURES BY THE COMMITTEE ON RULES AND ADMINISTRATION

Mr. MATHIAS, from the Committee on Rules and Administration, reported the following original resolution, which was placed on the calendar:

S. RES. 143

Resolved, That section 16(b) of S. Res. 76, Ninety-Eighth Congress, agreed to March 2, 1983, is amended (1) by inserting "(1)" after "amount"; and (2) by inserting before the period at the end thereof the following: ", and (2) not to exceed $2,000 may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of such Act)".

SENATE RESOLUTION 14—RELATING TO THE PURCHASE OF CALENDARS

Mr. MATHIAS, from the Committee on Rules and Administration, reported the following original resolution, which was placed on the calendar:

S. RES. 144

Resolved, That the Committee on Rules and Administration is authorized to expend from the contingent fund of the Senate, upon vouchers approved by the chairman of that committee, not to exceed $60,320 for the purchase of one hundred and four thousand calendars. The calendars shall be distributed as prescribed by the committee.

SENATE RESOLUTION 145—PAYING A GRATUITY

Mr. MATHIAS, from the Committee on Rules and Administration, reported the following original resolution, which was placed on the calendar:

S. RES. 145

Resolved, That the Secretary of the Senate hereby is authorized and directed to pay, from the contingent fund of the Senate, to Stephen B. Couch, widower of Pamela S. Couch, an employee of the Senate at the time of her death, a sum equal to seven and one-half months' compensation at the rate she was receiving by law at the time of her death, said sum to be considered inclusive of funeral expenses and all other allowances.

SENATE RESOLUTION 146—WAIVING CONGRESSIONAL BUDGET ACT

Mr. GARN, from the Committee on Banking, Housing, and Urban Affairs, reported the following original resolution; which was referred to the Committee on the Budget:

S. RES. 146

Resolved, That pursuant to section 402(c) of the Congressional Budget Act of 1974, the provisions of section 402(a) of such Act are waived with respect to the consideration of S. 695, a bill to increase the U.S. quota in the International Monetary Fund. Such waiver is necessary because S. 695 authorizes the enactment of new budget authority which would first become available in fiscal year 1983, and such bill was not reported on or before May 15, 1982, as required by section 402(a) of the Congressional Budget Act of 1974 for such authorizations. Prolonged severity of the economic conditions, requiring such actions had not been anticipated prior to the aforementioned reporting date.

S. 695 provides an authorization for fiscal year 1983 of $8,500,000,000 ($7,560,800,000 Special Drawing Rights).

For the foregoing reasons, pursuant to section 402(e) of the Congressional Budget Act of 1974, the provisions of section 402(a) of such Act are waived with respect to S. 695 as reported by the Committee on Banking, Housing, and Urban Affairs.

AMENDMENTS SUBMITTED

IMMIGRATION AND NATIONALITY ACT REFORM

HAWKINS AMENDMENT NO. 1267

Mrs. HAWKINS proposed an amendment to the bill (S. 529) to revise and reform the Immigration and Nationality Act, and for other purposes; as follows:

At the appropriate place in the bill add:

SEC. . There are authorized to be appropriated to an immigration emergency revolving fund, to be established in the Treasury, $35,000,000, to be used to provide for an increase in border patrol or other enforcement activities of the Service and for reimbursement of State and localities in providing assistance as requested by the Attorney General in meeting an immigration emergency, except that no amounts may be withdrawn from such funds with respect to an emergency unless the President has determined that the immigration emergency exists and has certified such fact to the Judiciary Committees of the House of Representatives and of the Senate.

DANFORTH (AND MOYNIHAN) AMENDMENT NO. 1268

Mr. DANFORTH (for himself and Mr. MOYNIHAN) proposed an amendment to the bill S. 529, supra; as follows:

On page 176, lines 16 and 17, strike out "inserting before the period at the end thereof" and insert in lieu thereof "striking out the period and inserting in lieu thereof".

Beginning on page 176, with line 21, strike out all through line 9 on page 177 and insert in lieu thereof the following:

"(A) in the case of an alien admitted on or before September 30, 1989, under section 101(a)(15)(F), (i) who is applying for a visa as an immigrant described in section 202(b)(1) and who has obtained his degree from a college or university in the United States, and who has been offered a position as a faculty member or academic researcher in the field in which he obtained his degree by a United States college or university, or (ii) who has obtained a degree in a natural science, mathematics, computer science, or an engineering field from a college or university in the United States, who is applying for a visa as an immigrant described in section 202(b) (1) or (2), and who has been offered a research, business, or technical position by a United States employer in the field in which he obtained such degree, or (iii) who has obtained an advanced degree in business or economics from a college or university in the United States, who has exceptional ability in business or economics, who is applying for a visa as an immigrant described in section 202(b) (1) or (2), and who has been offered a research, business or technical position by a United States employer which is in the field in which he obtained such degree and which requires such exceptional ability, or".

On page 177, line 21, strike out the quotation marks.

On page 177, between lines 21 and 22, insert the following: "Thirty days after the end of each fiscal year, the Attorney General shall prepare and transmit to the Committee on the Judiciary of the House of Representatives and the Committee on the Judiciary of the Senate a report setting forth the number of aliens who applied for, and the number of aliens who were granted, waivers of the two-year foreign residence requirement pursuant to subclause (A) of the preceding proviso during the preceding fiscal year. The Attorney General and the Secretary of State jointly shall conduct a study on the impact of the waivers made pursuant to subclause (A) of the preceding

proviso on the professional or technical labor requirements of foreign countries and jointly shall prepare and transmit not later than the close of the fiscal year 1986 to the Committee on the Judiciary of the House of Representatives and the Committee on the Judiciary of the Senate a report setting forth the findings of such study.".

On page 163, line 13, insert after "workers" the following: "(or equally qualified workers in the case of aliens (i) who are members of the teaching profession or who have exceptional ability in the sciences or arts)".

WARNER AMENDMENT NO. 1269

Mr. WARNER proposed an amendment to the bill S. 529, supra; as follows:

Amend section 102, subsection 114 on page 121 line 14 delete the word "shall" and insert the word "may" after the words "Secretary of State."

BAUCUS AMENDMENT NO. 1270

Mr. BAUCUS proposed an amendment to amendment No. 1269 proposed by Mr. Warner to the bill S. 529, supra; as follows:

On page 102, strike out "SEC. 114. FEES.".

On page 121, strike out all of section 114, line 4 to line 20.

BUMPERS AMENDMENT NO. 1271

Mr. BUMPERS proposed an amendment to the bill S. 529, supra; as follows:

On page 157, beginning with line 19, strike out all through page 158, line 6.

BYRD (AND RANDOLPH) AMENDMENT NO. 1272

Mr. BYRD (for himself and Mr. RANDOLPH) proposed an amendment to the bill S. 529, supra; as follows:

At the appropriate place in the bill, add the following:

"It is the sense of the Senate that, inasmuch as the Department of Labor promulgated a final rule on January 4, 1983, at 20 CFR Part 655, described as Labor Certification Process for the Temporary Employment of Aliens in the United States in Agriculture; Adverse Effect Wage Rate; and this rule increased the Adverse Effect Wage Rate for West Virginia by 17.2 percent; and

"Inasmuch as the 17.2 percent increase in the Adverse Effect Wage Rate for West Virginia is nearly seven times greater than the increase made for other states affected by the rulemaking; and

"Inasmuch as the increase in the Adverse Effect Wage Rate will cause a substantial portion of the West Virginia apple crop to be uncompetitive in the marketplace, and the resulting economic damage to a significant number of apple growers in West Virginia is likely to be severe; and

"Inasmuch as the Department of Labor should consider the formal objections of the State of West Virginia, the State of Maryland, and the United States Department of Agriculture to its rulemaking;

"The Senate declares that the Department of Labor should re-examine its January 4, 1983 rulemaking at 20 CFR Part 655, affecting the Adverse Effect Wage Rate applied to West Virginia fruitgrowers, with the purpose of seeking a fair and reasonable adjustment to that rate."

NOTICES OF HEARINGS

COMMITTEE ON THE BUDGET

Mr. DOMENICI. Mr. President, the Senate Committee on the Budget will resume deliberation of the First Concurrent Budget Resolution for fiscal year 1984 on Tuesday, May 17, at 9 a.m. in 608 Dirksen Senate Office Building.

For further information, contact Nancy Moore of the Senate Budget Committee at 224-4129.

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

Mr. STAFFORD. Mr. President, the Committee on Environment and Public Works will conduct a hearing at 10 a.m. on Tuesday, May 17, 1983. The hearing, in room SD-406, the committee's hearing room, will discuss the committee's jurisdictional interest in S. 267, the coal slurry bill reported by the Committee on Energy and Natural Resources. Our focus will be the impact of recent court decisions, such as Sporhase against Nebraska, on section 5 of S. 267.

Witnesses have been asked to provide their thoughts on:

The trend in recent court decisions on State water laws; whether section 5 of S. 267 achieves its stated goal of primacy for State water law and, if not, how the language might be modified to achieve that goal; whether that goal of primacy for State water law is sound public policy; and the possible impact of section 5 on other water uses.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON GOVERNMENTAL AFFAIRS

Mr. GARN. Mr. President, I ask unanimous consent that the Committee on Governmental Affairs be authorized to meet during the session of the Senate on Tuesday, May 17, at 2 p.m., to hold a hearing on the nomination of Stephen Eilperin to be an Associate Judge of the District of Columbia.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON WATER RESOURCES

Mr. GARN. Mr. President, I ask unanimous consent that the Subcommittee on Water Resources of the Committee on Environment and Public Works be authorized to meet during the session of the Senate on Tuesday, May 17, at 2:30 p.m., to hold a hearing on water resources policy.

The PRESIDING OFFICER. Without objection, it is so ordered.

SELECT COMMITTEE ON INTELLIGENCE

Mr. GARN. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on Tuesday, May 17, at 10 a.m., to meet in closed session to receive a briefing on intelligence matters.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FOREIGN RELATIONS

Mr. GARN. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Tuesday, May 17, at 2 p.m., to consider the nomination of David F. Emery to be Deputy Director of the Arms Control and Disarmament Agency.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON THE JUDICIARY

Mr. BAKER. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate on Wednesday, May 18, in order to receive testimony concerning the following nominations:

Judge H. Ted Mulburn, of Tennessee, to be U.S. district judge for the Eastern District of Tennessee;

Judge Julia Smith Gibbons, of Tennessee, to be U.S. district judge for the Western District of Tennessee; and

Mr. Bobby Ray Baldock, of New Mexico, to be U.S. district judge for the District of New Mexico.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BAKER. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate on Friday, May 20, in order to receive testimony concerning organized crime.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON CONSUMER AFFAIRS

Mr. BAKER. Mr. President, I ask unanimous consent that the Subcommittee on Consumer Affairs of the Committee on Banking, Housing, and Urban Affairs be authorized to meet during the session of the Senate on Wednesday, May 18, at 10 a.m., to hold a hearing on credit card fraud.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADDITIONAL STATEMENTS

CENTRAL AMERICA

● Mr. TOWER. Mr. President, on April 15, I had the pleasure of hearing Secretary of State George Shultz deliver an eloquent and thoughtful address to the Dallas World Affairs Council and Chamber of Commerce in my home State of Texas.

The Secretary's speech provides a valuable analysis of the situation in Central America as well as the administration's policy for that troubled region. In my opinion, Secretary Shultz convincingly argues that, as

Americans, we can no longer ignore or fail to counter the overt and covert Communist expansionism which the Soviet Union and its surrogates seek to impose on our Central American neighbors.

With congressional attention once again focused on Central America by President Reagan's splendid address to a joint session of Congress on April 27, I submit for the RECORD copies of Secretary Shultz' address in Dallas as well as an earlier speech by President Reagan to the National Association of Manufacturers. Both provide necessary insight into the nature of the threat the United States faces in Central America. I urge my colleagues to study these speeches as they consider the administration's aid proposals for Central America.

The material follows:

ADDRESS BY THE HONORABLE GEORGE P. SHULTZ, SECRETARY OF STATE, TO DALLAS WORLD AFFAIRS COUNCIL, AND CHAMBER OF COMMERCE, DALLAS, TEX., APRIL 15, 1983

You make me feel real welcome, and I appreciate it. Of course, it's a pleasure to speak here in an international capital with all of the members of the diplomatic corps here and to arrive and find my colleague, Secretary Heckler, on hand. It seems all roads lead to Dallas. I might say, leading from Dallas and Texas to Washington you have sent us the Chairman of the Armed Services Committee in the Senate, Senator John Tower, so I'm here to say thanks because John Tower we all look to. (Applause)

We all look to John for a unique combination that he has. He has wisdom, he has intelligence, he has experience, and he has guts. You put that together and you've really got something. John, I really do appreciate the sustained, high quality of your public service, and the President looks to him and we all look to him for help, and he gives it unstintingly.

I thought about what I might discuss here, and there's always a temptation for a Secretary of State to go around the world and make a few comments about this place and that place. But it seemed to me right now and right here that the subject to talk about should be Central America because it's very much on our minds in Washington, and I'm sure it's very much on your minds right here close as in the sense you are.

I think that any discussion of Central America must address three questions.

First of all, why should we care about Central America? Second, what's going on there now? And, third, what should we do about it?

The questions are important, and I'll try to answer them plainly and clearly. I think, first of all, that Central America's importance to the United States cannot be denied. Central America is so close that its troubles automatically spill over onto us, so close that the strategic posture of its countries affect ours, so close that its people's suffering brings pain to us as well.

I need not remind Texans that only the stability of our neighbors will prevent unprecedented flows of refugees northward to this country. Especially now, when a troubled world economy invites unrest, we must safeguard democracy and stability in our immediate neighborhood.

I did not use the word "strategic" lightly. Despite the 1962 Cuban missile crisis, and despite last year's war between Argentina and the United Kingdom, most Americans think of Latin America as not involved in the global strategic balance. People are aware, of course, that Cuba has intervened militarily in Africa, but they may not realize that Cuba's army is today three times larger than it was in 1962, or that 40,000 Cuban troops are now stationed in Africa, or that 2,000 Cuban military and security advisers are in Nicaragua.

Some of you may also not have noticed that Nicaragua's Minister of Defense said on April 9 that Nicaragua would consider accepting Soviet missiles if asked.

In the great debate about how best to protect our interests in the Panama Canal, the only thing all sides agreed on was that the Canal is critical, and must be kept open and defended. Yet the security of the Panama Canal is directly affected by the stability and security of Central America.

The Canal itself is but a 50-mile span in thousands of miles of sea lanes across the Caribbean. In peacetime, 44 percent of all foreign trade tonnage and 45 percent of the crude oil to the U.S. pass through the Caribbean. In a European war, 65 percent of our mobilization requirements would go by sea from Gulf ports through the Florida straits onward to Europe.

During World War II—just to remind you again—our defenses were so weak, our lifeline so exposed, that in the first months of 1942 a handful of enemy subs sank hundreds of ships in the Caribbean and the Gulf of Mexico, and did it more easily and faster than did Hitler's whole fleet in the North Atlantic. The Caribbean was a better target for them. Almost exactly 41 years ago a Mexican tanker—running with full lights, as was the custom for neutrals—was sunk off Miami. That June, a single submarine,U-159, sank eight American ships in four days, two of them just off the entrance to the Panama Canal.

Remember, Hitler's Germany had no bases in the Caribbean, not even access to ports for fuel and supplies.

Most Americans have assumed that, because the Soviet Union knows that we will not accept the emplacement of strategic weapons in Cuba, we had nothing more to fear. It's true that there are no nuclear weapons in Cuba, and it is true that Cuba's Communist utopia has proved such an economic disaster that it is entirely dependent on massive Soviet aid to the tune of some $4 billion annually. Yet this has not kept Cuba from portraying itself as the vanguard of a better future and mounting a campaign to establish new Communist dictatorships in Central America.

There are some people I know who think we in the Administration are exaggerating the danger. Let me, however, read you this quote:

"The revolutionary process of Central America is a single process. The triumphs of one are the triumphs of the other . . . Guatemala will have its hour. Honduras its. Costa Rica, too, will have its hour of glory. The first note was heard in Nicaragua."

In case you're wondering, the speaker was not an Administration spokesman. The confident prediction comes from Cayetano Carpio, principal leader of the Salvadoran guerrillas in the August 25, 1980, edition of the Mexican magazine Proceso. Look it up.

Our analysis, our strategy, our predictions for the future of Central America are rooted in two perceptions. One is that democracy cannot flourish in the presence of extreme inequalities in access to land, opportunity, or justice. The second perception is that Mr. Carpio and his allies are exploiting such inequities for anti-democratic ends.

I quoted a terrorist leader because it is beliefs like his, backed by armed violence, that so concern our friends in Central America. In Costa Rica, where democracy and respect for human rights is an ancient tradition; in Honduras, where democratic institutions are catching hold; in El Salvador, where democracy is beginning to work; even in Nicaragua, where disillusionment is the order of the day.

Ask the people who live there. They will tell you, as they have told us—through their governments, in their public opinion polls, and in their newspaper and radio editorials—that the revolution about which Carpio boasts is a frightening phenomenon: a direct threat to their democracy and well-being. They will tell you that we North Americans should also be concerned. Not because Mr. Carpio will tomorrow lead a battalion across the Rio Grande, but because the cause of democracy and human rights is our cause too.

Frankly, I agree. We cannot in good conscience look the other way when democracy and human rights are challenged in countries very near to us, countries that look to us for help. President Reagan put it well last month: "Human rights," he said, "means working at problems, not walking away from them."

So the key question is: What should we do?

A primary element of our strategy must be to support democracy, reform, and the protection of human rights. Democracies are far less likely to threaten their neighbors or abuse their citizens than dictatorships.

The forces of democracy are many and varied. Some are deeply rooted, as in Costa Rica, which has known nothing but democracy for 35 years. Others are more fragile, but have grown steadily as economic development has strengthened the middle class and as trade unions and peasant organizations are making pluralism a reality. The Catholic Church has also made important contributions to democracy and social progress. So also has the United States through culture, example, and more recently through diplomacy as well.

The forces of dictatorship are two kinds. One is old, the other new. The old variety is that of economic oligarchy, political despotism, and military repression. Except for Costa Rica, this has been the traditional method of social organization for most of Central America's history. The new form of dictatorship is that of a command economy, a self-appointed elitist vanguard, and guerrilla war. Nicaragua has become its base, all of Central America its target.

Before the Sandinistas came to power in Nicaragua in 1979, they promised free elections, political pluralism, and nonalignment. Today every one of these promises is being betrayed. First the Sandinistas moved to squeeze the democrats out of the governing junta, then to restrict all political opposition, all press freedom and the independence of the Church, then to build what is now the largest armed force in the history of Central America; then to align themselves with the Soviet Union and Cuba in subverting their neighbors.

El Salvador became the first target. In 1980, at Cuban direction, several Salvadoran extremist groups were unified in Managua, where their operational headquarters remains to this day. Cuba and its Soviet-bloc

allies then provided training and supplies which began to flow clandestinely through Nicaragua to El Salvador to fuel and armed assault. The Communist intervention has not brought guerrillas to power, but it has cost thousands of lives and widened an already bitter conflict. Today, El Salvador hangs in the balance, with reforming democrats pitted against the forces of old and new dictatorship alike.

The struggle for democracy is made ever more difficult by the heavy legacy of decades of social and economic inequities. And in El Salvador, as elsewhere, the world recession has hit with devastating effects.

We must also, therefore, support economic development. Underdevelopment, recession, and the guerrillas' prolonged war against El Salvador's economy cause human hardship and misery that are being cynically exploited by the enemies of democracy. Three-quarters of the funds that we are spending in support of our Central American policy go to economic assistance. And our economic program goes beyond traditional aid: The President's Caribbean Basin Initiative is meant to provide powerful trade and investment incentives to help these countries achieve self-sustaining economic growth.

But just as no amount of reform can bring peace so long as guerrillas believe they can win a military victory, no amount of economic help will suffice if guerrilla units can destroy roads, bridges, power stations, and crops again and again with impunity.

So we must also support the security of El Salvador and the other threatened nations of the region.

Finally, faced with a grave regional-wide crisis, we must seek regional, peaceful solutions. We are trying to persuade the Sandinistas that they should come to the bargaining table, ready to come to terms with their neighbors and with their own increasingly troubled society.

Let's now look at how this strategy works in practice, and let me turn first to El Salvador.

The basic fact about El Salvador today is that its people want peace. Because they do, they have laid the essential groundwork for national reconciliation and renewal.

Let me give you some details.

First, even in the midst of guerrilla war, respect for human rights has grown. Violence against non-combatants is still high, but it has diminished markedly since our assistance began three years ago. The criminal justice system does remain a major concern, and I'll come back to that in a moment.

Second, in three short years and despite determined guerrilla opposition, El Salvador's Government has redistributed more than 20 percent of all arable land. Some 450,000 people—about one Salvadoran in every ten—have benefited directly and have acquired a personal stake in a secure future.

Third, the general economic situation is poor. Just to stay even this year El Salvador will need substantial economic assistance to import seed, fertilizer and pesticides for its farms and raw materials for its factories.

The economic crisis stems in part from the international recession which has depressed prices of agricultural exports—coffee, cotton, sugar—on which El Salvador depends for foreign exchange. But the more serious problem is the guerrilla war against the economy. Some of the most fertile land cannot be cultivated because of guerrilla attacks. They have destroyed 55 of the country's 260 bridges and damaged many more.

The national water authority must rebuild 112 water facilities damaged by guerrilla action. 249 attacks on the telephone system have caused millions of dollars in damage. The guerrillas caused over 5,000 interruptions in electrical power in a 22-month period ending last November—an average of almost eight a day

The entire eastern region of the country was blacked out for over a third of the year in both 1981 and 1982. The guerrillas destroyed over 200 buses in 1982 alone. Less than half the rolling stock of the railways remains operational.

In short, unable to win the free loyalty of El Salvador's people, the guerrillas are deliberately and systematically depriving them of food, water, transportation, light, sanitation and work. These are the people who are claiming that their objective is to help the common people.

This brings me to a fourth point. The three government battalions we have trained conduct themselves professionally, both on the battlefield and in their relations with civilians. But only one Salvadoran soldier in ten has received our training—fewer than the many guerrillas trained by Nicaragua and Cuba.

And, finally, what is at issue in El Salvador is the cause of democracy. I cannot stress this point enough, and here the progress has been substantial. The Constituent Assembly, elected a year ago, has drafted a new constitution, sustained a moderate government of national unity, and extended land reform.

I remind you of that election just over a year ago, with over 80 percent of the people voting—not a bad percentage—in the face of armed, violent efforts to prevent people from coming to the polls.

Most important, perhaps, the politicians and parties who participated in the March 1982 elections are now represented in the Assembly and have begun to fix common goals in the pursuit of a political solution to their country's problems.

The most concrete indication of the self-confidence and growing strength of El Salvador's new democratic leaders took place last month in the presence of His Holiness, Pope John Paul II. On March 6, the President of El Salvador, Alvaro Magana, announced that national elections will be held in El Salvador this year, and that they will be open to all political parties and groups. You have to have some confidence in the democratic process to move up the election and say, "All right, let's decide by the electoral process who should be the President."

On March 17, El Salvador's Peace Commission, made up of a Catholic Bishop and two civilians, proposed legislation for a general amnesty that is now before the Constituent Assembly. And the President of the Constituent Assembly has explicitly called for the main political unit of the guerrillas, the FDR, to take part in the elections.

As President Reagan has made clear, we support negotiations aimed at "expanding participation in democratic institutions, at getting all parties to participate in free, non-violent elections." We will not support negotiations that short-circuit the very democratic process El Salvador is trying to establish. We will not carve up power behind people's backs as happened in Nicaragua. I'm shocked at the suggestions I sometimes hear when I'm testifying that what we ought to do, having observed these people try by violence to prevent an election from happening, should by violence and with our agreement shoot their way into the government. No dice. We will not support that kind of activity. (Applause)

We will help El Salvador to guarantee the personal security of candidates and their supporters, discourage coercion or intimidation, and help ensure access to media, an honest tally, and ultimately respect for the people's verdict.

Let me turn a moment to the deeply troubling problem of El Salvador's ineffective system of criminal justice. They must do much better. The courts must bring cases to a timely and impartial conclusion, and we have to make that point to them unequivocally and very clearly. I might say, Attorney General Bill Smith is in El Salvador today, and a legal team has been down there and we're doing our best to be helpful in that regard.

Let me turn now to Nicaragua. Nicaraguans in growing numbers have concluded that their struggle for democracy has been betrayed. The preeminent hero of the anti-Somoza revolution, Eden Pastora, who as Commander Zero led the takeover of the Somoza National Assembly in 1978, is now in exile. So is Alfonso Robelo, a key member of the governing junta that replaced. Somoza. So is Miskito Indian leader, Brooklyn Rivera. And so now is Adolfo Calero, the anti-Somoza businessman who for three years tried to play the role of "loyal opposition" inside Nicaragua. They and thousands of others in and out of Nicaragua bear witness that what began as an extraordinary national coalition against Somoza has cracked and shriveled under the manipulation of a handful of ideologues, fortified by their Cuban and Soviet-bloc military advisers.

But there is an answer to Nicaragua's problems. As in El Salvador, it is a political one. Last October, eight democratic countries of the region, meeting in San Jose, Costa Rica, called on Nicaragua to join them in allowing freedom of action for peaceful democratic groups, ending cross-border guerrilla violence and freezing the growth of military arsenals. We support such negotiations. President Reagan has said, "To strengthen democracy, to halt subversion, to stop the flow of arms, to respect borders, and to remove all the foreign military advisers—the Soviets, Cubans, East Germans, PLO, as well as our own—from the region."

If accepted, the San Jose proposals would reduce East-West tensions in Central America and lead to a regional, political solution. Yet Nicaragua has so far refused even to discuss these principles, just as it earlier spurned our own efforts to reach a bilateral understanding to deal with mutual concerns.

Our commitment to peace and democracy in Central America is not, of course, limited to El Salvador and Nicaragua. Like us, Costa Rica and Honduras have not given up hope that Nicaragua will return to the tenets of democracy and peace for which its people fought in 1979. But as Nicaragua's immediate neighbors, they feel directly the spillover of Nicaragua's militarization and growing internal troubles.

6,000 Nicaraguans are now living in exile in Costa Rica. In Honduras the flow of refugees from Nicaragua continues to rise. Last year alone, some 15,000 Miskito Indians fled to Honduras rather than accept forced relocation by the Nicaraguan Government.

Until a peaceful solution is found, we must continue to bolster Honduras and Costa Rica. Both are democratic. Both have been hit hard economically by the regional turmoil and the world recession. And both have been victimized by terrorism directed

from Nicaragua. We want to strengthen these democracies and help them provide their people stability and hope, even in the midst of regional crisis.

Democracy in Central America will not be achieved overnight, and it will not be achieved without sustained U.S. support.

To support our objectives in Central America—democracy, development, justice, and the security to make them possible—Congress has authorized substantial economic assistance. Controversy continues, however, over military aid to El Salvador—the country literally under the gun.

The security assistance we have asked for is to build disciplined, skilled armed forces to serve as a shield for democratization and development—a shield. We are not planning to Americanize the fighting or to send El Salvador advanced, heavy weapons, like Nicaragua's Soviet tanks. We will help El Salvador's armed forces to increase their mobility, and to acquire necessary munitions, spare parts, engineering equipment and medical supplies. But our primary emphasis is on greatly expanded training for Salvadoran soldiers.

As I mentioned earlier, only a tenth of the soldiers have received our training, and those who have, have a superior performance, so if we can increase that level of training, we can expect performance to improve.

Time is important. To quote Senator Henry Jackson, "If you're going to have the ballot box free and open, there must be a shield behind which the people can participate."

Whether we will be able to help provide this shield in time depends on the Congress. In the middle of a war, the Congress has cut security assistance to a level two-thirds below the previous fiscal year. So here you are—you're an army, you're fighting—and all of a sudden the flow of what you need to fight with is cut by two-thirds. Then people ask, "How come that army isn't doing better?" It's a terrific blow.

The Administration is seeking to restore these funds. The people of El Salvador must have confidence that we will see their struggle through, or else hope for democracy may not survive.

In summation, let me say again that there are many reasons for us to care about what happens in Central America.

One is strategic, and we better remember it. What is happening in Central America could endanger our own security and that of our friends throughout the Caribbean Basin, from Mexico to the Panama Canal.

But an equal reason is moral. How can we, in the name of human rights, abandon our neighbors to a brutal, military takeover by a totalitarian minority? If our concern is freedom, will a Communist victory provide it? If our concern is judicial fairness, will a Communist regime provide it? If our concern is poverty, will a Communist economic system provide prosperity?

The American people and their elected representatives have difficult choices to make. It is easy to play the demagogue, and it is tempting to avoid hard decisions. But if we walk away from this challenge, we will have let down not only all those in Central America who yearn for democracy, but we will have let ourselves down. We cannot be for freedom and human rights only in the abstract. If our ideals are to have meaning, we must defend them when they are threatened.

Let us meet our responsibility. (Standing applause)

REMARKS OF THE PRESIDENT TO THE NATIONAL ASSOCIATION OF MANUFACTURERS, MARCH 10, 1983

Thank you. (Applause.) Thank you, Bernie, for your kind introduction and all of you for your warm welcome. And Madam Secretary and distinguished guests here at the head table and you ladies and gentlemen, I'm delighted to be here. I know that you and your President, Sandy Trowbridge, and the entire NAM organization have been an enormous help during the last two years, not only with advice and counsel but with a roll-up-your-sleeves effort to help pass the economic recovery programs that are ending this recession. And with your assistance we also were able to negotiate a bipartisan compromise solution to save our Social Security System. (Applause.)

You know, we didn't come to Washington at an ideal time, and we've—(laughter)—certainly had our share of problems. But the signs of recovery are springing up all around us. And there's no mistaking the fact that, at long last, America is on the mend—and the courage and the vision of the people and institutions that are represented here today deserve a big share of the credit for this hard-earned but inflation-free recovery. So, on behalf of all your fellow citizens who have been freed from the ravages of runaway inflation and can look again to a future of better times and then new opportunity, I thank you. (Applause.)

America is meeting her challenge here at home. But there are other challenges, equally important, that we must face. And today I'd like to talk to you about one of them.

Late last year I visited Central America. Just a few weeks ago, our Ambassador, Jeane Kirkpatrick, also toured the area. And in the last few days, I have met with leaders of the Congress to discuss recent events in Central America and our policies in that troubled part of the world. So, today I'd like to report to you on these consultations, and why they're important to all of us.

The nations of Central America are among our nearest neighbors. El Salvador, for example, is nearer to Texas than Texas is to Massachusetts. Central America is simply too close, and the strategic stakes are too high, for us to ignore the danger of governments seizing power there with ideological and military ties to the Soviet Union.

Now, let me just show you how important Central America is. Here—and you can't see it from over there because I'm in the way—but here at the base of Central America is the Panama Canal. Half of all the foreign trade of the United States passes through either the Canal—(laughter)—I've been dying to give you all an economic lesson, and you show up for geography. (Laughter and applause.) But as I say, half of that trade passes either through the Canal or the other Caribbean sea lanes on its way to or from our ports.

And, of course, to the north, as you can see, is Mexico, a country of enormous human and material importance, with which we share 1,800 miles of peaceful frontier.

And between Mexico and the Canal lies Central America. As I speak to you today, its countries are in the midst of the gravest crisis in their history. Accumulated grievances, social and economic change are challenging traditional ways. New leaders with new aspirations have emerged who want a new and better deal for their peoples. And that is good.

The problem is that an aggressive minority has thrown in its lot with the Communists, looking to the Soviets and their own Cuban henchmen to help them pursue political change through violence. Nicaragua, right here, has become their base. And these extremists make no secret of their goal. They preach the doctrine of a quote "revolution without frontiers" unquote. Their first target is El Salvador.

Important? Well, to begin with, there's the sheer human tragedy. Thousands of people thave already died, and unless the conflict is ended democratically, millions more could be affected throughout the hemisphere. The people of El Salvador have proved they want democracy. But if guerrilla violence succeeds, they won't get it. El Salvador will join Cuba and Nicaragua as a base for spreading violence to Guatemala, Honduras, Costa Rica—probably the most democratic country in the world today. The killing will increase and so will the threat to Panama, the Canal, and ultimately Mexico. In the process, vast numbers of men, women and children will lose their homes, their countries and their lives.

Make no mistake. We want the same thing the people of Central America want—an end to the killing. We want to see freedom preserved where it now exists and its rebirth where it does not. The Communist agenda, on the other hand, is to exploit human suffering in Central America to strike at the heart of the Western Hemisphere. By preventing reform and instilling their own brand of totalitarianism, they can threaten freedom and peace and weaken our national security.

I know a good many people wonder why we should care about whether Communist governments come into power in Nicaragua, El Salvador, or other such countries as Costa Rica and Honduras, Guatemala, and the islands of the Caribbean. One columnist argued last week that we shouldn't care because their products are not that vital to our economy.

That's like the argument of another so-called expert that we shouldn't worry about Castro's control over the island of Grenada—their only important product is nutmeg.

Well, let me just interject right here. Grenada, that tiny little island with Cuba at the west end of the Caribbean, Grenada at the east end, that tiny little island is building now, or having built for it, on its soil and shores, a naval base, a superior air base, storage bases and facilities for the storage of munitions, barracks and training grounds for the military. I'm sure all of that is simply to encourage the export of nutmeg.

People who make these arguments haven't taken a good look at a map lately or followed the extraordinary buildup of Soviet and Cuban military power in the region or read the Soviets discussions about why the region is important to them and how they intend to use it.

It isn't nutmeg that's at stake in the Caribbean and Central America. It is the United States' national security.

Soviet military theorists want to destroy our capacity to resupply Western Europe in case of an emergency. They want to tie down our attention and forces on our own southern border and so limit our capacity to act in more distant places, such as Europe, the Persian Gulf, the Indian Ocean, the Sea of Japan.

Those Soviet theorists noticed what we failed to notice, that the Caribbean Sea and Central America constitute this nation's fourth border. If we must defend ourselves

against large, hostile military presence on our border, our freedom to act elsewhere to help others and to protect strategically vital sea lanes and resources has been drastically diminished.

They know this. They've written about this.

We've been slow to understand that the defense of the Caribbean and Central America against Marxist-Leninist takeover is vital to out national security in ways we're not accustomed to thinking about.

For the past three years, under two Presidents, the United States has been engaged in an effort to stop the advance of communism in Central America by doing what we do best, by supporting democracy. For three years, our goal has been to support fundamental change in this region, to replace poverty with development and dictatorship with democracy.

These objectives are not easy to obtain. We're on the right track. Costa Rica continues to set a democratic example, even in the midst of economic crises and Nicaraguan intimidation. Honduras has gone from military rule to a freely-elected civilian government. Despite incredible obstacles, the democratic center is holding in El Salvador, implementing land reform and working to replace the politics of death with a life of democracy.

So the good news is that our new policies have begun to work. Democracy, with free elections, free labor unions, freedom of religion and respect for the integrity of the individual, is the clear choice of the overwhelming majority of Central Americans.

In fact, except for Cuba and its followers, no government and no significant sector of the public anywhere in this hemisphere wants to see the guerrillas seize power in El Salvador.

The bad news is that the struggle for democracy is still far from over. Despite their success in largely eliminating guerrilla political influence in populated areas and despite some improvements in military armaments and mobility, El Salvador's people remain under strong pressure from armed guerrillas controlled by extremists with Cuban-Soviet support.

The military capability of these guerrillas—and I would like to stress "military" capability—for these are not peasant irregulars. They are trained, military forces. This has kept political and economic progress from being turned into the peace the Salvadoran people so obviously want.

Part of the trouble is internal to El Salvador. But an important part is external: the availability of training, tactical guidance, and military supplies coming into El Salvador from Marxist Nicaragua. I am sure you have read about the guerrillas capturing rifles from government, national guard units. And recently, this has happened. But much more critical to guerrilla operations are the supplies and munitions that are infiltrated into El Salvador by land, sea, and air—by pack mules, by small boats, and by small aircraft.

These pipelines fuel the guerrilla offensives and keep alive the conviction of their extremist leaders that power will ultimately come from the barrels of their guns. Now, all this is happening in El Salvador just as a constitution is being written, as open presidential elections are being prepared, and as a peace commission—named last week—has begun to work on amnesty and national reconciliation to bring all social and political groups into the democratic process.

It is the guerrilla militants who have, so far, refused to use democratic means, have ignored the voice of the people of El Salvador, and have resorted to terror, sabotage, and bullets instead of the ballot box. During the past week, we have discussed all of these issues and more with leaders and Members of the Congress. Their views have helped shape our own thinking. And I believe that we have developed a common course to follow:

Here are some of the questions that are raised most often. First, how bad is the military situation? It is not good. Salvadoran soldiers have proved that, when they are well trained, led, and supplied, they can protect the people from guerrilla attacks. But so far, U.S. trainers have been able to train only one soldier in ten. There is a shortage of experienced officers. Supplies are unsure. The guerrillas have taken advantage of these shortcomings. For the moment at least, they have taken the tactical initiative just when the sharply limited funding Congress has so far approved is running out.

A second vital question is: Are we going to send American soldiers into combat? And the answer to that is a flat no.

A third question: are we going to Americanize the war with a lot of U.S. combat advisors? And again, the answer is, no.

Only Salvadorans can fight this war, just as only Salvadorans can decide El Salvador's future. What we can do is help to give them the skills and supplies they need to do the job for themselves.

That mostly means training. Without playing a combat role themselves and without accompanying Salvadoran units into combat, American specialists can help the Salvadoran army improve its operations.

Over the last year, despite manifest needs for more training, we have scrupulously kept our training activities well below our self-imposed numerical limit on numbers of trainers. We are currently reviewing what we can do to provide the most effective training possible to determine the minimum level of trainers needed, and where the training should best take place. We think the best way is to provide training outside of El Salvador, in the United States or elsewhere, but that costs a lot more. So the number of U.S. trainers in El Salvador will depend upon the resources available.

Question four: are we seeking a political or a military solution? Despite all I and others have said, some people still seem to think that our concern for security assistance means that all we care about is a military solution. That's nonsense. Bullets are no answer to economic inequities, social tensions, or political disagreements. Democracy is what we want, and what we want is to enable Salvadorans to stop the killing and sabotage so that economic and political reforms can take root. The real solution can only be a political one. This reality leads directly to a fifth question.

Why not stop the killings and start talking? Why not negotiate? Well, negotiations are already a key part of our policy. We support negotiations among all the nations of the region to strengthen democracy, to halt subversion, to stop the flow of arms, to respect borders, and to remove all the foreign military advisors, the Soviets, the Cubans, the East Germans, the PLO, as well as our own from the region.

A regional peace initiative is now emerging. We have been in close touch with its sponsors and wish it well, and we support negotiations within nations aimed at expanding participation in democratic insititutions, at getting all parties to participate in free, non-violent elections.

What we oppose are negotiations that would be used as a cynical device for dividing up power behind the people's back. We cannot support negotiations which instead of expanding democracy try to destroy it, negotiations which would simply distribute power among armed groups without the consent of the people of El Salvador.

We made that mistake some years ago in Laos when we pressed and pressured the Laotian government to form a government, a co-op with the Pathet Lao, the armed guerrillas who had been doing what the guerrillas are doing in El Salvador. And once they had that tripartite government they didn't rest until those guerrillas, the Pathet Lao had seized total control of the government of Laos. The thousands of Salvadorans who risked their lives to vote last year should not have their ballots thrown into the trash heap this year by letting a tiny minority on the fringe of a wide and diverse politicial spectrum shoot its way into power.

No, the only legitimate road to power, the only road we can support, is through the voting booth so that the people can choose for themselves; choose, as His Holiness the Pope said Sunday, "far from terror and in climate of democratic conviviality." This is fundamental, and it is a moral as well as a practical belief that all free people of the Americas share.

Having consulted with the Congress, let me tell you where we are now and what we'll be doing in the days ahead. We welcome all the help we can get. We will be submitting a comprehensive, integrated economic and military assistance plan for Central America.

First, we will bridge the existing gap in military assistance. Our projections of the amount of military assistance needed for El Salvador have remained relatively stable over the past two years. However, the Continuing Resolution budget procedure in the Congress last December led to a level of U.S. security assistance for El Salvador in 1983 below what we'd requested, below that provided in 1982, and below that requested for 1984. I'm proposing that $60 million of the monies already appropriated for our worldwide military assistance programs be immediately reallocated to El Salvador. Further, to build the kind of disciplined, skilled army that can take and hold the initiative while respecting the rights of its people, I will be amending my supplemental that is currently before the Congress to reallocate $50 million to El Salvador. And these funds will be sought without increasing the overall amount of the supplemental that we have already presented to the Congress. And, as I've said, the focus of this assistance will remain the same: to train Salvadorans so that they can defend themselves. Because El Salvador's problems are not unique in this region, I will also be asking for an additional $20 million for regional security assistance. These funds will be used to help neighboring states to maintain their national security, and will, of course, be subject to full Congressional review.

Secondly, we will work hard to support reform, human rights, and democracy in El Salvador. Last Thursday, the Salvadoran government extended the land reform program which has already distributed 20 percent of all the arable land in the country and transformed more than 65,000 farm workers into farm owners. What they ask is our continued economic support while the reform is completed. And we will provide it. With our support, we expect that the steady progress toward more equitable distribution

of wealth and power in El Salvador will continue.

And, third, we will, I repeat, continue to work for human rights. Progress in this area has been slow, but sometimes—sometimes disappointing. But human rights means working at probems, not walking away from them. To make more progress, we must continue our support, advice, and help to El Salvador's people and democratic leaders.

Lawbreakers must be brought to justice, and the rule of law must supplant violence in settling disputes. The key to ending violations to human rights is to build a stable, working democracy. Democracies are accountable to their citizens. And when abuses occur in a democracy, they cannot be covered up. With our support, we expect the government of El Salvador to be able to move ahead in prosecuting the accused and in building a criminal justice system applicable to all and ultimately accountable to the elected representatives of the people.

And I hope you've noticed that I was speaking in millions, not billions. And that after two years in federal office is hard to do. (Laughter.) In fact, there are some areas of government where I think they spill as much as I've talking about here over a weekend.

But, fourth, the El Salvador government proposes to solve its problems the only way they can be solved fairly—by having the people decide. President Magana has just announced nationwide elections moved up to this year, calling on all to participate, adversaries as well as friends. To help political adversaries participate in the elections, he has appointed a Peace Commission, including a Roman Catholic bishop and two independents. And he has called on the Organization of American States and the international community to help. We were proud to participate, along with representatives of other democratic nations, as observers in last March's Constituent Assembly elections. We would be equally pleased to contribute again to an international effort, perhaps in conjunction with the Organization of American States, to help the government ensure the broadest possible participation in the upcoming elections, with guarantees that all, including critics and adversaries, can be protected as they participate.

Let me just say a word about those elections last March. A great worldwide propaganda campaign had, for more than a year, portrayed the guerrillas as somehow representative of the people of El Salvador. We were told over and over again that the government was the oppressor of the people.

Came the elections, and suddenly it was the guerrilla force threatening death to any who would attempt to vote. More than 200 buses and trucks were attacked and burned and bombed in an effort to keep the people from going to the polls. But they went to the polls; they walked miles to do so. They stood in long lines for hours and hours. Our own Congressional observers came back and reported in one instance that they saw themselves—of a woman who had been shot by the guerrillas for trying to get to the polls, standing in the line, refusing medical attention until she had had her opportunity to go in and vote.

More than 80 percent of the electorate voted. I don't believe here in our land, where voting is so easy, that we've had a turnout that great in the last half century. They elected the present government and they voted for order, peace and democratic rule.

Finally, we must continue to help the people of El Salvador and the rest of Central America and the Caribbean to make economic progress. More than three-quarters of our assistance to this region has been economic.

Because of the importance of economic development to that region, I will ask the Congress for $65 million in new moneys and the reprograming of $103 million from already appropriated worldwide funds for a total of $168 million in increased economic assistance for Central America. And to make sure that this assistance is as productive as possible, I'll continue to work with the Congress for the urgent enactment of the long-term opportunities for trade and free initiative that are contained in the Caribbean Basin Initiative.

In El Salvador and in the rest of Central America, there are today thousands of small businessmen, farmers and workers who have kept up their productivity as well as their spirits in the face of personal danger, guerrilla sabotage and adverse economic conditions. With them stand countless national and local officials, military and civic leaders and priests who have refused to give up on democracy. Their struggle for a better future deserves our help. We should be proud to offer it. For in the last analysis, they're fighting for us, too.

By acting responsibly and avoiding illusory shortcuts, we can be both loyal to our friends and true to our peaceful democratic principles. A nation's character is measured by the relations it has with its neighbors. We need strong, stable neighbors with whom we can cooperate. And we will not let them down.

Our neighbors are risking life and limb to better their lives, to improve their lands and to build democracy. All they ask is our help and understanding as they face dangerous armed enemies of liberty and that our help be as sustained as their own commitment.

Now, none of this will work if we tire or falter in our support. I don't think that's what the American people want or what our traditions and faith require. Our neighbors' struggle for a better future and that struggle deserves our help and we should be proud to offer it.

We would in truth be opening a two-way street. We have never, I believe, fully realized the great potential of this Western Hemisphere. Oh, yes, I know in the past we've talked of plans. We've gone down there every once in a while with a great plan somehow for our neighbors to the South. But it was always a plan in which we, the big colossus of the North would impose on them. It was our idea.

Well, on my trip to Central and South America, I asked for their ideas. I pointed out that we had a common heritage. We'd all come as pioneers to these two great continents. We worship the same God. And we'd lived at peace with each other longer than most people in other parts of the world.

There are more than 600 million of us calling ourselves Americans, North, Central and South. We haven't really begun to tap the vast resources of these two great continents.

Without sacrificing our national sovereignties, our own indivdual cultures or national pride, we could as neighbors make this Western Hemisphere, our hemisphere, a force for good such as the old world has never seen. But it starts with the word neighbor. And that is what I talked about down there and sought their partnership, their equal partnership in we, of the Western Hemisphere, coming together to truly develop fully the potential this hemisphere has.

Last Sunday, His Holiness Pope John Paul II prayed that the measures announced by President Magana would "contribute to orderly and peaceful progress" in El Salvador, progress "founded on the respect," he said, "for the rights of all, and that all have the possibility to cooperate in a climate of true democracy for the promotion of the common good."

My fellow Americans, we in the United States join in that prayer for democracy and peace in El Salvador, and we pledge our moral and material support to help the Salvadoran people achieve a more just and peaceful future. And in doing so, we stand true to both the highest values of our free society and our own vital interests.

Thank you and God bless you. (Applause.)●

THE ISLAND OF ATTU

● Mr. MURKOWSKI. Mr. President, Wednesday, May 11, was the anniversary of an important event in this Nation's history; 40 years ago American forces regained the only U.S. territory lost to the Japanese in World War II. The small—but strategic—island of Attu is located at the tip of the Aleutian chain, 1,500 miles from Anchorage and 2,000 miles from Tokyo. The Japanese took Attu on June 7, 1942, 7 months after Pearl Harbor. They took the neighboring island of Kiska the same day.

Their control of American territory lasted nearly a year. On May 11, 1943, the U.S. Army's 7th Division attacked Attu, where 2,400 Japanese soldiers had established themselves on excellent defensive terrain. By May 31, our forces had complete control of Attu. Kiska was evacuated in early August.

The battle was vicious. Both sides suffered heavy casualties. Most of the 2,400 Japanese on Attu were killed. More than 600 Americans gave their lives and over 1,100 were wounded. To make matters worse, the American forces encountered extremely harsh weather and suffered from severe exposure and logistical problems. These soldiers were forced to fight in an Arctic environment unlike any previously encountered in combat.

It is unclear what plans, if any, the Japanese had for the captured Aleutian Islands. At any rate, it is certain that the valiant efforts of our soldiers prevented what could have become a serious threat to the security of both U.S. citizens and to our strategic interests in Alaska. By this time the Japanese had clearly overreached themselves, and the recapture of Attu and Kiska contributed to the defeat of the Japanese Navy in the Pacific. Every Alaskan and, indeed, every American is indebted to the 7th Division for their successful campaign to regain this northern outpost in the far Pacific.

Today, Attu has recaptured its solitary Arctic existence. It is inhabited by

25 Coast Guard personnel who operate a loran transmitting station. The loran station provides information to crab fishermen who would otherwise become lost in this merciless environment. The transmitter enables civilian and military aircraft and vessels to determine their position in the Bering Sea. It is important to remember that without the sacrifice of the 7th Division, this station could not have been built, and the security of all who cross the Bering Sea might have been jeopardized.

Mr. President, I am pleased to have this opportunity to honor the men who died in the battle for Attu and saved the only piece of American territory to be captured in World War II.●

SOLIDARITY SUNDAY

● Mr. MOYNIHAN. Mr. President, I rise today with a dual purpose. In the first instance, I speak as a participant in the "1983 Congressional Call to Conscience Vigil for Soviet Jews" which has been organized by my very able colleague and friend, the distinguished senior Senator from Oklahoma (Mr. BOREN). Each week during the course of this spring, a different Senator will speak in this Chamber about the current plight of Jewry in the Soviet Union. I am proud to join in this vigil.

Lest it be thought that American concern for Soviet Jews does not extend beyond the walls of the Capitol, I would also like to announce that later this month there will take place in New York City "Solidarity Sunday," an annual event in which tens of thousands of Americans of all faiths march in demonstration of their solidarity with the Soviet Union's 3 million oppressed Jews.

In this spirit, I am today calling upon my colleagues in the Senate to lend their support to Senate Resolution 133, expressing this body's support for "Solidarity Sunday."

May 22, is sadly more imperative than ever. I need not remind my colleagues of the Soviet Union's record of regular and gross violations of commitments undertaken, in the Helsinki Final Act and the Universal Declaration of Human Rights, to treat its own citizens decently. In furtherance of a tradition begun long before Yuri Andropov arrived at the helm of the U.S.S.R. the Soviet state continues to persecute Jews for being Jews.

Today, Jews in the Soviet Union face the threat of arrest and imprisonment simply for gathering informally to study their own culture, history, and language—or to celebrate religious holidays. Community leaders, persons distinguished for their cultural or religious accomplishments, are regularly imprisoned, as in the recent cases of Iosif Begun, Feliks Kochubievsky, and Yuri Tarnopolsky.

Recently, a new dimension has been added to the officially sanctioned campaign of harassment of Jews in the Soviet Union. As the New York Times reported the following day, on April 1, 1983—

> Eight Soviet Jews—writers, scholars, a military man and a cinematographer—published a statement in Pravda * * * that criticized "international Zionism" for purporting to speak on behalf of Soviet Jews.

This represented a revival of the formal Soviet effort to discredit those persons around the world who have sought to draw attention to Soviet repression of minorities and in particular of Jews.

More, the Soviets have sought to identify Zionism with repression and reaction of the sort such as they themselves are most clearly guilty. Accordingly the Soviet characterization of Zionism on April 1—shortly after the conclusion of a World Conference on Soviet Jewry in Jerusalem—was unusually harsh. The statement issued by this most recent of state-sponsored anti-Semitic groups, read:

> In its essence Zionism concentrates in itself extreme nationalism, chauvinism and racial intolerance, justification for territorial seizures and annexations, armed adventurism, the cult of political permissiveness and impunity, demagoguery and ideological diversions, filthy maneuvers and perfidy.

This sort of lie is what provides the Soviet authorities with a rationale for persecution of their Jewish citizens. Among the freedoms denied to this community in the U.S.S.R., the most easily measured from our perspective abroad is the denial of the right to emigrate. From an already low 9,447 Soviet Jews who were permitted to emigrate to the free world in 1981, the number declined in 1982 to 2,688. With only about 100 Soviet Jews receiving permission to leave each month in 1983, we are witnessing a virtual halt in emigration.

The denial of emigration, alas, is not the whole of the problem. Within the Soviet Union itself, the officially sanctioned campaign of anti-Semitism continues unabated. Publications of all kinds, including children's magazines, attribute the failings of the Soviet System to imagined Jewish, Zionist machinations that have not been fabricated in such elaborate and repugnant detail since the fall of the Third Reich. Hebrew and Jewish culture classes have been disrupted and suspended, Jewish students find it increasingly difficult to gain admission to universities. Jews expressing any interest in moving to Israel are automatically fired from any position of responsibility and encounter almost insuperable obstacles in securing any employment at all.

The Soviets have also inspired Eastern European countries to do so as well. In an ugly search for the excuses for the failure of Communist rule in Poland in 1981, Soviet and Polish authorities tried to portray Solidarity as a nest of Zionists hoping to provoke anti-Semitic feelings. I could go on.

Events such as these, and the worsening trend that is now clearer than ever, are ominous. We dare not allow them to go unnoticed, lest they become routine. We care, and we must demonstrate to the Soviets that we do. We must continue to press for the release of the thousands of Jewish prisoners of conscience in the Soviet bloc, and to offer a haven for those who would preserve the traditions of the Jewish faith that has contributed immeasurably to the Western world, and especially the United States.

Members of the Senate can demonstrate their concern and commitment by supporting this resolution in support of Solidarity Sunday. I ask that the full text of the resolution be printed at this point in the RECORD, along with a list of cosponsors, and also a table showing Jewish emigration from the U.S.S.R.

The material follows:

S. RES. 133

Whereas on May 22, 1983, the eighty-five constituent agencies of the Greater New York Conference on Soviet Jewry will sponsor the twelfth annual "Solidarity Sunday for Soviet Jewry" to reaffirm their resolve to secure freedom for Soviet Jews and beleagured people everywhere; and

Whereas Americans of all faiths will join with the Conference in myriad activities on that day in expression of their solidarity with the almost three million Jews in the Soviet Union; and

Whereas the right to emigrate freely and to be reunited with their families abroad is being denied Jews and others in the Soviet Union; and

Whereas the Universal Declaration of Human Rights adopted by the General Assembly of the United Nations and the Helsinki Final Act clearly recognize those rights; and

Whereas the Government of the Soviet Union has implemented restrictive measures sharply reducing the number of people permitted to emigrate, bringing Jewish emigration from the Soviet Union to a virtual halt; and

Whereas the Government of the Soviet Union is persecuting its Jewish citizens and denying them even those rights and privileges accorded other recognized religions in the Soviet Union; and

Whereas the Government of the Soviet Union discriminates against Jewish cultural activities by banning and suspending Hebrew and Jewish cultural classes, by threatening Hebrew teachers, and by intimidating all Soviet Jews who seek only to practice their religion; and

Whereas leading Soviet Jewish activist and cultural figure, Mr. Anatoly Shcharansky, who was arrested in March of 1977 and falsely charged with espionage and "anti-Soviet agitation", continues to suffer exceptionally harsh tratement in Chistopol Prison; and

Whereas a virulent anti-Semitic campaign continues unabated in the Soviet press and Soviet Jews are increasingly deprived of occupational and educational opportunities; and

Whereas thousands of innocent Jews and other persons, after applying to leave the Soviet Union, have been subjected to illegal induction into the armed forces, incarceration in mental institutions, expulsion from school and constant surveillance and harassment; and

Whereas the Government of the Soviet Union will not succeed in isolating Soviet Jews from their friends in the free world so long as those who cherish liberty continue to speak on behalf of beleaguered people everywhere; and

Whereas "Solidarity Sunday for Soviet Jewry" will serve as a vigorous expression of American determination to secure freedom for Soviet Jewish Prisoners of Conscience incarcerated solely because of their desire to emigrate, and veteran refuseniks who have awaited exit visas for as many as fourteen years; and

Whereas the Government of the Soviet Union refuses to permit the free exercise of religious beliefs and cultural expression and also refuses to remove all obstacles to the free emigration of its Jewish citizens and others who wish to leave and live in other countries: Now, therefore, be it

Resolved, That it is the sense of the Senate that the Congress supports "Solidarity Sunday for Soviet Jewry" in an effort to achieve these goals and encourages Americans to participate.

SPONSORS

Submitted by Mr. MOYNIHAN (for Mr. BYRD) (for himself, and Mr. D'AMATO, Mr. BAUCUS, Mr. BENTSEN, Mr. BOREN, Mr. BOSCHWITZ, Mr. BRADLEY, Mr. BYRD, Mr. CHILES, Mr. COHEN, Mr. CRANSTON, Mr. DANFORTH, Mr. DIXON, Mr. DOLE, Mr. GARN, Mr. GLENN, Mr. GRASSLEY, Mr. HECHT, Mr. HEINZ, Mr. HOLLINGS, Mr. INOUYE, Mr. JACKSON, Mr. JEPSEN, Mr. JOHNSTON, Mrs. KASSEBAUM, Mr. LEVIN, Mr. LUGAR, Mr. METZENBAUM, Mr. NICKLES, Mr. PELL, Mr. PERCY, Mr. PRESSLER, Mr. PROXMIRE, Mr. QUAYLE, Mr. RIEGLE, Mr. SARBANES, Mr. SASSER, Mr. SYMMS, Mr. TSONGAS, Mr. DODD, Mr. BURDICK, and Mr. HART.)

JEWISH EMIGRATION FROM THE U.S.S.R.

Statistics

1965–June 1967	4,498
October 1968–1970	4,235
1971	13,022
1972	31,681
1973	34,733
1974	20,628
1975	13,221
1976	14,261
1977	16,736
1978	28,864

	1979		1980		1981		1982	
	Number	Percent[1]	Number	Percent[1]	Number	Percent[1]	Number	Percent[1]
January	3,722	39.4	2,803	39.6	850	24.9	290	26.9
Feburary	3,837	35.9	3,023	42.1	1,407	15.8	283	21.9
March	4,418	34.7	3,049	40.9	1,429	14.3	289	27.3
April	4,296	29.9	2,469	37.3	1,155	15.5	288	29.5
May	4,163	35.4	1,976	37.3	1,141	15.8	205	29.3
June	4,358	35.7	1,767	31.8	866	14.5	182	27.5
July	4,068	30.0	1,205	23.8	779	22.2	186	23.1
August	4,711	32.3	770	28.1	430	22.3	238	20.2
September	4,663	29.1	1,307	24.3	405	28.6	246	20.7
October	4,746	33.8	1,424	22.0	368	24.2	168	34.0
November	4,193	34.7	789	26.4	363	25.0	137	38.0
December	4,145	34.3	889	23.1	434	22.8	176	39.0
Total	51,320	33.7	21,471	34.4	9,447	18.6	2,688	27.0

[1] Figures represent the percentage of those who proceeded to Israel.

Note.—From October 1968 to October 1982, 261,994 persons left the Soviet Union with Israeli visas. Approximately 162,000 of them went to Israel. Since January, 1983, Jewish emigration from the Soviet Union has been approximately 100 persons a month. (figures compiled by the Greater New York Conference on Soviet Jewry.)●

THE 75TH ANNIVERSARY OF MIRIAM OSBORN MEMORIAL HOME

● Mr. D'AMATO. Mr. President, the Miriam Osborn Memorial Home in Rye, N.Y., is celebrating the 75th anniversary of its opening. This outstanding institution for the elderly was created by the bequest of Mrs. Miriam A. Osborn. The home was incorporated by special act of the New York State Legislature in 1892 "to provide a home and support for aged women in needy circumstances." The first residents were admitted in 1980.

Through 75 years of successful operation, care has been provided for approximately 1,100 women. These ladies have included physicians, nurses, authors, musicians, teachers, and actresses. There are now over 140 residents, most of whom came from the New York metropolitan area. The original bequest of Miriam A. Osborn was activated by her attorney, John W. Sterling, who stated:

Every effort has been made to make this institution the finest of its kind in the world—not only a fine institution, but a real home.

The ladies who reside at Osborn have a median age of over 86 years, with one who is over 100 years old. These residents actively participate in a variety of activities: crafts, painting, ceramics, Bible study, French and Spanish conversation, Audubon programs, and even swimming at Rye Beach. They regularly contribute their services to the community through the retired seniors volunteer program, the Needlework Guild, and make bandages for a leper colony in Africa.

Medical research studies on geriatric nutrition, sponsored by the home, have received national and international attention in medical circles.

Licensed by the State of New York as a skilled nursing and health related facility, the Osborn Home contains modern, well-equipped facilities and provides a dynamic geriatric program. Over the decades of service, many changes have taken place in both structure and program. Some 75 years after its beginning, all who are associated with the home are proud of its tradition and service.

This landmark structure, located in a park-like setting, does indeed provide not only a fine institution but a real home.●

SENATOR HELMS' WARNING ON THE SPREAD OF COMMUNISM

● Mr. EAST. Mr. President, my friend and senior colleague, Senator HELMS, is chairman of the Subcommittee on Western Hemisphere Affairs of the Committee on Foreign Relations. For years he has studied events in Latin America and the Caribbean.

If this Nation allows communism to spread from nation to nation throughout Central America we will pay a heavy price. Not only will hundreds of thousands, perhaps millions, of people die at the hands of brutal and fanatic Marxists, but our own Nation will directly suffer as millions of refugees flee northward. Senator HELMS is warning the American people of this danger to our neighbors and to our own Nation.

TV8-WGHP, which serves the High Point, Greensboro, and Winston-Salem areas of my State, has taken heed of the warning of Senator HELMS. In two incisive editorials, Mr. Eugene H. Bohi, president and general manager of TV8-WGHP, has commented on the cautionary statements of Senator HELMS. I ask that these challenging comments be printed in the RECORD.

The material follows:

Editorial No. 224.
Title: El Salvador.
Air Date: April 12, 1983.

Let's face it—we're concerned that El Salvador could become another Vietnam. However, when the President calls for more military and economic aid for El Salvador and other Central American countries because our "National Security" is imperiled, we can't ignore his comments.

We have a major security stake in Central America. We would have huge defense problems if our border countries were Communistic. If there is a reasonable chance of stopping that from happening, the effort must be made. The big problem we face is that it may be too late. We can't escape the fact that we've had misguided policies in the past. We've supported oppressive rulers and regimes that have contributed to today's revolutions. The question we need answered is—"Is it too late?"

We have learned that we can't buy peace. We believe that Pope John Paul II, has the answer. He urged for peace negotiations during his recent visit. Money should be tied to a congressional insistence on peace talks. Our national security is at stake in this hemisphere. As Senator Helms stated recently in a speech in High Point, we have potential "Boat people" in Central America that can walk to our borders. More about that next time.

Editorial No. 225.
Title: Walk People.
Air Date: April 24, 1983.

We mentioned in our last editorial that Senator Helms warned of potential immigration problems should Central America fall to communism. Instead of boat people, those seeking escape could walk to our borders.

What would happen if the stream of illegal aliens now crossing our borders become a flood? We couldn't stop them. Our Mexican border is 1,954 miles long. There are only about 350 U.S. border patrolmen on the job at any one time to defend this border. That's less people than we have assigned to guard our Government buildings each day in Washington. Today, only about one of every three crossing are stopped by the thin line of border patrol officers. Immigration Commissioner Leonard Chapman es-

timates there are now about 12 million illegals in the U.S. At the same time there are approximately 12 million American workers who can't find jobs.

The big question is—do we have the will to stop all those who want to gain access? Our military budget is $245 billion to defend our country's borders, but we spend only $77 million for our border patrol. That's not even 1 percent of what we spend on defense.

A country will double its population every 20 years if its annual rate of increase is 2.5 percent. Mexico's is and so is most of Central America and the Caribbean. Even if we stop communism in this hemisphere we can expect these countries to empty out much of their population on our shores. Now is the time to prepare for it—not wait until it happens.●

SYNTHETIC FUELS INDUSTRY IN THE SOVIET UNION

● Mr. WARNER. Mr. President, I wish to share with my colleagues an article in the March 1983 American Bar Association's Law and National Security Intelligence Report focusing on the synthetic fuels industry in the Soviet Union.

I know a number of colleagues will join me this year in a close scrutiny of the American synthetic fuels industry, and it is helpful to be aware of the Soviet perspective.

I ask that the article be printed in the RECORD.

The article follows:

SYNTHETIC FUELS: VITAL DESPITE CURRENT GLUT

(EDITOR'S NOTE.—This article is particularly appropriate for this Report because it combines intelligence from various sources, including that of Soviet defectors with special scientific knowledge and it also concerns national security. Synthetic fuels will never be produced in any country until such production is regarded as a national security necessity. Nazi Germany so recognized it, followed by South Africa and now the Soviet Union. When will the United States so look upon production of synthetic fuels from our over 90 percent in the ground fuel reserves of coal, oil shale and peat? Before the next oil crisis is upon us, it is to be hoped!)

Words of praise for Brezhnev come hard to a former chairman of the American Bar Association's Committee on Education About Communism, and even harder to the present editor of its Intelligence Report. I can't recall when we've said anything nice about him or the CPSU Central Committee, which set the Five-Year Plan tasks for General Secretary Brezhnev and now carried over to his successor, Yuri Andropov. I'm about to do so, nevertheless.

I have nothing but admiration for the Soviet Union's farsightedness in the development of synthetic fuel and, I regret to say, shock at our own wavering approach and shortsightedness.

A few facts first. The U.S.S.R. is the largest producer of petroleum in the world and is likely to remain so through the 1980s. Ditto for natural gas; if not now, certainly when the Urengoi and Sredne-Vilyui fields (in northwestern Siberia) come on full stream for the pipeline. At the moment, they are number two in gas production (narrowly behind the U.S.), but they have over one-third of the world's proven reserves.

Why, then, with all these riches should the U.S.S.R. be concerned about the production of synthetic fuels from gas and its large deposits of coal? Simply, because its leaders are not, as we are, possessed of what Daniel Yergin of Harvard calls "glut psychology." Our "oscillations in government polices and the public attitudes it engenders," says, Yergin, "leads us from panic and hysteria to the complacency of the glut psychology." [Yergin and Hillebrand, Editors, "Global Insecurity—A Strategy for Energy and Economic Renewal," Houghton Mifflin, New York, 1982, p. 15.] The Soviets, meanwhile, recognize that production of synthetic fuels is a national security issue, have set the course and are pursuing it without midstream corrections.

The course was charted when, at a plenary meeting of the CPSU Central Committee meeting in Moscow on Friday, February 29, 1981, "Guidelines for the Economic and Social Development of the U.S.S.R. for 1981-1985" and for the period to 1990 were approved for presentation to the Twenty-sixth Congress of the Communist Party.

The course for development of synthetic fuels in the U.S.S.R. was set and put on automatic pilot when General Secretary Brezhnev plotted the coordinates to five thousand delegates on Monday, February 23, 1982. After stressing that "the task of improving the structure of the fuel and power balance is becoming more and more pressing" and that "the share of oil as a fuel must be reduced and it must be replaced with gas and coal," he went on to state the directive (ustanovka) of the Party Central Committee with respect to synthetic fuels:

"Looking to the long term, there should be a through study of the question of production of synthetic fuel on the basis of the coal of the Kansk-Achinsk basin."

With the course thus prescribed, GOSPLAN (the chief planning agency in the U.S.S.R.), the State Committee for Science and Technology, the Academy of Sciences and other research institues drafted a program for the production of fuels from Kansk-Achinsk coal in the 1981-85 period. Academician A. Sheindlin (well known to our scientists) was made chairman of the Coordinating Council on Synthetic Fuel. Since his appointment he has written extensively on both plans and progress. Thus in Izvestiya (April 24, 1981), after quoting Brezhnev's directive, he went on to say:

"The importance of the work in the program outline is obvious. Even though today our country is self-sufficient in oil and natural gas, the extraction of which will be even increased during the Eleventh Five-Year Plan, we are obliged, nevertheless, in the foreseeable future, to prepare technology for the period when the decreasing oil output must be supplemented by producing synfuels."

Since this first report by Academician Sheindlin, research and pilot experimentation have proceeded apace. Thus, Moscow radio reported on February 2, 1982:

"The technology has been developed for producing liquid fuel from the Kansk-Achinsk basin in Krasnoyarsk territory [in Siberia along the Enisey River]. The liquid fuel's quality is as good as conventional fuel oil and petrol. At the same time, valuable feedstock is obtained for many chemicals."

There has been no deviation from the course set by Brezhnev at the Twenty-sixth Party Congress. Scientific research organizations, design and planning institutes, and concerns and building trusts of twenty ministries and agencies are all working on the problem with a single-minded goal. As late as October 19, 1982, in a long article in Izvestiya entitled "Petrol from Gas and Coal," Academician G. Boreskov, director of the Institute of Catalysis in Novosibirsk (near the coal basin) reports:

The engine fuel requirements of our country will grow in the coming years by tens of millions of tons . . . There are only limited possibilities to meet these requirements by way of producing more oil . . . Therefore, the radical solution to the problem of additional engine fuel supply must be based upon using non-oil raw materials; first in the coming decade, it must be natural gas, and afterwards coal . . . the production of liquid fuel from, say, cheap lignities of the Kansk-Achinsk colliery complex could compete with petrol refining from oil. Bearing in mind that the U.S.S.R. coal deposits are enormous, we can see the obvious viability of such a solution . . . the present task is to design and construct the high-volume equipment which allows production of synthesis gas at lower cost.

While a Soviet writer would never be permitted to refer to South Africa as a success story in the production of synthetic fuel (or anything else), that country has designed and constructed three such plants (built by an American contractor, the Fluor Corporation), and by the end of 1985 will be providing near 50 percent of its liquid fuel needs directly at the coal mine site. I have visited all three SASOL plants, and they represent a fantastic technological achievement. The Soviets cannot profit from this (except through industrial espionage), because they are personna non grata in South Africa. And, unfortunately, the U.S. has failed to profit to the extent we might because of the internal problems of that troubled country. (Perhaps this will be alleviated by the Reagan policy of "constructive engagement" with that country.)

Three presidents—Nixon, Ford and Carter—have announced ambitious plans for the development of energy independence, in part through production of synthetic fuels. Nixon in 1973 announced a goal of energy independence by 1980. "Let us set our national goal," he said, "in the spirit of Apollo, with the determination of the Manhattan project, that by the end of this decade we will have developed the potential to meet our energy needs without dependence on any foreign energy sources." Watergate intervened, and the spirit of Apollo faltered until 1975, when Ford called for the building of 20 major synthetic fuel plants. We lurched from crisis to off-the-shelf complacency until the gas lines of the second oil shock of June 1979.

With the advent of the gas lines there was clamor by the public and the Congress for action. Carter offered a quick technological fix to appease the frustration and anger of the American people: a very large-scale fuels plan. Congress in its wisdom proceeded to scale back the Carter plan and in 1980 passed the Energy Security Act, which created the Synthetic Fuels Corporation. The Act authorizes the corporation to award financial assistance to synthetic fuels projects and set national synthetic production goals of 500,000 barrels of oil equivalent per day by 1987, increasing to two million barrels per day by 1992.

Authorization and implementation, however, are different animals. So far, through no fault of the dedicated personnel at the Synthetic Fuels Corporation (many of whom gave up high-paying jobs to try to carry out the Act's express goals), there

have been few private industry takers. Now the directors and officers of the corporation are being verbally beaten and bedeviled by some members of the same Congress that passed the legislation in 1980. They are calling the corporation and the whole synthetic fuels effort a "boondoggle," and some of them have even written letters to President Reagan calling for the corporation's abolishment.

If one were to plot on a chart the course of our own synthetic fuels effort from 1973 to date, one would immediately suspect a drunken navigator and call for his court martial or assignment to other duties, such as damage control. The synthetic fuels ship has sailed from shoal to shoal and is now leaking so badly some of its crew have taken to the lifeboats, and the oarsmen seem to be pulling in opposite directions.

The fact that there is at the moment a glut on the world oil market in no way diminishes the urgency of the situation. There could be another oil crisis tomorrow. All it would take would be a well-placed assassin's bullet or an advance by Khomeini (or the U.S.S.R.) into the Gulf States to take over the Middle East oil supplies. If we were ever thus deprived of access to our major sources of foreign oil, we might find ourselves in dire straits. We have a breathing spell now. Let's take advantage of it to prepare to meet any such contingency.

Development of the synthetic fuels option is a matter that vitally affects our national security. We can only hope, for the sake of that national security, that the present captain of the ship (President Reagan) will get everyone back aboard and set as steady a course for the future as the Soviets have—and stick to it!●

100 YEARS OF SERVICE

● Mr. RIEGLE. Mr. President, I rise today to recognize the efforts of the Salvation Army in Michigan. On May 23, 1983, the Salvation Army of Bay City, Mich. will celebrate its 100th year of providing the needy of that area with clothing, food, and other necessities of life.

The Bay City Salvation Army made its appearance with a street meeting conducted by Capt. Jennie Hall. Their home since 1958 has been the Bay City Citadel which they built after an extensive fundraising drive.

Due to the large level of unemployment in the area, many more people are coming to the Salvation Army for emergency help. But, because of the generosity of the people of Bay City and the dedication of the Bay City Citadel Corps, the Salvation Army has been able to provide aid to many more people than anyone had expected.

At this time, I congratulate the Salvation Army Citadel of Bay City, Mich. for all the fine work that they have done over the past 100 years, and for their extra efforts during the current economic crisis in my home State.●

PRESIDENTIAL MEDAL OF FREEDOM TO DR. BARNEY CLARK

● Mr. D'AMATO. Mr. President, it is with great pride and admiration that I join in cosponsoring this resolution which asks the President to award the Presidential Medal of Freedom to Dr. Barney Clark.

Dr. Clark was a rare man; he was a selfless person who played a pioneering role in the development of the artificial heart. He furthered the development of modern medical science and expanded our knowledge of innovative scientific techniques. In addition, his very humane approach to his ordeal established an incredible example for all of us to follow.

During his brave fight of 112 days, I recall the daily briefings by the medical staff and how they highlighted to the Nation of the partnership that had evolved between the Federal Government and the scientific community in the area of medical research. This period certainly reconfirmed the need for us to continue our full support of fundamental and basic research and for us to find the activities of organizations such as the National Institutes of Health which play an integral role in research, education and training. While I was personally saddened by Dr. Clark's death, his noble efforts dictate that we continue our research with such innovative techniques in the future.

I join in saluting this remarkable man, his courage and his approach to life. Barney Clark fully deserves to be recognized by the American people. He deserves the Presidential Medal of Freedom.●

IMPERIALISTS NO MORE

● Mr. HELMS. Mr. President, I think it was Will Rogers who said something to the effect, "Everybody's ignorant, except along different lines." Well, there's a great deal of ignorance, or worse, pouring from the liberal media and politicians concerning the remaining options with respect to El Salvador and Central America.

So many seem so determined to miss the point. However, on April 13 there appeared in the Washington Post an "op-ed" article written by Dr. Luis Aguilar, professor of history at Georgetown University, and a Cuban dissident who knows all too well the intentions of the present Cuban regime.

Mr. President, Dr. Aguilar responds to the specious rhetoric comparing our Central American policy of today to our policy in the 1920's, by reminding us that the U.S. position in this region has radically changed since then. He cites Cuba as an example.

In 1933, the United States was capable of toppling the revolutionary Machado government in that country by simply withholding diplomatic recognition from them. Five decades later, the United States has proven incapable of overthrowing a Communist regime in Cuba, as well as failing to prevent Castro from expanding his operations throughout the hemisphere.

Mr. President, Dr. Aguilar goes on to tell why it is American covert operations are not at fault for the current political problems in Nicaragua—rather, the Sandinistas themselves. Dr. Aguilar understands Central America well from a historical point of view, and his comments are worth our colleagues' attention.

Mr. President, I ask that Dr. Aguilar's editorial be printed in the RECORD.

The editorial follows:

[From the Washington Post, Apr. 13, 1983]

IMPERIALISTS NO MORE

(By Luis E. Aguilar)

In a recent television program, Rep. Michael Barnes vehemently expressed his opposition to the alleged U.S. covert operations in Nicaragua, which he compared with the American imperialist landing of the Marines in that region in the 1920s. That comparison, a favorite of the Latin American left, is totally misleading.

The Marine landings of the 1920s, in Nicaragua and other Caribbean areas, were obvious acts of imperialism: At a time when the United States faced no challenge in the Western Hemisphere, military force was used, or abused, to preserve American economic and political supremacy.

But the U.S. position in the Caribbean and Central America has drastically changed since the 1920s. In 1933, for example, by simply withholding diplomatic recognition, the United States was capable of toppling a revolutionary government in Cuba. Five decades later, the United States has not only been incapable of overthrowing a communist regime in Cuba, but has also failed to prevent Castro from sending troops to Africa, from expanding his influence in Central America, and from building a formidable military machine, dangerously close to vital American military and trade routes.

Of the many factors that help explain this dramatic turn of events, one stands as the most relevant and, at least for the United States, the most ominous: the increasing presence of the Soviet Union in the Caribbean. This Soviet menace, which has forced the United States to alter its global strategy, should be measured not only by the military equipment sent to Cuba, or Nicaragua, but also by the ideological orientation of the regimes that the Soviet Union promotes and supports: expansionist communist governments that are not really anti-imperialist but anti-American—an essential distinction too often ignored by the United States.

In Latin America, traditional anti-imperialism, usually a nationalistic resistance to American economic penetration, nonetheless harbors a desire to emulate the United States and a dream of reaching American economic standards. Quite different, the essence of anti-Americanism is total rejection of everything the United States represents, from democratic elections and free enterprise to the Peace Corps and rock music.

Consequently, while any improvement in the economic relations between the United States and Latin America usually ameliorates anti-imperialist feelings, there is almost nothing the United States can do to reduce anti-Americanism. The United States was still giving economic aid to Nicaragua when already the Sandinistas were teaching

Nicaraguan children songs about the United States' being "the enemy of humanity," and proclaiming their intention to aid any group fighting the American "monster" in Central America. As in Cuba, the proclamation was backed by a continuous increase of the Nicaraguan armed forces, closer ties with the Soviet Union, and some kind of intervention in neighboring countries. To compare this type of aggressive, militaristic, pro-Soviet regime with the weak and harmless Central American governments of the 1920s is a dangerous historical simplification.

This failure to recognize the true nature of today's struggle in Latin America, plus the liberals' traditional reluctance to admit that a "revolutionary" government can be brutal or repressive, are perhaps the reasons for the double standard that many liberals apply to Central America. In the case of El Salvador, those liberals dismiss as irrelevant any Soviet, Cuban or Nicaraguan covert intervention, and attribute the political turmoil in that country to deep internal problems. In the case of Nicaragua, however, they reverse their logic, dismissing internal problems as non-existent and attributing political violence to American covert operations. Thus, the same group that pressures the U.S. government to recognize the Salvadoran guerrillas as a legitimate political force demands that the United States stop any aid to the guerrillas in Nicaragua.

But the truth is that the Sandinistas, who have replaced Somoza's personal dictatorship with their own ideological dictatorship, are responsible for most of the political problems they are now confronting. By squandering national and foreign economic aid, repressing all forms of dissents, insulting the pope, curtailing religious activities and brutally mistreating the Miskito Indians, the Sandinistas have alienated vast sectors of the Nicaraguan population and provoked an intense popular anti-government reaction. The expanding commitment to stand against Nicaragua's government, which has even affected democratic Costa Rica, is basically the result of the Sandinistas' actions, not of any American covert operations.

Whatever U.S. involvement in the growing Central American crisis might be, it is utterly naive to ignore the Soviets' role in the area and to present the Sandinistas as innocent victims of American imperialism. A Costa Rican diplomat focused more accurately on present Sandinista problems when he acidly commented: "Nadie puede jugar con fuego sin quemarse"—Nobody can play with fire without getting burned.●

UCLA MARDI GRAS

● Mr. WILSON. Mr. President, May 20 marks the opening of the 42d annual UCLA Mardi Gras. Each year, nearly 5,000 UCLA students come together to create this special mardi gras which includes a variety of swirling carnival rides; brightly colored food, game, and entertainment booths; roaming clowns and jugglers; and helium balloons. Over the years, this carnival has evolved into the largest student-run collegiate activity in the country.

Last year, more than 82,000 people attended Mardi Gras which grossed more than $535,000. The proceeds from the event go to UniCamp, UCLA's official charity. UniCamp is a summer camp for underprivileged children from the Los Angeles area, located in the San Bernardino Mountains. This student-run camp receives more than 50 percent of its operating revenue from mardi gras. Last year's donation to UniCamp exceeded $128,000.

Mr. President, the students of UCLA have set a fine precedent. They provide a fun-filled weekend in May for the residents of Los Angeles, and their efforts enable several hundred needy children to escape to UniCamp. Mardi gras is an excellent example of how individuals can join together and make a difference. I congratulate the UCLA Mardi Gras 1983 Committee on its efforts. These students are an inspiration to us all.●

PROGRAM

Mr. BAKER. Mr. President, is there an order for the Senate to convene tomorrow?

The PRESIDING OFFICER. There is an order for 9:30 a.m.

Mr. BAKER. Mr President, on tomorrow, the Senate will convene at 9:30 a.m., according to the order previously entered.

After the recognition of the two leaders under the standing order, there will be a period for the transaction of routine morning business until 10 a.m., in which Senators may speak for not more than 2 minutes each.

At 10 a.m. tomorrow, the Senate will go into executive session for the purpose of considering the nomination of Alfred S. Regnery, of Virginia, to be Administrator of the Office of Juvenile Justice and Delinquency Prevention, on a time agreement of 1 hour, to be equally divided. The vote on the Regnery nomination, if a rollcall vote is ordered, will be stacked to occur after 2 p.m. I shall put a unanimous-consent request in just a moment with respect to the scheduling of votes.

After the time for the debate on the Regnery nomination has expired, the Senate will return to the consideration of the immigration bill and to continue the debate and deal with that measure until the hour of 12 noon.

ORDER FOR RECESS FROM 12 NOON UNTIL 2 P.M. TOMORROW

Mr. President, since tomorrow is Tuesday and Senators will be engaged in caucuses on both sides of the aisle and away from the Senate Chamber, I ask unanimous consent that at 12 noon tomorrow the Senate stand in recess until the hour of 2 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BAKER. Mr. President, at 2 p.m. the Senate will go into executive session for the purpose of further considering the nomination of William D. Ruckleshaus, of Washington, to be Director of the Environmental Protection Agency. Five minutes of debate will precede that vote.

ORDER FOR TIME TO VOTE ON REGNERY NOMINATION

Mr. President, after the Ruckleshaus vote, I propose that the Senate remain in executive session for the purpose then of voting on the Regnery nomination, to be preceded by not more than 5 minutes of debate. I now make that unanimous-consent request.

The PRESIDING OFFICER. Without objection, it is so ordered.

VOTE SEQUENCE ON S. 529

Mr. BAKER. Mr. President, following after the Regnery nomination, I ask unanimous consent that the votes on amendments to this bill S. 529 occur in the following sequence:

A vote on the Bumpers amendment No. 1271, to be preceded by 5 minutes of debate equally divided; a Helms amendment No. 1221, which will be preceded by 5 minutes of debate equally divided; a Helms amendment No. 1222, which will be preceded by 5 minutes of debate equally divided; a Helms amendment No. 1224 under the same terms and conditions; a Baucus amendment No. 1270 under the same terms and conditions; a Warner amendment No. 1269 under the same terms and conditions.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BAKER. Mr. President, I will point out that, under the arrangements that have been made for the stacking of votes, there will be rollcall votes beginning at 2 p.m. interspersed by 5 minutes of debate on each measure prior to the occurrence of that vote.

So the time from 2 p.m. until approximately 5 p.m. will be a very busy period in the Senate on tomorrow, and I urge Senators to take account of that in making their plans and indeed plan to be in the Chamber so that we can conduct those votes as fast as possible and dispatch the business of the Senate.

After those rollcalls are completed, the Senate will return to the consideration of the immigration bill and continue on that measure as long as is necessary to complete final passage no later than 10 p.m. on tomorrow evening as previously ordered.

Mr. President, the Budget Committee has been given until the close of morning business on Thursday next in which to report the budget resolution pursuant to the order of recommital.

Senators should note, then, that the latter part of this week, Thursday and Friday, perhaps Saturday, will be given over to the consideration of the budget resolution.

It is hoped that that matter can be negotiated as promptly as possible. However, Senators should be reminded that notwithstanding that there is only limited time remaining to debate on this measure, it is the intention of the leadership to ask the Senate to

expand that time if it seems necessary and desirable to accommodate the views of Senators on both sides of the aisle.

COMMUNICATIONS ACT AMENDMENTS

Mr. President, there is one other matter that appears to be cleared for action this week, and it may be possible to turn to that measure sometime during the day on Wednesday. That is Calendar Order No. 106, S. 66, a bill to amend the Communications Act of 1934.

It is the understanding of the leadership on this side that the matters in conflict on that measure have been reconciled and that it is available for action and it is the intention of the leadership to try to dispose of it during the course of this week.

Mr. President, I think that describes the schedule for this week as best we can at this moment.

To repeat, we are going to have a very busy voting pattern between 2 p.m and approximately 5 p.m. tomorrow.

Tuesday will perhaps be a late day. It will be, if necessary, in order to get final passage of the immigration bill.

Wednesday we will try to do the communications bill if possible, and on Thursday it is anticipated we will be back on the budget resolution.

We may be able to finish the budget resolution on Thursday and, if we do not finish it on Thursday, we will have to continue to debate that measure on Friday.

Further arrangements will be made for additional time, assuming the Senate will consent to that as circumstances indicate.

RECESS UNTIL 9:30 A.M. TOMORROW

Mr. BAKER. Mr. President, I believe I have nothing further to announce at this time. I inquire of the minority leader if he has any matter he wishes to address to the Senate at this time. Otherwise, it is my intention to ask the Senate to recess.

Mr. BYRD. Mr. President, I thank the majority leader. Nothing has been omitted by the very able distinguished majority leader. Nothing would please me more than to be able to walk out that door to my office and head homeward.

Mr. BAKER. I think both of us will be gratified by that result, which is now about to occur.

Mr. President, I move, in accordance with the order previously entered, that the Senate stand in recess until the hour of 9:30 a.m. tomorrow.

The motion was agreed to and, at 6 p.m., the Senate recessed until tomorrow, Tuesday, May 17, 1983, at 9:30 a.m.

NOMINATIONS

Executive nominations received by the Senate May 16, 1983:

OFFICE OF THE U.S. TRADE REPRESENTATIVE

Peter Otto Murphy, of the District of Columbia, to be a Deputy U.S. Trade Representative, with the rank of Ambassador, vice David R. MacDonald, resigned.

COMMODITY CREDIT CORPORATION

Daniel G. Amstutz, of New York, to be a member of the Board of Directors of the Commodity Credit Corporation, vice Seeley Lodwick, resigned.

DEPARTMENT OF LABOR

Janet L. Norwood, of Maryland, to be Commissioner of Labor Statistics, U.S. Department of Labor, for a term of 4 years (reappointment).

FOREIGN SERVICE

The following-named persons of the agencies indicated for appointment or promotion as career members of the Senior Foreign Service of the classes stated, and also for any other appointments indicated:

For reappointment in the Foreign Service as a career member of the Senior Foreign Service, class of Minister-Counselor, a Consular Officer, and a Secretary in the Diplomatic Service of the United States of America:

AGENCY FOR INTERNATIONAL DEVELOPMENT

Philip Birnbaum, of Maryland.

For promotion in the Senior Foreign Service as a career member of the Senior Foreign Service of the United States of America, class of Minister-Counselor:

AGENCY FOR INTERNATIONAL DEVELOPMENT

Allison Butler Herrick, of the District of Columbia.

For appointment as a career member of the Senior Foreign Service, class of Minister-Counselor, a Consular Officer, and a Secretary in the Diplomatic Service of the United States of America:

DEPARTMENT OF AGRICULTURE

Norvan L. Meyer, of Virginia.

For promotion into the Senior Foreign Service as career members of the Senior Foreign Service of the United States of America, class of Counselor:

DEPARTMENT OF COMMERCE

John W. Bligh, Jr., of Florida.
Harrison B. Sherwood, of Minnesota.

For promotion into the Senior Foreign Service as a career member of the Senior Foreign Service, class of Counselor, a Consular Officer, and a Secretary in the Diplomatic Service of the United States of America:

U.S. INFORMATION AGENCY

Gregory J. Moffitt, of Florida.

For appointment as a career member of the Senior Foreign Service of the United States of America, class of Counselor:

DEPARTMENT OF STATE

Richard L. Wilson, Of Iowa.

For appointment as career members of the Senior Foreign Service, class of Counselor, Consular Officers, and Secretaries in the Diplomatic Service of the United States of America:

DEPARTMENT OF STATE

Samuel Karson, of Maryland.

DEPARTMENT OF STATE

Robert E. Reichard, of Texas.

The following-named persons of the Department of State for appointment as Foreign Service Officers of the classes stated, and also for the other appointments indicated herewith:

For reappointment in the Foreign Service as a Foreign Service Officer of class 2, a Consular Officer, and a Secretary in the Diplomatic Service of the United States of America:

Thomas Raymond Hutson, of Maryland.

For appointment as Foreign Service Officers of class 2, Consular Officers, and a Secretaries in the Diplomatic Service of the United States of America:

Edward S. Browne, of California.
H. Marshall Carter, of Texas.
Sharon Stanley Durkee, of New York.
Jennifer Claudette Ward, of the District of Columbia.

For appointment as Foreign Service Officers of class 4, Consular Officers, and Secretaries in the Diplomatic Service of the United States of America:

J. Mikel Alderman, of Georgia.
James Beach Allen, of Florida.
Eduardo J. Baez, of Florida.
William Michael Bartlett, of Florida.
Mark M. Boulware, of Texas.
Patricia A. Butenis, of New Jersey.
Joseph Frank Cuadrado III, of Louisiana.
Scott Danaher, of Florida.
Jeannette P. Dubrow, of Florida.
Laura Patricia Faux-Gable, of Pennsylvania.
Gretchen Anne Gerwe, of California.
Robert D. Goldberg, of Florida.
Charles Daniel Herrington, of Idaho.
Janice Lee Jacobs, of Illinois.
Clyde Lester Jones, of Indiana.
Robert Paul Konrath, of California.
Ronald James Kramer, of Illinois.
Joseph Evan LeBaron, of Oregon.
Eric H. Madison, of the District of Columbia.
John P. Markey, Jr., of Massachusetts.
S. Jean Melvin, of Pennsylvania.
Alice Cook Moore, of Georgia.
Horace Wood Pitkin, of the District of Columbia
Gregory V. Powell, of Illinois.
Jo Ellen Powell, of the District of Columbia.
Patricia Diane Ratcliff, of the District of Columbia.
Alberta I. Rorick, of Indiana.
Angus Taylor Simmons, of California.
Howard Joseph Thomas Steers, of Texas.
Zachary Zalman Teich, of Florida.
Lisa Maria Tender of Massachusetts.
Stephen John Tomchik, of Pennsylvania.
David Randall Van Valkenburg, of Virginia.
Philip R. Wall, of Washington.
Kevin Michael Whitaker, of Virginia.
Mary Jo Wills, of Virginia.
Mark S. Woerner, of Illinois.
Brian Cha Kyung Woo, of Hawaii.

The following-named members of the Foreign Service of the Departments of State and Commerce, and the U.S. Information Agency, to be Consular Officers and/or Secretaries in the Diplomatic Service of the United States of America, as indicated:

Consular Officers and Secretaries in the Diplomatic Service of the United States of America:

Frederick Aalto, of Virginia.
Thomas W. Adams, of the District of Columbia.
Richard R. Ades, of the District of Columbia.
Arthur A. Alexander, Jr., of New York.
Jonathan Mark Aloisi, of Michigan.
Stephen C. Arlinghaus, of Kentucky.
E. Charles Ash, of Minnesota.
Robert William Bethune, of Washington.

Randall Virgil Biggers, of New Mexico.
George W. Biolsi, of Virginia.
Keith R. Bovetti, of California.
Russell F. Brant, of Virginia.
Charles W. Buck, of Michigan.
David Buentello, of Texas.
Helen Bridget Burkart, of Virginia.
Alicia J. Campi, of Virginia.
Margo A. Carlock, of Illinois.
Steven J. Cash, of Oregon.
Clare M. Cavoli, of the District of Columbia.
Judith Beth Cefkin, of Texas.
John R. Chamberlin, of New Hampshire.
Cynthia W. Chard, of Florida.
Timothy Vincent Collins, of the District of Columbia.
Robert J. Coontz, of Virginia.
William A Costanza, of Virginia.
Zahra E. Cox, of Virginia.
William G. Crowell, of Washington.
Raymond Stanley Dalland, Jr., of Maryland.
Louis DeLair, Jr., of Virginia.
D. Purnell Delly, of Virginia.
F. Miguel Pardo de Zela, of the Virgin Islands.
Larry Miles Dinger, of Iowa.
E. Michael Dixon, of Virginia.
Richard S. Dixon, of Virginia.
Marilyn A. Dorn, of Virginia.
Patrick D. Duddy, of Maine.
Jack Kevin Dulberger, of Florida.
Jeffrey L. Dunford, of Virginia.
Scott Edelman, of Virginia.
Dennis M. Fairbanks, of Virginia.
Nancy Connolly Fibish, of Maryland.
Anthony O. Fisher, of Florida.
Linda C. Flohr, of Virginia.
Caron L. Garcia, of California.
Bruce R. Goslin, of Virginia.
Thomas D. Gradisher, of Ohio.
Jocelyn A. Green, of Virginia.
Nikki Hansen, of the District of Columbia.
Ann Hayes, of Massachusetts.
Ellen Hemmendinger, of Virginia.
Angela C. Henrikson, of Virginia.
Kerry Hofferth, of Virginia.
Richard Huff, of Maryland.
Russell C. Huffman, of Virginia.
Arthur W. Huptich, of Maryland.
Bruce G. Hyman, of Virginia.
Laura M. Jackson, of Virginia.
Kevin M. Johnson, of New York.
Lena M. Joseff, of Virginia.
Benjamin R. Justesen II, of North Carolina.
Clare A. Kahn, of Virginia.
Oleg Keikuatov, of Virginia.
Janet L. Koss, of Virginia.
Jan Krc, of Connecticut.
James V. Kulis, of California.
Merrillyn Kulis, of California.
Morgan L. Kulla, of California.
Dennis D. Lamb, of Virginia.
Stanley Langston, of Virginia.
Anne Lauer, of Virginia.
Rober L. Laws, of Virginia.
Paul R. Leach, of Virginia.
Jessica LeCroy, of Texas.
Lawrence T. Leightley, of Virginia.
Kevin A. Lindsey, of Virginia.
Glenn F. Little, of Maryland.
Andrew David Miller, of Michigan.
Daniel Mital, of Minnesota.
Thomas Martin Murphy, of Maryland.
David Dana Nelson, of Maryland.
Thomas M. Newcomb, of Virginia.
Kristen A. Norden, of the District of Columbia.
Brian J. O'Connor, of Connecticut.
Francis M. O'Keefe, of Virginia.
Charles M. Parish, Jr., of California.
Amy Pitts, of North Carolina.
John R. Pugh, Jr., of North Carolina.
Brian Quigley, of Virginia.
Ned Quistorff, of Washington.
Jennifer A. Rachko, of the District of Columbia.
William V. Rapp, of California.
Michael Bernard Regan, of New Jersey.
Beth L. Ritchie, of California.
Alina Romanowksi, of Virginia.
Leslie V. Rowe, of Massachusetts.
Luis Rueda, of Virginia.
Josef Karl Ruth, of the District of Columbia.
Nick Samijlenko, of Virginia.
Parker F. Scofield, of Virginia.
Peter F. Secor, of New York.
Isaiah W. Shaird, of Virginia.
Steven J. Sharp, of Utah.
Gregory H. W. Shaw, of Maryland.
Alan P. Simon, of Virginia.
Donald L. Smith, of Virginia.
Frank Socolow, Jr., of Virginia.
Sheri Kathleen Sprigg, of Montana.
Debra J. Steele, of Virginia.
Russell Thompson, of North Carolina.
Sharon Kathleen Trammell, of South Carolina.
Thomas Wayne Tyler, of Illinois.
Graham T. Undercoffer, of Virginia.
Marc G. Vanden Broeck, of Illinois.
Jeffrey S. Vrabel, of Virginia.
Reuben B. Walkley, of California.
James K. Whelan, of New York.
Sharon Nancy White, of Connecticut.
James P. Wojtasiewicz, of New York.
William M. Yarmy, of New York.

Consular Officers of the United States of America:
Madeleine M. Brown, of South Carolina.
Genevieve C. Dean, of California.
Ying Yeh Price, of Maryland.
James L. Ward, of Virginia.

Secretary in the Diplomatic Service of the United States of America:
Hendrik N. Smit, of Illinois.

The following-named person of the Department of State for appointment as a Foreign Service Officer of class 3, a Consular Officer and a Secretary in the Diplomatic Service of the United States of America, effective March 16, 1982:
Marcie Berman Ries, of Texas.

IN THE COAST GUARD

The following reserve officers of the U.S. Coast Guard to be permanent commissioned officers in the grades indicated:

To be lieutenant commander

James W. Boteler
Robert B. Hurwitt
Michael L. Kudalis
Craig M. Nicholson

To be lieutenant

James M. Collin
Joseph E. Donovan
Deborah M. Dupree
Kenneth D. Elmer
Tom L. Gibson, Jr.
Robert A. Grant
Judith M. Hammond
Dale L. Harrington
James E. Hatfield
Robert A. Hughes
David R. Innis
Daniel E. Kah
Donald J. Klingenberg
John H. Leopold
Robert R. Meeks
Patrick A. Neuman
Jon W. Peterson
John A. Strange
Marc B. Wilson

To be lieutenant (junior grade)

Michael D. Augusta
Robert M. Austin, Jr.
Alan H. Bark
Matthew P. Bernard
Joseph A. Bigley, Jr.
Richard W. Billingsley
Thomas H. A. Blisard
John A. Budde
William T. Burke
Thomas R. Cahill
Bruce D. Chinery
Brian R. Conaway
Stanley V. Cook
James K. Dabney
Philip K. Dagnese
Kevin E. Dale
Garry L. Daniel
Patricia B. Darcy
Frederick T. Darvill
Egbert Dejong
William D. Eley
James M. Farley
Clinton R. Fitts
Jeffrey A. Gabrielson
Edward J. Gleason
Glen E. Hensley
Robert L. Hurst
Michael M. Jefferies
Michael Kopito
Kent F. Krause
Christopher W. Lillie
John D. Lockett
Edward L. Love
Timothy M. Mallon
Joseph P. Marcotte
Lawrence J. Musarra
Michael E. Nelson
Eric A. Nicolaus
Gregory S. Novotny
James M. Overnesser
Waldron J. O'Brien
Robert V. Palombo
Charles L. Prudhomme
James W. Rasmus, Jr.
Henry D. Reed
Thomas C. Riggs
Michael L. Schafersman
Douglas E. Smith
Gary L. Tabony
Robert C. Thompson
Michael D. Valerio
Robert S. Wagenaar

IN THE AIR FORCE

The following officers for appointment in the Regular Air Force under the provisions of section 531, title 10, United States Code, with a view to designation under the provisions of section 8067, title 10, United States Code, to perform duties indicated with grade and date of rank to be determined by the Secretary of the Air Force provided that in no case shall any of the following officers be appointed in a grade higher than that indicated.

MEDICAL CORPS

To be colonel

Anderson, John A., [redacted]
Studwell, Alfred W., [redacted]

To be lieutenant colonel

Kang, Dae O., [redacted]
Orille, Oscar P., [redacted]

To be captain

Heap, Alan F., [redacted]

DENTAL CORPS

To be lieutenant colonel

Jennings, Robert G., [redacted]

To be major

Mansueto, Michael A., [redacted]
Sallustio, Frank W., [redacted]
Sprague, Donald M., [redacted]

To be captain

Bober-Moken, Irene G., [redacted]
Cornelius, Clifford W., [redacted]
Kwan, John, [redacted]
McLendon, William J., [redacted]
Mesaros, Andrews J., Jr., [redacted]
Richardson, Bruce W, [redacted]
Sabatini, Robert, [redacted]
Williams, Gregory P., [redacted]

The following Air Force officer for promotion in the Regular Air Force, under the provisions of sections 1552 and 8299, title 10, United States Code, as amended.

LINE OF THE AIR FORCE

To be major

Washington, Donald L., [redacted]

The following Air Force officers for permanent promotion in the U.S. Air Force, in accordance with section 601, title VI, transition provisions, Defense Officer Personnel Management Act of 1980, with date of rank to be determined by the Secretary of the Air Force.

To be lieutenant colonel

Toenjes, Donald M., [redacted]

To be major

King, Douglas L., [redacted]
Matthews, Roy A., [redacted]
Stackhouse, Asa M., III, [redacted]

The following Air Force officer for promotion in the U.S. Air Force, under the provi-

sions of sections 1552, 8442, and 8447(b), title 10, United States Code, as amended.

To be lieutenant colonel

Toenjes, Donald M., xxx-xx-xxxx

The following-named officer for reappointment to the Active Duty List of the Regular Air Force in the grade indicated under the provisions of sections 1210 and 1211, title 10, United States Code.

CHAPLAIN

To be lieutenant colonel

Guikema, Henry, xxx-xx-xxxx

The following persons for appointment as Reserve of the Air Force, in the grade indicated, under the provisions of sections 593, title 10, United States Code, with a view to designation under the provisions of section 8067, title 10, United States Code, to perform the duties indicated.

MEDICAL CORPS

To be colonel

Blossman, Robert C., xxx-xx-xxxx

To be lieutenant colonel

Blair, Charles E., xxx-xx-xxxx
Hales, Bradley T., xxx-xx-xxxx
Hickman, Thomas J., III, xxx-xx-xxxx
Jenkins, Douglas W., Jr., xxx-xx-xxxx
Manelis, Joseph, xxx-xx-xxxx
Romf, Richar F., xxx-xx-xxxx
Ruda, Richard J., xxx-xx-xxxx

The following persons for appointment as Reserve of the Air Force (ANGUS) in the grade indicated, under the provisions of sections 593 and 8351, title 10, United States Code, with a view to designation under the provisions of section 8067, title 10, United States Code.

MEDICAL CORPS

To be lieutenant colonel

Harpster, Gene O., xxx-xx-xxxx
Ignatius, Richard, xxx-xx-xxxx

The following officer for promotion in the Air Force Reserve, under the provisions of sections 1552 and 8371, title 10, United States Code (EAD).

JUDGE ADVOCATE

To be colonel

Kerr, Nelson R., Jr., xxx-xx-xxxx

The following Air Force officer for appointment as Registrar, U.S. Air Force Academy, under the provisions of section 9333(c), title 10, United States Code.

Wilkinson, Thomas C., xxx-xx-xxxx

IN THE AIR FORCE

The following-named officers for permanent promotion in the U.S. Air Force, under the appropriate provisions of chapter 36, title 10, United States Code, as amended, with dates of rank to be determined by the Secretary of the Air Force.

LINE OF THE AIR FORCE

To be lieutenant colonel

Carnaghie, John A., xxx-xx-xxxx
Eichenseer, John C., Jr., xxx-xx-xxxx
Haberbusch, Alan E., xxx-xx-xxxx
Hilger, David C., xxx-xx-xxxx
Millard, John C., xxx-xx-xxxx
Mitchell, Lyndon B., II, xxx-xx-xxxx
Paddock, Dennis G., xxx-xx-xxxx
Rabata, Francis D., xxx-xx-xxxx
Reddig, Gary A., xxx-xx-xxxx
Russo, Anthony J., xxx-xx-xxxx
Stine, Terrence P., xxx-xx-xxxx
Tepfer, Daniel, xxx-xx-xxxx
Trout, Gary G., xxx-xx-xxxx

BIOMEDICAL SCIENCE CORPS

Dennis, Richard J., xxx-xx-xxxx
Little, Herbert E., xxx-xx-xxxx

LINE OF THE AIR FORCE

To be major

Black, Temple H., xxx-xx-xxxx
Carter, Ted J., xxx-xx-xxxx
Elder, Eric C., xxx-xx-xxxx
Sokolowski, Eugene J. A., xxx-xx-xxxx

IN THE AIR FORCE

The following officers for appointment in the Regular Air Force under the provisions of section 531, title 10, United States Code, with grade and date of rank to be determined by the Secretary of the Air Force provided that in no case shall the officer be appointed in a grade higher than that indicated.

LINE OF THE AIR FORCE

To be lieutenant colonel

Paddock, Dennis G., xxx-xx-xxxx
Reddig, Gary A., xxx-xx-xxxx
Russo, Anthony J., xxx-xx-xxxx

To be major

Black, Temple H., xxx-xx-xxxx

CONFIRMATIONS

Executive nominations confirmed by the Senate, May 16, 1983:

DEPARTMENT OF STATE

Malcolm R. Barnebey, of Texas, a career member of the Senior Foreign Service, class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Belize.

UNITED NATIONS-INTERNATIONAL ATOMIC ENERGY AGENCY

Richard Salisbury Williamson, of Virginia, to be the Representative of the United States of America to the Vienna Office of the United Nations and Deputy Representative of the United States of America to the International Atomic Energy Agency, with the rank of Ambassador.

DEPARTMENT OF STATE

Arthur Winston Lewis, of the District of Columbia, a career member of the Senior Foreign Service, class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Sierra Leone.

DEPARTMENT OF AGRICULTURE

Daniel G. Amstutz, of New York, to be Under Secretary of Agriculture for International Affairs and Commodity Programs.

The above nominations were approved subject to the nominees' commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

U.S. CLAIMS COURT

Moody R. Tidwell III, of Virginia, to be a judge of the U.S. Claims Court for a term of 15 years.

HOUSE OF REPRESENTATIVES—*Monday, May 16, 1983*

The House met at 12 o'clock noon.

The Chaplain, Rev. James David Ford, D.D., offered the following prayer:

Unto You, O God, we open our hearts to the abundance of Your mercies. In this moment of prayer we place before You our concerns whatever they may be. Bless our families and those we love, that we may be to each other a strength in need in all the circumstances of life. Teach us how to forgive each other and know the harmony of spirit that Your grace can give this day and everyday. Amen.

THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Sparrow, one of its clerks, announced that the Senate agrees to the amendments of the House to bills of the Senate of the following titles:

S. 653. An act to amend title 10, United States Code, to establish a Foundation for the Advancement of Military Medicine, and for other purposes; and

S. 957. An act to provide for an increase in the number of members of the Congressional Award Board, and for other purposes.

The message also announced that the Senate had passed a bill of the following title, in which the concurrence of the House is requested:

S. 884. An act to provide for the use and distribution of funds awarded the Red Lake Band of Chippewa Indians in docket numbered 15-72 of the U.S. Court of Claims.

PERMISSION FOR VARIOUS COMMITTEES TO HAVE UNTIL 5 P.M., TUESDAY, MAY 17, 1983, TO FILE SUNDRY REPORTS

Mr. FOLEY. Mr. Speaker, I ask unanimous consent that the following committees have until 5 p.m., Tuesday, May 17, to file reports on the following bills, and that reports filed by that time be considered as being in compliance with section 402(a) of the Budget Act:

The Committee on Energy and Commerce:

H.R. 1707, Independent Safety Board authorization for fiscal years 1984, 1985, and 1986;

H.R. 2713, Public Health Service authorization;

H.R. 2867, Hazardous Waste Control and Enforcement Act 1983; and

H.R. 2970, Federal Trade Commission authorization.

The Committee on Foreign Affairs:

H.R. 2922, authorizing appropriations for fiscal years 1984 and 1985 for international security and development assistance programs.

The Committee on the Judiciary:

H.R. 2230, authorizing appropriations for the Civil Rights Commission; and

H.R. 2909, authorizing appropriations for the Legal Services Corporation.

The Committee on Public Works and Transportation:

H.R. 1707, Independent Safety Board authorization for fiscal years 1984, 1985, and 1986;

H.R. 1244, Federal Capital Investment Program Information Act of 1983;

H.R. 2544, Emergency Public Works Employment Act of 1983; and

H.R. 2605, Kennedy Center authorization for fiscal year 1984.

The SPEAKER. Is there objection to the request of the gentleman from Washington?

There was no objection.

REAGAN POLICY JEOPARDIZING FUTURE AGRICULTURAL EXPORTS

(Mr. GLICKMAN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GLICKMAN. Mr. Speaker, I want to focus the attention of this House on a position taken by the Reagan administration which is costing our farmers hundreds of millions of dollars in lost export sales opportunities, and jeopardizing the future of an export market worth almost $2 billion to American agriculture. This regrettable situation has been brought about by a dispute between the Reagan administration and the Chinese Government over $34 million of Chinese textile imports. Consistent with a personal commitment the President made to negotiate import agreements which protect the domestic textile industry's market share, and to continue textile negotiations with China "independent from other considerations," in the President's written words, the administration imposed quotas on textile imports from China in January, precipitating the current dispute.

As a result, the Chinese are buying only the minimum amount of agricultural commodities required under our present agreement, and instead have been filling their needs at the ports and terminals of our competitors. Substantial sales have and will be lost to Argentina and the European Economic Community while this textile dispute continues. One major U.S. exporter estimates that this bickering has cost our farmers at least $400 million in lost sales of wheat alone. That loss is easily more than 10 times the value of the textiles in dispute. The cost of this protectionist action is coming out of the hide of the agricultural community, where it is imposing a financial burden that is far out of proportion to the scope of the original dispute.

I urge the President in the strongest possible terms to recognize the gross inequity his textile import policies have created, and to move swiftly and decisively to resolve this controversy in order to let us begin to reverse the damage that has already occurred and to prevent this valuable market from going down the drain completely.

PERMISSION FOR COMMITTEE ON ENERGY AND COMMERCE TO FILE REPORT ON H.R. 2350, HEALTH RESEARCH EXTENSION ACT

Mr. WAXMAN. Mr. Speaker, I ask unanimous consent that the Committee on Energy and Commerce have until midnight on Monday, May 16, 1983, to file its report on H.R. 2350, the Health Research Extension Act, and that the report filed by that time be considered to have been filed within the time permitted by section 402(a) of the Congressional Budget Act of 1974 with respect to fiscal year 1984.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

NO GOOD GUYS IN EL SALVADOR

(Mr. RICHARDSON asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. RICHARDSON. Mr. Speaker, over the weekend there were reports of killings in El Salvador of a group of guerrillas going into a small village and decimating 11 people.

There also were reports over the weekend that the archbishop of El Salvador estimated that over 300 were killed in El Salvador in the month of April.

Mr. Speaker, many times, and I have been one of those included, many have railed claims against the human rights policies of the rightwing Government of El Salvador. I am a critic of the President's policy because I think it is leading us into a quagmire.

Nonetheless, I think what we have to see by virtue of these atrocities is that there are no good guys. Atrocities should be condemned whether the right or the left does it.

The guerrillas, by doing this, show that their interest in peace and negotiations is just as minimal and as bad as the other side.

I just would like to acknowledge this in the quest of nonetheless trying to achieve a policy that brings negotiations by both parties.

CONTEMPT PROSECUTION OF RITA M. LAVELLE

(Mr. DINGELL asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DINGELL. Mr. Speaker, the first business before the House on Wednesday next will be a resolution calling for the Speaker to certify the report of the Committee on Energy and Commerce regarding the former EPA official Rita M. Lavelle's contempt of Congress to the U.S. attorney for criminal prosecution. This matter was reported to the House by unanimous vote of the committee with Members on both sides in support.

I can inform the House that a report will be filed today strongly supporting supplemental views being filed by members of the committee on both sides. It will, however, take until later today to obtain all of the signatures.

PERMISSION FOR COMMITTEE ON ENERGY AND COMMERCE TO FILE REPORT CALLING FOR CERTIFICATION OF RESOLUTION REGARDING RITA M. LAVELLE

Mr. DINGELL. Mr. Speaker, I ask unanimous consent that the Committee on Energy and Commerce may have until midnight tonight, Monday, May 16, 1983, to file the report calling for the Speaker to certify the resolution regarding the contempt of Congress of Rita M. Lavelle to the U.S. attorney for criminal prosecution so that it can be printed in tomorrow's RECORD and be available to the Members in adequate time for consideration in connection with this matter on Wednesday next.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

PROCEEDINGS AGAINST RITA M. LAVELLE (H. REPT. NO. 98-190) REFERRED TO THE HOUSE CALENDAR

Mr. DINGELL, from the Committee of Energy and Commerce, submitted the following report together with supplemental views

I. INTRODUCTION

On April 26, 1983, the Committee on Energy and Commerce unanimously adopted a resolution finding Ms. Rita M. Lavelle, former Assistant Administrator of the Environmental Protection Agency (EPA), in contempt of Congress for failing to appear and testify as called for by a subpoena authorized by the Subcommittee on Oversight and Investigations and personally served on her on February 23, 1983. As the senior official who was, until recently, in charge of EPA's hazardous waste programs, Ms. Lavelle stands in a unique position to respond to the serious concerns of the Subcommittee—and of the Congress and the American people—about the agency's discharge of its duty to protect the public from hazardous wastes, to clean them up promptly, using the $1.6 billion Superfund, and to secure reimbursement from those responsible.

Ms. Lavelle stood at the center of an apparent maelstrom of conflicting directives and priorities during her tenure at the EPA. Serious allegations have been raised that she subordinated the public trust to the pressures of industry and to the vicissitudes of politics. Serious questions have been raised about the adequacy of the Superfund Act to address the problems of disposal of hazardous waste. No one had a better vantage point from which to observe defects in the Act than Ms. Rita Lavelle. And, no one had a more important responsibility and stewardship for the administration and implementation of the Act.

Given her failure to appear and testify on March 21, 1983, as directed by the Subcommittee's subpoena, the Subcommittee on Oversight and Investigations on that day resolved unanimously, by voice vote, that Ms. Lavelle be found in contempt and directed its Chairman to report that finding to the Committee on Energy and Commerce for appropriate action. On April 26, 1983 the Committee, a quorum being present, duly considered the referral from the Subcommittee on Oversight and Investigations and adopted by unanimous voice vote the following resolution offered by Representative Sikorski:

"*Resolved*, That the Committee on Energy and Commerce report and refer the failure of Rita M. Lavelle to appear and testify before the Subcommittee on Oversight and Investigations as called for by a subpoena *ad testificandum* authorized by the Subcommittee on February 10, 1983, issued on February 16, 1983, and duly served on February 23, 1983, together with all facts in connection therewith, to the House of Representatives with the recommendation that Rita M. Lavelle be cited for contempt of the House of Representatives to the end that she may be proceeded against in a manner and form provided by law."

The Committee herewith transmits its report and recommended resolution that the Speaker of the House certify this report to the U.S. Attorney to prosecute Ms. Lavelle for contempt of Congress, pursuant to the provisions of Title 2, United States Code, Sections 192 and 194.

II. FACTS, BACKGROUND, AND CHRONOLOGY

As discussed more fully, *infra*, the Subcommittee on Oversight and Investigations has been committed to a virtually continuous investigation of the Nation's hazardous waste problem since 1978. In early 1982, the focus of this investigation was directed at the administration and implementation by EPA of the Comprehensive Environmental Response, Compensation, and Liability Act—commonly known as the Superfund Act. As the Subcommittee's fact finding proceeded, and as the full dimension of poor management and improper influence on decisions affecting public health and safety began to materialize, a serious effort was made to impede the course of the Subcommittee's investigation. The two most egregious examples were the refusal by the executive branch (relying upon a disingenuous claim of Executive Privilege) to turn over certain EPA documents subpoenaed by the Subcommittee and refusal by EPA to permit Subcommittee staff to engage in unfettered interviews with EPA employees.

To maintain the progress of its investigation and to obtain the necessary information from EPA employees, the Subcommittee met on February 10, 1983 and by majority vote, a majority being present, authorized the issuance of thirty-nine subpoenas *ad testificandum* and *duces tecum* to various current and past EPA officials and employees.[1]

Three of these subpoenas are pertinent to the issue at hand. Two of them were subpoenas *duces tecum* calling for the appearance of the named party at a Subcommittee hearing on February 17, 1983 and calling for the production of all appointment books, diaries, calendars and telephone logs of Rita Lavelle maintained by her or her staff between November 6, 1981 and February 5, 1983.[2] One of the two subpoenas *duces tecum* was directed to then EPA Administrator Anne M. Gorsuch,[3] the other was directed to Ms. Lavelle. The third subpoena, and the one directly involved here, called for Ms. Lavelle's testimony before the Oversight and Investigations Subcommittee on March 21, 1983.

THE SUBPOENAS DUCES TECUM

The Burford subpoena *duces tecum* was served on February 10, 1983.[4] Service of the Lavelle subpoena *duces tecum* was more difficult.[5] After press accounts over the weekend of February 12 and 13 quoting Ms. Lavelle as indicating her willingness to cooperate with Congressional Committees, the Subcommittee staff contacted her counsel, James J. Bierbower, on February 14 to advise him of the subpoena's requirements for documents and testimony and to arrange

[1] The Minutes of the Subcommittee meeting reflect that a quorum (a majority of the Subcommittee Members) was present for the vote on the authorization of these subpoenas and that the vote was unanimous.

[2] At the time these subpoenas were authorized, Ms. Lavelle was no longer at EPA. She had been fired by Ms. Gorsuch on February 4, 1983 and again by the President on February 7, 1983.

[3] During the pendency of the Subcommittee's investigation, Mrs. Gorsuch was married and changed her surname to Burford. For consistency, this Report refers to her as Mrs. Burford.

[4] Service was accepted on behalf of the EPA Administrator, pursuant to her authority, by Richard H. Mays.

[5] A chronology of all events pertinent to the subpena *duces tecum* and to the subpoena *ad testificandum* is annexed as Appendix I.

for service. Efforts on February 14 and 15 to reach an agreement with Mr. Bierbower for Ms. Lavelle to accept service were unavailing. Staff's independent efforts to locate Ms. Lavelle and serve her personally on February 14 and 15 were likewise unsuccessful. On the afternoon of February 16, therefore, staff served Mr. Bierbower with the subpoena *duces tecum* (return on which was due the following day). Mr. Bierbower acknowledged service in writing and also told staff that in the meantime he had voluntarily provided to the Senate Committee on Environment and Public Works, earlier that day, Ms. Lavelle's 1982 appointment book-calendar. He did this with full knowledge that the Subcommittee's subpoena *duces tecum* called for its production. The staff of the Senate Committee has informed Subcommittee staff that it did not request, and had no reason to expect, the delivery of this document.

On the evening of February 16, Mrs. Burford provided documents within her possession responsive to the subpoena directed to her for the appointment books and calendars of Ms. Lavelle. In light of that delivery, her personal appearance was not required. However, Ms. Lavelle did not respond to the subpoena *duces tecum* served on her Counsel the previous day. She did not appear at the February 17, 1983 hearing and no documents were supplied. In response to Chairman Dingell's February 18 letter advising Mr. Bierbower that the Subcommittee viewed his client's failure to appear as "direct defiance of a duly authorized subpoena of the House of Representative," Mr. Bierbower stated in a February 25 letter that because Ms. Lavelle was not personally served with the subpoena *duces tecum* "she was not obliged to appear." [6]

In view of the fact that (1) the Subcommittee received from Mrs. Burford the materials called for in the subpoena directed to her (which duplicated the specifications of the subpoena *duces tecum* directed to Ms. Lavelle), (2) the Subcommittee staff obtained a copy of the 1982 Lavelle calendar voluntarily supplied to the Senate Environment and Public Works Committee, and (3) Mr. Bierbower assured the Subcommittee staff orally and in writing that Ms. Lavelle took only "her purse and handkerchief" when she left her office at EPA and the 1982 calendar was the only document under her control which was covered by the subpoena, the Subcommittee and the Committee have not, at this time, pursued Ms. Lavelle's failure to comply with the subpoena *duces tecum* as a separate element of contumacious conduct. However, Chairman Dingell's February 18 letter advised Mr. Bierbower that when Ms. Lavelle appears before the Subcommittee in response to its process, it will inquire into the "full facts and circumstances" surrounding her failure to appear and produce documents on February 17, 1983 in response to the subpoena *duces tecum*.

The Subpoena Ad Testificandum

While the Subcommittee staff was attempting to obtain agreement from Mr. Bierbower on February 15 for Ms. Lavelle to accept service of the subpoena *duces tecum*, he was advised by the staff that the Subcommittee had also authorized a subpoena *ad testificandum* calling for Ms. Lavelle's broad testimony at a later date.[7] When Ms. Lavelle failed to comply with the subpoena *duces tecum* on February 17, Chairman Dingell wrote Ms. Bierbower on February 18 and advised him that he had directed the staff to serve the subpoena *ad testificandum* forthwith.

The Subcommittee engaged a professional process server on February 18 who attempted without success to serve Ms. Lavelle over the next two days. When it was learned on February 20 that Ms. Lavelle had agreed to appear voluntarily before the Senate Environment and Public Works Committee on February 23, the process server was told to halt his efforts, since the staff intended to serve Ms. Lavelle in the Senate office building before her Senate appearance. On February 22, the Subcommittee staff arranged with the Senate Committee staff to serve Ms. Lavelle in the Senate Committee offices immediately prior to her appearance.

At 9:47 a.m. on February 23, 1983, two members of the Subcommittee staff personally served the subpoena *ad testificandum* on Ms. Lavelle. She was waiting to appear, sitting in an inside office of the Senate Committee offices, when a Senate staff member entered first and advised her that the staff from the Oversight and Investigations Subcommittee had arrived to deliver a subpoena. The Senate staff member emerged and told Subcommittee staff that Ms. Lavelle "preferred to be served in front of the television cameras." The Subcommittee staff stepped into the office and handed a copy of the subpoena to Ms. Lavelle together with the Rules of the House applicable to the Committee and Subcommittee. She read the subpoena, said "okay", and asked if she would have the opportunity to review the Subcommittee's materials prior to her appearance on March 21. She was advised to contact the Subcommittee's Chief Counsel and Staff Director, Michael Barrett, to address that matter. When Mr. Bierbower arrived a few moments later, staff advised him that they had just served Ms. Lavelle with a subpoena calling for her testimony on March 21, 1983. When Ms. Lavelle asked Mr. Bierbower if she should sign the subpoena to acknowledge its receipt, he advised her not to do so.

In her voluntary testimony later that morning before the Senate Committee, Ms. Lavelle stated that:

Also for the record I will say that I was not served a subpoena until this morning. I will be appearing tomorrow and have been working with the House so as to appear when they deem it appropriate to appear and will stand by that commitment.

The next day, February 24, she appeared voluntarily before the House Committee on Public Works and Transportation.

On March 4, 1983 the Subcommittee received a letter from Mr. Bierbower, dated February 25, acknowledging Chairman Dingell's February 18 letter. Mr. Bierbower explained (as noted earlier) that Ms. Lavelle did not comply with the Subcommittee's subpoena *duces tecum* because she had not been personally served. He also stated:

As you probably know, Ms. Lavelle was served personally, on February 23, with a subpoena calling for her appearance on March 21, 1983.

On Friday, March 18, 1983, at 4:00 p.m., the Subcommittee received a letter from Mr. Bierbower dated March 17, 1983 bearing the notation: "BY HAND". The letter stated:

Please be advised that our client, Ms. Rita Lavelle, will not be present at 10:00 a.m. on March 21, 1983. We are filing a lawsuit which will set forth our position with respect to the subpoena.[8]

Ms. Lavelle is willing to appear before your Committee at some future date. However, as Ms. Lavelle has stated, she left EPA with her purse and handkerchief. It seems only fair to permit her to review the files now in your Committee's possession, prior to her testimony.

May we arrange some time, in advance of the new hearing date, for Ms. Lavelle to review the documents?

The Subcommittee Chief Counsel immediately telephoned Mr. Bierbower and advised him that the Subcommittee expected Ms. Lavelle to appear the following Monday (March 21) and that, should she not appear, the Chairman would seek a motion to adopt a resolution finding Ms. Lavelle in contempt. Mr. Bierbower said he understood.

Ms. Lavelle did not appear before the Subcommittee on March 21, 1983 as directed by the subpoena *ad testificandum*. Consequently, the Subcommittee, a quorum being present for the purposes of transacting business,[9] unanimously by voice vote adopted the following resolution offered by Representative Gore:

"Resolved, That the Subcommittee on Oversight and Investigations, conducting an investigation under authority of Rules X and XI of the House of Representatives, finds Rita M. Lavelle in contempt of Congress for contumacious failure to appear and testify as called for by a subpoena *ad testificandum* authorized by the Subcommittee on February 10, 1983, issued on February 16, 1983, and duly served on February 23, 1983, and the Subcommittee directs its Chairman to report such finding to the Committee on Energy and Commerce for such action as the Committee deems appropriate."

The Subcommittee's Chief Counsel wrote Mr. Bierbower on March 23 to advise him of the adoption of the resolution and to supply a copy of the resolution. Mr. Barrett urged Mr. Bierbower to communicate expeditiously with the Subcommittee on any matter of concern to him, because it was the Subcommittee's intention to forward the resolution to the full Energy and Commerce Committee as early as the week of April 11, 1983.

On March 24, 1983 Chairman Dingell received a letter from Mr. Bierbower, dated March 22, 1983, again bearing the notation: "BY HAND", expressing disappointment with the Subcommittee's vote, stating Ms. Lavelle's willingness "to appear at some future date," and contending that Ms. Lavelle should be permitted to review the files in the Committee's possession prior to her testimony.

No further communication occurred until April 12 when Subcommittee Chief Counsel Mr. Barrett telephoned Mr. Bierbower. Mr. Barrett informed him that the Subcommittee still expected to receive his client's testimony, and that the Committee intended to consider the contempt resolution expeditiously if Ms. Lavelle did not appear before

[6] Copies of all correspondence referred to in this Report are included in chronological order as Appendix II.

[7] A copy of the subpoena is attached as Appendix III.

[8] A complaint raising specious allegations was filed but has, to this day, never been served on any named defendant. See Appendices IV and V.

[9] The record of the Subcommittee's March 21, 1983 hearing reflects that eight Members were present and voted on the resolution finding Ms. Lavelle in contempt.

the Subcommittee. Mr. Barrett also advised him that documents delivered to the Subcommittee by Mrs. Burford pursuant to the subpoena *duces tecum*—documents taken from Ms. Lavelle's office which constituted her appointment books, calendars, etc.—would be made available to Ms. Lavelle for her review in advance of her testimony. Mr. Bierbower told Mr. Barrett that he would speak with his client and call Mr. Barrett the next day. No phone call was received.

On April 18, 1983, the Committee on Energy and Commerce scheduled a meeting for April 26 to consider the contempt resolution against Rita M. Lavelle. Mr. Barrett wrote to Mr. Bierbower on April 20 to advise him of the scheduled meeting and to remind him of his unfulfilled promise to contact Mr. Barrett concerning Ms. Lavelle's availability to testify and the offer previously made to allow Ms. Lavelle to review documents in the Subcommittee's possession.

On April 25, 1983, Mr. Bierbower responded to Mr. Barrett's April 20 letter. He stated that Ms. Lavelle remained "ready to testify" before the Subcommittee. He requested additional time to allow her to review all of the Subcommittee materials which pertained to her testimony, explaining that Ms. Lavelle has been job hunting in California and that he has had other engagements of long standing. Mr. Bierbower also suggested that the Subcommittee obtain copies of all of Ms. Lavelle's prior testimony before the House of Representatives and provide it to him for review.

On April 26, 1983, the Committee on Energy and Commerce met to consider the resolution forwarded by the Oversight and Investigations Subcommittee to hold Rita Lavelle in contempt. A quorum was present for the transaction of business,[10] and by voice vote the Committee unanimously adopted the contempt resolution offered by Representative Sikorski and quoted above.

III. Authority and Legislative Purpose

The authority of the Congress to obtain information is clear from Article I of the Constitution and from interpretation of that power by the Supreme Court. The investigatory power is so essential to the legislative function that it is implied from the general vesting of legislative power in Congress. Moreover, the power to investigate extends beyond inquiries relating to the administration of existing laws, or the need for new laws. Congress must be able to inquire into, and to pursue, evidence of corruption, inefficiency, or waste to ensure that the nation's laws are fully and fairly implemented. *McGrain* v. *Daugherty*, 275 U.S. 135, 174-75, (1927); *Watkins* v. *United States*, 354 U.S. 178, 187 (1957); *Barenblatt* v. *United States*, 360 U.S. 109, 111 (1959). On four recent occasions, the House of Representatives has vindicated the fundamental Congressional interest in obtaining testimony in furtherance of an investigation by resolving that individuals be cited for contempt for failure to appear or to testify in response to compulsory process. Proceedings Against G. Gordon Liddy, H.R.Rep. No. 93-453, 93rd Cong., 1st Sess. (1973); Proceedings Against Claude Powell, H.R.Rep. 95-1080, 95th Cong., 2nd Sess. (1978); Proceedings Against Hancho Kim, H.R.Rep. 95-1214, 95th Cong., 2nd Sess. (1978); Proceedings Against O. Robert Fordiani, H.R.Rep. 96-1078, 96th Cong., 2nd Sess. (1980).

[10] The Minutes of the Committee's April 26, 1983 meeting reflect that a quorum (a majority of the Committee Members) was present for the vote on the contempt resolution.

Rule X of the Rules of the House of Representatives charges the Committee on Energy and Commerce with jurisdiction over "interstate and foreign commerce generally" and "public health."[11] Under this authority, the Subcommittee on Commerce, Transportation, and Tourism, and the Committee on Energy and Commerce (then designated as the Committee on Interstate and Foreign Commerce), authored Title I of the Comprehensive Environmental Response, Compensation, and Liability Act—commonly known as the Superfund Act. As the oversight arm of the Committee on Energy and Commerce, the jurisdiction of the Subcommittee on Oversight and Investigations is concurrent with that of the parent Committee. Under Rule X, the Subcommittee on Oversight and Investigations is charged with the responsibility to "review . . . the application, administration, execution, and effectiveness of those laws . . ." within the jurisdiction of the Committee on Energy and Commerce and to oversee the "operation of the Federal agencies . . . having responsibilities . . . for the administration and execution" of the laws within our jurisdiction. In addition, the Oversight Subcommittee is required to "study any conditions or circumstances which may indicate the necessity or desirability of enacting new or additional legislation" within the jurisdiction of the Committee.

The Oversight Subcommittee's involvement in finding solutions to the problems presented by hazardous waste has been significant and longstanding. The Subcommittee has held approximately 30 hearings and issued three reports on the subject of hazardous waste disposal since October 1978. The Subcommittee's comprehensive report on hazardous waste disposal issued in September 1979 played a major role in spurring enactment of the Superfund legislation in 1980. The Subcommittee issued a report in October of 1979 on its own survey of waste disposal sites. The survey, which constituted the first national survey of its kind, identified 3,383 disposal sites used since 1950 by the 53 largest domestic chemical companies. Approximately 2,000 of those sites were previously unknown to EPA, and the Agency thereafter began its own survey of waste sites.

The current investigation by the Subcommittee has raised serious questions about both the adequacy of the Superfund Act and the administration of that Act by the EPA. Further concerns have been raised that certain policies and procedures were instituted by senior management officials which delayed the effective implementation of the Superfund program. The Subcommittee long ago arrived at the point in its investigation where the testimony of Rita Lavelle was critical to the effective pursuit of its inquires. As the EPA official who was in charge of implementation of the laws addressing the problem of hazardous wastes, her testimony is essential to the Subcommittee's review of the effectiveness and administration of these laws, and of the effectiveness of Federal enforcement actions to require cleanup of hazardous waste sites by responsible parties and to recover Federal cleanup costs from responsible parties.

In short, based upon clearly articulated jurisdiction and upon continuing substantial legislative and investigative activity, the authority and legislative purpose of the Committee on Energy and Commerce and its Oversight Subcommittee to inquire into the EPA's administration of Superfund—and to compel the attendance of the former official directly responsible for its implementation—is simply not open to question.

[11] Pertinent portions of the Rules are set forth in Appendix VI.

IV. Findings

1. The Subcommittee on Oversight and Investigations of the Committee on Energy and Commerce has the jurisdiction and authority to conduct an investigation into the adequacy and administration of the Comprehensive Environmental Response, Compensation, and Liability Act.

2. In furtherance of that investigation, a subpoena *ad testificandum* was directed to Ms. Rita M. Lavelle. The subpoena was lawfully authorized on February 10, 1983 and was personally served on February 23, 1983.

3. Ms. Lavelle's failure to appear as directed by the subpoena constitutes a contumacious refusal to comply with the lawful process of the Subcommittee on Oversight and Investigations, the Committee on Energy and Commerce, and the House of Representatives of the United States.

V. Conclusions

The position of the Committee is that all substantive and procedural legal prerequisites have been satisfied to date and that the House of Representatives should adopt the following resolution to refer the matter to the appropriate U.S. Attorney. Title United States Code, Sections 192 and 194 provide the necessary vehicles for taking this action. Section 192 provides the basis for indictment should a witness fail to appear in response to a subpoena. Section 194 provides the vehicle for certifying such a result to the appropriate U.S. Attorney.

It is the position of the Committee that the proceedings to date are in order, and we recommend that the House adopt the following resolution to report the fact of the refusal of Rita M. Lavelle to appear and testify at a meeting of the Subcommittee on Oversight and Investigations on March 21, 1983, together with all the facts in connection therewith to the end that she may be proceeded against as provided by law.

VI. Recommendation

The Committee recommends that the House respond to Ms. Lavelle's defiance of its lawful process by initiating the statutory procedures for having her prosecuted for contempt of Congress. Accordingly, the Committee submits the following resolution for adoption by the House of Representatives:

RESOLUTION OF HOUSE THAT THE SPEAKER CERTIFY THE REPORT OF RITA M. LAVELLE'S CONTEMPT OF CONGRESS TO THE U.S. ATTORNEY FOR CRIMINAL PROSECUTION

Resolved, that pursuant to 2 U.S.C. 192 and 194, the Speaker of the House certify the report of the Committee on Energy and Commerce, detailing the refusal of Rita M. Lavelle to obey a lawful subpoena of the House of Representatives and to testify before the Subcommittee on Oversight and Investigations of the House Committee on Energy and Commerce, to the U.S. Attorney for the District of Columbia to prosecute the said Ms. Lavelle for contempt of Congress.

Appendix I

CHRONOLOGY OF SUBCOMMITTEE ON OVERSIGHT AND INVESTIGATIONS SUBPOENAS DIRECTED TO RITA M. LAVELLE

FEBRUARY 10, 1983

Subcommittee on Oversight and Investigations authorizes the issuance of 39 subpoe-

nas including one directed to then EPA Administrator Anne M. Gorsuch for the production of all appointment books, diaries, calendars and telephone logs of former EPA official, Rita M. Lavelle, maintained by her or her staff. Another subpoena is directed to Ms. Lavelle calling for the production of records described in the subpoena to Administrator Gorsuch, and also calling for her personal appearance before the Subcommittee on February 17, 1983. A third subpoena *ad testificandum* is also authorized for Ms. Lavelle's testimony at a later date.

FEBRUARY 12-13, 1983

Press accounts over this weekend quote Ms. Lavelle as indicating that she will cooperate with Congressional Committees seeking to hear from her.

FEBRUARY 14, 1983

A.M.—Subcommittee counsel telephones Ms. Lavelle's counsel, James Bierbower in an effort to arrange a mutually convenient service of process. Mr. Bierbower is advised of the subpoena's requirements. Bierbower says he will discuss the matter with his client and call back later in the day.

5:30 P.M.—Not having heard from Mr. Bierbower, Subcommittee counsel places call to Mr. Bierbower. Counsel is informed that Mr. Bierbower is away from his desk but he will be given a message to return the call.

6:35 P.M.—Not having heard from Mr. Bierbower, Subcommittee counsel again calls Mr. Bierbower. Mr. Bierbower answers the phone and informs counsel that he will work on the matter that evening and requests that counsel telephone him at 9:00 A.M. on February 15, 1983. Additionally, Mr. Bierbower mentions the existence of Ms. Lavelle's combination appointment book-calendar for 1982. Mr. Bierbower is reminded that all items of that nature are covered by the subpoena.

FEBRUARY 15, 1983

9:10 A.M.—Mr. Bierbower is telephoned by Subcommittee counsel. Bierbower confirms the existence of the 1982 appointment book-calendar, and indicates that he is considering turning them over to the FBI. Once again, Mr. Bierbower is advised that the subpoena called for the production of these documents. Mr. Bierbower is further advised that a second subpoena calling for Ms. Lavelle's broad testimony at a later date providing him ample time to prepare his client, has also been authorized. Mr. Bierbower says he is meeting with his client shortly and will respond that morning.

12:25 P.M.—Not having heard from Mr. Bierbower, staff visits his law office with the intent to serve Ms. Lavelle. Mr. Bierbower advises she is not present; he refuses to discuss the matter further; and, only after insistence by the staff, does he agree to call the staff later that afternoon.

Midafternoon—Subcommittee Staff Director attempts unsuccessfully to talk to Mr. Bierbower, who does not return the call.

1:30 P.M.—Subcommittee staff attempts unsuccessfully to serve Ms. Lavelle at her Arlington, Virginia apartment.

7:35 P.M.—Subcommittee staff again attempts unsuccessfully to serve Ms. Lavelle at her Arlington, Virginia apartment. Female answers telephone call from staff, and identifies herself as a girlfriend of Ms. Lavelle's, but declines to give her name. She is given the staff's home and work phone numbers and is asked to have Ms. Lavelle return the call. Ms. Lavelle does not call.

FEBRUARY 16, 1983

4:00 P.M.—Mr. Bierbower is served by staff with the first subpoena and is informed that it calls for the production of documents and testimony of his client before the Subcommittee the following morning. Mr. Bierbower acknowledges by signature, his receipt of the subpoena. He further indicates that certain documents called for in the subpoena—specifically Ms. Lavelle's 1982 calendar—have been supplied to the Senate Committee on Environment and Public Works earlier that day. In response to the staff's inquiry, Mr. Bierbower tells staff that those books have been supplied voluntarily at his initiative.

6:00 P.M.—Mrs. Gorsuch delivers material called for in the subpoena directed at her calling for documents of Ms. Lavelle.

FEBRUARY 17, 1983

11:05 A.M.—Subcommittee convenes hearing to receive documents and testimony in response to first subpoena. Ms. Lavelle does not appear. Subcommittee staff testifies to facts surrounding service and attempts of service of subpoena.

FEBRUARY 18, 1983

Chairman Dingell sends certified letter to Mr. Bierbower informing him that "The Subcommittee views Ms. Lavelle's failure to appear last Thursday morning to be in direct defiance of a duly authorized subpoena of the House of Representatives". The letter further states "When Ms. Lavelle appears before the Subcommittee in response to the subpoena *ad testificandum*, the Subcommittee will also inquire into the full facts and circumstances surrounding Ms. Lavelle's failure to appear and produce documents in response to a subpoena served upon you on February 16th."

Subcommittee hires professional process server to serve subpoena *ad testificandum* on Ms. Lavelle. Attempts to serve subpoena throughout the day are unsuccessful.

FEBRUARY 19, 1983

Professional process server makes several unsuccessful attempts to serve Ms. Lavelle thoughout the day.

FEBRUARY 20, 1983

Senator Chafee announces that Ms. Lavelle will appear and testify before the Senate Committee on Environment and Public Works on Wednesday, February 23, 1983, at 10:00 A.M.

Professional process server is notified to halt further attempts at service; as it is the Subcommittee's intent to serve Ms. Lavelle before her Senate appearance.

FEBRUARY 22, 1983

Staff arranges with the staff of the Senate Committee on Environment and Public Works to serve Ms. Lavelle in their offices prior to her 10:00 A.M. appearance.

FEBRUARY 23, 1983

9:47 A.M.—Ms. Lavelle is personally served with subpoena *ad testificandum* by Subcommittee staff in the offices of the Senate Committee on Environment and Public Works. Ms. Lavelle reads the subpoena and says "Okay". Ms. Lavelle asks if she will be given the opportunity to review the Subcommittee's material before she testifies on March 21. Ms. Lavelle is advised to contact the Subcommittee Staff Director in that regard. Mr. Bierbower directs Ms. Lavelle not to sign the subpoena acknowledging receipt.

10:00 A.M.—Ms. Lavelle testifies voluntarily before the Senate Committee on Environment and Public Works. She testifies that:

Also for the record I will say I was not served a subpoena until this morning, I will be appearing tomorrow and have been working with the House so as to appear when they deem it appropriate to appear and will stand by that commitment.

FEBRUARY 24, 1983

10:00 A.M.—Ms. Lavelle appears voluntarily before the House Committee on Public Works and Transportation.

MARCH 4, 1983

9:40 A.M.—Subcommittee receives letter from Mr. Bierbower to Chairman Dingell dated February 25, 1983 acknowledging receipt of Chairman Dingell's letter of February 18, 1983. Mr. Bierbower's letter reads:

Ms. Lavelle was not served personally with a subpoena which called for her appearance on February 17, 1983. Therefore, it is my position that she was not obliged to appear.

As you probably know, Ms. Lavelle was served personally, on February 23, with a subpoena calling for her appearance on March 21, 1983.

MARCH 18, 1983

4:00 P.M.—Subcommittee receives letter from Mr. Bierbower to Chairman Dingell dated March 17, 1983 and noted "BY HAND". Mr. Bierbower's letter states

Please be advised that our client, Ms. Rita Lavelle, will not be present at 10:00 a.m. on March 21, 1983. We are filing a lawsuit which will set forth our position with respect to the subpoena.

Ms. Lavelle is willing to appear before your Committee at some future date. However, as Ms. Lavelle has stated, she left EPA "with her purse and handkerchief." It seems only fair to permit her to review the files now in your Committee's possession, prior to her testimony.

May we arrange some time, in advance of the new hearing date, for Ms. Lavelle to review the documents?

Subcommittee Staff Director telephones Mr. Bierbower to ask if he understands that the Subcommittee fully expects Ms. Lavelle's testimony on Monday, and that should she not appear, the Chairman will seek a motion of contempt against Ms. Lavelle. Mr. Bierbower indicates that he understands these facts.

MARCH 21, 1983

10:00 A.M.—Subcommittee convenes hearing to receive the testimony of Rita Lavelle in response to subpoena *ad testificandum*. As a result of Ms. Lavelle's failure to appear, the Subcommittee approves the following resolution without objection:

Resolved, that the Subcommittee on Oversight and Investigations, conducting an investigation under authority of Rules X and XI of the House of Representatives, finds Rita M. Lavelle in contempt of Congress for contumacious failure to appear and testify as called for by a subpoena *ad testificandum* authorized by the Subcommittee on February 10, 1983, issued on February 16, 1983, and duly served on February 23, 1983, and the Subcommittee directs its Chairman to report such finding to the Committee on Energy and Commerce for such action as the Committee deems appropriate.

MARCH 23, 1983

Subcommittee Staff Director, Michael Barrett, writes to Mr. Bierbower to advise him of the Subcommittee's action and the intent of the Subcommittee to forward the

resolution to the full Committee during the week commencing April 11, 1983.

MARCH 24, 1983

Committee receives letter from Mr. Bierbower to Chairman Dingell dated March 22, 1983, and noted "BY HAND". Mr. Bierbower writes:

Your Subcommittee's contempt vote was a disappointment. However, Ms. Lavelle remains willing to appear at some future date. I still contend you should permit her to review the files now in your Committee's possession, prior to her testimony.

May I again suggest that we arrange some time, in advance of a new hearing date, for Ms. Lavelle to review the documents?

APRIL 12, 1983

10:15 A.M.—Having received no further communication from Mr. Bierbower, Mr. Barrett places telephone call to him. Mr. Barrett was told that Mr. Bierbower was in a meeting.

4:45 P.M.—Mr. Bierbower returns Mr. Barrett's call. Mr. Barrett reminds Mr. Bierbower that the Subcommittee expects to receive Ms. Lavelle's testimony, that certain documents will be made available for Ms. Lavelle's review, and that the Committee intends to consider the contempt resolution expeditiously in the absence of her appearance. Mr. Bierbower told Mr. Barrett he would talk to his client and call Mr. Barrett the next day, April 13.

APRIL 18, 1983

Committee on Energy and Commerce schedules meeting for April 26, 1983, to consider contempt resolution against Rita M. Lavelle.

APRIL 20, 1983

Mr. Barrett writes Mr. Bierbower to inform him of the Committee schedule and remind him of his unfulfilled promise to call back concerning Ms. Lavelle's availability and the offer to allow Ms. Lavelle to review certain documents in the possession of the Subcommittee.

APPENDIX II

SUBCOMMITTEE ON OVERSIGHT AND INVESTIGATIONS,
Washington, D.C., February 18, 1983.

Certified Mail—Return Receipt Requested

JAMES J. BIERBOWER, Esquire,
Bierbower & Bierbower, Eye Street, NW., Washington, D.C.

DEAR MR. BIERBOWER: As you know, on Wednesday afternoon, February 16th, the staff of the Subcommittee on Oversight and Investigations, served you with a subpoena directed to your client, Ms. Rita M. Lavelle. That subpoena called for Ms. Lavelle's appearance before the Subcommittee on Thursday, February 17th, and the production of certain documents called for in the attachment to that subpoena. The Subcommittee views Ms. Lavelle's failure to appear last Thursday morning to be in direct defiance of a duly authorized subpoena of the House of Representatives. I hope that you and Ms. Lavelle appreciate the gravity of this situation. I am enclosing a transcript of the Subcommittee's hearing which was conducted on February 17th in Ms. Lavelle's absence.

When staff of the Subcommittee discussed this matter with you on Tuesday, February 15th, you were informed that the Subcommittee had also authorized the issuance of a subpoena *ad testificandum* calling for Ms. Lavelle's testimony at a subsequent date. I have directed that this subpoena be served forthwith. The Subcommittee's original intent in desiring Ms. Lavelle's testimony before the Subcommittee was to inquire into her actions in discharging her responsibilities as Assistant Administrator of the Environmental Protection Agency. Now, however, when Ms. Lavelle appears before the Subcommittee in response to the subpoena *ad testificandum*, the Subcommittee will also inquire into the full facts and circumstances surrounding Ms. Lavelle's failure to appear and produce documents in response to a subpoena served upon you on February 16th.

Please be advised that the Subcommittee's subpoena for documents in the possession of Ms. Lavelle remains in full force and effect. Continued refusal to frustrate the efforts of this Subcommittee's discharge of its responsibilities will be dealt with appropriately. I am sure you must be aware of the potential liability of Ms. Lavelle in this matter.

Sincerely,

JOHN D. DINGELL,
Chairman, Subcommittee on Oversight and Investigations.

Enclosure.

INTERNATIONAL SQUARE SUITE 1275,
Washington, D.C., February 25, 1983.

In re Ms. Rita M. Lavelle.

Hon. JOHN D. DINGELL,
Chairman, Subcommittee on Oversight and Investigations, U.S. House of Representatives, Committee on Energy and Commerce, Rayburn House Office Building, Washington, D.C.

DEAR SIR: This will acknowledge receipt of your letter of February 18, 1983.

Ms. Lavelle was not served personally with a subpoena which called for her appearance on February 17, 1983. Therefore, it is my position that she was not obliged to appear.

As you probably know, Ms. Lavelle was served personally, on February 23rd, with a subpoena calling for her appearance on March 21, 1983.

Respectfully,

JAMES J. BIERBOWER.

INTERNATIONAL SQUARE SUITE 1275,
Washington, D.C., March 17, 1983.

In re Ms. Rita M. Lavelle.

By hand

Hon. JOHN D. DINGELL,
Chairman, U.S. House of Representatives, Committee on Energy and Commerce, Rayburn House Office Building, Washington, D.C.

DEAR SIR: Please be advised that our client, Ms. Rita Lavelle, will not be present at 10:00 a.m. on March 21, 1983. We are filing a lawsuit which will set forth our position with respect to the subpoena.

Ms. Lavelle is willing to appear before your Committee at some future date. However, as Ms. Lavelle has stated, she left EPA "with her purse and handkerchief." It seems only fair to permit her to review the files now in your Committee's possession, prior to her testimony.

May we arrange some time, in advance of the new hearing date, for Ms. Lavelle to review the documents?

Thanking you for your consideration, I am

Respectfully,

JAMES J. BIERBOWER.

COMMITTEE ON ENERGY AND COMMERCE
Washington, D.C., March 23, 1983.

JAMES J. BIERBOWER, Esquire,
Bierbower and Bierbower, 1875 Eye Street, NW., Suite 1275, Washington, D.C.

DEAR MR. BIERBOWER: On Monday, March 21, 1983, the Subcommittee on Oversight and Investigations of the Committee on Energy and Commerce met in public session to receive the testimony of Rita M. Lavelle, a client of yours. Late on the preceding Friday afternoon you had advised the Subcommittee that Ms. Lavelle would not appear and testify. At the hearing, the Chairman called for the appearance of Ms. Lavelle. Upon her failure to appear, the Subcommittee then voted her to be cited for contempt. A copy of the resolution is attached. The Subcommittee anticipates that the resolution will be forwarded to the full Committee sometime during the week commencing April 11, 1983.

At this point, the Subcommittee has made it clear that it believes the service of the subpoena was valid; that Ms. Lavelle did not have a valid basis for her failure to appear. During the period between February 23rd when she was subpoenaed and March 21st when she was due to appear, the Subcommittee heard no complaints concerning the effectiveness of service and received no request for witness fees nor did it receive any other indications of potential problems from the witness. Indeed, the Subcommittee noted Ms. Lavelle's public statements at the time of her appearance before the Senate and also noted your letter to us, dated February 25, 1983. At this point, while we have been able to examine copies of the pleadings that you have filed in your case in Federal District Court, we note no service has been made upon the potential defendants.

If you wish to communicate with the Subcommittee on any matter, I urge you to do so expeditiously.

Sincerely,

MICHAEL F. BARRETT, Jr.,
Chief Counsel and Staff Director.

Enclosure.

BIERBOWER & BIERBOWER,
Washington, D.C., March 22, 1983.

In re Ms. Rita M. Lavelle.

Hon. JOHN D. DINGELL,
Chairman, U.S. House of Representatives, Committee on Energy and Commerce, Rayburn House Office Building, Washington, D.C.

DEAR SIR: Your Subcommittee's contempt vote was a disappointment. However, Ms. Lavelle remains willing to appear at some future date. I still contend you should permit her to review the files now in your Committee's possession, prior to her testimony.

May I again suggest that we arrange some time, in advance of a new hearing date, for Ms. Lavelle to review the documents?

Thanking you for your consideration, I am

Respectfully,

JAMES J. BIERBOWER.

SUBCOMMITTEE ON OVERSIGHT AND INVESTIGATIONS, COMMITTEE ON ENERGY AND COMMERCE,
Washington, D.C., April 20, 1983.

JAMES J. BIERBOWER, Esquire,
Bierbower & Bierbower, International Square, Suite 1275, 1875 Eye Street, NW., Washington, D.C.

DEAR MR. BIERBOWER: On Tuesday, April 26, 1983 at 10:00 a.m. in Room 2123 Rayburn House Office Building, the Committee on Energy and Commerce will consider the adoption of a resolution citing your client, Ms. Rita M. Lavelle, for contempt of Congress. This action follows the action taken by the Subcommittee on Oversight and Investigations of the Committee on Energy and Commerce on March 21, 1983 as a result

of Ms. Lavelle's failure to comply with a Subcommittee subpoena. In my letter of March 23, 1983, I furnished you with a copy of the resolution of contempt adopted by the Subcommittee.

When you had not contacted the Subcommittee on April 12th, I called you. When we spoke I advised you the Subcommittee still requires the testimony of Ms. Lavelle. Although you assured me you would call me back concerning Ms. Lavelle's availability, you have not done so. Neither have you availed yourself of my earlier suggestion that you contact the Subcommittee. When we last spoke, I did indicate the Subcommittee will permit Ms. Lavelle to review certain materials in its files.

Sincerely,

MICHAEL F. BARRETT, Jr.,
Chief Counsel and Staff Director.

BIERBOWER & BIERBOWER,
Washington, D.C., April 25, 1983.

By hand delivery to room 2323, Rayburn Building

In re Rita M. Lavelle.

MICHAEL F. BARRETT, Jr., Esquire,
Chief Counsel and Staff Director, U.S. House of Representatives, Subcommittee on Oversight and Investigations, of the Committee on Energy and Commerce, Washington, D.C.

DEAR SIR: Thank you for your letter of April 20, 1983.

Ms. Lavelle remains ready to testify before the Subcommittee. However, I respectfully request that you give her sufficient time to review all of the materials which pertain to the subjects upon which you desire her testimony. I appreciate your position that my client has had the opportunity, but in all candor she has been looking for a job in her home state of California. Furthermore, I have had other engagements of long standing.

I have not been able to obtain a transcript of Ms. Lavelle's most recent testimony before the House of Representatives. That testimony is important because of Chairman Dingell's letter to the Department of Justice.

I should also mention that Ms. Lavelle has testified approximately a dozen times earlier before the House of Representatives. While I do not request the opportunity to review such testimony now, it may save time for everyone if you can obtain that earlier testimony.

I also noted, in Friday's *Wall Street Journal*, that the Teamsters Union Central State Pension Fund has filed suit against my client in Mobile, Alabama. Pg. 14.

I trust you will reconsider, and that you will let me know the time and place so that we may coordinate our schedules with yours.

Thanking you for your cooperation, I am

Respectfully,

JAMES J. BIERBOWER.

APPENDIX III

ORIGINAL

BY AUTHORITY OF THE HOUSE OF REPRESENTATIVES OF THE CONGRESS OF THE UNITED STATES OF AMERICA

To Mark J. Raabe and/or Richard A. Frandsen and/or Benjamin M. Smethurst and/or Kenneth J. Vigue and/or Phyllis Freeman.

You are hereby commanded to summon Rita M. Lavelle, 1201 South Eads Street, Arlington, Va., to be and appear before the Subcommittee on Oversight and Investigations/Energy and Commerce Committee of the House of Representatives of the United States, of which Hon. John D. Dingell is chairman, in their chamber in the city of Washington, on Monday, March 21, 1983, in Room 2123 Rayburn House Office Building at the hour 10 a.m., then and there to testify touching matters of inquiry committed to said Committee; and she is not to depart without leave of said Committee.

Herein fail not, and make return of this summons.

Witness my hand and the seal of the House of Representatives of the United States, at the city of Washington, this 16th day of February, 1983.

JOHN D. DINGELL, *Chairman.*

Attest:

BENJAMIN J. GUTHRIE, *Clerk.*

ORIGINAL

Subpena for Rita M. Lavelle, 1201 South Eads Street, Arlington, Va., before the Committee on the Energy and Commerce/Subcommittee on Oversight and Investigations.

Served by Ben Smethurst, at 9:47 a.m., Feb. 23, 1983.

PHYLLIS K. FREEMAN,
House of Representatives.

APPENDIX IV

[Memorandum]

To: The Honorable John D. Dingell, Chairman

From: Subcommittee staff

Re: Ms. Lavelle's "Lawsuit"

On Friday, March 18, 1983 (the last business day before her scheduled testimony on March 21, 1983), James Bierbower, Esquire, filed a lawsuit on Ms. Lavelle's behalf seeking injunctive and declaratory relief from the United States District Court for the District of Columbia. The complaint names as defendants the House of Representatives, the Energy and Commerce Committee and its Oversight and Investigations Subcommittee, Chairman Dingell, and the Clerk of the House, Edmund Henshaw, Jr. It asks the court to quash the subpoena *ad testificandum*, to enjoin any action to enforce it, and to declare that the subpoena is invalid and that its enforcement would be unconstitutional.

The staff considers this lawsuit to be frivolous. It lacks a legal basis. It lacks a factual basis. Each of the essential allegations made by Mr. Bierbower on Ms. Lavelle's behalf is spurious. The complaint alleges that the subpoena was not authorized by a majority of the Subcommittee Members voting, a majority being present. This is false. It alleges that service was defective because Ms. Lavelle's presence at that time was the result of her appearance as a witness before the Senate. In fact, service was not defective. Moreover, it should be noted that Ms. Lavelle chose to appear voluntarily before the Senate Committee. It alleges the subpoena was ineffective because fees for per diem and travel were not tendered to Ms. Lavelle. In fact, the Rules of the House do not require the tendering of fees or per diem. It challenges the failure to make the Subcommittee's files available to Ms. Lavelle in advance of her testimony so that she may review them and refresh herself as to the areas of the Subcommittee's inquiry. In fact, no witness has the right to such access. Even so, in the spirit of fairness the Chief Counsel to the Subcommittee on two occasions offered to make Ms. Lavelle's personal papers obtained by the Subcommittee available to her for review in advance of her testimony. Finally, the "suit" alleges that there is no legitimate legislative purpose supporting issuance of the subpoena. This is transparently false. The Subcommittee has a significant, continuing, and unquestionable legislative purpose underlying this investigation.

Perhaps the most eloquent evidence of the thoroughly specious quality of this "lawsuit" is that the complaint has, to this day, never been served on any named defendant.

APPENDIX V

OFFICE OF THE CLERK,
U.S. HOUSE OF REPRESENTATIVES,
Washington, D.C., March 21, 1983.

[Memorandum]

Re: Civil suits commenced by witnesses to block congressional subpoenas.

Hon. JOHN D. DINGELL,
Chairman, Subcommittee on Oversight and Investigations, Committee on Energy and Commerce.

You have inquired concerning the effect, if any, of a civil suit filed on behalf of a witness subpoenaed to appear before the Subcommittee seeking to enjoin implementation of the subpoena or declare it illegal or unconstitutional.[1]

It is settled beyond peradventure of doubt that the courts will not interfere in the legislative process by way of enjoining implementation of a subpoena or declaring that it is an illegal or unconstitutional exercise of legislative authority. *Eastland* v. *United States Servicemen's Fund*, 421 U.S. 491 (1975).

. . . The issuance of a subpoena pursuant to an authorized investigation is similarly an indispensable ingredient of lawmaking; without it our recognition that the act "of authorizing" is protected would be meaningless. To hold that Members of Congress are protected for authorizing an investigation, but not for issuing a subpoena in exercise of that authorization, would be a contradiction denigrating the power granted to Congress in Art. I and would indirectly impair the deliberations of Congress. 421 U.S. at 505.

Even before the Supreme Court's pronouncement in *Eastland*, the law of this circuit clearly established that a witness could not obtain injunctive or declaratory relief against a congressional subpoena, and attempts to do so have been universally rejected on several grounds.[2] *Pauling* v. *Eastland*, 288 F.2d 126 (1960) (action for declaration that Senate subpoena was unconstitutional); *Cole* v. *McClellan*, 439 F.2d 534 (D.C. Cir. 1970) (same); *Sanders* v. *McClellan*, 463 F.2d 894 (D.C. Cir. 1972) (same); *Ansara* v. *Eastland*, 442 F.2d 751 (D.C. Cir. 1971) (same); *See also, Hearst* v. *Black*, 87 F.2d 68 (1936) (action to enjoin Senate from copying and using telegraphic messages allegedly obtained from illegal search and seizure); *Methodist Federation for Social Action* v. *Eastland*, 141 F. Supp. 729 (D.D.C. 1956) (three-judge court) (action to declare unconstitutional resolution authorizing printing

[1] I understand that the lawyer representing Rita M. Lavelle has filed such a suit, although as of today service of the complaint has not been achieved.

[2] This memorandum will address *only* the threshold issue whether a witness can obtain injunctive or declaratory relief against a congressional subpoena and nothing herein should be construed to concede or recognize the validity of any claims the witness has respecting alleged infirmities in the subpoena. To the extent the witness has such claims, the exclusive avenue for judicial review is through the criminal contempt statute. 2 U.S.C. §§ 192-194.

and distribution of a report charging plaintiffs were a communist front organization); *Doe* v. *McMillan*, 412 U.S. 306 (1973) (action seeking to declare unconstitutional and illegal authorization by committee to print and distribute report).

If there remained a scintilla of doubt concerning the fatal defects in suits against the implementation of congressional subpoenas, those doubts should have been laid to rest last month when Judge John Lewis Smith decided the case of *United States* v. *House of Representatives* Civil Action No. 82-3583 (D.D.C issued Feb. 1, 1983), an action for injunctive and declaratory relief filed against the House and certain of its members by the Department of Justice following the citation of Anne (Gorsuch) Burford for contempt of Congress.

In granting the House of Representatives motion to dismiss the suit, Judge Smith recognized that a witness is confined to challenging a congressional subpoena through the "orderly and often approved means" of the criminal contempt statute.[3]

The statutory provisions concerning penalties for contempt of Congress, 2 U.S.C. § 192 and § 194, constitute "an orderly and often approved means of vindicating constitutional claims arising from a legislative investigation." *Sanders* v. *McClellan*, 463 F.2d 894, 899 (D.C. Cir. 1972). Under these provisions, constitutional claims and other objections to congressional investigatory procedures may be raised as defenses in a criminal prosecution. *United States* v. *House of Representatives*, Civil Action No. 82-3583, *supra*, Slip Op. at 5.

Accordingly, the suit is wholly without basis or validity and the committee may proceed without reference to any such suit.

STANLEY M. BRAND,
General Council to the Clerk.

APPENDIX VI

RULE X. ESTABLISHMENT AND JURISDICTION OF STANDING COMMITTEES

THE COMMITTEES AND THEIR JURISDICTION

1. There shall be in the House the following standing committees, each of which shall have the jurisdiction and related functions assigned to it by this clause and clauses 2, 3, 4; and all bills, resolutions, and other matters relating to subjects within the jurisdiction of any standing committee as listed in this clause shall (in accordance with the subject to clause 5) be referred to such committees; as follows:

* * * * *

(h) Committee on Energy and Commerce.

(1) Interstate and foreign commerce, generally.

* * * * *

(16) Public health and quarantine.

(17) Health and health facilities, except health care supported by payroll deductions.

* * * * *

GENERAL OVERSIGHT RESPONSIBILITIES

2. (a) In order to assist the House in—

(1) its analysis, appraisal, and evaluation of (A) the application, administration, execution, and effectiveness of the laws enacted by the Congress, or (B) conditions and circumstances which may indicate the necessity or desirability of enacting new or additional legislation, and

(2) its formulation, consideration, and enactment of such modifications of or changes in those laws, and of such additional legislation, as may be necessary or appropriate.

the various standing committees shall have oversight responsiblities as provided in paragraph (b).

(b)(1) Each standing committee (other than the Committee on Appropriations and the Committee on the Budget) shall review and study, on a continuing basis, the application, administration, execution, and effectiveness of those laws, or parts of laws, the subject matter of which is within the jurisdiction of that committee, and the organization and operation of the Federal agencies and entities having responsibilities in or for the administration and execution thereof, in order to determine whether such laws and the programs thereunder are being implemented and carried out in accordance with the intent of the Congress and whether such programs should be continued, curtailed, or eliminated. In addition, each such committee shall review and study any conditions or circumstances which may indicate the necessity or desirability of enacting new or additional legislation within the jurisdiction of that committee (whether or not any bill or resolution has been introduced with respect thereto), and shall on a continuing basis undertake future research and forecasting on matters within the jurisdiction of that committee. Each such committee having more than twenty members shall establish an oversight subcommittee, or require its subcommittees, if any, to conduct oversight in the areas of their respective jurisdiction, to assist in carrying out its responsibilities under this subparagraph. The establishment of oversight subcommittees shall in no way limit the responsibility of the subcommittee with legislative jurisdiction from carrying out their oversight responsibilities.

* * * * *

SUPPLEMENTAL VIEWS ON RESOLUTION CONTEMPT AGAINST RITA M. LAVELLE

We take this opportunity to concur in the findings, conclusions, and recommendations of the Committee. The Resolution recommends that the House of Representatives find Rita M. Lavelle, the former Assistant Administrator of the Environmental Protection Agency, in contempt of the House for failure to appear and testify before the Subcommitte on Oversight and Investigations as required pursuant to a subpoena authorized by the Subcommittee on February 10, 1983, issued on February 16, 1983, and served personally on Ms. Lavelle on February 23, 1983.

It serves no purpose to speculate on the testimony that Ms. Lavelle might offer upon her appearance. However, the testimony of Ms. Lavelle is essential to the conduct of the full investigation which the Subcommittee has been pursuing into the administration of the Superfund hazardous waste law. The Subcommittee has conducted 12 days of hearings and interviewed a substantial number of current and former EPA employees in either open or Executive Session in the course of its investigation. Each of these individuals, plus two additional witnesses from the Department of Justice, has appeared before the Subcommittee under subpoena. Each has complied with the Subcommittee's legal process, even though virtually all of the witnesses who have appeared have possessed no prior experience in testifying before Committees of Congress. Further, many of the witnesses may have harbored apprehensions concerning whether the Subcommittee's compulsory process for both their testimony and production of records and documents might have implied Subcommittee examination of their own personal conduct and activity in regard to the Superfund program. Notwithstanding, each of the subpoenaed individuals appeared. Rita Lavelle did not.

We are of the firm view that Ms. Lavelle should be treated no differently than any other witness. She should also be held responsibile for her own conduct. Her position at EPA as Assistant Administrator of the Office of Solid Waste and Emergency Response vested in her the primary responsibility for the administration of the Superfund hazardous waste program and the development of fundamental Agency policy regarding such decisions as the treatment of mining waste, State financial contributions, factors affecting the prioritization of sites, and other issues. Consequently, the current inquiries of the Subcommittee into the Superfund program cannot be concluded without her testimony.

Ms. Lavelle has indicated in past testimony before other Committees of Congress that her actions as Assistant Administrator were always proper. If Ms. Lavelle maintains this view, then we are puzzled as to why she would not welcome the opportunity to come before the Subcommittee on Oversight and Investigations to tell her story. The perception of the public, as well as the Congress, concerning Ms. Lavelle's performance at EPA will certainly not be enhanced by her failure to cooperate and participate in legitimate oversight hearings into this program.

The House cannot fail to act in response to such a flagrant failure of an individual to comply with the duly-authorized, duly-served, and jurisdictionally-appropriate subpoena of one of its Committees or Subcommittees.

The decision on February 10, 1983, by the Oversight and Investigations Subcommittee to authorize the subpoena for Rita Lavelle was made unanimously by voice vote. Following Ms. Lavelle's failure to appear before the Subcommittee on March 21, 1983, the Subcommittee again voted unanimously by voice vote to recommend that she be found in contempt. On April 26, the Full Committee unanimously, by voice vote, adopted the Resolution of Contempt and ordered it reported to the House of Representatives.

We urge our colleagues to send a strong message to those who would flaunt, ignore or repudiate the legitimate legal process of this body and its duly-constituted Committees and Subcommittees.

JAMES T. BROYHILL.
NORMAN F. LENT.
EDWARD R. MADIGAN.
MATTHEW J. RINALDO.
TOM CORCORAN.
WILLIAM E. DANNEMEYER.
BOB WHITTAKER.
DON RITTER.
DAN COATS.
JACK FIELDS.
MICHAEL G. OXLEY.
HOWARD C. NIELSON.

[3] One measure of how well settled the foregoing proposition has become is the relative speed with which the case was dismissed. The complaint was originally filed on December 16, 1982 and the House's motion to dismiss was filed on December 29, 1982. The Department of Justice responded on January 10, 1983 and the case was heard on February 1, 1983 and dismissed two (2) days later.

BUSINESS-HIGHER EDUCATION FORUM RELEASES STUDY ON SCOPE OF AMERICAN COMPETITIVE PROBLEMS

(Mr. LAFALCE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. LAFALCE. Mr. Speaker, in my view the most important long-term economic challenge facing America is to restore its industrial competitiveness in the world marketplace.

Over the past weekend, the Business-Higher Education Forum released a study endorsed by the heads of several major corporations and American universities which outlines the scope of our competitive problems and the need to take immediate action to reverse current trends.

I recommend the report to all Members of the House, and will be providing them with copies of the report later in the week.

Representatives of the Business-Higher Education Forum will be meeting with the President and certain Cabinet officials on May 26, and the Subcommittee on Economic Stabilization will be hosting a breakfast for the group earlier that day.

I hope that both the administration and Members of Congress pay very careful attention to the analysis and recommendations provided in this report. Over the course of the coming year, the House Subcommittee on Economic Stabilization, which I chair, will hold a series of exhaustive hearings into every facet of our country's industrial policy, with the intent of bringing legislation to the House floor during this Congress.

The subcommittee intends to work closely with the Business-Higher Education Forum during this period to help effect some of the changes in Government policy and organization which this group recognizes is needed, if America is to regain its economic strength and stability.

□ 1210

HEALTH INSURANCE FOR THE UNEMPLOYED

(Mr. WAXMAN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WAXMAN. Mr. Speaker, if time permits before we adjourn I plan today to introduce a bill that will provide health insurance coverage for the unemployed people in our Nation. As many of us have become aware we find ourselves locked into a situation in this country where so much of our health coverage is based on an employee-employer relationship. When we find unemployment expanding as we now see the case with up to around 12 million Americans, they lose their health insurance benefits when they lose their jobs.

We are proposing in this legislation to provide an opportunity for those people to get some kind of health insurance coverage until they get back on their feet and back on a payroll. Unless these people have some special intervention by Government to cover them, they will not have available to them health care services unless they become poor enough to go on welfare and then to be eligible for medicaid.

This is a situation that we ought not to tolerate. People will go without health coverage and their children will go without the basic health services that may be needed to keep them functioning.

Mr. Speaker, I would hope our colleagues would join with us in this legislation. It would provide an opportunity, as we have tied to welfare a medicaid component and to social security the medicare system, to unemployment compensation we would attach a special ability for those who are receiving compensation because they have lost their jobs or who have received unemployment compensation in the past 2 years to be eligible for a very minimum package of benefits.

Our package would provide at the present time 9 hospital stays and 10 outpatient visits, a very modest package of benefits but all that we can afford with the amount of money that has been provided for this purpose in the House-passed budget.

Mr. Speaker, I hope to have the opportunity to present this bill to the House and that the Congress will pass the bill onto the President of the United States to take care of maybe as much as 21 million Americans over the course of a year who would not have available to them health insurance benefits.

WASHINGTON CENTER FOR THE STUDY OF SERVICES: LOOKING OUT FOR CONSUMERS' CHECKBOOKS

The SPEAKER. Under a previous order of the House, the gentleman from Illinois (Mr. ANNUNZIO) is recognized for 5 minutes.

● Mr. ANNUNZIO. Mr. Speaker, it is a common complaint that the only news that we hear any more is the bad news; that these days the good people and the good things they do often go unmentioned, if not unnoticed. I would like to reverse that trend by today mentioning an organization whose work has not gone unnoticed—the Washington Center for the Study of Services, publisher of the Washington Consumers' Checkbook.

Founded 7 years ago, the Washington Center for the Study of Services is a nonprofit organization whose purpose is to help consumers get the best quality services at the best possible prices. Employees of the center canvass the area with an eye open to both bargains and rip-offs. Hundreds of consumers are asked to complete surveys in which they rate various firms and the quality of the services the consumer received from them. All of this data is compiled in the Washington Consumers' Checkbook—one of the most accurate and helpful consumer guides available today.

Each Checkbook is devoted to subjects of particular interest to consumers. This spring the center provided consumers with a full issue on individual retirement accounts (IRA's). The report includes a section on commonly asked questions about IRA's and a complete discussion on the various investment options and who offers them—banks, savings and loans, and money market and mutual funds. It also contains a wealth of information on what factors a consumer needs to consider in planning for retirement. The report is filled with wrap-up sections and charts that really bring the information together so that consumers can compare the alternatives. For example, one charts shows what a $2,000 investment would be worth after taxes under the various options. Specific data on more than 100 local institutions and the IRA's they offer is also provided.

Another recent issue includes information on the Washington area's best hospital emergency departments and auto repair shops. Each article contains invaluable pointers on the kinds of factors consumers need to consider in selecting services. For example, the report on hospital emergency departments includes information about the cost and response time of ambulance services, capabilities of emergency room staff, hospital backup facilities and followup care. It gives clear and concise instructions on what a consumer should do and where he or she should go depending on whether the situation is life-threatening, urgent or nonurgent. The article contains a very helpful chart with the ratings various hospitals received on a variety of factors.

The report on auto repair shops is equally impressive. More than 300 Washington area firms are rated on several points including competence, promptness, and cost. The report contains tips on how to choose a shop and how to evaluate a mechanic. Of particular use are charts that lists the shops according to what types of automobiles they repair.

I would like to compliment the center on these articles and on all of its fine work. The publishers of Checkbook are providing consumers with the vital information they need to make informed decisions in the marketplace. My only hope is that the center will eventually be able to expand its activi-

ties to offer similar services to consumers across America.●

PERSONAL EXPLANATION

The SPEAKER. Under a previous order of the House, the gentleman from Florida (Mr. PEPPER) is recognized for 5 minutes.

● Mr. PEPPER. Mr. Speaker, on May 12 of last week, I was honored to accept the coveted American Liberties Medallion of the American Jewish Committee at its annual meeting in New York. The medallion is the highest honor that can be bestowed by that distinguished organization.

Due to this significant occasion I was forced to be absent during a portion of the afternoon and regret missing the following votes, on which I could not be paired, or express a preference: Rollcall No. 110, Gregg amendment to H.R. 2066, the National Science Foundation Authorization Act for fiscal year 1984; rollcall No. 112, the Science and Technology Committee amendment—providing for later authorization of fiscal year 1984 Clinch River breeder funding—to H.R. 2587, the Department of Energy Civilian Research and Development Authorization Act for fiscal year 1984; rollcall No. 113, Mineta amendment to the same bill; rollcall No. 114, Winn amendment in the nature of a substitute to the same bill; rollcall No. 115, Rangel amendment to the same bill; and rollcall No. 116, on passage of the bill.

Had I been present I would have voted "no" on rollcall No. 110, the Gregg amendment; "aye" on rollcall No. 112, the committee amendment; "aye" on rollcall No. 113, the Mineta amendment; "no" rollcall No. 114, the Winn amendment; "aye" on rollcall No. 115, the Rangel amendment; and "aye" on rollcall No. 116, on passage of H.R. 2587.●

BAIL REFORM LEGISLATION

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Wisconsin (Mr. KASTENMEIER) is recognized for 5 minutes.

● Mr. KASTENMEIER. Mr. Speaker, today, I am pleased to introduce a bill to modify the provisions of the Bail Reform Act of 1968. The text of the bill is derived from the position adopted by the Judicial Conference of the United States in its March 1983 meeting. In addition, the basic approach taken in the bill comports with the position of the American Bar Association and other leading legal organizations.[1]

Crime and fear of crime pervades much of the discussion in legislative bodies across the country. Frequently, these discussions have been critical of the practices of various courts with respect to the question of when and whether to release a person before trial. Much of the rhetoric on this subject focuses on the cases of crimes committed by persons while on pretrial release. Such concerns are legitimate, but in my view, an exclusive focus on such events may produce misleading public policy results.

Any assessment of pretrial practices must weigh the competing values and interests at stake at the pretrial stage of the criminal process. Persons charged with crimes are presumed innocent and have certain constitutional rights that must be protected. Among the rights protected are the right to a fair trial, the right to due process, to be free from excessive bail, and to be free from cruel and unusual punishment. As with all constitutional rights, these individual liberties inure to the benefit of all citizens.

Among the values that coexist with the aforementioned constitutional protections are the right of the public to domestic tranquility, the need to preserve scarce public resources, and the desire for a speedy adjudication of criminal cases.

In order to effectuate this balance, policymakers must be extremely cautious about assessing the nature of the systemic problems before attempting to legislate. For this reason, the Subcommittee on Courts, Civil Liberties, and the Administration of Justice, which I chair, will hold a series of oversight hearings in June concerning current bail practices. The witnesses for these hearings will include representatives of the Judicial Conference of the United States, the U.S. Department of Justice, leading researchers and academicians in the field. Through these hearings, it is my hope that the subcommittee will be able to answer the following questions:

First. How frequently is money bail used? Which types of money bail practices prevail? To what extent do prosecutors and the courts inquire into the sources of pretrial security?

Second. To what extent is crime committed by persons while on release pending trial? What types of crimes are involved? What is the conviction rate for such offenses? What are the current penalties for pretrial crime? Are concurrent or consecutive sentences used? Are the penalties for nonappearance proportionate to the severity of the offenses where nonappearance is most frequent? How frequently is excessive money bail used as a sub rosa method of achieving pretrial detention of an allegedly dangerous offender?

Third. How do the Federal pretrial and State pretrial systems differ? With respect to the issues listed above? Does each system have different types of offenders?

Fourth. What is the efficacy of pretrial services and pretrial diversion on increasing appearance rates, and on reducing pretrial criminality?

Fifth. How many States permit pretrial detention based on prediction or assessment of dangerousness? Has the constitutionality of such provisions been upheld in the courts? What have been the results of these provisions with respect to jail overcrowding and reduction in pretrial crime?

Sixth. What is the current state of the art with respect to predictions of dangerousness? How accurate are such predictions; that is, false positives and false negatives?

Seventh. Are the various proposed Federal pretrial detention statutes constitutional?

CONCLUSION

The bill I am introducing today represents a valid attempt to resolve some of the legal and policy questions presented in the pretrial area. I know other Members have different points of view on this subject. I hope that in the months ahead we can work together to fashion a legislative response that is based on the realities of the current Federal pretrial system. Through the hearing process, we will begin the winnowing process that is central to a tempered, measured, and proportionate legislative initiative in this area.●

[1] The bill contains the following provisions relating to the Federal criminal justice system:

(a) Courts are permitted to assess dangerousness in deciding which conditions to impose on a released defendant;

(b) The use of financial conditions to assure community safety is prohibited;

(c) The authority of the courts to detain a person who is a flight risk is clarified;

(d) A mandatory condition of not committing a new crime is imposed on all releasees;

(e) Persons who are released and who, after a hearing, are found to have committed a new offense may be detained pending trial;

(f) The authority of the courts and prosecutors to inquire into the sources of money bail is clarified;

(g) The Government is granted the right to appeal from release decisions;

(h) The standard of review for release decisions after conviction is clarified to place the burden on the defendant; and

(i) The entire Bail Reform Act is sunsetted after 5 years so as to guarantee a prompt congressional review of these changes.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. MICHEL (at the request of Mr. LOTT), for today and the balance of the week, on account of illness.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore, entered, was granted to:

(The following Members (at the request of Mr. RICHARDSON) to revise and extend their remarks and include extraneous material:)

Mr. ANNUNZIO, for 5 minutes, today.
Mr. GONZALEZ, for 30 minutes, today.
Mr. PEPPER, for 5 minutes, today.
Mr. KASTENMEIER, for 5 minutes, today.
Mr. LAFALCE, for 5 minutes, today.
Mr. RODINO, for 60 minutes, May 19.

EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

(The following Members (at the request of Mr. PASHAYAN) and to include extraneous matter:)

Mr. GREEN.
Mr. PORTER.

(The following Members (at the request of Mr. RICHARDSON) and to include extraneous matter:)

Mr. MILLER of California.
Mr. AUCOIN.
Mr. HARRISON.
Mr. RODINO.
Mr. MINISH.
Mr. SISISKY.
Mr. CLAY.
Mr. RATCHFORD.
Mr. RANGEL.

SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 884. An act to provide for the use and distribution of funds awarded the Red Lake Band of Chippewa Indians in docket numbered 15-72 of the U.S. Court of Claims; to the Committee on Interior and Insular Affairs.

SENATE ENROLLED BILL SIGNED

The SPEAKER announced his signature to an enrolled bill of the Senate of the following title:

S. 957. An act to provide for an increase in the number of members of the Congressional Award Board, and for other purposes.

ADJOURNMENT

Mr. RICHARDSON. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 12 o'clock and 15 minutes p.m.) the House adjourned until tomorrow, Tuesday, May 17, 1983, at 12 o'clock noon.

EXPENDITURE REPORTS CONCERNING OFFICIAL FOREIGN TRAVEL

Reports of various House committees concerning the foreign currencies and U.S. dollars utilized by them during the first quarter of calendar year 1983 in connection with foreign travel pursuant to Public Law 95-384 are as follows:

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON AGRICULTURE, U.S. HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JAN. 1 AND MAR. 31, 1983

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Hon. E de la Garza	1/7	1/9	Brazil		270.00						270.00
	1/9	1/12	South Africa		324.00						324.00
	1/12	1/14	Zimbabwe		216.00						216.00
	1/14	1/17	Kenya		324.00						324.00
	1/17	1/20	Greece		324.00						324.00
	1/20	1/22	Italy		238.00						238.00
Military transportation							8,019.90				8,019.90
Mr. A. Mario Castillo	1/7	1/9	Brazil		270.00						270.00
	1/9	1/12	South Africa		324.00						324.00
	1/12	1/14	Zimbabwe		216.00						216.00
	1/14	1/17	Kenya		324.00						324.00
	1/17	1/20	Greece		324.00						324.00
	1/20	1/22	Italy		238.00						238.00
Military Transportation							8,019.90				8,019.90
Committee total					3,392.00		16,039.80				19,431.80
Hon. William M. Thomas	1/7	1/8	Finland		150.00						150.00
	1/8	1/12	Soviet Union		534.00						534.00
	1/12	1/14	Hungary		218.00						218.00
	1/14	1/16	Yugoslavia		150.00						150.00
	1/16	1/20	Greece		432.00						432.00
Military transportation							4,579.46				4,579.46
Hon. Thomas E. Coleman	1/7	1/8	Finland		150.00						150.00
	1/8	1/12	Soviet Union		534.00						534.00
	1/12	1/14	Hungary		218.00						218.00
	1/16	1/20	Greece		432.00						432.00
Military transportation							4,579.46				4,579.46
Committee total					6,360.00		25,198.72				31,558.72
Hon. Jerry Huckaby	1/7	1/9	Brazil		270.00						270.00
	1/9	1/12	South Africa		324.00						324.00
	1/12	1/14	Zimbabwe		216.00						216.00
	1/14	1/17	Kenya		324.00						324.00
	1/17	1/20	Greece		324.00						324.00
Military transportation							8,019.90				8,019.90
Hon. Cooper Evans	1/16	1/21	Nigeria		795.00		301.33				1,096.33
Commercial transportation							1,752.00				1,752.00
Hon. E de la Garza	3/6	3/8	Dominican Republic		250.00						250.00
Commercial transportation							655.44				655.44
Committee total					8,863.00		35,927.39				44,790.39

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

E de la GARZA, Chairman, Apr. 29, 1983.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON ARMED SERVICES, U.S. HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JAN. 1 AND MAR. 31, 1983

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Badham, Cong. Robert E	1/11	1/13	New Zealand	201.40	150.00					201.40	150.00
	1/13	1/15	Australia	236	236.00					236	236.00
	1/15	1/16	Malaysia	229.50	102.00					229.50	102.00
	1/16	1/17	Sri Lanka	1,778.28	84.00					1,778.28	84.00
	1/17	1/19	Thailand	3,572.40	156.00					3,572.40	156.00
	1/19	1/21	Philippines	1,395	150.00					1,395	150.00
Transportation, Department of the Air Force							15,243.05				15,243.05

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON ARMED SERVICES, U.S. HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JAN. 1 AND MAR. 31, 1983—Continued

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Badham, Cong. Robert E	2/12	2/13	Italy	123,799	89.00					123,799	89.00
	2/13	2/16	Israel		300.00						300.00
	2/16	2/18	Egypt		282.00						282.00
	2/18	2/19	Cyprus								
	2/19	2/19	Lebanon								
	2/19	2/21	Saudi Arabia		492.00						492.00
	2/21	2/23	Tunisia		150.00						150.00
Transportation, Department of the Army							6,889.06				6,889.06
Byron, Cong. Beverly B	1/09	1/13	New Zealand	725.05	368.00					725.05	368.00
	1/13	1/15	Australia	236	197.40					236	197.40
	1/15	1/16	Malaysia	229.50	102.00					229.50	102.00
	1/16	1/17	Sri Lanka	1,778.28	84.00					1,778.28	84.00
	1/17	1/19	Thailand	3,572.40	156.00					3,572.40	156.00
	1/19	1/21	Philippines	1,395	150.00					1,395	150.00
Transportation, Department of the Air Force							15,805.97				15,805.97
Daniel, Cong. Dan	2/23	2/24	Bahamas		144.00						144.00
Transportation, Department of the Army (commercial).							258.00				258.00
Dyson, Cong. Roy	1/12	1/15	Panama		156.00						156.00
Transportation, Department of the Army (commercial).							1,072.00				1,072.00
Hopkins, Cong. Larry J	1/11	1/13	New Zealand	201.40	150.00					201.40	150.00
	1/13	1/15	Australia	236	236.00					236	236.00
	1/15	1/16	Malaysia	229.50	102.00					229.50	102.00
	1/16	1/17	Sri Lanka	1,778.28	84.00					1,778.28	84.00
	1/17	1/19	Thailand	3,572.40	156.00					3,572.40	156.00
	1/19	1/21	Philippines	1,395	150.00					1,395	150.00
Transportation, Department of the Air Force							15,243.05				15,243.05
Mavroules, Cong. Nicholas	1/9	1/10	Italy		543.48						543.48
	1/10	1/13	Germany								
	1/13	1/14	Greece								
Transportation, Department of the Army (commercial).							1,045.29				1,045.29
Transportation, Department of State (in country, Greece).							620.00				620.00
Spence, Cong. Floyd D	1/11	1/13	New Zealand	201.40	150.00					201.40	150.00
	1/13	1/15	Australia	236	236.00					236	236.00
	1/15	1/16	Malaysia	229.50	102.00					229.50	102.00
	1/16	1/17	Sri Lanka	1,778.28	84.00					1,778.28	84.00
	1/17	1/19	Thailand	3,572.40	156.00					3,572.40	156.00
	1/19	1/21	Philippines	1,395	150.00					1,395	150.00
Transportation, Department of the Air Force							15,243.05				15,243.05
Stratton, Cong. Samuel S	2/11	2/14	Germany								
Transportation, Department of the Air Force							5,292.00				5,292.00
Battista, Anthony R	2/11	2/14	Germany	614.55	255.00					614.55	255.00
Transportation, Department of the Air Force							5,292.00				5,292.00
Ford, John J	1/6	1/10	Jamaica		400.00				33.00		433.00
Transportation, Department of the Air Force (commercial).							620.00				620.00
Lunger, Richard T., Jr	2/23	2/24	Bahamas		144.00						144.00
Transportation, Department of the Air Force							1,364.43				1,364.43
Scrivner, Peter C	1/11	1/13	New Zealand	201.40	150.00					201.40	150.00
	1/13	1/15	Australia	236	236.00					236	236.00
	1/15	1/16	Malaysia	229.50	102.00					229.50	102.00
	1/16	1/17	Sri Lanka	1,778.28	84.00					1,778.28	84.00
	1/17	1/19	Thailand	3,572.40	156.00					3,572.40	156.00
	1/19	1/21	Philippines	1,395	150.00					1,395	150.00
Transportation, Department of the Air Force							15,243.05				15,243.05
Thailand, local transportation, Department of State, prorated share for HASC Delegation.							8.70				8.70
Thailand, other expenses, prorated share HASC Delegation.									36.47		36.47
New Zealand, local transportation, Department of State, prorated share for HASC Delegation.							141.67				141.67
New Zealand, other expenses, prorated share HASC Delegation.									36.00		36.00
Committee total					7,524.88		99,381.32		105.47		107,011.67

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

MELVIN PRICE, Chairman, Apr. 30, 1983.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON BANKING, FINANCE AND URBAN AFFAIRS, U.S. HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JAN. 1 AND MAR. 31, 1983

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Hon. Norman D. Shumway	1/7	1/8	Finland		150.00						150.00
	1/8	1/12	Soviet Union		534.00						534.00
	1/12	1/14	Hungary		218.00						218.00
	1/14	1/16	Yugoslavia		150.00						150.00
	1/16	1/20	Greece		432.00		[3] 4,579.46				5,011.46
Hon. Bruce Vento	1/7	1/9	Brazil		270.00						270.00
	1/9	1/12	South Africa		324.00						324.00
	1/12	1/14	Zimbabwe		216.00						216.00
	1/14	1/17	Kenya		324.00						324.00
	1/17	1/20	Greece		324.00						324.00
	1/20	1/22	Italy		238.00		[3] 8,019.90				8,257.00

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON BANKING, FINANCE AND URBAN AFFAIRS, U.S. HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JAN. 1 AND MAR. 31, 1983—Continued

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Hon. Frank Annunzio	1/7	1/20	Italy		1,495.00		[4] 1,074.41		105.88		2,675.29
	1/20	1/23	Austria		508.00		[4] 206.26		228.04		942.30
							[3] 5,142.67				5,142.67
Curtis A. Prins	1/7	1/20	Italy		1,495.00		[4] 1,074.41		105.88		2,675.29
	1/20	1/23	Austria		508.000		[4] 206.26		228.04		942.30
							[3] 5,142.67				5,142.67
Hon. Jerry M. Patterson	3/18	3/21	Panama		444.00		[3] 1,414.91		773.51		2,632.42
Hon. Esteban E. Torres	3/18	3/21	Panama		444.00		[3] 1,414.91		773.51		2,632.42
Dr. Paul Nelson	3/18	3/21	Panama		444.00		[3] 1,414.91		773.51		2,632.42
Jan Shinpoch	3/18	3/21	Panama		444.00		[3] 1,414.91		773.51		2,632.42
Julia Nickles	3/18	3/21	Panama		444.00		[3] 1,414.91		773.51		2,632.42
Committee total					9,406.00		32,520.59		4,535.39		46,461.98

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.
[3] Military.
[4] Ground.

FERNAND J. ST GERMAIN, Chairman, Apr. 29, 1983.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON THE BUDGET, U.S. HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JAN. 1 AND MAR. 31, 1983

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Rep. James R. Jones	1/7	1/8	Finland		[3] 190.00						190.00
	1/8	1/12	Soviet Union		[3] 534.00						534.00
	1/12	1/14	Hungary		218.00						218.00
	1/14	1/16	Yugoslavia		150.00						150.00
	1/16	1/20	Greeece		432.00		15.72		100.34		548.06
Military transportation							4,579.46				4,579.46
Rep. Richard A. Gephardt	1/17	1/18	Japan/Korea (military transportation)				417.60				417.60
Rep. Ed Bethune	2/22	2/25	Switzerland	684.05	344.00	1,635	798.03				1,142.03
Commercial transportation: United States/Paris							1,417.00				1,417.00
Rep. Bill Nelson	1/7	1/9	Brazil		270.00						270.00
	1/9	1/12	South Africa		324.00						324.00
	1/12	1/14	Zimbabwe		216.00						216.00
	1/14	1/17	Kenya		324.00						324.00
	1/17	1/20	Greece		324.00		15.72		100.34		440.06
	1/20	1/22	Italy		238.00						238.00
Military transportation							8,019.90				8,019.90
Patrick Bogenberger	1/15	1/22	Federal Republic of Germany		621.11						621.11
Commercial transportation							803.00				803.00
Total					4,185.11		16,066.43		200.68		20,452.22

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.
[3] These figures reflect per diem as well as additional subsistence provided to cover unanticipated additional expenses while in official travel status.

JAMES R. JONES, Chairman, Apr. 26, 1983.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON EDUCATION AND LABOR, U.S. HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JAN. 1 AND MAR. 31, 1983

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Hon. Augustus F. Hawkins	1/10	1/15	Australia	640	640.00		193.32		179.24		1,012.56
	1/15	1/18	Singapore	863.10	420.00		159.45		43.75		623.20
	1/18	1/22	Japan	165,165	715.00		200.64		63.63		979.27
Prorated share of military air travel							8,143.89				8,143.89
Hon. John N. Erlenborn	1/10	1/15	Australia	640	640.00		193.32		179.24		1,012.56
	1/15	1/18	Singapore	863.10	420.00		159.45		43.75		623.20
	1/18	1/22	Japan	165,165	715.00		200.64		63.63		979.27
Prorated share of military air travel							8,143.89				8,143.89
Hon. Ike Andrews	1/10	1/15	Australia	640	640.00		193.32		179.24		1,012.56
	1/15	1/18	Singapore	863.10	420.00		159.45		43.75		623.20
	1/18	1/22	Japan	165,165	715.00		200.64		63.63		979.27
Prorated share of military air travel							8,143.89				8,143.89
Hon. Baltasar Corrada	1/10	1/15	Australia	640	640.00		193.32		179.24		1,012.56
	1/15	1/18	Singapore	863.10	420.00		159.45		43.75		623.20
	1/18	1/22	Japan	165,165	715.00		200.64		63.63		979.27
Prorated share of military air travel							8,143.89				8,143.89
Susan Grayson McGuire	1/10	1/15	Australia	640	640.00		193.32		179.24		1,012.56
	1/15	1/18	Singapore	863.10	420.00		159.45		43.75		623.20
	1/18	1/22	Japan	165,165	715.00		200.64		63.63		979.27
Prorated share of military air travel							8,143.89				8,143.89
Carole Schanzer	1/10	1/15	Australia	640	640.00		193.32		179.24		1,012.56
	1/15	1/18	Singapore	863.10	420.00		159.45		43.75		623.20
	1/18	1/22	Japan	165,165	715.00		200.64		63.63		979.27
Prorated share of military air travel							8,143.89				8,143.89

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON EDUCATION AND LABOR, U.S. HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JAN. 1 AND MAR. 31, 1983—Continued

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Don Baker	1/10	1/15	Australia	640	640.00		193.32		179.24		1,012.56
	1/15	1/18	Singapore	863.10	420.00		159.45		43.75		623.20
	1/18	1/22	Japan	165,165	715.00		200.64		63.63		979.27
Prorated share of military air travel							8,143.89				8,143.89
Edith Baum	1/10	1/15	Australia	640	640.00		193.32		179.24		1,012.56
	1/15	1/18	Singapore	863.10	420.00		159.45		43.75		623.20
	1/18	1/22	Japan	165,165	715.00		200.64		63.63		979.27
Prorated share of military air travel							8,143.89				8,143.89
Beth Buehlmann	1/10	1/15	Australia	640	640.00		193.32		179.24		1,012.56
	1/15	1/18	Singapore	863.10	420.00		159.45		43.75		623.20
	1/18	1/22	Japan	165,165	715.00		200.64		63.63		979.27
Prorated share of military air travel							8,143.89				8,143.89

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

CARL D. PERKINS, Chairman.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON ENERGY AND COMMERCE, U.S. HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JAN. 1 AND MAR. 31, 1983

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Florio, James J., M.C.	1/16	1/19	Greece		300.00						300.00
Commercial							2,222.00				2,222.00
Klaus, David	3/12	3/15	England		294.00						294.00
	3/15	3/17	Belgium		249.00						249.00
Commercial							1,060.00				1,060.00
MacCarthy, Mark	3/12	3/15	England		294.00						294.00
			Belgium		249.00						249.00
Commercial							1,060.00				1,060.00
Sims, Stephen	3/14	3/15	England		98.00						98.00
	3/15	3/17	Belgium		249.00						249.00
Commercial							3,407.00				3,407.00
Committee total					1,733.00		7,749.00				9,482.00

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

JOHN D. DINGELL, Chairman.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON FOREIGN AFFAIRS, U.S. HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JAN. 1 AND MAR. 31, 1983

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Agris, N. A.	1/8	1/11	Peru		[3] 248.00						248.00
	1/11	1/17	Brazil		761.00		242.32		100.56		1,103.32
	1/17	1/20	Chile		[3] 363.81				76.36		440.17
	1/20	1/24	Argentina		[3] 378.39						378.39
Commercial transportation							4,086.00				4,086.00
Barnes, M. D	1/8	1/11	Peru		324.00						324.00
	1/11	1/17	Brazil		[3] 750.71		242.32		100.56		1,093.59
	1/17	1/20	Chile		572.00				76.36		648.36
	1/20	1/24	Argentina		[3] 389.16						389.16
Commercial transportation							4,086.00				4,086.00
Berdes, G.	1/7	1/9	Brazil		270.00						270.00
	1/9	1/12	South Africa		324.00						324.00
	1/12	1/14	Zimbabwe		216.00						216.00
	1/14	1/17	Kenya		324.00						324.00
Committee total					4,921.07		8,656.64		353.84		13,931.55
Berdes, G. (cont.)	1/17	1/20	Greece		324.00		15.72		100.34		440.06
	1/20	1/22	Italy		238.00						238.00
Military transportation							8,019.90				8,019.90
	2/7	2/11	Lebanon		690.00						690.00
	2/11	2/13	Israel		266.00		303.75				569.75
	2/13	2/14	Italy		122.00						122.00
	2/14	2/16	France		164.00						164.00
Commercial transportation							3,937.00				3,937.00
Bereuter, D.	2/20	2/23	Guatemala		225.00		532.28		23.77		781.05
	2/23	2/26	El Salvador		225.00		5.30				230.30
Commercial transportation							1,108.81				1,108.81
Bierman, E.	1/7	1/9	Brazil		270.00						270.00
	1/9	1/12	South Africa		324.00						324.00
	1/12	1/14	Zimbabwe		216.00						216.00
	1/14	1/17	Kenya		324.00						324.00
Committee totals					3,388.00		13,922.76		124.11		17,434.87

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON FOREIGN AFFAIRS, U.S. HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JAN. 1 AND MAR. 31, 1983—Continued

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Bierman, E. (cont.)	1/17	1/20	Greece		324.00		15.72		100.34		440.06
	1/20	1/22	Italy		238.00						238.00
Commercial transportation							8,019.90				8,019.90
Bonker, D	1/7	1/8	Finland		[4] 150.00						150.00
	1/8	1/12	Soviet Union		[4] 534.00						534.00
	1/12	1/14	Hungary		218.00						218.00
	1/14	1/16	Yugoslavia		150.00		32.40		65.60		248.00
	1/16	1/20	Greece		[4] 432.00		15.72		100.34		548.06
	1/19	1/19	Romania				126.23		50.66		176.89
Military transportation							4,579.46				4,597.46
Brady, J. J	1/7	1/8	Brazil		270.00						270.00
	1/9	1/12	South Africa		324.00						324.00
	1/12	1/14	Zimbabwe		216.00						216.00
	1/14	1/17	Kenya		324.00						324.00
Committee totals					3,180.00		12,789.43		316.94		16,286.37
Brady, J. J. (cont.)	1/17	1/20	Greece		324.00		15.72		100.34		440.06
	1/20	1/22	Italy		238.00						238.00
Military transportation							8,019.90				8,019.90
Broomfield, W.S	1/7	1/9	Brazil		270.00						270.00
	1/9	1/12	South Africa		324.00						324.00
	1/12	1/14	Zimbabwe		216.00						216.00
	1/14	1/17	Kenya		324.00						324.00
	1/17	1/20	Greece		324.00		15.72		100.34		440.06
	1/20	1/22	Italy		238.00						238.00
Military transportation							8,019.90				8,019.90
Chambers, F. M	1/3	1/9	Panama		[3] 603.00		37.00				640.00
	1/9	1/12	Nicaragua		[3] 300.00						300.00
	1/12	1/17	Honduras		[3] 633.00						633.00
	1/17	1/23	El Salvador		[3] 454.00		77.17				531.17
Committee total					4,248.00		16,185.41		200.68		20,634.09
Chambers, F. M. (cont.):											
Commercial transportation							1,464.00				1,464.00
Chester, J. C	1/7	1/8	Finland		[4] 150.00						150.00
	1/8	1/12	Soviet Union		[4] 534.00						534.00
	1/12	1/14	Hungary		218.00						218.00
	1/14	1/16	Yugoslavia		150.00		32.40		65.60		248.00
	1/16	1/20	Greece		[4] 432.00		15.72		100.34		548.06
Military transportation							4,579.46				4,579.46
Crockett, G. W	1/8	1/9	Italy		119.00		61.86				180.86
	1/10	1/14	Zimbabwe		540.00						540.00
	1/14	1/15	Mozambique		130.00						130.00
	1/15	1/17	Tanzania		245.00						245.00
	1/17	1/19	Egypt		267.00						267.00
	1/19	1/20	France		112.00						112.00
Military transportation							8,787.33				8,787.33
Committee total					2,897.00		14,940.77		165.94		18,003.71
Daoust, E	1/7	1/8	Finland		[4] 150.00						150.00
	1/8	1/12	Soviet Union		[4] 534.00						534.00
	1/12	1/14	Hungary		218.00						218.00
	1/14	1/16	Yugoslavia		150.00		32.40		65.60		248.00
	1/16	1/20	Greece		[4] 432.00		15.72		100.34		548.06
Military transportation							4,579.46				4,579.46
Dunman, T. E	2/20	2/23	Guatemala		225.00		532.28		23.77		781.05
	2/23	2/26	El Salvador		225.00		5.30				230.30
Commercial transportation							1,108.81				1,108.81
	1/3	1/9	Panama		[3] 626.00		27.75				653.75
	1/9	1/12	Nicaragua		324.00						324.00
	1/12	1/17	Honduras		[3] 567.82						567.82
	1/17	1/21	El Salvador		[3] 433.33						433.33
Commercial transportation							1,487.19				1,487.19
Committee total					3,885.15		7,788.91		189.71		11,863.77
Dymally, M. M	1/8	1/9	Italy		119.00		61.86				180.86
	1/10	1/14	Zimbabwe		540.00						540.00
	1/14	1/15	Mozambique		130.00						130.00
	1/15	1/17	Tanzania		245.00						245.00
	1/17	1/19	Egypt		267.00						267.00
	1/19	1/20	France		112.00						112.00
Military transportation							8,787.33				8,787.33
	2/14	2/15	Mexico		75.00						75.00
	2/15	2/16	Guatemala		75.00						75.00
	2/16	2/18	Honduras		187.00						187.00
Military transportation							2,024.94				2,024.94
Fortier, A	1/7	1/8	Finland		[4] 150.00						150.00
	1/8	1/12	Soviet Union		[4] 534.00						534.00
	1/12	1/14	Hungary		218.00						218.00
Committee total					2,652.00		10,874.13				13,526.13
Fortier, A. (cont.)	1/14	1/16	Yugoslavia		150.00		32.40		65.60		248.00
	1/16	1/20	Greece		[4] 432.00		15.72		100.34		548.06
Military transportation							4,579.46				4,579.46
Friedman, E	1/6	1/9	Mexico		432.00		530.57				962.57
	1/9	1/12	Guatemala		324.00		139.00		79.59		542.59
	1/12	1/13	Costa Rica		108.08						108.08
	1/13	1/16	El Salvador		54.40		79.14				133.54
	1/16	1/17	Honduras		[3] 66.00						66.00
	1/17	1/20	Nicaragua		324.00				55.03		379.03
	1/20	1/20	Panama								
	1/20	1/22	Venezuela		354.00		69.25				423.25
Commercial transportation							1,761.00				1,761.00
Committee total					2,244.48		7,206.54		300.56		9,751.58

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON FOREIGN AFFAIRS, U.S. HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JAN. 1 AND MAR. 31, 1983—Continued

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Galey, M. E.	2/7	2/11	Lebanon		690.00						690.00
	2/12	2/13	Israel		200.00		303.75				503.75
	2/13	2/14	Italy		122.00						122.00
	2/14	2/16	France		164.00						164.00
Commercial transportation							3,937.00				3,937.00
Harmon, M.	1/8	1/9	Italy		119.00		61.86				180.86
	1/10	1/14	Zimbabwe		540.00						540.00
	1/14	1/15	Mozambique		130.00						130.00
	1/15	1/17	Tanzania		245.00						245.00
	1/17	1/19	Egypt		267.00						267.00
	1/19	1/20	France		112.00						112.00
Military transportation							8,787.33				8,787.33
Committee total					2,589.00		13,089.94				15,678.94
Holloway, A. F.	1/8	1/9	Italy		119.00		61.86				180.86
	1/10	1/14	Zimbabwe		540.00						540.00
	1/14	1/15	Mozambique		130.00						130.00
	1/15	1/17	Tanzania		245.00						245.00
	1/17	1/19	Egypt		267.00						267.00
	1/19	1/20	France		112.00						112.00
Military transportation							8,787.33				8,787.33
Hyde, H.	2/20	2/23	Guatemala		225.00		532.28				757.28
	2/23	2/26	El Salvador		225.00		5.30				230.30
Commercial transportation							1,033.81				1,033.81
Jackson, D.	1/7	1/8	Finland	[4] 150.00							150.00
	1/8	1/12	Soviet Union	[4] 534.00							534.00
	1/12	1/14	Hungary		218.00						218.00
	1/14	1/16	Yugoslavia		150.00		32.40		65.60		248.00
Committee total					2,915.00		10,452.98		65.60		13,433.58
Jackson, D. (cont.)	1/16	1/20	Greece	[4] 432.00			15.72		100.34		548.06
Military transportation							4,579.46				4,579.46
Johnson, V. C.	1/8	1/11	Peru	[3] 245.00							245.00
	1/11	1/17	Brazil	[3] 730.00			242.32		100.56		1,072.88
	1/17	1/20	Chile	[3] 497.00					76.36		573.36
	1/20	1/24	Argentina	[3] 362.00							362.00
Commercial transportation							4,086.00				4,086.00
Kurz, R. J.	1/3	1/9	Panama	[3] 616.00			37.00				653.00
	1/9	1/12	Nicaragua	[3] 162.00							162.00
	1/12	1/17	Honduras	[3] 445.00							445.00
	1/17	1/23	El Salvador	[3] 447.00			77.17				524.17
Commercial transportation							1,464.00				1,464.00
Committee total					3,936.00		10,501.67		277.26		14,714.93
Lagomarsino, R. J.	1/7	1/9	Brazil	[3] 201.11							201.11
	1/9	1/12	South Africa		324.00						324.00
	1/12	1/14	Zimbabwe		216.00						216.00
	1/14	1/17	Kenya		324.00						324.00
	1/17	1/20	Greece		324.00		15.72		100.34		440.06
	1/20	1/22	Italy		238.00						238.00
Military transportation							8,019.90				8,019.90
	2/20	2/23	Guatemala		225.00		532.28		23.77		781.05
	2/23	2/26	El Salvador		225.00		5.30				230.30
Commercial transportation							1,108.81				1,108.81
Lantos, T.	1/7	1/8	Finland	[4] 150.00							150.00
	1/8	1/12	Soviet Union	[4] 534.00							534.00
	1/12	1/14	Hungary		218.00						218.00
Committee total					2,979.11		9,682.01		124.11		12,785.23
Lantos, T. (cont.)	1/14	1/16	Yugoslavia		150.00		32.40		65.66		248.00
	1/16	1/20	Greece	[4] 432.00			15.72		100.34		548.06
	1/19	1/19	Romania				126.23		50.66		176.89
Military transportation							4,579.46				4,579.46
Leach, J.	1/9	1/12	Guatemala		342.00		139.00		79.59		560.59
	1/12	1/13	Costa Rica		108.08						108.08
	1/13	1/16	El Salvador	[3] 201.24			79.14				280.38
	1/16	1/17	Honduras		216.00						216.00
	1/18	1/20	Nicaragua	[3] 224.00					55.03		279.03
	1/20	1/20	Panama								
	1/20	1/20	Venezuela		354.00		69.25				423.25
Commercial transportation							1,525.59				1,515.59
Committee total					2,027.32		6,556.79		351.22		8,935.33
Livingston, S.	1/7	1/9	Brazil		270.00						270.00
	1/9	1/12	South Africa		324.00						324.00
	1/12	1/14	Zimbabwe		216.00						216.00
	1/14	1/17	Kenya		324.00						324.00
	1/17	1/20	Greece		324.00		15.72		100.34		440.06
	1/20	1/22	Italy		238.00						238.00
Military transportation							8,019.90				8,019.90
Mica, D.	3/26	3/31	Taiwan		500.00						500.00
	3/31	4/2	South Korea		266.00						266.00
Commercial transportation							2,902.00				2,902.00
Mims, N.	1/7	1/9	Brazil		270.00						270.00
	1/9	1/12	South Africa		324.00						324.00
	1/12	1/14	Zimbabwe		216.00						216.00
	1/14	1/17	Kenya		324.00						324.00
Total					3,596.00		10,937.62		100.34		14,633.96

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON FOREIGN AFFAIRS, U.S. HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JAN. 1 AND MAR. 31, 1983

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Mims, N. (cont.)	1/17	1/20	Greece		324.00		100.35		15.72		440.07
	1/20	1/22	Italy		238.00						238.00
Military transportation							8,019.90				8,019.90
Moss, K.	1/7	1/8	Finland		[4] 150.00						150.00
	1/8	1/12	Soviet Union		[4] 534.00						534.00
	1/12	1/14	Hungary		218.00						218.00
	1/14	1/16	Yugoslavia		150.00		32.40		65.60		248.00
	1/16	1/20	Greece		[4] 432.00		15.72		100.34		548.06
Military transportation							4,579.46				4,579.46
Nelson, S.	2/7	2/11	Lebanon		690.00						690.00
	2/11	2/13	Israel		266.00		303.75				569.75
	2/13	2/14	Italy		122.00						122.00
	2/14	2/16	France		164.00						164.00
Commercial transportation							3,937.00				3,937.00
Committee total					3,288.00		16,988.58		181.66		20,458.24
Newman, P	1/8	1/9	Italy		119.00		61.86				180.86
	1/10	1/14	Zimbabwe		540.00						540.00
	1/14	1/15	Mozambique		130.00						130.00
	1/15	1/17	Tanzania		254.00						245.00
	1/17	1/19	Egypt		267.00						267.00
	1/19	1/20	France		112.00						112.00
Military transportation							8,787.33				8,787.33
Peckham, G	1/8	1/9	Italy		119.00		61.86				180.86
	1/10	1/14	Zimbabwe		540.00						540.00
	1/14	1/15	Mozambique		130.00						130.00
	1/15	1/17	Tanzania		245.00						245.00
	1/17	1/19	Egypt		267.00						267.00
	1/19	1/20	France		112.00						112.00
Military transportation							8,787.33				8,787.33
					2,826.00		17,698.38				20,524.38
Pena, R. M	1/3	1/9	Panama		[3] 624.00		37.00				661.00
	1/9	1/12	Nicaragua		[3] 300.00						300.00
	1/12	1/17	Honduras		[3] 548.00						548.00
	1/17	1/23	El Salvador		[3] 539.20		77.17				616.37
Commercial transportation							1,464.00				1,464.00
Perugino, R	1/7	1/8	Finland		[4] 150.00						150.00
	1/8	1/12	Soviet Union		[4] 534.00						534.00
	1/12	1/14	Hungary		218.00						218.00
	1/14	1/16	Yugoslavia		150.00		32.40		65.60		248.00
	1/16	1/20	Greece		[4] 432.00		15.72		100.34		548.06
Military transportation							4,579.46				4,579.46
Committee total					3,495.20		6,205.75		165.94		9,866.89
Solomon, G.	2/20	2/23	Guatemala		225.00		532.28		23.77		781.05
	2/23	2/26	El Salvador		225.00		5.30				230.30
Commercial transportation							1,108.81				1,108.81
Solarz, S. J.	1/6	1/9	Mexico		432.00		530.57				962.57
	1/9	1/12	Guatemala		324.00		139.00		79.59		542.59
	1/12	1/13	Costa Rica		108.09						108.09
	1/13	1/16	El Salvador		[3] 152.83		79.14				231.97
	1/16	1/17	Honduras		[3] 71.00						71.00
	1/17	1/20	Nicaragua		324.00				55.03		379.03
	1/20	1/20	Panama								
	1/20	1/22	Venezuela		354.00		69.25				423.25
Commercial transportation							1,761.00				1,761.00
Committee total					2,215.92		4,225.35		158.39		6,599.66
Strand, G	1/8	1/9	Italy		119.00		61.86				180.86
	1/10	1/14	Zimbabwe		540.00						540.00
	1/14	1/15	Mozambique		130.00						130.00
	1/15	1/17	Tanzania		245.00						245.00
	1/17	1/19	Egypt		267.00						267.00
	1/19	1/20	France		112.00						112.00
Military transportation							8,787.33				8,787.33
Van Dusen, M	2/7	2/11	Lebanon		690.00						690.00
	2/11	2/13	Israel		266.00		303.75				569.75
	2/13	2/14	Italy		122.00						122.00
		2/16	France		164.00						164.00
Commercial transportation							3,937.00				3,937.00
Committee total					2,655.00		13,089.94				15,744.94
Winn, L.	1/7	1/9	Brazil		270.00						270.00
	1/9	1/12	South Africa		324.00						324.00
	1/12	1/14	Zimbabwe		216.00						216.00
	1/14	1/17	Kenya		324.00						324.00
	1/17	1/20	Greece		324.00		15.72		100.34		440.06
	1/20	1/22	Italy		238.00						238.00
Military transportation							8,019.90				8,019.90
Wolpe, H.	1/8	1/9	Italy		119.00		61.86				180.86
	1/10	1/14	Zimbabwe		540.00						540.00
	1/14	1/15	Mozambique		130.00						130.00
	1/15	1/17	Tanzania		245.00						245.00
	1/17	1/19	Egypt		267.00						267.00
	1/19	1/20	France		112.00						112.00
Military transportation							8,787.33				8,787.33
Committee touals					3,109.00		16,884.81		100.34		20,094.15
Yesh, C.	1/7	1/9	Brazil		270.00						270.00
	1/9	1/12	South Africa		324.00						324.00
	1/12	1/14	Zimbrabwe		216.00						216.00
	1/14	1/17	Kenya		324.00						324.00
	1/17	1/20	Greece		324.00		15.72		100.34		440.06
	1/20	1/22	Italy		238.00						238.00
Military transportation							8,019.90				8,019.90
Zablocki, C.	1/7	1/9	Brazil		270.00						270.00
	1/9	1/12	South Africa		324.00						324.00
	1/12	1/14	Zimbabwe		216.00						216.00

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON FOREIGN AFFAIRS, U.S. HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JAN. 1 AND MAR. 31, 1983

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
	1/14	1/17	Kenya		324.00						324.00
	1/17	1/20	Greece		324.00		15.72		100.34		440.06
	1/20	1/22	Italy		238.00						238.00
Military transportation							8,019.90				8,019.90
Committee total					3,392.00		16,071.24		200.68		19,663.92
Grand total, 1st quarter											314,566.22

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.
[3] Represents refunds made.
[4] Represents additional subsistence to cover unanticipated additional expenses while in official travel status.

CLEMENT J. ZABLOCKI, Chairman, Apr. 29, 1983.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON GOVERNMENT OPERATIONS, U.S. HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JAN. 1 AND MAR. 31, 1983

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Hon. William F. Clinger	1/7	1/8	Finland		[3] 190.00						190.00
	1/8	1/12	Soviet Union		[3] 534.00						534.00
	1/12	1/14	Hungary		218.00						218.00
	1/14	1/16	Yugoslavia		150.00						150.00
	1/16	1/20	Greece		432.00						432.00
Transportation provided by military aircraft							4,579.46				4,579.46
Hon. Ted Weiss	1/8	1/9	Italy	1.161,126	119.00						119.00
	1/10	1/14	Zimbabwe	491	540.00						540.00
	1/14	1/15	Mozambique		130.00						130.00
	1/15	1/17	Tanzania	2,450	245.00						245.00
	1/17	1/19	Egypt		267.00						267.00
	1/19	1/20	France	750.40	112.00						112.00
Transportation provided by military aircraft							8,787.33				8,787.33
Hon. Glenn English	2/23	2/24	Bahamas		144.00						144.00
Hon. Ronald Coleman	2/23	2/24	Bahamas		144.00						144.00
Hon. Buddy MacKay	2/23	2/24	Bahamas		144.00						144.00
Hon. Edolphus Towns	2/23	2/24	Bahamas		144.00						144.00
Hon. Thomas N. Kindness	2/23	2/24	Bahamas		144.00						144.00
Hon. William G. Lawrence	2/23	2/24	Bahamas		144.00						144.00
Hon. Theodore Mehl	2/23	2/24	Bahamas		144.00						144.00
Hon. John Parisi	2/23	2/24	Bahamas		144.00						144.00
Transportation for the entire delegation (military aircrat).							12,309.20				12,309.20
Committee total					4,089.00		25,675.99				29,764.99

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.
[3] These figures reflect per diem as well as additional subsistence provided to cover unanticipated additional expenses while in official travel status.

JACK BROOKS, Chairman, Apr. 26, 1983.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON MERCHANT MARINE AND FISHERIES, U.S. HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JAN. 1 AND MAR. 31, 1983

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Breaux, John, M.C.	1/6	1/9	Jamaica		424.00		658.00				1,082.00
Brown, Darrell	2/11	2/21	England	411.56	636.00		1,983.00				
						52.60	81.45				2,700.45
Cassani, Rudolph	3/5	3/12	England	583.20	882.00		452.00				1,334.00
D'Amours, Norman, M.C.	2/11	2/16	England	273.90	424.00		2,157.00				2,581.00
Gaines, Howard	2/11	2/21	England	411.56	636.00		1,983.00				2,619.00
Lent, Norman F., M.C.	1/7	1/8	Finland		150.00						
	1/8	1/12	Soviet Union		534.00						
	1/12	1/14	Hungary		218.00						
	1/14	1/16	Yugoslavia		150.00						
	1/16	1/20	Greece		432.00		4,579.46				6,063.46
Mikulski, Barbara, M.C.	1/8	1/11	Peru		277.00						
	1/11	1/17	Brazil		783.00						
	1/17	1/20	Chile		392.00				76.36		
	1/20	1/24	Argentina		343.00		4,086.00				5,957.36
Ratti, Ricardo A.	1/6	1/9	Jamaica		424.00		283.00				707.00
Smith, G. Wayne	1/6	1/9	Jamaica		424.00		515.00				939.00
	2/15	2/19	Cayman Islands		600.00		484.00				1,084.00
Smith, Timothy E.	1/6	1/9	Jamaica		424.00		515.00				939.00
Stelle, Will	1/6	1/9	Jamaica		424.00		283.00				707.00
Storey, Deborah A.	1/6	1/9	Jamaica		424.00		283.00				707.00
Welch, Edmund B.	1/6	1/9	Jamaica		0		0				0
	3/29	4/1	Jamaica		0		0				0
Committee total					9,001.00		18,342.91				27,420.27

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

WALTER B. JONES, Chairman, Apr. 21, 1983

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, PERMANENT SELECT COMMITTEE ON INTELLIGENCE, U.S. HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JAN. 1 AND MAR. 31, 1983

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Hon. Wyche Fowler, Jr.			Central America		478.17		1,025.65				1,503.82
Mr. Richard H. Giza, Staff			Central America		476.00		1,070.65				1,546.65
Committee total					954.17		2,096.30				3,050.47

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

EDWARD P. BOLAND, Chairman, Apr. 26, 1983.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON POST OFFICE AND CIVIL SERVICE, U.S. HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JAN. 1 AND MAR. 31, 1983

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Hon. William D. Ford	1/10	1/15	Australia	640	640.00		193.32		179.25		1,012.57
	1/15	1/18	Singapore	863.10	420.00		159.45		43.75		623.20
	1/18	1/22	Japan	165,165	715.00		200.64		63.63		979.27
Prorated share of military air travel							8,143.89				8,143.89
Hon. William (Bill) Clay	1/10	1/15	Australia	640	640.00		193.32		179.25		1,012.57
	1/15	1/18	Singapore	863.10	420.00		159.45		43.75		623.20
	1/18	1/22	Japan	165,165	715.00		200.64		63.63		979.27
Prorated share of military air travel							8,143.89				8,143.89
Hon. Robert Garcia	1/10	1/15	Australia	640	640.00		193.32		179.25		1,012.57
	1/15	1/18	Singapore	863.10	420.00		159.45		43.75		623.20
	1/18	1/22	Japan	165,165	715.00		200.64		63.63		979.27
Prorated share of military air travel							8,143.89				8,143.89
Patricia F. Rissler	1/10	1/15	Australia	640	640.00		193.32		179.25		1,012.57
	1/15	1/18	Singapore	863.10	420.00		159.45		43.75		623.20
	1/18	1/22	Japan	165,165	715.00		200.64		63.63		979.27
Prorated share of military air travel							8,143.89				8,143.89
James R. Cregan	1/10	1/15	Australia	640	640.00		193.32		179.25		1,012.57
	1/15	1/18	Singapore	863.10	420.00		159.45		43.75		623.20
	1/18	1/22	Japan	165,165	715.00		200.64		63.63		979.27
Prorated share of military air travel							8,143.89				8,143.89
Adrienne Fields	1/10	1/15	Australia	640	640.00		193.32		179.25		1,012.57
	1/15	1/18	Singapore	863.10	420.00		159.45		43.75		623.20
	1/18	1/22	Japan	165,165	715.00		200.64		63.63		979.27
Prorated share of military air travel							8,143.89				8,143.89
Committee total					10,650.00		52,275.67		1,719.78		64,645.45

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

WILLIAM D. FORD, Chairman, Apr. 27, 1983.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON PUBLIC WORKS AND TRANSPORTATION, U.S. HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JAN. 1 AND MAR. 31, 1983

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Howard, James J., Cong	1/9	1/11	Venezuela	1,515	554.00					1,515	554.00
	1/11	1/13	Uruguay	3,825	150.00					3,825	150.00
	1/13	1/17	Brazil	105,953	408.00	108,812	410.00	78,687	280.00	187,499	1,048.00
Commercial air							72.30				72.30
Military air							3,778.50				3,778.50
Rahall, Nick Joe II, Cong	1/9	1/11	Venezuela	1,515	554.00					1,515	554.00
	1/11	1/13	Uruguay	3,825	150.00					3,825	150.00
	1/13	1/17	Brazil	105,953	408.00	108,812	416.00	78,687	280.00	187,499	1,048.00
Commercial air							72.30				72.30
Military air							3,778.50				3,778.50
Albosta, Donald J., Cong	1/9	1/11	Venezuela	1,515	554.00					1,515	554.00
	1/11	1/13	Uruguay	3,825	150.00					3,825	150.00
	1/13	1/17	Brazil	105,953	408.00	108,812	410.00	78,687	280.00	187,499	1,048.00
Commercial air							72.30				72.30
Military air							3,778.50				3,778.50
De Lugo, Ron, Del	1/9	1/11	Venezuela	1,515	554.00					1,515	554.00
	1/11	1/13	Uruguay	3,825	150.00					3,825	150.00
	1/13	1/17	Brazil	105,953	408.00	108,812	410.00	78,687	280.00	187,499	1,048.00
Commercial air							72.30				72.30
Military air							3,788.50				3,778.50
Savage, Gus, Cong	1/9	1/11	Venezuela	1,515	554.00					1,515	554.00
	1/11	1/13	Uruguay	3,825	150.00					3,825	150.00
	1/13	1/17	Brazil	105,953	408.00	108,812	410.00	78,687	280.00	187,499	1,048.00
Commercial air							72.30				72.30
Military air							3,778.50				3,778.50
Sunia, Fofo I.F., Del	1/9	1/11	Venezuela	1,515	554.00					1,515	554.00
	1/11	1/13	Uruguay	3,825	150.00					3,825	150.00
	1/13	1/17	Brazil	105,953	408.00	108,812	410.00	78,687	280.00	187,499	1,048.00
Commercial air							72.30				72.30
Military air							3,778.50				3,778.50
Synder, Gene, Cong	1/9	1/11	Venezuela	1,515	554.00					1,515	554.00
	1/11	1/13	Uruguay	3,825	150.00					3,825	150.00
	1/13	1/17	Brazil	105,953	408.00	108,812	410.00	78,687	280.00	187,499	1,048.00
Commercial air							72.30				72.30
Military air							3,778.50				3,778.50

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON PUBLIC WORKS AND TRANSPORTATION, U.S. HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JAN. 1 AND MAR. 31, 1983—Continued

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Stangeland, Arlan, Cong.	1/9	1/11	Venezuela	1,515	554.00					1,515	554.00
	1/11	1/13	Uruguay	3,825	150.00					3,825	150.00
	1/13	1/17	Brazil	105,953	408.00	108,812	410.00	78,687	280.00	187,499	1,048.00
Commercial air							72.30				72.30
Military air							3,778.50				3,778.50
Woodle, Clyde	1/9	1/11	Venezuela	1,515	554.00					1,515	554.00
	1/11	1/13	Uruguay	3,825	150.00					3,825	150.00
	1/13	1/17	Brazil	105,953	408.00	108,812	410.00	78,687	280.00	187,499	1,048.00
Commercial air							72.30				72.30
Military air							3,778.50				3,778.50
Esposito, Sante J	1/9	1/11	Venezuela	1,515	554.00					1,515	554.00
	1/11	1/13	Uruguay	3,825	150.00					3,825	150.00
	1/13	1/17	Brazil	105,953	408.00	108,312	410.00	78,687	280.00	187,499	1,048.00
Commercial air							72.30				72.30
Military air							3,778.50				3,778.50
O'Neill, Jeffrey S.	1/9	1/11	Venezuela	1,515	554.00					1,515	554.00
	1/11	1/13	Uruguay	3,825	150.00					3,825	150.00
	1/13	1/17	Brazil	105,953	408.00	108,312	410.00	78,687	280.00	187,499	1,048.00
Commercial air							72.30				72.30
Military air							3,778.50				3,778.50
Filler, Marshall S.	1/9	1/11	Venezuela	1,515	554.00					1,515	554.00
	1/11	1/13	Uruguay	3,825	150.00					3,825	150.00
	1/13	1/17	Brazil	105,953	408.00	108,812	410.00	78,687	280.00	187,499	1,048.00
Commercial air							72.30				72.30
Military air							3,778.50				3,778.50
Roe, Robert A., Cong.	1/11	1/13	New Zealand	201.40	150.00					201.40	150.00
	1/13	1/14	Australia	236	236.00					236.00	236.00
	1/15	1/16	Kuala Lumpur	229.50	102.00					229.50	102.00
	1/16	1/17	Ceylon	1,778.28	80.00					1,778.28	80.00
	1/17	1/19	Thailand	3,572.40	156.00					3,572.40	156.00
	1/19	1/21	Philippines	1,395	150.00					1,395.00	150.00
Committee total					14,218.00		51,129.60		3,360.00		68,707.60

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

JAMES J. HOWARD, Chairman, Apr. 30, 1983.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON SCIENCE AND TECHNOLOGY, U.S. HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JAN. 1 AND MAR. 31, 1983

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Fuqua		1/7	United States								
	1/8	1/12	New Zealand	725.05	540.00	10.91	14.62	383.62	285.71	1,119.58	840.33
	1/13	1/15	Australia	256	256.00	9.29	9.29	0	0	265.29	265.29
	1/15	1/17	Singapore	575.40	280.00	32.89	15.97	0	0	608.29	295.97
	1/17	1/21	Tokyo	1,160	715.00	139.42	86.06	0	0	1,299.42	801.06
	1/21		United States								
Lujan		1/17	United States								
	1/8	1/12	New Zealand	725.05	540.00	10.91	14.62	383.62	285.71	1,119.58	840.33
	1/13	1/15	Australia	256	256.00	9.29	9.29	0	0	265.29	265.29
	1/15	1/17	Singapore	575.40	280.00	32.89	15.97	0	0	608.29	295.97
	1/17	1/21	Tokyo	1,160	715.00	139.42	86.06	0	0	1,299.42	801.06
	1/21		United States								
Walker		1/7	United States								
	1/8	1/12	New Zealand	725.05	540.00	10.91	14.62	383.62	285.71	1,119.58	840.33
	1/13	1/15	Australia	256	256.00	9.29	9.29	0	0	265.29	265.29
	1/15	1/17	Singapore	575.40	280.00	32.89	15.97	0	0	608.29	295.97
	1/17	1/21	Tokyo	1,160	715.00	139.42	86.06	0	0	1,299.42	801.06
	1/21		United States								
Young		1/7	United States								
	1/8	1/12	New Zealand	725.05	540.00	10.91	14.62	383.62	285.71	1,119.58	840.33
	1/13	1/15	Australia	256	256.00	9.29	9.29	0	0	265.29	265.29
	1/15	1/17	Singapore	575.40	280.00	32.89	15.97	0	0	608.29	295.97
	1/17	1/21	Tokyo	1,160	715.00	139.42	86.06	0	0	1,299.42	801.06
	1/21		United States								
McCurdy		1/7	United States								
	1/8	1/12	New Zealand	725.05	540.00	10.91	14.62	383.62	285.71	1,119.58	840.33
	1/13	1/15	Australia	256	256.00	9.29	9.29	0	0	265.29	265.29
	1/15	1/17	Singapore	575.40	280.00	32.89	15.97	0	0	608.29	295.97
	1/17	1/21	Tokyo	1,160	715.00	139.42	86.06	0	0	1,299.42	801.06
	1/21		United States								
Poore		1/7	United States								
	1/8	1/12	New Zealand	725.05	540.00	10.91	14.62	383.62	285.71	1,119.58	840.33
	1/13	1/15	Australia	256	256.00	9.29	9.29	0	0	265.29	265.29
	1/15	1/17	Singapore	575.40	280.00	32.89	15.97	0	0	608.29	295.97
	1/17	1/21	Tokyo	1,160	715.00	139.42	86.06	0	0	1,299.42	801.06
	1/21		United States								
Ketcham		1/7	United States								
	1/8	1/12	New Zealand	725.05	540.00	10.91	14.62	383.62	285.71	1,119.58	840.33
	1/13	1/15	Australia	256	256.00	9.29	9.29	0	0	265.29	265.29
	1/15	1/17	Singapore	575.40	280.00	32.89	15.97	0	0	608.29	295.97
	1/17	1/21	Tokyo	1,160	715.00	139.42	86.06	0	0	1,299.42	801.06
	1/21		United States								
Branscome		1/7	United States								
	1/8	1/12	New Zealand	725.05	540.00	10.91	14.62	383.62	285.71	1,119.58	840.33
	1/13	1/15	Australia	256	256.00	9.29	9.29	0	0	265.29	265.29
	1/15	1/17	Singapore	575.40	280.00	32.89	15.97	0	0	608.29	295.97
	1/17	1/21	Tokyo	1,160	715.00	139.42	86.06	0	0	1,299.42	801.06
	1/21		United States								

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON SCIENCE AND TECHNOLOGY, U.S. HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JAN. 1 AND MAR. 31, 1983—Continued

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Davis		1/7	United States								
	1/8	1/12	New Zealand	725.05	540.00	10.91	14.62	383.62	285.71	1,119.58	840.33
	1/13	1/15	Australia	256	256.00	9.29	9.29	0	0	265.29	265.29
	1/15	1/17	Singapore	575.40	280.00	32.89	15.97	0	0	608.29	295.97
	1/17	1/21	Tokyo	1,160	715.00	139.42	86.06	0	0	1,299.42	801.06
	1/21		United States								
Dugan		1/7	United States								
	1/8	1/12	New Zealand	725.05	540.00	10.91	14.62	383.62	285.71	1,119.58	840.33
	1/13	1/15	Australia	256	256.00	9.29	9.29	0	0	265.29	265.29
	1/15	1/17	Singapore	575.40	280.00	32.89	15.97	0	0	608.29	295.97
	1/17	1/21	Tokyo	1,160	715.00	139.42	86.06	0	0	1,299.42	801.06
	1/21		United States								
Harvey		1/7	United States								
	1/8	1/12	New Zealand	725.05	540.00	10.91	14.62	383.62	285.71	1,119.58	840.33
	1/13	1/15	Australia	256	256.00	9.29	9.29	0	0	265.29	265.29
	1/15	1/17	Singapore	575.40	280.00	32.89	15.97	0	0	608.29	295.97
	1/17	1/21	Tokyo	1,160	715.00	139.42	86.06	0	0	1,299.42	801.06
	1/21		United States								
Holmfeld		1/7	United States								
	1/8	1/12	New Zealand	725.00	540.00	10.91	14.62	383.62	285.71	1,119.58	840.33
	1/13	1/15	Australia	265	256.00	9.29	9.29	0	0	265.29	265.29
	1/15	1/17	Singapore	575.40	280.00	32.89	15.97	0	0	608.29	295.97
	1/17	1/21	Tokyo	1,160	715.00	139.42	86.06	0	0	1,299.42	801.06
	1/21	1	United States								
Krebs		1/7	United States								
	1/8	1/12	New Zealand	725.05	540.00	10.91	14.62	383.71	285.71	1,119.58	840.33
	1/13	1/15	Australia	256	256.00	9.29	9.29	0	0	265.29	265.29
	1/15	1/17	Singapore	575.40	280.00	32.89	15.97	0	0	608.29	295.97
	1/17	1/21	Tokyo	1,160	715.00	139.42	86.06	0	0	1,299.42	801.06
	1/21		United States								
Taylor		1/7	United States								
	1/8	1/12	New Zealand	725.05	540.00	10.91	14.62	383.71	285.71	1,119.58	840.33
	1/13	1/15	Australia	256	256.00	9.29	9.29	0	0	265.29	265.29
	1/15	1/17	Singapore	575.40	280.00	32.89	15.97	0	0	608.29	295.97
	1/17	1/21	Tokyo	1,160	715.00	139.42	86.06	0	0	1,299.42	801.06
	1/21		United States								
Committee total					25,074.00		1,763.16		3,999.94		30,837.10

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

DON FUQUA, Chairman, Apr. 15, 1983.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON VETERANS' AFFAIRS, U.S. HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JAN. 1 AND MAR. 31, 1983

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Hon. G. V. Montgomery	1/11	1/13	New Zealand		150.00		6,146.01		92.34		
	1/13	1/15	Australia		236.00		2,097.00				
	1/15	1/16	Malaysia		102.00		1,561.00				
	1/16	1/17	Sri Lanka		88.91		2,125.44		24.00		
	1/17	1/18	Thailand		156.00		2,212.00		6.25		
	1/19	1/22	Philippines		150.00		2,970.36		6.52		
Hon. Marvin Leath	1/11	1/13	New Zealand		150.00		6,146.01		92.34		
	1/13	1/15	Australia		236.00		2,097.00				
	1/15	1/16	Malaysia		102.00		1,561.00				
	1/16	1/17	Sri Lanka		88.91		2,125.44		24.00		
	1/17	1/18	Thailand		156.00		2,212.00		6.25		
	1/19	1/22	Philippines		150.00		2,970.36		6.52		
Hon. Richard Shelby	1/11	1/13	New Zealand		150.00		6,146.01		92.34		
	1/13	1/15	Australia		236.00		2,097.00				
	1/15	1/16	Malaysia		102.00		1,561.00				
	1/16	1/17	Sri Lanka		88.91		2,125.44		24.00		
Hon. John Paul Hammerschmidt	1/11	1/13	New Zealand		150.00		6,146.01		92.34		
	1/13	1/15	Australia		236.00		2,097.00				
	1/15	1/16	Malaysia		102.00		1,561.00				
	1/16	1/17	Sri Lanka		88.91		2,125.44		24.00		
	1/17	1/19	Thailand		156.00		2,212.00		6.25		
	1/19	1/22	Philippines		150.00		2,970.36		6.52		
Mr. Francis Stover	1/11	1/13	New Zealand		150.00		6,146.01		92.34		
	1/13	1/15	Australia		236.00		2,097.00				
	1/15	1/16	Malaysia		102.00		1,561.00				
	1/16	1/17	Sri Lanka		88.91		2,125.44		24.00		
	1/17	1/19	Thailand		156.00		2,212.00		6.25		
	1/19	1/22	Philippines		150.00		2,970.36		6.52		
Committee total					4,108.55		80,376.69		632.78		

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

G. V. MONTGOMERY, Chairman, Apr. 28, 1983.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON WAYS AND MEANS, U.S. HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JAN. 1 AND MAR. 31, 1983

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Hon. Carroll A. Campbell, Jr. [3]	2/12	2/13	Italy		89.00		1,630.68				
	2/13	2/16	Israel		300.00		579.96				
	2/16	2/18	Egypt		282.00		406.73				
	2/18	2/19	Cyprus				361.54				
	2/19	2/19	Lebanon				144.15				
	2/19	2/21	Saudi Arabia		492.00		941.50				
	2/21	2/23	Tunisia		150.00		941.50				
	2/23		United States				1,883.00				
Hon. Bill Frenzel	1/7	1/8	Finland		[4] 190.00						
	1/8	1/12	Soviet Union		[4] 534.00						
	1/12	1/14	Hungary		218.00						
	1/14	1/16	Yugoslavia		150.00		32.40		65.60		
	1/16	1/20	Greece		432.00		15.72		100.34		
	1/19	1/19	Romania				126.23				
Transportation by Department of Defense							4,579.46				
Hon. Sam M. Gibbons	1/7	1/8	Finland		[4] 190.00						
	1/8	1/12	Soviet Union		[4] 534.00						
	1/12	1/14	Hungary		218.00						
	1/14	1/16	Yugoslavia		150.00		32.40		65.60		
	1/16	1/20	Greece		432.00		15.72		100.34		
Transportation by Department of Defense							4,579.46				
Hon. Don J. Pease	1/7	1/8	Finland		[4] 190.00						
	1/8	1/12	Soviet Union		[4] 534.00						
	1/12	1/14	Hungary		218.00						
	1/14	1/16	Yugoslavia		150.00		32.40		65.60		
	1/16	1/20	Greece		432.00		15.72		100.34		
	1/20	1/22	Italy		238.00						
Transportation by Department of Defense							8,546.05				
Hon. J. J. Pickle	1/7	1/8	Finland		[4] 190.00						
	1/8	1/12	Soviet Union		[4] 534.00						
	1/12	1/14	Hungary		218.00						
	1/14	1/16	Yugoslavia		150.00		32.40		65.60		
	1/16	1/20	Greece		432.00		15.72		100.34		
Transportation by Department of Defense							4,579.46				
Hon. Guy Vander Jagt	12/26	1/2	Jamaica	1,298.50	742.00						
Hon. Kenneth J. Kies	3/8	3/10	Switzerland	527.20	258.00		29.91				
							1,817.00				
Committee total					8,647.00		31,339.11		663.76		40,649.87

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.
[3] Military aircraft was used. This is the actual cost of flights on a pro rata basis. Costs were incurred for ground transportation by the Department of State.
[4] These figures reflect per diem as well as additional subsistence provided to cover unanticipated additional expenses while in official travel status.

DAN ROSTENKOWSKI, Chairman, Apr. 28, 1983.

EXECUTIVE COMMUNICATIONS ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1136. A letter from the Secretary of Housing and Urban Development, transmitting a report on the adequacy, effectiveness, and equity of the formula used for allocation of funds under title 1 of the Housing and Community Development Act of 1974, pursuant to section 113 of Public Law 96-399; to the Committee on Banking, Finance and Urban Affairs.

1137. A letter from the Secretary of the Department of Education, transmitting a draft of proposed legislation to increase the authorization of appropriations levels for certain education programs, and for other purposes; to the Committee on Education and Labor.

1138. A letter from the Secretary of Education, transmitting proposed final priorities for the training program for special programs staff and leadership personnel, pursuant to section 431(d) of the General Education Provisions Act, as amended; to the Committee on Education and Labor.

1139. A letter from the Secretary of Education, transmitting proposed final regulations establishing the 1984-85 Pell grant family contribution schedule, pursuant to section 124 of Public Law 97-92, section 482(a)(2) of the Higher Education Act of 1965, as amended, and section 431(d)(1) of the General Education Provisions Act, as amended; to the Committee on Education and Labor.

1140. A letter from the executive director, American Chemical Society, transmitting the annual report and audit of the organization for calendar year 1982, pursuant to section 3 of Public Law 88-504; to the Committee on the Judiciary.

1141. A letter from the Secretary of Commerce, transmitting a draft of proposed legislation to amend the National Climate Program Act to authorize appropriations for the carrying out of the provisions of such act, and for other purposes; to the Committee on Science and Technology.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

[Pursuant to the order of the House on May 12, 1983, the following reports were filed on May 13, 1983]

Mr. MONTGOMERY: Committee on Veterans' Affairs. H.R. 2355. A bill to establish an emergency program of job training assistance for disabled veterans and veterans of the Vietnam era; with an amendment (Rept. No. 98-116). Referred to the Committee of the Whole House on the State of the Union.

Mr. MONTGOMERY: Committee on Veterans' Affairs. H.R. 2920. A bill to amend title 38, United States Code, to revise and extend certain health-care programs of the Veterans' Administration, and for other purposes. (Rept. No. 98-117). Referred to the Committee of the Whole House on the State of the Union.

Mr. MONTGOMERY: Committee on Veterans' Affairs. H.R. 2948. A bill to amend title 38, United States Code, to authorize the Administrator of Veterans' Affairs to provide mortgage assistance to veterans with loans guaranteed by the Veterans' Administration in order to avoid foreclosure of such loans, and for other purposes; with an amendment (Rept. No. 98-118). Referred to the Committee of the Whole House on the State of the Union.

Mr. ROSTENKOWSKI: Committee on Ways and Means. H.R. 500. A bill to repeal sections 301 through 308 of the Tax Equity and Fiscal Responsibility Act of 1982, which impose withholding on interest and dividends. (Rept. No. 98-119). Referred to the Committee of the Whole House on the State of the Union.

Mr. ROSTENKOWSKI: Committee on Ways and Means. H.R. 2973. A bill to repeal the withholding of tax from interest and dividends (Rept. No. 98-120). Referred to the Committee of the Whole House on the State of the Union.

Mr. ROSTENKOWSKI: Committee on Ways and Means. H.R. 2990. A bill to increase the temporary public debt limit, and for other purposes; with amendments (Rept. No. 98-121). Referred to the Committee of the Whole House on the State of the Union.

Mr. BOLAND: Permanent Select Committee on Intelligence. H.R. 2760. A bill to amend the Intelligence Authorization Act for Fiscal Year 1983 to prohibit U.S. support for military or paramilitary operations in

Nicaragua and to authorize assistance, to be openly provided to governments of countries in Central America, to interdict the supply of military equipment from Nicaragua and Cuba to individuals, groups, organizations, or movements seeking to overthrow governments of countries in Central America; with amendments (Rept. No. 98-122, Pt.). Ordered to be printed.

Mr. ST GERMAIN: Committee on Banking Finance and Urban Affairs. H.R. 1. A bill to amend and extend certain Federal laws that establish housing and community and neighborhood development and preservation programs, and for other purposes; with an amendment (Rept. No. 98-123). Referred to the Committee of the Whole House on the State of the Union.

Mr. ST GERMAIN: Committee on Banking, Finance and Urban Affairs. H.R. 10. A bill to amend the Public Works and Economic Development Act of 1965 and the Appalachian Regional Development Act of 1965; with amendments (Rept. No. 98-52, Pt. II). Referred to the Committee of the Whole House on the State of the Union.

Mr. ALBOSTA; Committee on Post Office and Civil Service. H.R. 2717. A bill to amend the Ethics in Government Act of 1978 to make certain changes in the authority of the Office of Government Ethics, and for other purposes; with an amendment (Rept. No. 98-89, Pt. II). Referred to the Committee of the Whole House on the State of the Union.

Mr. FUQUA: Committee on Science and Technology. H.R. 2465. A bill to authorize appropriations for the Earthquake Hazards Reduction Act of 1977 and the Federal Fire Prevention and Control Act of 1974 for fiscal year 1984 and fiscal year 1985, and for other purposes (Rept. No. 98-99, Pt. II). Referred to the Committee of the Whole House on the State of the Union.

Mr. FUQUA: Committee on Science and Technology. H.R. 2733. A bill to extend and improve the existing program of research, development, and demonstration in the production and manufacture of guayule rubber, and to broaden such program to include other critical agricultural materials; with amendment (Rept. No. 98-109, Pt. II). Referred to the Committee of the Whole House on the State of the Union.

Mr. PERKINS: Committee on Education and Labor. H.R. 2782. A bill to amend the Defense Production Act of 1950 to revitalize the defense industrial base of the United States; with amendments (Rept. No. 98-110, Pt. II). Referred to the Committee of the Whole House on the State of the Union.

Mr. JONES of North Carolina: Committee on Merchant Marine and Fisheries. H.R. 1546. A bill to amend the National Ocean Pollution Planning Act of 1978 to authorize appropriations for such act for fiscal years 1984 and 1985; with an amendment (Rept. No. 98-125, Pt. I). Ordered to be printed.

Mr. JONES of North Carolina: Committee on Merchant Marine and Fisheries. H.R. 2722. A bill to amend the National Advisory Committee on Oceans and Atmosphere Act of 1977 to authorize appropriations to carry out the provisions of such act for fiscal years 1984 and 1985, and for other purposes (Rept. No. 98-126). Referred to the Committee of the Whole House on the State of the Union.

Mr. JONES of North Carolina: Committee on Merchant Marine and Fisheries. H.R. 2784. A bill to authorize appropriations to carry out the Atlantic Tunas Convention Act of 1975 during fiscal years 1984, 1985, and 1986, and for other purposes; with amendments (Rept. No. 98-127). Referred to the Committee of the Whole House on the State of the Union.

Mr. BROOKS: Committee on Government Operations. H.R. 1314. A bill to extend and revise the authority of the President under chapter 9 of title 5, United States Code, to transmit to the Congress plans for the reorganization of the agencies of the executive branch of the Government, and for other purposes; with an amendment (Rept. No. 98-128, Pt. I). Ordered to be printed.

Mr. BROOKS: Committee on Government Operations. H.R. 2196. A bill to extend the authorization of appropriations of the National Historical Publications and Records Commission for 5 years (Rept. No. 98-129). Referred to the Committee of the Whole House on the State of the Union.

Mr. ZABLOCKI: Committee on Foreign Affairs. H.R. 2915. A bill to authorize appropriations for fiscal years 1984 and 1985 for the Department of State, the U.S. Information Agency, the Board for International Broadcasting, the Inter-American Foundation, and the Asia Foundation, to establish the National Endowment for Democracy, and for other purposes (Rept. No. 98-130). Referred to the Committee of the Whole House on the State of the Union.

Mr. JONES of North Carolina: Committee on Merchant Marine and Fisheries. H.R. 2114. A bill to authorize appropriations for the fiscal year 1984 for certain maritime programs of the Department of Transportation, and for other purposes; with amendments (Rept. No. 98-131). Referred to the Committee of the Whole House on the State of the Union.

Mr. JONES of North Carolina: Committee on Merchant Marine and Fisheries. H.R. 2395. A bill to extend the Wetlands Loan Act; with an amendment (Rept. No. 98-132). Referred to the Committee of the Whole House on the State of the Union.

Mr. FUQUA: Committee on Science and Technology. H.R. 2900. A bill to authorize appropriations for atmospheric, climatic, and ocean pollution activities of the National Oceanic and Atmospheric Administration for the fiscal years 1984 and 1985, and for other purposes (Rept. No. 98-135, Pt. I). Ordered to be printed.

Mr. PERKINS: Committee on Education and Labor. H.R. 2207. A bill to reenact the Emergency School Aid Act; with an amendment (Rept. No. 98-136). Referred to the Committee of the Whole House on the State of the Union.

Mr. PERKINS: Committee on Education and Labor. H.R. 2461. A bill to extend and improve the Rehabilitation Act of 1973 and to provide for the operation of the Helen Keller National Center for Deaf-Blind Youths and Adults; with amendments (Rept. No. 98-137). Referred to the Committee of the Whole House on the State of the Union.

Mr. PERKINS: Committee on Education and Labor. H.R. 2943. A bill to authorize appropriations for grants to the Washington Workshop Foundation; with amendments (Rept. No. 98-138). Referred to the Committee of the Whole House on the State of the Union.

Mr. PERKINS: Committee on Education and Labor. H.R. 2439. A bill to increase funding for low-income home energy assistance, to improve accountability with respect to the use of funds under the Low-Income Home Energy Assistance Act of 1981, and for other purposes; with an amendment (Rept. No. 98-139, Pt. I). Ordered to be printed.

Mr. DINGELL: Committee on Energy and Commerce. H.R. 2861. A bill to amend the Public Health Service Act to increase the authorization for fiscal year 1984 for primary care block grants (Rept. No. 98-140). Referred to the Committee of the Whole House on the State of the Union.

Mr. DINGELL: Committee on Energy and Commerce. H.R. 2862. A bill to amend the Social Security Act to increase the authorization for fiscal year 1984 for maternal and child health services block grant; with an amendment (Rept. No. 98-141). Referred to the Committee of the Whole House on the State of the Union.

Mr. DINGELL: Committee on Energy and Commerce. H.R. 2712. A bill to extend title XVII of the Public Health Service Act; with an amendment (Rept. No. 98-142). Referred to the Committee of the Whole House on the State of the Union.

Mr. DINGELL: Committee on Energy and Commerce. H.R. 2713. A bill to amend the Public Health Service Act to authorize appropriations to be made available to the Secretary of Health and Human Services for research for the cause, treatment, and prevention of public health emergencies; with an with an amendment (Rept. No. 98-143). Referred to the Committee of the Whole House on the State of the Union.

Mr. JONES of North Carolina: Committee on Merchant Marine and Fisheries. H.R. 1643. A bill to authorize appropriations to carry out the national sea grant college program for fiscal year 1984 and 1985 (Rept. No. 98-144). Referred to the Committee of the Whole House on the State of the Union.

Mr. JONES of North Carolina: Committee on Merchant. Marine and Fisheries. H.R. 2689. A bill to authorize appropriations for fiscal year 1984 for the operation and maintenance of the Panama Canal, and for other purposes; with amendments (Rept. No. 98-145). Referred to the Committee of the Whole House on the State of the Union.

Mr. BROOKS: Committee on Government Operations. H.R. 2293. A bill to amend the Office of Federal Procurement Policy Act, and for other purposes; with an amendment (Rept. No. 98-146). Referred to the Committee of the Whole House on the State of the Union.

Mr. BROOKS: Committee on Government Operations. H.R. 2718. A bill to amend chapter 35 of title 44, United States Code, relating to the coordination of Federal information policy, and for other purposes; with an amendment (Rept. No. 98-147). Referred to the Committee of the Whole House on the State of the Union.

Mr. DE LA GARZA: Committee on Agriculture. H.R. 1590. A bill to provide emergency food assistance to low-income and unemployed persons and to improve the commodity distribution program; with an amendment (Rept. No. 98-148). Referred to the Committee of the Whole House on the State of the Union.

Mr. HOWARD: Committee on Public Works and Transportation. H.R. 2605. A bill authorizing appropriations to the Secretary of the Interior for services necessary to the nonperforming arts functions of the John F. Kennedy Center for the Performing Arts, and for other purposes; with an amendment (Rept. No. 98-149). Referred to the Committee of the Whole House on the State of the Union.

Mr. GARCIA: Committee on Post Office and Civil Service. H.R. 1492. A bill to establish the Christopher Columbus Quincentenary Jubilee Commission; with amendments (Rept. No. 98-150). Referred to the Commit-

tee of the Whole House on the State of the Union.

Mr. HOWARD: Committee on Public Works and Transportation. H.R. 593. A bill to designate the New York Bulk and Foreign Mail Center at Jersey City, N.J., as the "Michael McDermott Bulk and Foreign Mail Center"; with an amendment (Rept. No. 98-151). Referred to the House Calendar.

Mr. HOWARD: Committee on Public Works and Transportation. H.R. 2895. A bill to designate the Federal Building and U.S. Courthouse at 450 Golden Gate Avenue, San Francisco, Calif., as the Phillip Burton Federal Building and U.S. Courthouse (Rept. No. 98-152). Referred to the House Calendar.

Mr. HOWARD: Committee on Public Works and Transportation. H.R. 1244. A bill to amend the provisions of title 31, United States Code, relating to the President's budget to require it to separately identify and summarize the capital investment expenditures of the United States, to amend the Public Works and Economic Development Act of 1965 to require the Secretary of Commerce to conduct an inventory and assessment of the Nation's public facilities, and for other purposes; with amendments (Rept. No. 98-153 Pt. I). Ordered to be printed.

Mr. HOWARD: Committee on Public Works and Transportation. H.R. 1707. A bill to amend the Independent Safety Board Act of 1974 to authorize appropriation for fiscal years 1984, 1985, and 1986, and for other purposes, (Rept. No. 98-154, Pt. I). Ordered to be printed.

Mr. MOAKLEY: Committee on Rules. H.R. 2970. A bill to amend the Federal Trade Commission Act to extend the authorization of appropriations contained in such act, and for other purposes. (Rept. No. 98-156, Pt. II). Ordered to be printed.

Mr. MOAKLEY: Committee on Rules. H.R. 2974. A bill to authorize appropriations for the Federal Trade Commission, to provide for congressional review of Commission rules, and for other purposes. (Rept. No. 98-157, Pt. I). Ordered to be printed.

Mr. PERKINS: Committee on Education and Labor. H.R. 1264. A bill to establish a select commission to examine the issues associated with voluntary service; with amendments (Rept. No. 98-158). Referred to the Committee of the Whole House on the State of the Union.

Mr. PERKINS: Committee on Education and Labor. H.R. 1904. A bill to extend and improve the provisions of the Child Abuse Prevention and Treatment Act and the Child Abuse Prevention and Treatment and Adoption Reform Act of 1978; with an amendment (Rept. No. 98-159). Referred to the Committee of the Whole House on the State of the Union.

Mr. PERKINS: Committee on Education and Labor. H.R. 2148. A bill to reenact the Follow Through program with certain technical changes, to authorize appropriations for such program for fiscal years 1984 and 1985, and for other purposes; with an amendment (Rept. No. 98-160). Referred to the Committee of the Whole House on the State of the Union.

Mr. PERKINS: Committee on Education and Labor. H.R. 2655. A bill to extend and improve the Domestic Volunteer Service Act of 1973; with amendments (Rept. No. 98-161). Referred to the Committee of the Whole House on the State of the Union.

Mr. PERKINS: Committee on Education and Labor. H.R. 2708. A bill to further the national security and improve the economy of the United States by providing grants for the improvement of proficiency in critical languages, for the improvement of elementary and secondary foreign language instruction, and for per capita grants to reimburse institutions of higher education to promote the growth and improve the quality of postsecondary foreign language instruction; with an amendment (Rept. No. 98-162). Referred to the Committee of the Whole House on the State of the Union.

Mr. PERKINS: Committee on Education and Labor. H.R. 2751. A bill to amend the National Foundation on the Arts and the Humanities Act of 1965, and for other purposes; with an amendment (Rept. No. 98-163). Referred to the Committee of the Whole House on the State of the Union.

Mr. PERKINS: Committee on Education and Labor. H.R. 2807. A bill to increase the level of funds authorized to be appropriated for the fiscal years 1982, 1983, and 1984 to permit adequate reimbursement for meals served under the Older Americans Act of 1965; with an amendment (Rept. No. 98-164). Referred to the Committee of the Whole House on the State of the Union.

Mr. PERKINS: Committee on Education and Labor. H.R. 2878. A bill to amend and extend the Library Services and Construction Act; with an amendment (Rept. No. 98-165). Referred to the Committee of the Whole House on the State of the Union.

Mr. PRICE: Committee on Armed Services. H.R. 2972. A bill to authorize certain construction at military installations for fiscal year 1984, and for other purposes; with an amendment (Rept. No. 98-166). Referred to the Committee of the Whole House on the State of the Union.

Mr. UDALL: Committee on Interior and Insular Affairs. H.R. 71. A bill to authorize and direct the Secretary of the Interior to engage in a special study of the potential for groundwater recharge in the High Plains States, and for other purposes; with an amendment (Rept. No. 98-167). Referred to the Committee of the Whole House on the State of the Union.

Mr. UDALL: Committee on Interior and Insular Affairs. H.R. 1652. A bill to amend the Reclamation Safety of Dams Act of 1978, and for other purposes; with an amendment (Rept. No. 98-168). Referred to the Committee of the Whole House on the State of the Union.

Mr. UDALL: Committee on Interior and Insular Affairs. H.R. 1928. A bill to provide for an Indian housing program for construction and financing of housing for Indians, and for other purposes; with an amendment (Rept. No. 98-169). Referred to the Committee of the Whole House on the State of the Union.

Mr. UDALL: Committee on Interior and Insular Affairs. H.R. 2379. A bill to provide for the protection and management of the national park system, and for other purposes; with amendments (Rept. No. 98-170). Referred to the Committee of the Whole House on the State of the Union.

Mr. UDALL: Committee on Interior and Insular Affairs. H.R. 2954. A bill to establish an Insular Areas Committee on Federal Laws to study the application of the laws of the United States to Guam, the Virgin Islands, and American Samoa. (Rept. No. 98-171). Referred to the Committee of the Whole House on the State of the Union.

Mr. UDALL: Committee on Interior and Insular Affairs. H.R. 2955. A bill to facilitate economic development in the territories of the United States through the mobilization of private capital and skills, and for other purposes (Rept. No. 98-172). Referred to the Committee of the Whole House on the State of the Union.

Mr. UDALL: Committee on Interior and Insular Affairs. H.R. 1746. A bill to authorize appropriations for the Navajo and Hopi Indian Relocation Commission (Rept. No. 98-173). Referred to the Committee of the Whole House on the State of the Union.

Mr. UDALL: Committee on Interior and Insular Affairs. S. 589. An act to authorize $15,500,000 for capital improvement projects on Guam, and for other purposes; with an amendment (Rept. No. 98-174). Referred to the Committee of the Whole House on the State of the Union.

Mr. ST GERMAIN: Committee on Banking, Finance and Urban Affairs. H.R. 2957. A bill to extend the authority of the Export-Import Bank of the United States, encourage balanced worldwide economic growth, provide for continued participation in the International Monetary Fund, strengthen the supervision of international lending by United States banks, and provide for continued U.S. participation in multilateral development banks (Rept. No. 98-175). Referred to the Committee of the Whole House on the State of the Union.

Mr. ST GERMAIN: Committee on Banking, Finance and Urban Affairs. H.R. 2842. A bill to amend the Export-Import Bank Act of 1945 to establish the Competitive Tied Aid Fund, and for other purposes; with an amendment (Rept. No. 98-176). Referred to the Committee of the Whole House on the State of the Union.

Mr. ST GERMAIN: Committee on Banking, Finance and Urban Affairs. H.R. 2930. A bill to encourage the coordination of national fiscal and monetary policy in order to achieve sustainable and noninflationary economic growth on a worldwide basis, to amend the Bretton Woods Agreements Act to authorize an increase in the U.S. quota in the International Monetary Fund, to reduce financial pressures on developing nations, and to improve the supervision of international lending by U.S. banks; with an amendment (Rept. No. 98-177). Referred to the Committee of the Whole House on the State of the Union.

Mr. ST GERMAIN: Committee on Banking, Finance and Urban Affairs. H.R. 2832. A bill to provide for increased participation by the United States in the Inter-American Development Bank, the Asian Development Bank, and the African Development Fund; With an amendment (Rept. No. 98-178). Referred to the Committee of the Whole House on the State of the Union.

Mr. BROOKS: Committee on Government Operations. H.R. 2780. A bill to extend and amend the provisions of title 31, United States Code, relating to the general revenue sharing program; with an amendment (Rept. No. 98-179). Referred to the Committee of the Whole House on the State of the Union.

Mr. ZABLOCKI: Committee on Foreign Affairs. H.R. 2906. A bill to amend the Arms Control and Disarmament Act in order to extend the authorization for appropriations (Rept. No. 98-180). Referred to the Committee of the Whole House on the State of the Union.

Mr. RODINO: Committee on the Judiciary. H.R. 2912. A bill to authorize appropriations to carry out the activities of the Department of Justice for fiscal year 1984, and for other purposes; with an amendment (Rept. No. 98-181). Referred to the Commit-

tee of the Whole House on the State of the Union.

Mr. MITCHELL: Committee on Small Business. H.R. 3020. A bill to amend the Small Business Act, and for other purposes (Rept. No. 98-182). Referred to the Committee of the Whole House on the State of the Union.

Mr. DINGELL: Committee on Energy and Commerce. H.R. 2721. A bill to authorize funds for fiscal year 1984 for carrying out the International Travel Act of 1961, and for other purposes (Rept. No. 98-183). Referred to the Committee of the Whole House on the State of the Union.

Mr. PERKINS: Committee on Education and Labor. House Joint Resolution 203. Joint resolution to establish State commissions on teacher excellence; with an amendment (Rept. No. 98-184). Referred to the House Calendar.

Mr. MONTGOMERY: Committee on Veterans' Affairs. H.R. 1400. A bill to amend title 38, United States Code, to establish new educational assistance programs for veterans and for members of the Armed Forces; with amendments (Rept. No. 98-185, Pt. I). Ordered to be printed.

Mr. JONES of North Carolina: Committee on Merchant Marine and Fisheries. H.R. 1547. A bill to amend the Marine Protection, Research, and Sanctuaries Act of 1972 to authorize appropriations for such act for fiscal year 1984 and 1985, and for other purposes; with amendments (Rept. No. 98-186, Pt. I). Ordered to be printed.

Mr. DINGELL: Committee on Energy and Commerce. Committee Report on proceedings against Rita M. Lavelle (Rept. No. 98-190). Referred to the House Calendar.

REPORTED BILLS SEQUENTIALLY REFERRED

Under clause 5 of rule X, bills and reports were delivered to the Clerk for printing, and bills referred as follows:

[Pursuant to the order of the House on May 12, 1983, the following report was filed on May 13, 1983]

Mr. RODINO: Committee on the Judiciary. H.R. 1510. A bill to revise and reform the Immigration and Nationality Act, and for other purposes; with an amendment; referred to the Committees on Agriculture, Education and Labor, Energy and Commerce, and Ways and Means for a period ending not later than June 27, 1983, for consideration of such provisions of the bill and amendment as fall within the jurisdictions of those committees pursuant to clauses 1 (a), (g), (h), and (v) of rule X, respectively (Rept. No. 98-115, Pt. I). Ordered to be printed.

Mr. STRATTON: Committee on Armed Services. H.R. 2797. A bill to authorize appropriations for the Department of Energy for national security programs for fiscal year 1984, and for other purposes; with amendments; referred to the Committee on Energy and Commerce and Interior and Insular Affairs for a period ending not later than June 15, 1983, for consideration of such provisions of the bill as fall within the jurisdictions of those committees pursuant to clauses 1 (h) and (l) of rule X, respectively (Rept. No. 98-24, Pt. I). Ordered to be printed.

Mr. JONES of North Carolina: Committee on Merchant Marine and Fisheries: H.R. 2163. A bill to amend the Federal Boat Safety Act of 1971, and for other purposes; with amendments; referred to the Committee on Ways and Means for a period ending not later than July 15, 1983, for consideration of such provisions of the bill and amendments as fall within the jurisdiction of that committee pursuant to clause 1(v), rule X (Rept. No. 98-133, Pt. I). Ordered to be printed.

Mr. JONES of North Carolina: Committee on Merchant Marine and Fisheries: H.R. 2809. A bill to establish a U.S. Fish and Wildlife Foundation; with an amendment; referred to the Committee on Ways and Means for a period ending not later than July 15, 1983, for consideration of such provisions of the bill and amendments as fall within the jurisdiction of that committee pursuant to clause 1(v), rule X (Rept. No. 98-134, Pt. I). Ordered to be printed.

Mr. JONES of North Carolina: Committee on Merchant Marine and Fisheries. H.R. 2676. A bill to authorize appropriations through fiscal year 1984 for the National Aquaculture Act; with an amendment; referred to the Committee on Agriculture for a period ending not later than June 1, 1983, for consideration of such portions of the bill and amendment as fall within its jurisdiction pursuant to claude 1(a), rule X (Rept. No. 98-155, Pt. I). Ordered to be printed.

Mr. DINGELL: Committee on Energy and Commerce. H.R. 2970. A bill to amend the Federal Trade Commission Act to extend the authorization of appropriations contained in such act, and for other purposes; with amendments; referred to the Committee on the Judiciary for a period ending not later than June 15, 1983, for a period ending not later than June 15, 1983, for consideration of such provisions of the bill as fall within its jurisdiction pursuant to clause 1(m), rule X (Rept. No. 98-156, Pt. 2). Ordered to be printed.

Mr. JONES of North Carolina: Committee on Merchant Marine and Fisheries. H.R. 2062. A bill to amend title III of the Marine Protection, Research, and Sanctuaries Act of 1972; with an amendment; referred to the Committee on the Judiciary for a period ending not later than June 15, 1983, for consideration of such provisions of the bill and amendment as fall within that committee's jurisdiction pursuant to clause 1(m), rule X (Rept. No. 98-187, Pt. I). Ordered to be printed.

Mr. DINGELL: Committee on Energy and Commerce. H.R. 2498. A bill to establish a Congressional Advisory Commission on Boxing; referred to the Committee on Education and Labor for a period ending not later than June 1, 1983, for consideration of such provisions of the bill as fall within the jurisdiction of that committee pursuant to clause 1(g), rule X, (Rept. No. 98-188, Pt. I). Ordered to be printed.

Mr. BOLAND: Permanent Select Committee on Intelligence. H.R. 2968. A bill to authorize appropriations for fiscal year 1984 for intelligence and intelligence-related activities of the U.S. Government, for the intelligence community staff, for the Central Intelligence Agency retirement and disability system, and for other purposes; referred to the Committee on Armed Services for a period ending not later than May 30, 1983, for consideration of such portions of the bill as fall within its jurisdiction pursuant to clause 1(c), rule X (Rept. No. 98-189, Pt. I). Ordered to be printed.

PUBLIC BILLS AND RESOLUTIONS

Under clause 5 of rule X and clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. MITCHELL:

H.R. 3020. A bill to amend the Small Business Act, and for other purposes; to the Committee on Small Business.

By Mr. WAXMAN (for himself, Mr. MADIGAN, Mr. DINGELL, Mr. SCHEUER, Ms. MIKULSKI, Mr. WYDEN, Mr. ECKART, Mr. SIKORSKI, Mr. OTTINGER, Mr. FLORIO, Mr. SHARP, Mr. DOWDY of Mississippi, Mr. FORD of Tennessee, Mr. JACOBS, Mr. GEPHARDT, Mr. LENT, Mr. RINALDO, Mr. TAUKE, Mr. NIELSON of Utah, Mr. WIRTH, Mr. RICHARDSON, Mrs. COLLINS, Mr. CORCORAN, Mr. WALGEN, Mr. LUKEN, Mr. LELAND, Mr. O'BRIEN, and Mrs. MARTIN of Illinois):

H.R. 3021. A bill to amend the Social Security Act to provide for a program of grants to States to provide health care benefits for the unemployed, and for other purposes; to the Committee on Energy and Commerce.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

130. The SPEAKER presented a memorial of the Legislature of the Territory of Guam, relative to the Clean Air Act; to the Committee on Energy and Commerce.

ADDITIONAL SPONSORS

Under clause 4 of rule XXII, sponsors were added to public bills and resolutions as follows:

H.R. 5: Mr. PRITCHARD, Mr. STUDDS, Mr. FORSYTHE, Mr. HUGHES, Mr. BIAGGI, Mr. WHITEHURST, Mr. NATCHER, Mr. WYDEN, Mr. OBERSTAR, Mr. FORD of Tennessee, Mr. GUARINI, Mr. DE LA GARZA, Mr. BENNETT, Mr. SUNIA, Mr. LAFALCE, Mr. DWYER of New Jersey, Mr. EDGAR, Mr. TALLON, Mr. BOSCO, Mr. LOWRY of Washington, Mr. HERTEL of Michigan, Mr. BEVILL, Mr. FRANK, Mr. FOGLIETTA, Mr. BONKER, Mr. MRAZEK, Mr. SWIFT, Mr. ROSE, Mr. ECKART, Mr. HUTTO, Mr. GEJDENSON, Mr. MATSUI, Mr. DAVIS, Mr. PANETTA, Mr. FUQUA, Mr. MITCHELL, Mr. DYSON, Mr. LELAND, Mr. MORRISON of Washington, Mr. BONIOR of Michigan, Mr. RATCHFORD, Mrs. KENNELLY, Mr. LONG of Louisiana, Mr. LEHMAN of Florida, Mr. BARNARD, Mrs. JOHNSON, Mr. SPRATT, Mr. FEIGHAN, Mr. LIPINSKI, Mr. SCHEUER, Mr. LEVINE of California, Mr. ANDREWS of North Carolina, Mr. THOMAS of Georgia, Mr. OTTINGER, Mr. MCKERNAN, Mr. TOWNS, Mr. WON PAT, Mr. DOWNEY of New York, Mr. MOAKLEY, Mr. FAZIO, Mr. CHAPPELL, Mr. MARKEY, Mr. EDWARDS of California, Mrs. BOXER, Mr. BEILENSON, Mr. DYMALLY, Mr. PATTERSON, Mr. BARNES, Mr. OWENS, Mr. BERMAN, Mr. LEVIN of Michigan, Mrs. BOGGS, Mrs. HOLT, Mr. STOKES, Mr. MAVROULES, Mr. DONNELLY, Mr. CARPER, Mr. MINISH, Mr. DERRICK, Mr. CORRADA, Mr. MCKINNEY, Mr. HEFTEL of Hawaii, Mr. MILLER of California, Mr. VALENTINE, Mr. HARTNETT, Mr. MORRISON of Connecticut, Mr. WEAVER, Mr. CHANDLER, Mr. DE LUGO, Mr. LUNDINE, Mr. BRITT, Mr. TAUZIN, Ms. MIKULSKI, Mrs. SCHNEIDER, Mr. BREAUX, Mr. ORTIZ, Mr. DICKS, Mr. ANDERSON, Mr. FASCELL, Mr. MINETA, Mr. MCDADE, Mr. HOYER, Mr. BATEMAN, Mr. LENT, Mr. RODINO,

Mr. ST GERMAIN, Mr. LANTOS, Mr. WAXMAN, Mr. HUBBARD, Mr. BORSKI, Mr. NEAL, Mr. WHITLEY, Mr. HEFNER, Ms. OAKAR, Ms. SNOWE, and Mr. NELSON of Florida.

H.R. 216: Mr. BILIRAKIS.

H.R. 679: Mr. MARTIN of New York and Mr. MURPHY.

H.R. 1036: Mr. BERMAN.

H.R. 1254: Mrs. MARTIN of Illinois.

H.R. 1441: Mr. SENSENBRENNER and Mr. WILSON.

H.R. 1596: Mr. DOWNEY of New York, Mr. FRANK, Mr. FLORIO, Mr. WOLPE, Mr. HORTON, Mr. STUDDS, Ms. MIKULSKI, Mr. D'AMOURS, Mr. RATCHFORD, Mr. FAZIO, Mr. JEFFORDS, Mr. KILDEE, Mr. WILLIAMS of Montana, Mr. HUGHES, Mr. LEVINE of California, Mr. PANETTA, Mr. MRAZEK, and Mr. ACKERMAN.

H.R. 1643: Mr. LANTOS.

H.R. 1652: Mr. BROWN of Colorado.

H.R. 1700: Mr. TALLON.

H.R. 1701: Mr. BROYHILL, Mr. DAUB, Mr. MORRISON of Washington, and Mrs. SCHROEDER.

H.R. 1797: Mr. FASCELL, Mr. MARTINEZ, and Mr. SMITH of New Jersey.

H.R. 1920: Mr. LENT, Mr. LEWIS of Florida, Mr. WORTLEY, Mr. KASICH, Mr. SMITH of New Jersey, Mr. GEKAS, Mr. STOKES, Mr. ROE, Mr. HUTTO, and Mr. OLIN.

H.R. 1937: Mr. TALLON.

H.R. 2054: Mr. EDGAR, Mr. VENTO, and Mr. MORRISON of Connecticut.

H.R. 2076: Mr. MARTIN of New York, Mr. PORTER, Mr. WYLIE, Mr. GUARINI, Mr. FAZIO, and Mr. CLINGER.

H.R. 2131: Mr. MITCHELL and Mr. SWIFT.

H.R. 2163: Mr. CORRADA, Mr. WEAVER, Mr. JEFFORDS, Mr. SWIFT, Mr. VANDER JAGT, Mr. JONES of North Carolina, Mr. BREAUX, Mr. FORSYTHE, and Mr. HUTTO.

H.R. 2676: Mr. HUGHES.

H.R. 2722: Mr. HUGHES.

H.R. 2809: Mr. WOLF, Mr. OLIN, Mr. REGULA, Mr. CONTE, Mr. YOUNG of Alaska, Mrs. SCHROEDER, Mr. MICA, Mr. BOLAND, Mr. MURTHA, Mr. JONES of North Carolina, Mr. COELHO, Mr. LUJAN, Mr. THOMAS of Georgia, and Mr. FOLEY.

H.R. 2852: Mr. SENSENBRENNER and Mr. SAWYER.

H.R. 2992: Mr. FASCELL.

H.R. 3002: Mr. HUCKABY and Mrs. BOGGS.

H.J. Res. 103: Mr. FASCELL.

H.J. Res. 139: Mr. LIVINGSTON, Mr. NICHOLS, Mr. PORTER, Mr. SHELBY, Mr. HEFNER, Mr. BARTLETT, Mr. RICHARDSON, Mr. SMITH of New Jersey, Mr. SCHUMER, Mr. BROYHILL, Mr. FISH, Mr. PARRIS, Mr. DANIEL, Mr. FAZIO, Mr. LANTOS, Mr. FLIPPO, and Mr. ROBINSON.

H. Con. Res. 95: Mr. ANNUNZIO, Mr. WHITEHURST, Mr. FROST, Mr. KILDEE, Mr. ROE, Mr. MOLLOHAN, Mr. MAVROULES, Mr. D'AMOURS, Mr. WALGREN, Ms. MIKULSKI, Mrs. BOXER, Mr. WOLPE, Mr. SMITH of Florida, Mr. HOWARD, Mr. DYSON, Mr. MCNULTY, Mr. FORSYTHE, Mr. EDGAR, Mr. LEHMAN of California, Mr. MCGRATH, Mr. LELAND, Mr. HALL of Ohio, Mr. MCKINNEY, Mr. MATSUI, Mr. LOEFFLER, Mr. HERTEL of Michigan, and Mr. HARKIN.

H. Con. Res. 112: Mr. BERMAN, Mr. HOYER, Ms. KAPTUR, and Mr. LEHMAN of Florida.

H. Res. 17: Mr. ANTHONY, Mr. CAMPBELL, Mr. CONABLE, Mr. DORGAN, Mr. EDWARDS of Alabama, Mr. FLIPPO, Mr. GRADISON, Mr. JONES of North Carolina, Mr. OLIN, and Mr. ROSTENKOWSKI.

H. Res. 155: Mr. CARPER, Mr. DEWINE, Mr. STRATTON, Mr. TRAXLER, and Mr. UDALL.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

93. By the SPEAKER: Petition of the Council of the County of Maui, Hawaii, relative to native Hawaiians; to the Committee on Interior and Insular Affairs.

94. Also, petition of the Tinian Land Owner's Association, Tinian, Northern Marina Islands, relative to compensation for private property; to the Committee on Interior and Insular Affairs.

95. Also, petition of the Commission to Study Professional Boxing and Wrestling in Rhode Island, Providence, R.I., relative to professional boxing and wrestling in Rhode Island; jointly, to the Committees on Energy and Commerce and Education and Labor.

EXTENSIONS OF REMARKS

ROLE OF FEDERAL GOVERNMENT IN EDUCATION EXCELLENCE

HON. LES AuCOIN

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Monday, May 16, 1983

● Mr. AuCOIN. Mr. Speaker, the United States is poised on the brink of a technological revolution, a revolution that will change the face of literally every workplace across the country. The coming age will be one of knowledge intensity, and there can be no other conclusion than that our Nation is more dependent than ever on a highly educated work force.

It is frightening, therefore, to contemplate the implications of the report of the Commission on Excellence in Education. The Commission documented that graduates of high schools and colleges do not have the necessary math, science, and foreign language skills to get by. I believe that if the United States cannot prepare trained minds for the change that is underway, then the economic, social, and military security of this country will be at risk.

If we do not teach the basics now, we will pay for it later. We will pay for it in higher costs to American business which last year spent over $30 billion to retrain employees, too many of them high school and college graduates with inadequate skills. We will pay for it in higher unemployment rates for college and high school graduates. And we will pay for it in a diminished ability to compete with other nations that understand what investing in education means to their economic future, and are making those investments now.

On April 27, I, along with GEORGE MILLER, PAUL SIMON, and TONY COELHO, introduced House Concurrent Resolution 118, a concurrent resolution recommitting the Federal Government to our Nation's future by affirming that it is the national policy that the Federal Government contribute to the support of public education from elementary through the secondary levels.

House Concurrent Resolution 118, which has over 40 cosponsors, is in no way intended to usurp local efforts or local control of education. The resolution is an effort to provide guidelines so that Congress and the executive branch can structure policy and funding in a way that will strengthen State and local efforts now, and in the years to come.

The following statement, adopted by the National Association of State Boards of Education, serves as a useful reminder of the vital role the Federal Government has played in encouraging educational excellence. The statement traces the history of Federal involvement and calls for the cooperative and coordinated functioning of all levels of government to insure the vitality of our schools in the years ahead.

NASBE'S POSITION ON THE FEDERAL ROLE IN EDUCATION AS ADOPTED BY THE BOARD OF DIRECTORS

Does the federal government have a role in education? What is that role? What are the responsibilities of the federal government regarding the education of the children and youth of our nation? Responses to questions such as these are of paramount importance.

The debate over the "New Federalism" and the search for program reductions to narrow the ever-increasing federal budget deficit have made it imperative to consider carefully the federal role in education. Furthermore, increased fiscal constraints at the local, state and national levels have caused a reexamination of priorities for education expenditures.

Our nation's commitment to education is not new. Since the ruling class in this country is its citizens, a major concern of our founding fathers was how to educate these citizens to ensure that they might effectively govern themselves. Because "knowledge is in every country the surest basis of public happiness," George Washington in the first annual presidential address to the Congress, stated that nothing better deserved congressional patronage than the promotion of science and literature. A lodestar of his political philosophy was his belief that education is an essential attribute of a democratic society and contributes to the security of a free people. In his Farewell Address he again urged Congress to promote "as an object of primary importance, institutions for the general diffusion of knowledge," because "it is essential that public opinion should be enlightened."

Washington's concern with education has been shared by our national leaders ever since, resulting in extensive federal involvement in education, beginning with the Land Ordinance of 1785 which provided that certain lands in each new state be set aside for public education. The Morrill Act of 1862—the land grant college act—promoted education in agriculture and the mechanical arts. The Smith-Hughes Act of 1917, the forerunner of the Vocational Education Act, fostered schooling for a variety of occupations. In the 1940s, federal concern for the education of our returning veterans resulted in the Full Employment and Training Act of 1946—the GI Bill. The National Defense Education Act of 1959 was designed to promote math, science and language instruction. In 1965, the federal commitment to equal educational opportunity led to the enactment of the Elementary and Secondary Education Act. These examples suggest some of the critical national purposes underlying the federal role in education, ranging from economic development to national security to ensuring an equitably educated citizenry.

Much of the current debate over the federal role in education is based on a misunderstanding of the provision of the Tenth Amendment to the Constitution, which reserves to the state those powers not specifically granted to the federal government. That amendment does not prohibit federal government financing of education, any more than the Constitutional provision for a state militia prohibits federal financing of the National Guard. Indeed, widespread national agreement exists that the federal government should play an important role in education. It is necessary, then, to define that role in terms of national needs and aspirations and to coordinate federal, state and local government responsibilities.

In a country with a rich and diverse educational system that offers a mosaic of opportunities to students rather than assigning them to a predetermined role, and which is committed to citizen leadership at the state and local level, widespread agreement exists as to the overall goals of our educational system, kindergarten through post-doctoral. In abroad outline this consensus holds that:

1. All students should have access to a free public education regardless of sex, handicapping condition, race, national origin, or economic background.

2. Students should leave secondary school with an education that includes mastery of:

(a) the basic skills of reading, writing, mathematics;

(b) an understanding of United States history, and an overview of the history, geography, and culture of other countries;

(c) an understanding of science and technology;

(d) the ability to reason and solve problems;

(e) an understanding of our government;

(f) an appreciation of the arts and humanities.

3. Students should have the opportunity in the first twelve grades to prepare adequately for work, further training, or additional education in institutions of higher education.

4. The educational system should be one which:

(a) provides a reasonably appropriate number of doctors, carpenters, math teachers, computer experts—a diversity of workers;

(b) is accessible to those who have left formal schooling and who wish to return to the educational system at a later date;

(c) encourages students of all abilities to reach for higher levels of achievement.

5. The educational system should set standards, as well as encourage and recognize achievement.

How do the various governmental entities work together to achieve these ends, and how can they achieve them at a time of dra-

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● This "bullet" symbol identifies statements or insertions which are not spoken by the Member on the floor.

matic change in the world? We are living in a nation which is on the brink of an explosion of new knowledge. We are also experiencing an increasingly transient population, a dramatic shift in demographics, far greater pupil awareness of possibilities and impossibilities for their world, and a growing disparity in the distribution of world resources. Our national survival depends on the capacity of our citizens and government to respond to these conditions.

If we look at our objectives for education against this backdrop, it is clear that all levels of government must function cooperatively and in a coordinated fashion.

The federal role should be one of national leadership and coordination based on an awareness of national needs. As in the past, it should include concerns for access and equity, support for special populations, human capital development, research, innovation and development activities. The federal government has the widest financial base, broadest perspective on national needs, the ability to distribute resources equitably, and the responsibility to protect national concerns.

Federal financial assistance should supplement the efforts of states and local school districts, and federal education legislation would contain provisions which conform to the following guidelines:

1. Flexibility should be allowed both SEAs and LEAs under both federal statutes and regulations;

2. Programs with similar purposes and reaching a common population should be consolidated;

3. Forward-funding should be maintained with no rescissions or deferrals, in order to meet the planning needs of states and local districts;

4. Fiscal accountability and audit responsibilities should be clearly defined;

5. Whenever possible, federal funds should flow through SEAs so that state and local programs may be coordinated;

6. Federal mandates should provide adequate funding to SEAs and LEAs to implement the mandates.

The federal role in education should be coordinated with the states' efforts. The states should set educational standards and evaluate their educational progams. They should provide demonstration and dissemination projects, collect data, increase educational quality, provide funds to equalize educational opportunity within each state, allocate federal funds within the state, and coordinate reporting or accounting for these funds to the federal government.

The role of the local school board or government should be to set educational standards for its district; operate school programs; respond to parental, student and community concerns; provide local financial management and accountability, and provide financial support for district programs.

To meet our country's educational goals, each level of government must contribute to the whole. The local school district, with its knowledge of district needs, has the responsibility to operate the schools. The state, based on an awareness of local needs must provide leadership, set standards, and provide financial support. The federal government should be supportive of both states and local districts, and should address national needs, provide for research and assessment, ensure access to the educational system, and provide a broad base of financial support.

Such a coordinated and mutually supportive system would strengthen the total educational enterprise and do much to develop our most valued resource—the citizens of the nation.

If education is Will and Ariel Durant's "transmission of civilization," and if education contributes to the security of a free constitution, then it is also educator George Peabody's "debt due from present to future generations." Our job as a nation, indeed as a federal government, is to ensure that this debt is paid in sound currency.●

BAN ARMOR-PIERCING BULLETS

HON. JOSEPH G. MINISH

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, May 16, 1983

● Mr. MINISH. Mr. Speaker, National Police Week, May 15 to 20, is an appropriate time to discuss an issue of keen importance to law enforcement officers all over the country: bullets designed for the purpose of penetrating bulletproof vests of the type usually worn by police.

I think that it is a scandal that these devices, which have no legitimate sporting purpose and in fact are designed specifically to kill human beings, are allowed to circulate on the open market with no restriction other than the manufacturers's assertions that only law enforcement agencies ought to buy them. These lethal products should not exist at all, but if they must, they certainly should be available only to law enforcement people. If we cannot prevent their falling into the hands of criminals in any other way, we should prevent their manufacture or sale.

Mr. Speaker, events over the last year or so in my home State of New Jersey help bring home the vital importance of these bullets. We have seen instances of officers who were not wearing bulletproof vests killed, and at least one instance in which body armor saved the life of an officer who was wearing it. Towns in my own district and elsewhere have conducted successful fundraising drives to equip their police with protective body armor, just as the people here in the District of Columbia are doing now. It is a scandal, then, that we still permit the indiscriminate distribution of bullets which render this lifesaving equipment useless.

Since our distinguished colleague, Mr. BIAGGI, brought national attention to the threat these special bullets pose not only to police but to the public in general, a number of States have passed legislation against them. I am proud to be one of the sponsors of his H.R. 953 as well as sponsor of a bill of my own, H.R. 641; I also gave testimony in favor of such legislation during the last Congress. I sincerely hope that we will deal with this legislation, sponsored by over 100 of our colleagues, before any more police deaths bring home to us the need for it. Law enforcement agents put their lives on the line for us every day, and surely we owe them—and ourselves—a modicum of protection.

I hope that even more of our colleagues will join in sponsoring this life-or-death legislation and in working to bring it to the floor. Let us underscore the words of support which we speak during National Police Week with action on their behalf.●

MR. LARRY A. WREYFORD

HON. ROBERT T. MATSUI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 16, 1983

● Mr. MATSUI. Mr. Speaker, to a great degree, we in the Congress must function as the people's watchdog on the Federal bureaucracy, the eyes and ears—and the voice—of our constituents on this Government. Thanks to our work in this capacity, countless instances of wrongdoing or simple mismanagement have been exposed over the years.

Mr. Speaker, there is natural tendency on the part of all of us to focus on what went wrong. Today I am very happy to draw to the House's attention an instance where things have gone right—and much to the benefit of the American taxpayer.

An employee at McClellan Air Force Base in Sacramento, Calif., has been credited with an idea that will save the Air Force nearly $110 million over a 2-year period. This is a story of a conscientious Government employee who turned his years of experience, considerable skill and good sense to ways to make things work better, and in this we all benefit.

Mr. Larry A. Wreyford of Sacramento is a program manager for aircraft ground support generators and other equipment at McClellan Air Force Base. His dedication will save taxpayers money and facilitate the operations at Air Force bases across the country for years to come.

Mr. Wreyford, a native of Texas, entered military service in 1942. He was a B-17 pilot in the 305th bomb group of the 8th Air Force during World War II. He was shot down over Germany on September 3, 1944 and was a prisoner of war at Stalag Luft-1 until liberated by the Russians in May 1945.

Returning to the United States, he began a logistics career with the Air Force that has continued to this day. Following his retirement from uniform service in May 1963, he began his civil service career at McClellan Air Force Base in 1964.

Mr. Speaker, I wish to use this opportunity today to express respect for Mr. Wreyford, who has given years of outstanding public service to the Air Force and to this Nation. He is ad-

mired by his coworkers and held in very high esteem by the entire McClellan Air Force Base community. Today, on the occasion of the visit by the Sacramento Chamber of Commerce to Washington, his effort are being acknowledged by his fellow Sacramentans.

On behalf of taxpayers and the Congress, I wish to extend warm congratulations to Mr. Wreyford on his outstanding achievement.●

NATIONAL SMALL BUSINESS WEEK

HON. DAN SCHAEFER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 10, 1983

● Mr. SCHAEFER. Madam Speaker, our Nation was founded on the principles of free thought, free speech, and free enterprise. From this base, America has become preeminent in the world because we are free to work as we wish and achieve what our talents will allow.

Small business exemplifies this tradition of hard work and achievement and has become the wellspring of creativity in product development and innovative business practices.

Small businessmen start with an idea. They struggle against the odds, take on the risks, and may never see their hopes come to fruition. But for those that are successful, the rewards can be substantial. In the meantime, their successes create jobs and their innovations improve the quality of our lives.

The energy and aptitude of America's small businessmen have made our Nation the leader in the business world. Their spirit and strength of purpose are vital to the Nation's continued growth and economic well-being. I am delighted that I have a special opportunity as a member of the Small Business Committee to insure that the Nation's innovators, creators, and entrepreneurs have conditions that will allow them to prosper and that they have proper incentives and opportunities for new ventures.

This week is national Small Business Week. This is a time to celebrate for all those who believe in our system of free enterprise and in the fundamental importance of the freedom to work and achieve.●

FRANCIS A. MULHERN OF THE PORT AUTHORITY OF NEW YORK AND NEW JERSEY

HON. PETER W. RODINO, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, May 16, 1983

● Mr. RODINO. Mr. Speaker, it is an honor to give recognition to a man who, for over three decades, has served the public with great distinction and unfailing dedication. This man is Francis A. Mulhern, an outstanding member of the legal profession who has accomplished much for which his native State of New Jersey can be proud. Art Mulhern will retire this month after 34 years in public service. His career encompasses those qualities which foster an efficient and effective government while, at the same time, protect the public interest. These are indeed the highest ideals of government service. It is therefore fitting that we recognize Art Mulhern for his accomplishments and contributions to the public good.

Graduating cum laude, Mr. Mulhern received his A.B. degree from the University of Notre Dame in 1938. Continuing his record of academic excellence, he went on to receive his juris doctorate from the Law School of Harvard University in 1941. After completing his studies at Harvard, he worked as a law clerk for a private attorney and counselor-at-law until going on active duty in the U.S. Naval Reserve. Mr. Mulhern is a veteran of World War II, having served on active duty from 1942 until 1946; in 1953 he transferred to the Retired Reserve.

After his service in the Naval Reserve, Mr. Mulhern returned to New Jersey where he was admitted to the New Jersey bar. Beginning his career with the Port Authority of New York and New Jersey in 1949, Mr. Mulhern established himself as an outstanding spokesman for the organization and unrivaled practioner of general law. Throghout his career with the port authority, Mr. Mulhern has repeatedly demonstrated his legal expertise while maintaining the very highest standards of personal and professional integrity. His steadfast devotion and diligence have greatly contributed to the extraordinary reputation that the port authority enjoys in all its legal representations.

Mr. Mulhern started his port authority career as an attorney in what was then the general division of the law department. In 1972, he was promoted to his current position as deputy general counsel. He has continued to hold this post with great distinction and honor.

It is no exaggeration to state that Mr. Mulhern's exceptional legal expertise has been evident in every State and Federal court case in which the port authority has been a party, as well as in every Federal administrative proceeding which he has conducted on its behalf. Mr. Mulhern has demonstrated, throughout his career, that he is far more than just a successful litigator. In an age of legal specialization, he is still an unequaled generalist. Art Mulhern's dedication and outstanding ability represent the highest ideals of his profession.

His outstanding record of achievement and his long and distinguished career of service have made Art Mulhern an exceptional public servant who will be deeply missed when he retires this month.●

DISCLOSURE OF NET WORTH

HON. WILLIAM R. RATCHFORD

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Monday, May 16, 1983

● Mr. RATCHFORD. Mr. Speaker, as I have done every year since 1971, when I was a member of the Connecticut Legislature, I am today disclosing a statement of my net worth and an accounting of income and taxes paid for calendar year 1982. While I realize this disclosure goes beyond what is required by law, I feel that such an accounting is a responsibility of public office.

The following is a statement of assets, liabilities, and capital as of December 31, 1982, and a statement of income and taxes paid for tax year 1982. This statement covers myself and my wife Barbara J. Ratchford:

WILLIAM R. RATCHFORD FINANCIAL STATEMENT

The following is a statement of assets, liabilities and capital as of December 31, 1982, and covers both William R. Ratchford and his wife, Barbara J. Ratchford.

1982 income:

William R. Ratchford, salary, U.S. House of Representatives	$60,662.50
Barbara J. Ratchford, salary, Arlington Board of Education, Arlington, Va	15,799.82
William and Barbara Ratchford, rental income, summer home, Nantucket, Mass	4,425.00
William and Barbara Ratchford, rental income, residence, 2 Johnson Drive, Danbury, Conn	6,150.00
William, Barbara, and sons, interest income, savings accounts	112.50
Total income	87,149.42
1982 Federal income taxes, joint return	17,470.69

1982 Virginia State income taxes, Barbara Ratchford (nonresident tax)	451.88
Assets:	
Cash:	
Savings account—Connecticut Bank & Trust (Barbara and Scott)	52.45
Savings account—Connecticut Bank & Trust (Barbara and Brian)	1,501.02
Savings account—Wright Patman Federal Credit Union (William and Barbara)	5.69
Share draft account—Wright Patman Federal Credit Union (William and Barbara)	26.31
Checking account—First American Bank, Arlington, Va. (William and Barbara)	2,316.20
Savings account—Connecticut Teachers Federal Credit Union (Barbara)	6.42
Automobile: 1981 Chrysler K-car	5,300.00
Household furnishings:	
Danbury, Conn. and Arlington, Va., homes	10,000.00
Nantucket summer home, Nantucket, Mass	7,500.00
Other:	
Teacher's retirement—State of Connecticut and Arlington County, Va., Barbara Ratchford	14,457.02
Congressional retirement, William Ratchford	18,792.27
Real estate:	
Home, 2 Johnson Drive, Danbury, Conn. (market)	84,000.00
Summer home, Nantucket, Mass. (market)	150,000.00
Total assets	293,957.38
Liabilities:	
Mortgages:	
Danbury home, Danbury Savings & Loan	42,374.93
Nantucket summer home, Nantucket Savings Bank	41,436.39
Danbury home, Commercial Credit, second mortgage	22,971.55
Notes payable: Wright Patman Federal Credit Union	4,000.00
Total liabilities	110,782.87
Total net worth	183,174.51

●

LOU CARNESECCA

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, May 16, 1983

● Mr. RANGEL. Mr. Speaker, today, the Washington, D.C., Alumni of St. John's University is holding its annual luncheon in the Rayburn House Office Building. At the luncheon Lou Carnesecca will be our guest speaker. As a proud alumni of this fine university, I would like to pay tribute to this outstanding American.

Lou Carnesecca has been named as the 1983 college basketball coach of the year by the U.S. Basketball Writers, the U.S. Collegiate Basketball Coaches, and many other groups.

His exceptional coaching ability has always been obvious to those who follow college basketball. This was demonstrated during the past season by the accomplishments of his team. They faced one of the toughest schedules in the country and completed a 28–5 record. They won the ECAC Holiday Festival for a record sixth time, the Joe Lapchuck Memorial Tournament for a record eighth time, and the Big East Conference Championship. The team set a school record for the most victories—28—in a season.

Beyond Mr. Carnesecca's achievements in the record books are his qualities as a humanitarian, leader, molder of character, teacher, and friend to his players and others who come into contact with him. He demonstrates a deep concern for everyone as individuals and sees to it that the glory of big time college basketball is enjoyed, but kept in perspective.

He stresses the academic side of university life and strives to prepare his players for the real world challenges they will be facing throughout their lives.

He is also a goodwill ambassador for the United States. He is currently chairman of the International Basketball Committee of the National Association of Basketball Coaches. He has taken teams of college players on tours of Spain, Yugoslavia, Angola, and Italy. He has also conducted clinics and schools in Spain, Portugal, Italy, Yugoslavia, Canada, Brazil, and Argentina.

It is an honor to have this successful, dedicated, respected American as a fellow alumnus.●

REVEREND MONSIGNOR FRANCIS J. BEEDA, S.T.L., ELEVATION TO PRELATE OF HONOR

HON. FRANK HARRISON

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 16, 1983

● Mr. HARRISON. Mr. Speaker, on Sunday, May 15, the parishioners of Sacred Heart Church in Wilkes-Barre honored their pastor, the Reverend Monsignor Francis J. Beeda, S.T.L., on the occasion of his elevation to the rank of Prelate of Honor.

Monsignor Beeda has been pastor of Sacred Heart Church since 1974. Prior to that, he was an assistant pastor there for 9 years. On March 14 of this year, he was named a Prelate of Honor by His Holiness, Pope John Paul II.

Monsignor Beeda, who is the youngest Slovak Prelate in the United States, was born in Scranton, the son of Roman and Anna Duchak Beeda. He graduated from Central High School, Scranton, studied at the University of Scranton, and entered Christ the King Seminary in 1956. In 1958, the late Bishop of Scranton, the Most Reverend Jerome D. Hannon, sent him to the North American College in Rome to complete his priestly studies. He received his licentiate in Sacred Theology from the Pontificial Gregorian University. He was ordained a priest in St. Peter's Basilica, Rome, on December 20, 1961, by Archbishop Martin J. O'Connor, a former pastor of St. Mary's Church in Wilkes-Barre and then rector of the North American College.

Monsignor Beeda celebrated his first solemn mass at St. Clement's Basilica, where St. Cyril, one of the patrons of Slovakia, is buried.

He celebrated his first mass in his home parish of Holy Family, Scranton, on July 22, 1962. His first priestly assignment, in the summer of 1962 was at St. Patrick's Church in Wilkes-Barre. From September 1962 through September 1965, he served as assistant pastor at St. Joseph's Slovak Parish in Nanticoke. In September 1965, he was assigned to Sacred Heart Church in Wilkes-Barre, where he continues to minister to the people of God.

Monsignor Beeda is a former professor at College Misericordia, Dallas, Pa., and St. Pius X Seminary in Dalton. He has also taught at Bishop Hoban High School, Wilkes-Barre, where he now serves as secretary to the board of pastors.

Monsignor Beeda is a member of all the Slovak fraternal organizations in the United States and Canada. He serves as National Chaplain of the Ladies' Pennsylvania Slovak Catholic Union and is a member of the Fourth Degree Knights of Columbus and

Chaplain of Caravan 4 of the International Order of Alhambra.●

NATIONAL NURSING HOME WEEK

HON. NORMAN SISISKY

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 16, 1983

● Mr. SISISKY. Mr. Speaker, in the spirit of National Nursing Home Week, I want to commend nursing homes in the United States for providing invaluable health services for an estimated 1.4 million nursing home residents.

About 30 years ago a small group of nursing homes set out to increase public awareness of nursing homes and the nursing home residents. This efforts resulted in the first National Nursing Home Week. This year over 19,000 nursing homes across the Nation are observing National Nursing Home Week.

The purpose of this observation remains the same: To recognize the residents of the nursing homes; to remind the public that these residents are still vital members of our communities; to encourage visitation to these homes; and finally to bring attention to the quality health care which these homes provide these special citizens.

Over the past year, I have had the great privilege of meeting many nursing home residents in my district. Their views have helped me personally in my work here. I take this opportunity to thank each of them. I also want to applaud nursing home staffs for their dedication to insuring that these homes are as much like home as possible. For citizens in need of long term care, nursing homes meet that need. They do it well and often under difficult circumstances. National Nursing Home Week is a fitting reminder of the contribution nursing homes provide.●

A TRIBUTE TO MISS MARY YORK: AN OUTSTANDING EDUCATOR RETIRES

HON. WILLIAM (BILL) CLAY

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Monday, May 16, 1983

● Mr. CLAY. Mr. Speaker, Miss Mary York will retire on June 10, 1983 from the St. Louis public schools, after 47 years of service. Her career has been multidimensional as she has contributed her expertise in a variety of roles within the St. Louis public schools and in the national educational community. In this connection, she has served as a teacher, consultant, principal, director, supervisor, acting executive director, instructional facilitator, manager, university instructor, and author.

She began her career as a substitute teacher in the St. Louis public schools. Subsequently, she was assigned as a permanent teacher and taught at Grant School in South St. Louis; Ashland School in North St. Louis, and at the South Grand Reading Clinic where she later returned as its director. Miss York has provided leadership in the St. Louis public schools in a number of supervisory positions. She has served as a social studies consultant; principal, Lowell School; general consultant, South Grand District; curriculum supervisor; acting executive director, division of curriculum services; instructional facilitator, area II; and as manager of performance standards, division of instructional planning and program development.

In the course of her duties as a curriculum supervisor in the division of curriculum services and as a member of the instructional planning portion of the Committee for Desegregation of the St. Louis Public Schools, Miss York was actively involved in the development of the proposals and curriculum designs for several of the magnet schools which have been implemented in St. Louis. As a member of the Committee on Comprehensive Competency Based Education and as a facilitator on special assignment, Miss York guided and facilitated the development of the performance standards program. In her present position with instructional planning and program development, she is currently managing and supervising the first year of implementation of the comprehensive competency based education program at benchmark levels—primary III, grades 5, 8, and 10—throughout the St. Louis public schools.

Her involvement in the field of education is not limited to the St. Louis school system and geographical area. Teachers from many States and countries have learned about children and the instructional process from Mary York in university courses and summer workshops at St. Louis University, University of Virginia in Charlottesville, and the Johns Hopkins University. She has also served as a consultant in reading/language arts in the States of Texas, Maryland, Ohio, Illinois, Virginia, Pennsylvania, Michigan, New Jersey, Colorado, and Indiana as well as in many other school districts throughout the St. Louis metropolitan area and outstate Missouri.

Miss York's expertise in her field is well recognized in the textbook publishing industry. She authored the textbook, "Using Good English" Series 2-8, "Laidlaw English Program" 2-9. and "Revision of Simplified Missouri Constitution." She has also provided consultant services for the Ginn language program, K-8 and the McGraw-Hill phonics program. With an educational background that includes a bachelor of arts degree from Harris Teachers College and a master of arts degree from St. Louis University, Miss York's commitment to professional development is evidenced by her active participation and leadership in numerous professional organizations.

As part of her commitment to community service, she serves as secretary of the board of trustees of the Brookes Bible Institute. In addition, she has received many honors for her many contributions to the field of education. She has traveled extensively throughout the United States—including Hawaii and Alaska—Canada, and Europe. Her continuing enthusiasm for visting interesting places and her interest in writing instructional materials will undoubtedly keep Mary York actively involved in the field of education for many years to come.

Mr. Speaker, we have in Miss York a superior educator who has given fully and creatively to help Missouri's most precious resource: Her children and youth. I am extremely pleased to call attention to a remarkable educator who gave her best for the sake of a more humane and richer society through education.

I invite my colleagues in the U.S. Congress to join with me in wishing Miss York Godspeed and great success in a retirement filled with tranquility, challenge, and personal fulfillment.●

KATHARINE ST. GEORGE

HON. JAMIE L. WHITTEN

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 11, 1983

● Mr. WHITTEN. Mr. Speaker, I am glad to join with my colleagues in paying tribute to the splendid record of our late friend, Katharine St. George, long a Member of Congress. It was my pleasure to serve with her during her years here. Brilliant, possessed of a fine personality, one who attended to her work, she was respected by all.

It was my privilege to work very closely with her on several major legislative matters. As has been pointed out by my colleagues, her record here is one of real value to the country and a monument to her life in public service. We join with her many friends in our regrets at her passing.●

UNITED STATES REPRESENTED IN INTERNATIONAL DRAGON BOAT RACES

HON. GEORGE MILLER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 16, 1983

● Mr. MILLER of California. Mr. Speaker, on June 5 and 12, 1983, the Oakland firefighters will be representing the United States in the international dragon boat races in Penang, Malaysia, and Singapore.

The Oakland Dragon Boat Association team, under the leadership of their President, Lee Tannehill, has been training in their authentic dragon boat, the only one in North America. They will be making their third appearance in the international racing circuit for dragon boats.

Oakland's entry into this 2,000-year-old race began in 1980, when Oakland firefighters went to Hong Kong, after training on a dragon boat given to the city the previous year by the Hong Kong Taoist Association.

The popular Chinese dragon boat race traces its roots to the fourth century B.C., when a legendary poet and patriot, Chu Yuan, was said to have thrown himself into a river to protest government corruption.

Local fishermen jumped into their boats and, paddling frantically, tried vainly to keep the river's man-eating fish from devouring the poet.

The paddles now beat furiously in competition and the tradition has lured international teams from Australia, Brunei, Hong Kong, Indonesia, Japan, Macau, Malaysia, West Germany, Singapore, and the United States.

In Penang, a beautiful island state off the northwest corner of Malaysia, the Oakland team will compete in the traditional heavy teakwood canoe-style boats, weighing up to 2,600 pounds paddled by crews of 24 members for a distance of 1,500 meters on an offshore course. The following Sunday in Singapore, the Oakland team will again face most of the same opponents who will be following the Asian circuit. There is one remarkable difference in this competition—the use of 20th century technology. The competition dragon boats will be made of fiberglass, but will retain the traditional style of the teakwood boats used in the Penang races.

Blessed with the advantage of having an authentic boat in which to practice three times a week on the Oakland estuary and with eight members of previous teams still involved, the Oakland team, supported by the Bay Area cities, intends to have the Stars and Stripes flying on the winners' pole two Sundays in a row.

Mr. Speaker, I invite all my colleagues to join me in wishing these competitors good luck. International in spirit, local in talent, the Oakland dragon boat team promises to be our country's ambassadors of good will to Asia.●

A TRIBUTE TO FATHER PAUL CULL

HON. JOHN EDWARD PORTER

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, May 16, 1983

● Mr. PORTER. Mr. Speaker, it gives me great pleasure to congratulate and honor the Reverend Paul Cull, recipient of the Waukegan Exchange Club's 1983 Golden Deeds Award for outstanding contributions to community activities.

Father Cull's distinguished career has been characterized by untiring energy and genuinely selfless initiative on behalf of the Waukegan-North Chicago community in the last 30 years. Beyond his pioneering parish work as associate pastor at Holy Family Church in North Chicago from 1950 to 1955, the reverend's innumerable activities and accomplishments at both Immaculate Conception and St. Dismas in Waukegan bear witness to his strong social conscience and commitment to progress. In addition to helping with the Waukegan Head Start program, Father Cull chaired the Lake County Community Action Program Board of Directors and the Waukegan Area Conference on Religion and Race. He also served as coordinator of Ecumenism and Human Relations for Vicariate I of the Archdiocese of Chicago.

His activities on behalf of the elderly and infirm include serving on the formation committee of the Lake County Council on Senior Citizens and as chairman of the Chaplaincy Service Nursing Home Committee at Winchester House in Libertyville. For his work with patients at Downey Veterans Hospital—now North Chicago VA Medical Center—in North Chicago he received the Lake County Mental Health Society's Mental Health Award.

As pastor of St. Dismas, Father Cull reduced the church's debt from $100,000 to $9,500 at present. Under his leadership, church property has been used for a variety of important community services. The parish hall has housed Republican and Democratic gatherings, RTA referendum meetings and Governors' public accountability sessions as well as fundraising performances by nonparish groups such as the Waukegan Symphony Orchestra and the Waukegan Community Players.

What this very abbreviated mention of Father Cull's activities and accomplishments may not totally communicate, however, is his warm and caring personal nature, his approachability and sincere friendliness, and the high regard in which he is held by everyone he has worked with. He has earned the admiration and respect of the people in his community by getting involved with them at a personal level time after time, while still remaining active and effective on behalf of the community as a whole. In closing, may I say that there could not be a more deserving recipient of the 1983 Golden Deeds Award than the Reverend Father Paul Cull, and I join the Waukegan Exchange Club in saluting this fine citizen for his many years of distinguished service to the community.●

THE KAISER-PERMANENTE MEDICAL CARE PROGRAM 25TH ANNIVERSARY

HON. BARBARA BOXER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 16, 1983

● Mrs. BOXER. Mr. Speaker, Friday, June 10, 1983, marks the 25th anniversary of the Kaiser-Permanente medical care program. It is the largest nongovernmental provider of health care in the world. The program has provided quality medical care to Marin County residents and has grown to its present 120 bed, acute care hospital with a staff of over 800 professionals providing medical care to one out of every four Martin County residents. The Kaiser-Permanente medical care program remains committed to the high ideals of its first founders—Henry J. Kaiser and Sydney R. Garfield, M.D., to continually provide high quality medical care at reasonable costs for Marin County residents. Congratulations and happy birthday.●

GREEN CONGRATULATES THE YUNG WING PUBLIC SCHOOL

HON. BILL GREEN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, May 16, 1983

● Mr. GREEN. Mr. Speaker, I rise to call to my colleagues' attention a significant achievement for one of New York City's most outstanding public schools. The Yung Wing Public School, P.S. 124, attained a remarkable 95.75 percent record of attendance, the highest in the city and State of New York. Under the leadership of Principal Samuel A. Cooper, P.S. 124 has provided students with a stimulating learning environment of high academic quality enhanced by seriously dedicated faculty members and concerned parents. This school has set a fine example for other city schools,

and indeed for all schools in New York State.●

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate on February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place, and purpose of the meetings, when scheduled, and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Any changes in committee scheduling will be indicated by placement of an asterisk to the left of the name of the unit conducting such meetings.

Meetings scheduled for Tuesday, May 17, 1983, may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

MAY 18

9:00 a.m.
Appropriations
Foreign Operations Subcommittee
To continue hearings on the administration's request for a quota increase to the International Monetary Fund.
SD-192

9:30 a.m.
Governmental Affairs
Governmental Efficiency and the District of Columbia Subcommittee
To resume hearings on the status of emergency preparedness in the Washington, D.C., metropolitan area.
SD-562

Labor and Human Resources
Business meeting, to mark up S. 1129, proposed Community Volunteer Service Act, S. 564, proposed U.S. Academy of Peace Act, Senate Concurrent Resolution 22, expressing the sense of the Congress with respect to implementing the objectives of the United States Decade of Disabled Persons (1983-92), an original bill authorizing funds for fiscal years 1984, 1985, and 1986 for the Education for the Handicapped Act, and an original bill authorizing funds for fiscal years 1984, 1985, and 1986 for the Rehabilitation Act.
SD-430

10:00 a.m.
Banking, Housing, and Urban Affairs
Consumer Affairs Subcommittee
To hold hearings to examine credit and debit card fraud and its impact on the cost and availability of consumer credit.
SD-538

Energy and Natural Resources
Business meeting, to consider pending calendar business.
SD-366

Environment and Public Works
Water Resources Subcommittee
To continue hearings on proposals to provide for the operation, maintenance, and construction of national waterways, including S. 196, S. 207, S. 433, S. 455, S. 456, S. 635, S. 674, S. 812, S. 850, S. 878, S. 912, S. 987, S. 1028, S. 1073, S. 1075, S. 1112, S. 1131, S. 1157, S. 1162, S. 1031, S. 970, and S. 865.
SD-406

Foreign Relations
To resume hearings on Senate Resolution 43 and Senate Joint Resolution 28, resolutions calling for negotiations prohibiting the testing, deployment, production or use of all weapons based in space.
SD-419

Judiciary
Criminal Law Subcommittee
To resume hearings on S. 829, to strengthen law enforcement in the area of violent crime and drug trafficking.
SD-226

1:30 p.m.
Foreign Relations
To hold hearings on the nominations of Myles R. R. Frechette, of Washington, to be Ambassador to the United Republic of Cameroon, and Robert B. Keating, of the District of Columbia, to be Ambassador to the Democratic Republic of Madagascar and to serve concurrently and without additional compensation as Ambassador to the Federal and Islamic Republic of the Comoros.
SD-419

2:00 p.m.
Judiciary
To hold hearings on pending nominations.
SD-226

MAY 19

9:30 a.m.
Commerce, Science, and Transportation
To resume hearings on S. 372, to promote interstate commerce by prohibiting discrimination in the writing and selling of insurance contracts.
SR-253

Governmental Affairs
To resume oversight hearings on the management policies of the Department of Defense, focusing on the implementation of cost accounting standards.
SD-342

Judiciary
Patents, Copyrights and Trademarks Subcommittee
To hold hearings on S. 1201, to provide copyright protection for the semiconductor chip industry.
SD-562

Joint Economic
To hold hearings to review the administration's future position on farm policy.
SD-124

9:45 a.m.
Labor and Human Resources
To hold oversight hearings to define health care cost issues.
SD-430

10:00 a.m.
Environment and Public Works
Environmental Pollution Subcommittee
To hold hearings on S. 696, to provide for the ratification of the Memorandum of Agreement between the U.S. Department of the Interior and the State of Texas for the Management of the Matagorda Island State Park and Wildlife Management Area A Unit of the National Wildlife Refuge System in Calhoun County, Tex.
SD-406

Foreign Relations
Arms Control, Oceans, International Operations, and Environment Subcommittee
To hold hearings to examine the growing trend within various international organizations to produce draft international guidelines and regulations which restrict or impede U.S. exports.
SD-419

*Judiciary
Criminal Law Subcommittee
Juvenile Justice Subcommittee
To hold joint hearings on S. 829, to strengthen law enforcement in the area of violent crime and drug trafficking.
SD-226

10:30 a.m.
Energy and Natural Resources
To hold oversight hearings on the geopolitics of strategic and critical minerals.
SD-366

2:00 p.m.
Foreign Relations
To hold hearings on the nomination of Curtin Winsor, Jr., of the District of Columbia, to be Ambassador to Costa Rica.
SD-419

MAY 20

9:30 a.m.
Banking, Housing, and Urban Affairs
To resume oversight hearings to review developments in markets for banking and other financial services.
SD-538

Finance
Oversight of the Internal Revenue Service Subcommittee
To hold hearings on efforts to reduce taxpayer burdens.
SD-215

10:00 a.m.
Appropriations
Legislative Branch Subcommittee
Business meeting, to mark up proposed legislation appropriating supplemental funds for fiscal year 1983 for the legislative branch of the Federal Government.
SD-192

Foreign Relations
To hold hearings on the nomination of Richard B. Stone, of the District of Columbia, to be Ambassador at Large.
SD-419

Judiciary
To resume oversight hearings on organized crime in the United States.
SD-226

*Judiciary
Constitution Subcommittee
Business meeting, to mark up Senate Joint Resolution 73, proposing an amendment to the Constitution of the United States relating to voluntary prayer in public schools.
SD-628

MAY 23

9:30 a.m.
Judiciary
Criminal Law Subcommittee
To resume hearings on S. 829, to strengthen law enforcement in the area of violent crime and drug trafficking.
SD-562

10:00 a.m.
Appropriations
HUD-Independent Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1984 for certain programs under the subcommittee's jurisdiction.
SD-124

Judiciary
To resume hearings on S. 610, to encourage college student-athletes to complete their undergraduate education before becoming professional athletes.
SD-226

1:30 p.m.
Finance
Energy and Agricultural Taxation Subcommittee
To hold hearings on S. 237, to allow surface mine operators to establish a reserve for mining land reclamation costs and to deduct additions to such reserve, and S. 1006, repeal the 15-percent reduction in percentage depletion for iron ore and coal.
SD-215

2:00 p.m.
Judiciary
Patents, Copyrights and Trademarks Subcommittee
To hold hearings on patent term restoration.
SD-226

MAY 24

9:30 a.m.
Banking, Housing, and Urban Affairs
Housing and Urban Affairs Subcommittee
To hold hearings on certain provisions of the proposed Mortgage Retirement Account Act.
SD-538

Labor and Human Resources
Labor Subcommittee
To hold oversight hearings on the Employee Retirement Income Security Act (ERISA).
SD-430

10:00 a.m.
Appropriations
HUD-Independent Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1984 for certain programs under the subcommittee's jurisdiction.
SD-124

Energy and Natural Resources
Business meeting, to consider pending calendar business.
SD-366

Governmental Affairs
Permanent Subcommittee on Investigations
To resume hearings to investigate the use of offshore banks, trusts, and companies to facilitate criminal activity in the United States.
SD-342

Judiciary
Business meeting, to consider pending calendar business.
SD-226

MAY 25

9:00 a.m.
Office of Technology Assessment
To meet to consider pending Board matters.
EF-100, Capitol

9:30 a.m.
Banking, Housing, and Urban Affairs
Securities Subcommittee
To hold hearings on S. 1174, proposed Public Utility Holding Company Act Amendments
SD-538

Judiciary
Juvenile Justice Subcommittee
To hold hearings on the problem of parental kidnapping.
SD-226

Labor and Human Resources
To continue oversight hearings on health care cost.
SD-430

Special on Aging
To hold hearings to examine certain aspects of life-care communities.
SD-385

10:00 a.m.
Energy and Natural Resources
Business meeting, to consider pending calendar business.
SD-366

Governmental Affairs
Permanent Subcommittee on Investigations
To continue hearings to investigate the use of offshore banks, trusts, and companies to facilitate criminal activity in the United States.
SD-342

Governmental Affairs
Energy, Nuclear Proliferation and Government Processes Subcommittee
To hold oversight hearings to review Federal debt collection policy.
Room to be announced

Select on Intelligence
To hold closed hearings on intelligence matters.
S-407, Capitol

Joint Economic
Agriculture and Transportation Subcommittee
To hold hearings to review farm policy in the post-PIK era.
SD-124

10:30 a.m.
Judiciary
Separation of Powers Subcommittee
To resume hearings to explore certain Federal court procedures relating to the exclusionary rule, habeas corpus, and related matters.
SD-628

2:00 p.m.
Judiciary
To hold hearings on pending nominations.
SD-226

Labor and Human Resources
Education, Arts, and Humanities Subcommittee
To hold joint hearings with the House Subcommittee on Postsecondary Education of the Committee on Education and Labor on consolidation of student loans, focusing on findings of GAO studies mandated under Public Law 97-301, Sallie Mae Technical Amendments Act of 1982.
2175 Rayburn Building

MAY 26

9:30 a.m.
Banking, Housing, and Urban Affairs
Securities Subcommittee
To continue hearings on S. 1174, proposed Public Utility Holding Company Act Amendments.
SD-538

Judiciary
Constitution Subcommittee
To hold hearings on Senate Joint Resolution 10, proposing an amendment to the Constitution of the United States relative to equal rights for women and men, and on related measures.
SD-628

10:00 a.m.
Energy and Natural Resources
Business meeting, to consider pending calendar business.
SD-366

Judiciary
Administrative Practice and Procedure Subcommittee
To hold hearings on title XIII, relating to Federal Tort Claims Act amendments, of S. 829, proposed Comprehensive Crime Control Act.
SD-226

Joint Economic
Agriculture and Transportation Subcommittee
To hold hearings to review the future direction in farm policy.
SD-124

2:00 p.m.
Judiciary
To hold hearings on plea bargaining matters.
SD-226

MAY 27

9:00 a.m.
Finance
Taxation and Debt Management Subcommittee
To hold hearings on miscellaneous tax measures, including S. 654, S. 738, S. 1147, S. 1194, and S. 1195.
SD-215

JUNE 6

9:30 a.m.
Labor and Human Resources
Labor Subcommittee
To hold hearings on the proposed Single-Employer Pension Plan Termination Insurance Improvements Act.
SD-430

JUNE 7

10:00 a.m.
Judiciary
Business meeting, to consider pending calendar business.
SD-226

JUNE 8

9:30 a.m.
Governmental Affairs
Oversight of Government Management Subcommittee
To hold hearings on the role of the administrative law judges of the Department of Health and Human Services related to social security disability.
SD-342

Labor and Human Resources
To hold hearings on food safety.
SD-430

10:00 a.m.
Judiciary
To hold hearings on S. 915, proposed Taxpayer Antitrust Enforcement Act.
SD-226
Veterans' Affairs
To hold hearings on proposed legislation providing for certain veterans' compensation.
SR-418

JUNE 9

9:30 a.m.
Labor and Human Resources
To continue hearings on food safety.
SD-430
10:00 a.m.
Energy and Natural Resources
To resume hearings on the geopolitics of strategic and critical minerals.
SD-366

JUNE 10

9:30 a.m.
Labor and Human Resources
To continue hearings on food safety.
SD-430
10:30 a.m.
Judiciary
Separation of Powers Subcommittee
To resume hearings to explore certain Federal court procedures relating to the exclusionary rule, habeas corpus, and related matters.
SD-226

JUNE 13

9:30 a.m.
Finance
To hold hearings to examine the tax structure applicable to property and casualty insurance companies.
SD-215
Labor and Human Resources
To hold hearings on home health care services.
SD-430

JUNE 14

9:30 a.m.
Labor and Human Resources
Labor Subcommittee
To hold hearings on proposed legislation revising certain provisions of the Labor-Management Reporting and Disclosure Act (Landrum-Griffin Act).
SD-430

JUNE 15

9:30 a.m.
Judiciary
Patents, Copyrights and Trademarks Subcommittee
To resume oversight hearings on activities of the Patent and Trademark Office, Department of Commerce.
SD-226
Labor and Human Resources
Business meeting, to mark up S. 772, proposed Smoking Prevention Health and Education Act, and other pending calendar business.
SD-430
10:00 a.m.
Veterans' Affairs
To hold oversight hearings to review certain health care and other services provided Vietnam veterans.
SR-418
10:30 a.m.
Labor and Human Resources
To hold hearings on the nominations of Ford B. Ford, of California, to be Under Secretary of Labor, and Madeleine C. Will, of Maryland, to be Assistant Secretary for Special Education and Rehabilitative Services, Department of Education.
SD-430
2:00 p.m.
Judiciary
To hold hearings on pending nominations.
SD-226

JUNE 16

9:30 a.m.
Judiciary
Juvenile Justice Subcommittee
To hold hearings on the deinstitutionalization of certain status offenders.
SD-226
Labor and Human Resources
Labor Subcommittee
To resume hearings on proposed legislation revising certain provisions of the Labor-Management Reporting and Disclosure Act (Landrum-Griffin Act).
SD-430

JUNE 20

9:30 a.m.
Finance
To hold hearings on S. 19 and S. 888, bills to revise current Federal pension law with respect to the rights and benefits of working and nonworking women.
SD-215
10:00 a.m.
Judiciary
Immigration and Refugee Policy Subcommittee
To hold hearings on proposed authorizations for refugee programs.
SD-226

JUNE 21

9:30 a.m.
Finance
To continue hearings on S. 19 and S. 888, bills to revise current Federal pension law with respect to the rights and benefits of working and nonworking women.
SD-215

JUNE 22

9:30 a.m.
Judiciary
Patents, Copyrights and Trademarks Subcommittee
To hold hearings on S. 737, proposed Joint Research and Development Ventures Act.
SD-226
Labor and Human Resources
Business meeting, to consider pending calendar business.
SD-430
10:00 a.m.
Labor and Human Resources
Family and Human Services Subcommittee
To resume oversight hearings on the breakdown of the traditional family unit, focusing on causes and remedies.
SD-430
Veterans' Affairs
To hold oversight hearings on certain health care services for veterans.
SR-418
2:00 p.m.
Judiciary
To hold hearings on pending nominations.
SD-226

JUNE 23

10:00 a.m.
Labor and Human Resources
Family and Human Services Subcommittee
To continue oversight hearings on the breakdown of the traditional family unit, focusing on the role of Federal policy.
SD-430

JUNE 27

10:00 a.m.
Judiciary
Immigration and Refugee Policy Subcommittee
To resume hearings on proposed authorizations for refugee programs.
SD-226

JUNE 28

9:30 a.m.
Labor and Human Resources
Labor Subcommittee
To hold hearings on S. 1173, proposed Federal Mine Safety and Health Amendments.
SD-430

JUNE 29

9:30 a.m.
Judiciary
Patents, Copyrights and Trademarks Subcommittee
To hold hearings on Federal Government patent policy.
SD-226
10:00 a.m.
Veterans' Affairs
Business meeting, to consider proposed legislation providing for certain veterans' compensation.
SR-418

JUNE 30

9:30 a.m.
Judiciary
Juvenile Justice Subcommittee
To hold hearings on juvenile offenders of serious and violent crimes.
SD-226
10:00 a.m.
Energy and Natural Resources
To resume hearings on the geopolitics of strategic and critical minerals.
SD-366
Judiciary
Administrative Practice and Procedure Subcommittee
To hold oversight hearings on activities of the Office of Administrative Law Judges, Department of Agriculture.
SD-562

JULY 6

9:30 a.m.
Labor and Human Resources
Business meeting, to consider pending calendar business.
SD-430

JULY 13

9:30 a.m.
Labor and Human Resources
Business meeting, to consider pending calendar business.
SD-430

JULY 20

9:30 a.m.
Labor and Human Resources
Business meeting, to consider pending calendar business.
SD-430

JULY 27

9:30 a.m.
Labor and Human Resources
Business meeting, to consider pending calendar business.
SD-430

SEPTEMBER 20

11:00 a.m.
Veterans' Affairs
To hold hearings to receive legislative recommendations for fiscal year 1984 from the American Legion.
SR-325

CANCELLATIONS

MAY 17

3:00 p.m.
Judiciary
Separation of Powers Subcommittee
Business meeting, to mark up S. 462, to clarify certain provisions of the Hobbs Act relating to Federal jurisdiction over labor extortion matters.
SD-226

MAY 18

10:00 a.m.
Veterans' Affairs
To hold oversight hearings to review adverse health effects from exposure to agent orange, and other related matters.
SD-628

2:00 p.m.
Veterans' Affairs
To continue oversight hearings to review adverse health effects from exposure to agent orange, and other related matters.
SD-628

MAY 19

10:00 a.m.
Judiciary
Courts Subcommittee
To hold hearings to discuss bankruptcy matters relating to the Manville Corp. in Denver, Colo.
SR-418

2:00 p.m.
Judiciary
Immigration and Refugee Policy Subcommittee
To consult with administration officials on the midyear refugee numbers.
SD-226

MAY 20

9:30 a.m.
Labor and Human Resources
To hold hearings on the effects of chemotherapy in the treatment of cancer.
SD-430

MAY 27

9:30 a.m.
Judiciary
Constitution Subcommittee
To hold hearings on S. 81 and S. 141, bills to revise current law relating to civil actions for the deprivation of rights.
SD-562

10:00 a.m.
Judiciary
Separation of Powers Subcommittee
To resume hearings to explore certain Federal court procedures relating to the exclusionary rule, habeas corpus, and related matters.
SD-226

JUNE 14

10:00 a.m.
Commerce, Science, and Transportation
Aviation Subcommittee
To hold oversight hearings on airline dereguation.
SR-253

JUNE 15

10:00 a.m.
Commerce, Science, and Transportation
Aviation Subcommittee
To continue oversight hearings on airline deregulation.
SR-253
Labor and Human Resources
Education, Arts, and Humanities Subcommittee
To hold hearings on the proposed Alien Education Assistance Act.
SD-430

JUNE 20

9:30 a.m.
Labor and Human Resources
To hold oversight hearings on activities of the Equal Employment Opportunity Commission.
SD-430